UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS
SECOND SESSION

VOLUME 112—PART 19

OCTOBER 5, 1966, TO OCTOBER 12, 1966

(PAGES 25175 TO 26444)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1966

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United States
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Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

SENATE

WEDNESDAY, OCTOBER 5, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. STEPHEN M. YOUNG, a Senator from the State of Ohio.

Rev. Charles S. McIlveene, pastor, Trinity Baptist Church, Lake Charles, La., offered the following prayer:

Eternal God, our Father, for a few seconds before we turn our attention to the legislative matters of the day, we turn our hearts and minds to Thee.

As we travel about Thy world may it not be with unseeing eye: that God everlastingly broods over the land and waters enduing them with form and color which no human skill can copy. Let it constantly remind us that the same Creator can give design, beauty, and light to the affairs of men if we are but willing to seek Thy help.

Realizing that if divine omniscience has numbered the hairs of our head, surely Thou art concerned about what happens in these Halls. Grateful Thou hast matched us with these days and because of our great love for our country we pray for the Members, officers, and servants of this body.

Grant them assurance there is a right answer to every problem and opportunity.

Hearten them with the knowledge that people pray for them daily.

Strengthen their moral discipline to submerge self-interest to what is best for all America.

Help them to put aside any distrust of one another and work together as Thy servants for a just and peaceful society and world.

Give them ability after acting to have a clear conscience before Thee.

Thou who dost know our needs, hopes, fears, motives, and abilities give these chosen of the people the sure promise of Holy Scripture that if any man lack wisdom, let him ask of God for Thou art far more willing to give than we are to ask.

So help us in this day, in the name of Jesus Christ. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., October 5, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. STEPHEN M. YOUNG, a Senator from the State of Ohio, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. YOUNG of Ohio thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, October 4, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on October 4, 1966, the President had approved and signed the following acts:

S. 146. An act for the relief of Delma S. Pozas;

S. 153, An act for the relief of Matsusuke Tengan;

S. 766. An act for the relief of Lt. Samuel R. Rondberg, U.S. Army Reserve;

S. 1449. An act for the relief of Dr. Enrique Ramon Ducassi;

S. 1571. An act for the relief of Kermit Wager, of Lebanon, S. Dak.;

S. 2177. An act for the relief of Donald I. Abbott;

S. 2265. An act for the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou;

S. 2287. An act to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula;

S. 2555. An act for the relief of Kim Kin Soon;

S. 2800. An act for the relief of George Joseph Saad;

S. 2854. An act for the relief of Dr. Gottfried R. Kaestner;

S. 2973. An act to permit Edward C. Bower to serve as a director of the Virgin Islands National Bank prior to his obtaining U.S. citizenship;

S. 3353. An act to amend the Trading With the Enemy Act to provide for the transfer of three paintings to the Federal Republic of Germany in trust for the Weimar Museum; and

S. 3421. An act to authorize the Secretary of Agriculture to convey certain lands and improvements thereon to the University of Alaska.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1310) relating to the National Museum of the Smithsonian Institution.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 722. An act to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so they will apply with similar effect to the Air Force; and

H.R. 15662. An act to amend the Federal Seed Act (53 Stat. 1275), as amended.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HOLIFIELD, Mr. BROOKS, Mr. HARDY, Mr. REUSS, Mr. ERLENBORN, and Mr. BROWN of Ohio were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 18119) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 491. An act to provide for the establishment of the Bighorn Canyon National Recreation Area, and for other purposes;

S. 2070. An act to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City;

S. 3433. An act to make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline, and for other purposes; and

H.R. 16559. An act to amend the Marine Resources and Engineering Development Act of 1966 to authorize the establishment and operation of sea-grant colleges and programs by initiating and supporting programs of education and research in the various fields relating to the development of marine resources, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 18119) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

APPOINTMENT BY THE VICE PRESIDENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to Public Law 84-689, appoints the Senator from Utah [Mr. Moss] as an alternate delegate to the 12th annual session of the NATO Parliamentarians' Conference, to be held in Paris, France, on November 14–19, 1966.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore announced that on today, October 5, 1966, he signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 1356. An act to amend the Judicial Code to permit Indian tribes to maintain civil actions in Federal district courts without regard to the $10,000 limitation, and for other purposes;

S. 2434. An act to clarify authorization for the approval by the Administrator of the Federal Aviation Agency of the lease of a portion of certain real property conveyed to the city of Clarinda, Iowa, for airport purposes;

S. 2463. An act to grant the consent of the Congress to the acceptance of certain gifts and decorations from foreign governments, and for other purposes;

S. 3080. An act to amend section 8 of the Revised Organic Act of the Virgin Islands to increase the special revenue bond borrowing authority, and for other purposes;

S. 3096. An act to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes;

S. 3715. An act to improve the aids to navigation services of the Coast Guard; and

S. 3807. An act to amend Public Law 89-428 to authorize the Atomic Energy Commission to enter into a cooperative arrangement for a large-scale combination nuclear power-desalting project, and appropriations therefor, in accordance with section 261 of the Atomic Energy Act of 1954, as amended.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TALMADGE, from the Committee on Agriculture and Forestry, with amendments:

S. 688. A bill to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes (Rept. No. 1676).

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 8664. An act to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes (Rept. No. 1678).

By Mr. LONG of Louisiana, from the Committee on Finance, with an amendment:

H.R. 8436. An act to amend the Tariff Schedules of the United States with respect to the dutiable status of watches, clocks, and timing apparatus from insular possessions of the United States (Rept. No. 1679).

EXTENSION OF HIGHER EDUCATION FACILITIES ACT OF 1963—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 1677)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963 to extend it for 3 years, and for other purposes; and to authorize assistance to developing institutions for an additional year, and ask unanimous consent that supplemental views may be printed with the committee report.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FANNIN:

S. 3880. A bill for the relief of certain claimants; to the Committee on the Judiciary.

By Mr. MURPHY:

S. 3881. A bill to provide for the striking of medals in commemoration of the U.S. Naval Construction Battalion (Seabees) 25th anniversary and the U.S. Navy Civil Engineer Corps (CEC) 100th anniversary; to the Committee on Banking and Currency.

By Mr. LAUSCHE (for himself and Mr. Douglas):

S. 3882. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs for the reclamation, acquisition, and conservation of lands and water adversely affected by mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Lausche when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 3883. A bill to provide for the payment of reasonable costs, expenses, and attorneys fees to defendants in actions by the United States for the condemnation of real property after determination of the amount of just compensation, or after abandonment of such actions by the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Case, Mr. Robertson, and Mr. Byrd of Virginia):

S. 3884. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on Rules and Administration.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS (for himself and Mr. Monroney):

S. 3885. A bill to grant the consent of the United States to the Arkansas River Basin compact, Kansas-Oklahoma; to the Committee on Public Works.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Constitutional Rights of the Committee on the Judiciary and the Committee on Finance were permitted to meet during the session of the Senate today.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. BURDICK:

Statement by him regarding National Business Women's Week.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

STRIP MINE RECLAMATION BILL

Mr. LAUSCHE. Mr. President, I am today introducing in behalf of myself and the Senator from Illinois [Mr. Douglas], legislation to establish a comprehensive national program for the regulation of future surface and strip mining and for the reclamation of lands and waters damaged by mining in the past. It is my intention at this time to introduce this legislation for the purpose of encouraging study and discussion among the Members of this body and by the general public. I further intend to press for action on an identical or similar bill early in the 1st session of the 90th Congress.

I believe that the blight of mining must be eliminated from our land and that the citizens of this Nation are prepared to support legislation to that end and to pay the proper public share of the costs to reclaim lands already damaged.

Mr. President, the Federal Government has taken the responsibility for underwriting extensive nationwide programs for highway beautification, soil conservation, building new parks and recreational areas, rehabilitation of slum areas in cities, and many others, none of which, on the local level, are more important than complete reclamation of strip-mine lands. Communities in unreclaimed soil bank areas, too, suffer from blight, reduced tax revenues, and general deterioration. The Federal Government can no longer close its eyes to this spreading cancerous situation.

This bill is based chiefly upon the well-received interim report of the Secretary of the Interior on his study of strip and surface mining in Appalachia and on his recommendations in that study. The bill goes beyond the bounds of Appalachia, however, and covers damages caused by the mining of other mineral commodities in addition to coal, for I believe the necessity for this natural resources conservation program is not confined to one mineral or one region of this country. I know that it is the plan of the Secretary of the Interior to complete a nationwide study of this problem by June 1967 and it is my hope that the Secretary will be prepared in the spring of 1967 to give the Congress at least the highlights of his nationwide findings. Such findings, I am sure, will support legislation of this type I am introducing today.

A brief description of the provisions of the bill is as follows:

First. The Congress finds that there are mining operations which continue to cause adverse effects upon the lands and waters of the Nation; that such effects counteract efforts to conserve the land and water, and other natural resources, are detrimental to property rights of citizens and the economy of the Nation and should be remedied, and that present Federal programs to assist State programs in the reclamation and conservation of mined lands are not broad enough in scope and need to be supplemented.

Second. The Secretary of the Interior is authorized to administer and coordinate all activities under a long-range comprehensive program to reclaim lands and waters damaged by mining in the past and to prevent further detriment to the Nation from such mining operations. This program includes the reclamation and conservation of State-owned mined areas; financial assistance to provide training programs, research and technical advisory assistance; reclamation and conservation of privately owned land; reclamation and conservation of federally owned mined areas, and acquisition of previously mined areas; the establishment of standards for the reclamation, protection and management of surface and strip-mined areas; the construction of demonstration projects, and the promotion of water pollution control, public recreation, industrial and commercial development, forestry, restoration and preservation of natural beauty, enhancement of fish and wildlife habitat, and public health and safety.

Third. All mines, the products of which enter commerce or the operation of which affect commerce, are subject to the bill if enacted.

Fourth. The Secretary of the Interior is required to cooperate to the fullest extent possible with other Federal agencies, State and local governments, interstate agencies and compacts.

Fifth. To assist in the development of standards and reclamation requirements the Secretary is directed to appoint a national advisory committee, composed of members qualified to present the viewpoint of owners and operators of surface and strip mines and interested citizen groups, Federal, State and local agencies. In addition, the Secretary is authorized to appoint such regional advisory committees as he deems necessary, to be composed of members with qualifications similar to those on the national advisory committee.

Sixth. Under title I the Secretary of the Interior, after consultation with appointed national and regional advisory committees is directed to establish Federal standards and reclamation requirements for first, the reclamation, conservation, and management of previously mined areas, second, standards, mining and reclamation requirements for the administration of future strip and surface mining operations in the Nation, and third, criteria for the selection of projects and programs for affected areas of land and waters most in need of reclamation.

Seventh. Under the procedure proposed in title I the Secretary of the Interior, and the national advisory committee, in establishing Federal standards and reclamation requirements relating to future surface and strip mining operations, must consider requirements which will meet certain specific objectives. These objectives pertain to such matters as permits, bonds, preplanned mining and reclamation procedures, penalties, time limits for completion of reclamation requirements, periodic reports, and so forth. The Secretary must publish the proposed Federal standards and reclamation requirements in the Federal Register and invite interested persons to comment. Except for a standard recommended by the National Advisory Committee, the Secretary must hold a public hearing if objections are filed to the proposed standards, and a further appeal to the courts is provided aggrieved parties.

Eighth. Following adoption of Federal standards and reclamation requirements by the Secretary, all surface and strip mining operations in the Nation must conform thereto, in the absence of an approved State plan. Any State which desires to regulate surface and strip mining operations may file a State plan with the Secretary, who may approve the plan if it conforms to or exceeds the adopted Federal standards and four other points enumerated in the bill. The Secretary is empowered to cause the inspection of any mine, and to require reports from the State and may withdraw his approval of the State plan at any time he determines there is a failure to comply with any provision of the State plan, whereupon Federal standards and reclamation requirements will be reimposed.

Ninth. Title II of the bill authorizes the Secretary to enter into agreements with State and local governments for the conservation and reclamation of lands and waters adversely affected by past mining operations and not reclaimed in accordance with modern standards. Under these agreements the Federal Government would contribute to costs of the project, or it could undertake to do the necessary work itself if the Secretary and the State agree. A right of access to and use of the reclaimed lands could be required in the discretion of the Secretary.

Tenth. Title III permits the Secretary to make grants to States or local agencies, nonprofit agencies and individuals for research to the development of improved mining, reclamation and conservation techniques and practices, and the training and development of personnel. It also permits grants to States to establish programs of technical assistance to mine operators to assist them in complying with State regulations relating to the preplanning of mining operations.

Eleventh. Title IV authorizes the Secretary to enter into agreements with owners of private lands, which were adversely affected by mining operations in the past and not reclaimed in accordance with modern standards, to reclaim such lands. Normally, under such agreements the work would be done by the owner with a Federal contribution toward the costs of the project. However, under special circumstances the Federal Government would be authorized to execute the project in its entirety and pay all the costs. In either event, the funds expended by the Government would constitute a lien against the land until repaid with interest. Public access to the reclaimed land could be required at the discretion of the Secretary. Further mining upon or beneath reclaimed lands would not be permitted until such time as the lien is repaid. However, owners of the land could petition the Secretary to permit further mining under an agreement obligating them to restore the land to at least the condition prevailing at the time the restoration work was completed. Provision is made for publication in the Federal Register of the petition and an intention on the part of the Secretary to approve it. If justified a public hearing may be held to take testimony and evidence in favor of and opposed to the petition.

Twelfth. Title V authorizes the Secretary to acquire title to previously mined lands by purchase or exchange or eminent domain, and reclaim to useful purposes. Owners of land so acquired could reserve a right of use and occupancy of improved property for noncommercial residential purposes. The Secretary is authorized to sell, exchange, or lease property so acquired or transfer it to public or nonprofit agencies with or without consideration. Under this title the Secretary would develop a program to reclaim federally owned lands affected by mining operations.

Thirteenth. Title VI defines certain pertinent terms used in the bill, and directs that all appropriations, moneys from sale of federally owned reclaimed lands, donations, repayment of liens, fines and forfeitures and other revenues shall be credited to a special revolving fund in the Treasury.

Fourteenth. The bill provides that financial assistance from the Federal Government under titles II and III may not be made unless and until such time as a satisfactory State plan is approved by the Secretary of the Interior.

Mr. President, I have previously placed in the Congressional Record a summary of the Secretary's interim report but at this point I ask unanimous consent to reinsert this summary so that it may be available for study along with the text of the bill. I also ask unanimous consent to insert the full text of my bill. I understand that copies of the interim report that I have referred to will be available to the general public from the Superintendent of Documents for $1 each.

Mr. President, in conclusion let me point out that the intensive study of surface damage from mining, conducted by the Department of the Interior during the past year and one-half, has been an operation in which many Federal agencies, numerous State agencies, and private groups and individuals have assisted. I believe that the Secretary's findings have been thorough and unbiased and represent the best available knowledge of all concerned with the study.

The expertise necessary not only to reclaim past mined lands but to develop and enforce complete mining systems which will avoid damage in the future is not presently available in any one Federal bureau. The interlocking specialties, however, of the various natural resources bureaus within the Department of the Interior—such as the Geological Survey, the Bureau of Mines, Federal Water Pollution Control Administration, the Bureau of Land Management, the Office of Water Resources Research, the Bureau of Sport Fisheries and Wildlife, and the Bureau of Outdoor Recreation—can together provide the broad range of talents and experience necessary to undertake this nationwide program if properly coordinated and centrally directed. I look forward to hearings next year wherein we may develop further the need for legislation of this kind and consider the best way of obtaining the results we desire.

Mr. President, in conclusion, I merely wish to restate that if an individual gifted with some sympathy toward nature, goes through the stripmined areas, in my judgment, he will inevitably conclude that something must be done to protect the land.

What were once driving, rolling communities covered with pasture grass, trees, flowers and shrubs, and inhabited by wildlife, have now become desolate, sterile, uninhabited lands, unused and destructive of their community's economy, as well as an offense to the dignity and the goodness of the people of this Nation.

Specifically do I ask my colleagues in those States where strip mining is practiced, to read this bill and to ask themselves whether they can join the Senator from Illinois [Mr. Douglas] and myself in sponsoring it.

I do not expect that the bill will be acted upon this year. I send it to the desk now as a forerunner of what I anticipate doing in 1967 together with the Senator from Illinois [Mr. Douglas].

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred and, without objection, the bill and the summary of interim report will be printed in the Record.

The bill (S. 3882) to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate and administer programs for the reclamation, acquisition, and conservation of lands and water adversely affected by mining operations, and for other purposes, introduced by Mr. Lausche (for himself and Mr. Douglas), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 3882

A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate and administer programs for the reclamation, acquisition and conservation of lands and water adversely affected by mining operations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mined Lands Conservation Act."

Sec. 2. (a) The Congress finds and declares that there are mining operations in the Nation which continue to cause erosion, landslides, the accumulation of stagnant water, river and stream pollution, the increased likelihood of floods, loss of fish and wildlife habitat and beauty, and the destruction of the value of land for agricultural and forestry purposes; that such despoliation of the land counteracts efforts for the conservation of soil, water and other natural resources, destroys or impairs the property rights of citizens, adversely affects commercial and industrial development, and in general creates hazards dangerous to life and property so as to constitute an imminent peril to public health and safety; that these results are detrimental to the economy of the Nation and should be remedied; that because of the diversity of terrain, climate, biologic, chemical and other physical conditions in mined areas, uniform reclamation and conservation requirements are difficult to establish; and that the Federal programs now authorized to provide financial assistance to the States for the reclamation and conservation of such mined lands are not sufficiently broad in scope to provide remedies for these conditions and need to be supplemented.

(b) It is therefore the purpose of this Act to provide for participation by the Federal Government with State and local governments, private individuals, and other interested parties in a long-range, comprehensive program to reclaim lands and waters damaged by mining and to prevent further detriment to the Nation from such mining operations through—

(a) the reclamation and conservation of State-owned mined areas;

(b) financial assistance to provide for the training of personnel, research and technical advisory activities;

(c) the reclamation and conservation of privately owned mined areas;

(d) the reclamation and conservation of federally owned mined areas;

(e) the acquisition, reclamation, and conservation of abandoned mined lands, and an effective, continuing land use program for such lands;

(f) the establishment of standards for the reclamation, protection, and management of surface and strip mined areas;

(g) the construction by the Federal Government, when appropriate, of demonstration projects in cooperation with other interested parties in furtherance of a program of research and development; and

(h) the promotion of water pollution control, public recreation, industrial and commercial development, forestry, agriculture, restoration and preservation of natural beauty, enhancement of fish and wildlife habitat and other natural resource values, and public health and safety.

Sec. 3. (a) The Secretary of the Interior shall designate within the Department of the Interior one officer with primary responsibility to administer the provisions of this Act.

(b) In administering this Act the Secretary shall cooperate to the fullest extent practicable with other departments, agencies and independent establishments of the Federal Government, with State governments and agencies, interstate agencies and compacts, and all other interested agencies, governmental and nongovernmental. He is authorized to request from any other Federal agency any information, data, advice, or assistance which he may need and which can reasonably be furnished, and such agency is authorized to expend its own funds for such purposes with or without reimbursement.

Sec. 4. Each mine, as defined by this Act, the products of which enter commerce, or the operations of which affect commerce, shall be subject to this Act.

Sec. 5. (a) The Secretary shall establish a national advisory committee to advise him in the development of standards and reclamation requirements as required by section 101 of this Act, and in such other matters as he may request. The national advisory committee shall include among its members a number of persons qualified by experience or affiliation to present the viewpoint of persons or operators of surface and strip mines, and of persons similarly qualified to present the viewpoint of interested citizen groups, Federal, State and local agencies. The Secretary shall designate the chairman of the committee.

(b) The Secretary, if he deems it desirable, may establish regional advisory committees to assist him and the national advisory committee. Each such regional committee shall consist of members qualified by experience or affiliation to present the viewpoint of surface and strip mine operators and other interested groups, Federal, State, and local agencies.

(c) Members appointed from private life to either the national advisory committee or any regional committee shall, while serving the business of the committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they may be paid travel expenses and per diem in lieu of subsistence at rates authorized by section 5.703 of title 5 of the United States Code.

TITLE I. STANDARDS, RECLAMATION REQUIREMENTS, AND CRITERIA FOR THE PROTECTION AND MANAGEMENT OF STRIP AND SURFACE MINED AREAS

Sec. 101. (a) The Secretary shall develop, after consultation with the advisory committees appointed pursuant to section 5 of this Act: (1) Federal standards and reclamation requirements for the reclamation, conservation, protection and management of previously mined areas, (2) Federal standards, and mining and reclamation requirements for the administration and regulation of future surface and strip mining operations in the Nation, and (3) criteria for the selection of projects and programs for affected areas of land and waters most urgently in need of reclamation in those States which are eligible under the provisions of titles II, III, IV and V.

(b) In establishing Federal standards, and mining and reclamation requirements for the regulation of future strip and surface mining operations in the Nation, the Secretary shall consider requirements which will reasonably assure the attainment of the following objectives:

(1) The standards shall apply to the surface or strip mining of all minerals if their recovery produces a significant detrimental effect upon the local environment.

(2) No person shall be permitted to commence surface or strip mining operations without first securing a permit or license from the Secretary.

(3) Adequate law enforcement powers shall be provided.

(4) The posting of an appropriate performance bond shall be required, forfeiture of which will automatically involve denial of further mining permits or licenses.

(5) Surface and strip mining operations and reclamation procedures shall be required to be preplanned, and approved by the Secretary prior to issuance of a permit or license.

(6) The penalties provided herein shall apply for mining without a license or permit, and for willful refusal or failure to comply with the law, approved regulations, or the orders of a duly authorized authority.

(7) If warranted, the Secretary may prohibit mining in areas where reclamation is considered unfeasible because of physical considerations, such as ground-surface slope, but not limited thereto.

(8) Reclamation work shall be required to be integrated into the mining cycle, and appropriate time limits shall be established for the completion of reclamation.

(9) Periodic reports by the operator on the progress, methods, and results of reclamation efforts shall be required.

(10) Provision shall be made for the reporting and evaluation by the Secretary of environmental changes in active and dormant mining areas in order to provide data upon which the effectiveness of the reclamation requirements and their enforcement may be evaluated.

Sec. 102. (a) The Secretary, after consultation with the national advisory committee established pursuant to section 5 of this Title, shall publish in the Federal Register standards which he proposes to promulgate pursuant to section 101. Interested persons shall be afforded a period of not less than thirty days after the publication of such standards within which to submit written data, views, or arguments. Except as provided in subsection (b) of this section, the Secretary may, after the expiration of such period and after consideration of all relevant matter presented, promulgate such standards.

(b) On or before the last day of a period fixed for the submission of written data, views or arguments, any person who may be adversely affected by any rule or regulation which the Secretary proposes to adopt may file with the Secretary written objections thereto stating the grounds therefor, and requesting a public hearing (subject to the provisions of the Administrative Procedure Act) on such objections. The Secretary shall not adopt any proposed rule or regulation respecting which such objections have been filed until he has taken final action upon them as provided in subsection (c) of this section. As soon as practicable after the period for filing such objections has expired the Secretary shall publish in the Federal Register a notice specifying the provisions of the proposed standards, reclamation requirements, and regulations to which such objections have been filed.

(c) If such objections requesting a public hearing are filed, as soon after the expiration of the period for filing such objections as practicable, the Secretary, after due notice, shall hold a public hearing for the purpose of receiving evidence, relevant and material to the issues raised by such objections. At the hearing any interested person may be heard. As soon as practicable after the completion of the hearing the Secretary shall act upon such objections and make his decision public. Such decision shall be based only on substantial evidence of record at the hearing and shall set forth detailed findings of fact on which the decision is based.

(d) Any person aggrieved by a decision of the Secretary under subsection (c) of this section may obtain a review of such decision by the United States District Court of Appeals for the District of Columbia by filing in such court, within twenty days following the issuance of such decision, a petition asking that the decision of the Secretary be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon the Secretary, and thereupon the Secretary shall certify and file in the court the record upon which the decision complained of was issued. The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1245 of title 28, United States Code. The commencement of a proceeding under subsection (d) of this section shall not, unless specifically ordered by the court, operate as a stay of the Secretary's decision.

(e) The hearing provided for in subsection (c) of this section shall not be applicable to any standard which has been recommended by the national advisory committee appointed pursuant to section 5(a) of this Act.

(f) Following adoption of rules and regulations by the Secretary pursuant to the provisions of this section any person or operator who willfully fails or refuses to comply with such regulations shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine of not less than five thousand dollars ($5,000) or more than ten thousand dollars ($10,000), or undergo imprisonment not exceeding six months, or both. Such fine shall be payable to the Secretary who shall credit it to the reclamation fund established under title VI of this Act.

Sec. 103. (a) Any State which, at any time, desires to secure the benefits of the financial assistance provided in titles II and III of this Act, and to develop and enforce standards for the reclamation, protection and management of surface and strip mining operations within such State, shall submit to the Secretary a State plan for the development of such standards and their enforcement.

(b) The Secretary may approve the plan submitted by a State under subsection (a) or any modification thereof, whenever the State gives evidence satisfactorily to the Secretary that under such plan—

(1) the standards proposed in the State plan conform to or exceed the Federal standards adopted pursuant to sections 101 and 102 of this title,

(2) appropriate provisions are included relating to (a) the control or elimination of water pollution, (b) the control of soil stabilization, (c) the elimination of health and safety hazards, (d) the conservation and preservation of natural resources, (e) the return of the land to productive use after mining, and (f) the restoration of natural beauty,

(3) the State will provide adequate financial resources and administrative personnel to provide enforcement, plan land use, render technical advisory assistance, and conduct appropriate research on reclamation methods,

(4) the establishment of formal training programs for operators, supervisors, reclamation and enforcement officials in methods of effective mining and reclamation practices and techniques is authorized if needed, and

(5) the State shall make such reports to the Secretary, in such form and containing such information, as the Secretary shall, from time to time, require.

(c) The Secretary shall, on the basis of reports submitted by the State and his own inspection of mines, make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

(d) The provisions of sections 101 and 102 shall not be applicable in any State in which there is a State plan approved under subsection (b) of this section.

Sec. 104. The Secretary is authorized at any time to cause to be made in a mine such inspections and investigations as he shall deem necessary for the purpose of determining compliance with applicable rules, regulations, standards, and reclamation requirements.

Sec. 105. For the purpose of making any inspection or investigation authorized by this Act, authorized representatives of the Secretary shall be entitled to admission to, and shall have the right of entry upon or through, any mine.

TITLE II. RECLAMATION AND CONSERVATION OF SURFACE AND STRIP-MINED LANDS AND WATERS OWNED BY STATE AND LOCAL GOVERNMENTS IN THE UNITED STATES

Sec. 201. It is the purpose of this title to facilitate the reclamation and conservation of lands and waters owned by State and local governments that have been adversely affected by mining operations and have not been reclaimed in accordance with modern standards prior to the enactment of this Act, by providing authority to the Secretary to enter into agreements with the States and local governments to provide funds for their restoration to useful purposes.

Sec. 202. (a) (1) To carry out the purpose of this title, the Secretary is authorized to enter into agreements with the various States and local bodies of government for the conservation and reclamation of surface and strip-mined lands presently owned or hereafter acquired by them, if such lands were not acquired with funds granted under any other Federal program.

(2) Each such agreement shall describe (A) the actions to be taken by the Secretary and by the State or local body of government, (B) the estimated cost of these actions, (C) the public benefits expected to be derived in relation to the costs, including but not limited to the benefits to the economy of the State or local area, abatement or alleviation of land and water pollution, public recreation, fish and wildlife, agriculture, and public health and safety, and (D) the share of the costs to be borne by the Federal Government and by the State or local body of government: *Provided*, That notwithstanding any other provision of law the Federal share of the cost shall not exceed the direct identifiable public benefits which the Secretary determines will accrue to the Nation, and shall not in any event exceed 75 per centum of such cost: *Provided further*, That the share of the State or local body of government shall not consist of funds granted under any other Federal program, and (E) such other terms and conditions as the Secretary deems desirable.

(b) The Secretary in his discretion, may require as a part of any agreement under this section that adequate provision be made for access to and use by the public of lands reclaimed under the provisions of this title.

(c) Each agreement entered into under this section shall contain a reasonable assurance by the State or local body of government that the reclaimed lands which are devoted to public use will be adequately maintained.

SEC. 203. Whenever the Secretary, after reasonable notice and opportunity for hearing, determines that there is a failure to expend funds in accordance with the terms and conditions governing the agreement for approved projects, he shall notify the State that further payments will not be made to the State from appropriations under this Act until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Secretary shall withhold any such payment to such State.

SEC. 204. The programs authorized to be assisted pursuant to this title shall be completed not later than January 1, 1986.

SEC. 205. Expenditures for the conservation and reclamation of lands under this title shall, notwithstanding any other provision of law, be made out of funds either donated to the Federal Government or specifically appropriated for the purpose of carrying out this title.

TITLE III. GRANTS TO STATES AND LOCAL AGENCIES, AND OTHERS TO PROVIDE ASSISTANCE TO PROGRAMS OF RESEARCH AND DEVELOPMENT, TRAINING OF ADMINISTRATIVE PERSONNEL AND TECHNICAL ADVISORY ASSISTANCE

SEC. 301. It is the purpose of this title to facilitate the reclamation and conservation of lands and waters adversely affected by mining operations by granting the Secretary authority to make grants to States, local governments, and others to be utilized in research projects, the training of personnel, and the rendering of technical advisory assistance to mining operators.

SEC. 302. To carry out the purpose of this title, the Secretary is authorized—

(a) To make grants to States or local agencies, and other public or nonprofit agencies and institutions (including State or private universities), and to individuals for investigations, experiments, demonstrations, studies and research projects with respect to the development of improved mining techniques and reclamation and conservation practices.

(b) To make grants to States and State or private universities, for the training and development of personnel employed in State agencies responsible for the administration of State laws and programs connected with surface and strip mining operations.

(c) To make grants to States for the costs of administering programs to provide technical assistance to mine operators to assist them to comply with the requirements of State laws and regulations relating to the preplanning of mining operations.

SEC. 303. (a) Any State or local agency, institution, or individual desiring financial assistance under this title shall submit a proposal to the Secretary in such form and manner as he shall prescribe, and payments may be made only for those projects or programs approved by him.

(b) The Secretary may make payments from time to time in keeping with the rate of progress toward satisfactory completion of individual projects or the implementation of approved programs.

(c) No project or program to be assisted under the provisions of this title may be approved unless the State in which the project or program is to be undertaken has adopted State laws which meet the standards for the reclamation, conservation, protection and management of mined lands established by the Secretary pursuant to sections 101 and 102 of this Act.

SEC. 304. Notwithstanding any other provision of law, expenditures for the purpose of carrying out the projects and programs authorized by this title shall be made from funds either donated to the Federal Government or specifically appropriated for the purpose of this title.

SEC. 305. Sums appropriated or otherwise available for State projects and programs under this title shall be apportioned among the States by the Secretary, whose determination shall be final. In determining the apportionment among the States the Secretary shall consider, among other things, the number of disturbed acres of mined land in the individual State; the financial and administrative resources available to the State to undertake projects of the type authorized by this title, and the nature and extent of problems and adverse conditions brought about by mining operations in the individual States most in need of solution within the individual States.

SEC. 306. The programs authorized to be assisted by this title shall be completed not later than January 1, 1986.

TITLE IV. RECLAMATION AND CONSERVATION OF PREVIOUSLY MINED LANDS OWNED BY PRIVATE INDIVIDUALS

SEC. 401. It is the purpose of this title to facilitate the reclamation and conservation of privately owned lands and waters adversely affected by mining operations in the past, and not reclaimed in accordance with modern standards prior to the enactment of this Act, by granting the Secretary authority to enter into agreements with the owners thereof to reclaim such lands to useful purposes.

SEC. 402. To carry out the purposes of this title the Secretary is authorized to enter into agreements with the owners of lands in the Nation which (a) were adversely affected by mining operations prior to the effective date of this Act, and (b) were not reclaimed in accordance with modern standards, and (c) were not on the effective date of this Act covered by any law requiring their reclamation, for the conservation and reclamation of such lands in accordance with rules and regulations adopted by the Secretary: *Provided*: That no such agreement shall be entered into until and unless the Secretary has first determined that (1) Federal acquisitions of such lands by purchase or eminent domain as provided in title V of this Act is not in the public interest, and (2) the States, or any local government body therein, do not intend to acquire or lease such lands as a part of project or program authorized under this Act.

SEC. 403. (a) Agreements entered into under this title shall provide that the work to be done on the project shall be contracted for or performed by the owner of the private land involved, subject to rules and regulations adopted by the Secretary; that the financial contribution of the Federal Government toward the costs of the project shall be limited to the contractual costs approved by the Secretary, and that the Federal contribution shall not exceed 75 per centum of the costs of planning and executing the project: *Provided*, That whenever in the judgment of the Secretary the benefits to the State and the Nation to be derived from a proposed project warrant, he is authorized to provide in the agreement that the Federal Government shall undertake to execute the project in its entirety, and that all costs of planning and execution of the project shall be borne by the Federal Government.

(b) In every case where funds are advanced by the Federal Government pursuant to an agreement entered into under this title the amounts advanced are to be regarded as a lien attached to the land involved in the agreement from the date such funds are expended by the Federal Government until repaid in full with interest by the owners of the land, or their heirs or assigns. The Secretary shall specify in the agreement the amount of interest, and the terms and conditions of repayment of funds.

SEC. 404. (a) Each agreement entered into under this title shall describe (1) the actions to be taken by the Federal Government and the private parties to the agreement, (2) the public benefits expected to be derived in relation to the costs, including but not limited to the benefits to flood control, soil stabilization, water pollution control, forestry, agriculture, public health and safety, public recreation, fish and wildlife management, (3) the share of the costs to be borne by the Federal Government and by the private parties, and (4) such other terms and conditions as are deemed necessary.

(b) The Secretary, in his discretion, may require as a part of any such agreement that adequate provision be made for access to and use by the public of lands reclaimed under the provisions of this title.

SEC. 405. (a) Mining operations upon and beneath lands reclaimed pursuant to an agreement entered into under this title shall not be permitted until such time as the lien provided in section 403(b) has been discharged in full: *Provided*, That the Secretary may permit further mining operations upon or beneath such lands under a written agreement obligating the owners of the lands, their heirs or assigns to restore the land to at least the conditions prevailing at the time reclamation was completed pursuant to this title, and such other terms and conditions as he deems necessary.

(b) Owners of lands reclaimed pursuant to an agreement entered into under this title shall file a petition with the Secretary setting forth (1) a description of the lands upon which mining operations would be conducted, (2) an estimate of the number of acres to be disturbed by the mining operation, (3) the type and method of mining, (4) an estimate of the duration of the mining operation in terms of years, and (5) such other information as the Secretary shall require.

(c) The Secretary shall publish in the Federal Register a notice of intention to approve the petition, together with a copy of such petition and a statement that he has no objection to its approval. Interested parties shall be afforded a period of no less than thirty days after publication of such notice in which to submit written data, views, or arguments. Except as provided in subsection (d) of this section, the Secretary may, upon the expiration of such period and after consideration of all relevant matter presented, approve the petition upon receipt of the written agreement required by section 403(c) of this title.

(d) If, after consideration of the written data, views and arguments submitted, the Secretary determines that a hearing on the matter is justified, he shall publish a proper notice of a public hearing to be held in the county within which the land is located. At the hearing any interested person may be heard. As soon as practicable after the hearing the Secretary shall consider the testimony and evidence produced at the hearing and shall proceed to approve or deny the petition.

Sec. 406. Notwithstanding any other provision of law, expenditures for the reclamation and conservation of lands under the title shall be made out of funds either donated to the Federal Government or specifically appropriated for the purpose of carrying out this title.

Sec. 407. The programs authorized by this title shall be completed not later than January 1, 1986.

TITLE V. ACQUISITION OF LAND AND THE RECLAMATION AND CONSERVATION OF PREVIOUSLY MINED LANDS

Sec. 501. It is the purpose of this title to facilitate the reclamation, conservation, protection and management of lands and waters that have been adversely affected by mining operations and have not been reclaimed in accordance with modern standards prior to the enactment of this Act, by providing authority to the Secretary to acquire title to such lands and to restore them to useful purposes.

Sec. 502. (a) In furtherance of the purpose of this title, the Secretary is authorized:

(1) To acquire previously mined lands and such contiguous lands as may be necessary for an effective continuing land use and management program, including both surface and mineral interests, and other property, or any interest therein, by purchase with donated or appropriated funds, gift, or exchange as he may find in the public interest; but any such lands or interest in lands may be acquired by eminent domain only when the Secretary determines (A) that he is unable to make a satisfactory agreement to acquire such lands or interest in lands, and (B) that such acquisition by eminent domain is necessary in the public interest. In the case of acquisition by negotiated purchase the property owners shall be paid the fair market value as determined by the Secretary. Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right to use and occupancy of the improved property for noncommercial residential purposes, as hereinafter provided, for a term that is no more than twenty-five years. In such cases the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by the owner: *Provided,* That such use and occupancy shall be subject to such general rules and regulations as may be established by the Secretary with respect to the land involved. The term "improved property" as used in this Act shall mean any family residence the construction of which was begun prior to the date of enactment of this Act, and such amount of land on which the building is situated as the Secretary considers reasonably necessary to the noncommercial use of such building.

(2) To conserve, reclaim, protect, improve, develop, and administer any property or interest therein so acquired, and to construct such structures thereon as may be necessary to adapt it to its most beneficial public use.

(3) To sell, exchange, lease, or otherwise dispose of property so acquired under such terms and conditions as he deems will best accomplish an effective continuing land use and management program. Transfers may be made to public or non-profit agencies, with or without a consideration, at the discretion of the Secretary.

(b) When, in the judgment of the Secretary, reclamation of property acquired pursuant to this section has been substantially accomplished, the Secretary shall recommend to the President other Federal or State agencies to administer part or all of the property not otherwise disposed of, together with conditions of use and administration which will best serve the purposes of a land conservation and land use program, and the President is authorized to transfer such property to such agencies.

(c) With respect to any land or interest therein acquired by the Secretary for the purposes of this Act, to make dedications or grants for any public purpose, and to grant licenses and easements upon such terms as he deems reasonable.

(d) The Secretary may make such rules and regulations as he deems necessary to prevent trespasses and otherwise regulate the use and occupancy of property acquired for the purposes of this Act, in order to conserve and utilize it for the purposes of this Act.

(e) As soon as practicable after the end of each calendar year the Secretary shall pay to the country in which any land is held by the Secretary under sections 101–103 of this Act, 25 per centum of the net revenues received by him from the use of the land during such year. In case the land is situated in more than one county, the amount to be paid shall be divided equitably among the respective counties. This subsection shall not be construed to apply to amounts received from the sale of such land.

Sec. 503. The Secretary is authorized to develop a program for the reclamation and conservation of other federally owned lands in the United States that have been affected by mining operations and are not reclaimed in accordance with modern standards prior to the enactment of this Act: *Provided,* That such programs may be carried out on lands administered by other Federal agencies only with the approval of such agencies, and under such terms and conditions as the Secretary deems necessary to carry out the purposes of this Act.

Sec. 504. The programs authorized by this title shall be completed not later than January 1, 1986.

Sec. 505. Notwithstanding any other provision of law, expenditures for the acquisition, conservation, reclamation, protection and management of projects under this title shall be borne from funds either donated to the United States Government or specifically appropriated for the purposes of carrying out this title.

TITLE VI. MISCELLANEOUS PROVISIONS

Sec. 601. For the purposes of this Act:

(a) The term "Secretary" means the Secretary of the Interior;

(b) The term "reclamation" means the reconditioning or restoration of an area of land or water that has been adversely affected by a mining operation or operations, and includes all surface manifestations resulting from such mining whether the operation was conducted on or below the surface of the ground;

(c) The term "commerce" means trade, traffic, commerce, transportation, or communication between any State, the Commonwealth of Puerto Rico, the District of Columbia, or any territory or possession of the United States and any other place outside the respective boundaries thereof, or wholly within the District of Columbia or any territory or possession of the United States, or between points in the same State, if passing through any point outside the boundaries thereof;

(d) The term "mine" means (1) an area of land from which minerals are extracted in nonliquid form, (2) private ways and roads appurtenant to such area, (3) land, excavations, and workings, structures, facilities, equipment, machines, tools, or other property, on the surface, used in the work of extracting such minerals from their natural deposits in nonliquid form;

(e) The term "previously mined lands" means lands and waters adversely affected by mining operations and which have not been reclaimed in accordance with modern standards prior to the enactment of this Act;

(f) The terms "person" or "operator" are interchangeable and mean person, partnership, association, corporation, or subsidiary of a corporation which owns, leases, or otherwise controls the use of land on which surface or strip mining is conducted, which is engaged in the mining of minerals as a principal, and which is or becomes the owner of the minerals recovered as a result of such mining, and includes any agent thereof charged with the responsibility for the operation of such mine.

Sec. 602. There are authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as may be necessary to carry out the provisions of this Act.

Sec. 603. All appropriations for the purposes of this Act, all moneys received from the sale or lease of federally owned reclaimed land, repayment, and interest costs by owners of nonfederally owned reclaimed land, all donations to the Federal Government for the purposes of this Act, all moneys received from fines or forfeitures, and other revenues resulting from the operations of the continuing land use and management program shall be credited to a special fund in the Treasury to be known as the Mined Lands Reclamation Revolving Fund. Such moneys shall be available, without fiscal year limitation, for carrying out the provisions of this Act, including purchase and reclamation of land. Amounts accumulating in the fund in excess of the amounts the Secretary deems necessary to carry out the provisions of this Act shall be transferred to miscellaneous receipts of the Treasury.

Sec. 604. If any provision of this Act, or the applicability thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

The summary of interim report, presented by Mr. Lausche, is as follows:

SUMMARY OF INTERIM REPORT OF AUGUST 8, 1966

On the basis of the data developed in this study, two broad goals can be defined; to prevent future devastation of the environment while fostering economic growth of the minerals industries, and to alleviate damage caused by past strip and surface mining operations.

It is first necessary to explore the causes of the present situation if one attempts to allocate responsibility for reclaiming past strip- and surface-mined land. The large tracts of unreclaimed land existing today have resulted essentially from past failure to recognize reclamation as a necessary part of the cost of mining and of the products resulting therefrom. Instead of requiring reclamation, society, through ignorance or apathy, accepted the alernatives—erosion, acid drainage, lowered water quality, and other detrimental after-affects—as costs of "progress." Current protests against despoilment of the land imply that now, however, the public is probably willing to pay for the reclamation of strip and surface mined lands. It is soberly realized that some of the past benefits of that "progress" involved deferred costs for which payments have come due. In other words, benefits have already been realized; we are now confronted with deferred social costs from which there is no cheap and easy escape.

For lands mined and left unreclaimed in the past, this former public indifference thus represents what might be considered a cost now payable by the body of our society. But, to avoid sweeping up after tomorrow's miners, it is essential that effective strip mining and reclamation regulations be established. If this is done, reclamation costs will be included in the price paid by consumers, and society will have discharged its responsibility to the future.

Although strip mining for coal has promoted the economy and security of our country, this type of mining has burdened Appalachia with a number of complex problems. Approximately 800,000 acres have been been disturbed by strip coal mining in the region. The result has been acid and sediment pollution of the streams, massive slides along outslopes, destruction of forests, damage to watersheds, thousands of acres of land isolated or made hazardous by highwalls, wasted natural resources, health and safety hazards, and impired aesthetic and economic values. Some excellent reclamation has been accomplished, but most of the damaged acreage has not been adequately reclaimed.

The study has shown a need for Federal aid in remedying the detrimental effects of past mining operations. It is concluded:

"That Federal participation with States, counties, municipalities, industry, associations, and private owners will be required to implement a long-range, comprehensive program designed to deal with the adverse effects of past strip and surface mining in the Appalachian region. Two types of projects should be included in such a program.

"One is the 'basic reclamation' outlined in this report. This would consist of applying corrective measures to past strip-mined lands and abandoned haul roads that are contributing to detrimental off-site conditions in Appalachia. This type of project would be designed primarily to alleviate sediment and acid-pollution of streams, reduce erosion, and provide vegetative cover where the public, rather than individual landowners, would obtain the greatest benefit. For such 'basic reclamation' the Federal Government will probably have to bear most of the cost.

"The second type of project would include special land-use objectives, such as recreational areas, lakes, industrial and commercial sites, and others which might contribute to the economic growth of the region. Such treatment would result in the enhancement of land values; for such projects the Federal contribution may not have to be as large a percentage of the total cost of reclamation."

The study has also clearly revealed the need for controls to prevent future damage. It is concluded therefore:

"That the Appalachian States should establish laws and regulations that will provide sufficient authority to regulate strip and surface mining—insure the reclamation of lands disturbed, or to prohibit such mining if reclamation is not feasible. Should the individual States fail to provide adequate controls within a reasonable period of time, the Congress can be expected to take such steps as may be necessary to protect the public interest."

To discharge the responsibilities of the Federal Government, it is concluded:

"That the Federal Government should designate a central agency to administer all Federal activities related to strip and surface mining under a common set of objectives and procedural guidelines, and to correlate such activities with the total Appalachian program. Project planning, development, appraisal (including feasibility determinations), and the provision of technical assistance to Federal land-managing agencies, States, and private owners, also should be functions of the designated agency."

Several Federal agencies have competence in the various scientific disciplines related to the reclamation of strip- and surface-mined lands. Research programs, studies, and field demonstration projects are being conducted on reclamation and other related problems under Federal leadership. Certain agencies specialize in revegetation aspects of reclamation. Others are concerned with acid drainage from surface and underground mines, mine waste products, mine and refuse fires, conservation of resources, water pollution, and recreational values, all of which are interrelated. To provide a balanced program of investigation and corrective action these efforts must be correlated by one responsible agency in the interest of economy and efficiency.

Early reclamation efforts, primarily outside Appalachia, concentrated on reforestation of strip-mined lands. The knowledge and experience acquired has been successfully applied to reclamation projects located in similar environmental surroundings. Appalachia, however, presents complex and unique problems due to different physiographic, climatic, and other characteristics. Present technology does not provide complete solutions to these problems, therefore:

"It is necessary to expand Federal programs, studies, and field demonstrations now being conducted on reclamation and other closely related problems. Specific attention should be given to mining methods and to environmental, technologic, and economic factors."

PROGRAM DEVELOPMENT CRITERIA

Because of the magnitude of the task, the reclamation of strip-mined land in Appalachia, whether through basic reclamation or special land-use development, will require a comprehensive, long-range program. Both categories should be treated separately under a system of priorities based upon need and specific criteria developed within each State.

Projects relating to water quality in Appalachia should be given high priority. Projects designed to increase the potential for economic development growth, to promote wildlife and recreation benefits, and to enhance aesthetic values should also have a high claim upon the funds available.

Where a hazardous condition exists, or land is eroding and contributing to off-site damage, purely physical feasibility may be the major consideration.

Projects relating to water quality should have priorities based largely on data showing the relative severity and nature of the pollution problem. Water monitoring networks have been in operation for several years; some of the data needed initially are available.

Another criterion for assigning priorities is the project's relationship to other programs. For example, strip-mine reclamation represents a comparatively small part of the over-all Potomac River basin problem, but the Potomac program is of such prime importance that reclamation in that river basin should have high priority.

Projects designed to promote use of the land for which there is urgent demand, whether for recreational, industrial, or other uses, should be evaluated with due regard to such demands—but where no such demands exist, reclamation should not be ruled out.

Certain special land-use projects will develop as the need becomes apparent. Individual States have developed somewhat the same concept—that public awareness at the local level brings the most pressing reclamation needs to the attention of appropriate authorities. Organized groups such as sports and recreation clubs, Chambers of Commerce, Soil Conservation Districts, planning commissions, service clubs, citizens' leagues, and local official bodies take an active interest in strip-mine conditions and are aware of their effects upon the community environment. This thought also is implied in the Appalachian Regional Development Act, which provides in its Statement of Purpose that: "That States will be responsible for recommending local and State projects within their borders, which will receive assistance under this Act."

GOVERNMENTAL ROLES AND REGULATORY REQUIREMENTS

Some wish to eliminate all strip and surface mining; others wish to continue mining without land reclamation requirements; neither position is tenable. If our economy is to continue to enjoy the benefits of the minerals produced without suffering the serious consequences resulting from destructive mining, effective regulations, combining both mining and reclamation criteria, must be established.

Role of State Governments.—Regulation of mining and reclamation practices is now a State and local responsibility. Unless assurance is provided by the State that lands strip- or surface-mined in the future will be effectively reclaimed—and that mining will not be permitted if reclamation is unfeasible, financial participation by the Federal Government in a reclamation program for past mined-lands is questionable.

In the absence of a general Federal law governing mining and mined-land reclamation, it behooves the individual States to enact strip and surface mining laws that are stringent enough to prevent future despoliation of the land. As owners of lands mined in the past cannot reasonably be expected to defray the entire cost of reclaiming these lands, it is also incumbent upon the States to either initiate a land-reclamation program of their own, or in cooperation with the Federal government, in order to foster their own and the national interest. Under a Federal-State cooperative program, the States also should be responsible for working with landowners in initiating, planning, processing, and recommending reclamation project proposals—both for basic reclamation and for special land-use purposes.

The State also should conduct research on strip and surface mining techniques and reclamation practices, oriented toward the particular conditions and mineral resources of the State. For example, the mining method is an important variable. A great variety of techniques are available to the mining company, as with tandem mining and in the way shovels and draglines are handled. Others may involve the movement of spoil, e.g. dumping to the side rather than down hill in contour mining, separating topsoil from acid-forming material, etc. Thus, research on mining methods may reveal changes in technique that will prove extremely important. It is a well-known fact that reclamation—in most instances—can be accomplished more economically by use of the heavy equipment employed in stripping operations than by use of equipment that has to be moved onto the mined-out area at a later time.

Role of the Federal Government.—Federal ownership of land, of course, implies Federal responsibility for its proper management and maintenance. Federal ownership is of limited significance in Appalachia however. Although most, if not all, Federal agencies administering Federal land require reclamation after mining, it should be the policy of the Federal Government to require that all leases of such land for strip or surface mining purposes contain specific provisions for restoration of land to a condition compatible with the climate, topography, and ecology of the area in which the mined land is located.

Although some mined-land owners might invest in reclamation in the interest of public relations, profit, or for some other reason, most of the non-Federal lands mined in the past are not likely to be reclaimed at the owner's expense. Many of the problems associated with past strip-mined lands are interstate in character. The Federal Government, therefore, must assume a major responsibility for at least "basic reclamation," i.e., on-site efforts to stabilize the soil and reduce the generation of acid and other types of water pollution. Otherwise a Federally sponsored reclamation program would be modest in scope, since approximately 96 percent of the strip-mined land in Appalachia is held by private owners.

There is a possibility of some profit to landowners as a result of basic reclamation; but, because such efforts would be devoted largely to alleviation of off-site damages, the chance of inordinate profits accruing to private owners would be limited. However, in those instances where land values increase substantially as a result of reclamation, and the restored land is sold, a proportionate share of the revenue should be returned to the Federal Government.

In areas where the extent, location, or complexity of the problem is such that no State, local body of government, or individual is able or willing to participate, it may be necessary for the Federal Government to assume the full cost. In some instances, this procedure might entail the acquisition of land titles by the Federal Government.

Solutions to the many problems related to reclamation will require Federal leadership and continued, active participation in technical and economic research, as well as greatly expanded collection and analysis of environmental, economic, and resource data. Criteria for mining regulations, reclamation standards, effective project planning, and legislation can be improved through developing a fuller knowledge of the total mined-land environment; procurement of such knowledge will require continuing research and experimentation.

General Principles for State Regulations.—The vast area of Appalachia, nearly 183,000 square miles, lacks homogeneity in virtually every aspect. The terrain varies from almost flat lands to rugged, steep hills, and narrow confined valleys. Economically, it includes such highly industrialized complexes as the Pittsburgh area with a population density (Allegheny County) of some 2,220 persons per square mile and Heard County in Georgia with a population of only 19 persons per square mile. As previously mentioned, variables also occur from the standpoint of non-uniformity of State reclamation requirements to a total lack of legislation. Obviously, any measures to regulate future mining or reclamation in Appalachia, legislative or otherwise, must be made against the background of these variables. Thus, the following suggestions for State legislation to govern surface mining operations and land reclamation are of a broad, general character, and point out desired objectives, with the determination of specific procedures to be followed in order to achieve these objectives being left to the individual States:

a. Each surface-mined mineral should be regulated by the State if its recovery has a detrimental effect upon the local environment. The regulations should require posting of an appropriate bond, the forfeiture of which should automatically involve denial of further mining permits.

b. The regulations should be reasonably uniform and consistent with similar legislation in other States. Therefore, State laws regulating strip and surface mining and the reclamation of mined areas should be periodically reviewed and correlated.

c. The regulations should require that surface mining operations and reclamation procedures be pre-planned, and that such plans be submitted to an appropriate State agency for approval prior to the issuance of a permit or license.

d. Adequate enforcement powers must be provided by the State to insure effective enforcement of its regulations.

e. The State should provide adequate financial resources and personnel to enforce reclamation, monitor environmental changes, plan land use, and to conduct technologic research on reclamation—including the mining methods favorable to adequate reclamation.

f. Penalties should be established for strip mining without a license, and for willful refusal or failure to comply with regulations and orders of authorized State officials.

g. Reclamation work should be integrated into the mining cycle, and appropriate time limits established for the completion of reclamation.

h. State regulations should contain provisions, or criteria, by which the detrimental effects of the active mining operation can be kept to a minimum, and to assure that the disturbed or affected area is reclaimed to a condition that would not deleteriously affect the on-site or off-site environment.

i. The following objectives should be specifically considered in drafting State laws:

(1) The control or elimination of acid.

(2) Soil stabilization.

(3) Elimination of safety hazards in potential use areas.

(4) Conservation and preservation of natural resources.

(5) Return of land to productive use.

(6) Restoration of natural beauty.

j. Mining should be prohibited in areas where reclamation is considered economically unfeasible.

k. The statutes should also provide for the evaluation and reporting of environmental changes in active and dormant mining areas in order to provide data upon which the effectiveness of the law and its enforcement might be evaluated.

l. Serious consideration should be given to establishing formal training programs for operators, supervisors, reclamation, and enforcement officials in effective mining and reclamation practices and techniques.

m. Reporting by industry of data on progress, methods, and results of reclamation should be mandatory. Reports should be submitted frequently enough to assure a timely basis for coordinating and developing an effective, over-all reclamation program.

REASONABLE COSTS, EXPENSES, AND ATTORNEYS FEES FOR DEFENDANTS IN FEDERAL REAL PROPERTY CONDEMNATION CASES

Mr. MORSE. Mr. President, my studies of cases involving condemnation proceedings instituted by the United States against private landowners have convinced me that there is a serious deficiency in the law with respect to the payment of just compensation for the property interests to be acquired. I refer specifically to the cases in which condemnation proceedings are instituted by the Government and are thereafter abandoned, or cases in which the awards exceed the offers made by the Government.

A number of cases have been called to my attention involving condemnation trials in Federal courts in which the judgments awarded by way of compensation for the property to be acquired exceeded the maximum amounts offered by the United States. In some of these cases, the Government, being of the opinion that the awards were excessive, abandoned further proceedings. This resulted in heavy expenses by way of attorneys fees and court costs incident to condemnation litigation which had to be borne by the landowners.

Mr. President, let me say for the RECORD, and for the benefit of Senators present in the Chamber, that this is an inexcusable policy for the Federal Government to follow. In fact, it is a policy of sharp practice. It is the kind of policy which one would not expect the Government to follow. It is not the kind of policy which the U.S. Department of Justice should follow. It is not the kind of policy which solicitors for any department of the Federal Government should follow. However, it is being followed.

My bill would seek to correct this unwarranted Federal practice in condemnation proceedings.

How would this be done?

This situation is not fair and recognition has been given to that fact in many States, including my home State of Oregon. For example, under the Oregon Revised Statutes, section 35.110, we find a very equitable requirement. This section of the Oregon statutes reads as follows:

> The costs and disbursements of the defendant, including a reasonable attorney's fee to be fixed by the court at the trial, shall be taxed by the clerk and recovered from the plaintiff, unless the plaintiff tendered the defendant before commencing the action an amount equal or greater than that assessed by the jury, in which case the plaintiff shall recover his costs and disbursements from the defendant, but not including an attorney's fee.

In order to bring the Federal law in these condemnation proceedings into conformity with the equitable and reasonable requirements of many State laws in condemnation cases, I am introducing today, a bill to provide for the payment of reasonable costs, expenses and attorney's fees to defendants in actions by the United States for the condemnation of real property after determination of the amount of just compensation, or after abandonment of such actions by the United States.

It is my hope that the committee to which this bill is referred will give this matter prompt consideration because I am satisfied that its provisions are reasonable and are in the interest of preventing further injustices in Federal condemnation cases.

Mr. President, I well know that the bill will not get through any hearings between now and adjournment sine die, but I am introducing it at this time so that the widest dissemination of it can take place between now and next January, in the hope that local bar associations in State after State will give attention to it at their meetings. Most of them operate on the basis of having legal topics for consideration at their periodic meetings. I hope that the local bar associations of this country will make this a subject for their consideration because here is an injustice that needs to be righted.

Let me tell the Senate how it would work.

The Federal Government would go into a community seeking to buy a piece of property from a citizen. The citizen would put a price on the property, a price he is satisfied would be a fair market value for the property; but the Federal Government would refuse to buy it, file condemnation proceedings, bring the citizen into court, and put him to the expense of hiring attorneys and being burdened with other expenses involved in condemnation proceedings. Not only that, but it would also tie up the sale of the citizen's property for the period of the condemnation proceedings.

Do not forget that condemnation proceedings sometimes take several months and the citizen could be placed in the position—with a condemnation proceeding going on against his property—where his property, in effect, would be taken off the market.

The jury would fix a price on the property, perhaps in excess of the price at which the citizen offered it to the Federal Government. Then what would the Federal Government do? It would drop the case. Under the existing Federal procedure, what would the private property owner then have to do?

He would have to pay his costs and disbursements and his attorneys' fees.

Thus, what would happen? As a lawyer, let me tell the Senate what would happen.

What any lawyer would advise his client to do in most cases would be, "Go ahead and take the Government's offer, because if you do not it will cost you more in the long run." The client would say, "The Federal Government wants to steal my property. It is cheating me out of 10 percent, 15 percent, or 20 percent of its value."

When the figures are added up, we may find ourselves in the position, as lawyers, of saying to our clients, "I would like to handle your case, but I cannot, in all good conscience, tell you to fight it because, in my judgment, the cost of the condemnation proceedings, if the Federal Government does not go through with it after the jury has assessed a value on your property, will cost you so much that you would be better off to surrender to the Government and let them have it for what you know is less than its value."

Why, Mr. President, that course of action cannot be justified by the Federal Government in its relationship with its citizens. This is a case in which the Government would put itself in the position of, in effect, blackjacking private citizens into surrendering to it by accepting a price which Federal officials would offer, or else they would have to pay the expense of condemnation proceedings, attorneys' fees, and other costs concerned.

This practice should be stopped. In my State, it has been stopped in regard to all condemnation actions brought in the State court. Many other States have done so, also, in regard to State condemnation proceedings.

As I have pointed out, in my State the statute provides that the case would go to the jury, the jury would fix a price, and then if the State did not like the price, the State would have to pay for the attorney's fees and the cost of putting the private citizen into the condemnation courtroom.

I think my bill provides a fair and equitable procedure.

I ask unanimous consent that the bill may be introduced at this point and appropriately referred, and that a copy of the bill be printed at this point in my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3883) to provide for the payment of reasonable costs, expenses, and attorneys fees to defendants in actions by the United States for the condemnation of real property after determination of the amount of just compensation, or after abandonment of such actions by the United States introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3883

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 161 of title 28, United States Code, is amended by adding at the end thereof the following new section:

"§ 2415. Actions for condemnation of real property

"If, in any action brought by the United States for the acquisition of any interest in real property through the exercise of the power of eminent domain, it is determined that just compensation for such interest exceeds the maximum amount offered by the United States for such interest before the institution of that action, any judgment entered in that action in favor of the United States with respect to that interest shall provide for the payment to the defendant having title to that interest of (1) the amount determined to constitute just compensation for that interest, and (2) a sum equal to the aggregate amount of the costs and reasonable expenses incurred by such defendant in the preparation and trial of that action, including a reasonable attorney's fee, as determined by the court. If, after the institution of any such action, the United States dismisses such action before judgment or such action is dismissed upon motion of the defendant having title to that interest for failure of prosecution of such action, the court shall enter in that action, upon application made by such defendant judgment requiring the payment by the United States to such defendant of a sum equal to the aggregate amount of the costs and reasonable expenses incurred by such defendant for the preparation of trial of that action, including a reasonable attorney's fee, as determined by the court."

(b) The chapter analysis of such chapter is amended by adding at the end thereof the following new item:

"2415. Actions for condemnation of real property."

SEC. 2. The amendment made by this Act shall be effective with respect to all actions brought on and after the first day of the third month beginning after the date of enactment of this Act for the acquisition of any interest in real property by or on behalf of any department or agency of the United States through the exercise of the power of eminent domain.

MEMORIAL TO WOODROW WILSON

Mr. WILLIAMS of New Jersey. Mr. President, I am introducing today for myself, Senator CASE, Senator ROBERTSON, and Senator BYRD of Virginia, a bill carrying out the recommendations of the Woodrow Wilson Memorial Commission. The Commission was established by a joint resolution of the Congress—Public Law 87-364—which became law on October 4, 1961. The Commission was charged with developing recommendations to the Congress for a suitable memorial to this great President, a son of Virginia, who became one of my own State of New Jersey's greatest Governors. The members of this Commission, under the chairmanship of Dean Francis S. Sayre, have labored long and hard to develop recommendations for a memorial suitable to the memory of our scholar-President. The members of the Commission were:

Francis B. Sayre, Jr., chairman, dean, Washington Cathedral.

HARRISON A. WILLIAMS, vice chairman, Senator from New Jersey.

David K. E. Bruce, U.S. Ambassador to Great Britain and Northern Ireland.

CLIFFORD P. CASE, Senator from New Jersey.

CORNELIUS E. GALLAGHER, Representative from New Jersey.

PETER H. B. FRELINGHUYSEN, Representative from New Jersey.

George B. Hartzog, Jr., Director, National Park Service.

Chester R. Huntley.

Douglas M. Knight, president, Duke University.

I want to take this opportunity to bring to the attention of my colleagues the great amount of thought and hard work that has gone into the preparation of the Woodrow Wilson Memorial Commission report. I want to thank my distinguished colleagues on that Commission for their fine contributions to this successful and useful report, which was submitted to the President and Congress on September 29.

I am extremely pleased with the recommendation of the Commission. It is a happy merger of the two points of view which existed among the members. Some felt a monument, such as the Lincoln or Jefferson Monuments, was the most suitable memorial to President Wilson. Others felt a living memorial, such as the Kennedy Library, was more appropriate. The final recommendation embodied the best features of both. In addition, the site recommended already is designated for Federal development and acquisition, and development of the site should not add to the contemplated cost.

Briefly summarized, the recommendations of the Woodrow Wilson Memorial Commission called for:

Designation of a site of approximately four square blocks, across Pennsylvania Avenue from the National Archives Building, as Woodrow Wilson Memorial Square.

It recommends that a suitable sculpture, expressive of the spirit and accomplishments of Woodrow Wilson be placed at the top of the square and a display area depicting new ideas in international understanding be established in the center of the lower level. The bill also calls for establishment of a center for scholars as the first of several buildings on the periphery of the square.

Ultimately, it is envisioned, the area bounded by E Street, Sixth Street, Pennsylvania Avenue, and Ninth Street would be encompassed in the Woodrow Wilson complex. The area already has been designated for Federal development, as part of the Pennsylvania Avenue National Historic Site. It is presently occupied primarily by commercial structures.

The legislation I am introducing today would abolish the Woodrow Wilson Memorial Commission, which was created only to recommend a memorial to Congress. And it would designate the Temporary Commission on Pennsylvania Avenue or its permanent successor as the agency to make detailed plans for and carry out establishment of the Wilson Memorial.

The legislation instructs the Temporary Commission on Pennsylvania Avenue or its successor to carry out design and cost studies, specifically including possible nongovernmental sources of funds, and to report to the President within 1 year after passage of the legislation.

In turn, the President will submit to Congress such recommendations, including further legislation, as he deems appropriate.

Mr. President, it is my view, and I know that it is shared by my colleagues, that we could not have found a more fitting memorial to a President who was as distinguished for his scholarship as for his statesmanship. As president of Princeton University he made a major contribution to the academic life of this country. As President of the United States he was deeply committed to the ideals and goals of international peace and amity among nations. A center for visiting scholars in the very heart of Washington will provide a place of work and study for scholars in every field who will have easily available to them the unparalleled resources of the Smithsonian Institution, the National Archives, and the Library of Congress. At the same time, the decorative sculpture and park, which will be an integral part of this living memorial, will add new beauty and dignity to Pennsylvania Avenue, the historic axis linking the two branches of our Government.

I am happy that Senator ROBERTSON and Senator BYRD of Virginia have joined me in sponsoring this bill. I well remember the eloquent and fascinating testimony of the two Senators before the Commission. In Woodrow Wilson the Old Dominion gave to the Nation another statesman in the tradition of Jefferson, Madison, and Monroe.

Mr. President, I am hopeful that we can act speedily on this resolution. It has been more than 40 years since the death of President Wilson. The stretch of time has not diminished the stature of President Wilson; it has made his greatness and his selfless idealism even more apparent. As we look to the past, we can draw inspiration from his words and from his wisdom. A public memorial to this great man, and particularly one which encourages the kind of scholarship Wilson so loved, is long overdue. I know that the Congress will recognize the debt it owes this man and will act speedily on the resolution introduced today.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3884) to authorize the preparation of plans for a memorial to Woodrow Wilson, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

S. 3884

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the recommendations contained in the report of the Woodrow Wilson Memorial Commission, transmitted to Congress on September 29, 1966, and in furtherance of plans for the development of the Pennsylvania Avenue National Historic Site, the Temporary Commission on Pennsylvania Avenue, or its successor in interest, in consultation with other interested agencies of the Federal Government, shall prepare detailed plans and cost estimates for the development, within the area in the northwest section of the District of Columbia bounded on the north by E Street, on the south by Pennsylvania Avenue, on the east by Sixth Street and on the west by Ninth Street, of a memorial to Woodrow Wilson, the twenty-eighth President of the United States. The area bounded on the north by E Street, on the south by Pennsylvania Avenue, on the east by Seventh Street, and on the west by Ninth Street is hereby designated as Woodrow Wilson Memorial Square. The Commission shall include in such plans, as a memorial to Woodrow Wilson's contributions toward world peace, provisions for:

(a) a suitable sculpture, expressive of the spirit and accomplishments of Woodrow Wilson;

(b) a full study of the cost, architectural design nongovernmental source of funds, and plans for the appropriate development of the area hereinbefore designated as Woodrow Wilson Square;

(c) a full study of the cost, architectural design, nongovernmental source of funds, and plans for the operation of a Center for Scholars to be located within the Woodrow Wilson Memorial area. Such study shall be based on the recommendations of the Woodrow Wilson Memorial Commission referred to above.

SEC. 2. Within one year after the date of this Act, the Temporary Commission on Pennsylvania Avenue, or its successor in interest, shall submit to the President the detailed plan and cost estimates referred to in Section 1 of this Act, together with such other information as may be necessary. The President shall submit to Congress such recommendations, including further legislation, as he deems appropriate.

SEC. 3. The Woodrow Wilson Memorial Commission is hereby abolished.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

TO GRANT CONSENT TO ARKANSAS RIVER BASIN COMPACT

Mr. HARRIS. Mr. President, I introduce for appropriate reference a bill to grant the consent of the United States to the Arkansas River Basin compact between Kansas and Oklahoma.

This compact was negotiated between the States of Kansas and Oklahoma on a consent resolution adopted by the Congress in August 1955. After about 9 years of negotiations the two States have amicably agreed on the apportionment of the water between the two States, and the legislatures of both States have ratified the compact. Now, to complete the compact, it is necessary to have the ratification, or consent of the Congress.

Mr. President, the major purposes of this compact are: First, to promote interstate comity between the States of Kansas and Oklahoma; second, to divide and apportion equitably between the States of Kansas and Oklahoma the waters of the Arkansas River Basin and to promote the orderly development thereof; third, to provide an agency for administering the water apportionment agreed to herein; and fourth, to encourage the maintenance of an active pollution-abatement program in each of the two States and to seek the further reduction of both natural and manmade pollution in the waters of the Arkansas River Basin.

Mr. President, due to the noncontroversial nature of this legislation, I would hope that action might be taken on it as quickly as possible, inasmuch as the States have satisfied their respective responsibilities under the consent resolution of 1955, and all that now remains for the finalization of the compact is the ratification by the Congress.

I ask unanimous consent that the bill lie on the desk for 1 day so that other Senators who may desire to do so may add their names as cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Oklahoma.

The bill (S. 3885) to grant the consent of the United States to the Arkansas River Basin compact, Kansas-Oklahoma, introduced by Mr. HARRIS (for himself and Mr. MONRONEY), was received, read twice by its title, and referred to the Committee on the Judiciary.

SUSPENSION OF INVESTMENT CREDIT AND ALLOWANCE OF ACCELERATED DEPRECIATION OF CERTAIN REAL PROPERTY—AMENDMENTS

AMENDMENTS NOS. 950–953

Mr. WILLIAMS of Delaware submitted four amendments, Nos. 950, 951, 952, and 953, intended to be proposed by him to the bill (H.R. 17607), an act to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property, which were referred to the Committee on Finance, and ordered to be printed.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966—AMENDMENT

AMENDMENT NO. 954

Mr. HARTKE submitted an amendment, intended to be proposed by him, to the bill (S. 3046) to strengthen and improve programs of assistance for our elementary and secondary schools, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California [Mr. Murphy] may be added as a cosponsor of the resolution (S. Res. 65) to provide a suitable electrical public address system in the Senate Chamber.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF WILLIAM P. COPPLE, OF ARIZONA, TO BE U.S. DISTRICT JUDGE, DISTRICT OF ARIZONA

Mr. ERVIN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, October 12, 1966, at 10:30 a.m., in room 2228 New Senate Office Building, on the following nomination:

William P. Copple, of Arizona, to be U.S. district judge, district of Arizona, to fill a new position created by Public Law 89-372 approved March 18, 1966.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. Eastland], chairman, the Senator from Arkansas [Mr. McClellan], and the Senator from Nebraska [Mr. Hruska].

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 5, 1966, he presented to the President of the United States the following enrolled bills:

S. 491. An act to provide for the establishment of the Bighorn Canyon National Recreational Area, and for other purposes;

S. 1356. An act to amend the Judicial Code to permit Indian tribes to maintain civil actions in Federal district courts without regard to the $10,000 limitation, and for other purposes;

S. 2070. An act to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City;

S. 2484. An act to clarify authorization for the approval by the Administrator of the Federal Aviation Agency of the lease of a portion of certain real property conveyed to the city of Clarinda, Iowa, for airport purposes;

S. 2463. An act to grant the consent of the Congress to the acceptance of certain gifts and decorations from foreign governments, and for other purposes;

S. 3080. An act to amend section 8 of the Revised Organic Act of the Virgin Islands to increase the special revenue bond borrowing authority, and for other purposes;

S. 3096. An act to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes;

S. 3433. An act to make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline, and for other purposes;

S. 3715. An act to improve the aids to navigation services of the Coast Guard; and

S. 3807. An act to amend Public Law 89-428 to authorize the Atomic Energy Commission to enter into a cooperative arrangement for a large-scale combination nuclear power-desalting project, and appropriations therefor, in accordance with section 261 of the Atomic Energy Act of 1954, as amended.

WORLD SERIES WARMUP

Mr. MANSFIELD. Mr. President, when the 1966 World Series begins this afternoon, the eyes of millions of baseball fans will be on a young man who is the pride of Montana. Dave McNally, of Billings, will be the starting pitcher for the Baltimore Orioles.

Dave McNally is only 23. Yet he has been pitching in the big leagues for 3 years. Each year his record has improved.

Dave's many friends in Montana remember his feat of pitching the Billings American Legion team into the national finals with New Orleans in 1960. It is my understanding that the fans in Billings sent him on the eve of his World Series appearance a telegram containing over 7,000 signatures. Today has also been proclaimed Dave McNally Day throughout the State of Montana. The full Montana congressional delegation joins our colleagues and our friends and constituents in Montana in wishing Dave the best of success in his pitching endeavors.

Up with Montana and, incidentally, the Orioles.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. Mr. President, I am very glad to join my colleague, the Senator from Montana, for the purpose of saluting a young American and a great athlete, Mr. McNally, from his home State. But let the Record be very clear that there shall be no unanimity of views in the Senate respecting Senator Mansfield's projected hopes of success for the Orioles.

In all the history of American baseball, there never has been a more gifted and effective young man on the mound than the incomparable Sandy Koufax, of the Dodgers, particularly when his high qualifications are meshed with those of Claude Osteen and Don Drysdale. The Dodgers in this series have the good wishes of a great number of us, who follow this great national game.

So I wish to say, from this side of the aisle—not simply as a representative of the people of California, but also as one who has seen the Dodgers once again show that kind of indomitable courage which carries them to final success—may good fortune ride with the Dodgers this year, as it did a year ago.

The PRESIDING OFFICER (Mr. Moss in the chair). May the Chair observe that we hope the better team wins.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. Mr. President, in view of the insular statement of the Senator from Montana and the provincial attitude of the senior Senator from California [Mr. Kuchel], I wish to express gratitude to the distinguished majority leader for not having the performance and prospects of this pitcher included in the prayer, and I hope he will not make this the subject of a Senate resolution.

Though I am somewhat partial as between the Orioles and the Dodgers ordinarily, having taken part in a cloakroom sporting venture on behalf of the Dodgers, I just would not permit a unanimous-consent resolution in behalf of the stalwart athlete from Montana.

Mr. MANSFIELD. Mr. President, may I say that I had not thought of that. The distinguished minority leader did make the suggestion, after I made my few well-chosen remarks.

Mr. GORE. I heard it, and that is what disturbed me.

Mr. MANSFIELD. But I am afraid that if we submitted a resolution for Dave McNally, which I would support without question, the Senate would become engaged in a filibuster, and there is some other important work to do.

Mr. GORE. It starts about 4 o'clock, does it not?

Mr. MANSFIELD. The Senator is correct. Mr. President, in response to the remarks made by the deputy minority leader, the distinguished Senator from California [Mr. Kuchel], may I say that I personally would pit Dave McNally against Koufax, Drysdale, Osteen, and all the rest of the Dodger pitching staff.

I really have a personal interest in this young man, because I knew his grandparents very well, I knew his father extremely well, I know his mother very well, and I know something about this young man and what he has had to do to be able to achieve the heights which are now his. I wish him the very best of luck today. We in Montana will be disappointed if he does not win. But, as the distinguished Presiding Officer, the Senator from Utah [Mr. Moss], has said, may the better team win.

Mr. LONG of Missouri. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. LONG of Missouri. While we are on the subject of baseball this morning, I wish to say that I know nothing about these athletes or these teams, but fate has made me a supporter of the Dodgers, and particularly in the second inning, if the Senator knows what I mean.

IS THE FOOD AND DRUG ADMINISTRATION HAMSTRINGING CANCER RESEARCH?

Mr. LONG of Missouri. Mr. President, I rise to address the Senate in order to issue a warning on a rather unusual subject, that is, the progressive socialization of all medical research, certain double standards involved therein, and certain disadvantages stemming therefrom.

With very few exceptions, those of us in Congress have no medical training, or, to use the language of the bureaucrats, no medical "expertise."

Therefore, one would suppose that we do not have the competence and should not have the audacity to make statements upon medical subjects.

The same is true of many subjects with which we must deal—space, defense, foreign policy, and so forth. Few of us have expertise in any of these subjects; none of us have expertise in all of them. However, circumstances force us in all these fields to make judgments, hopefully informed judgments.

There are many circumstances when we have to make the best possible judgments on subjects which are, at least in part, medical. The most recent is medicare. Before that was the Kefauver-Harris Drug Act of 1962. Going back through time, one will recall the Hill-Burton program, the Kerr-Mills Act, and many others of Federal involvement in the medical field.

One of the primary current medical subjects with which Congress feels it desirable to deal is Federal funds for medical research.

Most of these moneys have been funded through the 10 National Institutes of Health. The largesse of Congress has been almost unlimited. The National Cancer Institute has been granted approximately one-half billion dollars in a decade. This is not surprising in view of the place that cancer occupies statistically in present-day causes of death and the intimate familiarity that almost every American family has with cancer. It is a rare person who has neither suffered the disease nor has not had a close friend or relative who has suffered it. And suffering is its dominant feature.

No wonder the American people, through the Congress, has seen fit to have a Federal crash program of research on cancer through the National Cancer Institute.

Two possible criticisms of our actions might be made:

First. We are too free with the money. But in view of the human suffering that the National Cancer Institute is trying to alleviate, it is certainly better to lean on the generous side rather than the parsimonious side.

Second. We might be accused of ignoring what might be called, to use medical terms, "side effects" or "contraindications" of the whole massive crash program of the National Cancer Institute. This is what I would like to warn against.

What possible side effects or contraindications are there that might be swept under the rug?

Government controlled medical research, which verges on monopoly, may possibly delay medical advances. Monopolies by their very nature stifle competition and hence stifle initiative.

Equally important, a Government monopoly—or near monopoly—in this particular field of research may be the opening wedge of socialized medicine. I certainly do not want to reopen the highly emotional debate on medicare. There were those, particularly among doctors, who considered this program as socialized medicine. I disagreed with them on this point. But I call their attention today to our whole medical research program which is tending very strongly toward Government monopoly if not socialized medicine. The Federal Government controls the bulk of funds and ultimately the bulk of decisions in virtually all medical research.

Our doctors stand for free enterprise. Although I have not always agreed with them on their stand on social and political issues, I certainly admire, as do all Americans, the value they place upon individual initiative and responsibility.

Where do the National Cancer Institute and the Food and Drug Administration fit into this problem of research?

In roughly a decade, the NCI has spent $500 million and has tested approximately 170,000 drugs—all admittedly without much result except in a few very rare types of cancer.

Certainly one should not downgrade this massive effort. The approximately 30,000 human guinea pigs used by the NCI would almost certainly have died anyway and they suffered in the cause of science and humanity.

Again, one should not criticize the NCI for its efforts which have been strenuous.

Unfortunately, their efforts have been—again, with minor exceptions—unyielding of positive results. Naturally this has led to an increased sense of urgency. One might almost say a sense of near-panic. This attitude was articulated recently in an NCI bulletin which urged:

> Hurry, hurry, and use the new cancer drug before it stops working.

NCI's approach has concentrated a large part of their efforts on cytotoxic chemotherapy, that is, exorcising tumors via powerful drugs, even drugs of extremely high toxicity, which poison cells; hopefully, cancer cells more than normal cells. This they have done with the acquiescence if not the blessing of the Food and Drug Administration, which has the authority to regulate the clinical use of all drugs, including those used in cancer research.

There has been very little emphasis in NCI on relatively nontoxic approaches, some radically different.

One such approach is that cancer—or cancers, to be more accurate—are the result of certain metabolic imbalances which can be corrected not by highly toxic drugs but primarily by restoring the balance.

One theory is that the imbalance is enzymic; that is, cancerous cells have a different enzyme activity than normal cells. A primary clinical researcher in this field is Dr. F. L. Shively, Sr., of Dayton, Ohio.

Dr. Shively, who has been a general practitioner and surgeon for almost 50 years, is a member of the American Medical Association, as well as his county and State medical societies. He practices at the Miami Valley Hospital of Dayton, and he has been awarded certificates of distinction both by the hospital and the Ohio State Medical Association.

Dr. Shively, who has researched extensively in the field of enzymes, began his research into enzymic effects on cancer in 1951. Unfortunately, Dr. Shively has not had formal training as a medical researcher per se. Even more unfortunately, to my knowledge he has not sought Federal funds for his research.

The FDA forbade him in 1964 to continue using enzymes in the treatment of his cancer patients, on the grounds that more tests in animals should be done; but when Dr. Shively asked the FDA to review with him as it routinely does with drug companies further proposed animal tests, the FDA refused. I received complaints from Dr. Shively because, as the chairman of the Subcommittee on Administrative Practice and Procedure, I was conducting hearings on FDA's administrative practices and tactics against drug manufacturers, medical researchers, food processors, and so forth. He has continued to write of his treatment at the hands of FDA.

It is not certain that Dr. Shively's complaints fall squarely within the investigations of the subcommittee. However, they certainly do raise serious questions which are of importance to me as an individual Senator who must pass upon Federal programs of aid to medical research. Also, in my view, they reflect serious shortcomings in the administrative practices and procedures of the FDA. For example, there is no appeal to the courts in cases involving medical research.

Consequently, I have consulted several friends with medical training, and they were of the opinion that Dr. Shively should have been permitted to continue his enzymic research—not on the theory that he had discovered a breakthrough in the search for the cause and/or cure of various types of cancer but that he may have opened the door to such a discovery. One such medical adviser is Dr. Miles H. Robinson of Potomac, Md. Dr. Robinson is an admitted iconoclast in the eyes of the FDA, but he is well qualified to express a judgment on the pros and cons of permitting Dr. Shively to continue his cancer research. I asked Dr. Robinson to give me a report on this subject and he has done so. It is a thorough and thoughtful study and outlines some of the dangers that face us if we permit Government to stifle all independent medical research.

The report speaks for itself.

I ask consent that a brief summary of the report as well as the report itself be printed at this point in the Record. Thoughtful persons, both lay and medical, should find it of considerable interest.

There being no objection, the summary and the report were ordered to be printed in the Record, as follows:

OUTLINE OF ROBINSON REPORT

In his report, Dr. Robinson, a physician who has taught and done research in physiology and pharmacology at the University of Pennsylvania and Vanderbilt medical schools, cites recent medical advances showing that the use of enzymes in the attempt to restore body imbalances and to rejuvenate or eliminate cancer cells is a rational procedure, and that the enzymes Dr. Shively uses have apparently caused regression of cancer in patients whose cases are described, and are also known to have definite anticancer effects in animals. The latter is the usual reason for most NCI clinical trials of potential anticancer drugs. The report states that the NCI is about to test a different enzyme on animals, but has not yet tested an enzyme on cancer patients.

FDA PREJUDICE

Despite no history of injury to any of the 193 patients given the mixture of enzymes in ten years, the FDA blocked Dr. Shively's investigation on the grounds that more animal safety studies on the enzymes should be done; yet the FDA refused for seven months to review for Dr. Shively as it routinely does for drug companies, proposed further animal studies involving an expenditure of $25,000 submitted by Dr. Shively, until Senator LONG began his inquiry into FDA actions in the case.

LAX FDA SUPERVISION OF NCI INVESTIGATORS

At the same time, it is charged, government paid investigators working for the National Cancer Institute, also under FDA supervision, were allowed to test highly toxic anticancer drugs on cancer patients in a negligent and unsafe manner; that is, the FDA was allegedly using one standard of safety, efficacy, and design of clinical tests for the little investigator and his proposed remedy, but a different standard for government paid NCI investigators using the drugs of big drug companies.

UNINFORMED PATIENTS AND UNNECESSARY DEATHS

Numerous quotations from NCI's Cancer Chemotherapy Reports are cited which, it is claimed, show that the cytotoxic (cell poisoning) anticancer drugs tested by the NCI are highly toxic, that patients are not adequately informed of the risks, and that unnecessary misery and deaths are caused by these drugs.

BENEFITS OF NCI THERAPY EXAGGERATED

It is also charged that the FDA tolerates exaggerated and unjustified claims by NCI investigators of the benefits of these cytotoxic drugs; For example, that the NCI only recently acknowledged that shrinkage of tumor by an anticancer drug is not worthwhile if the patient's life is shortened. A recent NCI study is quoted which states that cancer chemotherapy significantly benefits only a rare cancer, choriocarcinoma, acute lymphocytic leukemia in children, and "possibly" breast cancer using hormones. Even these alleged benefits in the first two types of cancer have been strongly challenged by medical critics, according to medical literature cited in the report.

NCI'S "EGG-CHICKEN SITUATION"

An NCI report uses the expression, the "egg-chicken situation" to describe the problem of trying to decide which comes first in drug deaths in tests on cancer patients: the essential toxicity of the drug, or to the investigator "pushing" higher doses of anticancer drugs in patients with unresponsive cancers. In another NCI report, government investigators considered treatment by a drug in three patients to be successful, although all the patients died with toxic symptoms from the drug in a week, nine days, or two months later.

"SMOKE-FILLED ROOM" EFFECT

Another NCI report describes various difficulties of a group of governmental investigators in deciding whether an anticancer drug works, such as "personal persuasion . . . general criterion followed by all members may be bent to fit a 'special' situation . . . powerful exhortations may be made . . . the 'smoke-filled room' effect in which voting occurs with decisions made by slim majorities rather than by general agreement . . . the evaluator's patience . . . a patient with an impressive tumor regression but very severe toxic reaction can be recorded as having benefited significantly when clinically this was not true."

ATTITUDES BEHIND THE SCENES

The report goes on to assert that the attitude of the FDA and the NCI toward unorthodox cancer treatments may be more unsympathetic and dictatorial than it should be because NCI tests of such treatments under the scrutiny of outside observers would throw open to public view the testing procedures and the equivocal results obtained with favored drugs. One comment published in NCI's Cancer Chemotherapy Reports: "Hurry, hurry, and use the new cancer drug before it stops working."

TIME FOR A CHANGE

The report concludes that it is time for a different, more critical, and more physiological approach to a cancer cure than the cytotoxic drugs presently in use; that Dr. Shively's enzyme treatment appears to be a step in the right direction attempting to restore the physiological balance of the body (a type of treatment recently recommended by Dr. Bergel, dean of the Chester Beatty Cancer Institute in London—Royal Cancer Hospital); and that the use by the FDA of a double standard in its regulatory activities stifles the independence of the individual physician, favors monopoly and stagnation in the field of cancer research, and denies the right of informed choice to cancer patients.

The report includes ninety-five references, of which sixty-four are to the medical scientific literature, and thirty-eight are quotations from NCI's Cancer Chemotherapy Reports.

REPORT OF MILES H. ROBINSON, M.D.

INTRODUCTION

Results claimed by Dr. F. L. Shively, Sr.

Dr. Shively is convinced that he has seen softening, liquefaction, decrease in size, and disappearance of cancer masses together with increased mobility of the patient and prolongation of life in some cases, following his enzyme therapy. One course of his treatment consists of daily intravenous infusions for 24 days of a mixture of enzymes (Proteolytic: pepsinogen, trypsin, and chymotrypsin; nucleolytic: deoxyribonuclease and ribonuclease; lipolytic: lipase, given orally, pending further work on an intravenous preparation), and a patient may receive several such courses:

"For the past ten years I have been treating advanced cancer cases in Miami Valley Hospital, this city, with proteolytic enzymes intravenously. Over this period of time I have treated 193 cases and have given 4305 intravenous injections. There have been no side effects, reactions, of any kind, save in three (3) per cent of cases that react to chymotrypsin. Armour and Company say one (1) per cent but in my hands three (3) per cent have reacted. This reaction has been mild and was over in 15 to 20 minutes. There have been no ill effects. The cases that react are those patients that had had asthma or hayfever and/or urticaria (bold hives). With the now established proper doses, I am liquefying cancer tissue at will. This is the first time in the history of scientific investigation that this has been accomplished."[1]

Definition of enzymes

Enzymes are defined as protein catalysts created by living cells which, in exceedingly small amounts, enable cells to perform with speed and precision a multitude of chemical reactions that otherwise would occur with immeasurable slowness at the same temperature and pressure.[2] The enzymes Dr. Shively uses are highly purified extracts of bovine tissues, manufactured by the Worthington Biological Corp., of Freehold, N.J.

FDA first allows, then forbids, Dr. Shively's investigation

The FDA, after granting him permission 2 years ago to proceed with this treatment on an experimental basis,[3] shortly thereafter withdrew its approval,[4] and effectively blocked his work by forbidding the interstate shipment of the enzymes to him.

Since November 1964, the FDA has held up his work on the alleged basis of inadequate evidence of safety of the enzymes when injected into animals, inadequate design of the clinical studies, and inadequate information about manufacturing controls and labelling of the enzymes.[4] On December 17, 1965, the FDA confined its objections to the question of animal safety tests,[5] but on August 26, 1966, the FDA returned to its original objections.[6]

FDA refused to discuss protocols for animal safety tests

Since last January, Dr. Shively has tried to get the FDA to review proposals submitted to him by a drug testing firm for running the necessary animal safety tests at a cost to him of approximately $25,000.[7] The FDA, which in other cases routinely advises on the experimental design of such proposals, made no reply for seven months to his repeated requests for such routine advice. A week after the writer contacted the FDA for information, the FDA wrote Dr. Shively that the proposed safety tests appeared satisfactory except for one or two additional observations of effects which should be made.[8]

Freedom and medical progress are involved

Fundamental issues of freedom and medical progress, as well as matters of fact, are involved in the question of whether Dr. Shively's enzyme treatment has shown promise or benefit to cancer patients and should be allowed to continue, or whether it has been harmful, useless, or illogical and should, therefore, be interdicted.

In the first place, history is replete with examples of individual men in science and elsewhere, dedicated, inspired, and unhampered by the insidious weaknesses which are ever at work in any bureaucracy, who have made great discoveries of lasting benefit to mankind, for example:

"Suppose Robert Koch had needed a research grant to study the cause of anthrax. An obscure district physician, without university or research institution affiliation, he wished to develop original techniques to explore a new field. He worked not in a laboratory, but in his own house. It seems obvious that he would have been brushed off quickly by almost any foundation or fund-granting agency operating according to current practices.

"Suppose Edward Jenner had applied for a grant. He was a country practitioner, without university or research institution affiliation. He proposed to investigate an old wives' tale, that cow-pox would prevent smallpox. He planned to test his postulation—on human beings, without prior trial on animals. He had no statistically sound plan.

"Would any respectable voluntary foundation or government agency give such a crackpot funds?

"Koch and Jenner were fortunate that their studies did not depend on successful research grant applications under 1963 conditions."[9]

"Although the evidence accumulated by Jenner seemed conclusive, the practice (of vaccination) met with violent opposition. However, the eventual acceptance of his thesis was signified in a public declaration by upwards of seventy of the principal physicians and surgeons in London. The learned societies throughout Europe hastened to elect him to membership—with the notable ex-

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See footnotes at end of article.

ception of the College of Physicians, which required him to pass an examination in Classics."[9] (Contents of parentheses supplied).

Obligation of the government and of the private investigator to guard against exploitation of the public

On the other hand, in the difficult and subtle field of medical treatment, the more hazardous the treatment is, and/or the more people who are receiving and paying for it, the more right the government has to regulate that treatment and the more obligation rests upon an independent physician to call in colleagues to verify his work and to make certain that his objectivity has not been blinded by his enthusiasm.

Government controls, therefore, are necessary to prevent exploitation of the public, but the rights of all individuals must be protected. In a democracy, this is achieved by a balance of power, and a gradation and division of responsibility between different groups and individuals, within a framework of laws and regulations.

It is, of course, important that there be no double standard exercised by the government regulatory agency, under which government medical investigators are free to try out their ideas on patients as to new, unproved, or dangerous remedies, in violation of the very regulations and standards which are used to block the research work of the independent investigator who is not in the pay of the government.

Possible incentives for Government agencies to be unfair about cancer research

Especially in the field of cancer research, where the need for progress is imperative and the rewards incalculable, there are powerful incentives for the governmental agencies concerned to be prejudiced against an outside medical investigator; because the government person or his bureaucratic consultants in the National Cancer Institute, who actually make the decision to stop the investigative work of an independent physician, are usually themselves in competition with him. They or their associates are also doing research work, upon the volume of which their jobs may depend, and by which they hope to discover a cure for cancer. Their very competence to judge the work of Dr. Shively derives directly from this fact.

No matter how dedicated government personnel may be to humanity and to democracy, and unquestionably on the whole their dedication is very great, their personal interests involving success in their own research work and their control over vast medical research funds, favor a closed shop and an incentive to ignore or hamper the independent medical investigator who is not in the government or not subsidized by the government.[1]

Our first concern, therefore, should be to ensure that a governmental authority, which has the decisive power to stop the creative work of an individual, is scrupulously fair, reasonable, and unprejudiced.

The foregoing considerations all play a part in determining whether or not Dr. Shively is getting a fair deal in his efforts to proceed with his medical investigation in the face of FDA opposition.

SOURCES OF INFORMATION FOR THIS REPORT

These consist of (a) copies of letters from Dr. Shively to Rep. L. H. FOUNTAIN on October 26, 1965,[12] and to Senator EDWARD V. LONG on April 18, 1966.[11] (b) Various outlines and case histories prepared by Dr. Shively describing the theory, technique, and results of his enzyme cancer therapy. (c) Copies of the correspondence between Dr. Shively and the FDA supplied by both of them. (d) Discussions with Dr. Shively and with several medical scientists in the FDA and National Cancer Institute. (e) References in the medical literature cited by Dr. Shively, by the NCI scientists, or found by the writer.

IDENTIFICATION AND PROFESSIONAL STANDING OF DR. SHIVELY

Dr. Shively is a member of the county, state, and national divisions of the American Medical Association,[13] and has staff privileges in the Miami Valley Hospital of Dayton.[14] He is an experienced surgeon and practitioner of medicine, and was recently awarded Certificates of Distinction both by the Miami Valley Hospital [15] and the Ohio State Medical Association.[16] He has been on the board of directors of the Red Cross for eighteen years,[17] and on the Dayton Board of education for eight years and two times president.[18] All his treatment of cancer patients with enzymes appears to have been done in the Miami Valley Hospital under the supervision of its medical staff board of review.[19] [20]

PRELIMINARY CRITIQUE OF DR. SHIVELY'S CANCER TREATMENT

Case histories

The following are brief summaries of some of Dr. Shively's cases:

J. F. Eyler. Fibrosarcoma of the face. After 14 days of enzyme infusions, severe jaundice disappeared, appetite improved, abdominal distress ceased, and he gained four pounds. Four months later, after another 13 infusions, tumor mass spontaneously ruptured through the skin. A few days later a globular tumor mass was easily enucleated by surgery. (It is now standard practice to use cancer chemotherapy in the occasionally successful attempt to decrease a tumor mass temporarily and thus make it possible or more feasible to excise it surgically. At present all drugs for this purpose are very toxic.)

B. Friend. Hodgkins Disease. Disappearance of one mass and 80 per cent decrease in size of another mass, after 24 enzyme infusions, with further decrease in size after another 24 infusions, followed by surgical removal of remaining lymph nodes in both armpits and one groin.

A. L. Destefano. Rectal cancer. After four infusions a softening of the mass together with discharge of partially liquefied material took place, and by the end of 24 infusions there was change of color of the cheeks from ashen grey to a ruddy, healthy appearance, and a weight gain of eight pounds.

F. Hartinger. Carcinoma of the tongue. After six infusions, metastases in the neck softened, liquefied, and could be aspirated, followed by general improvement of inflammation and swelling.

H. Gass. Cancer of the tongue. After four infusions, softening and discharge of considerable necrotic material and after 12 infusions, general improvement in color and appetite took place. One month after end of second series of infusions, he coughed up pieces of necrotic material from lung metastases, one of which was so large (4 x 3 x 3 cms.) that it had to be helped past the epiglottis with his fingers.

L. R. Johnson. Cancer of the tongue. Softening and liquefaction of neck metastases after six enzyme infusions, with liquefaction of another mass after 16 infusions.

M. Ewan. After 12 enzyme infusions, softening of ovarian cancer mass and disappearance of abdominal tenderness; after 18 infusions 50 per cent decrease in size of mass and resumption of menstruation, which had ceased four months previously, together with feeling better than at any time in the preceding two years.

H. C. Cessation of fecal discharge through rectal-vaginal fistula in a case of advanced carcinoma of the uterus, within 28 hours after first infusion of enzyme, with no recurrence of fistulous discharge for two years and nine months, weight gain of 28 pounds, and cessation of all vaginal discharges. However, patient also had X-ray therapy immediately before enzyme infusions, which were discontinued due to persistent vomiting. Vaginal parts had been swollen and bleeding in connection with the fistula, her tongue was swollen, vision indistinct, and she appeared to have not long to live when enzyme infusions were started.

A. W. Generalized carcinomatosis, secondary to breast cancer. Abdominal fluid in large amounts (more than 8,000 cc.) was withdrawn by paracentesis and did not recur in connection with five courses of enzyme infusions. Fluid in lungs disappeared during another course of injections given six months later.

G. McC. Highly malignant-metastatic carcinoma of the liver with weight loss, extreme weakness and pain, and vomiting after almost every meal. Twenty infusions of an enzyme (trypsin) were given, and vomiting in the next nine months ceased entirely, patient gained 35 pounds, returned to work, and lived in good health for the next five years. Another course of infusions was given at the end of his third year.

G. G. Primary carcinoma of the bladder with lung metastasis and hematuria. After nine infusions of enzymes, hematuria ceased, and patient began passing small pieces of tissue per urethra.

C. L. King. Liposarcoma of the arm for which amputations was advised by the Tumor Board of St. Luke's Hospital, Pasadena, California, one month after tumor was noticed by the patient in January 1960. He was given a life expectancy by the Tumor Board of six months without amputation, and only one year even with amputation. Amputation of the arm was refused, and two weeks later enzyme infusions were begun. After three infusions, the tumor mass, which had shown no signs of inflammation, began to liquefy and drained spontaneously, like a boil coming to a head. Daily irrigation was then carried out for the rest of the course of 24 daily infusions. A considerable amount of tumor tissue was discharged with the daily irrigations, and the rest of the palpable tumor surgically removed one month after beginning the infusions. Three years later, the patient had a recurrence of the liposarcoma in the lung, presumably a metastasis from the original tumor in the arm. A lobe of the lung containing the new tumor was then surgically removed, and the patient is now in excellent health with no sign of a recurrence (September 1966). He still has his arm, but the question remains whether amputation would have prevented the spread to the lung. No one can say for sure whether the cancer cells slipped into the blood and invaded the lung before or after amputation was recommended. The fact that the Tumor Board gave him a life expectancy of only one year even with amputation shows that it believed the cancer had already spread beyond the arm.

The variable course of cancer

Dr. Shively's case records include copies of pathological proof of cancer in all cases. The decision as to whether a treatment is effective depends upon the discrimination between changes which naturally may occur, and those which could properly be ascribed to the treatment. In the variable course of clinical cancer, some alternate healing and breakdown is constantly going on, which changes the observable signs, and many symptoms can be greatly affected by the patient's hope acting through powerful psycho-somatic mechanisms. To all this must be added the risk of sincere but unconscious prejudice of the observer.

Nevertheless, due weight must be given to the observations of a skillful, experienced, and dedicated physician. Dr. Shively has had many years of surgical experience, observing the differences between cancerous and noncancerous conditions, and he is obviously dedicated.

See footnotes at end of article.

It is of interest that the hospital records show an almost routine rise of the white blood count of his cancer patients, treated with enzymes, in contrast to the almost routine injury and decrease of white blood cells which accompanies the use of orthodox anticancer drugs.[21]

Dr. Shively's manual of technique for giving intravenous infusions of enzymes is very good, and has obviously been composed by a careful and keen observer with a sound knowledge of the dynamics and hazards of intravenous injections.[23] It is of some significance that about 28 doctors have referred patients to him for his treatment.[19]

Dr. Franz Bergel, an eminent authority, urges that enzymes be used to treat cancer

An eminent authority in the cancer field, Dr. Franz Bergel, Professor of Chemistry at the University of London, and dean of the Institute of Cancer Research at the Royal Cancer Hospital, has written a book in which he specifically urges the administration to cancer patients of some of the enzymes which Dr. Shively uses:

"... last but not least, systematic attempts at carcinotherapy based on the use of enzymes, coenzymes, or related systems—without ignoring the very important work on antagonists or inhibitors—have been somewhat neglected during the years since antimetabolites were successfully applied in the treatment of acute leukemia by Farber, et al. In order to proceed with the urgent problem of improvements of such extended chemotherapy it is essential that stock is taken of our present day knowledge in the field of chemistry of enzymes in cancer.

"3. Postuate for Restitution or Replacement. Just as nutritional deficiencies which in the long run reflect unfavorably on metabolic and hence enzymic events in the body have been treated with vitamins, amino acids, etc., and, as just noted, with metals, and hormonal inbalances with hormones, such as insulin, thyroxine, tri-iodothyronine, estrogen, androgens, progesterone, pituitary preparations, corticosteroids, and so forth, the question arises whether cells suffering from a permanent insufficiency of enzymes or their cofactors could be, so to speak, nursed back to a normal state by providing them with either holo-, apo-, coenzymes or model systems with a specific enzymic activity. It does not necessarily mean that with a tumor cell one should expect to convert this pathological cell into a completely healthy one. As in the case of insulin versus diabetes, where dietary controls and maintenance doses of the hormone have to be applied during the whole lifetime of a diabetic individual, it would be a major achievement to keep the neoplasm under control and, if inoperable, to live with it. This might be a status, so it is believed, acceptable to the clinician and the patient, as long as the growth of the cancer, its spreading and dissemination or the formation of metastases are stopped during the period of prolonged replacement therapy. Enzymes have been employed clinically, as discussed by Richterich in his interesting book on enzymopathology, and from time to time reports, particularly on the use of proteolytic enzymes and a bacterial DNase (see p. 70) on patients, have appeared in the medical literature. So far no reliable practical experiences in the treatment of cancer have been reported. Yet it is just this group of pathological states which require urgently new and further trials.[22]

Dr. Gordon Zubrod, Scientific Director of Cancer Chemotherapy at the National Cancer Institute in Washington tells me that Dr. Bergel is an excellent and outstanding scientist in this field.

Some of the enzymes Dr. Shively uses are known to suppress cancer in animals

The principal justification for trying a new anti-cancer treatment on patients is evidence that it benefits cancer in animals. This is the routine criterion used by the National Cancer Institute.[24]

It is, therefore, of prime significance that three of the enzymes in the mixture used by Dr. Shively, ribonuclease, deoxyribonuclease, and lipase, have been shown by competent authorities (cited by Dr. Bergel) to inhibit a variety of cancers in mice and rats, or cultures of cancer cells from the kidney of the hamster.[22] (Mice, rats, and hamsters are the standard animals used by the NCI for testing anticancer drugs against animal cancers.[24]) The inhibition of spontaneous breast cancer in mice by ribonuclease was confirmed by Dr. Bergel, who devotes considerable space in his book to the importance of these three enzymes in the experimental treatment of cancer. He states that ribonuclease has been tried on cancer patients, and that what should be done with this enzyme is "extended work, especially with an enzyme preparation completely identified."[22]

With regard to deoxyribonuclease, Dr. Bergel cites research papers which have shown that this enzyme inhibits Ehrlich ascites tumors in mice [22], and that toxicity studies in man revealed no side effects after intravenous or intraspinal injection.[22]

Dr. Bergel describes experiments in which the adhesiveness of ascites tumors to glass was altered by only three out of "a large range" of enzymes, two of which were trypsin and lipase, which Dr. Shively uses. This phenomenon and the fact that lipase slowed the rate of growth in vitro of cancer cells from the kidney of hamsters are cited by Dr. Bergel as indications for the use of these enzymes in cancer chemotherapy.[22]

Despite these strong indications of potential usefulness, the National Cancer Institute has not tried any enzymes on cancer patients. Yet the NCI has tested for anticancer activity over 170,000 substances,[25] ranging from lemon juice and fuel oil [26] to 400 weeds native to California.[27]

Dr. Shively urged the FDA to study Dr. Bergel's book

Over two years ago, Dr. Shively sent a complimentary copy of Dr. Bergel's book to Dr. Frances Kelsey, then FDA chief of the Investigational Drug Branch, stating as follows: "This book contains the story, in detail, of the use of DNase and RNase (deoxyribonuclease and ribonuclease) in the Enzyme Treatment of Cancer. It will be available for any Scientist that will be reviewing my work. I am sure they would appreciate its easy accessibility." [29] (Contents of parentheses supplied).

In a subsequent letter the same year to the FDA Deputy Commissioner, John L. Harvey, Dr. Shively refers again to Dr. Bergel's book which he sent to the FDA: "Please refer to this book for up-to-the-minute information on DNase and RNase in human beings." [29]

In Dr. Shively's printed instructions for administering his mixture of enzymes to cancer patients, which he also sent to the FDA, the last page contains the following prominent statement: "There is much to be learned. The following books should be in your possession. .... Chemistry of Enzymes in Cancer, Franz Bergel, printed in 1960, Professor of Chemistry, University of London—Institute of Cancer Research: Royal Cancer Hospital. Printed by Charles C. Thomas, Springfield, Illinois. (This book is modern and a MUST).[29] (Capitals his).

The anti-inflammatory property of proteolytic enzymes

A very interesting feature of Dr. Shively's enzyme mixture is that the proteolytic enzymes are known to exert a general anti-inflammatory action. Considerable published evidence of this in clinical diseases is summarized in a recent authoritative book by Dr. Rudolph Abderhalden of the University of Basel, Switzerland,[31] and by a report in the Journal of the AMA,[32] which describes the remarkable efficacy of these enzymes in healing thrombophlebitis and a wide variety of other kinds of inflammation, no matter whether they be bacterial, viral, allergic, or chemical in origin. The mechanism of the effect is not understood, aside from their known proteolytic and penetrating powers.[31]

Since cancer is frequently characterized by necrosis and inflammation,[33] it is quite possible that proteolytic enzymes could have a combination effect: simultaneously suppressing the tumor, aiding in the dissolution of protein debris, and enhancing the penetration of the ribonuclease, deoxyribonuclease, and lipase given with them, and of other unidentified cancer inhibitors [33] normally present in the body.

A recent Japanese report from Nagoya University Medical School describes increased penetration of cytotoxic cancer drugs into rat tumors when the drugs are given along with proteolytic enzymes, and it is stated that these enzymes also showed some inhibition of spread of the cancer to distant sites. A trial on cancer patients was stated to be too limited to draw definite conclusions.[34]

NCI plans to administer an enzyme to cancer patients

Dr. Zubrod states that he does not know of any clinical trials in which enzymes have been administered to cancer patients, but that the NCI has just recently let a contract for the production of the enzyme, asparaginase, and is very enthusiastic about the possibility of trying it on cancer patients.[35] In 1961, Broome in England found that the injection of this enzyme inhibited those mouse cancers which are dependent on the substance, asparagin.[36] Whether any human cancers are dependent on asparagin is not known as yet.[37] Asparaginase is very toxic and cannot be given to mice for longer than 10 days without causing death.[37]

Ribonuclease, however, which Dr. Shively uses, has a broad and basic spectrum of cytological effects, according to work cited by Dr. Bergel, not only inhibiting a variety of cancers in mice and rats, by also affecting the growth of bacteria, viruses, amoebae, and amphibian eggs.[22] Both ribonuclease and deoxyribonuclease have already been given to human beings without the production of toxicity.[22, 40]

THE RELATION BETWEEN ENZYMES AND CANCER

The fundamental function of enzymes, of which every cell contains thousands of different kinds,[3] is perhaps best expressed in the statement: "The problem of the origin of life itself is largely that of the origin of enzymes." [38]

According to Dr. Abderhalden: "... the occurrence of cancer is undoubtedly the result of enzymatic disturbances." [31]

Deeply involved in enzyme reactions are vitamins and trace elements out of which many enzymes are built,[31, 32] hormones which control the operation of some enyzmes,[31] and antibodies which can stop a biochemical reaction [38, 9] as quickly as an enzyme can make it proceed.

The enzymatic activity of cancer cells is usually depressed compared to normal cells

Cancer cells are like juvenile criminals in that they have escaped from the normal control of the body and are driven to inconsiderate growth: "... the most characteristic property of cancer ... has the familiar name 'autonomy'. A tumor endangers its host

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See footnotes at end of article.

insofar as it becomes independent of the normal growth-control scheme".[28]

One well established feature of these sick cells is that their pattern of enzymatic activity is usually depressed as compared to normal cells:

"Normal tissues, it appears, are characterized by well differentiated profiles of enzymatic activities, and these differences in biochemical texture are as distinctive as elements in morphological design . . . in contrast, the enzymatic patterns of tumors are much less differentiated. . . . This tendency has been most sharply defined through the extensive studies of Greenstein and his associates on enzymatic activities in normal and neoplastic tissues . . . tumors tend to converge toward common metabolic patterns . . . on the whole, the range of activities for any given enzyme is less among tumors than for a corresponding group of (normal) tissues. . . ."[38] (Contents of parentheses supplied).

Thus, one theoretical object of giving extra enzymes to cancer patients is to try to raise the low enzyme activity of cancerous cells.[28]

Some anticancer drugs are known to work by interference with enzyme activity

Some of the anticancer drugs which are constantly being tested by the CI are known to exert their antitumor effects by interference with enzyme activities of the cancer cells: "in at least some systems, interference by antimetabolites (a class of anticancer drug) in nucleotide form results from competitive interference with specific enzymatic reactions that require nucleotide cofactors. Brockman and his colleagues succeeded in correlating the metabolic block in (anticancer drug) resistant cells with specific enzymatic changes. . . . Bacterial or tumor cells resistant to either antagonist (anticancer drug) can be shown to lack inosinic acid pyrophosphorylase and guanylic acid pyrophosphorylase or to possess these enzymes at lower levels of activity."[38] (Contents of parentheses supplied).

Enzymes and immunity in cancer

Foreign substances, especially protein in nature, but not limited to these,[9] when introduced into the body can act as antigens, a name for any substance which stimulates the body cells to produce a counteracting protein, called an antibody. Antibodies, in very small quantity, can neutralize, protect against, or destroy the foreign substance on some future occasion.[9] Antibodies also may warn the body of the re-entrance of the antigen, by causing an allergic reaction.[9] Thus, antibodies produced in the body are one of the great protectors against dangerous foreign substances, especially bacteria and viruses.[9]

It is also known that antigens are formed by the body cells themselves on their surfaces, and these antigens mark every cell like a fingerprint, so that the body knows that those cells belong to it,[9] just as every one of ten thousand honey bees in a hive is said to be marked by an odor and can instantly detect a strange bee from another hive and drive it away.[40]

In a tissue culture, when a normal cell becomes cancerous, a change can be detected in the antigens on the surface of that cell. Experimentally, these antigens can be washed off, but they keep coming back as the cancer cells continue to grow.[39] It is interesting and probably significant that a 1:250 dilution of trypsin, one of the enzymes in Dr. Shively's mixture, is used for this washing.[41]

The degree to which these surface or "marker" antigens are different from those produced by normal cells in the body determines whether the body will tolerate the cancer cells, or react to them by forming antibodies which will destroy the quasi-foreign cancer cells:

". . . body cells carry self-marker components (antigens) which allow recognition of their 'self' (belonging to the body) character."[42] (Contents of parentheses supplied).

". . . it has also become evident that one of the factors which may determine whether growth or regression of tumor occurs, even of those arising spontaneously, is the degree to which the tumor cells are antigenically distinct from those of the host."[9]

"The maintenance of the state of tolerance (to foreign substances) must be due to the continued action throughout normal existence of a mechanism suppressing the immune response.* This appears to depend, among other things, on the continuous or repeated exposure of the immunity mechanism to the antigen markers of the body tissues (including cancerous tissues). This tolerance could fail if such antigen markers were temporarily absent and later returned, or if the suppressing mechanism were to break down for some other reason and permit the appearance of immunologically reactive cells."[9] (Contents of parentheses supplied).

(*This response is the reaction between antibody and antigen which inactivates and eliminates the antigen and any cell attached to it.[43]).

Accordingly, the prolonged infusion of proteolytic enzymes in cancer patients might disturb the antigen markers on the cancer cells long enough to enable the body to become more antagonistic to the cancer. The remarkable ability of an extraneously introduced enzyme to persist in the body is well shown by the fact that the enzyme, penicillinase, derived from bacteria, is widely used to eliminate traces of penicillin in patients allergic to penicillin and maintains its action in the body for four to seven days after a single injection of penicillinase.[43]

It has been shown experimentally that when certain enzymes derived from bacteria are used to wash the red blood cells taken from an animal, the surface antigens of these blood cells are altered so that the animal's own blood serum will cause them to clump, a typical antagonistic, immunological response.[9, 42]

Proteolytic enzymes are not only powerful, but so delicate and selective in their action that they are routinely used to weaken the intercellular bridges which bind cells together in a tissue, so that individual living cells can be mechanically separated without hurting them.[39]

These enzymes are also used to split the mysterious structure of an antibody into two parts; one part retains the protective power, and the other carries the sensitizing power for allergic reactions.[9] Proteolytic enzymes are also used to change one enzyme into another enzyme, for example, ribonuclease into ribonuclease-S.[44]

The foregoing immunological facts, together with the unique powers of proteolytic enzymes to penetrate inflamed tissues and restore them to normal (v. supra), tend to explain why some of the enzymes used by Dr. Shively have shown anticancer effects in animals.

It is not unreasonable, therefore, to expect that the massive intravenous infusion of these enzymes in cancer patients, bathing the cancer cells in a stronger solution of proteolytic, nucleolytic, and lipolytic enzymes than was already present, might help to reorient the enzymatic and immunological pattern of the patient so that cancer cells would tend to be rejuvenated, or rejected and destroyed

Among other features of the relationship between enzymes and cancer is the fact that viruses, which are one of the forces known to drive a cell to become cancerous,[9] are composed largely of either deoxyribonucleoproteins or ribonucleoproteins.[9] These two substances are specifically broken down by two of the enzymes Dr. Shively uses, one of which, ribonuclease, is known to inhibit the growth of viruses,[45] and the other, deoxyribonuclease, has just recently been used successfully in the treatment of shingles, severe keratitis, and other virus infections.[46]

It also appears likely that cancer can be caused by the mere physical deformation of delicate enzymes necessary for the health of normal cells. Many enzymes are known to be extremely fragile and to have an elaborate, three-dimensional shape[2] which can be spatially deformed and the enzyme destroyed simply by contact with a physical interface, such as that between liquid and air.[28, 39] When inert foreign substances such as glass or certain plastics are implanted in animals, cancer can be produced if the substance is in the form of a smooth face, but not if it is in powdered form.[39] Presumably, the flat surface acts as a physical interface between the foreign substance and the cells or tissue fluids, which interface injures or destroys enzymes necessary to healthy cells.

THE FDA REQUIREMENT THAT DR. SHIVELY PERFORM ANIMAL SAFETY TESTS

The extent of animal safety studies is an administrative decision of the FDA

The decision as to what animal safety studies are indicated is an administrative decision within the FDA. The law does not specify. The final criterion of drug safety is obviously the effect in human beings, and Dr. Shively's administration of 4305 intravenous infusions in 193 patients over a period of about ten years has apparently not harmed the patients. The work was done in a hospital with accepted standards, and its board of review has not made any complaints about toxicity of the treatment.[20]

Enyzmes used by Dr. Shively are normally present in man

All of the mammalian enzymes which Dr. Shively injects are already present in the blood in small quantities,[36, 47] so that the toxicity of these substances scarcely compares with the marked toxicity of the anticancer drugs used by the NCI, typical of which are those related chemically to the deadly mustard gas of World War I. The problem of anaphylactic shock from the injection of foreign protein, since enzymes are proteins of bovine origin, would seem to be well taken care of by Dr. Shively's cautious method of administration, his record of 4305 injections given in the hospital, and the fact that anaphylactic shock is an obvious accident.

What remains is the possibility, present with any drug, of unforeseen, long range, subtle injury to organs which only pathological studies in animals and in man might detect.

The prime requisite for their safety is to inject them slowly. For their efficacy, one must guard against their extreme perishability. Both of these precautions Dr. Shively has strongly emphasized.[21]

The great importance of injection rate is well shown by the many years which elapsed between the discovery and the current wide use of the intravenous anesthetic, Pentothal. No one appreciated that its chief danger was the result of too rapid an injection.[48]

Similarly, the American study which labeled the intravenous use of proteolytic enzymes as effective in thrombophlebitis but dangerous, completely neglected to specify the injection rate,[18] and may account for the prejudice which now exists.

Dr. Shively has already done some animal safety tests

In 1951, Dr. Shively, on his own initiative, had some toxicity tests done on animals to determine the lethal dose of some of the enzymes. In this work done for him by a drug testing laboratory,[50] he found out that the enzymes could safely be given to animals,

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See footnotes at end of article.

and decided not to pursue the animal work further because he soon worked out a technique for the safe intravenous infusion in humans.

For his preliminary determination of clinical safety, Dr. Shively used the classic and in many ways admirable method of sitting by the bedside of the patient for one and a half hours while infusing a very dilute solution of the enzyme into a vein, closely observing the patient, and taking his temperature and blood pressure at regular intervals. He started with a small dose and worked up to a dose which would raise the patient's temperature one degree and the pulse rate by ten beats per minute. The dose which did this was considered the toxic dose, and he chose half this dose as his therapeutic dose.[50]

Dr. Goddard, the Commissioneer of the FDA, has recently emphasized that intensive observation of a few individuals by a skilled observer over a relatively short period of time, both in animal and human experimentation, is much more informative than casual observation by less skillful observers of a large number of individuals over a long period of time.[51]

Dr. Shively's enzymes have been made by Armour and Co. of Chicago and by the Worthington Biological Corp. of Freehold, N.J. The purification process is said to be extensive, including recrystallization, lyophile treatment (sterilization by freezing in vacuum) and testing on animals for toxicity.[52]

Dr. Shively's efforts to have the FDA review proposed animal safety studies unsuccessful

On March 13, 1964, the FDA requested Dr. Shively to file a "claimed investigational exemption" as a prerequisite of continuing the enzyme treatment.[53] Dr. Shively did this, and the FDA granted the exemption on April 24, 1964.[3] Then on July 28, 1964, the FDA notified him that his exemption was terminated because of (a) lack of studies showing the enzymes to be safe when administered to animals; (b) lack of "a clear and reasonably detailed design for carrying out clinical studies"; and (c) lack of information "concerning manufacturing controls on any of the enzymes."[4]

On February 3, 1965, the FDA granted Dr. Shively a consultation in Washington where he consulted with several FDA scientists about his enzyme treatment.[54] On December 17, 1965, Dr. Frances Kelsey, in charge of this administrative area in the FDA, emphasized that it was essential to furnish more animal safety data, but made no mention of inadequate experimental design or inadequate information about the manufacture of the enzymes.[5]

On January 14, 1966, Dr. Shively obtained an outline of a proposed animal safety study costing $1,000 submitted by Leberco Laboratories of New York,[55] and forwarded it to the FDA for approval.

On January 27, 1966, he obtained another such proposal from Food and Drug Research Laboratories of New York, to cost $10,000,[7] and also forwarded this to the FDA.

Receiving no answer, he wrote the FDA again on March 22, 1966,[56] enclosing a more elaborate proposal by the latter firm which would cost him about $25,000, plus $300 a day and expenses for the firm's representative while attending the usual conference with FDA officials frequently held in setting up such animal experiments.[7]

Still receiving no answer, Dr. Shively wrote again on June 10, 1966, stating that he would like to begin the animal experimentation, and asking for a reply to his previous letters about the proposed animal studies.[57]

As previously mentioned, he received no reply for seven months after his original inquiry until August 26, 1966, a week after the writer contacted the FDA for information about his situation. In its letter of that date, the FDA wrote that the proposed safety tests appeared satisfactory except for one or two additional observations of effects which should be made on the animals.[6]

Safety procedures of the NCI in its experiment on cancer patients

In order to judge the fairness of the FDA strictures applied to Dr. Shively, let us now consider the safety procedures followed by the NCI in its experimental cancer therapy under FDA supervision. As a matter of fact, the risks run by cancer patients under the NCI experimental program have alarmed even NCI investigators:

"(There is) . . . a changing attitude toward acceptable drug toxicity that internists and clinical pharmacologists are displaying, possibly in response to the increasing involvement in chemotherapy of surgeons—historically a daring and incisive breed who are unafraid to face up to a degree of therapeutic morbidity and mortality that we more cautious internists have been unfamiliar with."[58]

The degree to which the NCI investigators satisfy FDA safety requirements with animal tests is difficult to ascertain, but much is revealed by the final criteria of safety used by the NCI in its "Phase I" tests on cancer patients. (NCI Phase I, II, and III tests are all done on patients, and must be distinguished from FDA Phase I tests, which are done on both animals and humans).

The Phase II and III tests will be described first, simply for background purposes:

"Phase II is designed to find the tumor types in which the agent (new drug) has at least a minimal degree of antitumor activity."

"Phase III is a trial to determine the degree of antitumor activity (of the new drug) in one or more specific types (of tumors)." (Contents of parentheses supplied).

"The purpose of Phase I is to determine the drug's limiting toxicity and its reversibility, and to find the best route of administration and a dosage schedule which will maintain the patient at near the maximum tolerated dose for a sufficient period to allow recognizable tumor regression. Observations on tumor reduction are made but evidence for antitumor activity is a secondary consideration in the Phase I study. The criteria for patient selection can be liberal. Because observation for antitumor effects is not an objective, patients need not have measurable tumors or other parameters reflecting tumor growth. Since some information on drug toxicity can be obtained from even very ill patients, almost all patients with neoplasms not amenable to other therapy can be included in the study. However, when some patients in a near-terminal stage of the disease are included in pharmacology studies, the relation of the drug to their death is not clear".[59]

In other words, what happens in Phase I studies is that a new drug is given to cancer patients, often for long periods, solely to find out what the toxic dose is, especially because the antitumor drugs in current use are highly toxic and produce antitumor effects only at toxic doses:

". . . the chemotherapist must always be aware of the toxic nature of these anticancer agents . . ."[60] (Referring to all anticancer drugs).

"One might say that every effective antitumor agent causes more or less marked leukopenia which sometimes even endangers the patients' prognosis."[20]

"Mitomycin C . . . both toxicity and tumor response are a function of the total dose . . .".[61]

"Most observers believe the toxicity of 5-FU is directly proportional to its antitumor effects."[62]

"Although more striking improvement occurred among the thioTEPA-actinomycin P_3 group, this was accompanied by appropriately high toxicity. These observations tend to confirm what is well known, i.e., the better therapeutic response occurs when toxicity is moderate to severe."[63]

"In summary, 5-fluorouracil is a drug of narrow therapeutic range, which, in effective doses, is regularly toxic."[64]

". . . 27 patients with a variety of solid tumors . . . An oral dose of 30 mgm. of azotepa was given three times a day until signs of toxicity appeared."[65]

"Fifty-four patients with various malignant neoplasms received Nonane therapy. . . . An adequate trial was defined as one in which some degree of hematological toxicity was produced and the patient survived for 2 weeks after the onset of therapy."[66]

"Pilot study . . . 20 patients . . . Saroclysin does not appear to be effective against acute leukemia. Its prohibitive toxicity makes further clinical trials inadvisable."[67]

"Psicofuranie given intravenously produced intense gastrointestinal toxicity in all patients at 30 mg/kg/d. Vomiting was less at 10 mg/kg/d. Three of four patients treated for 5 days or longer developed acute pericarditis. No effects on tumor growth were seen."[68]

"Fifty-eight patients with a variety of malignant neoplasms were given mithramycin. No significant antitumor responses were elicited. Twenty-eight of the patients suffered drug toxicity consisting of anorexia and nausea and vomiting, alone or in combination."[69]

"Noscapane . . . 6 of 7 patients experienced toxic effects, including mental confusion and coma. No significant tumor response was observed."[70]

"Uracil mustard . . . thirteen children with acute leukemia . . . no evidence of effectiveness in this disease. Marked toxicity was observed. Nine of eleven patients had gastrointestinal toxicity which became progressively severe with each dose."[71]

In another test, on 16 consecutive patients, using cyclophosphamide and Actinomycin D, which produces no objective or symptomatic remission in any of the patients, 13 out of 16 had "severe nausea and vomiting", and five had "severe stomatitis", which ranged from bleeding, superficial ulcers to deep, confluent areas of necrosis that involved the entire buccal mucous membrane and soft palate.[72]

It should be mentioned that the duration of antitumor effect produced by FDA-approved anticancer drugs is on the average not more than two or three months, and any regression of a week[73] or longer is considered significant by the NCI. In a typical study of Methodtrexate on 47 patients, the median duration of regression was one month.[74]

Once an NCI investigator begins an investigation, it is NCI policy that he must not omit a cancer patient from a test of a new, experimental drug just because the patient is too sick from his cancer. Presumably, this is to insure the statistical value of including every patient seriatim as he comes along: "Criteria for admission (to the experiment) . . . Moribund patients cannot be excluded because they are too sick . . . If in the opinion of the investigator he has a more efficacious type of therapy, they may be excluded."[75] (Contents of parentheses supplied).

Note that the NCI investigator is not obliged to give the patient another treatment known to be better than the experimental treatment under test. Publicly, the FDA and NCI are quick to denounce any cancer treatment not approved by them, on the grounds that it will deny the patient his right to the best treatment. But privately within the NCI, it can be a different story.

The amount of useless misery which appears to have been the lot of many cancer patients on the NCI's testing program, test-

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See footnotes at end of article.

ing very toxic drugs which routinely show no anticancer effects or effects only at toxic levels [73] is difficult to estimate. Behind interminable reports of toxic symptoms (in the NCI's Cancer Chemotherapy Reports), many situations like the following may exist, in which futile rebellion of patients alternates with mental depression while on the testing program:

"Thiocarbolamide . . . An effort was made to choose patients who were well enough to withstand the anticipated toxicity. . . . Unexpectedly early death of 2 of the first 5 patients treated caused a reduction to 8.0 mg/kg/day. No significant antitumor benefit of any duration was observed. . . . The most frequent types of systemic toxicity were anorexia, nausea, and vomiting which occurred in 17 of 20 patients. Only 1 patient could not complete the 10-day course of therapy because of this toxicity, but most patients were rather uncomfortable for many hours after each daily treatment. The nutritional status of some deteriorated to such an extent that treatment beyond the 10 days would have endangered life.

"Most impressive was the lethargy, weakness, and belligerent attitude which developed in 15 patients. These symptoms usually commenced on the 3rd or 4th day of drug therapy and relented up to 5 days after the final drug dose. Mental depression occurred in a number of these patients also. The toxicity was refractory to normal pharmacological stimulants."[76] (This was a Phase I test.)

Patient deaths caused by anticancer drugs in NCI tests

An undetermined number of cancer patients with an otherwise substantial expectation of life have died in these tests, according to reports in the NCI's Cancer Chermotherapy Reports. The full extent of the mortality and morbidity is difficult to estimate, since the editor of this journal told me that only the "best" investigations are published.

As quoted earlier in the NCI's description of the Phase I tests, it can also be difficult to know whether the cancer or the drug caused the patient's demise.

Examples of drug injury and death taken from Cancer Chemotherapy Reports are as follows: "These drugs (5–FUDR and 5–FU) have an effect on acute leukemia only at doses which produce severe toxicity; therefore, 17 of 21 patients did not survive to receive an adequate trial. The study was discontinued and the results will be reported."[77]

Presumably, this means that 17 of the 21 patients died from the drug.

"Thirteen patients died during the period (9 days) of this study (of 5–FU), 6 during therapy and 7 from twelve to seventeen days after initiation of therapy."[78] (Contents of parentheses supplied).

"Because of severe toxicity which lead to death of a number of the 40 patients initially treated with the full 5-day 'priming doses' (5–FUDR and methotrexate) urged by the Wisconsin workers, the investigators in the Eastern Group voted to omit the fifth 'priming' doses of each course".[80] (Contents of parentheses supplied).

"Streptovitacin A was given to 7 patients (in either a 4 or 5 day treatment with the result that) acute gastrointestinal toxicity occurred in most patients. . . . One terminal patient with lymphosarcoma had all of these toxic manifestations after each of the two injections of the drug and died the day following the second injection. . . . A second patient with reticulum cell sarcoma, also near-terminal, went into shock ten hours after administration of Streptovitacin A. Although his blood pressure was restored and maintained by vasopressor drugs, he expired the following day."[79] (Contents of parentheses supplied).

"In children as in adults it (Streptovitacin A) is highly toxic. In this study, 6 of the 8 patients died while receiving Streptovitacin A. . . . Its severe toxic effects contraindicate further clinical trials. Summary—Streptovitacin A was administered intravenously to eight children with advanced neoplastic disease. No therapeutic effect was observed. Toxic clinical manifestations consisted of vomiting, hypotension, changes in oral mucous membranes, and diarrhea, in that order of frequency. Renal damage and cerebral edema were observed at postmortem examination in each of the six patients who died while receiving this drug."[80] (Contents of parentheses supplied).

"Severe toxicity was observed in all of them (16 consecutive patients tested on cyclophosphamide and Actinomycin D) and was much greater than what would be anticipated with some dosages of either drug used alone. . . . No objective and symtomatic remission was obtained in any of these patients. . . . The death of 2 patients was unequivocally caused by drug toxicity. . . . Eight of the 14 patients who survived their initial courses of therapy (sic) showed rapid general deterioration, and died within 10 weeks after therapy began. It was our opinion that drug toxicity contributed to the rapid demise of these patients."[72] (Contents of parentheses supplied).

"No evidence of improvement or remission was seen. It is concluded that sarcolysin does not appear to be an effective agent in the treatment of acute leukemia. . . . Six patients died of septicemia during or shortly after the study. This was believed related in part to the intense leukopenia."[81]

With regard to the true incidence of mortality on the NCI clinical drug testing program, it must be borne in mind, as is emphasized in the NCI's description of Phase I testing (v. supra), that it is often impossible to tell whether cancer or the experimental drug killed the patient:

Cachexia and marked debilitation may be enhanced by the administration of an actinomycin, even though apparent decrease in tumor size is noted. We have observed this phenomenon in other patients, including one patient with mycosis fungoides (case 12). How death occurs is not clear and does not appear to differ from that resulting from the malignant process.[82]

"Discussions frequently occur at the autopsy table as to whether the metastatic tumor outgrew its blood supply or whether the central hemorrhage was due to action of FU. If such occurrences hasten death in some of these patients, it can be attributed to drug administration only indirectly, and would certainly indicate an effect from the drug on the tumor."[83]

FDA control over NCI investigators versus control over Dr. Shively

The FDA says to Dr. Shively, in effect: your enzyme treatment may be toxic to cancer patients, despite your experience of 4305 injections in 193 patients over 10 years with no observed injury. Your patients cannot know the risks of your unproved treatment. So it is our duty to forbid you to continue any further investigation of your enzyme treatment on patients.

Does the FDA exert the same control over the investigators working for the NCI? As has been shown, it does not. Are the NCI patients routinely informed of the risks? They are not. How many patients or their relatives would permit NCI Phase I tests which are aimed solely at determining toxicity? NCI investigators report these tests as "therapy".[79]

The drugs used by the NCI are so highly toxic (see also below) that, for all practical purposes, it seems that the FDA simply throws up its hands and gives the NCI carte blanche, so far as injury to the patients is concerned. Note that animal toxicity tests of a drug tend to be less significant, if patients are killed by that drug when it is finally tried on patients.

When the FDA wants to know something about cancer or cancer therapy, presumably it has to ask the NCI. It is not easy to regulate one's chief advisor in the latter's own field.

The result is that on the subject of safety, it appears in the last analysis, that the NCI writes its own rules for its investigators. This raises again the question of double standards. The fairness of the FDA restrictions imposed upon Dr. Shively cannot be satisfactorily evaluated without reference to how these restrictions are imposed upon the government paid investigators working for the NCI.

It is probably significant that the FDA has never raised with Dr. Shively the question of performing NCI Phase I toxicity studies on patients. No doubt the FDA fully realizes that Dr. Shively's treatment is so much less toxic than the NCI's experimental drug cancer treatments that NCI Phase I studies would never be necessary.

VALIDITY OF THE DESIGN AND OF THE RESULTS OF NCI CANCER CHEMOTHERAPY INVESTIGATIONS

It will be recalled that, with respect to Dr. Shively, a major objection of the FDA and reason for forbidding him to continue treatment of cancer patients with enzymes was the alleged inadequate design of his clinical studies.[4] Let us now consider the design and the results of NCI experimentation with anticancer drugs on cancer patients, which is similarly subject to FDA supervision.

The general lack of benefit associated with a faulty theory

Over 50,000 cancer patients [60, 35], have served more or less as guinea pigs in the last thirteen years on experimental projects controlled by the NCI, testing cytotoxic anticancer drugs. As the New York Times pointed out three years ago, very little has been accomplished by all these experiments on patients, and by much of the half a billion dollars spent, and there is serious question whether the government program has been headed in the right direction:

"Ten years ago . . . the government embarked on a search for a chemical to cure cancer . . . as close to a medical 'crash program' as yet seen. It has cost $234,500,000, so far, but has been unsuccessful in its primary goal . . . it has found no new drug that is dramatically better than those available before the program began. More than 27,000 Americans have had one or another of the poisonous, but promising chemicals dripped into their veins. . . . More than 170,000 chemicals from antibiotics 'beers' to synthetic war gas derivatives have been screened.

. . . The program, directed by the National Cancer Institute has been derided as a 'shotgun' approach, one that puts the cart before the horse by searching for a cure before knowing the cause. . . . Two types of cancer have reacted favorably to chemical agents: acute leukemia, for which about a half-dozen chemicals help to prolong life, and choriocarcinoma, a very rare uterine cancer. One chemical has made the latter disease disappear for at least 5 years in about 15 women. Half of these chemicals, however, were known before the program began, and the newer ones are not much, if at all, better than the older ones. . . . In addition, two steroid derivatives have been found that are as good as the naturally occurring testosterone for breast cancer. . . ."[35]

This paucity of results has apparently not changed in the last three years, according to a statement in the March 1966 issue of NCI's Cancer Chemotherapy Reports: "We

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See footnotes at end of article.

expect that some day we will develop drugs that will significantly improve the patient with cancer. In fact, this has occurred in the chemotherapy of choriocarcinoma (a very rare cancer), in acute lymphocytic leukemia in children, and possibly in the hormonal treatment of advanced breast cancer."[34] (Contents of parentheses supplied).

Note that significant improvement is claimed only for a minuscule proportion of all the different kinds of cancer, except "possibly" for breast cancer, the hormonal treatment of which antedated the "crash program".

The charge that cytotoxic chemotherapy is illogical is well expressed by Dr. Abraham Oppenheim, Director, Division of Cancer Control and Research, New York City Department of Health:

"It will be generally admitted that few substantial advances have been made in our understanding of cancer within recent years. The over-all survival rates have been fairly static (although some theoretic areas do show tremendous strides forward) . . . It is now twenty years since the advent of nitrogen mustard and the introduction of a hopeful new era in the treatment of cancer—namely, chemotherapy. During this period, many tumors have been subjected to chemotherapy, but the patient survival rate remains unaltered * * *.

"A retrospective evaluation makes it clear that the initial premise on which chemotherapy was based was fundamentally inaccurate. The assumption was that since cancer is a hyperproliferative cellular disease, agents that can interfere with cell division or attack the rapidly dividing cell would preferentially destroy cancer tissue. An increasing number of studies of the rate of cell division, both in normal and cancer tissue, has indicated that this assumption is false.

"Bierman has shown that the pathophysiology of some leukemias can be consistently interpreted only on the basis of a theory of hypoproliferation . . . depressed division rate, impaired maturation, and an accretion of cells arrested in intermediary phases of development . . . it would appear at present that no cancer cell has as rapid a division rate as its homologous normal cell of origins. In short, in cancer, except perhaps at certain interval, hypoproliferation is the rule. As noticed by Bernard and Oppenheim, 'cells of a carcinoma take up a position where they cannot desquamate and discharge. This is the answer to the apparent paradox that neoplasms can be relatively slow growing and yet exhibit tumefaction which will not occur when a normal epithelium lies in opposition to a lumen.'

". . . It has been clearly demonstrated that many cancers are poorly vascularized . . . so that the distribution of a vascularly disseminated (e.g. cytotoxic) agent would reach higher concentrations in normal than in neoplastic tissue. If the agent is toxic, destruction of normal tissues would be disproportionately emphasized. This unfortunate state of affairs seems to hold clinically even where ingenious perfusion techniques are utilized. Failure occurs because of the neoplastic tissue has a sparser blood supply than contiguous normal tissues, and because inevitable collaterals necessarily disperse the toxic agent in an uncontrollable manner. (Contents of parenthesis supplied.)

"In the light of all the above considerations, application of mitosis suppressors (which the cytotoxic agents are acknowledged to be) will more invidiously affect normal than cancerous tissue . . . there still is to be discovered a tumor whose rate of proliferation exceeds that of such important tissues as bone marrow and intestinal epithelium. Hence . . . Hematomyelopathy and intestinal ulceration is, therefore, the unavoidable and prohibitive price that must be paid for the use of chemotherapeutic agents.

"The development of a refractory population of cells. . . . It is indeed remarkable that cancer chemotherapy should work at all. That it does so is a tribute to the reparative powers of the body and the capacities for regeneration on the part of important normal tissues."

"Remissions, perhaps cures, from chemotherapy have been reported in a few instances. . . . How can one explain these remissions? It may be that we are dealing with an unusually susceptible group of cells; or that the patient developed an immunity of some type; or that the tumor may be quiescent for long periods of time. . . .

" . . . chemotherapy can be of some value for the alleviation of pain or for the rapid shrinkage of some tumors—provided one realizes its limitations and does not use the drug in such instances just because something has to be done.

"Chemotherapy as a concept is still in its infancy, still too much involved with ideas of special evils in cancer cells which can and must be destroyed."[55]

As mentioned earlier, Dr. Bergel recommends that the following new approach be taken: "Homeostatic regulators or Restitutional drugs which instead of destroying delinquent cells and tissues may re-establish the orderly behavior or remedy the existing disturbances."[56]

With regard to the question of how we can explain the remissions seen under chemotherapy, it is significant that in the only two categories of cancer where good results from chemotherapy are generally acknowledged (aside from the possible benefit of hormones in breast cancer), that is, in acute lymphocytic leukemia in children and in choriocarcinoma,[34] the validity of even these results has been strongly challenged. The criticisms are that in leukemia the real benefit has been due solely to the new routine of the concomitant use of corticosteroids and antibiotics;[57] and in choriocarcinoma, the diagnosis between this and its benign precursor, hydatid mole, is unreliable. For this reason, Everson and Cole excluded all cases of choriocarcinoma from their classic study of spontaneous cures in cancer.[58]

With regard to the temptation to use cytotoxic chemotherapy "just because something has to be done",[55] a doctor on the cancer therapy ward at the National Institutes of Health once told the writer that "We have not shown that any chemotherapy prolongs life" (discussing ovarian cancer), but "At least the patient feels that something is being done, and is less likely to run around the country looking for other treatment."

It should also be mentioned that the cytotoxic anticancer drugs are a bonanza to the medical laboratories, since constant laboratory tests must be made on the patient, especially on the blood, to maintain the patient on the knife-edge between disastrous toxicity and the hoped-for antitumor effect.

Shrinkage of tumor is an unreliable indicator of benefit to the patient

Serious criticism can be made, which the NCI itself admits, as to whether many of the tumor regressions obtained in the NCI's animal screening program and in its clinical testing program are simply part of a general deterioration of the animal or patient caused by the extremely toxic nature of the drugs which the NCI favors:

". . . . non-specific tumor inhibition resulting only from drug-induced host inanition."[59]

"In a comparison of drugs, a higher objective response rate from a specific drug was not related to longer survival of the total number of patients receiving that drug, bringing the specific objective response (tumor measure) in these diseases into question. It is suggested that this objective response criterion does not measure the whole patient and may therefore be misleading. . . . . We could not correlate response with survival. No conclusion seems possible other than that the response measure is inappropriate. . . . . we have assumed that failure to respond to treatment such as that given in this study would not damage the patient—that he would be no worse off than if we had not treated him at all. This may not be so. Can we have really harmed some patients while trying to make their tumors shrink. . . . . There are some animal data and at least one controlled trial in man which strongly imply this. . . . . A thoughtful, dispassionate review of the virtues and vices of limited 'objective' measurement and 'biological activity' of a drug is in order."[60]

Flexible definitions of a "clinically active" anticancer drug

The NCI exhibits considerable indecision about what anticancer drugs are really beneficial to cancer patients, as may be seen from the following information taken from the latest (May 1966) comprehensive NCI report:[34]

Eighty-eight anticancer drugs are listed in the text (p. 175) as being "of clinical interest", but in Table 8 (parts 6, 7, 8, 9, and 10), 43 of these drugs are included under the caption of "Drugs with undemonstrated clinical activity."

The remaining 45 drugs are described in the text (p. 176) as having "definite clinical activity" and are listed in Table 8, part 1–3 as "Clinically Active"; but in Table 4, part II, 25 of these same drugs are reduced to the status of "Compounds of clinical interest".

This leaves 20 drugs which are designated in Table 7 as "Twenty Established Clinically Active Drugs." Of these 20, under the heading of remarks, the drug, Methyl-GAG, is stated to have "evanescent clinical responses characterized by serious toxicity"; TEM has "erratic absorption"; Merphalen has had only "limited clinical trial"; Actinomycin D produces "profound leukopenia" (damage to white blood cells); and MIH is "in clinical trial at present".

That would seem to leave about 15 desirable "Established Clinically Active Drugs". But if the list is then brought into line with a parallel NCI report (March 1966) which uses the criterion of drugs which "significantly improve the patient with cancer", the list is reduced to five drugs: Methotrexate for the rare choriocarcinoma, four other drugs for acute lymphocytic leukemia in children,[34] (Table 8), and "possibly" some hormones used in breast cancer.[34]

At the present time, therefore, one must conclude that there are between 5 and 88 drugs active against cancer in man (not counting female hormones long used in prostatic cancer), depending on whether the criterion is "compounds of clinical interest" (88 drugs), "Clinically Active Drugs" (45 drugs), "Established Clinically Active Drugs" (45 drugs), "Established Clinically Active Drugs" (20 drugs), or "significantly improve the patient with cancer" (five drugs plus some sex hormones).

Toxicity and the "egg-chicken" problem

A special feature of the NCI problem with the toxic anticancer drugs is that it has been found that the fewer the deaths from the drug, the more regressions are obtained. The NCI now suggests that this may not be because the drug is more safe and efficacious, but may be because the investigator is pushing higher doses and causing more drug deaths in patients with naturally unresponsive cancers.

The NCI refers to this problem as the "egg-chicken," situation, and illustrates it by the experience with 5-FU, one of the most popular of the 20 "established" drugs:

"Reports by investigators using the Wisconsin regime often suggest that proper

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See footnotes at end of article.

treatment requires pushing the patient to toxicity. . . . Most authors agree that FU is a dangerous drug . . . . On the question of 'pushing to toxicity', it might appear that if one investigator has 'pushed' more vigorously than another, he might as a consequence inadvertently have more drug deaths due to drug toxicity, but he would also have more positive responses. In papers which reported both percent response and drug deaths, one finds the inverse—the fewer deaths (less 'pushing'?) the more response. Or is this an egg-chicken situation? Is it that a physician confronted with a non-responsive patient is more likely to push harder—to drug death? . . . Definitions enter here too. What is a drug death?" [50] (Contents of parentheses theirs).

Despite these facts about FU, (a synonym for 5–FU), nothing is said about its toxicity in the column under "Remarks" in Table 8.

Except for TEM and Actinomycin D as already mentioned, all the other 20 "Established" drugs somehow appear in Table 8 with a blank record on the score of toxicity.

This does not seem to be supported by the facts. For example, one of the 20 "Established" drugs is Vincristine, which showed the following toxicity in two recent NCI studies:

"Fifty patients with desseminated neoplasms have been treated with Vincristine . . . . It is more toxic than Vinblastine and produces, in the doses used in this study, a high incidence of peripheral neuropathy which may be severe enough to limit its further use.* . . . . Vincristine produced toxic effects of diverse types, and with great frequency. . . . . Neurologic complications proved to be the most serious. . . . . haematological changes were frequent and often marked. . . . . the remissions have been short." [51] (*Since this phrase ended the abstract of the paper, presumably they mean the general use of the drug).

"Twenty-one patients with a variety of neoplasms received Vincristine . . . . In 7 patients neurotoxicity prompted eventual cessation of therapy. Definite tumor regression was seen in 2 lymphomas and 1 carcinoma of the breast. . . . . The response lasted a total of 5 weeks (breast case). Beginning the third week of therapy the patient developed numbness of both hands and feet and extreme weakness which prompted cessation after the 7th week. The patient expired at home 8 weeks after discontinuing therapy. At the time of death, evidence of neurotoxicity was still present . . . ." [52] (Contents of parentheses supplied).

In the other two lymphoma cases which responded, in the second study, the response in one lasted 9 days terminated by fatal hemorrhage associated with neurological, haematological, and gastro-intestinal toxicity. The other patient's response lasted one week before she died.

The authors' conclusion regarding the treatment of these three patients reveals a sense of accomplishment exceeded only by their enthusiasm for further testing of the drug:

"CONCLUSION

"Definite antitumor activity with dosages that do not produce serious bone marrow depression can be demonstrated with vincristine. This alone makes its continued investigation worthwhile. In our experience this drug should be given a trial in all lymphomas that have not responded to other forms of therapy. However, in other solid tumors, except for isolated cases reported in other series, the regressions have been incomplete, of too short duration, or accompanied by too much toxicity to be considered worthwhile." [53]

As to remarks in Table 8 about the toxicity of other "clinically active drugs", one finds in the table the following statements: "more toxic than mustard gas"; "unpredictable toxicity"; "no clinical trials in U.S.A. Profound leukemia induced"; "regression achieved at cost of considerable toxicity"; "severe unpredictable myelo-suppression" (bone marrow injury); "severe drug-induced toxicity frequent." [54]

The pressure on the supply of cancer patients available for testing

The comprehensive NCI report published in May 1966, referred to above [34], points out that most (43 drugs) of the 88 drugs of "clinical interest" which do not qualify as "Clinically Active", have either "insufficient clinical data or no clinical data", and that "The analysis shows the great need for obtaining additional definite clinical data . . .".[34]

With this kind of pressure on the supply of cancer patients available for testing, as these and other drugs try to move up through the ranks in the hope of achieving the status of "Established Clinical Activity", it is not surprising that the NCI finds it difficult to test any unorthodox cancer treatment which does not enter through regular channels.

Other problems deciding whether a drug actually benefits a cancer patient

According to a study made for the NCI and published this year, it is difficult for a group of investigators to agree about a chemotherapeutic result on a cancer patient for the following reasons, among others:

(1) "Recent clinical experiences of some group members may have an abnormal impact."

(2) "personal persuasion regarding the value of the drug being tested".

(3) "General criterion followed by all members may be bent to fit a 'special' situation."

(4) "Powerful exhortations can be made."

(5) "the 'smoke-filled room' effect in which voting (on what the result was) occurs with decisions made by slim majorities rather than by general agreements." (Contents of parentheses supplied).

(6) "the evaluator's patience."

(7) "a patient with an impressive tumor regression but very severe toxic reactions can be recorded as having benefited significantly when clinically this was not true".

The study states the effect of all this: ". . . the evaluation lacks some key features: for instance, the result may not be reproducible."

The study proposes, therefore, that recourse be had to a digital computer: "Serious thought is being given to making many additions to the response-decision parameters as now constituted. Some specific observations to comprise the new, broadened base of data are (a) tumor regression or progression, (b) toxicity, (c) general condition of the patient, and (d) duration of beneficial effect." [55]

Well might the question be asked: just what have the NCI investigators been doing the last 13 years with over 50,000 cancer patients to whom they have administered great quantities of very toxic drugs? Is it not time for a different, more critical, and more physiological approach, instead of trying to knock the cancer out of the patient with the sledgehammer of highly poisonous drugs?

As we have seen, the NCI, and presumably the FDA, are struggling with a number of perplexing problems such as (a) deciding whether the whole design of twenty years of cytotoxic anticancer therapy is faulty or not; (b) the fantastic toxicity of these drugs which the NCI favors; (c) the belated discovery that shrinkage of tumors is not the equivalent of benefit to the patient, otherwise known as the "chicken-egg" problem; (d) flexible definitions of anticancer drug activity; (e) the pressure on the supply of cancer patients available for testing, as powerful drug companies strive to get their products into the inner circle of "Established" clinical activity; and (f) the contemplated switch from decisions made in "smoke-filled rooms" to decisions made by electronic computers.

The attitude of the FDA and the NCI toward unorthodox cancer treatments may be more unsympathetic and dictatorial than it should be because any tests of these treatments under the scrutiny of outside observers would throw open to public view both the actual testing procedures and also the equivocal results obtained with the favored drugs.

All things considered, it is hardly surprising that the FDA and its consultants in the NCI did not have much time for an independent investigator like Dr. Shively.

A rather jocular, intramural attitude toward the present anticancer drugs is well expressed by the following comment, printed in the NCI's Cancer Chemotherapy Reports: "Hurry, hurry, and use the new cancer drug before it stops working." [56]

THE RIGHTS OF INDIVIDUALS IN THE NEW PATTERN OF GOVERNMENT MEDICAL POWER

The government has greatly increased its regulatory, disciplinary, and financial power over all aspects of research on cancer and the treatment of cancer with drugs, and this is an understandable necessity in order to reap the harvest of modern science and control its application to this terrible disease. But before this revolution in control stabilizes, there is a very real danger that the rights of individuals may be crushed.

The right of the patient to know and to choose

If the advanced cancer patient today wants something new in chemotherapy, he is restricted to experimental therapy which conforms to FDA opinions as to the safety and rationale of the drug, the research qualifications of the physician, and a rather elaborate study of the patient conforming to a particular clinical design.

This tends to restrict the patient to doctors working on government grants or at the NCI, on the assumption held by both the FDA and the public that these investigators have access to more promising drugs, and are more skillful and careful when they try out these experimental drugs on patients.

When a cancer patient receives experimental drug therapy by a government paid investigator, is that patient fully advised of the risks so that he is able to make an informed choice of whether or not to take that treatment? That answer is that in a great many cases, he is not adequately informed, as we have seen from an examination of the NCI's own records and from its plain statement of the purpose and the procedure of NCI Phase I tests.

To begin with, the patient or his relatives are often not inclined to press for information when dealing with the great prestige of doctors working under the direct authority of the government, fully cleared by the Food and Drug Administration, and surrounded by the extensive equipment and services flowing from large government grants.

Secondly, to whom might the patient appeal? What effective authority is there which is higher than the NCI? In matters of cancer, the NCI appears to be lord of all it surveys, including the cash box, whence flows the privilege of investigation, the prestige of clinical research, the output of research papers, the likelihood of advancement in the hierarchy of medical schools and hospitals, and all the monetary advantages thereof.

As an eminent anesthesiologist, Dr. Henry K. Beecher, has recently pointed out, abuses of patients in medical research violate the Nuremburg Code which prohibits improper experimentation on human beings, and such

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See footnotes at end of article.

abuses are contaminating every area of medical research today, primarily for the competitive reasons just cited:

"Since World War II the annual expenditure for research (in large part in man) in the Massachusetts General Hospital has increased a remarkable 17-fold. At the National Institutes of Health, the increase has been a gigantic 624-fold. . . . great sums of money available . . . reason to fear that these requirements and these resources may be greater than the supply of responsible investigators. Every young man knows that he will never be promoted to a tenure post, to a professorship in a major medical school, unless he has proved himself as an investigator. If the ready availability of money for conducting research is added to this fact, one can see how great the pressures are on ambitious young physicians.

"Evidence is at hand that many of the patients in the examples to follow never had the risk satisfactorily explained to them, and it seems obvious that further hundreds have not known that they were the subject of an experiment although grave consequences have been suffered as a direct result of experiments described here. . . . What seems to be breaches of ethical conduct in experimentation are by no means rare, but are almost, one fears, universal . . . (i.e.) in all categories where research on man takes place."[80]

It is also wrong to mislead the public with ambiguous statements, as the FDA did earlier this year on the occasion when it announced that each day that a patient with "treatable cancer" relies on an unorthodox treatment, is a day that brings him closer to death.[81]

In this context, the word, "treatable", is very subtle. What is meant by "treatable cancer"? Early cancer patients who can often be cured by surgery or irradiation? That is the limitation a knowledgeable physician would put upon it.

Advanced or terminal cancer patients? That is what the uninformed public would additionally assume.

The FDA does not reveal that approximately 10,000 cancer patients a year are treated in NCI clinical tests alone[82] with anticancer drugs approved by the FDA, and that "For the most part chemotherapy is still not administered to the patient with cancer until he is in a state of advanced cancer or actually moribund,"[83] and that only cancer patients with choriocarcinoma, acute lymphocytic leukemia, and "possibly" breast cancer are "significantly improved" by that chemotherapy.[84]

What about most of these 10,000 patients, their reliance on FDA-approved anticancer drugs, and their proximity to death?

FDA propaganda about protecting the public can seem very clear and forthright, while at the same time offering no embarrassing information about what is the real situation.

Double standards and degradation of the individual

The indoctrination of freedom and responsibility begins close at home, and is forged in the intimate and important areas of our lives, of which medical care is one of the most intimate and one of the most important.

We hope that we will not repeat the history of ancient Rome, and destroy the sturdy independence, responsibility, and creativity of the individual citizen, leaving him to the tender mercies of public or private monopolies.

In most of the aspects of the drug treatment of cancer which have been considered in this report, whether it be questions about the FDA treatment of an independent investigator, the toxicity and efficacy of the cytotoxic anticancer drugs, the clinical design for testing anticancer drugs, or the right of the patient to make an informed choice of what is done to him, the fundamental error seems to be the use of double standards and the lack of fair dealing.

For example, the FDA uses one standard of safety, efficacy, and design of clinical tests for the little investigator and his proposed remedy, but a different standard for the government paid investigator and the drugs of big drug companies.

In NCI Phase I tests of drug toxicity on cancer patients, and in much of the "therapy" with cytotoxic drugs, the FDA and the NCI do not appear to be giving the cancer patient accurate information about the purpose, the true record of benefit, or the risks of these drugs, so that he can make the informed choice which is his right.

In the last analysis, we all have a choice, whether to remain a nation of free men, knowing the realities of life and accustomed to taking responsibility; or to become a nation of weaklings, uninformed, and unaware of the forces which determine our lives.

We cannot do without the protection of the dedicated public servants in our bureaucracy, but the validity of that protection and of that dedication rests, as it always has, on the Golden Rule of "Do unto others as you would have them do unto you."

SUMMARY AND CONCLUSIONS

At each stage of Dr. Shively's experimental enzyme therapy for cancer, he has been careful to observe the ethics of his profession and the regulations of the Food and Drug Administration. His administration of enzymes to cancer patients began thirteen years ago, and it appears to be an almost unique clinical investigation, as well based today, on recently discovered anticancer effects in animals of the enzymes he uses, as the average clinical trial of new anticancer drugs conducted by the NCI.

Dr. Shively's work has anticipated a kind of enzyme chemotherapy for cancer which the NCI has not yet tried, but wants to do, and is now getting ready to do. That is to say, the NCI has let a contract for the production of the enzyme, asparaginase, which it expects to try on animals and hopes to try on patients.

On the basis of available evidence, in the difficult field of cancer therapy, it would be unwise to conclude at this time that the enzyme infusions given by Dr. Shively have caused human cancer to regress.

In view, however, of the highly reputable reports that some of the enzymes he uses inhibit cancer in animals, the authoritative call for the administration of these and other enzymes on a broad scale, the skill which Dr. Shively has shown in administering potent biological substances in full doses, and the great effort which he has put into his investigation, the FDA should not have refused for seven months even to reply to his requests for a routine review of proposed further animal safety studies furnished Dr. Shively by a drug testing laboratory.

A major reason why the FDA blocked Dr. Shively's work was that the FDA required that such further safety studies be done, and the FDA regularly reviews plans for such studies submitted by drug firms. But the FDA replied to Dr. Shively on this point only when a public inquiry appeared imminent.

The question of whether the FDA unfairly blocked his work should be viewed not only from the standpoint of FDA regulations, but also in the light of the actual way in which clinical cancer chemotherapy is conducted by the National Cancer Institute and its grantees, which are similarly subject to FDA supervision.

The FDA and NCI appear to be tolerating violations by the NCI of the Nuremburg ethical code which prohibits improper experimentation that results in the unjustified suffering and premature deaths of human beings.

The seriousness of the cancer problem leaves no room for double standards in the application of laws and regulations to cancer research, nor for holier-than-thou attitudes. The individual investigator should be treated with the same consideration as a large pharmaceutical company or the NCI.

It appears that in the cancer field, the Food and Drug Administration practices a double standard, shown by its rigid and dilatory treatment of the independent investigator, as compared with its lax supervision of government paid investigators and of favored anticancer drugs.

The effect of a double standard in the FDA is to stifle the independence and creativity of the individual physician, to favor monopoly and stagnation in the field of cancer research, and to deny the right of informed choice to cancer patients.

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See footnotes at end of article.

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AUTHORIZATION TO PRINT H.R. 15111 AS PASSED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that H.R. 15111, the Economic Opportunity Amendments of 1966, be printed as passed in the Senate yesterday.

The PRESIDING OFFICER. Without objection, it is so ordered.

BLUEPRINT FOR PEACE

Mr. CLARK. Mr. President, I should like to call the attention of Senators and readers of the RECORD to a most excellent book entitled "Blueprint for Peace," which will be published on October 24, 1966, United Nations Day. The author of the book is Richard N. Gardner, who was formerly a Deputy Assistant Secretary of State assigned to the Office of International Institutions. Mr. Gardner is a brilliant young man. He is a professor at the Columbia Law School.

This book contains the reports and recommendations presented to the White House Conference on International Cooperation last December by 30 panels of distinguished citizens, together with a thoughtful essay in which Mr. Gardner offers his own program for international cooperation as well as proposals for following up the White House Conference. I cannot recommend this book too highly to the Members of Congress and to American citizens interested in the central question of how to achieve a just and lasting peace.

The volume is perhaps the most comprehensive collection of authoritative studies on peace which have ever been assembled, covering such diverse areas as disarmament, peacekeeping, international law, population control, economic development, outer space, science and technology, and human rights.

The book should be—and I fear it is not—required reading by all those in the State Department concerned with the making of foreign policy. Yesterday the Committee on Foreign Relations held hearings on the confirmation of Dean Eugene V. Rostow, of the Yale Law School, to be an Under Secretary of State and Foy D. Kohler, former Ambassador to Russia, to be Deputy Under Secretary. In the course of colloquy I asked both of these gentlemen if they had ever had a look at the reports of the panels on the White House Conference on International Cooperation. Both of them said they had not. I urge them both to read the book as a matter of required homework; not only to read these recommendations, but to move forward toward their consideration as useful parts of American foreign policy.

The importance of the book is highlighted by the fact that a high-level committee appointed by President Johnson is now reviewing the reports included in this book to determine which recommendations should be included in the President's budget and legislative proposals for next year. The committee is chaired by Charles Schultze, Director of the Budget, and includes Presidential assistants Walt Rostow and Joseph Califano as well as Raymond Nasher, who served as executive director of the White House Conference.

I hope the book will receive a wide audience. It carries enthusiastic endorsements from Vice President HUBERT H. HUMPHREY and from our Ambassador to the United Nations, Arthur J. Goldberg, whom Mr. Gardner has been serving as special consultant for the last year or so.

The Vice President has said:

> This is an excellent presentation of the important proposals put before the White House Conference on international cooperation. As chairman of this Conference, I commend this volume to men and women around the world who seek a design for living in the atomic age.

CONGRESSIONAL REORGANIZATION

Mr. CLARK. Mr. President, I ask unanimous consent that an excellent editorial which appeared recently in the Washington Post, entitled "Faltering Congress," be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FALTERING CONGRESS

> Congress has entered the home stretch of its 1966 session in a mood of frustration as well as irritation. Much of the irritation arises from the fact that Congressmen are still here sweating over legislation while furious campaigns are being waged against them at home. Legislators are always restive under such circumstances, and they have good reason to be. Quite a number of veterans have gone down to defeat in the primaries. It becomes increasingly difficult to hold members to their legislative chores in Washington.
>
> Yet there is wide acknowledgement that the legislative record to date is far from satisfactory. Congress has not duplicated its remarkable performance of last year. At that time it was anticipated that the 1966 session would be both short and productive. But it has proved to be neither.

The Congressional Quarterly boxscore indicates that, after 8½ months of continuous session, Congress has finished action on only 7 of 25 major bills. Almost three months after the beginning of the new fiscal year six major appropriations bills remain to be passed. Of course both houses have acted on a large number of minor issues. Some vital bills, both good and bad, have been defeated. Still the fact remains that such top-flight measures as the education bills, the antipoverty bill, the proposed Transportation Department, unemployment compensation, demonstration cities and water-polluted control bills have been crowded into the chaotic final weeks of the session.

Especially unfortunate has been the neglect of governmental reform. Nothing has been done in regard to campaign financing or toward correction of our shaky electoral college system. Even the mild congressional reform program recommended by a joint Senate-House committee has gotten nowhere.

One reason for the disappointing performance of the House may be seen in the handling of the antipoverty bill which finally came up for debate yesterday. This bill was approved by the House Education and Labor Committee last June 1, but was withheld from the floor while Chairman Powell pursued his feud against Sargent Shriver. Last week Speaker McCormack finally indicated that the bill would be brought to the floor by unusual procedures if the chairman did not act.

Important bills of this sort should be given a defite place on a legislative agenda. Instead, the legislative program is still largely controlled by the whims of committee chairmen. The result is delay on many vital measures until it is impossible to squeeze them into the session-end log jam.

On the Senate side the leadership is still more handicapped in putting first things first because of the crippling custom of unlimited debate. In failing to get a vote on the civil rights bill, even after a majority had voted to cut off debate, the Senate demonstrated its incompetence as a modern legislative body.

The need for modernizing the machinery of Congress was blurred a year ago because of the remarkable honeymoon accorded the Johnson Administration. Now the old inadequacies which have plagued Congress for many years are once more painfully obvious. It is a very difficult task for Congress to repair a vehicle and ride in it at the same time. Yet we think it will be under heavy obligation next year to adjust its nineteenth-century procedures to the work load of the 1960s and 1970s.

Mr. CLARK. Mr. President, the editorial states in simple terms what I have been attempting to persuade Senators to do something about for the last 10 years, and that is the reorganization of the customs, practices, and procedures of the Senate before it is too late and we end up with the same sort of debacle which overtook the Roman Senate in the time of Caesar.

THE SUPERHAWKS

Mr. YOUNG of Ohio. Mr. President, when the Constitution of our country was first written and announced, there was an uproar loud and clear in all of the Thirteen Original States. On the demand of men who fought and won the Revolutionary War the first 10 amendments, which we affectionately term the Bill of Rights, were forced down the throats of the ultraconservatives of that time. Of the 55 men who drafted the Constitution, the majority were the conservatives of that period—landowners, men of wealth, and merchants. Otherwise, the Thirteen Original States would have denied ratification of the Constitution, as drafted.

Those young men who wrote the Bill of Rights decreed that civilian authority would be supreme over military authority in time of peace and in time of war. Those patriots who fought the Revolutionary War and then won the peace that followed manifested extraordinary vision and wisdom.

It is startling and somewhat disheartening that former President Eisenhower has joined the Nation's leading superwarhawks such as ex-Air Force Gen. Curtis LeMay and ex-Gen. Nathan Twining, and is sounding off not as a former President but as an ex-general.

General Eisenhower even said he would not rule out nuclear weapons to win the war in Vietnam. General LeMay, who proposed that we bomb Red China "back into the stone age," charges that President Johnson is waging a "cautious and timid" war. He proposes, as do ex-Generals Twining and Eisenhower, that American boys wage an all-out unrestricted war in North Vietnam even proposing the use of tactical nuclear weapons and even to the extent of possibly dropping thermonuclear bombs.

They are apparently dissatisfied that we have approximately 500,000 men of our Armed Forces fighting in Vietnam, Thailand, and off the Vietnam coast with the 7th Fleet. They glibly urge unlimited escalation of the war and air strikes against the port of Haiphong and against Hanoi regardless of how many thousands of civilians—women, children, and men—would be killed. They disregard the fact that more than 5,300 of our finest young men have been killed in Vietnam and 30,000 others wounded; that thousands of other GI's have been afflicted with malaria, hepatitis, and other dread jungle diseases; and that already 500 of our best planes, the best and most modern war planes in the world, and 200 helicopters have been destroyed over North and South Vietnam. How many more precious lives of pilots and airmen do they propose we lose?

Do these irresponsible warhawks propose that we send 800,000 men to Vietnam, or 1 or 2 million? What do they mean by an unrestricted war? Ex-general LeMay proposes what amounts to a preventive war against Red China. He says mainland China is nothing to worry about, that South Korea and Nationalist China with our logistic support—meaning transport, maintenance, armaments, and additional hundreds of millions of dollars of subsidies each year—could bring Red China, which he refers to as an "unstable nation," to her knees.

Expanding the present war into North Vietnam following the advice of ex-Generals Eisenhower, Twining, and LeMay would mean an amphibious landing in Vietnam north of the 17th parallel and fighting a land war with American youngsters first in North Vietnam and then very likely in mainland China, and then who knows, perhaps with the Soviet Union. These pronouncements are really too horrible to contemplate.

While fearing the consequences of an all-out war of aggression, as urged by these ex-generals, we may all be thankful of the wisdom of those patriots who provided that at all times, in war and in peace, civilian control in our country must be supreme. Constrasted with ex-generals LeMay, Twining, and Eisenhower, we have reason to be thankful that the views expressed by President Johnson for a peace with honor prevail over these super warhawks who urge a major war to victory.

Mr. President, in the Washington Evening Star of October 4 there appeared an excellent editorial entitled "The Superhawks." This editorial clearly and concisely points out the great dangers inherent in, and the absurdity of, the positions taken by warhawks such as ex-General LeMay and ex-General Twining, and ex-General Eisenhower. I commend this outstanding editorial to my colleagues and ask unanimous consent that it be printed in the Record at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Evening Star, Oct. 4, 1966]

THE SUPERHAWKS

One of the nation's leading superhawks, former Air Force Chief of Staff Curtis E. LeMay, has just provided a thundering defense of the administration's conduct of the war in Viet Nam.

It wasn't intended that way. The retired general's article in U.S. News and World Report was conceived as a blistering attack on his former commander in chief. The cause of the general's discontent is the President's insistence on a "cautious and timid" war, his failure to order all-out, unrestricted air strikes against the North and his inclination to pay too much attention to the "outside risk" that unlimited escalation might bring in Red China.

Gen. LeMay's glib declaration that mainland China is nothing to worry about, that Nationalist China and South Korea—with a little bit of help—could bring that "unstable" nation "to her knees," is far from convincing. His advocacy of what amounts to a preventive war against China—and by extension, Russia—is downright frightening. Nor is he alone. Another retired Air Force chief, Gen. Nathan F. Twining, has just published a book arguing essentially the same points of view. One might also add Dwight D. Eisenhower to the list, who, as the years go by, sounds less like a former president and more like an ex-general.

These violent expressions of opinion serve as timely reminders that the voice of the dove is not the only critical sound ringing in the President's ear. He is subject to constant, crushing pressure—both from those whose horror of war blinds them to the consequences of a pull-out, and from those whose dedication to "victory" blinds them to the consequences of all-out war. Compared with some of his top advisers, President Johnson is the epitome of fortitude, patience and wisdom.

And these published statements by two of America's leading military men point up once again the extraordinary vision of the founding fathers in decreeing that, in both peace and war, the armed forces shall be subject to civilian control.

AWARD WINNING NORFOLK, VA., JEWISH COMMUNITY COUNCIL

Mr. BYRD of Virginia. Mr. President, the Norfolk, Va., Jewish Community Council has won the national award which is presented each year to the Jewish community which, among those with fewer than 40,000 Jewish residents, has made the most outstanding contributions to local, regional, national, and international welfare. Mr. Norman Berlin is president of the council.

I feel that I bespeak the sentiments of the overwhelming majority of my fellow Virginians when I say that the entire State is very proud of the very excellent Jewish communities which exist throughout Virginia.

I am pleased to congratulate the Norfolk Jewish Community Council, as I think the honor which it has received is not only a tribute to the Jewish community of Norfolk but to our beloved State as well.

Mr. President, I ask unanimous consent to have printed in the Record an article published in the Norfolk, Va., Ledger-Star of September 29, 1966, entitled "Norfolk Jews Recognized Nationally."

There being no objection, the article was ordered to be printed in the Record, as follows:

Norfolk Jews Recognized Nationally

Norfolk—The Norfolk Jewish Community Council has won a national award for its judicious mixture of young blood with older, traditional leadership in the "revitalization of Jewish community life" in Norfolk.

The William J. Shroder Memorial Award is presented each year to the Jewish community which, among those with fewer than 40,000 Jewish residents, has made the most outstanding contributions to local, regional, national or international welfare.

The award will be presented to the council Nov. 10 in Los Angeles by the Council of Jewish Federations and Welfare Funds, Inc.

Norman Berlin, president of the Norfolk council; Ralph Margolius, a past president; and Ephraim Spivek, executive director, are expected to accept the award.

The awards committee noted the Norfolk council's "successful involvement of many strong young leaders with renewed dedication of older and traditional leadership" in putting new vigor into Jewish community life.

Spivek said many men and women in their 30s, 40s and early 50s have played strong roles in such Jewish community efforts as the establishment of a new and larger Jewish Community Center in Norfolk.

He said the new center, on the old Norfolk Academy grounds, will serve 1,200 member families instead of the 400 served by the old center.

The new facility also enables introduction or expansion of many special services, including indoor and outdoor swimming instruction, health club activities for all ages, arts and crafts classes and other functions.

The Community Council also raises local funds for more than 40 local, national and overseas Jewish charities.

Berlin said, "Winning this award is a tremendous psychological lift. I think it will help make us even better."

HAS THE ADMINISTRATION ABANDONED THE DEMONSTRATION CITIES BILL?

Mr. JAVITS. Mr. President, I want to express my concern—and deep disappointment—at the apparent failure of the administration to exert sufficient effort to secure passage in this Congress of the demonstration cities proposal. The bill, which passed the Senate on August 19—6 weeks ago—is still lying dormant in the other body.

In the past, the administration has been quick to remind Congress of its responsibilities in helping to correct situations that create the atmosphere for civil unrest, violence, and rioting. Now, the voices in the administration are strangely silent, but the unrest and the rioting are still facts of American life.

The administration's absence of drive had, I feel, at least something to do with letting the Civil Rights Act of 1966 fade into limbo, and now its inaction suggests a similar fate for the demonstration cities bill. Moreover, the administration's lack of activity on this matter, leads to the question: "Is the administration abandoning the field of leadership to alleged backlash sentiment?" It is a fact that many of narrow vision are eager to listen to suggestions to the effect that the bill intends to force the integration of schools in cities by refusing to make further grants under the demonstration cities program when integration standards are not met—though it is just not so. Yet, what we are witnessing is a clear lack of determination on the part of the administration to meet this type of challenge headon. By its relative silence and lack of initiative in bringing the legislation to a vote in the other body the administration is giving even greater weight to the voices of its opponents. The administration is in effect deferring to the backlash.

On previous occasions we have heard a great deal of rhetoric and exhortation calling for the end of slums, but somehow now all is silent. The administration has failed to speak out for the substantive legislative action needed to accomplish this purpose. We have a proposal now before the Congress—one that is imaginative in its approach—one that I believe offers concrete incentives for redeveloping blighted sections of our urban areas—which is likely to be lost in the political shuffle if action is not forthcoming promptly. Then having failed, next year when someone calls for hearings on the plight of the cities, we here in the Congress will not have to look far to find out why better coordinated, more far-reaching policies have failed to be implemented in the cities—we could have helped them but the administration did not push it.

This is going to take a real exercise of leadership by the administration. I call upon the administration to use it while there is this little time left.

PEOPLE SPEAK IN SOUTH VIETNAM

Mr. McGEE. Mr. President, many of us have spoken of the remarkable victory for self-determination scored by the people of South Vietnam in their recent elections.

Before the event, there was worldwide speculation as to what use the South Vietnamese would put their opportunity to exercise the right of freemen and go to the polls. To them the test was severe, for the millions who possessed this opportunity were menaced by deeds and acts of violence from the Vietcong

They responded. They proved, as one of our leading newspapers has observed, that they have a clearer idea of the value of freedom and democratic self-government than many had believed.

This observation of the Houston Chronicle is one of several which I believe merit printing in the Record. I offer it now, together with articles of similar substance from the Wyoming Eagle, Dallas Times Herald, Denver Post, Christian Science Monitor, and Philadelphia Inquirer.

There being no objection, the editorial and articles were ordered to be printed in the Record, as follows:

[From the Cheyenne (Wyo.) Eagle, Sept. 14, 1966]

Communist Defeat

Prime Minister Nguyen Cao Ky has hailed South Viet Nam's national elections Sunday as a "political, moral and diplomatic victory" over the Communists.

He said the smashing success of the voting for a constituent assembly "spells the beginning of the end" for the Communist threat to the South Vietnamese republic.

He stated the entire world, and particularly the Communist bloc, must recognize that the massive turnout of voters, despite the Viet Cong terrorist campaign, was solid proof that South Vietnamese are determined to fight for their freedom.

The turnout in Sunday's elections was, indeed, impressive.

In spite of the terror attacks, which killed or wounded more than 500 men, women and children, death threats to voters and candidates, and a Buddhist call for a boycott, nearly 81 per cent of the voters cast ballots in the elections.

Final but unofficial figures announced by the government said 4,274,812 of the nation's 5,289,752 registered voters showed up at the heavily guarded polling places.

That was 80.8 per cent. The government had said it would consider a 50 per cent turnout a success and the most optimistic predictions did not go beyond 70 per cent.

The 117-member constituent assembly will draft a legal constitution for South Viet Nam—the first step in the changeover from a military regime to an elected government.

The indication that South Viet Nam may at last be moving toward a permanent, elected government is important.

But the large turnout in the elections Sunday is almost equally as important.

Consider, for instance, the fact that 81 per cent of the registered voters braved threats and terror attacks to go to the polls. Only 65 per cent of the registered voters cast their ballots in Wyoming's primary elections on Aug. 6.

It would appear, indeed, that the South Vietnamese are determined to fight for their freedom.

It also would appear that the big vote stands as a sharp repudiation of Viet Cong claims that most South Vietnamese citizens are on their side in the so-called revolution.

[From the Dallas (Tex.) Times Herald, Sept. 13, 1966]

People Speak in Vietnam

In Viet Nam where there has been so little to rejoice about in the dark years of that seemingly hopeless situation and before the prospect of seemingly endless such future years, the comparatively huge vote of the South Vietnamese is cause not only for rejoicing but for downright jubilation.

Premier Nguyen Cao Ky announced that 80 per cent of South Viet Nam voters went to the polls. It is possible, of course, that this figure is somewhat exaggerated, yet it appears very likely that the percentage of voters who turned out was very close to that figure.

Such a response by the voters would have been remarkable under the most favorable of conditions. But the fact that the South Vietnamese defied the attempts of the Viet Cong terrorists to halt them gives greatly added weight to the big vote.

Thus the people of South Viet Nam struck aside the charges of apathy and political torpor so often leveled against them, to mark up a dramatic repudiation of the Communists.

As a matter of fact, if we have any tendency to feel smug about our own democrary, we might remember that only 50 to 60 per cent of the qualified voters in Texas regularly go to the polls.

By their vote, the South Vietnamese also administered a resounding defeat to the radical Buddhist minority which had called for a boycott of the election. And thereby they should have ended once and for all the myth of the power and influence of this Buddhist faction.

A triumphant Ky called this the beginning of the end for the Communists. "We now have the conditions for final victory," he said.

This is not to say that the political victory in Viet Nam—a victory which must proceed and is vital to any military victory—has been won. Or that it is even near the point of being won. But the will and the desires of the people of Viet Nam were apparently so forcibly stated by their vote that we can now believe South Viet Nam has indeed turned the corner toward political and military victory.

In light of the tremendous significance of this election, we, too, in this nation can take new heart and renew our own determination that the struggle against Communist aggression shall be won. For now we should be convinced that the South Vietnamese people, and not just the ruling clique in Saigon, are with us there—or better still, that we are with them.

[From the Houston (Tex.) Chronicle, Sept. 13, 1966]

South Vietnam Chooses Freedom

The heavy voting in South Viet Nam's national election Sunday was a good indication that the people of that country desire peace with independence under democratic self-government, and reject the communist efforts to control them through terrorism and military force.

The outcome is also a vindication of President Johnson's policy of aiding the South Vietnamese with United States arms.

This election was held in a country in which the very idea of democratic self-government is comparatively new. The Communist Viet Cong engaged in 132 terroristic acts on Saturday and Sunday alone in an effort to frighten the people away from the polls. At least 500 persons were killed in the terror campaign in recent weeks.

Also, the election was boycotted by certain of the Buddhist leaders—not all, but many. The great majority of the people of South Viet Nam are at least nominally Buddhists.

Yet the turnout in the election was 80.8 percent of the eligible voters—a better record than is made by Americans in our quadrennial presidential elections.

No one can fail to be impressed with this heavy balloting, far heavier than had been generally anticipated. The government said prior to the voting that a turnout of 50 percent would make the election a success. The actual turnout of better than 80 percent can only be said to be phenomenal. No amount of discounting of the ballot volume on grounds that the government ordered the people to vote can detract much from this tremendous victory for the democratic processes. Obviously, a majority of the voters wanted to go to the polls to express their support for this effort.

Of course, the fact must be faced that this election is only a first step toward the firm establishment of free institutions and "government of the people, by the people, for the people." But it was a highly important step, so recognized both by the people who risked their lives to vote and by their Viet Cong enemy who tried so hard to sabotage the election.

The people of South Viet Nam Sunday proved that they have a clearer idea of the value of freedom and democratic self-government than most people have credited them with possessing. And they showed also that until such time as a civilian government, chosen by the people, can be established they infinitely prefer the present regime to its alternative, the Viet Cong's so-called National Liberation Front.

[From the Denver Post, Sept. 13, 1966]

Viet Vote, at the Least Showed Courage

If the large election turnout in South Vietnam proved anything, it demonstrated once again the wonderful courage of the Vietnamese people in the face of danger. With the Viet Cong literally shooting at them and threatening reprisals, going to the ballot box Sunday required coolness under fire.

The fact that 80 percent of the eligible voters had that courage is a setback to the Viet Cong. It is also a fair demonstration that this war-torn country is not as disorganized as some people believe.

Even if villagers went to the polls at the urging of headmen and district chiefs, the 80 percent turnout is still heartening evidence that the Saigon government is capable of exercising broad political control.

No amount of propagandizing from Hanoi or Peking can change those simple facts.

A number of U.S. lawmakers have taken the occasion to see progress ahead. Sen. **Thomas Kuchel**, R-Calif., said in a Senate speech Monday that the election is of such proportions that "the Viet Cong may well have suffered their Dien Bien Phu—at the polls."

We think it is early to predict victory on the basis of the elections. The South Vietnamese voters have simply named 117 representatives to write a new constitution. The group will convene Sept. 26.

A preliminary count indicates the group is broadly based. Among the 117 are 22 school teachers, 20 military men, 15 judges, 18 civil servants and eight farmers.

What kind of a constitutional convention they will produce could go far toward determining the fate both of Premier Nguyen Cao Ky and the joint U.S.-South Vietnamese war effort.

We hope for the best. Meanwhile, the election itself can be regarded as a signal achievement. The Viet Cong, through Hanoi radio, has been claiming it controls two thirds of the populace. With more than half the population declared eligible to vote in the Sunday election—and 80 percent of them doing so—it is clear the Viet Cong does not know what it is talking about.

It seems clear, too, that the Vietnamese people have the courage to work out their own solutions if they are given the chance.

[From the Christian Science Monitor, Sept. 14, 1966]

Encouragement From Vietnamese

The simple fact about the election in South Vietnam is that the Viet Cong and their allies chose to make it a trial of strength—and lost. Their aim was to prevent holding of the election. And if it was held, to make it a farce by keeping people away from the polls. If by intimidation or persuasion the Viet Cong had managed to keep the turnout below 50 percent, theirs would have been the victory. But the turnout was above 70 percent of the voters registered in areas controlled by the government of South Vietnam. The figures speak for themselves.

There is still a long, long way to go in South Vietnam. United States policy there has been much criticized abroad and, on a narrower front, at home. But the one thing that has always given the American purpose in Vietnam a moral basis is the assumption that the majority of South Vietnamese, given a free choice, would at least reject authoritarian Communist rule.

With all the imperfections of Sunday's election, everything points to its being freer than many observers had expected. And it is therefore fair to conclude that the size of the turnout is the best and clearest confirmation of the assumption crucial to maintenance of the United States commitment in South Vietnam. To that extent, the voting is a victory for the broad purpose of American policy there.

Over the past year, United States effort in Vietnam has brought about one major and all-important change at least on the military front. It has stopped the rot—in a military sense. This intensification of military effort has nevertheless brought with it, perhaps inevitably, added horrors and added suffering for the civilian population of South Vietnam. Admittedly the Viet Cong have to bear responsibility for much of the increased barbarism. Yet many critics of United States policy have asked—and not unreasonably—whether Washington, in pulling out the stops militarily, was not ditching itself politically.

Sunday's turnout gives a tentative answer to that question. The answer is that despite all the suffering, most of South Vietnamese seem not to want the Viet Cong to take over. And this, mercifully, leaves the United States still with a foundation on which to encourage indigenous political recovery in South Vietnam.

Only second in importance to this is the significance of the election as a buttress of legitimacy. Since the overthrow of Ngo Dinh Diem, government in South Vietnam has lacked a strong constitutional basis. The authority of a particular leader at a particular moment has derived, in effect, from his success in the latest coup. This has been the position hitherto of Air Marshal Ky—whom we commend for committing himself to Sunday's election and for accepting his wife's advice not to run for the presidency after the drafting of the Constitution next year.

The Constituent Assembly chosen on Sunday now has the job of drafting that Constitution. The assembly's members deserve the prayers of men of good will everywhere for inspiration and guidance in producing a blueprint for a decent Vietnamese society, within which Vietnamese can live as free men and be masters of their homes and their futures.

[From the Philadelphia Inquirer, Sept. 18, 1966]

Ky Foils Buddhists by Election Victory

Washington.—Premier Nguyen Cao Ky and his government, usually thought of by many Americans as a gang of power-mad warlords, came out of the South Vietnamese elections last weekend smelling like roses.

When the fanatic Buddhist priest Tri Quang and his fellow conspirators last spring began demanding an election, there actually was nothing they wanted less. By pressing this seemingly reasonable request with which the government could not comply, the dissident Buddhists sought only to topple the government and thereby bring political chaos.

At the time the general political and military situation seemed to indicate the Buddhists would get away with their power play. Large areas of the country remained guerrilla-infested, the fighting was indecisive, the Americans had scored no spectacular victories for months.

DISSIDENTS SULK IN THEIR PAGODAS

Despite all this, Premier Ky took a chance and decided for the holding of an election for a constituent assembly. The Buddhists, outmaneuvered, retired to sulk in their pagodas, encouraged by the dissident commander of the First Corps Area.

To many observers, it appeared that Ky had bitten off more than he could chew.

But the Premier had correctly read the omens. Large-scale American victories dramatically changed the course of the war. Then, disregarding the counsel of his U.S. advisers, he used military power to smash the Buddhist conspiracy. Americans, including many who think well of Ky, nervously whispered: "Another mistake."

Out of Ky's judgment and courage came the election. The Buddhist boycott did not work, and the Vietcong terror did not impress the South Vietnamese.

OUTCOME SHOULD SILENCE CRITICS

The election's results should silence the critics who write (often from distant shores) that the Communists hold most of the Vietnamese in thrall and swarm over the countryside.

Most of the people not only are no longer in bondage to the Vietcong but actually support their government and its American ally.

The results will not, however, quiet those who argue that democracy is too good and too complex for such simple people as the Vietnamese. That doubt was old when Plato was young.

Finally, the election should silence those who declare that political reform must come before any prospect of military victory. The beginning of political reform became possible only after the portents of military success became so tangible that only the blind could miss them. In Vietnam, the chance for constitutional order follows the battle flag.

DEATH OF RILEY H. ALLEN, RETIRED EDITOR OF THE HONOLULU STAR-BULLETIN

Mr. FONG. Mr. President, I wish to pay tribute today to the late Riley Harris Allen and to join the people of Hawaii in mourning the loss of this distinguished citizen and great editor.

Riley Allen, retired editor of the Honolulu Star-Bulletin, died on Sunday, October 2, 1966, after suffering a stroke last month. The dean of Hawaii newspapermen passed away at the age of 82.

He lived a full and vigorous life devoted to the building of his beloved Hawaii and to the Star-Bulletin, of which he was the editor for 48 years. As a builder of Hawaii and as a newspaper editor, he ranked supreme.

He was an active participant, as well as a journalistic observer, of the major events which shaped modern Hawaii. He was not content to be a "sideline" viewer of history—he himself helped make history in Hawaii.

Riley Allen was only 28 years old when he became editor of the Honolulu Star-Bulletin in 1912, when the paper was established through the merger of the Hawaiian Star and the Evening Bulletin.

He was first and foremost a champion of the people of Hawaii. He fought for equal rights for Hawaii's multiracial population at a time when such a stand was unpopular; he advocated the improvement of public education and progressive civic reforms.

His greatest triumph was the successful struggle for statehood for the Hawaiian Islands. He was a pioneer in the statehood campaign long before it became the popular issue which was eventually won in 1959.

Among numerous causes which he championed through his vigorous and cogent editorials was the fight for cheaper transportation rates to expand tourism in Hawaii. He lived to see tourism grow into a thriving industry—the second largest in the 50th State today.

Superlatives would be a fitting description of the many talents, boundless energy, and farsighted vision which Riley Allen directed toward the building of the former Pacific territory into America's newest State. He was truly one of the finest, greatest men I was privileged to have known.

In tribute to his memory, I ask unanimous consent to have placed in the Record several articles tracing the life of Riley Allen and his invaluable contributions to Hawaii and to the Nation, as follows:

An article "Riley H. Allen Dead at 82—Burial Thursday," Honolulu Star-Bulletin, October 3, 1966; editorial "Strength of Character," Star-Bulletin, October 3, 1966; editorial "Riley Harris Allen," Honolulu Advertiser, October 2, 1966; article "Riley Allen's Memories: History in Color," Star-Bulletin, October 3, 1966; article "Riley Allen's 'Whirlwind Energy' Gave Best in Journalism to Hawaii," Star-Bulletin, October 3, 1966; article "1918–20: Allen Saved 780 Children in Siberia," Star-Bulletin, October 3, 1966.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Honolulu Star-Bulletin, Oct. 3, 1966]

Riley H. Allen Dead at 82—Burial Thursday

Riley Harris Allen, an editor who was a vital force in shaping modern Hawaii, is dead today at the age of 82.

He was the editor of this newspaper from the time it was founded in 1912 until he retired in 1960. He retired then only in order to meet Circuit Court conditions for his appointment as a trustee of the Wallace R. Farrington Estate, which then owned controlling stock in the Star-Bulletin.

Nationally known and nationally honored in the field of journalism, Allen's span of 48 years as editor make him the most imposing figure in Hawaii's newspaper history.

Death came at 11:15 a.m. yesterday at the Queen's Hospital, just over four weeks after he had slipped into unconsciousness from a stroke on the night of September 3.

His tremendous vitality finally ebbed and life slipped away almost unnoticeably.

He had been active and kept regular hours at his downtown office in the Stangenwald Building on Merchant Street until August 31.

That morning, while driving himself to work from his home on Pacific Heights, he felt a dizzy spell, stopped and called medical aid for what turned out to be a slight but not disabling stroke. The more serious stroke struck him in the hospital three days later.

Funeral arrangements are being handled by Williams Mortuary.

Services are planned at Kawaiahao Church at 3 p.m. Thursday with burial immediately afterward beside his wife in Diamond Head Memorial Park.

It is requested that friends desiring to send flowers or otherwise pay tribute to him accord with a wish he once expressed and contribute instead to a scholarship fund to be established in his memory at the University of Hawaii.

Pending further arrangements, gifts to the Riley H. Allen Scholarship Fund may be made in care of either the Star-Bulletin or the University of Hawaii.

It was on July 1, 1912, that two evening newspapers, the Hawaii Star, headed by Frank C. Atherton, and the Evening Bulletin, of Wallace R. Farrington, were merged into The Honolulu Star-Bulletin.

As their first editor, Atherton and Farrington chose 28-year-old Riley Allen, who previously had been with the Bulletin as city editor.

It turned out to be a happy choice.

When Allen stepped down 48 years later, the Star-Bulletin's circulation had climbed from 4,000 to 104,000 and the paper had been in the forefront of many battles—most notably the one for Statehood.

But there had been numerous others including an aggressive fight to keep out legalized gambling, and a gallant defense of the rights of Hawaii's Japanese citizens after December 7, 1941, as well as a campaign to rid Hawaii of military rule once the tide of battle in World War II had been turned at the Battle of Midway.

In the Statehood fight, Allen marched forward carrying the banner with the Star-Bulletin's successive publishers—Wallace Farrington, who served eight years as Governor of Hawaii in the 1920's; Wallace's son, Joseph R. Farrington, who was Delegate to Congress from 1942 until his death in 1954; and Joseph's widow, Elizabeth P. Farrington, who succeeded as both Delegate and publisher.

Mrs. Farrington continued as president of the Star-Bulletin until it was sold in 1962.

In the years that Allen edited the paper, Hawaii went from a remote Pacific outpost to a highly developed area linked by jet aircraft with its sister states.

Allen made the Star-Bulletin a metropolitan paper with a wide respect in the Islands and in the newspaper profession.

He constantly improved the paper by expanding its facilities and services to readers. When he became editor, Associated Press news from the Mainland cost 25 cents a word, and a quarter was worth more than a dollar today.

At those prices, news files had to be limited, but he steadily expanded them. By 1960, the paper was receiving hundreds of thousands of words a day by teletype, including the full New York Stock report, plus many supplemental mailed services.

Of the thousands of editions of the Star-Bulletin that he edited, none were more famous than the three extras published on Sunday, December 7, 1941, in the wake of the Pearl Harbor attack. The attack found him (as usual for a Sunday) at his desk and he immediately began calling in reporters and production people to get out a paper.

REMAINED ACTIVE FOLLOWING RETIREMENT

Since his retirement, he had maintained an office on the fourth floor of the Stangenwald Building, adjoining the former Star-Bulletin offices on Merchant Street, and still had a phone local connecting him with the Star-Bulletin switchboard in the News Building.

When he became trustee of the Farrington Estate in 1960, as part of the settlement of a long court fight among estate beneficiaries, its principal asset was the majority stock in this newspaper.

The trustees decided reluctantly in 1961 that it was in the best interest of the estate to sell the paper rather than spend millions on needed new facilities.

After receiving a number of Mainland and local offers, sale was made for $11.1 million in 1962 to a local group including Chinn Ho, president of Capital Investment Company, and Alexander Atherton, son of Frank Atherton, who had been president and publisher of the Hawaii Star, and whose family had always retained a minority ownership interest in the Star-Bulletin. The Farrington Estate received $5.7 million from the sale revenue.

Ho is now chairman of the board of the Star-Bulletin and Atherton is president. Allen expressed great satisfaction that the new owners represented both local ownership and a large degree of continuity of the old ownership and policies.

The Star-Bulletin has had two editors since Allen, both people who worked for many years under him in the newspaper business—William H. Ewing from 1960 through 1965, and A. A. Smyser, since the beginning of 1966.

LONGEST TENURE AND THE GREATEST IMPACT

Of the many editors who have served Hawaii, since the first newspaper (a religious journal) was printed here in 1834, Allen unquestionably had both the longest tenure and the greatest impact.

Journalists who worked with, under or even against him were apt to become maudlin in their sentimentality about him, and his accomplishments.

Except at testimonial affairs where he was a sort of captive audience, he usually shut off such demonstrations with a brusque switch to some other business of the day—but he was neither un-gracious nor un-moved by the displays of respect and affection.

His bustle and brusqueness were a part of the character that drove him to race upstairs several at a time even when he was in his 70's, and to seem to be everywhere at once—out at the scene of some newsbreak, in his office pounding out an editorial, down in the newsroom counselling with reporters, back in the composing room correcting proofs, or being among the first to call and offer help to some sick or bereaved friend.

His mind seemed to size up situations instantly and snapped to conclusions like a beartrap—a trait that might have seemed a weakness, except that the record usually proved him right.

Work weeks of seven days of 12 hours or more were something he imposed on himself with regularity. On a big story he managed to keep going and seem fresh with almost no sleep for days.

Men considerably younger than he couldn't match his pace. Within a few hours after he had his appendix removed in 1937, he had his secretary at his side taking dictation.

His doctor sent her away. He summoned her back.

HE DELIVERED A PAPER IN POURING RAIN

Also typical of his activity is a story told by one subscriber (Trude Akau) whose paper arrived soaking wet on one of the rainiest days in years. She called the Star-Bulletin to report that her youngsters were sick over missing the comics. Soon afterward, with the rain still driving down, a new paper was personally delivered by a puddle-hopping Riley H. Allen.

He always maintained a wide variety of both interests and friends.

As a college student he knew Amos Alonzo Stagg, the great football coach. In 1951 he still was interested enough in football to attend a football clinic at the University of Hawaii on modern science of the gridiron.

His whimsical "Editor at Large" columns were concerned with the problems of the preservation of barbershop quartet singing in America, the "clinophobes" who are addicted to staying up most of the night, the matter of park benches, and similar weighty subjects.

It was to his great amusement to try to enter a Hawaii toad in California's jumping frog contest and tout it so highly that he had to alibi equally hard that Federal agencies had prevented its ever getting to the race scene.

He wrote an estimated 125 letters a week and kept up a correspondence with perhaps 1,600 different people, all around the world.

Those behind the Iron Curtain found him exerting every effort to get needed food and gifts to them.

His philanthropies and kindness were numerous—and unrecorded.

Among them, were generous gifts to community and civic groups, aid to many in need, college support for a student he met in the Philippines.

His supply of stories and anecdotes was close to endless, reflecting both an active mind and an active life.

Golf and gardening were his principal recreations.

He was much in demand socially and as a speaker.

PURSUED AN INDEPENDENT POLITICAL LINE

A registered Republican, he still insisted on pursuing an independent political line and never, so far as is known, supported a "straight" party ticket.

He covered the national political conventions of both the Democrats and Republicans in 1940, 1944, 1948 and 1952, and got to know the machinery so well that he was regarded as an unofficial member of the delegations of both political faiths.

Where Statehood was concerned, the parties made common cause and he lent his hand toward fighting to get Statehood planks into the national platforms of the Democrats as well as the Republicans.

Counted among his close personal friends were men like Carlos P. Romulo of the Philippines, who recalls Riley Allen as the man who met him and befriended him when Romulo, then little known, arrived in Honolulu in 1942, after being evacuated from Corregidor.

Syngman Rhee, founder of the Republic of Korea, was a friend from the days when Rhee was in exile in Honolulu.

Allen traveled widely in days when travel was much more difficult and time-consuming than it is today.

In 1914, he traveled to Japan with a Hawaii tour party.

The end of World War I saw him in Siberia and undertaking a world cruise to repatriate 780 Russian children to their homes in Petrograd (now Leningrad).

He made frequent—sometimes annual—trips to the U.S. Mainland to report on political developments and cover the national political conventions.

He visited Samoa in 1948 to study the problems of that growing American community, and followed this up with trips to Japan in 1949, to the Philippines in 1950, to Samoa, Fiji, Guam and the Pacific Trust Territory in 1953 and to Alaska in 1953 for the Senate Statehood hearings there.

All of these trips he reported extensively, and ably, for Star-Bulletin readers.

CONSIDERABLY MORE THAN JUST AN EDITOR

Considerably more than just an editor, Allen from the start played an active role in the community his paper served.

He was much concerned with the problem of welding people from the Asiatic communities into the body of a harmonious community that was thoroughly American.

As a part of this, he took an active interest in school programs, encouraging school garden development, oratorical contests and awards for outstanding students in various fields of endeavor.

The Quill and Scroll Society for journalism students named its Farrington High School chapter the Riley H. Allen Chapter in his honor. The Hawaii Young Farmers Association and similar groups received his active encouragement.

He was president of the Honolulu Chamber of Commerce in 1929 and a leading figure in the formation of the Honolulu Junior Chamber of Commerce.

In 1940 and 1941 he was chairman of the Institute of Pacific Relations in Hawaii and its ardent defender later against charges in Congress of subversive activity.

For several years during and after World War II, he was chairman in Hawaii for the National Foundation for Infantile Paralysis.

He also served on the Hawaii Visitors Bureau, the Hawaii Equal Rights Commission which fought for Statehood, the first Pacific Memorial Foundation to select a World War II memorial and the board to form a convalescent nursing home.

During World War II, he was an air raid warden and chairman of the Hawaii Emergency Committee to save waste and scrap iron.

Other activities included service as a director of the Adventurers Club, an incorporator of the Maunalani Convalescent and Nursing Home, long-time membership in the Honolulu Automobile Club.

Allen's accomplishments and activity earned him many honors, literally too numerous to mention.

HONORED BY HAWAII BAR ASSOCIATION

Earlier this year, the Hawaii Bar Association singled him out for its 1966 Liberty Bell award for his service to the community and dedication to the precepts of democracy.

This year's Eagle Scout Class will be known as the Riley H. Allen Class and the November 17 dinner honoring them will be a tribute to him. It was planned that he would take part. Now the tribute will be paid posthumously.

In February, 1960, he received from the Aloha Council, Boy Scouts of America, the Silver Beaver award "for distinguished and outstanding service to boyhood." He was cited for 23 years of work with Island Boy Scouts, having served as a troop committeeman for 11 years, a Cub pack committeeman for three years, a pack committee chairman for three years and an elected member-at-large of the Aloha Council for the last six years.

The Veterans of Foreign Wars gave him its silver citizenship medal in 1950.

Even though he left the University of Washington to complete his education at the University of Chicago, Washington singled him out in 1958 to receive a plaque designating him Alumnus Summa Cum Laude Dignatus for that year.

As a student, he had written the lyrics to the Washington alma mater that is still sung today.

A year earlier, Allen had received from the University of Missouri its award to the Star-Bulletin for Distinguished Service in Journalism. The award mentioned the paper's service to Hawaii, exemplification of American ideals, and promotion of agriculture and industry in the islands.

His honors from Hawaii's diverse racial groups were many and a reflection of the active interest he showed in their development.

He was made an honorary member of the Hawaii Chinese Civic Association after being its only non-Chinese active member for many years; was an honorary member of the Korean University Club, and Puerto Rican Athletic Association; the first male honorary member of the Filipino Women's Civic Club.

AMERICAN-KOREAN FOUNDATION ACTIVITY

He served as an international director of the American-Korean Foundation and was cited in 1953 by the Filipino Community for "wise thinking, unbiased writings and sincere personal dealings" in helping to cement friendship between the Filipinos and the rest of the community.

In 1955, he was honored along with the late Ray S. Coll, editor of the Honolulu Advertiser, at a testimonial dinner sponsored by the Hawaii Public Relations Association in honor of the long service to the community of both editors.

Allen was born April 30, 1884 in Colorado City, Texas. His father died two months after his birth and his mother, the former Anvaline Beck, took her two daughters and baby boy back to her family home at Smith's Grove, Warren County, Kentucky.

After five years in Kentucky, Mrs. Allen moved her brood across the nation to Seattle, Washington, to join other members of the family. The children grew up there while their mother, a brilliant woman, taught school and entered real estate work to support them.

Allen began college at the University of Washington. He never graduated there, but went on to the University of Chicago where he did his first newspaper work as campus reporter for the University of Chicago Daily Mirror.

He was graduated from Chicago in 1905 and went back to Seattle to take his first newspaper job with the Seattle Post-Intelligencer.

Before 1905 was out, he had ventured to Hawaii and spent eight months here as a reporter for the Honolulu Evening Bulletin.

He returned to Seattle to be assistant sports editor for The Post-Intelligencer.

RETURNED TO HAWAII WITH WIFE IN 1910

On September 6, 1910 he married Suzanne McArdle, of Seattle. They came to Hawaii on their honeymoon and moved into the Courtland Hotel at Beretania and Punahou Streets, an area then considered well out on the outskirts of town.

Allen returned to the Evening Bulletin as city editor and remained until its merger less than two years later with the Star.

His editorial service was broken only once, during the period from 1918 until 1921 when he served with the American Red Cross in Siberia.

He went there at the urgent invitation of Major Alfred L. Castle of Honolulu, who was then serving in Siberia. Commissioned a major in the Red Cross, Allen first was in charge of publicity, then became financial secretary of the Red Cross Siberian Mission and a lieutenant colonel.

He worked under fire during fighting at Vladivostok to care for wounded, and in 1920 was in charge of the memorable assignment of transporting 780 Russian children from Siberia by ship across the Pacific, through the Panama Canal, and back to homes in Petrograd from which they had fled during the revolution. The job of locating their parents took months.

With this mission completed, he left the Red Cross and returned to Hawaii on July 20, 1921.

For 36 years until his death, Allen lived at 3275 Pacific Heights Road in a Mediterranean-style home that he and his wife started in 1930. It was two stories of hollow tile construction with a tile roof.

MRS. ALLEN INTERESTED IN MUSIC

Mrs. Allen was active in community affairs and especially interested in music. She had an exceptionally good voice and made frequent public appearances.

Falls in 1941 and 1944 broke her health and she was an invalid before she died on July 6, 1950.

The Allens had no children.

Mr. Allen's only relative in Honolulu is a cousin, Mrs. Jack Altman. His eldest sister, Jessie, is the widow of Dr. Wallace Charters, a prominent educational psychologist. She lives in Michigan. His older sister, Ella, is Mrs. Quincy Scott, widow of a former cartoonist for the Portland Oregonian.

In addition to these relatives, he leaves a large number of nephews, nieces and cousins.

[From the Honolulu Star-Bulletin, Oct. 3, 1966]

Strength of Character

Riley Harris Allen, now dead, was without doubt the greatest and most influential editor to appear on the Hawaii scene in the 132 years since the first newspaper was published in these islands.

Startlingly, his tenure alone—48 years—spans more than one-third of this period.

It was the most dynamic third, a period that began just before the opening of the Panama Canal and ended just after the jet age cut travel times to small fractions of those with which his tenure began.

He always identified the Pearl Harbor attack and Statehood as the two most significant events of that era, both of them events that broke down the barriers separating Hawaii from the rest of the world and swept it closer to the mainstream of national and international affairs.

Hawaii 1966 still may be provincial in many ways.

But it is a far cry from the tiny, former mid-Pacific monarchy that in 1912 had an economy based primarily on sugar, one quarter of today's population, and a rigid social structure that had whites at the top, Oriental laborers at the bottom, and Hawaiians who were rapidly being displaced in their own land in varying degrees of dependence. As Allen wrote in some personal memoirs republished in connection with his death, both the annexation of Hawaii to the U.S. and his annexation to Hawaii were deliberately-planned events.

So was Hawaii's steady march to greater democracy and equal status within the Union of the States, and Allen was one of those who dedicated his life to seeing that the march would not be diverted, frustrated or foiled.

In company with men like Wallace R. Farrington and Frank C. Atherton, the farseeing first owners of this newspaper, Allen marched steadfastly toward these goals, carried on beyond their deaths, and had the good fortune to see the campaign climaxed with the attainment of Statehood in 1959, a year before he ended his service as editor.

He could write these words, proudly and humbly, on August 21, 1959:

"Today we stand as a state before the world. As possibly no other state in history we are exposed to international gaze—for Hawaii is unique in that, for the first time, there is in the American Union a State, a majority of whose citizens trace their ancestry to the Far East.

"Can democracy truly exist in such a mixture of cultures and creeds? Can people so diverse in tradition be united in the concept of equality, justice, self-determination and rule by law which forms the heart of the American way of life?

"We stand proudly in the spotlight. We know that we already have met these challenges, answered these questions in nearly 60 years of constructive, progressive self-government.

"Just as we invited scrutiny as a Territory, we now invite the scrutiny of the world as a State, for we honestly believe that in these Islands freedom and democracy have found a home where they are forever welcome.

"We stand today freer than we have ever been. The last restraints of Territorial limitations have fallen from us. Our State is sovereign—and a fully accepted member of the Union of States.

"The future is ours to shape. The Nation's future ours to influence. The world's future, ours to lead by example.

"This is in truth a day for surging pride.

"It is also a day for humility. For as we emerge into the full light of Statehood, we bravely accept not only the obligations which the States before us have accepted, but the obligation to show all the world the proof that freedom and democracy can thrive in any climate, if these qualities live in the hearts of men."

These were the words of a man who had seen his dream of a half-century come true. They could have been boastful, but they weren't. Instead they looked, characteristically, to the future, to the responsibilities ahead, and to a national and world role for his beloved Islands.

Allen was first of all a good citizen, a compassionate, community-minded man who cared more about the welfare of others than about his own.

As an editor, he was a great competitor. He wanted his paper to have the news first and have it best. He battled constantly for "scoops" and news breaks, steadily added new services as the increasing business success of the venture made it possible to afford them.

As a voice within the community, his vision was far-sighted, his tenacity seemingly-limitless while he battled for nearly half a century for Statehood or fought back bid after bid to bring legalized gambling to Hawaii.

Always he preached the importance of the law and of respect for it, and of the importance of the democratic process.

It would perhaps please him that these last tributes are being paid in an issue of his paper that also reports the election results because he reveled in the election process and found it fundamental to making Hawaii a modern, democratic society.

With others, he looked also to education as the great door to opportunity and equality, and fought for a strong public school system, open to all, and for a strong Hawaii college, now the very strong University of Hawaii.

Driving this uncommonly able and energetic man was a strong personal sense of right and wrong, a vigorous Christian ethic even though he was not a regular church-goer.

He was no zealot—yet he was uncompromisingly demanding of himself, while being indulgent and understanding of weakness in others.

He loved his fellow man and Hawaii uncommonly well, and served them devotedly.

He was one of the makers of the mould in which Hawaii 1966 was cast long ago. He labored well.

[From the Honolulu Advertiser, Oct. 2, 1966]

Riley Harris Allen

Riley Harris Allen devoted the best years of his life to Hawaii—to its people in all walks of life and of all racial backgrounds, to its government, its institutions, its economy, and its strategic position as America's outpost in the Pacific.

As an editor for nearly half a century, as a man whose friends were legion both at home and abroad, and as the champion of causes and movements designed to make Hawaii a better place in which to live and work, he became almost a living legend.

He was meticulously fair in his dealings with the public. He liked people and for many years he maintained an almost worldwide correspondence which helped focus attention on Hawaii as an important part of the United States, as well as a new and exciting tourist resort.

Through his newspaper, the Star-Bulletin, he promoted many community projects. He never ran for public office, but took a deep interest in politics. As an editor he was often sharply critical, yet never deliberately offensive, and his editorial policy reflected his deep concern for the welfare of Hawaii and its people.

Although there was opposition from some quarters, he was among the first advocates of Statehood for the Islands; and he must have felt a great deal of personal satisfaction when it was finally achieved.

His closest friends sometimes wondered how he was able to do all of the work he did. On weekdays he was usually the first to arrive on the job, and the last to leave. He worked nights and he worked Sundays, and yet found time to attend countless functions at which he was often the featured speaker. His friendships among and associations with Hawaii's many cultural groups were firm and warm, and he received many honors from them.

In the editing of his newspaper he had a close, intimate knowledge of every department. Those who worked with him say he knew the first names of every associate and he used those names from editorial offices to pressroom.

His "alumni" remember him as a stickler for accuracy—perhaps nothing upset him more than even the most trivial error. His instructions to his immediate assistants were "Organize, deputize, supervise," and from then on they were on their own. Many a newsman of an earlier era made frequent reference to the "Riley Allen School of Journalism" at which, they recalled, they received a sort of college education in newswriting.

On Sunday, Dec. 7, 1941, while in his office, the greatest news beat of his long career fell squarely into his lap. Before the blackout stopped him, he had supervised the issuance of three extra editions that told the story of the attack on Pearl Harbor. It has been said those editions were the first to be printed anywhere.

In his personal life, as in his professional, Riley Allen was a thoughtful man. His friends everywhere will long remember his Christmas greetings. These were not casual expressions of seasonal good wishes but elaborately printed cards which set forth, year after year, an interesting segment of early Hawaiian history or a well-loved Island legend.

In his own quiet way Riley Allen went about doing good. Just how many individuals, how many families, were beneficiaries of his generosity will probably never be known.

But they will remember him, just as all Hawaii will remember him. For his name has been carved deeply in the past half-century of Island history—and he has taken his place among the builders of the State he loved so well.

[From the Honolulu Star-Bulletin, Oct. 3, 1966]

RILEY ALLEN'S MEMORIES: HISTORY IN COLOR

(EDITOR'S NOTE.—Much of the color of Honolulu's growth in the first half of the 20th century is captured in these reminiscences which the late Riley H. Allen was persuaded to write in 1962, after he had retired as editor of the Honolulu Star-Bulletin and as the paper was celebrating its Golden Anniversary.)

(By Riley H. Allen)

Hawaii was annexed to the United States in 1898. I was annexed to Hawaii in 1905—temporarily—and permanently in 1910.

Neither event was accidental. Annexation of Hawaii as a Territory had been the purpose of many of Hawaii's leaders for years. The annexation movement accelerated after the overthrow of the Monarchy in 1893, and the retirement to private life, at her home, Washington Place, of the beloved Queen Liliuokalani. There, on November 11, 1917, the last monarch of Hawaii died peacefully.

Then followed the Provisional Government (commonly called the "P.G.") and the Republic of Hawaii, both headed by the respected Sanford Ballard Dole. By joint resolution of the U.S. Senate and the Hawaiian Legislature in 1898, annexation followed. The joint resolution, signed by President McKinley July 7, 1898, came to Honolulu by ship. Then followed preparations for the transfer of authority.

The Hawaiian Flag was lowered, the U.S. Flag was raised over Iolani Palace August 12, 1898. Thereafter Hawaii was a full Territory of the United States until we achieved the long-sought goal of Statehood.

My interest in Hawaii dated back to boyhood days in Seattle, Washington. I saw the lumber ships come into Seattle, on Puget Sound, and go out again (many were sailing ships) laden with cargoes of Douglas fir, cedar, hemlock, flour, other foods. They were bound for Honolulu, Hilo, Kahului, Nawiliwili and other Island ports.

In college, later, the University of Chicago, my work in English literature and writing included the stories of men who wrote about the Pacific and Asia. And so I read the tales of Rudyard Kipling and Joseph Conrad. Conrad! Born a Pole, he went to sea, cruised in strange waters, visited strange lands. From the first I was fascinated. He pictured for me the vast ranges of the Pacific, the peoples and scenes of Indonesia, of Indo-China, of Borneo, of New Guinea. The melodious names rang in my ears like distant bells—Singapore, Sarawak, Sumatra, Bangalore, Malabar, Java Head, Samarang, Zmbong! And there grew in me the desire and intent to see.

In early 1905 I was back, from the University of Chicago, in my hometown, Seattle, looking for a newspaper job. I caught on as a space-writer for the Seattle Post-Intelligencer, a precarious job. Some weeks I'd make $10 to $15—some weeks much less.

In February I had a chance to go to Honolulu. Wallace R. Farrington, the editor-manager of the Evening Bulletin, was looking for a reporter, sent word of his need to a Seattle lawyer, a former Honoluluan, and a note to that effect appeared on the P.-I. bulletin board.

LIFELONG GOOD FORTUNE

It was one of the many pieces of my lifelong good fortune. I grabbed it, hustled to the lawyer's office, announced myself as a good reporter anxious to go to Honolulu.

A couple of weeks thereafter, I was on a southbound train to San Francisco (at the cheapest rate—no berth) and soon after I was aboard the Pacific Mail liner Korea—the happiest man or boy on the big ship as we steamed out of the Golden Gate—bound for Mark Twain's "loveliest fleet of Islands that lie anchored in any ocean."

My first view of the Hawaiian Islands was on an early morning in February, 1905. I looked eagerly at a small map. Molokai slid slowly by on our port side, a dim blue shore, higher lands in clouds. Far off, a distant view of Maui—Haleakala peak. And we came past Makapuu Point, Koko Head, Diamond Head.

The big ship stopped off port, to pick up a pilot, and slid slowly into the blue harbor—Honolulu—"Fair Haven." My heart was already there. There were then few docks on the waterfront. There were no high-rise buildings. There were very few houses to be seen on the slopes behind the city—Maunalani Heights, St. Louis Heights, Alewa Heights were covered with shrubs and trees with occasional cultivated patches I learned later were in pineapples.

I arrived in Honolulu with one suitcase and $4.65. But I had a job, in the goal of my life, newspaper work. In a few minutes I was in the office of the Evening Bulletin, then in a small frame building on King Street, on a corner now occupied by the Bank of Hawaii. Wallace Farrington greeted me cordially. I was to go to work at once. And I did, happily.

The Evening Bulletin and the Hawaiian Star were the two afternoon papers. Both were small. Circulation was about 2,000 each. Advertising rates were low. In the morning and on Sunday there was the Pacific Commercial Advertiser, now the Honolulu Advertiser. Competition for news, circulation and advertising was keen. Most of the news stories were "local." World and U.S. Mainland news was limited by the cost—25 cents a word, as I recall. The dispatches came to us by cable "skeletonized"—we filled in the "and's" and "the's."

A NEWS STAFF OF FOUR

I worked for the Evening Bulletin for seven months, doing everything from waterfront to police to politics and business reporting. There were, as I remember, three others on the news staff, including the city editor. Wallace Farrington wrote the editorials. His style was brief, concise, incisive. He never hesitated to take a positive stand on controversial issues.

He had come to Hawaii from his home state, Maine, with a university education and some brief newspaper experience. He brought with him a tradition of, and a belief in, the principles of popular government—democracy with a small "d." He was a lifelong Republican but neither then nor thereafter did he hesitate to support Democratic candidates for public office for whose principles and personal stature he had respect.

In September, 1905, I went back to Seattle. I felt the need of broader newspaper training than I could get in Honolulu, then a city of less than 75,000. The 1900 census gave the Territory 154,001 and Honolulu County (Oahu) 58,504.

I got a reporter's job with the Seattle Post-Intelligencer, then owned by a Seattle businessman who was also a State and national political figure. With the "P.-I." my assignments were also varied. I was often on political stories. Finally, early in 1909, I went to a sports desk, assistant to the sports editor. There were just two of us on that beat.

Throughout my Seattle work I was occasionally in touch with Wallace Farrington. He had told me, when I left Honolulu, that if ever I wished to return to Honolulu, to let him know. And in the early fall of 1910 I wrote him I'd like to come back.

He offered me the job of city editor—with his characteristic frugality, at $5 less a week than the figure I'd suggested would be suitable. I didn't resent this—I liked it, and back I came, in September.

I returned to a somewhat larger city—but still small—a city already feeling the stir of Pacific expansion and the keen desire for tourists. I recall that the Hawaii Promotion Committee, predecessor of the Hawaii Visitors Bureau, operated with a staff of two—the manager and part-time secretary—in a two-desk office. It was aided by a committee of local businessmen, several of whom were in the travel business—steamers only, at that time. Hopefully, the H.P.C. talked of getting 3,000 tourists a year. (In 1961 the Hawaii Visitors Bureau listed 319,422 tourists, and the forecast for 1962 is 340,000 to 345,000.)

So in 1910 I was permanently annexed to Hawaii. This is my happy home.

The newspaper business has been my life, and a stirring one. The Hawaiian Star and the Evening Bulletin were merged July 1, 1912, and I became editor of the Honolulu Star-Bulletin.

And the faroff vision of my 1905 incursion into the Pacific—the lands and ports of Joseph Conrad—has been partly realized. I've seen much of the South Pacific. But many of those fabled lands—names which call with mystic and musical appeal—are yet to be visited.

In those early days there were few paved streets in Honolulu. There was a marsh from Kewalo to Kapiolani Park, except for the narrow beach side. In the marsh were thousands of ducks, raised by Chinese who herded them with shrill cries. Steamers were frequently a week apart. "Diamond Head Charlie" kept the lookout at Diamond Head where the Coast Guard light steered the cruising ships and launches in the hours of darkness.

The trans-Pacific cable from the California Coast to San Souci, Waikiki, was completed in late 1902. Its opening was heralded for December 27, 1902, and was celebrated with a happy gathering at the "cable hut" at Sans Souci with speeches and music.

The Royal Hawaiian Band, led by Captain Henri Berger, swung into a stirring new composition, Berger's "Cable March"—soon spooked, because of his somewhat halting English, as "The Cable Has Came—Hurrah, Hurrah!"

Kamehameha V had sent to Germany, in 1872, for a man able to create and train a Royal Hawaiian Band. Berger was employed. One recommendation was that Berger had been the Prussian bandmaster whose martial musicians led the victorious Prussian army into Paris at the conclusion of the Franco-Prussian War of 1870–71.

Joe Fern, the ex-stevedore or "po-ola," became mayor. He was a marathon talker at the political rallies and happily boasted that he could talk at a night rally until everybody went home, a rare feat of endurance by speaker and audience.

Politics was brisk, rivalries keen. The Republicans were in the ascendancy, but from the beginning of Territorial Government were challenged by Democrats, and for a while, by the Home Rule Party.

Johnny Wilson, classmate of Herbert Hoover at Stanford University, was an engineer, roadbuilder, later mayor.

Sanford Ballard Dole, a tall, mild, white-bearded, devoted annexationist, had been first Governor of Hawaii, succeeded by George R. Carter, one of Teddy Roosevelt's classmates at Yale. Carter was a bit bald, wore a toupee, and at political rallies, where he spoke as energetically as he governed, he'd climax his speech by taking off and waving the toupee—and the Hawaiians would gleefully shout "Ohule!" (Bald).

AN AMUSING BUSINESS VENTURE

Young Jim Dole was in the early stages of his career as the pioneer developer of the Hawaiian canned pineapple industry. Many of the early-day moguls regarded him with a mixture of amusement and skepticism.

Prince Jonah Kuhio Kalanianaole was Hawaii's Delegate to Congress. He was unbeatable at the polls. He was known familiarly and affectionately as "Prince Cupid' from his winsome baby days, and even in Washington the many friendly Congressmen knew him by that name.

In Hawaii the dream of a public college was pushed hard by Wallace R. Farrington—always a devoted advocate of public education. One who helped him was William Kwai Fong Yap, a teller in the Bank of Hawaii.

The dream materialized. The College of Agriculture and Mechanic Arts was founded with the help of landgrants through the Morrin Act. It is now the nationally respected University of Hawaii.

Wallace Farrington and others, including a small group of merchants, founded the Honolulu Advertising Club. For some years it was the only luncheon club. It rated as speakers men of national and international fame, who were visitors in the Islands. It affirmed and pushed the possibilities and opportunities of paid advertising when many a well-known businessman here was skeptical.

We used to meet on the then-top story of the Young Hotel. There were pavilions at each end, with an open expanse in the middle. The meetings were characterized by two customs; every speaker had to stand on a chair, and a negative vote was never taken. Committees thrashed out controversial issues. The result was unanimous adoption, usually with a vociferous chorus of "Ayes."

The Honolulu Star-Bulletin is ending its first 50 years of devotion to Hawaii, and in a broader but not boasting sense, to the country where "freedom of the press" is written into the Constitution and aggressively upheld.

STAR-BULLETIN ENDEAVORS

Looking back over those 50 years, some of the Star-Bulletin's endeavors for Hawaii progress may be listed:

1—Extension of popular government. The Star-Bulletin has consistently stood for development of local government in tune with Territorial (now State) political jurisdiction and action.

At a time when establishment of County government was viewed with skepticism and often opposition by a good many people, first the Evening Bulletin and then the Star-Bulletin, strongly backed it.

2—Statehood. The Star-Bulletin has never wavered in support of this and was no johnny-come-lately in the long Statehood fight. The late Joseph R. Farrington, president of the Star-Bulletin, literally gave his life for this. He died in his office (as Delegate to Congress) at Washington, D.C., of a heart attack which was one of many he had had largely as the result of his unremitting, exhausting yet often frustrating but never-ended Statehood fight.

3—Public parks and playgrounds. Advocacy of these has been consistent for 50 years, including the preservation of Hawaii's natural beauties and landmarks.

4—Co-operative relations with newspaper unions. The Star-Bulletin was the first Hawaii newspaper to sign a contract with the International Typographical Union—an event which faced some bitter criticism here—and has for many years enjoyed good relations with newspaper and printing unions, even when negotiations of new contracts were at times in controversy.

5—Public education. To develop Hawaii's public school facilities steadily and in conformity with the need of a growing population.

6—Active participation of all citizens in politics. (Hawaii has the largest turn-out vote, in proportion to registration, in the nation.)

7—Strong representation in the national Congress—whether by Democrats or Republicans. Hawaii needs, at Washington, the finest Senators and Congressmen we can elect—the most dedicated and most able.

8—Inter-racial development. Hawaii is the nation's truest, most deeply-founded example of such friendly development—based on the traditions of American citizenship. There are occasional incidents and situations yet where some racial irritation occurs, but they are few.

9—Emphasis on Hawaii's citizens as true and loyal Americans. This issue came up sharply and spectacularly at the outbreak of World War II, when Hawaii's people of Japanese ancestry, including Island-born men and women and youths, were under suspicion. That suspicion was natural, in view of Japan's dawn attack December 7, 1941. But it was ill-founded, as events soon proved.

These are some of the principles on which the Honolulu Star-Bulletin has been conducted and for which it has fought, sometimes against skepticism and, worse, suspicion of unworthy motives.

Both Hawaii's population and its strategic place in the Pacific gave Hawaii, the 50th State, increasing importance and influence. When I came to Hawaii to remain, in 1910, a Federal census gave the Territory a population of 191,909, and Honolulu County (Oahu) 82,028. The Federal census of 1960 gave the State a population of 632,772 and Honolulu County (Oahu) 500,409. In 1961, the Federal census bureau estimated Hawaii's population as 657,000. Hawaii is growing at a rate of 3.9 percent, compared to the national average of 2 percent.

Not in population and economic growth alone, but in the devotion to country and to democracy, Hawaii's people hold the future in eager hands.

Riley Allen's "Whirlwind Energy" Gave Best in Journalism to Hawaii

(Editor's Note.—The writer of this story was the city editor of the Honolulu Star-Bulletin from 1939 to 1946, and business editor for the preceding dozen years. He joined the Star-Bulletin in 1912, the year it was founded and the year Riley H. Allen became its editor. Case served also as reporter, feature writer, and columnist, and later joined the Honolulu Advertiser, on whose staff he has served since 1946. The Star-Bulletin is indebted to Mr. Case and the Advertiser for this recollection.)

(By Howard D. Case)

My most lasting impression of R.H.A., gained from an association of 34 years, is that, as an editor for nearly half a century, he never stopped working. The whirlwind energy with which he took charge of Honolulu's new afternoon paper on July 1, 1912, was destined to develop such intensity as to inspire those who worked with him to try to work just as hard as he did, and like it.

The Star-Bulletin has seen many changes since 1912, but it will ever treasure the memories of the myriad accomplishments, frustrations and ultimate triumphs that are part of the building of a great newspaper.

Today each memory is woven into the fabric of a vast, successful enterprise to which Riley Harris Allen devoted the best years of his life. Shakespeare wrote "One man in his time plays many parts." How vigorously Riley played his was a brilliant achievement in maintaining the highest standards and finest traditions of American journalism. That record has made his name almost legendary in these Islands.

While it wasn't precisely a one-man do-it-yourself project, because he had enlisted competent aides, the fact that in its formative years, and in those to follow, he was able to operate the newspaper almost single-handed has always been a source of amazement to me. In his later years he could have rested on his laurels, but he did not. Only upon his retirement did he slow down.

He believed implicitly in hard work and in being on the job himself early and late, even on Sundays and holidays. And because he was at work one Sunday morning at his office he was ready when there was dropped into his lap, as all hell broke loose around him, the biggest news story of the century right in his own back yard.

Some time before 8 a.m. Sunday, December 7, 1941, Riley called me at home from his office and said, "I think there has been an explosion at Pearl Harbor. Better phone John (John D. Bading, the military reporter) and ask him to check."

Minutes later a woman I have never been able to identify called me and said, "The Japanese are bombing Pearl Harbor," and hung up.

Riley took it from there. Within a surprisingly short time he had his staff assembled, for nearly all had hurried to the office without being called. As soon as the identity of the attackers was established pressmen, linotype operators and others in the "back shop," and the circulation crew, were summoned. By the time they began to arrive each of the reporters—men and women—had already received specific instructions as to what angles he was to cover. Some went to telephones, others to hospitals, the Governor's office, and elsewhere even as the attacking planes were swooping over Oahu.

Riley worked calmly and efficiently. Under his direction every conceivable news source was tapped in a gigantic, concerted effort to extract every drop of information and rush it into type. No general could have issued his orders more succinctly nor deployed his troops so effectively.

It is not easy to explain how all of this was accomplished with time running out and deadlines rushing up, and the vast amount of writing, editing, composition and other work to be done. But the result was three "Extra" editions, the third being as complete as was humanly possible with the story of the attack, casualty lists and highlights.

And there might have been a fourth if the quickly imposed blackout hadn't sent everyone scurrying home exhausted, still frightened, but proud of a fantastic and historic journalistic undertaking expertly accomplished. I say historic because the Star-Bulletin was the first newspaper in the world to publish the news of the Japanese attack and the news of the outbreak of war between the United States and Japan.

What happened that fatal day has passed into history, but those who were there will never forget. That Sunday and the following Monday 250,000 copies of the paper were printed and sold, setting a new distribution record in Hawaii. Today the December 7 copies are collectors' items.

Another war that intrigued Riley was the one periodically fought along Hawaii's political battlefront. In an earlier day he numbered among his frineds the top Island political figures, now themselves almost legendary, who guided the destinies of the two parties in the long organization period that followed annexation and the Republic.

I recall Bob Shingle, Bob Breckons, Prince Kuhio, Hawaii's Delegate to Congress for 25 years, and Princess Abigail Kawananakoa, bulwarks of the G.O.P., and the great, boisterous, lovable Lincoln Loy (Link) McCandless, who ran the Democratic Party singlehanded for years and who, at long last, was rewarded by election as Delegate to Congress, an honor he had longed for and richly deserved. Wherever politicians gather today they will be recalled as dedicated leaders.

In those early days politics in Hawaii was a serious business, but much more interesting, it seems to me, than today. At election rallies candidates spoke in both English and Hawaiian, sometimes in three or four languages. There was always plenty of entertainment, and Riley often remarked it seemed evident that many voters went to see the hulas and hear the singing instead of listening to the speeches.

Riley had many hobbies, like Statehood and correspondence, but I think the one he enjoyed most was people—all kinds of people in all racial groups comprising the vast melting-pot of races that is Hawaii, and all striving, as he was, toward building a more progressive and prosperous Pacific crossroads.

He sent the name of Hawaii around the world by voluminous letter-writing that won countless lasting friendships for himself and for the Islands; and, true to the tradition established by all dedicated pen pals, he answered every letter.

Many honors came to Riley and to the paper, and he was to see three members of his official "family" elevated to high National and Territorial posts. Wallace Rider Farrington, vice-president and general business manager, was appointed Governor of Hawaii in 1921, reappointed in 1925; his son, Joseph Rider Farrington, president and general manager, was elected an Oahu senator in 1934, reelected in 1938, and in 1942 elected Delegate to the United States Congress. Joe's wife, Elizabeth P. Farrington, was elected to succeed him in the Congressional post after his death.

The milestones in the history of a newspaper are based chiefly in its ability to expand and enlarge, thereby increasing its service to the public. Starting with 1912 these milestones, which Riley helped pioneer, are significant:

Move from Alakea St. to 125 Merchant St., photo engraving plant, first comic strip, first rotary press and stereotype machine, an "Advice to the Lovelorn" column, air delivery of papers to Neighbor Islands, quadruple press, 24-hour Associated Press wire service, color printing, comic supplement, radio station and, later, a television station; the Hilo daily, lithograph plant, separate commercial printing and newspaper press buildings, Sunday edition, and, of all things, publication for the Liberty House of the first perfumed advertisement to appear in Hawaii.

After Riley's retirement many changes took place in the management. The Star-Bulletin got a new owner and a new president and combined its non-editorial production facilities with The Honolulu Advertiser. To me it seems it was only yesterday that an alert little chap named Chinn Ho, a stock broker's clerk, was running in and out of Duisenberg, Wichman & Co. next door, to 125 Merchant St., busily laying the foundation of his first million.

[From the Honolulu Star-Bulletin, Oct. 3, 1966]

YEARS 1918–20: ALLEN SAVED 780 CHILDREN IN SIBERIA

(EDITOR'S NOTE.—The following article, reprinted from the Star-Bulletin of July 21, 1965, tells the dramatic story of the late Riley Allen's successful effort to repatriate 780 Russian children after World War I.)

(By Chuck Frankel)

The dramatic story of 789 children trapped in Siberia after the Russian Revolution is told in a new book, "Wild Children of the Urals," by Floyd Miller.

The hero of the story is Hawaii's Riley H. Allen, who took a couple of years out of his active career as editor of the Honolulu Star-Bulletin to work for the American Red Cross in Siberia in 1918 and 1920.

It was his imagination, determination and fight that enabled the children to be rescued from starvation, to be gathered together, to be placed on a Japanese freighter and carried three-fourths away around the world to be reunited with their parents.

"The Wild Children of the Urals," published by E. P. Dutton and Company, is an exciting story of man's triumph over bureaucracy and of the heart's victory over politics.

These were the years of the Great Red Scare in the United States, but Allen refused to capitulate to hysteria and insisted that the Red Cross fulfill its obligation to return the children to their parents.

"The files of the Red Cross are full of stories about human courage, sacrifice and devotion, but none of them quite compares with the amazing saga of the Petrograd children," says General Alfred M. Gruenther, former president of the American Red Cross.

REDUCED TO BEGGING

Sent by their parents to mountain camps when the war danger and privation swept Petrograd—formerly St. Petersburg and later Leningrad—in the summer of 1918, they were trapped behind the fighting lines. In the bleak winter that followed, they were reduced to begging and were on the point of starvation when members of the Red Cross Relief Commission to Siberia heard of their plight.

Siberia at that time was a battleground between the Red Russians and the White Russians—plus troops from Czechoslovakia, France, Britain, Italy, Canada, Romania, Serbia, Poland, Japan—the United States.

Miller notes:

"There was interference with the political sovereignty of Russia. There was intervention in her internal affairs and impairment of her territorial integrity. And out of it all came a military debacle and a political blunder of such dimensions as to sharply influence decades of future history."

Most Americans don't realize that U.S. troops once invaded Russia—but Russians are often reminded of this fact.

The Red Cross attempted to give help to all in Siberia, regardless of politics and nationality, but it was accused of taking sides.

It was in this atmosphere that Allen brought up the suggestion that the trapped Petrograd children be rounded up by the American Red Cross and returned to their parents.

The Red Cross workers collected the starving children at Tyumen, Shadrinsk, Irbit, Petropavlovsk, Kurgan, Troitsk, Ouiskaia and other places with strange names. One Red Cross worker told the children:

"The American people are going to take care of you. You're going to have warm new clothes and all the food you can eat and plenty of firewood to keep you warm."

And most important, the children were told, they were going to be reunited with their parents.

COLLECT CHILDREN

"The Red Cross was plunged into a policy crisis," Miller notes. "There were those who advised that the children simply be abandoned, but this was stoutly opposed by Riley Allen.

"He maintained that having saved these children from death, the Red Cross was committed to keeping them alive and returning them to their parents."

He proposed that the children be gathered in the comparative safety of Vladivostok until the Russian civil war was ended and the Trans-Siberian Railway repaired. "Allen held firm to his simple principle that whoever won the war, Red or White, the children should be reunited with their parents."

SCHOOL ORGANIZED

In Vladivostok the Red Cross organized a school for the Russian children.

The Children's Colony arrived in Vladivostok on three different trains in the first week of September in 1919. The children's weekly consumption included 2,000 eggs, 2,000 pounds of meat, 1,600 pounds of cabbage and 1,600 pounds of onion—a formidable supply in a wartime city.

The Communists started to cite the American control over the Russian children in their propaganda, but Allen resisted State Department pressure for counter-propaganda.

"It has become clear by now that the Allied intervention in Siberia was a shambles," Miller writes.

But while the European and American Allies started to withdraw, the Japanese expanded their area of control.

The American troops left Vladivostok on April 1, 1920, but the American Red Cross and its Russian children remained behind, still unable to use the Siberian railroad.

"At all costs we must keep the children out of Japanese hands," Allen told a meeting of his Red Cross staff.

"That may not be easy with American troops gone," a Red Cross worker replied.

Another said, "Riley, we've done all we can for the children."

DETERMINATION GROWS

Miller writes:

"Allen raised his eyes to look at the speaker. 'Have we?' he said. There was an edge to his voice, a steeliness that no one had ever before heard.

"This man of gentle persuasion had altered. The pressure of events had not softened him but fused him to a new hardness.

"And if all the logic of the situation was against him, he would simply stop being logical, he would substitute a fierce stubbornness. Whatever else, he would not surrender.

"The staff sat silent and slightly ill at ease. After several moments, he said, quite matter-of-factly, 'Since we're cut off by land, there is only one thing for us to do. We'll put to sea.'"

Allen tried to get a ship from the United States, but the Army, Navy and private lines refused to send him one, or let him charter a ship to Petrograd.

"We are exceedingly sorry that our War Department could not be induced to furnish us a boat to take the children home," Allen wrote briefly to the American Red Cross in June, 1920. "Aside from the Red Cross, I think it would have been good advertising for both the War Department and the State Department."

So Allen chartered a Japanese freighter. the Yomei Maru, despite the firece Japanese-Russian hostility of the day.

COSTLY VENTURE

It was a costly venture for the Red Cross. Estimates, which proved to be low, were $4,500 a day to charter the ship; alterations to the ship to accommodate its strange cargo, $100,000; food, $75,000, and salaries and equipment of Red Cross personnel, and their fares home, $75,000.

Boarding the ship were 428 boys, 352 girls; 17 American men and women; 85 Russian adults and 78 former prisoners of war.

The average age of the boys and girls were between 12 and 13; the oldest was 20 and the youngest 3. Nationalities other than Russians were 15 Poles, eight Letts, five Estonians, two French, and a Lithuanian, Finn, Persian, Swiss and English.

The children were members of various segments of society, and were not aristocrats, as they were sometimes pictured in the anti-Bolshevik press of the time.

LEAVE VLADIVOSTOK

The ship left Vladivostok on July 12, 1920. It was no pleasure cruise.

Captain Kayahara and Allen clashed frequently; one of the crewmen attacked one of the girls, and there were ugly incidents between other crewmen and the Russian youth.

But there was also songs and laughter.

Miller writes:

"The songs were darkly textured, rich with human longing and need. And coming now from the voices of these children adrift on a great ocean, the innocent victims of war and revolution, they were deeply moving."

The ship, after stopping at Murean, Japan, arrived in San Francisco on August 1, where the local chapters of the Red Cross had prepared an elaborate welcome. The ship set sail for New York, via the Panama Canal, on August 4, but Allen had left the ship to do battle in Washington.

Robert E. Olds, Red Cross European commissioner, urged that the children be sent to France, instead of Russia, and in those days of rampant anti-Bolshevism, his argument carried much weight.

ARRIVAL IN NEW YORK

The arrival of the Yome Maru in New York on August 28 caused much competition among the various Russian groups, but even anti-Communist groups were aghast at the idea of sending them to France, then considered an enemy of the Russian people.

The Division of Investigation of Department of Justice—the forerunner of the Federal Bureau of Investigation—kept close tabs on the children during their stay in New York. Mr. Miller is particularly critical of the agents who ruled that there be no fraternization between the children and New York residents during a visit to the zoo, when a "Justice Department agent dashed away to intervene between an 8-year-old girl and a bag of gum drops."

The New York police tried to get Allen to halt a Madison Square Garden rally for the children, arguing that it would be Communist-controlled. Allen said it wouldn't be. But Allen was wrong, as speaker after speaker denounced the Red Cross and the United States. "They are hostages in the criminal conspiracy to smash the motherland!" one speaker said.

PASSIONS AROUSED

The passions of the Madison Square Garden mounted, and there were fears of a clash between Reds and Whites.

One of Allen's children, one of the older boys, saved the day for the Red Cross with a stirring speech in its defense.

"We trust the American Red Cross because of what they have done for us," he said. "We were starving in the Ural Mountains when they found us. They fed us and clothed us and let our teachers teach us. And they always promised they would return us to our parents.

"And we believe them. We would not be alive and here today but for the American Red Cross."

The ship sailed from New York on September 11, with the question of its final destination still undetermined. The ship anchored off Brest, but Allen insisted that it proceed northward.

BACK TO RUSSIA

The Yomei Maru finally docked at Helsinki October, 6, but Allen's days of diplomacy were not yet over. He had to convince the Finns that they should cooperate in this mission of mercy, and he had to deliver the children to Russia. He insisted that the parents approve of the children's return—only one parent requested that a child be sent elsewhere. The first children walked across the Russian-Finnish border on November 10.

Miller writes:

At last Allen's responsibility was ended, but he was surprised to discover that he felt not relief but loss. For an irrational moment he almost wished they could have all stayed together . . . but he was immediately ashamed of the thought, for it was a selfish one.

"No, he had done the right thing by uniting the children with their parents, but he realized now that this did not mean he would be free of them.

"For the rest of his life, he would feel concern for these children, he would constantly speculate on what they might be doing.

"Their lives would hold pain and joy, despair and hope, for that was the destiny of all men, but he hoped the good would overbalance the bad, and he hoped they would remember the time they had together."

COOPERATIVES, CREDIT UNIONS AID LATIN AMERICAN DEVELOPMENT

Mr. NELSON. Mr. President, all over Latin America the Agency for International Development has been making an extensive use of cooperatives and credit unions in helping people in underdeveloped areas to help themselves.

Mrs. Frances Humphrey Howard, AID program liaison officer with the U.S. voluntary agencies, recently outlined the way in which U.S. cooperatives and farm organizations are assisting with more than one-half of these AID cooperative projects in Latin America.

In a lecture delivered at the international cooperative training center of the University of Wisconsin, Mrs. Howard explained how cooperatives can put people—the greatest resource of an underdeveloped country—and their inherent talents to work in self-help development projects.

She pointed out that cooperative housing has made home ownership possible for thousands of people in Latin America.

She also said that credit unions have helped the people of Latin America to save over $24 million, making it possible through relending for these people to borrow $60 million.

U.S. cooperatives, credit unions, and farm organizations, in helping to support these programs, are thus helping in "the peaceful revolution of rising expectations." She continues to say that:

> The technicians the U.S. cooperatives have been sending abroad have been using tools shaped to the needs of people they live and work with. And their strength rests in the people-to-people approach.

Mrs. Howard also had praise for institutions such as the international cooperative training center at the University of Wisconsin which are training Latin American people who will return to their respective countries and help to establish new self-help institutions.

This lecture is a fine tribute to the work being done by American cooperatives and credit unions. It is also an excellent summary of AID's involvement in the cooperative movement in Latin America.

I ask unanimous consent that it be entered in the Record at this point.

There being no objection, the lecture was ordered to be printed in the Record, as follows:

COOPERATIVES AND CREDIT UNIONS IN LATIN AMERICA [1]

(By Frances Howard)

Yesterday, I tried to give you an overall picture of A.I.D.'s involvement in the cooperative movement abroad.

Today we will attempt to discuss the actual operations and results of cooperative efforts in Latin American countries.

Generally, more than one-half of the AID cooperative projects are carried out under agreements with U.S. cooperatives and farm organizations. These organizations, which are owned by the millions of Americans who use their services, are engaged in practically every kind of business.

These cooperatives assist AID in areas where the best use can be made of their resources. Such efforts are focused in those parts of the world in which the standard of living is limited by a per capita income of less than $100 a year, and where under-development is the reality of daily life for two billion people.

To get the best out of these people and to put their inherent genius to work is often slow and difficult. The needs of these people, as well as the obstacles of giving assistance, are much greater than one would anticipate. Yet, the greatest resources of a developing country are its people and its trained manpower. It is these that cooperatives seek to put to work.

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[1] Lecture delivered at the International Cooperative Training Center of the University of Wisconsin, Madison, Wisconsin, on June 9, 1966.

There is need for greater involvement of the people. The ability to put people to work on self-help projects is one of the great assets of a cooperative. As cooperatives involve more and more people directly in development programs, and provide technical information and classes to train employees, there is good reason to believe that progress can be hastened.

These are some reasons why cooperative-type institutions are under a new scrutiny by AID, as well as the planning bodies of many developing countries. Some of these countries have already included a provision for encouraging the establishment of cooperatives in their plans for economic development. Their purpose is to have cooperatives help agricultural producers develop their own production, marketing, purchasing and credit organizations, and to stimulate local support for such services as electrification, health, insurance, housing, and education.

Cooperative projects have measured up well under the yardstick of achievement. In the short time since the International Cooperative Development Service was established as a division of the Material Resources, and each AID region was requested to staff a cooperative specialist, considerable spadework has been done to get recognition, understanding, and acceptance of cooperatives as a valuable resource for foreign aid.

There are examples in every developing country of how much even the simplest kind of cooperative assistance can mean to the people. These are some of them:

In Ecuador, a town plan for community development helped to establish cooperatives for fishermen and carpenters, a municipal market for farmers, a sewing center for women, a garment factory, and even to start new housing developments.

In mountain villages of the Andes, many Indian artisans in Bolivia, Ecuador, Peru, and Colombia now bring their handicraft work to cooperative centers, instead of bartering with peddlers. They are receiving counsel, establishing an export market, and getting better prices.

Whenever rural electrification comes, whether teeming cities or rural villages, it eases life. Electrification can be as simple as dropping portable electric plants by helicopter into Colombian jungle towns, or as ambitious as building generating plants and stringing thousands of miles of cable, and linking small power stations, as is being done in Chile and Nicaragua and Colombia.

In the town of Santo Domingo, Ecuador, an electric cooperative has revitalized the countryside, stimulated industry, and encouraged a new look at the nation's power needs. Now efforts are being directed at finding how these needs can best be met in a partnership between cooperative, municipal, and commercial enterprises. Ambitious electrification plans are ready for development in Peru, Venezuela, and Costa Rica.

Cooperative housing has made home ownership possible for thousands of people in Africa and Latin America. Many such homes have already been built in countries extending from Argentina and Chile northward through practically every country to Mexico. The AID-assisted savings and loan project in Latin America has financed 33,000 new homes. Sharing responsibilities with AID are local governments, U.S. labor unions, American corporations with holdings in Latin America, the Foundation for Cooperative Housing, and savings and loan institutions in the United States and the developing countries.

Credit unions are spreading the lessons of thrift around the world. Reaching even the poorest people in the slums, credit unions have organized over 500,000 families in Latin America in 3 years. Latin American farmers are reaching into mattresses and pulling out a few sucres. Others go behind a shack and dig up their few savings banked in the ground. Wives take off their gold earrings, the family hedge against inflation, and sell them.

Such "frightened money" has already helped give new banks for cooperatives in five Latin American countries a sound start. And this money from individual members of cooperatives is moving into productive use as investments in the new banks through credit unions and other cooperatives.

Credit unions have thus helped the people of Latin America save over $24 million, making it possible through relending for these people to borrow $60 million. For many new members, the ability to save becomes an almost miraculous escape from a life of debt. It can also become, as it has often done, become a personal rehabilitation.

In Latin America, young campesinos who were trained on U.S. farms, are organizing cooperatives, developing community projects, and preaching better farming methods. In Peru they are a moving force in the growing cooperative-type, nonprofit Association Campesino Comunal, to provide basic agricultural services to small farmers in the Andes. These associations have furnished tools, seeds, and farm supplies at cost, eliminating price markups that had been as much as 300 percent. AID has had enough confidence in the value of projects such as these to approve an increase in the cooperative budget each year. Foreign assistance funds for cooperative projects increased from less than $3 million in 1962 to $16 million in fiscal year 1965. Most commitments are for the full life of the projects, which usually extend over more than 1 year.

Latin America has been a stronghold of cooperative development from the beginning of the program, principally because of the early emphasis placed on people-to-people projects under the Alliance for Progress. Expenditures in Latin America in fiscal year 1965 represent 70 percent of all money spent in this field.

Here are some of the highlights of cooperative efforts in various Latin American countries:

In Argentina, the cooperative movement is well developed throughout the country. There are 1,400 urban cooperatives with 2 million members and 1,372 agricultural cooperatives with 472,000 members.

AID is helping to make an overall evaluation of agricultural cooperatives in five specific projects involving agricultural credit, rural development services, labor development, housing, and general training.

The most significant developments during 1965 were the establishment of the Banco Cooperative Agrario and the Institute for the Distribution of Cooperative Funds. The Banco Agrario was founded under the sponsorship of the Argentine National Federation of Farmer Cooperatives. It began operations in June, 1965. The Institute was organized to serve as a clearinghouse for more than 500 credit cooperatives.

In Argentina, the agricultural cooperatives play a vital role in rural development by making farm supplies available to producers, marketing agricultural products, and expanding the availability of credit facilities.

The housing cooperatives and savings and loan associations have been stimulating individual savings to build needed capital for housing purchase credit. Cooperatives have been producing many units, thus attacking the present critical housing deficit. Most of the local cooperative organizations in Argentina are affiliated with one or more national associations. Training in savings and loan operations, and in labor union participation in cooperatives, was provided in the United States for ten participants.

In Brazil, AID-assisted cooperatives have contributed to the economic and social development of their communities in many ways. Some of the cooperatives' objectives include: expanding production and improving handling and marketing of foods; establishing farm service centers; developing resettlement projects and new frontier colonies; creating new sources of rural credit; stimulating low-cost housing for low income groups and self-help slum improvements; expanding crop diversification in several areas where monoculture predominates; establishing new savings institutions; manufacturing of poultry equipment; employing an increasing number of rural technicians in extension-type programs; and improving local rural electrification services. The incipient Vila Kennedy project will provide for an adult vocational training course.

During 1965, help was provided to 67 farm cooperatives with 50,000 members that were engaged in enterprises ranging from production and marketing to insurance, sales and credit.

Assistance was also provided for 132 urban cooperatives, including 110 credit unions, with 65,000 members. Help was also given to industrial producers' cooperatives engaged in manufacturing and procurement, and in fishing and lumbering.

The AID mission also assisted in the organization or development of several regional and national cooperative associations, including the Brazilian Cooperative Alliance, the Association of Cooperatives of Rio Grande do Sul, the Union of Cooperatives of the State of Sao Paulo, the Central Housing Cooperative of Minas Gerais, and others.

At present 30 housing cooperatives are in operation, numbering 16,000 members. Some 1,000 houses have been completed and 4,000 are under construction. Plans envisage building 30,000 homes over the next 5 years.

AID is supporting the National Housing Bank with a loan of 10 billion cruzeiros from counterpart funds for a program of home construction. The Bank itself will provide three times this amount. It is estimated that about half of these funds will be applied in projects for construction of cooperative housing in seven metropolitan areas of Brazil.

Cooperatives have received strong support from the Brazilian Government. A National Institute for Agrarian Development was established recently to help promote cooperatives. It maintains a good working relationship with AID.

Cooperative assistance has acquired an international climate in Brazil. Germany, Switzerland, Netherlands, and the Government of the Republic of China in Taiwan have assisted in agricultural production and processing cooperatives, in consumer organizations, marketing, and general community development. The Netherlands Government is assisting nine cooperative settlements of Dutch immigrants.

The American Institute for Free Labor Development applies its own funds and a portion of an annual regional AID grant of $300,000 for worldwide educational activities to maintain the Instituto Cultural do Trabilho in Sao Paulo, where training is offered for members of consumer and housing cooperatives.

In Bolivia, the AID mission's efforts are involved in assisting the Ministry of Agriculture to develop supervised credit, cooperatives, extension and demonstruction centers, marketing mechanisms, and similar institutions which are essential in order to increase agricultural production and reduce food imports. Cost of this project was estimated at $900,000 for fiscal year 1965. In order to get the program moving, AID has made a $3.7 million agricultural credit loan.

AID has been helping a number of Indian communities to organize local cooperative-type centers to handle handicraft products made by local artisans. Bolivia is one of four countries in which this project is being carried out by the Cooperative League of the U.S.A., under AID contract. Local groups are being federated into a national cooperative, which will eventually be owned by the artisans. More than $1 million in handicraft products have been exported, and income of many of the participants increased.

The National Farmers Union, under AID contract, is in its third year of training young Bolivian farmers on U.S. farms. On their return to homes, these young people have engaged in a wide range of community and cooperative activities, ranging from developing community centers, building schools, wells, irrigation ditches and roads, to establishing cooperatives, training centers and schools, and heading a resettlement project. This program is part of a Latin American project which also embraces Chile, Peru, Colombia and Venezuela.

Other nations assisting Bolivian cooperatives are Great Britain and West Germany. The British are helping in coffee processing and with marketing cooperatives, and are interested in the development of cacao and pyrethrum.

In Chile, the AID mission believes that cooperatives can be the focal points for organization of large numbers of small businessmen, workers, farmers, and consumers, to defend and promote their interests, influence official policy, compete with monopolistic influences in the economy, and gain common social and economic benefits. Their development can help promote private sector growth and stimulate institutional changes in the structure of the economy in line with Alliance objectives.

The greatest need for accelerated capital formation and investment is in the rural areas. There, the imbalance of income distribution and institutional weaknesses are pronounced, and capital formation is low. Expanded production and a better standard of living will require not only agrarian reform and land tenure changes but also the development of commercial and cooperative production, marketing, credit, and consumer facilities.

A private cooperative development bank has been established in Chile under the auspices of the Alliance for Progress to provide financial, technical, and managerial services to Chile's cooperatives. An AID loan of $3,650,000 has made the establishment of this bank possible.

The bank should go far toward meeting the most pressing of the cooperative movement's needs for greater capital financing. The bank also will assist cooperatives in trying to provide improved marketing facilities and managerial skills. In normal operations, it will lend money to finance new facilities, agricultural production, and management assistance.

Cooperatives in rural electrification, cattle raising, lumbering, farming, mining, fishing and the marketing of essential commodities are included in the program. Currently, emphasis is directed at improving food distribution in the major metropolitan areas, and expanding urban marketing facilities.

There are six Chilean Government departments which are involved with cooperatives. They function as best they can on limited budgets. AID enjoys excellent relations with all of them.

Sixteen Chilean farmers, selected from the lower and middle income producers as promising leadership material, were in the group of 83 Latin American agricultural workers who received cooperative and community development training in the United States under an arrangement with the National Farmers Union.

In Colombia, cooperatives for which AID has provided assistance include agricultural production, marketing, purchasing, processing, breeding and services, multipurpose sales, electric, credit union, and general community assistance cooperatives.

In the urban field, AID's services included assistance to consumer retail and wholesale goods, insurance, housing, credit unions and savings and loan, specialized training, cottage industry, small manufacturing and procurement, and fishing and lumbering cooperatives.

There are 24 farm cooperatives in Colombia, with 3,200 members; 70 urban cooperatives with 70,000 members; and 2 industrial producers' cooperatives with 40 members. Most of them are organized or associated with the Association Colombiana de Cooperativas, and the Union Cooperativa Nacional de Credito.

AID's assistance seeks to fit cooperative projects into the country's total development efforts. The agricultural marketing cooperatives have helped the program of agrarian reform by improving the marketing of products for local farmers. Credit cooperatives have helped small farmers in raising more and better crops. Consumer cooperatives are pioneering in merchandising techniques that help hold down the cost of living for city people. Credit societies are also making limited credit available to members at low cost.

In Costa Rica, AID is actively assisting the Government to meet the increased demand for electricity, better markets, and improved agricultural credit.

Costa Rica has a fine record of political and social development but its economic growth in recent years has lagged behind its annual population growth of 4.1 percent.

The Alliance for Progress through AID launched two major projects with $4 million in loans. One project is for a municipal wholesale produce market in San Jose. The other is a rural electric cooperative project, adding 502 miles of primary lines, and sufficient auxiliary equipment to serve 7 percent of the population.

The rural electric projects financed with a $3.3 million AID loan will cover 860 square miles, and serve as models for other areas faced with power shortages. Adequate power at reasonable rates in the rural areas is linked to AID's programs for farm-to-market roads, potable water supply, supervised agricultural credit, and rural health. The electric systems will belong to three privately owned cooperatives and the Costa Rican Institute of Electricity.

A municipal, wholesale produce market, complete with modern refrigeration and packing rooms, is to be built in San Jose with a $650,000 AID loan.

There are 35 savings and loan cooperatives. Both the National Bank and the Ministry of Labor work closely with AID and CUNA. Five participants have received cooperative training in the United States. The only other country providing cooperative assistance to Costa Rica is Israel.

In Ecuador, many Government agencies are actively participating in the cooperative development movement, which is considered a basic part of the national 10-year development plan.

AID is providing technical assistance through its own staff and by contract arrangements with U.S. cooperative organizations such as the Credit Union National Association, the National Rural Electric Cooperative Association, and the Cooperative League of the United States.

Emphasis for the future is directed toward the development of agricultural cooperatives, expansion of rural electric cooperatives, and improved management of credit unions and savings and loan associations.

The most significant cooperative development in 1965, was the establishment of the Banco de Cooperatives del Ecuador in Quito as a tool to provide reasonable credit facilities for cooperative enterprises, mostly for agricultural and artisan production. This bank is the first institution of its kind established in Latin America under the auspices of AID and within the scope of its inter-American cooperative bank development program.

The Santo Domingo Rural Electric Cooperative, Ecuador's first, was established in fiscal year 1964. It has been given a $650,000 loan by AID to expand its capacity and service area, and a grant of $128,000 to finance the reconditioning of three 450-kilowatt generators donated from U.S. excess property stocks. The Kentucky Rural Electric Association donated materials valued at $91,000 to the cooperative.

Subsequently, the Ecuador Institute of Electrification received a $1.6 million loan from AID and $8 million from the Export Import Bank to carry out a $12 million project to plan and coordinate the country's power development program.

Careful planning by AID, the Government of Ecuador, and local authorities made it possible to make the most use of local resources to carry out a wide variety of projects, with assistance from AID, Peace Corps, and Voluntary Relief Services. The AID assistance consisted mostly of technical assistance, donations of excess property and Food for Peace commodities.

In the towns of Esmeraldas and Guaranda, the people built a carpentry cooperative, a cooperative refrigeration plant, mostly for fisheries, a cooperative municipal market, a medical center, a Boystown training center, feeder roads to tap smaller farming communities, started leadership training, improved the streets, and purchased modern street cleaning and fire protection equipment. There also were reforestation and soil conservation projects.

In Guatemala, credit and technical assistance are among the greatest needs of the 300,000 operators of small farms. The Government of Guatemala cannot afford to provide the services they need on an individual basis.

Cooperatives provide a means by which these services can be provided at cost that may soon be within the means available to the Government. Credit unions which are beginning to be established, can, if properly developed and expanded, be of much assistance in helping farmers, as well as low-income urban families, get credit at a reasonable rate of interest. Interest rates of as high as 10 percent per month for credit are not unheard of for small loans.

AID has helped cooperatives to train directors and employees, develop member education programs, and training material. It helped 41 farm cooperatives, with 4,800 members, including organizing 10 new groups during 1965; 6 urban cooperatives with 2,615 members, and 1 industrial cooperative with 200 members.

The Government of Guatemala strongly supports the formation of cooperatives, as is indicated by a new law, approved in 1965. This law provides for a National Federation of Cooperatives, and places the responsibility for them in the Ministry of Agriculture. Credit for agricultural cooperative operations is available from the Government-supervised Agricultural Credit Agency.

Other countries which are assisting cooperatives are Belgium, Israel, and Germany. They are joined by AID in helping 100 farmers, who have donated more than 10,000 man-days labor, to build an irrigation system in the Jocotan area.

In Honduras, credit unions are currently the most effective AID-assisted cooperative-type projects underway in this country. Most of the 25 local organizations are located in rural areas. They have been making more credit available at reasonable rates of interest.

A 5-year projection of growth anticipates a 3.2 percent increase in real income to the people due to the credit union program. A 1-week training program conducted by CUNA, under contract with AID, was attended by 2,500 persons. There also has been extensive on-the-job training in credit unions. Three persons are in the United States taking courses in cooperative development and leadership.

AID is also assisting multipurpose agricultural, consumer housing, credit, cottage industry, and consumer cooperatives. It has helped 68 associations with 3,500 members, including organization of 35 new associations during the year.

The Honduras Government's principal center of cooperative activity is the Direccion de Fomento V. Cooperative. It is attempting to unite all cooperative efforts in the country. The agency works closely with AID.

In Nicaragua, the AID mission reports that starting a cooperative enterprise frequently marked the first time the people of Nicaraguan communities had ever engaged in organized effort to use self-help to assist everyone. Once the people understood what they were doing, and they saw that they would share in the benefits through cooperative effort, they were quickly encouraged to develop new self-help community projects.

AID works directly with the Cooperatives Division, National Planning Office, which actively supports cooperatives, and carries on education, organization and development in their behalf.

Food for Peace commodities have been used in connection with a self-help cooperative project in an agricultural colony were AID provided equipment and supplies, to build an adequate water system. Food was provided on a food-for-work basis during construction. On another self-help cooperative project, where an east coast community is hand-digging a small canal to complete an inland water route, food is being used in the same way.

AID has assisted, through direct-hire personnel, in the training of directors and employees of cooperatives, in member education programs, in preparation of educational and training material, and in technical help. Assistance was provided for 54 agricultural production, marketing, purchasing, electric, and multipurpose cooperatives, as well as consumer retail, housing, credit union, transportation, and industrial fishing cooperatives. Direct assistance was provided 3 farmer cooperatives with 808 members; 8 urban cooperatives with 727 members; and one new industrial cooperative with 25 members.

In Panama, cooperative development is being sparked by a new display of interest by both the Government and the people, especially in the agricultural regions.

Six agricultural producer cooperatives are now active. They are making a contribution to rural development, having been instrumental in increasing the quantity and quality of production, and in improving marketing facilities.

Cooperative activities are centered in the Ministry of Agriculture, Commerce, and Industries, with which AID is closely associated. It has assisted in training directors and employees of cooperatives, developing member education programs, preparing educational and training material, and in furnishing technical help.

In the process, AID has assisted in organization or development of 5 farmer cooperatives with 50 members. In Panama it is difficult to distinguish between a cooperative and credit unions, as they are all designated as cooperatives. There is a regional agreement with CUNA for providing training and organizing assistance. The training is offered to all cooperative organizations.

In the agricultural field there are two livestock producers' cooperatives, one rice production cooperative, one fruit and vegetable cooperative, one coffee cooperative, and one fish marketing and processing cooperative. The cooperatives that presently have greatest opportunity for growth are production and marketing organizations. Four Panamanian participants received AID assistance in training abroad to familiarize themselves with credit union structure, management and organizing techniques.

In Peru, cooperatives provide a means for organizing people at the lower socioeconomic levels in the country, so they can benefit from, as well as contribute to the national development. So far as they are able to do this, cooperatives are making a real contribution to the well-being of this country. They are being encouraged to bring the benefits of social progress to the poor, because in Peru the social and economic disparities between a small minority and a large majority are extreme.

The AID mission assists in training directors and employees of cooperatives, in member education programs, and in preparing educational and training material, and providing technical help, mostly on a contract basis with U.S. cooperatives or universities. Assistance was provided for two new cooperatives, and an agricultural association with 2,500 members and a cottage industry group. AID was also identified with 600 urban cooperatives, of which 102 are new groups, with 283,000 members.

All types of cooperatives would have an opportunity to develop rapidly if they could overcome the present lack of trained and experienced leaders. Among the more significant developments during 1965 was the organization of the Cooperativa Electrica Comunal del Centro del Peru, which now has 2,500 members. This cooperative was developed under a National Rural Electric Cooperative Association—AID contract.

Assistance to stimulate housing included an AID loan of $6 million, plus matching funds of the Government of Peru for $4 million for 1966 and 1967.

Peru has an extensive credit union organization, well structured and with a central federation, which also assists in housing. Its significant contribution to date, however, has been to reach the people at the lower economic levels, and to encourage them to save.

These efforts, which combine assistance from AID, the missionary zeal of dedicated individuals and voluntary agencies, with help from the Government, have brought literally many thousands of people into the money economy and national life of the country.

The training center for credit union programs in Lima attracts hundreds of students from all over Latin America. AID has assisted in sending delegates. These international conferences add an extra dimension to cooperative importance because they demonstrate how cooperatives stimulate new work among people of like interest in other countries, thereby strengthening the common bonds of freedom-loving people.

The present administration of Peru strongly supports cooperatives. Everyone, from the President on down, has made public statements about the importance of cooperatives to the national economy. The National Institute of Cooperatives was organized by the Government to stimulate cooperative development.

AID has assisted 80 persons to receive training from the Foundation for Cooperative Housing under AID contract, 528 persons to receive training in credit union leadership, and 453 to receive cooperative training abroad.

In Venezuela, the most significant cooperative development has been the establishment of two pilot REA-type cooperatives, and the formation of an Inter-American Savings and Loan Association with members drawn from about every Latin American country. Cooperatives with the greatest opportunity for development are rural electric and farmers' marketing and supply organizations.

These activities fit neatly into the total development effort in Venezuela. Rural electrification cooperatives can help overcome the lack of power which has been a limiting factor on development of interior towns and cities and has slowed industrial growth, especially of plants related to agricultural processing. Electric cooperatives can also stimulate marketing of farm produce by providing means for better grading and distribution of commodities, and reducing spoilage. The establishment of 2 REA-type cooperatives is providing 10,200 families with electricity on a 24-hour basis.

In less than 3 years, the savings and loan societies have accumulated large sums of money and made 3,100 mortgage loans. This rapid development of savings and loan societies is contributing to an increase in the new housing inventory and private construction field.

AID during the year assisted 18 farm cooperatives with 900 members; a savings and loan system with 28,000 members and 21 subsidiary systems; four industrial producers cooperatives with 520 members; and ten commercial cooperatives with 3,500 members. The organization of the Consumer Cooperative Federation and the National Cooperative Bank have helped to strengthen the entire cooperative structure in the country.

AID helped to train directors and employees of cooperatives, develop education programs of the consumer's cooperative federation, and prepare educational and training material.

The Government of Venezuela supports cooperatives. Cooperative legislation is being revised and improved. Cooperative activities are in the Ministry of Labor and Ministry of Agriculture.

During 1965, 21 persons received on farm training in the United States under a National Farmers Union contract. Fifty more received cooperative training in Venezuela.

Thus, the U.S. cooperatives have been helping in the "peaceful revolution of rising expectations." The technicians, the U.S. cooperatives have been sending abroad, have been using tools shaped to the needs of people they live and work with. And their strength rests in the people-to-people approach.

The cooperatives have indeed shown what they can do for economic development. Equally important is their contribution to social development. To the farmer, the artisans, the factory worker, or the clerk in a city, the feeling of ownership which goes with a cooperative can be a strong stabilizing force. The cooperative experience itself can serve as a laboratory in democracy.

And institutions such as the International Cooperative Training Center of the University of Wisconsin are rendering most valuable services in training manpower and helping establish new institutions for freedom and prosperity.

You, the participants will be taking back to your respective countries the lessons you have learned in this and other institutions, and you will be teaching these same lessons to students in your own countries—thus multiplying and spreading the light of technical knowledge in your own countries which, at this time, are short of the skills, capital resources, and organizations that are part and parcel of a modern society.

I wish you success in all your endeavors. I thank you for having been a wonderful audience.

MRS. DOROTHY DAVIES OF THE SBA

Mr. WILLIAMS of New Jersey. Mr. President, as a member of the Select

Committee on Small Business, I wish to commend Mrs. Dorothy Davies on her splendid work in coordinating the work of the National Advisory Council and the Small Business Administration.

Mrs. Davies, former staff assistant to both President Kennedy and President Johnson, has laid the guidelines of communication in recent months between SBA and the network of advisory committees. These include representatives from almost every facet of industry in the 50 States, carefully patterned to include all of the major fields participated in by some 4,600,000 small firms. The committees, functioning under the overall organization, the National Advisory Council, can, says new SBA Administrator Bernard Boutin, "help bridge the distance between our programs and the small businessman they are meant to serve. They can also feed back to us a surer understanding of the needs and problems of the small business community."

Mrs. Davies has laid the groundwork for a series of recommendations to be sent to Bernard Boutin from advisory committees all over the country. Although this is not the first time such recommendations have been sent to SBA, the agency is now making definite plans to implement its program of assistance to these businessmen. An elaborate plan for providing professional advice covering a particular need has been worked out and this is expected to be functioning in all areas by the first of next year. Among other things, the plan includes assistance to the small businessman in strengthening management programs and providing administrative management courses which deal with planning, organizing, directing, coordination, and controlling a business.

This is a badly needed service for the small businessman who often knows his product and how to market it but fails in his venture due to a lack of knowledge of business management. If we are to continue to have a successful economy based on self-enterprise we must provide a meaningful program by which the entrepreneur may receive the necessary instruction in proper business methods during the crucial first year of his ventures as an independent businessman.

THE CASE AGAINST SUSPENDING THE INVESTMENT CREDIT

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a statement I made this morning to the Senate Finance Committee opposing administration proposals to suspend the investment credit and suspending the provision for accelerated depreciation be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY BY SENATOR WILLIAM PROXMIRE, BEFORE THE SENATE FINANCE COMMITTEE, ON SUSPENSION OF THE INVESTMENT TAX CREDIT, OCTOBER 5, 1966

Mr. Chairman, I am present today to speak in opposition to suspending the 7 percent investment tax credit and accelerated depreciation provision.

My objections are these: The Administration proposal is the wrong solution to the problem of present-day inflation and the uncertainties of next year are too great to attempt this course of action.

What makes the investment credit peculiarly bad medicine for the present economy is the serious uncertainty of the present outlook.

We know we are now suffering from inflation. We fear this inflation may become worse. Why?

Because plant capacity is too limited, and because skilled labor is short in certain crucial areas of industry.

But we do not know whether this will be true next year—and no one can tell us. The crystal ball is always clouded but it is fogged in almost to ground zero for next year because neither the President of the United States nor anyone else can tell us what is going to happen in Vietnam.

Until we know that, we can't even guess intelligently at what inflationary problems we may or may not face in this country six months or twelve months from now.

And yet the Congress is considering a proposal that will have little or no effect on the present inflation—which we know we have.

It can only affect a future economy and there is no way of our determining whether that future will be inflationary or deflationary.

If the problem a year from now is deflationary, the investment credit suspension will have been a mischievous, recession-provoking action.

But even if the problem is inflationary a year from now, the suspension will have slowed the very expansion of industrial capacity which itself is the best antidote against inflation.

In either event, the suspension will be wrong.

Every day brings increased evidence that 1967 could be the end of the great economic boom that has brought America its longest period of sustained growth in its history.

According to testimony by Secretary of the Treasury Fowler before the Congressional Joint Economic Committee last February, suspension of the investment credit will not have its prime effect in slowing down the economy or retarding price increases for more than a year. Although he might now favor suspension, that doesn't alter the mechanics.

Proponents of this suspension argue that if the slowdown does seem to be precipitating a recession, it can be swiftly restored.

I disagree, unless this bill is amended to give the President this kind of discretion.

And even if we give the President discretion, I disagree that the restoration of the credit can even begin to reverse the damage suspension may do.

This is because no businessman in his right mind is going to order new equipment in 1968—or whenever resumption of the credit is made—in the face of a depressed economy and an excess of his current productive capacity over likely demand.

I would like to touch just briefly on some of the indicators which lead me to believe we have already passed or are currently riding the crest of the boom.

The government's daily index of 13 industrial raw materials fell to 109 in August. In March it stood at 125.

New orders for machinery and equipment dropped by $346 million or 6 per cent on a seasonally adjusted annual basis in August. The Congressional Joint Economic Committee's economic indicators also showed that new factory orders for durable factory goods fell to a seasonally adjusted $23.1 billion in August, down 4.5 per cent from July, and the smallest since last November.

New factory orders for all goods fell 2 per cent in August and factory shipments declined over those for July.

The backlog of orders for durable goods rose again—by 0.8 per cent—in August. But this was less than one-half the 1.9 per cent advance registered in July.

The National Association of Purchasing Agents reported its members formally expressing "concern" over the growth rate of new-order and production rates in September.

The Association said only 33 per cent of its members responding to its survey reported a higher level of orders compared with 43 per cent reporting gains in September 1965.

The Association also said this was the first time since 1962 that so many members had expressed concern about the outlook for next year. Forty-five per cent of those responding to the survey used that term.

Perhaps one of the most important projections made recently was one by Pierre A. Rinfret, an economist praised by President Johnson when he signed the tax-cut bill of 1964.

Mr. Rinfret, Chairman of Lionel D. Edie and Company, an economic research and investment counseling firm, has conducted surveys on capital spending plans for the last 14 years.

His latest survey, according to yesterday's New York Times, shows that capital spending in 1967 will rise only 3 per cent. This contrasts dramatically with the 17 per cent rise expected for this year and an average of 12½ per cent annually for the last five years.

Mr. Rinfret in January called for suspension of the tax credit and increases in corporate and personal income taxes. Administration failure to do so then was a blunder in his opinion. But such steps now, he said, would compound the error.

Corporate or personal tax increases "would be an economic blunder of the first magnitude," he said.

Mr. Chairman, these are only a few of the reasons why I feel the investment tax credit is needed and will be needed in the coming months.

Another reason I oppose its suspension is that such action would be highly discriminatory. It would impose a particular hardship on certain segments of the economy while hardly affecting others.

For example, the railroad boxcar shortage was so acute just last spring that Congress found it necessary to enact legislation designed to help eliminate the bottleneck.

When the Administration appealed to business generally to postpone capital expansion as much as possible, the railroad and rail equipment industry was specifically exempted.

The coal industry, for years the sick man of American business, has in recent years become a profitable and efficient operation. It contributes handsomely to our exports and thus to our balance of payments.

Coal mining became profitable in part because the investment tax credit permitted modernization and thus efficiency. Suspension of the investment credit would deal a particularly cruel blow to the mines and the men who work them.

The aircraft industry is another that would suffer. Jetliners are not shelf items to be carried in inventory. Each is ordered individually by the airline that plans to use it.

If the investment credit is suspended, airlines might simply wait until the suspension is lifted before placing new orders. Foreign airlines would not be affected and they would increase their competitive standing during this period.

The machine tools industry would be the biggest victim of the proposed tax suspension.

After several years of slackness, reflecting the spasmodic economic growth of the 1950's machine tool production jumped dramatically by 55 per cent from 1963 to 1965.

This year's increase is expected to be about 13 per cent under Vietnam pressures and the civilian consumer demands.

Removing the tax credit would simply mean that machine tool production would fall further behind in its capacity to meet both military and civilian demand.

Officials of that industry already have said that if the investment incentive is removed, they might as well take a vacation during the latter part of 1967, because no one will place orders then when they can wait a few months for the credit to be restored.

Mr. Chairman, I would like to summarize by saying that the uncertainties of the coming months should be resolved in favor of retaining the investment tax credit. We don't know what the economic situation will be, we don't know what will happen in Vietnam and we should not penalize one industry at the expense of others. But whatever happens, we will be in better shape to meet it if we have the incentive to expand and continue our unprecedented economic growth.

Once again, Mr. Chairman, I reiterate that the investment credit is the wrong medicine because it will have virtually no effect on the inflation we know we are now suffering.

When it does slow down the economy a year or so from now, it is sure to have an adverse and pernicious effect.

If we are suffering a recession and rising unemployment at that time, the suspension this year will aggravate that recession.

If we are suffering an inflation at that time, the failure to invest in additional plant and equipment because of this year's suspension of the investment credit will aggravate that inflation. The capacity that could have met increasing demand won't be there to meet it, because the suspension of the investment credit will have stunted it.

This suspension is strictly a heads we lose, tails we lose proposition. It should be rejected.

The best solution to the problem immediately at hand is a drastic cut in government spending and a prompt postponement of federal construction projects.

The federal government proposes to spend more than $7.5 billion on non-military, public works during fiscal 1967. A great deal of this could be deferred until the economy eases. A good bit more could be eliminated altogether.

Suspension of the investment tax credit is by far the least timely and least effective of all the anti-inflationary actions the federal government could take.

PACIFICATION IN VIETNAM

Mr. SMATHERS. Mr. President, the American people are becoming increasingly aware of the fact that our struggle to resist the Communist attempt to deprive the people of South Vietnam of their liberty cannot be won on the field of battle alone. Equally important is the struggle that must be waged within each of the thousands of villages and hamlets in that strife-torn country for the allegiance of the people.

In this connection, I wish to draw the Senate's attention to a particularly fine newspaper report which explains what the pacification process, conducted by the Government of Vietnam and supported by the U.S. Government, means to the people of one Vietnamese village.

Mr. President, I therefore ask unanimous consent to have printed in the body of the Record the text of the excellent article by Mr. Don Oberdorfer, a member of the Washington Bureau of the Miami Herald, which appeared in that newspaper's September 24, 1966, edition.

There being no objection, the article was ordered to be printed in the Record, as follows:

Winning the People of Ky-son a Long, Slow Task

(By Don Oberdorfer)

Ky-son, South Viet Nam.—Winning the people of this hamlet is a long, slow, difficult process. Progress has been made—but there is still a long way to go.

The three vital objectives of the "pacification" program, according to planners in Washington and Saigon, are to create security for the villagers, root out hidden Viet Cong influences and bring a better life that everyone can see.

When the 59-man government "revolutionary development" team finished its work here in April, little progress could be seen toward these goals.

Today things are better. Real gains can be seen. Yet Ky-son is not fully secure from external or internal threats—and the governmental powers above are still not fully responsible to the village people.

Ky-son is a typical cluster of huts and houses in Binh Dinh province, some 350 miles northwest of Saigon. The province is highly strategic, and three allied divisions (one American, one Korean and one Vietnamese) are at work fighting Viet Cong.

Of 675 hamlets in the province, about 105 are now listed as government controlled. Ky-son, which was freed from Viet Cong rule 13 months ago, is among 23 hamlets considered "pacified" after intensive work by "revolutionary development" teams.

In at least one respect Ky-son is not typical. The pacification areas of Binh Dinh province are considered the most successful anywhere in Viet Nam. Ky-son is located in the most successful district of the most successful province.

A visitor returning after five months is struck first of all by the construction. Along the rutted dirt road between the rice paddies are a new school, a new marketplace with a shiny tin roof, and a new well.

All these were built with government help to replace facilities destroyed or damaged in the war.

Since my last visit, about 100 more villagers had returned from refugee camps where they fled from the battle. Forty new homes had been built. Now the hamlet has 1,100 of its original 1,200 residents.

The leaders of the people no longer carry loaded guns with them as they roam the village paths and till their fields, as they did last April.

Yet Nguyen Ninh, the elected chairman of the hamlet council, still departs for the safety of a nearby city almost every day at sundown, taking his wife and family with him.

"The hamlet is relatively more peaceful than before," he said. "If the next two months of rainy weather pass without Viet Cong attack, maybe I will be able to move back."

Nguyen Thang, the elder who serves as hamlet chief, still sleeps in different houses each night. About midnight on June 27, Viet Cong raiders penetrated the hamlet to kill him, and threw grenades at the house where they thought he was.

The grenades were faulty and the Viet Cong withdrew in the face of the hamlet's carbine-armed self-defense force. One VC was killed.

During the day when security is good, Ky-son has the added, if irritating, protection of local Vietnamese militia roaming the area. Now and then the soldiers fire their weapons at birds, or at ripe fruit. Recently one of them shot a hole in the roof of the new marketplace.

At night, when they are needed most, the militiamen withdraw to their camp behind barbed wire and watchtowers. They rarely venture out.

Neither the hamlet leaders nor the people have complained to higherups about the soldiers. They are frankly afraid to do so.

One of the most vital tasks in pacification is rooting out the local Viet Cong who threaten the hamlet from within or without. In currently-approved jargon, this is called eradicating the VC "infrastructure"—and here too, progress has come.

On the night of July 3, a village defender killed a prowler who turned out to be Dao Van Khuong, 28, a native of the hamlet who was the Viet Cong guerrilla section chief in charge of Ky-son.

After an investigation, hamlet officials discovered that Khuong had been paying a visit to his lovemate, a 28-year-old hamlet girl. From there the trial led to the girl's mother and another mother in the hamlet whose son was a VC cadreman on the outside.

Five people, including the girl and the two mothers, were arrested on charges of supplying rice and information to Viet Cong guerrillas. The mothers are still in jail, but the girl and two other suspects were returned later to Ky-son.

"She's having love affairs now with government soldiers," said a hamlet official of the former Viet Cong sweetheart. Thus hers is one heart, if not one mind, apparently that has been won to the government side.

According to a detailed census made in April, 23 former villagers were believed to be Viet Cong guerrillas on the outside. Six residents were thought to be VC sympathizers on the inside. The list included the dead guerrilla chief and one of the two rice-giving mothers.

Though the list remains a long one, the events of July are believed to have dealt a sharp blow to the Viet Cong in and around Ky-son.

To compile intelligence, and to determine the people's complaints and needs, the Vietnamese government pays 3,200 piastres monthly (about $26) to a "census-grievance cadreman" in every pacified hamlet. The money comes from the U.S. Central Intelligence Agency.

The census-grievance man in Ky-son, according to payroll records, is Nguyen Ninh, the chairman of the hamlet council.

U.S. officials were dismayed to discover he holds both posts since one of the jobs of the census-grievance man (perhaps unrealistically) is to report on the performance of hamlet officials.

Ninh is an outspoken man, and perhaps the most capable in the hamlet. Yet despite the complaint procedure, nothing has been done about several of the hamlet's most important grievances.

Ky-son's number one need, both now and in April, has been a small irrigation dam to help the rice crop—which is the essential source of every family's livelihood. There is no prospect of the necessary materials for the dam.

The 140 school children of Ky-son are crammed into a temporary classroom in the hamlet hall because the gleaming new two-room school next door still lacks a floor and a section of roofing.

The job was left unfinished by a contractor hired to build the school—to the puzzlement of the villagers, who had planned to build it themselves if the government could provide materials.

Graft was suspected in the contracting process, and a district official responsible for it has been fired.

The people of Ky-son are proud of their gains, pained about their problems and cautious in their expression. They are still afraid of the Viet Cong and still distrustful of the government.

Slowly, though, life is returning to the way it was before the armies came to fight over Ky-son.

AIR TRAFFIC SAFETY

Mr. BREWSTER. Mr. President, as a member of the Committee on Commerce and of the Subcommittee on Aviation, I am keenly interested in the Government agencies, industry groups, and associations involved in aviation matters, particularly as they relate to air safety.

Over the years, our air safety record is a very good one, especially when related to this fast-growing and dynamic industry. But there is still room for improvement. I have constantly encouraged increased cooperation among all aviation interests, in what must be their common goal increased safety for the air traveler.

I have received a copy of the September issue of the Air Line Pilot, the monthly publication of the Air Line Pilots Association. This issue of the Air Line Pilot contains a fine article entitled, "The ALPA Story," which concerns itself, in large measure, with the association's safety roll.

I was pleased to read of the association's far-flung and highly specialized organization for safety. I was also pleased with the high level of professionalism evident among association members.

It is true that by definition and basic function, ALPA is a labor union, but the high standards of the professional pilot, his attitude toward his job and his great concern for the safety of passengers and equipment, convince me that there is probably no other group chartered by the AFL–CIO with a higher degree of professionalism than is daily demonstrated by the members of this association.

Mr. President, I believe that the ALPA article would be interesting to all Members of the Senate. Therefore, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALPA's SAFETY RECORD AND THE PILOTS' SAFETY ROLE

The time was in the more uncomplicated days of aviation when safety meant little more than a parachute that worked. But as the air lines developed as a mass transportation medium it was inevitable that the public interest would demand an increasingly higher level of air safety. It was probably equally inevitable that air line pilots with their strong sense of professional responsibility would play a leading and forceful role in obtaining it.

From the time the Air Line Pilots Association was founded, the air line pilots have recognized and accepted the responsibility for establishing and maintaining a high degree of air safety as one of their primary obligations to the public. Recognition of this responsibility was incorporated in the Association's first Constitution and By-Laws and is reflected in ALPA's motto: "Schedule With Safety."

ALPA'S SAFETY PHILOSOPHIES

Always predominant in ALPA's drive for air safety has been the air line pilot's intensely-shared conviction that as commander of the aircraft he carries an obligation for the safety of his passengers and the general public which cannot be delegated to the air carriers, the federal aviation agencies, or any other person or agency.

Over the years, ALPA has built a sound "user" concept of air safety based upon the premises: (1) That one of the primary safety functions of the air line pilot is the discovery and reporting of air safety problems; (2) That the reasons behind accidents can prevent future accidents; and (3) That the application of the operational viewpoint, which can be adequately obtained only from the pilot, is necessary to the solution of air safety problems. To further give effective meaning to this view, ALPA established and maintains an independent organization dedicated to the improvement of air safety.

EVOLUTION OF SAFETY ACTIVITIES

While ALPA's air safety concepts began emerging with the Association's organization, they didn't develop all of a sudden. Accident investigation, for instance, was pretty elemental at first, consisting of By-Laws stipulations that "members will be required to report all crashes, accidents of major importance, engine, plane or equipment failures and any and all altercations between pilot and employer." These By-Laws set up machinery for establishment of investigation committees to make recommendations and an Executive Council to act on the committees' recommendations.

All the air traffic control there was at the time of ALPA's inception was in the cockpit. It really existed only to the extent of the pilot's vision. The idea of air traffic control, according to ALPA's historical files, was born one day in 1935 when two pilots found themselves over Newark under instrument conditions but without traffic separation. The tower operator, acting on emergency impulse, gave what was probably the first known traffic clearance: "Trip 'X', maintain 1,500 feet; Trip 'Y', maintain 2,500." According to accounts, one of the pilots fired back: "We hope you know what you're doing." Apparently he did. Shortly thereafter in 1936, several air lines, with the prodding of ALPA, agreed upon the necessity of forming air traffic control centers, the first of which were located in Chicago and Newark. At that time, there were less than 300 aircraft in air line service.

As air safety became more complex, ALPA made more sophisticated approaches to it. In 1940, two air safety committees—the Engineering and Air Safety Advisory Committee and the Air Traffic Control and Airway Aids Advisory Committee—were established and in 1945, an Engineering and Air Safety Department was set up. The Air Line Pilot Association's current air safety structure came into being in 1951.

SAFETY AND ALPA'S STRUCTURE

Safetywise, ALPA's channels run from the individual pilot to the national organization on a route paralleling the Association's organizational framework.

LOCAL SAFETY COMMITTEES

Each Council—the basic unit of ALPA—has a local Council Air Safety Committee which processes local air safety problems. This may include contacts with the local air line, government, civic, or airport officials. Surveys conducted by ALPA are processed through these Committees.

CENTRAL SAFETY COMMITTEES

The members of one air line may have 10, 12 or more Councils. Representatives from each Council comprise the Air Line Central Air Safety Committee. Problems common to more than one Council or concerning the entire air line are processed through this Committee.

REGIONAL SAFETY COMMITTEES

Representatives from the Council Air Safety Committees in a particular region comprise the Regional Air Safety Committee. For example, representatives from 15 Air Safety Committees make up the New York Area Regional Air Safety Committee. This Committee processes problems which are peculiar to a particular geographical area. Example: The noise problem in the New York area.

ALPA'S NATIONAL SAFETY ORGANIZATION

At the national level, ALPA maintains an Engineering and Air Safety Department through which problems from the Council Air Safety Committees, air lines, or regional committees may be processed. The national organization usually serves as the spokesman on national problems or designates a pilot specialist or pilot committee to speak for ALPA. A "draft release" procedure is employed to secure a representative opinion on a subject. Special committees are required to submit their findings for comment to all Council Committees.

Representative pilot opinion is determined in this manner by accumulating the predominant opinion of all the pilots of any one group.

ALPA also conducts an Annual Air Safety Forum. This is a yearly meeting of safety representatives from each air line devoted entirely to air safety problems.

Its purposes are to insure thorough study of air safety problems with emphasis on currently critical ones, to analyze special safety projects and their progress, and to exchange safety viewpoints with top level safety personnel from other segments of the aviation community. The ALPA Air Safety Forums have won the high respect of the industry and contributed greatly to air safety progress.

INTERNATIONAL SAFETY PROBLEMS

The processing of safety problems of an international nature and representation for the air line pilots' views at The International Civil Air Organization (ICAO) are achieved through the International Federation of Air Line Pilots Associations. IFALPA is a federation of pilot organizations of 47 countries with international offices in London. An annual meeting is held of representatives of the member organizations. Special study groups are established to deal with individual problems. Study groups are maintained in each geographical area of the world to monitor facilities and represent pilot viewpoint on problems peculiar to the area about which pilots flying continuously in the area will be best informed.

ALPA ACCIDENT INVESTIGATION

ALPA participates in the investigation of all major air carrier accidents. Standard investigation and reporting procedures have been worked out and are furnished to pilot representatives. Reports of each investigation are made to the President of the Association. Such reports are analyzed by ALPA staff members and pilot representatives for clues that may prevent future accidents. ALPA, contrary to a somewhat general belief, readily admits that there are "pilot error" accidents. However, it holds that no pilot ever erred deliberately or in the interest of self-destruction. ALPA is interested in the *reason behind* the error and feels that any accident written off as "pilot error" has not been accurately investigated.

ALPA's accident investigating seeks to go beyond such findings and determine whether so-called human errors originated in the aircraft design, fatigue limits, cockpit booby traps, inadequate training programs, regulations under which aircraft operate, or any of the many other causes of accidents in which the human factor is only one in a string of circumstances, etc. ALPA feels that this viewpoint must be strongly represented at all accident investigations, if the operational aspect is to be thoroughly explored and the maximum learned from each accident.

SPECIAL SAFETY PROJECTS

Although ALPA conceives the primary responsibility of the pilot to be the discovery and reporting of air safety problems, ALPA also recognizes the necessity for the pilot or operational viewpoint being applied in the solution of problems. Therefore, in addition to the organizational processing of problems at the local, national, and international level, ALPA attacks specific problems on a special project basis. This is accomplished by designating individual pilots with specialized training or experience along a particular line as spokesmen and specialists for the Association on a specific subject. Committees are set up to work with the spokesman. The committee and spokesmen have available to them the channels and facilities of ALPA from which to gather information or determine pilot opinion. By this means, pilot specialists sitting with industry committees trying to find solutions to air safety problems are in a position to determine the "consumer acceptance" of the results. The specialist committees are required to "draft release" their recommendations to all ALPA Councils through the Council Air Safety Chairman in order that each Council will have an opportunity to comment upon them. The active member has an opportunity to participate in all ALPA safety work.

SERVING THE PUBLIC INTEREST

Air line pilots, by supporting and participating in ALPA's air safety activities, have contributed greatly both to the professional welfare of flight crews and the public interest. As the result of ALPA's air safety activities, there have been many resultant advancements in air safety which have been of benefit to both and have substantially aided the forward progress of commercial aviation. Many air safety improvements have been initiated by ALPA, others have come about as the direct result of ALPA efforts, and it is virtually impossible to find any in which the air line pilots haven't participated substantially and contributed their specialized talents to a great degree.

Approach lighting airport facilities, air traffic control, navigation and communication airborne radar, instrumentation, new aircraft, crew requirement training, crash survival, all-weather and federal regulation flying, are but a few outstanding areas among the many in which the Air Line Pilots Association has exercised a strong air safety voice and left the indelible stamp of the air line pilot viewpoint.

SUPERHAWKS ADVOCATE WIDER WAR IN VIETNAM

Mr. McGEE. Mr. President, a great deal of publicity has been given of late to statements from ex-military leaders of the United States concerning the prosecution of the war in Vietnam. The superhawks, as the Evening Star referred to them in an editorial last night, would visit us with the danger of a far wider war were their favored policies advanced. The Star's editorial also uses these recent examples to point up the extraordinary vision of the Founding Fathers in decreeing that civilian control should always be effective in our Armed Forces.

Last Friday, Joseph Alsop took a look at the order of battle in Vietnam, pointing out that a number of the large enemy units listed are essentially ghost outfits and have not been committed to battle in months, in some cases, because of the attrition in their ranks. The evidence he spells out would not seem to demand the risk of a new escalation or risk, as it is being promoted by the leading superhawks. I ask unanimous consent that both the Evening Star editorial and Mr. Alsop's column be printed in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Evening Star, Oct. 4, 1966]

THE SUPERHAWKS

One of the nation's leading superhawks, former Air Force Chief of Staff Curtis E. LeMay, has just provided a thundering defense of the administration's conduct of the war in Viet Nam.

It wasn't intended that way. The retired general's article in U.S. News and World Report was conceived as a blistering attack on his former commander in chief. The cause of the general's discontent is the President's insistence on a "cautious and timid" war, his failure to order all-out, unrestricted air strikes against the North and his inclination to pay too much attention to the "outside risk" that unlimited escalation might bring in Red China.

Gen. LeMay's glib declaration that mainland China is nothing to worry about, that Nationalist China and South Korea—with a little bit of help—could bring that "unstable" nation "to her knees," is far from convincing. His advocacy of what amounts to a preventive war against China—and by extension, Russia—is downright frightening. Nor is he alone. Another retired Air Force chief, Gen. Nathan F. Twining, has just published a book arguing essentially the same points of view. One might also add Dwight D. Eisenhower to the list, who, as the years go by, sounds less like a former president and more like an ex-general.

These violent expressions of opinion serve as timely reminders that the voice of the dove is not the only critical sound ringing in the President's ear. He is subject to constant, crushing pressure—both from those whose horror of war blinds them to the consequences of a pull-out, and from those whose dedication to "victory" blinds them to the consequences of all-out war. Compared with some of his top advisers, President Johnson is the epitome of fortitude, patience and wisdom.

And these published statements by two of America's leading military men point up once again the extraordinary vision of the founding fathers in decreeing that, in both peace and war, the armed forces shall be subject to civilian control.

[From the Washington Post, Sept. 30, 1966]

ORDER OF BATTLE

(By Joseph Alsop)

SAIGON.—In the old days before the U.S. intervention, this reporter would first inquire, on arrival here, how many enemy main force units appeared on the official order of battle. He would then multiply that figure by two, and on perambulating the provinces, would commonly discover that the enemy buildup was even more than twice as big as the official estimate.

The reason was simple. The painstaking, if Byzantine procedures of the estimators are bound to fall far behind in periods of serious enemy buildup, if only because it can take up to 14 months for a new enemy unit to be inscribed on the order of battle. These facts are relevant at the moment, precisely because the same process works in reverse in periods when enemy strength is declining. In such periods, the O.B. exaggerates the truth. This is the reason for the two fundamental anomalies in the commonly held picture of the present state of the war. The first anomaly is the clear conflict between the supposed enemy buildup and everything that is known about the enemy's inputs and losses of effectives.

On the debit side, the grisly "body counts" for the 12 months from September of last year through this August show a bit more than 54,000 enemy soldiers killed in action and left upon the field. In the same period, above 7200 prisoners of war were taken on the battlefield, in addition to the voluntary ralliers.

The body counts may be a bit inflated by the accidents of combat; but they certainly tell only a small part of the story of enemy losses. Great numbers of enemy troops have unquestionably been killed beyond range of counting, or have been dragged away before they could be counted, in accordance with VC battlefield discipline. Large numbers of disabled wounded and appallingly high losses from jungle diseases must also be cranked into the calculation.

To do the calculation in detail would require the space of two reports. It is enough to say that 150,000 men is a really conservative estimate for the enemy's total losses from all causes in the 12 months under consideration. In the same period North Vietnamese infiltration and VC recruitment certainly did not add as many as 120,000 men to the muster rolls. With a deficit of at least 30,000 men, how, then, has there been any buildup?

Such is the first anomaly. The second hooks directly onto it. The order of battle shows 160 enemy main force battalions plus 17 more possibles and probables. A sane commander does not keep troops just to feed them, any more than a householder keeps cats that catch no mice. Yet a good many of these battalions have not been used in combat for at least a year, and a good 40 per cent of them have not fought at any time in the last six months.

Both anomalies are resolved, however, if you go out to look at the real situation on the spot, in the corps areas. The order of battle is entirely correct, or at least very largely correct, in the sense that all or almost all the listed enemy units have headquarters and some sort of genuine existence here in South Vietnam. All these headquarters represent an ambitious attempted buildup.

But the order of battle is none the less gravely misleading, because such large numbers of the listed units are in fact mere ghost outfits, decimated by battle losses and disease and unfit to fight. And this is the state of affairs, in turn, because enemy losses from all causes have somewhat exceeded enemy recruitment and infiltration.

This means that we have turned the second corner in this hard and ugly war. But just because the enemy's fighting power has begun to decline somewhat, it emphatically does not mean that the pressure on the enemy can be relaxed. On the contrary, if we are to see light at the end of the tunnel in a reasonable time, the pressure must be increased. The need for the additional U.S. troops that are now coming in, and will come in later on, is all too clear.

Take, for instance, the 2d Corps Area, where the VC and North Vietnamese have some of their best main force outfits. Here the local U.S. commander, Lt. Gen. Stanley Larsen, confidently promises to deny the main forces all access to the rice plains if given only three more regiments. If the main forces have no access to the rice plains in that region, they will starve in the mountains. Gen. Larsen is going to get his regiments; and if he is right about it, his relatively small accession of force will tilt the balance in that corps area in a most abrupt and decisive manner.

Beginning to gain on the enemy, as we are now doing, is in fact not the same thing as beginning to win, which is what Gen. Larsen is talking about. But it must be added that the number of troops really required for this purpose has been wildly exaggerated by leaks of this and that special interest plan prepared in the Pentagon. Something like 475,000 men is the top figure most commonly mentioned by the American soldiers on the scene, who carry the real load of responsibility.

INVESTIGATION OF HIGH RISK AUTOMOBILE INSURANCE

Mr. HART. Mr. President, the commander in chief of the Veterans of Foreign Wars, Leslie M. Fry, of Reno, Nev., issued a statement last week in which he rightly condemned the practice of some insurance companies that have been "canceling and refusing auto insurance to amputee and paraplegic veterans."

Mr. Fry gave credit to the Antitrust and Monopoly Subcommittee, and to the senior Senator from Connecticut [Mr. DODD] for shedding some light on this problem through the investigation of high-risk automobile insurance.

I ask unanimous consent that Commander Fry's release be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

VFW CHIEF CHARGES FIRMS DENY AMPUTEE VETS AUTO INSURANCE

WASHINGTON, D.C., September 27.—The National Commander-in-Chief of the Veterans of Foreign Wars of the U.S. charged today "that if published reports that automobile insurance firms are cancelling and refusing auto insurance to amputee and paraplegic veterans, then I demand an immediate public investigation and disclosure so that the American people might get the full story of this tragic situation."

Leslie M. Fry, Reno, Nevada, the V.F.W. Chief said he wished to "thank Senator THOMAS J. DODD, Democrat, of Connecticut, for instigating an investigation within his subcommittee on these charges. The Senator has shed some light on this practice by some—not all—of the insurance companies. However, I think it is about time that the public be apprised of these nefarious practices by a number of insurance firms."

Fry pointed out that there are nearly 50,000 amputee veterans today who drive their own automobiles with special prosthetic equipment. He noted that Congress has provided these veterans with a $1,600 special allowance for such special equipment to allow them the full use of their automobiles.

The V.F.W. Chief charged "that those insurance firms which deny these veterans a chance to own and drive an insured automobile are depriving the majority of them of their very livelihood, whereby putting an extra burden on the amputee or paraplegic veteran and his family.

"Senator DODD's investigation of these practices have shown that a great number of these firms have suddenly gone out of business, leaving the veteran holding the bag. And by cancelling, or denying auto insurance to these men, the insurance firms are putting them on a virtual blacklist for any further auto insurance.

"Officials in several states have testified that the great majority of these drivers have the safest driving record of all drivers in their states. This is proof that these disabled men are cautious and dependable drivers. It is beyond my comprehension that they are denied a chance at making a livelihood by some insurance firms, both big and small.

"I hope that the Senate and Congress will make a full disclosure of this terrible situation, and use names of firms if necessary. The Congress and the American people know that the paraplegic and amputee veteran was disabled in the service of his nation, fighting to protect the very freedoms that some insurance firms are denying them."

Fry said that he hoped Congress "will act this year or next, by passage of legislation which will protect the amputee-paraplegic veteran, and retain his full rights as an American citizen. The 1,350,000 members of the Veterans of Foreign Wars of the U.S. are behind me in this hope."

AMBASSADOR GOLDBERG'S EFFORTS TO END WAR IN VIETNAM

Mr. PELL. Mr. President, I wish to add my own voice of support to the ideas advanced by Ambassador Goldberg on behalf of our administration, seeking to achieve a peaceful solution to the war in Vietnam.

Ambassador Goldberg has indeed performed a very useful service by his tight delineation of the areas of possible agreement and by his presentation of these proposals in accordance with the one, two, three format that Secretary General U Thant had earlier advanced in his proposals.

While at first glance the question concerning withdrawal of American troops might seem to be a prime point of difference, my own belief is that this can be resolved when there is a will to do so. The ideal formula would be for our country to agree to a withdrawal in principle and for the North Vietnamese and Vietcong to accept that as the agreement to withdraw which they are seeking. And then we could move along the line of an internationally supervised, phased withdrawal.

All told, I believe that the prayers and applause of not only our Nation, but of all peace-loving people should go to Ambassador Goldberg in his efforts to delineate and bring to a conclusion the strife in Vietnam.

AMERICANS GET MORE NOURISHMENT FROM MILK THAN ANY OTHER FOODSTUFF

Mr. PROXMIRE. Mr. President, my daily speeches on the necessity for providing fluid milk for the young through the special milk program for schoolchildren have emphasized the essential nutritive value of milk, often known as "nature's perfect food." A recent report by the National Commission on Food Marketing highlights the importance of dairy products, not only to the young, who could be expected to consume greater amounts of these products than adults, but to the nation as a whole.

For example, the commission report estimates that 12.6 percent of food energy came from dairy foods, excluding butter, in 1965. A whopping 23.8 percent of the protein consumed by the entire population was contributed by dairy foods. Here are some of the other percentages: calcium, which is essential to strong bones, 76.7 percent; riboflavin, a growth-promoting vitamin, 44.6 percent; vitamin A value, 12.3 percent; thiamin, otherwise known as vitamin B_1, 10.4 percent.

All of these food values are essential to the growth process. That is why we must continue to provide milk to our youngsters under the school milk program. It is why I will continue to work toward this goal in the weeks and months ahead.

REPORT BY NATIONAL COMMISSION ON FOOD MARKETING

Mr. McGEE. Mr. President, the National Commission on Food Marketing has dissolved, its report and its 10 technical studies having been filed. Its work, however, will be with us for many years, I think, showing the way toward reasoned approaches to the entire area of food marketing, from the farm to the consumer. An excellent paper on the Commission's work has been prepared by Prof. Roger W. Fox, of the University of Arizona College of Agriculture. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

AFTER 18 MONTHS FOOD COMMISSION MAKES CONTROVERSIAL REPORT

(By Roger W. Fox) [1]

This summer the National Commission on Food Marketing submitted its final report to the president and Congress.

The commission's report reflects 18 months of intensive investigation into nearly all phases of food marketing in the United States, including such subjects as efficiency and market power, regulatory activities of government agencies, measures to benefit consumers and producers, and farm-retail price spreads.

Critical on some points, complimentary on others, the commission concluded that the huge food industry is generally "efficient and progressive."

PRODUCER-CONSUMER SPREAD

The commission, consisting of five members of the Senate, five members of the House, and five public members appointed by President Johnson, was created at a time of depressed farm product prices and constant or rising retail food prices. An example of this concern was the low level of livestock prices during 1964.

During the commission's investigation, economic conditions changed rapidly, so that today attention is focused on increasing food prices both at the farm and the retail level. This concern is illustrated by the 10 percent increase in the Index of Prices Received for all farm products between August 1964 and August 1966, and the six percent increase in the level of the Consumer Price Index for all food during the same period. Nevertheless, many of the commission's findings are relevant to the current situation, particularly those relating to increasing retail prices for food.

GROCERIES PLUS SERVICE

The commission report points out that in spite of rising food prices, the share of the consumers' after-tax income being spent for food has declined from 22.2 percent in 1950 to 18.2 percent in 1965. At the same time the consumer is demanding and receiving an increasing quantity of services with each dollar expended on food. This observation is supported by the fact that the farm-retail price spread for a fixed "market basket" of food increased by 37 percent between 1950 and 1965. It is a recognized fact that consumers are purchasing more "built-in maid services" in the form of prepared and semiprepared foods.

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[1] The author is a member of the staff of the Department of Agricultural Economics.

In addition, changes in the farm-retail price spread reflect rising processing and distribution costs throughout the marketing channel. For example, labor costs per unit of food manufactured by the food industry advanced 22 percent during the 15- year period, 1950–1964.

HUGE MERCHANDISING COSTS

Furthermore, increased advertising expenditures added to the costs of marketing food. The commission indicated that "the costliest item in retailers' sales promotion is trading stamps." Stamps were little used by food retailers in 1950 but cost them about $680 million out of an estimated $2.1 billion promotion effort in 1964. The commission concluded that the added cost of trading stamps is generally passed on to the consumer in the form of higher food prices.

Finally, retailers' costs have increased because of such services and amenities as parking lots, air conditioning, roomier stores, and greater variety.

Collectively, the above facts provide considerable insight into the reasons for rising retail food prices. However, the report provides little in the way of explanation for the depressed farm level prices during the late fifties and early sixties or for the recent increases in far product prices.

INDUSTRY CONCENTRATED

The commission points with some alarm at the tendency of the food industry to become highly concentrated in the hands of a few large firms. Asserting that food marketing firms tend to grow much larger than necessary to be fully efficient, the commission urges positive action by regulatory agencies to prevent "horizontal mergers and acquisitions by the largest firms in each concentrated branch of the food industry."

Although the report emphasizes that the consumer is well-served by the food industry, it maintains that current practices fall short of giving consumers information needed fcr skillful buying. Proposals to help the consumer get the most for her money include consumer grading for "all foods for which such grades are feasible;" establishment of standards of identity "for all foods recognized . . . as belonging to a definite product category and for which standards are practicable;" elimination of deceptive packaging and labeling; and a "centralized consumer agency . . . established in the executive branch of the government."

On the producer side of the market, the commission concluded that farmers have been significantly affected by fundamental changes in the food industry, such as specification buying, vertical integration and rising price spreads. The commission contends that these developments "Pose more clearly than ever before the question of how farmers can obtain sufficient bargaining strength to defend their prices and other terms of sale."

STRENGTHEN PRODUCER ORGANIZATIONS

To strengthen the farmers' bargaining position, the commission recommends increased use of producer cooperatives and federal marketing orders and agreements. Furthermore, the commission proposed a new device known as the "Agricultural Marketing Board." Essentially an extension of the Marketing Order Program, Marketing Boards could be voted into effect by the producers with the primary purpose of performing "group marketing activities in the farm sale of a particular commodity."

Other conclusions reached by the commission relate to regulation of competition in the marketing of perishable farm foods, the need for more complete and accurate market information, desirability of greater uniformity among state regulations affecting the food industry, licensing of local livestock markets, use of the U.S. Public Health Code for milk inspection, a study of advertising rates, improvement of price data compiled by the Bureau of Labor Statistics and the U.S. Department of Agriculture, and supervision of futures trading in livestock, meat, coffee, and sugar under the Commodity Exchange Authority.

The final report was not unanimously accepted by the commission members. In fact, six of the 15 members dissented and submitted minority statements. The fact that members of the commission, after examining the same material, reached such diverse conclusions would indicate a difference in the philosophy and background with which they approached the study. Those members who signed the majority report are Fred J. Marshall, Minnesota Farmer; Elmer R. Kiehl, Dean, College of Agriculture, University of Missouri; Senator WARREN G. MAGNUSON, Washington; Senator GALE W. MCGEE, Wyoming; Senator PHILIP A. HART, Michigan; Representative LEONOR K. SULLIVAN, Missouri; Representative GLENN C. CUNNINGHAM, Nebraska; Representative BENJAMIN S. ROSENTHAL, New York; and Phil S. Gibson, Retired Chief Justice, Supreme Court of California. Those who entered minority reports, disagreeing with the majority in many essential points, are William M. Batten, J. C. Penney Co.; Albert K. Mitchell, New Mexico Rancher; Senator THRUSTON B. MORTON, Kentucky; Senator ROMAN L. HRUSKA, Nebraska; Representative GRAHAM PURCELL, Texas; and Representative CATHERINE MAY, Washington.

MINORITY DISSENTED

Objections by the minority are concerned primarily with the manner in which parts of the study were conducted, and the nature of conclusions reached by the commission. The dissenters felt that the commission exceeded its charge in making recommendations for specific legislative and administrative changes that would affect the food industry. In addition, the minority refuted evidence indicating that the food industry is characterized by high and growing concentration of ownership and power.

Thus, after a year and a half of intensive study costing about $2 million, substantial disagreement remained with respect to certain facts about the food industry as well as what should be done to improve its performance.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS, 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 17788) making appropriations for foreign assistance and related agencies for the fiscal year 1967, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I am about to suggest the absence of a quorum and ask unanimous consent that when the call of the quorum has been concluded, the Senator from Rhode Island [Mr. PASTORE], chairman of the committee handling the pending legislation, be recognized.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island is recognized.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, after talking with the distinguished minority leader and the chairman of the committee, the ranking minority member of the committee, and other interested Senators, and with their approval and, I hope, the concurrence of the Senate, I ask unanimous consent that after the Senator in charge of the bill, the distinguished Senator from Rhode Island [Mr. PASTORE], and the ranking minority member, the distinguished Senator from Massachusetts [Mr. SALTONSTALL], have made their opening statements, there be a time allocation of 1 hour on each amendment and 3 hours on the bill, the time to be equally divided between the Senator in charge of the bill and those who propose amendments; the time on the bill itself to be under the control of the majority and minority leaders, or whomever they may designate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent to include in the unanimous-consent request—and I forgot this—that at around 3 o'clock the distinguished Senator from Ohio [Mr. LAUSCHE] be recognized for 10 or 15 minutes.

The PRESIDING OFFICER. Is there objection to the amendment of the unanimous-consent request? There being none, it will be included in the unanimous-consent agreement.

The unanimous-consent agreement as reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective after speeches by Senators PASTORE and SALTONSTALL, majority and minority managers of the bill, during the further consideration of the bill (H.R. 17788), making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Provided further, That the Senator from Ohio [Mr. LAUSCHE] be granted 15 minutes around 3 p.m., to speak, without the time being charged to either side.

Mr. PASTORE. Mr. President, the foreign assistance appropriation bill, which is now before the Senate, recommends appropriations in the amount of $3,603,473,500. This is a decrease under the House bill of $575,300, and $341,621,500 under the budget estimates.

For the foreign economic assistance program in title I of the bill, the House committee recommended an appropriation of $2,267,762,000. However, on the floor of the House of Representatives, a general provision was inserted in the bill placing a ceiling on the amount which would be available for economic assistance at $2,222,065,800. The effect of this language ceiling was to reduce the bill as reported, for economic assistance, by $45,696,200. The committee has stricken this limitation on the overall foreign economic assistance program. It is the view of the committee that, rather than placing a ceiling in the bill, any increases or decreases should be allocated to the individual appropriation line items.

For title I of the bill, which contains the foreign economic and military assistance programs as distinguished from other titles which concern related agencies, the committee is recommending $3,046,490,500, consisting of $2,206,490,500 for economic assistance and $840 million for military assistance. The amount recommended is 10 percent under the budget estimates.

The sums recommended are divided into different appropriation line items.

The first one concerns technical cooperation and development grants, for which the committee has provided $200 million. Approximately one-third of this amount will be used to supply American skills and know-how to the developing nations of Africa. Another 40 percent of this sum will finance the development grant programs in the Far East, Near East, and south Asia areas of the world. The grants made available under this program train teachers, public health experts, agricultural specialists, and other personnel needed to support development. In some instances, grants are used to establish or improve basic facilities such as communications and transport.

The committee approved the sum of $11,989,000 for American schools and hospitals abroad. This assistance is provided to these institutions to strengthen their capacity to contribute to the economic and social development of the countries and regions in which they are located. These institutions provide centers for the demonstration of American educational ideas and practices. In addition to the above sum, language in the bill authorizes a grant of Israeli pounds in the amount of $1 million to the Hadassah-Hebrew University Medical Center in Jerusalem.

For international organizations and programs, the committee has approved $140,433,000, together with $7,102,000 in unobligated balances remaining from fiscal year 1966—$70 million of this total sum will be used for the United Nations development program. Another $13 million will be used for the United Nations Children's Fund. In addition to the appropriation made for the children's fund, the United States also furnishes dried skim milk under title III of Public Law 480. This appropriation line item also includes $33 million for the Indus Basin Development Fund, which is administered by the World Bank and is financing a 10-year program to construct works in Pakistan to replace waters allocated to India under the Indus Waters Treaty.

For supporting assistance, the committee is recommending an appropriation of $715 million, an increase of $25 million over the House bill. The funds provided under this appropriation are used primarily to provide aid for economic purposes to build the overall strength of less-developed nations threatened by Communist expansion and to avert dangerous instability in sensitive areas. The program contemplated in the budget estimate was $550 million for South Vietnam and the balance was for all of the other countries meeting the criteria set out for this type of aid.

The committee recommendation of $70 million for the contingency fund is the amount of the budget estimate and the amount allowed in the House bill. These funds are provided to enable the President to meet urgent assistance needs that are either unforeseen or cannot be accurately defined in advance.

Under the Alliance for Progress, which is the Latin American program, the committee has concurred with the House and recommends $87,700,000 for the technical cooperation and development grant program. This program is similar to the technical cooperation program I described a few minutes ago, except that it applies only to the countries of Latin America.

The other program under the Alliance for Progress is for development loans, and the committee has reduced the House bill by $25 million, recommending an appropriation of $395,300,000. It is anticipated that carryovers, reimbursements, and recoveries totaling $32,596,000 will be available in addition to this new appropriation, which will enable the Agency for International Development to fund a total program of $427,896,000. Our Nation's aid efforts are focused primarily on development assistance in Latin America. Dollar repayable development loans are the major tools used by AID in this program. By far, the largest number of these loans are for specific projects—for example, irrigation works, private industrial facilities, and powerplants.

For the major development loan program, the committee has approved the sum of $527 million. This amount is $63 million under the House bill. When the committee allowance of $527 million is added to the unobligated balances carried forward, anticipated recoveries and receipts, it is estimated there will be available a total of $647,278,000 to finance this program in fiscal year 1967. Needless to say, this financing will fall short of the requirements contemplated in the illustrative program presented to the Congress earlier this year and, consequently, some belt-tightening on the part of AID will be necessary.

A language provision included in the bill by the House prohibits the use of any funds provided for development loans to carry out the provisions of section 205 of the authorization act. Section 205 of the authorization act provided that 10 percent of the funds made available for development lending would be available only for transfer to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation.

It appears to the committee that the effect of the provision in the House bill, and the restriction in section 205 of the authorization act, is that 10 percent of the development loan funds are frozen and are not available for any purpose. For this reason, the committee has removed the House restriction, and it is intended that the entire matter should be discussed fully in conference with the managers from the House of Representatives.

For administrative expenses of the Agency for International Development, the committee has increased the House bill by the amount of $1,573,500. The amount recommended by the committee, plus unobligated balances which are continued available, will provide a sum which is $6,500 less than the amount available for administrative expenses in fiscal year 1966. The committee has provided $3,255,000 for administrative expenses of the Department of State, an increase of $155,000 over the House bill.

For the military assistance program, the committee has increased the House bill by $15 million in order to provide a total of $840 million. This sum is $77 million less than the budget estimate.

The Secretary of Defense advised the committee that subsequent to the submission of the original budget estimate a requirement of $12 million developed to cover certain indirect costs in Korea;

an additional $35 million was found necessary to cover increased ammunition costs in Laos; and, in addition to the budget estimate, $15 million was needed to cover the equipment costs associated with the increased manning of Thai forces and to cover the costs of a rapidly expanding counterinsurgency effort in Thailand. In view of these subsequent requirements and in view of the fact that the amount recommended is $77 million less than the budget estimate, it will be necessary for the Department of Defense to make a careful review of each country's program in order to live within the amounts provided in this bill.

For the first time, none of the funds contained herein will be used to support the South Vietnamese Armed Forces, since the military assistance to these forces, as well as to other free world forces in South Vietnam, is being funded in the regular annual Department of Defense appropriation bill.

I now turn to titles II and III of the bill.

The committee has approved the sum of $110 million for the Peace Corps, which is the amount of the authorization and the amount of the House bill. It is estimated that there are a total of 15,442 volunteers and trainees in the Peace Corps as of June 30, 1966. The number in each country is outlined on page 15 of the committee report.

For the Ryukyu Islands, the committee has approved the amount of the budget estimate and the amount of the House bill, $14,893,000, and $21,040,000 to pay pretreaty claims, authorized in Public Law 89-296.

For the Cuban refugee program, the committee recommends an appropriation of $51 million.

The migration and refugee assistance program under the Department of State will receive a total of $6,050,000 under the committee bill.

The bill contains $250 million for the investment in the Inter-American Development Bank and $104 million for the subscription to the International Development Association.

Under the committee bill, the Export-Import Bank of Washington is authorized to have operating expenses during fiscal year 1967 at a figure of not to exceed $2,108,241,000. The committee report explains the necessity for these and all the other appropriations contained in the bill in detail, and should there be any questions, of course, I shall be only too glad to answer any question on the part of any Senator.

I ask unanimous consent to have printed in the RECORD at this point a table, found on page 2 of the committee report, which reflects the budget estimates and the House and Senate allowances for titles I, II, and III, and the grand total of all titles.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Summary of the bill

Title	Item	Budget estimate	Recommended in House bill	Recommended by Senate committee	Increase (+) or decrease (−), Senate bill compared with—	
					Budget estimate	House bill
I	Foreign assistance	$3, 385, 962, 000	$3, 047, 065, 800	$3, 046, 490, 500	−$339, 471, 500	−$575, 300
II	Foreign assistance (other)	559, 133, 000	556, 983, 000	556, 983, 000	−2, 150, 000	
III	Export-Import Bank of Washington (limitations)	(2, 112, 375, 000)	(2, 112, 375, 000)	(2, 112, 375, 000)		
	Total	3, 945, 095, 000	3, 604, 048, 800	3, 603, 473, 500	−341, 621, 500	−575, 300

Mr. PASTORE. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Rhode Island? Without objection, the amendments are considered and agreed to en bloc, and the bill as thus amended will be considered for the purpose of amendment as original text.

The amendments agreed to en bloc are as follows:

On page 3, line 2, after "402", to strike out "$690,000,000" and insert "$715,000,000".

On page 3, line 9, after "252", to strike out "$420,300,000" and insert "$395,300,000".

On page 3, line 14, after "(a)", to strike out "$590,000,000" and insert "$527,000,000"; and, in line 17, after the word "expended", to strike out the colon and "*Provided*, That no part of this appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended".

On page 3, line 21, after "(a)", to strike out "$54,240,000" and insert "$55,813,500".

On page 4, line 1, after the word "amended", to strike out "$3,100,000" and insert "$3,255,000".

On page 5, line 4, after "United States", to strike out "$825,000,000" and insert "$840,000,000".

On page 12, after line 14, to strike out:

"SEC. 118. Notwithstanding any other provision of this Act, the aggregate total amount appropriated for Economic Assistance under title I of this Act shall not exceed $2,222,065,800."

On page 15, line 13, after "United States", to insert a comma and "or in otherwise providing aid to refugees within the United States".

Mr. PASTORE. I state for the benefit of my distinguished friend from Louisiana [Mr. ELLENDER], who has just come to the Chamber, that there has been entered a unanimous-consent agreement on time limitation on amendments, and that there is a 3-hour limitation on the bill itself; and any time he wishes, I shall be happy to yield to him, as he sees fit.

Mr. ELLENDER. How much time has been allowed on amendments?

Mr. PASTORE. Mr. President, to answer the Senator's question, may the unanimous-consent agreement be stated?

The **PRESIDING OFFICER.** There is a 1-hour limitation on each amendment, to be equally divided between the proponent of the amendment and the manager of the bill, and 3 hours on the bill, which will be equally divided between and controlled by the manager of the bill and the minority leader.

The limitation does not begin until after the preliminary statements of the two managers have been made.

Is there to be an opening statement on the bill by the minority side?

Mr. PASTORE. Not that I know of. We are ready for amendments.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I understand that the distinguished ranking minority member of the committee, the Senator from Massachusetts [Mr. SALTONSTALL], does not intend to make an introductory statement, but will participate in the debate later.

Mr. SALTONSTALL. The Senator is correct. The senior Senator from Rhode Island [Mr. PASTORE] and I are in full agreement. I support his statement.

The **PRESIDING OFFICER.** The time limitation becomes effective at this point, and the bill is open to amendment.

Mr. MANSFIELD. Mr. President, I send to the desk an amendment, and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk read as follows:

On page 20, after line 7, insert the following:

"SEC. 404. Effective October 1, 1966, the Majority Leader of the Senate is authorized to fix the gross compensation of the Secretary for the Majority at not to exceed $25,611.05 per anum so long as the position is held by the present incumbent."

Mr. MANSFIELD. Mr. President, I yield myself 1 minute.

The **PRESIDING OFFICER.** The Senator from Montana is recognized for 1 minute.

Mr. MANSFIELD. Mr. President, this amendment, which will permit flexibility in the statutory salary of the position of Secretary for the Majority, will be applicable only so long as the present incumbent holds the position.

The amendment affects no other position in the Senate, and it has been cleared with the minority leader, with the chairman of the committee, and with the ranking minority member of the committee.

Mr. PASTORE. Mr. President, the amendment has been sufficiently explained by the majority leader. This is not a matter that came before the committee, but it is clearly understood, by me at least, and I think we should vote on it at this time.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time.

Mr. PASTORE. Mr. President, I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana. [Putting the question.]

The amendment was agreed to.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

Mr. PASTORE. Mr. President, I ask unanimous consent that the time for the quorum call not be charged to either side.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I, on behalf of myself and the Senator from Oregon [Mr. MORSE], send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 5, line 4, strike "$840 million", and insert the following: "$792 million".

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. ELLENDER. Ten minutes.

The PRESIDING OFFICER. The Senator may proceed for 10 minutes.

Mr. ELLENDER. Mr. President, the purpose of this amendment is merely to cut back the amount for military assistance to the sum that was voted by the Senate when the foreign aid authorization bill was recently considered.

If my amendment should be adopted there will be available $792 million for military assistance for fiscal year 1967.

Mr. President, the Senate adopted the amendment of the distinguished Senator from Idaho [Mr. CHURCH] which proposed a $100 million reduction in military assistance when the authorization bill was considered. The Committee on Foreign Relations had previously decreased the original amount—that is, the budgeted estimate—by $25 million. So that a total of $125 million was cut by the Senate from the original amount requested by the administration.

As I pointed out on the floor of the Senate during the debate on the authorization bill, I cannot see how a Senator can vote to provide funds to furnish military equipment to Pakistan and India. But that is what will happen if the amount recommended by the committee is appropriated by the Senate.

Mr. President, we all were astounded not too many months ago when India and Pakistan engaged in war and used military equipment, on both sides, marked "Made in America." I think it shameful. What I propose to do by this amendment is delete any of the funds programed for military aid to these two countries.

Mr. President, there is another item in the bill that I feel should be deleted, and it is the item for credit assistance. The military assistance program contains an estimate of $56.6 million to add to the revolving fund that is used to finance the sale of military equipment to countries all over the world. It is no wonder that we are so troubled now. The sale of this military equipment to emerging countries is the last thing we should be doing; but there is this $567 million in this bill to step up this program.

It will be remembered that when the authorization bill came before the Senate 2 years ago, I was successful in having an amendment adopted limiting the amount of military equipment to be made available to the African nations. However, as with all amendments adopted in the Senate, there is always a loophole, whereby the President may increase the amount if in his opinion it is in the interest of our security to make funds available.

Mr. President, I do not wish to review the history of that matter now. However, I cannot fail to mention that our African military assistance program is going to get us in trouble some day.

Mr. President, the Senate voted less than 2 months ago for the very amount to which I am suggesting we reduce the bill. The military program will still have at its disposal $792 million under my proposal. My amendment would simply cut $48 million from the amount in the bill, so as to reduce it to the figure that the Senate agreed to within the last 2 months.

Mr. President, I wish to make it crystal clear that this cut would not affect any military equipment that should be made available to South Vietnam, South Korea, or any other country on the periphery of the Sino-Soviet bloc. I cannot give the amount, but a goodly part of this cut would, if enacted, make it impossible for our Government to make military aid available to Pakistan and India. Secondly, the amount that has been set aside or requested in the bill for the sale on credit of military equipment would also be eliminated.

Mr. President, even though the $56 million is eliminated the Department of Defense would have on hand, by way of a carryover, almost $139 million in the revolving fund that is used to finance the sale of military equipment. I took the matter up with Mr. McNamara during the hearings on the bill and, of course, he urged that we put in this $56 million. The only argument he could advance was that it would help our balance of payments.

I need only refer to what is happening now in South Vietnam. We are spending there at the rate of around $2 billion a month. I do not have the exact amount. We started there in a small way only a few years ago but it has now grown into a hot war.

Mr. President, let us not have that situation in other parts of the world. The more equipment we make available to these emerging nations the more is the danger for us in my opinion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, it is all right to send some equipment there for internal security. I have never objected to that. But as I have exhibited to the Senate on many occasions the original purpose was to provide money in order to furnish emerging countries with equipment for internal security. As time went on these sums were increased to the point where this equipment was more than was needed for internal security and in certain instances made it possible for these nations to attack their neighbors.

Mr. President, I do not wish to delay action on the bill. However, I wish merely to repeat that this amendment would in no manner affect our military assistance to any other country except the two I have mentioned, plus depriving the Department of Defense from going into the business of creating or adding to the revolving fund that now exists for the sale of military equipment abroad to almost any country they choose. Of course, we decide who they will be, but I am not privileged now to say what countries will get this credit. There are some countries in the Middle East. There are countries in Latin America and other areas of the world. The chances are, if a war should develop in those areas, there is no doubt but that we will be called upon to go into the breach.

Mr. President, as I have said, this entire matter was thrashed out before the Senate only 2 months ago. I cannot offer any additional arguments except to say that they are the same arguments which were made at that time. I hope and pray, Mr. President, that the Senate accepts my amendment.

Mr. PASTORE. Mr. President, I am opposed to this cut of $48 million. I recognize the fact that the Senate in the authorization procedure did vote $792 million. But the fact still remains that at the time the House had passed an authorization of $917 million. The further fact remains that the House has reduced the amount in the appropriation bill to $825 million. There is a cut of $50 million below the figure that was agreed to in the authorization bill, and that figure was $875 million.

After consultation with the ranking Republican Member we recommended a restoration of only $15 million, which brings the figure to $840 million.

I wish to say to my colleague that I do not question the sincerity or the motive of my distinguished friend, the Senator from Louisiana [Mr. ELLENDER]. He has worked assiduously on these foreign aid bills, although he is inclined to look at them askance.

Mr. President, I wish to point out that the original appropriation requested was $917 million. This request has been sharply reduced. The authorization act reduced it to $875 million. That is the figure arrived at in conference. The House appropriated $825 million, almost $100 million below the original request.

The Committee on Appropriations in the Senate restored $15 million, to the level which I pointed out, of $840 million.

Mr. President, if this figure is once again to be adjusted it should be an adjustment upward and certainly not downward.

Since Secretary McNamara testified to the committee about 5 months ago, requirements have increased beyond the original estimate of $917 million in new funds and a $1,027 million program—at the same time that dollar availabilities have diminished. The military assistance program cannot absorb further cuts and do the job it is intended to do and must do.

First. The estimated MAP for fiscal year 1967 included a full $850 million of hard-core requirements that we cannot fail to satisfy without serious jeopardy to the national interest. These requirements include $617 million for eight key countries on the Sino-Soviet borders; $33 million to four additional countries in which we need continuing access to important bases and installations; and another $200 million of firm requirements, including minimum administrative expenses.

Second. We are now faced with additional requirements—Secretary McNamara reported these increases in an August 5 letter to the Senator from Arizona [Mr. HAYDEN]:

About $62 million represents increased military assistance requirements for Thailand, Laos and Korea;

The rest is additional expenses resulting from the need to move SHAPE headquarters from France to Belgium.

Third. This means that virtually no funds will be available to meet other military assistance requirements throughout the rest of the world. A further cut would not only eliminate these programs, but also jeopardize the hard-core MAP requirements essential to our national security.

Mr. President, the one thought I want to leave with the Senate this afternoon is that I think it is dangerous for the Senate to reduce military assistance. We have listened to testimony before our committee from the Joint Chiefs of Staff on the subject and they assure us these are military assistance requirements necessary throughout the entire world. It would be a dangerous process for us to manipulate these funds downward deeper than they have already been cut.

I repeat, it is true that in the authorization the Senate did vote the figure of $792 million, but it is also true that, in conference, that figure was made $875 million and we agreed to that conference report in the Senate.

It is also true that the House Appropriations Committee cut the figure of $875 million down to $825 million and that we are only restoring $15 million of the $50 million that was requested—placing the figure back to $840 million.

I sincerely hope that the amendment offered by my distinguished friend, the Senator from Louisiana [Mr. ELLENDER], for whom I have the highest respect, will be rejected.

Mr. SALTONSTALL. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. PASTORE. I yield whatever time the Senator from Massachusetts requires.

The PRESIDING OFFICER. The Senator from Massachusetts may proceed.

Mr. SALTONSTALL. I thank the Senator from Rhode Island.

Mr. President, I shall be brief. The Senator from Rhode Island and I are in agreement on the figure which the Appropriations Committee has submitted. I cite some figures, perhaps the same figures the Senator from Rhode Island has cited, but perhaps in a little different way, which I hope will emphasize why the report from our committee is a correct one and why the amendment of the Senator from Louisiana should be rejected.

The Senate bill is $35 million less than the amount authorized, and $77 million less than the President's request. We have also been informed, since the President made that request, that there are increased requirements for military assistance to Thailand, Laos, and the Republic of Korea, which total about $62 million.

In justification of the amount that our committee has recommended, $717 million in the President's request is required for the eight forward defense countries; $33 million is required for the four additional countries where we need access to important bases and installations; $90 million is to fund the U.S. share of the NATO infrastructure and International Military Headquarters costs.

So that this appropriation that we have recommended may even be too little when all the bills are in.

What are the eight forward defense countries?

In southeast Asia, which we know about, Laos and Thailand. Then we have Taiwan, the Phillippines, and Korea. Also Greece, which has been so helpful to us since the days when President Truman established NATO policy in that area, and Turkey, another country touching right on the Communist circle; and, Iran.

We do not know what the final commitments to these countries will be, but we do know that if there is a cut as substantial as that contained in the amendment of the Senator from Louisiana, it must come in the military assistance to those countries which have been so helpful in keeping the peace and maintaining the security of the free world, because they are the ones who will receive the largest amounts from this military assistance program.

As the Senator from Rhode Island has stated, and as the Senator from Louisiana has intimated, the original House authorization was $917 million. The Senate cut that authorization to $792 million, and $875 million was the conference amount.

What the amendment of the Senator from Louisiana would do would be to cut $48 million from the appropriation we recommend and take it back to the amount authorized by the Senate—that is, $792 million, which is $83 million under the authorization that was approved by the conference. The amount we are recommending, $840 million, is well within the conference authorization of $875 million, and is vitally needed for military assistance in these countries in the forward areas which mean so much to the defense of the free world.

Without elaborating any further, I hope that the Senate will approve the Appropriations Committee amount for military assistance this year, and will reject the amendment of the Senator from Louisiana.

Mr. PASTORE. Mr. President, I am ready to yield back the remainder of my time.

Mr. ELLENDER. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 minutes.

Mr. ELLENDER. Mr. President, evidently my good friends from Massachusetts and Rhode Island did not listen to my arguments.

I repeat that my amendment does not cut at all on any of the countries named in this document to which the Senator referred—not one penny.

My amendment is aimed at cutting out any kind of military assistance to Pakistan or India. That is the purpose of my amendment. My amendment also aims at curtailing the amount to be put in the revolving fund to sell military hardware on credit to countries all over the world. That is all it does.

I failed to mention a while ago that when Admiral Heinz was before us, I questioned him about the NATO infrastructure in Western Europe, for which a budget estimate of $90 million has been submitted to Congress and I asked whether all of that money would be used and he said, "No, we think we can save from $4.5 million to $5 million on that item."

I repeat, Mr. President, that the cut I recommend can be made without in any way affecting the military assistance that has been requested for the countries located on the periphery of the Sino-Soviet bloc countries, such as Korea, Thailand, Laos, Taiwan, Greece, and Turkey.

My amendment would necessitate reductions in military assistance to only three low-priority areas.

First, it would eliminate the aid that was programed for India and Pakistan.

Second, it would eliminate the funding in fiscal year 1967 of the military credit assistance program.

And, finally, it would reduce from the NATO intrastructure account the amount of money that was scheduled to be spent in France in fiscal year 1967.

The budget estimate for military assistance contained a considerable sum for both India and Pakistan. I cannot divulge the amount because it is classified "secret." But Lord knows that we should not be granting aid to these two countries; thus, my amendment would provide for the deletion of the amount of military aid that was initially budgeted for these two countries.

The budget estimate also contained $56.7 million for the funding of the military credit assistance program. There is no question that these funds are not needed in fiscal year 1967. According to the financial statements contained in the budget appendix, there will be $138,663,000 of cash on hand to fund credit assistance sales during fiscal year 1967. In addition, Mr. Harold Linder, the President of the Export-Import Bank, gave testimony to the committee to the effect that a considerable sum of military credit sales will be financed by the Export-Import Bank in fiscal year 1967.

The budget estimate for military assistance also contained $90 million for NATO infrastructure. This amount is $42 million more than was programed for this purpose in fiscal year 1965 and $20 million more than was used for this purpose last year.

I personally feel that this sum can be cut back considerably, but I am not going to permit my personal feelings to dictate the amount that should be cut from NATO infrastructure. On the contrary, I prefer to be completely objective and suggest that only the sum recommended by Admiral Heinz during his appearance before the committee be cut from the bill.

In this connection, I refer Senators to page 134 of the hearings on the pending bill, from which I will now quote:

> Senator ELLENDER. That is $90 million. How much of that was supposed to have been spent in France?
>
> Admiral HEINZ. About $4.5 million of it was supposed to have been spent in France under the original program. That will not be spent in France.

Mr. President, my amendment provides for a reasonable cut in the amount to be appropriated for military assistance. As I pointed out, it will not result in the elimination of any program to any country except the aid that was programed for India and Pakistan. Korea will receive the full amount contained in the budget estimate. The full amount programed for Thailand and Laos will also be available, as will the sums requested for Greece, Turkey, and Taiwan.

I urge that my amendment be adopted.

Mr. SALTONSTALL. Mr. President, may I ask the Senator from Louisiana a question?

Mr. ELLENDER. I yield.

Mr. SALTONSTALL. I think he will agree with me that there is no definite amount determined for any one country. The illustrative program is all classified information.

Mr. ELLENDER. The Senator is not correct, I am sorry to say. I cannot state the amount for each, but an estimate is contained in the budget for every country.

Mr. SALTONSTALL. I agree to the degree that Greece, Turkey, and so forth, will be the greatest sufferers, but from what I have learned, all of the funds will not necessarily go to Pakistan or India, because none of them may go there at all. It is generalized now. That is the point I wanted to make.

Mr. ELLENDER. I cannot give the amount, but a sum had been earmarked for Pakistan and India in the initial budget estimate.

Mr. PASTORE. Mr. President, I yield myself such time as I may need. My friend from Louisiana is a rather ingenious man, and he makes a rather ingenious argument.

Let me read from the basic act, section 503:

> GENERAL AUTHORITY.—The President is authorized to furnish military assistance on such terms and conditions as he may determine, to any friendly country or international organization, the assisting of which the President finds will strengthen the security of the United States and promote world peace and which is otherwise eligible to receive such assistance.

It is true there was developed a worksheet at the time the original budget estimate came up here, and it is true that the countries, as to which the exact amounts are classified, were provided $917 million, including Pakistan and India.

It is also true that when the controversy arose between Pakistan and India, the President under the authority which he has, withheld military funds to Pakistan and India.

We are assuming here that when we authorized $917 million, we did nothing to cut it. The fact is that the appropriation provided is $840 million. So somebody has to take a cut.

That estimate was made 5 months ago, and other situations have arisen. One of the important ones is the $12 million we need to move our SHAPE headquarters from Paris to Belgium. That comes from military assistance.

Mr. ELLENDER. We have $90 million set aside for that purpose.

Mr. PASTORE. No; we had $90 million for infrastructure, but at that time they did not calculate the $12 million required for the move.

Mr. ELLENDER. Admiral Heinz testified they could do it with $4½ to $5 million less than the $90 million estimated in the budget.

Mr. PASTORE. That is correct. There will be a saving of $4 or $5 million on that transaction, but that does not take into account the other $12 million that is needed in addition to the amounts for Thailand, Laos, and so forth. So the requirement is even above the $917 million requested 5 months ago.

In view of that fact and the further fact that the appropriation has been reduced to $840 million, I am saying this afternoon that, somewhere, somehow, the President will have to make a cut. The idea that we can take out another large sum on the assumption that it would go to India and Pakistan should not sway Members of this body, since it is an assumption and not reality. It may be true that the amount was $917 million when the bill came up before us, but the amount that came out of the conference report was not $917 million; it was $875 million.

Mr. SALTONSTALL. Mr. President, I yield 2 minutes to the Senator from North Dakota [Mr. YOUNG].

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, for the past 15 years I have been voting for practically all cuts in the Foreign Assistance Act and against final passage. I have voted against final passage mostly because I wanted to register a protest against too much foreign assistance.

Today I am going to vote against a cut in military assistance because there is a transferability between these items of 10 percent.

In the world situation as it is today I am not so sure that we may not have to give military assistance to some country we are not even thinking of now. I would rather have more military assistance funds than we need rather than run short if there was great need to use them. Therefore, I shall vote against the amendment to cut this military assistance item.

Mr. SALTONSTALL. Mr. President, I yield myself such time as I may need.

Mr. President, there has been a great deal of discussion as to where this money is going, also intimating that it is classified information. However, we are allowed to say publicly that the military assistance program for fiscal year 1967 provides for Africa $31.8 million, in round numbers.

Latin America gets $71.9 million, in round numbers.

The Far East gets $387.3 million, in round numbers.

The Near East and southeast Asia get $240.1 million, in round numbers.

Europe gets $36.1 million, in round numbers.

In addition, U.S. Forces support and MAP administration receives as follows: Infrastructure, $90 million; International Military Headquarters, $20.4 million; regional costs, $68.9 million; program administration, $23.5 million; credit assistance, $56.7 million, making a total of $1,027 million. Deducting recoupments and reappropriations of $110 million leaves a total of $917 million.

I mention this because the Senator from Louisiana mentioned particularly Pakistan and India. Pakistan and India are not listed.

I ask unanimous consent that the table from which I have read may be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Military assistance program, fiscal year 1967

	Fiscal year 1967		Estimate
	Proposed program for (40)	Training only for (12)	
Africa:			
Congo	X		
Ethiopia	X		
Guinea	X		
Liberia	X		
Libya	X		
Mali	X		
Morocco	X		
Nigeria		X	
Senegal	X		
Sudan		X	
Tunisia	X		
Total			$31,816,000
Latin America:			
Argentina	X		
Bolivia	X		
Brazil	X		
Chile	X		
Colombia	X		
Costa Rica	X		
Dominican Republic	X		
Ecuador	X		
El Salvador	X		
Guatemala	X		
Honduras	X		
Jamaica	X		
Mexico		X	
Nicaragua	X		
Panama	X		
Paraguay	X		
Peru	X		
Uruguay	X		
Venezuela		X	
Total			71,999,000
Far East:			
China, Republic of	X		
Japan		X	
Korea	X		
Laos	X		
Far East—Continued			
Malaysia		X	
Philippines	X		
Thailand	X		
Total			$387,340,000
Near East and South Asia:			
Afghanistan		X	
Greece	X		
Iran	X		
Iraq		X	
Jordan	X		
Lebanon		X	
Nepal	X		
Saudi Arabia		X	
Syria		X	
Turkey	X		
Yemen		X	
Total			240,125,000
Europe:			
Denmark	X		
Norway	X		
Portugal	X		
Spain	X		
Total			36,129,000
U.S. Forces support and MAP administration:			
Infrastructure			90,000,000
International Military Headquarters			20,400,000
Regional costs			68,991,000
Program administration			23,500,000
Credit assistance			56,700,000
Total			259,591,000
Total obligational authority			1,027,000,000
Less recoupments and reappropriations			−110,000,000
Total			917,000,000

Mr. SALTONSTALL. Mr. President, I do not mean by that statement that Pakistan and India will not be in some form assisted, but when these revised estimates came up totaling $917 million, Pakistan and India were not included at all.

I believe the amendment of the Senator from Louisiana should be defeated and that we should vote against the cut. As the Senator from North Dakota [Mr. YOUNG] has said, he is voting for a higher amount for military assistance for the first time.

I certainly hope the Appropriations Committee's request will be followed.

Mr. MORSE. Does the Senator from Louisiana have 1 or 2 minutes remaining which he will yield to the Senator from Oregon? I have some questions to address to him.

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Oregon?

Mr. ELLENDER. I yield.

Mr. MORSE. Is the Senator from Oregon correct in understanding that the total amount contained in the Senator's amendment is the same amount the Senate voted 2 months ago in its authorization for military assistance?

Mr. ELLENDER. The Senator is correct.

Mr. MORSE. Is the Senator from Oregon correctly advised that, in the Appropriations Committee, the vote was a very close one on this matter of the amount of foreign military assistance? I have been advised that the vote was 13 to 13.

Mr. ELLENDER. It was 13 to 13 on all votes except military assistance on which it was 14 to 12.

Mr. MORSE. In other words, the committee itself, which heard all the evidence and the witnesses, was very closely divided?

Mr. ELLENDER. Twelve to fourteen.

Mr. MORSE. Is the Senator from Oregon correctly informed that if the amendment of the Senator from Louisiana is agreed to, the President will be provided with discretionary authority to determine for himself, as administrative policy, where cuts shall be made?

Mr. ELLENDER. Yes; this is true.

What I have argued before the Senate today, as I did 2 weeks ago, is that included in that overall amount is money provided for Pakistan and India, and also money to go into the revolving fund. We now have a revolving fund of $138 million, and they wish to increase that by $56 million, so as to sell on credit a lot of military hardware to countries of South and Central America, Africa, and all over the world. I am opposed to that.

Mr. MORSE. That brings me to my next point. One of the criticisms leveled at those of us who wish to reduce what we consider to be an inexcusable expenditure of taxpayers' money for military assistance in many parts of the world is that if we vote for the cut the Senator is proposing, supposedly we will be jeopardizing operations in Thailand, Korea, and South Vietnam.

Am I correct in my understanding that that does not follow at all, because it is not proposed to say to the President, "You cannot spend money there," but "You have to make a saving by making cuts elsewhere in the world"?

Mr. ELLENDER. That is correct.

Mr. MORSE. The Senator himself has mentioned Pakistan and India, and the sale of military equipment in Latin America, Africa, the Middle East, and elsewhere. What about Greece and Turkey?

Mr. ELLENDER. Not affected.

Mr. MORSE. They are not affected?

Mr. ELLENDER. That is correct. And since my good friend from Oregon has mentioned the point, the Senate will remember that 3 or 4 years ago, we limited the amount of military assistance to Africa to $25 million. In this bill, we have $31 million provided for that purpose. That comes about because of the loophole that was put into the amendment, leaving it to the President to make the decision as to whether or not we would endanger our security by not increasing it to more than $25 million.

But as I pointed out, and as I am sure the Senator will agree, we have not benefited much in the past from the vast amount of money we have spent through the military assistance we have given our friends.

Mr. MORSE. If the Senator will yield for a moment longer, I wish to say that I not only support his amendment, but I shall also support, before the day is over, further cuts in this appropriation. While I think some military aid should go to Latin America, I do not favor the type that now, in large measure, goes there. As chairman of the Subcommittee on Latin America, I think the type of military aid we have been furnishing there has been a great mistake. It has created more communism than it has averted, in my opinion.

I favor the type of military aid to Latin America which they need in order to meet internal disturbances that involve threats of communism; but they do not need the type of aid which, in large measure, we have been giving. We can cut back there, and we can cut back, as the Senator has pointed out, in Pakistan and India. We can cut back on the sale of some of this equipment.

As my last comment, I simply cannot understand how Congress can be so ready and willing to cut back on needed domestic aid programs, so essential to the maintenance of a strong economy and domestic tranquillity, and then treat military aid as some kind of budgetary sacred cow. We have a duty to cut back on this military aid program, to help meet the President's hue and cry about his budgetary problems. This is the place to do the cutting first, and then turn to the domestic programs later.

Mr. ELLENDER. Mr. President, I am ready to yield back the remainder of my time.

Mr. PASTORE. I yield back the remainder of my time, Mr. President.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH] and the Senator from Washington [Mr. MAGNUSON], are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Wyoming [Mr. MCGEE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Connecticut [Mr. DODD].

If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Connecticut would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from California [Mr. MURPHY], the Senator from Texas [Mr. TOWER], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

If present and voting, the Senator from Nebraska [Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] would each vote "yea."

On the vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New Jersey [Mr. CASE].

If present and voting, the Senator from Nebraska would vote "yea," and the Senator from New Jersey would vote "nay."

The result was announced—yeas 47, nays 27, as follows:

[No. 281 Leg.]

YEAS—47

Aiken
Allott
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Cotton
Dirksen
Ellender
Ervin
Fannin
Fulbright
Gore
Hart
Hartke
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
McCarthy
McClellan
McGovern
Morse
Moss
Mundt
Nelson
Pell
Proxmire
Randolph
Robertson
Russell, S.C.
Russell, Ga.
Scott
Simpson
Talmadge
Tydings
Williams, Del.
Young, Ohio

NAYS—27

Bass
Carlson
Fong
Harris
Hickenlooper
Hill
Holland
Inouye
Javits
Kuchel
Lausche
Long, Mo.
Mansfield
Miller
Monroney
Montoya
Morton
Muskie
Pastore
Pearson
Saltonstall
Smith
Sparkman
Stennis
Thurmond
Yarborough
Young, N. Dak.

NOT VOTING—26

Anderson
Case
Church
Cooper
Curtis
Dodd
Dominick
Douglas
Eastland
Griffin
Gruening
Hayden
Hruska
Magnuson
McGee
McIntyre
Metcalf
Mondale
Murphy
Neuberger
Prouty
Ribicoff
Smathers
Symington
Tower
Williams, N.J.

So Mr. ELLENDER's amendment was agreed to.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FULBRIGHT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I yield myself 2 minutes on the bill.

I should like to have the attention of the Members of the Senate.

Mr. President and my colleagues, many of the points that will be raised here this afternoon are old acquaintances, and I do not think that we have to belabor our arguments. I have observed the temper and the tempo of the Senate on the vote that has just transpired; and I would admonish my colleagues that if they remain on the floor, we can expedite this bill. There are not many amendments. The time allotted to each side is a half hour. We can cut that time down if we have a mind.

All the arguments made here today were made several weeks ago, and were made last year and the year before. I think that each Senator has more or less made up his mind. It is a matter of asking for votes and recording votes. If Senators will cooperate, I think we can finish early.

Mr. CLARK. Mr. President, I ask the Senator from Rhode Island whether he will yield 15 minutes on the bill, so that we may discuss some of the matters in this report, on which I should like to make a record.

Mr. PASTORE. I allocate myself 15 minutes on the bill.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 15 minutes.

Mr. PASTORE. I yield to the Senator from Pennsylvania for his questions.

Mr. CLARK. Mr. President, if the Senator will refer to the report, I note on page 3, just above the heading "Title I—Foreign Assistance," the statement:

> There was no evidence presented to the committee which would support a drastic reduction in this bill. As a matter of fact, it is the opinion of the committee that a severe reduction in this program would place the conduct of American foreign policy in jeopardy.

I find myself in complete accord with that statement. I should like to ask the Senator a few questions with respect to cuts which were made notwithstanding that particular comment.

First, again on page 3, under the heading "Economic Assistance," I note that the committee cut substantially below—$31,310,000—the budget estimate. I also note, however, that the 1967 authorization——

Mr. PASTORE. Mr. President, may we have order? I must answer a question, and I cannot even hear it.

The PRESIDING OFFICER. The aisles will be cleared. Senators will please return to their seats, so that we may have order in the Chamber.

Mr. CLARK. My query to the Senator from Rhode Island is an explanation as to why, despite the statement I have just read, under the heading "Economic Assistance," on page 3 of the report, the Committee on Appropriations cut not only $31,310,000 below the budget estimate, which I understand is more than the authorization, but also cut $10 million below the authorization. I can find no detailed justification for the cut in the report. I should think, in the light of the statement I read a moment ago, that the committee would have authorized the full $210 million, which is the amount of the authorization.

Mr. PASTORE. Is the Senator referring to technical cooperation and development grants?

Mr. CLARK. That is correct.

Mr. PASTORE. The reason is that the committee took a very practical view on some of the issues before it.

I wish to say to the Senator that it was a difficult struggle in committee even to maintain the figures that came to us from the House, and the best argument I can give the Senator is what transpired in the Senate Chamber a short while ago.

As a matter of fact, some members of the committee would have voted for any cut in foreign aid—that is, economic assistance—but would not go along on military assistance.

The Senator observed what occurred in the Chamber a short while ago. As a matter of fact, the amendment to cut the amount for military assistance by $48 million was carried by a vote of 47 to 27.

We did not change the House cut of $10 million, because we thought that under the whole complex, considering the bill as a whole, the cut on the part of the House was rather modest, and that we would go along with it, rather than get ourselves in a contest on the floor.

Mr. CLARK. If the Senator will turn to page 4 of the report, I note that, despite the fact that technical cooperation and development grants were cut below the authorization, the item for American schools and hospitals abroad was increased by almost $5 million over the 1966 appropriation and by $1 million over the amount requested by the administration. I am wondering about what appears to be rather odd favoritism toward American schools and hospitals, which I strongly support, as opposed to the cut in technical cooperation and development grants.

The Senator understands that I am merely asking for explanations of these matters in order to make a record.

Mr. PASTORE. The answer is because the House made available the sum of $1 million for Hadassah-Hebrew University Medical Center in Jerusalem.

Furthermore, we felt, in the spirit of the last paragraph that I read, about foreign policy, that any increase on the part of the House was more or less a blessing, and we did not disturb it.

Mr. CLARK. I certainly do not intend any criticism of the grant to the Hadassah Medical Center, a splendid institution which has my complete support. But what disturbs me is that we single out favorite institutions. I certainly would not want to use the word "racket," and I do not; but it seems that whoever can exert the greatest amount of pressure on behalf of an American institution abroad seems to be able to get what he wants, while a good many other institutions, which might be equally deserving, do not seem to be able to get what they need.

Mr. PASTORE. That philosophy is not strange even to American politics.

Mr. CLARK. It is definitely customary in Pennsylvania politics.

Mr. PASTORE. The Senator from Pennsylvania, I feel certain, recalls the old adage: The wheel that squeaks the loudest gets the grease, and I am not naming specific countries in that phrase.

Mr. CLARK. I am a little surprised that the Committee on Appropriations, which sets such high standards, should follow such a procedure.

Mr. PASTORE. If the Senator wants a lesson, an example, or an exercise in frustration, he should come to the Committee on Appropriations when it is considering the foreign aid bill. If he does not come out with ulcers, he will be a lucky man.

Mr. CLARK. If the Senator from Rhode Island wishes to see an exercise in frustration, let him try to get an antipoverty bill through the Senate.

Mr. PASTORE. We saw that in the Senate yesterday.

Mr. CLARK. On page 5 of the report, I note an asterisk followed by the words "Classified amount." I wonder what justification there is for classifying the amount of a grant to an American college or school abroad. Why are we not told what college or school it is?

Mr. PASTORE. I do not know whether it is really classified. That is done in the executive department. Perhaps they want to keep the recipient in suspense.

Mr. CLARK. Perhaps the Senator might tell me off the record sometime what is the object of the beneficence of the Committee on Appropriations.

Mr. PASTORE. Very well; in the cloakroom I will give the Senator an earful.

Mr. CLARK. I invite the Senator's attention to page 6 of the report, where a list of the various agencies and institutions which are beneficiaries of appropriations for national organizations and programs is shown. I observe what appears to be another not exactly classified but eyebrow-raising appropriation entitled "Special Contributions for Vietnam, $2,682,000." What is that for?

We have so many contributions for Vietnam that I would have thought we might have been able to spell out the purpose for which we are giving this amount of money.

Mr. PASTORE. Mr. President, would the Senator bear with me for a moment?

Mr. CLARK. Yes, indeed.

Mr. PASTORE. I shall read from the justification:

> VIETNAM, SPECIAL CONTRIBUTIONS
>
> During early 1966 it was considered desirable to encourage the various agencies in the UN family to expand their assistance to Vietnam. The agencies were informed that if new projects were developed but could not be funded from existing resources, the U.S. would be prepared to make special contributions earmarked for Vietnam.
>
> During Senate consideration of the fiscal year 1966 AID supplemental for Vietnam, Senator Edward Kennedy proposed a special authorization of $15 million for U.S. contributions to the UN family. He was informed that the Executive Branch had the necessary authority and sufficient funds to finance special contributions to the UN for Vietnam.
>
> While several new projects for Vietnam were explored by UN agencies during late fiscal year 1966, these projects and their funding had not advanced to the point at which obligation of funds would be justified.
>
> At U.S. initiative, several UN agencies have sent special missions to Vietnam to investigate needs, particularly in the fields of refugee care and resettlement, agricultural production, and health. The responsible GVN ministries have been alerted to the possibilities of increasing free world assistance through the UN, and USAID/Vietnam has provided advice to those ministries in formulation of project proposals.
>
> It is estimated that about $2.7 million will be required in fiscal year 1967 to finance special contributions for UN activities in Vietnam.
>
> It should be noted that the Netherlands Government has stated that it is prepared to contribute $1 million for similar activities.

Mr. CLARK. In other words, this is a type of multilateral aid which the Senator from Arkansas [Mr. FULBRIGHT] has been so anxious about.

Mr. PASTORE. To encourage U.N. nations to participate in cooperation with us.

(At this point, Mr. MONTOYA assumed the chair.)

Mr. CLARK. If the Senator will turn to page 9, the "Alliance for Progress, technical cooperation and development grants," I note that the full amount was granted, but there is a sort of anonymous reference at the bottom of page 9 to the establishment at a U.S. university of a human resources development center.

Can the Senator tell me what U.S. university this is to be and what sort of work a human resources development center is doing which would justify the allotment of foreign aid money to it?

Mr. PASTORE. The university has not been selected as yet. The bill has $600,000 for a 2-year contract with a U.S. university to be selected by AID in conjunction with the Office of International Education, HEW, to establish in the United States a school, or point of expertise, which can be used to develop human resources in Latin America; specifically, methods of expanding education, school programs, and so forth.

Mr. CLARK. I next turn to page 10 where development loans of the Alliance for Progress are under discussion. I find there a very excellent discussion, to my way of thinking, by the committee on the desirability of these development loans, and also on program loans; and yet when one looks at the figures one finds that the budget estimate was $455,300,000; the authorization is $596,500,000; the House allowed $420,300,000; and yet the Senate cut $20 million off that amount and brought in a reduced appropriation of $395,300,000.

As a strong supporter of the Alliance for Progress I am a little surprised that that cut should have been made in a program started by President Kennedy, which with all of its failings, seems to be working pretty well. I wonder why the Committee on Appropriations undertook to cut not only so much below the authorization, but below the amount allowed by the House? I think that it would be worth considering at least the House figure.

Mr. PASTORE. All I can say is I have not been an antagonist with regard to foreign aid. The Senator knows how I feel.

Mr. CLARK. Yes, I do.

Mr. PASTORE. I am one of those who disagrees in large part with some of the activity on the floor of the Senate in cutting foreign aid I have always considered it a sound program, as far back as I can recall. Whether one looks at the recommendations of President Truman, President Eisenhower, President Kennedy, or President Johnson, these are men who have had the responsibility under the Constitution to conduct the foreign affairs of the country. They are responsible people and they hold or have held the most exalted elected position in the world.

Time and time again they have sent recommendations here supporting a foreign aid program, advocating a certain amount of money, and for some reason their message never got through to Congress. I am not being critical of Congress at all, but it has been a continuous and persisting habit in Congress to cut the foreign aid program. The Senator knows that.

What happened here is that the House made an overall cut totaling 10 percent under section 118, if my memory serves me correctly.

If the Senator will look at page 12 of the bill, it reads as follows:

> Notwithstanding any other provision of this Act, the aggregate total amount appropriated for Economic Assistance under Title I—

I understand this was done on the floor of the House.

Mr. CLARK. I understand.

Mr. PASTORE. And the section concludes with these words:

> of this Act shall not exceed $2,222,065,800.

That is a cut tantamount to $45 million.

When we had the witnesses before our committee we asked them categorically: Where specifically would you make this cut in the event you had to sustain this overall 10 percent cut? They indicated to us that it would have to be in the Development Loan Fund, whether it was under the Alliance for Progress or the development loan program generally.

Our committee decided to delete section 118, which designated the monetary ceiling, and go back and readjust the figures on a line-item basis.

Mr. HOLLAND. Mr. President, will the Senator yield to me?

Mr. PASTORE. I yield.

Mr. HOLLAND. Perhaps I can enlarge upon the answer the Senator has given.

We found also that there was a larger amount in carryovers, reimbursements and recoveries than had been understood to be the case.

The Senator will find in the second paragraph, under the heading of Alliance for Progress, on page 10, that that explanation is set forth. I shall read those words into the RECORD:

> The funds provided for this appropriation will enable the Agency for International Development to fund a program totaling $427,896,000, comprised of the new obligational authority appropriated hereunder, plus carryovers, reimbursements and recoveries totaling $32,596,000.

That was the information that was given to the committee and which enabled us to take the action.

Mr. PASTORE. Mr. President, I thank the Senator. Fundamentally we come back to the point: What are we going to do? The committee wanted to come to the floor of the Senate with a bill under the House figure, and it has brought to the floor a bill that is $575,300 under the House figure. That is the way they feel. I do not agree; but that is the way they feel.

The fact is, the motion was made for several drastic cuts over and above those recommended by the Senator from Massachusetts and myself, who heard all the witnesses and tried to make a compromise. Those further cuts were saved only by a vote of 13 to 13 in committee. That goes to prove how much we are skating on thin ice. Those are the facts of life. The Senator asks me, why. Well, why was the Senator's bill cut yesterday? Because the Senate wanted to cut it, and they had the votes.

Mr. CLARK. That is all very well, I say to my friend from Rhode Island, but we are making a record here——

Mr. PASTORE. I realize that. I am not trying to be impertinent or critical but the Senator did ask me, why, and I believe the answer is obvious.

Mr. CLARK. The Senator has told me, and I appreciate it, but——

The **PRESIDING OFFICER.** The time of the Senator from Rhode Island has expired.

Mr. CLARK. Mr. President, may I have 10 more minutes to complete this colloquy?

Mr. PASTORE. Yes. Out of the bill.

The **PRESIDING OFFICER.** The Senator from Rhode Island is recognized for 10 additional minutes.

Mr. CLARK. Let me point out to the Senator that what has happened so often in the past and will, apparently, happen again in the future, is that the Appropriations Committee pays very little, if any, attention to what the Foreign Relations Committee does in the field of foreign aid. Here is a situation where the Foreign Relations Committee authorized $569,500,000 for this particular item, and the Appropriations Committee, ignoring what the Foreign Relations Committee does, cut that down not only to the $420 million, which the House allowed—which, in my judgment, is entirely inadequate, even after we add the amount for carryover, which the Senator from Florida has mentioned—but takes the $20 million out of the hide of the Alliance for Progress.

I do not intend to propose an amendment to restore that amount, because I know what will happen to it, and so does the Senator from Rhode Island.

Mr. PASTORE. The Senator is absolutely right, but he should not place the blame on the Appropriations Committee. The Senator's committee—the Foreign Relations Committee—brought out that bill. A motion was made by a member of the Senator's committee to cut down one of these funds, to cut it down to $750 million. That was done by a member of the Senator's committee. The Senator came here and voted to cut down the amount the full committee had recommended. So how does he figure that?

Mr. CLARK. I will tell the Senator how I figure that. I supported him because the authorization for military assistance was too high. I voted a moment ago with the Senator from Louisiana to cut back on the figures of the Senator from Idaho [Mr. CHURCH], and we won; but, that is not what I am talking about now. I am talking about the Alliance for Progress.

Mr. PASTORE. I know, but the principle is the same. I do not mean any impertinence, but the Senator defied his own committee, so why does he lament the fact that yet another committee defies his committee?

Mr. CLARK. Because I do not think that is any way to run the Senate.

Mr. PASTORE. We are dealing with people who have convictions of their own. They have listened to testimony. They have listened to arguments. They therefore make their decisions on that basis.

I could never understand as to the foreign aid bill how it could be so consistently and persistently opposed by Members of this body who actually occupy very important positions of influence in making the foreign policy of this Nation and also in protecting the security of this Nation. But that is the way they feel. We can come here and get $50 billion, even without debate, for defense, yet on military assistance, the very same Members of this body who would recommend $50 billion, when the Joint Chiefs of Staff come before the committee and say it is absolutely necessary to have that money for military assistance, the same Members of this body who give them what they want on the defense budget, and believe them, do not believe them on military assistance.

How does one figure that?

Mr. FULBRIGHT. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am happy to yield to the Senator from Arkansas.

Mr. FULBRIGHT. I try to help the figures. I have always supported them as vigorously as I could. In the past year or two it has seemed to me that the program has become but an arm of the Military Establishment, has become one of the tools which the administration is using to try to dominate the rest of the world. Therefore, my views about its utility and purpose have changed substantially.

Mr. PASTORE. I did not mean the Senator from Arkansas.

Mr. FULBRIGHT. I thought the Senator did.

Mr. PASTORE. Oh no, because the Senator makes his position clear. I am talking about——

Mr. FULBRIGHT. The Senator asked me how I figured that, and I think perhaps we figure it the same way.

Mr. PASTORE. That is right, but how do these people feel who vote $50 billion for defense but not for military assistance?

Mr. FULBRIGHT. That is inconsistent, I am well aware.

Mr. PASTORE. There we are—there we are. But, I have to live with that.

Mr. FULBRIGHT. I agree with the Senator on that point.

Mr. PASTORE. That is the only point I am making.

Mr. CLARK. I think we understand each other now. Mr. President, to leave levity for a moment, on the bottom of page 10, respecting the second table dealing with the loans which have to do with those outside the Alliance for Progress, I assume the answer is the same?

Mr. PASTORE. The same. Exactly the same.

Mr. CLARK. Now if the Senator will turn to page 11——

Mr. PASTORE. On that, we have not heard the end of it yet. I have every reason to believe that a motion will be made to cut it further.

Mr. CLARK. Let us see what we can do to stop it.

Mr. PASTORE. I hope so.

Mr. CLARK. If I could have the attention of both the Senator from Rhode Island and the Senator from Arkansas, I should like to turn to page 11 of the report, where there is a discussion about the facts on loan funds through international organizations, and I read from the committee report:

> The committee feels that the entire matter should be discussed fully in conference with managers from the House of Representatives and, thus, the committee has deleted the House provision from the bill.

I want to congratulate the committee for deleting that provision from the House bill. I hope very much that when the conference takes place, members of the Appropriations Committee who are conferees will give prayerful thought to the position taken by the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], and a majority of the members of that committee, in their strong view that we should make this experiment in multilateral assistance, and that we should require that 10 percent, I think it is?

Mr. FULBRIGHT. Ten percent.

Mr. PASTORE. Ten percent.

Mr. CLARK. This has festered too long in the House Appropriations Committee, where they have never been willing to accept what the House and Senate jointly agreed to in the authorization bill. It seems to me that this is the year to stand firm on that particular provision.

With that statement, unless the Senator wishes to respond, I have nothing more to say.

Mr. PASTORE. Precisely. That is the reason why we did it. I want to say this, too—and here is another moment of regret—if the House language is retained, there is serious belief on the part of those who have read and reread it carefully that this would freeze 10 percent of the amount. It would not go to 205, it would not go anywhere, if we just take it out of title I. That would be another 10-percent cut.

The **PRESIDING OFFICER.** The time of the Senator from Rhode Island has expired.

Mr. PASTORE. I yield myself 2 more minutes.

The **PRESIDING OFFICER.** The Senator from Rhode Island is recognized for 2 minutes.

Mr. CLARK. If the Senator will yield, I congratulate the Senator in that regard. One reason why the authorization bill was written in this way was to place it squarely on the House Appropriations Committee to take the responsibility if they are going to make another cut. I would hope that this would not be done.

Mr. PASTORE. I would hope so, too. We have dealt with this bill with frugality and with commonsense; but this is it. We must face up to a belief on the part of House and Senate, with reference to a foreign aid bill, that does not make the task easy at all. I do not relish the responsibility, but the responsibility is mine, and I therefore meet it as best I can. I anticipate some of the struggle which will arise in the Senate, and for that reason we go into these matters very exhaustively in committee. The Senator has as much right to believe as he does—as I have a right to believe as I do—the same right possessed by those who do not have the confidence in the foreign aid program that I have—and that is it.

Mr. CLARK. I thank my friend for his courtesy. I hope that this colloquy has at least brought into the area of visibility some of the things that were done in the Appropriations Committee with which the Committee on Foreign Relations cannot find itself in agreement.

Mr. President, I ask unanimous consent that my individual views, which appear on pages 22 and 23 of the report of the Committee on Foreign Relations on the foreign economic assistance bill report, printed on July 7, 1966, be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF MR. CLARK

Despite my dissent from a number of amendments made in the committee—in particular, the increase in interest rates, the elimination of 5-year authorizations, and the country number limitations—I joined in voting to report the economic assistance bill. My sole purpose in filing these individual views is to express my deeply felt concern and disappointment about the growing disparity between this Nation's dwindling foreign aid effort and the world's increasing need.

During the height of the Marshall plan, more than 15 years ago, the United States annually devoted nearly 2 percent of its gross national product to foreign economic assistance. The program authorized in the pending bill is roughly one-sixth as large, or about one-third of 1 percent of our GNP.

This sharp cutback is justified neither by a decrease in the need for foreign aid, nor by a reduction of this country's capacity to support a foreign aid program. The very opposite is the case on both counts. Our gross national product was $260 billion in 1949. Estimates for 1967 are in the neighborhood of $720 billion—more than 2½ times as great. Meanwhile the need for foreign aid, spurred by the worldwide population explosion, has grown progessively more acute. It is a cliche to observe that the rich nations have been getting richer and the poor nations have been getting poorer—yet that is precisely the case. Nearly a billion human beings, most of them inhabitants of Asia, Africa, and Latin America, have an average annual income of less than $100. The figure for the United States is more than 25 times larger.

In order to prevent the gap between the need and the effort from widening still further, I offered an amendment in the committee granting authority to expend up to 1 percent of our GNP for foreign economic aid. This amendment was designed to implement a recommendation made by the Committee on Technical Cooperation of the White House Conference on International Cooperation, and is consistent with the United Nations resolution which calls on all developed countries to devote 1 percent of their GNP for development assistance. Fourteen votes were cast against the amendment; only one, my own, was cast in favor.

In part I suspect that our backsliding since the days of the Marshall plan has been due to the unrealistic expectation that the need for foreign aid would shortly come to an end. This is simply not going to happen. As James A. Perkins, the distinguished president of Cornell University and Chairman of the President's Advisory Committee on Foreign Aid has written:

"We are not discussing a problem to be solved in a year or even a decade. We must consciously adopt a program that will last for the rest of the century—and perhaps into the next. The annual debate on the continuation of foreign assistance is both absurd and misleading. It only confuses our purposes, increases impatience, obscures the issues, and inhibits success. We might as well have an annual review of the wisdom of having a public school system.

I wholeheartedly agree. It seems to me that a sharp distinction should be made between our foreign economic aid programs and our foreign military aid programs, and for that reason I am pleased that the committee has chosen to report out separate bills. In my judgment the committee has been almost as generous with military aid as it has been niggardly with economic aid. I do not question the need for military assistance programs, but rather the emphasis. In the long run we shall measure both our security and the extent of the acceptance overseas of American principles of freedom and democracy not by the value of the armaments we have given away but by the extent to which the underdeveloped nations of the world have, with our help, achieved a better life for their people.

Mr. YARBOROUGH. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield first to the Senator from Florida and then I shall be glad to yield to the Senator from Texas.

The **PRESIDING OFFICER.** The Senator from Florida is recognized.

Mr. HOLLAND. While the Senator from Pennsylvania [Mr. CLARK] is still in the Chamber, and I have heard only the latter part of his remarks——

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. PASTORE. Five minutes, Mr. President, because I want to reserve 2 minutes for the Senator from Texas on the bill.

Mr. HOLLAND. The distinguished Senator from Pennsylvania [Mr. CLARK] adverted to the fact that under the heading "Development Loans," the 1967 budget estimate was $665,388,000, the House allowance was $590 million, and the committee recommended $527 million. I should like to include, as a partial explanation of the matter, wording which appears in the third paragraph on page 11 of the report:

> When the committee allowance of $527,000,000 is added to the unobligated balances of the development loan account and the anticipated recoveries and receipts to be made during fiscal year 1967, there will be available in the development loan fund a total of $647,278,000 to finance its program for the ensuing fiscal year.

This latter part bears out the point made by the Senator from Pennsylvania:

> Needless to say, this financing will fall short of the requirements contemplated in the illustrative program presented to the Congress last January. Consequently, some belt tightening on the part of the Agency for International Development will be necessary.

This shows that the $527 million included in the bill for this purpose is to be augmented by $120 million of unobligated funds and recoveries, which will make available for this purpose $647-million-plus.

Mr. CLARK. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. CLARK. I suspect that the amount took into contemplation some carryover, so really what the Senator from Florida is saying does not affect the principle, which is that the appropriation amount was below the authorization, way below the budget request, and even further below the House figure. I have great difficulty understanding the justification for it except on the human premise which the Senator from Rhode Island has candidly mentioned.

Mr. PASTORE. We know that carryovers are taken into consideration. We know they are taken into account when the estimates are submitted. When the Senator says that the cut was below the House figure, that is not true, because when we take into account section 118 and the further limitation in section 205, we did in dollars what they did in language.

Mr. HOLLAND. Mr. President, I congratulate the Senator from Rhode Island and the Senator from Massachusetts for being realistic. When the Senate had passed its version of the authorization bill, and the House passed a vastly larger one, and the conference report was betwixt and between, but nearer the Senate figure, when it came before the full Appropriations Committee the two Senators I have mentioned were trying to get closer to the size of the bill as passed by the Members of the Senate. It went a little above that.

I think the amendment offered by the Senator from Louisiana [Mr. ELLENDER], just adopted, will leave the bill near the amount as provided in the authorization bill when it passed the Senate. I think it is good policy that the two Senators whom I have named aimed their sights more closely to the figure which the Senate had passed a few days before.

Mr. YARBOROUGH. Mr. President, will the Senator from Rhode Island yield me 2 minutes?

Mr. PASTORE. I yield 2 minutes to the Senator from Texas.

Mr. YARBOROUGH. First, I wish to congratulate the Senator from Rhode Island for his handling of the bill. He had my proxy during my absence. There were tie votes and sometimes some provisions prevailed by one vote. We know this is not a popular bill, because back home some people will say, "You are giving away more to foreigners than you are for your own people."

Enroute to the Interparliamentary Conference at Teheran we were in a small nation week before last that has developed rapidly since World War II and has now gone out from under our foreign aid program. This nation was cut off.

I think it is unfortunate that Congress says that help must be limited to only 40 or 50 nations. I think the State Department should be left with the authority to determine how the amount that Congress votes should be distributed, without naming nations.

The American Ambassador to that nation told me—and I am addressing myself to the error Congress makes when it states that we must help only 40 or 50 nations and no more—that that small nation needed the help of 2 roadbuilding experts from the United States. That country had been cut off from our aid. Those two experts would cost $50,000 a year. We told them we could not do it. We asked that nation to hire those two technical experts on their own. They said it would cost them $50,000 a year, $25,000 a year each for the two experts, when their own Members of Parliament received only $2,500 a year each. They said that to pay those men that much more than they paid their own Members of Parliament would result in the defeat of their own Members of Parliament, so they could not hire those two American road experts.

We pulled those two roadbuilding experts out. France furnished them with two roadbuilding technician experts. Let me point out that this small country was constructing its own roads at its own expense with the exception of our technicial experts with American roadbuilding machinery. So when the two French roadbuilding experts were supplied by France, that small country started purchasing French roadbuilding machinery, thereby cutting off American jobs in the making of that roadbuilding machinery.

That illustrates the bad policy Congress follows when it states that we can help only 40 countries. If we are going to vote *x* amount of money, then we should leave it to the State Department to help countries as it deems best. That new country not only received the French roadbuilding experts, but also began purchasing French roadbuilding machinery when it was previously purchasing American roadbuilding machinery.

Mr. FULBRIGHT. Mr. President, if the Senator will yield, it is the taxpayers who pay for it. I do not see why we should be disturbed that we have not put up that $50,000.

Mr. YARBOROUGH. That country is self-sufficient. It was building the roads itself at its own expense.

Mr. FULBRIGHT. There is no reason why they cannot buy the roadbuilding machinery from us.

Mr. YARBOROUGH. No; but we cut off the expert help.

Mr. FULBRIGHT. I do not follow the Senator. That does not prevent that country from buying the machinery from us.

Mr. YARBOROUGH. No, it does not stop them from buying from us, but by the French furnishing two experts, those French experts convinced that country that they should buy French roadbuilding machinery; and therefore, with a cost to the taxpayers of America of only $50,000, that country would have continued to use American roadbuilding machinery. That country was building its own roads. It is not there on foreign aid.

Mr. FULBRIGHT. Who is paying for the roadbuilding experts now?

Mr. YARBOROUGH. France is; but that country is now buying French roadbuilding machinery.

Mr. FULBRIGHT. France furnished the experts.

Mr. YARBOROUGH. Which would have cost us only $50,000.

Mr. FULBRIGHT. I think the Senator has been given a "snow job" by the State Department.

Mr. YARBOROUGH. I have been in that country week before last. I learned my facts in that country, not down at the State Department.

Mr. FULBRIGHT. What country was it, so we can check into it?

Mr. YARBOROUGH. Lebanon.

Mr. FULBRIGHT. Lebanon does not need aid from this country.

Mr. YARBOROUGH. That was not the point I was making.

Mr. FULBRIGHT. I do not understand the point the Senator is making.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. I yield 1 additional minute to the Senator from Texas.

Mr. YARBOROUGH. I will try to explain it again. Lebanon wanted us to furnish them with two roadbuilding experts.

Mr. FULBRIGHT. Why did they not hire them?

Mr. YARBOROUGH. I gave the reason before. If the Senator will pay attention, I will explain why again. The parliamentarians in that country receive only $2,500 a year.

Mr. FULBRIGHT. That is a poor reason.

Mr. YARBOROUGH. If the Senator will listen, I will explain. The roadbuilding experts would get $25,000 a year each. We were told that if they hired two American roadbuilding experts at $25,000 a year each, while Members of their Parliament were receiving only $2,500 a year, the Members of Parliament would be defeated.

Mr. FULBRIGHT. But it is all right for them to get only $2,500.

Mr. YARBOROUGH. The point I am making is that we pulled our two experts out, and France furnished experts, and they are selling the roadbuilding machinery.

Mr. FULBRIGHT. Mr. President, I desire to take a few minutes to commend the Appropriations Committee for its action in striking out a proviso which the House had attached to the appropriation for development loans and which would have prevented the transfer, as called for by the authorization act, of 10 percent of the development loan funds to the International Bank or its affiliates.

This involves two issues of fundamental importance. One has to do with how we carry on a foreign aid program. The other has to do with how we carry on our own business as the legislative branch of the U.S. Government.

The first issue is that of bilateralism versus multilateralism. For several years section 205 of the authorizing act for foreign assistance has authorized the transfer of a given percentage of development loan funds to the International Bank for Reconstruction and Development, the International Development Association, or the International Finance Corporation for use by those institutions for development purposes. This authority has never been used, because it has consistently been nullified by provisos in the appropriation acts.

This year, section 205 was amended to provide that 10 percent of the development loan funds shall be available only for such transfer. Thus if these funds are not transferred, they cannot be used for any other purpose.

The case for shifting more of our foreign aid to a multilateral basis is persuasive. The international lending agencies demand—and get—higher economic standards in the administration of their loans. Even more important, the multilateral approach avoids the political difficulties which haunt bilateral government-to-government dealings. These difficulties are great and increasing; they seriously reduce, if they do not entirely cancel, the advantages which the United States seeks to obtain from furnishing assistance.

Further, channeling more funds through the World Bank and its affiliates is likely to induce other countries to do the same and thereby reduce the burden on the United States. The report of the House Appropriations Committee on this bill—page 19—expressed the committee's concern about the apparent lack of desire on the part of other developed countries to devote a greater share of their resources—and more important, at terms more commensurate to those extended by the United States—to assist in the economic development of the less-developed countries of the world. I share this concern; yet the evidence cited by the House Appropriations Committee itself shows that the situation is getting better.

For example, according to the House committee report, between 1962 and 1965 the official bilateral loan commitments of 13 other developed countries increased from $1,179,500,000 to $1,461,900,000, while the commitments of the United States decreased from $1,700 million to $1,534,200,000, or from 59 percent of the total to 52 percent. When grants are included, the U.S. share of total bilateral commitments has dropped from 66 to 53 percent.

These figures, of course, deal only with bilateral aid. They do not include aid channeled through the IBRD and IDA, where the United States pays an even lower percentage of the total. Although there is no requirement in section 205 that the additional funds to be transferred to those institutions should be matched by other countries, it would seem to me that such a transfer would strengthen our hand in negotiating for larger contributions from others.

The provision of the authorization act is a modest one, affecting only 10 percent of the development loan appropriation. Personally, I would have preferred a higher percentage, and the Senate itself voted for 15 percent, but 10 percent was as high as the House conferees on the authorizing act were willing to go. Nevertheless, this is a step forward. It can be tried on an experimental basis. If it works, it can be increased; if not, it can be abandoned with no great loss.

In addition, Mr. President, as I indicated at the beginning of these remarks, there is another issue involved here, having to do with how the Congress conducts its own business.

The report of the House Appropriations Committee—page 19—contains this paragraph:

> The Committee recommends language to prohibit the transfer of funds as authorized by Sec. 205 of the authorization act. The Committee intends that the full amount appropriated ($590,000,000) for Development Loans is to be available for all purposes of the basic authorization except to implement the provisions of Sec. 205. If the authority set forth in Sec. 205 were to be used it would have the effect of reducing by 10% the amount available for use in the bi-lateral loan program.

The Comptroller General has written an astonishing letter to the chairman of the House Appropriations Committee in which he concludes that if the appropriation bill becomes law with the proviso prohibiting transfers under section 205 and in view of the statement in the committee report:

> We would consider the full amount of the appropriation in question available for all purposes of title I of the Foreign Assistance Act of 1961, as amended, except to implement section 205.

I ask unanimous consent that the full text of the Comptroller General's letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FULBRIGHT. What this amounts to, Mr. President, is that the House Appropriations Committee is taking the position, and is being supported by the Comptroller General, that a statement of intention in a committee report can override a clear statutory provision.

If the authorization act provides that 10 percent of the funds shall be available only for transfer to multilateral agencies, and if the appropriation act provides that none of the funds may be so used, then by these two actions the Congress has prohibited the expenditure of 10 percent of the funds for any purpose and has in effect sterilized them. The opinion of the Comptroller General notwithstanding, language in a committee report cannot make this 10 percent available for bilateral programs. This point is implicitly recognized in the report of the Senate Appropriations Committee.

If it were otherwise, the reports of the House Appropriations Committee, with respect to which neither the House as a whole nor the Senate has any voice, would become more important than laws duly enacted. This is a dangerous and far-reaching precedent which should not be allowed to stand.

I strongly urge the Senate conferees to insist on the Senate position with respect to section 205. Indeed, I can vote for this bill only because it does contain the proviso prohibiting section 205 transfers, and I shall oppose the conference report if it contains the proviso.

Mr. President, I wish to join with the request that the Senator from Pennsylvania just made, and urge that the conferees on the part of the Senate insist upon the Senate's position on the matter of the House withdrawing its limitation, which has been put on these bills for a long time. There have been recent statements regarding this matter which have appeared in the press, as to the significance of multilateral lending. I think all of them support the thesis that this program should move in that direction.

EXHIBIT 1

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., September 13, 1966.

The Honorable GEORGE H. MAHON,
Chairman, Committee on Appropriations,
House of Representatives.

DEAR MR. CHAIRMAN: Your letter of September 9, 1966, encloses a page from the proposed Committee Report to accompany the Foreign Assistance Appropriation Bill (for fiscal year 1967) and you call our attention to one paragraph on such page.

The paragraph referred to reads as follows:

"The Committee recommends language to prohibit the transfer of funds as authorized by Sec. 205 of the authorization act. The Committee intends that the full amount appropriated ($590,000,000) for Development Loans is to be available for all purposes of the basic authorization except to implement the provisions of Sec. 205. If the authority set forth in Sec. 205 were to be used it would have the effect of reducing by 10% the amount available for use in the bi-lateral loan program."

You state that you feel the intent of the Committee is clearly set forth in the above-quoted paragraph but that before proceeding to report on the bill you would like our opinion as to whether the language in question would "unfreeze" the ten percent referred to in section 205 of the Foreign Assistance Act of 1966 (the authorization act), if it is enacted into law as it appears in House Report No. 1927 (Conference Report) 89th Congress, 2d session.

The facts and circumstances giving rise to the issue presented in your letter are set forth below.

Section 205 of title 1, chapter 2, part I, of the Foreign Assistance Act of 1961, as amended, was amended by section 102(a) of the Foreign Assistance Act of 1965, Pub. L. 89-171, 79 Stat. 653, to read as follows:

"Sec. 205. Use of International Lending Organizations.—In order to serve the purposes of this title and the policy contained in section 619, the President, after consideration of the extent of additional participation by other countries, may make available, in addition to any other funds available for such purposes, on such terms and conditions as he determines, not to exceed 15 per centum of the funds made available for this title to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without regard to section 201 or any other requirements of this or any otther Act."

Under this provision of law 15 percent of the funds made available for title I purposes were authorized to be used by the President to implement section 205. However, the Foreign Assistance and Related Agencies Appropriation Act, 1966, Pub. L. 89–273, 79 Stat. 1002, contained the following language:

"Development loans: For expenses authorized by section 202(a), $618,225,000, together with such amounts as are authorized to be made available for expenses under section 203, all such amounts to remain available until expended *Provided, That no part of this appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended.*" (Italic added.)

It is clear that none of the funds made available by the above quoted appropriation provision may be used to implement section 205 of the Foreign Assistance Act of 1961, as amended by section 102(a) of the Foreign Assistance Act of 1965.

Section 205 of the Foreign Assistance Act of 1961, as amended, will be further amended by section 102(c) of the Foreign Assistance Act of 1966, to read as follows (if, as indicated above, the 1966 Act is enacted into law as it appears in House Report No. 1927):

" 'Sec. 205. In order to serve the purposes of this title and the policy contained in section 619, 10 per centum of the funds made available for this title *shall be available only for transfer,* on such terms and conditions as the President determines, to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without regard to section 201 or any other requirements of this or any other Act.' " (Italic added.)

We understand that the Foreign Assistance Appropriation Bill for 1967, when enacted into law, will contain specific language (similar to that quoted above from the Foreign Assistance and Related Agencies Appropriation Act, 1966) prohibiting the transfer of any funds appropriated for expenses authorized by section 202(a) to implement setcion 205, and our answer herein is predicated on that premise.

It is clear that under section 205 of the Foreign Assistance Act of 1961 as amended by the Foreign Assistance Act of 1966, ten percent of the funds made available for title I purposes may be used only for transfer to the international lending agencies enumerated therein and for no other purpose. In other words, section 205, as amended, has the effect of prohibiting the use of ten percent of the funds made available for title I purposes except for transfer in accordance with the provisions of section 205.

It is fundamental, however, that the Congress is not bound by a statute enacted by it earlier in the same session and that the Congress has full power to direct the purposes for which an appropriation shall be used. This authority is exercised as an incident to the power of the Congress to appropriate and regulate expenditure of the public money. Also, we have long held that the latest expression of the Congress should be given great weight in determining the availability of an appropriation for expenditure.

Of course, in determining congressional intent, we must, as you know, take into consideration the provisions of the legislation involved as finally enacted into law, together with the complete legislative history of such legislation.

In the absence of anything to the contrary which may be reflected either in the pertinent appropriation act, as finally enacted into law, or in the complete legislative history thereof, we would consider the paragraph referred to in your letter and quoted above, as constituting highly significant evidence indicative of the intended use of the appropriation. That is to say, if the Congress, having been fully apprised by the proposed Committee Report that the full amount appropriated is intended to be available for all purposes of title I of the Foreign Assistance Act of 1961, as amended, except to implement the provisions of section 205 enacts the legislation without making any provision (in the appropriation act or its legislative history) to preclude such a result, it would be reasonable to assume that the Congress intended that it have that effect.

Accordingly, if the proposed 1967 Foreign Assistance Appropriation Act contains the identical language quoted above (except for amounts) from the Foreign Assistance and Related Agencies Appropriation Act, 1966, and the proposed Committee Report on the 1967 act contains the paragraph referred to in your letter, we would consider the full amount of the appropriation in question available for all purposes of title I of the Foreign Assistance Act of 1961, as amended, except to implement section 205.

Sincerely yours,

Elmer B. Staats,
Comptroller General of the United States.

Mr. President, I ask unanimous consent to have printed in the Record an editorial, entitled "Squandered Foreign Aid," published in the Washington Daily News for Tuesday, September 27, 1966.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Daily News, Sept. 27, 1966]

Squandered Foreign Aid

The World Bank report notes the rising level of "debt service" costs in the underdeveloped nations, which is another way of saying they are having a hard time with the easy payments on money borrowed from abroad.

Export earnings, the sole means of financing thees payments, are slowing down. Even food production is declining on a per capita basis. Population growth has soaked up any actual increase in crops—and then some. This trend figures to get worse.

The difficulty is vastly aggravated, of course by the fact that a large percentage of the money poured into these nations in form of loans and gifts—mainly by the United States—has been wasted on non-productive enterprises such as low-efficiency steel mills, excess air lines, gaudy buildings and luxuries for the ruling castes.

But even the waste involved in these extravagances is minor to the ruinous obsession with state "planning," along with a Communist-inspired prejudice against private enterprise.

Many of the countries now pictured as in dire need of more aid have rich natural resources but lack both the capital and the technical skills to exploit them. This plentiful source of improved living standards has been kept out by prohibitive labor and tax laws—often by the well-founded fear of expropriation. Meanwhile, the bungled management of such skills as they possess has dissipated resources and destroyed currencies.

Indonesia, Brazil and Argentina are examples and all three of them, fortunately, though tardily, now are trying to reverse their field by inviting private help from abroad. Even India, which has clung stubbornly to Socialism while steadily trending toward famine and disaster, has made some mild concessions to foreign private enterprise, notably in the area of fertilizer production—something which should have been India's first concern after independence. A country which can't feed itself is eternally handicapped in economic development.

The World Bank urges the rich nations to loosen their purse strings, granting more aid in form of low-interest loans, etc.

There is good logic, we think, in the bank's urging that more assistance be offered on a multilateral basis through the bank and its subsidiaries, rather on a country-to-country basis. The bank has the technical facilities to provide that these loans be employed productively. Even its tough loans, at six-per-cent interest, probably will prove more profitable, on a long range basis, than some of the low-interest grants. The reason is the bank checks the economic possibilities and supervises expenditure. It expects to get its money back.

Mr. FULBRIGHT. I call to the attention of the Senate that this is one of the first times I have noticed this newspaper supporting the change of this program from a bilateral to a multilateral program.

I thank the Senator for yielding.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ELLENDER. Mr. President, on behalf of the Senator from Oregon [Mr. Morse] and myself, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. The Senator from Louisiana [Mr. Ellender] proposes an amendment as follows:

On page 3, line 4, strike the numeral "$70,000,000" and insert in lieu thereof "$35,000,000."

Mr. ELLENDER. Mr. President, this is a very simple amendment. What I seek to do is allow to the administration the amount requested.

Mr. President, a Senator who serves on the Appropriations Committee has the advantage of being able to delve into the figures to determine how programs are financed.

When the Administrator presented his requests on the contingency fund, he asked for new obligational authority amounting to $70 million, with a $5 million estimated carryover.

The record shows that the total program requested for 1967 was to be $75 million. This is shown on page 74 of the worldwide justifications for all requests made on foreign aid.

Last year, it will be recalled that we appropriated, in the original bill, $50 million, and then we had a supplemental bill before us providing $100 million for the contingency fund. Mr. Bell testified before the committee, when this additional money was requested. Because we thought at the time that the amount asked for was far in excess of his needs—or at least I thought so—he was asked what would become of any part of the amount not spent.

Mr. Bell is now speaking:

> That is to make sure that amounts which were available at the end of each fiscal year, uncommitted, were properly offset against the requirements for the next year, so if we do not, in fact, need this $100 million, then I would expect either that the Congress would cancel it and send it back to the Treasury, or if they make it available that they would limit the new appropriation by a corresponding amount, so it was not money that we are asking for to be indefinitely available. If it isn't used by the end of the fiscal year, it will be accounted for against our 1967 requirements.

The 1967 program, as I have just indicated, was $75 million. The administration asked for only $70 million of new obligational authority, because, at the time, it was estimated that there would be on hand $5 million. But later, it was found that instead of having $5 million on hand, to make up the $75 million, the unobligated balances and carryovers amount to $40,101,000.

The purpose of my amendment is merely to reduce the amount provided by the House to $75 million, the amount the administration desired to have.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Do I correctly understand that in 1966 $50 million was allocated in the original appropriation, and that subsequently $100 million more was provided in the supplemental bill?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. Did not Mr. Bell testify, in answer to questions asked by the Senator from Louisiana, that if the $100 million were not fully expended, the unexpended amount would be applied to the moneys needed for the 1967 operation?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. The 1967 operation was estimated to cost $75 million, was it not?

Mr. ELLENDER. The Senator is correct. That was the estimate that was made.

Mr. LAUSCHE. It was reported that $75 million was unexpended and held over from the 1966 allocation, was it not?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. But now the facts show that instead of $5 million being held over, more than $40 million is being held over.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. That means that if we consider the $70 million together with the $40 million that was held over, there would be $110 million allocated for the operations.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. The Senator from Louisiana is asking that the $70 million be cut by $35 million. The remaining $35 million plus the $40 million that is unexpended would make it $75 million.

Mr. ELLENDER. The Senator is correct. That is the purpose of my amendment, to give to the administration the amount of money it asked for in the budget.

I do not see how the manager of the bill can refuse to accept this.

The pending amendment was before the committee. The amendment was not agreed to because there was a tie vote. Thirteen Senators voted for my amendment and 13 voted against it. There were, of course, quite a few proxies used on both sides.

I am sure that if all of the members of the Committee on Appropriations had been present and listened to the arguments I made, as I am making now, they would have voted in favor of my amendment.

I do not want to take anything from the contingency fund. However, I want to allow only the exact amount that they asked for, which is $75 million. That would be the effect of my amendment.

Mr. PASTORE. Mr. President, I yield 10 minutes on the bill to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 10 minutes.

SEIZURE OF AMERICAN TUNA BOATS IN INTERNATIONAL WATERS BY PERUVIAN NAVY

Mr. KUCHEL. Mr. President, a little over a year ago, two American tuna boats traveling in international waters off Peru were apprehended by the Peruvian Navy.

I denounced that attempt on the part of a neighbor American nation to arrogate to itself jurisdiction over the high seas extending 200 miles seaward of the coastline.

I offered an amendment on that occasion, and the U.S. Senate agreed to the amendment after debate.

The amendment provided:

> No assistance under the Alliance for Progress shall be furnished under this Act to any country which (1) has extended, or hereafter extends, its jurisdiction for fishing purposes over any area of the high seas beyond that recognized by the United States and (2) hereafter imposes any penalty or sanction against any United States fishing vessel on account of its fishing activities in such area.
>
> The provisions of this subsection shall not be applicable in any case in which the extension of jurisdiction is made pursuant to international agreement to which the United States is a party.

The Senate agreed to that amendment overwhelmingly.

When the matter was in conference, the House conferees opposed the provision.

Finally an agreement was reached. This provision remains in the law. It reads as follows:

> In determining whether or not to furnish assistance under this Act, consideration shall be given to excluding from such assistance any country which hereafter seizes, or imposes any penalty or sanction against, any United States fishing vessel on account of its fishing activities in international waters. The provisions of this subsection shall not be applicable in any case governed by international agreement to which the United States is a party.

I think it is quite fair to say that, while the Senate determined as a matter of mandate that aid should be cut off when American ships are interfered with on the high seas, the conference committee rewrote that mandate and provided for permission on the part of the executive branch.

Mr. President, on October 2 of this year, three tuna clippers flying the American flag were again seized in international waters off the coast of Peru by the Peruvian Navy.

I subsequently sent the following telegram to Secretary of State Rusk:

> Urgently request your immediate assistance to American tuna vessels *Sun Europa*, *Ronnie S*, and *Eastern Pacific*, seized October 2 and 3 at points 20 to 30 miles off coast of Peru. Vessels have been taken to port of Talara, Peru, whence eight other American vessels en route in protest this ninth seizure on high seas this year by Peruvian and other South American governments claiming unreasonable seaward boundaries.

I asked for the assistance of the Government of the United States with respect to these three American-flag boats, their captains, and their crews.

I received the following answer from the Department of State today:

> The Secretary has asked me to reply to your telegram of October 3 concerning action by Peruvian authorities against American tuna fishing vessels on high seas. Ambassador Jones—

Our Ambassador in Peru—

> conferred with Peruvian Foreign Minister on this matter yesterday, urging immediate relief of the situation and is continuing to press this matter with Peruvian authorities. Meanwhile, an Embassy representative is assisting the captains and crews of the seized vessels in Talara. Also assignment of regional fisheries attaché at Lima is being processed and Embassy is making arrangements to establish a consular office in northern Peru. You may be assured that we are deeply concerned over this matter and that we are attempting not only to relieve the current situation but also to arrive a long term resolution of the problem. We will keep you informed of developments.
>
> DOUGLAS MACARTHUR II,
> *Assistant Secretary for Congressional Relations, Department of State.*

Mr. President, I am a strong believer in the Alliance for Progress. I believe in hemispheric solidarity. I believe in friendship, amity, good will, and mutual assistance between all the nations of this hemisphere, north and south.

I respect the good people of Peru and their great history. I want the Government of the United States and our people to have better relations with Peru.

A Latin American country has attempted to exercise jurisdiction seaward to the inordinate and, in my judgment, unconscionable length of 200 miles. The U.S. Government will not send the U.S. Navy down there. This is not going to be the basis for armed conflict.

I regret, with all my heart, that the Government of Peru, or the Peruvian Navy, has seen fit once again to exercise what it alleges is its jurisdiction on the high seas.

We need a long-term, peaceful solution to this problem.

Pursuant to the amendment agreed to last year, the President of the United States has authority under the law, even as that law was written in conference. I wish publicly to urge the President of the United States to say to the people and the Government of Peru:

> Do not do this to your friends. Do not interfere with the peaceful use of the open seas by Americans fishing in international waters off your shoreline. Rather, in good faith, let us try to work this problem out on a peaceful basis.

I am delighted to find that the Regional Fisheries Attaché Office is being processed. I would assume that means that shortly we will have a fishing attaché stationed in Lima, who will be able to conduct continuing negotiations to reach a settlement of this problem.

I am glad also to observe that the Embassy is making arrangements to establish a consular office in northern Peru. That office should be established in or near Talara so that effective protection can be rendered to American vessels and their crews when they must land on Peruvian shores.

Mr. President, last month I introduced a bill to help provide a long-term solution to this problem through an international licensing system. We cannot go through this continuation of assaults against the historic freedom of the seas. The action this week in Peru represents the ninth American vessel that has been apprehended this year by one of our our neighbors—Peruvian or other.

I have suggested in legislation, in which I am joined by the distinguished Senator from Washington [Mr. Magnuson], that we attempt a new approach, and that in the laws of this land we provide for a means by which we will help American-flag vessels, fishing in the historic open seas, to purchase licenses from our neighbors, in an effort to find an amicable basis upon which to settle the dispute, and at the same time to discharge the duty our Government owes to its citizens who seek to fish on the high seas.

I desired on this occasion to make these brief comments—I would appreciate the ears of my able colleague, the floor manager of the bill—simply to say that I feel sure that the distinguished Senator from Rhode Island will agree with me that an American who is using the open seas to fish should have the sympathetic assistance of the American Government and that under the laws that exist today, I would hope that he might agree with me that the President would state that there ought to be a better way to solve this continuing difficulty than to have one of our neighbors apprehend, by use of its Navy, our fellow citizens who happen to be 20, 30, 40, 50, 60, 70, 80, 90, or 100 miles off the coastline of one of our neighbors in South America.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. I yield myself 2 additional minutes on the bill.

I wish to say to my distinguished colleague, the Senator from California, that he not only has my ear but also my heart and my sympathetic understanding. I agree with him unequivocally.

Mr. KUCHEL. Bravo.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to my able friend, my senior colleague on the Committee on Appropriations.

Mr. SALTONSTALL. I appreciate the remarks of the Senator from California, my associate, as we have the problem on the Atlantic coast—of course, not to the same degree, because of our cooperation with our northern neighbor. We do have problems, perhaps, with other neighbors in the Atlantic.

In connection with the problem with Peru I wish to tell the Senator from California, which the Senator from California has mentioned, I wish to tell him that I attended a conference in the office of the Secretary of State at least 15 years ago with the Senator from Oregon [Mr. Morse], and the Senator from Washington [Mr. Magnuson], on the subject of Peru and its fisheries and the South American countries, particularly with relation to what they were doing to the fishermen from the Senator's State of California.

I attended at that time as a representative of the Atlantic coast, because our problems, while not as great and not entirely similar, emphasized the need for open seas for fishing, which means so much to my State of Massachusetts.

Mr. KUCHEL. I thank my able friend, the senior Senator from Massachusetts, for his sturdy words; and I repeat my thanks to the floor manager of the bill, the distinguished Senator from Rhode Island.

Mr. PASTORE. Mr. President, we have a pending amendment.

The PRESIDING OFFICER. There is a pending amendment.

Mr. PASTORE. I have discussed this amendment with my colleague, the Senator from Massachusetts, the ranking Republican member of the committee, and several other members of my committee. I think that a good case has been made by the distinguished Senator from Louisiana, and I am perfectly willing to take this amendment to conference.

The PRESIDING OFFICER. Is all time yielded back?

Mr. PASTORE. I yield back my time.

Mr. ELLENDER. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ELLENDER. Mr. President, on behalf of myself and the Senator from Oregon [Mr. Morse], I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 3, line 14, strike "$527,000,000" and insert "$500,000,000".

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Louisiana yield himself?

Mr. ELLENDER. I yield myself 3 minutes.

Mr. President, the House figure on this title is $590 million. The committee reduced it by $63 million, and I offered an amendment before the committee to cut it a little deeper.

I have discussed the matter with my good friend, the Senator from Rhode Island, and instead of insisting on my original amendment to cut it back by $87 million, we have agreed to make the figure $500 million, which would be a cut from the present bill—that is, the one we are now considering—of $27 million.

Mr. PASTORE. As I understand, the contemplation originally was a cut of $87 million.

Mr. ELLENDER. The Senator is correct. I could offer myriad reasons for cutting the Development Loan Fund but I will not cite all of them now. But let me refer to some, Mr. President. First of all, during the last month of fiscal year 1966, a total of $366,850,000 was obligated for development loans in 12 different countries. Many of these obligations were not really firmed up until fiscal year 1967 was well under way. Consequently, the bulk of this money really belongs in the fiscal year 1967 development loan program.

Second, dollar loans on the food-for-peace program can be used in lieu of development loans.

Since 1964, Mr. President, there has been a dramatic increase in so-called title IV loans. In fiscal year 1964, title IV loans amounted to only $70.5 million. In fiscal year 1965, they had increased to $179.8 million and in fiscal year 1966 they had been boosted to $343.2 million. For fiscal year 1967 a title IV program aggregating $310.1 million is contemplated. Over a period of just a couple of years, the increase in title IV loans has been about fivefold.

Food for peace loans serve practically the same purposes as the so-called "program loans" made out of the Development Loan Fund, and they have been used to augment development loan type aid which we make available to the developing nations. The similarity of the two types of aid is immediately evident when one understands how each type of aid functions. Under the DLF program, loan dollars are made available to finance essential imports of the developing country and the recipient commits itself to particular economic policies at the behest of AID. As the country implements these policies to AID's satisfaction, funds under the loans are released intermittently. The local currency generated by the sale of the commodities that have been imported under the program loan are placed in a special account by AID and made available to the country for mutually agreed upon projects or sectors in the recipient nation's budget.

Under food-for-peace loans, the recipient nation receives agricultural commodities which it agrees to pay for in dollars on terms similar to those offered by the Development Loan Fund. The commodities are sold within the country and the local currencies generated are placed in a special account and are made available to the country for mutually agreed upon projects that are economically feasible. Normally, these should be projects which will generate foreign exchange so that the recipient nation will eventually have a sufficient amount of such foreign exchange to pay off the "dollar" loan, resulting from the sale of the agricultural commodities.

Mr. President, I am glad the Senator from Rhode Island has agreed to take my development loan amendment to conference. I recommend a cut now that is $27 million under the committee recommendation.

Mr. PASTORE. The cut is now $27 million.

I have discussed this matter with Mr. SALTONSTALL and a few other members of our committee, and I am willing to take this to conference.

Mr. SALTONSTALL. Mr. President, I agree with the Senator from Rhode Island. As I understand, the original cuts suggested by the Senator from Louisiana were $170 million. The cuts which he now proposes—which the Senator from Rhode Island, with my concurrences, has accepted—total $110 million, which will make the bill on which we are now voting, if there are no further amendments, $2,936,500,000.

Mr. ELLENDER. If the Senator's additions are correct, that is correct.

The PRESIDING OFFICER. Is all time yielded back?

Mr. ELLENDER. I yield back my time.

Mr. PASTORE. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

AMENDMENT NO. 949

Mr. JAVITS. Mr. President, I call up my amendment No. 949 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 12, between lines 14 and 15, insert the following new section:

"SEC. 118. None of the funds appropriated or made available by this Act for carrying out the Foreign Assistance Act of 1961, as amended, shall be used to furnish assistance to any member state of the Organization of American States the current government of which (1) came into power, prior to the enactment of this Act, by the unconstitutional overthrow of a freely elected, constitutional, democratic government which had been acting in accordance with its constitutional mandate and (2) has not, prior to the enactment of this Act, manifested its intention to take appropriate steps for the restoration of constitutional government, the holding of free elections, and the application of human and civil rights and liberties."

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. JAVITS. Mr. President, the intent of this amendment is obvious. It is intended to discourage military juntas from taking over constitutional governments, primarily in Latin America.

This amendment was offered and accepted in the authorization bill. At that time it was both retroactive and prospective. That is, it also included Argentina. Hence, it incurred the displeasure of the Department of State, and although I would have been willing to have the conference come out with the amendment wholly prospective in operation, as Senators know, that gets sticky. It was dropped in conference.

I offer the amendment again today on the floor. The amendment leaves complete discretion to the administration because it deals with the intention to take appropriate steps for the restoration of constitutional government.

Mr. President, the amendment is solely prospective in operation. If the manager of the bill sees fit to take it, it will undoubtedly receive greater consideration in the conference and the language can be worked out to suit the administration view, in view of the other body and the Senate conferees.

The important thing, as I see it, is that we should, when and how we can, discourage military juntas from taking over constitutional governments in Latin America. That is the sole purpose and intent of the amendment. We should manifest our determination that as far as we are concerned we are going to frown on those operations of military caudillos and military juntas, and encourage constitutional government, as we did in the case of Chile and Peru.

Mr. PASTORE. Mr. President, I realize that this is more or less making foreign policy by way of amendment on the floor of the Senate, but I took it upon myself to discuss this matter with the chairman of the Committee on Foreign Relations. While he was not prepared to say what the full impact of this might be, this suggestion is not new or strange to us. As the Senator from New York [Mr. JAVITS] has already indicated, it had been brought up on the authorization bill.

Under the circumstances, Mr. President, after discussing the matter with the Senator from Massachusetts [Mr. SALTONSTALL], I am perfectly willing to take the amendment to conference to see if we can work out something that will make sense.

Mr. JAVITS. That is perfectly agreeable with me.

Mr. President, I yield back the remainder of my time.

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from New York [Mr. JAVITS]. [Putting the question.]

The amendment was agreed to.

Mr. BAYH. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The assistant legislative clerk read the amendment as follows:

On page 12, line 15, insert the following new section:

"SEC. 119. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to finance the procurement of iron and steel products for use in Vietnam containing any component acquired by the producer of the commodity, in the form in which imported into the country of production, from sources other than the United States or a country designated as a limited free world country by code number 901 in the September 1964 Geographic Code Book compiled by the Agency for International Development, and at a total cost (delivered to the point of production) that amounts to more than 10 per centum of the lowest price (excluding the cost of ocean transportation and marine insurance) at which the supplier makes the commodity available for export sale (whether or not financed by the Agency for International Development)".

Mr. BAYH. Mr. President, this amendment is similar to the one which I offered previously to the Foreign Aid Act and was approved by the Senate, 64 to 14. Unfortunately, this was later removed in House-Senate conference. Because of its importance and of my strong convictions on the matter, I am compelled to offer it in substance again. At this time of crisis in our Nation, it is essential to take all steps necessary to insure that the ultimate objectives of our foreign aid policy are pursued with vigor. At the same time no unnecessary damage should be done to our already precarious balance-of-payments position. Let me summarize briefly the background of and the reasons for this amendment and repeat in part some of the thoughts I have expressed previously on this matter.

As early as January of this year, I was informed that AID had served notice that it was going to terminate the prevailing 90–10 componentry requirement for galvanized steel sheeting. In a letter to the Agency I inquired about the reasons for this decision. Receiving no satisfaction to my inquiry, I started an investigation on my own which disclosed the following facts:

First, exorbitant prices were being charged for the use of galvanized sheeting, ranging as high as $50 more than the normal price used in the area.

Second, evidence was provided that the quality of the steel being purchased was inferior. It was half as thick as the normal width required in the United

States and contained only half of the galvanizing required under standards in this country.

Third, it was learned that the purchasing policy being followed was to purchase black plate in Japan, run it through Korean galvanizing mills, and ship it to Vietnam.

In December 1963, because of the concern about the abnormally large percentages of foreign aid purchases not containing this componentry, AID upheld a required componentry of 90–10. However, it appeared that the 90–10 componentry requirement was violated time after time. After suspending purchases in December 1965, AID in January terminated the ruling, with the result that there was no strict requirement.

Galvanized steel is a very important product used in Vietnam. It is important in the pacification effort, which to many of us is as important as military victory. It is essential for the improvement of living conditions. It is used for fencing, piping, and roofing for many homes in the villages and towns.

We asked the General Accounting Office to look into the matter. After investigation GAO found that not only were the allegations correct, they were more serious than we had supposed.

The price was high. Quality was poor. Price fixing and kickbacks were the normal market practice of the day. In fact, Mr. President, the last bid taken was so patently fixed that AID finally suspended the purchases last December.

In fairness to AID officials, it should be pointed out that when they finally understood what was happening, they were equally distressed. I do not intend to imply that AID officials have been committed to this type of procedure. Sometimes it is impossible for agencies in Washington to realize what is actually happening far away.

It seems to me that the main problem which has been confronting AID in the area of southeast Asia has been the fact that it has not had enough capable administrators in the field. For awhile, some half dozen or so administrators were trying to determine who would handle several hundred million dollars worth of commodities. Perhaps Congress has been a bit negligent in not providing AID with enough funds to have as many topnotch assistants as they need.

Although approved in the Senate previously by unanimous consent, the House did not agree to this amendment, and I did not feel inclined to delay the bill with prolonged discussion after the provision was eliminated in the conference committee report.

AID has made a suggestion which it believes would cope with the problem. This new approach would provide for an inspection program, which it is hoped would do away with the faulty merchandise. As stated in a memorandum which AID circulated, it was argued that the new rules would guarantee 50 percent or more of the orders for the product going to U.S. steel producers. In addition, it proposed a rather complicated letter of credit system to prevent the loss of U.S. dollars, and thus lessen our balance-of-payments problem.

With all due respect to AID officials, who, I am certain, are very conscientious, I nevertheless emphatically disagree with the ultimate impact of the AID proposal. Let us look at the three problems which it is contended that this new proposal would meet.

First, it has been claimed that it would guarantee 50 percent to U.S. suppliers. This presumption is based upon the fact that all of the larger gages would be guaranteed to U.S. suppliers, with only the more narrow gages open to the competition of southeast Asia's steel suppliers.

On its face, this appears to be a very fair proposal which would have the results described in the AID memorandum. But anyone who has investigated the buying practices in southeast Asia can quickly see that the results anticipated would not be accomplished.

The major reason is that the South Vietnamese importers historically, in practice, have not purchased and will not purchase the gages of steel which are made in the United States. Most of our steel companies manufacture as their most narrow gage what is known as a 29-gage. A few companies make as narrow as a 30-gage; and there are one or two companies which made a 32-gage—which is extremely narrow—but because of imperfections involved in manufacturing this narrow gage or thin gage product, they soon terminated it.

What I am driving at, Mr. President, is that if they do not buy any of the thicker gages, they cannot buy any from the United States, because we do not make them as thin as they buy them.

Senators may say, "Why is it that the South Vietnamese buy such thin-gaged galvanized steel?"

It is very simple. They make more profit out of it, for two basic reasons. For one, the importer buys galvanized steel by the ton and sells it by the sheet. So commonsense will show that the thinner it is, the more profit will be made in a ton.

Second, the more quickly it wears out, the sooner it will have to be replaced; and the thinner it is and the more poorly it is galvanized, the quicker it wears out.

So I believe that the procedure, as valid as it sounds on its face, as far as purchases are concerned, will result in the fact that few or no bids will be forthcoming on products which the United States produces.

As far as inspection is concerned, I do not doubt that inspection procedures could be worked out. An inspection team could be established to maintain good quality, but such an action would require added costs and administration, and in the final analysis the inspection of the finished product would be tied to the base material that is received.

Even if there is careful inspection of a thinner quality galvanized material, there can be no argument about the fact that a thinner quality product will not last as long and will have inferior results in the field.

Third, let us look at the letter of credit proposal—which is, to me, a most important feature, because I am very much concerned about the detrimental effect of having an additional burden put on our gold or dollar outflow by increasing our balance of payments to the extent of $50 million. AID is cognizant of this problem, and it has established a program involving a tied letter of credit arrangement. Under this system all of the dollars spent for the purchase of these galvanized steel commodities would be tied in such a manner that they must be used in the United States to buy iron and steel products—lathes, wheels, reinforcement rods, and so forth. In this manner, it is argued that the dollars would not get away from the manufacturers in the United States.

But to do that, Mr. President, it means that every shipment of steel products leaving the United States would have to be policed, not only when it leaves but when it arrives at the Asian port; likewise, there would have to be careful guard against any transshipment of these goods.

To me, that would be absolutely impracticable if not impossible. I can anticipate the policy that would be followed by those very shrewd businessmen in Asia who received a letter of credit tied to the purchase of U.S. steel products. They would buy the steel products from the United States, such as a shipload of lathes or machine tools, and transship them to some other place in the world which has a ready market for it, and sell it on the open market.

That practice would have two effects. First, it would take away a market that would ordinarily come to the United States in the first place; and second, it would not protect us from our dollar loss on our balance of payments.

I suggest, as a remedy for the situation in southeast Asia, Mr. President, that we require—and my amendment would require—a simple restatement of the 90–10 componentry rule, which was in force and effect before January of this year. This would require, very simply, a 90-percent content of U.S. component parts for products that are purchased.

The memorandum which was circulated by AID stated that the Bayh amendment would merely set up a special program for a very limited supply.

Quite to the contrary, Mr. President, the 90–10 ruling is identically the same ruling that is used almost everywhere else in the world today. In fact, it is used in South Vietnam on almost all other products except galvanized steel. That product is now an exception to the present rule being utilized by AID.

Return to the 90–10 componentry ruling is heartily endorsed by the American Iron and Steel Institute, the association of those who produce the iron and steel commodities on which we all depend in the United States.

It seems to me that a return to that rule would do three basic things. First, it would guarantee a return to a high-quality American product. Tests conducted in the field show that American galvanizing would last as long as 12 years, whereas some of the flimsy stuff AID has been buying will be serviceable for only a few years. Some of it does not even last 6 months. In fact, the GAO report shows some of it was badly rusted before it even came off the boat.

Second, the product would be purchased from the United States, thus benefiting domestic business and labor, with the resultant tax benefit to our Treasury.

Third, it would prevent an additional drain being placed on our balance of payments.

Mr. President, this amendment is not complicated. It is very simple. It merely means, if we agree to this amendment, that we are going to require the same standard for purchasing galvanized steel in Vietnam that is required everywhere else in the world.

Mr. PASTORE. Mr. President, the Senate is quite familiar with the Senator's amendment. As he has already pointed out, it came before us previously for consideration and I think the vote was favorable, 64 to 14, was it not?

Mr. BAYH. That is correct.

Mr. PASTORE. Under the circumstances, this matter came to the attention of the committee and the Senator from Indiana made his recommendation on it. We discussed it in detail. Because it was subject to a point of order as to the whole bill, it was suggested by members of the committee that I waive the raising of such a point of order. This left it entirely up to me. I shall not raise the point of order. As a matter of fact, I am perfectly willing to take the Senator's amendment to conference.

The PRESIDING OFFICER. Is all time now yielded back?

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

Mr. BAYH. I should like to use the remainder of my time to have the opportunity to thank my colleague, the Senator from Rhode Island, as well as the Senator from Massachusetts, for the courtesy which the entire committee extended to me on this question. I hope that this amendment will be adopted because it is good legislation.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has now been yielded back. The question is on agreeing to the amendment of the Senator from Indiana.

The amendment was agreed to.

Mr. MORSE. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am happy to yield to the Senator from Oregon such time as he desires on the bill itself.

The PRESIDING OFFICER. The Senator from Oregon may proceed.

Mr. MORSE. Mr. President, I wish to say that I have a series of amendments to the appropriation bill which I intended to offer. However, I shall not offer them at this time, but shall ask unanimous consent that they be printed in the RECORD together with the statements which I was going to make in support of each one.

Mr. President, the reason I am not offering the amendments is that, as the Senator knows, the Senator from Louisiana [Mr. ELLENDER] and I have worked closely together in years past—I under his leadership, because he has been my teacher and leader in this field—in seeking to cut back the military assistance program as we thought the facts warranted. He has been kind enough to have me added as a cosponsor of the three amendments which had been adopted by the Senate today, which will result in a cut of $110 million.

While the Senator from Louisiana was in the process of carrying on his battle on the floor of the Senate, I was off the floor preparing this group of amendments which I had planned to offer. Some of them cover the same ground as the amendments of the Senator from Louisiana.

I think that the Senator from Rhode Island is deserving of the thanks and appreciation of those of us who do not share the view of the majority on the Appropriations Committee in the recommendation it made. I also think that the Senator from Rhode Island is deserving of our thanks for his fairness and understanding of our sincere position on this matter, and his willingness in each of these instances to take the amendments to conference.

Well known in various parts of the country—particularly in my State—is my opposition in the past several years to the whole foreign aid program, particularly to the military assistance program—but not limited to that; and I feel that I need to make this statement as to why I am not offering my amendments.

I am not offering the amendments because I think the battle has been won to the degree we can hope to win it. However, I serve notice that come next year I shall do what I can to cut back on the whole foreign aid program, because I think a domestic aid program is needed and is more important to the economy of the country, yes, and to the welfare of our people and their security, than any foreign aid program.

Mr. President, I ask unanimous consent that a group of amendments I have had prepared, with supporting statements in connection with each one, be printed in the RECORD. I restate that I shall not call them up because, in my judgment, the amendments the Senator from Louisiana [Mr. ELLENDER] has already offered and obtained favorable action upon I think represent a great contribution to this debate. I am very proud that I had the privilege to join as a cosponsor of the amendments.

There being no objection, the amendments and statements were ordered to be printed in the RECORD, as follows:

"On page 3, line 2, strike out '$715,000,000' and insert '$650,000,000'."

This amendment reduces from $715 million to $650 million the appropriation for supporting assistance.

The 1966 appropriation was $684.2 million. The authorization bill as it passed the Senate contained $658 million. This was increased in conference to $715 million, and the Appropriations Committee recommends the full amount.

The full amount cannot be justified. Supporting assistance is the most wasteful of all the kinds of foreign aid. This provides budget support, payments for military bases (which ought to be funded out of Defense Department appropriations), and—let's face it—a certain amount of plain political bribery.

Supporting assistance is also the source of our economic aid to Vietnam; but even with the cut proposed by this amendment, the appropriation would still be in excess of what is proposed for Vietnam.

"On page 3, line 4, strike out '$70,000,000' and insert '$50,000,000'."

This amendment reduces the contingency fund from $70 million to $50 million.

The 1966 appropriation was $150 million.

The contingency fund is supposed to be an emergency fund to meet unforeseen developments. In fact, it is a grab bag for all kinds of odds and ends.

Fifty million is certainly enough to meet a real contingency. If it is not, then the President should come back to Congress and ask for more.

"On page 3, line 7, strike out '$87,700,000' and insert '$70,000,000'."

This amendment reduces from $87,700,000 to $70,000,000 the appropriation for Alliance for Progress grants—i.e., technical assistance.

The appropriation for this item for fiscal 1966 was $75,000,000. Thus, the amount in the bill represents an increase.

This is not time to be increasing these programs. We ought to start decreasing them. The amendment proposes a modest decrease of $5 million.

"On page 3, line 9, strike out '$395,300,000' and insert '$350,000,000'."

This amendment reduces from $395,300,000 to $350,000,000 the appropriation for Alliance for Progress loans.

The 1966 appropriation was $435,125,000.

Since that time, events in Argentina have made it undesirable to carry out a loan program there, and I regret to say that events in Brazil are rapidly making a loan program undesirable in that country.

"On page 3, line 14, strike out '$527,000,000' and insert '$400,000,000'."

This amendment reduces from $527 million to $400 million the appropriation for development loans.

The 1966 appropriation was $618,225,000.

The authorization act carries a limitation of 10 countries where development loans can be made. That in itself will make a reduction possible.

In addition, events are unfortunately reducing the opportunities to make good loans.

For example, one of the countries where the Administration planned one of its largest lending programs is Nigeria. But Nigeria is in such a state of political and social disorder that one cannot carry out a rational program of economic development there.

"On page 3, line 21, strike out '$55,813,500' and insert '$50,000,000'."

This amendment reduces from $55,813,000 to $50,000,000 the appropriation for AID administrative expenses.

The 1966 appropriation was $55,220,000. The Appropriations Committee recommends an increase for 1967.

This is inexcusable. One of the things wrong with the aid program is that there are too many people involved in it. This modest cut will help the agency streamline its organization.

"On page 4, line 4–5, strike out '$3,255,000' and insert '$2,750,000'."

This amendment reduces from $3,255,000 to $2,750,000 the appropriation for State Department administrative expenses related to aid.

The 1966 appropriation was $3,142,000. Certainly this should not be increased as the Appropriations Committee recommends.

The amendment proposes a modest decrease which should force the State Department to get rid of some of its surplus personnel.

"On page 2, line 9, strike out '$200,000,000' and insert '$175,000,000'."

This amendment reduces from $200 million to $175 million the amount appropriated for technical cooperation and development grants.

The 1966 appropriation was $201,333,000. Certainly we can retrench by more than the mere $1,333,000 recommended by the Appropriations Committee.

The administration proposed to carry out this program in 47 countries in fiscal 1967. The authorizing act carries a limitation of 40 countries. That in itself justifies the modest reduction proposed by this amendment.

Mr. PASTORE. Mr. President, I do not think there are any further amendments to be proposed, but I suggest, before there be third reading, that there be a quorum call.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment. If there is no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass?

Mr. PASTORE. Mr. President, I yield whatever time the Senator from Florida may wish to take on the bill.

The PRESIDING OFFICER. The Senator from Florida.

Mr. HOLLAND. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, I want the RECORD to correctly reflect what has happened on the bill so that credit may be given wherever it is due.

The amount of the authorization bill for title I as agreed to in the conference committee and approved by the House a few days ago was $3,504 million.

The amount of the appropriation bill for title I as it came from the committee was $3,046,490,500, or a reduction of $458,509,500.

The reductions voted here on the floor of the Senate today are an additional $110 million, if I have understood the various actions taken by the Senate this afternoon.

The result of those reductions, all told—that is, the $458-million-plus voted in the Senate Appropriations Committee, and the $110 million voted on the floor today—reduce the total amount of the bill, as it is now on third reading, under title I of the bill, to $2,936,490,500.

The effect of this entire process has been to show a very substantial reduction under the authorization bill.

The Senate will recall that shortly after passage of the authorization bill the Senator from Florida announced on the floor of the Senate, as the RECORD will show, that he would expect the Senate to make a more substantial reduction in the authorized amount than had been made in earlier years because the authorized amount so far exceeded the amount authorized in the bill as it passed the Senate. The amount of the bill as it passed the Senate was $2.852 billion.

So the amount of the bill as it is finally submitted for passage is near the amount of the authorization.

I thought it would be well to have a résumé of these various figures in order that the RECORD might correctly reflect the history of this particular measure.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. PASTORE. I yield back my time.

Mr. SALTONSTALL. I yield back my time.

The PRESIDING OFFICER. All time on the bill has been yielded back.

The question is, Shall the bill pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CANNON (after having voted in the affirmative). On this vote I have a pair with the senior Senator from Missouri [Mr. SYMINGTON]. If he were here and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Idaho [Mr. CHURCH], and the Senator from Wisconsin [Mr. NELSON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Missouri [Mr. SYMINGTON], are necessarily absent.

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Connecticut [Mr. RIBICOFF]. If present and voting, the Senator from Mississippi would vote "nay" and the Senator from Connecticut would vote "yea."

I further announce that if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Wisconsin [Mr. NELSON], and the Senator from Alaska [Mr. GRUENING], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from California [Mr. MURPHY], the Senator from Vermont [Mr. PROUTY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from New Jersey would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Texas would vote "nay."

On this vote, the Senator from California [Mr. MURPHY] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from California would vote "yea" and the Senator from Nebraska would vote "nay."

The result was announced—yeas 52, nays 22, as follows:

[No. 282 Leg.]

YEAS—52

Aiken
Allott
Bartlett
Bayh
Boggs
Brewster
Byrd, W. Va.
Carlson
Clark
Dirksen
Fong
Fulbright
Gore
Harris
Hart
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McGovern
Miller
Monroney
Montoya
Morton
Moss
Mundt
Muskie
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Saltonstall
Scott
Smathers
Smith
Sparkman
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—22

Bennett
Bible
Burdick
Byrd, Va.
Cotton
Ellender
Ervin
Fannin
Hartke
Jordan, N.C.
Jordan, Idaho
McClellan
Morse
Robertson
Russell, S.C.
Russell, Ga.
Simpson
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—26

Anderson
Bass
Cannon
Case
Church
Cooper
Curtis
Dodd
Dominick
Douglas
Eastland
Griffin
Gruening
Hayden
Hruska
Magnuson
McGee
McIntyre
Metcalf
Mondale
Murphy
Nelson
Prouty
Ribicoff
Symington
Tower

So the bill (H.R. 17788) was passed.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. SALTONSTALL and Mr. GORE moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, before I make my motion, I should like to say a word of praise to the members of the staff of the Appropriations Committee for their diligence, their competence, and their assistance in working out the bill. I refer particularly to Tom Scott, the head of the staff. I also pay a word of compliment to Bob Clark, who represents the minority side on the Appropriations Committee for his invaluable assistance.

Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. Pastore, Mr. Russell of Georgia, Mr. Ellender, Mr. McClellan, Mr. Holland, Mr. Monroney, Mr. Saltonstall, Mrs. Smith, and Mr. Kuchel conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, words fail me in expressing my deep appreciation, indeed, I believe the appreciation of this entire body, to the distinguished Senator from Rhode Island [Mr. Pastore], the distinguished Senator from Massachusetts [Mr. Saltonstall], and the distinguished Senator from Louisiana [Mr. Ellender] for the swift action obtained this afternoon.

I must admit that I am not only the most surprised man in this Chamber, but also one of the happiest because it helps us get that much closer to adjournment.

The performance of the distinguished senior Senator from Rhode Island [Mr. Pastore], in handling the foreign aid appropriations measure truly serves as an outstanding example for all of us. Notably, the proposal won decisive approval. Senator Pastore's diligence, his competence and graciousness and, above all, his articulate presentation, assured its wide acceptance.

Notably too, the achievement was obtained as I said expeditiously, yet with total regard for the views of all Senators. For this we also are indebted to Senator Pastore.

Joining to share the credit is Senator Saltonstall who again demonstrated the high effectiveness of his unfailing and articulate support.

Similarly, the senior Senators—from Florida [Mr. Holland], from Pennsylvania [Mr. Clark], and New York [Mr. Javits]—and the junior Senator from Indiana [Mr. Bayh] are to be commended for adding their splendid cooperation to bring about successful action.

Particularly though, I wish again to thank the distinguished senior Senator from Louisiana [Mr. Ellender] and add our commendation to the senior Senator from Oregon [Mr. Morse] for the selfless manner in which they cooperated. Indeed, it is cooperation of this sort which, in the final analysis, will enable the Senate to reach adjournment in the shortest time possible.

ESTABLISHMENT OF A DEPARTMENT OF TRANSPORTATION

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JACKSON. I move that the Senate insist upon its amendments and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McClellan, Mr. Jackson, Mr. Ribicoff, Mr. Harris, Mr. Mundt, and Mr. Curtis conferees on the part of the Senate.

MEMBERSHIP IN THE PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY AND AUTHORIZING APPROPRIATIONS THEREFOR

Mr. FULBRIGHT. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate Joint Resolution 108.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the resolution (S.J. Res. 108) to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor, which was, to strike out all after the resolving clause and insert:

That Public Resolution 42, Seventy-fourth Congress, approved August 2, 1935 (22 U.S.C. 273), is amended to read as follows: "That in order to meet the obligations of the United States as a member of the Pan American Institute of Geography and History, there are authorized to be appropriated to the Department of State—

"(1) such sums, not to exceed $90,300 annually, as may be required for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute; and

"(2) such additional sums as may be needed annually for the payment of all necessary expenses incident to participation by the United States in the activities of the Institute."

Mr. FULBRIGHT. Mr. President, the explanation of the amendment is very brief. Its purpose is to authorize $90,300 a year for the U.S. share of the expenses of the Pan American Institute of Geography and History. As it passed the Senate, the resolution authorized $75,000. The existing law authorizes $50,000. The administration requested an open-end authorization, and the current U.S. assessment is $150,000.

The net effect is that if we agree to the House amendment, the amount authorized will be $90,300 per year, which is very slightly different from the Senate figure.

Therefore, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to a concurrent resolution (H. Con. Res. 1028) directing the Secretary of the Senate to correct the title of the bill, S. 3467, in which it requested the concurrence of the Senate.

CORRECTION OF TITLE OF S. 3467—HOUSE CONCURRENT RESOLUTION 1028

Mr. PASTORE. Mr. President, I ask unanimous consent that the Chair lay before the Senate the message from the House of Representatives on House Concurrent Resolution 1028, and that the Senate proceed immediately to its consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The Legislative Clerk. A concurrent resolution (H. Con. Res. 1028) directing the Secretary of the Senate to correct the title of the bill (S. 3467).

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 1028) was considered and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, the Secretary of the Senate be, and he is hereby, authorized and directed to correct the title so as to read: "An Act to strengthen and expand food service programs for children."

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1642, S. 3046, and that it be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 3046) to strengthen and improve programs of assistance for our elementary and secondary schools.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of the bill which had been reported from the Committee on Labor and Public Welfare with amendments.

INCREASING ANNUITIES PAYABLE FROM THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business, S. 3046, be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1623, S. 3247.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3247) to provide certain increases in annuities payable from the Foreign Service Retirement and Disability Fund, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations, with amendments, on page 2, line 19, after "(c)", to insert "(1)"; on page 3, after line 6, to insert:

(2) In the event the Secretary determines that the price index shall have equaled a decrease of at least 3 per centum for three consecutive months under the price index for the latest base month, he shall make a detailed study to determine whether or not the annuities payable from the Fund should be adjusted to reflect the percentage decrease in the price index. In making such study the Secretary shall consider the specific items for which prices decreased, the likelihood of any further consecutive decreases in the price index, the type or types of annuities which should be adjusted, if any, and the extent of any such adjustment, and all other factors with respect to whether or not any such annuities should be adjusted. Upon the completion of any such study, the Secretary shall transmit to the President and Congress a full report thereon, together with his determination as to whether or not any such annuities should be adjusted and his recommendations for any legislation which he deems to be necessary or appropriate.

On page 5, after line 4, to insert a new section, as follows:

SEC. 2. (a) Section 821(a) of such Act is amended (1) by striking out the word "thirty-five" and substituting therefor the word "forty", and (2) by adding at the end thereof the following sentence: "The annuity as so computed shall not exceed 80 per centum of the average salary used to compute the annuity."

(b) Section 855 of such Act is amended (1) by inserting "(a)" immediately after the section number, and (2) by adding at the end thereof the following new subsection:

"(b) The annuity of each former participant under the System, who retired prior to the effective date of this subsection, and who at the time of his retirement had creditable service in excess of thirty-five years, shall be recomputed on the basis of actual years of creditable service not in excess of forty years. Service which was not creditable under the System on the date a former participant retired, shall not be included as creditable service for the purpose of this recomputation. The annuities payable to such persons shall, when recomputed, be paid at the rates so determined, except that (1) no such annuity as recomputed shall exceed 80 per centum of the average salary used in computing the annuity, and (2) no such recomputation or any other action taken pursuant to this subsection shall operate to reduce the rate of the annuity any such person is entitled to receive under the System."

(c) Adjustments in annuities under this section shall be paid to the nearest dollar.

(d) This section shall become effective on the first day of the month following the enactment of this Act.

On page 6, after line 9, to insert a new section, as follows:

SEC. 3. Section 911 of such Act is amended by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(11) travel and related expenses, without regard to the provisions of this or any other law, whenever he determines that extraordinary conditions, or circumstances involving personal hardship, warrant the payment of such expenses incident to appointment, service, or separation of officers or employees of the Service, including any such expenses of the members of their families.".

After line 21, to insert a new section, as follows:

SEC. 4. Immediately after section 943 of such Act add the following new section:

"SEC. 944. Under such regulations as he may prescribe, the Secretary is authorized to provide medical services under part E of this title beyond the date of death or separation of an officer or employee."

On page 7, after line 2, to insert a new section, as follows:

SEC. 5. Section 5925 of title 5, United States Code (which relates to post differentials) is amended by inserting immediately before the period at the end thereof the following: ", except that in a foreign area where there is unusual danger of injury due to hostile activity such additional compensation shall not exceed 50 per centum".

After line 8, to insert a new section, as follows:

SEC. 6. (a) Subchapter II of chapter 63 of title 5, United States Code (which relates to leave), is amended by adding at the end thereof the following new section:

"§ 6325. Absence resulting from hostile activity

"No leave shall be charged to the account of any officer or employee for absence, not to exceed one year, due to an injury or illness incurred while serving abroad and resulting from hostile activity or clearly caused by the fact that the officer or employee was located abroad."

(b) The analysis at the beginning of such subchapter is amended by adding the following item at the end thereof:

"6325. Absence resulting from hostile activity."

(c) The amendment made by subsection (a) of this section shall take effect as of the first day of the first pay period which began on or after January 1, 1965.

And, after line 22, to insert a new section, as follows:

SEC. 7. The United States Information and Educational Exchange Act of 1948 is amended by adding at the end thereof the following new section:

"APPOINTMENT OF FOREIGN SERVICE RESERVE OFFICERS

"SEC. 1012. Notwithstanding the provisions of section 522 of the Foreign Service Act of 1946, as amended, appointments or assignments of Foreign Service Reserve officers for service with the United States Information Agency may be of unlimited duration. The provisions of section 527 of such Act shall not be applicable with respect to any such appointment or assignment."

So as to make the bill read:

S. 3247

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 804(b) of the Foreign Service Act of 1946, as amended (22 U.S.C. 1064(b)), is amended by adding the following:

"(4) The term 'price index' shall mean the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics. The term 'base month' shall mean the month for which the price index showed a per centum rise forming the basis for .. cost-of-living increase."

(b) Section 882 of such Act, as amended (22 U.S.C. 1121), is amended to read as follows:

"SEC. 882. (a) Subject to the provisions of paragraph (b), each annuity payable from the Fund on April 1, 1966, shall be increased by 6.1 per centum. Each annuity payable from the Fund (other than the immediate annuity of an annuitant's survivor or of a child under section 821(c)) which has a commencing date after April 1, 1966, and not later than the first day of the sixth month which begins after the date of enactment of this amendment shall be increased by 6.1 per centum.

"(b) Those annuities increased by the cost-of-living provisions of the Foreign Service Annuity Adjustment Act of 1965 shall be adjusted to reflect the percentage increase under paragraph (a) had it been applied to the annuity on April 1, 1966, or its subsequent commencing date.

"(c)(1) Each month after April 1966 the Secretary shall determine the per centum change in the price index. Effective the first day of the third month which begins after the price index shall have equaled a rise of at least 3 per centum for three consecutive months over the price index for the base month, each annuity payable from the Fund which has a commencing date not later than such effective date shall be increased by the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum. The month of July 1965 shall be the base month for determining the per centum change in the price index until the next succeeding increase occurs.

"(2) In the event the Secretary determines that the price index shall have equaled a decrease of at least 3 per centum for three consecutive months under the price index for the latest base month, he shall make a detailed study to determine whether or not the annuities payable from the Fund should be adjusted to reflect the percentage decrease in the price index. In making such study the Secretary shall consider the specific items for which prices decreased, the likelihood of any further consecutive decreases in the price index, the type or types of annuities which should be adjusted, if any, and the extent of any such adjustment, and all other factors with respect to whether or not any such annuities should be adjusted. Upon the completion of any such study, the Secretary shall transmit to the President and Congress a full report thereon, together with his determination as to whether or not any such annuities should be adjusted and his recommendations for any legislation which he deems to be necessary or appropriate.

"(d) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the Fund as of the effective date of an increase, except as follows:

"(1) Effective from its commencing date, an annuity payable from the Fund to an annuitant's survivor (other than a child under section 821(c)), which annuity commences after April 1, 1966, shall be increased by the total per centum increase the annuitant was receiving under this section at death; or if death occurred between April 1, 1966, and date of enactment, the per centum increase the annuitant would have received;

"(2) For purposes of computing an annuity which commences after April 1, 1966, to a child under section 821(c), the items $600, $720, $1,800, and $2,160 appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section, and in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 821(c) (1) and (2) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death.

"(e) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"(f) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least $1."

Sec. 2. (a) Section 821(a) of such Act is amended (1) by striking out the word "thirty-five" and substituting therefor the word "forty", and (2) by adding at the end thereof the following sentence: "The annuity as so computed shall not exceed 80 per centum of the average salary used to compute the annuity."

(b) Section 855 of such Act is amended (1) by inserting "(a)" immediately after the section number, and (2) by adding at the end thereof the following new subsection:

"(b) The annuity of each former participant under the System, who retires prior to the effective date of this subsection, and who at the time of his retirement had creditable service in excess of thirty-five years, shall be recomputed on the basis of actual years of creditable service not in excess of forty years. Service which was not creditable under the System on the date a former participant retired, shall not be included as creditable service for the purpose of this recomputation. The annuities payable to such persons shall, when recomputed, be paid at the rates so determined, except that (1) no such annuity as recomputed shall exceed 80 per centum of the average salary used in computing the annuity, and (2) no such recomputation or any other action taken pursuant to this subsection shall operate to reduce the rate of the annuity any such person is entitled to receive under the System."

(c) Adjustments in annuities under this section shall be paid to the nearest dollar.

(d) This section shall become effective on the first day of the month following the enactment of this Act.

Sec. 3. Section 911 of such Act is amended by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(11) travel and related expenses, without regard to the provisions of this or any other law, whenever he determines that extraordinary conditions, or circumstances involving personal hardship, warrant the payment of such expenses incident to appointment, service, or separation of officers or employees of the Service, including any such expenses of the members of their families.".

Sec. 4. Immediately after section 943 of such Act add the following new section:

"Sec. 944. Under such regulations as he may prescribe, the Secretary is authorized to provide medical services under part E of this title beyond the date of death or separation of an officer or employee."

Sec. 5. Section 5925 of title 5, United States Code (which relates to post differentials) is amended by inserting immediately before the period at the end thereof the following: ", except that in a foreign area where there is unusual danger of injury due to hostile activity such additional compensation shall not exceed 50 per centum".

Sec. 6. (a) Subchapter II of chapter 63 of title 5, United States Code (which relates to leave), is amended by adding at the end thereof the following new section:

"§ 6325. Absence resulting from hostile activity

"No leave shall be charged to the account of any officer or employee for absence, not to exceed one year, due to an injury or illness incurred while serving abroad and resulting from hostile activity or clearly caused by the fact that the officer or employee was located abroad."

(b) The analysis at the beginning of such subchapter is amended by adding the following item at the end thereof:

"6325. Absence resulting from hostile activity."

(c) The amendment made by subsection (a) of this section shall take effect as of the first day of the first pay period which began on or after January 1, 1965.

Sec. 7. The United States Information and Educational Exchange Act of 1948 is amended by adding at the end thereof the following new section:

"APPOINTMENT OF FOREIGN SERVICE RESERVE OFFICERS

"Sec. 1012. Notwithstanding the provisions of section 522 of the Foreign Service Act of 1946, as amended, appointments or assignments of Foreign Service Reserve officers for service with the United States Information Agency may be of unlimited duration. The provisions of section 527 of such Act shall not be applicable with respect to any such appointment or assignment."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill, as amended, be considered as original text for purpose of further amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PELL. Mr. President, S. 3247 is a bill which was introduced by Chairman Fulbright on April 20, 1966, at the request of the executive branch of the Government. The bill as originally considered by the committee provided for the increase in certain annuities payable under the terms of the Foreign Service Act of 1946.

The provisions of the bill as introduced insofar as they relate to annuities have remained substantially the same. In brief, these provide that annuities for foreign service personnel are to be adjusted to take into account increases in the cost of living. The increases provided by this bill are the same as those which the Congress last year made applicable to civil service annuitants.

One important change which the Foreign Relations Committee made on the bill was to include a provision making it clear that if the cost of living were to go down as much as 3 percent the President would consider a corresponding reduction in payments to annuitants.

There is a second change in the foreign service retirement system which the committee adopted and which I think is extremely important.

At the present time the amount by which a retired annuitant receives is determined upon the basis of a maximum of 35 years service. There are in fact, however, a few individuals who serve more than 35 years. Under existing law they are required to continue payments into the retirement fund even though their annuities are computed on a 35-year basis.

In brief, the committee has amended the law to relieve those officials from paying into the retirement fund for more than a period of 35 years. The annuities of those few retired individuals who serve more than 35 years are also to be adjusted.

The provisions which I have just described should be adopted by the Senate in fairness to foreign service annuitants.

The bill also contains, however, a series of amendments to the Foreign Service Act which have been described as the "Vietnamese amendments." These amendments are so described because they make certain changes in the Foreign Service Act which provide special benefits for people covered by this act, people who are serving in such places as Vietnam. I view their addition as most important.

Permit me to give an example of these amendments.

The situation in Vietnam has required many officers to be separated from their families for substantial periods of time. Under existing law however there is a severe limitation upon travel of foreign service personnel and the Secretary of State is authorized to pay for only one round trip between the post and Washing for each 2-year tour abroad. This amendment gives the Secretary of State, in situations involving "extraordinary conditions or circumstances involving personal hardship," authority to grant limited funds for travel and related expenses.

Other amendments are described in the committee report and relate to special medical services, absences resulting from hostile activity—meaning being a prisoner overseas—and overseas differentials.

Except for the annuity provisions I described earlier, these "Vietnamese amendments" were included in the so-called Hays bill, H.R. 6277. That bill which was the subject of lengthy hearings by a special subcommittee has not been reported. The Vietnamese amendments, however, were of such a nature that the committee felt urgent action would be required.

Mr. President, I return for a moment to those portions of S. 3247 which relate to annuities and call up my amendment No. 933 which is at the desk and ask for its immediate consideration. Mr. President, this amendment takes care of a misunderstanding which arose within the committee relating to the way in which legislative relief should be given to those few officials who have served for more than 35 years.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 5, strike out lines 5 to 10 and insert in lieu thereof the following:

"Sec. 2. (a) Section 811(a) of such Act is amended by adding at the end thereof the following new sentence: 'Notwithstanding the foregoing provisions of this subsection, no contribution or deduction shall be made in the case of a participant whose service credit, obtained in accordance with sections 851, 852, and 853, exceeds thirty-five years.'

"(b) Section 821(a) of such Act is amended by adding at the end thereof the following new sentence: 'Notwithstanding the first sentence of this subsection, the annuity of a participant, whose service credit as of the effective date of this sentence exceeds thirty-five years, shall be computed on the basis of actual years of creditable service not in excess of forty.'"

Redesignate subsections (b) to (d), inclusive, as subsections (c) to (e), respectively.

Mr. PELL. In brief, the language inadvertently included in the bill reported from the committee would have permitted annuities to be computed on the basis of not more than 40 years of service provided that annuities so computed would not exceed 80 percent of the "high five" average salary. It was the intent of the committee during its consideration of this language, which I had originally introduced to remedy this defect by increasing the annuities of those serving up to 40 years. Instead, the committee decided that individuals serving more than 35 years should: First, have their annuities computed on the 35-year basis, and second, not be required to continue payments into the retirement fund for period of service beyond 35 years.

The amendment which I now submit makes this clear and changes the law accordingly.

This amendment would also serve to encourage those who had served 35 years to retire, because they would not receive any additional financial benefit as a result of further service, except as it changed the "high five" salary.

The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I wish to point out what one phase of this bill does. It is an extension of a principle which was put into the Civil Service Retirement Act 3 or 4 years ago. I strongly opposed this new formula then, and I am opposed to its extension here today.

This principle writes into the retirement system for Government employees a permanent guarantee against the ravages of inflation. It works on this basis: Each time the cost of living rises 3 percentage points and holds at that rate for 3 successive months over and above the base period in 1965, the retirement benefits of all Government employees—now including those under this category, the Foreign Service—are automatically raised 3 percent. This is an escalation clause upward that takes care of the rising cost of living, and if a few years later there is an additional rise in the cost of living by 3 percentage points there is triggered into effect another 3-percent increase across the board in the retirement benefits for Government employees.

There are no provisions either in this law or in the other measure which would trigger a reduction in reverse. For example, if we have a recession, in which the cost of living goes down, after these escalation clauses have raised benefits the retirement benefits are frozen at the upper level and they can never drop to follow the lower cost of living.

Furthermore, there is no method provided in this bill to pay for these additional benefits, which over the life of the system will cost hundreds of millions of dollars. The cost will have to come out of the U.S. Treasury.

In this bill there is an amendment which recognizes the unfairness of this and proposes that this point be given study and that a recommendation for correction be made to Congress. I think the Senator from Rhode Island sponsored this amendment.

To the extent that they study it I would naturally be in favor of it, but I think they need more than study; they need action. This liberalization should not be passed until a method of payment has been developed.

I do not think it is fair to insulate in our retirement system the employees of the U.S. Government, including Members of Congress, against the ravages of inflation when all other American citizens have no such protection in their retirement systems or in their savings accounts.

As Government officials we are responsible for the deficit spending and the resulting inflation. Surely, there can be no justification to the enactment of laws to protect Government workers against the bad effects of inflation. No one else in America has this protection, yet at the expense of the taxpayers we are guaranteeing in perpetuity that the purchasing power of our retirement systems will never be eroded as a result of the ravages of inflation.

I will not support any such special treatment for Government employees, including Members of Congress.

What justification can there be for such special treatment? Is this what the Great Society stands for?

Just a few weeks ago Congress passed a somewhat similar bill, but it only affected 9,600 employees of the star routes. That bill would have given to those 9,600 employees the same 3-percent automatic escalation increase in benefits.

The President vetoed that bill. I should like to read a part of his veto message, and I shall then ask to have it printed in full in the Record. This veto message is dated July 20, 1966, and I quote:

> I am returning H.R. 2035 without my approval.
>
> I am returning it because the principle it embodies is inflationary.
>
> I am returning it because it would set a bad example, not only in Government, but throughout our economy.
>
> This bill provides that whenever the Consumer Price Index rises by at least 1 percent a year, the costs of more than 9,600 star route postal contracts would be automatically and arbitrarily increased.
>
> Such a blanket adjustment of Federal contracts, based on the Consumer Price Index—or any price index—is dangerous.

I ask unanimous consent that this veto message, along with a copy of the bill that it represents, be printed at this point in the Record.

There being no objection, the veto message and the bill were ordered to be printed in the Record, as follows:

[89th Cong., 2d sess., House of Representatives, Doc. No. 460]

Star Route Contract Prices

(A message from the President of the United States, returning without approval the bill (H.R. 2035) providing cost-of-living adjustments in star route contract prices)

To the House of Representatives:

I am returning H.R. 2035 without my approval.

I am returning it because the principle it embodies is inflationary.

I am returning it because it would set a bad example, not only in Government, but throughout our economy.

This bill provides that whenever the Consumer Price Index rises by at least 1 percent a year, the costs of more than 9,600 star route postal contracts would be automatically and arbitrarily increased.

Such a blanket adjustment of Federal contracts, based on the Consumer Price Index—or any price index—is dangerous. It substitutes an arbitrary rule for the need to judge each case on its merits.

Often, an increase in the Consumer Price Index does not mean that the contractor's actual operating costs have gone up. Yet, under this bill, the contractor would be automatically entitled to price increases.

This is not sound fiscal policy. It is not fair to those who do business with the Government, and it is not fair to the taxpayers. The principle of this measure, if approved, would not stop with the star route postal contracts. It would spread to other Post Office contracts—and ultimately to contracts throughout the Federal Government.

This would open the door for similar actions throughout the private sector of our economy. The resulting automatic and, often unjustified, wage increases would fuel the fires of inflation.

Thus, we would be caught in an endless chain—a chain that would imprison the wage-earner behind the bars of inflation.

I do not intend to let that happen.

We are now in the sixth year of sustained prosperity. This prosperity was not achieved by accident. It was achieved by responsibility and restraint on the part of American business, American labor, and your Government. We imperil that prosperity if Government itself breaks the line.

I recognize that adjustments in contracts may be necessary from time to time. And it is the policy of this Government to make these adjustments whenever they are justified.

I also share the concern of the Congress that we should do everything possible to reduce the burden of paperwork which is now required of our star route contractors. But we must not attempt to achieve that goal by setting into motion arbitrary contract increases which can only contribute to a wage-price spiral with its disastrous impact on our economy.

Accordingly, I have withheld my approval from H.R. 2035. But I have directed the Postmaster General to take immediate steps to eliminate unneeded and unnecessary paperwork of these small contractors.

I believe that the purpose intended by the Congress in the enactment of this measure can be fully served in that manner without jeopardizing our sustained prosperity.

Lyndon B. Johnson.

The White House, *July 19, 1966*.

[H.R. 2035, 89th Cong., 2d sess.]

An act to provide for cost-of-living adjustments in star route contract prices

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6423 of title 39 of the United States Code is amended by inserting at the end thereof the following new subsections:

"(c) After January 1, 1966, and after each succeeding January 1, the Postmaster General shall determine the per centum change in the annual average of the Consumer Price Index published monthly by the Bureau of Labor Statistics of the United States Department of Labor from 1964 or the year immediately preceding the most recent contract price adjustment made pursuant to this subsection, whichever is later. On the basis of such determination by the Postmaster General, the following adjustments shall be made in each star route contract personally operated or requiring not more than two employees:

"(1) Effective July 1, 1966, if the change in such annual average from 1964 to 1965 shall have equaled a rise of at least 1 per centum, the contract price for each such star route contract which has a commencing date earlier than January 1, 1965, shall be increased by (A) such per centum rise for the first $5,000 of the contract price, (B) three-quarters of such per centum rise for that part of the contract price in excess of $5,000 but not in excess of $10,000, and (C) one-half of such per centum rise for that part of the contract price in excess of $10,000 but not in excess of $15,000.

"(2) Effective July 1 of each year after 1966, if the change in such annual average from the second preceding year to the immediately preceding year shall have equaled a rise of at least 1 per centum, the contract price for each such star route contract which has a commencing date earlier than January 1 of the immediately preceding year shall be increased by (A) such per centum rise for the first $5,000 of the contract price, (B) three-quarters of such per centum rise for that part of the contract price in excess of $5,000 but not in excess of $10,000, and (C) one-half of such per centum rise for that part of the contract price in excess of $10,000 but not in excess of $15,000.

Each increase in a star route contract price made in the manner provided for by this subsection shall be adjusted to the nearest one-tenth of 1 per centum.

"(d) The increases authorized by subsection (c) of this section shall not apply in the case of any contractor who operates more than one star route contract or to any contract which has been increased pursuant to subsection (a) of this section within the twelve months next preceding the date on which an adjustment in such contract would otherwise be authorized under subsection (c) of this section."

JOHN W. MCCORMACK,
Speaker of the House of Representatives.
CARL HAYDEN,
President pro tempore of the Senate.

I certify that this Act originated in the House of Representatives.

RALPH R. ROBERTS, *Clerk.*

Mr. WILLIAMS of Delaware. Mr. President, the same principle is embraced in this bill before us today; it has the same escalation clause in this bill. I shall vote against the pending bill, and if it passes I hope that the President will again take the same position and veto this proposal.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. THURMOND. Mr. President, I should like to be associated with the remarks made by the able and distinguished Senator from Delaware on this subject.

Mr. WILLIAMS of Delaware. I thank the Senator from South Carolina.

Mr. President, I have nothing further to say. Very simply, that is the case. This is a dangerous precedent for Congress to establish, and it is unfair to other American taxpayers, who will be called upon to finance this expenditure. There is no provision in this bill which would finance the cost of this escalating increase in benefits other than from the Federal Treasury.

The bill should be rejected; and if it is passed I hope the President vetoes it, as he did the other bill.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 3247) was passed as follows:

S. 3247

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 804(b) of the Foreign Service Act of 1946, as amended (22 U.S.C. 1064(b)), is amended by adding the following:

"(4) The term 'price index' shall mean the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics. The term 'base month' shall mean the month for which the price index showed a per centum rise forming the basis for a cost-of-living increase."

(b) Section 882 of such Act, as amended (22 U.S.C. 1121), is amended to read as follows:

"SEC. 882. (a) Subject to the provisions of paragraph (b), each annuity payable from the Fund on April 1, 1966, shall be increased by 6.1 per centum. Each annuity payable from the Fund (other than the immediate annuity of an annuitant's survivor or of a child under section 821(c)) which has a commencing date after April 1, 1966, and not later than the first day of the sixth month which begins after the date of enactment of this amendment shall be increased by 6.1 per centum.

"(b) Those annuities increased by the cost-of-living provisions of the Foreign Service Annuity Adjustment Act of 1965 shall be adjusted to reflect the percentage increase under paragraph (a) had it been applied to the annuity on April 1, 1966, or its subsequent commencing date.

"(c)(1) Each month after April 1966 the Secretary shall determine the per centum change in the price index. Effective the first day of the third month which begins after the price index shall have equaled a rise of at least 3 per centum for three consecutive months over the price index for the base month, each annuity payable from the Fund which has a commencing date not later than such effective date shall be increased by the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum. The month of July 1965 shall be the base month for determining the per centum change in the price index until the next succeeding increase occurs.

"(2) In the event the Secretary determines that the price index shall have equaled a decrease of at least 3 per centum for three consecutive months under the price index for the latest base month, he shall make a detailed study to determine whether or not the annuities payable from the Fund should be adjusted to reflect the percentage decrease in the price index. In making such study the Secretary shall consider the specific items for which prices decreased, the likelihood of any further consecutive decreases in the price index, the type or types of annuities which should be adjusted, if any, and the extent of any such adjustment, and all other factors with respect to whether or not any such annuities should be adjusted. Upon the completion of any such study, the Secretary shall transmit to the President and Congress a full report thereon, together with his determination as to whether or not any such annuities should be adjusted and his recommendations for any legislation which he deems to be necessary or appropriate.

"(d) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the Fund as of the effective date of an increase, except as follows:

"(1) Effective from its commencing date, an annuity payable from the Fund to an annuitant's survivor (other than a child under section 821(c)), which annuity commences after April 1, 1966, shall be increased by the total per centum increase the annuitant was receiving under this section at death; or if death occurred between April 1, 1966, and date of enactment, the per centum increase the annuitant would have received;

"(2) For purposes of computing an annuity which commences after April 1, 1966, to a child under section 821(c), the items $600, $720, $1,800, and $2,160 appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section, and in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 821(c)(1) and (2) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death.

"(e) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"(f) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least $1."

SEC. 2. (a) Section 811(a) of such Act is amended by adding at the end thereof the following new sentence: "Notwithstanding the foregoing provisions of this subsection, no contribution or deduction shall be made in the case of a participant whose service credit, obtained in accordance with sections 851, 852, and 853, exceeds thirty-five years."

(b) Section 821(a) of such Act is amended by adding at the end thereof the following new sentence: "Notwithstanding the first sentence of this subsection, the annuity of a participant, whose service credit as of the effective date of this sentence exceeds thirty-five years, shall be computed on the basis of actual years of creditable service not in excess of forty."

(c) Section 855 of such Act is amended (1) by inserting "(a)" immediately after the section number, and (2) by adding at the end thereof the following new subsection:

"(b) The annuity of each former participant under the System, who retired prior to the effective date of this subsection, and who at the time of his retirement had creditable service in excess of thirty-five years, shall be recomputed on the basis of actual years of creditable service not in excess of forty years. Service which was not creditable under the System on the date a former participant retired, shall not be included as creditable service for the purpose of this recomputation. The annuities payable to such persons shall, when recomputed, be paid at the rates so determined, except that (1) no such annuity as recomputed shall exceed 80 per centum of the average salary used in computing the annuity, and (2) no such recomputation or any other action taken pursuant to this subsection shall operate to reduce the rate of the annuity any such person is entitled to receive under the System."

(d) Adjustments in annuities under this section shall be paid to the nearest dollar.

(e) This section shall become effective on the first day of the month following the enactment of this Act.

SEC. 3. Section 911 of such Act is amended by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(11) travel and related expenses, without regard to the provisions of this or any other law, whenever he determines that extraordinary conditions, or circumstances involving personal hardship, warrant the payment of such expenses incident to appointment, service, or separation of officers or employees of the Service, including any such expenses of the members of their families.".

SEC. 4. Immediately after section 943 of such Act add the following new section:

"SEC. 944. Under such regulations as he may prescribe, the Secretary is authorized to provide medical services under part E of this title beyond the date of death or separation of an officer or employee."

SEC. 5. Section 5925 of title 5, United States Code (which relates to post differentials) is amended by inserting immediately before the period at the end thereof the following: ", except that in a foreign area where there is unusual danger of injury due to hostile activity such additional compensation shall not exceed 50 per centum".

SEC. 6. (a) Subchapter II of chapter 63 of title 5, United States Code (which relates to leave), is amended by adding at the end thereof the following new section:

"§ 6325. Absence resulting from hostile activity

"No leave shall be charged to the account of any officer or employee for absence, not to exceed one year, due to an injury or illness incurred while serving abroad and resulting from hostile activity or clearly caused by the fact that the officer or employee was located abroad."

(b) The analysis at the beginning of such subchapter is amended by adding the following item at the end thereof:

"6325. Absence resulting from hostile activity."

(c) The amendment made by subsection (a) of this section shall take effect as of the first day of the first pay period which began on or after January 1, 1965.

SEC. 7. The United States Information and Educational Exchange Act of 1948 is amended by adding at the end thereof the following new section:

"APPOINTMENT OF FOREIGN SERVICE RESERVE OFFICERS

"SEC. 1012. Notwithstanding the provisions of section 522 of the Foreign Service Act of 1946, as amended, appointments or assignments of Foreign Service Reserve officers for service with the United States Information Agency may be of unlimited duration. The provisions of section 527 of such Act shall not be applicable with respect to any such appointment or assignment."

Mr. PELL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BIBLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AID TO MENOMINEE COUNTY, WIS.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1639, H.R. 8034.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8034) authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, the measure under consideration would authorize the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes.

Mr. President, this is an unusual bill in a certain respect because the tribal status of the people concerned has already been terminated. There is a need, however, to give consideration to the Menominee people because of a grave situation which has developed concerning the welfare of these people. The once stable community, suddenly saddled with the expense of full county government, is in a desperate financial crisis. The people are living in poverty, without rudimentary sanitary and medical facilities.

The case for Menominee County rests on the fact that these Indians have entered into a termination agreement with the Federal Government, making more difficult any assistance to them at this critical time. I believe the distinguished Senator from Arizona [Mr. FANNIN] has some very valid questions that he would like to raise.

Mr. FANNIN. Mr. President, I would first like to say that I have great sympathy for our Indian citizens. But I am concerned about this particular measure because I feel that termination should mean termination. If we are going to be fair and equitable with our Indian people and the Indian tribes, we should make a decision at the time of termination whether it is practical and will be beneficial to the Indian citizens involved, and not impose upon them an obligation that if they cannot carry through they will have to come back to the Congress for additional funds or additional consideration.

I would like to ask whether or not this is setting a precedent. If it is setting a precedent, I think it would be a very bad one.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FANNIN. I am glad to yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, in Montana, as in Arizona, we have a large number of Indian tribes. None of those tribes has as yet entered into a termination agreement with the Federal Government.

I concur completely with what the Senator from Arizona [Mr. FANNIN] said. I wish to emphasize that the intent of the Congress manifested in this colloquy is to point out that this measure is not to be considered as a precedent; that it entails special circumstances which are being given special consideration, and because of that a bill seeking appropriate relief has been introduced.

Mr. President, I ask unanimous consent that an excerpt from the Committee Report accompanying H.R. 8034 be printed at this point in the RECORD, so that the history of this proposal will be understood.

There being no objection, the excerpt from the report (1671) was ordered to be printed in the RECORD, as follows:

PURPOSE OF LEGISLATION

The purpose of H.R. 8034, is to authorize the Secretary of Health, Education, and Welfare to compensate the State of Wisconsin and one of its political subdivisions, Menominee County, for extraordinary expenses caused by the termination of Federal supervision over the affairs of the Menominee Tribe of Indians pursuant to the act of June 17, 1954 (68 Stat. 250), as amended.

THE NEED

On June 17, 1954, Congress voted to terminate the tribal status of the Menominee Indians. Termination became effective on April 30, 1961.

Today, 5 years later, fears for the welfare of the Menominee people have materialized. The once stable community, suddenly saddled with the expense of full county government, is in a desperate financial crisis, and the people are living in poverty, without elementary sanitary and medical facilities.

The case for Menominee County rests on the fact that upon termination the county was left with a level of sanitary facilities, and health, education, and welfare services below the level of any county in the State. The burden has been taken up by the State of Wisconsin and by the people of Menominee County, but they have not been able to solve the deep-seated inadequacies reflected in these figures:

Size ______________________acres__	234, 000
Population ____________________________	3, 200
Unemployment (State under 3.7 percent) _______________percent__	18. 1
Receiving welfare (State under 2.5 percent) _______________percent__	15. 8
Infant mortality, deaths per 1,000 births (3 times State average)____	63. 1
Dental Health—of those age 5 to 19 need care_______________percent__	93. 5
Tuberculosis—of adult population on drug therapy________percent__	33
TB cost per person in Wisconsin____	$1. 10
TB cost per person in county______	$23. 82

(Menominee County's cost of TB hospitalization is $65,000 annually. If the incidence for the rest of the State were the same as Menominee County, the State TB costs would exceed $100,000,000 a year.)

There is no doctor, no hospital, no dentist, no drugstore in the county.

Water and sewer connections are not complete in Keshena and Neopit, the county's two communities.

Of approximately 500 homes, there are more than 275 using outdoor toilet facilities.

The county has only one struggling industry, a lumber mill, to bear the exceptionally heavy tax burden to maintain the minimal health, education, and welfare services.

In 1962, Congress appropriated $660,000 to help with the county's contributions to school district No. 8, and $438,000 for sanitation facilities to ease the transition problems. The amount appropriated for completing sanitation facilities was only half enough. The school funds run out this year.

The State of Wisconsin has been generous with personnel, guidance, and financial assistance where permitted by State law, but it cannot meet the full needs of the Menominee people.

The people of Menominee County are being urged to use, and are using, some of the existing Federal aid programs, but many require at least 20 percent local financial participation, which is simply not available in Menominee County.

The county's own source of income rests in its forest and sawmill operations, turned over to Menominee Enterprises, Inc., when tribal status was terminated. Residents of the county became stock and 4 percent bond holders.

Menominee Enterprises carries 92 percent of the county's tax burden, which is rising at a rate of 5 percent a year. These taxes eat away profits and leave no funds for capital expansion, the corporation's only hope for solvency.

Although efficiently managed (earnings, sales, and production increased by about 50 percent in the last 4½ years), the company has been able to show a profit only 1 year. This was in 1965 when, operating at maximum capacity with existing facilities, the company had a net profit of $64,618 after paying property taxes of $392,767. However, this year the timber cut must be reduced to meet sustained yield standards.

The effective tax rate per $1,000 assessed value in the county will be $36.48 by 1969, and the company will be losing an estimated $158,000 a year. A Wisconsin State Department of Taxation official has predicted that "the company will be liquidated soon to cover tax and interest payments."

PROVISIONS OF H.R. 8034

H.R. 8034 authorizes to be paid to the State of Wisconsin, for distribution to Menominee County, the following:

	Per year
Sec. 1: For the fiscal year ending June 30, 1967, and for each of the succeeding 3 fiscal years, the following:	
For school district costs	$150,000
For public welfare benefits	100,000
For health and sanitation services	100,000
Sec. 2: In order to complete the construction of sanitation facilities in Menominee County	$450,000
Total funds	1,350,000

For school district costs

H.R. 8034 authorizes $150,000 for each of 4 years.

Menominee County's share of the levy for joint school district No. 8 will be $267,089 in fiscal 1967.

For the first time since termination in 1961, the county will have no help in meeting this obligation since the Federal appropriation of $660,000 has run out.

H.R. 8034 will help the county meet this obligation, and will ease the tax burden.

For public welfare

H.R. 8034 authorizes $100,000 for each of 4 years.

The $400,000 is intended to help meet exceptionally high welfare costs and to provide necessary tax relief.

The number of people receiving welfare aids in Menominee County has increased over 95 percent from May 1961 to September 1965, and the amount of aid has increased by 190 percent.

The total amount of welfare assistance during the month of September 1965 was $20,036 or roughly $7.43 for each resident. The total State expenditure for all residents of the State was a little over $7 million or an average of $1.85 per person. The welfare tax rate for the State as a whole was 1.29 mills in fiscal 1965. For Menominee County it was 2.78 mills or more than twice as much.

The county's welfare costs for the fiscal year ending June 30, 1965, were $67,820. However, this figure does not represent total need.

In December 1963 the State of Wisconsin established a special State bond program to aid needy owners of securities of Menominee Enterprises, Inc. Of the $1 million appropriated for this program, $462,580 was marked as "amount of relief paid." This bond program has not been renewed, and this welfare cost must be met in some other way.

George M. Keith, deputy director of the Wisconsin State Department of Public Welfare, pointed out in testimony on this bill that even if 10 percent of the amount paid for relief under the bond program is an ongoing general relief cost, that amount added to the $67,000 clearly identified above as Menominee County welfare costs would run over $100,000 a year.

For health and sanitation

H.R. 8034 authorizes $100,000 for each of 4 years.

The $400,000 is intended to finance an all-out attack on the high incidence of tuberculosis and generally to raise the level of health standards in the county. It would do so in the following ways:

Payment of the county's share of the hospitalization costs for tuberculosis patients, which in 1965 was $65,000.

Continuation of TB testing and treatment which was begun in May 1965 under a special $25,000 program of the U.S. Public Health Service. This program has placed 25 percent of the population and 33 percent of the adult population on drug therapy. The program has been extended to March 31, 1967, but will most likely be terminated at that time.

The employment of a health aid in the county health service to distribute TB medication and in general provide clerical and administrative assistance in all aspects of the TB program. This will be especially important when the Public Health Service program ends.

The employment of an X-ray technician. Menominee County residents now have to go to Shawano or Hickory Grove Sanitarium for the service.

The improvement or replacement of the physical plant of the nursing home, an old Government school building built about 1904. It would then be possible to discharge chronic, noninfectious TB patients from the sanitarium where annual costs of maintaining a patient are $4,000 a year to the nursing home where costs would be $2,000 a year.

The establishment of a health care program to treat the 93.5 percent of school children in need of dental care. The director of the dental health division of the State board of health has estimated that $50,000 would be needed to raise the dental status of the school population to the point where present needs could be provided for and a preventative dental program instituted.

The employment of a sanitary aid to raise services which the State board of health describes as "extremely limited." The employment of a qualified, full-time sanitarian would be of great help in raising the level of sanitation relative to private water supplies and sewage treatment, garbage and waste disposal, insect and rodent control, and housing improvements.

(In 1965, the State was forced to pick up excess TB hospitalization costs because the county could not pay its $65,000 share. This would not have been necessary had the Federal Government fulfilled its responsibility to the Menominee people before and at the time of termination.)

For sanitation facilities

H.R. 8034 authorizes $450,000.

A 1960 study contracted by the U.S. Public Health Service estimated $960,000 was needed to bring sanitary facilities in Keshena and Neopit up to modern-day standards.

In fiscal 1961, Congress appropriated $117,000 for a part of this work under the Indian Sanitation Facilities Act. In 1962, Congress appropriated $438,000 for this purpose. Based on the original engineers' reports of 1960, it is now estimated that it would require an expenditure of $439,000 to complete the work. This does not include any funds for facilities for the approximately 170 families living in rural areas of the county, for which an additional estimated $350,000 would be required.

H.R. 8034 provides the funds to complete basic water and sewer connections in Keshena and Neopit, to build two sewage treatment plants, and to replace a water tower, substandard water mains, and some makeshift galvanized pipe systems.

These provisions alone, of course, cannot solve Menominee County's economic problems. Long-range planning for economic development and funds for capital investment in Menominee Enterprises are essential. Sections 3, 4, and 5 of the original bill provided funds for these purposes, but these sections were dropped when the Economic Development Administration contracted a $25,000 study of economic development possibilities in the county and indicated it would favorably consider business loans to Menominee County under an existing program.

But H.R. 8034 can provide the immediate tax relief necessary if Menominee Enterprises is to survive long enough to plan for the future. It will allow the county to begin planning for more than 1 year at a time. And it can go a long way to bring grossly inadequate health and sanitation facilities at least up to minimal standards.

HISTORY OF LEGISLATION

On March 15, March 25, and August 15, 1966, the Indian Affairs Subcommittee of the House Committee on Interior and Insular Affairs held public hearings on H.R. 8034 by Congressman MELVIN LAIRD in Washington, D.C.

The Employment and Manpower Subcommittee of the Senate Labor and Public Welfare Committee also held 3 days of public hearings on a companion bill by Senator GAYLORD NELSON, S. 1934. The first set of hearings were in Neopit in Menominee County on November 10 and 11, 1965; the second on February 17, 1966, in Washington, D.C.

The full House Committee on Interior and Insular Affairs acted on H.R. 8034 on August 25, 1966, and reported it, with amendments, to the House on August 31. It was passed by the House of Representatives on September 6 and referred to the Senate Committee on Labor and Public Welfare. The full Senate committee favorably reported H.R. 8034 on September 22 and recommended its passage.

SECTION-BY-SECTION ANALYSIS

Section 1

(a) Authorizes to be appropriated $150,000 per annum for joint school district costs for the fiscal year ending June 30, 1967, and for each of the 3 succeeding fiscal years, to be paid to the State of Wisconsin for distribution to Menominee County.

(b) Authorizes to be appropriated $100,000 per annum for public welfare benefits for the fiscal year ending June 30, 1967, and for each of the 3 succeeding fiscal years, to be paid to the State of Wisconsin for distribution to Menominee County.

(c) Authorizes to be appropriated $100,000 per annum for health and sanitation services for the fiscal year ending June 30, 1967, and for each of the 3 succeeding fiscal years to be paid to the State of Wisconsin for distribution to Menominee County.

Section 2

(a) Authorizes the Suregon General of the Public Health Service, Department of Health, Education, and Welfare, to complete the construction of sanitation facilities in Menominee County.

(b) Authorizes to be appropriated $450,000 to carry out the purposes of section 2.

Mr. MANSFIELD. Mr. President, I wish to assure the distinguished Senator from Arizona [Mr. FANNIN] that this is not, under any manner or means, to be considered a precedent when consideration is given to this kind of termination proposal with other Indian tribes.

Mr. FANNIN. Mr. President, I wish to express my appreciation to the majority leader for his assurance that this will not set a precedent. I feel that we should at all times consider the circumstances involved with our fine Indian citizens, and that before termination is made, full consideration should be given to whether or not the Indian tribe involved can go up on their own; and the determination will be of benefit to them.

Mr. MANSFIELD. Mr. President, I wish to say, in conclusion, that the Senator from Arizona [Mr. FANNIN] has been known throughout this Nation as a true friend of the Indians, not only in Arizona, but everywhere. He has justly earned a reputation in that respect, and he has shown understanding in this instance.

Mr. President, once again, the passage of this legislation, if it is passed, does not set a precedent.

Mr. MORSE. Mr. President, I join in the remarks of the Senator from Montana [Mr. MANSFIELD] with respect to the leadership which the Senator from Arizona [Mr. FANNIN] has given us in connection with Indian affairs.

After I have finished my opening on the elementary and secondary school bill, the Senator from Arizona [Mr. FANNIN] will follow me with a statement on the problems of the Indians in connection with our school situation throughout the country.

Mr. President, I want the record to show that I enthusiastically endorse this bill and that I support it. I think it is a sound bill, and I think it should be passed.

I wish to thank the Senator also for the great help that he has been to us in connection with all Western States where we have a variety of Indian problems, and for the statesmanship he has extended to us in seeking a solution to the problems.

Mr. FANNIN. Mr. President, I wish to express my appreciation to the majority leader. I also express my thanks to the senior Senator from Oregon [Mr. MORSE] for the patience he had and the understanding he has expressed in regard to the activities on the Indian reservations, the education of our Indian citizens, and the great support he has given to this program.

Mr. NELSON. Mr. President, on June 17, 1954, Congress voted to terminate the tribal status of the Menominee Indians. Termination became final on April 30, 1961, and the tribal lands were incorporated as Menominee County, Wis. The county's only major source of income, its forest and sawmill operation, was turned over to Menominee Enterprises, Inc., and residents of the county became stock and 4-percent bondholders.

In 1962, Congress recognized that the Menominee Indians had been left with inadequate health and sanitary sewer facilities, and that the small tax base would not be sufficient to meet the heavy costs of full county government. It therefore appropriated $438,000 to complete sanitation facilities in the two communities of Keshena and Neopit, and $660,000 to help with the county's contributions to school district costs.

The amount appropriated for sanitation facilities in 1962 was only half enough to finish the work which has been estimated at $960,000. Bill H.R. 8034 which we are considering today authorizes up to $450,000 to finish the job.

The school funds appropriated in 1962 have run out, and the county will have to meet an annual tax levy of $267,069 beginning in fiscal 1967. H.R. 8034 authorizes $150,000 for each of 4 years to help meet these costs.

Menominee County faces exceptionally high welfare costs. The total amount of welfare assistance during 1 month in 1965 for Menominee County averaged $7.43 for each resident; the total State expenditure for all State residents averaged only $1.85 per person. H.R. 8034 authorizes $100,000 for each of 4 years to help meet these exceptionally high costs.

In addition, H.R. 8034 authorizes the appropriation of $100,000 for each of 4 years to finance an all-out attack on the high incidence of tuberculosis. About 33 percent of the adult population is on drug therapy; the TB cost per person in the county is $23.82 as compared to $1.10 for the State as a whole. These funds will also establish a health care program to treat the 93.5 percent of school children in need of dental care.

The funds authorized by the bill total $1,850,000.

These funds will bring the level of services in the county, below the level of any other county of the State upon termination, at least up to minimal standards. At the same time it will provide the desperately needed relief from an exceptionally heavy tax load which has been threatening Menominee Enterprises, the county's only source of income, with liquidation.

The Economic Development Administration has contracted a $25,000 study of the economic development possibilities in Menominee County. The EDA has also indicated it would favorably consider applications for long-term business loans to carry out recommendations for economic development.

H.R. 8034 will give the people of Menominee County a chance to use these tools to make long-range plans for the future, to expand the county's tax base, and to develop the county's beautiful natural resources for use as an outstanding outdoor recreation center.

In short, H.R. 8034 means new opportunity, new hope for the Menominee Indians.

The **PRESIDING OFFICER.** The bill is open to amendment.

If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 197) to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes.

The message also announced that the House had passed the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 10860) to promote the general welfare, public policy, and security of the United States.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 15111) to provide for continued progress in the Nation's war on poverty; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. POWELL, Mr. PERKINS, Mrs. GREEN of Oregon, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. GIBBONS, Mr. AYRES, Mr. QUIE, and Mr. GOODELL were appointed managers on the part of the House at the conference.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (S. 3046) to strengthen and improve programs of assistance for our elementary and secondary schools.

Mr. MORSE. Mr. President, I want the RECORD to show my great appreciation to the Senator from Arizona [Mr. FANNIN], and the Senator from Texas [Mr. YARBOROUGH], both members of my committee, and the present Presiding Officer, the Senator from New York [Mr. KENNEDY], for the obvious and complete confidence the Senate must have in the bill before it, and its obvious willingness that we consider it among ourselves. In fact, I am tempted to ask unanimous consent for its immediate passage at this time. I think I will.

Mr. MANSFIELD. Well, not that I would mind its being passed now. [Laughter.]

Mr. MORSE. Mr. President, I have been waiting for the ranking Republican Member to come into the Chamber. I have been advised that he is ill. I have therefore sent out for the next ranking Republican on the committee, although it is unnecessary because the Senator from Arizona [Mr. FANNIN] is now in the Chamber.

FLOOR PRIVILEGE FOR CERTAIN COMMITTEE STAFF MEMBERS

Mr. MORSE. Mr. President, I turn now to the pending bill. S. 3046 is the Elementary and Secondary Education Amendments bill.

During Senate consideration of Calendar No. 1642, Senate bill 3046, the Elementary and Secondary Education Amendments of 1966, I ask unanimous consent that staff members of both the majority and the minority be permitted on the floor to assist Senators on the committee during the course of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, for the purpose of consideration of the measure, I now ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 2, after line 5, to strike out:

"Extension Program to June 30, 1970"

After line 6, to insert:

"Revision of Authorization"

In line 15, after "June 30," to strike out "1970" and insert "1968"; after line 15, to strike out:

"Grants for Indian Children in Schools Operated by the Department of the Interior

"SEC. 102. Section 203(a)(1) of such Act of September 30, 1950, is amended to read as follows: 'From the sums appropriated for making grants under this title for a fiscal year, the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine and shall allot such amount among Puerto Rico, Guam, American Samoa, the Virgin Islands, and Trust Territory of the Pacific Islands, and the Department of the Interior (to meet the special educational needs of educationally deprived children in elementary and secondary schools operated for Indian children by that Department) according to their respective needs for such grants. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive, and the terms upon which payments shall be made to the Department of the Interior for such Indian children, shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.'"

And, in lieu thereof, to insert:

"Grants With Respect to Certain Indian Children

"SEC. 102. Section 203(a)(1) of such Act of September 30, 1950, is amended to read as follows:

"'SEC. 203. (a)(1)(A) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 207(a) (other than payments under such section to jurisdictions excluded from the term "State" by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective need for such grants. In addition he shall allot from such amount to the Secretary of the Interior the amount necessary to make payments pursuant to subparagraph (B) of this paragraph, and for the fiscal year ending June 30, 1967, the amount necessary to meet the special educational needs of educationally deprived children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive and the terms upon which payment shall be made to the Department of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"'(B) The terms on which payment shall be made to the Department of the Interior shall include provision for payments by the Secretary of the Interior to local educational agencies with respect to out-of-State Indian children in the elementary or secondary schools of such agencies under special contracts with that Department. The amount of any such payment may not exceed, for each such child, one-half the average per pupil expenditure in the State in which the agency is located.'"

On page 5, line 15, after the word "by", to insert "(A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B)"; on page 6, line 1, after the word "agencies", to insert "(as defined in section 303(6)(A))"; in line 2, after "United States", to insert "(including only the fifty States and the District of Columbia)"; in line 6, after the word "which", to insert "either of"; on page 8, after line 18, to insert a new section, as follows:

"Providing for the Counting of Orphans, Children in State Correctional Institutions, and Other Children Lacking Parental Support

"SEC. 104. (a) The first sentence of section 203(a)(2) of the Act of September 30, 1950, is amended by striking out the word 'and' before '(B)' and by inserting before the period at the end thereof a comma and the following: 'and (C) the number of children of such ages in such school district being supported because of lack of parental care in public or private nonprofit institutions or with public funds in foster homes, but not including any such children who are counted pursuant to paragraph (7) of this subsection for the purpose of a grant to a State agency'.

"(b) Section 203(a) of such Act is further amended by inserting at the end thereof a new paragraph as follows:

"'(7) In the case of a State agency which is directly responsible for providing free public education for children being supported by the State because of lack of parental care or for children in correctional institutions, the maximum grant which that agency shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for such children operated or supported by that State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this title only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the educational needs of such children on behalf of whom the grant was made.'"

On page 10, at the beginning of line 9, to change the section number from "104" to "105"; in line 13, after the word "following", to strike out "and"; in line 17, after the word "Act", to insert "and the number of other children counted pursuant to paragraph (2) of subsection (a)"; at the top of page 11, to insert:

"(b)(1) Paragraph (2) of section 203(a) of such Act is amended by inserting 'or, if greater, in the United States (which for purposes of this and the last sentence of this paragraph means the fifty States and the District of Columbia),' after 'average per pupil expenditure in that State'.

"(2) Paragraph (5) of section 203(a) of such Act is amended by inserting 'or, if greater, in the United States (which for purposes of this sentence means the fifty States and the District of Columbia,' after 'in that State'.

"(3) The amendments made by this subsection shall be effective with respect to fiscal years beginning after June 30, 1967."

At the beginning of line 13, to strike out "(b)" and insert "(c)"; in the same line, after "section 203(a)(2)", to insert "of such Act"; in line 16, after the word "State", to insert "or in the United States"; in line 19, after the word "agencies", to insert "as defined in section 303(6)(A)"; in line 20, after the word "State", to insert "or in the United States, as the case may be,"; in line 21, after the word "of", to strike out "local educational" and insert "such"; in line 23, after the word "which", to insert "either of"; on page 12, after line 2, to strike out:

"Raising the Low Income Factor to $3,000 After June 30, 1967

"SEC. 105. Section 203(c) is amended to read as follows:

"'(c) For the purposes of this section, the "Federal percentage" shall be 50 per centum and the "low income factor" shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and they shall be 50 per centum and $3,000, respectively, for each of the three succeeding fiscal years.'"

And, in lieu thereof, to insert:

"Raising the Low-Income Factor After June 30, 1966

"SEC. 106. Section 203(c) of such Act of September 30, 1950, is amended to read as follows:

"'(c) For the purposes of this section, the "Federal percentage" shall be 50 per centum and the "low-income factor" shall be $2,000 for the fiscal year ending June 30, 1966. For the fiscal year ending June 30, 1967, they shall be 50 per centum and $2,500, respectively, and for the fiscal year ending June 30, 1968, they shall be 50 per centum and $3,000, respectively.'"

On page 13, line 2, after "June 30", to strike out "1967" and insert "1966"; at the beginning of line 3, to change the section numbers from "106" to "107"; in line 4, after "June 30", to strike out "1967" and insert "1966"; in line 12, after the word "of", to strike out "the most recent satisfactory data available to him" and insert "data for the last calendar year ending before the beginning of the fiscal year for which the determination is made"; at the beginning of line 16, to change the section number from "107" to "108"; on page 14, at the beginning of line 13, to change the section number from "108" to "109"; in line 14, after the word "Act", to insert "of September 30, 1950"; after line 15, to insert:

"Special Treatment of Certain Earnings"

On page 15, line 9, after the word "of", to strike out "this Act" and insert "the Elementary and Secondary Education Amendments of 1966"; after line 13, to strike out:

"Use of Grants for Planning Programs and Projects, Including Construction

"Sec. 109. (a) The portion of section 205 (a)(1) of such Act of September 30, 1950, which precedes subclause (A) thereof is amended to read as follows: '(1) that payments under this title will be used for programs and projects (including the acquisition of equipment and, where necessary, the construction of school facilities and plans made or to be made for such programs, projects, and facilities)'.

"(b) Title II of such Act is amended by redesignating clauses (5) through (8) of section 205(a) and references thereto as clauses (6) through (9), and by inserting after clause (4) the following new clause:

" '(5) in the case of an application for payments for planning, (A) that the planning was or will be directly related to programs or projects to be carried out under this title and has resulted, or is reasonably likely to result, in a program or project which will be carried out under this title, and (B) that planning funds are needed because of the innovative nature of the program or project or because the local educational agency lacks the resources necessary to plan adequately for programs and projects to be carried out under this title;' "

On page 16, after line 12, to strike out:

"Providing That a Program on Project Must Be at Least a Certain Minimum Size To Be Approved

"Sec. 110. Section 205(a)(1)(B) of such Act of September 30, 1950, is amended by inserting '(and to this end involve an expenditure of not less than $5,000)' after 'which are of sufficient size, scope, and quality'."

After line 18, to insert:

"Amendments to Section 205 With Respect to Areas Having Projects, Construction for Handicapped, Size of Projects, and Coordination With Other Federal Programs

"Sec. 110. (a) Clause (1) of subsection (a) of section 205 of such Act of September 30, 1950, is amended by striking out the word 'high' preceding 'concentrations of children', and by striking and 'children from low-income families' and inserting in lieu thereof 'such children'.

"(b) Such clause is further amended (1) by inserting after the phrase 'toward meeting those needs' the following: 'and to this end involve an expenditure of not less than $2,500, except that the State educational agency may with respect to any applicant reduce such $2,500 requirement if it determines that it would be impossible, for reasons such as distance or difficulty of travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting such requirement', and (2) by changing the comma before 'and nothing herein' to a semicolon.

"(c) Such subsection (a) is further amended by striking out clause (7) and inserting in lieu thereof the following:

" '(7) in the case of a project for the construction of school facilities, that, in developing plans for such facilities due consideration has been given to compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons; and'.

"(d) Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by section 161 of this Act) is amended by inserting at the end of section 703 a new subsection as follows:

" '(c) In administering the provisions of this Act and any Act amended by this Act, the Commissioner shall consult with other Federal departments and agencies administering programs which may be effectively coordinated with programs carried out pursuant to such Acts, and to the extent practicable for the purposes of such Acts shall (1) coordinate such programs on the Federal level with the programs being administered by such other departments and agencies, and (2) require that effective procedures be adopted by State and local authorities to coordinate programs carried out under such Acts with other public and private programs having the same or similar purposes.' "

On page 19, after line 6, to insert a new section, as follows:

"Authority To Obligate Certain Amounts

"Sec. 113. Section 207 of such Act of September 30, 1950, is further amended by inserting at the end thereof a new subsection as follows:

" '(d) In the event that no appropriation for the purpose of making payments pursuant to this title is made prior to the first day in April immediately preceding the beginning of any fiscal year for which appropriations for such purpose are authorized, the Commissioner may execute grant agreements for grants pursuant to this title for such fiscal year. Such grant agreements shall be obligations of the United States. The amounts of such grant agreements shall be determined on the basis of an appropriation for the purposes of this title equal to the amount appropriated for such purposes prior to such first day in April for the fiscal year in which such day occurs.' "

On page 20, at the beginning of line 3, to change the section number from "113" to "114"; in line 10, after the word "dates", to insert "(not earlier than March 1 of such fiscal year)"; in line 24, after the word "offset", to strike out "proportionately"; at the top of page 21, to insert a new section, as follows:

"Revision in National Advisory Council Reporting

"Sec. 115. Section 212(c) of such Act of September 30, 1950, is amended to read as follows:

" '(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 31 of each calendar year beginning after the enactment of this title. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.' "

After line 11, to insert a new section, as follows:

"Short Title for Title II of Public Law 874, Eighty-first Congress

"Sec. 116. Title II of such Act of September 30, 1950 (as amended by this Act), is further amended by inserting at the end thereof an additional section as follows:

" 'Short Title

" 'Sec. 214. This title may be cited as the "Educationally Deprived Children's Act".' "

At the beginning of line 22, to change the section number from "114" to "117"; in the same line, after "Section 303 (6)", to insert "of such Act of September 30, 1950"; on page 23, line 4, after "Section 203 (a)(3)", to insert "of such Act"; on page 24, at the beginning of line 13, to strike out "$105,000,000" and insert "$125,000,000"; in line 14, after the word "and", to strike out "such sums as may be necessary for each of the three succeeding fiscal years" and insert "$150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law,"; after line 19, to strike out:

"Indian Children in Schools Operated by the Department of the Interior

"Sec. 122. Section 202(a) of such Act is amended by—

"(a) striking out '2 per centum' in the first sentence and inserting in lieu thereof '3 per centum';

"(b) striking out 'and' after 'the Virgin Islands,' in the first sentence, and inserting after 'the Pacific Islands' in that sentence ', and the Department of the Interior (for library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in elementary and secondary schools operated for Indian children by that Department)'; and

"(c) inserting after the first sentence thereof the following new sentence: 'The terms upon which payments shall be made to the Department of the Interior for such purposes shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.' "

And, in lieu thereof, to insert:

"Revision in Authorization for Title II, and Provision for Indian Children in Schools Operated by the Department of the Interior

"Sec. 122. Section 202 (a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"Sec. 202. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 201(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall allot from such amount to the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for such purpose shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

" '(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 201(b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.' "

At the top of page 27, to strike out:

"Assuring Each State at Least $80,000 Per Year for Administrative Expenses

"Sec. 123. Clause (2) of section 203(a) is amended by inserting immediately before the semicolon at the end thereof 'or $80,000, whichever is greater'."

And, in lieu thereof, to insert:

"Administrative Expenses and Improved Coordination

"Sec. 123. Section 203(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows through the end of clause (3) of such section:

" 'Sec. 203. (a) Any State which desires to receive grants under this title shall submit to the Commissioner a State plan, in such detail as the Commissioner deems necessary, which—

" '(1) designates a State agency which shall, either directly or through arrangements with other State or local public agencies, act as the sole agency for administration of the State plan;

" '(2) sets forth a program under which funds paid to the State from its allotment under section 202 will be expended solely for (A) acquisition of library resources (which for the purposes of this title means books, periodicals, documents, audiovisual materials, and other related library materials), textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools in the State, and (B) administration of the State plan, including (i) the development and revision of standards relating to library resources, textbooks, and other printed and published instructional materials furnished for the use of children and teachers in the public elementary and secondary schools of the State, and (ii) the distribution and control by a local educational agency of such library resources, textbooks, and other instructional materials in carrying out such State plan for the use of children and teachers in schools referred to in clause (A), except that the amount used for administration of the State plan for any fiscal year shall not exceed an amount equal to 5 per centum of the amount paid to the State under this title for that year or $50,000, whichever is greater;

" '(3) sets forth the criteria to be used in allocating library resources, textbooks, and other printed and published instructional materials provided under this title among the children and teachers of the State, which criteria shall—

" '(A) take into consideration the relative need, as determined from time to time, of the children and teachers of the State for such library resources, textbooks, or other instructional materials,

" '(B) provide assurance that to the extent consistent with law such library resources, textbooks, and other instructional materials will be provided on an equitable basis for the use of children and teachers in private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State, and

" '(C) provide assurance that, in order to assure the effective and efficient use of Federal funds, there will be appropriate coordination at both State and local levels between the program carried out under this title with respect to library resources and the program (if any) carried out under the Library Services and Construction Act (20 U.S.C. ch. 16);'."

On page 29, at the beginning of line 24, to strike out "$150,000,000" and insert "$200,000,000"; at the beginning of line 25, to insert "30, 1967", and in the same line, after the word "and", to strike out "such sums as may be necessary for each of the three succeeding fiscal years" and insert "$250,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

On page 30, after line 5, to strike out:

"Indian Children in Schools Operated by the Department of the Interior

"Sec. 132. Section 302(a) of such Act is amended by—

"(a) striking out '2 per centum' in the first sentence and inserting in lieu thereof '3 per centum';

"(b) striking out 'and' after 'the Virgin Islands,' in the first sentence and inserting after 'the Pacific Islands,' in that sentence 'and the Department of the Interior (for carrying out the purposes set forth in paragraphs (a) and (b) of section 303 for the benefit of Indian children in elementary and secondary schools operated by that Department)'; and

"(c) inserting after the first sentence thereof the following new sentence: 'The terms upon which payments shall be made to the Department of the Interior for such Indian children shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.' "

At the top of page 31, to insert a new section, as follows:

"Revision in Authorization for Title III, and Provision for Indian Children in Schools Operated by the Department of the Interior

"Sec. 132. Section 302(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

" 'Sec. 302. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall apportion the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall apportion from such amount to the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for such purpose shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

" '(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 301(b), the Commissioner shall apportion $200,000 to each State and shall apportion the remainder of such sums among the States as follows:

" '(A) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

" '(B) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.' "

On page 32, after line 18, to insert a new section, as follows:

"Providing That Facilities Constructed Under Title III Will Be Usable by Handicapped Persons

"Sec. 133. Section 304(a)(4) of the Elementary and Secondary Education Act of 1965 is amended by striking out 'and (C)' and inserting in lieu thereof the following: '(C) that, in developing plans for such facilities, there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons, and (D)'."

On page 33, after line 5, to insert a new section, as follows:

"Requirement of Approval by State Educational Agency in Certain Cases

"Sec. 134. Section 304(b)(4) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof a comma and the following: 'and in the case of applications providing for the expenditure of 25 per centum of a State's apportionment for any fiscal year for the purposes of this title, such applications have been approved by the State educational agency of such State'."

On page 33, after line 15, to insert a new section, as follows:

"Special Consideration for Local Educational Agencies Which Are Financially Overburdened

"Sec. 135. Section 304 of the Elementary and Secondary Education Act of 1965 is further amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

" '(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1966, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, racially imbalanced, or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency.' "

On page 36, line 2, after the word "subjects", and the period, to insert a quotation mark; on page 36, after line 2, to insert:

"(4) Prior to January 31, 1968, the Commissioner shall make a complete report to the Congress with respect to contracts and other arrangements made pursuant to this subsection with private organizations, including benefits received from such contracts and arrangements, and the Commissioner's recommendations with respect to the continuation of the authority to make such contracts and arrangements with private organizations."

On page 37, at the beginning of line 11, to strike out "$22,000,000" and insert "$30,000,000"; and in line 12, after the word "and", to strike out "such sums as may be necessary for each of the three succeeding fiscal years" and insert "$50,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

On page 37, after line 17, to insert a new section, as follows:

"Postponement of State Matching

"Sec. 152. (a) Section 503(b)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out 'July 1, 1967' in the first sentence and inserting in lieu thereof 'July 1, 1968'.

"(b) Section 503(b)(2) of such Act is amended by striking out the first sentence and inserting in lieu thereof the following: 'The Federal share for each State for the fiscal year beginning July 1, 1968, shall be promulgated by the Commissioner between July 1 and August 31, 1967, and the Federal share for each State for the fiscal year beginning July 1, 1969, shall be promulgated by the Commissioner between July 1 and August 31, 1968.' "

On page 38, line 8, to change the section number from "152" to "153"; on the same page, after line 12, to insert a new section as follows:

"Part F—Handicapped children

"Programs Authorized

"Sec. 161. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VI as title VII, by redesignating sections 601 through 605 and references thereto as sections 701 through 705, respectively, and by adding after title V the following new title:

" 'TITLE VI—EDUCATION OF HANDICAPPED CHILDREN

" 'Appropriations Authorized

" 'Sec. 601. (a) The Commissioner is authorized to make grants pursuant to the provisions of this title during the fiscal year ending June 30, 1967, and each of the three succeeding fiscal years, for the purpose of assisting the States in the initiation, expansion, and improvement of programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) for the education of handicapped children (as defined in section 602) at the preschool, elementary, and secondary school levels.

" '(b) For the purpose of making grants under this title there is authorized to be appropriated $150,000,000 for the fiscal year ending June 30, 1967, and $250,000,000 for the fiscal year ending June 30, 1968, but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.'

On page 39, after line 12, to insert a new section, as follows:

"Definition of 'Handicapped Children'

"Sec. 602. As used in this title, the term 'handicapped children' includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services."

On page 39, after line 19, to insert a new section, as follows:

"Allotment of Funds

"Sec. 603. (a) (1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 601(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title.

"(2) From the total amount appropriated pursuant to section 601(b) for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

"(b) The number of children aged three to twenty-one, inclusive, in any State and in all the States shall be determined, for purposes of this section, by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such deductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year."

On page 41, after line 9, to insert a new section, as follows:

"State Plans

"Sec. 604. Any State which desires to receive grants under this title shall submit to the Commissioner through its State educational agency a State plan in such detail as the Commissioner deems necessary. The Commissioner shall not approve a State plan or a modification of a State plan under this title unless the plan meets the following requirements:

"(a) The plan must provide satisfactory assurance that funds paid to the State under this title will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects, (A) which are designed to meet the special educational and related needs of handicapped children throughout the State, (B) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and (C) which may include the acquisition of equipment and where necessary the construction of school facilities. Nothing in this title shall be deemed to preclude two or more local educational agencies from entering into agreements, at their option, for carrying out jointly operated programs and projects under this title. The plan may provide up to 5 per centum of the amount allotted to the State for any fiscal year or $75,000 ($25,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, may be expended for the proper and efficient administration of the State plan (including State leadership activities and consultative services), and for planning on the State and local level.

"(b) The plan must provide satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this title.

(c) The plan must provide satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property.

"(d) The plan must set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this title will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds.

"(e) The plan must provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children.

"(f) The plan must provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan.

"(g) The plan must provide for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title, including reports of the objective measurements required by paragraph (e) of this subsection; and the plan must also provide for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(h) The plan must provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to local educational agencies.

"(i) The plan must provide satisfactory assurance that funds paid to the State under this title shall not be made available to any school for handicapped children eligible for assistance under section 203(a)(5) of title II of Public Law 874, Eighty-first Congress.

"(j) The plan must provide satisfactory assurance, in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 610 will be complied with on all such construction projects.

"(k) The plan must provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers and administrators of handicapped children significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects."

On page 45, after line 2, to insert a new section, as follows:

"Payment

"Sec. 605. From all amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. These payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments."

After line 10, to insert a new section, as follows:

"Administration of State Plans

"Sec. 606. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency administering the plan reasonable notice and opportunity for a hearing.

"(b) Whenever the Commission, after reasonable notice and opportunity for hearing to such State agency, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 604, or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provisions.

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply."

On page 46, after line 3, to insert a new section, as follows:

"Judicial Review

"Sec. 607. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 604 or with his final action under section 606(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code."

On page 47, after line 6, to insert a new section, as follows:

"National Advisory Committee on Handicapped Children

"Sec. 608. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner, who shall be Chairman, and not more than twelve additional members, not less than 50 per centum of whom shall be persons affiliated with educational, training, or research programs for the handicapped, appointed by the Commissioner without regard to the civil service laws.

"(b) The Advisory Committee shall review the administration and operation of this Act, title II of Public Law 874, Eighty-first Congress, and other provisions of law administered by the Commissioner, with respect to handicapped children, including their effect in improving the educational attainment of such children, and make recommendations for the improvement of such administration and operation with respect to such children. These recommendations shall take into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall from time to time make such recommendations as it may deem appropriate to the Commissioner and shall make an annual report of its findings and recommendations to the Commissioner not later than January 31 of 1968 and each fiscal year thereafter. The Commissioner shall transmit each such report to the Secretary together with his comments and recommendations, and the Secretary shall transmit such report, comments, and recommendations to the Congress together with any comments or recommendations he may have with respect thereto.

"(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

"(d) The Commissioner may, at the request of the Advisory Committee, appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties."

On page 49, after line 3, to insert a new section, as follows:

"Bureau for Education and Training of the Handicapped

"Sec. 609. The Commissioner shall establish and maintain within the Office of Education a bureau for the education and training of the handicapped which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training."

After line 13, to insert a new section, as follows:

"Labor Standards

"Sec. 610. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

At the top of page 50, insert a new section, as follows:

"Part G—Dissemination of information

"Sec. 171. Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by this Act) is amended by inserting at the end thereof a new section as follows:

" 'Dissemination of Information

" 'Sec. 706. (a) For the purpose of carrying out more effectively the provisions of this Act and title II of Public Law 874, Eighty-first Congress, the Commissioner—

" '(1) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful for such purpose;

" '(2) shall upon request provide advice, counsel, technical assistance, and demonstrations to State or local educational agencies or institutions of higher education undertaking to initiate or expand programs under this Act or such title in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

" '(3) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of projects carried out pursuant to this Act and such title; and

" '(4) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

" '(b) There are authorized to be appropriated not to exceed $1,500,000 for the fiscal year ending June 30, 1967, and not to exceed $2,000,000 for the fiscal year ending June 30, 1968, to carry out the provisions of this section.' "

On page 51, line 11, after the word "Part", to strike out "F" and insert "H"; at the beginning of line 12, to change the section number from "161" to "181"; in line 14, after "1966", to insert a comma and "except as specifically provided otherwise"; after line 16, to strike out:

"Subpart 1 Major Amendments"

After line 17, to insert:

"Amendments to Section 3"

After line 21, to strike out:

"Changing method of computing entitlement to eliminate present eligibility requirements and include an absorption provision

"(a)(1) Paragraphs (1) and (2) of subsection (c) of section 3 are amended to read as follows:

" '(c)(1) The amount to which a local educational agency is entitled under this section for any fiscal year shall be—

" '(A) with respect to children determined under subsection (a), an amount equal to the local contribution rate (determined under subsection (d)) multiplied by the number of children determined under subsection (a) minus a number equal to 3 per centum of the total number of children who were in average daily attendance during that year and for whom the agency provided free public education, and

" '(B) with respect to children determined under subsection (b), an amount equal to one-half of the local contribution rate (determined under subsection (d)) multiplied by the number of children determined under subsection (b) minus a number equal to 6 per centum of the total number of children who were in average daily attendance during that year and for whom the agency provided free public education.

" '(2) No local educational agency shall be entitled to receive any payment for a fiscal year unless the total number of children for whom the agency will receive such payments is ten or more. Notwithstanding the provisions of paragraph (1), whenever and to the extent that, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this Act, the Commissioner may waive or reduce the 3 per centum deduction contained in clause (A) of paragraph (1), or the 6 per centum deduction contained in clause (B) of paragraph (1).'

"(2) Subsection (c) is further amended by inserting immediately after paragraph (2) the following new paragraph:

" '(3) For the purposes of this subsection, a local educational agency may count as children determined under subsection (b) any number of children determined under subsection (a).'

And, in lieu thereof, to insert:

"Providing an alternative means of meeting the eligibility requirement

"(a)(1) Section 3(c)(2)(B) is amended by inserting after 'amount to' the following: ', whichever is the lesser, one thousand such children, or a number of such children equal to'.

"(2) Section 3(c)(5) is amended by striking out 'percentage requirements for eligibility under paragraphs (2) and (4) of this subsection' and by inserting in lieu thereof 'requirements for eligibility under paragraphs (2)(B) and 4(C) of this subsection'."

On page 55, after line 2, to strike out:

"(4) The fourth and fifth sentences of subsection (d) are repealed."

And, in lieu thereof, to insert:

"(4) The next to the last sentence of subsection (d) is amended by inserting after 'as the case may be,' the following: 'plus any direct current expenditures by the States for the operation of such agencies', and by inserting 'either of' after 'funds from which'."

After line 9, to strike out:

"Exclusion of property which is subject to local taxation

"Sec. 202. Subsection (1) of section 303, relating to the definition of 'Federal property', is amended by striking out the following sentence: 'Such term includes real property which is owned by the United States and leased therefrom and the improvements thereon even though the lessee's interest, or any improvement on such property, is subject to taxation by a State or a political subdivision of a State or by the District of Columbia.' "

After line 18, to strike out:

"Subpart 2 Minor and Technical Amendments

"Sec. 211. Section 3 is further amended in the following respects:"

At the beginning of line 24, to strike out "(a)" and insert "(c)"; on page 56, after line 9, to insert:

"Children moving into an area as a result of an international boundary relocation

"(d) Such subsection (b) of section 3 is further amended by adding at the end thereof the following new sentence: 'For the purpose of computing the amount to which a local educational agency is entitled under this section for the fiscal year ending June 30, 1967, the Commissioner shall also determine the number of children (other than children to whom subsection (a) or any other provision of this subsection applies) who were in average daily attendance at such schools and for whom such agency provided free public education, during such fiscal year, as a result of a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States.' "

On page 57, at the beginning of line 3, to strike out "(b)" and insert "(e)"; at the beginning of line 25, to change the section number from "212" to "202"; in the same line, after "Section 5 (b)", to insert "of the Act of September 30, 1950,"; on page 58, line 2, after the word "sentence", to strike out " 'sums appropriated pursuant to this Act shall remain available for obligation and payment as provided in this Act until the close of the fiscal year next succeeding the fiscal year for which they were appropriated.' " and insert " 'Sums appropriated pursuant to this title for any fiscal year shall remain available for obligation and payments with respect to amounts due local educational agencies under this title for such year, until the close of the following fiscal year.' "; at the beginning of line 12, to change the section number from "213" to "203"; in the same line, after "Section 6", to insert "of the Act of September 30, 1950,"; on page 59, after line 10, to insert:

"Amendments to Section 303"

At the beginning of line 12, to change the section number from "214" to "204"; in the same line, after "Section 303", to insert "of the Act of September 30, 1950,"; on page 60, after line 2, to strike out:

"Eliminating eligibility of federally connected children in thirteenth and fourteenth grades

"(c)(1) Subsection (4) of section 303, relating to the definition of 'free public education', is amended by striking out 'for the purposes of title II'.

"(2) Subsection (15) of that section, relating to the definitions of 'elementary school' and 'secondary school', is amended by striking out 'For the purpose of title II, the' and inserting 'The' in lieu thereof."

At the beginning of line 15, to strike out "(d)" and insert "(c)"; on page 61, after line 10, to insert a new section, as follows:

"Extending Temporary Provisions for Two Years

"Sec. 221. Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out '1966' and inserting in lieu thereof '1968'."

At the beginning of line 18, to change the section number from "221" to "222"; in line 19, after "1950", to strike out "(Public Law 815, Eighty-first Congress), as amended,"; after line 21, to insert:

"(b) Section 15(6) of such Act is amended by striking out 'base year' and inserting in lieu thereof 'second year of the four year increase period'."

On page 62, at the beginning of line 1, to strike out "(b)" and insert "(c)"; in the same line, after "Section 15(15)", to insert "of such Act"; at the beginning of line 6, to strike out "(c)" and insert "(d)"; in the same line, after "Section 15(16)", to insert "of such Act"; at the beginning of line 8, to strike out "(d)" and insert "(e)"; on page 63, at the beginning of line 4, to change the section number from "222" to "223"; in line 10, after the word "Extending", to strike out "one year" and insert "two years"; at the beginning of line 12, to change the section number from "223" to "224"; in line 13, after the word "the", where it appears the first time, to insert "second"; after line 14, to strike out:

"Exclusion of Property Which Is Subject to Local Taxation

"Sec. 224. Section 15(1) of such Act, relating to the definition of 'Federal property', is amended by striking out the following sentence: 'Such term includes real property which is owned by the United States and leased therefrom and the improvements thereon, even though the lessee's interest, or any improvement on such property, is subject to taxation by a State or a political subdivision of a State or by the District of Columbia.' "

On page 64, line 12, after the word "Children", to strike out "Residing On Federal Property"; in line 15, after "Sec. 226.", to insert "(a)"; in line 16, after the word "inserting", to strike out "(A)" and insert "(A) who so resided"; after line 22, to insert:

"(b)(1) The first sentence of section 5 (a)(2) of such Act is amended by inserting '(A)' after 'children', by inserting '(B)' immediately before 'residing with a parent', and by inserting after 'school district),' the following: 'or (C) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949),'.

"(2) The second sentence of section 5(a) (2) of such Act is repealed."

On page 65, after line 7, to insert a new section, as follows:

"Children Moving Into an Area as a Result of an International Boundary Relocation

"Sec. 227. Section 5(a) of such Act is further amended by striking out the period at the end of clause (3), by inserting '; and' in lieu thereof, and by inserting immediately after clause (3) the following new clause:

" '(4) for the fiscal year ending June 30, 1967, the estimated number of children, without regard to the limitation in subsection (d), whose membership in the schools of such local educational agency resulted from a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated.' "

On page 66, at the beginning of line 4, to change the section number from "227" to "228"; after line 15, to insert a new section, as follows:

"Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

"Sec. 229. Section 10 of such Act is further amended by adding an additional new subsection as follows:

" '(c) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of section 5 of this Act.' "

On page 67, at the beginning of line 7, to change the section number from "228" to "230"; after line 14, to strike out:

"Eliminating Eligibility of Federally Connected Children in Thirteenth and Fourteenth Grades

"Sec. 229. Section 15(4) of such Act, relating to the definition of 'free public education,' is amended by inserting ', except that such term does not include any education provided beyond grade 12' immediately before the period at the end of the sentence."

At the top of page 68, to insert a new section, as follows:

"Providing That Minimum School Facilities Be Usable by Handicapped Persons and Have Certain Other Features

"Sec. 231. Section 15(10) of such Act, relating to the definition of 'minimum school facilities', is amended by adding at the end thereof the following: 'Such regulations shall (A) require the local educational agency concerned to give due consideration to excellence of architecture and design, (B) provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans therefor if the cost of such works of art does not exceed 1 per centum of the cost of the project, and (C) require compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons.' "

At the beginning of line 20, to change the section number from "230" to "232"; on page 69, line 1, after the word "that" to insert "(1) the amendment made by section 201 (b) shall be effective for fiscal years beginning afer June 30, 1967, and (2)"; in line 3, after the word "section", to strike out "213" and insert "203 or 229"; in line 4, after the word "reduced", to strike out "the"; in the same line, after the word "payments", to strike out "under such Act"; after line 8, to insert:

"TITLE III—ADULT EDUCATION"

After line 9, to insert a new section, as follows:

"Short Title

"Sec. 301. This title may be cited as the 'Adult Education Act of 1966'."

After line 12, to insert a new section, as follows:

"Statement of Purpose

"Sec. 302. It is the purpose of this title to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens."

After line 19, to insert a new section, as follows:

"Definitions

"Sec. 303. As used in this title—

"(a) The term 'adult' means any individual who has attained the age of eighteen.

"(b) The term 'adult education' means services or instruction below the college level (as determined by the Commissioner), for adults who—

"(1) do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education, and

"(2) are not currently enrolled in schools.

"(c) The term 'adult basic education' means education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

"(d) The term 'Commissioner' means the Commissioner of Education.

"(e) The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools; except that if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority.

"(f) The term 'State' includes the District of Columbia, and (except for the purposes of section 305(a)) the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands.

"(g) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is a separate State agency or officer primarily responsible for supervision of adult education in public schools then such agency or officer may be designated for the purposes of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor."

On page 71, after line 22, to insert a new section, as follows:

"Grants to States for Adult Basic Education

"Sec. 304. (a) From the sums appropriated pursuant to section 314, not less than 10 per centum nor more than 20 per centum shall be reserved for the purposes of section 309.

"(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this section, to pay the Federal share of the cost of the establishment or expansion of adult basic education programs to be carried out by local educational agencies."

On page 72, after line 8, to add a new section, as follows:

"Allotment for Adult Basic Education

"Sec. 305. (a) From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number of adults who have completed not more than five grades of school (or have not achieved an equivalent level of education) in such State bears to the number of such adults in all States.

"(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the portion of the State plan relating to adult basic education approved under this title shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this title, and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year."

On page 73, after line 16, to insert a new section, as follows:

"State Plans

"Sec. 306. (a) Any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan. Such State plan shall be in such detail as the Commissioner deems necessary, and shall—

"(1) set forth a program for the use of grants, in accordance with section 304(b), which affords assurance of substantial progress, with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section;

"(2) provides for the administration of such plan by the State educational agency;

"(3) provides for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this title;

"(4) provides for grants to public and private nonprofit agencies for special projects, teacher-training and research;

"(5) provides for cooperation with Community Action programs, Work Experience programs, VISTA, Work Study, and other programs relating to the antipoverty effort;

"(6) provides that such agency will make such reports to the Commissioner, in such form and containing such information, as may reasonably be necessary to enable the Commissioner to perform his duties under this title and will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of such reports;

"(7) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid the State under this title (including such funds paid by the State to local educational agencies); and

"(8) provides such further information and assurances as the Commissioner may by regulation require.

"(b) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing."

On page 75, after line 13, to add a new section, as follows:

"Payments

"Sec. 307. (a) Except as provided in subsection (b), the Federal share of expenditures to carry out a State plan shall be paid from a State's allotment available for grants to such State. For the fiscal year ending June 30, 1967, and the succeeding fiscal year, the Federal share for each State shall be 90 per centum.

"(b) No payment shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that the amount available for expenditure by such State for adult education from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

"(c) Payments to a State under this title may be in installments and in advance or by way of reimbursements with necessary adjustments on account of overpayments or underpayments."

On page 76, after line 6, to insert a new section, as follows:

"Operation of State Plans; Hearings and Judicial Review

"Sec. 308. (a) Whenever the Commissioner after reasonable notice and opportunity for hearing to the State educational agency administering a State plan approved under this title, finds that—

"(1) the State plan has been so changed that it no longer complies with the provisions of section 306, or

"(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State agency that no further payments will be made to the State under this title (or in his discretion, that further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this title (or payments shall be limited to programs under or portions of the State plan not affected by such failure).

"(b) A State educational agency dissatisfied with a final action of the Commissioner under section 306 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to the review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not unless so specifically ordered by the court operate as a stay of the Commissioner's action."

On page 78, after line 6, to insert a new section, as follows:

"Special Experimental Demonstration Projects and Teacher Training

"SEC. 309. (a) The sums reserved in section 304(a) for the purposes of this section shall be used for making special project grants or providing teacher-training grants in accordance with this section.

"(b) The Commissioner is authorized to make grants to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects which will be carried out in furtherance of the purposes of this title, and which—

"(1) involve the use of innovative methods, systems, materials, or programs which the Commissioner determines may have national significance or be of special value in promoting effective programs under this title, or

"(2) involve programs of adult education, carried out in cooperation with other Federal, federally assisted, State, or local programs which the Commissioner determines have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with basic educational deficiencies.

The Commissioner shall establish procedures for making grants under this subsection which shall require a non-Federal contribution of at least 10 per centum of the costs of such projects wherever feasible and not inconsistent with the purposes of this subsection.

"(c) The Commissioner is authorized to provide (directly or by contract), or to make grants to colleges or universities, State or local educational agencies, or other appropriate public or private nonprofit agencies or organizations to provide, training to persons engaged, or preparing to engage, as personnel in adult education programs designed to carry out the purposes of this title, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Commissioner may by regulation determine."

On page 79, after line 18, to insert a new section, as follows:

"Advisory Committee on Adult Basic Education

"SEC. 310. (a) The President shall, within ninety days of enactment of this title appoint a National Advisory Committee on Adult Basic Education.

"(b) The National Advisory Committee shall have eight members, consisting of the Commissioner of Education, who shall be chairman, and seven other members who shall, to the extent possible, include persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge and experience, or qualifications with respect to adult basic education, and persons representative of the general public. Such Advisory Committee shall meet at the call of the chairman but not less often than twice a year.

"(c) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

"(d) The Advisory Committee shall review the administration and effectiveness of the adult basic education program and other federally supported adult education programs as they relate to adult basic education, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations. The Secretary of Health, Education, and Welfare shall coordinate the work of this committee with that of other related advisory committees.

"(e) Members of the Advisory Committee who are not regular full-time employees of the United States, shall, while serving on the business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"(f) The Commissioner shall engage such technical assistance as may be required to carry out the functions of the Advisory Committee, and the Commissioner shall, in addition, make available to the Advisory Committee such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

"(g) In carrying out its functions pursuant to this section, the Advisory Committee may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head of such agency."

At the top of page 82, to insert a new section, as follows:

"Administration

"SEC. 311. (a) The Commissioner is authorized to delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Office of Education.

"(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof."

On page 82, after line 10, to insert a new section, as follows:

"Federal Control Prohibited

"SEC. 312. (a) Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

"(b) The National Advisory Committee on Adult Basic Education is authorized to encourage the establishment of State and local adult education advisory committees in order to improve reporting of State and local administration of programs under this title. Such local and State advisory committees may be existing groups or especially established by State and local administrators of the programs to assure that the local program is meeting the needs of the community."

On page 83, after line 3, to insert a new section, as follows:

"Limitation

"SEC. 313. No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term 'school or department of divinity' means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects."

On page 83, after line 14, to insert a new section, as follows:

"Appropriations Authorized

"SEC. 314. There is authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1967, and $60,000,000 for the fiscal year ending June 30, 1968, for the purposes of this title."

On page 83, after line 19, to insert a new section, as follows:

"Repealer

"SEC. 315. Part B of title II of the Economic Opportunity Act of 1964 is repealed."

So as to make the bill read:

S. 3046

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1966".

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Part A—Financial assistance to educational agencies for the education of children of low-income families

Revision of Authorization

SEC. 101. Section 202 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

"Duration of Assistance

"SEC. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, 1968."

Grants With Respect to Certain Indian Children

SEC. 102. Section 203(a)(1) of such Act of September 30, 1950, is amended to read as follows:

"SEC. 203. (a)(1)(A) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 207(a) (other than payments under such section to jurisdictions excluded from the term 'State' by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective need for such grants. In addition he shall allot from such amount to the Secretary of the Interior the amount necessary to make payments pursuant to subparagraph (B) of this paragraph, and for the fiscal year ending June 30, 1967, the amount necessary to meet the special educational needs of educationally deprived children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive and the terms upon which payment shall be made to the Department of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(B) The terms on which payment shall be made to the Department of the Interior shall include provision for payments by the Secretary of the Interior to local educational agencies with respect to out-of-State Indian children in the elementary or secondary schools of such agencies under special contracts with that Department. The amount of any such payment may not exceed, for each such child, one-half of the average per pupil expenditure in the State in which the agency is located."

Payments to State Educational Agencies for Assistance in Educating Migratory Children of Migratory Agricultural Workers

SEC. 103. (a) Section 203(a) of such Act of September 30, 1950, is amended by inserting after paragraph (5) the following new paragraph:

"(6) A State educational agency which has submitted and had approved an application under section 205(c) for any fiscal year shall be entitled to receive a grant for that year under this title for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. For purposes of this paragraph, the 'average per pupil expenditure' in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the United States (including only the fifty States and the District of Columbia), plus any direct current expenditures by States for operation of local educational agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceeding year."

(b) Section 205 of such Act is amended by adding the following new subsection at the end thereof:

"(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

"(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including the transmittal of pertinent information with respect to school records of such children;

"(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

"(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through (8) of subsection (a), and of section 206(a).

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable notice and opportunity for a hearing to the State educational agency.

"(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States."

(c)(1) The portion of section 206(a) of such Act which precedes clause (1) is amended by striking out "participate in the program of this title" and inserting in lieu thereof "participate under this title (except with respect to the program described in section 205(c) relating to migratory children of migratory agricultural workers)".

(2) The first sentence of section 207(a)(1) of such Act is amended by inserting "it and" after "the amount which".

(3) Section 210 of such Act is amended by striking out "section 206(b)" and inserting in lieu thereof "section 205(c) or 206(b)".

(4) Section 211(a) of such Act is amended by striking out "section 206(a)" and inserting in lieu thereof "section 205(c) or 206(a)".

Providing for the Counting of Orphans, Children in State Correctional Institutions, and Other Children Lacking Parental Support

SEC. 104. (a) The first sentence of section 203(a)(2) of the Act of September 30, 1950, is amended by striking out the word "and" before "(B)" and by inserting before the period at the end thereof a comma and the following: "and (C) the number of children of such ages in such school district being supported because of lack of parental care in public or private nonprofit institutions or with public funds in foster homes, but not including any such children who are counted pursuant to paragraph (7) of this subsection for the purpose of a grant to a State agency".

(b) Section 203(a) of such Act is further amended by inserting at the end thereof a new paragraph as follows:

"(7) In the case of a State agency which is directly responsible for providing free public education for children being supported by the State because of lack of parental care or for children in correctional institutions, the maximum grant which that agency shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for such children operated or supported by that State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this title only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the educational needs of such children on behalf of whom the grant was made."

Eligibility for Grants; Clarifying Definition of "Average Per Pupil Expenditure" in a State

SEC. 105. (a)(1) The portion of section 203(b) of such Act of September 30, 1950, which precedes paragraph (1) thereof is amended by inserting "the sum of" before "the number", and by inserting after "subsection (c))" the following: ", the number of children of such ages of families receiving an annual income in excess of the low income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act and the number of other children counted pursuant to paragraph (2) of subsection (a)".

(2) Section 203(b)(1) of such Act is amended by striking out all that follows "shall be" and inserting in lieu thereof "at least ten."

(3) Section 203(b)(2) of such Act is amended by striking out "shall be one hundred or more" and inserting in lieu thereof "shall be at least ten".

(b)(1) Paragraph (2) of section 203(a) of such Act is amended by inserting "or, if greater, in the United States (which for purposes of this and the last sentence of this paragraph means the fifty States and the District of Columbia)," after "average per pupil expenditure in that State".

(2) Paragraph (5) of section 203(a) of such Act is amended by inserting "or, if greater, in the United States (which for purposes of this sentence means the fifty States and the District of Columbia," after "in that State".

(3) The amendments made by this subsection shall be effective with respect to fiscal years beginning after June 30, 1967.

(c) The last sentence of section 203(a)(2) of such Act is amended to read as follows: "For purposes of this subsection, the 'average per pupil expenditure' in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6)(A) in the State, or in the United States, as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

Raising the Low-Income Factor After June 30, 1966

SEC. 106. Section 203(c) of such Act of September 30, 1950, is amended to read as follows:

"(c) For the purposes of this section, the 'Federal percentage' shall be 50 per centum and the 'low-income factor' shall be $2,000 for the fiscal year ending June 30, 1966. For the fiscal year ending June 30, 1967, they shall be 50 per centum and $2,500, respectively, and for the fiscal year ending June 30, 1968, they shall be 50 per centum and $3,000, respectively."

Using Most Recent Aid-for-Dependent-Children Data Available After June 30, 1966

SEC. 107. Effective with respect to fiscal years beginning after June 30, 1966, the third sentence of section 203(d) of such Act of September 30, 1950, is amended to read as follows: "The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving an annual income in excess of the low-income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act on the basis of data for the last calendar year ending before the beginning of the fiscal year for which the determination is made."

Repealing Provision for Special Incentive Grants

Sec. 108. (a) Title II of such Act of September 30, 1950, is amended by striking out section 204.

(b) Such title II is further amended by—

(1) striking out "basic grant", "BASIC GRANTS" and "basic grants" each time they occur and inserting in lieu thereof "grant", "GRANTS" or "grants", as the case may be;

(2) striking out "or a special incentive grant" in the portion of section 205(a) which precedes clause (1); and

(3) striking out in section 207(a)(2) the portion which follows the comma and inserting in lieu thereof "except that this amount shall not exceed the maximum amount determined for that agency pursuant to section 203."

Treatment of Income of Employees Receiving Aid for Dependent Children

Sec. 109. The following new section is added immediately after section 212 of such Act of September 30, 1950:

"Special Treatment of Certain Earnings

"Sec. 213. (a) Notwithstanding the provisions of title IV of the Social Security Act, a State plan approved under section 402 of such Act shall provide that for a period of not less than twelve months, and may provide that for a period of not more than twenty-four months, the first $85 earned by any person in any month for services rendered to any program assisted under this title of this Act shall not be regarded (A) in determining the need of such person under such approved State plan, or (B) in determining the need of any other individual under such approved State plan.

"(b) Notwithstanding the provisions of subsection (a) of this section, no funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the first month after the adjournment of the State's first regular legislative session which adjourns more than sixty days after enactment of the Elementary and Secondary Education Amendments of 1966, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a) of this section."

Amendments to Section 205 With Respect to Areas Having Projects, Construction for Handicapped, Size of Projects, and Coordination With Other Federal Programs

Sec. 110. (a) Clause (1) of subsection (a) of section 205 of such Act of September 30, 1950, is amended by striking out the word "high" preceding "concentrations of children", and by striking out "children from low-income families" and inserting in lieu thereof "such children".

(b) Such clause is further amended (1) by inserting after the phrase "toward meeting those needs" the following: "and to this end involve an expenditure of not less than $2,500, except that the State educational agency may with respect to any applicant reduce such $2,500 requirement if it determines that it would be impossible, for reasons such as distance or difficulty of travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting such requirement", and (2) by changing the comma before "and nothing herein" to a semicolon.

(c) Such subsection (a) is further amended by striking out clause (7) and inserting in lieu thereof the following:

"(7) in the case of a project for the construction of school facilities, that, in developing plans for such facilities due consideration has been given to compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons; and".

(d) Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by section 161 of this Act) is amended by inserting at the end of section 703 a new subsection as follows:

"(c) In administering the provisions of this Act and any Act amended by this Act, the Commissioner shall consult with other Federal departments and agencies administering programs which may be effectively coordinated with programs carried out pursuant to such Acts, and to the extent practicable for the purposes of such Acts shall (1) coordinate such programs on the Federal level with the programs being administered by such other departments and agencies, and (2) require that effective procedures be adopted by State and local authorities to coordinate programs carried out under such Acts with other public and private programs having the same or similar purposes."

Computing Amount of Payments for State Administrative Expenses

Sec. 111. Clause (1) of section 207(b) of such Act of September 30, 1950, is amended to read as follows:

"(1) 1 per centum of the total maximum grants for State and local educational agencies of the State as determined for that year pursuant to sections 203 and 208, or".

Providing a More Current Base for Determining Maintenance of Effort

Sec. 112. Section 207(c)(2) of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1964" and inserting in lieu thereof "for the second preceding fiscal year".

Authority To Obligate Certain Amounts

Sec. 113. Section 207 of such Act of September 30, 1950, is further amended by inserting at the end thereof a new subsection as follows:

"(d) In the event that no appropriation for the purpose of making payments pursuant to this title is made prior to the first day in April immediately preceding the beginning of any fiscal year for which appropriations for such purpose are authorized, the Commisisoner may execute grant agreements for grants pursuant to this title for such fiscal year. Such grant agreements shall be obligations of the United States. The amounts of such grant agreements shall be determined on the basis of an appropriation for the purposes of this title equal to the amount appropriated for such purposes prior to such first day in April for the fiscal year in which such day occurs."

Continuing and Revising Provision for Adjustments Where Necessitated by Appropriations

Sec. 114. (a) Section 208 of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1966," and inserting in lieu thereof "for any fiscal year".

(b) Such section 208 is further amended by adding at the end thereof the following: "In order to permit reductions made pursuant to this section for any fiscal year to be offset at least in part, the Commissioner may set dates (not earlier than March 1 of such fiscal year) by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section 203(a)(6) must file applications. The excess of (1) the total of the amounts of the maximum grants computed for all educational agencies of any State under section 203, as ratably reduced under this section, over (2) the total of the amounts for which applications of agencies of that State referred to in clauses (1) and (2) of the preceding sentence are approved shall be available, in accordance with regulations, first to educational agencies in that State and then to educational agencies in other States to offset ratable reductions made under this section."

Revision in National Advisory Council Reporting

Sec. 115. Section 212(c) of such Act of September 30, 1950, is amended to read as follows:

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 31 of each calendar year beginning after the enactment of this title. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report."

Short Title for Title II of Public Law 874, Eighty-first Congress

Sec. 116. Title II of such Act of September 30, 1950 (as amended by this Act), is further amended by inserting at the end thereof an additional section as follows:

"Short Title

"Sec. 214. This title may be cited as the 'Educationally Deprived Children's Act'."

Definitions

Broadening definition of "local educational agency"

Sec. 117. (a)(1) Section 303(6) of such Act of September 30, 1950, is amended to read as follows:

"(6)(A) For purposes of title I, the term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities for providing free public education.

"(B) For purposes of title II, the term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school, and it also includes (except for purposes of sections 203(a)(2), 203(b), and 205(a)(1)) any State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education)."

(2) The first sentence of section 203(a)(5) of such Act is amended by striking out ", on a non-school-district basis,".

(3) Section 203(a)(3) of such Act is amended to read as follows:

"(3) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this title."

Providing for a more precise definition of "current expenditures"

(b) Section 303(5) of such Act is amended to read as follows:

"(5) The term 'current expenditures' means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under title II of this Act or title II or III of the Elementary and Secondary Education Act of 1965."

Part B—School library resources, textbooks, and other instructional materials

Appropriations Authorized

Sec. 121. Section 201(b) of the Elementary and Secondary Education Act of 1965 (Public Law 89–10) is amended to read as follows:

"(b) For the purpose of making grants under this title there are hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $125,000,000 for the fiscal year ending June 30, 1967, and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

Revision in Authorization for Title II, and Provision for Indian Children in Schools Operated by the Department of the Interior

Sec. 122. Section 202(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"Sec. 202. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 201(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall allot from such amount to the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for such purposes shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 201(b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

Administrative Expenses and Improved Coordination

Sec. 123. Section 203(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows through the end of clause (3) of such section:

"Sec. 203. (a) Any State which desires to receive grants under this title shall submit to the Commissioner a State plan, in such detail as the Commissioner deems necessary, which—

"(1) designates a State agency which shall, either directly or through arrangements with other State or local public agencies, act as the sole agency for administration of the State plan:

"(2) sets forth a program under which funds paid to the State from its allotment under section 202 will be expended solely for (A) acquisition of library resources (which for the purposes of this title means books, periodicals, documents, audiovisual materials, and other related library materials), textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools in the State, and (B) administration of the State plan, including (i) the development and revision of standards relating to library resources, textbooks, and other printed and published instructional materials furnished for the use of children and teachers in the public elementary and secondary schools of the State, and (ii) the distribution and control by a local educational agency of such library resources, textbooks, and other instructional materials in carrying out such State plan for the use of children and teachers in schools referred to in clause (A), except that the amount used for administration of the State plan for any fiscal year shall not exceed an amount equal to 5 per centum of the amount paid to the State under this title for that year or $50,000, which ever is greater;

"(3) sets forth the criteria to be used in allocating library resources, textbooks, and other printed and published instructional materials provided under this title among the children and teachers of the State, which criteria shall—

"(A) take into consideration the relative need, as determined from time to time, of the children and teachers of the State for such library resources, textbooks, or other instructional materials,

"(B) provide assurance that to the extent consistent with law such library resources, textbooks, and other instructional materials will be provided on an equitable basis for the use of children and teachers in private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State, and

"(C) provide assurance that, in order to assure the effective and efficient use of Federal funds, there will be appropriate coordination at both State and local levels between the program carried out under this title with respect to library resources and the program (if any) carried out under the Library Services and Construction Act (20 U.S.C. ch. 16);".

Part C—Supplementary educational centers and services

Appropriations Authorized

Sec. 131. Section 301(b) of the Elementary and Secondary Education Act is amended to read as follows:

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $200,000,000 for the fiscal year ending June 30, 1967, and $250,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

Revision in Authorization for Title III, and Provisions for Indian Children in Schools Operated by the Department of the Interior

Sec. 132. Section 302(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"Sec. 302. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall apportion the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall apportion from such amount to the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for such purpose shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 301(b), the Commissioner shall apportion $200,000 to each State and shall apportion the remainder of such sums among the States as follows:

"(A) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

Providing That Facilities Constructed Under Title III Will Be Usable by Handicapped Persons

Sec. 133. Section 304(a)(4) of the Elementary and Secondary Education Act of 1965 is amended by striking out "and (C)" and inserting in lieu thereof the following: "(C) that, in developing plans for such facilities, there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons, and (D)".

Requirement of Approval by State Educational Agency in Certain Cases

Sec. 134. Section 304(b)(4) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof a comma and the following: "and in the case of applications providing for the expenditure of 25 per centum of a State's apportionment for any fiscal year for the purposes of this title, such applications have been approved by the State educational agency of such State."

Special Consideration for Local Educational Agencies Which Are Financially Overburdened

SEC. 135. Section 304 of the Elementary and Secondary Education Act of 1965 is further amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1966, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, racially imbalanced, or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency."

Part D—Cooperative Research Act amendments

Permitting the Research Training Program To Be Carried Out Through Contracts as Well as Grants

SEC. 141. Section 2(b) of the Cooperative Research Act (20 U.S.C. 331a) is amended to read as follows:

"(b)(1) The Commissioner is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in section 503(a)(4) of the Elementary and Secondary Education Act of 1965), including the development and strengthening of training staff and curricular capability for such training, and, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

"(2) Funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this subsection may, when so authorized by the Commissioner, also be used by the recipient (A) in establishing and maintaining research traineeships, internships, personnel exchanges, and pre- and post-doctoral fellowships, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (B) where the recipient is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations.

"(3) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection for training in sectarian instruction, or for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

"(4) Prior to January 31, 1968, the Commissioner shall make a complete report to the Congress with respect to contracts and other arrangements made pursuant to this subsection with private organizations, including benefits received from such contracts and arrangements, and the Commissioner's recommendations with respect to the continuation of the authority to make such contracts and arrangements with private organizations."

Consolidating Research Authority Under Section 2

SEC. 142. Section 4(b) of the Cooperative Research Act is amended by striking out the second sentence thereof.

Amending the Definition of "Construction" to Include the Acquisition of Existing Buildings

SEC. 143. Section 5(4) of the Cooperative Research Act is amended to read as follows:

"(4) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building) or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not acquired, expanded, remodeled, or altered."

Part E—Grants to strengthen State departments of education

Appropriations Authorized

SEC. 151. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1966, $30,000,000 for the fiscal year ending June 30, 1967, and $50,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

Postponement of State Matching

SEC. 152. (a) Section 503(b)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "July 1, 1967" in the first sentence and inserting in lieu thereof "July 1, 1968".

(b) Section 503(b)(2) of such Act is amended by striking out the first sentence and inserting in lieu thereof the following: "The Federal share for each State for the fiscal year beginning July 1, 1968, shall be promulgated by the Commissioner between July 1 and August 31, 1967, and the Federal share for each State for the fiscal year beginning July 1, 1969, shall be promulgated by the Commissioner between July 1 and August 31, 1968."

Technical Amendment Regarding Interchange of Personnel With States

SEC. 153. Effective as of April 11, 1965, section 507(c)(3)(D) of the Elementary and Secondary Education Act of 1965 is amended by inserting ", and for retention and leave accrual purposes," after "toward periodic or longevity step increases".

Part F—Handicapped children

Programs Authorized

SEC. 161. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VI as title VII, by redesignating sections 601 through 605 and references thereto as sections 701 through 705, respectively, and by adding after title V the following new title:

"TITLE VI—EDUCATION OF HANDICAPPED CHILDREN

"Appropriations Authorized

"SEC. 601. (a) The Commissioner is authorized to make grants pursuant to the provisions of this title during the fiscal year ending June 30, 1967, and each of the three succeeding fiscal years, for the purpose of assisting the States in the initiation, expansion, and improvement of programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) for the education of handicapped children (as defined in section 602) at the preschool, elementary and secondary school levels.

"(b) For the purpose of making grants under this title there is authorized to be appropriated $150,000,000 for the fiscal year ending June 30, 1967, and $250,000,000 for the fiscal year ending June 30, 1968, but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.

"Definition of 'Handicapped Children'

"SEC. 602. As used in this title, the term 'handicapped children' includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services.

"Allotment of Funds

"SEC. 603. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 601(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title.

"(2) From the total amount appropriated pursuant to section 601(b) for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

"(b) The number of children aged three to twenty-one, inclusive, in any State and in all the States shall be determined, for purposes of this section, by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

"State Plans

"SEC. 604. Any State which desires to receive grants under this title shall submit to the Commissioner through its State educational agency a State plan in such detail as the Commissioner deems necessary. The Commissioner shall not approve a State plan or a modification of a State plan under this title unless the plan meets the following requirements:

"(a) The plan must provide satisfactory assurance that funds paid to the State under this title will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects, (A) which are designed to meet the special educational and related needs of handicapped children throughout the State, (B) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and (C) which may include the acquisition of equipment and where necessary the construction of school facilities. Nothing in this title shall be deemed to preclude two or more local educational agencies from entering into agreements, at their option, for carrying out jointly operated programs and projects under this title. The plan may provide up to 5 per centum of the amount allotted to the State for any fiscal year or $75,000 ($25,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, may be expended for the proper and efficient administration of the State plan (including State leadership activities and consultative services) and for planning on the State and local level.

"(b) The plan must provide satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this title.

"(c) The plan must provide satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property.

"(d) The plan must set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this title will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds.

"(e) The plan must provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children.

"(f) The plan must provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan.

"(g) The plan must provide for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title, including reports of the objective measurements required by paragraph (e) of this subsection; and the plan must also provide for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(h) The plan must provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to local educational agencies.

"(i) The plan must provide satisfactory assurance that funds paid to the State under this title shall not be made available to any school for handicapped children eligible for assistance under section 203(a)(5) of title II of Public Law 874, Eighty-first Congress.

"(j) The plan must provide satisfactory assurance, in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 610 will be complied with on all such construction projects.

"(k) The plan must provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers and administrators of handicapped children significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects."

"Payments

"Sec. 605. From the amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. These payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"Administration of State Plans

"Sec. 606. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency administering the plan reasonable notice and opportunity for a hearing.

"(b) Whenever the Commission, after reasonable notice and opportunity for hearing to such State agency, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 604, or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provisions,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

"Judicial Review

"Sec. 607. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 604 or with his final action under section 606(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"National Advisory Committee on Handicapped Children

"Sec. 608. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner, who shall be Chairman, and not more than twelve additional members, not less than 50 per centum of whom shall be persons affiliated with educational, training, or research programs for the handicapped, appointed by the Commissioner without regard to the civil service laws.

"(b) The Advisory Committee shall review the administration and operation of this Act, title II of Public Law 874, Eighty-first Congress, and other provisions of law administered by the Commissioner, with respect to handicapped children, including their effect in improving the educational attainment of such children, and make recommendations for the improvement of such administration and operation with respect to such children. These recommendations shall take into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall from time to time make such recommendations as it may deem appropriate to the Commissioner and shall make an annual report of its findings and recommendations to the Commissioner not later than January 31 of 1968 and each fiscal year thereafter. The Commissioner shall transmit each such report to the Secretary together with his comments and recommendations, and the Secretary shall transmit such report, comments, and recommendations to the Congress together with any comments or recommendations he may have with respect thereto.

"(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

"(d) The Commissioner may, at the request of the Advisory Committee, appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

"Bureau for Education and Training of the Handicapped

"Sec. 609. The Commissioner shall establish and maintain within the Office of Education a bureau for the education and training of the handicapped which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training.

"Labor Standards

"Sec. 610. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the

Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

Part G—Dissemination of information

SEC. 171. Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by this Act) is amended by inserting at the end thereof a new section as follows:

"Dissemination of Information

"SEC. 706. (a) For the purpose of carrying out more effectively the provisions of this Act and title II of Public Law 874, Eighty-first Congress, the Commissioner—

"(1) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful for such purpose;

"(2) shall upon request provide advice, counsel, technical assistance, and demonstrations to State or local educational agencies or institutions of higher education undertaking to initiate or expand programs under this Act or such title in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

"(3) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions and annual report setting forth developments in the utilization and adaptation of projects carried out pursuant to this Act and such title; and

"(4) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

"(b) There are authorized to be appropriated not to exceed $1,500,000 for the fiscal year ending June 30, 1967, and not to exceed $2,000,000 for the fiscal year ending June 30, 1968, to carry out the provisions of this section."

Part H—Effective date

SEC. 181. The provisions of this title shall be effective with respect to fiscal years beginning after June 30, 1966, except as specifically provided otherwise.

TITLE II—FEDERALLY AFFECTED AREAS

Part A—Amendments to Public Law 874

Amendments to Section 3

SEC. 201. Section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended in the following respects:

Providing an alternative means of meeting the eligibility requirement

(a)(1) Section 3(c)(2)(B) is amended by inserting after "amount to" the following: ", whichever is the lesser, one thousand such children, or a number of such children equal to".

(2) Section 3(c)(5) is amended by striking out "percentage requirements for eligibility under paragraphs (2) and (4) of this subsection" and by inserting in lieu thereof "requirements for eligibility under paragraphs (2)(B) and 4(C) of this subsection".

Method of determining local contribution rate

(b) Subsection (d) of section 3, relating to the computation of the local contribution rate, is amended as follows:

(1) The first sentence of subsection (d) is amended by striking out "and the local educational agency".

(2) Clauses (1) and (2) of the first sentence of subsection (d) are amended to read:

"(1) he shall place each school district within the State into a group of generally comparable school districts; and

"(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which all of the local educational agencies within any such group of comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence of subsection (d) is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)" and substituting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)".

(4) The next to the last sentence of subsection (d) is amended by inserting after "as the case may be," the following: "plus any direct current expenditures by the States for the operataion of such agencies", and by inserting "either of" after "funds from which".

Providing that children of servicemen shall be deemed to reside with a parent employed on Federal property

(c) (1) The first sentence of subsection (b) of section 3 is amended by—

(A) inserting "(1)" before "resided on Federal property",

(B) inserting "(2)" before "resided with a parent", and

(C) inserting before the period at the end thereof ", or (3) had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

(2) The second sentence of subsection (b) is repealed.

Children moving into an area as a result of an international boundary relocation

(d) Such subsection (b) of section 3 is further amended by adding at the end thereof the following new sentence: "For the purpose of computing the amount to which a local educational agency is entitled under this section for the fiscal year ending June 30, 1967, the Commissioner shall also determine the number of children (other than children to whom subsection (a) or any other provision of this subsection applies) who were in average daily attendance at such schools and for whom such agency provided free public education, during such fiscal year, as a result of a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States."

Providing that all Federal payments will be deducted from gross entitlements on the same basis

(e) Subsection (e) of section 3 is amended to read as follows:

"(e) In determining the total amount which a local educational agency is entitled to receive under this section (other than subsection (c)(4) thereof) for a fiscal year, the Commissioner shall deduct (1) such amount as he determines that agency derived from other Federal payments (as defined in section 2(b)(1)) but only to the extent such payments are not deducted under the last sentence of section 2(a), and only to the extent the payments are made with respect to property on which children, counted for purposes of this section, live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal Government during such year. The Commissioner shall make no deduction under this subsection for any fiscal year in which the sum of the amounts determined under clauses (1) and (2) of the preceding sentence is less than $1,000."

Making the appropriation for one fiscal year available through the following year to meet obligations of the current year

SEC. 202. Section 5(b) of the Act of September 30, 1950, is amended by adding at the end thereof the following new sentence: "Sums appropriated pursuant to this title for any fiscal year shall remain available, for obligation and payments with respect to amounts due local educational agencies under this title for such year, until the close of the following fiscal year."

Where a local educational agency cannot or will not educate children living on Federal property

SEC. 203. Section 6 of the Act of September 30, 1950, is amended by redesignating subsection (f) as subsection (g), and by inserting immediately after subsection (e) the following new subsection:

"(f) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of sections 3 and 4 of this Act. If a local educational agency refuses for any other reason to provide in any fiscal year free public education for children who reside on Federal property which is within the school district of that agency or which, in the determination of the Commissioner, would be within that school district if it were not Federal property, there shall be deducted from any amount to which the local educational agency is otherwise entitled for that year under section 3 or 4 an amount equal to (1) the amount (if any) by which the cost to the Commissioner of providing free public education for that year for each such child exceeds the local contribution rate of that agency for that year, multiplied by (2) the number of such children."

Amendments to Section 303

SEC. 204. Section 303 of the Act of September 30, 1950, is amended in the following respects:

Extending to all property the provision which permits Federal property used for housing to be counted as Federal property for one year after transfer by the United States

(a) Clause (B) of the second last sentence of section 303(1) is amended by striking out "housing".

Repeal of exclusion of property used for provision of local benefits

(b) The last sentence of section 303(1) is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Authorizing the Commissioner to establish a method of counting children for the purpose of determining average daily attendance

(c) Subsection (10) of section 303 is amended to read as follows:

"(10) Average daily attendance shall be determined in accordance with State law except that (A) the average daily attendance of children with respect to whom payment is to be made under section 3 or 4 of this Act shall be determined in accordance with regulations of the Commissioner, and (B) notwithstanding any other provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the attendance of such child at such school shall be held and considered (i) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (ii) not to be attendance at a school of the local educational agency receiving such tuition payment or entitled to receive such payment under the contract."

Part B—Amendments to Public Law 815

Extending Temporary Provisions for Two Years

SEC. 221. Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "1966" and inserting in lieu thereof "1968".

Reducing Percentage Increase Required for Eligibility and Lengthening Increase Period to Four Years

SEC. 222. (a) Section 5(c) of the Act of September 23, 1950, is amended by striking out "at least 5 per centum" and inserting in lieu thereof "at least 6 per centum".

(b) Section 15(6) of such Act is amended by striking out "base year" and inserting in lieu thereof "second year of the four year increase period".

(c) Section 15(15) of such Act is amended by inserting "third or fourth" immediately before the phrase "regular school year" the first time that phrase occurs in the subsection, and by striking out "or the regular school year preceding such school year".

(d) Section 15(16) of such Act is amended by striking out "two" and inserting "four" in lieu thereof.

(e) Section 5(f) of such Act is amended to read as follows:

"(f) In determining under this section the total of the payments which may be made to a local educational agency on the basis of any application, the total number of children counted for purposes of paragraph (1), (2), or (3), as the case may be, of subsection (a) may not exceed—

"(1) the number of children whose membership at the close of the increase period for the application is compared with membership in the base period for purposes of that paragraph, minus

"(2) the number of such children whose membership at the close of the increase period was compared with membership in the base year for purposes of such paragraph under the last previous application, if any, of the agency on the basis of which any payment has been or may be made to that agency."

Reduction in the Non-Federal Growth Requirement

SEC. 223. Section 5(d) of such Act is amended by striking out "107 per centum" and by inserting in lieu thereof "106 per centum".

Extending the Time for Determining the Number of Unhoused Children by Authorizing the Commissioner To Make the Estimate for a Period Extending Two Years Beyond the Increase Period

SEC. 224. Section 4 of such Act is amended by inserting "the second year following" immediately before the phrase "the increase period".

Making the Provisions Relating to Indians Living on Reservations Permanent

SEC. 225. (a) The first sentence of section 14(b) of such Act is amended by striking out "ending prior to July 1, 1966," and ", not to exceed $60,000,000 in the aggregate,".

(b) The third sentence of section 14(b) is amended by striking out ", except that after June 30, 1966, no agreement may be made to extend assistance under this section".

Providing That Children Who Have a Parent in the Uniformed Services Will Be Considered as Federally Connected

SEC. 226. (a) Section 5(a)(1) of such Act is amended by inserting ", (A) who so resided" immediately before the phrase "with a parent employed on Federal property" and by inserting immediately before the comma preceding the phrase "multiplied by 95 per centum" the following: ", or (B) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

(b)(1) The first sentence of section 5(a)(2) of such Act is amended by inserting "(A)" after "children", by inserting "(B)" immediately before "residing with a parent", and by inserting after "school district)," the following: "or (C) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949),".

(2) The second sentence of section 5(a)(2) of such Act is repealed.

Children Moving Into an Area as a Result of an International Boundary Relocation

SEC. 227. Section 5(a) of such Act is further amended by striking out the period at the end of clause (3), by inserting "; and" in lieu thereof, and by inserting immediately after clause (3) the following new clause:

"(4) for the fiscal year ending June 30, 1967, the estimated number of children, without regard to the limitation in subsection (d), whose membership in the schools of such local educational agency resulted from a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated."

Providing for Transfer of Title to Facilities to the Local Education Agency Where It Is in the Federal Interest To Do So

SEC. 228. Section 10 of such Act is amended by inserting "(a)" immediately before the first word thereof, and by adding the following new subsection:

"(b) When the Commissioner determines it is in the interest of the Federal Government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or section 204 or 310 of this Act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this Act."

Where a Local Educational Agency Cannot or Will Not Educate Children Living On Federal Property

SEC. 229. Section 10 of such Act is further amended by adding an additional new subsection as follows:

"(c) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of section 5 of this Act."

Repeal of Exclusion of Property Used for Provision of Local Benefits

SEC. 230. The last sentence of section 15(1) of such Act is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), rerespectively.

Providing That Minimum School Facilities Be Usable by Handicapped Persons and Have Certain Other Features

SEC. 231. Section 15(10) of such Act, relating to the definition of "minimum school facilities", is amended by adding at the end thereof the following: "Such regulations shall (A) require the local educational agency concerned to give due consideration to excellence of architecture and design, (B) provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans therefor if the cost of such works of art does not exceed 1 per centum of the cost of the project, and (C) require compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons."

Including American Samoa in Definition of "State"

SEC. 232. Section 15(13) of such Act, relating to the definition of "State," is amended by inserting "American Samoa," immediately before "the Virgin Islands".

Part C—Effective date

SEC. 241. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1966, except that (1) the amendment made by section 201(b) shall be effective for fiscal years beginning after June 30, 1967, and (2) if the amendment made by section 203 or 229 would have reduced payments to a local educational agency for the fiscal year ending June 30, 1966 (if it had been in effect for that year), the amendment shall not apply to that local educational agency for fiscal years ending prior to July 1, 1968.

TITLE III—ADULT EDUCATION

Short Title

SEC. 301. This title may be cited as the "Adult Education Act of 1966".

Statement of Purpose

SEC. 302. It is the purpose of this title to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens.

Definitions

SEC. 303. As used in this title—

(a) The term "adult" means any individual who has attained the age of eighteen.

(b) The term "adult education" means services or instruction below the college level (as determined by the Commissioner), for adults who—

(1) do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education, and

(2) are not currently enrolled in schools.

(c) The term "adult basic education" means education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

(d) The term "Commissioner" means the Commissioner of Education.

(e) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools; except that if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority.

(f) The term "State" includes the District of Columbia, and (except for the purposes of section 305(a)) the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands.

(g) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is a separate State agency or officer primarily responsible for supervision of adult education in public schools then such agency or officer may be designated for the purposes of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor.

Grants to States for Adult Basic Education

SEC. 304. (a) From the sums appropriated pursuant to section 314, not less than 10 per centum nor more than 20 per centum shall be reserved for the purposes of section 309.

(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this section, to pay the Federal share of the cost of the establishment or expansion of adult basic education programs to be carried out by local educational agencies.

Allotment for Adult Basic Education

SEC. 305. (a) From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number of adults who have completed not more than five grades of school (or have not achieved an equivalent level of education) in such State bears to the number of such adults in all States.

(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the portion of the State plan relating to adult basic education approved under this title shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this title, and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

State Plans

SEC. 306. (a) Any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan. Such State plan shall be in such detail as the Commissioner deems necessary, and shall—

(1) set forth a program for the use of grants, in accordance with section 304(b), which affords assurance of substantial progress, with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section;

(2) provides for the administration of such plan by the State educational agency;

(3) provides for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this title;

(4) provides for grants to public and private nonprofit agencies for special projects, teacher-training and research;

(5) provides for cooperation with Community Action programs, Work Experience programs, VISTA, Work Study, and other programs relating to the antipoverty effort;

(6) provides that such agency will make such reports to the Commissioner, in such form and containing such information, as may reasonably be necessary to enable the Commissioner to perform his duties under this title and will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of such reports;

(7) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid the State under this title (including such funds paid by the State to local educational agencies); and

(8) provides such further information and assurances as the Commissioner may by regulation require.

(b) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

Payments

SEC. 307. (a) Except as provided in subsection (b), the Federal share of expenditures to carry out a State plan shall be paid from a State's allotment available for grants to such State. For the fiscal year ending June 30, 1967, and the succeeding fiscal year, the Federal share for each State shall be 90 per centum.

(b) No payment shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that the amount available for expenditure by such State for adult education from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

(c) Payments to a State under this title may be in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

Operation of State Plans; Hearings and Judicial Review

SEC. 308. (a) Whenever the Commissioner after reasonable notice and opportunity for hearing to the State educational agency administering a State plan approved under this title, finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 306, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State agency that no further payments will be made to the State under this title (or in his discretion, that further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this title (or payments shall be limited to programs under or portions of the State plan not affected by such failure).

(b) A State educational agency dissatisfied with a final action of the Commissioner under section 306 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to the review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not unless so specifically ordered by the court operate as a stay of the Commissioner's action.

Special Experimental Demonstration Projects and Teacher Training

SEC. 309 (a) The sums reserved in section 304(a) for the purposes of this section shall be used for making special project grants or providing teacher-training grants in accordance with this section.

(b) The Commissioner is authorized to make grants to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects which will be carried out in furtherance of the purposes of this title, and which—

(1) involve the use of innovative methods, systems, materials, or programs which the Commissioner determines may have national significance or be of special value in promoting effective programs under this title, or

(2) involve programs of adult education, carried out in cooperation with other Federal, federally assisted, State, or local programs which the Commissioner determines have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with basic educational deficiencies. The Commissioner shall establish procedures for making grants under this subsection which shall require a non-Federal contribution of at least 10 per centum of the costs of such projects wherever feasible and not inconsistent with the purposes of this subsection.

(c) The Commissioner is authorized to provide (directly or by contract) or to make grants to colleges or universities, State or local educational agencies, or other appropriate public or private nonprofit agencies or organizations to provide, training to persons engaged, or preparing to engage, as personnel in adult education programs designed to carry out the purposes of this title, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Commissioner may by regulation determine.

Advisory Committee on Adult Basic Education

SEC. 310. (a) The President shall, within ninety days of enactment of this title appoint a National Advisory Committee on Adult Basic Education.

(b) The National Advisory Committee shall have eight members, consisting of the Commissioner of Education, who shall be chairman, and seven other members who shall, to the extent possible, include persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge and experience, or qualifications with respect to adult basic education, and persons representative of the general public. Such Advisory Committee shall meet at the call of the chairman but not less often than twice a year.

(c) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

(d) The Advisory Committee shall review the administration and effectiveness of the adult basic education program and other federally supported adult education programs as they relate to adult basic education, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations. The Secretary of Health, Education, and Welfare shall coordinate the work of this committee with that of other related advisory committees.

(e) Members of the Advisory Committee who are not regular full-time employees of the United States, shall, while serving on the business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

(f) The Commissioner shall engage such technical assistance as may be required to carry out the functions of the Advisory Committee, and the Commissioner shall, in addition, make available to the Advisory Committee such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

(g) In carrying out its functions pursuant to this section, the Advisory Committee may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head of such agency.

Administration

SEC. 311. (a) The Commissioner is authorized to delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

Federal control prohibited

SEC. 312. (a) Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

(b) The National Advisory Committee on Adult Basic Education is authorized to encourage the establishment of State and local adult education advisory committees in order to improve reporting of State and local administration of programs under this title. Such local and State advisory committees may be existing groups or especially established by State and local administrators of the programs to assure that the local program is meeting the needs of the community.

Limitation

SEC. 313. No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

Appropriations Authorized

SEC. 314. There is authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1967, and $60,000,000 for the fiscal year ending June 30, 1968, for the purposes of this title.

Repealer

SEC. 315. Part B of title II of the Economic Opportunity Act of 1964 is repealed.

Mr. MORSE. Mr. President, today I bring from the Committee on Labor and Public Welfare a bill amending, extending, and, in the judgment of the committee, improving Public Law 89-10, the historic Elementary and Secondary Education Act which President Johnson signed into law on April 11, 1966.

The statute which we are engaged in now perfecting, through projects funded under title I of that act, in fiscal year 1966 opened educational opportunities to educationally deprived youngsters in 58,155 separate schools. These projects served more than 13.8 million children. Included in that figure are children who received benefits from more than one project.

Mr. President, it is a matter of great pride to each one of us on the Subcommittee on Education of the Committee on Labor and Public Welfare and the full committee, that, starting with the first year of President Kennedy's administration, we have made such miraculous—and that is President Johnson's language—progress in achieving the passage of Federal education legislation.

Senators have heard me say it before, but at the very beginning of the consideration of this bill I want to say it again, that the warp and woof of this bill comes from the omnibus education bill, S. 580, which I had the honor and privilege, at his request, of introducing for President Kennedy in the 88th Congress.

I shall never forget that original conference with the President, for he, too, was then in some doubt as to the strategy that we should follow in the consideration of education legislation. I completely agreed with him and enthusiastically carried out his instructions that we ought to introduce an omnibus bill, see how the reaction was on the Hill, start hearings, and then, at a later date, decide on our parliamentary strategy.

The Senator from Texas [Mr. YARBOROUGH] will remember this, because he joined me in a long conference with President Kennedy about education legislation strategy.

I introduced the bill. We started the hearings. Some time later, as the Senator from Texas [Mr. YARBOROUGH] will recall, we had a conference with the President. I told the President that, in my judgment, we would not be able to get to a vote on the omnibus bill that year, but that we ought to complete the hearings on the omnibus bill. We completed the hearings on the omnibus bill.

Then it was decided, with the full approval of the President, that I should offer the bill segment by segment. That was the recommendation of the subcommittee to my President. How well I remember saying, "I want to pledge you, Mr. President, if you will agree with this legislative policy, I shall get to a vote, if it is humanly possible, on each 1 of the 24 segments of the omnibus bill during the first term of your service in office."

Only the tragic loss of the President prevented the carrying out of that pledge of mine during the first 4 years, although, to the credit of the present President, let me say, in the first conference I had with President Johnson, he reiterated what he had said immediately upon taking office—that our responsibility is to continue the great program of President Kennedy.

Last year, although it was not within the 4 years I said I could deliver for him, we took the last vote on the last segment of President Kennedy's omnibus education program last year. We did not pass that program in the same form we introduced it, but that was not expected by any of us, including the President himself. We did not, however, lose a basic principle of the Kennedy program. I want the Record to show that. I want the Record to show that when we completed our job last year on Federal education legislation we had been able to deliver on the principles of the omnibus program that it was my privilege and honor to introduce at the request of President Kennedy.

We meet today on the next chapter that we are called upon to write in the field of Federal education legislation. At the very beginning of this debate—and I think it will prove to be a historic debate as far as the future of the schools of this country is concerned—I want to say to my colleagues that the chairman of the subcommittee and the floor manager of the bill once again is not going to take his eyes off the boys and girls of America as we consider this bill. I am not going to lift my eyes from the human values of those boys and girls and fix them on the American dollar sign. Money is of secondary importance, and it ought to be recognized by the Senate as a secondary matter, when it comes into conflict with the consideration of human values. Human values are much more precious to the people now living—and to future generations of American boys and girls—than any proposal to elevate to primary importance in this debate the saving of dollars at the expense of human values.

So at the beginning of the debate let me serve notice that the Senator from Oregon will not join in any proposals that I am sure will be offered to sacrifice human values for dollars.

Let me also, at the beginning of the debate, say to my President, "Mr. President, save your money elsewhere than at the expense of the human values of American boys and girls who need the educational services this bill seeks to provide them."

At the outset of the debate let me say to my President, "Mr. President, pay for your war in Vietnam by bringing up a tax bill that puts the responsibility for the payment of that war on those who are collecting blood money by way of any profits they are making from the killing."

I want my President to know that I shall not support any proposal as his spokesman here in the Senate, made by the Bureau of the Budget, or anyone else in this Government to cut this bill at the expense of the boys and girls of this country. They need the educational services provided in the bill. We have cut it in committee to the lowest amount that we can justify cutting it, and yet continue to protect the educational needs of this country.

I thought it would be best, Mr. President, that we join this issue now, at the very beginning of the debate. I well know what is going on in the cloakrooms of the Senate. I know what I shall undoubtedly be confronted with, as the manager of this bill, in regard to amendments. I am ready to meet them.

I say to my administration, "You will have to answer for it, Mr. President, out in the hustings of America, if, as a result of any action taken by a majority of the Senate in the consideration of this bill, the schoolchildren of America are made the sacrificial victims. If they are sacrificed in order to get some quick money to pay for the war in Vietnam you must answer for it. You ought to get the money from a tax bill. It should have been here weeks ago, providing a tax based on the ability of the American citizens to pay."

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. YARBOROUGH. Mr. President, I commend the able Senator from Oregon, whose leadership in all legislation involving the field of education, for the past 5 years, has been outstanding. As chairman of the Subcommittee on Education, he has been the Senate's foremost advocate of Federal aid to elementary and secondary education, as well as to higher education.

I approve his statement that he will oppose any cuts in this bill. I intend to support him in his opposition to cutting the amount recommended by the Committee on Labor and Public Welfare as a minimal amount to try to keep education moving forward in America. I regard our duty to educate the youth of America as the foremost duty of all levels of government—local, State, and National. I think no other activity in which we are engaged, whether domestic or foreign, approaches this area in importance to the welfare, the growth, the development, and the strength of America.

Mr. MORSE. I thank the Senator from Texas. As he well knows, this bill, as we bring it to the Senate today, contains the imprint of his statesmanship in a good many sections. He proposed several amendments which were adopted by the committee after he had ably presented them, in a manner which left no room for doubt in our minds that they would constitute improvements to the bill.

(Mr. Harris assumed the chair as Presiding Officer at this point.)

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from New York.

Mr. KENNEDY of New York. I join the Senator from Texas in commending the Senator from Oregon for his leadership in the field of education. Not only since my arrival in the Senate, but long before I arrived here, I have known that the far-reaching legislation passed in this field would not have been possible were it not for the Senator from Oregon.

I associate myself with the remarks of the Senator from Oregon as to the matter of cuts in this bill. I do not think there is any question that the commitment we made earlier in the year that we were not going to make the poor, the dispossessed, and the deprived in the United States pay for the war in Vietnam, has been broken. We have not kept that promise and commitment. I think that fact was quite clearly demonstrated yesterday, when we cut back on the poverty program.

The poor in the United States are paying for the war in Vietnam to a far greater extent than the wealthy. I think we put ourselves on record in that connection yesterday, during the course of the discussion, the debate, and the vote. I think it was a very bad mistake. We will pay for it for a long time to come, I think, as we become more and more concerned about the disturbances, the lawlessness, and the disorder that take place here in the United States, and wonder what we can do about it. We showed yesterday what we were prepared to do, when we cut that appropriation $750 million, where we did not have the support and help of the administration in our effort to keep the extra $750 million for Headstart and for job training.

I regret that. I think that was a bad mistake for the people of the United States. We did not keep the commitment made at the beginning of the year.

I support the effort that the senior Senator from Oregon will make in the field of education in the next few days. I think it is essential.

I think that if the amount to be provided in this legislation is cut, we will once again be making those who are least able to afford it pay for the struggle in Vietnam.

That is what was said in the beginning of the year in the State of the Union message, that we would not follow such a course of action. If we cut the amount to be provided in the legislation, we will be doing just that.

We will have to make cuts. I agree with the Senator. It is obvious that we will have some tax legislation. I think the tax legislation should be introduced now and that we should have an opportunity to legislate on the matter, as I said before. But, if we make cuts, if we are to proceed on the basis that it is not necessary to have any increase of taxes, I think it will be a case of making those who can least afford it, our young people and the poor, pay the price.

We should make cuts in other areas, whether it is the space program—which I am committed to and which President Kennedy was committed to and which I feel is so important to the United States—whether it is the highway program or any other program which would not affect human beings and those who do not have spokesmen in the U.S. Senate.

Those are the areas, in my judgment, in which cuts should be made. If we can spend $3 billion on dogs in the United States in 1965, we can spend more money to help those who need help, to help the helpless who live in our country.

Mr. MORSE. Mr. President, I cannot begin to express my appreciation for the remarks of the Senator from New York. The argument he makes is unanswerable.

I am proud to have had the privilege of following his leadership on this matter and many other matters since the junior Senator from New York has been a Member of the Senate.

As we discussed the amounts contained in the pending bill in the subcommittee and in the full committee, the brilliance and the logic of the Senator from New York in opposition to some proposals that were made for cuts made it possible for us to prevail and bring this bill to the floor of the Senate with these figures contained in the bill.

As I shall say as the debate progresses, these figures are supportable by the figures Senators have on their desks.

The logic presented by the Senator from New York this afternoon is inescapable. I certainly hope that we will not have to live through another black day such as we lived through yesterday when the poor of this country, by the cuts that were made in the poverty bill, in my judgment, were treated to a gross injustice by the Senate of the United States.

As has been pointed out by the Senator from New York, that is not the end. We have not seen the end of it. In my judgment, cuts of that type will cost the American people, the American taxpayers, many times the so-called savings involved in the cuts.

Any cut in the amount contained in the pending bill will cost the American taxpayers many times the so-called savings of the cuts.

It is about time that the American people stop and give consideration to their best interests and make it clear to their elected representatives in the country that they want no more of the shortsightedness that prevailed in connection with the poverty bill yesterday.

Mr. President, I regret that I considered it necessary to raise this issue at the very beginning of my remarks, but I think that is the time to raise it. We ought to go into this debate with a head-on collision as far as those are concerned that hold to the point of view that we can sacrifice the educational advantages of the school children of America in order to save a few million dollars to pour into a killing program in Asia that, as the Senate well knows, I completely disapprove of and consider to be unjustifiable and unconscionable. However, as long as we are doing it, we have to pay for it. I am for paying for it, and I am for paying for it with a tax bill that taxes people on the basis of their ability to pay.

The schoolchildren do not have the ability to pay. They are, in effect, crying out for the educational opportunity that will make it possible for them to become employable after they leave school to earn the money that will make it possible for them to pay taxes into the Treasury of the United States, the several States and the local communities of this country. They will be able to pay taxes far in excess of what they would have been able to pay if we had not offered them the schooling that this bill seeks to give to them.

We know, as we will point out in the debate, that just mathematically, school dropouts do not become tax assets to the American people. As we provide the opportunity that makes it possible to develop to the maximum extent possible the intellectual potential of the youth of this country, we are not spending money. We are making a sound investment in our economy that repays itself over and over again through the taxes derived from the increased earnings of educated men and women which they could not pay if they did not have the education.

As the Senators have heard me say in past years, and also early in this debate, let us get that premise out and let my colleagues that want to gut this bill answer it. I wait with interest for an answer. There is no answer to it. My opponents cannot add 2 and 2 with respect to this charge and get any other figure but 4.

Mr. President, this matter is very important. I am sorry that this is being considered in the rush in which we are forced to act in these closing days of the session.

I said yesterday that we ought to go home and come back after the election. If we were to go home and listen to the people, in my judgment, our legislative course of action would be quite different from what it might very well be if we should continue the unfortunate precedent of yesterday.

Mr. President, I have great confidence that the Senate of the United States is now going to recognize that we are dealing here with a bill in which we must authorize the amount that can be justified by the hearing record. It now is my duty to make the case for the bill on the basis of the record that was made before my subcommittee. I have no doubt of what we will do if the Senate will vote on the facts. That is the obligation of the Senate. The obligation of every one of my colleagues is to vote here on the facts and test those facts against what they show the public interest to be. The public interest is demonstrably on the side of the pending bill.

I propose now, with the assistance of my colleagues on the committee, to assume that burden of proof, and we do have the burden of proof. I welcome the opportunity to assume it.

First, let me show the participation last year in the title I program of Public Law 89–10.

In order that each Senator may know how his State fared under the bill I ask unanimous consent that table No. 1, found on page 2 of the committee report, be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Number of participating schools and children under title I, Public Law 89–10, the Elementary and Secondary Education Act of 1965, fiscal year 1966*

State	Number of participating—	
	Schools [1]	Children [2]
United States and outlying areas	58,155	13,851,317
50 States and the District of Columbia	56,013	13,222,905
Alabama	1,411	320,049
Alaska	140	28,971
Arizona	411	115,443
Arkansas	1,037	153,213
California	3,315	1,295,790
Colorado	594	46,371
Connecticut	371	67,078
Delaware	95	8,250
District of Columbia	77	25,329
Florida	1,138	384,232
Georgia	1,081	385,542
Hawaii	195	76,402
Idaho	456	74,902
Illinois	2,578	692,402
Indiana	1,695	117,540
Iowa	1,536	165,101
Kansas	1,380	188,875
Kentucky	1,480	243,539
Louisiana	665	269,108
Maine	693	52,060
Maryland	227	85,475
Massachusetts	664	99,398
Michigan	2,403	1,031,850
Minnesota	1,527	278,684
Mississippi	481	489,151
Missouri	1,408	405,429
Montana	690	32,096
Nebraska	648	53,922
Nevada	93	10,901
New Hampshire	294	14,869
New Jersey	1,550	139,802
New Mexico	500	90,248
New York	3,903	1,173,840
North Carolina	1,243	334,879
North Dakota	461	40,030
Ohio	2,416	565,066
Oklahoma	1,761	172,768
Oregon	738	97,479
Pennsylvania	3,132	1,067,348
Rhode Island	132	13,566
South Carolina	888	505,312
South Dakota	755	47,287
Tennessee	1,533	429,971
Texas	2,865	414,431
Utah	287	63,588
Vermont	369	16,058
Virginia	964	159,038
Washington	1,137	335,606
West Virginia	1,355	189,827
Wisconsin	1,403	143,161
Wyoming	123	11,518
Outlying areas	2,142	628,412
Trust territory	64	16,378
Guam	25	38,203
Puerto Rico	2,027	561,407
Virgin Islands	26	12,424

[1] Number of participating schools: In most cases this represents an unduplicated count of schools in the school districts with children in title I projects.

[2] Number of participants: This represents a duplicated count of participants since participation counts were obtained on a project basis.

Mr. MORSE. The other titles of Public Law 89–10 have also been considered in S. 3046. S. 3046, moreover, covers also in title II, the impacted areas legislation, Public Law 815 and Public Law 874, and it contains new programs in aid of handicapped children and expanded coverage providing assistance to State-operated schools educating orphans and delinquents, and additional aid to public schools charged with the education of foster children.

Under the terms of title III of S. 3046, adult basic education, a program established originally under title II–B of the Economic Opportunity Act authorities, is transferred to the Department of Health, Education, and Welfare, and placed under the Office of Education.

The cost of the various components of the bill may seem high, but in terms of what we are seeking to achieve—a better education for those of our children who need it the most—this is an investment in our human resources. Human, social and economic assets created by our tax dollar in these areas will repay us more than tenfold.

At this point in my remarks, Mr. President, I ask unanimous consent that the short summary of the principal provisions, which appears on pages 4 through

8 of the Senate report, be printed, and I further ask unanimous consent that immediately following there appear table IIa from page 9 of the report, which is a comparison of the estimated costs of the various components of this bill as contrasted to the authorizations contained in the bill as introduced and the House companion bill, H.R. 13161.

There being no objection, the summary and table were ordered to be printed in the RECORD, as follows:

I. SHORT SUMMARY OF THE PRINCIPAL PROVISIONS OF TITLE I OF S. 3046, AS REPORTED, AMENDING PUBLIC LAW 89-10

S. 3046, as reported, if enacted, would—

(a) Amend title I of Public Law 89-10, the Elementary and Secondary Education Act of 1965 by—

(1) changing the formula for the computation of benefits from a $2,000 per annum family income factor and the 1962 aid for dependent children base, now in the present law, for fiscal year 1967 to $2,500 per annum with use of 1965 aid for dependent children figures. For fiscal year 1968 the income factor would be raised to a $3,000 family income base and current aid for dependent children figures (the estimated cost of the new formula would be $1.667 billion for fiscal year 1967);

(2) providing an option, that as of July 1, 1967, States may choose, as a formula factor in the computation of grants, either half the State average or half of the national average per pupil expenditure (the cost of title I in fiscal year 1968 would be $2.29 billion);

(3) establishing an authorization of not more than 3 percent of the amounts appropriated for title I to fund grants to cover projects in schools on reservations for Indian children operated by the U.S. Department of the Interior and for schools in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territories of the Pacific;

(4) providing a grant program of special assistance to the States to assist them in educating the children of migratory agricultural workers at an estimated cost of $40,394,400;

(5) authorizing grants to fund programs for children in State schools for orphans and State correctional institutions and to provide payments to school districts based upon foster children attending such schools at an estimated cost of $74,837,000;

(6) recommending amendments clarifying the definition of average per pupil expenditure in the States, directing the use of the most recent aid for dependent children data available after June 30, 1966, repealing the provision in the basic act for special incentive grants (at a saving of an estimated cost of $320 million), clarifying sections of the basic law with respect to making provision for special needs of handicapped children in construction authorized under title I, clarifying the computation of payments for State administrative expenses, and providing a more current base for determining maintenance of effort by States;

(7) providing authority for making agreements to make grants, if appropriation bills for authorized purposes have not been enacted by April 1 of the fiscal year; and continuing and revising provisions in the act for adjustments where necessitated by appropriation acts;

(8) revising the reporting requirements of the National Advisory Council; and

(9) broadening the definition of local educational agency and providing a more precise definition of the term, "current expenditures."

(b) Amend title II of Public Law 89-10 which relates to school library resources, textbooks, and other instructional materials by—

(1) increasing the authorization from the recommended $105 to $125 million for the current fiscal year and providing that $150 million be authorized for fiscal year 1968;

(2) providing an authorization for an amount equal to 3 percent of the amounts appropriated for title II to be used to provide library services for Indian children and children in the territories and dependencies; and

(3) retaining for fiscal year 1967 and for fiscal year 1968 the present provision of the act permitting 5 percent of the amounts to be used by the States for administration of the program with the proviso that no State may receive less than $50,000 for this purpose and directing that this amount may be shared with local educational agencies in the maintenance of records covering the distribution of library resources, textbooks, and other instructional materials.

(c) Title III of Public Law 89-10 is amended by—

(1) increasing the authorization for the program for the current fiscal year from $100 to $200 million and providing $250 million for fiscal year 1968;

(2) authorizing BAI schools and for outlying territories an appropriation for each fiscal year of an amount equal to not more than 3 percent of the amount appropriated for such year;

(3) providing that facilities constructed under this title will be usable by handicapped persons;

(4) requiring that 25 percent of a State's apportionment shall be used to fund projects approved by State educational agencies; and

(5) adding a new section to the bill requiring the Commissioner to give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education, or any other condition that has imposed a financial burden upon the agency.

(d) Title IV of Public Law 89-10 is amended to permit the Commissioner to carry out research training by contract as well as grant and to permit him to make such contracts with private profitmaking organizations. Amendments to this new title also include consolidation of previous authorities and amendments to the definition of construction, permitting the Commissioner to acquire existing structures.

(e) Title V of Public Law 89-10 is amended by increasing the authorization for this title from $25 million to $30 million for fiscal year 1967 and to $50 million for fiscal year 1968. The committee further suspended the operation of the matching provision in existing law through fiscal year 1968.

(f) Public Law 89-10 is amended to include a new title for the education of handicapped children; $150 million for this purpose was authorized for fiscal year 1967 and $250 million for the fiscal year ending June 30, 1968. A State's allotment for this program is based upon a population formula of the number of children in the age groups 3 to 21 to finance programs designed to meet the special educational and related needs of handicapped children throughout the State which are of sufficient size, scope, and quality as to give reasonable promise of substantial progress toward meeting those needs. It is a State plan program which includes provisions for the acquisition of equipment and, where necessary, the construction of school facilities. A National Advisory Committee on Handicapped Children is established to advise the Commissioner on programs for the handicapped administered by the Office of Education. In addition, a bureau for the education and training of the handicapped is established within the Office of Education to administer this and other programs of education, training, or research for the handicapped.

(g) Title VI of the Elementary and Secondary Education Act is redesignated as title VII and is amended by adding a new section to provide for the financing of a program of dissemination of educational research findings; $1,500,000 is authorized for this purpose for fiscal year 1967 and $2 million for fiscal year 1968.

II. AMENDMENTS TO IMPACTFD AREAS LEGISLATION

Title II of S. 3046 is concerned with amendments to impacted areas legislation, Public Laws 815 and 874. The committee did not accept the administration recommendation to curtail this program; rather, it broadened the eligibility for these programs by a series of amendments and in the process clarified existing law to permit more efficient administration of the program through the elimination of inequities.

(a) For Public Law 874 that—

(1) the present 3-percent-eligibility requirement be modified to read 3 percent or 1,000 children whichever is the lesser;

(2) the administration amendment for determining local contribution rate be accepted other than the elimination of the National and State average options but delayed the effective date until July 1, 1967;

(3) administration amendments providing that children of men in the uniformed services shall be deemed to reside with a parent employed on Federal property for the purpose of computation of the benefits to the local school district;

(4) an amendment relating to payments for children moving into an area as a result of an international boundary relocation be added to existing law;

(5) all Federal payments be deducted from gross entitlements on the same basis and that deductions because of other Federal payments which amount to $1,000 or less are to be disregarded;

(6) the statute be amended so that an appropriation for one fiscal year be available through the following year;

(7) the act be amended to make further provision in the case where a local educational agency cannot or will not educate children living on Federal property;

(8) the act be amended to extend to all property the provision which permits Federal property used for housing to be counted as Federal property for 1 year after transfer to the United States; and

(9) an amendment which would repeal the exclusion of certain properties from the definition of Federal property.

(b) For the Public Law 815, amendments which, if enacted would—

(1) extend the temporary provisions of the act for 2 years;

(2) reduce the percentage increase required for eligibility and lengthen the increase period to 4 years;

(3) reduce the non-Federal growth requirement to a 1½% per year requirement;

(4) extend the time for determining the number of unhoused children for 2 years beyond the increase period;

(5) make permanent those provisions of the statute relating to Indians living on reservations;

(6) provide that children who have a parent in the uniformed services will be considered as federally connected;

(7) make payments on the basis of children moving into an area as a result of an international boundary relocation;

(8) provide for transfer of title to facilities located on Federal properties to the local educational agency where it is in the Federal interest to do so;

(9) make further provisions in the case where a local educational agency cannot or will not educate children living on Federal property;

(10) provide an amendment which would repeal the exclusion of certain properties from the definition of Federal property;

(11) provide that minimum school facilities be usable by handicapped persons; and

(12) include American Samoa in the definition of a State.

III. ADULT EDUCATION

Title III of S. 3046 makes provision for transferring to the Commissioner of Education authorities he now exercises on delegation from the Director of the Office of Economic Opportunity for adult basic education and it repeals title II–B of the Economic Opportunity Act.

If enacted, as recommended by the committee, title III of S. 3046 would become the Adult Education Act of 1966. The purpose of this title is to provide authority to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation of occupational training and more profitable employment and to become more productive and responsible citizens.

Forty million dollars will be authorized to be appropriated for the 1967 fiscal year and $60 million is authorized for fiscal year 1968. Not less than 10 percent nor more than 20 percent of the sums appropriated are reserved for sepcial projects and teacher training, the remainder of the sums to be allotted among the States upon a population basis of the number of adults who have completed not more than five grades of school. These sums would be expended for programs under a State plan which affords assurance of substantial progress toward carrying out the purposes of the Adult Education Act.

This title of the bill further provides for an Advisory Committee on Adult Education to advise the Commissioner of Education in the preparation of general regulations and with respect to policy matters. Provisions contained in the title prohibit Federal control of the program and the establishment of local adult education advisory committees is encouraged. No grant under this title may be made for any educational program, activity or service relating to sectarian instruction or religious worship or that which is provided by a school or department of divinity.

TABLE IIa.—*Comparisons of estimated costs, elementary and secondary education, fiscal year 1967 and fiscal year 1968—Administration Senate committee, and House committee reported versions*

[In thousands of dollars]

	Fiscal year 1966	Administration bill authorization	Senate bill (S. 3046) authorization as reported by committee		House bill (H. R. 13161)	
			Fiscal year 1967	Fiscal year 1968	Fiscal year 1967	Fiscal year 1968
Total	1,548,078	1,754,958	2,716,519	3,649,705	2,186,778	3,553,417
I. Amendments to Public Law 89-10 (total)	1,151,000	1,548,685	2,188,319	3,072,905	1,677,378	3,047,517
A. Title I total [1]	959,000	1,271,658	1,667,569	2,291,405	1,392,378	2,247,517
1. Basic formula (children from low-income families, handicapped children, migratory children)	959,000	1,271,658	[2] 1,585,311	[3] 1,878,834	[4] 1,269,301	[3] 1,878,834
2. Updating AFDC			12,632		[4] 94,661	
3. ½ national average current expenditure as a minimum rate				342,945		340,267
4. Includes orphans and delinquents			28,416	28,416	28,416	28,416
5. Includes foster children			41,210	41,210		
6. Incentive grants						
B. Title II	100,000	105,000	128,750	154,500	105,000	175,000
C. Title III	75,000	150,000	206,000	257,500	150,000	575,000
D. Title IV (cooperative research)						
E. Title V	17,000	22,000	30,000	50,000	30,000	50,000
F. Title VI (handicapped)			154,500	257,000		
G. Dissemination of information			1,500	2,000		
II. Federally affected areas	397,078	206,400				
A. Public Law 874	347,000	183,400	430,200	458,800	451,400	480,000
B. Public Law 815	50,078	22,900	58,000	58,000	58,000	25,900
III. Adult education (Hartke amendment)			40,000	60,000		

[1] Does not include 1 percent State administrative expenses.

[2] $2,500 base.

[3] $3,000 base.

[4] $2,000 base.

Mr. MORSE. Mr. President, I ask unanimous consent that the tables appearing on pages 3, 15, 16, and 17, 18, and 19, 23, 28, 33, 35, and 48 be printed at this point in my remarks, together with their appropriate headings, since these are State-by-State distribution figures which I feel will be of great interest to my colleagues and will be a point of reference from time to time during the course of our consideration of the bill.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE II.—*Estimated grants under title I, Public Law 89–10, fiscal years 1967 and 1968*

	Fiscal year 1967 [1]	Fiscal year 1968 [2]
United States and outlying areas	$1,667,569,860	$2,291,404,689
50 States and the District of Columbia	1,620,175,529	2,225,841,283
Alabama	44,770,089	84,572,439
Alaska	2,983,417	3,361,685
Arizona	15,252,454	17,523,573
Arkansas	26,643,964	52,673,675
California	122,774,080	125,894,253
Colorado	15,215,268	17,373,630
Connecticut	13,681,859	15,056,472
Delaware	3,460,317	4,019,764
Florida	48,614,245	67,220,509
Georgia	52,430,915	91,733,130
Hawaii	3,558,974	4,393,816
Idaho	4,034,964	6,496,009
Illinois	71,297,783	77,963,405
Indiana	28,050,608	34,292,395
Iowa	25,992,389	30,658,475
Kansas	16,204,582	19,415,641
Kentucky	13,042,933	68,467,075
Louisiana	53,619,871	75,814,643
Maine	5,875,421	9,639,406
Maryland	24,753,109	27,682,301
Massachusetts	26,165,336	29,849,796
Michigan	50,534,476	57,011,355
Minnesota	33,874,596	39,889,902
Mississippi	39,647,501	81,283,068
Missouri	40,107,338	50,840,770
Montana	$6,018,429	$7,094,077
Nebraska	10,645,688	15,637,597
Nevada	1,602,285	1,815,380
New Hampshire	2,492,963	3,448,908
New Jersey	37,686,506	41,182,395
New Mexico	13,946,374	16,081,712
New York	180,053,095	197,484,530
North Carolina	68,440,666	119,208,066
North Dakota	7,909,361	10,521,422
Ohio	55,526,132	66,965,517
Oklahoma	24,315,129	35,176,105
Oregon	12,595,198	14,494,766
Pennsylvania	77,302,915	88,288,217
Rhode Island	5,888,938	6,579,808
South Carolina	37,118,237	71,976,735
South Dakota	9,173,595	11,880,344
Tennessee	42,515,718	80,767,648
Texas	116,095,337	165,978,551
Utah	4,352,695	5,778,985
Vermont	2,977,168	4,020,945
Virginia	44,184,568	66,624,733
Washington	17,058,301	19,186,124
West Virginia	21,653,523	37,467,110
Wisconsin	27,001,484	32,689,560
Wyoming	2,652,612	3,189,306
District of Columbia	8,382,439	9,175,555
Outlying areas	47,393,431	65,563,406

[1] Grants estimated on basis of estimated 5 to 17 population; low-income factor, $2,500 per annum; AFDC 1965; estimated ADA handicapped children (June 30, 1966); estimated migratory children of migratory workers (FTE 1965); dependent and neglected children 5 to 17 in institutions (Apr. 1, 1960); children under 21 in foster homes under the auspices of public agencies (Apr. 1, 1960); juvenile delinquents 5 to 17 in training schools and detention homes (Apr. 1, 1960); and 50 percent State CE per pupil in ADA, 1964–65 (except migratory children)—1960 data on children based on 25 percent sample. 3 percent of 50 States and District of Columbia amounts added for the outlying areas (except migratory children).

[2] Grants estimated on low-income factor, $3,000 per annum; 50 percent State or National average CE per pupil in ADA 1964–65 (except migratory children); other factors as in footnote 1. It is estimated that the current expenditure per pupil in average daily attendance for 1965–66 will increase approximately 5 percent. This will increase the fiscal year 1968 amounts listed.

TABLE III.—*Estimated cost of migratory children amendments* [1]

	Amount
United States and outlying areas	$40,394,401
50 States and the District of Columbia	40,394,401
Alabama	414,381
Alaska	
Arizona	1,099,310
Arkansas	450,042
California	5,894,288
Colorado	1,082,192
Connecticut	238,453
Delaware	151,678
Florida	4,796,642
Georgia	430,309
Hawaii	
Idaho	504,960
Illinois	382,761
Indiana	299,077
Iowa	40,654
Kansas	468,348
Kentucky	$313,341
Louisiana	476,906
Maine	3,328
Maryland	146,686
Massachusetts	133,610
Michigan	2,170,328
Minnesota	150,965
Mississippi	544,187
Missouri	417,471
Montana	426,981
Nebraska	138,365
Nevada	31,144
New Hampshire	4,279
New Jersey	986,859
New Mexico	531,111
New York	1,179,428
North Carolina	844,452
North Dakota	513,281
Ohio	746,504
Oklahoma	$563,206
Oregon	838,271
Pennsylvania	340,681
Rhode Island	
South Carolina	371,112
South Dakota	16,880
Tennessee	133,610
Texas	9,798,692
Utah	119,821
Vermont	2,615
Virginia	422,464
Washington	1,006,591
West Virginia	71,322
Wisconsin	326,892
Wyoming	369,923
District of Columbia	
Outlying areas	

[1] Estimated on the basis of estimated migratory children of migratory workers (FTE 1965) and 50 percent national average CE per pupil in ADA, 1964–65.

TABLE IV.—*Add-on cost of Montoya amendment* (*July 25, 1966*)

TITLE I: ORPHANS, FOSTER CHILDREN, AND DELINQUENTS

[Estimated distribution of funds under S. 3046, Elementary and Secondary Education Amendments of 1966, as reported, Senate subcommittee]

	Estimated State amounts [1]
United States and outlying areas	$74,836,976
50 States and the District of Columbia	72,657,25
Alabama	961,183
Alaska	323,647
Arizona	603,218
Arkansas	534,677
California	7,984,193
Colorado	745,993
Connecticut	1,387,300
Delaware	320,643
Florida	1,499,902
Georgia	1,110,484
Hawaii	196,611
Idaho	146,924
Illinois	2,938,420
Indiana	1,760,702
Iowa	526,594
Kansas	374,482
Kentucky	$962,134
Louisiana	1,561,951
Maine	547,753
Maryland	2,649,266
Massachusetts	1,797,134
Michigan	1,245,134
Minnesota	1,585,152
Mississippi	477,144
Missouri	954,288
Montana	250,632
Nebraska	445,763
Nevada	198,278
New Hampshire	382,524
New Jersey	2,793,694
New Mexico	426,506
New York	10,766,925
North Carolina	1,843,912
North Dakota	164,040
Ohio	4,148,088
Oklahoma	$828,762
Oregon	1,178,320
Pennsylvania	3,927,276
Rhode Island	342,922
South Carolina	837,558
South Dakota	263,654
Tennessee	946,443
Texas	1,788,755
Utah	327,131
Vermont	274,353
Virginia	2,274,696
Washington	1,318,503
West Virginia	880,351
Wisconsin	1,935,446
Wyoming	126,424
District of Columbia	790,573
Outlying areas	2,179,718

[1] Estimated on the basis of dependent and neglected children 5 to 17 in institutions (Apr. 1, 1960), children under 21 in foster homes under the auspices of public agencies (Apr. 1, 1960), juvenile delinquents 5 to 17 in training schools and detention homes (Apr. 1, 1960), and 50 percent State or national average CE per pupil in ADA, 1964-65—3 percent added for outlying areas. Data on children based on 25 percent sample.

TABLE V.—*Estimated grants under title I, Public Law 89–10*

	Administration bill		Senate bill		Percent of per capita income spent for education: 1963
	1967 [1] (1)	1968 [2] (2)	1967 [3] (3)	1968 [4] (4)	(5)
United States and outlying areas	$1,271,657,531	$1,881,739,164	$1,667,569,860	$2,291,404,689	
50 States and District of Columbia	1,233,507,805	1,825,286,989	1,620,175,429	2,225,841,283	5.20
Alabama	36,093,925	51,678,410	44,770,089	84,572,439	5.22
Alaska	2,123,580	3,038,038	2,983,417	3,361,685	7.39
Arizona	12,014,206	16,920,355	15,252,454	17,523,573	7.55
Arkansas	21,419,680	31,019,013	26,643,964	52,673,675	5.44
California	86,421,358	117,910,060	122,774,080	125,894,253	5.99
Colorado	11,415,187	16,627,637	15,215,268	17,373,630	7.17
Connecticut	8,898,255	13,669,172	13,681,850	15,056,472	4.00
Delaware	2,285,343	3,699,121	3,460,317	4,019,764	4.86
Florida	35,487,553	59,175,651	48,614,245	67,220,509	5.08
Georgia	39,718,009	62,507,250	52,430,915	91,733,130	5.21
Hawaii	2,550,035	3,785,853	3,558,974	4,393,816	5.94
Idaho	3,165,785	4,885,964	4,034,964	6,496,009	6.69
Illinois	60,860,832	75,024,985	71,297,783	77,963,405	4.15
Indiana	19,825,096	32,457,124	28,050,608	34,292,395	5.71
Iowa	19,263,470	29,561,041	25,992,389	30,658,475	6.14
Kansas	11,714,885	19,041,159	16,204,582	19,415,641	6.55
Kentucky	31,418,998	45,573,132	13,042,933	68,467,075	5.69
Louisiana	40,868,135	62,479,102	53,619,371	75,814,643	6.37
Maine	4,069,549	7,197,455	5,875,421	9,639,406	5.48
Maryland	16,255,992	25,033,035	24,753,109	27,682,301	4.57
Massachusetts	17,514,411	28,051,862	26,165,336	29,849,796	3.61
Michigan	38,989,349	55,766,221	50,534,476	57,011,355	5.94
Minnesota	24,318,875	38,304,750	33,874,595	39,889,902	6.40
Mississippi	33,589,812	44,311,040	39,647,501	81,283,068	6.27
Missouri	31,154,768	46,734,065	40,107,338	50,840,770	4.38
Montana	4,404,834	6,843,445	6,018,429	7,094,077	7.04
Nebraska	7,417,976	13,023,790	10,645,688	15,637,597	5.35
Nevada	1,100,662	1,617,102	1,602,285	1,815,380	4.66
New Hampshire	1,580,870	2,790,381	2,492,963	3,448,908	4.62

See footnotes at end of table.

TABLE V.—*Estimated grants under title I, Public Law 89-10*—Continued

	Administration bill		Senate bill		Percent of per capita income spent for education: 1963
	1967 [1] (1)	1968 [2] (2)	1967 [3] (3)	1968 [4] (4)	(5)
50 States and the District of Columbia—Continued					
New Jersey	$27,848,828	$38,388,701	$37,686,506	$41,182,395	3.78
New Mexico	10,626,612	15,546,421	13,946,374	16,081,712	9.02
New York	122,012,658	186,717,605	180,053,095	197,484,530	4.59
North Carolina	53,538,519	79,331,307	68,440,666	119,208,066	5.60
North Dakota	5,916,615	9,300,675	7,909,361	10,521,422	7.27
Ohio	40,661,897	59,015,997	55,526,132	66,965,517	4.43
Oklahoma	18,747,325	27,404,074	24,315,129	35,176,105	6.21
Oregon	9,471,906	13,316,446	12,595,198	14,494,766	6.83
Pennsylvania	60,786,264	84,350,941	77,302,915	88,288,217	4.61
Rhode Island	4,373,044	6,236,886	5,888,938	6,579,808	4.15
South Carolina	29,934,221	42,729,553	37,118,237	71,976,735	5.56
South Dakota	7,185,036	10,715,502	9,173,595	11,880,344	7.64
Tennessee	33,283,616	50,492,255	42,515,713	80,767,648	4.76
Texas	89,039,263	138,252,299	116,095,337	165,978,551	5.35
Utah	3,131,510	4,891,378	4,352,695	5,778,985	8.56
Vermont	1,889,839	2,653,678	2,977,168	4,020,945	6.04
Virginia	32,826,064	51,319,288	44,184,568	66,624,733	5.21
Washington	12,149,985	17,867,621	17,058,391	19,186,124	7.15
West Virginia	17,311,828	24,809,171	21,653,523	37,467,110	5.09
Wisconsin	18,655,808	30,754,114	27,001,484	32,689,560	6.18
Wyoming	2,098,606	3,062,882	2,652,612	3,189,306	7.26
District of Columbia	6,076,862	8,384,982	8,382,439	9,175,555	2.51
Outlying areas	38,149,726	56,452,175	47,393,431	65,563,406	

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[1] Estimated maximum grants based on estimated 5 to 17 population, low-income factor, $2,000 per annum; aid for dependent children 1962; estimated average daily attendance handicapped children (June 30, 1966); estimated migratory children of migratory workers (FTE 1965); 50 percent State current expenditure per average daily attendance, 1964-65 (except migratory). 3 percent reserved for outlying areas.

[2] Estimated maximum grants based on estimated 5 to 17 population; low-income factor, $3,000 per annum; aid for dependent children, 1965; other data as in footnote 1. 3 percent reserved for outlying areas.

[3] Grants estimated on basis of estimated 5 to 17 population; low-income factor, $2,500 per annum; aid for dependent children, 1965; estimated average daily attendance handicapped children (June 30, 1966); estimated migratory children of migratory workers (FTE 1965); dependent and neglected children 5 to 17 in institutions (Apr. 1, 1960) children under 21 in foster homes under the auspices of public agencies (Apr. 1, 1960); juvenile delinquents 5 to 17 in training schools and detention homes (Apr. 1, 1960); and 50 percent State current expenditure per pupil in average daily attendance, 1964-65 (except migratory children). 1960 data on children based on 25 percent sample. 3 percent of 50 States and District of Columbia amounts added for the outlying areas (except migratory children).

[4] Grants estimated on low-income factor, $3,000 per annum; 50 percent State or national average current expenditure per pupil in average daily attendance, 1964-65 (except migratory children); other factors as in footnote 3. It is estimated that the current expenditure per pupil in average daily attendance for 1965-66 will increase approximately 5 percent. This will increase the fiscal year 1968 amounts listed.

TABLE VI.—*Estimated distribution of funds under S. 3046, Elementary and Secondary Education Amendments of 1966, as reported, Senate subcommittee*

	Fiscal year 1967, pt. B: School library resources, etc.[1]	Fiscal year 1968, pt. B: School library resources, etc.[2]
United States and outlying areas	$128,750,000	$154,500,000
50 States and the District of Columbia	125,000,000	150,000,000
Alabama	2,210,204	2,652,245
Alaska	159,181	191,017
Arizona	1,047,021	1,256,425
Arkansas	1,186,651	1,423,982
California	12,012,064	14,414,477
Colorado	1,367,352	1,640,822
Connecticut	1,789,558	1,147,470
Delaware	331,395	307,674
Florida	3,372,718	4,047,261
Georgia	2,769,995	3,323,994
Hawaii	499,556	599,467
Idaho	469,919	563,905
Illinois	6,361,965	8,234,858
Indiana	3,253,302	3,903,962
Iowa	1,879,100	2,254,920
Kansas	1,442,628	1,731,153
Kentucky	1,955,944	2,347,133
Louisiana	2,459,448	2,951,338
Maine	668,643	802,372
Maryland	2,336,998	2,804,398
Massachusetts	3,349,270	4,019,124
Michigan	5,998,753	7,198,504
Minnesota	2,539,170	3,047,004
Mississippi	1,546,755	1,856,106
Missouri	2,946,895	3,536,274
50 States and D.C.—Con.		
Montana	$485,419	$582,503
Nebraska	977,775	1,173,330
Nevada	282,091	338,509
New Hampshire	428,956	514,748
New Jersey	4,137,934	4,965,521
New Mexico	761,337	913,604
New York	10,576,851	12,692,221
North Carolina	3,074,100	3,688,921
North Dakota	438,953	526,743
Ohio	6,926,629	8,311,955
Oklahoma	1,549,761	1,859,714
Oregon	1,243,595	1,492,315
Pennsylvania	7,330,210	8,796,252
Rhode Island	646,551	655,861
South Carolina	1,673,077	2,007,692
South Dakota	490,706	586,847
Tennessee	2,317,974	2,781,568
Texas	6,859,291	8,231,150
Utah	748,833	896,599
Vermont	266,006	319,207
Virginia	2,678,402	3,214,082
Washington	2,009,455	2,411,346
West Virginia	1,144,286	1,375,143
Wisconsin	2,928,634	3,514,361
Wyoming	231,665	277,998
District of Columbia	437,024	524,429
Outlying areas	3,750,000	4,500,000

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[1] Estimated distribution of $125,000,000 with 3 percent ($3,750,000) added for the outlying areas and the $125,000,000 distributed on the estimated total elementary and secondary school enrollment, fall 1965.

[2] Estimated distribution of $150,000,000 with 3 percent ($4,500,000) added for the outlying areas and the $150,000,000 distributed on the estimated total elementary and secondary school enrollment, fall 1965. Data same as fiscal year 1967.

TABLE VII.—*Estimated grants under Public Law 89–10, Title III: Supplementary Educational Centers and Services, fiscal years 1967 and 1968*

	Fiscal year 1967 [1]	Fiscal year 1968 [2]
United States and outlying areas	$206,000,000	$257,500,000
50 States and the District of Columbia	200,000,000	250,000,000
Alabama	3,736,179	4,667,732
Alaska	458,078	526,066
Arizona	1,800,090	2,221,609
Arkansas	2,136,677	2,646,866
California	17,884,972	22,543,816
Colorado	2,152,432	2,666,771
Connecticut	2,900,055	3,611,345
Delaware	698,848	830,262
Florida	5,653,757	7,090,468
Georgia	4,580,922	5,735,011
Hawaii	917,010	1,105,895
Idaho	916,671	1,105,467
Illinois	10,469,657	13,175,046
Indiana	5,063,409	6,344,603
Iowa	2,948,534	3,672,596
Kansas	2,407,853	2,989,479
Kentucky	3,387,787	4,227,562
Louisiana	3,846,890	4,807,609
Maine	1,180,882	1,439,281
Maryland	3,657,406	4,568,209
Massachusetts	5,294,497	6,636,568
Michigan	8,552,138	10,752,385
Minnesota	3,783,356	4,727,338
Mississippi	2,628,893	3,268,748
Missouri	4,533,171	5,674,681
Montana	$921,697	$1,111,818
Nebraska	1,653,630	2,036,568
Nevada	608,938	716,666
New Hampshire	844,816	1,014,684
New Jersey	6,604,889	8,292,163
New Mexico	1,288,573	1,575,341
New York	17,039,991	21,476,237
North Carolina	5,151,739	6,456,200
North Dakota	871,006	1,047,772
Ohio	10,419,873	13,112,147
Oklahoma	2,600,525	3,232,908
Oregon	2,069,600	2,562,118
Pennsylvania	11,337,754	14,271,831
Rhode Island	1,045,939	1,268,788
South Carolina	2,857,332	3,557,367
South Dakota	919,285	1,108,771
Tennessee	3,998,275	4,998,874
Texas	10,761,118	13,543,289
Utah	1,245,7[illegible]8	1,521,235
Vermont	595,617	699,836
Virginia	4,566,816	5,717,189
Washington	3,157,973	3,937,207
West Virginia	2,048,997	2,536,088
Wisconsin	4,337,834	5,427,885
Wyoming	545,781	636,872
District of Columbia	916,090	1,104,733
Outlying areas	6,000,000	7,500,000

[1] Estimated distribution of $200,000,000 to the 50 States and the District of Columbia, with a basic amount of $200,000 and the balance distributed ½ on the basis of the total resident 5 to 17 population, July 1, 1964, and ½ on the basis of the total resident population, July 1, 1964. 3 percent added for the outlying areas.

[2] Estimated distribution of $250,000,000 to the 50 States and the District of Columbia as in footnote 1. 3 percent added for the outlying areas.

TABLE VIII.—*Estimated distribution of funds under Public Law 89–10, title V: Fiscal year 1968*

	1967 [1]	1968 [2]
United States and outlying areas	$25,500,000	$42,500,000
50 States and the District of Columbia	24,990,000	41,650,000
Alabama	492,529	821,313
Alaska	128,189	151,800
Arizona	276,352	424,065
Arkansas	312,962	491,341
California	2,111,489	3,796,325
Colorado	329,742	522,176
Connecticut	371,281	598,508
Delaware	151,140	193,975
Florida	676,064	1,158,579
Georgia	597,957	1,015,050
Hawaii	176,552	240,672
Idaho	181,977	250,642
Illinois	1,085,303	1,910,600
Indiana	630,823	1,075,445
Iowa	395,143	642,357
Kansas	339,263	539,672
Kentucky	413,874	676,778
Louisiana	478,790	796,068
Maine	205,014	292,974
Maryland	459,938	761,425
Massachusetts	581,634	985,054
Michigan	1,032,119	1,812,868
Minnesota	481,440	800,938
Mississippi	375,921	607,034
Missouri	555,134	938,357
Montana	$178,706	$244,631
Nebraska	250,435	376,440
Nevada	150,005	191,890
New Hampshire	160,815	211,754
New Jersey	706,939	1,215,315
New Mexico	226,343	332,169
New York	1,605,948	2,867,339
North Carolina	657,647	1,124,736
North Dakota	170,261	229,112
Ohio	1,171,398	2,068,807
Oklahoma	375,674	606,580
Oregon	311,686	488,996
Pennsylvania	1,133,510	1,999,184
Rhode Island	172,918	233,995
South Carolina	401,105	653,313
South Dakota	178,173	242,651
Tennessee	511,547	856,262
Texas	1,288,082	2,283,227
Utah	235,171	348,391
Vermont	139,764	173,071
Virginia	565,410	955,240
Washington	441,414	727,385
West Virginia	302,255	471,665
Wisconsin	505,460	845,077
Wyoming	140,734	174,853
District of Columbia	167,970	224,901
Outlying areas	510,000	850,000

[1] Estimated distribution of $30,000,000 with 15 percent ($4,500,000) reserved for grants for special projects, 2 percent ($510,000) of the balance reserved for the outlying areas, and the remainder distributed on the basis of the fall 1965 public school enrollment.

[2] Estimated distribution of $42,500,000 with 2 percent ($850,000) reserved for the outlying areas and the balance distributed on the basis of fiscal year 1967 data.

TABLE IX.—*Estimated distribution of funds under proposed title for handicapped children, Public Law 89–10, fiscal years 1967 and 1968* [1]

	Fiscal year 1967 [2]	Fiscal year 1968 [3]
United States and outlying areas	$154,500,000	$257,500,000
50 States and the District of Columbia	150,000,000	250,000,000
Alabama	3,049,859	5,083,099
Alaska	196,005	326,675
Arizona	1,201,667	2,002,778
Arkansas	1,594,914	2,658,190
California	12,699,314	21,165,523
Colorado	1,511,092	2,518,486
Connecticut	2,000,043	3,333,405
Delaware	373,510	622,517
Florida	3,911,170	6,518,617
Georgia	3,607,151	6,011,919
Hawaii	583,164	971,939
Idaho	631,388	1,052,314
Illinois	7,946,570	13,244,283
Indiana	3,962,280	6,603,801
Iowa	2,316,502	3,860,837
Kansas	$1,801,462	$2,002,437
Kentucky	2,696,506	4,494,176
Louisiana	3,056,867	5,094,779
Maine	816,931	1,361,551
Maryland	2,639,842	4,399,736
Massachusetts	3,973,411	6,622,351
Michigan	6,862,619	11,437,699
Minnesota	2,975,855	4,959,759
Mississippi	2,128,809	3,548,015
Missouri	3,401,326	5,668,876
Montana	607,032	1,011,720
Nebraska	1,163,768	1,939,614
Nevada	228,841	381,402
New Hampshire	491,683	819,472
New Jersey	4,687,766	7,812,943
New Mexico	942,187	1,570,311
New York	12,442,136	20,736,891
North Carolina	4,215,016	7,025,026

See footnotes at end of table.

Table IX.—*Estimated distribution of funds under proposed title for handicapped children, Public Law 89–10, fiscal years 1967 and 1968*[1]—**Continued**

	Fiscal year 1967[2]	Fiscal year 1968[3]
50 States and D.C.—Con.		
North Dakota	$587,541	$979,234
Ohio	8,149,215	13,582,026
Oklahoma	1,934,764	3,224,607
Oregon	1,505,165	2,508,609
Pennsylvania	8,952,001	14,920,000
Rhode Island	655,398	1,092,331
South Carolina	2,356,074	3,926,790
South Dakota	612,493	1,020,821
Tennessee	3,116,084	5,193,473
Texas	8,487,822	14,146,370
Utah	$883,988	$1,473,313
Vermont	334,123	556,872
Virginia	3,431,048	5,718,413
Washington	2,421,180	4,035,300
West Virginia	1,690,213	2,817,022
Wisconsin	3,374,274	5,623,791
Wyoming	298,182	496,970
District of Columbia	493,750	822,917
Outlying areas	4,500,000	7,500,000

[1] Excluding those in State-supported and/or State-operated schools.

[2] Estimated distribution of $150,000,000 on the basis of 3–17 population Apr. 1, 1960, with 3 percent of $150,000,000 reserved for the outlying areas.

[3] Estimated distribution of $250,000,000 on the basis of 3–17 population Apr. 1, 1960, with 3 percent of $250,000,000 reserved for the outlying areas.

Table X.—*Estimated distribution of funds under S. 3046, Elementary and Secondary Education Amendments of 1966, as reported, Senate committee: fiscal year 1968*

(NEW) TITLE III: ADULT EDUCATION

	Estimated State amounts[1]	
	1967	1968
U.S. and outlying areas	$34,000,000	$51,000,000
50 States and District of Columbia	33,320,000	49,980,000
Alabama	1,073,241	1,690,861
Alaska	35,209	52,813
Arizona	271,803	407,704
Arkansas	587,158	880,737
California	1,996,331	2,994,497
Colorado	172,113	258,170
Connecticut	395,066	592,599
Delaware	61,655	92,482
Florida	1,037,849	1,556,774
Georgia	1,382,654	2,073,961
Hawaii	149,355	224,033
Idaho	51,536	77,305
Illinois	1,502,043	2,253,065
Indiana	517,519	776,279
Iowa	203,514	305,272
Kansas	177,329	265,994
Kentucky	894,779	1,342,166
Louisiana	1,287,725	1,931,587
Maine	101,679	152,518
Maryland	569,328	853,993
Massachusetts	717,740	1,076,610
Michigan	984,626	1,476,938
Minnesota	287,384	431,076
Mississippi	807,578	1,211,367
Missouri	709,416	1,064,124
50 States and D.C.—Con.		
Montana	$62,625	$93,937
Nebraska	119,139	178,709
Nevada	23,269	34,904
New Hampshire	58,550	87,825
New Jersey	1,056,608	1,584,912
New Mexico	208,861	313,292
New York	3,142,383	4,713,574
North Carolina	1,541,123	2,311,685
North Dakota	75,906	113,859
Ohio	1,223,503	1,835,254
Oklahoma	422,718	634,076
Oregon	138,711	208,067
Pennsylvania	1,830,906	2,746,359
Rhode Island	141,517	212,275
South Carolina	925,210	1,387,815
South Dakota	63,740	95,610
Tennessee	1,117,046	1,675,569
Texas	2,655,785	3,983,678
Utah	50,973	76,459
Vermont	34,520	51,780
Virginia	1,140,446	1,710,669
Washington	227,417	341,125
West Virginia	439,138	656,708
Wisconsin	489,258	733,886
Wyoming	27,187	40,780
District of Columbia	128,831	193,246
Outlying areas	680,000	1,020,000

[1] Distribution of $60,000,000 with 15 percent ($9,000,000) reserved for special grants under sec. 309, 2 percent ($1,020,000) of the balance reserved for the outlying areas, and the balance distributed on basis of those 18 and over with less than 6 grades of school completed (Apr. 1, 1960).

TITLE I CHANGES

Mr. MORSE. As Senators know, title I of Public Law 89–10 does not contain a precise dollar figure authorization. It is dependent, rather, upon a formula which takes into consideration a number of factors. These include the number of children who come from families of low income, the number of children upon whose behalf aid for dependent children benefits are given, and in addition, the per pupil cost of educating such children.

Under existing law, the amount to which a local school district would be entitled, if the formula were fully funded, depends upon 1962 aid for dependent children data, it depends upon census figures for family income of $2,000, and it depends upon a figure which is one-half of the State per pupil expenditure for educational purposes.

Mr. President, I ask unanimous consent that at this point in my remarks there appear a memorandum setting forth the formula determinations for fiscal year 1966 and as proposed by the committee for fiscal years 1967 and 1968.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Memorandum on Formula Payment

The formula used to determine the amount of payments is as follows:

1. Fiscal year 1966:

$\frac{a}{2} \times b$ = Number of dollars payable to local school district.

a = Average expenditure per pupil in the State.

b = Number of children age 5 to 17 in families with annual incomes of less than $2,000 (according to 1960 census) plus number of children age 5 to 17 in families whose incomes from Aid to Families with Dependent Children (AFDC) are $2,000 or more (1962 data).

2. Fiscal year 1967:

$\frac{a}{2} \times b$ = Number of dollars payable to local school district.

a = Average expenditure per pupil in the State.

b = Number of children age 5 to 17 in families with annual incomes of less than $2,500 (according to 1960 census) plus number of children age 5 to 17 in families whose incomes from Aid to Families with Dependent Children (AFDC) are $2,500 or more (latest available data) and number of children residing in institutions for neglected and delinquent children and children in foster homes.

3. Fiscal year 1968:

$\frac{a}{2} = b$ Number of dollars payable to local school district.

a = Average expenditure per pupil in the State or in the Nation (whichever is greater).

b = Number of children age 5 to 17 in families with annual incomes of less than $3,000 (according to 1960 census) plus number of children age 5 to 17 in families whose AFDC payments are $3,000 or more (latest available data) and number of children residing in institutions for neglected and delinquent children and children in foster homes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I have discussed this with the Senator from Oregon, the Senator in charge of the bill under discussion, the Senator from Arizona [Mr. Fannin], the Senator from Illinois [Mr. Dirksen], the distinguished minority leader, and contact has been made with the ranking minority members on the Committee on Labor and Education most interested in this bill—as all are—and I should like to ask unanimous consent that at the conclusion of the morning hour tomorrow, there be a time allocation of 1 hour on each amendment, the time to be equally divided between the Senator in charge of the bill and the proponent of an amendment, with 3 hours on the bill to be equally divided between the majority and minority leaders, or whomever they may designate.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, October 6, 1966, during the further consideration of the bill (S. 3046), to strengthen and improve programs of assistance for our elementary and secondary schools, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Oregon [Mr. Morse]: *Provided,* That in the event the Senator from Oregon [Mr. Morse] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders or their designees: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. MORSE. Mr. President, to return to my discussion of the formula recommended for this year and fiscal 1968. For the current fiscal year the committee recommends that there be changes as follows: that the family income factor be set at $2,500, that the latest available data on aid for dependent children be used, and that the half the State average factor be retained. For the next fiscal year starting July 1, 1967, the committee recommends that the family income factor be raised to $3,000 per annum, that, at that time, an option be given so that either half the State average per pupil expenditure or half the national average per pupil expenditure be used in the computation of benefits.

What are the effects of these changes? The table to which I have previously referred, table II, shows the amounts on a State-by-State basis for fiscal year 1967 and fiscal year 1968.

Why did the committee make these changes?

Senators will find our reasons on page 11 of the report under the heading of "Expansion of Title I Program Coverage." I ask unanimous consent that these paragraphs from pages 11 and 12 of the report be printed in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

EXPANSION OF TITLE I PROGRAM COVERAGE

By modifying the coverage under title I, the committee sought to achieve the following objectives:

1. To maintain, and where in the judgment of the local educational agency it is desirable and appropriate, to increase the level of financing the present title I schools;
2. To make it possible for more schools and more children to participate in programs and services, while retaining the concept that worst needs should be met first;
3. To make provision for the financing of programs in schools having concentrations of children who are educationally deprived by reason of physical handicaps;
4. To permit a greater flexibility in the origination and operation of projects involving services to children in more than one school.

The committee again wishes to emphasize that such educational programs are not exclusively for children whose educational handicaps derive from the economic level of their households. The programs should be available to all children in the participating schools who can benefit from the services rendered and the opportunities offered.

Mr. MORSE. Mr. President, the formula in the reported bill differs from the language being considered by the other body because the testimony taken by the Education Subcommittee in 6 days of hearings covering 2,575 pages, convinced us that the program has started well and has justified its continued operation and expansion.

Furthermore, the material I introduced into the Congressional Record last Tuesday shows the price that we are now paying for having neglected in the past decades to provide the financial support. It is a price that is far too high; it is shockingly high. No section of the country is immune from the social costs of this waste of the brain potential of our young Americans, boys and girls, Negro and white.

It is almost incomprehensible to me that in this 7th year of the 7th decade of this 20th century, the rejection rate for the armed services is so high. Why is it so? We have failed in far too many cases to equip our young men with the intellectual tools they need if they are to serve our country.

It is a shocking indictment. We can afford to lose no time in making reparation.

The committee recognized, however, that problems could arise were the increased funds made available only for those schools now receiving title I grants. Therefore, in section 105 of S. 3046, the committee reduced the number of children necessary to qualify. The previous minimum was 100; our amendment provides that 10 for a school district would be sufficient to qualify. Further, section 110 would be changed. The present language which reads, "high concentrations of children from low-income families"; as amended it would read, "concentrations of such children".

It is our intent, however, as set forth in the committee report, which I repeat now as floor manager of the bill for the purpose of making legislative history, that we wish to maintain, and where in the judgment of the local educational agency it is desirable and appropriate, to increase the level of financing in title I schools, while making it possible for more schools and more children to participate in programs and services.

We have retained the concept that our worst education needs should be met first. Additionally, as shown in the report, we wish to make provision for the financing of programs in schools having concentrations of children who are educationally deprived by reason of physical handicaps such as Hosford in Portland, and finally, we wish to provide a greater flexibility in the origination and operation of projects involving services to children in more than one school.

Public Law 89–10 was a landmark statute in many respects, but it did not contain provisions for meeting the needs of three categories of American school children—the children of migratory workers, the young Indian children living on our Indian reservations, and those most unfortunate children receiving care in our publicly supported institutions for orphans, delinquents, and children deprived of parental support living in foster homes. These needs the committee met in the following ways:

First. In section 102 the Commissioner of Education is authorized to make grants to the Department of the Interior for projects designed to meet the educational needs of educationally deprived children on reservations serviced by schools for Indian children operated by the Bureau of Indian Affairs.

Financing for this program is provided through an authorization equivalent to 3 percent of the amounts appropriated for title I programs. It is understanding of the committee that in the administration of this program, the Office of Education will carefully review proposed projects submitted by the Department of the Interior, to the end that the quality of education provided in such schools can be materially and measurably improved.

It is important in this context to note also that programs and services instituted in such schools should be made available to all Indian children on the reservations even though they may be attending mission schools. This arrangement is analogous to the situation elsewhere in the country where children attending nonpublic schools in areas serviced by title I schools through mutual agreement, participate in the benefits of title I programs.

Second. The children of migratory workers pose a particularly severe and unique problem if education, suited to their native potentialities and talents, is to be provided. The committee, therefore, made special provisions for these children through providing some $40 million in grants to State educational agencies to finance special education programs designed for them. Such programs would not be restricted in the committee view, to normal school year schedules, but could and should be included in summer schools in their home States and in those States where their parents are temporarily employed during the crop seasons.

Third. In section 104 of the bill, and here I wish to acknowledge the great debt of the committee to the distinguished junior Senator from New Mexico [Mr. MONTOYA] for his contribution to the deliberations of the committee through the evidence he presented to us. It was compelling evidence of the need to provide financial help to State operated and State supported institutions for our orphan children, to our unfortunate juvenile delinquent population who must be institutionalized, and to those school districts educating children in foster homes and orphans who do not receive schooling in institutions.

Mr. President, I will not now elaborate upon the many technical changes in the bill which are set forth in the sections of title I, but I ask unanimous consent that at the conclusion of my opening statement there appear the section-by-section analysis of the entire act, which may be found on pages 50 to 68 of Senate report No. 1674.

I turn now to an area discussed in the committee report on page 11 respecting the coordination of educational programs. It represents an educational policy which I feel it is important to have adopted by the Senate in this bill and as a guide for the future. The philosophy underlying title I of Public Law 89–10 is a philosophy which expresses the confidence of the Congress in the ability and integrity of those dedicated individuals who operate our school systems, our teachers, our principals, our superintendents, and the citizen-statesmen of our country who serve on the school boards of our Nation. For years these men and women have appeared before the committee in support of education bills. They have asked to be given the financial tools which will allow them to exercise their own initiatives to improve the quality and caliber of their educational services.

In far too many instances, like the Israelites of old, they were forced to make bricks without straw. Under the title I provisions of Public Law 89–10 for the first time we are providing them with some money to do a part of the job.

So basic to title I was the preservation of two great principles of American education, local control of educational policy, personnel and curriculum, and its counterpart, the prohibition of Federal control in these areas.

Fundamental to title I is the concept that educational decisions should be taken by those best qualified to make them—the education profession and the boards of education who administer for the public, the great trust of popular education.

There are many programs spread throughout the Government which have educational components. It was the committee judgment that responsibility for effective and economic coordination of such programs should be vested with the Department of Health, Education, and Welfare.

In this way, it was the feeling that greatest progress could be made toward the solution of other great problems affecting the body politic.

The committee was also concerned that the evaluation procedures which were built into the act last year by many Senators, and in particular through the leadership of Senator KENNEDY of New York, be effectively used; for that reason the Office of Education has been asked to provide the committee with a report in this area early in the next session for the findings from such evaluation devices must be available when next we review and strengthen the act.

In bringing S. 3046 to the floor of the Senate, the committee reduced the recommendations of the subcommittee by about $1.1 billion. Not one of us in our hearts wanted to make such a reduction. However, we felt that by postponing certain changes until next year, we could, in the long run, better strengthen American education. One of the casualties of the full committee action was the incentive grant program which is now a part of the act but which would, under the committee amendments, be repealed. The elimination of incentive grants cut $320 million from the cost of the measure in this fiscal year.

After assessing the priority of our needs, we felt that the need for such programs as the handicapped children program and assistance to our State supported institutionalized children had such a high claim upon our resources as to outweigh the fulfillment of the incentive grant program. When a general Federal aid bill becomes law, and I hope I can be present at that signing, I am sure that the incentive grant will be a part of it.

Mr. President, I mention this because I want to forestall any attempt to charge the committee with fiscal irresponsibility. We made cuts in the recommendations where we felt we would justify them to our respective consciences. We reluctantly took such actions. Speaking for myself and, I think and believe, I speak for the parents and grandparents of this country, we cannot afford to make our poor children, our slum children, our Indian children, our migratory children, absorb the costs of Government now being devoted to other purposes.

TITLE II—PUBLIC LAW 89–10

I turn now, Mr. President, to the financing of title II of Public Law 89–10. This program is bringing school library resources, textbooks, and other instructional material into the hands of all schoolchildren.

For the current fiscal year, the committee recommendation is that $128,750,000 be authorized and that this sum be raised to $154,500,000 in fiscal year 1968. This is less than $3 per child.

The committee report, on pages 19 to 23, sets forth what was done in this area, and I ask unanimous consent that these pages be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

TITLE II OF PUBLIC LAW 89–10

PART B.—SCHOOL LIBRARY RESOURCES, TEXTBOOKS, AND OTHER INSTRUCTIONAL MATERIALS

Last year this committee considered the growing importance of school libraries and of up-to-date textbooks. As a result, title II of the Elementary and Secondary Education Act of 1965 authorized grants to the States for library resources, textbooks, and other instructional materials. State plans for 50 States, the District of Columbia, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands have been approved under this program and funds amounting to $99,977,800 have been allotted for these approved plans.

Flexibility was provided to permit States to meet the differing needs of their students for printed and published materials. Ten States will spend 100 percent of their allotments on school library resources; 30 States will spend at least 75 percent of their allotments on school library resources; and 42 States have planned to spend at least 50 percent of their allotments on this category of materials.

Unfortunately, some schoolchildren still go without up-to-date textbooks. They do not have even the most basic tools for learning experience. While other schools are making great strides in developing school-library-learning centers, some schools are chained to the past by inadequate funds. They cannot afford to buy the books their students desperately need. The States have been cautious in permitting the use of their funds for textbooks because they feel that, with the limited funds available, investment in library resources will result in a better return in terms of the number of children benefited. The same is true of State investments in instructional materials outside the range of library resources and textbooks. States clearly concentrate on bringing the number of library volumes up to a higher standard and keeping them there rather than purchasing other instructional materials.

In order to support higher standards and to enable the purchase of more textbooks as well as library and audiovisual resources, the committee recommended appropriations of $125 million for fiscal year 1967 and $150 million for fiscal year 1968. An additional $20 million over administration recommendations reflects estimates provided in April 1965, in the title II program for fiscal year 1967 will enable the States and outlying areas to operate slightly above the level of acquisitions for fiscal year 1966. It will also provide for the newly authorized minimum of $50,000 for administrative costs very much needed by approximately 18 States. A fixed 5-percent administrative cost, or the new minimum (if it is higher), would continue for the next 2 years instead of dropping to 3 percent as originally authorized. Operating at the level of $125 million for fiscal year 1967 will also give the State departments of education and the local school districts an opportunity to add the staff necessary for effective administration of the program prior to a more substantial increase in the title II appropriation for fiscal year 1968. The 3 percent increase above the $125 million this year also can support the title II acquisition program for children and teachers in schools administered by the Bureau of Indian Affairs.

For an estimated enrollment of 55 million public and private school pupils, the $150 million authorized for fiscal year 1968 would provide slightly under $3 per pupil for school library resources, printed and audiovisual materials and textbooks, or about 15 to 20 percent of the recommended annual per pupil expenditure for these materials. This amount per pupil represents approximately a 30-percent increase in Federal funds for school library resources, textbooks, and other instructional materials, and will contribute substantially to children's educational opportunity for resources. Because materials in the title II program are distributed on the basis of relative need, those pupils in greatest need, for example, in elementary schools, will have greatly improved materials

The committee maintains the concern it has had that the increased funding provided will not be absorbed by increased prices of books and materials. An increase in this area in excess of general increases in other areas would make a further review of funding in this title imperative.

The provision in the title II program for maintenance of local efforts, and the encouragement which the program has given to the States to improve the quality and increase the quantity of educational materials, should together with the appropriated Federal funds insure that annual per pupil expenditures will approach recommended national standards within this decade.

Bureau of Indian Affairs schools

Last year 2 percent of the funds appropriated for title II were set aside for distribution to the territories. In the committee amendments this year the 2-percent reservation has been changed to authorize 3 percent above the $125 million in order to use title II funds in the Bureau of Indian Affairs schools.

The need to improve the educational facilities of the Bureau of Indian Affairs schools is also clearly evident. In 1965, over 44,000 Indian children between the ages of 6 and 18 were enrolled in schools maintained by the Bureau of Indian Affairs. Within this age bracket, 16,000 Indian children were not enrolled in school. Four thousand lived in dormitories away from home so that they might receive an education. Of those who attend school, 50 percent drop out before they complete the 12th grade, compared to the national dropout average of 29 percent. On the reservations, adults under 45 years of age average an eighth grade education, compared to national average of almost 12 years of school. Additional books and audiovisual materials can play a key role in improving educational opportunities for our Indian population.

Administration of title II, Public Law 89–10

In the original act we authorized not to exceed 5 percent of the amount paid to the State under title II to be used in administering the State plan. This percentage was to be reduced to 3 percent in subsequent years of the program. During the course of the hearings it was ascertained by the committee that none of the funds made available to the States for administrative purposes were being passed along to local agencies performing administrative and operational functions in the distribution, circulation, and control of library resources, textbooks, and other instructional materials. It is clearly the intention of the committee to enable State and local public agencies performing administrative functions in connection with this title to have sufficient funds to effectively assure appropriate distribution of benefits to teachers and pupils in both private and public elementary and secondary schools. Accordingly, amendments have been adopted to require that State plans for carrying out the provisions of this title will provide for making available appropriate portions of the 5-percent administrative funds to the local public agencies actually distributing and exercising control and supervision over the use of books and materials furnished.

It may be that this imperfection in the language of title II accounts in part for reports that the committee has received to the effect that communities in some States are simply distributing the Federal funds among private and public schools on a per pupil basis. Clearly, this is in direct violation of the express requirements of the law. We deem it sufficient at this time to again emphasize to school administrators on the Federal, State, and local levels the five carefully worked-out requirements in title II of the act which were emphasized in our committee report last year on this legislation (S. Rept. No. 146, pp. 22–25).

1. Library resources, textbooks, and other instructional materials are to be made available to children and teachers and not to institutions.

2. Such materials are made available on a loan basis only.

3. Public authority must retain title and administrative control over such materials.

4. Such material must be that approved for use by public school authority in the State.

5. Books and material must not supplant those being provided children but must supplement library resources, textbooks, and other instructional materials to assure that the legislation will furnish increased opportunities for learning.

Title II was carefully drawn so as to enable all States to operate the program consistent with local and State legal requirements. In the committee report the system similar to that employed in the case of public library programs was suggested as one means that could be employed by all States in administering and carrying out the program. It was, therefore, disturbing to find that such a system of administration was not among those suggested in the guidelines issued by the U.S. Office of Education. The committee's concern in this respect is that the new educational resources being provided with title II funds should be available in a systematic and convenient arrangement for all students and teachers in both public and private schools. Depending upon the system employed or the particular use to be made of the funds, card catalogs should be made and duplicated and maintained for easy access by students so that a particular resource could be requested and obtained while such may be temporarily located in various schools throughout the area. While private school teachers would be involved in determining their students' needs, actual selection, purchase, ownership, and control of the materials would be the responsibility of the public agency. There would be no indefinite nor permanent loan nor would any measure of the need for library resources be based on institutional need.

Further, an amendment to the law recommended by the committee provides for more "effective and efficient use of Federal funds" through appropriate coordination, at both State and local levels, between the title II programs with respect to library resources and the program (if any) carried out under the Library Services and Construction Act. It is the belief of this committee that coordination of these programs will lead to more effective utilization of the library resources in any community. Local educational agencies will work with local library boards to assure that expenditures will be effective in making the best possible library services available to children and adults.

Allocations of funds to States pursuant to title II of Public Law 89–10, as amended, appear in the following table:

TABLE VI.—*Estimated distribution of funds under S. 3046, Elementary and Secondary Education Amendments of 1966, as reported, Senate subcommittee*

	Fiscal year 1967, part B: School library resources, etc.[1]	Fiscal year 1968, part B: School library resources, etc.[2]
United States and outlying areas	$128,750,000	$154,500,000
50 States and the District of Columbia	125,000,000	150,000,000
Alabama	2,210,204	2,652,245
Alaska	159,181	191,017
Arizona	1,047,021	1,256,425
Arkansas	1,186,651	1,423,982
California	12,012,064	14,414,477
Colorado	1,367,352	1,640,822
Connecticut	1,789,558	2,147,470
Delaware	331,395	397,674
Florida	3,372,718	4,047,261
Georgia	2,769,995	3,323,994
Hawaii	499,556	599,467
Idaho	469,919	563,905
Illinois	6,361,965	8,234,858
Indiana	3,253,302	3,903,962
Iowa	1,879,100	2,254,920
Kansas	1,442,628	1,731,153
Kentucky	1,955,944	2,347,133
Louisiana	2,459,448	2,951,338
Maine	668,643	802,372
Maryland	2,336,998	2,804,398
Massachusetts	3,349,270	4,019,124
Michigan	5,998,753	7,198,504
Minnesota	2,539,170	3,047,004
Mississippi	1,546,755	1,856,106
Missouri	2,946,895	3,536,274
50 States and D.C.—Con.		
Montana	$485,419	$582,503
Nebraska	977,775	1,173,330
Nevada	282,091	338,509
New Hampshire	428,956	514,748
New Jersey	4,137,934	4,965,521
New Mexico	761,337	913,604
New York	10,576,851	12,692,221
North Carolina	3,074,100	3,688,921
North Dakota	438,953	526,743
Ohio	6,926,629	8,311,955
Oklahoma	1,549,761	1,859,714
Oregon	1,243,595	1,492,315
Pennsylvania	7,330,210	8,796,252
Rhode Island	546,551	655,861
South Carolina	1,673,077	2,007,692
South Dakota	490,706	586,847
Tennessee	2,317,974	2,781,568
Texas	6,859,291	8,231,150
Utah	748,833	896,590
Vermont	266,006	319,207
Virginia	2,678,402	3,214,082
Washington	2,009,455	2,411,346
West Virginia	1,144,286	1,375,143
Wisconsin	2,928,634	3,514,361
Wyoming	231,665	277,998
District of Columbia	437,024	524,429
Outlying areas	3,750,000	4,500,000

[1] Estimated distribution of $125,000,000 with 3 percent ($3,750,000) added for the outlying areas and the $125,000,000 distributed on the estimated total elementary and secondary school enrollment, fall 1965.

[2] Estimated distribution of $150,000,000 with 3 percent ($4,500,000) added for the outlying areas and the $150,000,000 distributed on the estimated total elementary and secondary school enrollment, fall 1965. Data same as fiscal year 1967.

TITLE III OF PUBLIC LAW 89-10

Mr. MORSE. Title III of Public Law 89–10 refers to supplemental education centers and services. This portion of the act has occasioned much favorable comment. It, too, is discussed in the committee report on pages 23 to 28. I ask unanimous consent that this portion of the report be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PART C—SUPPLEMENTARY EDUCATION CENTERS AND SERVICES

Title III offers opportunities for educators to innovate, to examine the special needs of the children residing in their school districts, and to utilize all the fruits of educational research findings because their school systems lack financial and other resources to take advantage of new practices and knowledge. Up-to-date educational services—specialized counseling, remedial instruction, preschools or kindergartens, cultural enrichment—are most lacking in our poorest schools. The children who attend these schools need these services most.

Again and again in the course of public hearings on Elementary and Secondary Act amendments, the committee heard of the enthusiastic response of communities to the challenge presented by title III. The first project submission period brought 746 applications, the second 971, and the third period, 1,002. The approved projects for the first two submission periods totaled 726, an obligation of approximately $35 million. Final approvals have not yet been made for the third period. It is estimated that 8.3 million elementary and secondary schoolchildren will be served by the 174 operational projects approved for the first and second periods of project activity.

In its report on the Elementary and Secondary Education Act last year, the committee indicated the broad scope of permissible program activity under title III. It expressed the hope that program approval be as flexible as possible, to allow local educational agencies to exercise discretion and judgment with respect to the types of projects which would best serve the educational needs of the community. The committee is therefore gratified to find that, on the whole, such flexibility and local discretion is a keynote in the administration of the title by the Office of Education.

Title III programs follow no set patterns of educational thinking. They cover a wide range of topics and approaches. The impact of technology and research is plain in title III projects; so, too, is the imagination of the project's planners.

In Monticello, Ind., a mobile reading laboratory will provide special services for handicapped children in elementary, junior high, and high schools.

The Clay County, Ky., Board of Education is conducting a series of studies concerning the causes and effects of poverty and ignorance, to involve 36 school districts in 20 counties, and to affect 127,636 schoolchildren.

In Medford, Oreg., a residential school will be established for 6 weeks during the summer at Southern Oregon College for 200 of the most able high school students in 7 southwestern Oregon counties.

Prince Georges County, Md., is planning Operation DIRE: Dropout Identification, Rehabilitation, and Education, to attempt to reach the more than 1,000 children in the county who are not receiving any instruction, public or private.

The committee, as a result of reviewing the testimony of witnesses amended title III to provide that 25 percent of the amounts appropriated under this title under each State's apportionment shall be reserved to the States for final approval. In the administration of this portion of the title, the committee expects that the State agency shall have operating control over the appointment of review panels for projects submitted to them by the originators, thus strengthening the relationships between the State educational agencies and the submitting institutions.

This change in the administration of title III if properly carried out should relieve the Office of Education from giving more than ministerial approval to many projects which are primarily of local significance. State agency comments, review, and recommendations will, of course, continue to receive careful consideration by the Office of Education for the balance of the project grants.

It has been brought to the attention of the committee that one of the two general objectives of title III, as stated in section 301(a), "* * * to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, * * *" could perhaps be confused with the other general objective stated in the same section, "* * * to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs." The idea of educational innovation has aroused considerable interest, both in the educational profession and in the public at large. However, within our country's 25,000 school districts there is a very wide range of nearly every condition which is measurable. Within these districts the terms "innovation" and "service" can have quite different meanings; for what may quite properly be considered an innovation in a less advantaged district may be regarded as a service in a more affluent district. In recommending the extension of title III, the committee wishes to emphasize again the original twofold intent of this title, i.e., to provide vitally needed educational services not now available in sufficient quantity or quality, as well as to stimulate the development of exemplary educational programs. A program in the committee view may well be innovation in the context of a particular community or part of a school district even though it has been long used successfully elsewhere.

The committee has learned that there is doubt in the Office of Education as to its legal authority to fund projects under title III in the general area of teacher training. We do not understand the reason for this doubt as section 303(b) was drafted in the broadest possible terms. That section contains eight examples of services and activities which might be funded and these examples are introduced by the words "such as—". In addition, section 303(b) (8) reads "other specially designed educational programs which meet the purposes of this title." To eliminate any future doubt, the committee states that innovative programs of high quality in the area of teacher training ought to receive consideration on a par with other types of local school district requests.

COMMITTEE CHANGES

Although this committee authorized an appropriation of $100 million for fiscal year 1966, only $75 million was actually appropriated. It is obvious that it is necessary for funds to be increased for fiscal year 1967 to carry out the intent of the title. The majority of the planning grants funded this year (estimated at 600) can be expected to become operational grants next fiscal year, requiring more than three times as much money on an annual basis. Also, because of program expansions during the second year, operational projects begun this year will require more funds.

The committee, therefore, has authorized an appropriation of $200 million for fiscal year 1967. This sum will allow the continuation of worthwhile projects begun in 1966, and adding new programs.

The President, in his message on health and education, called for the use of $5 million "to help communities in planning school construction, to encourage innovation, and to deal with obsolescence, overcrowding, and special problems such as de facto segregation." The committee welcomes this special use of title III funds and encourages local communities and the Office of Education to use them imaginatively. It has become increasingly obvious to the committee that there is a pressing need for long-range, communitywide planning to bring innovation and ingenuity into school construction. This $5 million will provide seed money to start such planning. The committee has also responded to this need with the addition of a new paragraph to section 304, which will now be discussed.

Planning alone will not solve the construction problems of many of the Nation's school districts. Many of our local communities are heavily taxed and financially overburdened. During the hearings the committee repeatedly heard of the fiscal problems of school districts in which the statutory millage rate limitation had been reached and to which no further local financial resources were available. In many instances, the communities facing the greatest financial problems are those whose schools are obsolete and overcrowded.

The committee in furtherance of its consistent policy has amended the title to provide that when construction is funded the architectural plans will take into account the special needs of handicapped individuals.

Construction needs of school districts have necessarily been receiving low priority treatment in the administration of title III. As the associate commissioner for elementary and secondary education testified, the advisory committee generally recommended against proposals requiring extensive construction expenditure, preferring to approve projects able to begin quickly "so that the largest number of schoolchildren could benefit as soon as possible from new technologies and special services." While such motivation is commendable, it effectively denies participation to those communities unable to house supplementary educational centers and services without assistance of construction funds.

It is for this reason that the committee proposes an amendment to section 304 of the Elementary and Secondary Education Act, requiring the Commissioner to give special consideration, beginning in fiscal year 1967, to applications of local educational agencies which are financially overburdened. The amendment provides that any local school district making a reasonable tax effort which is unable to meet critical educational needs because of serious overcrowding, obsolete or unsafe school buildings, racial imbalance, or any other condition imposing a continuing and financial burden shall receive special consideration in title III project approval.

Among the projects which shall receive special consideration are problems, in both the North and the South, arising out of efforts to overcome racial segregation and related conditions. Thus, projects under this title may be used to encourage imaginative approaches, designed by local school districts, to achieve the elimination of racial segregation or the alleviation of problems resulting from racial concentrations of students. These projects could include, for example, the construction of educational parks and other experimental or demonstration facilities under plans insuring desegregated student attendance, the conduct of teacher inservice training programs in community relations, support of curriculum development projects, and the support of joint academic programs by suburban and core-city school district.

The committee hopes that this amendment will be of significant importance in overcoming the difficulties confronting many school districts today. These difficulties have been evident in the applications already submitted for project approval. An analysis of the 991 planning projects submitted during the first 2 project periods shows that 234 of them would have culminated in the need for the construction of a center or other facility to house the program being planned. In addition, the Office of Education estimated that, of the 24,000 independent school districts, two-thirds are financially unable to afford viable programs, centralizing vitally needed services for the education program.

Under the proposed amendment, it is possible that large cities, confronted with problems of obsolete core-city school buildings and de facto segregation, might attempt to utilize title III funds for the establishment of educational parks. The first two rounds of project approval resulted in the funding of planning projects for educational parks in Philadelphia, New York, Pittsburgh, and East Orange, N.J. In addition, proposals are currently before the Office of Education for the planning of educational parks in St. Paul, Chicago, Syracuse, and Cleveland. Denver, Baltimore, and Richmond have expressed interest, and are designing proposals for the development of educational parks. Moreover, it is apparent from data on school facilities in rural areas that many multigrade, one-room schools still exist simply because of a lack of local financial resources to provide consolidated facilities. The educational park concept may well offer exciting possibilities in such areas. If such ideas are to be successful, this planning activity will result in an exceedingly large request for operational and construction funds. To support these additions, the committee recommends an authorization of $250 million in fiscal year 1968.

The committee, however, in supporting the increases in the funding of title III, wishes to make it crystal clear that all projects, especially those emanating from local school systems, will be reviewed solely upon the merits of such proposals, and that decisions regarding the types and kinds of proposals and the components of such proposals are to be taken by the originators and proponents of the projects. Title III programs do not countenance, in any way, expressed or implied, the exercise by the Office of Education of initiatives to modify proposed programs which are in accord with the requirements of existing law. The key to this area is to be found in the best judgment of the project proponents in their evaluation of the community's educational needs and the solutions they propose to meet those ends.

The committee also recommends that the law be changed to permit the participation, on a quality competitive basis, of schools operated by the Department of the Interior funded at 3 percent over the amounts appropriated. A table, reflecting State allocations for fiscal years 1967 and 1968 under title II, Public Law 89–10, as amended, follows:

TABLE VII.—*Estimated grants under Public Law 89–10, Title III: Supplementary Educational Centers and Services, fiscal years 1967 and 1968*

	Fiscal year 1967 [1]	Fiscal year 1968 [2]
United States and outlying areas	$206,000,000	$257,500,000
50 States and the District of Columbia	200,000,000	250,000,000
Alabama	3,736,179	4,667,732
Alaska	458,078	526,066
Arizona	1,800,090	2,221,609
Arkansas	2,136,677	2,646,866
California	17,884,972	22,543,816
Colorado	2,152,432	2,666,771
Connecticut	2,900,055	3,611,345
Delaware	698,848	830,262
Florida	5,653,757	7,090,468
Georgia	4,580,922	5,735,011
Hawaii	917,010	1,105,895
Idaho	916,671	1,105,467
Illinois	10,469,657	13,175,046
Indiana	5,063,409	6,344,603
Iowa	2,948,534	3,672,596
Kansas	2,407,853	2,989,479
Kentucky	3,387,787	4,227,562
Louisiana	3,846,890	4,807,609
Maine	1,180,882	1,439,281
Maryland	3,657,406	4,568,209
Massachusetts	5,294,497	6,636,568
Michigan	8,552,138	10,752,385
Minnesota	3,783,356	4,727,338
Mississippi	2,628,893	3,268,748
Missouri	4,533,171	5,674,681
Montana	$921,697	$1,111,818
Nebraska	1,653,630	2,036,568
Nevada	608,938	716,666
New Hampshire	844,816	1,014,684
New Jersey	6,604,880	8,292,163
New Mexico	1,288,573	1,575,341
New York	17,039,991	21,476,237
North Carolina	5,151,739	6,456,200
North Dakota	871,006	1,047,772
Ohio	10,419,873	13,112,147
Oklahoma	2,600,525	3,232,908
Oregon	2,069,600	2,562,118
Pennsylvania	11,337,754	14,271,831
Rhode Island	1,045,939	1,268,788
South Carolina	2,857,332	3,557,367
South Dakota	919,285	1,108,771
Tennessee	3,998,275	4,998,874
Texas	10,761,118	13,543,289
Utah	1,245,748	1,521,235
Vermont	595,617	699,836
Virginia	4,566,816	5,717,189
Washington	3,157,973	3,937,207
West Virginia	2,048,997	2,536,068
Wisconsin	4,337,834	5,427,885
Wyoming	545,781	636,872
District of Columbia	916,090	1,104,733
Outlying areas	6,000,000	7,500,000

[1] Estimated distribution of $200,000,000 to the 50 States and the District of Columbia, with a basic amount of $200,000 and the balance distributed ½ on the basis of the total resident 5 to 17 population, July 1, 1964, and ½ on the basis of the total resident population, July 1, 1964. 3 percent added for the outlying areas.

[2] Estimated distribution of $250,000,000 to the 50 States and the District of Columbia as in footnote 1. 3 percent added for the outlying areas.

TITLE IV OF PUBLIC LAW 89–10

Mr. MORSE. Title IV of Public Law 89–10 consists of amendments to the Cooperative Research Act. The major change made by the committee in these authorities would permit contracts to be made by the Commissioner with private firms other than nonprofit. Mr. President, I ask unanimous consent that the portions of the committee report pertaining to this title of the bill, contained in pages 29–31 of the report, be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PART D—COOPERATIVE RESEARCH ACT AMENDMENTS

The committee was pleased to learn that the Office of Education is now using the new authority given to it by title IV to expand and accelerate the improvement of education through research, development, and dissemination activities. The estimated 30-year gap between development of an educational innovation through research and its implementation in America's classrooms underscores the need for continuing research and dissemination in the field of education.

The program of national and regional educational laboratories, commenced last year, has already begun to show great promise. Experts from all parts of the educational community have been involved in the creation of these laboratories; literally hundreds of educational institutions and business corporations have joined together to form new multiinstitutional, large-scale laboratories for research. Local schools, colleges, and universities where most research talent resides, and State departments of education have pooled their talents to create the 10 new institutions now in the planning stage. The committee hopes that these regional laboratories will be the key to unlock the door between the university and the classroom which has kept so many schoolchildren from enjoying the benefits of educational research.

The second major program authorized under title IV is directed to the training of educational researchers. There is a tremendous need for such personnel in the field of education. The Office of Education estimates that there are only about 500 full-time educational researchers in the United States. Programs under title IV will do much to augment this pitiful supply. Grants for training nearly 700 educational researchers have been awarded to 37 colleges and universities by the Office of Education under title IV authority. More than $2 million has been allocated for six types of programs: undergraduate, graduate, postdoctoral, institutes, special projects, and program development. Students in undergraduate training will receive $500 for living expenses during the academic year and may receive $75 per week for living costs during a summer session. Students enrolled in programs leading to masters' and doctorate degrees may receive up to $2,800 for the academic year; postdoctoral trainees will receive the equivalent of their normal academic earnings. The committee has great hope that the contributions made by educational research personnel trained under title IV authority will be of great impact on our Nation's school system.

COMMITTEE CHANGES

Under present title IV authority, support for educational research training can be furnished only through grants to universities, colleges, State and local educational agencies, and other nonprofit organizations. The committee feels that it is desirable that the authority be extended so that contracts can be made as well with selected training institutions not eligible for grants and has approved an amendment to this end.

Among the most remarkable innovations in the field of research in the past few years has been the number of technological developments in, for, and adapted to education. The educator and the engineer have, in many instances, successfully joined together as a team. Yet, for the most part, research in educational technology is an enterprise of private industry, particularly with respect to programed instruction, automated sequences, and computer applications.

Extension of authority to provide educational research training through contracts with profitmaking organizations would, in the committee's view, benefit educational research and development in at least three ways:

1. Allow State or local educational agencies or colleges and universities to enter into training arrangements with a larger range of organizations having specific skills and resources needed by State and local organizations, whereas such agencies are now limited to colleges, universities or other nonprofit organizations. Many State and local educational organizations now contract with profitmaking organizations for systems planning, electronic data processing, research and development activities and for development of proposals for Federal funds, especially for planning educational programs focused on programed learning, educational technology or media, or computer-assisted instruction. The amendment would enable local and State educational agencies, colleges and universities and nonprofit organizations to secure training not otherwise available for their research staffs and to benefit more directly by the experience of profitmaking organizations in the newer applications of technology, media, and computers to educational research and development.

2. Permit fuller development of the research training program by allowing all qualified applicants to submit proposals for under-contract training the educational researchers needed to evaluate the progress of and to give better direction to the national education effort. The amendment would contribute to greater utilization of all training facilities in the country. Business and industry conduct the most extensive training programs for adults in the country. Through defense activities, public funds have helped develop many technological training programs that are relevant to educational research and development. Furthermore, in some technological areas such as computer assisted instruction, electronic data processing, systems planning and design, and uses of media, profitmaking organizations possess the unique combination of engineering development results, experienced staff, and necessary support facilities needed for quality up-to-date training. One additional way in which educational agencies could benefit from the unique capabilities of some profitmaking organizations would be through the training programs such organizations would develop to meet their needs.

3. Accelerate implementation of research-based knowledge in development of educational programs. By providing training in advanced research and development techniques through the industrial organizations that have made outstanding contributions in newer areas of educational technology, the timelag between invention and practice may be cut substantially. New ideas and practices often developed at great cost could be used more widely if educational specialists had an opportunity to work with or be instructed by the engineers, technicians, and other personnel of the firms that first created the new systems.

The committee wishes this contract authority to be used judiciously and only where it is clear that the contractor is uniquely qualified to provide special and important training that otherwise generally would not be available at colleges or universities. Training programs conducted by profitmaking organizations generally should be limited to short-term institute or special training projects focused on a specific technological problem or technique.

To safeguard the public interest, it is the committee's intention that contracts not be made for the training of any person who, within 1 year, has been in the employ of the contractor. Further, contract stipulation should be made that the contractor refund all money received on the account of any trainee if it employs that person within 1 year after the completion or discontinuation of his training. The committee feels that such protective measures are necessary; they are now generally followed by the Department of Defense and other Federal agencies involved in the research and training field.

The committee also wishes to make clear that contracts with profitmaking organizations would be let only in cases where such services are not available from colleges, universities, or nonprofit institutions. Contract authority should only supplement, not supplant, the grant authority already possessed by the Office of Education.

Finally, the committee recommends that the authority for limited construction supported under this title be expanded to permit the optional acquisition of existing buildings. This is essential in urban areas, where the cost of new construction would be prohibitively expensive compared to the cost of acquiring and renovating acceptable existing structures.

TITLE V OF PUBLIC LAW 89–10

Mr. MORSE. Title V of Public Law 89–10 is the program of grants to strengthen State departments of education. Many Senators, will, I know, be relieved to learn that in response to correspondence we have received from the State departments of education and from senatorial offices the committee decided to suspend the application of the matching provisions of the act through fiscal year 1968. This should provide sufficient time for State departments of education to approach their respective legislatures for money which would enable a portion of the cost of this program to be borne from other than Federal funds for the next time the act is extended.

Mr. President, I ask unanimous consent that the portions of the committee report pertaining to this title of the bill, contained in pages 31 to 33, be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PART E—GRANTS TO STRENGTHEN STATE DEPARTMENTS OF EDUCATION

The enactment of recent education legislation, especially title I of the Elementary and Secondary Education Act of 1965, made increasing demands on State education agencies already severely understaffed and underfinanced. Recognizing the central importance of these agencies to attaining and maintaining standards of excellence envisioned by recent legislation, the Congress authorized grants under title V to State education agencies to enable them to strengthen their leadership capabilities, to identify their educational needs, and to take necessary steps to meet these needs. In meeting the requirements under title V to evaluate staff, functions, and services and to identify areas of critical need, State educational agencies have been forced to exercise leadership and administrative capabilities and encouraged to plan imaginative and innovative programs, many on a regional cooperative basis previously not considered.

The committee is pleased with the initial responses of the State agencies to the provisions of title V. Most State agencies moved decisively to evaluate their programs and activities, identify their strengths and weaknesses, and establish priorities for program improvement. Progress is evident in most State educational agencies, especially in programs of professional services. Recognition of the crucial need for staff is evident in the applications approved as of June 1966. In the area of general administration, 165 professional and 190 nonprofessional new positions have been provided. Two hundred and seventy-two professional and 138 nonprofessionals have been added to State agencies to study, plan, develop, and evaluate State education programs and research coordination; over 94 percent of all State applications proposed strengthening efforts in these areas. To provide leadership, consultative and technical services to local educational agencies for improving the administrative aspects of education, 75 professional and 55 nonprofessional positions have been created. For the first time, many States are able to provide consultants in elementary education for continued upgrading of quality in elementary school programs. For school accreditation, improving teacher education programs, and certification and licensing, 70 professionals and 57 nonprofessionals have been employed, making a total of 1,053 professional and 831 nonprofessional new positions among 55 educational agencies utilizing a total authorization of $14,230,186.

To obtain these preliminary results, Congress appropriated $17 million in fiscal year 1966. To continue the momentum generated during this first year and to maintain essential programs initiated in 1966, $30 million is authorized for fiscal year 1967. Many of the programs initiated were for purposes of studying the organization and operating procedures of State agencies and will not be recurring; however, $30 million is needed to support the development of new services and programs within the State education agencies. Continued attention to enlarging the scope of authority granted to State education agencies for administering other education-related, federally supported programs should be encouraged. Since there is an acute personnel shortage, a fellowship program to strengthen comprehensive personnel improvement programs under development is desirable. To assure the continued mutual benefit derived from the exchange of personnel between the U.S. Office of Education and State educational agencies, specific provision has been added to title V to guarantee Office of Education employees all of their civil service benefits without interruption.

The committee believes that the important progress of State departments of education can be accelerated by suspending the application of the matching requirements which were to be effective after fiscal year 1967.

The most pressing problem, however, supported by studies and evaluations of leadership capacities, remains that of recruitment of adequate staff. Funds to meet this need must continue to be forthcoming.

Under the special project grant provision of title V, for the first time, a State can coordinate its developmental activities with other States, resulting in economy of investment and acceleration of educational development in all States. The committee is pleased that many States have creatively seized upon this opportunity. An example is an approved project for strengthening State leadership capacities for improving teacher preparation under the administration of Maryland and involving Florida, Michigan, South Carolina, Utah, Washington, and West Virginia with a $9,824 funding. A planning grant for developing educational assessment in a six-State area comprising Connecticut, Maine, Massachusetts, New Hampshire, and Vermont is being administered by Rhode Island with a $10,950 grant. One project being undertaken only by Washington, but having consequences for all States, involves a conference on the role of the State educational agency in teacher preparation and certification; it is funded by a $58,500 grant. As a June 1966, 24 special project grants were approved.

With the Federal funds for education provided now, and to be provided in the future, greater educational opportunities and quality education channeled through strengthened State educational agencies can be expected in the future. The committee hopes that the initial progress in leadership capabilities indicated by the State education agencies during the first year of title V operation will be worthy of continued support. Allocations to States under title V of Public Law 89–10 as would be amended by this bill are shown in table VIII which follows.

TABLE VIII.—*Estimated distribution of funds under Public Law 89–10, title V: Fiscal year 1968*

	1967 [1]	1968 [2]
United States and outlying areas	$25,500,000	$42,500,000
50 States and the District of Columbia	24,990,000	41,650,000
Alabama	492,529	821,313
Alaska	128,189	151,800
Arizona	276,352	424,065
Arkansas	312,962	491,341
California	2,111,489	3,796,325
Colorado	329,742	522,176
Connecticut	371,281	598,508
Delaware	151,140	193,975
Florida	676,064	1,158,579
Georgia	597,957	1,015,050
Hawaii	176,552	240,672
Idaho	181,977	250,642
Illinois	1,085,303	1,910,600
Indiana	630,823	1,075,445
Iowa	395,143	642,357
Kansas	339,263	539,672
Kentucky	413,874	676,778
Louisiana	478,790	796,068
Maine	205,014	292,974
Maryland	459,938	761,425
Massachusetts	581,634	985,054
Michigan	1,032,119	1,812,868
Minnesota	481,440	800,938
Mississippi	375,921	607,034
Missouri	555,134	936,357
Montana	$178,706	$244,631
Nebraska	250,435	376,440
Nevada	150,005	191,890
New Hampshire	160,815	211,754
New Jersey	706,939	1,215,315
New Mexico	226,343	332,169
New York	1,605,948	2,867,339
North Carolina	657,647	1,124,736
North Dakota	170,261	229,112
Ohio	1,171,398	2,068,807
Oklahoma	375,674	606,580
Oregon	311,686	488,996
Pennsylvania	1,133,510	1,999,184
Rhode Island	172,918	233,995
South Carolina	401,105	653,313
South Dakota	178,173	242,651
Tennessee	511,547	856,262
Texas	1,288,082	2,283,227
Utah	235,171	348,391
Vermont	139,764	173,071
Virginia	565,410	955,240
Washington	441,414	727,385
West Virginia	302,255	471,665
Wisconsin	505,460	845,077
Wyoming	140,734	174,853
District of Columbia	167,970	224,901
Outlying areas	510,000	850,000

[1] Estimated distribution of $30,000,000 with 15 percent ($4,500,000) reserved for grants or special projects, 2 percent ($510,000) of the balance reserved for the outlying areas, and the remainder distributed on the basis of the fall 1965 public school enrollment.

[2] Estimated distribution of $42,500,000 with 2 percent ($850,000) reserved for the outlying areas and the balance distributed on the basis of fiscal year 1967 data.

NEW TITLE VI OF PUBLIC LAW 89–10

Mr. MORSE. The new title VI of the Elementary and Secondary Education Act of 1965 relates to the education of handicapped children. It is described on pages 33 to 35 of the committee report. I can only say in addition, that this is the type of program which has enjoyed unanimous support on the part of the committee; majority and minority Senators alike have supported this concept.

Mr. President, I ask unanimous consent that this portion of the committee report be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PART F—EDUCATION OF HANDICAPPED CHILDREN

The committee amended the Elementary and Secondary Education Act of 1965 by adding a new title VI "Education of Handicapped Children."

The new title authorizes the Commissioner to make grants for the purpose of assisting States in the initiation, expansion, and improvement of programs and projects, including the acquisition of equipment and, where necessary construction, of school facilities, for the education of handicapped children at the preschool, elementary, and secondary school levels.

For this purpose the bill authorizes an appropriation of $150 million for the fiscal year ending June 30, 1967; $250 million for the fiscal year ending June 30, 1968; and for the 2 succeeding fiscal years such sums as may be hereafter authorized by law.

Sums appropriated for this program would be allotted among the States on the basis of the number of children aged 3 to 21, inclusive, in each State as related to the total number of such children in all States.

Each State must submit a State plan under which such programs will be operated. In general the State plans will parallel those for educationally deprived children under title I of the Elementary and Secondary Education Act.

This title also provides for the appointment by the Commissioner of a National Advisory Committee on Handicapped Children, consisting of not more than 12 members in addition to the Commissioner, who is designated as Chairman. Not less than half of the members of the Advisory Committee are required to be persons affiliated with educational, training, or research programs for the handicapped. It should be emphasized that the requirement is that not less than half shall be so identified and that the Commissioner in his discretion may appoint more members from this category of specialists.

It shall be the duty of the Advisory Committee to review all educational, training, research and related programs for handicapped children which are administered by the Commissioner and to make recommendations for the improvement of the administration and operation of such programs. In addition, the Advisory Committee is authorized to make such recommendations as it may deem appropriate and to make an annual report to the Commissioner for transmission to the Secretary and to the Congress.

The committee believes that the intended effect of much of the legislation which has been enacted in recent years for the benefit of handicapped children has been lost because of the lack of centralization of programs for the handicapped. Considerable testimony from respected professional groups was received by the committee suggesting that there should be a single focal point within the U.S. Office of Education which would provide leadership, guidance, and support for the programs for handicapped children. In an effort to provide for intensive coordination of services and programs for handicapped children, title VI requires the Commissioner of Education to establish a Bureau for the Education and Training of Handicapped Children.

The committee expects the Commissioner to place in this new Bureau, all programs or parts of programs dealing with education, training, and research which affect handicapped children. Such a Bureau will have an opportunity to interrelate research and development activities, professional preparation programs, and the improvement of educational services. It will provide a coordinated intense effort which the committee believes is necessary for the successful implementation of the provisions of this title and previously enacted laws for the benefit of handicapped children. It is hoped that the Commissioner of Education will sense the need for urgent action in the implementation and development of this bureau and will quickly consolidate programs and personnel to

strengthen programs relating to the education of handicapped children.

In this connection the committee wholeheartedly supports the President in his efforts to focus the resources of our great Nation on the problems of handicapped children. The appointment by him of a Task Force on Handicapped Children in the Department of Health, Education, and Welfare is a forward step in moving toward fulfilling the special educational goals of this Great Society. The committee is looking forward to the report of this task force.

TABLE IX.—*Estimated distribution of funds under proposed title for handicapped children, Public Law 89–10, fiscal years 1967 and 1968*[1]

	Fiscal year 1967 [2]	Fiscal year 1968 [3]
United States and outlying areas	$154, 500, 000	$257, 500, 000
50 States and the District of Columbia	150, 000, 000	250, 000, 000
Alabama	3, 049, 859	5, 083, 099
Alaska	196, 005	326, 675
Arizona	1, 201, 667	2, 002, 778
Arkansas	1, 594, 914	2, 658, 190
California	12, 699, 314	21, 165, 523
Colorado	1, 511, 092	2, 518, 486
Connecticut	2, 000, 043	3, 333, 405
Delaware	373, 510	622, 517
Florida	3, 911, 170	6, 518, 617
Georgia	3, 607, 151	6, 011, 919
Hawaii	583, 164	971, 939
Idaho	631, 388	1, 052, 314
Illinois	7, 946, 570	13, 244, 283
Indiana	3, 962, 280	6, 603, 801
Iowa	2, 316, 502	3, 860, 837
Kansas	1, 801, 462	2, 002, 437
Kentucky	2, 696, 505	4, 494, 176
Louisiana	3, 056, 867	5, 094, 779
Maine	816, 931	1, 361, 551
Maryland	2, 639, 842	4, 399, 736
Massachusetts	3, 973, 411	6, 622, 351
Michigan	6, 862, 619	11, 437, 699
Minnesota	2, 975, 855	4, 959, 759
Mississippi	2, 128, 800	3, 548, 015
Missouri	3, 401, 326	5, 668, 876
50 States and D.C.—Continued		
Montana	$607, 032	$1, 011, 720
Nebraska	1, 163, 768	1, 939, 614
Nevada	228, 841	381, 402
New Hampshire	491, 683	819, 472
New Jersey	4, 687, 766	7, 812, 943
New Mexico	942, 187	1, 570, 311
New York	12, 442, 136	20, 736, 891
North Carolina	4, 215, 016	7, 025, 026
North Dakota	587, 541	979, 234
Ohio	8, 149, 215	13, 582, 026
Oklahoma	1, 934, 764	3, 224, 607
Oregon	1, 505, 165	2, 508, 609
Pennsylvania	8, 952, 001	14.920
Rhode Island	655, 398	1, 092, 331
South Carolina	2, 356, 074	3, 926, 790
South Dakota	612, 493	1, 020, 821
Tennessee	3, 116, 084	5, 193, 473
Texas	8, 487, 822	14, 146, 370
Utah	883, 988	1, 473, 313
Vermont	334, 123	556, 872
Virginia	3, 431, 048	5, 718, 413
Washington	2, 421, 180	4, 035, 300
West Virginia	1, 690, 213	2, 817, 022
Wisconsin	3, 734, 274	5, 623, 791
Wyoming	298, 182	496, 970
District of Columbia	493, 750	822, 917
Outlying areas	4, 500, 000	7, 500, 000

[1] Excluding those in State-supported and/or State-operated schools.

[2] Estimated distribution of $150,000,000 on the basis of 3–17 population Apr. 1, 1960, with 3 percent of $150,000,000 reserved for the outlying areas.

[3] Estimated distribution of $250,000,000 on the basis of 3–17 population Apr. 1, 1960, with 3 percent of $250,000,000 reserved for the outlying areas.

MULTIHANDICAPPED CHILDREN

Mr. MORSE. Mr. President, in connection with the discussion I have given on the new title for handicapped children, I want to add but one point concerning a group of youngsters who seem to me to merit our special consideration.

Mr. Charles Petrozzi of the National Committee for Multi-Handicapped Children, gave eloquent testimony to the problem they now encounter in trying to obtain the type and kind of education their very special conditions of multihandicap require. It would be my hope that State educational agencies would be able to fund programs designed for their needs as they are clearly eligible under the title for this help.

But, Mr. President, there is one big problem in this whole field. I refer to the fact that we do not have, in my judgment, adequate statistics and on the part of the committee I strongly urge the Commissioner of Education to undertake as soon as possible, a survey which will clearly delineate the numbers of all handicapped children and the locations in which they reside, broken down into each of the categories requiring special educational assistance.

On this I speak for the committee because I know of the tremendous interest that the ranking minority member of the Education Subcommittee, the senior Senator from Vermont [Mr. PROUTY] and the ranking minority member of the full committee, the senior Senator from New York [Mr. JAVITS] have in this very important segment of special education.

DISSEMINATION OF INFORMATION

Finally, in Public Law 89–10 in section 171 is authorized the appropriation of $1.5 million for fiscal year 1967 and $2 million for fiscal year 1968 for a program to bring educational research results to the schoolrooms of America. The timelag in dissemination of information is disturbingly long. It can and should be shortened. In the committee view, it is particularly important that in carrying out this charge, the Office of Education make every effort to inform school administrators in low-income rural and urban areas that this help is available.

Mr. President, I ask unanimous consent that that portion of the committee report, on page 34, pertaining to dissemination of information, be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PART G—DISSEMINATION OF INFORMATION

The committee expects the Office of Education to interpret this amendment liberally and to engage in a broad range of imaginative dissemination activities. The committee is especially concerned that this program reach those low-income rural areas which, because of lack of funds, have for years gotten by on subsistence-level educational budgets. Now, for the first time, they have the opportunity to improve notably the quality of their educational programs. But because of the years of neglect, many of them need assistance in planning new programs. This amendment will allow the Office of Education to provide advice, counsel, technical assistance, and demonstrations to a State or local educational agency which requests it. The program is entirely voluntary; an agency can receive this type of assistance only if it asks for it. In order that educators may know where to go for assistance, the Office of Education is urged to make a special effort to inform school administrators in low-income rural and urban areas that such help is available.

TITLE II OF S. 3046

Mr. MORSE. Title II of S. 3046 is concerned with amendments to Public Law 874 and Public Law 815, the impacted areas legislation of 1950, which has over the years won the complete confidence of the Congress. In this area very briefly, I wish only to say that the committee reviewed proposals which would have curtailed this program; rather, by a series of amendments the committee has expressed its determination to strengthen and expand the scope of operation of these programs.

Mr. President, I ask unanimous consent that the committee report discussion in this area, which may be found on pages 36–46 of the report, be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

TITLE II—FEDERALLY AFFECTED AREAS

AMENDMENT OF PUBLIC LAWS 815 AND 874

Background

Public Laws 874 and 815 were enacted in 1950. The purpose of the two laws is to compensate local educational agencies for financial burdens imposed on them by Federal activities. The detailed provisions of Public Law 874 as originally enacted directed that school districts be compensated for a portion of the yearly operational cost of educating children living with a parent residing on or employed on Federal property which was not subject to taxation for school purposes. The rate of payment per child was based on the portion of the educational costs met from local revenue sources affected by Federal ownership of real property. Public Law 815 follows a similar rationale and pattern of payments for school construction. Both acts were originally designed to be temporary—subject to periodic review. In 1953, Congress conducted a thorough reexamination of the program. As a result, some changes were made in the two laws, particularly in Public Law 815. This committee has held hearings on these recommendations each time the impacted aid program was due to be extended. With one minor exception, the only amendments made to either act since the basic changes in 1953 have either liberalized or continued the acts for an additional period of time.

The principal liberalizing amendments to Public Law 874 have increased the rate of payment for districts in the low-income, high State-aid States and have made it easier to meet the minimum eligibility requirements for all districts. The amendments made to Public Law 815 have not increased the cost of the program. In 1958, payments for "A" category children, those who live on Federal property with a parent employed on Federal property, were made permanent under both laws. The temporary provisions of Public Law 874 now run until June 30, 1968; the temporary provisions of Public Law 815 expired June 30, 1966.

The cost of the Public Law 815 program was substantial duding the first years of operation. A total of $396.5 million was appropriated for the first 5 years of the program when federally impacted school districts were catching up on the backlog of school construction created during and immediately after World War II. Since that time, the cost of the program has gradually declined; at present, it averages about $50 million a year.

An entirely different trend has developed with regard to Public Law 874. The first year this act was in operation, a total of 1,172 school districts were eligible for approximately $29.6 million in Federal payments. These districts had a total enrollment of 2.9 million children, of which 439,000 were federally connected children. The cost has grown from $29.6 million to an estimated $388 million in the current year—the estimate for 1967 is $416 million as the act is presently written.

Over 4,000 school districts are eligible for assistance; over 2 million children are counted for payments. Eligible school districts now enroll more than 15 million children, one-third of all public school children in the Nation. The amendment to Public Law 874 made last year by Public Law 89–313, reducing eligibility requirements for the large school districts from 6 to 3 percent, is expected to increase the cost by about $20 million in fiscal year 1967. The actual entitlements of eligible districts have increased by $25 to $30 million each year for the past 5 years.

It is expected that the cost of the program will continue to rise each year even without amendments. One major cause of the increased cost in recent years stems from two amendments, one passed in 1953 and the other in 1958. These amendments offered alternate, more liberal, rates of payment per child. Another reason is the increased educational costs. Notwithstanding the increase in the cost of this program from year to year, the Federal payments have averaged between 5 and 6 percent of the total current operating costs each year since the program was authorized. As a result of concern about the rapid increase in cost of this program, the President recommended, in his 1965 budget message that a thorough study be made of the program of Federal assistance to federally impacted areas. Of particular concern to the President was the effect that Federal activities have on the fiscal and economic resources of local communities for the education of their children.

Congress approved the President's recommendations and included the following in Public Law 88–665, which was signed October 16, 1964:

"The Commissioner of Education shall submit to the Secretary of Health, Education, and Welfare for transmission to the Congress on or before June 30, 1965, a full report of the operation of Public Laws 815 and 874, as extended by this act, and his recommendations as to what amendment to such laws should be made if they are further extended."

Measured improvements in this education legislation have been directly related to the continuous amending process. Again this committee has found it necessary to further amend Public Law 874 and Public Law 815 in order to make the administration of these programs more effective.

PUBLIC LAW 874 CHANGES

Eligibility requirements

First, the committee has amended the eligibility criteria in Public Law 874 to provide that, for the purpose of eligibility, districts having a number of federally connected students that equals less than 3 percent of their total school enrollment may receive Federal funds if they enroll at least 1,000 federally connected students. This provision would eliminate a present inequity in the law of requiring a significant number of districts to assume the entire burden of financing the education of federally connected children while compensating others.

This change would materially affect several cities—Chicago, Detroit, Cleveland, Milwaukee, Dallas, Nashville, and Cincinnati—where it is expected that eligibility would be established at a cost of approximately $5.8 million.

Local contribution rate

Public Law 874 now provides that the basic rate of payment for an "A" category child shall be the local contribution rate: the expenditure per child in average daily attendance which is met from local revenue receipts in generally comparable districts in the second preceding year. An applicant district which uses individually selected comparable districts may "hunt around" so to speak to find the two, three, four, or five districts with the highest local expenditure per child, which it feels it can justify as being comparable.

The committee proposes the substitution of equitable group rates for other random methods of calculating the local contribution rate. That is, the Commissioner would be given authority to require that the local contribution rates be determined on the basis of groups of comparable districts rather than in individually selected comparable districts.

With this amendment, individual selection of "comparable districts" would be eliminated, and all school districts would be initially classified in groups of districts comparable in size, in legal classification, and other characteristics. The State educational agencies would make this inital classification and after the groups were approved by the Office of Education, the rate of payment per child would be based upon the expenditures from local revenue sources of all districts in each group.

The group rate method of determining the rate of payment has a number of advantages not present when comparable districts are individually selected. The benefits are as follows: (1) greater objectivity is achieved in rate determination; (2) State agencies have greater administrative responsibility; (3) paperwork for the applicant and the central office is substantially reduced; and (4) there is a leveling effect which would lessen the difference between the highest and the lowest rates paid.

The committee after having carefully considered the testimony, both of administration witnesses and that taken from school superintendents of districts receiving assistance under the provisions of Public Laws 815 and 874 in title II of S. 3046 recommends to the Senate that these programs which have been operative with much success since 1950 be expanded and strengthened through the adoption of the provisions of the reported bill.

The committee did not accept the administration recommendations to eliminate as alternative minimum rates of payment under Public Law 874 one-half of the national or one-half of the State average cost per child. This matter was thoroughly investigated by the committee when these two alternative minimum rates were established in 1953 and 1958. They were put in the law to eliminate the great disparity between the amount of payments per child received by districts in the various States which difference resulted in part from the educational standards in the State and in part from the way the educational costs were divided between State and local funds. It was found at the time of those investigations that some school districts were receiving under Public Law 874 an amount per child five times greater than the amount per child received by other school districts. Accordingly, Congress established the alternative minimum rates to eliminate this disparity and to assure a minimum amount of Federal funds to hard-pressed school districts for the extra burdens involved in providing free public education for substantial increases in federally connected children. To have accepted the administration recommendation would have resulted in the same disparities that existed prior to the authorization of these alternative rates. In addition the alternative rates have been of great benefit, particularly to the poorest districts, in accomplishing the purpose of the act.

The committee did accept the administration's recommendations to require that the rate of payment per child to those school districts which do not use one of the alternative minimum rates be based on the cost per child from local revenue sources in "groups of generally comparable districts" rather than in "individually selected comparable" districts. This change was felt to be desirable to eliminate the shopping around now done by certain school districts to select the highest cost districts in the State as those most comparable to it in order to get the highest rate of payment possible. The group rate provision will make the rate determinations more objective, will bring the State educational agencies more directly into the administration of these rate provisions of the act and will to some degree equalize the payments between the wealthiest and the poorest districts in each group by providing a little bit more to the poorest districts and a little bit less to the wealthiest districts.

The bill specifies that the Commissioner must consult with the State educational agency before finally determining the groups of districts in any State for rate determination purposes. It is the feeling of the committee that the groupings of comparable districts should be made after careful consideration of all pertinent factors in the districts including size, legal classification, financial resources, educational problems involved and socio-economic characteristics of the population. While comparable districts should be grouped together for determination of rates the Commissioner should give due consideration in the approval of groups to the special educational problems involved in the various districts to be included in each group and their ability to adequately finance educational programs. The committee also feels that insofar as possible the groupings should be such that no applicant district will be paid more under the group rate provision than the per pupil cost in that district. A precedent already exists for this concept which provides that no school district shall be paid more under the alternative rate provision of one-half of the national average cost than the average per pupil cost in the State in the second preceding year.

Since it now is late in the start of the new fiscal year, the committee amendment delays the applicability of the new group rate provision until July 1, 1967.

Counting federally connected children

The committee recommends that Public Law 874 be amended to permit the counting of a child in the school district where the child resides with a parent in the uniformed service, regardless of where the parent is stationed.

Under current law in order for a child not residing on Federal property to be counted as federally connected, he must reside with a parent employed on Federal property which is located in the same State as the school he attends or within reasonable commuting distance. In some cases, the father of a military dependent is stationed at a base at some distance from the place where the dependent resides; the child cannot be counted as federally connected unless the parent's employment is within reasonable commuting distance of the child's residence. In other cases, problems arise because the father is aboard ship and not on Federal land.

This amendment would resolve an avoidable inequity and greatly simplify the administration of the program, both for the Office of Education and for the applicant local school districts. Under this concept, the necessity of inquiry as to the type of living arrangements—the Federal or private status of the property at which federally owned ships were headquartered, and whether or not the "Armed Forces elsewhere" provision was operated in given situations—would all be eliminated.

The committee further adopted an amendment permitting a unique and rare payment to school districts adversely affected by the relocation of an international boundary.

Deduction of other Federal payments

The committee would also amend the tax and Federal payment deductions to provide that taxes and other Federal payments made to school districts be deducted on the same basis—only payments made with respect to Federal property which has children connected with it for purposes of the act would be deducted. Second, it would eliminate the provision in the present act which allows States to avoid this deduction by not making tax receipts available for current expenses. Third, it would impose a $1,000 minimum on deductions on account of other Federal payments.

Present law provides that Federal payments representing an allotment to a local educational agency (e.g., payments from minerals, royalties, leases, Taylor Grazing Act, Federal forests, and migratory game refuges) are deducted from entitlements under Public Law 874 only when made with relation to property with which the children are connected. Tax payments, however, are deducted from the gross entitlement, regardless of the connection of the children to the property in question. This amendment would relate the deduction of all Federal payments under laws other than Public Law 874 to the property for which payments are made under this act.

The $1,000 minimum deduction is imposed as a matter of administrative efficiency and convenience. Determination of smaller amounts would incur excessive administrative costs.

Availability of appropriated funds for additional year

At present, entitlements for Public Law 874 are based on the average daily attendance of federally connected children during the school year. However, average daily attendance cannot be determined until the school year is completed, which in most districts in the Nation is during June. According to testimony we have heard, 3 months must be allowed for school districts to complete the data and send in their final reports in September. Because funds must be obligated by June 30 of the fiscal year for which they were appropriated, allotments are based on estimated average daily attendance data.

The committee recommends that funds appropriated for one fiscal year remain available for obligation in the following year for entitlement of districts in the year for which the appropriation was made. As a result, reports of entitlement of the 4,200 eligible school districts will be actual rather than estimated average daily attendance and thus would eliminate the necessary paperwork.

Refusal of local agency to provide for "A" pupils

Federal assistance has been established to help relieve the strain on local districts of educating federally connected children. However in cases in which a local educational agency fails, for one reason or another, to educate children who reside on Federal property within the school district of the agency, the Commissioner has no authority to withhold Federal funds. The committee seeks to remedy this situation by providing effective after fiscal year 1968 that where free public education is not or cannot be provided by a local educational agency, there would be deducted from the Public Law 874 payments to that agency for category "B" children an amount equal to the additional expense to the United States of educating at full Federal expense the category "A" children on base. In addition, this amendment would prohibit school districts in a State from counting for purpose of entitlement for "B" category, children living on that property. The delay in putting these changes into effect will provide ample time for States to make appropriate adjustment if such be desired.

Transfer of Federal property to private ownership

Present law provides that Federal housing properties sold or transferred to private owners should remain Federal property for purposes of Public Law 874 for 1 year after the sale or transfer took place. The purpose of counting this property as Federal for this additional year was to enable local communities to get the property on the tax rolls by the time the Federal payments related to it were discontinued. The same length of time is required by a school district to obtain tax revenue from nonhousing properties sold or transferred to private interests by the Federal Government but nonhousing Federal property was not included in this amendment.

Commercial or industrial property owned by the Federal Government, like federally owned housing property, creates a financial burden on local educational agencies. Thus, the committee recommends that it also should be considered as Federal property until it is placed on the tax rolls.

Grades 13 and 14

At present, both Public Laws 815 and 874 permit federally connected children in the 13th and 14th grades to be counted if such education is provided as free public secondary education under applicable State law. In recent years there has been an extensive increase in the number and types of junior colleges, post-high schools, and extended secondary education programs in various States. For this reason the committee did not repeal the existing authority. Free public education is a goal to which our society is committed. It is hoped that in subsequent years this concept can be further extended into post-secondary education at all institutions of higher education.

PUBLIC LAW 815 CHANGES

Pupil growth necessary for construction aid

The committee recommends a change in the percentage growth necessary for establishing eligibility for payment under Public Law 815. A local educational agency would now have to show an increase of 6 percent in the number of federally connected "A" and "B" children enrolled during a 4-year growth period. This would mean an average growth of 1.5 percent per year. Prior to this amendment, local educational agencies were required to show a growth of 5 percent over a 2-year period, or an average growth rate of 2.5 percent a year.

The 2-year increase period does not fit the slow but steady growth pattern of federally connected children found in many impacted school districts. As a result, many local educational agencies do not receive any Federal payment; others receive insufficient payment for the burden imposed on school facilities by Federal activities. On the other hand, the 4-year measuring period would tend to remove the inequities occasioned by erratic patterns of school enrollment growth.

The committee has deemed it necessary to reduce the non-Federal growth requirement for a local school district from 107 percent for 2 years to 106 percent for 4 years (i.e., from 3.5 percent per year to 1.5 percent per year).

In order to receive Federal assistance, a school district must meet a non-Federal growth requirement in addition to the growth in numbers of federally connected children. This non-Federal growth requirement prevents or reduces eligibility where a school district has not experienced the normal increase in school enrollment. This is done by subtracting the actual number of nonfederally connected children in the school membership of the local educational agency at the end of the increase period from the number who would have been in the school membership if the agency had experienced the normal growth. The figure resulting from the subtraction is in turn subtracted from the 2-year increase in the number of federally connected children in the school membership of the agency, and only the remaining number is counted for payment. This provision was put into the act to assure that a school district would not receive Federal funds unless there was a substantial growth of total as well as federally connected membership.

When this requirement was put in the act, it was anticipated that, on the average, public school enrollments would increase 3.5 percent a year or 7 percent over a 2-year period. More recent Office of Education projections show an estimated increase of 1.5 percent a year from 1965 to 1970. Accordingly, the committee recommends a reduction in the non-Federal growth requirement from 3.5 percent to 1.5 percent a year, or a total of 6 percent over a 4-year increase period.

The committee has amended Public Law 815 to extend the time limit for determining the number of unhoused children by authorizing the Commissioner to make an estimate for a period 2 years beyond the end of the increase period.

As Public Law 815 presently operates, a local educational agency may not construct more "capacity" facilities (i.e., classrooms) than it needs for the number of children who will be "unhoused" at the end of the increase period. Yet many school districts have a steady growth in school enrollment that exceeds the number of children counted during the designated increase periods. Such school districts are forced to use their grant for "noncapacity" facilities (i.e., auditoriums and kitchens) rather than for classrooms due to the construction restriction.

By allowing the Commissioner to estimate the number of "unhoused" children as of a date 2 years beyond the end of an increase period, this change would permit local educational agencies to use their Federal entitlement to construct the type of facility they most urgently need.

Construction of Indian schools

When Public Law 815 was first enacted, children living on Indian reservation lands were eligible for assistance just as other federally connected children. However, the circumstances on the Indian reservation lands did not fit the type of growth patterns required for eligibility, patterns designed for areas having military installations, and, thus, very few of the school districts having large Indian reservations were eligible for assistance. After several years' experience with the program, Congress added section 14, designed specifically to provide facilities primarily on Indian reservation lands where there were substantial numbers of "unhoused" children and the school district did not have sufficient resources to construct the necessary facilities. The eligibility requirements in this section are different than those for other federally connected areas.

This program has worked well. Other programs have brought more children on Indian reservation lands into the public schools and have kept them there longer. There is a continuing need for construction of school facilities in these areas, and few of them have sufficient taxable resources to build the required facilities. Indian reservations are federally owned property and are nontaxable. There is no other Federal program to provide school facilities for these children.

The committee suggests the following amendments to the special construction authority: (1) eliminate the present annual ceiling of $60 million on authorizations, and (2) make the authorization permanent.

International boundary relocation amendment

Public Law 815 is conformed as was Public Law 874 to provide a rare payment to school districts adversely affected by the relocation of our boundary with Mexico.

Authority to transfer title to permanent facilities

The committee recommends that the transfer-of-title authority now in the act for temporary facilities be expanded. This amendment would extend authority to confer title to the local educational agency for permanent facilities constructed by the Federal Government. Such authority is now restricted to temporary facilities under section 9 of the existing law.

As the law originally read, title for the construction of temporary facilities remained solely with the Federal Government. Congress felt that local educational agencies were unwilling to assume responsibility for facilities which might be vacated promptly at the end of a particular Federal project. However, experience proved that with the termination of such projects many employees and their families stayed in an area and temporary facilities became operational on a permanent basis. Therefore, a transference-of-title provision was added to section 9 of the law to allow local educational agencies to assume full responsibility for the facility.

Under the original provisions of the law, the Federal Government was given responsibility for building on-base schools for military children in cases where the local educational agency was unable or unwilling to provide educational facilities. A number of States have changed their State laws to allow local educational agencies to construct school facilities on leased property. Under these circumstances, title to the base school was held by the Federal Government while title to the base-school addition constructed on leased property was held by the local educational agency. The same dual title condition resulted when section 14 was added to the law authorizing grants to be made to local educational agencies for the construction of schools and school additions for Indian children. In some instances, title to one school building for Indian children was held by the Federal Government, while title to other buildings on the same site was held by the local educational agency. In both cases—the military-base school and the school for Indian children—the dual ownership of separate sections of the school buildings proved to be administratively difficult in the filing of property reports and inventories to the Federal Government and their local educational agencies. Therefore, the committee has provided the authority to transfer Federal titles to the local educational agencies in such instances.

The following correspondence on this point is made a part of the report:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D.C., October 3, 1966.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: This letter is written pursuant to the committee request for a statement concerning the criteria this Office would use in transferring to local educational agencies title to federally owned school buildings under the amendment to section 10 of Public Law 81–815.

The proposed amendment authorizes the Commissioner, when he determines it is in the Federal interest, to transfer, without charge, to the appropriate local educational agency school facilities constructed by the United States under section 10 of Public Law 815 (formerly sections 204 and 310).

Section 10 of Public Law 81–815 requires the Commissioner to construct or otherwise provide minimum school facilities necessary for the education of children who reside on Federal property when no tax revenues of a State or any of its political subdivisions may be expended for the free public education of such children; or if it is the Commissioner's judgment, after appropriate consultation, that no local educational agency is able to provide suitable free public education for such children. By the end of 1965, approximately 380 projects had been constructed on Federal property under this authority at a cost of approximately $150 million.

We have not determined, at this time, the precise conditions under which such transfer would be approved if the amendment is enacted. However, the following would seem to be the minimum conditions that would be required:

1. A written request for transfer of the facility by the school district in which the facility is located.

2. A certification that the local educational agency has acquired or will acquire title to the site or a leasehold interest in the site for a period of time equivalent to the remaining usable life of the school facilities.

3. Evidence substantiating the need on a continuing basis for the school facilities for educational purposes and a certification that the transferred facilities would continue to be used for school purposes.

4. Written certification by the State educational agency that the use of such facilities is not inconsistent with the overall State plans for providing school facilities.

If the proposed amendment is enacted, this Office would move slowly in transferring federally owned school facilities to local ownership. We would propose initially to transfer only those five or six buildings constructed on Indian reservations which would not have been constructed under section 10 if the provisions of the law at the time had enabled local school districts to provide the needed facilities under section 14. We would then consider for transfer facilities at Federal installations where the following conditions were met: State law has been modified, so that school district can construct facilities on leased land; there will be no further Federal construction under section 10; and the local school district has already acquired Federal property through quitclaim deed, lease, or other means and has constructed district-owned school facilities within a Federal installation. No facilities would be considered for transfer on those installations where it is necessary for the Federal Government to operate the schools under section 6 of title I of Public Law 874. It is expected that only a small portion of these federally owned buildings, perhaps not more than a dozen or so would be transferred.

In closing I want to assure you that if the amendment is enacted, we would appreciate suggestions and comments from the committee regarding the conditions that should be imposed and the requirements that should be met before transfers are approved.

Sincerely yours,

HAROLD HOWE II,
U.S. Commissioner of Education.

Section 229

This is a change in existing provisions where a local agency cannot or will not educate children on Federal property to provide that such property will not be deemed Federal property for the purposes of section 5 of the act.

Additional Federal property to be considered

An amendment is also suggested to allow federally owned property used by the United States primarily to provide benefits to the local community to be considered as Federal property for the purposes of this act. This amendment does not include post office buildings under jurisdiction of the Post Office Department.

It is extremely difficult to determine when Federal property is, and when it is not, used by the United States primarily to provide a local benefit to the area in which the property is situated. Second, federally owned property on which children live or their parents are employed creates a measurable financial burden for the school district, whether or not the property is used primarily for a local service or benefit. This amendment would permit the local educational agency to receive the necessary Federal assistance to relieve the strain caused by "benefiting" Federal properties.

Inclusion of American Samoa

A provision to include American Samoa in the Public Law 815 program is offered by the committee as an amendment. At the present time, this territory is not eligible for construction assistance because it is not included in the definition of "State" in Public Law 815. Public Law 89–10 extended the benefits of Public Law 874 to American Samoa; Public Law 89–313 made it eligible for disaster program funds. However, since it was ineligible for construction assistance, American Samoa was similarly ineligible for the disaster construction benefits also extended by Public Law 89–313. This was particularly unfortunate since a major disaster occurred in American Samoa January 29, 1965. This amendment will make the provisions of Public Law 815 uniform and consistent with those of Public Law 874 and other programs.

TITLE III OF S. 3046

Mr. MORSE. Title III of S. 3046 is concerned with adult education. Here I wish to pay tribute to the leadership of Senator HARTKE of Indiana, who together with a panel of specialists in the area, urged that this program be firmly established by statutory authority with the Office of Education.

Mr. President, I ask unanimous consent that the committee report discussion of title III starting on page 46 of the report, be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

TITLE III OF S. 3046

ADULT EDUCATION

The committee, by adding title III to the bill sought to achieve the following purposes:

(1) To repeal the authorities presently contained in title II–B of the Economic Opportunity Act relating to adult basic education and to reestablish them within the Office of Education while at the same time increasing the funds available under the State

grant-State plan program to a level of $40 million in the current fiscal year and $60 million for fiscal year 1968;

(2) To reduce the time that it takes for appropriated funds to be disbursed to State educational agencies;

(3) To affirm the principle that programs having substantial educational components should be under the direction of the Office of Education, which, under the committee amendment, would be responsible for the efficient administration of the program and for coordination under it with other programs administered by other agencies.

COMMITTEE COMMENT ON TITLE

Title III of S. 3046 was based upon a bill originally introduced by Senator HARTKE. Testimony from expert witnesses in connection with the amendment may be found in part III of the hearings, on pages 1083–1091 for the testimony of Senator HARTKE, starting on page 970 for the testimony of Dr. Adron Doran, chairman of the National Education Association Legislative Committee, and on pages 1252–1283 for the testimony of a panel of expert witnesses representing the major national organizations interested in public adult education.

If enacted, as recommended by the committee, title III of S. 3046 would become the Adult Education Act of 1966. The purpose of this title is to provide authorities to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation of occupational training and more profitable employment and to become more productive and responsible citizens.

Forty million dollars will be authorized to be appropriated for the 1967 fiscal year and $60 million is authorized for fiscal year 1968. Not less than 10 percent nor more than 20 percent of the sums appropriated are reserved for special projects and teacher training, the remainder of the sums to be allotted among the States upon a population basis of the number of adults who have completed not more than five grades of school. These sums would be expended for programs under a State plan which affords assurance of substantial progress toward carrying out the purposes of the Adult Education Act.

This title of the bill further provides for an Advisory Committee on Adult Education to advise the Commissioner of Education in the preparation of general regulations and with respect to policy matters. Provisions contained in the title prohibit Federal control of the program and the establishment of local adult education advisory committees is encouraged. No grant under this title may be made for any educational program, activity or service relating to sectarian instruction or religious worship or that which is provided by a school or department of divinity.

Following is a table showing State-by-State allocation of funds:

TABLE X.—*Estimated distribution of funds under S. 3046, Elementary and Secondary Education Amendments of 1966, as reported, Senate committee: fiscal year 1968*

(NEW) TITLE III: ADULT EDUCATION

	Estimated State amounts [1]	
	1967	1968
U.S. and outlying areas	$34,000,000	$51,000,000
50 States and District of Columbia	33,320,000	49,980,000
Alabama	1,073,241	1,609,861
Alaska	35,209	52,813
Arizona	271,802	407,704
Arkansas	587,158	880,737
California	1,996,331	2,994,497
Colorado	172,113	258,170
Connecticut	395,066	592,599
Delaware	61,655	92,482
Florida	1,037,849	1,556,774
Georgia	1,382,654	2,073,961
Hawaii	149,355	224,033
Idaho	51,536	77,305
Illinois	1,502,043	2,253,065
Indiana	517,519	776,279
Iowa	203,514	305,272
Kansas	177,329	265,994
Kentucky	894,779	1,342,166
Louisiana	1,287,725	1,931,587
Maine	101,679	152,518
Maryland	569,328	853,993
Massachusetts	717,740	1,076,610
Michigan	984,626	1,476,938
Minnesota	287,384	431,076
Mississippi	807,578	1,211,367
Missouri	709,416	1,064,124
50 States and District of Columbia—Con.		
Montana	262,625	393,937
Nebraska	119,139	178,709
Nevada	23,269	34,904
New Hampshire	58,550	87,825
New Jersey	1,056,608	1,584,912
New Mexico	208,861	313,292
New York	3,142,383	4,713,574
North Carolina	1,541,123	2,311,685
North Dakota	75,906	113,859
Ohio	1,223,503	1,835,254
Oklahoma	422,718	634,076
Oregon	138,711	208,067
Pennsylvania	1,830,906	2,746,359
Rhode Island	141,517	212,275
South Carolina	925,210	1,387,815
South Dakota	63,740	95,610
Tennessee	1,117,046	1,675,569
Texas	2,655,785	3,983,678
Utah	50,973	76,459
Vermont	34,520	51,780
Virginia	1,140,446	1,710,669
Washington	227,417	341,125
West Virginia	439,138	656,708
Wisconsin	489,258	733,886
Wyoming	27,187	40,780
District of Columbia	128,831	193,246
Outlying areas	680,000	1,020,000

[1] Distribution of $60,000,000 with 15 percent ($9,000,000) reserved for special grants under sec. 309, 2 percent ($1,020,000) of the balance reserved for the outlying areas, and the balance distributed on basis of those 18 and over with less than 6 grades of school completed (Apr. 1, 1960).

Mr. MORSE. The committee decision to establish this program under the Office of Education was based in part also upon its belief that a delegation of authority to administer a program is meaningless unless funds to administer the delegated authorities are provided promptly and without conditions. Although the fiscal year 1966 appropriations bill was signed by the President on October 31, 1965, notification was not given to the States of the additional funds until January 11, 1966, following receipt by the Division of Adult Education Programs in the Office of Education on December 28, 1965, of an allocation of some $7.8 million from the Office of Economic Opportunity. Not until February 17, 1966, was an additional $7.7 million released to the Office of Education by the OEO.

Finally, I am informed that it was necessary for intensive negotiation to be taken with the Office of Economic Opportunity before the Office of Education could secure $5.1 million to meet reallotment requests needed by State departments of education.

This short history of the interagency difficulties points up, in my judgment, the imperative necessity in the interests of economy and efficiency of the administration of public funds, to place squarely upon the Commissioner of Education responsibility for the administration of educational programs. He should not be hampered in discharging his responsibilities by having the funding of those responsibilities contingent upon acceptance of educational policy considerations proposed by a noneducational, separately responsible Federal agency of less than Cabinet rank.

Mr. President, this has been, I know, a lengthy opening statement on the bill, but the subject is not one which could be adequately treated in short compass. In closing, I can only say that the committee bill represents the best judgment of all of our members and while there are, I am sure, differences of opinion among us and on the part of Senators who do not share the views we have expressed, nevertheless I can say in all sincerity that I have received as chairman of the Education Subcommittee, the utmost cooperation from all of my colleagues both on the subcommittee and the full committee in our work on this bill.

I am deeply grateful to each and every one of them and to the great Senator from Alabama, the chairman of our committee, who at every turn helped us to bring this measure to the Senate, even though he may personally have opposed provisions contained in it.

Mr. President, this concludes my opening statement on the bill. I ask unanimous consent that at this point in my remarks there appear a section-by-section analysis of S. 3046, which may be found on pages 50 through 68 of the Senate report. I further ask unanimous consent that following the section-by-section analysis there be printed a table showing entitlements and obligations under title I of Public Law 89–10 for fiscal year 1966.

There being no objection, the materials were ordered to be printed in the Record, as follows:

Section-by-Section Analysis

Section 1. Short Title

This section provides that the act may be cited as the "Elementary and Secondary Education Amendments of 1966."

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (PUBLIC LAW 89–10)

Part A—Financial assistance to educational agencies for the education of children of low-income families (title II of Public Law 81–87, enacted by title I of Public Law 89–10)

Section 101. Grants to School Agencies

This section maintains provisions for basic grants in fiscal years 1967 and 1968, but deletes reference to special incentive grants.

Section 102. Grants for Indian Children in Schools Operated by the Department of the Interior

This section amends section 203(a)(1) of Public Law 874, 81st Congress (as enacted by by Public Law 89–10, title I), to provide that, from the funds available for allocation to the outlying non-State areas, the Commissioner shall allot to the Secretary of the Interior (1) the amount necessary to permit the Secretary of Interior to make payments to local educational agencies which, under special contracts with the Department of Interior, provide education for out-of-State Indian children, and (2) for the fiscal year 1967, the amount necessary to meet the special educational needs of educationally deprived children on reservations serviced by schools for Indian children operated by the Department of Interior. The amount of payment to such local educational agencies under the allotment with respect to out-of-State Indian children may not exceed, for each child receiving education under such special contracts, one-half the average per pupil expenditure (as defined in section 203(a)) in the State in which such local educational agency is located.

This section also amends section 203(a)(1) to provide for a separate appropriation authorization for the purposes of that paragraph in an amount equal to 3 percent of the sums appropriated under section 207(a) for grants to the 50 States and the District of Columbia.

Section 103. Payments to State Educational Agencies for Assistance in Educating Migratory Children of Migratory Agricultural Workers

The amendments made by this section provide for grants to State educational agencies for programs for migratory children of migratory agricultural workers. The maximum total of grants for use in any State would be determined by multiplying the Federal percentage (determined under sec. 203(c)) of the average per pupil expenditure in the United States multiplied by the number of migratory children, aged 5–17, of migratory agricultural workers, residing in the State full time, and the full-time equivalent of such children residing in the State part time.

A grant may be approved only if it will be used for programs and projects (including acquisition of equipment and construction of facilities) which are designed to meet the special educational needs of the migratory children, and to coordinate the programs of that State with similar programs of other States. The proposed program must also be coordinated with other programs of migratory children education, and carried out in a manner consistent with the basic objectives of the title.

In a limited number of specified cases the Commissioner is authorized to carry out the purposes of the subsection through other public and nonprofit private agencies.

Section 104. Providing for the Counting of Orphans, Children in State Correctional Institutions, and Other Children Lacking Parental Support

Subsection (a) amends section 203(a)(2) of the act to provide that, in determining the amount of grants under this title, the Commissioner will count children aged 5 to 17 in the school district who, because of lack of parental care, are being supported in public or private nonprofit institutions or are being supported with public funds in foster homes. Such children will not be counted if they are counted under subsection (b) of this section 104.

Subsection (b) adds to section 203(a) a new paragraph (7) which authorizes grants to State agencies directly responsible for providing free public education for children who, because of lack of parental care, are being supported by the State agency or who are in correctional institutions. The amount of the maximum grant to each such State agency will be an amount equal to the Federal percentage (defined in section 203(c) of this act) of the average per pupil expenditure in that State multiplied by the number of children in average daily attendance at schools for such children operated or supported by that agency, in the most recent fiscal year for which satisfactory data are available. The State agency must use payments under this section for programs or projects designed to meet the educational needs of the children for whom the grant is made.

Section 105. Grants—Eligibility for and Computation of Amounts

Under the present law, when the Commissioner has determined the number of children to be counted in fixing the maximum grants for a local educational agency, he multiplies that number by the average per pupil expenditure in that State. Under the amendments made by this section, this mode of computation is retained until the end of the fiscal year 1967. For subsequent fiscal years, the Commissioner will multiply the number of such children by the average per pupil expenditure in the State or the average per pupil expenditure in the United States, whichever is higher.

The amendments made by this section also provide that a local educational agency will be eligible for a grant if the number of children who may be counted is at least 10. The existing law requires the number of such children to be at least 100 or 3 percent of the total number of school-age children in the school district, whichever is less, except that there must be at least 10 such children.

Subsection (c) amends the definition of "average per pupil expenditure" to make it clear that all expenditures (and not just local expenditures) for free public elementary and secondary education should be included in the computation.

Section 106. Raising the Low-Income Factor After June 30, 1966

This section amends section 203(c) of the act to provide that the low-income factor will be $2,500 for the fiscal year 1967 and will be $3,000 for the fiscal year 1968. The low-income factor is the measure used in defining a low-income family for the purpose of making grants to local educational agencies. (See sec. 203(a)(2) of the act.)

Section 107. Using Most Recent Aid-for-Dependent-Children Data Available After June 30, 1966

The amendment made by this section requires the Commissioner, in determining the number of children in the school district who are from families receiving an annual income in excess of the low-income factor, from payments under the aid-for-dependent-children program, to utilize the latest calendar year ending before the beginning of the fiscal year for which the determination is made. This language gives the Secretary sufficient time to collect data before the beginning of the fiscal year for which the grant is made.

Under the present law he bases his determination on data of a period comparable to the period used in determining the number of school-age children from low-income families.

Section 108. Repealing Provision for Special Incentive Grants

The present act provides special incentive grants for the fiscal year 1967 for local educational agencies having large increases in their average per pupil expenditures. This section repeals this provision of the present law.

Section 109. Treatment of Income of Employees Receiving Aid for Dependent Children

This section provides that (after an appropriate waiting period) State plans approved under title IV of the Social Security Act shall provide that for a period of not less than 12 months, and may provide that for a period of not more than 24 months, the first $85 per month a person earns as an employee of any program assisted under the title will not be considered in determining need under the program of aid to families with dependent children.

Section 110. Amendments to Section 205 With Respect to Areas Having Projects, Construction for Handicapped, Size of Projects, and Coordination With Other Federal Programs

Subsection (a) amends clause (1) of section 205(a) to delete the requirement that, in order to be eligible for a program or project, a school attendance area must have a "high concentration of children from low-income families" and substitute a requirement that the area must have a "concentration" of educationally deprived children. This amendment would make any local educational agency eligible for a program or project if the project serves an attendance area having a concentration of educationally deprived children (including handicapped children) sufficient to merit their participation in a program or project under this title.

The present law requires that programs and projects be of adequate size, scope, and quality. Subsection (b) adds a requirement that each program or project must involve an expenditure of not less than $2,500. The State educational agency is authorized to reduce this requirement where it would be impossible, for reasons such as distance or difficulty of travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting the requirement.

Subsection (c) amends section 205(a) by substituting a new clause (7) of the present clause (7) which requires that applicants develop programs and projects in cooperation with community action programs approved under title II of the Economic Opportunity Act of 1964.[1] The new clause (7) requires that, in projects involving construction, applicants, in developing plans for such facilities, give due consideration to compliance with such standards as may be prescribed or approved by the Secretary in order to insure that facilities constructed with Federal funds under this title be, to the extent appropriate in view of the uses to be made of such facilities, accessible to and usable by handicapped persons.

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[1] See, however, the broader coordination provision described below.

Subsection (d) requires that the Commissioner consult with other Federal departments and agencies which administer programs which may be effectively coordinated with programs under Public Law 89–10 (or any act amended by that act) and, to the extent practicable, that the Commissioner coordinate such programs on the Federal level with the programs being administered by such other departments and agencies and require the adoption by State and local authorities of procedures to coordinate such programs under Public Law 89–10 (or acts amended thereby with other public and private programs having the same or similar purposes.

Section 111. Computing Amount of Payments for State Administrative Expenses

The amendment made by this section changes the measure for payments for State administrative expenses from 1 percent of actual payments to local educational agencies to 1 percent of the maximum amounts (after any ratable reduction under sec. 208) to which State and local educational agencies of the State are eligible as determined under section 203.

Section 112. Providing a More Current Base for Determining Maintenance of Effort

This section provides that, for measuring maintenance of effort, the base year will be the second preceding fiscal year rather than the fiscal year 1964.

Section 113. Authority To Obligate Certain Amounts

This section permits the Commissioner to execute, for any fiscal year for which an appropriation under this title is authorized, grant agreements, which will be obligations of the United States, with State educational agencies, if no appropriations for such fiscal year for the purpose of making payments under this title is made prior to the first day in April immediately preceding the beginning of such fiscal year. The amounts of such grant agreements will be determined on the same basis as if such agreements were made under the authority of a continuing appropriations resolution based on actual appropriations made before such April 1.

Section 114. Continuing and Revising Provision for Adjustments Where Necessitated by Appropriations

The amendments made by this section make permanent the provision requiring ratable reductions in maximum grants if appropriations are not sufficient to pay all educational agencies in full. In addition, it adds a provision authorizing the Commissioner to establish cutoff dates for the approval of applications so that unreserved funds can be made available to other educational agencies to offset ratable reductions. The unreserved funds of an educational agency would be made available first to educational agencies in the same State and then to those outside the State.

Section 115. Revision in National Advisory Council Reporting

This section requires the Council to make its annual report by January 31 of each year rather than by March 31 of each year.

Section 116. Short Title for Title II of Public Law 874, 81st Congress

This section provides that this title may be cited as the "Educationally Deprived Children's Act."

Section 117. Definitions

The amendments made by this section broaden the definition of "local educational agency" so as to make it conform (except for the addition, to the definition, of a provision relating to the present provision for State-supported schools for handicapped children) to the definition used for other titles of Public Law 89–10. The section would also clarify the definition of "current expenditures."

Part B—School library resources, textbooks, and other instructional materials

Section 121. Appropriations Authorized

This section amends section 201 of the Elementary and Secondary Education Act of 1965 (Public Law 89–10) to authorize the appropriation of $125 million for fiscal year 1967 and $150 million for fiscal year 1968 for carrying out title II thereof.

Section 122. Revision in Authorization for Title II, and Provision for Indian Children in Schools Operated by the Department of the Interior

This section amends section 202(a) to revise the authorization for title II of Public Law 89–10 (pertaining to allotment to States). The amended section authorizes an additional appropriation of up to 3 percent of the appropriation for payments to the States and the District of Columbia under section 202(b). Such additional appropriation will be allotted among the outlying areas and, in the fiscal year 1967, the Department of the Interior. The allotment to the Department of the Interior will be used for the acquisition of school library resources, textbooks, and other printed and published materials for the use of children and teachers in elementary and secondary schools operated for Indian children by such Department.

Section 123. Administrative Expenses and Improved Coordination

This section requires each State, as a condition to the receipt of grants under the title for library resources, textbooks, and other instructional materials, to make provision in its State plan for the distribution of materials by, and the control of materials distributed by, local educational agencies in carrying out the State plans for the use of teachers in public and private elementary and secondary schools of the State; to make a periodic redetermination of the relative need of the children and teachers of the State for such resources, textbooks, and materials; and to provide assurances that there will be coordination at both the State and local levels between this program, insofar as it deals with library resources, and any program carried on under the Library Services and Construction Act.

This section also provides for continuing the limitation on the portion of the grant under this title which may be used for administration at 5 percent, instead of having it go to 3 percent, as is provided in existing law. This section, moreover, also assures each State which needs it of at least $50,000 per year for administrative expenses.

Part C—Supplementary educational centers and services

Section 131. Appropriations Authorized

This section authorizes the appropriation of $200 million for fiscal year 1967, and $250 million for fiscal year 1968, for carrying out title III of the Elementary and Secondary Education Act of 1965.

Section 132. Revision in Authorization For Title III, and Provision for Indian Children in Schools Operated by the Department of the Interior

This section amends section 302(a) of Public Law 89–10 to authorize the appropriation of an amount equal to not more than 3 percent of the amount appropriated for payments to States and the District of Columbia (rather than reserving 2 percent of the total appropriation, as existing law provides) for apportionment among the outlying areas and the Department of the Interior. This section provides that the Department of the Interior will be eligible to receive grants under this title for the benefit of Indian children in schools operated by that Department.

Section 133. Providing That Facilities Constructed Under Title III Will Be Usable by Handicapped Persons

This section requires that applicants for projects involving construction of facilities provide satisfactory assurance that, in developing plans for such facilities, there will be compliance with such standards as may be prescribed or approved by the Secretary in order to insure that facilities constructed with the use of Federal funds under this title will be, to the extent appropriate in view of the uses to be made of such facilities, accessible to and usable by handicapped persons.

Section 134. Requirement of Approval by State Educational Agency in Certain Cases

The present law provides that no application for a grant may be approved unless it has been submitted to the appropriate State educational agency for review and recommendations. This section provides that, in the case of applications providing for the expenditure of 25 percent of a State's apportionment, State agency approval, as well as review and recommendations, will be required.

Section 135. Special Consideration for Local Educational Agencies Which Are Financially Overburdened

This section required the Commissioner to give special consideration to applications of local educational agencies which are making a reasonable tax effort but are nevertheless unable to meet critical educational needs, including preschool education, because its schools are overcrowded, obsolete, racially imbalanced, or unsafe, or because of any other condition which has imposed substantial and continuing financial burden on the agency.

Part D—Cooperative Research Act amendments

Section 141. Permitting the Research Training Program To Be Carried Out Through Contracts as Well as Grants

This section amends section 2(b) of the Cooperateive Research Act (training in research for education) to authorize contracts with public and private (including profitmaking) organizations. This section further amends such section to require the Commissioner to make a complete report to the Congress with respect to contracts and other agreements made pursuant to section 2(b).

Section 142. Consolidating Research Authority Under Section 2

This section would delete from section 4 (b) of the Cooperative Research Act (regional research facilities) the authority to operate regional research facilities. Section 2 of that act contains substantially equivalent authority, and the effect is to reserve the $100 million authorized for regional research facilities for construction alone.

Section 143. Amending the Definition of "Construction" To Include the Acquisition of Existing Facilities

This section would amend the definition of "construction" so as to authorize the acquisition of existing buildings.

Part E—Grants to strengthen State department of education

Section 151. Appropriations Authorized

This section authorizes the appropriation of $30 million for fiscal year 1967, and $50 million for fiscal year 1968, to make grants under title V of the Elementary and Secondary Education Act of 1965.

Section 152. Postponement of State Matching

Under the present law, beginning with fiscal year 1967, the States would be required to match, according to a variable formula, the Federal grants under this title. This section postpones such matching requirements until after fiscal year 1968.

Section 153. Technical Amendment Regarding Interchange of Personnel With States

This section makes a technical amendment in the statutory authority for interchange of personnel with States.

Part G—Dissemination of information

Section 171. Dissemination of Information

This section adds a new section to title VII (as redesignated by this bill) of the Elementary and Secondary Education Act of 1965. Under this section, in order to disseminate information about the Elementary and Secondary Education Act of 1965 and any act amended by it, to State and local school agencies, the Commissioner is directed to prepare and publish catalogs, reviews, bibliographies, abstracts, analyses, and other materials, and to foster the development of information networks, systems, and procedures for disseminating the results of research and experimentation conducted under these acts.

The Commissioner will also be authorized to provide, upon request, advice, counsel, technical assistance, and demonstrations to educational agencies and institutions to increase the quality or depth or broaden the scope of their educational programs.

The section requires the Commissioner to put out an annual report showing costs of projects and developments in the utilization and adaptation of projects carried out under this act.

This section authorizes an appropriation of $1.5 million for the fiscal year 1967 and $2 million for the fiscal year 1968 to carry out its provisions.

Part H—Effective date

Section 181. This section provides that the preceding amendments will become effective for fiscal years beginning after June 30, 1966, except as specifically provided otherwise.

Part F—Handicapped children

Section 161. Programs Authorized

This section amends the Elementary and Secondary Education Act of 1965 by redesignating title VI of that act as title VII and inserting a new title VI which authorizes the establishment of a new program of education for the handicapped as follows:

TITLE VI—EDUCATION OF HANDICAPPED CHILDREN

Section 601(a). Appropriations Authorized

This section authorizes the Commissioner to make grants pursuant to the provisions of this title during fiscal years 1967 through 1970 for the purpose of assisting the States in initiating, expanding, and improving programs and projects for the education of handicapped children (as defined in section 602) at the preschool, elementary, and secondary school levels.

Subsection (b) authorizes the appropriation of $150 million for the fiscal year ending June 30, 1967, and $250 million for the fiscal year ending June 30, 1968, for carrying out the title. For the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.

Section 602. Definition of "Handicapped Children"

This section provides that as used in this title, the term "handicapped children" includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, multiple-handicapped, or other health impaired children who by reason thereof require special education and related services. The specific reference to types of handicapping conditions in the definition is not intended to discourage the development of programs to serve more than a single handicap. Quite the contrary, the committee hopes that special attention will be given to the very difficult and complex problems of educating children with multiple handicaps.

Recent research by Dr. Sam A. Kirk, who testified before the committee, demonstrated that a certain number of children have severe learning disabilities based on physiological rather than sociological factors which prevent them from learning and functioning in the regular educational program. Inasmuch as these severe learning disabilities are apparently related to a health impairment, it is the intention of this committee that such children be served under that part of the definition referring to "other health impaired children."

Section 603. Allotment of Funds

Subsection (a) authorizes appropriations for each fiscal year of an amount equal to not more than 3 percent of the amount appropriated for such year for payments to States under section 601(b), which the Commissioner shall allot among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. From the total amount appropriated pursuant to section 601(b) for any fiscal year the Commissioner shall allot to each State (other than the above-mentioned outlying areas) an amount based on the ratio of the number of children aged 3 to 21 in each State to the number of such children in all the States.

Subsection (b) provides that the Commissioner shall determine the number of children aged 3 to 21 in any State and in all the States on the basis of the most recent satisfactory data available.

Subsection (c) provides that money not required by a State as determined by the Commissioner shall be available for reallotment to other States in proportion to the original allotments under subsection (a). The Commissioner shall make reductions in sums which exceed a State's needs and such reductions will similarly be realloted among the States with proportionate amounts not so reduced, and with such reallotment deemed part of allotments under subsection (a) for the year.

Section 604. State Plans

If the State wishes to receive grants under this title it must submit a State plan to the Commissioner. To be approved the State plan must meet the following requirements:

(1) The plan must provide satisfactory assurance that funds paid to the State under this title will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects (including the acquisition of equipment and where necessary the construction of school facilities), (*a*) which are designed to meet the special educational and related needs of handicapped children throughout the State, and (*b*) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs.

In order to meet the educational needs of handicapped children, special techniques, services, equipment, and personnel must be available. The high cost of providing a comprehensive program for the handicapped children of our Nation has prevented the majority of our States from meeting this responsibility. The assistance which this program provides will enable the States to move ahead and accomplish the task which they have been forced to neglect because of the lack of funds.

Programs designed to meet the special educational and related needs of handicapped children would normally include elements of the following: educational diagnostic services, individual tutoring, mobile units to take services to children in rural areas, special transportation arrangements, professional personnel, small teacher-pupil ratios, libraries and materials centers, automated instructional devices and audio-visual aids, prosthetic devices, and the variety of specialized equipment necessary to the instruction of these children.

The size and scope of programs for handicapped children will depend upon the characteristics of the children served. Whereas large scale programs may be appropriate in many instances, programs designed to serve the educational needs of a single multiple handicapped child are also appropriate. It is the intent of this committee that all handicapped children be eligible for services under this title and that children not be excluded because they happen to be more severely impaired than others or live in isolated areas.

(2) The plan must provide satisfactory assurance that provision will be made for participation of handicapped children enrolled in private elementary and secondary schools in programs assisted or carried out under this title.

(3) The plan must provide satisfactory assurance that the control of funds and title to property derived under this title shall be in a public agency and that a public agency will administer such funds and property.

(4) The plan must set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this title will be so used as to supplement and increase, not supplant, the level of State, local, and private funds expended for the education of handicapped children.

(5) The plan must provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children.

(6) The plan must provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan.

(7) The plan must provide for making such reports as the Commissioner may reasonably require to carry out his function under this title, including reports of the objective measurements; and the plan must also provide for keeping such records and for affording such access thereto as the Commissioner may find necessary.

(8) The plan must provide satisfactory assurance of proper disbursement and accounting for Federal funds paid under this title to the State, including any such funds paid by the State to local educational agencies.

(9) The plan must provide satisfactory assurance that funds paid to the State under this title shall not be made available to any school for handicapped children eligible for assistance under section 203(a)(5) of title II of Public Law 874, 81st Congress.

(10) The plan must provide satisfactory assurance that construction projects under this title are not inconsistent with overall State plans for the construction of school facilities and that the provisions of the Davis-Bacon Act have been complied with.

(11) The plan must provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers of the handicapped relevant information derived from educational research, demonstration, and similar projects pertaining to the education of handicapped children.

Section 605. Payments

This section provides that, from the amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan.

Section 606. Administration of State Plans

This section gives each State a right to notice and a hearing before the Commissioner may disapprove its State plan. It gives the Commissioner authority to suspend the participation of a State in the program under this title whenever it is found:

(1) that the State plan has been so changed that it no longer complies with the provisions of section 604, or

(2) that in the administration of the plan there is a failure to comply substantially with any such provisions.

Section 607. Judicial Review

This section provides for judicial review of the Commissioner's final action with respect to approval of a State plan.

Section 608. National Advisory Committee on Handicapped Children

This section provides that the Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner as Chairman, and not more than 12 additional members, not less than half of whom shall be persons affiliated with educational, training, or research programs for the handicapped, appointed by the Commissioner without regard to the civil service laws. This Committee will review and make recommendations regarding the administration and operation of this act and other provisions of law administered by the Commissioner with respect to handicapped children, including their effect in improving the educational attainment of such children, taking into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall make an annual report of its findings and recommendations to the Commissioner. The Commissioner will transmit this report to the Secretary, and the Secretary will in turn transmit the report (with his and the Commissioner's comments and recommendations) to the Congress.

The committee is disturbed by the failure of the Office of Education to appoint advisory committees of specialists to consult with program officers administering programs relating to teacher training and captioned films for the deaf. Public Law 88–276, establishing the program to assist the training of teachers of the deaf, required the appointment of an advisory committee. When this program was enlarged to include training of teachers of all handicapped children the committee pointed out in Senate Report No. 180, page 24, that the committee expected "the Commissioner to follow the pattern now set in Public Law 87–276 for the use of advisory committees to review all applications for grants-in aid in the various special areas of education for handicapped children." The expectation of the committee was not fulfilled and the Office of Education has not appointed advisory committees of specialists in the various areas covered by the teacher training programs. The committee believes that advisory committees of specialists in teacher training programs for the handicapped and in the program for captioned films for the deaf can serve a very useful purpose in keeping the specialists in the Office of Education in touch with the best thinking in their field and in making available to the Office of Education the best minds in the practicing profession. The committee hopes that the Commissioner of Education will reinstate the practice followed under Public Law 87–276 in the use of advisory commitees.

Section 609. Bureau for Education and Training of the Handicapped

This section requires the Commissioner to establish in the Office of Education a bureau which will be the principal agency for administering and carrying out programs relating to the education and training of the handicapped, including teacher training and research.

Section 610. Labor Standards

This section provides that the requirements of the Davis-Bacon Act shall be applicable for all construction projects assisted under this title.

TITLE II—FEDERALLY AFFECTED AREAS

Part A—Amendments to Public Law 874

Section 201(a). Providing an Alternative Means of Meeting the Eligibility Requirement

Under the present law, a local educational agency is eligible for payments only if the number of children who can be counted exceeds 3 percent of the number of children in average daily attendance. This section provides that agencies which cannot meet the 3-percent requirement will be qualified for the payments if the number of such children is 1,000 or more.

Section 201(b). Method of Determining Local Contribution Rate

This amendment requires the Commissioner to place each local educational agency in a group composed of generally comparable districts in the State. The local contribution rate of each agency in a group would be the average per pupil expenditure of the entire group.

The section also amends the definition of "average per pupil expenditure" to include any direct current expenditures by the States for the operation of local educational agencies.

Section 201(c). Providing That Children of Servicemen Shall be Deemed to Reside With a Parent Employed on Federal Property

The amendments made by this section provide that all children of servicemen on active duty will be counted in determining entitlements. At present these children are not counted where the serviceman is not employed on "Federal property," except in certain instances where he was employed on Federal property and subsequently assigned elsewhere.

Section 201(d). Children Moving Into an Areas as a Result of an International Boundary Relocation

This subsection amends subsection (b) of section 3 to require the Commissioner, for the purpose of computing the amount to which a local education agency is entitled, to determine the number of children (other than those to whom subsection (a) of section (3) or any other provision of subsection (b) of section (3) apply) who are receiving free public education, during fiscal year 1967, in such schools as a result of a change in residence from land transferred to Mexico as a part of a relocation of an international boundary of the United States.

Section 201(e). Providing That All Federal Payments Will be Deducted From Gross Entitlements on the Same Basis

This amendment provides that taxes and other Federal payments made with respect to Federal property will be deducted from the gross entitlement of the local educational agency on the same basis (i.e., only payments made with respect to Federal property which has children "connected" with it for purposes of the act would be deducted). Present law provides that Federal payments other than taxes (e.g., payments made from U.S. Forestry Reserve funds) shall be deducted only to the extent of the Federal entitlement claimed because of that property, but all taxes are deducted without reference to the amount of entitlement attributed to the particular property on which the taxes are paid.

This amendment would also eliminate the provision which allows certain States to avoid this deduction by not making tax receipts available for current expenses.

This amendment also provides that deductions on account of other Federal payments which amount to $1,000, or less, are to be disregarded.

Section 202. Making the Appropriation for 1 Fiscal Year Available Through the Following Year to Meet Obligations of the Current Year

The amendment made by this section provides that sums appropriated for any fiscal year to carry out the title will remain available for obligation and payments with respect to amounts due local educational agencies under this title for such year until the close of the next succeeding fiscal year.

Section 203. Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

This amendment provides that if no tax revenues of a State or of any political subdivision of the State may be spent for educating children who reside on Federal property within the State, or if no tax revenues of a State are allocated for educating these children, then the property on which the children reside may not be considered Federal property for purposes of making payments under sections 3 and 4 of the act. If none of these situations exist, but a local educational agency still refuses to educate children who reside on Federal property within the school district of the agency, there would be deducted from the payments to that agency for category "B" children an amount equal to the additional expense to the United States of educating the category "A" children on base.

Section 204(a). Extending to all Property the Provision Which Permits Federal Property Used for Housing To Be Counted as Federal Property for 1 Year After Transfer by the United States

This amendment provides that any Federal property which the United States conveys to another party could still be considered as Federal property for purposes of this act for a period of 1 year after title to the property is transferred. Under the present law, only housing projects sold or transferred may be counted as Federal property for 1 year after the end of the year in which the sale or transfer takes place.

Section 204(b). Repeal of Exclusion of Property Used for Provision of Local Benefits

This amendment would provide that federally owned property used to provide benefits to the local community would be considered as Federal property for purposes of the act. At present, this class of federally owned property is not included in the act's definition of "Federal property."

Section 204(c). Authorizing the Commissioner to Establish a Method of Counting Children for the Purpose of Determining Average Daily Attendance

This amendment would give the Commissioner authority to prescribe a uniform system of counting children to determine average daily attendance of federally connected children, thereby increasing administrative efficiency. At present, average daily attendance is determined with a lack of uniformity from State to State.

Part B—Amendments to public law 815

Section 221. Extending Temporary Provisions for 2 Years

The amendment made by this section extends the temporary provisions of Public Law 815, 81st Congress, to June 30, 1968.

Section 222. Reducing Percentage Increase Required for Eligibility and Lengthening Increase Period to 4 Years

This amendment would change the eligibility requirement. A local educational agency would be eligible to receive an entitlement if it has a 6-percent increase in federally connected children over a 4-year period rather than a 5-percent increase over a 2-year period, as the present law requires.

The increase period would still include the school year following the year in which application is made, but the base year would be moved back to 3 years before the application year, so the increase in attendance would be counted over a 4-year period.

Section 223. Reduction in the Non-Federal Growth Requirement

This amendment would reduce the non-Federal growth requirement from 3.5 to 1.5 percent per year, or to a total of 6 percent over the 4-year increase period. The non-Federal growth requirement prevents or reduces eligibility where a school district has not experienced the normal increase in enrollment. It does this by subtracting the actual number of nonfederally connected children in the school membership of the local educational agency at the end of the increase period from the number who would have been in the school membership if the agency had experienced normal growth. The result of this subtraction is in turn subtracted from the number of "A" category children in the school membership of the agency.

Section 224. Extending the Time for Determining the Number of Unhoused Children by Authorizing the Commissioner To Make the Estimate for a Period Extending 2 Years Beyond the Increase Period

This amendment allows the Commissioner to estimate the number of "unhoused" children as of a date 2 years beyond the end of the increase period, thereby permitting local educational agencies to use their Federal entitlements more effectively.

Section 225. Making the Provisions Relating to Indians Living on Reservations Permanent

This amendment makes permanent the provisions of section 14 of the act, relating primarily to Indian children. Authority to make grants under section 14 would otherwise expire June 30, 1966.

Section 226. Providing That Children Who Have a Parent in the Uniformed Services Will Be Considered as Federally Connected

This amendment provides that any child residing on Federal property who has a parent in one of the uniformed services would be considered federally connected for purposes of the act.

Section 227. Children Moving Into an Area as a Result of an International Boundary Relocation

This section includes in the number of federally connected children for the purposes of determining a local educational agency's entitlement for the fiscal year 1967, the estimated number of children whose membership in the schools of such agency resulted from a change in residence from land transferred to Mexico as a part of a relocation of an international boundary of the United States.

Section 228. Providing for Transfer of Title to Facilities to the Local Educational Agency Where It Is in the Federal Interest To Do So

This amendment gives the Commissioner of Education authority to transfer title to school facilities constructed by the Federal Government to a local educational agency. This authority is comparable to that now possessed by the Commissioner with respect to temporary facilities.

Section 229. Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

This section provides that if a local educational agency cannot or will not educate children living on Federal property, such property will not be considered Federal property for the purposes of section 5 of the act.

Section 230. Repeal of Exclusion of Property Used for Provision of Local Benefits

This amendment provides that federally owned property used to provide benefits to the local community could be considered as Federal property for purposes of the act. At present, this class of federally owned property is not included in the act's definition of "Federal property."

Section 231. Providing That Minimum School Facilities Be Usable by Handicapped Persons and Have Certain Other Features

This section requires the regulations issued under Public Law 815 to—

(1) include a requirement that the local educational agency give due consideration to excellence of architecture;

(2) provide that no facility will be disqualified as a minimum school facility because of works of art; and

(3) include a requirement that the local educational agency will comply with such standards as the Secretary may prescribe or approve with regard to the use of such facilities by handicapped persons.

Section 232. Including American Samoa in Definition of "State"

This section includes American Samoa in the definition of "State."

Part C—Effective date

Section 241. Effective Date

This section establishes the effective date for the amendments made to Public Laws 815 and 874.

TITLE III—ADULT EDUCATION

Section 301. Short Title

This section provides that title III of the bill may be cited as the "Adult Education Act of 1966."

Section 302. Statement of Purpose

This section states that the purpose of the title is to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens.

Section 303. Definitions

This section defines terms used in the title.

"Adult education" is defined to mean services or instruction below the college level for adults who do not have a high school education or its equivalent and are not currently enrolled in schools.

The term "adult basic education" is defined to mean education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

Section 304. Grants to States for Adult Basic Education

Subsection (a) of this section provides that from the sums appropriated for the purposes of this title, a minimum of 10 percent and a maximum of 20 percent shall be reserved for special experimental demonstration projects and teacher training (sec. 309). Subsection (b) provides that the remainder is to be used to pay the Federal share of adult basic education programs carried out by local educational agencies under this title.

Section 305. Allotment for Adult Basic Education

Under subsection (a) of this section, 2 percent of the sums available for adult basic education programs under subsection (b) of the preceding section, shall be allotted among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their needs. The remainder shall be allotted among the States on the basis of the ratio of the number of adults who have completed not more than five grades of school (or the equivalent) in each State.

Subsection (b) provides for reallotment of any unused allotments under subsection (a) in proportion to the original allotments.

Section 306. State Plans

Subsection (a) provides that any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan—

(1) setting forth a program for the use of grants for carrying out adult basic education programs which afford assurance of substantial progress, with respect to all segments of the adult population and all areas of the State;

(2) providing for administration of the State plan by the State educational agency;

(3) providing for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may be reasonably necessary to enable them to benefit from the instruction provided under this title;

(4) providing for grants to public and private nonprofit agencies for special projects, teacher training and research;

(5) providing for cooperation with community action programs, work experience programs, VISTA, work-study, and other programs relating to the antipoverty effort; and

(6) providing for reports, fiscal control, and fund accounting procedures, and other information and assurances as may be required by regulations.

Subsection (b) provides that the Commissioner must afford the State educational agency reasonable notice and opportunity for a hearing before he can finally disapprove any State plan or modification thereof.

Section 307. Payments

Subsection (a) provides that for fiscal years 1967 and 1968, the Federal share for each State shall be 90 percent.

Subsection (b) contains a maintenance of effort provision.

Section 308. Operation of State Plans; Hearings and Judicial Review

Section 308 provides for judicial review of the Commissioner's final action with respect to approval of a State plan.

Section 309. Special Experimental Demonstration Projects and Teacher Training

Subsection (a) provides that the sums reserved under section 304(a) for the purposes of this section (between 10 and 20 percent of the appropriations for this title) shall be used for making special project grants or providing teacher-training grants in accordance with this section.

Subsection (b) authorizes the Commissioner to make grants to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects—

(1) involving the use of innovative methods, systems, materials, or programs of national significance or of special value in promoting effective programs under this title;

(2) involving programs of adult education, carried out in cooperation with other Federal,

federally assisted, State, or local programs which have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with basic educational deficiencies.

A non-Federal contribution of at least 10 percent of the costs of projects under this subsection (b) would be required, wherever feasible.

Subsection (c) authorizes the Commissioner to provide (directly or by contract), or to make grants to colleges or universities, State or local educational agencies, or other public or private nonprofit agencies, to provide training to persons engaged as, or preparing to become, personnel to carry out adult education programs. Stipends and allowances would be authorized for persons undertaking such training and their dependents.

Section 310. Advisory Committee on Adult Education

This section provides that the President shall, within 90 days of enactment, appoint a National Advisory Committee on Adult Basic Education which shall consist of the Commissioner of Education as Chairman and seven other members, including persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge or experience or qualifications with respect to adult basic education, in addition to representatives of the general public.

The Advisory Committee would review, and make recommendations with respect to, the administration and effectiveness of the adult basic education programs and related federally supported adult education programs. The Committee would make annual reports to the President, including recommendations for changes in this title and other Federal laws relating to adult education. The Secretary of Health, Education, and Welfare shall coordinate the work of this Committee with related advisory committees.

Section 311. Administration

This section contains the standard provisions regarding delegations of authority and contracting for services.

Section 312. Federal Control Prohibited

This section provides that nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

Subsection (b) authorizes the National Advisory Committee on Adult Basic Education to encourage the establishment of State and local adult education advisory committees in order to improve reporting of State and local administration of titles under this title.

Section 313. Limitation

This section provides that no grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specially for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

Section 314. Appropriations authorized

This section authorizes appropriations of $40 million for fiscal year 1967, and $60 million for fiscal 1968, for the purposes of this title.

Section 315. Repealer

This section repeals part B of title II of the Economic Opportunity Act of 1964.

Federal assistance to help meet special educational needs of educationally deprived children, fiscal year 1966 [1]

States and other eligible areas	Maximum entitlements			Number of projects	Federal obligations [2]	
	Geographic areas	State-supported schools for handicapped	Total		Amount	Percent of total entitlement
Alabama	$34,634,567	$148,665	$34,783,232	131	$31,455,281	90
Alaska	1,797,914		1,797,914	22	1,513,246	84
Arizona	10,360,005	173,856	10,533,861	280	9,398,432	89
Arkansas	22,600,021	150,404	22,750,425	409	20,978,318	92
California	77,975,731	567,580	78,543,311	1,802	73,115,851	93
Colorado	9,755,134	367,393	10,122,527	181	8,926,113	88
Connecticut	7,196,504	433,574	7,630,078	175	6,530,585	86
Delaware	1,975,217	141,033	2,116,250	37	2,058,953	97
Florida	27,478,937	404,666	27,883,603	165	27,474,943	99
Georgia	37,342,341	48,563	37,390,904	277	36,197,794	97
Hawaii	2,374,944	136,561	2,511,505	87	2,374,949	95
Idaho	2,544,238	45,504	2,589,742	185	2,534,334	98
Illinois	61,112,154	428,026	61,540,180	952	52,104,304	85
Indiana	18,378,029	556,916	18,934,945	407	17,499,269	92
Iowa	18,652,957	314,358	18,967,315	1,033	15,028,711	79
Kansas	10,595,499	224,603	10,820,102	455	9,869,902	91
Kentucky	30,131,330	106,074	30,237,404	277	28,317,299	94
Louisiana	38,344,221	166,935	38,511,156	79	26,223,745	68
Maine	4,014,213	90,036	4,104,249	461	3,845,703	94
Maryland	15,249,238	262,785	15,512,023	63	13,827,454	89
Massachusetts	16,539,689	730,385	17,270,074	323	9,663,895	56
Michigan	34,734,957	580,596	35,315,553	755	31,769,899	90
Minnesota	24,530,168	606,755	25,136,923	1,261	19,738,265	79
Mississippi	30,894,244		30,894,244	306	21,905,164	71
Missouri	29,857,937	357,383	30,215,320	982	25,067,571	83
Montana	3,756,470	138,235	3,894,705	540	3,674,000	94
Nebraska	7,929,812	136,909	7,066,721	369	5,250,287	74
Nevada	949,969	13,866	963,835	20	845,165	88
New Hampshire	1,452,253	58,444	1,510,697	177	1,175,299	78
New Jersey	24,560,286	1,058,106	25,618,392	607	25,280,066	99
New Mexico	9,789,895	211,491	10,001,386	199	9,783,750	98
New York	109,670,427	2,707,272	112,377,699	1,448	101,230,105	90
North Carolina	52,826,063	394,484	53,220,547	184	50,041,341	94
North Dakota	5,219,893	70,649	5,290,542	448	3,336,472	63
Ohio	39,185,691	327,292	39,512,983	1,045	36,897,937	93
Oklahoma	17,393,688	59,173	17,452,861	774	17,099,592	98
Oregon	8,231,740	312,765	8,544,505	383	7,924,500	93
Pennsylvania	55,941,428	1,345,289	57,286,717	821	51,537,327	90
Rhode Island	4,039,555	109,713	4,149,268	82	3,878,330	93
South Carolina	27,478,721	148,140	27,626,861	275	22,974,021	83
South Dakota	6,936,594	97,267	7,033,861	444	4,769,402	68
Tennessee	32,206,225	87,670	32,293,895	348	31,006,717	96
Texas	77,638,778	465,160	78,103,938	810	73,272,334	94
Utah	2,853,159	76,560	2,929,719	46	2,922,319	99
Vermont	1,744,857	79,122	1,823,979	155	1,712,547	94
Virginia	30,619,294	41,551	30,660,845	388	24,324,150	79
Washington	10,757,118	300,363	11,057,481	548	10,578,473	96
West Virginia	16,991,225	88,715	17,079,940	140	16,423,901	96
Wisconsin	18,058,203	264,247	18,322,450	660	14,256,446	78
Wyoming	1,555,058	88,618	1,643,676	69	1,307,681	80
American Samoa	209,836		209,836			
District of Columbia	5,381,927	193,349	5,575,276	4	5,575,276	100
Guam	628,008		628,008	5	566,770	90
Puerto Rico	21,347,116		21,347,116	61	21,133,645	99
Virgin Islands	317,881		317,881	2	150,000	47
Trust Territory of the Pacific Islands	788,241		788,241	16	707,873	9
Total	1,164,529,100	15,917,101	1,180,446,201	22,173	1,047,055,706	89

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[1] Initial authorization for this program is title I of the Elementary and Secondary Education Act of 1965, this title in Public Law 89-10 adds title II to the amended Public Law 81-874 on school maintenance and operation. Title II then was amended by sec. 3 of Public Law 89-77 and secs. 6 and 7 of Public Law 89-313.

[2] Preliminary figures based on (1) information in the final Quartlery Report for fiscal year 1966 as received from each of 28 eligible areas, and (2) estimates for the others.

Mr. FANNIN. I wish to commend the distinguished Senator from Oregon for the untiring work that he has done and the splendid way in which he has carried on his efforts in relation to the educational programs of this country. I especially want to thank him for the work he has contributed in connection with our Indian citizens.

Mr. President, I should like to comment on the legislation now under consideration in respect to our Indian citizens. We are all very concerned regarding the responsibilities the Federal Government has toward the education of the children of our first citizens of this land.

The committee has limited the authorizations under titles I, II, and III for the education of Indians by the Bureau of Indian Affairs to 1 year, in contrast to other authorizations in the bill which are for 2 years. I supported this 1-year handling of the authorization because it will give the committee an opportunity to consider in depth next year the education of Indians with a view to studying the transfer of control of such Indian education from the Bureau of Indian Affairs.

The committee feels that a thorough, professional study of Indian education by a qualified, independent agency is long overdue. Such a study was authorized by Public Law 702 of the 83d Congress, but, unfortunately, no funds have been appropriated to activate the project.

There is no question that Indian children should receive consideration under Federal aid to education programs equal to that of other disadvantaged groups. After more than a century of Federal paternalism some 400,000 American Indian citizens remain trapped in a web of illiteracy and poverty. For example, 75 percent of adult Navajos have not learned to speak English; 15 percent of school-age Navajos are not in school. Clearly, the situation merits the special consideration which the committee intends to give it next year.

Indian children should receive consideration under Federal aid to education programs at least equal to that of other disadvantaged minority groups.

In fact, a strong argument can be made that the education needs of our Indian citizens, adults and children, have a prior and more compelling claim than those of any other group in our society. Clearly this situation deserves top priority in all Federal programs designed to combat social problems and improve the quality of human life.

It is unfortunately true that the first Americans of yesterday are the forgotten Americans of today.

We should not deceive ourselves, however, that the additional assistance for Indian education contemplated in this bill will solve the problem by itself. At best, it will provide only a partial remedy for the many defects which beset educational activities on the reservations.

These deficiencies are particularly acute on the reservations within my State of Arizona, which has the largest number of Indian citizens of all the States.

Improved educational opportunity and school facilities, along with increased economic development, are the two most obvious needs of Indians which demand Federal action. They are the keys that can unlock the door to equal opportunity for Indians in American life. But the committee is concerned that the Federal Government is not moving forward with enough diligence and resources to discharge its long-standing and unquestionable obligation to Indians. It is not even keeping pace with the population growth on the reservations, much less making any notable progress toward improving the quality of Indian education. Our long-range goal presumably is to get all Indian children eventually enrolled in the public schools. Whether the Bureau of Indian Affairs still shares this goal is not clear.

Some progress admittedly has been made in this direction, but the fact remains that about 40 percent of the Indian children now being educated are in Federal schools operated by the BIA.

Financial support for Indian education almost defies comprehensive. It is a crazy-quilt pattern of Johnson-O'Malley Act funds, Federal impacted area funds, antipoverty funds, and, in the States, from non-Indian tax sources.

No one questions the legitimacy of the Indian need, but the committee recognizes the danger of piling on another layer of bureaucratic confusion that has encrusted Indian education for too many decades.

The problem here is clearly Federal. The respective States cannot and should not be expected to assume any larger portion of the burden than they already carry; for that matter, it can be argued that the financial responsibility for the reservation school districts should be totally Federal.

But the truth is that in many States, local taxpayers are contributing proportionately more toward the cost of educating Indians in public schools than is the Federal Government.

Furthermore, if the past record is any criteria, any objective look at Indian education calls into question the competence of the Bureau of Indian Affairs to handle the job.

This is conceded by Secretary Udall in his recent announcement of an impending reorganization of the Bureau.

In my opinion, a thorough, professional study of Indian education by a qualified independent agency is long overdue. Such a study was authorized during the 83d Congress by Public Law 702, but unfortunately, no funds have ever been appropriated to activate the project.

As a constructive first step, serious consideration should be given to divesting the Bureau of Indian Affairs of its responsibility for Indian education. This function should be transferred to the Office of Education in the Department of Health, Education, and Welfare, where it more logically belongs.

This agency already has the responsibility for administering Federal aid to education programs for all but one-half of 1 percent of our population and, in my judgment, is better qualified to coordinate and speed progress on programs to improve Indian education.

Hopefully, the same kind of improvement would result from this transfer as resulted when responsibility for Indian health was taken from the BIA and given to the U.S. Public Health Service in HEW.

Both the Interior and the Health, Education, and Welfare Departments have agreed to do what they can to speed the study of Indian education.

Mr. President, I want to state my conviction that by treaty, by law, and by the moral commandments of our heritage, the Indian Americans are due an opportunity to share in the material and spiritual blessings of freedom.

Both the administration and the Congress must recognize that commitment, and move with all possible speed to meet it.

Mr. President, I wish to express my appreciation to the senior Senator from Oregon for his understanding of this problem and of the need to concentrate on the education of the Indians.

Mr. MURPHY. Mr. President, I am particularly pleased that the Senate committee has agreed to accept my recommendations permitting the continuation of junior college eligibility under Public Law 874 and Public Law 815.

When the administration sent its bill to the Congress, not only was a substantial reduction in the impacted-aid assistance to our elementary and secondary schools recommended, but also the complete elimination of the impacted-aid assistance to junior colleges.

The committee's decision to reject the administration recommendation was wise.

Mr. President, the junior colleges, as I see it, have a major role to play in meeting the great demand of this Nation for higher education.

There are now 75 junior colleges in California and it is expected there will be 100 by early 1970. Thirty junior college districts were severely threatened by the administration proposal to deny them impacted-aid assistance. With the California universities and colleges already serving 340,000 students, and this figure will nearly double in the 1970's, it is clear that the junior colleges will absorb much of the increase. At this very moment in California, 84 out of every 100 college freshmen and sophomores are in our junior college system. The acceptance of my amendments will help to insure that the junior colleges will be able to meet the anticipated growth and provide our young people with the best possible educational opportunities.

Mr. President, I ask unanimous consent that at this point in the Record my statement before the Senate Subcommittee on Education be printed.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Testimony of Senator George Murphy Before the Senate Labor and Public Welfare Subcommittee on Education (in Opposition to the Elimination of Junior Colleges From Federal Assistance Under the Federal Impacted Aid Laws, Public Law 874, Public Law 815), Tuesday, April 5, 1966

Mr. Chairman, I previously spoke on the Senate Floor expressing my opposition to the administration's proposals regarding

Public Law 874 and Public Law 815. At this time, I want to call to the attention of my colleagues what may be the real sleeper in S. 3046, the administration's elementary and secondary education proposals of 1966.

Specifically, I direct my colleagues' attention to Section 229, which would eliminate the eligibility of federally-connected children in the 13th and 14th grades. This means, of course, that the junior colleges would no longer be eligible for federally-impacted aid assistance.

I, of course, am extremely proud of the educational system in my state which, in my judgment, is the best in the entire nation. In addition to its outstanding universities and four-year colleges, California has been the leader in the junior college movement in the United States. There are now 75 junior colleges in California and it is expected that there will be 100 by the early 1970's. At least 30 junior college districts are presently threatened with the loss of much needed funds. The present enrollment in California's universities and colleges is 340,000 students and this figure will nearly double by the year 1970.

I cite these statistics, Mr. Chairman, only to illustrate the great challenge that the schools are facing now and will continue to face in the future.

The National Commission of Technology, Automation, and Economic Progress on February 2, 1966, issued a report following its year-long study into the effect of technological change on American life. Included within the recommendations of the 14-member Commission, which was appointed by the President, was the recommendation that there should be an opportunity for fourteen years of free public education.

California, as the Commission recommended, is already providing free educational opportunity through fourteen grades. California's experience in so providing will undoubtedly influence other states in their consideration of expanding their junior college opportunities. That is why I am concerned when I receive many letters from junior colleges advising me that the elimination of their eligibility under Public Law 874 and Public Law 815 would threaten some of the junior colleges in my state. Apparently without consulting with the junior colleges and apparently unaware of the hardship that will be caused by the elimination of junior college eligibility in some areas, the administration made this proposal and I sincerely hope that the Committee will not accept this recommendation.

(Mr. MORSE assumed the chair as Presiding Officer at this point.)

Mr. YARBOROUGH. Mr. President, of all the new programs Congress has enacted during the past several years to enrich our society, potentially the most beneficial and farthest reaching is the Elementary-Secondary Education Act. Its passage last year was a great legislative breakthrough. Now, after 1 year, the program shows promise of being so successful that many former critics have become supporters.

During the first year the education of 13.8 million boys and girls were improved as a result of this act. In Texas 414,000 children participated in programs at 2,865 schools.

American education was ready for the act. Ideas which had been deferred because of insufficient funds are now being put to work. And new thinking and new activity are being encouraged all over the country, now that resources are available for carying out good programs.

S. 3046 authorizes $2,716,519 for the Elementary-Secondary Education Act and $516 million for impacted area aid during fiscal year 1967. I ask unanimous consent that a tabulation showing all the expenditures authorized by this bill be printed at this point in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE IIa.—*Comparisons of estimated costs, elementary and secondary education, fiscal year 1967 and fiscal year 1968—Administration, Senate committee, and House committee reported versions*

[In thousands of dollars]

	Fiscal year 1966	Administration bill authorization	Senate bill (S. 3046) authorization as reported by committee		House bill (H.R. 13161)	
			Fiscal year 1967	Fiscal year 1968	Fiscal year 1967	Fiscal year 1968
Total	1,548,078	1,754,958	2,716,519	3,649,705	2,186,778	3,553,417
I. Amendments to Public Law 89-10 (total)	1,151,000	1,548,658	2,188,319	3,072,905	1,677,378	3,047,517
A. Title I total [1]	959,000	1,271,658	1,667,569	2,291,405	1,392,378	2,247,517
1. Basic formula (children from low-income families, handicapped children, migratory children)	959,000	1,271,658	[3] 1,585,311	[3] 1,878,834	[4] 1,269,301	[3] 1,878,834
2. Updating AFDC			[2] 12,632		[4] 94,661	
3. ½ national average current expenditure as a minimum rate				342,945		340,267
4. Includes orphans and delinquents			28,416	28,416	28,416	28,416
5. Includes foster children			41,210	41,210		
6. Incentive grants						
B. Title II	100,000	105,000	128,750	154,500	105,000	175,000
C. Title III	75,000	150,000	206,000	257,500	150,000	575,000
D. Title IV (cooperative research)						
E. Title V	17,000	22,000	30,000	50,000	30,000	50,000
F. Title VI (handicapped)			154,500	257,000		
G. Dissemination of information			1,500	2,000		
II. Federally affected areas	397,078	206,400				
A. Public Law 874	347,000	183,400	430,200	458,800	451,400	480,000
B. Public Law 815	50,078	22,900	58,000	58,000	58,000	25,900
III. Adult education (Hartke amendment)			40,000	60,000		

[1] Does not include 1 percent State administrative expenses.

[2] $2,500 base.

[3] $3,000 base.

[4] $2,000 base.

Mr. YARBOROUGH. The committee bill expands and improves the Elementary-Secondary Act and the impacted area programs. The administration proposals to curtail the latter were rejected by the committee.

Several amendments which I had the honor to offer were accepted by the committee and I would like briefly to discuss these.

CORRECTION OF THE FORMULA TO CORRECT AN INJUSTICE TO STATES WHICH ARE MOST IN NEED

As originally enacted last year, title I of the Elementary and Secondary Education Act provided to each school district an amount equal to one-half the average per pupil expenditure in the State in which the district is located multiplied by the number of children in that district from low-income families.

This provision was enacted over heated opposition, both in the Senate and in the House. Opposition was aroused because the formula is unfair and unwise. The wealthier States can afford to spend more on education; they therefore have better educational systems. But, ironically, under the formula of the Elementary and Secondary Educational Act, they also get more Federal money for each poor child, even though they are in a better position to pay their own way.

Thus a low-income child is considered by the reasoning embodied in this act to be worth almost twice as much in Westchester County, N.Y., one of the richest counties in the country, as he is in a poor county in Mississippi. New York spends $607 per pupil compared to Mississippi's $273. So Westchester County, with 4,692 low-income children was eligible for $2,812,502 this year. This amount was greater than any county in Mississippi.

Bolivar County, Miss., with 10,947 low-income children, was eligible for only $1,326,776. And Hinds County, Miss., with 11,244 low-income children, could receive only $1,362,772.

To compound the injustice, Mississippi is trying harder than is New York to finance its educational system. Last year Mississippi spent 5.34 percent of its personal income on elementary and secondary education compared to New York's 4.84 percent. This is not an isolated example. The same story is repeated many times over, all across the country.

To reduce this injustice, my amendment would allocate funds based upon the average per pupil expenditure in the State or one-half the national average per pupil expenditure, whichever is greater.

Thus those States which are able to support elementary and secondary education at a rate in excess of the national average would be rewarded for doing so. And those States which because of low incomes find themselves below the national average would be assisted in coming up to the national average.

The justice of this approach is obvious. The Federal Government should not be a party to any scheme to freeze in a static position those States which are currently lagging far behind the average level of prosperity in this Nation. For the health of the Nation as a whole, we must set our policy to eliminate these differences rather than perpetuate them.

I ask unanimous consent that an excerpt from the committee report be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

FORMULA CHANGE—NATIONAL AVERAGE OPTION

The committee feels that one of the purposes of Federal aid is to channel expenditures into socially beneficial activities which would not receive sufficient financial support were it not for the Federal expenditure. One such activity is education. Within a given federally assisted activity the committee believes that a high priority should be given to channeling funds into geographical areas showing greatest need. Among these are two areas in which the committee has acted to increase the flow of Federal financial assistance: low-income States and metropolitan areas.

The committee is concerned by the fact that under the present title I formula, the per pupil Federal expenditure on a child from one of the lower income States is below that which is spent on a child from one of the relatively more affluent States. The Federal Government pays to each school district an amount equal to the product of the number of children in the district from low-income families multiplied by one-half the average per pupil expenditure in the State. The low-income States, with their smaller tax bases, are unable to spend as much on education as the wealthier States. Their per pupil expenditures in education are below the national average. But this is not due to lack of effort. Of the 28 States whose per capita expenditures on elementary and secondary education were below the national average, the percentage of per capita income spent on education by 23 of those States was in excess of the national average.

The committee bill would amend the formula to allow a school district to receive payments equal to the number of children in the district from low-income families multiplied by one-half the average per pupil expenditure in the State or in the Nation. This change would become effective in fiscal year 1968.

The committee feels that this aspect of the new formula would assist the lower income States in bringing their educational expenditures up to the national average, while it would continue to reward those States which make expenditures in excess of the national average.

The family income base changes (from $2,000 per annum to $2,500 per annum for fiscal year 1967, rising to $3,000 per annum in fiscal 1968), use of most recent aid to dependent children data instead of 1962 data of fiscal year 1966, in a similar fashion will bring increased financial aid to many metropolitan core cities, particularly those in States with relatively high State per pupil expenditures.

The following table, prepared by the Office of Education for the committee shows the effect of the amendments in fiscal years 1967 and 1968 as contrasted to the proposal as introduced:

TABLE V.—*Estimated grants under title I, Public Law 89-10*

	Administration bill		Senate bill		Percent of per capita income spent for education: 1963
	1967 [1]	1968 [2]	1967 [3]	1968 [4]	
	(1)	(2)	(3)	(4)	(5)
United States and outlying areas	$1,271,657,531	$1,881,739,164	$1,667,569,860	$2,291,404,080	
50 States and District of Columbia	1,233,507,805	1,825,286,989	1,620,175,429	2,225,841,283	5.20
Alabama	36,093,925	51,678,410	44,770,089	84,572,439	5.22
Alaska	2,123,580	3,038,038	2,983,417	3,361,685	7.30
Arizona	12,014,206	16,920,355	15,252,454	17,523,573	7.55
Arkansas	21,419,389	31,019,013	26,643,964	52,673,675	5.44
California	86,421,358	117,910,060	122,774,080	125,894,253	5.99
Colorado	11,415,187	16,627,637	15,215,268	17,373,630	7.17
Connecticut	8,898,255	13,669,172	13,681,850	15,056,472	4.00
Delaware	2,285,343	3,609,121	3,460,317	4,019,764	4.86
Florida	35,487,553	59,175,651	48,614,245	67,220,509	5.08
Georgia	39,718,009	62,507,250	52,430,915	91,733,130	5.21
Hawaii	2,550,035	3,785,853	3,558,974	4,393,816	5.94
Idaho	3,165,785	4,885,964	4,034,964	6,496,009	6.69
Illinois	60,860,832	75,024,985	71,297,783	77,963,405	4.15
Indiana	19,825,096	32,457,124	28,050,608	34,292,395	5.71
Iowa	19,263,470	29,561,041	25,902,380	30,658,475	6.14
Kansas	11,714,885	19,041,159	16,204,582	19,415,641	6.55
Kentucky	31,418,998	45,573,132	43,042,933	68,467,075	5.69
Louisiana	40,868,135	62,479,102	53,619,371	75,814,643	6.37
Maine	4,069,549	7,197,455	5,875,421	9,639,406	5.48
Maryland	16,255,992	25,033,035	24,753,109	27,682,301	4.87
Massachusetts	17,514,411	28,051,862	26,165,336	29,849,790	3.61
Michigan	38,989,349	55,766,221	50,534,476	57,011,355	5.94
Minnesota	24,318,875	38,304,750	33,874,595	39,889,902	6.40
Mississippi	33,589,812	44,311,040	39,047,501	81,283,068	6.27
Missouri	31,154,768	46,734,065	40,107,338	50,840,770	4.38
Montana	4,404,834	6,843,445	6,018,429	7,094,077	7.04
Nebraska	7,417,976	13,023,790	10,645,688	15,637,507	5.35
Nevada	1,100,662	1,617,102	1,602,285	1,815,380	4.66
New Hampshire	1,580,870	2,799,381	2,492,963	3,448,908	4.62
New Jersey	27,848,828	38,388,701	37,686,506	41,182,395	3.78
New Mexico	10,626,612	15,546,421	13,946,374	16,081,712	9.02
New York	122,012,658	186,717,605	180,053,095	197,484,530	4.59
North Carolina	53,538,519	79,331,307	88,440,665	119,208,066	5.60
North Dakota	5,916,615	9,300,675	7,909,361	10,521,422	7.27
Ohio	40,661,897	59,015,997	55,526,132	66,965,517	4.43
Oklahoma	18,747,325	27,404,074	24,315,120	35,176,106	6.21
Oregon	9,471,906	13,316,446	12,595,198	14,494,766	6.83
Pennsylvania	60,786,264	84,360,941	77,302,915	88,288,217	4.61
Rhode Island	4,373,044	6,236,886	5,888,938	6,579,808	4.15
South Carolina	29,934,221	42,729,553	37,118,237	71,976,735	5.56
South Dakota	7,185,636	10,715,502	9,173,595	11,880,344	7.64
Tennessee	33,283,616	50,492,255	42,515,713	80,767,648	4.76
Texas	89,039,263	138,252,290	116,095,337	165,978,551	5.35
Utah	3,131,510	4,891,378	4,352,695	5,778,985	8.56
Vermont	1,880,839	3,653,678	2,977,168	4,020,945	6.04

See footnotes at end of table.

TABLE V.—*Estimated grants under title I, Public Law 89-10*—Continued

	Administration bill		Senate bill		Percent of per capita income spent for education: 1963
	1967 [1]	1968 [2]	1967 [3]	1968 [4]	
Virginia	$32,826,064	$51,319,288	$44,184,568	$66,624,733	5.21
Washington	12,149,985	17,867,621	17,058,391	19,186,124	7.15
West Virginia	17,311,828	24,809,171	21,653,523	37,467,110	5.09
Wisconsin	18,665,808	30,754,114	27,001,484	32,689,560	6.18
Wyoming	2,098,666	3,062,882	2,652,612	3,189,306	7.26
District of Columbia	6,076,862	8,384,982	8,382,439	9,175,555	2.51
Outlying areas	38,149,726	56,452,175	47,393,431	65,563,406	

[1] Estimated maximum grants based on estimated 5 to 17 population; low-income factor, $2,000 per annum; aid for dependent children 1962; estimated average daily attendance handicapped children (June 30, 1966); estimated migratory children of migratory workers (FTE 1965); 50 percent State current expenditure per average daily attendance, 1964–65 (except migratory). 3 percent reserved for outlying areas.

[2] Estimated maximum grants based on estimated 5 to 17 population; low-income factor, $3,000 per annum; aid for dependent children, 1965; other data as in footnote 1. 3 percent reserved for outlying areas.

[3] Grants estimated on basis of estimated 5 to 17 population; low-income factor, $2,500 per annum; aid for dependent children, 1965; estimated average daily attendance handicapped children (June 30, 1966); estimated migratory children of migratory workers (FTE 1965); dependent and neglected children 5 to 17 in institutions (Apr. 1, 1960); children under 21 in foster homes under the auspices of public agencies (Apr. 1, 1960); juvenile delinquents 5 to 17 in training schools and detention homes (Apr. 1, 1960); and 50 percent State current expenditure per pupil in average daily attendance, 1964–65 (except migratory children). 1960 data on children based on 25 percent sample. 3 percent of 50 States and District of Columbia amounts added for the outlying areas (except migratory children).

[4] Grants estimated on low-income factor, $3,000 per annum; 50 percent State or national average current expenditure per pupil in average daily attendance, 1964–65 (except migratory children); other factors as in footnote 3. It is estimated that the current expenditure per pupil in average daily attendance for 1965–66 will increase approximately 5 percent. This will increase the fiscal year 1968 amounts listed.

SPREADING THE WORD ABOUT WHAT'S NEW IN EDUCATION

Mr. YARBOROUGH. The committee also adopted my amendment on dissemination of information. We must face the hard fact that in many of the most educationally deprived school districts of the country those who must do the planning are out of touch with much modern thought in education. It certainly is not their fault. Through the accumulated inaction occasioned by years of poverty and a tradition of subsistence education they are not ready to take full advantage of the opportunities that are now open to them. A whole new world has been thrust upon them and it takes a while to adjust.

My amendment is designed to help them make this adjustment. It would authorize the Commissioner of Education, upon the request of a State or local educational agency or institution of higher education, to provide advice, counsel, technical assistance, and demonstrations to assist them in initiating or expanding programs under the Elementary and Secondary Education Act. The Commissioner shall make every effort to inform such agencies that this help is available, so that the local officials can find out where to get assistance if they desire it.

The program is entirely voluntary. An agency would participate only if it wanted to and would follow the advice offered only if it wanted to.

The assistance would be carried out in a manner tailored to the individual situation. The Commissioner would be authorized to enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the informational programs.

In addition, the Commissioner is authorized to prepare and publish catalogs, reviews, bibliographies, abstracts, analysis of research and experimentation, an annual report, and such other materials as are generally useful in the encouragement and most effective use of the act.

Last year Congress provided the funds to start elementary and secondary educational improvements rolling. A necessary companion to last year's bill is a program to provide advice and counsel to those who want guidance in determining how best to improve their educational efforts. This amendment authorizing dissemination of information to those who wish it is necessary to round out the potential of the already existing programs.

I ask unanimous consent that the explanation of the provision in the committee report be printed at this point in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

PART G—DISSEMINATION OF INFORMATION

The committee expects the Office of Education to interpret this amendment liberally and to engage in a broad range of imaginative dissemination activities. The committee is especially concerned that this program reach those low-income rural areas which, because of lack of funds, have for years gotten by on subsistence-level educational budgets. Now, for the first time, they have the opportunity to improve notably the quality of their educational programs. But because of the years of neglect, many of them need assistance in planning new programs. This amendment will allow the Office of Education to provide advice, counsel, technical assistance, and demonstrations to a State or local educational agency which requests it. The program is entirely voluntary; an agency can receive this type of assistance only if it asks for it. In order that educators may know where to go for assistance, the Office of Education is urged to make a special effort to inform school administrators in low-income rural and urban areas that such help is available.

IMPACTED AREA AID FOR INTERNATIONAL BOUNDARY SETTLEMENT

Mr. YARBOROUGH. The theory of the impacted area program is that the Federal Government should aid school districts in meeting the added burden they undergo as a result of Federal activity.

The Government, through its action in negotiating a change in the Mexican-American border—which I supported at the time and which I still support—has created a burden upon the Ysletta Independent School District in El Paso. As a result of the Chamizal border settlement, over 300 children have moved into the district from an area which is now a part of Mexico. This governmental action, highly desirable in itself, has created a considerable burden on the local taxpayer. My amendment would enable the school district to qualify for $202,000 in impacted area funds as a result of this international boundary relocation.

MIGRATORY WORKERS

The education of migratory workers is a very difficult problem, since the children move around with their families from place to place. The committee recognizes this problem and has authorized a new program of grants to State educational agencies for the purpose of establishing special education programs for these children, including summer schools in their home States as well as on the road—$40.4 million is authorized Texas, with the largest number of migratory workers, would receive $9.8 million.

CONTINUING APPROPRIATIONS

A major problem to school administrators has been the delay in authorizations this year, which makes it difficult to plan very far ahead. The committee recognizes this, and accordingly we have amended the bill to allow the Commissioner to execute, for any fiscal year for which an appropriation under this title is authorized, grant agreements, which will be obligations of the United States, with State educational agencies, if no appropriation for such fiscal year for the purpose of making payments under this title is made prior to the first day in April immediately preceding the beginning of such fiscal year. The amounts of such grant agreements will be determined on the same basis as if such agreements were made under the authority of a continuing appropriations resolution based on actual appropriations made before such April 1.

In closing I wish to commend the chairman of our subcommittee, the distinguished Senator from Oregon [Mr. MORSE], for his learned and dedicated work on this bill. The legislation which the committee has reported to the Senate under his leadership is a great improvement and expansion of the program. All the members of the Subcommittee and full committee from both sides of the aisle have put in many hours on this legislation, and as always it is a pleasure to work with them, especially when the product is a bill like the one before us today. I urge the Senate to give it overwhelming approval.

Mr. KENNEDY of New York. Mr. President, I commend the Senator from Texas on his fine statement.

Mr. YARBOROUGH. Mr. President, I thank the Senator from New York for his usual perceptiveness.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this afternoon, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTABLISHMENT OF CONTIGUOUS FISHERY ZONE BEYOND TERRITORIAL SEA OF THE UNITED STATES

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2218) to establish a contiguous fishery zone beyond the territorial sea of the United States, which was to strike out all after the enacting clause and insert:

That there is established a fisheries zone contiguous to the territorial sea of the United States. The United States will exercise the same exclusive rights in respect to fisheries in the zone as it has in the territorial sea, subject to the continuation of traditional fishing by foreign states within this zone as may be recognized by the United States.

SEC. 2. The fisheries zone has as its inner boundary the outer limits of the territorial sea and as its seaward boundary a line drawn so that each point on the line is nine nautical miles from the nearest point in the inner boundary.

SEC. 3. Whenever the President determines that a portion of the fisheries zone conflicts with the territorial waters or fisheries zone of another country, he may establish a seaward boundary for such portion of the zone in substitution for the seaward boundary described in section 2.

SEC. 4. Nothing in this Act shall be construed as extending the jurisdiction of the States to the natural resources beneath and in the waters within the fisheries zone established by this Act or as diminishing their jurisdiction to such resources beneath and in the waters of the territorial seas of the United States.

Mr. BARTLETT. Mr. President, this measure is of great importance to the people of the State of Oregon as well as to other coastal States.

The only change of a substantive nature was the addition by the House of a new section 4 to the bill. It reads as follows:

SEC. 4. Nothing in this Act shall be construed as extending the jurisdiction of the States to the natural resources beneath and in the waters within the fisheries zone established by this Act or as diminishing their jurisdiction to such resources beneath and in the waters of the territorial seas of the United States.

According to the report of the House Committee on Merchant Marine and Fisheries, this language was added to make it clear that the jurisdiction of the coastal States to regulate the fisheries and to manage and develop the natural resources beneath and in the waters of the territorial sea—out to 3 miles from shore—was neither increased nor decreased, nor was the jurisdiction of the coastal States to regulate the fisheries and to manage and control any resources beneath and in the waters of the newly established fisheries zone extended to such zone.

Mr. President, I move that the Senate concur in the House amendments.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BARTLETT. I am happy to yield.

Mr. MORSE. In behalf of the people of my State, I thank the Senator from Alaska for his leadership, not only in this field, but in dealing with many of the problems that affect the Pacific Northwest.

The passage of this bill will be good news, not only to the fisheries and the fishermen of my State, but to the entire coastal region.

I heartily endorse the motion, and I thank the Senator.

The motion was agreed to.

PROTECTION AND CONSERVATION OF NORTH PACIFIC FUR SEALS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2102) to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas, which were, on page 2, line 20, strike out all after "Ocean" over through and including "Interior." on page 3, line 3, and insert: "are permitted to take fur seals and dispose of their skins in any manner after the skins have been officially marked and certified by a person authorized by the Secretary of the Interior, provided that the seals are taken only in canoes not transported by or used in connection with other vessels, and propelled entirely by oars, paddles, or sails, and manned by not more than five persons each, in the way hitherto practiced and without the use of firearms."; on page 3, line 6, strike out "engaged in the taking of fur seals or" and insert "for the purpose of taking fur seals or are"; on page 5, line 14, strike out all after "seizure or" down through and including "States." in line 21, and insert: "arrest.

"The Secretary of the Interior or the Secretary of the Treasury, upon request of the Secretary of State, shall deliver the seized vessel or arrested person, or both, as promptly as practicable to the authorized officials of said party: *Provided*, That whenever said party cannot immediately accept such delivery, the Secretary of the Interior or the Secretary of the Treasury may, upon request of the Secretary of State, keep the vessel or person under surveillance within the United States"; on page 9, lines 23 and 24, strike out "Islands including the coasts thereof." and insert "Islands."; on page 10, lines 14 and 15, strike out "Surgeon General of the Public Health Service" and insert "Secretary of Health, Education, and Welfare"; on page 10, line 23, strike out all after "section." over through and including "Islands." on page 11, line 3; on page 12, line 1, strike out all after "that" down through and including "property." in line 6, and insert "the title conveyed is inalienable except upon approval of the Secretary."; on page 12, line 11, strike out "or" where it appears the second time, and insert "of"; on page 13, line 7, strike out "Treasury shall pay" and insert "Interior shall certify to the Secretary of the Treasury for payment"; on page 16, line 11, after "the" insert "gross receipts of the"; on page 21, after line 6, insert:

(d) The term "Pribilof Islands" as used in this Act means the islands of St. Paul and St. George, Walrus and Otter Islands, and Sea Lion Rock.

On page 22, line 3, strike out all after "of" down through and including "Islands." in line 7, and insert "1966, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands, and the payments made to any municipal corporation established pursuant to this Act and to the civil service retirement and disability fund pursuant to section 208 of this Act."

Mr. BARTLETT. Mr. President, I move that the Senate disagree to the amendments of the House of Representatives and request a conference on the disagreeing votes of the two houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Senators BARTLETT, MAGNUSON, and PROUTY as conferees on the part of the Senate.

DEVELOPMENT OF PRODUCTION BY COMMERCIAL FISHING INDUSTRY OF FISH PROTEIN CONCENTRATE

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, which were, to strike out all after the enacting clause and insert:

That the Secretary of the Interior is authorized to conduct, and through grants to and contracts with public and private agencies to promote studies, research, and experiments designed to develop the best and most economical processes and methods to reduce fish which are in abundant supply and which are not now widely sought after for human food to a nutritious, wholesome, and stable fish protein concentrate, as well as to conduct food technology and feasibility studies with respect to such products.

Sec. 2. (a) The Secretary is also authorized to acquire by lease or to construct not to exceed one experiment and demonstration plant for the production of a fish protein concentrate. Such plant shall be designed to demonstrate the reliability and practicability and the economic, engineering, and operating potentials of the processes and methods to reduce fish and fish protein concentrate. Such plant shall be located in such geographical area as the Secretary determines will demonstrate optimum feasibility from the standpoint of operation, maintenance, and economic potential. The Secretary of the Interior shall not commence construction of or lease any plant pursuant to the provisions of this Act until the Secretary of Health, Education, and Welfare shall have certified that fish protein concentrate produced from whole fish complies with the provisions of the Federal Food, Drug, and Cosmetics Act.

(b) The Secretary may operate and maintain or contract for the operation and maintenance of such plant. Any operation and maintenance contract shall provide, in addition to such terms and conditions as the Secretary deems desirable, for the compilation by the contractor of complete records, including cost data, with respect to the operation, maintenance, and engineering of the plant. The records so compiled shall be made available to the public and to the Congress by the Secretary at periodic and reasonable intervals. Access by the public to the plant shall be assured during all phases of its operation subject to such reasonable restrictions as to time and place as the Secretary may require or approve.

(c) All contracts entered into pursuant to subsection (b) of this section shall include a clause to the effect that the Comptroller General of the United States or any of his duly authorized representatives shall until the expiration of three years after final payment have access to and the right to examine any directly pertinent books, documents, papers, and records of the contractor or any of his subcontractors engaged in the performance of and involving transactions related to such contracts or subcontracts.

(d) Any constructed plant and its equipment upon the expiration of a period deemed appropriate by the Secretary for experiment and demonstration purposes, shall, as promptly as practicable, be disposed of in accordance with the applicable provisions of the Federal Property and Administrative Services Act, as amended.

(e) The Secretary may acquire lands or interests therein, patents, licenses, technical data, inventions, secret processes, supplies, and equipment by purchase, license, lease, or donation to carry out the provisions of this section.

Sec. 3. There are authorized to be appropriated not to exceed $1,000,000 for the construction or acquisition by lease of the plant authorized by this Act, such appropriation to remain available until expended, together with such additional sums as may be necessary for the operation and maintenance of such plant, not to exceed $285,000 per year for a period of five years, and for conducting the program authorized by this Act, not to exceed $835,000 per year for a period of five years.

Sec. 4. The Secretary shall cooperate with public and private agencies, organizations, institutions, and individuals in carrying out the program authorized by this Act.

Sec. 5. The authority of the Secretary under this Act shall expire at the expiration of five years from the date of enactment of this Act.

And to amend the title so as to read: "A bill to authorize the Secretary of the Interior to develop, through the use of an experiment and demonstration plant, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate."

Mr. BARTLETT. Mr. President, I move that the Senate disagree to the amendments of the House of Representatives and request a conference on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Senators Bartlett, Magnuson, and Prouty, as conferees on the part of the Senate.

Mr. BARTLETT. Mr. President, once again I express my appreciation to the Senator from Oregon.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1966

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 15111) to provide for continued progress in the Nation's war on poverty, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MORSE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Clark, Mr. Randolph, Mr. Pell, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Nelson, Mr. Javits, Mr. Prouty, and Mr. Murphy conferees on the part of the Senate.

THE 1966 CAPTIVE NATIONS WEEK

Mr. SIMPSON. Mr. President, this past July citizens throughout the country observed the eighth Captive Nations Week. From all accounts, this observance turned out to be the best yet. In terms of citizen activity, newspaper coverage, TV and radio programing, and public discussion forums, the 1966 Captive Nations Week surpassed all others. This sustained and growing interest in the plight of all the captive nations augurs well for the future of our country in the months and years ahead.

For the past 2 months, the Record has been replete with reports of this highly successful week. To complete this massive report on what has truly become an American tradition of hope, understanding, and patriotic determination, I ask unanimous consent that the following items be printed at this point in the Record:

First. A July 29 editorial in the Florida Catholic on "Captive Nations Week";

Second. A Sarasota, Fla., account of July 22 on "Captive Week Observance Irritates Soviet Officials";

Third. The program and review of the Chicago observance, followed by reports in the Chicago newspapers;

Fourth. The program of the observance in Phoenix, Ariz., on July 28, 1966;

Fifth. A letter on the "Captive People" in the July 28 issue of the Wanderer;

Sixth. An article on "Captive Nations in New England" in the September 15 issue of America, followed by newspaper items and reports in several New England papers; and

Seventh. A report on the Kiwanis International Captive Nations Week project in Tampa, Fla.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Florida Catholic, July 29, 1966]

CATHOLIC COMMENT: CAPTIVE NATIONS WEEK

Since 1959 the third week in July has been designated, by a special act of Congress, as "Captive Nations Week." Its purpose is to focus on the plight of those peoples who live under communist domination. It is a week when special prayers are offered for these oppressed people that the light of liberty will not be dimmed forever in their native lands.

It is indeed unfortunate that so many Americans are ignorant of the nations that are submerged in the atheistic tyranny of communism. They seem to have forgotten the millions of people who must live without the basic liberties in these forgotten nations.

In some quarters of our nation those who should know better are telling us that communism is "changing" or that it is "mellowing." But communism will never change so long as it is atheistic in nature and materialistic in operation. Under such a system God and liberty have no place.

Another fallacy often heard is that such nations as Rumania and Czechoslovakia are at odds with the Kremlin and that they seek to break away from the Soviet Union.

It may be true that in certain minor instances nations in the Red orbit may disagree with policies emanating from Moscow. But in the major decisions, they are as one.

We have an example of this in a news release dated only this past July 8. It was then that the seven nations in the Communist Warsaw Pact—Hungary, Bulgaria, East Germany, Poland, Rumania, Czechoslovakia, and the Soviet Union—jointly condemned the United States for its "aggression" in Viet Nam. These nations also said they were ready to send "volunteers" to Viet Nam to fight U.S. troops if Hanoi asks for them.

If communism is changing, where can we find it in the above policy statement? The communists have yet to be deterred from their long-stated objective—the conquest of the world.

The peoples of the captive nations look to the U.S. for hope, for guidance, and for prayers. If we cannot or will not grant them the first two, the least we can do is pray to God that the day of their deliverance will be short-coming. The worst thing we could say is that they are not "captives" and thus ignore their pleas to live as we do—in freedom.

—The West Virginia Register.

CAPTIVE WEEK OBSERVANCE IRRITATES SOVIET OFFICIALS

Sarasota.—Sarasota's Project Alert, in conjunction with Captive Nations Week, has made the following release:

"In 1959 Congress passed a resolution to make the third week in July, Captive Nations Week. Since then, many of our nation's governors, mayors and citizens have amplified the observation although our administration in Washington has played down the Week in recent years.

"And, since then, most significantly, the Resolution has become a major irritating thorn in the thick hide of Soviet Russia. The Week has become the occasion for communist denunciation of our efforts to focus world attention on the nations forcefully brought under Communist domination.

SOVIET BLASTS WEEK

"Mikhail Suslov, Secretary of the Central Committee of the Soviet Communist Party, said in July, 1965, "Especially disgusting is the villainous demagogy of the imperialistic chieftains of the United States. Each year they organize the so-called Captive Nations Week, hypocritically pretending to be defenders of nations that have escaped from their yoke. These international gendarmes, stranglers of freedom and independence, would like again to enslave the free nations of Lithuania, Latvia and Estonia.

"These insolent words were mouthed in Lithuania. It would be interesting to know the thoughts of those in the three nations mentioned who were not Communists.

"A Ukrainian paper (Communist controlled, of course) observed: 'They are beating the drums across the sea, filling columns in newspapers and delivering long hypocritical speeches.' For the umpteenth time the governing circles of the United States are holding the so-called 'Captive Nations Week'. And the machine of propaganda is deafening the citizens with the 'atrocious' inventions about the fate of nations who are 'suffering under the yoke of the Kremlin regime.'

"REDS RANT, RAVE

"The Communists rant and rave and bluster when they're hurt. Calling the formerly independent nations of the Soviet Empire unjustly and ruthlessly acquired, Captive Nations, hurts. Keeping alive the possibility of release from captivity of these nations, hurts. Annually proclaiming our sympathy and extending a hand of friendship to the enslaved peoples, hurts. Stating again and again that not the United States but Soviet Russia is the imperialist aggressor and 'strangler of freedom and independence,' hurts.

"We, as a nation and as a people, should and can do more to hurt the repeatedly avowed plans of Soviet efforts to add to their collection of captive nations.

"Lest we forget, Cuba is a Captive Nation. How much closer can they get?"

Program for Captive Nations Day, Saturday, July 16, 1966

Presiding: Mr. Frank D. Savickas.

Procession of Flags and National groups.

Posting of United States and State Flags by Honor Guard of the Chicago Fire Department.

National Anthem: Band of the Ukrainian-American Youth Ass'n., Inc. (SUMA), conducted by Michael Holian.

Invocation: Bishop Dionisije, Serbian Orthodox Church.

Pledge of Allegiance: Col. Jack Reilly.

Address: Prof. Lev Dobriansky—National Chairman of Captive Nations Committee, Washington; Joseph C. Murphy, American Legion Department Commander; Senator Paul H. Douglas.

Benediction: Rev. G. K. Un, Korean Methodist Church.

Finale: "Captive Nations Hymn," "God Bless America" by Band of the Ukrainian-American Youth Ass'n., Inc., conducted by: Michael Holian.

Review of Captive Nations' Week Observance 1966, Chicago, Ill.

The Captive Nations' Week Observance in Chicago was started by Mayor Richard J. Daley's signed proclamation, asking the Chicago residents not to forget captive nations under the Communist regime. In his proclamation the Mayor asked not to deny all possible support towards observance of the Captive Nations' Week on July 16.

Viktors Viksnins—Captive Nations' Committee Chairman, presented a certificate of merit and esteem to Chicago's mayor, expressing gratitude for the support, which they have always received in Chicago.

On the evening of July 6, 1966, a Captive Nations' Week press conference was held at the Conrad Hilton hotel. The speakers were: Frank T. T. Sia—Consul General of China; Dr. Petras Dauzvardis—Consular General of Lithuania, and Chicago Mayor's Office Director of Special Events, Col. Jack Reilly. The conference was led by radio and TV commentator Sig Sakowicz. One of the press conference participants was Mr. Janis Grigalis, a recent refugee from an Iron Curtain country—Latvia.

The Captive Nations' parade was led by the motto: "Freedom and Independence for All Nations" and "Salute to Servicemen Fighting for Freedom." Honorary guests in the parade were the wounded in Viet Nam battlefields. Following them were Chicago's Mayor Richard J. Daley; major Raymond Casteel—representing the United States Army; and Viktors Viksnins—Captive Nations' Week Chairman, followed by committee members. The units participating in the parade were as follows: American Legion, U.S. Navy Band, Cossacks, Latvia, Slovakia, Cuba, Germany, Chicago Fire Department, Serbia, Armenia, Estonia, Byelorussia, P. J. Cullerton Drum & Bugle Corps, Hungaria, Bulgaria, Chinese Drum & Bugle Corps, Poland, Shannon Rovers Pipe Band, Lithuania, Chicago Lawn Moose Post, Korea, Hornets Drum & Bugle Corps, Croatia, Albania, Ukraine and Czechoslovakia.

The parade was concluded in Grant Park with a special program. The speakers were: Dr. Lev Dobriansky—National Chairman of Captive Nations Committee, Washington; Joseph C. Murphy, American Legion Department Commander; and Senator Paul H. Douglas. The Statement by Hon. Hubert H. Humphrey, Vice-President of the United States, was read. Messages were received from Illinois Governor Otto Kerner, Senator Everett M. Dirksen, and Congressmen E. Derwinski and D. Rostenkowski.

The Captive Nations' observance in Chicago turned out well; gratitude is due to all who contributed to the fine results. Our achievements were also evaluated by the National Captive Nations Committee, whose chairman Dr. Lev. E. Dobriansky sent the following letter to mayor Richard J. Daley: "By all evidence your observance surpassed all others, and in behalf of this committee and certainly the suppressed voices of millions in the Red Empire, I heartily congratulate you for your remarkable and outstanding leadership in this annual event. We look forward to the fitting occasion when our tangible recognition of your magnificent endeavors can be made."

A large share of our gratitude belongs to Mayor Richard J. Daley, and Col. Jack Reilly—Director of Special Events, for the great support and the good advice in organizing the Captive Nations' parade and program.

In closing this review, I wish to express sincere thanks to all committee members, and all nationality groups participating in the parade and program.

Sincerely,

Viktors Viksnins,
General Chairman.

August 1966.

[From the Chicago (Ill.) Sun-Times, July 7, 1966]

Group To Plan Day To Honor Captive Nations

Mayor Daley named an 83-man committee Monday for Captive Nations Day, which will be observed on July 16.

The committee represents 21 nations and peoples subjected to Communist tyranny.

The Captive Nations Day program will include a noon State Street parade followed by an assembly at Grant Park.

Represented on the committee are Chicagoans who trace their ancestry to Albania, Armenia, Bulgaria, Byelorussia, China, Cossackia, Croatia, Cuba, Czechoslovakia, Estonia, Georgia, Germany, Hungary, Korea, Latvia, Lithuania, Poland, Serbia, Slovakia, Slovenia and the Ukraine.

A 28-man honorary committee named by the mayor includes Senators Paul H. Douglas (D-Ill.) and Everett M. Dirksen (R-Ill.), Gov. Kerner, and four U.S. Representatives, Republican Edward J. Derwinski and Democratic John C. Kluczynski, Roman C. Pucinski and Daniel Rostenkowski.

[From the Chicago (Ill.) New World, July 1, 1966]

Parade To Salute Captive Nations

Chicago's Captive Nations day, scheduled for Saturday, July 16, will be highlighted by a parade along State street, starting at 12 noon, and a rally afterwards in Grant park.

All of Chicago's nationality groups who trace their ancestry to the captive nations, which will be represented in the observance, will participate.

Mayor Richard J. Daley, who is on the honorary committee for Captive Nations day, has named Viktor Vikanins general chairman of the event.

Others named to the committee represent the following nations: Albania, Armenia, Bulgaria, Byelorussia, China, Cossackia, Croatia, Cuba, Czechoslovakia, Estonia, Georgia, Germany, Hungary, Korea, Latvia, Lithuania, Poland, Serbia, Slovakia, Slovenia, Ukraine.

[From the Chicago (Ill.) Tribune, June 29, 1966]

Sets July 16 for Captive Nations Day

Mayor Daley on Monday proclaimed July 16 as Captive Nations day and appointed an 83-member committee of representatives of 21 nations behind the iron curtain to arrange parades and events.

The committee will plan a parade down State street with persons from the 21 nations in native costumes. The parade will terminate at Buckingham fountain where speeches will be given. Prior to the parade events, various ethnic groups will hold special programs during the week thruout Chicago.

The 21 nations are Albania, Armenia, Bulgaria, Byelorussia, China, Cossackia, Croatia, Cuba, Czechoslovakia, Estonia, Georgia, East Germany, Hungary, North Korea, Latvia, Lithuania, Poland, Serbia, Slovakia, Slovenia, and Ukraine.

[From Community Publications, July 20, 1966]

Viksnins Heads Captive Nations Week

Viktors Viksnins, 4902 Melrose, is general chairman of Captive Nations week observances now in progress.

Five other West-Northwest Side residents are on the Captive Nations week committee.

[From the Chicago (Ill.) New World, July 15, 1966]

Big Captive Nations Day Turn-Out Urged

A plea for greater participation in Captive Nations day observances (July 16) was made by the Consul General of the Republic of China, Frank T. T. Sia, former dean of the consular corps in Chicago.

In his last public appearance before returning to his homeland, the Consul General said, he felt in past years "most of the audience was not those we wanted to reach."

Adding that he hoped the significance of Captive Nations day was reaching "the other Chicagoans," he said, "individuals should take more notice. It is the way of free people."

Consul General Sia spoke at a Captive Nations day press conference July 6 at the Conrad Hilton hotel.

Col. Jack Riley, city director of special events, representing Mayor Richard J. Daley, issued a call for participation particularly to veterans and the city's Polish community, in light of recent disturbances in Poland over Millennium celebrations.

Twenty national groups representing enslaved nations behind the Iron, Bamboo and Sugar Curtains are slated to take part in tomorrow's parade starting at noon at Wacker dr. and State. Marchers will travel down State to Congress ending at Grant Park where a special program will take place.

Vice President Hubert H. Humphrey has been invited to speak at ceremonies at the park. Dr. Lev E. Dobriansky, national Captive Nations committee chairman, and Joseph C. Murphy, American Legion State commander, will deliver addresses.

Colonel Riley announced that a fireworks display would be held that evening in Milton Lee Olive park to dramatize the significance of Captive Nations day.

Counsul General Sia went on to underline the fact that one third of the world's population and territory has been taken over by the communists.

"We must always keep in mind," he said, "that in this worldwide struggle between freedom and democracy of the Free World and communist imperialism and totalitarianism the real and most reliable allies of the Free World are the Captive Nations.

"The love of freedom in the hearts of these voiceless millions of captive peoples and their desire for liberty and independence constitute a powerful deterrent to war and one of the best hopes of a just and lasting peace and must be kept alive."

In his statement, the Consul General of Lithuania Petras P. Dauzvardis cautioned that, "The Soviet Russian empire and its allies are attempting to present themselves to the world as 'peace-lovers' and defenders of the rights of colonial peoples to freedom and independence.

"This 'face' of course, is plain hypocrisy. Soviet Russia is the biggest and almost the sole colonial power in the present-day world."

Citing Poland as a recent example of the deprivation of human rights and fundamental freedoms under Communism, he stated:

"Telling illustrations are now taking place in Poland: the Catholic nation is being hindered in every way imaginable from celebrating the Millennium of Christianity in their homeland.

"Similar anti-religious acts and suppression go on in every country subjugated by the Soviet Union. And the same thing goes on in all other fields; economy, education, literature, arts, and social and cultural life."

Dr. Paul Chung, honorary consul general of Korea, added that the Korean people also have suffered under Communism and "therefore Korea is cooperating with the troops in Vietnam for freedom and peace."

The Seventh Annual Captive Nations committee anticipates 10,000 participants. Floats, bands and marchers in native costume will make up the parade.

Captive Nations day was developed to demonstrate for the freedom of captive nations and to show appreciation to the United States government for its effort in behalf of these people. National groups also will manifest their support of the administration's policy in Vietnam.

The third week in July has been designated Captive Nations week according to Public Law No. 86-90. Honorary chairmen are: Sen. Paul H. Douglas, Sen. Everett M. Dirksen, Gov. Otto Kerner and Mayor Richard J. Daley.

[From the Tribune]

Captive Nations Week

Chicago, July 8.—Captive Nations Week, designated by Presidential proclamation and public law 86-90 as the third week in July should serve as a reminder for all Americans to reflect on the plight of one-third of the world's population which is enslaved behind the iron, sugar, and bamboo curtains and subjugated by the communists.

Over the last seven years, the observance of Captive Nations week in Chicago has developed into a very impressive demonstration. This year, the Captive Nations committee invited the American Legion and major veterans organizations to participate in the program and a parade which will start at noon July 16.

Chicagoans should pause and cheer these brave people whose individual experiences in communist control countries were horrifying. These are the people who bartered their lives and left families and fortunes behind in their escape from tyranny, fear, and brutality to enjoy freedom and independence in the United States, their only haven.

These people sacrificed their all for the right to be free and independent. The purpose of the Captive Nations committees is to remind the free world of those facts.

These people also wish to demonstrate during this special observance in Chicago their appreciation to the administration for the firm stand against communist aggression in South Viet Nam. This occasion also affords them the opportunity to salute American armed forces who are fighting for freedom.

The sole objective of the combined national Captive Nations groups is to attain freedom and independence for all nations.

Vets Press

(By Joe Martin)

Captive Nations Week, designated by Presidential Proclamation and Public Law 86-90 as the 3rd week in July should serve as a reminder for all Americans to reflect on the plight of one-third of the world's population who are enslaved behind the Iron, Sugar, and Bamboo Curtains and subjugated by the Communists.

Over the past seven years, the observance of Captive Nations Week in Chicago has developed into a very impressive demonstration. This year, on Saturday, July 16th, the Captive Nations Committee invited The American Legion and major veterans organizations to participate in their programs, and a parade which will start at noon.

Significant Floats, and marchers arrayed in colorful native costumes will parade down State Street from Wacker Drive to Congress Street and then to Grant Park where a special program will be held.

Chicagoans should pause and cheer these brave people whose individual experiences in communist controlled countries were horrifying. These are the people who bartered their lives and left families and fortunes behind in their escape from tyranny, fear, and brutality, to enjoy freedom and independence in the United States, their only haven.

Americans who take liberty and freedom for granted cannot visualize the terror of communism nor the terrifying experience of a refugee.

To escape, the refugee must run a gauntlet of natural obstacles—mountains, rivers, deserts, jungles and seas. In many instances, man-made barriers, barbed wire, minefields, searchlights, machine-gun towers, armed soldier partols, hunting dogs and observation aircraft.

Since the end of World War II, more than 12 million human beings were willing to take the risks. Approximately 3,350,000 refugees escaped from Communist China, 3½ million from East Germany, and 2½ million from North Korea; one million from North Viet Nam and hundreds of thousands from each of the other captive nations.

These people sacrified their all for the right to be free and independent. The purpose of the Captive Nations Committees are to remind the free world of those facts.

These people also wish to demonstrate during the special observance in Chicago, their appreciation to administration for the firm stand against Communist aggression in South Viet Nam. This occasion also afforded them the opportunity to salute American Armed Forces who are fighting for Freedom.

The sole objective of the combined National Captive Nations Groups is to attain Freedom and Independence for all nations.

The Captive Nations Day recalls us not to forget those who are still under the Communist Grip, and especially those who sacrifice their lives in the battle for freedom.

[From the Chicago (Ill.) Tribune, July 11, 1966]

Plan Parade for Captive Nations Day

Members of Chicago's nationality groups who trace their ancestry to the captive nations—those countries which now lie all or in part behind the iron or bamboo curtains—will parade in State street at noon Saturday in recognition of Captive Nations day.

Following the parade, the group will assemble in Grant park. Victor Viksnins has been named chairman of the Captive Nations day committee which is coordinating the programs to mark the event.

Captive countries represented in the programs include Albania, Armenia, Bulgaria, Byelorussia, China, Cossackia, Croatia, Cuba, Czechoslovakia, Estonia, Georgia, Germany, Hungary, Korea, Latvia, Lithuania, Poland, Serbia, Slovakia, Slovenia, and the Ukraine. Honorary committee members for the day include Senators Dirksen and Douglas, Governor Kerner, and Mayor Daley.

Chicago Captive Nations Day, Saturday, July 16, 1966

Joseph C. Murphy, formerly of Beverly Hills, is Commander of the American Legion, Department of Illinois and a member of the American Veterans Press Association of Chicago, will be the principal speaker on Saturday July 16 at the annual Captive Nations Day program.

The Captive Nations Committee speakers will pay tribute to our American Armed Forces who are fighting for freedom in Viet Nam and suppressing communism in other parts of the world.

Members of Vets Press (American Press Association of Chicago), taking part in the 7th Annual Captive Nations Week observation which will culminate with a parade and program on Saturday, July 16th in Chicago, are:

Frank T. T. Sia, Consul General of the Republic of China, a five-year honorary member of Vets Press.

Joe Martin, Executive-Secretary and Public Information Coordinator who is also on the staff of the Messenger Press Newspapers.

Sigmund Sakowicz, a disc jockey on Radio Stations WGN and WTAQ and a philanthropist with his time in promoting programs benefiting veterans and patriotic organizations.

Col. John Reilly, Director of Special Events in the City of Chicago and Mayor Richard J. Daley's representative.

Another Vets Press member, Joseph C. Murphy, State Commander of the Illinois American Legion, will be the principal speaker on Captive Nations Day, July 16th in Grant Park, Chicago.

A colorful parade, starting at 12 noon will course down State St. from Wacker Drive to Congress Street and then to Grant Park.

Mayor Daley urges every American citizen to attend the parade and the Grant Park program to concretely demonstrate his or her interest in the people imprisoned in the Captive Nations.

He also encourages all churches, educational institutions and all media of communication to observe the plight of the communist denominated nations and to join in support of the just aspirations of the people of the Captive Nations.

Members of the American Legion are asked to attend in full uniform or wearing uniform caps. Other veterans organizations are also invited to take part appropriately uniformed.

Speakers will salute the American GIs fighting for Freedom.

[From the Times, July 20, 1966]

Captive Nations Week Observed

Viktors Viksnins, 4902 Melrose, is serving as general chairman of the Captive Nations Week observance in Chicago. Mrs. Mary Shpikula, 5466 Haddon, of the League of Americans of Ukrainian Descent, is also assisting in planning.

Captive Nations Week is being observed the week of July 18.

[From the Chicago (Ill.) Tribune, July 17, 1966]

Ten Thousand March for Captive Nations—Proclaim Hopes for Homelands

Chicagoans descended from people in captive nations throughout the world proclaimed their hopes for the freedom of their homelands yesterday.

Ten thousand persons whose ancestry stems from captive countries marched down State Street to the sound of drums and bugles, then gathered in Grant park for a mass meeting.

THOUSANDS LINE SIDEWALKS

Soldiers wounded in Viet Nam who are recovering in Great Lakes naval hospital served as honorary parade marshals for the procession, which was led by Mayor Daley and Sen. Douglas (D., Ill.).

Chicago's observance of Captive Nations day was reported to be one of the largest in the nation. Thousands of onlookers lined the sidewalks to watch the marchers pass.

Tears came to the eyes of many as they watched the flags of their homelands go by of men and banners saluting the American soldiers fighting for freedom in Viet Nam. Others proclaimed support of United States policy in Viet Nam.

SIGNS ASK FREEDOM

Still other signs called for freedom and peace, for free elections in captive nations, and for a continuing fight against communism. One called the Native Chicagoans was a vivid display of what a great melting pot their city is.

The marchers carried dozens of signs calling the Berlin wall "the wall of shame."

The marchers, many in colorful costumes of their homelands, represented Latvia, Slovakia, Cuba, Germany, Serbia, Armenia, Estonia, Byelorussia, Hungary, Bulgaria, China, Poland, Lithuania, Korea, Croatia, Albania, Ukrainia and Czechoslovakia.

[From the Chicago (Ill.) New World, July 22, 1966]

Over 10,000 March on Captive Nations Day

Float marking Poland's millennium of Christianity rolls down State street during Captive Nations day parade Saturday. Upwards of 10,000 attended parade and Grant park rally.

History of Nations under communist domination was depicted on many floats in Captive Nations day parade Saturday. Here, scene from Lithuania's past is shown as float passes reviewing stand on State street. Some 10,000 took part in the parade and the rally in Grant park. [Illustration not printed in Record.]

[From the Chicago (Ill.) New World, July 22, 1966]

Over 10,000 March on Captive Nations Day

(By Allan Kipp)

With banners streaming and bands blaring, upwards of 10,000 Chicagoans who trace their ancestry to the enslaved nations of the world marched through the Loop and later assembled for a mass meeting in Grant park Saturday (July 16).

The reason for these ceremonies was the seventh annual Captive Nations day observance.

Captive Nations day, instituted by a joint resolution of Congress in 1959, calls attention to the more than a billion people who are victims of communist tyranny.

Represented at the gathering were peoples from Albania, Armenia, Bulgaria, Byelorussia, China, Cossackia, Croatia, Cuba, Czechoslovakia, Estonia, Georgia, Eastern Germany, Hungary, Korea, Latvia, Lithuania, Poland, Serbia, Slovenia and the Ukraine.

Sen. Paul Douglas and Joseph C. Murphy, State commander of the American Legion, addressed the throng—many attired in their colorful native dress—at the Grant park rally.

Douglas told his listeners that in the final stages of World War II, the United States had been promised by the Soviet Union at Yalta that the nations under Soviet military occupation would be permitted free elections.

"Upon this pledge we relied," the Senator proclaimed, "and this pledge was broken. The communists say we have not permitted free elections in South Vietnam. We demand that they permit free elections in the enslaved nations of the world."

The group received telegrams of good wishes from Congressmen Edward Derwinski, John Kluczynski and Daniel Rostenkowski, and from Gov. Otto Kerner and Vice President Hubert Humphrey who were not able to attend.

Senator Douglas read a statement from Vice President Humphrey which concluded: "Life, liberty and the pursuit of happiness are still not available to numerous people . . . May God grant that the prayers of mankind for freedom and peace be fulfilled."

Douglas noted that political conditions and the horrors of modern weaponry do not now permit direct military action against communist tyranny in the captive nations.

The lives of many brave men would be lost in such action, Douglas continued, and it would be "demagogic" for a political leader to advocate such a solution.

However, he noted, the human spirit "cannot bow to tyranny," and gatherings such as Captive Nations day give enslaved peoples the courage to go on, and look forward to the day when the final breakdown of the Soviet system comes.

"Freedom will come again if only we keep desiring it hard enough, and with discretion and determination we push on," Douglas concluded.

Murphy reminded the gathering that with the end of World War II "many people who were victims of war . . . now became the victims of oppression."

He noted that the communists in every case took over the political system and set up a puppet government, did not permit a free press, silenced the clergy, turned the educational system into a communist propaganda agency and destroyed family life through separation and suspicion.

Murphy cautioned his audience that communist front groups seek the support of the American public, and if they are allowed to gain a foothold the same things could happen here.

"America is the staunch defender and eternal protector" of all men, he said, and is the only hope of the free world.

Captive Nations Week, July 28, 1966,

Phoenix, Ariz.

(Albania, Armenia, Azerbaijan, Bulgaria, China, Cossackia, Croatia, Cuba, Czechoslovakia, East Germany, Democratic Republic of Far East (Siberyaks), Estonia, Georgia, Hungary, Idel-Ural, Latvia, Lithuania, North Korea, North Vietnam, Serbia, Poland, Rumania, Slovenia, Tibet, Turkestan, Ukraine, White Ruthenia)

PROCLAMATION

Since the birth of our country, people of this nation have lived under freedom's banner, and many Americans have died preserving the right of our people to govern themselves.

In some nations, the people are not so fortunate. Lacking the strength to defend themselves successfully against overwhelming odds, their independence was lost and today they are governed by foreign masters.

The people of these captive nations have not lost their love of freedom nor their determination to one day regain it.

In recognition of the moral right of all peoples to govern themselves and as evidence of our hope that the captive nations will soon be able to shake off foreign yokes, I proclaim July seventeenth through July twenty-third, 1966, Captive Nations Week in Arizona and urge my fellow Arizonans to take part in activities planned for this observance as an indication of our support of the aspirations of the peoples of the Captive Nations for national independence and individual liberty.

Samuel P. Goddard,
Governor of Arizona.
Wesley Bolin,
Secretary of State.

June 30, 1966.

Scottsdale, Ariz.

My grandfather came from Poland via Europe to the United States in search of freedom. I dedicate my life and my efforts to the preservation of that freedom, which you so properly observe during Captive Nations week.

Barry Goldwater.

SPECIAL CREDIT

The Captive Nations Committee, Arizona Branch, extends gratitude for help and support to: Reverend Clergy, Governor Samuel P. Goddard, Honorable Barry M. Goldwater, State and City Officials, U.S. Marine Corps Reserve, U.S. Air Force Luke AFB, 541st Air Force Band, Arizona National Guard, U.S. Navy Reserve, American Legion Thunderbird post #41, Mother's Crusade for Victory Over Communism, Daughters of American Revolution, Young Americans for Freedom, International Mia Dancers, Phoenix Police Department, KPHO Television, Radio, Press and Television, Mr. James F. Crispelle, Mrs. Imogene Jones, Mrs. Helen Berkey, Angel Flight, and all those assisting.

NATIONAL CAPTIVE NATIONS COMMITTEE, ARIZONA BRANCH, 2522 WEST HIGHLAND AVENUE, PHOENIX, ARIZ.

Walter Chopiwskyj, President.
Michael Remes, Vice President.
Vytas Mozart, Executive Director.
Shirley Beckman, Secretary.
Wayne Wallick, Treasurer.
Eva A. Krone, Public Relations.

Committee members

Mr. and Mrs. John Kielbowski.

Mr. and Mrs. Peter Parr.

Mrs. Fern Wallick.

Mrs. Corinne Flickinger.

Miss Jo Ann Lorber.

Miss Joan A. Dreibholz.

Mr. Semen Waslyenko.

Albert T. Koen, Parade Chairman.

James F. Crispelle, Asst. Parade Chairman.

Russell D. Winkleman, Sergeant at Arms.

Johnny Johnson, Master of Ceremonies.

Eva A. Krone, Corinne Flickinger, Concert Chairmen.

Angel Flight, Young Americans for Freedom, Ushers.

CAPTIVE NATIONS WEEK OBSERVANCE, PHOENIX, ARIZ.

Rally, July 28, 1966, Encanto Park band shell at 8 p.m.

National and Armed Forces colors: U.S. Marine Corps Reserve, U.S. Air Force Luke AFB, Arizona National Guard, U.S. Navy Reserve, American Legion Thunderbird Post #41.

Invocation: Rev. Innocent Rychkun OSBM, Ukrainian Catholic Church. Rabbi Adam Neurberger, Jewish.

Pledge of Allegiance: State Senator John B. Conlan.

National Anthem: 541st Air Force Band Luke AFB.

Rollcall of nations: Johnny Johnson.

Welcoming remarks: President, Captive Nations Committee, Walter Chopiwskyj.

Proclamation: Governor of Arizona, Samuel P. Goddard.

Introduction of distinguished guests: Johnny Johnson.

Tribute to Our Fighting Men: Rev. Charles Lee, Del Monte Baptist Church.

Salute.

Taps: American Legion Thunderbird Post #41.

Keynote address: Honorable Barry M. Goldwater.

Performances of national groups.

"International Mia Dancers" Directed by Sandra and Stewart Glazier.

Day for Decision: Mia Singing Group.

Benediction: Rev. David Buss, Eastern Orthodox Church, President L. R. Layton, L.D.S.

Closing of program: Dismissal of Flags, Johnny Johnson.

Master of Ceremonies: Johnny Johnson.

PATRONS

Mr. and Mrs. Stanley Androjna, Mr. Paul Beer, Best Pest Control, Mr. Walter Chopiwskyj, Mr. and Mrs. Mykola Czopiwskyj, Mr. and Mrs. Linn Gilliland, Mr. Olgerd Kalyn, Mr. and Mrs. Jerry F. Knight, Mrs. Eva A. Krone, Miss Jo Ann Lorber, Mr. and Mrs. Vytas Mozart, Ramasee's Apts., G. M. Swimming Pool Services, Mr. and Mrs. Wayne Wallick, Mr. and Mrs. Myron E. Weckbacher.

BOOSTERS

Mr. and Mrs. John Blair, Mrs. Corinne Flickinger, Friend, Mr. and Mrs. George Gardolinski, Mr. and Mrs. Robert Holtzman, Mrs. Mary Hurducas, Mr. and Mrs. Burt Johnson, Mr. and Mrs. Bill Kaehler, Mr. and Mrs. John Kielbowski, Mr. Iwan Kissil, Mrs. Amanda Lee Krone, Mr. Keith Krone, Mr. Mothershead, Mr. and Mrs. Michael Remes, Mr. and Mrs. Paul Hihs, Mr. and Mrs. Charles E. Smith, Mr. Loring Spear, Mr. John Stoica, Mr. and Mrs. Semen Wasylenko, Mr. Theodore White, Mr. Dmytro Wladymir.

"We support you in your struggle. We are striving to keep America free. We invite you to join us in this endeavor."—Scottsdale-Paradise Valley Young Republican Club. For information, call Donald E. Gentry, president, at 254-6421.

[From the Wanderer, July 28, 1966]

CAPTIVE PEOPLE

EDITOR, THE WANDERER:

The following glimpse of life behind the Iron Curtain is recounted in the March-April, 1966, bulletin of the Anti-Bolshevik Bloc of Nations, an international grouping of refugee and anti-Communists from the Captive Nations.

"A thin, thirty-year-old Ukrainian has reported to us on his horrifying experiences in the U.S.S.R. and his freedom bid, successfully made two years ago. He and his younger brother lived peacefully with their mother, a widow, who had to work hard to support them, so that she might be able to bring up both her sons as good Christians, righteous men, and good Ukrainians.

"When his brother was thirteen, attempts were made to force him to join the Komsomol. His mother, however, opposed this. The boy was removed by force from the school and put into an orphanage, whose whereabouts were unknown to the mother. After a time she managed to find out the address. She kidnapped her own son from the home and took him under a false name to a school some hundreds of kilometres away. However, she was arrested by the KGB and after being horribly tortured was compelled to disclose the address of the boy.

"Again he was put into the orphanage. Both sons were compelled to testify against their mother (the elder through torture) and to say that she had taught them to pray and was against the godless Komsomol. When the elder of the boys saw his mother in the courtroom, changed beyond recognition by the torture, his own fear of torture disappeared and he began to defend his mother: he was immediately removed from the courtroom. He was not let into the room again until sentence was pronounced, when he had to listen as his mother was condemned to ten years' hard labor. A court official whispered to him that he should flee immediately, . . . ; he did flee immediately, and although the KGB hunted frantically for him, he managed to flee over the Caucasus into Turkey. He is now living in Western Europe.

"This refugee expressed the opinion that the Russian empire would already have collapsed, were it not artificially supported politically and economically by the Western Powers because it suits certain circles in the West that this prison of people should continue to exist. Since the example of Hungary, the Captive Nations of the U.S.S.R., expect no assistance from the West; they only trust their own strength and are fighting along the revolutionary path for their freedom, committing acts of sabotage, blowing up military trains, assassinating Russian leaders."

This lack of trust of leaders of the West seems to be a universal thing among the Captive Nations, even among the more-recently enslaved Cubans, who have now become disillusioned with the United States. Are the American People themselves excused from this indictment? Well, they are too busy with their "fun times" to care much about the Captive Nations, and it is all so unpleasant to hear about such things as are described in this vignette from behind the Iron Curtain.

Will Almighty God spare us, who are so callous and indifferent; who are willing to let our elected and appointed leaders hobnob with the Red slavemasters, support them with financial and material help, and give them prestige in so many ways? It would seem that elementary sense of self-preservation would persuade Americans to do all they can for the freedom of the Captive Nations.

ANGELA BRYCE.

PHOENIX, ARIZ.

[From America, Sept. 15, 1966]

CAPTIVE NATIONS IN NEW ENGLAND

(By O. Szczudiuk)

BOSTON, MASS.—The success of the Captive Nations Week can be measured by its acceptance by the public. Getting the information to the public was the objective of this year's observance of the Captive Nations Week in six New England States.

GOVERNORS AND CONGRESSMEN PARTICIPATED

All six governors, John A. Volpe, Massachusetts, John H. Reed, Maine, John W. King, New Hampshire, John Dempsey, Connecticut and Philip H. Hoff, Vermont, issued Captive Nations Week proclamations. They were also joined by Mayor John F. Collins of Boston. Nearly all of the 25 New England Congressmen took part in the observance on the floor of the House of Representatives, either by delivering of short speeches or introducing materials into The CONGRESSIONAL RECORD. This cannot be said, however, about the New England Senators whose participation was limited.

PRESS COVERAGE

Coverage of the observance in the press was encouraging. Six (6) dailies carried a letter issued by the New England Committee for Captive Nations which stressed the difference between captive nations, Soviet Union, and Russia. It also highlighted Russian colonial expansion. The letter concluded that our "manifest sympathy" must entail a ringing demand for the self-determination and independence of the captive nations in the interest of a peaceful world order. The newspapers were: The Boston Herald (Boston, Mass.), The Standard-Times (New Bedford, Mass.), Manchester Union Leader (Manchester, N.H.), The Hartford Times (Hartford, Conn.) and The Berkshire Eagle (Pittsfield, Mass.). The letter was mailed to 34 newspapers.

NEW HAMPSHIRE RALLY

The only rally was held in Ashland-Manchester, N.H. Sponsored by the N.H. Captive Nations Committee under the chairmanship of Mrs. Howard Ball, the rally featured the laying of a wreath at the Captive Nations cemetery, created by George Ober, Jr., of Ashland, N.H. The N.H. yearly observance should be credited to the tireless efforts of Mrs. Howard Ball, George Ober, Jr. and many other dedicated supporters of captive nations. The rally was well covered in the Manchester Union Leader of July 18, 1966.

ARTICLES AND EDITORIALS

The Lynn Sunday Post (Lynn, Mass.) featured a lengthy and informative article by Anthony Cama, member of Freedom Foundations, Valley Forge, Pa. It suggested steps in strengthening our ties with the captive world.

Editorial support is always welcomed. However, the editorials in The Hartford Times (Hartford, Conn.) of July 21, 1966, missed the point on the Captive Nations Week and its purpose. Besides failing to enumerate all captive nations, including Ukraine, Armenia, Byelorussia, Georgia, it called the CNW an "emotional" and "nostalgic" affair, organized by "refugees and immigrants."

The editorial was rebuked by letters written by Dr. James H. Tashjian and O. Szczudiuk, members of the NECCN. It was pointed out that Captive Nations Week was authorized by our Congress which hardly can be called an "organization of immigrants."

Other mentions of the Captive Nations Week were in The Boston Record American (Boston, Mass.) and Lowell Sun (Lowell, Mass.). Both newspapers carried an article by John Chamberlain, nationally known columnist, who cited general apathy to captive nations.

MORE WORK NEEDED

This year's observances were sponsored by the New England Committee for Captive Nations, Boston, Mass., The Hartford Committee of Captive Nations, Hartford, Conn., and N.H. Captive Nations Committee, Manchester, N.H., in cooperation with other civic organizations.

Despite its encouraging growth, more work is needed to bring objectives of Captive Nations Week to the grass roots level. The net result of the past season's efforts is a large measure of success—to derive full benefit from it, we must all work harder in the coming year.

BOSTON, MASS., *September 5, 1966.*

[From the Boston (Mass.) Herald July 23, 1966]

CAPTIVE NATIONS WEEK

To the EDITOR OF THE HERALD:

In terms of the President's Proclamation of 1966 setting aside nationally July 17–23 as "Captive Nations Week," the following information will be of interest:

(1) The so-called "Soviet Union" is NOT Russia. It consists of a Russian "republic" and such other once independent states as: Armenia, Azerbaijan, Cossakia, Estonia, Georgia, Idel-Ural, Latvia, Lithuania, North Caucasus, Siberia, Turkestan, Ukraine, and White Ruthenia.

(2) A vast satellite empire of captives includes: Albania, Bulgaria, China (mainland), Czechoslovakia, East Germany, Hungary, North Korea, North Vietnam, Poland, Rumania, Tibet and latterly, Cuba.

(3) There are in the USSR today only 96 million Russians as against their 119 million non-Russian captives.

(4) The Soviet empire contains the staggering total of 820 million people—almost one-quarter of the world's population is ruled by an elite, minority force!

(5) While the British, French, Belgian and Dutch empires have all but vanished, the Soviet empire continues to grow. The USSR emerged from World War II with a gain of 262,000 square miles with 22 millions of people.

What emerges then is the picture of the greatest colonial empire in history and a classic example of the forcible dominance of a majority by a minority.

Let us build "bridges of understanding" with the captive world founded on manifest sympathy for the silent but heroic struggle for freedom being waged in the last-remaining enclave of political slavery in our world.

That "manifest sympathy" must entail a ringing demand that Moscow accord the non-Russian captive world the right of self-determination and independence in the interest of the peaceful world order based on universal justice.

NEW ENGLAND COMMITTEE
FOR CAPTIVE NATIONS.

JAMAICA PLAIN

[From the New Bedford (Mass.) Standard-Times, July 17, 1966]

SEEK INDEPENDENCE FOR CAPTIVE NATIONS

To the EDITOR OF THE STANDARD-TIMES:

In terms of the President's Proclamation of 1966 setting aside nationally July 17–23 as Captive Nations Week, the following information will be of interest:

(1) The so-called "Soviet Union" is not Russia. It consists of a Russian "republic" and such other once independent states as: Armenia, Azerbaijan, Cossakia, Estonia, Georgia, Idel-Ural, Latvia, Lithuania, North Caucasus, Siberia, Turkestan, Ukraine, and White Ruthenia.

(2) A vast satellite empire of captives includes: Albania, Bulgaria, China (mainland), Czechoslovakia, East Germany, Hungary, North Korea, North Viet Nam, Poland, Romania, Tibet, and latterly, Cuba.

(3) There are in the USSR today only 96 million Russians as against their 119 million non-Russian captives.

(4) The Soviet empire contains the staggering total of 820 million people—almost one-quarter of the world's population is ruled by an elite, minority force.

(5) By actual count, there are 126 different and distinct nationalities in the USSR.

(6) While the British, French, Belgian and Dutch empires have all but vanished, the Soviet empire continues to grow. The USSR emerged from World War II with a gain of 262,000 square miles with 22 million people.

What emerges then is the picture of the greatest colonial empire in history and a classic example of the forcible dominance of a majority by a minority.

Let us build "bridges of understanding" with the captive world founded on manifest sympathy for the silent but heroic struggle for freedom being waged in the last-remaining enclave of political slavery in our world.

That "manifest sympathy" must entail a ringing demand that Moscow accord the non-Russian captive world the right of self-determination and independence in the interests of a peaceful world order based on universal justice.

NEW ENGLAND COMMITTEE
FOR CAPTIVE NATIONS.

JAMAICA PLAIN.

[From the Pittsfield (Mass.) Berkshire Eagle, July 21, 1966]

RUSSIA'S EMPIRE

To the EDITOR OF THE EAGLE:

In terms of the President's Proclamation of 1966 setting aside July 17–23 as "Captive Nations Week," the following information will be of interest:

1. The so-called "Soviet Union," is not Russia: It consists of a Russian "republic" and such other once-independent states as: Armenia, Azerbaijan, Cossakia, Estonia, Georgia, Idel-Ural, Latvia, Lithuania, North Caucasus, Siberia, Turkestan, Ukraine and White Ruthenia.

2. A vast satellite empire of captives includes: Albania, Bulgaria, China (mainland), Czechoslovakia, East Germany, Hungary, North Korea, North Viet Nam, Poland, Rumania, Tibet, and latterly, Cuba.

3. There are in the U.S.S.R. today only 96 million Russians, as against their 119 million non-Russian captives.

4. The Soviet empire contains the staggering total of 820 million people—almost one-quarter of the world's population is ruled by an elite, minority force!

5. While the British, French, Belgian and Dutch empires have all but vanished, the Soviet empire continues to grow. The U.S.S.R. emerged from World War II with a gain of 262,000 square miles with 22 millions of people.

What emerges then is the picture of the *greatest colonial empire* in history and a classic example of the forcible dominance of a majority by a minority.

Let us build "bridges of understanding" with the captive world founded on manifest sympathy for the silent but heroic struggle for freedom being waged in the last-remaining enclave of political slavery in our world.

That "manifest sympathy" must entail a ringing demand that Moscow accord the non-Russian captive world the right of self-determination and independence in the interests of a peaceful world order based on universal justice.

OREST SZCZUDLUK,
New England Committee
for Captive Nations.

JAMAICA PLAIN.

[From the Manchester (N.H.) Union Leader, July 20, 1966]

SOME PERTINENT FACTS ON CAPTIVE NATIONS

To WILLIAM LOEB:

The Steering Committee of the New England Committee for Captive Nations asked me to forward the attached letter for publication in the "Letters to the Editor" column of your esteemed newspaper.

The New England Committee for Captive Nations consists of the following organizations:

1. American Committee for the Independence of Armenia.
2. Hungarian Society of Boston.
3. Latvian National League of Boston.
4. Lithuanian American Council of Boston.
5. Confederation of Polish Freedom Fighters in USA, Inc.
6. Ukrainian Congress Committee of America, Inc., Boston Chapter.

Ukrainian Congress Committee of America, Inc., Boston Chapter, Orest Szczudluk Vice President.

To the EDITORS:

In terms of the President's Proclamation of 1966 setting aside nationally July 17–23 as "Captive Nations Week," the following information will be of interest:

(1) The so-called "Soviet Union" is NOT Russia. It consists of a Russian "republic" and such other once independent states as Armenia, Azerbaijan, Cossakia, Estonia, Georgia, Idel-Ural, Turkestan, Ukraine, and White Ruthenia.

(2) A vast satellite empire of captives includes: Albania, Bulgaria, China (mainland), Czechoslovakia, East Germany, Hungary, North Korea, North Viet Nam, Poland, Rumania, Tibet, and latterly, Cuba.

(3) There are in the USSR today only 96 million Russians as against their 119 million non-Russian captives.

(4) The Soviet empire contains the staggering total of 820 million people—almost one-quarter of the world's population is ruled by an elite, minority force!

(5) While the British, French, Belgian and Dutch empires have all but vanished, the Soviet empire continues to grow. The USSR emerged from World War II with a gain of 262,000 square miles and 22 millions of people.

What emerges then is the picture of the greatest colonial empire in history and a classic example of the forcible dominance of a majority by a minority.

Let us build "bridges of understanding" with the captive world founded on manifest sympathy for the silent but heroic struggle for freedom being waged in the last-remaining enclave of political slavery in our world.

That "manifest sympathy" must entail a ringing demand that Moscow accord the non-Russian captive world the right of self-determination and independence in the interests of a peaceful world order based on universal justice.

NEW ENGLAND COMMITTEE
FOR CAPTIVE NATIONS.

JAMAICA PLAIN, MASS.

[From the Hartford (Conn.) Times, July 20, 1966]

RED COLONIALISM

To the EDITOR OF THE TIMES:

In terms of the President's Proclamation of 1966 setting aside nationally July 17–23 as

"Captive Nations Week," the following information will be of interest:

(1) The so-called "Soviet Union" is NOT Russia. It consists of a Russian "republic" and such other once-independent states as Armenia, Azerbaijan, Cossakia, Estonia, Georgia, Idel-Ural, Latvia, Lithuania, North Caucasus, Siberia, Turkestan, the Ukraine and White Ruthenia.

(2) A vast satellite empire of captives includes Albania, Bulgaria, China (mainland), Czechoslovakia, East Germany, Hungary, North Korea, North Viet Nam, Poland, Rumania, Tibet and Cuba.

(3) There are in the USSR today only 96 million Russians as against their 119 million non-Russian captives.

(4) The Soviet empire contains the staggering total of 820 million people—almost one-quarter of the world's population ruled by an elite minority force!

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Let us build "bridges of understanding" with the captive world founded on manifest sympathy for the silent but heroic struggle for freedom being waged in the last-remaining enclave of political slavery in our world.

That "manifest sympathy" must entail a ringing demand that Moscow accord the non-Russian captive world the right of self-determination and independence in the interests of a peaceful world order based on universal justice.

OREST SZCZUDLUK,
New England Committee for Captive Nations.
BOSTON, MASS.

[From the Lynn Post, July 24, 1966]

CAPTIVE NATIONS WEEK, JULY 17–23, 1966

(By Anthony Cama)

America and all free nations are confronted this week with the remembrance of the millions of slaves held in bondage by the communistic tyranny.

Who can forget the tragic days of the Poznan uprising in 1956 when thousands of Poles and Hungarians were murdered and tortured by the oppressive forces of Communism? We must stay alert and be ever vigilant because these are perilous days for the free nations of the world. The forces of red aggression have brought their evil into every part of this globe. We have our enemies within our very border and some have even been found in the highest government positions. The enemies have worked their way from without and to the very doorstep of our nation; in Cuba we already have a most serious threat with Castro who has shown that he is an enemy of America and our American way of life.

SPECIAL MESSAGE

Aggressively active in this nation is Joseph Mlot-Mroz, the fearless president of the Polish Freedom Fighters of America. In an interview with Mr. Mlot-Mroz, this writer received a special message which comes from Dr. Gabor de Bessenyey, president, AFABN. It reads:

"Patriotic organizations and individuals who fight on the front line of the anti-communist struggle must deal with a seemingly insurmountable obstacle—indifference.

"During the last 20 years we have witnessed the descent of the communist blight upon country after country in Europe and Asia. It has come within 90 miles of our shores. Yet the most urgent warnings of an imminent danger are in the category of an air raid alert!

"America is second to none in mustering all forces whenever disaster strikes. Patriotic fervor reaches fever pitch, but as soon as the visible crisis lifts, the dense fog of apathy descends. This, as Cleveland said "is no theory, but a situation."

"For that reason, it should be a great source of encouragement that we have among us a ready-made shock troop for the cold war, the so-called Ethnic Americans, recent immigrants with roots behind the Iron Curtain; Americans of East German, Ukrainian, Baltic, Byelorussian, Polish, Czech, Hungarian, Slovakian, Croatian and Bulgarian origin. Among them we find no difference where Communistic danger is involved. They do not have to be convinced of the evils of Communism. Thousands experienced them first-hand in torture chambers and concentration camps. They have an unquenchable hatred for everything for which the Kremlin stands. Many of them have a price on their heads; their choice is not between democracy and Communism, but between Western Freedom or the gallows.

"Other thousands of our new fellow citizens are qualified in guerrilla espionage. Moscow's propaganda double talk is an open book to them.

"Concerning our own conspicuously unsuccessful propaganda war, they are bewildered by the naked power politics of so called 'Titoism' which sacrifices principle for expediency, and neutralism in the eyes of millions our ethnical foundation for opposing Communism. They bristle at the sight of a self-perpetuating leftist bureaucracy, which is still the hard core of our information services, with hundreds of well fed employees spreading the Communist doctrine of coexistence in the far corners of the world.

"A great many of these recent Americans have fathers and brothers who were delivered to the Red gallows by Communistic agents masquerading in American uniforms during the denazification. Yes there are among us the eyewitnesses to the fact that Communistic takeover of seven independent, proud nations, was only possible because freedom's leadership was extradited and slaughtered for alleged war crimes.

"Concerning our own internal affairs, those who endured Khrushchev's so-called 'social democracy' detect the infiltration of the same poison into our body politic with the precision of a Geiger counter. The 'new' people are the first to run up against union dictatorship and labor monopoly. They clearly perceive the canyon between the freedom for which America stands and the objectives of our leftist reformers.

"Year after year we commemorate Captive Nations Week, in the second half of July. It should be a poignant reminder of the mighty reservoir of fervent dedication within our gates."

This writer believes it would be well for America to remember the five days of freedom of Imre Nagy's Freedom Fighter government when their appeals for help went unheeded. Finally, on Nov. 5, 1956, the Hungarian Freedom Fighter Radio Station broadcast these last words:

"People of the world, listen to our call. Help us not with words, but with action, with soldiers and arms. Please do not forget this wild attack of Bolshevism will not stop. You may be the next victim. Save us . . . Our ship is sinking. The light vanishes. The shadows grow darker from hour to hour. Listen to our cry. Start moving. Extend to us your brotherly hands . . . God be with you and us!"

Americans know well what has become of Hungary and Poland!

Let the people of America speak! Let the great American eagle rise upward and be ready to strike down the enemies of democracy; be ready to protect and help the oppressed and the enslaved languished in the chains of tyranny. In the name of the millions of tortured and executed innocents; in the name of every man and woman who fought and died for liberty and human justice; in the name of our indivisible American nation, let us rededicate ourselves to the unending struggle of ultimate victory and freedom of the Captive Nations!

PROCLAMATION

From the office of Governor Volpe comes this proclamation:

"Whereas the basic rights of freedom and justice are circumscribed and denied in many areas of the world, depriving countless persons of their national independence and their individual liberties of religion, speech and communication with their friends and relatives who live in the free world, and whereas, the desire for liberty and independence by the overwhelming majority of peoples in these subjugated nations constitutes a powerful deterrent to any ambitions of tyranist leaders to initiate a major war, and whereas, we of the United States are the fortunate inhabitants of a citadel of human freedom. We are proud that we are giving asylum to many refugees from oppressed countries who are linked by family bond to many American citizens. In point of fact, we have benefitted from their presence as they are valued neighbors, and are loyal and industrious members of our State and Nation, and, whereas, our country's abiding commitment to the principles of independence, personal liberty and human dignity makes it appropriate and proper that we manifest to the people of the captive nations our sympathies and prayers for their freedom and national independence, and that we recognize and encourage constructive actions which foster the growth and development of these rights; now, therefore, I, John A. Volpe, Governor of the Commonwealth of Massachusetts, do hereby proclaim the week of July 18–24 as Captive Nations Week and urge all citizens of the Commonwealth to take cognizance of this observance, in recognition and support of the just aspirations of all people for national independence and human liberty."

Here are parts of a letter sent in to this writer by Joseph Mlot Mroz, president of the Polish Freedom Fighters of America:

"MY DEAR FELLOW AMERICANS—MY DEAR FRIENDS, BROTHERS AND SISTERS: In the name of the Polish Freedom Fighters in U.S.A., in the name of the Anti-Communist Crusaders, I greet you and extend to you my most sincere best wishes. May this Captive Nations Week be a reminder to America about our rights to freedom! To our brothers and sisters enslaved behind the Iron Curtain may it be an assurance that: The day of freedom for our beloved countries must come soon!

"Please Remember! That the cause of the Enslaved Nations is the key to peace in Europe and in the whole world!

"In the terms of the President's Proclamation of 1966 setting aside nationally July 17–23 as Captive Nations Week, the following information will be of interest:

"(1) The so-called Soviet Union is not Russia. It consists of a Russian 'republic' and such other once independent states as, Armenia, Azerbaijan, Cossakia, Estonia, Georgia, Idel-Ural, Latvia, Lithuania, North Caucasus, Siberia, Turkestan, Ukraine and White Ruthenia.

"(2) A vast satellite empire of captives includes, Albania, Bulgaria, China (mainland), Czechoslovakia, East Germany, Hungary, North Korea, North Vietnam, Poland, Rumania, Tibet and latterly, Cuba.

"Dear brothers and sisters! For a number of years we have sadly witnessed the continuous spread of communistic ideas in all parts of the world. Communism continues victorious in all its undertakings.

"In the orbit of the enslaved countries, we find our dear fatherlands. In spite of the unfair treatment given our countries by the diplomats of the West, we here in America, as well as our dearly beloved brethren across the ocean, keep on reminding Americans about the great injustice that has been done to us. For many years now, the Anti-Communist Freedom Crusaders are calling for justice and with great faith and hope are striving to obtain it. That is why we are gathered here today in celebrating the Captive Nations Week!

"While the British, French, Belgian and Dutch empires have all but vanished, the Soviet empire continues to grow. The USSR emerged from the World War II with a gain of 262,000 square miles with 22,000,000's of people.

"What emerges then is the picture of the greatest colonial empire in history and a classic example of the forcible dominance of a majority by a minority.

"My Dear Brothers and Sisters: United, we fight against our great common enemy—Communism. We have a duty to carry on this fight. We are speaking as a voice for all the millions of people who have been enslaved by the communistic tyranny! They are pleading to the Western Countries, Come and Save Us!

"My Dear Brothers and Sisters: Please remember, that so far only the first act of the World War has been fought. The fight continues! It shall continue until we gain victory!

"In the name of human freedom and justice; the great victory over the evil forces of Communism and atheism; the love and devotion to America, land of the free and the brave, this writer salutes Orest Szzzydiuk of the Ukrainian Congress Committee of America, Inc., Boston chapter; Joseph Mlot-Mroz, president of Polish Freedom Fighters in USA, Inc.; Atty. John J. Grigalus of the American Lithuania Council of Boston; Albert U. Derian of the American Committee for the Independence of Armenia; Dr. Charles K. Nagy of the Hungarian Society of Boston and Ludvigs O. Reiters of the American National League of Boston.

"God bless America!"

[From the Manchester (N.H.) Union Leader, July 18, 1966]

Americans Exhorted To Awaken to Peril

Ashland.—"Awake America," were the words emphasized by speakers here as Captive Nations Week was opened in N.H. yesterday. About 100 pe[illegible]s from many parts of New Hampshire gathered at the Captive Nations Cemetery, created by George Ober Jr., to hear the words of persons who knew the horrors of living in captive nations under communism.

Exhorting Americans to awake was Jozef Mlot-Mroz, Polish freedom fighter now of Salem, Mass., who spoke from bitter experience since he has been arrested 17 times and spent 20 months in a concentration camp. He emphasized that the cause of the enslaved nations "is the key to peace in Europe and the world."

DRIVE TO ASHLAND

He motored to Ashland Sunday after leading a demonstration before the Russian Embassy in New York City Sunday morning. He towed on a trailer a 400-pound Liberty bell designed into a Captive Nations float. He said this was his 236th appearance at a Freedom rally in the cause of captive nations.

Dr. Bernardo A. Figueredo, Cuban refugee now residing in Claremont, warned that the Communist conspiracy is out to destroy the United States and reiterated that it "can be defeated where there is the will backed by the means." He termed Cuba a country in chaos despite what Castro says, and that government under Batista was far better than under Castro Communism.

Russell Pond of Derry, chairman of the N.H. division of the Alliance for Abandoned American Fighting Men, made a strong plea for assistance for Americans abandoned in foreign lands.

In his speech Pond stated that "civilization in its entirety is under attack today just as surely as if we could hear the clash of arms."

"As I reflect on the situation in our own country I wonder if we are not in a sense a captive nation too for certainly the forces of Satan have done their work well in this nation," said Pond. "We have departed far afield from that liberty which our forefathers gave us many times at the cost of their own lives."

The N.H. chairman continued: "Our own government will allow trade with Communist nations which are sworn to destroy us yet refuse to support an anti-communist nation like brave little Rhodesia. They give our money away in the name of foreign aid to fatten the purses of politicians in other countries yet are unconcerned when the taxes needed to do this cause our citizens to suffer."

Pond called on U.S. Reps. James Cleveland and Oliva Huot and U.S. Sens. Tom McIntyre and Norris Cotton to help obtain freedom for Americans who are still prisoners in other countries.

Other speakers were Judge Leonard Sawyer of Plymouth, representing Gov. John King, who read a proclamation from the Gov. on Captive Nations week.

Others were: Norman Weden of the Board of Selectmen of Ashland; David Huntley of Walpole, chairman of the Young Americans for Freedom in N.H., former Judge Thomas Pryor who represents the town in the Legislature; Peter Gilmore of Manchester who read a proclamation from the Young Americans For Freedom. Mrs. Howard Ball of Claremont, chairman of the Captive Nations committee, was master of ceremonies.

Charles Garnache of Lakeport, founder of the N.H. chapter of Americans for Conservative Action gave the invocation. Mrs. Lillian Dustin of Laconia sang the National Anthem accompanied on the organ by Mrs. Jean Ober.

Following the talks a picnic was held at the Ober camps directly across the highway from the Captive Nations Cemetery. Throughout the program, Ober received high praise for his "dedicated work" in the cause of freedom in his community and in the state. He is Americanism Officer for the Dupuis-Cross Post American Legion besides his work with the Captive Nations organization.

A wreath was laid at the Captive Nations Cemetery by Ober, Dr. Figueredo, Victor Misek of Hudson, Hungarian, a worker in the Captive Nations cause and Mlot-Mroz.

In accordance with joint congressional resolution, Public Law 86–90, the President of the United States designated the third week in July as "Captive Nations Week"—"Until such time as freedom and independence shall have been achieved for all the captive nations of the world."

In view of the present war in Vietnam, it is very apropo that we remember those famous words, "eternal vigilance is the price of liberty." Unfortunately these captive nations, by internal subversion or external Communist military might, have fallen and lost their identity as free nations. God forbid that this would happen to the United States. All Kiwanians pay tribute to the brave patriots who so valiantly fought, and are still fighting, to liberate their nations from the Communist terror.

In the mad rush of this changing, turbulent world we are too apt to forget to thank God for our country and our Constitution and its guarantees of freedom of religion, freedom of the press, right of public assembly and right to pursuit of happiness.

In memory of all of the captive nations with their millions of souls that yearn for freedom, and in order to remind our fellow Americans of their continued plight, the international relations committee of the Kiwanis club of midtown Tampa planned a week's program of activities in observance of "Captive Nations Week". The exhibits that follow present the entire week's activities.

The observance was enthusiastically received and we wish to thank the Tampa Tribune, Tampa Times, WFLA–TV, WLCY–TV, WSUN–TV, WTVT–TV, and radio stations WFLA, WINQ, WDAE, WSOL, WALT, WHBO, WSUN and WLCY for their wonderful cooperation in promoting this observance.

We feel that this a most worthy project for Kiwanians and strongly recommend that it be made a project of Kiwanis International.

EXHIBITS

1. Announcement of observance to Division 8 Kiwanis Clubs and area's National Origin Clubs.
2. Letter to Kiwanis club presidents.
3. News story in Spanish newspaper, La Gaceta, 7/8/66.
4. News release, 7/14/66.
5. News story, Tampa Tribune, 7/14/66.
6. Proclamation issued by Tampa Mayor Nick C. Nuccio, 7/15/66.
7. News picture, mayor and Hungarian dancers, Tampa Times, 7/15/66.
8. TV coverage, evening news program, WFLA–TV, WLCY–TV, WTVT–TV, 7/15/66.
9. News picture, mayor, chairman and Hungarian dancers, Tampa Tribune, 7/16/66.
10. News feature, Hungarian freedom fighter, Joseph Balazsi, Tampa Tribune, 7/17/66.
11. News ad, "In Memoriam, Romania", Tampa Tribune, 7/17/66.
12. News ad, "In Memoriam, Cuba", Tampa Tribune, 7/18/66.
13. News ad, "In Memoriam, Cuba", Tampa Times, 7/18/66.
14. Midtown Tampa Kiwanis Club bulletin announcing captive nations speaker, Col. John Lindenmeyer, 7/18/66, and résumé of speech, 7/25/66.
15. TV coverage, WFLA–TV evening news and WTVT–TV civic affairs program, 7/18/66.
16. News ad, "In Memoriam, Poland", Tampa Tribune, 7/19/66.
17. News ad, "In Memoriam, Poland", Tampa Times, 7/19/66.
18. News feature, Cuban freedom fighter, Dr. Isaac Barredo, Tampa Tribune, 7/19/66.
19. News ad, "In Memoriam, Czechoslovakia", Tampa Tribune, 7/20/66.
20. News ad, "In Memoriam, Czechoslovakia", Tampa Times, 7/20/66.
21. TV coverage WTVT–TV civic affairs program, 7/20/66.
22. News ad, "In Memoriam, Hungary", Tampa Tribune, 7/21/66.
23. News ad, "In Memoriam, Hungary", Tampa Times, 7/21/66.
24. News feature, Lithuanian freedom fighter, Dr. Domas Jasaitis, Tampa Tribune, 7/21/66.
25. News ad, "In Memoriam, East Germany", Tampa Tribune, 7/22/66.
26. News ad, "In Memoriam, East Germany", Tampa Times, 7/22/66.
27. TV coverage WTVT–TV civic affairs program, 7/22/66.
28. News ad, "In Memoriam, China", Tampa Tribune, 7/23/66.
29. News ad, "In Memoriam, China", Tampa Times, 7/23/66.
30. TV coverage, WFLA–TV, 12:30–1:00 p.m., "History in the Making", 7/24/66.
31. TV coverage, letter to stations WFLA–TV, WLCY–TV, WSUN–TV and WTVT–TV, 7/14/66.

32. TV slides used with daily spot announcements WFLA-TV, WLCY-TV, WSUN-TV, WTVT-TV.

33. Radio coverage and letter to radio stations, 7/14/66.

[From La Gaceta, Tampa, Fla., July 8, 1966]

Semana de las Naciones Cautivas

El Comité de Relaciones Internacionales del Kiwanis Club de Midtown Tampa, está planeando un "Día de las Naciones Cautivas" que se celebrará en este mes, julio.

De acuerdo con una Resolución Conjunta Congresional, Ley Pública 86–90, el Presidente de los Estados Unidos designó la tercera semana de julio como "Semana de las Naciones Cautivas" hasta "el tiempo en que la libertad y la independencia sean logradas para todas las naciones cautivas del mundo."

La Proclama Presidencial dice también que es el propósito fundamental y la intención del gobierno de los Estados Unidos de América reconocer y alentar acciones constructivas que patrocinen el desarrollo y crecimiento de la independencia nacional y la libertad humana.

Michael J. Miklas es el presidente (Chairman) del Comité de Relaciones Internacionales del Midtown Tampa Kiwanis Club.

El "Día de las Naciones Cautivas" se celebrará el 23 o el 30 de julio en esta ciudad.

Release, Thursday, July 14, 1966

Michael Miklas, Chairman of The International Relations Committee of the Midtown Tampa Kiwanis Club, announced that the Kiwanis Clubs of Division 8 will sponsor a week of observance during July 17–23, in memory of those Captive Nations which have lost their feeedom, among which are China, Rumania, Poland, Czechoslovakia, Hungary, East Germany, and Cuba. It is these and all other brave nations living under the complete tyranny of the Communist ideology that are being remembered.

In accordance with a Joint Congressional Resolution, Public Law 86–90, the President of the United States designates the third week in July as "Captive Nations Week"—"Until such time as freedom and independence shall have been achieved for all the Captive Nations of the World."

The President's Proclamation further states that "it remains a fundamental purpose and intention of the Government and peoples of the United States of America to recognize and encourage constructive actions which foster the growth and development of national independence and human freedom."

In view of the present war in Viet Nam, Mr. Miklas stated that it is very apropos to remember those famous words, "eternal vigilance is the price of liberty." Unfortunately, these Captive Nations, by internal subversion and external Communist military might, have fallen and lost their identity as free nations. God forbid that this would happen to the United States. All Kiwanians pay tribute to the brave patriots who so valiantly fought, and are still fighting, to liberate their nations from the Communist terror.

Mr. Miklas observed that, in the mad rush of this changing, turbulent world we are so apt to forget to thank God for our Country and our Constitution and its guarantees of freedom of religion, freedom of the press, right of public assembly and right to pursuit of happiness.

It is the hope of all Americans that these refugees from the devastated countries will someday be able to return to their native lands with their own families, their own customs and their own traditions and ways of life; that truly these Captive Nations may once again know the freedom they once enjoyed.

The activities of "Captive Nations Week" will be inaugurated at the City Hall at 10 a.m. on Friday when Mayor Nick Nuccio will issue a Proclamation declaring the week of July 17–23 as "Captive Nations Week" for the City of Tampa. At that time in the park next to City Hall, Hungarian folk dances will be performed by the International Dance Group of the Recreation Department in colorful native costumes under the direction of Mrs. Ida Lago.

[From the Tampa (Fla.) Tribune, July 14, 1966]

Folk Dancers To Kick Off Captive Week

Hungarian folk dancers will kick off Captive Nations Week activities at City Hall tomorrow.

The group will perform in the park next to City Hall at 10 a.m. as Mayor Nick Nuccio's endorsement is added to the Congressional resolution designating July 17–23 as Captive Nations Week.

The Kiwanis Clubs of Division 8 will sponsor a week of observance in memory of nations under the Communist ideology, according to Michael Miklas, chairman of the international relations commitee of the Midtown Tampa Kiwanis Club.

"Unfortunately," says Miklas, "these captive nations, by internal subversion and external Communist military might, have fallen and lost their identity as free nations.

"God forbid that this would happen to the United States. All Kiwanians pay tribute to the brave patriots who so valiantly fought, and are still fighting, to liberate their nations from the Communist terror."

Proclamation, City of Tampa

Whereas, the joint resolution approved July 17, 1959 (73 Stat. 212), authorizes the President of the United States of America to issue a proclamation each year designating the third week in July as "Captive Nations Week" until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas, all peoples yearn for freedom and justice; and

Whereas, these basic rights unfortunately are circumscribed or unrealized in many areas in the world; and

Whereas, the United States of America has an abiding commitment to the principles of independence, personal liberty, and human dignity; and

Whereas, it remains a fundamental purpose and intention of the Government and people of the United States of America to recognize and encourage constructive actions which foster the growth and development of national independence and human freedom,

Now, therefore, I Nick Nuccio, by virtue of the authority vested in me as Mayor of the City of Tampa, do hereby designate the week beginning July 17, 1966, as "Captive Nations Week".

Further, I invite the people of this City to observe this week with appropriate ceremonies and activities, and urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the City of Tampa to be affixed, at Tampa, Florida, this ——— day of July, 1966.

Nick Nuccio,
Mayor.

TV Coverage, Friday, July 15, 1966

"Captive Nations" week proclamation being signed by Tampa Mayor Nick C. Nuccio and a performance of Hungarian folk dances by an international dance group was covered by the following stations: WFLA-TV, WLCY-TV, WTVT-TV.

All three stations showed the film on their 6:00 p.m. news programs.

[From the Tampa (Fla.) Tribune, July 16, 1966]

Hungarian Folk Dances Enliven Captive Day in Mayor's Office

The vividly costumed Palma Ceia Pee Wees of the City Recreation Department performed Hungarian folk dances yesterday in the mayor's office to kick off Mayor Nuccio's endorsement of national "Captive Nations Week" sponsored by the Kiwanis Clubs of Division 8. The week's observance, from July 17 through the 23, is in memory of those nations which have lost their freedom. Several representatives of these nations were on hand to witness the signing of the proclamation by the mayor and enjoy the entertainment. Here dancers Peggy Russell, Keith Robins, June Clark, Clifford Randolph, Karen Leslie and Buddy Farrar perform folk dances as the mayor and Michael Miklas, chairman of the Kiwanis Club Committee, watch.

[From the Tampa (Fla.) Tribune, July 17, 1966]

Couple Left Everything To Escape Communist Yoke

(By Eleanor Porter)

Joseph Balazsi and wife, Elizabeth, were in the mayor's office Friday watching dancers from the city's recreation department performing Hungarian folk dances to mark National Captive Nations Week in Tampa which begins Monday.

For the Balazsis, who came to Seffner in 1950 from a refugee camp in Austria, the week's observance in memory of nations under the Communist ideology is a personal thing.

Joseph and Elizabeth lived in a town in Somogy Province, Hungary, where they enjoyed a comfortable life. He was a business man and a lay teacher in the Catholic Youth Organization which strongly opposed Communism.

"It was two days before Easter in 1945 when I answered a knock at our door shortly before midnight. Joseph began their story.

"My Parish priest advised me that the Russians would overrun our village before sunrise and that we should try to flee into Austria.

"Knowing that the Communist would either kill me or send me to a labor camp in Siberia because of my anti-Communist teaching, my wife and I quickly decided to leave our store, home and all possessions and run for our lives to the Austrian border.

"As we traveled we watched the artillery fire overhead; we were caught between the Russian and the German lines.

"Planes flew overhead and sprayed bullets along the road. We hid in ditches trying to dodge the bullets.

"We were scared; we were leaving our family, friends and home for a future we were not able to imagine.

"Finally we reached the British and American zone near the Tyrolean mountains. We were placed in a refugee camp at Karnten, Austria, along with many strangers from various countries who, like us, were fleeing from the Communists.

"Even some Russians were among the refugees.

"It was a strange existence for us. We lived in barracks with as many as 40 other men, women and children. There was no privacy and not much protection from the cold.

"This refugee camp became our home for the next five and one-half years. The last ray of hope of returning to Hungary was gone. We often wondered if we had made the right decision.

"Then one day we received a letter from a brother back in Hungary and he said 'You should thank God you had the good sense to leave when you did.'

"All this time the churches were working trying to place the refugees.

"The National Catholic Welfare Conference took our application and we were told that they had found a sponsor for us in America.

"In September of 1950 we came to America through the port of New Orleans and then to Tampa by train.

"It was then that we first met our sponsor, Wayne Thomas (Tampa businessman), who has been a storybook Godfather to us.

"Since our arrival 16 years ago I have been a handyman, gardener and now have an egg farm.

"We have a wonderful life. We cannot express our appreciation or gratitude to Mr. Thomas. We never dreamed we would be so fortunate to live in America under such wonderful conditions."

Citizenship came for the Balazsis in 1955.

[From the Tampa (Fla.) Tribune, July 18, 1966]

THIS IS CAPTIVE NATIONS WEEK—IN MEMORIAM: CUBA

Your next door neighbor, a former land of gaiety and laughter has become a Communist satellite. Concentration camps are filled—people disappear—and the cry of anguish is heard long in the night. We are a Captive Nation.

Published in the interest of freedom by Midtown Tampa Kiwanis Club.

KIWANIS CLUB OF MIDTOWN TAMPA,
Tampa, Fla.

(The youngest club in division eight, Florida district, Monday, July 25, 1966, Sheraton Tampa Fountain Court.)

"My peace I give to you"—John 14:27.

Program this week: The International Relations Committee will present this week's program in observance of Captive Nations Week. Chairman Mike Miklas will bring us Col. John Lindenmeyer, Professor of Political Science at the University of Tampa, and an expert on Foreign Relations.

KIWANIS CLUB OF MIDTOWN TAMPA,
Tampa, Fla.

(The youngest club in Division Eight, Florida District, Monday, July 18, 1966, Sheraton Tampa Fountain Court.)

"Now he that planteth and he that watereth are one; and every man shall receive his own reward according to his own labour."—I Corinthians 3: 8.

Program last week: Due to the observance of Captive Nations Week, our International Relations Committee took over our program, and our speaker was Col. John Lindenmeyer, USAF (Ret.). Professor of Political Science, University of Tampa. He traced the concepts of what constitutes a "Nation-State," and explained how various nations have lost their independence, starting with the group taken over by the Communists in 1920. No less than 28 countries have been taken over since World War II. There are 200 million people in these countries in Eastern Europe alone, and in all, over 900 million people, or one third of the world's population. Our speaker gave various definitions of the political aspects involved, as a common basis is needed to orient one's thinking about this problem. He cited several recent issues of the CONGRESSIONAL RECORD, in which some Members of Congress described the situation. Unfortunately, no one seems to come up with any concrete solution, but rather confine themselves to philosophical lamentations. With the passage of time, from one decade to the next, the position of the "free world" appears to become weaker rather than stronger, in connection with these masses of enslaved people. He recommended three current books—The Kremlin-Target U.S.A., The Naked Communist, and The Communist Revolution in Asia.

TV COVERAGE, MONDAY, JULY 18, 1966

WFLA-TV: News coverage of Col. John Lindenmeyer, speaker on "The Captive Nations" at the noon meeting, Midtown Tampa Kiwanis Club. This was shown on the 6:00 P.M. and 11:00 P.M. news programs.

WTVT-TV: Tampa Bay Topics, 1:25-1:30 P.M.

Civic affairs program, discussion of "Captive Nations" by Michael J. Miklas with guest, Cuban freedom fighter, Dr. Alfred Figueroa.

[From the Tampa (Fla.) Tribune, July 19, 1966]

THIS IS CAPTIVE NATIONS WEEK—IN MEMORIAM: POLAND

The Communists annihilated our army—25,000 officers alone in the Katyn Forest. They ravished our women. They spoiled our land. Communism has made Poland a Captive Nation.

Published in the interest of freedom by Midtown Tampa Kiwanis Club.

[From the Tampa (Fla.) Tribune, July 19, 1966]

FORMER HAVANA UNIVERSITY PROFESSOR: REFUGEE SAYS "COMMUNISM DOESN'T BELONG IN CUBA"

(By Vernon Barchard)

Dr. Isaac Gonzalez Barredo and his family live here but Cuba is still their home.

His homeland is among the Communist-held nations saluted during Tampa's current observance of Captive Nations Week.

The middle-aged professor of business administration and economics at the University of Havana left his homeland aboard the last commercial flight to leave Cuba in 1960.

"I had two American dollars in my pocket when we landed in Tampa," says Barredo. "My mother gave them to me. I was making $3,000 a month in Cuba but I would have painted houses here to keep my children from being raised as Communists."

Barredo's three sons, ages 18, 8 and 7 years, have grown up in the United States but he still hopes that he or his sons will some day return to their Cuba.

He worked for three years with an accounting firm here and for the last three years has been comptroller and cost accountant for Discountland Inc.

A soft-spoken man with graying hair, Barredo says he still has hope that Communism will be thrown out of Cuba and asks that Cubans be given a free hand to fight Castro.

"Today the authorities of this great nation have tied our hands, preventing us from throwing out those who would enslave our homeland," says Barredo.

"Give us 'free hands' in order to carry out our supreme and sacred duty to free Cuba by ourselves."

He believes only a small militant corps are true Communists in Cuba and that these people dominate the remaining population.

"With all their indoctrination, it is still the young ones who are leaving Cuba. Those who were 10 or 11 years old during the revolution and have received their indoctrination, they're still leaving Cuba. It isn't working," says Barredo proudly.

"Communism doesn't belong in Cuba. You can't be a Communist and Cuban at the same time. If Castro were ever to really open the doors, he'd be all alone with about 7,000 of his followers.

"The Cuban people have never liked Communism but when Batista and his dictatorship fell, the entire system of authority fell apart and Castro was all that was left.

"We have a joke about his revolution. He lied to the people. He said, 'Our revolution is so new it's as green as a palm tree.' We say it was green like a watermelon. Beautiful, pure, fresh green on the outside and red on the inside."

[From the Tampa (Fla.) Tribune, July 20, 1966]

THIS IS CAPTIVE NATIONS WEEK—IN MEMORIAM: CZECHOSLOVAKIA

The murder of Jan Masaryk cries out against the captivity of Czechoslovakia. This foul deed was the final step in the Communist infiltration and takeover that made democratic Czechoslovakia a Captive Nation.

Published in the interest of freedom by Midtown Tampa Kiwanis Club.

[From the Tampa (Fla.) Times, July 20, 1966]

THIS IS CAPTIVE NATIONS WEEK—IN MEMORIAM: CZECHOSLOVAKIA

The murder of Jan Masaryk cries out against the captivity of Czechoslovakia. This foul deed was the final step in the Communist infiltration and takeover that made democratic Czechoslovakia a Captive Nation.

Published in the interest of freedom by Midtown Tampa Kiwanis Club.

TV COVERAGE, WEDNESDAY, JULY 20, 1966

WTVT-TV: Tampa Bay topics, 1:25-1:30 P.M.

Civic affairs program, discussion of "Captive Nations" by Michael J. Miklas with guest, Hungarian freedom fighter, Joseph Mraz.

[From the Tampa (Fla.) Tribune, July 21, 1966]

THIS IS CAPTIVE NATIONS WEEK—IN MEMORIAM: HUNGARY

Our beloved Cardinal Mindszenty took refuge in the United States Embassy. He has been there for 18 years. Who seeks his release? This Saint of God is truly a modern martyr. He stood firm against Communist ideology. Truly Hungary is a Captive Nation.

Published in the interest of freedom by Midtown Tampa Kiwanis Club.

[From the Tampa (Fla.) Tribune, July 21, 1966]

PACKAGES FROM UNITED STATES KEEP LITHUANIAN OUT OF SIBERIA

(By Vernon Barchard)

Dr. Domas Jasaitis and his wife Sofija send packages to Lithuania supporting a relative who lost the right to work as an "enemy of the people" in their homeland, Lithuania.

Lithuania is one of the Communist-held nations saluted this week in observance of Captive Nations Week.

The doctor's sister-in-law spent 11 years in a labor camp after a conviction as an enemy of the people. When released she was refused the right to work since she had lost her civil rights.

Without the parcels, which cost the couple over $1,000 year, she would have been sent to a Siberian camp.

Lithuania is still very much a part of the 68-year-old State Tuberculosis Hospital physician's life. Books, paintings and a flag from Lithuania in their home keep memories alive for the couple.

The doctor himself is no stranger to prisons. In 1940 he was arrested along with over 4,000 leading citizens and imprisoned by the Bolsheviks.

"I was anti-Communist," says the doctor. "That's all the reason they needed."

In 1944 the Germans imprisoned him again but soon decided he could serve them better in Germany.

After the war he served as president of the Lithuanian Red Cross administering aid to fellow refugees.

A grandfather six times now, he tells of meeting his wife while studying medicine during the 20s in Berlin.

"She met me, captivated me and now we 40 years married."

She shared his hard times with him and tells of coming home from work in a factory to find him crying after they came to America in 1950.

"I was an old man already and had spoken seven languages but I could not learn English," explains the doctor. "My wife was making straw hats and eyeglasses frames for a living and I couldn't work at my profession until I master the language. After a few months I feel my brain begin to click."

The suffering of his captive fellow citizens in Lithuania still drives Dr. Jasaitis. He pointed out a passage from a prayer book written by four young Catholic girls while in a Siberian prison as symbolic of his country's suffering.

"Mary, save the land woven with blood and tears, with self-sacrifice, resolutions and love.

"Mary, awaken in our breasts the strength of giants. Preserve the pure spirit of our nation, cherished by our forefathers through the ages.

"Mary, enlighten those who have wandered astray, intercede for the souls of the freedom-fighters.

"Raise up our holy Lithuania that it may radiate and shine like a splendid star to glorify you and your Son's boundless mercy and love. Amen."

[From the Tampa (Fla.) Times, July 22, 1966]

This Is Captive Nations Week—In Memoriam: East Germany

The Communists as usual broke the Treaty. East Germany also became a Captive Nation. They built The Wall. Many of our people jumping the wall to freedom were killed. They would rather be Dead than Red.

Published in the interest of freedom by Midtown Tampa Kiwanis Club.

TV Coverage, Friday, July 22, 1966

WTVT–TV: Tampa Bay topics, 1:25–1:30 P.M.

Civic affairs program, discussion of "Captive Nations" by Michael J. Miklas with guest, Lithuanian freedom fighter, Dr. Domas Jasaitis.

[From the Tampa (Fla.) Tribune, July 23, 1966]

This Is Captive Nations Week—In Memoriam: China

We were told that they were agrarian reformers but they stole the land from our farmers. They slaughtered the patriots. Millions are dead from starvation. China truly is a Captive Nation because it is a Communist Nation.

Published in the interest of freedom by Midtown Tampa Kiwanis Club.

TV Coverage

Sunday, July 24, 1966

WFLA–TV: 12:30–1:00 p.m., "History in the Making."

International affairs news analysis program with panel discussion of "Captive Nations Week" by panelists, Prof. Carlos Weyman, Col. John Lindenmeyer and Michael J. Miklas.

TV Coverage

WFLA–TV, WLCY–TV, WSUN–TV, WTVT–TV: Each day during the week, the stations used a slide of the captive nation being remembered on that day with accompanying 10- and 20-second spot announcements.

Sunday: Rumania.
Monday: Cuba.
Tuesday: Poland.
Wednesday: Czechoslovakia.
Thursday: Hungary.
Friday: East Germany.
Saturday: China.

Radio Coverage

WFLA, WINQ, WDAE, WSOL, WALT, WHBO, WSUN, WLCY: Each day during the week the stations presented 30-second spot announcements about the nation being remembered that day.

Sunday: Rumania.
Monday: Cuba.
Tuesday: Poland.
Wednesday: Czechoslovakia.
Thursday: Hungary.
Friday: East Germany.
Saturday: China.

CAPTIVE NATIONS WEEK—REPRINTING OF SPEECHES

Mr. SIMPSON. Mr. President, under the direction of the National Captive Nations Committee at 1028 Connecticut Avenue NW., Washington, D.C. 20036, the 1966 Captive Nations Week observance was a phenomenal success. With the aid of member bodies, such as the Ukrainian Congress Committee of America and interested groups, the chairman of NCNC, Dr. Lev E. Dobriansky, who is also professor of economics at Georgetown University, has undertaken the compiling and editing of selected observance items to provide a broad spectrum of the week's activities.

It is intended that all of the addresses on the 1966 Captive Nations Week observance which were delivered and published in the Congressional Record prior to, during, and since the week be reprinted. If any Member objects to the reprinting of his remarks, it is requested that he contact Mr. Raymond F. Noyes, Congressional Record clerk, room H–112 in the Capitol, within the next week. This announcement is being made in order to comply with the rules of reprinting remarks from the Record.

ADJOURNMENT

Mr. YARBOROUGH. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 46 minutes p.m.) the Senate adjourned until 12 o'clock meridian tomorrow, Thursday, October 6, 1966.

NOMINATIONS

Executive nominations received by the Senate October 5, 1966:

The following-named persons to be postmasters:

Stanley B. Gregory, Wilton, Conn., in place of R. J. Brereton, retired.

Warren M. Bloomberg, Baltimore, Md., in place of W. F. Laukaitis, retired.

Frank W. Foslien, Garfield, Minn., in place of G. E. Roche, deceased.

George H. Patterson, Braymer, Mo., in place of L. B. Kincaid, retired.

George F. Carpenter, Charlotte, N.C., in place of E. H. Thomas, resigned.

Robert F. Ebenal, Woodburn, Oreg., in place of P. A. Mills, retired.

Charles F. Sutton, Newtown, Pa., in place of R. S. Burns, deceased.

James R. Bennett, Blackstock, S.C., in place of K. M. Kennedy, retired.

Essie M. Eller, Hickory Grove, S.C., in place of B. H. Maybin, retired.

Juanita A. Tuttle, Craigsville, Va., in place of M. T. Daniel, retired.

Lawrence T. Murphy, Elma, Wash., in place of J. F. Ladley, retired.

Donald C. Arnaud, Zenith, Wash., in place of L. B. Kelly, resigned.

Loreida F. Hedger, Charmco, W. Va., in place of J. E. Forbes, retired.

HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

My help cometh from the Lord, who made heaven and earth.—Psalm 121: 2.

Almighty God, who hast given us this good land for our heritage, we humbly pray that we may always be a people mindful of Thy favor, eager to do Thy will, and glad to be of service to our fellow man.

Save us from discord and discrimination, from pride and prejudice, from vindictiveness and violence, and lead us into the glorious liberty of those who put their trust in Thee, and who walk in the way of Thy commandments.

Give us wisdom to know Thy will, and the strength to do it. Fill us all with the love of truth and righteousness and good will, that we may be a blessing to our Nation and in turn our Nation be a blessing to our world. In the dear Redeemer's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5912. An act for the relief of the estates of certain former members of the U.S. Navy Band; and

H.R. 9916. An act to amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1511. An act to provide for continued progress in the Nation's war on poverty; and

H.R. 16646. An act to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes.

The message also announced that the Senate agrees to the amendments of the

House to bills of the Senate of the following title:

S. 3433. An act to make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8126) entitled "An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement."

The message also announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 3834. An act to amend chapter 141 of title 10, United States Code, to provide for price adjustments in contracts for the procurement of milk by the Department of Defense; and

S.J. Res. 197. Joint resolution to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes.

SACRIFICE FOR THE WAR IN VIETNAM

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, although we have not declared war in Vietnam, few would argue the point that the United States is at war. And wartime is the time for discipline. One of the greatest problems facing our country today is inflation, and this problem will increase as we try to fight a war in Asia and at the same time attempt to take care of everyone from the cradle to the grave through a multitude of giveaway programs. During the World Wars, we expended great sums of money in order to win. Everyone realized that it was necessary to sacrifice to protect our national security. Some inflation occurred, but it was held to a minimum by shelving the giveaway programs.

I have consistently backed the war effort in Vietnam as a necessary part of the American tradition of liberty and independence. On the other hand, I have also consistently voted against dogooder legislation that we presently cannot afford. Rich and poor alike must stand together and be happy with what we have for the moment. Otherwise the inflationary trend of the war is going to continue, and the price of groceries is going to continue to soar. I feel that I am doing all that I can in opposing giveaway legislation, Mr. Speaker, and I implore the other Members of Congress to do likewise. We must think of the workingman. It is in his interest that we halt this inflationary trend that is decreasing his buying power.

CREDIT TERMS FOR NATIONS TRADING WITH CUBA OR NORTH VIETNAM

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, under the food-for-peace legislation which will be before the House today, U.S. taxpayers offer extremely liberal credit terms—only three-fourths of 1 percent interest for 2 years, and only 2½ percent for the balance of 20 years, in addition to soft-currency sales which are tantamount to donations.

The purpose of the Republican amendment is to deny these fancy cut-rate terms to any nation that trades with either Cuba or North Vietnam.

India is trading with Cuba, and is getting food-for-peace aid.

Yugoslavia is trading with North Vietnam, and is getting subsidized credit under food-for-peace.

Poland is trading with North Vietnam, and, early this year, helped to organize at the Communist conference in Cuba worldwide aid for North Vietnam. Promoters are trying to work out a food-for-peace deal for Poland.

Egypt is trading with North Vietnam, has received millions in food aid, and is currently pressing hard for more.

No U.S. citizen can today borrow money at three-fourths of 1 percent, or even at 2½ percent—and no U.S. citizen should be required to help finance terms like that for any country that trades with Cuba or North Vietnam.

INTER-PARLIAMENTARY UNION ELECTION OF REPRESENTATIVE DADDARIO

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, it is a pleasure and privilege for me to announce to the House the election of our colleague, Representative EMILIO Q. DADDARIO as a member of the Executive Committee of the Inter-Parliamentary Union. His election took place on Tuesday at the meeting in Tehran and was not only a tribute to Mr. DADDARIO personally, but also constituted a very satisfactory achievement for the United States, since he received the highest number of votes in a contested election and support came to him from countries on both sides of the Iron Curtain.

It is a great satisfaction for me to see this well-deserved honor come to my friend and I know that the House will be gratified to know that the United States will have such an able spokesman in this great international body.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 333]

Albert
Anderson, Ill.
Andrews, Glenn
Ashley
Aspinall
Bray
Brock
Brown, Calif.
Callaway
Celler
Conte
Conyers
Corman
Craley
Cramer
Cunningham
Dulski
Duncan, Oreg.
Dyal
Edwards, Ala.
Evans, Colo.
Farnsley
Fisher
Flynt
Foley
Gettys
Grider
Gross
Harvey, Ind.
Hébert
Hull
Jones, N.C.
Leggett
Long, La.
McMillan
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Morris
Morrison
Morton
Murray
O'Konski
Olsen, Mont.
O'Neill, Mass.
Powell
Purcell
Reinecke
Rivers, Alaska
Rogers, Tex.
Roncalio
Schisler
Scott
Sickles
Sisk
Stanton
Steed
Stephens
Stratton
Sweeney
Thomas
Thompson, Tex.
Todd
Toll
Tuck
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
White, Idaho
Whitten
Widnall
Willis
Wilson, Charles H.

The **SPEAKER.** On this rollcall 356 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NEW THREAT IN MIDDLE EAST

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, a little-publicized and almost unnoticed attempt by the Chinese Communists to promote an attack on Israel should be closely watched by the U.S. Government. If this attempt should come near to succeeding, it could result in a spread of the current Vietnam conflict that could embroil nations other than Israel.

The so-called Palestine Liberation Army, under command of Achmed Sheekairy is being financed by a grant from Peking. Recently there have been increased shipments of military supplies to Sheekairy's forces based in Syria and Egypt. At the same time members of that army are receiving military training in Hanoi, with an emphasis on guerrilla warfare.

It seems clear that the Communist Chinese have a strong interest in fomenting trouble between Arabs and the Israelis. An outbreak of hostilities would not only present the grave danger of a major conflict in the Middle East, but would serve to tie down our naval forces in the Mediterranean and our reserves in the Near East.

We cannot permit any extension of a Vietnam-type conflict into that area. The pattern of stirring up strife is a familiar one where the Chinese are concerned, and the danger in this case is clear and present. The United States would do well to make it clear in advance that we will not stand idle if the peace of Israel is menaced, but will take effective countermeasures as the need arises.

AMENDING PROVISIONS OF LAW CONCERNING RELATIONSHIP OF COAST AND GEODETIC SURVEY TO THE ARMY AND NAVY TO APPLY WITH SIMILAR EFFECT TO THE AIR FORCE

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 722) to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so they will apply with similar effect to the Air Force, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert: "That section 16 of the Act of May 22, 1917, chapter 20, as amended (33 U.S.C. 855, 858), is amended as follows:

"(1) The first paragraph (33 U.S.C. 855) is amended to read as follows:

"'The President is authorized, whenever in his judgment a sufficient national emergency exists, to transfer to the service and jurisdiction of a military department such vessels, equipment, stations, and commissioned officers of the Environmental Science Services Administration as he may deem to the best interest of the country, and after such transfer all expenses connected therewith shall be defrayed out of the appropriations for the department to which transfer is made: *Provided*, That such vessels, equipment, stations, and commissioned officers shall be returned to the Environmental Science Services Administration when such national emergency ceases, in the opinion of the President, and nothing in this section shall be construed as transferring the Environmental Science Services Administration or any of its functions from the Department of Commerce except in time of national emergency and to the extent herein provided: *Provided, further*, That any of the commissioned officers of the Environmental Science Services Administration who may be transferred as provided in this section, shall, while under the jurisdiction of a military department, have proper military status and shall be subject to the laws, regulations, and orders for the government of the Army, Navy, or Air Force, as the case may be, insofar as the same may be applicable to persons whose retention permanently in the military service of the United States is not contemplated by law.'

"(2) The last paragraph (33 U.S.C. 858) is amended to read as follows:

"'The Secretary of Defense and the Secretary of Commerce shall jointly prescribe regulations governing the duties to be performed by the Environmental Science Services Administration in time of war, and for the cooperation of that service with the military departments in time of peace in preparation for its duties in war, which regulations shall not be effective unless approved by each of those Secretaries, and included therein may be rules and regulations for making reports and communications between a military department and the Environmental Science Services Administration.'

"Sec. 2. Section 10 of the Act of January 19, 1942, chapter 6, as amended (33 U.S.C. 868a), is amended to read as follows:

"'Commissioned officers, ships' officers, and members of the crews of vessels of the Environmental Science Services Administration shall be permitted to purchase commissary and quartermaster supplies as far as available from the Army, Navy, Air Force, or Marine Corps at the prices charged officers and enlisted men of those services.'

"Sec. 3. Section 1 of the Act of December 3, 1942, chapter 670, as amended (33 U.S.C. 854a–1), is amended to read as follows:

"'Personnel of the Environmental Science Services Administration shall be subject in like manner and to the same extent as personnel of the Navy to all laws authorizing temporary appointment or advancement of commissioned officers in time of war or national emergency subject to the following limitations:

"'(1) Commissioned officers in the service of a military department, under the provisions of section 16 of the Act of May 22, 1917 (40 Stat. 87), as amended, may, upon the recommendation of the Secretary of the military department concerned, be temporarily promoted to higher ranks or grades.

"'(2) Commissisoned officers in the service of the Environmental Science Services Administration may be temporarily promoted to fill vacancies in ranks and grades caused by the transfer of commissioned officers to the service and jurisdiction of a military department under the provisions of section 16 of the Act of May 22, 1917 (40 Stat. 87), as amended.

"'(3) Temporary appointments may be made in all grades to which original appointments in the Environmental Science Services Administration are authorized: *Provided*, That the number of officers holding temporary appointments shall not exceed the number of officers transferred to a military department under the provisions of section 16 of the Act of May 22, 1917 (40 Stat. 87), as amended.'"

Amend the title so as to read: "An Act to amend certain provisions of existing law concerning the relationship of the Environmental Science Services Administration to the Army and Navy so they will apply with similar effect to the Air Force."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

NATIONAL MUSEUM ACT OF 1965

Mr. JONES of Missouri. Mr. Speaker, I call up the conference report on the bill (S. 1310) relating to the National Museum of the Smithsonian Institution, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 2176)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1310) relating to the National Museum of the Smithsonian Institution, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act may be cited as the 'National Museum Act of 1965'.

"Sec. 2. (a) The Director of the National Museum under the direction of the Secretary of the Smithsonian Institution shall—

"(1) cooperate with museums and their professional organizations in a continuing study of museum problems and opportunities, both in the United States and abroad;

"(2) prepare and carry out programs for training career employees in museum practices in cooperation with museums and their professional organizations, wheresoever these may best be conducted;

"(3) prepare and distribute significant museum publications;

"(4) perform research on, and otherwise contribute to, the development of museum techniques;

"(5) cooperate with departments and agencies of the Government of the United States operating, assisting, or otherwise concerned with museums; and

"(6) report annually to the Congress on progress in these activities.

"(b) There is authorized to be appropriated to carry out this Act, not to exceed $200,000 for the fiscal year ending June 30, 1968, $250,000 for the fiscal year ending June 30, 1969, $250,000 for the fiscal year ending June 30, 1970, and $300,000 for the fiscal year ending June 30, 1971, and in each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.

"Sec. 3. The first paragraph under the heading 'National Museum' contained in the Act of July 7, 1884 (23 Stat. 214; 20 U.S.C. 65), is amended by deleting the following sentence: 'And the Director of the National Museum is hereby directed to report annually to the Congress the progress of the museum during the year and its present condition.'"

And the House agree to the same.

Paul C. Jones,
Frank Thompson, Jr.,
Robert J. Corbett,
Managers on the Part of the House.

Claiborne Pell,
Robert C. Byrd,
John Sherman Cooper,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1310) relating to the National Museum of the Smithsonian Institution, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment strikes out all of the Senate bill after the enacting clause and inserts a substitute. The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for both the Senate bill and the House amendment. The difference between the House amendment and the substitute agreed to in conference is noted in the following outline, except for minor technical and clerical changes.

AUTHORIZATION OF APPROPRIATIONS

Subsection (b) of section 2 of the Senate bill authorizes not to exceed $200,000 per fiscal year to carry out this act.

The House amendment struck out subsection (b) of section 2 of the Senate bill, thus providing unlimited authority for appropriations to carry out this act.

The proposed conference substitute authorizes not to exceed the following sums to carry out this act: $200,000 for fiscal year 1968, $250,000 for fiscal year 1969, $250,000 for fiscal year 1970, and $300,000 for fiscal year 1971. These limitations would apply to the new activities to be undertaken by the Smithsonian Institution pursuant to the provisions of this act. The conferees did not authorize appropriations for fiscal years after 1971 since no projections of expenditures were available beyond that date, and the conferees believe that Congress should periodically reexamine this program. Thus, further authorizations will be necessary for fiscal years after fiscal year 1971 in order to carry out this act after that date.

PAUL C. JONES,
FRANK THOMPSON, Jr.,
ROBERT J. CORBETT,
Managers on the Part of the House.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to my colleague from Missouri.

Mr. HALL. Mr. Speaker, I appreciate my colleague from Missouri yielding to me. I simply have one question. As I understand the statement of the managers on the part of the House, we acceded to the original provision of paragraph (b) of section 2 of the Senate bill, S. 1310. The effect of this is to encumber a future Congress in increasing amounts as to the purpose of this continuing Smithsonian Institution authority. Is that correct?

Mr. JONES of Missouri. Well, that is perfectly correct. In other words we acceded to them to accept a limitation. Rather than $200,000, it goes up to a maximum of $300,000 and they would then have to come back to the Congress for reappraisal.

Mr. HALL. If the gentleman will yield further, Mr. Speaker, in this time of deficit spending, in this time of war, and in this time when the President is telling us to hold back on further expenses, to say nothing of encumbering future Congresses; will the gentleman from Missouri please tell the House in a few brief words why it was necessary to recede from the House position and accede to the Senate with respect to future expenditures in this area?

Mr. JONES of Missouri. I might say to the gentleman the reason why we did this was because we were just outvoted, to be perfectly frank with you. However, I think the limitation of $200,000 for the first year would not have any effect on the bill itself. Of course, all of these will be subject to review by the Committee on Appropriations each year and after it has been operated for 3 years they would have to come back to the Congress for reappraisal.

Mr. HALL. Mr. Speaker, what I am worried about is not $200,000 for fiscal year 1968 but the $250,000 for fiscal year 1969 and the $250,000 for fiscal year 1970 and the $300,000 for fiscal year 1971. This is backdoor spending. I presume that is based and predicated on the continuation of inflation and mounting Government expense as well as that of the need of the Smithsonian Institution to make long-range commitments. However, it does encumber a future Congress and, in fact, the next two Congresses, as far as these amounts are concerned. In the opinion of my colleague from Missouri, was this a worthwhile sacrifice in order to stipulate review by the committee at the end of these fiscal years?

Mr. JONES of Missouri. I might say that we had to reach some compromise on the wording of the bill or we would not have had any bill. The House version was an open-end commitment, while the Senate placed a limitation of $200,000 per year. Our committee felt that this was a worthwhile activity and we felt there was sufficient consideration by the Congress when it does come before the Committee on Appropriations. So I think it is safeguarded in that respect.

Mr. HALL. We constantly hear about an authorizing bill not being valid when it comes before the Committee on Appropriations, but I submit that when the appropriation bill is brought up the argument is invariably advanced that the operative committee members have to appropriate, or they have to provide ways and means by some method or manner for everything that has been previously authorized by the legislative committee of the House. I hope that in the future the managers on the part of the House will not seek to encumber a future Congress whose membership might be drastically changed.

I thank the gentleman for yielding and for giving me the opportunity of making this legislative record.

Mr. JONES of Missouri. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

SAVING FREEDOM AND DEMOCRACY IN VIETNAM BY DESTROYING THE WORLD

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, former President Eisenhower belies his reputation as a man of moderation and caution by his apparent advocacy of the nuclear threat in Vietnam. The former Commander in Chief seems to be saying that he would risk a global holocaust to achieve our limited aims in southeast Asia. If we follow the Eisenhower dictum, it seems to me, we would be saving freedom and democracy in Vietnam by destroying the world.

Mr. Speaker, in these days when we are imploring other nations to forgo nuclear arms, Mr. Eisenhower suggests that we rattle our own weapons to strike fear in the enemies' hearts. Our only hope for halting proliferation is to demonstrate just how responsible we can be in our nuclear policies. Mr. Eisenhower does this country a serious disservice by proposing that we use our nuclear power where it suits us—and the rest of world be damned.

I condemn that viewpoint. We deserve the world's confidence only if we show we are capable of the utmost restraint in exercising our nuclear strength. I am certain our President and those others in authority will make evident to the people of this Nation and the world that the mere thought of the use of nuclear arms is repulsive to this enlightened Nation.

AMEND FEDERAL SEED ACT

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15662) to amend the Federal Seed Act (53 Stat. 1275), as amended, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 19, strike out "of" where it appears the second time and insert "for".

Page 3, line 9, strike out "Stated:'" and insert "Stated':".

Page 3, line 12, strike out "label."" and insert "label;".".

Page 3, line 20, strike out "1571(B))" and insert "1571(b))".

Page 4, line 13, strike out "The" and insert "tne".

Page 8, line 17, strike out "noxious weed" and insert "noxious-weed".

Page 10, line 3, after "12." insert "(a)".

Page 10, line 19, strike out ""(b)" and insert "(b)".

Page 10, line 21, strike out ""'(e)" and insert ""(e)".

Page 11, line 8, strike out "stated.''" and insert "stated."".

Page 11, line 11, strike out "Any" and insert "any".

Page 11, line 23, strike out "Any" and insert "any".

Page 14, line 16, strike out "pure-live" and insert "live".

Page 14, line 20, after "time" insert "to time".

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AN ACT TO AMEND THE NATIONAL SCHOOL LUNCH ACT, AS AMENDED, TO STRENGTHEN AND EXPAND FOOD SERVICE PROGRAMS FOR CHILDREN

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill, S. 3467, "An act to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children," and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2063)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act may be cited as the 'Child Nutrition Act of 1966'.

"DECLARATION OF PURPOSE

"SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

"SPECIAL MILK PROGRAM AUTHORIZATION

"SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed $110,000,000; for the fiscal year ending June 30, 1968, not to exceed $115,000,000; and for each of the two succeeding fiscal years not to exceed $120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section 'United States' means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85–478, as amended, during the fiscal year ended June 30, 1966.

"SCHOOL BREAKFAST PROGRAM AUTHORIZATION

"SEC. 4 (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed $7,500,000; and for the fiscal year ending June 30, 1968, not to exceed $10,000,000, to enable the Secretary to formulate and carry out, on a nonpartisan basis, a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

"APPORTIONMENT TO STATES

"(b) Of the funds appropriated for the purposes of this section, the Secretary shall for each fiscal year, (1) apportion $2,600,000 equally among the States other than Guam, the Virgin Islands, and American Samoa, and $45,000 equally among Guam, the Virgin Islands, and American Samoa, and (2) apportion the remainder among the States in accordance with the apportionment formula contained in section 4 of the National School Lunch Act, as amended.

"STATE DISBURSEMENT TO SCHOOLS

"(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (d). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

"(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

"NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

"(e) Breakfast served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

"NONPROFIT PRIVATE SCHOOLS

"(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provisions thereof.

"NONFOOD ASSISTANCE PROGRAM AUTHORIZATION

"SEC. 5. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed $12,000,000, for the fiscal year ending June 30, 1968, not to exceed $15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed $18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with equipment, other than land or buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such equipment shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the National School Lunch Act, as amended, and in the event such equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.

"APPORTIONMENTS TO STATES

"(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of the National School Lunch Act, as amended, for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that at least one-fourth of the cost of any equipment financed under this subsection shall be borne by State or local funds.

"STATE DISBURSEMENT TO SCHOOLS

"(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, equipment, to conduct a school food service program, and to acquire such equipment. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the equipment to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

"NONPROFIT PRIVATE SCHOOLS

"(d) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

"PAYMENTS TO STATES

"SEC. 6. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 3 through 7 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

"STATE ADMINISTRATIVE EXPENSES

"SEC. 7. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under section 11 of the National School Lunch Act, as amended, and sections 4 and 5 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

"UTILIZATION OF FOODS

"SEC. 8. Each school participating under section 4 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act by 1966 (79 Stat. 1212), may be donated by the Secretary to schools in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

"NONPROFIT PROGRAMS

"SEC. 9. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

"REGULATIONS

"SEC. 10. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

"PROHIBITIONS

"SEC. 11. (a) In carrying out the provisions of sections 3 through 5 of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.

"(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

"PRESCHOOL PROGRAMS

"SEC. 12. The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

"CENTRALIZATION OF ADMINISTRATION

"SEC. 13. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.

"SEC. 14. There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this Act.

"MISCELLANEOUS PROVISIONS AND DEFINITIONS

"SEC. 15. For the purposes of this Act—

"(a) 'State' means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

"(b) 'State educational agency' means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

"(c) 'Nonprofit private school' means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

"(d) 'School' means any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

"(e) 'Secretary' means the Secretary of Agriculture.

"ACCOUNTS AND RECORDS

"SEC. 16. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary."

And the House agree to the same.

Harold D. Cooley,
W. R. Poage,
E. C. Gathings,
Harlan Hagen,
Graham Purcell,
Page Belcher,
Albert H. Quie,
Catherine May,
Managers on the Part of the House.

Allen J. Ellender,
Spessard L. Holland,
Herman E. Talmadge,
B. Everett Jordan,
George McGovern,
George D. Aiken,
Milton R. Young,
John Sherman Cooper,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The House amendment struck out all after the enacting clause of S. 3467 and substituted the language of H.R. 13361 to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture, as passed by the House.

The Senate conferees agreed to the entire House amendment with the exception of two provisions which were added to the House bill on the floor. The first provision added the Trust Territory of the Pacific Islands to the areas covered by the bill. The second provision would have authorized appropriations to extend to children attending overseas dependents schools administered by the Department of Defense the benefits of this Act and of the National School Lunch Act.

The conferees felt that the administration of both of these provisions would be extremely difficult and also, with respect to the extension of feeding programs to overseas dependents schools, that this involved matters of substantive legislation and policy affecting not only this Act but the National School Lunch Act and, therefore, should be the subject of separate legislative consideration.

Harold D. Cooley,
W. R. Poage,
E. C. Gathings,
Harlan Hagen,
Graham Purcell,
Page Belcher,
Albert H. Quie,
Catherine May,
Managers on the Part of House.

Mrs. MAY. Mr. Speaker, will the distinguished gentleman from North Carolina yield?

Mr. COOLEY. Mr. Speaker, I am delighted to yield to the distinguished gentlewoman from Washington [Mrs. May].

Mrs. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, it was my privilege to serve as a conferee with respect to the Child Nutrition Act of 1966, and I feel this is indeed a highly constructive piece of legislation.

This measure is unique in that it blends innovation with prudence, thereby providing the assurance that the ultimate benefactor of the legislation will be the children of America.

It is important to note that this legislation does not in any manner change the school lunch program. It will permit this program to work in the future just as it has in the past and at the level of appropriation set by the Congress.

The Child Nutrition Act, then, adds to the school lunch program. It provides for the continuation of the special milk program for an additional 3 years, the program through which milk at reduced prices is made available to children in schools, summer camps, and similar institutions.

In addition, the measure provides for two new programs. The first, the school breakfast program, would be carried out in substantially the same manner that the schools are now carrying out the lunch and milk programs. I would like to point out, however, that our committee had a great many reservations about going into this new area on anything but an experimental basis, because we wanted to see proof that the program could be wisely and practically applied. We committee members also wanted to be sure that this approach did not in any manner or means interfere with the established school lunch program. It was for that reason that the program was put on a strictly 2-year pilot program.

The second new program would provide schools in low-income areas with funds to acquire equipment for the purpose of establishing, maintaining, and expanding school food service programs. This part of the program will be carried out on a cost-sharing basis with the State and local areas, and it will bring the school food service into areas where children are most in need of it.

Mr. Speaker, this is a good program, and it gives me a great deal of pleasure to know that I have had some small part in seeing it come into being.

Mr. COOLEY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

CONCURRENT RESOLUTION TO CORRECT THE TITLE OF S. 3467

Mr. COOLEY. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 1028) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1028

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, the Secretary of the Senate be, and he is hereby, authorized and directed to correct the title so as to read: "An Act to strengthen and expand food service programs for children."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROMOTE INTERNATIONAL TRADE IN AGRICULTURAL COMMODITIES, TO COMBAT HUNGER AND MALNUTRITION, TO FURTHER ECONOMIC DEVELOPMENT, AND FOR OTHER PURPOSES

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill (H.R. 14929), an act to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. COOLEY. Mr. Speaker, I move the call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 334]

Addabbo
Albert
Ashley
Aspinall
Brock
Brown, Calif.
Callaway
Celler
Clark
Cleveland
Corman
Craley
Curtis
Duncan, Oreg.
Dyal
Edwards, Ala.
Evans, Colo.
Farnsley
Fisher
Flynt
Fulton, Tenn.
Grider
Gross
Grover
Halleck
Harvey, Ind.
Hébert
Hull
Irwin
Kupferman
Leggett
McCarthy
McMillan
McVicker
Macdonald
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Morris
Morrison
Morse
Morton
Murray
O'Konski
Olsen, Mont.
O'Neill, Mass.
Ottinger
Powell
Purcell
Rees
Reid, N.Y.
Reinecke
Resnick
Rivers, Alaska
Rogers, Tex.
Roncalio
Rosenthal
Schisler
Scott
Sickles
Sisk
Stanton
Stephens
Stratton
Sullivan
Sweeney
Teague, Tex.
Thompson, Tex
Toll
Tuck
Tunney
Tupper
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Weltner
White, Idaho
Widnall
Willis
Wilson, Bob
Wolff

The SPEAKER. On this rollcall 346 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2075)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14929) to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Food for Peace Act of 1966'.

"SEC. 2. The Agricultural Trade Development and Assistance Act of 1954, as amended, is amended—

"(A) By amending section 2 to read as follows:

"'SEC. 2. The Congress hereby declares it to be the policy of the United States to expand international trade; to develop and expand export markets for United States agricultural commodities; to use the abundant agricultural productivity of the United States to combat hunger and malnutrition and to encourage economic development in the developing countries, with particular emphasis on assistance to those countries that are determined to improve their own agricultural production; and to promote in other ways the foreign policy of the United States.'

"(B) By amending title I to read as follows:

"'TITLE I

"'SEC. 101. In order to carry out the policies and accomplish the objectives set forth in section 2 of this Act, the President is authorized to negotiate and carry out agreements with friendly countries to provide for the sale of agricultural commodities for dollars on credit terms or for foreign currencies.

"'SEC. 102. For the purpose of carrying out agreements concluded under this Act the Commodity Credit Corporation is authorized to finance the sale and exportation of agricultural commodities whether from private stocks or from stocks of the Commodity Credit Corporation.

"'SEC. 103. In exercising the authorities conferred upon him by this title, the President shall—

"'(a) take into account efforts of friendly countries to help themselves toward a greater degree of self-reliance, including efforts to meet their problems of food production and population growth;

"'(b) take steps to assure a progressive transition from sales for foreign currencies to sales for dollars (or to the extent that transition to sales for dollars under the terms applicable to such sales is not possible, transition to sales for foreign currencies on credit terms no less favorable to the United States than those for development loans made under section 201 of the Foreign Assistance Act of 1961, as amended, and on terms which permit conversion to dollars at the exchange rate applicable to the sales agreement) at a rate whereby the transition can be completed by December 31, 1971: *Provided*, That provision may be included in any agreement for payment in foreign currencies to the extent that the President determines that such currencies are needed for the purpose of subsections (a), (b), (c), (e), and (h) of section 104;

"'(c) take reasonable precautions to safeguard usual marketings of the United States and to assure that sales under this title will not unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries;

"'(d) make sales agreements only with those countries which he determines to be friendly to the United States: *Provided*, That the President shall periodically review the status of those countries which are eligible under this subsection and report the results of such review to the Congress. As used in this Act, 'friendly country' shall not include (1) any country or area dominated or controlled by a foreign government or organization controlling a world Communist movement, or (2) for the purpose only of sales of agricultural commodities for foreign currencies under title I of this Act, any country or area dominated by a Communist government, or (3) for the purpose only of sales of agricultural commodities under title I of this Act any nation which sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam (excluding United States installations in Cuba) any items which are, for the purposes of title I of the Mutual Defense Assistance Control Act of 1951, Eighty-second Congress, as amended, arms, ammunition and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, or items of primary strategic significance used in the production of arms, ammunition and implements of war, so long as they are governed by a Communist regime, or (4) for the purposes only of sales under title I of this Act the United Arab Republic, unless the President determines that such sale is in the national interest of the United States. No sales to the United Arab Republic shall be based upon the requirements of that nation for more than one fiscal year. The President shall keep the President of the Senate and the Speaker of the House of Representatives fully and currently informed with respect to sales made to the United Arab Republic under title I of this Act. Notwithstanding any other Act, the President may enter into agreements for the sale of agricultural commodities for dollars on credit terms under title I of this Act with countries which fall within the definition of 'friendly country' for the purpose of such sales and no sales under this Act shall be made with any country if the President finds such country is (a) an aggressor, in a military sense, against any country having diplomatic relations with the United States, or (b) using funds, of any sort, from the United

States for purposes inimical to the foreign policies of the United States;

"'(e) take appropriate steps to assure that private trade channels are used to the maximum extent practicable both with respect to sales from privately owned stocks and with respect to sales from stocks owned by the Commodity Credit Corporation and that small business has adequate and fair opportunity to participate in sales made under the authority of this Act;

"'(f) give special consideration to the development and expansion of foreign markets for United States agricultural commodities, with appropriate emphasis on more adequate storage, handling, and food distribution facilities as well as long-term development of new and expanding markets by encouraging economic growth;

"'(g) obtain commitments from purchasing countries that will prevent resale or transshipment to other countries, or use for other than domestic purposes, of agricultural commodities purchased under this title, without specific approval of the President;

"'(h) obtain rates of exchange applicable to the sale of commodities under such agreements which are not less favorable than the highest of exchange rates legally obtainable in the respective countries and which are not less favorable than the highest of exchange rates obtainable by any other nation;

"'(i) promote progress toward assurance of an adequate food supply by encouraging countries with which agreements are made to give higher emphasis to the production of food crops than to the production of such nonfood crops as are in world surplus;

"'(j) exercise the authority contained in title I of this Act to assist friendly countries to be independent of domination or control by any world Communist movement. Nothing in this Act shall be construed as authorizing sales agreements under title I with any government or organization controlling a world Communist movement or with any country with which the United States does not have diplomatic relations;

"'(k) whenever practicable require upon delivery that not less than 5 per centum of the purchase price of any agricultural commodities sold under title I of this Act be payable in dollars or in the types or kinds of currencies which can be converted into dollars;

"'(l) obtain commitments from friendly purchasing countries that will insure, insofar as practicable, that food commodities sold for foreign currencies under title I of this Act shall be marked or identified at point of distribution or sale as being provided on a concessional basis to the recipient government through the generosity of the people of the United States of America, and obtain commitments from purchasing countries to publicize widely to their people, by public media and other means, that the commodities are being provided on a concessional basis through the friendship of the American people as food for peace;

"'(m) require foreign currencies to be convertible to dollars to the extent consistent with the effectuation of the purposes of this Act, but in any event to the extent necessary to (1) permit that portion of such currencies made available for payment of United States obligations to be used to meet obligations or charges payable by the United States or any of its agencies to the government of the importing country or any of its agencies, and (2) in the case of excess currency countries, assure convertibility by sale to American tourists or otherwise, of such additional amount (up to twenty-five per centum of the foreign currencies received pursuant to each agreement entered into after the effective date of the Food for Peace Act of 1966) as may be necessary to cover all normal expenditures of American tourists in the importing country;

"'(n) take maximum precautions to assure that sales for dollars on credit terms under this Act shall not displace any sales of United States agricultural commodities which would otherwise be made for cash dollars.

"'SEC. 104. Notwithstanding any other provision of law, the President may use or enter into agreements with foreign countries or international organizations to use the foreign currencies, including principal and interest from loan repayments, which accrue in connection with sales for foreign currencies under this title for one or more of the following purposes:

"'(a) For payment of United States obligations (including obligations entered into pursuant to other legislation);

"'(b) For carrying out programs of United States Government agencies to—

"'(1) help develop new markets for United States agricultural commodities on a mutually benefiting basis. From sale proceeds and loan repayments under this title not less than the equivalent of 5 per centum of the total sales made each year under this title shall be set aside in the amounts and kinds of foreign currencies specified by the Secretary of Agriculture and made available in advance for use as provided by this paragraph over such period of years as the Secretary of Agriculture determines will most effectively carry out the purpose of this paragraph: *Provided*, That the Secretary of Agriculture may release such amounts of the foreign currencies so set aside as he determines cannot be effectively used for agricultural market development purposes under this section, except that no release shall be made until the expiration of thirty days following the date on which notice of such proposed release is transmitted by the President to the Senate Committee on Agriculture and Forestry and to the House Committee on Agriculture, if transmitted while Congress is in session, or sixty days following the date of transmittal if transmitted while Congress is not in session. Provision shall be made in sale and loan agreements for the convertibility of such amount of the proceeds thereof (not less than 2 per centum) as the Secretary of Agriculture determines to be needed to carry out the purpose of this paragraph in those countries which are or offer reasonable potential of becoming dollar markets for United States agricultural commodities. Such sums shall be converted into the types and kinds of foreign currencies as the Secretary deems necessary to carry out the provisions of this paragraph and such sums shall be deposited to a special Treasury account and shall not be made available or expended except for carrying out the provisions of this paragraph. Notwithstanding any other provision of law, if sufficient foreign currencies for carrying out the purpose of this paragraph in such countries are not otherwise available, the Secretary of Agriculture is authorized and directed to enter into agreements with such countries for the sale of agricultural commodities in such amounts as the Secretary of Agriculture determines to be adequate and for the use of the proceeds to carry out the purpose of this paragraph. In carrying out agricultural market development activities, nonprofit agricultural trade organizations shall be utilized to the maximum extent practicable. The purpose of this paragraph shall include such representation of agricultural industries as may be required during the course of discussions on trade programs relating either to individual commodities or groups of commodities;

"'(2) finance international educational and cultural exchange activities under the programs authorized by the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.);

"'(3) collect, collate, translate, abstract, and disseminate scientific and technological information and conduct research and support scientific activities overseas including programs and projects of scientific cooperation between the United States and other countries such as coordinated research against diseases common to all of mankind or unique to individual regions of the globe, and promote and support programs of medical and scientific research, cultural and educational development, family planning, health, nutrition, and sanitation;

"'(4) acquire by purchase, lease, rental, or otherwise, sites and buildings and grounds abroad, for United States Government use including offices, residence quarters, community and other facilities, and construct, repair, alter, and furnish such buildings and facilities;

"'(5) finance under the direction of the Librarian of Congress, in consultation with the National Science Foundation and other interested agencies, (A) programs outside the United States for the analysis and evaluation of foreign books, periodicals, and other materials to determine whether they would provide information of technical or scientific significance in the United States and whether such books, periodicals, and other materials are of cultural or educational significance, (B) the registry, indexing, binding, reproduction, cataloging, abstracting, translating, and dissemination of books, periodicals, and related materials determined to have such significance; and (C) the acquisition of such books, periodicals, and other materials and the deposit thereof in libraries and research centers in the United States specializing in the areas to which they relate;

"'(c) To procure equipment, materials, facilities, and services for the common defense including internal security;

"'(d) For assistance to meet emergency or extraordinary relief requirements other than requirements for food commodities: *Provided*, That not more than a total amount equivalent to $5,000,000 may be made available for this purpose during any fiscal year;

"'(e) For use to the maximum extent under the procedures established by such agency as the President shall designate for loans to United States business firms (including cooperatives) and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries, including loans for private home construction, and for loans to domestic or foreign firms (including cooperatives) for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however*, That no such loans shall be made for the manufacture of any products intended to be exported to the United States in competition with products produced in the United States and due consideration shall be given to the continued expansion of markets for United States agricultural commodities or the products thereof. Foreign currencies may be accepted in repayment of such loans;

"'(f) To promote multilateral trade and agricultural and other economic development, under procedures, established by the President, by loans or by use in any other manner which the President may determine to be in the national interest of the United States, particularly to assist programs of recipient countries designed to promote, increase, or improve food production, processing, distribution, or marketing in food-deficit countries friendly to the United States, for which purpose the President may utilize to the extent practicable the services of nonprofit voluntary agencies registered with and approved by the Advisory Committee on Voluntary Foreign Aid: *Provided*, That no such funds may be utilized to promote religious activities;

" '(g) For the purchase of goods or services for other friendly countries;

" '(h) For financing, at the request of such country, programs emphasizing maternal welfare, child health and nutrition, and activities, where participation is voluntary, related to the problems of population growth, under procedures established by the President through any agency of the United States, or through any local agency which he determines is qualified to administer such activities;

" '(i) for paying, to the maximum extent practicable, the costs outside the United States of carrying out the program authorized in section 406 of this Act; and

" '(j) For sale for dollars to United States citizens and nonprofit organizations for travel or other purposes of currencies determined to be in excess of the needs of departments and agencies of the United States for such currencies. The United States dollars received from the sale of such foreign currencies shall be deposited to the account of Commodity Credit Corporation:

Provided, That—

" '(1) Section 1415 of the Supplemental Appropriation Act, 1953, shall apply to currencies used for the purposes specified in subsections (a) and (b),

" '(2) Section 1415 of the Supplemental Appropriation Act, 1953, shall apply to all foreign currencies used for grants under subsections (f) and (g), to not less than 10 per centum of the foreign currencies which accrue pursuant to agreements entered into on or before December 31, 1964, and to not less than 20 per centum in the aggregate of the foreign currencies which accrue pursuant to agreements entered into thereafter: *Provided, however,* That the President is authorized to waive such applicability of section 1415 in any case where he determines that it would be inappropriate or inconsistent with the purposes of this title,

" '(3) No agreement or proposal to grant any foreign currencies (except as provided in subsection (c) of this section), or to use (except pursuant to appropriation Act) any principal or interest from loan repayments under this section shall be entered into or carried out until the expiration of thirty days following the date on which such agreement or proposal is transmitted by the President to the Senate Committee on Agriculture and Forestry and to the House Committee on Agriculture, if transmitted while Congress is in session, or sixty days following the date of transmittal if transmitted while Congress is not in session,

" '(4) Any loan made under the authority of this section shall bear interest at such rate as the President may determine but not less than the cost of funds to the United States Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States having maturity comparable to the maturity of such loans, unless the President shall in specific instances after consultation with the advisory committee established under section 407 designate a different rate:

Provided, further, That paragraphs (2), (3), and (4) of the foregoing proviso shall not apply in the case of any nation where the foreign currencies or credits owned by the United States and available for use by it in such nation are determined by the Secretary of the Treasury to be in excess of the normal requirements of the departments and agencies of the United States for expenditures in such nations for the two fiscal years following the fiscal year in which such determination is made. The amount of any such excess shall be devoted to the extent practicable and without regard to paragraph (1) of the foregoing proviso, to the acquisition of sites, buildings, and grounds under paragraph (4) of subsection (b) of this section and to assist such nation in undertaking self-help measures to increase its production of agricultural commodities and its facilities for storage and distribution of such commodities. Assistance under the foregoing provision shall be limited to self-help measures additional to those which would be undertaken without such assistance. Upon the determination by the Secretary of the Treasury that such an excess exists with respect to any nation, the President shall advise the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture of such determination; and shall thereafter report to each such Committee as often as may be necessary to keep such Committee advised as to the extent of such excess, the purposes for which it is used or proposed to be used, and the effects of such use.

" 'Sec. 105. Foreign currencies received pursuant to this Act shall be deposited in a special account to the credit of the United States and shall be used only pursuant to section 104, and any department or agency of the Government using any of such currencies for a purpose for which funds have been appropriated shall reimburse the Commodity Credit Corporation in an amount equivalent to the dollar value of the currencies used. The President shall utilize foreign currencies received pursuant to this Act in such manner as will, to the maximum extent possible, reduce any deficit in the balance of payments of the United States.

" 'Sec. 106. (a) Payment by any friendly country for commodities purchased for dollars on credit shall be upon terms as favorable to the United States as the economy of such country will permit. Payment for such commodities shall be in dollars with interest at such rates as the Secretary may determine but not less than the minimum rate required by section 201 of the Foreign Assistance Act of 1961 for loans made under that section. Payment may be made in reasonable annual amounts over periods of not to exceed twenty years from the date of the last delivery of commodities in each calendar year under the agreement, except that the date for beginning such annual payment may be deferred for a period not later than two years after such date of last delivery, and interest shall be computed from the date of such last delivery. Delivery of such commodities shall be made in annual installments for not more than ten years following the date of the sales agreement and subject to the availability of the commodities at the time delivery is to be made.

" '(b) Agreements hereunder for the sale of agricultural commodities for dollars on credit terms shall include provisions to assure that the proceeds from the sale of the commodities in the recipient country are used for such economic development purposes as are agreed upon in the sales agreement or any amendment thereto.

" 'Sec. 107. (a) It is also the policy of the Congress to stimulate and maximize the sale of United States agricultural commodities for dollars through the private trade and to further the use of private enterprise to the maximum, thereby strengthening the development and expansion of foreign commercial markets for United States agricultural commodities. In furtherance of this policy, the Secretary of Agriculture is authorized, notwithstanding any other provision of law, to enter into agreements with foreign and United States private trade for financing the sale of agricultural commodities for export over such periods of time and on such credit terms as the Secretary determines will accomplish the objectives of this section. Any agreement entered into under this section shall provide for the development and execution of projects which will result in the establishment of facilities designed to improve the storage or marketing of agricultural commodities, or which will otherwise stimulate and expand private economic enterprise in any friendly country. Any agreement entered into under this section shall also provide for the furnishing of such security as the Secretary determines necessary to provide reasonable and adequate assurance of payment of the purchase price in dollars with interest at a rate which will as nearly as practicable be equivalent to the average cost of funds to the United States Treasury, as determined by the Secretary of the Treasury, on outstanding marketable obligations of the United States having maturities comparable to maturities of credits extended under this section. In no event shall the rate of interest be less than the minimum rate, or the delivery period, deferral of first payment, or term of credit be longer than the maximum term, authorized in section 106. In carrying out this Act, the authority provided in this section for making dollar sales shall be used to the maximum extent practicable.

" '(b) In carrying out the provisions of this section, the Secretary shall take reasonable precautions to safeguard usual marketings of the United States and to avoid displacing any sales of United States agricultural commodities which the Secretary finds and determines would otherwise be made for cash dollars.

" '(c) The Secretary shall obtain commitments from purchasers that will prevent resale or transshipment to other countries, or use for other than domestic purposes, of agricultural commodities purchased under this section.

" '(d) In carrying out this Act, the provisions of sections 102, 103(a), 103(d), 103(e), 103(f), 103(j), 103(k), 110, 401, 402, 403, 404, 405, 407, 408, and 409 shall be applicable to sales under this section.

" 'Sec. 108. The Commodity Credit Corporation may finance ocean freight charges incurred pursuant to agreements for sales for foreign currencies (other than those providing for conversion to dollars as described in section 103(d) of this Act) entered into hereunder only to the extent that such charges are higher (than would otherwise be the case) by reason of a requirement that the commodities be transported in United States-flag vessels. Such agreements shall require the balance of such charges for transportation in United States vessels to be paid in dollars by the nations or organizations with whom such agreements are entered into.

" 'Sec. 109. (a) Before entering into agreements with developing countries for the sale of United States agricultural commodities on whatever terms, the President shall consider the extent to which the recipient country is undertaking wherever practicable self-help measures to increase per capita production and improve the means for storage and distribution of agricultural commodities, including:

" '(1) devoting land resources to the production of needed food rather than to the production of nonfood crops—especially nonfood crops in world surplus;

" '(2) development of the agricultural chemical, farm machinery and equipment, transportation and other necessary industries through private enterprise;

" '(3) training and instructing farmers in agricultural methods and techniques;

" '(4) constructing adequate storage facilities;

" '(5) improving marketing and distribution systems;

" '(6) creating a favorable environment for private enterprise and investment, both domestic and foreign, and utilizing available technical know-how;

" '(7) establishing and maintaining Government policies to insure adequate incentives to producers; and

" '(8) establishing and expanding institutions for adaptive agricultural research; and

" '(9) allocating for these purposes sufficient national budgetary and foreign exchange resources (including those supplied by bilateral, multilateral and consortium aid programs) and local currency resources (resulting from loans or grants to recipient governments of the proceeds of local currency sales).

"'(b) Notwithstanding any other provisions of this Act, in agreements with nations not engaged in armed conflict against Communist forces or against nations with which the United States has no diplomatic relations, not less than 20 per centum of the foreign currencies set aside for purposes other than those in sections 104 (a), (b), (e), and (j) shall be allocated for the self-help measures set forth in this section.

"'(c) Each agreement entered into under this title shall describe the program which the recipient country is undertaking to improve its production, storage, and distribution of agricultural commodities; and shall provide for termination of such agreement whenever the President finds that such program is not being adequately developed.

"'Sec. 110. Agreements shall not be entered into under this title during any calendar year which will call for an appropriation to reimburse the Commodity Credit Corporation in an amount in excess of $1,900,000,000, plus any amount by which agreements entered into under this title in prior years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior years.'

"(C) By amending title II to read as follows:

"'TITLE II

"'Sec. 201. The President is authorized to determine requirements and furnish agricultural commodities, on behalf of the people of the United States of America, to meet famine or other urgent or extraordinary relief requirements; to combat malnutrition, especially in children; to promote economic and community development in friendly developing areas; and for needy persons and nonprofit school lunch and preschool feeding programs outside the United States. The Commodity Credit Corporation shall make available to the President such agricultural commodities determined to be available under section 401 as he may request.

"'Sec. 202. The President may furnish commodities for the purposes set forth in section 201 through such friendly governments and such agencies, private or public, including intergovernmental organizations such as the world food program and other multilateral organizations in such manner and upon such terms and conditions as he deems appropriate. The President shall, to the extent practicable, utilize nonprofit voluntary agencies registered with, and approved by, the Advisory Committee on Voluntary Foreign Aid. Insofar as practicable, all commodities furnished hereunder shall be clearly identified by appropriate marking on each package or container in the language of the locality where they are distributed as being furnished by the people of the United States of America. The assistance to needy persons shall insofar as practicable be directed toward community and other self-help activities designed to alleviate the causes of the need for such assistance. Except in the case of emergency, the President shall take reasonable precaution to assure that commodities furnished hereunder will not displace or interfere with sales which might otherwise be made.

"'Sec. 203. The Commodity Credit Corporation may, in addition to the cost of acquisition, pay with respect to commodities made available under this title costs for packaging, enrichment, preservation, and fortification; processing, transportation, handling, and other incidental costs up to the time of their delivery free on board vessels in United States ports; ocean freight charges from United States ports to designated ports of entry abroad, or, in the case of landlocked countries, transportation from United States ports to designated points of entry abroad; and charges for general average contributions arising out of the ocean transport of commodities transferred pursuant thereto.

"'Sec. 204. Programs of assistance shall not be undertaken under this title during any calendar year which calls for an appropriation of more than $600,000,000 to reimburse the Commodity Credit Corporation for all costs incurred in connection with such programs (including the Corporation's investment in commodities made available) plus any amount by which programs of assistance undertaken under this title in the preceding calendar year have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than were authorized for such purpose during such preceding year. In addition to other funds available for such purposes under any other Act, funds made available under this title may be used in an amount not exceeding $7,500,000 annually to purchase foreign currencies accruing under title I of this Act in order to meet costs (except the personnel and administrative costs of cooperating sponsors, distributing agencies, and recipient agencies, and the costs of construction or maintenance of any church owned or operated edifice or any other edifices to be used for sectarian purposes) designed to assure that commodities made available under this title are used to carry out effectively the purposes for which such commodities are made available or to promote community and other self-help activities designed to alleviate the causes of the need for such assistance: *Provided, however,* That such funds shall be used only to supplement and not substitute for funds normally available for such purposes from other non-United States Government sources.

"'Sec. 205. It is the sense of the Congress that the President should encourage other advanced nations to make increased contributions for the purpose of combating world hunger and malnutrition, particularly through the expansion of international food and agricultural assistance programs. It is further the sense of the Congress that as a means of achieving this objective, the United States should work for the expansion of the United Nations World food program beyond its present established goals.'

"(D) By changing the designation 'TITLE III—GENERAL PROVISIONS' to 'TITLE III' and by striking out sections 304, 305, 306, 307, and 308.

"(E) By amending title IV to read as follows:

"'TITLE IV

"'Sec. 401. After consulting with other agencies of the Government affected and within policies laid down by the President for implementing this Act, and after taking into account productive capacity, domestic requirements, farm and consumer price levels, commercial exports, and adequate carryover, the Secretary of Agriculture shall determine the agricultural commodities and quantities thereof available for disposition under this Act, and the commodities and quantities thereof which may be included in the negotiations with each country. No commodity shall be available for disposition under this Act if such disposition would reduce the domestic supply of such commodity below that needed to meet domestic requirements, adequate carryover, and anticipated exports for dollars as determined by the Secretary of Agriculture at the time of exportation of such commodity.

"'Sec. 402. The term "agricultural commodity" as used in this Act shall include any agricultural commodity produced in the United States or product thereof produced in the United States: *Provided, however,* That the term "agricultural commodity" shall not include alcoholic beverages, and for the purposes of title II of this Act, tobacco or products thereof. Subject to the availability of appropriations therefor, any domestically produced fishery product may be made available under this Act.

"'Sec. 403. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act including such amounts as may be required to make payments to the Commodity Credit Corporation, to the extent the Commodity Credit Corporation is not reimbursed under sections 104(j) and 105, for its actual costs incurred or to be incurred. In presenting his budget, the President shall classify expenditures under this Act as expenditures for international affairs and finance rather than for agriculture and agricultural resources.

"'Sec. 404. The programs of assistance undertaken pursuant to this Act shall be directed toward the attainment of the humanitarian objectives and national interest of the United States.

"'Sec. 405. The authority and funds provided by this Act shall be utilized in a manner that will assist friendly countries that are determined to help themselves toward a greater degree of self-reliance in providing enough food to meet the needs of their people and in resolving their problems relative to population growth.

"'Sec. 406. (a) In order to further assist friendly developing countries to become self-sufficient in food production, the Secretary of Agriculture is authorized, notwithstanding any other provision of law—

"'(1) To establish and administer through existing agencies of the Department of Agriculture a program of farmer-to-farmer assistance between the United States and such countries to help farmers in such countries in the practical aspects of increasing food production and distribution and improving the effectiveness of their farming operations;

"'(2) To enter into contracts or other cooperative agreements with, or make grants to, land-grant colleges and universities and other institutions of higher learning in the United States to recruit persons who by reason of training, education, or practical experience are knowledgeable in the practical arts and sciences of agriculture and home economics, and to train such persons in the practical techniques of transmitting to farmers in such countries improved practices in agriculture, and to participate in carrying out the program in such countries including, where desirable, additional courses for training or retraining in such countries;

"'(3) To consult and cooperate with private non-profit farm organizations in the exchange of farm youth and farm leaders with developing countries and in the training of farmers of such developing countries within the United States or abroad;

"'(4) To conduct research in tropical and subtropical agriculture for the improvement and development of tropical and subtropical food products for dissemination and cultivation in friendly countries;

"'(5) To coordinate the program authorized in this section with the activities of the Peace Corps, the Agency for International Development, and other agencies of the United States and to assign, upon agreement with such agencies, such persons to work with and under the administration of such agencies: *Provided,* That nothing in this section shall be construed to infringe upon the powers or functions of the Secretary of State;

"'(6) To establish by such rules and regulations as he deems necessary the conditions for eligibility and retention in and dismissal from the program established in this section, together with the terms, length and nature of service, compensation, employee status, oaths of office, and security clearances, and such persons shall be entitled to the benefits and subject to the responsibilities applicable to persons serving in the Peace Corps pursuant to the provisions of section 612, volume 75, of the Statutes at Large, as amended; and

" '(7) To the maximum extent practicable, to pay the costs of such program through the use of foreign currencies accruing from the sale of agricultural commodities under this Act, as provided in section 104(1).

" '(b) There are hereby authorized to be appropriated not to exceed $33,000,000 during any fiscal year for the purpose of carrying out the provisions of this section.

" 'Sec. 407. There is hereby established an advisory committee composed of the Secretary of State, the Secretary of the Treasury, the Secretary of Agriculture, the Director of the Bureau of the Budget, the Administrator of the Agency for International Development, the chairman, the vice chairman and the two ranking minority members of the House Committee on Agriculture and the House Committee on Foreign Affairs, and the chairman, the next ranking majority member and the two ranking minority members of the Senate Committee on Agriculture and Forestry and the Senate Committee on Foreign Relations. The advisory committee shall survey the general policies relating to the administration of the Act, including the manner of implementing the self-help provisions, the uses to be made of foreign currencies which accrue in connection with sales for foreign currencies under title I, the amount of currencies to be reserved in sales agreements for loans to private industry under section 104(e), rates of exchange, interest rates, and the terms under which dollar credit sales are made, and shall advise the President with respect thereto.

" 'Sec. 408. The President shall make a report to Congress not later than April 1 each year with respect to the activities carried out under this Act during the preceding calendar year. Such report shall describe the progress of each country with which agreements are in effect under title I in carrying out its agreements under such title.

" 'Sec. 409. No agreements to finance sales under title I and no programs of assistance under title II shall be entered into after December 31, 1968.

" 'Sec. 410. The provisions of section 620(e) of the Foreign Assistance Act of 1961, as amended (referring to nationalization, expropriation, and related governmental Acts affecting property owned by United States citizens), shall be applicable to assistance provided under title I of this Act.'

"Sec. 3. (a) Section 9 of the Act of September 6, 1958 (7 U.S.C. 1431b), is amended, effective January 1, 1967, by deleting the symbol '(1)', by changing the semicolon to a period and by striking out all of the language in the section after the semicolon.

"(b) Section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a–1) is amended, effective January 1, 1967, by striking out 'foreign distribution,'.

"(c) Section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431), is amended, effective January 1, 1967, by striking out the following: 'and (4) to donate any such food commodities in excess of anticipated disposition under (1), (2), and (3) above to nonprofit voluntary agencies registered with the Committee on Voluntary Foreign Aid of the Foreign Operations Administration or other appropriate department or agency of the Federal Government and intergovernmental organizations for use in the assistance of needy persons and in nonprofit school lunch programs outside the United States'; 'and (4) above'; ', in the case of commodities made available for use within the United States, or their delivery free alongside ship or free on board export carrier at point of export, in the case of commodities made available for use outside the United States'; and 'The assistance to needy persons provided in (4) above shall, insofar as practicable be directed toward community and other self-help designed to alleviate the causes of the need for such assistance.'

"(d) Section 8 of Public Law 85–931 (72 Stat. 1792) is amended (1) by inserting a period in lieu of the colon after the word 'Act' and striking out the proviso; (2) by inserting after the word 'manufactured' the word 'entirely'; and (3) by inserting before the comma following the words 'surplus supply' the words 'in the same manner as any other agricultural commodity or product is made available'.

"(e) Section 407 of the Agricultural Act of 1949, as amended, is amended by striking the period at the end of the third sentence thereof and adding the following: *': Provided,* That whenever the Secretary of Agriculture determines that the carryover at the end of any marketing year of a price supported agricultural commodity for which a voluntary adjustment program is in effect will be less than 25 per centum (35 per centum in the case of wheat) of the estimated export and domestic consumption of such commodity during such marketing year, the Commodity Credit Corporation shall not sell any of its stocks of such commodity during such year for unrestricted use at less than 115 per centum (120 per centum in the case of wheat whenever its carryover will be less than 25 per centum of such estimated export and domestic consumption) of the current price support loan plus reasonable carrying charges.'

"Sec. 4. Commercial sales of agricultural commodities out of private stocks on credit terms of not to exceed three years may be financed by CCC under its Export Credit Sales program. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the CCC annually for its actual costs incurred or to be incurred under its Export Credit Sales Program.

"Sec. 5. This Act shall take effect as of January 1, 1967, except that section 4 shall take effect upon enactment."

And the Senate agree to the same.

Harold D. Cooley,
W. R. Poage,
E. C. Gathings,
Harlan Hagen,
Graham Purcell,
Albert H. Quie,
Mrs. Catherine May,
Managers on the Part of the House.

Allen J. Ellender,
Spessard L. Holland,
Herman E. Talmadge,
B. Everett Jordan,
George McGovern,
George D. Aiken,
Milton R. Young,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 14929, to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in accompanying conference report.

The amendment of the Senate struck out all after the enacting clause of H.R. 14929 and substituted a new bill which differed from the House bill in some 38 different provisions. Following are the substantive differences between the House bill and the substitute agreed to by the conferees.

SHORT TITLE

The Senate amendment changed the short title of the bill to "Food for Peace Act of 1966" instead of "Food for Freedom" as in the House bill. The conferees have agreed to the amendment made by the Senate but point out that this short title applies to this act only. It does not change the title of the basic legislation which remains "The Agricultural Trade Development and Assistance Act of 1954."

(All the changes in the Agricultural Trade Development and Assistance Act of 1954, commonly called Public Law 480, are contained in section 2 of H.R. 14929. For easy reference, therefore, changes in the House bill discussed here will be identified by sections and subsections in the revised text of the basic law and the basic law will be referred to as Public Law 480.)

TRANSITION FROM SOFT CURRENCY SALES

Both the House bill and the Senate amendment contained a provision (sec. 103(b)) directing the President to take steps to insure a progressive transition from sales for foreign currency to sales for dollars at a rate whereby the transition could be completed by December 31, 1971. To this language the Senate added a sentence providing that, to the extent transition to dollars under the terms applicable to dollar sales (secs. 106 and 107) is not possible, transition may be made to sales for foreign currency on credit terms no less favorable to the United States than those for development loans made under section 201 of the Foreign Assistance Act of 1961, as amended, and which would permit conversion to dollars at the exchange rate applicable to the sales agreement. This provides for convertible currency credit sales on terms similar to those in the House bill for dollar credit sales.

SALES TO COUNTRIES DEALING WITH CUBA OR NORTH VIETNAM

The House bill (sec. 103(d)) prohibited the making of sales agreements for foreign currencies or dollar credit under Public Law 480, with any nation which "sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam (excluding U.S. installations in Cuba) any equipment, materials, or commodities, so long as they are governed by a Communist regime."

To this provision the Senate added a proviso that the President might enter into a sales agreement with any such nation if he determined such sale to be in the national interest of the United States. It also provided that he might use funds appropriated to carry out Public Law 480 for the formulation and administration of such agreements, notwithstanding the requirements of any appropriation act.

The conferees agreed to drop the Senate amendment giving the President discretionary authority in this area and adopted the House language with an amendment striking out the words "equipment, materials, or commodities," and inserting in lieu thereof the materials covered by the Battle Act, which prohibits U.S. assistance to certain countries. This language reads as follows: "items which are, for the purposes of title I of the Mutual Defense Assistance Control Act of 1951, Eighty-second Congress, as amended, arms, ammunition and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, or items of primary strategic significance used in the production of arms, ammunition and implements of war."

The conference substitute does not contain the Senate language which would have superseded a similar prohibition in the Department of Agriculture Appropriation Act for 1967.

PUBLICIZING FOREIGN CURRENCY COMMODITIES

The House bill (sec. 103(1)) required the President to obtain commitments from purchasing countries that, insofar as practicable, food commodities sold for foreign currencies would be marked or identified at the point of distribution or sale as being provided on a concessional basis through the generosity of the people of the United States. The Senate amendment struck out this provision and required that the President obtain commitments from purchasing countries to publicize widely to their people by public media and other means, that the commodities are being provided on a concessional basis through the friendship of the American people as food for peace. The conferees have agreed to retain the language of both the House and Senate bills.

CURRENCY CONVERSION

The Senate amendment (Sec. 103(m)) added two provisions with respect to convertibility of foreign currencies received under Public Law 480. The first is that such currencies should be made available for payment of U.S. obligations or charges payable to the government of the importing country or any of its agencies. This is intended to cover payments such as canal tolls for vessels owned by the U.S. Government and similar charges. It is consistent with existing law and was accepted by the House conferees.

The second convertibility requirement was that such additional amount of the foreign currency paid for Public Law 480 commodities as might be necessary to cover all normal expenditures of American tourists in the importing country (up to 25 percent of the foreign currencies received pursuant to each agreement) should be convertible. The House conferees accepted this amendment, also, with an amendment limiting its application to excess currency countries. Since all of the currencies involved in the convertible currency sales authorized in section 103 (b) are fully convertible, this provision will not apply to such transactions.

DISPLACEMENT OF CASH SALES

The House conferees accepted a Senate amendment (sec. 103(n)) requiring the President to take maximum precautions to assure that sales for dollars on credit terms under this act shall not displace any sales of United States agricultural commodities which would otherwise be made for cash dollars. The House bill already contained a similar provision with respect to foreign currency sales and private dollar credit sales, which was retained by the conference.

RELEASE OF MARKET DEVELOPMENT FUNDS

The House bill (sec. 104(b)(1)) contained a provision (which is a restatement of present law) that the Secretary of Agriculture may release such amounts of foreign currencies set aside for market development purposes as he determines will not be needed within a reasonable period of time for such purpose. The Senate amendment would have permitted such a release only after notification by the President to the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture of the proposed release and then only if neither committee adopted a resolution stating in substance that the committee did not favor such release. The committee of conference has accepted the Senate amendment as to that part requiring a report to be made to the two committees but eliminated that portion giving the committees the authority to veto the proposed release.

EMERGENCY RELIEF USES

The House bill authorized (sec. 104(d)) the use of foreign currencies to meet emergency or extraordinary relief requirements overseas. The Senate added an amendment limiting this authority to requirements for other than food commodities and limited the amount which might be used to $5 million in any fiscal year. This amendment was accepted by the conferees.

PLANNING FOOD AND NUTRITIONAL PROGRAMS

The conferees did not accept a Senate amendment authorizing the use of foreign currencies for financing planning of national food and nutrition programs because they believe that this proposal is adequately covered by section 104(h) of the House bill.

Approval of Grants. The Senate added an amendment to Section 104 subjecting certain foreign currency grants and uses of foreign currency loan repayments to Appropriation Act or committee approval. The amendment required that: (A) subject to Presidential waiver, Appropriation Act authorization is required for grants under sections 104 (f) and (g) and for use of 10 percent of the foreign currencies under agreements prior to December 31, 1964 and 20 percent under agreements thereafter; and (B) it also required that grants (other than military assistance) of any foreign currencies, or any use of loan repayments could be made only after notice to, and the absence of disapproval action by, each of the congressional agriculture committees. The conferees have accepted this Senate amendment with an amendment striking out the authority of the congressional agriculture committees to veto a proposed grant but requiring Presidential notification to such committees in advance with respect to each such proposed action.

INTEREST ON FOREIGN CURRENCY LOANS

The conferees accepted a modified Senate amendment requiring that interest rates on any loan made under the authority of section 104 of Public Law 480 should be not less than the cost of funds to the U.S. Treasury unless the President should designate a different rate after consultation with the Advisory Committee established under section 407 of the act.

EXCESS CURRENCY COUNTRIES

The conferees also accepted a Senate amendment which would exempt excess currency countries from the requirements described in the two preceding paragraphs. An excess currency country for the purposes of this section is one in which the Secretary of the Treasury determines that the foreign currency or credits owned by the United States and available for use in such nation are in excess of the normal requirements of the Departments and agencies of the United States for expenditures in such nation for the 2 fiscal years following the fiscal year in which such determination is made. The amendment provides that the amount of any such excess currency shall be devoted, to the extent practicable and without regard to the requirements of section 1415 of the Supplemental Appropriation Act, to the acquisition of sites, buildings, and grounds and to assist the purchasing nation in undertaking self-help measures to increase its production of agricultural commodities and its facilities for storage and distribution of such commodities. The President is required to advise the House and Senate Agricultural Committees of a determination by the Secretary of the Treasury that a country has become an excess currency country and to keep such committees advised as to the extent of such excess, the purposes for which it is used or proposed to be used, and the effects of such use.

TERMS OF DOLLAR CREDIT SALES

The House bill (sec. 106) permitted sales on long-term dollar credit on the same terms authorized for development loans under section 201 of the Foreign Assistance Act of 1961, as amended. This is presently a 40-year repayment period with a 10-year grace period during which no payments on the principal would have to be made, with interest at 1 percent during the grace period and 2½ percent thereafter. The Senate amendment reduced the payment period to 20 years and the grace period to 2 years and limited the delivery period of commodities under such an agreement to not more than 10 years. This is substantially the provision of the present law. In view of the provision in section 103(b) for foreign currency credit sales with the requirement that the currency be fully convertible to dollars, and with a maximum term similar to that in section 106 of the bill as passed by the House, the House conferees accepted the Senate amendment to section 106.

This amendment also requires that local currency proceeds of sales of commodities on long-term dollar credit be used in the recipient country for economic development purposes agreed upon between the two governments at the time the sale is made and written into the sales agreement.

LONG-TERM DOLLAR CREDIT SALES BY THE PRIVATE TRADE

Although the Senate amendment had substantially altered section 107, dealing with long-term dollar credit sales by the private trade, the conferees adopted substantially the House language on this section. The language adopted by the conference requires that the provisions of section 106 should apply to private trade dollar credit with respect also to the 10-year maximum delivery period and the 2-year deferral of the first payment. It also added to section 107(b) the requirement that the Secretary should take reasonable precautions to safeguard the usual marketings of the United States.

Section 107(d) stipulates the other sections of the act which are applicable to private trade agreements and to those listed in the House bill were added: Section 103(a) requiring the President to take self-help efforts into account; section 110 bringing private trade agreements within the total authorization of $1.9 billion in any year, plus carryover; section 401 providing for determination by the Secretary of Agriculture of commodities available for export and prohibiting dispositions which would result in a shortage; section 404 providing that assistance be directed toward humanitarian objectives and United States interests; and section 405 providing for assistance to countries helping themselves to meet their food needs and population growth problems. Those provisions of section 103(d) which relate only to foreign currency sales do not, of course, apply to this section.

In agreeing to the House language of section 107, with the amendments noted, the conferees make the following observations about this section:

First, the agricultural commodities which may be exported under the authority of this section include livestock, if the particular livestock to be exported meet the requirements set out in section 401 with respect to available agricultural commodities generally; second, the term "private economic enterprise" in section 107(a) is intended to include private housing developments.

CCC COMMERCIAL EXPORT CREDIT

Section 107 of the House bill also contained a provision permitting CCC export credit (now limited to CCC stocks) to be used also in the export of private stocks, and authorizing appropriations to CCC to reimburse it for credits extended under such program. The conferees have deleted this from section 107 of the revised language of Public Law 480 and have made it a separate section of the bill, appearing near the end as a new section 4.

OCEAN FREIGHT CHARGES

The conference adopted, with an amendment, the Senate language of section 108, dealing with payment of ocean freight charges. This provides that CCC may finance ocean freight charges for sales of agricultural commodities for foreign currencies only to the extent that such charges are higher than would otherwise be the case by reason of the requirement that commodities be transported on United States flag vessels.

The balance of such charges for transportation in United States vessels is to be paid in dollars by the recipient nation or organization. This limitation does not apply to sales for dollar credit under sections 106 or 107 or sales on foreign currency credit terms (requiring full convertibility to dollars) under section 103(b).

SELF-HELP FOR AGRICULTURE

The conferees adopted a Senate amendment making it clear that the proviso in section 109, relating to self-help for agriculture in recipient countries, is to be a positive requirement that 20 percent of certain currencies be set aside for the self-help purposes described in section 109, rather than a standard suggested for the President's consideration.

STIPULATION OF SELF-HELP PROGRAM IN AGREEMENTS

The conferees also accepted a Senate amendment to section 109 which provides that each agreement entered into shall describe the programs which the recipient country is undertaking to improve its production, storage, and distribution of agricultural commodities and for termination of such agreement whenever the President finds that such a program is not being adequately developed.

AUTHORIZATION FOR TITLE I

The House bill provided an annual authorization of not to exceed $2.5 billion, plus carryover, for title I. The Senate reduced this authorization to $1.9 billion, plus carryover, and the conferees have agreed to the Senate figure.

ASSISTANCE TO NEEDY PERSONS

The conferees accepted a Senate amendment making it clear that assistance to needy persons authorized in section 201 is limited to agricultural commodity assistance. This is consistent with the intention of the House language.

AUTHORIZATION FOR TITLE II

The House bill authorized programs of assistance (donations) under title II of not to exceed $800 million per year, plus carryover. The Senate reduced this figure to $600 million per year, plus carryover, and the committee of conference has accepted the Senate figure.

ASSISTANCE OF OTHER COUNTRIES

The committee of conference accepted a Senate provision stating that it is the sense of Congress that the President should encourage other advanced nations to make increased contributions for the purpose of combatting world hunger and malnutrition, particularly through the expansion of international food and agricultural assistance programs. The section also states that it is further the sense of Congress that as a means of achieving this objective, the United States should work for expansion of the United Nations world food program beyond its present established goals.

GUIDELINES AS TO "AVAILABILITY"

The conference agreed to a Senate amendment to section 401 establishing guidelines as to the availability of commodities for export under Public Law 480 and providing that no commodity shall be available for such distribution if it should reduce the domestic supply of such commodity below the quantity needed to meet domestic requirements, adequate carryover, and anticipated exports for dollars. The conferees did not agree to a Senate amendment to section 401 which would have placed in the Secretary of Agriculture (instead of the President) the authority to determine the countries with which sales agreements would be made.

AGRICULTURAL COMMODITY

The conference agreed to a Senate amendment making it clear that the term "agricultural commodity" as used in this act means only agricultural commodities produced in the United States. This is merely a clarification of the intent of the House.

ALCOHOLIC BEVERAGES AND TOBACCO

The conference also agreed to a Senate amendment prohibiting the sale or donation of alcoholic beverages under this act and the donation of tobacco or tobacco products. This is a restatement of the existing policies under which Public Law 480 is operated. No alcoholic beverages have ever been exported either by sale or through a donation program and tobacco has never been included in any donation program. In accepting this amendment the conferees intend that the Department of Agriculture shall continue its efforts to export tobacco as part of the sales programs authorized under title I of this act.

BUDGET PRESENTATION

The conference agreed to a Senate amendment to section 403 requiring that the President, in presenting his budget, shall classify expenditures under this act as expenditures for international affairs and finance, rather than for agriculture and agricultural resources.

ADVISORY COMMITTEE

The conferees agreed to a Senate amendment to section 407, establishing a joint legislative-executive advisory committee on Public Law 480, which would add to the membership of the committee the Secretary of State, the Secretary of the Treasury, and the two ranking majority and minority members of the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations.

ANNUAL REPORT

The conferees agreed to a Senate amendment requiring the President's annual report to be made not later than April 1, and to describe the progress of each country's self-help program.

COTTON PRODUCTS

The House bill contained an amendment to section 8 of the Public Law 89-931 (not a part of Public Law 480) providing that cotton products could be exported under Public Law 480, if cotton constituted a "substantial portion" of the sales price. The conference committee has agreed to the Senate wording of this provision, with an amendment, providing that cotton products may be financed under Public Law 480 "in the same manner as any other agricultural commodity or product is made available" if the product to be financed is manufactured "entirely" of cotton. This would permit cotton product exports to be financed under the same circumstances as the products of other agricultural commodities.

ADJUSTMENT PROGRAMS

The House bill contained a provision requiring the Secretary of Agriculture, in planning voluntary production adjustment programs, to plan for a carryover at the end of the marketing year of not less than 25 percent of the total estimated requirements of such marketing year. The conferees agreed to strike this provision of the House bill.

CCC RESALE PRICE

The House bill contained a provision (not a part of Public Law 480) that whenever the Secretary of Agriculture determines that the carryover at the end of any marketing year, of a price supported agricultural commodity for which a voluntary adjustment program is in effect, will be less than 25 percent of the estimated export and domestic consumption of such commodity, the CCC would be prohibited from selling any of its stocks of such commodity during such year for unrestricted use at less than 115 percent of the current support loan plus reasonable carrying charges (instead of 105 percent of the support loan plus carrying charges, as provided in existing law). The Senate amendment changed the 115 percent resale price to 120 percent and put in a special provision with respect to wheat that the higher resale price should become effective if the carryover dropped below 35 percent (instead of 25 percent as for other commodities). The conferees agreed to the House language with respect to commodities other than wheat and for wheat agreed that the 115 percent resale minimum should become effective if the carryover dropped below 35 percent and that the CCC resale minimum should be 120 percent if the supply dropped below 25 percent.

Harold D. Cooley,
W. R. Poage,
E. C. Gathings,
Harlan Hagen,
Graham Purcell,
Albert H. Quie,
Catherine May,
Managers on the Part of the House.

Mr. COOLEY (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent that the further reading of the statement of the managers on the part of the House be dispensed with. I think everyone is familiar with the statement.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER. The gentleman from North Carolina is recognized for 1 hour.

Mr. COOLEY. Mr. Speaker, I want to make a brief statement.

First I want to say that this is a very, very important bill, which came out of the Committee on Agriculture by a vote of 33 to 2 and passed the House by a vote of 333 to only 20. Our bill was called the Food for Freedom Act of 1966. The Senate bill was called the Food for Peace Act of 1966. We went to conference and we made a diligent effort to retain the House provisions. We had a long discussion, much of it about the name of the bill, which, of course, all of us know stems from Public Law 480, which has operated for 12 years.

Mr. Speaker, under Public Law 480, we have shared our great abundance with less fortunate people in other parts of the world.

Mr. Speaker, hundreds of millions of people in more than 100 nations of this earth have been permitted to share in this great abundance which we have harvested from our own flourishing fields.

Mr. Speaker, I have maintained for many years that bread and butter will be more effective in the cause of peace than bullets, bayonets, and bombs.

Mr. Speaker, this program that we have here under consideration, is a program which more or less embraces that theory, because we are now about to embark upon an entirely different program from the programs which we have exercised in the past.

Mr. Speaker, under the programs of the past we have taken away from production more than 50 million acres of fertile farmland. And, we did that at a time when we were living in a hungry world. We did it at a time when 12,000 human beings were dying daily of starvation.

Mr. Speaker, it is my recollection that I stated at the time the bill was pending before the House earlier that I have never seen a finer array of witnesses in any committee room of this Congress than those who came to talk to us about the problem of the world population explosion, and the world food crisis which we are told is now approaching us.

Mr. Speaker, we had witnesses from the great universities, witnesses from the Ford Foundation, and witnesses from the Rockefeller Foundation, and witnesses from throughout our entire Nation. I do not recall, Mr. Speaker, that a single witness appeared in opposition to this bill.

Mr. Speaker, the only controversy that now remains is the controversy dealing with the involvement with North Vietnam and Cuba. Mr. Speaker, we had very strict language in the House bill which provided that no latitude was given for shipment of any articles to those areas.

Mr. Speaker, I believe that everyone in this House knew at the time what we were doing. However, when we got into conference, the other body insisted upon other provisions, and we were in a situation where we had to compose some differences. We did compose the differences. And, actually, we wrote into the conference report the Battle Act—the Trading with the Enemy Act. But, that applies to only certain munitions of war and other items which are mentioned therein.

Mr. Speaker, the House provisions were to this effect:

> For the purpose only of sales of agricultural commodities under title I of this act any nation which sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam, excluding U.S. installations in Cuba any equipment, materials or commodities, so long as they are governed by a Communist regime—

Mr. Speaker, that was the language contained in our bill.

And, then we inserted the Battle Act, which act reads as follows:

> Items which are, for the purposes of title I of the Mutual Defense Assistance Control Act of 1951, Eighty-second Congress, as amended, arms, ammunition and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, or items of primary strategic significance used in the production of arms, ammunition and implements of war.

That is the language of the Battle Act. Personally, Mr. Speaker, I have no objection to the House working its will on this proposal. In view of the fact that I feel that way about it, I would like to ask unanimous consent that conference report be returned to the conference in an effort to further insist upon the House language being incorporated in the final draft of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

Mr. FINDLEY. Mr. Speaker, reserving the right to object, I feel that the conference report should be returned to the conference committee to deal with this enemy-trading question but not by means of unanimous consent.

I shall object to the motion of the distinguished chairman of the Committee on Agriculture because I feel that we might easily get into a last-minute parliamentary situation in which some further loose language similar to that presently in the conference committee report might be accepted under the pressure of adjournment. The present language would permit nations to trade with North Vietnam or Cuba in nonstrategic goods and still have the advantage of the concessional sales provision, under which our taxpayers finance long-term credit at low interest. If House conferees return without instructions, similar language might be placed before the House in the last-minute rush of adjournment on what amounts to a take-it-or-leave-it basis. I can easily imagine such circumstances developing in the next 10 days or so, and therefore I feel that now is the time for the House to deal with this, and I think it would be far better for us to return the committee report to the committee by way of insisting on the House position.

A motion to that effect will be presented today by the gentleman from Oklahoma [Mr. BELCHER].

Therefore, for that reason I do object to the motion.

The SPEAKER. Objection is heard.

Mr. COOLEY. Mr. Speaker, in view of the fact that an objection has been made, and I am certain that the gentleman does not make that motion because of lack of confidence in the conference committee, I will yield half of the remaining time to the gentleman from Oklahoma [Mr. BELCHER].

Mr. BELCHER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Speaker, I feel that I was privileged to have been on the Committee on Agriculture when it worked those many long months to bring this legislation out of committee, and to the House.

I also felt privileged to serve as one of the conferees for the Food for Peace Act of 1966.

I do agree with our distinguished chairman that, with one exception, certainly the House and the Senate conferees worked to the improvement of this bill. I feel it is a meaningful piece of legislation, and one that poses a real challenge, to American agriculture in its design to bring increased agricultural commodities into the hands of our friendly needy throughout the world.

I would like to make just three very brief points here today: One. This challenge and the new demands it is going to pose to the American producers of food, certainly points up the need for governmental farm policies that will encourage, not discourage, the farmer. Our American farmer is going to have extra demands placed upon him to provide the people of this Nation a stable supply of foods at as reasonable prices under present inflationary circumstances at the same time he must produce food for the hungry of other nations. I hope that the USDA is going to review its present farm program policies with this in mind.

I think the farmer of America has to be given constant assurance that the Government is a friend and not a competitor.

In this connection, I would like to point out that on page 21 of the conference report, for those of us who have been interested in resale prices of food in Government stocks, that the House and the Senate conferees did come up with what I think was good protective language concerning the resale of commodities, including wheat, at certain levels.

This so that we could protect farmers from being in competition with the Government and protecting them from having Government stocks dumped upon the market.

The other point I would like to call to the attention of my colleagues is that the other minority conferee, the gentleman from Minnesota [Mr. QUIE] and I did sign the conference report. We felt that the bill that was agreed on, except in one area, was good.

The gentleman from Oklahoma [Mr. BELCHER] did not sign it—but not because he did not agree with many of the good things in this legislation, but so that he could be free to bring before this House the question that we all know is facing us, and to offer the language that would restore the very good wording that this House adopted by an overwhelming vote—protective language that would keep us from supplying or making concessional sales, and very favorable sales, to the countries that are trading with North Vietnam where our boys are being killed, and with Cuba.

Mr. Speaker, I compliment the gentleman from Oklahoma for bringing this before the House today so that we can act upon it, make a clear-cut record, and let the other body know that we insist the language of the House bill must stay in the bill.

Mr. DOLE. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Kansas.

Mr. DOLE. We should emphasize the fact mentioned by the gentleman from Oklahoma [Mr. BELCHER], in his letter to all the Members of the House. He pointed out that the House-approved language, both in the appropriations act and the House version of the food-for-peace bill applies only to concessional sales. It does not apply to donations. It does not apply to cash sales. The motion to be offered by the gentleman from Oklahoma will strengthen the position of the House in any further conference on this bill.

I would also like to add that it was my understanding that we were expanding the food-for-peace program and therefore I was surprised and shocked to read a report in the New York Times of August 2 that the Secretary of Agriculture had notified all of our Embassies around the world that wheat shipments under the Food for Peace Act would be reduced by about 25 percent.

Of course, the conclusion of that, and I think the damaging fact is that the wheat market has dropped about 35 cents a bushel in the Midwest in the past 15 days. This, of course, has had a very damaging effect upon the economy of all the wheat producers in America. Rumors are circulating and it appears there may be a cutback under the food-for-peace program by the Secretary of Agriculture.

This is good legislation with one or two exceptions. If we vote for the motion, we will in effect strengthen the position of the House in conference.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman.

Mr. DON H. CLAUSEN. Mr. Speaker, I wish to commend the gentlewoman from Washington [Mrs. MAY] for her excellent statement and to associate myself with her remarks.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Speaker, I would like to ask the gentlewoman if any distinction was made in conferences between trade with Cuba and trade with North Vietnam?

It would seem the conference committee might take a different attitude with respect to the developing countries, for example, trading with Cuba and their trading with North Vietnam. We are at war in Vietnam, and are understandably concerned at those who continue to trade with North Vietnam.

I would hope, on the other hand, that perhaps we would reconsider the advisability of a flat prohibition against aid to a country like India, which is admittedly making sales of jute to Cuba. Was any distinction made between trade with the two countries?

Mrs. MAY. In reply to the gentleman, I will say that this was discussed in our conference committee. It was also discussed in Agriculture Committee. I think the point was made that the conference report itself makes no distinction between Cuba and North Vietnam. The fact is we provide India with many, many millions of dollars worth of food under various titles of Public Law 480 and in return we thought that maybe they could give up their very small jute trade, estimated to be only $600,000 per year.

I would add that in further support of the food-for-peace program, my State of Washington is ideally equipped to help America meet this challenge because it is a State that ranks high in the production of a wide variety of farm commodities. As per relatively recent figures, these farm products were valued at $619,207,000 on an annual base, with two-thirds of this sum coming from crops and one-third from livestock. Washington ranks fifth in the Nation as a producer of wheat, first in the production of apples, hops, late summer potatoes, and dry field peas, second in Bartlett pears, apricots, alfalfa seed; and third in asparagus and strawberries. Cherries, cranberries, and grapes also are important agricultural commodities.

The Fourth Congressional District of Washington, which I have the honor of representing in the Congress, plays a prominent part in the State's agricultural production, for this is preponderantly an agricultural district. Yakima County, for instance, leads all the counties of the United States in apple production, with Whitman and Adams counties in the Palouse region of southeast Washington ranking first and third nationally in the per-county production of wheat.

The challenge posed by the new food-for-peace program becomes particularly significant when it is realized that an increasing number of agricultural acres are being diverted into community and industrial development and other nonagricultural uses, thereby continuously contracting the base of our agricultural potential.

The Fourth District which I represent in the Congress is particularly well equipped to fill this gap on agricultural acres, for land increasingly is coming into production through irrigation in the Columbia River Basin. Furthermore, maximum production is still to be reached on 1 million acres in the Grand Coulee irrigation project.

In summary, then, both my State and my congressional district will play something far more than a token part in the food-for-peace program, as newly designed. We have played an important part in the past, and we look forward with great anticipation to the part we will play in the future.

Mr. BELCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Speaker, I have two purposes in asking for this time. First, I hopefully wish to make legislative history on a point in the conference report which is left a little bit unclear.

Title I actually provides two types of soft currency sales: one of the conventional sort, which is repayable almost exclusively in foreign currency; this is the type we have had for several years; and the other type authorizes loan of soft currencies, loans which would be repayable over as long as 40 years in dollars.

This is a very attractive arrangement to the countries taking part, because it permits interest as low as three-fourths of 1 percent; that is, less than 1 percent for 10 years, and only 2½ percent for an additional 30 years.

I would like to ask the chairman, or anyone else who would respond, if my understanding is correct that the intention of this legislation is that no Communist country, whether it be Yugoslavia, Poland, or otherwise, would be eligible for either type of soft-currency transaction, so long as it is under a Communist government. Am I correct in that interpretation?

Mr. COOLEY. It is under section 103(d)

Mr. FINDLEY. That is correct; subsection (2).

Mr. COOLEY. This applies to concessional sales.

Mr. FINDLEY. I am sure the intention of the committee is to deny to Communist countries the advantage of soft-currency sales of either type.

Mr. COOLFY. The present law prohibits local currency sales to countries described in section 103(d)(2) but permits dollar credit sales. This language is a restatement of present law. So I assume local currency sales are prohibited.

Mr. FINDLEY. Yes; but there are two types of soft-currency sales. One is repayable ultimately in dollars, but starts out as a soft-currency transaction. I just wanted to clarify the intent of the committee, which I believe is to deny to any Communist country access to either type of soft-currency transaction.

Mr. COOLEY. If it is payable in dollars, of course, it is hard currency.

Mr. FINDLEY. But it comes under title I, which is the soft-currency part of the bill.

Mr. COOLEY. If it is a foreign-currency sale, it could not be a dollar sale.

Mr. FINDLEY. Is my understanding correct: Whether it is the conventional type of soft-currency transaction or the other type, part of which might be repayable in dollars, Communist countries would not have access to this type of contract?

Mr. COOLEY. I do not know whether I understand the gentleman correctly or not, but it does apply to any kind of concessional sales to countries that are trading with the enemy, so to speak, selling anything of significance to North Vietnam or to Cuba.

Mr. FINDLEY. Yes; the trading-with-the-enemy ban placed a ban on dollar sales. What I was trying to clarify was the distinction that applied to soft-currency transactions only. I believe if I understand the gentleman correctly, the intent of the committee is to deny to any Communist country access to this kind of transaction.

Mr. COOLEY. I think the gentleman is correct. The provision the gentleman refers to was added by the Senate and accepted by the conferees. I do not think it was our intention thereby to give those countries described in section 103(d)(2) any softer terms than in existing law so I would assume, therefore, that the prohibition would apply to any kind of foreign currency sale, whether for cash or credit.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BELCHER. Mr. Speaker, I yield 1 additional minute to the gentleman from Illinois.

Mr. FINDLEY. May I call the attention of this body to pages 25053 and 25054 of Tuesday's RECORD. It contains information for your reference to indicate the extent of trading with North Vietnam that does exist between Yugoslavia, Poland, and Egypt. Each of these countries in the past has had tremendous benefits under the Public Law 480 program, and each is either presently getting the advantage or seeking to establish this advantage. That is why I feel a firm, hard position on the trading-with-the-enemy provision is very much needed.

There is some concern on the part of the State Department about Cuba.

The gentleman from New Jersey alluded to this. But I point out to you that Cuba was the official host to the Communist Three-Continent Conference in January 1966, just earlier this year, and at that conference full support of the Vietcong in North Vietnam was approved and organized.

With the U.S. death toll in Vietnam now about 5,000 and steadily rising, it is difficult for me to understand why anyone would hesitate to use every available legislative means to shut down shipping of all kinds to both Cuba and North Vietnam.

Pertinent information was contained in the following Allen-Scott syndicated newspaper column of October 3, 1966:

HOODWINKING UNCLE SAM

(By Robert S. Allen and Paul Scott)

While Congress, under White House spurring, is in the process of enacting a two-year $5 billion continuance of Food-for-Peace, leading beneficiary countries are making a sucker of this humanitarian program.

Not only are they deliberately flouting specific U.S. laws to which they agreed in writing, but they are doing so to aid Communist nations.

Latest of these violators is Brazil in giving a helping hand to dictator Fidel Castro—whose gross mismanagement, waste and incompetence has resulted in severe food shortages and stringent rationing in once self-sufficient Cuba.

In 1965 and this year Brazil has received more than $61 million in U.S. grain and other food. An emergency gift of $2 million of corn was rushed there to avert famine among starving Indians and peasants.

At the very same time the U.S. was donating this desperately-needed succor, Brazil was selling 8,000 tons of corn to Communist-ruled Cuba.

Another extraordinary aspect of this deal is that it was arranged by Russia, which provided a freighter to transport the grain. Brazil is one of the biggest Latin American beneficiaries of U.S. economic and military aid—totaling more than $3 billion. Since 1955 it has also received $666.5 million in food supplies.

The State Department was fully aware of this bald violation of the Food-for-Peace act.

But as in other instances it said and did nothing.

"I have been unable to obtain any explanation from the State Department on these matters," says Senator ERNEST GRUENING, D-Alaska, head of the Subcommittee on Foreign Aid Expenditures, who has been digging into them. "Similarly, I have been unable to obtain any explanation from the Agriculture and Treasury Departments or the Agency for International Development, all of whom are engaged in 'passing the buck' to one another.

"Congress will shortly enact a new Food-for-Peace act. The disclosure about Brazil emphatically confirms the necessity for additional congressional controls over this multi-billion dollar program if it is to become something more than a means by which countries receiving food assistance from us are enabled to increase their own exports to nations unfriendly to us."

Not only are the State Department and other agencies refusing to explain the Administration's failure to crack down on such violations, but every effort is being exerted to prevent their disclosure.

Joseph Lippman, staff director of the Senate subcommittee, knows that other Food-for-Peace beneficiaries have perpetrated even worse outrages. But his attempts to get at the details are constantly thwarted by various bureaucratic stratagems and obstructions.

Foremost among them is invoking secrecy; declaring documents and other material sought by Lippman as "classified."

After laborious ferreting, Lippman definitely established that Egypt and Greece, which have received hundreds of millions of dollars of U.S. food, have sold large quantities of such commodities to Communist countries specifically banned by the Food-for-Peace act.

As uncovered by Lippman, Egypt has received $903.6 million in U.S. grain, fats and oils, dairy and other products. In 1964 Nasser sold and bartered 313,945 tons of rice and other agricultural commodities to Cuba, one of the largest recipients; Red China, also high on the list; Russia, which got the most; East Germany; Bulgaria; Hungary, and Rumania.

U.S. food shipments to Greece, as determined by Lippman, total $245.8 million. In addition, the U.S. has given Greece $3.8 billion in economic and military aid. In 1965 and this year Greece has sold for cash 310,000 tons of wheat to two Communist countries—160,000 tons to North Korea; 150,000 tons to Bulgaria.

Senator GRUENING charges flatly that the State Department and other departments knew about these violations but blandly disregarded them.

"In November 1964," he says, "a two-year agreement was entered into between the U.S. and Greece whereby feed grains and wheat were to be furnished to Greece under Title IV of Public Law 480. A penalty clause was included providing that if at any time during the contract period, Greece exported any feed grains and wheat or flour, it would make payment to the U.S. for the value of such exports with interest at 6 per cent. This penalty clause has never been enforced.

"Similarly, despite a written agreement not to do so, the United Arab Republic increased its exports of rice to Communist countries at a time when it was receiving wheat from the U.S. which it used for domestic consumption instead of the rice normally consumed. The Department of State knew about these violations of the law and written agreements, but did absolutely nothing about them."

Mr. COOLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Speaker, I should like to commend the chairman of the Committee on Agriculture and those who have helped him on the splendid program which has been provided for by the Agriculture Committee of the House of Representatives in this bill. I believe it is a real step forward. It will be of tremendous value to the entire free world as well as to the people of America.

As pointed out by the chairman of the Committee on Agriculture, when the committee had before it this bill it was very careful in trying to limit trading with our enemies. It provided, among other things, that any nation which sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam any equipment, materials, or commodities, so long as they are governed by a Communist regime could not participate.

I supported that. So did the vast and overwhelming majority of the Members here.

The bill went to the other body. It was amended and then sent to conference.

In the conference, upon the insistence, as I understand it, of Members of the other body, the House conferees reluctantly went along with an amendment. They dropped the Senate amendment, giving the President discretionary authority in this area, and adopted the House language with an amendment striking out the words "equipment, materials, or commodities" and inserted in lieu thereof the language of the old Battle Act, as pointed out by the chairman, the gentleman from North Carolina [Mr. COOLEY].

That is a weak, watered-down attempt to stop so-called friendly nations from trading with the enemy.

In my opinion, the American people are fed up with coddling our enemies and "playing footsies" with those who are assisting them.

We refer to them as "friendly nations." I wonder how friendly these nations are, if they are trading with the enemy in Vietnam, where our boys are being shot down and prisoners are being treated in the most horrible manner imaginable.

I read a news article last night in one of the papers printed here in Washington which said it had been charged that Brazil, "receiving $2 million worth of corn free from the United States, supposedly to feed its own hungry people, was shipping 8,000 tons of corn on a Russian freighter to Cuba."

I wonder how we are going to live with that. We have people over across the water being shot down and killed. Yet these so-called friendly nations—and I doubt their friendliness, if this is what they are doing—are demanding our help and at the same time are trading with our enemy and thereby building up the enemies' war power.

I believe it is time to take a firm stand. We should no longer coddle our enemies. We should no longer permit our so-called friends to do that. If they do that, they are not friendly.

I say we must strike out all trade in any manner with nations which continue to aid and assist in the building up of the military might of those who are leading the fight against us.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. ABBITT. I am happy to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman.

I should merely like to ask whether the conferees might not have arrived at a flat prohibition against any aid to North Vietnam—I do not believe many would argue against that—but they might have allowed discretionary authority with regard to the continuation of trade with Cuba, with whom we are not at war. Cuba is a nuisance and even a threat, but if we have a flat prohibition the developing countries would be penalized if they should continue such trade with Cuba. On the other hand the developed countries which are our allies, such as Canada, the United Kingdom and France, which supply the major part of the free world trade, would not be penalized.

Would it be possible to reach an agreement to have a flat prohibition with respect to North Vietnam, and discretionary authority for the President with respect to Cuba?

Mr. ABBITT. Of course, I cannot speak for the conferees, but personally I am wholeheartedly in favor of the motion that I understand our colleague from Oklahoma will offer, which is to recommit this conference report and to instruct our conferees to stand by the exact language of the bill as reported out of the Committee on Agriculture and approved by this House. I may be misquoting him, but that is my understanding of his position, and I heartily concur in that position. I urge the House to approve the motion to recommit this conference report and instruct our conferees to stand firmly by the language put in this bill by our Committee on Agriculture and thereby let the world know we realize we are in a war and will not permit our friends who receive our assistance to then turn around and support our enemies.

Mr. ABBITT. Mr. Speaker, I think we all realize now that we are in an all-out war in Vietnam. Our boys are dying there daily. The enemy is one of the most ruthless that has ever been faced by our Armed Forces. Their horrible treatment of the prisoners is shocking to a point almost unbelievable. The wildest savages have never treated their prisoners worse.

It has now come to our attention that certain countries that have received aid and assistance from America are presently sending supplies to North Vietnam. These supplies are vital to the North Vietnam war effort. They are being used to kill and cripple Americans. It is prolonging the war effort of the North Vietnam regime of Ho Chi Minh. In addition, many of these same nations that are receiving aid and assistance from America supplied by the taxpayers' money are aiding and assisting the Castro regime in Cuba, the most diabolic regime in the Western Hemisphere.

When the Agriculture Committee of the House had before it the food-for-freedom legislation some time ago, it inserted in the bill a provision prohibiting the making of sales agreements for foreign currencies or dollar credit under Public Law 480 with any nation which sells, furnishes, or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam any equipment, materials, or commodities so long as they are governed by Communist regimes. I strongly supported this particular provision. In my opinion, it is the least we can do to try to protect the boys that are fighting, dying, in Vietnam as well as to protect our entire Nation and way of life. The same applies to the Castro regime in Cuba. We must not ourselves nor permit any of our friends that we are helping do anything that will build up that regime which will later and is today trying to do everything in its power against the American way of life and our Nation.

We must realize that it is time to call a halt to aiding and assisting our enemies or permitting nations that are receiving help from us to assist our enemies. I, therefore, am very much opposed to the compromise worked out in conference between the Senate and the House which will permit, under certain circumstances, friendly nations to carry certain supplies to North Vietnam and to Cuba. I wholeheartedly support the effort to reject such compromise and to send this bill back to conference and to demand that the Senate agree to the House provision. The provision adopted by the conferees is riddled with loopholes and applies only to strategic materials such as arms, ammunition, atomic materials, and similar items. I must say that there are a lot of materials besides military goods which can be and are helpful to an enemy. If we are going to keep our boys in Vietnam we must call a halt to any way of helping the enemy or in any way permitting nations that we are assisting to help the enemy maintain its hostilities, to build up its armed forces, or in any way continue to wage a war which has been so devastating to our fighting forces.

I hasten to say that the language in the House bill as reported out by the Agriculture Committee, of which I am a member, is limited to concessional sales under Public Law 480 and does not in any way affect food donations to hungry people anywhere in the world and I urge our Members to stand with us and insist upon the strong House-passed language rather than the weak-kneed provisions in the conference substitute. Unless this is done, medical supplies will continue to flow into North Vietnam and also into the Castro regime in Cuba.

Now is the time to stop the commerce with Ho and Castro by the nations that we are assisting financially. Assistance to friendly nations is a two-way street. If we are to continue helping them then they must reciprocate by refusing to trade in any way with our very enemy that is shooting down our boys and treating them worse than savages when they are captured and forgoing all humanitarian concepts as to the treatment of prisoners of war. It may be that we cannot prevent friendly nations from trading with North Vietnam and Cuba but certainly we do not have to assist them financially in building up their trading potentials with our hard-earned taxpayers' money to the great detriment of our war effort.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. Hagen].

Mr. HAGEN of California. Mr. Speaker and Members of the House, I want to say that I resent the attacks that have been made on the gentleman from Oklahoma [Mr. Belcher], in connection with his position on this. He has a sincere position. However, I disagree with his position and I support this conference report the way it is. There was a rider attached to an appropriation bill relating purely to prohibiting aid to countries having commerce with North Vietnam, which was signed into law and which is in effect. I supported this restriction because we are engaged in a bloody war there. Our bill, as we sent it over to the Senate, flatly prohibited aid under this program to any country which dealt either with Cuba or North Vietnam. The other body changed that by qualifying the prohibition to give the President discretion to permit aid in his judgment to any country where they are dealing with either Vietnam or Cuba. At the same time it repealed the appropriation rider. We took a middle position in this conference report. We eliminated the Presidential discretion proviso with respect to sale and transport of goods of military value as defined by the Battle Act but left an implicit discretion with the President with respect to nonstrategic items.

There is a flat prohibition on aid to any country which deals with Cuba and North Vietnam in items of military value using the established definitions of the Battle Act. If a country, such as India, is trading with Cuba only with respect to some non-Battle Act or nonstrategic materials and it has been demonstrated that they do sell, for example, some hemp to Cuba for bagging, then there is no flat prohibition in the law on that. I am sure that the President in the exercise of his judgment could himself impose a prohibition in that instance. So there are plenty of safeguards here. I think this is a reasonable position. North Vietnam is completely beyond the pale in terms of this conference report with respect to trading in any type of commodity because there has been no showing that such trade has been conducted by countries which would receive aid under this bill. Cuba is flatly outside the scope except to the extent that trade only involves nonstrategic items such as hemp, which goes into making bags.

Mr. Speaker, I submit that this is a reasonable compromise and should be adopted.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COOLEY. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. OLSON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman.

Mr. OLSON of Minnesota. In other words, there is complete discretion with the President and he would have to OK any trade in any commodity with Cuba the way the conference report is written?

Mr. HAGEN of California. No. Actually we limit his discretion. He would have discretion only with respect to trade with Cuba in nonstrategic and non-Battle Act items. So we do limit his discretion. I submit that I am as anti-Vietnamese and as anti-Communist as anyone here. I also submit that a vote to support this conference report is not a pro-Communist vote. It is not a pro-Vietnamese vote nor pro-Cuban vote, either, It is a reasonable effort to conduct a program which has been of great value in our foreign policy. I wish to assert again that I supported the Findley rider to the appropriation bill and feel that it is wise.

Mr. OLSON of Minnesota. I agree with the gentleman. I just wanted to make sure that we will make it very clear as to what discretion the President has and the fact that no trade can be conducted in any commodity unless the President gives his OK.

Mr. HAGEN of California. Mr. Speaker, well, in the case of North Vietnam, almost certainly no trade whatsoever, in the case of Cuba, only these nonstrategic items. I wish to reiterate that it is foolhardy to tie the President's hands in our relationship to a country so important as India over an item of trade which has only marginal significance on the issue of whether or not we will ultimately defeat communism in Cuba. If we can trust the President to conduct our military operations in Vietnam and elsewhere we should most certainly trust him on this issue in this area of the world. We cannot afford the possibility of causing the fall of a friendly government in India over the issue of the sale of a few $100,000 worth of jute to Cuba if the President decides that such is the issue.

Mr. BELCHER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. TEAGUE].

Mr. TEAGUE of California. Mr. Speaker, inasmuch as I am the author of the original amendment, or the sponsor in the House Committee on Agriculture, which was subsequently somewhat changed and modified in committee but in principle, retained, I, of course, support the gentleman from Oklahoma [Mr. BELCHER] and shall vote for his motion to recommit the conference report.

Mr. Speaker, I urge my colleagues to do likewise.

Mr. BELCHER. Mr. Speaker, I yield myself 5 minutes.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, I trust that in discussing the specific issue before the House, with reference to preventing concessional sales to nations which trade with North Vietnam or Cuba, that we will not lose sight of the great impact Public Law 480 has had on free world countries since its enactment in 1954. Earlier this year, H.R. 14929 was passed by the House by a vote of 333 to 20, which is indicative of the strong support the program has in the Congress. Public Law 480, as amended and extended by H.R. 14929, offers new hope to free world countries as well as the American farmer.

Yesterday I inserted in the RECORD some specifics about a new concept in the food-for-peace program, the farmer-to-farmer program. The primary purpose of the farmer-to-farmer program is to strengthen the agricultural economies of friendly countries in order to meet rising world food needs. In my opinion, if this section is properly administered, it can become an effective weapon in transferring American know-how and show-how around the world. Certainly it is my hope that the U.S. Department of Agriculture will administer the program through and with the coordination of the Federal Extension Service and the land-grant colleges throughout America. This program emphasizes the principle of self-help. It can be of great significance if the recipient countries express a willingness to help themselves.

Mr. BELCHER. Mr. Speaker, we spent about 3 or 4 days in this conference with the other body, and it is my opinion that a very good job was done, as a whole, in working out the disagreements between the House of Representatives and the other body.

Mr. Speaker, there is one particular part of this conference report to which I object, and that is the elimination of the provision contained in the House bill which prohibits the sale of any commodities, supplies, or anything else whatsoever to either North Vietnam or to Cuba, by any nation receiving concessional sales.

Mr. Speaker, on this point a compromise was reached, whereby the Battle Act was substituted for the prohibition of the House language.

Mr. Speaker, at the proper time I shall offer a motion to recommit, a motion which will insist upon the House language.

Mr. Speaker, I have served almost 16 years in the House of Representatives. It is very seldom that I take the floor, except upon some issue on which I have very deep convictions.

Mr. Speaker, I have never been accused of taking the floor to discuss a partisan angle or to demagog. However, Mr. Speaker, a member of the President's Cabinet accused me, in a letter which he circulated to certain Members up here on the Hill, in which he said I was certainly demagoging upon an emotional issue.

Well, Mr. Speaker, that emotional issue is a gross understatement. It really is an emotional issue, and if the Members of the House do not think so, just go back home and talk to the mothers and fathers of the boys now in Vietnam, and you will find that it is a very, very emotional issue.

Mr. Speaker, the fact of the matter is, he not only believes me to be a demagog, but he has called 333 of you fellows a demagog right along with me, because 333 of you voted for this identical language, and only 20 Members of the House voted against the move which would include this language.

Mr. Speaker, the Members of the House will recall that in last April, when the gentleman from Illinois offered an amendment, an amendment similar in import to this one, to the appropriation bill pending at that time, there was a rollcall vote in the House of Representatives.

Mr. Speaker, that vote occurred at a time when very few Members were on the floor of the House, and a great number of the Members just walked in here and voted against this vote on this particular amendment, and, then, 17 of you, very embarrassingly and very sheepishly, had to sneak down here to the well of the House and change your vote.

Members of the House, today you are not going to have to do that. I have alerted you to this issue, and you can cast your final vote the first time, and it will not be necessary for you to change your vote.

It is very easy for the Secretary of Agriculture to ask you gentlemen to come down here and vote against this motion to recommit. The Secretary of Agriculture is not going to get shot at by anybody in Vietnam, and he is not even going to get shot at by any of your constituents back home in the coming campaign. He is completely safe down there behind that mahogany desk.

Treason is defined as aiding and giving comfort to the enemy. Well, aid and comfort include a lot of things that are not described by the Battle Act.

By the way, I was not entirely able to hear the gentleman from California, but I think there might have been a mistake made in what he interpreted this conference report to include. This conference report does not include any discretion on the part of the President. It includes only the Battle Act. It applies both to Vietnam and Cuba in the same respect.

Mr. HAGEN of California. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman.

Mr. HAGEN of California. As I understand it, the conference report relates only to Cuba, and this rider that was on the appropriation bill governs with respect to Vietnam.

Mr. BELCHER. The conference report applies to both Cuba and Vietnam in exactly the same respect. You can ship anything to Vietnam that you can ship to Cuba. And that means anything.

Mr. HAGEN of California. No; I disagree with the gentleman.

The SPEAKER pro tempore (Mr. KEOGH). The time of the gentleman from Oklahoma has expired.

Mr. BELCHER. Mr. Speaker, I yield myself 5 additional minutes.

I suggest to the gentleman from California that he confer with the counsel right there at the desk. He will tell the gentleman that it applies to both countries in exactly the same way.

Mr. HAGEN of California. I understand, Mr. BELCHER, that you are correct. However, this rider which is on the appropriations bill in effect only covers trading with North Vietnam.

Mr. BELCHER. That does not cover anything under this bill.

Mr. HAGEN of California. It does.

Mr. BELCHER. In this bill we are determining what can be shipped to Vietnam, and what can be shipped to Cuba.

Mr. HAGEN of California. Actually, I was slightly in error, but we added some language to the Battle Act, language of primary strategic value.

Mr. BELCHER. No, we did not. The Battle Act is in this conference report just exactly as it has always been. It is the same identical Battle Act which has been passed on time and time again which permits shipping almost anything except the atomic bomb.

Mr. HAGEN of California. Yes. I hate to be in error, but you are quite right.

But the Battle Act covers any and all strategic items, in effect, although there is no provision for Presidential discretion. But you know and I know that he always has that discretion, and if he wants to oversee these shipments he can go ahead and do it.

So, conferring discretion on him is kind of an idle act which the Senate did.

Mr. BELCHER. Are there any other things which the gentleman from California would confess he has been in error about?

Mr. HAGEN of California. I am not going to mislead anyone, Mr. BELCHER.

Mr. BELCHER. I understand that.

Mr. HAGEN of California. I appreciate your sincerity, but I think we are tying the hands of the President. Again, what is involved here, basically, are some jute sales by India. Actually, India is the primary beneficiary in this bill. It is a very important population area. It is the key to Asia. And if we are going to create problems that the President thinks we might create by this body today, I think we should avoid that possibility.

Mr. BELCHER. Let me tell you just about India. India is going to get under this bill approximately $1 billion worth. They have sold in 9 months $600,000 worth of jute to Cuba. If they are not willing to give up the sale of $600,000 worth of jute in order to get $1 billion worth of products, as far as I am concerned India just does not have very good people at the head of her government.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman.

Mr. FARBSTEIN. Mr. Speaker, does the gentleman feel that we should drive India into the hands of the communistic Soviet Union merely by refusing to permit the sale of half a million dollars' worth of jute to Cuba, when they originally sold $11 million worth, and reduced it to half a million dollars?

Because of the selling of this small item, I do not think we ought to take the chance of permitting an underdeveloped country to be driven into the hands of Communist Russia. I do not think that is a wise thing to do.

Mr. BELCHER. I would say to the gentleman, if he is willing to say that we can ship stuff to Vietnam that they can shoot back at our boys and that India is going to have to go communistic—I am going to be against shipping anything that can be given as aid or comfort to the enemy.

Mr. FARBSTEIN. This has nothing to do with North Vietnam.

Secondly, the President, is the one who has the discretion himself to determine whether or not it is in the national interest that we permit India to do this.

Mr. BELCHER. I do not want to give discretion to any living soul to send stuff to North Vietnam to shoot American boys.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, I am somewhat disturbed that the impression seems to be, from some of the speeches that have been made, that Cuba is all of a sudden a friend of ours and that Cuba is the kind of country that is turning toward the United States.

I do not know how many Members of this body were here a few days ago when one of our colleagues, the gentleman from West Virginia [Mr. ARCH MOORE], gave a speech concerning the number of Cuban refugees who have come to the United States at our expense—they number some 300,000 refugees. The gentleman pointed out that there are approximately 300,000 more Cubans who want to come to the United States at our expense to escape the dictatorship of Mr. Castro. It so happens according to our colleague, the gentleman from West Virginia [Mr. MOORE]—and he is a very able gentleman in this regard as well as on other matters—that there are 2,700 Americans being held hostages in Cuba either in jail or being confined in some way.

It is my understanding that we have asked that these 2,700 Americans come to the United States as quickly as possible and Mr. Castro has said that none of them will come until all of the Cubans who want to come are able to come here—and that is 300,000 Cubans.

In other words, Mr. Castro is holding as hostages 2,700 Americans until 300,000 Cubans come out of Cuba. Do we want to help that kind of an operation? I do not think so.

Mr. BELCHER. I do not know whether Cuba is turning more toward the United States or not. I do not know whether that is true. But I would like to know what they are turning toward the United States?

Mr. CALLAN. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman.

Mr. CALLAN. The way I understand it is that we could not give aid to any country dealing with Cuba, and we could not give aid to any country dealing with North Vietnam. All of us agree on that—this is the way it should be. But I wonder whether or not we can give aid to a country dealing or trading with Russia under this bill?

Mr. BELCHER. This motion of mine does not go far enough to shut out all of the Communist countries. We have tried it many times but we have never been able to get enough votes to shut them out and unfortunately this only shuts out Cuba and North Vietnam.

Mr. CALLAN. But not Russia?

Mr. BELCHER. It does not shut out Russia. It does not shut out giving food to Indians who are starving or giving food to any other country where there are people starving regardless of whether they ship the stuff to Cuba or North Vietnam, either one.

Mr. CALLAN. The way I understand it then, we can give aid to an African country that is dealing with Russia?

Mr. BELCHER. You do not have a chance to pass on that today. The question that you will pass on today is, Can you ship stuff to Vietnam or Cuba?

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman.

Mr. DOLE. I would point out that the gentleman from Nebraska apparently does not understand what you are attempting to do.

If the gentleman will refer to page 2 of the conference report, section 103, subsection (d) very clearly states that sales agreements are limited to "friendly" countries, and—

> As used in this Act, "friendly country" shall not include (1) any country or area dominated or controlled by a foreign government or organization controlling a world Communist movement.

That would include, I will say to the gentleman from Nebraska, Russia and China.

Mr. CALLAN. I thank the gentleman, but the fact remains we could still give aid to a nation who is trading with Russia if that country was not controlled or dominated by a foreign government or organization controlling a world Communist movement.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. Mr. Speaker, I as one who has long been deeply concerned about shipping to North Vietnam certainly want to commend the gentleman from Oklahoma for the leadership he has exerted in this area.

I would say to my colleagues in the House that we should not miss any legislative opportunity that is available to the Congress here to tighten controls against shipping to North Vietnam.

Mr. Speaker, I rise in support of insisting on the original House language to H.R. 14929, which denied sales of agricultural commodities under title I to any country which sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam any equipment, materials, or commodities so long as they are governed by a Communist regime.

As one who has been concerned for many months over the aid and comfort being given North Vietnam by free world ships I believe that such language is absolutely necessary. I think there is little doubt that the actions taken by the House in recent months to prohibit either foreign aid or Public Law 480 benefits to countries who are involved in this traffic with our enemy have been instrumental in bringing about a reduction in this trade. Nevertheless this trade still exists and it is still of vital importance that Congress should continue to put the world on notice that so long as one free world ship docks at Haiphong the American people will not be satisfied.

Mr. Speaker, I share the shock and indignation of the gentleman from Oklahoma [Mr. BELCHER] that the Secretary of Agriculture, the Honorable Orville L. Freeman, has characterized this attempt to stop trading with the enemy by our so-called friends as "an effort to demagog an emotional issue as we approach an election."

This lack of concern, unfortunately, is not surprising. Last year in fact the Department of Agriculture awarded a food-for-peace cargo of 10,210 long tons of wheat to a Greek-flag vessel, the *Saronis*, which had been in a North Vietnamese port on January 25, 1965. On July 20, 1965, the *Saronis* sailed from Port Arthur, Tex., bound for India. It was only last February, 6 months later that the administration announced it would prohibit ships trading with Hanoi from carrying U.S. Government-financed cargoes.

Unfortunately this "black list" is not a fully adequate response to this problem. Congress, in the face of opposition from the administration, has taken a further step in denying foreign aid to any country trading with North Vietnam but this does not quite do the job either.

It is important, therefore, that every opportunity be taken to discourage any trade with North Vietnam. Certainly no piece of legislation should contain provisions which tolerate this trade. This traffic in fact has been tolerated far too long. The Secretary of Agriculture in behalf of the administration demands that we not hold it against any of our so-called friends if they help North Vietnam. Mr. Speaker, I simply cannot understand how it can be in our national interest to offer aid or subsidized Government business to any country which permits help to a regime that is daily taking its toll of American lives.

There should be no wavering of support here in Congress for the hundreds of thousands of boys sent to North Vietnam.

A few days ago while considering the foreign aid appropriations the House succeeded in tightening up its restrictions concerning this trade. There is no compelling reason today why we should appear inconsistent in our concern over the aid and comfort being given our enemy. We should seize every opportunity to express the American people's determination to oppose all free world trade with North Vietnam.

Mr. BELCHER. I just want to say in closing that I do not want to pressure any of you to vote for my motion to recommit, and I have never attempted to tell any Member of this House how to vote—use your own judgment and let your own conscience tell you what you should do.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Speaker, I would like to ask the chairman of the House managers to confirm my understanding of how section 103(m) of the bill would be administered. As I read the provision the purchasing country would first have to assure convertibility of such amounts as might be necessary to pay U.S. obligations not payable in local currency, such as canal tolls for vessels owned by the U.S. Government, and similar charges. Then, in addition to that amount, in excess currency countries, convertibility would also be required of an amount that would be determined by calculating the expected normal tourist expenditure in that country, up to 25 percent of the currency generated by the agreement. However, the total which is to be convertible under this provision is not on top of the amounts required to be convertible elsewhere in the bill but is inclusive of these other amounts, since section 103(m) stipulates that this currency is to be used for sale to U.S. tourists "or otherwise." Currencies set aside under section 103(m)(2) may be converted, therefore, for use in market development and will be counted against the 5 percent downpayment required in section 103(k). Am I correct in my conclusions?

Mr. COOLEY. Your understanding of the effect of this provision is correct.

Mr. STALBAUM. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. STALBAUM].

Mr. STALBAUM. Mr. Speaker, I wish to confine my remarks to an area other than that which has been heavily debated today, and touch briefly on that which we debated at length when we passed the bill in the House.

That was the length of terms of sales. As Members may recall, there was a difference of opinion here on 20-year terms or 40-year terms. The conference report now has come up with a compromise that seems acceptable, but I want to make a brief legislative history here for this act when it becomes law.

As I understand the conference report, 40-year terms can be extended if they are needed for the conversion of currencies, although basically 20-year terms should be used.

At the time the original bill was up, there were those of us who argued that the 20-year term put American agriculture at a disadvantage with other American items, and we held firm for the 40-year term.

I would still prefer that we did.

However, under the conference report 40-year terms can be used, and I feel that the Department should be shown an intent of Congress that we want American agriculture in these particular actions and transactions to be treated the same as any other American commodities. In other words, if 40-year terms are given to a nation to buy fertilizer or petroleum or pulp, paper, textiles, or anything else from America, I certainly believe that that same nation should have 40-year terms for the purchase of agricultural commodities from America. I am sure that this is what the conferees intended when they adopted this compromise in the conference report.

I am pleased to make this legislative history and trust that it will be followed in the administration of the Food for Peace Act.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I should like to ask the chairman to point out the importance to the farmers and the agricultural community of our country of carrying out the food-for-peace program.

Mr. COOLEY. Of course this is vital to the food-for-peace program. Unless we pass the legislation, we will not have a food-for-peace program.

Mr. McCORMACK. The question of allowing, in the field of foreign affairs, a minimum of discretion to a President of the United States is what is involved. It might have serious effects upon the farmers and the agricultural community of our country.

Mr. COOLEY. I believe it would have a serious effect on the farmers of the country if we did not pass the bill.

Mr. McCORMACK. That involves leaving a minimum of discretion with the President of the United States.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. ARENDS. I am very interested in the apparent great concern some Members now have for the farmers. Anyone who has been watching the market in recent days and weeks must be concerned about what is happening to the farmers, the manner in which farm prices have been going down, precipitately going down.

In addition I have heard that we have already advised foreign recipient nations there will be but little wheat they can expect us to export to them, et cetera, in making probable there will be a further driving of farm prices on the part of the administration, under the direction of Secretary of Agriculture Orville Freeman. Let me report, this is wrong, is wrong as can be.

Mr. McCORMACK. Let me say, in response, the farmers have always been better off under Democratic administrations than they ever been under the other party.

I might also observe in my 38 years served in this body, and without one farm in my district, I have voted for every farm bill.

Mr. ARENDS. Would the gentleman read the statement which came out of the Department of Agriculture yesterday under the name of a high-ranking Democrat who has been serving for a long time under Mr. Freeman. The chart and information published in the paper clearly show what has happened in regard to farm parity ratio. If the gentleman from Massachusetts will read that, I believe he will find the facts a little disturbing.

Mr. COOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, I had not intended to speak on this conference report, but I do wish to say a word about what seems to me the great importance of sustaining the report, and in support of the position well stated by the gentleman from California [Mr. HAGEN].

I certainly do not associate myself with the attacks which were made by a member of the administration on a Member of this House in a letter that was offensively worded. But let us vote on the merits of this proposition and let us not be influenced by the irrelevant fact that an overly critical letter was written and sent.

I should like to emphasize that in my view it is terribly important that we distinguish here between North Vietnam and Cuba. In one case we are engaged in armed conflict. In the other we are not.

We ourselves have shipped drugs to Castro's Cuba. Yet under the rigid wording of the original House bill, we would be trying to stop any such shipments by countries that receive Public Law 480 assistance.

Some of our best friends and biggest trading partners, including Canada and the United Kingdom, are trading with Cuba. How do you suppose the Government of India, a democratic government, would feel if we tried to tell them they could not have a little trade with Cuba, while our biggest trading partners do? How would the Indian Government feel, if we tried to use our aid to dictate what their foreign policy shall be?

Mr. Speaker, a distinction should be drawn here between North Vietnam and Cuba. I believe the President should be allowed discretion, as the gentleman from New Jersey [Mr. FRELINGHUYSEN] suggested, to permit recipient nations to trade in nonstrategic commodities with Cuba under certain circumstances.

I urge the House to sustain the conference report.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. BINGHAM. I am glad to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Is it not also true that free world trade with Cuba has shrunk very sharply? Is it not true that the administration, over a period of years, has made every effort to persuade our allies, whether big or small, to reduce that trade? Is it not true also that the developing nations, such as India, have reduced that trade and we hope they will continue to reduce that trade?

Mr. BINGHAM. It is certainly true, as the gentleman says, that India has reduced its trade with Cuba very sharply. We have made efforts to persuade our allies to cut down their trade. But we do not suggest that our trade with them should be cut off because they trade with Cuba.

Mr. COOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, I know that the gentleman from Oklahoma [Mr. BELCHER], did not mean to suggest that the Secretary of Agriculture was taking a different position on this legislation because he was not on the front lines of Vietnam. It would seem to me this kind of effort to discredit the Secretary of Agriculture is not the kind of thing that the gentleman would attempt to do. I am sure he would recognize that the Secretary of Agriculture had a distinguished war record in the South Pacific where he was wounded and nearly lost his life in defense of his country in World War II.

Mr. Speaker, I merely want to add my voice to those who say this issue centers around the problem of Cuba and not North Vietnam. The bar on trading with North Vietnam is absolute and there is no discretion. That is true regardless of what we do with this conference report. It seems to me to keep suggesting that there is a different state of facts is to try to mislead the House and, I expect, to try to mislead the public. The bar in the appropriation measure will not permit any goods to be sent to North Vietnam by a country that wants to be eligible for food-for-peace shipments. I do not know why the gentlemen who are defending more severe restrictions want to keep talking about North Vietnam. It seems to me the only purpose they have in mind is to attempt to create an emotional issue where there is no issue in fact.

Mr. JACOBS. Mr. Speaker, will the gentleman yield to me?

Mr. FRASER. I will be glad to yield to the gentleman from Indiana.

Mr. JACOBS. I was somewhat puzzled at a remark that was made on the minority side a few minutes ago. As I understood it, if India, for example, did trade with Cuba, then under this law we could give India wheat, but if India did not trade with Cuba, under this law they would then have the privilege of buying wheat from us. Is that correct?

Mr. FRASER. I think that is essentially correct.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I am glad to yield to the gentleman from Illinois.

Mr. FINDLEY. I thank the gentleman for yielding. The gentleman raised the question as to why we keep referring to North Vietnam. After June 30 of next year the act we are dealing with now will still have 18 months of life. At that point the trading-with-the-enemy amendment to the appropriation bill, sometimes called the Findley amendment, would expire. There is a legal question as to whether between now and June 30 the Findley amendment would apply or the looser language now before us. But there is no question but what the language recommended by the conference committee would permit nonstrategic trading to North Vietnam after June 30 of next year. So I think it is a pertinent point to keep making.

Mr. FRASER. I acknowledge what the gentleman says, but I say first of all that this is the first time to my knowledge that there has been any question raised about the effectiveness of the limitation that is in the appropriation act. I notice that the Secretary of State stated it is effective. The restriction in the appropriation bill can be renewed when the next appropriation for the food for peace is voted upon by Congress.

Mr. Speaker, the RECORD should include the letter from the Secretary of State on this subject:

THE SECRETARY OF STATE,
Washington, September 27, 1966.

HON. JOHN W. MCCORMACK,
Speaker, the House of Representatives.

DEAR MR. SPEAKER: The House of Representatives will shortly be considering the conference report on H.R. 14929, which will extend and amend P.L. 480. I understand that some effort may be made to override the action of the committee of conference with respect to countries that have trade and shipping contacts with North Vietnam and Cuba. The administration believes that the provision in the conference report adequately supports our extensive efforts to limit Cuban trade. Any further broadening of the provision could have very serious foreign policy consequences and would undercut the humanitarian objectives of the bill.

As a result of conference action, the bill would forbid sale of agricultural commodities to countries that sell, furnish, or permit their ships or aircraft to carry arms or strategic items to or from North Vietnam or Cuba. There is no Presidential discretion in this; we ask for none.

At the same time, the current Agricultural Appropriation Act (Public Law 89-556) in effect prohibits any such sales to countries that sell, furnish, or permit their ships or aircraft to carry *any* equipment, materials, or commodities to North Vietnam.

When the President signed the appropriation bill, he stated that he was deeply disturbed about that provision, but it is now the law, and we will enforce it. If the same kind of bar were to be extended to Cuba—as was the case under H.R. 14929 before the conference action—our concern would be even greater. There are good reasons for this concern.

First, other countries may understand that we do not want strategic items to go to Cuba; they may understand that we do not want any commodities to go to North Vietnam for any reason; but they will not understand that we should want to keep even foodstuffs and humanitarian products from going to Cuba. Our own embargo does not go that far, and the OAS Resolution against trade with Cuba makes an exception for foodstuffs and humanitarian items. The reaction of these countries against such an indiscriminate policy expressed in our law could undercut our efforts to keep *critical* commodities from going to Cuba.

Second, some countries which the United States wants to support with P.L. 480 food sales may be unwilling or unable to pay the political price involved for them in cutting off all trade and shipping with Cuba. For example, Yugoslavia has foregone other forms of United States assistance rather than agree to altogether foreclose its ships from calling at Cuba. There are occasional voyages, but nothing very significant. Yet, Yugoslavia has good relations with the West and is now in process of rapid movement to a decentralized, market economy. This progress has basic political and economic implications for the rest of Eastern Europe. The major developing countries are also following the Yugoslav experiment with great interest. If Yugoslavia were cut off from our P.L. 480 sales program, the consequences to its economy may stop or reverse these favorable developments.

Finally, we believe that existing laws and policies have had good results in reducing free world trade with Cuba. We mean to continue our efforts to persuade other countries to avoid significant economic relationships with Cuba. We do not need to condition our P.L. 480 sales program, with its humanitarian objectives, to the single consideration of whether a needy country has trade or shipping contacts with Cuba, no matter how small or non-strategic. We should not risk such an absolute condition.

I urge the House to accept the recommendations of the committee of conference in this matter.

Sincerely yours,

DEAN RUSK.

Mr. BELCHER. Mr. Speaker, apparently we cannot agree on what the conference report contains here, but if they want to go to the chairman and the counsel over there, these gentlemen would get straight on it. This is not an issue only about Cuba. You cannot eliminate Cuba. You cannot do anything with Cuba if you do not recommit this conference report. There is no way of dealing with one of them separately. You have to recommit the conference report and then the conferees can possibly determine what is to be done further and what might bring about a different situation as far as Vietnam is concerned. But this motion is to recommit the conference report which permits the shipping of anything except strategic materials both to Vietnam and Cuba. You cannot vote on Cuba separately from North Vietnam. So if you vote against motion to recommit this conference report, you are going to vote to make concessional sales to countries that furnish materials to North Vietnam.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield to me?

Mr. BELCHER. Yes. I yield to the gentleman.

Mr. CEDERBERG. I think it is quite interesting to read what happened in the presidential campaign of 1960 regarding Cuba. Here is what the late President said at that time was going to be done at that time by this administration. He refers to economic sanctions and then he says, "We should also consider measures to prevent goods from being shipped to Castro via a third country." That is what we are doing in this very bill.

Mr. BELCHER. There is one thing further. I believe that the distinguished Speaker of the House of Representatives said that we were willing to give the President discretion on a previous occasion.

Mr. Speaker, this conference report has nothing to do with the discretion of the President of the United States, and unless we recommit this conference report, there is no way in which the President of the United States can exercise any discretion insofar as this law is concerned.

The SPEAKER. The time of the gentleman from Oklahoma [Mr. BELCHER] has expired.

Mr. COOLEY. Mr. Speaker, I yield myself the balance of the time on this side.

Mr. Speaker, in order to just make the RECORD complete, I introduced a bill extending Public Law 480 on January 19, 1966. We had to wait to hear from the administration for approximately 1 month and when that message did arrive, I introduced the administration bill on February 14.

Mr. Speaker, we held exhaustive hearings and heard from everyone who wanted to be heard.

Now, Mr. Speaker, if I understand the situation here, the motion to recommit, which will be offered by the gentleman from Oklahoma [Mr. BELCHER] will require the House conferees to insist on the language of the original House bill, as it was reported from the Committee on Agriculture and as it passed the House by a vote of 333 to 20.

Mr. Speaker, the conference report is sent back to conference, of course, the entire report is again in conference. We shall try to work out something satisfactory to the House.

Mr. Speaker, I would like to ask the distinguished gentleman from Oklahoma [Mr. BELCHER] if that is the gentleman's understanding of the situation?

Mr. BELCHER. Mr. Speaker, if the gentleman will yield, I understand the purpose thereof. However, I would like for the gentleman from North Carolina to restate the proposition.

Mr. COOLEY. I stated that the entire conference report will go back to the committee of conference, and we shall insist upon maintaining this position.

Mr. BELCHER. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Oklahoma.

Mr. BELCHER. Mr. Speaker, I do not understand the parliamentary situation perfectly, but it is my understanding, however, that the conferees will only be given instructions to insist upon the House language insofar as this one section is concerned.

Mr. COOLEY. That is all I wanted. That is perfectly clear.

Mr. Speaker, I wish to conclude this debate by saying that I certainly have no objection to the House of Representatives working its own will and I am certainly willing to go back to conference and do the very best we can thereon.

Mr. Speaker, I move the previous question.

Mr. EDMONDSON. Mr. Speaker, my vote will be cast, for the third time in this session, for the restriction to prevent aid to nations dealing with North Vietnam.

While this may result in some difficulties in relations with some countries who insist on continuing trade with this Communist aggressor, it should very definitely operate to the economic and military detriment of the North Vietnamese.

It also provides additional proof to the world of our determination to back our fighting men in Vietnam with every resource and economic pressure in our possession. The effect of this should be worthwhile, both in Asia and throughout the world.

This is a vote, in my judgment, to do what we can with our great economic power to shorten the war in Vietnam, and to speed the day of victory for our forces and the forces of other friendly nations who are fighting for freedom there.

Let us hope and pray for such a result.

Mr. CALLAN. Mr. Speaker, I would like to call attention to one of the provisions in this important legislation which, despite its great significance to our domestic and international food supplies, has perhaps gone unnoticed on the part of many of my busy colleagues.

In the past there has been no congressional direction to the Secretary of Agriculture and the administrators of Commodity Credit Corporation concerning the preservation of adequate supplies to cover contingencies. Strict interpretation of law, I am advised, would have the Secretary of Agriculture move Government stocks until the last bushel, pound, or bale is gone and, more importantly, do this with no direction as to the price or return for such stocks. Until recently, when for the first time our commodity adjustment programs have been effective in reducing Government stocks to reasonable levels, there was no concern about this; but with the wheat and feed grain programs of the last few years keeping some 50 million acres of land out of production each year, our stocks are now down sharply. Therefore, the problem of resale price and of supply level at which that resale price should go into effect will have a great deal of importance in the years ahead.

It is for this reason that I offered an amendment during consideration of this bill by our House Agriculture Committee.

My amendment did two things: First, it told the Secretary of Agriculture to take into account in designing the commodity adjustment programs the carryover, the supply, and whenever that supply would be less than 25 percent of the total requirements—domestic, dollar sales, and food aid—he should adjust the programs so as to maintain such level. Secondly, the Callan amendment said that whenever stocks are estimated to be less than 25 percent of these total requirements there should be by law a higher resale price for any stocks coming out of CCC hands. In my amendment I suggested 115 percent of the current loan level. This amendment was approved by the Committee on Agriculture and adopted by the House. The other body approved somewhat more limited but similar legislation.

The conference report on the food-for-peace bill before us today contains most of that original Callan amendment—certainly the most important part. This bill says that whenever the supply is less than 25 percent—35 percent in the case of wheat—of the estimated export and domestic consumption—and this includes food-for-peace concessional sales—CCC resale minimum shall be at not less than 115 percent of the current price support loan plus carrying charges, and not less than 120 percent for wheat whenever its carryover is less than 25 percent of such estimated export and domestic consumption.

Thus, after many years of discussion, proposals, committee hearings on both sides of the Capitol, I am pleased to see that constructive and reasonable legislation has been included in this food-for-peace bill.

I am proud to have authored this amendment.

Mr. ROGERS of Florida. Mr. Speaker, I will support the motion to return this report to conference.

The House passed H.R. 14929 with an amendment that clearly provided that the United States would not send food under the food-for-peace plan to countries trading with North Vietnam or Cuba. The conference report which we are about to vote upon has struck down that provision.

I would like to go on record as opposed to the changed language and urge my colleagues to vote down the conference language and ask that the report be sent back to conference with the recommendation that the House language be inserted.

We cannot compromise our thinking in regard to dealing with the enemies of the United States. And if we accept the bill as amended by the Senate language, we will certainly be compromising the freedom-loving people of the world.

We have offered food to the needy countries of the world. It is their decision, not ours, as to whether or not they take this aid. We have extended the hand of friendship.

They may take it in partnership with the United States. But they should not be permitted to take this food with one hand and then offer aid to the enemies of the United States.

We do not intend to bolster any economy that derives revenue at the cost of American lives. Approval of this conference report would be just that.

Mr. GALLAGHER. Mr. Speaker, I urge that the House approve paragraph (d) of section 103 of title I of the food-for-peace bill.

This paragraph clearly sets forth the policy of not permitting agricultural sales agreements with countries selling or carrying strategic goods to Cuba or North Vietnam. This provision further supports U.S. efforts to persuade other free world countries to curtail their trade and shipping with the aggressive Communist regimes in those two countries. It does not affect the provision in the Agricultural Appropriation Act prohibiting agricultural sales to countries carrying on trade in any commodities whatever with North Vietnam.

At the same time, it leaves sufficient flexibility to allow agricultural sales programs that are otherwise in the national interest with less developed countries even though they carry on some limited nonstrategic trade or shipping with Cuba, so long as they do not permit trade with North Vietnam.

The administration has made and continues with every possible method of persuasion to convince other countries to reduce or eliminate their trade with North Vietnam and Cuba. There has been considerable success.

Free world exports to North Vietnam are very small and are all nonstrategic—only $13.5 million in 1965. During 1965 an average of 21 ships per month called at North Vietnam while an average of 34 per month called in 1964. During the last 3 months only nine free world ships called at North Vietnam—all under long-term charter to Asian Communist countries.

In the case of Cuba, free world trade has dropped from $340 million in 1964 to only $175 to $185 million in 1965. A further clearance is expected this year. Furthermore, most of this trade was by industrialized countries of Europe that would not be affected by the food-for-peace legislation.

Free world ship calls at Cuba have dropped from 394 in 1964 to 290 in 1965 and will be even lower in 1966.

The President should be left with enough authority to make maximum use of the food-for-peace legislation. That legislation is intended to draw on our agricultural strength to help other countries toward greater independence and economic well-being. This is a purpose that strengthens the free world in a key sector. It is an important tool in coping with the evolving situation in the underdeveloped world.

I strongly urge that we leave the President free to obtain the maximum benefit from the food-for-peace program in its own terms. He can then continue to press for the maximum cooperation from other free world countries in matters of trade and shipping with Cuba as a separate matter, without encumbering the agricultural program, and with a prospect of further gradual progress in this field.

There is already ample legislation on the record to support the President in this latter effort. I would recall for the House, moreover, his statement in signing the Agricultural Appropriation Act:

> Second, the bill contains a provision that would automatically bar any needy nation from receiving U.S. food aid for its poor and starving people if that nation engages in any trade or shipping with North Vietnam.
>
> This absolute bar goes far beyond a measured response to the problem, for such transactions by countries receiving our food aid are currently very small. It is inconsistent with the humanitarian and foreign policy goals of the food-for-freedom program. It will tie the hands of this administration and succeeding administrations.

Mr. NELSEN. Mr. Speaker, one last-minute change worked out by the conference committee for the food-for-peace bill should be reversed by the House. I am referring to the deletion of the provision which would prohibit U.S. taxpayer-sponsored bargain-rate food sales to nations that are trading with North Vietnam and Communist Cuba.

The reasons for this House-passed provision are obvious. North Vietnamese troops and the Communist Vietcong who are supported by the North Vietnam economy are killing and maiming the American boys in their efforts to subvert and conquer South Vietnam. In January of this year Cuba's Castro was the official host to the first annual conference of the Communists of three continents. The conference approved a program to organize support throughout the Communist world for the North Vietnamese invasion.

The House provision simply denies taxpayer-subsidized food sales from our Government under Public Law 480, to various nations who may be tempted to trade with those two enemies of the United States. The provision in no way alters our humanitarian donation program for urgent or extraordinary food relief requirements of both friendly and unfriendly countries.

It is argued that the countries affected by this provision are sending only small amounts of "nonstrategic goods" to North Vietnam and Cuba. However, we know in our own economy, which is infinitely stronger than those of our enemies, that all goods are strategic during wartime. The supply of "nonstrategic" articles can be of great assistance in freeing a country's productive capacity for strategic goods.

Either way, the trade amounts to valuable assistance to the declared enemies of the American interests and the interests of the free world. We cannot justify special subsidized sales of American food to countries which choose to assist our wartime enemies in this way. The House must reinsert the ban provision.

The SPEAKER. The question is on the conference report.

MOTION TO RECOMMIT

Mr. BELCHER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman from Oklahoma opposed to the conference report?

Mr. BELCHER. Mr. Speaker, I am.

The SPEAKER. The gentleman from Oklahoma qualifies.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. BELCHER moves to recommit the conference report on the bill, H.R. 14929, to the Committee of Conference with an instruction to the Managers on the part of the House to insist upon the language of section 103(d) (3) of the House bill which reads as follows:
>
> "(3) for the purpose only of sales of agricultural commodities under title I of this Act any nation which sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam (excluding United States installations in Cuba) any equipment, materials, or commodities, so long as they are governed by a Communist regime."

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Chair, being in doubt, the question was again taken.

The SPEAKER. In the opinion of the Chair, the noes appear to have it.

Mr. BELCHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 306, nays 61, not voting 65, as follows:

[Roll No. 335]

YEAS—306

Abbitt
Abernethy
Adair
Adams
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Blatnik
Boggs
Boland
Bolton
Bow
Bray
Brock
Brooks
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark

Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cooley
Corbett
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, La.
Erlenborn
Everett
Evins, Tenn.
Fallon
Farnum
Fascell
Feighan
Findley
Fino
Flood
Fogarty
Foley
Ford, Gerald R.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gettys
Giaimo
Gibbons
Gilligan
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harsha
Harvey, Mich.
Hays
Hechler
Henderson
Herlong
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kee
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Mathias
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morton
Mosher
Murphy, N.Y.
Natcher
Nelsen
Nix
O'Brien
O'Neal, Ga.
Ottinger
Passman
Patman
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Pucinski
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roudebush
Roush
Rumsfeld
Satterfield
St Germain
St. Onge
Saylor
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stubblefield
Talcott
Taylor
Teague, Calif.
Tenzer
Thomson, Wis.
Trimble
Tunney
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waggonner
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Young
Younger
Zablocki

NAYS—61

Anderson, Tenn.
Annunzio
Ashley
Bingham
Bolling
Brademas
Burke
Burton, Calif.
Clevenger
Cohelan
Culver
Dawson
Diggs
Dingell
Dow
Edwards, Calif.
Farbstein
Farnsley
Ford, William D.
Fraser
Frelinghuysen
Gallagher
Gathings
Gilbert
Gonzalez
Green, Oreg.
Griffiths
Hagen, Calif.
Hathaway
Hawkins
Helstoski
Holifield
Holland
Jacobs
Kastenmeier
Keogh
Kluczynski
Krebs
Matsunaga
Mink
Moss
Multer
Murphy, Ill.
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Olson, Minn.
Patten
Powell
Rees
Reuss
Ronan
Rosenthal
Roybal
Ryan
Scheuer
Thompson, N.J.
Todd
Waldie
Yates

NOT VOTING—66

Addabbo
Albert
Aspinall
Brown, Calif.
Callaway
Conyers
Corman
Craley
Duncan, Oreg.
Dyal
Edwards, Ala.
Ellsworth
Evans, Colo.
Fisher
Flynt
Garmatz
Grider
Gross
Halleck
Hansen, Iowa
Harvey, Ind.
Hébert
Kupferman
Leggett
McMillan
McVicker
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Morgan
Morris
Morrison
Morse
Murray
O'Konski
Olsen, Mont.
O'Neill, Mass.
Purcell
Reinecke
Resnick
Rivers, Alaska
Rogers, Tex.
Schisler
Scott
Sickles
Sisk
Smith, N.Y.
Smith, Va.
Stephens
Stratton
Sullivan
Sweeney
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Vivian
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Widnall
Willis
Wilson, Bob

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Harvey of Indiana.

Mr. O'Neill of Massachusetts with Mr. Morse.

Mr. Grider with Mr. Watson.

Mr. Stratton with Mr. Smith of New York.

Mr. Evans of Colorado with Mr. Tupper.

Mr. Morgan with Mr. Watkins.

Mr. Albert with Mr. Halleck.

Mrs. Sullivan with Mr. Gross.

Mr. Aspinall with Mr. Martin of Nebraska.

Mr. Fisher with Mr. Edwards of Alabama.

Mr. Corman with Mr. Reinecke.

Mr. Garmatz with Mr. Martin of Massachusetts.

Mr. Olsen of Montana with Mr. O'Konski.

Mr. Smith of Virginia with Mr. Bob Wilson.

Mr. Sisk with Mr. Widnall.

Mr. Morris with Mr. Ellsworth.

Mr. Morrison with Mr. Martin of Alabama.

Mr. Willis with Mr. Callaway.

Mr. Sweeney with Mr. Kupferman.

Mr. Stephens with Mr. Walker of Mississippi.

Mr. Leggett with Mr. Conyers.

Mr. Thompson of Texas with Mr. Duncan of Oregon.

Mr. McVicker with Mr. Walker of New Mexico.

Mr. Addabbo with Mr. McMillan.

Mr. Rivers of Alaska with Mr. Schisler.

Mr. Dyal with Mr. Vivian.

Mr. Brown of California with Mr. Tuck.

Mr. Craley with Mr. Teague of Texas.

Mr. Flynt with Mr. Sickles.

Mr. Hansen of Iowa with Mrs. Thomas.

Mr. Purcell with Mr. Scott.

Mr. Rogers of Texas with Mr. Resnick.

Messrs. GRAY, YOUNG, ROONEY of New York, and BARRETT changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

GENERAL LEAVE TO EXTEND

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so have 5 legislative days in which to extend their remarks on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

EXTENDING THE AUTHORITY OF THE POSTMASTER GENERAL TO LEASE REAL PROPERTY

Mr. DANIELS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S.J. Res. 197) to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 197

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2109 of title 39, United States Code, is amended to read as follows:

"§ 2109. Time limitations on agreements

"Agreements may not be entered into under sections 2104 and 2105 of this title after July 22, 1964, and under section 2103 after April 30, 1967."

Mr. DANIELS. Mr. Speaker, Senate Joint Resolution 197 provides for an extension of the leasing program of the Post Office Department to April 30, 1967.

The provisions of title 39 United States Code, section 2103, authorizes the Postmaster General to enter into lease agreements for postal buildings for periods up to 30 years, and authorizes the condemnation and other types of land acquisition and related land disposition. This authority will expire on December 31, 1966, and the joint resolution proposes to grant a 4-month extension.

A 4-month extension was proposed by the Senate Committee on Public Works, which has jurisdiction over this matter in the Senate, in order to permit the committee to examine in depth the relative merits of providing some major postal facilities by Government construction rather than by long-term leasing. This is the same reason advanced by the Senate when the same question of the extension of the leasing authority was considered several years ago.

Mr. Speaker, the House passed a bill, H.R. 14548, on July 18, 1966, which would have continued the 30-year leasing authority indefinitely without any time limitation. The bill received extensive consideration by the Senate Public Works Committee and was reported by the committee with substantial amendments. However, the Senate was not able to complete action on the amendments recommended by the committee and now, since it is getting so late in the session, felt it advisable to provide a 4-month extension on the existing authority in order to permit a continuation of the Department's leasing program beyond December 31, 1966.

This will afford the Senate Public Works Committee ample opportunity next year for determination to be made whether to provide an indefinite extension of the authority or to meet the Post Office Department requirements for major facilities through Government construction.

SUMMARY OF ACTION BY THE SENATE ON H.R. 14548

The bill, H.R. 14548, was reported to the Senate on July 22, 1966—Senate report No. 1400.

Committee amendments propose to continue the 30-year leasing authority for "the erection by the lessor of a special purpose post office building." The special purpose building was defined as being one convenient for processing mail with at least 90 percent of the floor space devoted exclusively to mail-processing activities.

The Senate amendment also proposed a fiscal year limitation on the total amount of lease space to be procured, of 6 million square feet or $15 million annual rental payments.

Also, any special purpose post office building having a gross floor space exceeding 10,000 square feet could not be the subject of a contract until 60 days after the date of a transmittal of a prospectus to the House and Senate Committees on Public Works.

The Senate amendments were considered by the Senate, but the bill was referred back to the Committee for further study because of several questions raised during the Senate debate concerning the procedure previously followed by the Post Office Department under this leasing program.

The bill was reported to the Senate once again on September 7, 1966—Senate report No. 1591. The Senate apparently has been unable to schedule action on the House bill and in lieu thereof, adopted Senate Joint Resolution 197 on October 4, 1966, providing a 4-month extension.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. Daniels]?

There was no objection.

The Senate joint resolution was ordered read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROMOTING GENERAL WELFARE, PUBLIC POLICY, AND SECURITY OF THE UNITED STATES

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10860) to promote the general welfare, public policy, and security of the United States, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Amend the title so as to read: "An Act to amend the Connally Hot Oil Act by exempting States from certain provisions thereof."

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PROVIDING FOR CONTINUED PROGRESS IN THE NATION'S WAR ON POVERTY

Mr. POWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15111) to provide for continued progress in the Nation's war on poverty, with Senate amendment thereto, disagree to the Senate amendment and request a conference.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. Powell]?

Mr. WILLIAM D. FORD. Mr. Speaker, reserving the right to object, it is my understanding that the chairman of the committee has submitted to the Speaker a list of conferees on the bill which includes only one of the members of the subcommittee other than the chairman himself, who worked on the bill.

I would like to know if this is correct?

The SPEAKER. The Chair has a list of conferees which, if the unanimous-consent request is agreed to, the Chair will announce.

Mr. WILLIAM D. FORD. Mr. Speaker, the information I have is that those of us who served on the subcommittee handling this piece of legislation were not named to the conference committee, and will not be named.

Having made that observation, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. Powell]?

The Chair hears none, and appoints the following conferees: Messrs. Powell, Perkins, Mrs. Green of Oregon, Messrs. Thompson of New Jersey, Dent, Gibbons, Ayres, Quie, and Goodell.

AUTHORIZING ADDITIONAL EXPENSES FOR THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up the resolution (H. Res. 1028) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1028

Resolved, That, in carrying out its duties during the Eighty-ninth Congress, the Committee on House Administration is authorized to incur such further expenses (not in excess of $25,000) as it deems advisable in the United States, its territories, and possessions. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized and approved by such Committee, and signed by the chairman thereof.

The SPEAKER. The Chair recognizes the gentleman from Maryland [Mr. Friedel].

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. DENT. Mr. Speaker, I want to clear up one matter here. There seems to be a misunderstanding about this $25,000 appropriation in the minds of some Members. In our committee this morning when we dealt with this subject matter, I asked the question, whether this $25,000 was to be spent in conducting investigations of the membership of this House as a whole and that it was not aimed at an individual or an individual committee. Some of us serve on some committees that seem to be always being discussed publicly and sometimes privately. Therefore, in order that it be clearly understood, this committee, investigating under the able gentleman from Ohio [Mr. Hays] has the use of this $25,000 to investigate, interrogate, and inquire into the behavior of every Member of the Congress and every committee. Is that true, Mr. Speaker?

Mr. FRIEDEL. The $25,000 can be used in any way that the chairman of the full committee wishes to use it. It is not strictly limited to investigate the Committee on Education and Labor.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, I am surprised at the statement just made by the gentleman from Pennsylvania [Mr. Dent] and apparently assented to by the gentleman from Maryland [Mr. Friedel], that this $25,000 appropriation gives the subcommittee on accounts, as I understand it, of the House Committee on Administration, the right to investigate any or every Member of this House on any matter whatsoever.

As recently as yesterday, I looked into Jefferson's Manual, which defines the legal duties under the rules of this House of the Committee on House Administration. I do not find anything in that manual that would give them broad, sweeping powers to conduct that kind of investigation. I am concerned because shortly there is going to be before this House a resolution to set up a House Committee on Ethics and Standards and I want nothing to interfere with the creation of that committee.

I would not want to leave the statement that has just been made unchallenged in the Record and to leave unchallenged the understanding that the rules of this House permit the Committee on House Administration to have anything like the broad, sweeping powers that would be given to it according to the remarks made by the gentleman from Pennsylvania.

Mr. FRIEDEL. The $25,000 that is being provided by this resolution is not for the subcommittee on accounts but is for the full Committee on House Administration, and the amount, as set forth in the resolution, can be used as the chairman sees fit. This money will come out of the contingent fund. It does not apply to a broad investigation of each individual Member nor is it strictly limited to the one Committee on Education and Labor.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. DENT. The gentleman from Maryland was present at the meeting of the committee this morning when I asked that very question. If the minutes of the committee can be brought here, I think the answer to the point I have raised will follow along the lines that I have made clear here.

Is it then the understanding of the gentleman on the other side that this $25,000 is illegal, as the gentleman puts it, improper, for the committee to spend it to investigate the behavior of all the Members, but it is not improper and not illegal to investigate the behavior of one Member or one committee. Let us understand this. Let us understand what this is for.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. ANDERSON of Illinois. I certainly did not say it would be illegal to use that appropriation to investigate travel expenses or other expenses that might be paid out of the contingent fund of the House for any Member. What I objected to was what I thought was language on the part of the gentleman from Pennsylvania to the effect that this would give them broad sweeping powers which would make the Committee on Ethics and Standards completely unnecessary; and with that I would not agree.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. HAYS. I would just say to the gentleman as chairman of this subcommittee that it is not, as I conceive it, my duty, nor is it my desire, to investigate the morals and the so-called ethics of Members of the House. I will tell the gentleman since he seems to be very eager about it, I am not in favor of setting up any such snooping committee as that under any guise whatsoever.

So far as money that we give to Members and to committees to pay their staffs, we as a Congress have an obligation and a responsibility to see that it is spent in accordance with the law.

If a Member does anything else that is illegal, there is plenty of law to cover it and an Attorney General to enforce it and I do not want you or anybody else set up as a committee to say what is ethical and what is moral and whether a Member in private life should do this, that, or the other. My constituency will make that judgment, so far as I am concerned, about me and I hope your constituency does the same so far as you are concerned. I would point out to the gentleman from Illinois that the "witch burners" in the colony of Massachusetts alleged that they were doing God's will. I have serious reservations as to whether the innocent people burned, or God, viewed it that way.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman from Maryland yield further?

Mr. FRIEDEL. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I certainly will not be the one to set up any committee of this House, as I believe the gentleman from Ohio knows. The Rules Committee I believe unanimously reported out a resolution which would make it in order for this House to vote on the question of whether or not it wished to establish a Committee on Ethics and Standards.

Mr. HAYS. Yes, and I have heard that two-thirds of the members of the Rules Committee have had second thoughts on the matter. I understand they are amending the bill right now to make it more airtight.

Mr. ANDERSON of Illinois. The gentleman from Ohio is correct to this extent. The members of the Rules Committee have informally discussed the idea of amending the resolution to provide that any charges would have to be in writing and under oath. I subscribe to that. I think it is a good idea. I would be the last Member of the House to suggest that action should be taken on rumor.

Mr. HAYS. I have already received and thrown in the wastebasket a couple of telegrams making charges against a couple of Members on the other side. I told one of them only yesterday that if I were writing a list of the 10,000 people that I most admired in the country, he would not be on it. Nevertheless, I am not going to consider, as chairman of this committee, any such unsubstantiated charges as that in a telegram saying that this man has done various unethical things, and that is the way it was stated. If anyone wants me to look into matters, they will have to make a charge and make it under oath, and we will hear them in executive session to be sure that they are not trying to smear the man in public.

Any investigation that I run will be run in accordance with the rules set down, and it will not be a trial of somebody in the newspapers, and then find out that he has been tried on page 1 and vindicated on page 20.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman from Maryland yield further?

Mr. FRIEDEL. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I agree with everything that the gentleman from Ohio has said with respect to the manner in which these investigations should be conducted. The only point I have been trying to make is that I felt the jurisdiction of the House Administration Committee was not broad enough to cover matters other than those related to expenditures out of the contingent funds of the House.

Mr. HAYS. The jurisdiction of the House Administration Committee is broad enough to cover anything we need to do. Furthermore there was no House Administration Committee in Jefferson's day. I would refer the gentleman from Illinois not to Jefferson's Manual but to the Reorganization Act which created the House Administration Committee in the 1940's.

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I made a point of order against the consideration of this resolution last Friday on the ground that it had not been considered at a meeting of the Committee on House Administration and that the members of the committee had not been advised of the purpose of the additional $25,000 provided for in the resolution. You sustained my point of order, Mr. Speaker, and referred the resolution back to the committee.

The resolution was only considered by the committee at a meeting held this morning. The members were advised that the additional funds were needed for the operations of the committee, and particularly for the carrying out of investigation responsibilities assigned to the Subcommittee on Contracts. The members were assured that, while that subcommittee is currently investigating the regularity of expenditures by the Committee on Education and Labor, its terms of reference are not limited to any one committee. The amount requested is modest and the resolution is appropriate and in order.

I am glad that proper procedures have now been followed. It is precisely because the investigation to be carried out by the subcommittee is so important—affecting the reputation of the House itself—that it should be launched and carried on in a manner that is not vulnerable to attack.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL STATIONERY ALLOWANCE FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the House Administration Committee, I call up House Resolution 1029 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1029

Resolved, That, in addition to any amounts authorized by law, there shall be paid from the contingent fund of the House of Representatives an additional allowance for stationery of $600. Such payment shall be made to each Member and the Resident Commissioner from Puerto Rico serving as such on or after the date of adoption of this resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CENTENNIAL ANNIVERSARY OF THE SECOND INAUGURAL OF ABRAHAM LINCOLN

Mr. FRIEDEL. Mr. Speaker, by direction of the House Administration Committee, I call up House Resolution 1034 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1034

Resolved, That the amount of $15,000, authorized to be paid out of the contingent fund of the House by H. Res. 241, agreed to February 24, 1965, on vouchers authorized by the committee on arrangements for the centennial anniversary of the second inaugural of Abraham Lincoln, incurred pursuant to Public Law 88-427, approved August 14, 1964, is increased to $30,000.

AMENDMENT OFFERED BY MR. FRIEDEL

Mr. FRIEDEL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRIEDEL: Strike out "$30,000" and insert "$25,000".

The amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13161, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. POWELL] will be recognized for 2 hours, and the gentleman from Ohio [Mr. AYRES] will be recognized for 2 hours.

The Chair recognizes the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, I rise to say a few words concerning this most important piece of legislation.

Mr. WHITENER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred and eight Members are present, a quorum.

Mr. POWELL. Mr. Chairman, I rise to support the bill, but before I do I should like to pay tribute to the Members of the Committee on Education and Labor on both sides of the aisle for their fine support and to congratulate the gentleman from Kentucky [Mr. PERKINS], for the work he has put into this bill.

Mr. Chairman, I rise to explain the purpose of H.R. 13161, a bill to strengthen and to improve programs of assistance for our elementary and secondary schools, through the amendments to the Elementary and Secondary Education Act of 1965.

It was a proud moment in the Halls of this Congress when the Elementary and Secondary Education Act became law last year.

While substantial and significant improvements in the education of the Nation's children were made during the last school year, these efforts were just the beginning, just the first stirrings of what must become a massive and sustained transformation of American education.

Two recent studies of American education reveal the shocking inadequacies of education in schools which our children and youth attend:

Just this week came a report from the Department of Defense on the results of the Armed Forces mental tests given to 18-year-old potential draftees during the 18 months ending last December.

Over one-fourth of these candidates failed.

These are the war babies that we counted almost two decades ago. We have failed them. And, the number of young people who await a proper education has increased steadily since World War II.

Educational deprivations incubate the seeds of despair and discontent.

This Nation cannot afford this waste. We, who seek to show the way to nations over the globe in their endeavors to advance their economy, political stability, and standard of living through the establishment of productive educational systems, must put our house in order.

With the expansion of knowledge, much of it emanating from the halls of our great centers of learning, there is much more to be learned by the generation now in school.

We need to be ever more competent in helping them to master the wonders of our modern civilization.

H.R. 13161, as reported by the House Committee on Education and Labor, will extend for 2 years the Elementary and Secondary Education Act of 1965—Public Law 89-10—and Public Laws 874 and 815, dealing with aid to schools with federally connected children.

An extension of 2 years will enable schools to carry forward their plans and programs. We, however, shall want to review the progress under this legislation before 1968. We feel that this is a necessary step and therefore did not agree to the 5-year extension, requested.

We realize the advantages of long-term authorizations, but the wisdom of the committee was that it would be better to remedy any difficulties now and study the problems further.

The essential amendments made in this legislation seek to liberalize support for needy children. For example, Indian children, migrant children, neglected and delinquent children, and the children in outlying territories.

Moreover, changes in the formula for counting low-income children were made, by the use of a more up-to-date census of the children from aid to dependent families. In 1968, there will be inclusion of children from families with incomes of $3,000.

Other amendments are concerned with the support of administrative costs for the conduct of programs under this legislation, for the increase in educational materials, especially up-to-date text and library books, for much-needed research, and for further innovation in the educational process.

The total authorizations for fiscal year 1967 will amount to $2,185,048,000 or about $430 million more than the Administration requested. In fiscal year, 1968, we are authorizing $3.6 billion.

We are eager to take this legislation to the floor of the House because schools are opening over the Nation and there is immense urgency that funds be made available for the improvement of education at once.

Mr. Chairman, I now yield such time as he may desire to the distinguished gentleman from Kentucky, the author of the bill and the chairman of the subcommittee that handled it [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, first let me compliment the distinguished chairman and all the members of the Committee on Education and Labor and especially the members of the General Subcommittee on Education for bringing to this House a bill which I feel should be supported by all the membership.

The amendments to the Elementary and Secondary Education Act have received most thorough consideration by not only the members of the subcommittee but by the full committee.

In my judgment, the amount involved in this legislation represents the minimum funds that should be authorized, if we intend to do justice and equity to the schoolchildren throughout this country.

Mr. Chairman, the Elementary and Secondary Education Act was not funded, as all of us recall, until after the school year had begun in September of 1965.

Mr. Chairman, since that time, all 50 States have participated in this legislation; school districts in all 50 States have taken advantage of title I projects, and the achievements of the program have been tremendous.

Mr. Chairman, more than 7 million educationally deprived children participate in over 22,000 projects, directed by some 17,481 of the Nation's 24,000 eligible school districts.

Last year, in passing the Elementary and Secondary Education Act, the Congress took a major step forward in assuring equality of educational opportunity for all the Nation's children. This landmark act provides vitally needed assistance in a number of ways to help improve the quality of education. I would like to talk today about this law and describe specifically how it has progressed during the past year and why it must be continued in the coming years.

The first part—title I—calls for grants to local educational agencies, through State departments of education, for meeting the special educational needs of the several million children in our Nation who have been deprived of educational opportunities equal to their abilities. These are the children of urban ghettos and rural outposts, the children from backgrounds of poverty and cultural deprivation which all too often precludes them from receiving the full benefits of standard educational programs.

The lack of an educationally favorable home environment has not been the only impediment standing in the way of educational achievement for these children; inadequate educational programs must share part of the blame for their failure. Recognizing the close correlation between economic deprivation and educational failure the Congress enacted title I in order to make resources available for meeting the special needs of educationally disadvantaged children.

Although it did not get underway until after the school year had begun in September of 1965, all 50 States were involved in title I projects. The achievements of the program have been many. More than 7 million educationally deprived children participated in over 22,000 projects developed by some 17,481 of the Nation's 25,000 eligible school districts. It is estimated that two-thirds of these projects were directed toward improving communications skills—reading, writing, speaking—in recognition of the principle that language is the key to all learning. In addition, special services were provided: guidance and counseling; health care; social work services; food services; and, special psychological assistance. School districts purchased special equipment and educational materials. Teachers and teacher aids were hired and trained.

A small number of projects involved facilities construction when absolutely necessary to implement worthwhile title I projects. I might add that I think there is an urgent need for new and improved educational facilities in this Nation. But I concur in the opinion of the overwhelming majority of school administrators that, given limited funds, other types of projects will be of more immediate benefit to educationally deprived children in most instances.

I would like to quote from a report of the National Advisory Council on the Education of the Disadvantaged, a distinguished body appointed by the President and composed of some of our leading educators and citizens. In their annual report to the President, they said:

> Title I of the Elementary and Secondary Education Act, has for the first time, made available major resources to bring opportunity to those who until now have lacked even hope. It has directed the attention of educators toward the plight of the disadvantaged. It has provided to local boards of education the funds necessary to develop programs through which children can overcome the handicapping limitations of poverty-ridden environments. The record of response is already good. With more time to plan their campaigns, the States can be expected to do increasingly better. But it is important to keep the purpose of Title I in sharp focus. Solving the problems of the disadvantaged will require the best inventive efforts of public officials in all the States.

Some examples of the inventive types of title I programs implemented by the States last year include:

In my own State of Kentucky, a $23,000 title I program was funded cooperatively by Louisville and Jefferson County Boards of Education. Under this program, instructional and enrichment programs were provided for cerebral palsied children enrolled in a 6 weeks summer session at the Cerebral Palsy School in Louisville. This program offered special classes, field trips, recreation, and speech and physical therapy.

In Baltimore, Md., a three-phase reading and language program has been instituted encompassing the entire year: Regular school day, late afternoon, and evening—plus Saturday—and a summer session. A 1-to-1 teacher ratio, small group meetings, and special materials were used to assist the children in developing skills necessary for reading on a higher and more complex level. The program covered all grade levels.

In St. Paul, Minn., title I funds were being used in three quality educational areas: 54 additional teachers have been hired in order to reduce the class size in disadvantaged areas; an instructional materials center for science, mathematics, English, and social studies was established; and special programs for the mentally and physically handicapped were begun.

In addition to the previously cited projects for the education of the handicapped and for the general strengthening of instruction in school districts, title I programs also included a variety of other services which were extended to children living in disadvantaged areas. Thirty percent of the title I projects provided health services for schoolchildren; 25 percent of the title I funds supported summer programs; 7 million children participated in preschool and kindergarten title I activities; and, finally, over 60 percent of the projects stressed remedial reading and the development of language art skills.

The first year is only a beginning in meeting the needs of the educationally deprived and enabling them to break the cycle of poverty which has bound them for so long.

In order to continue the progress already made under title I, 23 States have already submitted projects for this school year and over 1,000 projects have been funded. Approximately 1 million children from 997 school districts are participating in these title I programs amounting to over $98 million.

There were some problems during this first year of operation: late starts in many projects, manpower shortages, problems of interpretation, problems relating to the design and implementation of quality projects, and so on. These were to be expected. What is remarkable is how few problems there really were, when we look at the number of school districts and children involved in the program.

In the area of private school participation, under title I the record is also a remarkable one. When this law was passed last year, the Congress made it clear that the law was to help all educationally deprived schoolchildren regardless of the school they attended.

The cooperation between public and private school educators has been more encouraging. Across the country, for the first time, educators from all schools are sitting down together and discussing the needs of all our children of poverty. This cooperation has led to a wide variety of imaginative solutions to meet the needs of educationally deprived youngsters.

Let me emphasize that this first year of Title I has seen a massive impact on the improvement of education for children so long neglected by society. A great deal more remains to be done, for we cannot be satisfied until every child in America, no matter what his race, or socioeconomic background, or national origin, or religion, has adequate opportunities to fulfill his potential. The start we have made is significant, but it is only a start; the extension of Title I which is now before the Congress will enable our local school officials to continue their efforts to improve educational opportunities for the children who need them most.

The Committee has recommended that $1,392,048,000 be appropriated to continue title I programs in the coming year. Eligibility for participation has been expanded to include Indian children in schools operated by the Department of Interior, migratory agricultural workers, and neglected or delinquent children.

Further, the proposed change for 1967 to use the latest available date on the number of AFDC children will provide an increase of over $94 million in title I funds available to local school districts.

The second part of the law—title II—authorizes grants to the States for the purchase of library resources, textbooks, and other instructional materials. All children in schools across the country have felt the impact of this program.

State plans for 50 States, the District of Columbia, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands have been approved under this program and funds amounting to $99,977,800 have been allotted for these approved plans.

Responses to this program from both public and private schools have been enthusiastic. Many school districts in Arkansas established distribution centers and commented that because of Title II requirements they had organized the administration of materials and services in a much more efficient manner.

In addition, children in schools for the deaf, blind, and mentally handicapped participated in the benefits of the Arkansas title II program.

Many States have allocated part of their allotment for materials to be used in programs designed to meet the needs of children and teachers in special instructional programs. For example, Maine has allotted 12 percent—$63,099—of its appropriation to support library projects for special instructional needs in schools to demonstrate the values of high library standards. Nevada has funded four pilot projects at $4,598 each to demonstrate the use of school library resources in special instructional programs and the impact of an outstanding school library on the instructional program. In addition, some States have funded model school libraries or instructional materials centers.

Since title II is operated on a State plan basis, each State decides how to spend its money and what methods to use in both public and private schools.

The State plans describe the various mechanisms established in order to provide for the participation of private school children and teachers in the title II program. Certification has been received from each State attorney general that the State plan is consistent with State law.

In order to continue this support of higher standards in the coming year, a $105 million appropriation has been recommended by the committee. This will assist the States in narrowing the gap between necessary school library expenditures and the present level of spending. The States will also be assisted in evaluating the present status of their school libraries and in developing long-range objectives for improving school libraries by a recommended $50,000 minimum for administrative purposes. This minimum would particularly benefit 20 smaller States which could not effectively administer their programs using the current allocation for administrative costs.

The third part of the law—title III—calls for supplementary educational centers and services. This innovative program is having a major impact upon the schools of the Nation. More than 6,000 school districts were affected by the $87 million PACE program last year. As local communities continue to develop new and imaginative projects under title III, public educational systems will involve the total educational and cultural resources of the community including private schools.

The wide variety of projects proposed by local school agencies has fully justified the promise which we saw in title III when it was enacted.

Typical of the innovative projects supported under title III during the first year were these examples:

In Houston, Tex., a model educational demonstration center for mentally and physically handicapped children is being established.

In Providence, R.I., an educational laboratory theater for secondary school children will reach 154,501 public school children in grades 10 to 12 and 7,848 nonpublic-school children.

The science center in St. Petersburg, Fla., is open to all students in grades 4 through 12 in public and nonpublic schools. The center's program and laboratory facilities are available to all teachers in the public and nonpublic schools to supplement their regular classroom work.

Reflecting the enthusiasm of the local school districts for the title III approach to quality education, local administrators have been ingenious in utilizing available resources to house projects: an abandoned warehouse has been converted into an educational center, an old post office has been remodeled into a theater, and an unoccupied supermarket has been turned into a diagnostic clinic.

State educational agencies are also to be commended for the outstanding job they have done in reviewing and recommending projects. They have contributed substantially to the program's first year record of success. The committee has recommended that $150 million be authorized to continue title III projects in the planning and operational stages.

TITLE IV—EDUCATIONAL LABORATORIES AND RESEARCH TRAINING

Experts from all parts of the educational community have been involved in the development of the national program of educational laboratories, the largest single effort under title IV of the Elementary and Secondary Education Act. These laboratories, based in various regions throughout the country, have been working to study, develop, and implement educational innovation. Local schools, colleges, and universities where the research talent resides and State departments of education have pooled their talents to create these new institutions.

The training of educational researchers is the second major program of title IV. At present there are only about 500 full time educational researchers in the United States. The title IV research training program is designed to increase that supply and raise the quality of educational research personnel. It is my belief that good progress has been made toward achieving the goal of a high-quality research program that endeavors to achieve quality education throughout the Nation.

TITLE V—GRANTS TO STRENGTHEN STATE DEPARTMENTS OF EDUCATION

During this past year, grants have been made to State education agencies to enable them to strengthen their leadership capabilities, identify their education needs, and take steps necessary to meet these needs. Most State agencies have moved decisively to evaluate their programs and to establish program improvement priorities such as staff recruitment, improvement of teacher education programs, and interstate coordination of developmental activities in education. The committee has recommended that $30 million be authorized for the coming year to help the States continue their initial progress demonstrated in identifying, planning, and administering their educational programs during the past year.

I want to emphasize that the progress made during the first year of operation of the Elementary and Secondary Education Act is only a beginning of efforts to provide quality educational opportunities to all. To assure the continuance of programs, the committee has requested a 2-year authorization. This will assure the State and local educational agencies that their program will be funded for 2 more years, thus stabilizing programs and plans which have been underway for the past year.

AMENDMENTS TO IMPACTED LEGISLATION

Recommendations of the Stanford Research Institute were accepted by the Bureau of the Budget in making certain recommendations to the Congress, which the committee rejected. These recommendations included three major amendments to Public Law 874 and a number of minor amendments to this act and to Public Law 815. The three major amendments would reduce the cost of Public Law 874 by $233 million which is a reduction of about 60 percent in grants to the local districts. The minor amendments were intended to eliminate minor inequities, improve administration and make certain technical changes. Some of the minor amendments would slightly increase costs while others would slightly reduce costs.

The General Education Subcommittee to which these amendments were referred held extensive hearings, taking testimony from the officials of the Department of Health, Education, and Welfare, from Members of Congress, from the affected school superintendents and from other interested organizations and individuals. It also received letters and resolutions from State legislative bodies, local governing bodies, parent-teacher's associations, and many individuals. Almost without exception the witnesses and the communications opposed the cuts recommended by the administration. Most of them favored the minor technical amendments and a number recommended expansion of the impact area program. The subcommittee carefully considered the testimony and after full discussion reported a draft bill to the full committee. H.R. 13161 which is now before you, incorporated the changes which the full committee recommends in the Federal impact laws.

The committee did not accept any of the three major amendments to reduce the cost of Public Law 874, but did accept all but one of the minor amendments recommended by the administration. One amendment was adopted that would liberalize the eligibility requirements for large school districts. The committee also recommended a 1-year extension of the temporary provisions of Public Law 815. I will outline briefly the amendments that were made, the reasons for not accepting the amendments to drastically cut the cost of the program and will answer any questions which the members care to ask regarding H.R. 13161.

ELIMINATING THE ALTERNATIVE MINIMUM RATE PROVISIONS

When Public Law 874 was originally enacted in 1950 it provided that the local contribution rate was the average expenditure per child for current operating expenses from local revenue sources made by comparable districts in the same State. The local contribution rate is the rate paid for each "A" category child; the child who lives on Federal property with a parent employed on Federal property. One-half of the local contribution rate is paid for each "B" category child; that is, the child who either lives on Federal property or lives with a parent employed on Federal property but not both. This was the only rate of payment in effect for the first 3 years of the program. After extensive hearings and thorough consideration Congress added an alternative method of determining the local contribution rate by the passage of Public Law 248, enacted August 3, 1953.

This amendment provided that the basic method of determining the local contribution rate described above should continue but that no school district should have a local contribution rate less than one-half of the State average cost per child. This alternative rate was felt to be advisable by the House Committee on Education and Labor because of the differences in the rate per child received by federally affected school districts in the various States. These differences resulted from the way the various States financed their educational program. Some States paid 80 to 85 percent of all costs from State funds and only 15 or 20 percent from local funds; other States paid approximately 50 percent of the cost from State funds and 50 percent from local tax funds; and still other States paid 80 to 85 percent of total costs from local funds, with only 15 or 20 percent coming from State funds.

Evidence was presented to the committee in 1953 that the average rate paid for an "A" category child in some States was less than $35. These were the States with high State-aid programs. In other States the average rate per child was over $200 per child. These were States with relatively high education standards and low State aid. Under this arrangement Federal funds paid 75 to 80 percent of the full cost of educating the child in some States and only 20 to 25 percent of the cost in other States. To state the situation another way the rate of payment was several times greater in some States than in other States primarily because of the way different States divided the educational costs between local and State funds.

As a result of this situation the House Committee on Education and Labor recommended and the Congress accepted an alternative method of computing the rate of payment which provided that no school district need take less than one-half of the average State cost per pupil. This alternative rate provision has been in the law since that time.

By passage of Public Law 85–620 in 1958, Congress added another alternative minimum rate provision. The rate provisions of this act were thoroughly considered by the Committee on Education and Labor in 1956 the year that I was chairman of the subcommittee which had the impact area program under its jurisdiction, but the second alternative rate provision was not enacted until 1958. This second alternative rate provision provided that no school district would take a lower rate of payment per child than one-half the national average cost. In considering this new proposal the committee found that the inclusion of one-half of the State per capita cost as an alternative minimum rate had been of great benefit to the federally affected communities in those States where a substantial amount of the costs each year are borne from State funds. However, the committee found also that very large gaps still existed between the rates of payment per child to districts in the various States. There were seven States where the average payment was less than $97 per child and 11 States where the average payment was more than $200 per child. The committee also found that it was exceedingly difficult for some school districts with meager financial resources to provide an adequate educational program for substantially increased school population unless they received a higher rate of Federal payment per child.

As a result of these findings the committee recommended and the Congress by passage of Public Law 85–620 added the second alternative method of determining the local rate of payment which as stated above was one-half of the national average cost per child. These three methods have been in effect for the past 8 years and were in effect for fiscal year 1966.

In 1964 Congress directed the Commissioner of Education to make a thorough study of the operations of Public Laws 815 and 874 and to submit a report by June 30, 1965, together with recommendations as to what amendments should be made to the Federal impact laws if they were to be further extended. The Office of Education contracted with the Stanford Research Institute to make the study which was completed and the report sent to Congress on June 30, 1965

The Stanford report included a number of findings and recommendations. One of these findings was that some school districts were paid more and some were paid less than the amount necessary to precisely compensate them for burdens imposed by Federal activities. They recommended that this situation could be corrected if the alternative minimum rates of one-half the State and one-half the national average were eliminated and the rate of payment was based solely on expenditures from local revenue sources in groups of comparable districts. The report alternatively recommended an entirely different method of determining the amount of the Federal payment to be made to a school district which was considered to be impractical by the Commissioner of Education.

In its current legislative program the administration recommended, as the Stanword report had done, that the two alternative minimum rates be eliminated and that the rate of payment be based solely on expenditures from local revenue sources. It was estimated that this would reduce the amount of payments to school districts by $108 million in fiscal year 1967.

The committee did not accept this recommendation because it would be placing the school districts right back where they were in 1953 before the first alternative minimum rate provision was added. It would mean that the poorest States and those with the highest State aid programs would receive the lowest payment per child and the wealthiest States where the need was the least would receive the highest payments per child. The committee felt that the present rate provisions in the act are sound and should be continued with the exception of substituting group rates for individually selected comparable districts.

THE ABSORPTION PROVISION

Under the law as presently in effect school districts must have enough federally connected children to equal 3 percent of their total average daily attendance to be eligible to receive assistance. If they meet the 3-percent requirement they get paid for all federally connected children in the district. If they do not meet it they do not get paid for any federally connected children.

The Stanford report felt that this provision was inequitable because only ineligible districts were required to absorb without Federal payment some federally connected children. The report recommended that the eligibility provision be replaced by absorption provision and that all school districts should absorb a percentage of federally connected children without Federal payment and get paid for all such children above that percentage. The report did not specify what percentage of the federally connected children should be absorbed.

The administration's proposal included a recommendation that each school district absorb without Federal payment a number of "A" category children equal to 3 percent of the total children in the district and a number of "B" category children equal to 6 percent of the total number of children in the district. It was estimated that this recommendation would reduce the payments to eligible districts by approximately $108 million in 1967.

The subcommittee and the full committee studied this proposal carefully and came to the conclusion that it should not be accepted for the following reasons:

It would reduce entitlements to some school districts so much that they could not operate their schools for a full term. The committee received testimony that some school districts would be forced to refuse to educate on-base children if this absorption provision were to be put into effect. This would result in the Federal Government paying the full cost per child for Federal operation under section 6 of the act. It would work an extreme hardship on many districts, particularly large districts. It would place the percentage requirement at which districts were eligible to receive Federal assistance much higher than it has been in the past.

Last year Congress reduced the eligibility requirements for large city districts, those with 35,000 or more children in average daily attendance from the 6 percent which had been in effect in the past to 3 percent, the same as was required for all other districts. This amendment was effective for fiscal year 1966 and 16 or 17 large school districts that had never before been eligible for assistance received aid for the first time under Public Law 874. The absorption provision recommended by the administration would eliminate everyone of these large city districts from eligibility and would have nullified the action taken by this Congress last year in the passage of Public Law 89–313.

In 1953 the administration recommended, and the Congress accepted, an absorption provision of 3 percent of the non-Federal children. This provision was deferred for 1 year so that school districts could adjust their budgets and operating plans to it. However, each year Congress again deferred the provision and after several years repealed it entirely. In the report accompanying the bill in which this repeal was recommended in the House Committee on Education and Labor recommended that the absorption provision be eliminated because this was too great a number of federally connected children to expect school districts to absorb without Federal payment.

For the above stated reasons the committee felt that this absorption provision should not be accepted. Instead, the committee felt that an alternative means of meeting the 3-percent eligibility requirement, by making those districts which had at least 100 federally connected children eligible even though the 100 did not constitute 3 percent of the total average daily attendance in the school district should be adopted. This would provide that if a school district had as many as 100 federally connected children it would be eligible for assistance even though the 100 did not equal 3 percent of the total attendance. It is estimated to increase the cost by $32 million.

This amendment was recommended because it was felt that the problem faced by large school districts in making surveys of their federally connected children to determine eligibility under the 3-percent requirements results in some hardships. Large districts may spend as much as $50,000, $75,000, or $100,000 in making the survey only to find that they do not have enough federally connected children to meet the 3-percent eligibility requirement. It was also felt by the subcommittee that if any school district had 100 federally connected children it had a financial burden which was severe enough to warrant Federal assistance. As a result the committee recommended this minor liberalization in the eligibility requirements.

REVISED DEFINITIONS OF FEDERAL PROPERTY

Another amendment recommended by the administration which was expected to reduce the cost of the program by approximately $15 million provided that federally owned property leased to a private concern which is subject to tax on the leasehold interest would not be considered a Federal property for the purposes of Public Laws 874 and 815. At the present time, such property is considered Federal property for the purposes of the act but any taxes received by the school districts are reduced from their gross entitlements under Public Law 874.

The subcommittee found from the testimony it received that this is an exceedingly difficult provision to administer. It is not entirely clear when outleased Federal property can be taxed and when it cannot be taxed. Some States have legislation authorizing local communities to tax such property and some do not. For these and other reasons the committee recommended that this proposal not be accepted.

EXTENSION OF "B" CATEGORY PAYMENTS UNDER PUBLIC LAW 815

The committee also recommends a 1-year extension of payments for "B" category children for construction assistance under Public Law 815. Under the provisions of this act as currently in effect authorization for "B" category payments ended June 30, 1966. Testimony received indicated that many school districts that had substantial increases in federally connected children and no facilities for them would be unable to meet the eligibility requirements without an extension of the "B" category. This category of children accounts for about 80 percent of all children counted for eligibility and payment each year under this act. There is no other Federal program authorizing construction of school facilities and the committee felt that there would be many areas experiencing substantial increases in the enrollment of federally connected children who would be unable to receive Federal assistance to provide the necessary facilities for them.

MINOR TECHNICAL AMENDMENTS

As stated above, the administration recommended a number of minor technical amendments to each act. These amendments were designed to improve administration, to eliminate minor inequities that have existed in the laws, and to reduce paperwork required by applicant school districts and by the central office.

But I do recognize that there are injustices in the impacted program, and we intend to continue our study. We intend to continue with our investigations and hearings, and we will give consideration to a reasonable absorption provision where we feel that it is justified, or make other changes in the law required by equity. But in my judgment the recommendations of the Stanford Research Institute were completely unrealistic, and that is where our figures are somewhat larger for the fiscal 1967 program than the administration figures.

Mr. WHITENER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Thirty-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 336]

Adams
Addabbo
Albert
Aspinall
Ayres
Baring
Brown, Calif.
Callaway
Corman
Davis, Ga.
Dawson
Dyal
Edwards, Ala.
Ellsworth
Evans, Colo.
Evins, Tenn.
Fisher
Flynt
Grabowski
Grider
Gross
Hanna
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Holifield
Johnson, Okla.
Jones, N.C.
King, Utah
Kupferman
Leggett
McMillan
McVicker
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Morris
Morrison
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
O'Neill, Mass.
Powell
Purcell
Reinecke
Resnick
Rivers, Alaska
Rogers, Tex.
Roncalio
Schisler
Schmidhauser
Scott
Sisk
Smith, N.Y.
Steed
Stephens
Stratton
Sweeney
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Vivian
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Weltner
Widnall
Willis
Wilson, Bob
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. PRICE] having assumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 13161, and finding itself without a quorum, he had directed the roll to be called, when 356 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from Kentucky had consumed 19 minutes..

Mr. PERKINS. Mr. Chairman, much concern has been recently expressed about the guidelines. Let me comment briefly on this matter. The Supreme Court of the United States in 1954 established the principle that the maintenance of separate schools for children of different races was unconstitutional. Ten years later, title VI of the Civil Rights Act of 1964 was enacted to insure that Federal funds were not expended for illegal purposes.

In cases involving two Virginia school districts, the Federal district courts adopted school desegregation plans which had been approved by the U.S. Office of Education. In each of the cases, the Federal courts required the school districts to take additional steps in faculty and staff desegregation, which was not provided for in the guidelines at the time. The courts, in fact, have gone farther than the U.S. Office of Education in ordering desegregation of schools.

There has been much talk concerning the busing of school children to destroy the pattern of neighborhood schools. As I understand the phrase, "correction of racial imbalance," refers to the busing of schoolchildren from neighbor schools which have not been officially segregated but which, because of residential patterns, are racially imbalanced. The guidelines do not bear on this situation at all. The guidelines were established with the full approval of the Attorney General, to help local educational agencies in an orderly way to comply with the ruling of the courts and were provided in carrying out responsibilities imposed on the Office of Education by the Civil Rights Act of 1964. They only represent suggestions by the Commissioner of Education to the local school officials as a means of complying with the Civil Rights Act.

I am not here to say that mistakes have not been made. Certainly mistakes have been made. The Office of Education is not infallible. But to me it is remarkable to see, if you look at the list, out of 2,000 southern school districts I find that only 70 applications under title I have been completely rejected solely because the local educational agency failed to submit or tried to comply with the guidelines.

In the State of South Carolina, out of 105 school districts, only 2 have been declared ineligible.

In the State of Alabama, out of 118 school districts, only 11 are ineligible.

In Arkansas, out of 408 school districts, only 5 are ineligible.

In Georgia, out of 197 school districts, only 3 are ineligible.

In Mississippi, out of 145 school districts, only 16 are ineligible.

I do wish to point out that in my judgment this is a remarkable record. The Under Secretary states, however, that it has been necessary to defer or terminate Federal funds, where they have already received Federal funds, in only 241, and we have every hope that these districts will come into compliance, preferably by voluntary action.

That letter was signed by Wilbur J. Cohen in response to my letter of September 2.

I feel this bill deserves the support of all the Members of this Chamber.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Minnesota [Mr. Quie].

Mr. QUIE. I wish to say to the gentleman from Kentucky that I appreciate the words he said in his description of this bill about my amendment, which will permit the poorer States at least to be brought up to the national average. Along with the gentleman, I hope, as he does, we will be able to retain this amendment, in order that the States which do not have the money to make the effort, though they are high in the effort index, will be able to have the kind of assistance needed to provide the excellence of education we definitely need for these young people who will go to other parts of the country and hopefully will be working in full employment some day.

Mr. PERKINS. In my judgment, the gentleman made a great contribution to the legislation in offering his amendment in the full committee. As the gentleman knows I originally offered the amendment in the subcommittee. I felt the amendment was of great importance and am delighted that in the full committee the Perkins-Quie amendment was adopted.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. I should like to ask the gentleman from Minnesota if this amendment will add to the cost of this legislation, and if he will tell us approximately how much money his amendment, which we are now discussing, will add to the cost of the legislation?

Mr. PERKINS. Let me say to the gentleman that the best figures we can come up with are approximately $350 million. The amendment will not go into effect until fiscal year 1968.

Mr. WILLIAM D. FORD. The question was to the gentleman from Minnesota [Mr. Quie]. He made reference to his amendment. Would that add to the cost of this legislation? If the gentleman knows how much it would add, would he tell us?

Mr. QUIE. I will accept the amount of money figure which the gentleman from Kentucky has said. It is hard to tell exactly how much, because we do not know exactly what the figures will be on the average expenditure in this year, in which we are now engaged, per public school child.

We do not know what will be in the budget for 1968.

As the gentleman from Michigan knows, there is an entitlement to school districts in title I of this bill. It will depend then on what percentage of their entitlement they receive, according to how much the Appropriations Committee provides for title I.

This is different from any other title of his bill, or from almost any other bill we have passed, for they carry an authorization of so many dollars in the title. This carries no dollars authorization. It has a formula of entitlement. Then there will be a determination by the Appropriations Committee as to what percentage of that entitlement the State should receive.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. May I support what the gentleman from Minnesota has said.

The Perkins-Quie amendment is based on justice, is base on equity, and is based on the fact that the money will be spent more nearly on an even basis.

Also it is based on need. It repudiates the kind of a formula which was passed last year that would give the most to those areas that already have the most. I hope as we get into the 5-minute rule that the Perkins-Quie amendment will be strongly supported, because it is fair. Let us decide what the total amount of the bill will be after the debate is concluded.

Mr. PERKINS. Mr. Chairman, I want to say that the gentlewoman from Oregon made a great contribution in this respect. She advocated going further and dividing funds from the Federal Government equally among all the schoolchildren in the Nation.

Mr. HALEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-two Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 337]

Albert
Aspinall
Ayres
Baring
Boland
Brown, Calif.
Callaway
Chelf
Clark
Clausen,
  Don H.
Corman
Davis, Ga.
Dawson
Dickinson
Diggs
Duncan, Oreg.
Dyal
Edwards, Ala.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnsley
Fisher
Flynt
Fogarty
Gallagher
Grabowski
Gray
Grider
Gross
Halleck
Halpern
Hanna
Harvey, Ind.
Hébert
Holifield
Jacobs
Jones, N.C.
Keith
King, N.Y.
Kirwan
Kupferman
Leggett
McDowell
McMillan
McVicker
Macdonald
Mackay
Mackie
Martin, Mass.
Martin, Nebr.
Morris
Morrison
Morse
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
O'Neill, Mass.
Patman
Powell
Purcell
Rees
Reinecke
Rivers, Alaska
Rogers, Tex.
Roncalio
Schisler
Schmidhauser
Scott
Sisk
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Sweeney
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Utt
Walker, Miss.
Walker, N. Mex.
Watkins
Widnall
Willis
Wilson, Bob
Wilson,
  Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 13161, and finding itself without a quorum, he had directed the roll to be called, when 333 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. PERKINS. Mr. Chairman, I yield to the distinguished gentleman from New York [Mr. Carey].

Mr. CAREY. Mr. Chairman, I want to associate myself with the observations made by my colleague from Michigan [Mr. William D. Ford] with regard to the provisions of the so-called Quie-Perkins amendment, and indicate I did sign the supplemental views on this point to spell out in careful terms my objection to the amendment in the bill.

I would state that the only virtue to the amendment I can see at this juncture is that it will not go into effect until 1968, which means we will have the time and opportunity to explore and explain this amendment to all the Members, so that it will become evident to them, as it is now apparent to me, that under this amendment, without regard to effort, without regard to requirement of effort, 100 percent Federal funding will go into 29 receiving States, and 21 sending States will send the money into those States. In other words, 21 States of the Union will not receive a single dime ever, forevermore, under this amendment, because they will always be above the national average.

This simply means a total rearrangement of the financing of education in our country, without serious and searching survey on the part of educational authorities.

I wish to say I do disassociate myself from this amendment. I believe the only virtue in it is that before 1968 we will have an opportunity to look at it. I believe even then we may be able to convince the gentleman from Minnesota that it is not in the best interest of our country that we make export States out of the industrial States and import States out of nonindustrial States and thereby upset the balance of financing education.

Mr. PERKINS. Let me say to my distinguished colleague from New York [Mr. Carey] that no member of our committee, in my judgment, made a greater contribution in writing the legislation. We all have reservations at times about certain portions of any piece of legislation, but in this particular case, in the modification of the formula, we did not take anything away from anybody. We did not take anything away from the wealthy districts of the Nation but merely put a floor under the poor districts that really need the aid worse than any other districts in the Nation. We said to them that you can go to the national average. In other words, we provided some additional money. All of the States have the right to make their own election as to whether they take one-half of the State average or go to the national average, whichever is higher. To my way of thinking, this goes right to the heart of Federal aid to education. It must be based somewhere along the line, on need. I feel that the committee did a great service to the legislation in adopting this formula change, because in the other areas I have always gone along—and so have all the other committee members—and as long as I am in this body I intend to go along with constructive improvements to educational programs whether they be needed in the cities, in suburbs or in the rural areas of this country. In the AFDC amendment, the cost of which was $100 million, the low-income States do not benefit anywhere along the line, but there is justice in the amendment and I support it. We should update the data because of its greater equity. We are just trying to meet the urgent needs of schoolchildren in this bill. I feel it would be serious discrimination and disregard of real educational need if we undertook to do anything less than going to the national average for fiscal year 1968.

Mr. CAREY. Mr. Chairman, will the gentleman yield further?

Mr. PERKINS. I will be glad to yield to the gentleman from New York.

Mr. CAREY. I accept the principle of the Bell-Carey amendment that brings our counting of children up to date and which, of course——

Mr. PERKINS. I want to say that I agree with the gentleman. I supported the amendment, and I will support it in the future. I think it should have been brought up to date. You deserve much credit, you and the gentleman from California [Mr. BELL], for sponsoring that amendment.

Mr. CAREY. Of course, all it does is simply let us count the children where they are now.

Mr. PERKINS. That is correct.

Mr. CAREY. And I think it has great merit in that regard, but I hope that the chairman will continue to appreciate my position in this matter.

Mr. PERKINS. I do indeed.

Mr. CAREY. While my State and, of course, the city of New York are making a tremendous effort to cope with all of the insuperable problems of education which they have and now are paying into the Federal coffers 22 percent of all the Federal revenues, we are in no position now to participate in a new kind of funding arrangement where we will supply funds to 29 States of the Union, but we will not receive in New York State 1 cent of those moneys. That is why I must object to this type of financing.

Mr. PERKINS. I appreciate the statement of the gentleman from New York, and I would feel bad myself if we had taken anything away from the gentleman from New York, but we do not take away 1 penny from New York City.

Mr. CAREY. If in the will of the voters I am returned here, I shall do so for the purpose of trying to prevent anything from being taken away from them.

Mr. PERKINS. I am sure that the voters will be eager to return the gentleman.

Mr. KORNEGAY. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I am glad to yield to the gentleman from North Carolina.

Mr. KORNEGAY. I thank the gentleman for yielding to me.

I wish to compliment the gentleman for doing such an excellent job in presenting this bill. Is there any provision in the bill, as we have it here now, that would authorize or is there any provision in the bill that will authorize funds which can be used for the purpose of busing schoolchildren from one school to another or from one administrative unit to another?

Mr. PERKINS. There is no such provision. Funds may be used as determined by the local educational agency and the determination of busing is a question of the local educational agency.

The Commissioner of Education has nothing to do with that. There is nothing in these amendments like that—which gives the Commissioner of Education any authority to require any busing.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Would the gentleman from Kentucky [Mr. PERKINS] advise the Members of the Committee of the Whole on the State of the Union as to whether or not it is the case that no amendment now contained in the bill pending before us in any way changes any provision of the act which was adopted last year with respect to any question of the financing of busing?

Mr. PERKINS. That is exactly correct.

Mr. KORNEGAY. Mr. Chairman, will the gentleman yield for just one further question?

Mr. PERKINS. Briefly.

Mr. KORNEGAY. Is there any provision in this bill which would give to a local school unit an incentive, and that is more money?

Mr. PERKINS. Well, any such matter would not be contained in titles I and II. The language of the amendment to which the gentleman refers has to do with an amendment sponsored by the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, I thank the gentleman from Kentucky for yielding.

Mr. Chairman, there is no incentive contained therein which has anything to do with busing. The provisions to which the gentleman must have reference in his question is the new provision of title III, which says that application of local school districts for title III funds shall be given special consideration, if the district is eligible for its application. And really, it has nothing to do with the facilities question, the question of transportation of students.

Mr. PERKINS. That is correct. I share the views as expressed in the statement on the part of the gentleman from Michigan [Mr. O'HARA].

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I would like to cite some figures to the gentleman from New York to the effect that 23 States would have to contribute to the national fund in order to equalize this situation.

Mr. Chairman, I might point out that the per capita income spent for education in New York was 4.9 percent, while the poorest State of the Union, one of the lowest expenditures per school, per child, was 6.27 percent based upon its per capita income.

Mr. Chairman, based upon these figures, I believe that this formula is an unfair one, one which lets the poor States share a greater burden for carrying out its responsibilities for the education of its people.

Mr. Chairman, in view of the political situation and the political interest in which we find ourselves, where those of the richer States are to benefit most, we at least ought to come to the resolution as to why we want Federal aid to education to eliminate these problems, and that is to help the poor States and poor areas in order that they may be able to provide as good education to their children as can be provided in the richer areas such as the city of New York or New York State.

Mr. PERKINS. Mr. Chairman, I think the gentleman from Minnesota has made a good point because we have got to take into consideration the per capita income and effort expended thereon.

There is nothing wrong with that in adding the income of A, B, and C together, and if the resources are not there and they are making a greater effort, special consideration should go to those school districts. And that is all that this formula does.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. FINO. I want to thank the gentleman from Kentucky for yielding to me.

I would like to refer to the colloquy between the gentleman from Kentucky and the gentleman from North Carolina regarding whether or not there is any provision in this bill on busing. I would like to bring to the attention of the gentleman from Kentucky that on page 52 of the bill, where we gave a new definition to "current expenditures," we say:

> The term "current expenditures" means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services—

Will the gentleman from Kentucky tell us exactly what that does mean?

Mr. PERKINS. It simply means this to the local educational agencies, that if they come up with a plan and want to spend part of these funds to transport some of their schoolchildren, that they have that right. The current expenditures mean the expenditures at the State and local level, and it merely includes transportation if that is a necessary expense at the local level.

Mr. FINO. Mr. Chairman, will the gentleman yield further?

Mr. PERKINS. Yes, I yield to the gentleman.

Mr. FINO. You say it is left to the local board, or the local administrator?

Mr. PERKINS. It must originate at the local educational level.

Mr. FINO. So that if the local administrator wants to force busing of children, then he is within the confines of this section?

Mr. PERKINS. No; that is not the case. This simply means that you have some of these funds under the local educational agency, and if they do want to spend part of these funds for transportation purposes they can, but not the type of busing you are talking about.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. Mr. Chairman, the gentleman from New York is trying to read something into page 52 that is not there. He is trying to take a phrase out of context, and put a meaning on it that is totally inconsistent with the meaning of this legislation.

This is nothing new in this legislation, it was in the bill last year.

What the gentleman is doing is reading a portion of the precise definition of "current expenditures", which is necessary so as to determine how much money, after you count the number of children you are going to take into account for the purposes of the formula in title I, how much money it will take to come up with one-half of the per-pupil expenditure, as we did in the bill last year.

We had in addition to this provision an incentogram, which we relied on very heavily, for this precise definition of expenditures. And all that the language on page 52 does is to define current expenditures for a child to include several items, including bus transportation, if that school district wishes to use some of its funds for the purpose of providing bus transportation, as it did in the bill for crippled children, or whatever cause it is.

This is considered a top educational expense, just as it was on books and all other expenses, heat, lights, buildings, and so on, at the school that is to maintain an educational agency, and not as suggested by the gentleman from New York, that this in any way would encourage the additional expenditures, so that a suggestion as to school busing is completely out of context with the meaning and intention of this legislation.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. CAREY. I can appreciate the concern of my colleague from New York. I know he is dedicated to the excellence of our educational system in our city. But I will advise him that this is an extension of last year's legislation. It was not a forced-busing bill in New York City last year, and it is not a forced-busing bill in New York City this year, and any attempt to make it so would do a disservice to the problems of our city. I want to warn the gentleman that in this connection there are very important pupil transportation costs which I know he would support that have to be taken into consideration.

For instance, all of the handicapped and crippled children in our city have to be transported to centers of instruction. I do not think the gentleman would be against supporting some of the cost for that.

I think the gentleman realizes due to the big increases which have been put upon the residents of New York City by the present administration, we have increased the pupil transportation costs for children who go to schools and use the public transportation system. This is subsidized by the board of education and it is especially subsidized for these poor children who have to go to secondary schools and who have to get passes for the subway, and if they do not get the money, then these kids will not be able to get to school.

This has nothing to do with integration. It has nothing to do with forced busing.

All it is, is simply for the children who live a remote distance from the schools that they have to attend.

Pupil transportation is a legitimate expense and I know as a longtime New Yorker and as one who is dedicated to the excellence of the educational system in my city, that my distinguished colleague from Bronx County, would not be opposed to any of these things.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. FINO. I want to associate myself with my colleague, the gentleman from Brooklyn, and say that I agree with him if the purpose of this legislation is to do exactly what he has said it will do.

But my fear is that the administrators of this program will be certain to force busing of these children under this new definition as contained in this section.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. CAREY. I think I can work in concert with my distinguished colleague, the gentleman from New York, on this matter.

There are suggestions that reforms are being made in New York City's school system and perhaps under some of these reforms we will have greater advances in the conduct of the school system by the people of the city of New York. I am in favor of that. I think that is the proper forum in which we should discuss that, and I would like that to be done with Federal funds in New York City.

I am not thoroughly excited and aroused or encouraged by the attitude of the board of education in all instances and I hope that the gentleman and I as good New Yorkers can wake up New York City to do something about that in a constructive way.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. O'HARA of Michigan. The gentleman from Kentucky will recall that last year when this bill came before us, there was some discussion about a church-state issue that some people thought they saw in this legislation. That legislation became law and has been operating for a year. Would the gentleman from Kentucky say it has been operating successfully during that year?

Mr. PERKINS. It has worked out remarkably well. We heard numerous witnesses from all over the country. Local educational agencies are sitting down with the private school people and working out plans and it is working well.

Mr. O'HARA of Michigan. I agree with the gentleman's analysis and I would like to ask him if this bill before us today makes any change whatsoever in the church-state relationship established in the bill that we enacted last year.

Mr. PERKINS. This bill before us today and these amendments do not make any change whatsoever. In fact, we do not touch that section at all in these amendments.

Mr. O'HARA of Michigan. I thank the gentleman.

Mr. PERKINS. Let me say in conclusion, Mr. Chairman, that we have built and are building schools under our aid programs in many foreign nations throughout the world. Since I have been here as a Member of the Congress, under the Marshall plan we spent about $120 billion in other countries. I supported most of that program. But these amendments today provide the minimum that we should authorize for elementary and secondary education in this country.

Mr. Chairman, I am most hopeful that the Committee will go along and support all of these amendments.

The CHAIRMAN. The gentleman from Kentucky [Mr. PERKINS] has consumed 49 minutes.

The Chair recognizes the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as predicted when we passed this legislation originally, we now have an ongoing program—in some respects—going in the wrong directions—but it is going.

The local school districts and the local educators are dependent upon the money. Hired personnel have set up special programs and we here in October of this year are considering whether we are going to continue the legislation at a time when most of your school districts already are operating under the legislation.

We are, therefore, faced with the situation, of saying, Perhaps there are many things wrong with this program but we certainly cannot just end it and leave the school districts carrying the burden by themselves which they have been stimulated and encouraged to undertake with Federal funds.

The major problem, as was pointed out in the original debate, in the committing of this country to the Elementary and Secondary Education Act, was the lack of intelligent priorities in the legislation. It has become embarrassingly apparent to the original advocates that their main argument for the bill was fallacious. The main argument was that there are many poor areas in this country that cannot meet the needs of education. They have to have assistance. The Federal Government should equalize for these areas.

We talked about Mississippi, West Virginia, and a variety of other States with lower per capita income and presumably less taxable property available.

But what kind of bill do we pass? We passed a bill that gave more money to the rich States than it did to the poor States on the basis of the same number of children.

We outlined this in our original minority views. It is outlined once again in the minority views to this bill. I would call your attention to it without belaboring it today. It is on page 117 of the committee report.

The 10 wealthiest counties in the country get almost twice as much money as the 100 poorest counties in the country, with relatively the same number of poor children. It was supposed to be an equalization bill. I am standing here today from the State of New York, which has the highest per-capita per-pupil expenditure, and we are getting more money for the same number of poor children than any other State sent into each county in New York.

What has been the compromise the gentleman from New York [Mr. CAREY] and others on this side of the aisle have been attacking? The Quie-Perkins amendment, if you will. This is an amendment that simply provides that the poorer States that are spending below the national average per pupil will be reimbursed on the basis of the national average. They will all be raised. They will all get increased money up to the national average per-pupil expenditure.

Those States that now qualify for more money per poor pupil will continue to qualify under the same formula as the existing act. No money will be taken from New York, from Ohio, from Michigan, or from any of the States that are spending considerable money per pupil. We will just start to equalize this benefit to the poorer States.

Certainly the major argument as it was presented for Federal aid to education over the years was that there are many States that cannot sustain a real property tax or other type of tax sufficient to give their children a good education, and this is a national responsibility. That was the argument that was used.

Then we enacted an act that made the rich States richer and the poor States relatively poorer in terms of the program.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. REID of New York. I thank the gentleman for yielding. As the gentleman knows, I supported the Quie-Perkins amendment. I think it does represent a compromise. However, I do not completely agree with the point which the gentleman is making with regard to wealthy counties.

In the case of Westchester County, we still have one in five families living in relatively serious poverty, and one in twelve in abject poverty.

As the gentleman knows, counties do not in general support or maintain schools. The local school district must raise the funds for school construction and equipment. The local school district pays the salaries of the teachers. In the city of Mount Vernon, N.Y., where we have some serious problems in the schools, where there are serious pockets of poverty, the median family income is $6,800; it is not $8,000. The Mount Vernon Board of Education is now spending $12 million per year to educate 12,000 children in the public school system through grade 12—or an annual expenditure of $1,000 per pupil. This is an increase of $2 million from $10 to $12 million in the past 2 years.

The superintendent of schools in Mount Vernon has informed me that the board of education is within a few dollars of the constitutional tax limit and its capacity to tax further is negligible. While there is a major increase in spending and severe problems to overcome, the city faces a period of possible declining revenue through property taxation. Westchester County's median family income will not help Mount Vernon.

Frankly, there are important areas, particularly with the handicapped, where the city is now spending a great deal on a child, and this kind of school district, the Mount Vernon School District, needs assistance. Over the past year and a half, Mount Vernon has increased its per pupil expenditure for the handicapped, retarded, and those suffering from cerebral palsy by 150 percent. I think the thrust of the act is to reach the children, and to reach the children in low-income families, and not to deprive local school districts because they may or may not be part of a county listed as among the 10 wealthiest counties in the country.

Therefore, I believe the gentleman's argument would have more force if it were directed to the fact that essentially we are concerned with the district itself and not the county, because the county does not put up the funds.

Mr. GOODELL. I can understand the gentleman's position, since he represents one of the 10 wealthiest counties I was talking about.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman. I merely wanted to comment that the observation made by my colleague from New York, [Mr. REID], who has made a splendid contribution to this legislation, I concur in. I believe he has put his finger on exactly the point of this legislation and the philosophy of the legislation, which might be badly abused by the permanent adoption of the Quie-Perkins formula.

We seek to reach the unit of society most in need. We seek to reach the family and the child. To start dealing in State averages, formulas and State boundaries might in a serious way impair our effort to find the child in need.

The genius of the bill is that we can reach the poor child in Westchester County and we can reach the poor child in Bogalusa.

Mr. GOODELL. The unhappy fact is that the law wrote in a State expenditure per pupil as the basis for the allocation formula. We are not introducing that for the first time here. That was the way the formula was put in, that the payment be in accordance with the amount being spent in that State per pupil.

This means that the State which is spending, as New York is, about $790 per pupil on the average, will get more money than the State down at the bottom of the list, spending $350 or $400 per pupil.

I believe the gentleman will have to agree that this contradicts the philosophy that we are going, supposedly, to give the money to those areas which cannot afford to raise taxes, or primarily to those areas which cannot afford to raise taxes to support schools.

Mr. CAREY. I can see some degree of merit in trying to reach out for the areas absolutely without revenue sources to help the children. I believe we can arrange to do that if we continue to rework the formulas.

However, I cannot agree that we should ignore the per capita family income as a factor merely because we have a very low per capita family income in the 29 States which would benefit under this legislation.

The inequity of the Quie-Perkins formula—and I might say the iniquity—is that it does not require additional effort on the part of the poorer States. It is a 100 percent Federal contribution.

The worst part of that is that we had an effort measurement item in the bill, which was taken out. We took out the special incentive grants which would have rewarded the wealthier and more fortunate States. That is no longer in here.

The worst part is that we do not require an additional effort, so they will always be below the national average, and that is the danger of the formula.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Kentucky.

Mr. PERKINS. Let me say to my distinguished colleague from New York that I do not share his concern. If we took anything away from any poor educational district in a wealthy county, then I would share his concern. But in every instance this money is to be disbursed on a factor of the family income of the children. Whether a local school district is making an effort or not making an effort, is irrelevant to the problem of meeting the needs of educationally disadvantaged youngsters. We are not overlooking the educationally deprived child who lives in the wealthy district as the gentleman's proposal would do.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOODELL. Mr. Chairman, I yield myself an additional 10 minutes.

Mr. PERKINS. Every State, in order to qualify for assistance under this program, must maintain its effort in support of elementary and secondary education. It may not use Federal funds to supplant local and State funds.

I repeat, we will not take funds from the poorer districts nor from the wealthy counties which are needed to meet the needs of deprived or handicapped youngsters. We will just give to those poorer districts, wherever they may be, anywhere in the country, a minimum amount per child to assure adequate programs.

Mr. GOODELL. Would the gentleman repeat what he has just said about the requirement that they maintain the present level and increase the commitment to education?

Mr. PERKINS. The law specifically requires that all States and local districts, in order to qualify for title I grants, must at least maintain their current levels of support for elementary and secondary education. States and local districts may not use Federal funds to supplant State and local support of education.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I am glad to yield to the gentleman from Minnesota.

Mr. QUIE. If one would look at the percentage of poor children from poor families with less than $2,000 in Westchester County, you find it amounts to 3 percent. If you look at the similar expenditure of money in the State of Kentucky, in Jefferson County they have to have 15,000 such children in order to secure anywhere near that same amount of money as Westchester County, N.Y., with 6,000 poor children. If we would continue this kind of an expenditure into the wealthier counties, you would assume that no one has the responsibility for the education of poor children in the country.

The reason for this legislation is to help educationally deprived children and not just poor children. Poor children are counted in order to get the money into the school districts. The whole thing is mixed up, especially since there is no definition of "educationally deprived" in the act. I expect that the counties and the States wealthy enough to pay the high payment to welfare recipients could afford to educate their children, while the amendment we adopted in this bill includes none of the AFDC children, no matter how much the welfare payment is.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me further?

Mr. GOODELL. I am glad to yield to the gentleman.

Mr. PERKINS. I think we should make clear the fact that the legislation clearly requires the maintenance of effort on the part of the States and I address the gentleman's attention to section 207 (c) of the act.

Mr. GOODELL. I might give you another example.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. Then I will yield to the gentleman from Westchester County in just a moment.

I would point out that this underlines our whole point here. I was talking about the lack of priorities in this legislation. No one is going to say that we should do anything about the 3 percent of poor children in Westchester County or in Montgomery County 5½ percent.

But in Montgomery County, right out here, the median income is $9,317. They have 5½ percent of families with under $3,000 income according to the 1960 statistics. There are 44.6 percent with over $10,000 income in Montgomery County. Montgomery County under this allocation formula ends up with $555,726, based on this 5½ percent of poor children. Now, Montgomery County is listed, according to the 1960 census data, as the richest county in the country, the wealthiest, with $9,317 median income.

This means in effect we are saying that no counties, no matter how rich, no school districts, no matter how rich, can tax their people sufficiently to take care of their own and to see that their schools are of high quality. The poor children in Montgomery County can go to the schools in Montgomery County. I have never heard it charged that they are refusing to take children because of their poverty or because of their lack of wealth in Montgomery County or in any other county in this country. Presumably they have the opportunity to go to these same schools that as far as I am aware, are of very high quality.

I am talking about Montgomery County. I shifted to Montgomery County simply because I wanted the gentleman from Westchester County to know that I am not aiming at him alone in this matter. I do think there is a limited amount of money that we should spend for education and we should spend it in the areas of the highest priority and in those areas that have the greatest need. This is the one argument I have always used forcefully in favor of a Federal program for education; that is, that there are areas that cannot meet these needs. Every dollar of aid that we send in to a wealthy county comes away from one of the poorer counties because we have a limited amount of money that we can appropriate and which we can authorize. We know we are having difficulty with our budgets in this respect.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. McCARTHY. Mr. Chairman, I rise in support of the gentleman's amendment.

Let me say to the gentleman, who knows my area, that one of the wealthiest towns in the United States is the town of Amherst in my district, which is about on a par with Montgomery County. The people who reside there would be in favor of this amendment because they would rather not have this money coming in there on the basis of a very small percentage of families with incomes of under $3,000.

They feel that they can take care of these children themselves. They are ready, willing, and able to do so.

Mr. Chairman, I think the gentleman's amendment has a great deal of merit and certainly I want to support it.

Mr. GOODELL. I thank the gentleman from New York.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Chairman, I would just like to add one further comment with respect to both the remarks of the gentleman in the well [Mr. GOODELL], and my distinguished colleague, the gentleman from Minnesota [Mr. QUIE].

The only point I am making, it seems to me, is that in terms of principle, the thrust of this legislation is to reach the educationally deprived wherever they may be.

Mr. Chairman, to talk of wealthy States and wealthy counties misses the point. The question here is to reach the children from low-income families and the educationally deprived.

In my judgment we have got to do this by going into the areas where this situation exists and dealing with the appropriate mechanism—the local school district.

In addition, we must recognize that there is a cost differential involved here. It costs more to construct buildings, to maintain them, and to educate children in Westchester County than in rural areas of the South.

Mr. Chairman, the poor in Westchester County have just as much need for assistance as the poor anywhere else. If anything, poverty amid affluence emphasizes the serious consequences of an inadequate education. It is essential that we reach and help these children.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I am glad to yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. Mr. Chairman, I am fascinated by the exchange between the gentleman in the well and the gentleman from Minnesota [Mr. QUIE], both of whom are supporting the amendment which will be offered by the gentleman from Minnesota [Mr. QUIE], and the great concern which is shown for Westchester County, one of the 10 wealthiest counties in the United States and for the extremely poor counties which were mentioned and which are located in the State of Louisiana.

But, Mr. Chairman, what does the Quie amendment do for the factory worker or for anyone else who is making about $6,000 a year?

Mr. GOODELL. Does the gentleman want us to do everything in one section of the bill? Presumably he does. We have to put the money into the areas of the greatest need. We have a limited budget and a limited amount of money, and we have set the highest priorities thereon.

If the gentleman will take the example of Westchester County, with an enrollment of 7,692 children who qualify as being poverty stricken, and Sunflower, Miss., where there are 9,542 children qualifying, that means that there are 2,000 more impoverished children in Sunflower, Miss., as are in Westchester County. Yet, Westchester receives $2,812,502 and Sunflower receives $1,156,611, less than one-half the amount which goes to Westchester.

Mr. Chairman, what kind of equalization formula is this? What kind of formula is this? Is it designed to help the areas that cannot afford to help themselves and support good schools? I think it is very contradictory, as we felt in the original legislation.

Mr. QUIE. Will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. QUIE. We must bear in mind what the intent of title I of this act is. The intent is to help the educationally deprived children, not to help the overcrowding of schools in the suburbs, not for any other purposes that one might be in favor of for Federal assistance to education, but to help the educationally deprived children.

So the only formula we have here is to count the children of the poor people. One would expect that in a school district where 3 or 2 percent of the children are poor that the nonpoor would provide as good an education for the poor children as they would for the children of the wealthier.

Every school district of the country cannot be educationally deprived, there must be some of the school districts that do not educationally deprive children.

We see in the large cities, for instance, in Harlem, where everyone recognizes that children are educationally deprived. Most of them came from either Puerto Rico or from the southeastern part of the country at one time. It seems to me that it is completely contrary to good judgment to penalize the area of the country where these people came from where we know that there are educationally deprived children. A study made by the three departments, the Department of Labor, the Department of Defense, and the Department of Health, Education, and Welfare, has shown that in South Carolina, for instance, 52 percent of the young men fail their preinduction examination for entrance into the service. We know that they are educationally deprived.

Surely the wealthier counties of the United States can do a good job of educating their poor children and are not likewise deprived. The poor children in Montgomery County go to the same schools that my children go to, or that of the children of my colleagues. Surely wealthy Montgomery County can afford to educate her children and the poor children receive the same education as the wealthy.

Mr. GOODELL. And they have the same facilities.

Mr. QUIE. They have the same facilities, they have the same teachers, the same everything for them, and they cannot be any more deprived than the wealthier children.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. WILLIAM D. FORD. I thank the gentleman for yielding.

The gentleman from Kentucky observed a few moments ago—twice, I believe—that the $400 million to finance the Quie amendment would not be taken away from any other part of the country to give to the 29 States that might be the beneficiaries. I understood the gentleman in the well to say, however, that we have a bill here that deals with a limited amount of money on the basis of priorities and that he fears the priorities would be to limit the amount of money for use in the areas inhabited by those people that they identify as pockets of poverty.

In the light of that understanding, the gentleman in the well would be disagreeing with the position of the gentleman from Kentucky [Mr. PERKINS] that no money is being taken away from anybody.

Mr. PERKINS. If the gentleman will yield.

Mr. GOODELL. I yield.

Mr. PERKINS. As I stated, it is additional money, it will go to the local educational agency as I have described. The poor district will greatly benefit from this additional money but this will not affect the allocation to any other local educational agency.

Mr. GOODELL. I agree. Let me say that at the very beginning, when we presented our views on this and offered amendments to implement it in the original debate, that we felt that this was to be a program that was aimed at helping those areas of the country that obviously cannot help their own children. That was the argument.

Then we came forward with a bill that went in the exact opposite direction, which made the rich States and counties richer, and the poor counties and States relatively poorer in terms of the impact of this bill.

The gentleman from Kentucky was stating, and I think accurately, that the allocation formula will remain the same. We are not taking anything away in the allocation formula from those States that are above the national average for pupil expenditures. We are adding additional amounts to take care of those that are at the bottom of the ladder. And that, I think, was an accurate statement with which I agree.

Mr. HENDERSON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 338]

Adams
Addabbo
Albert
Aspinall
Ayres
Baring
Battin
Bolling
Bray
Broomfield
Brown, Calif.
Callaway
Celler
Chelf
Corman
Davis, Ga.
Diggs
Dyal
Edwards, Ala.
Evans, Colo.
Fisher
Flynt
Gallagher
Grabowski
Grider
Gross
Hanna
Hansen, Wash.
Harvey, Ind.
Hébert
King, N.Y.
Kupferman
Landrum
Leggett
McMillan
McVicker
Mackay
Martin, Mass.
Martin, Nebr.
Morris
Morrison
Morse
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
O'Neill, Mass.
Powell
Pucinski
Purcell
Reinecke
Rhodes, Ariz.
Rivers, Alaska
Rogers, Tex.
Roncalio
Roudebush
Schisler
Schmidhauser
Scott
Shriver
Sisk
Smith, N.Y.
Smith, Va.
Stafford
Steed
Stephens
Stratton
Sweeney
Teague, Calif.
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Walker, Miss.
Walker, N. Mex.
Watkins
Weltner
Widnall
Wilson, Bob
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 13161, and finding itself without a quorum, he had directed the roll to be called, when 348 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from New York [Mr. GOODELL] had 7 minutes remaining.

Mr. GOODELL. Mr. Chairman, I would like to move to a different part of the bill, and a different question with reference to the whole problem of setting priorities.

As I indicated in my initial remarks, I believe this is the chief problem with the legislation that we have on the books today. It does not adequately and proportionately set priorities.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. BRADEMAS. I want to make only a modest observation to my friend from New York with reference to what he said at the outset of his remarks. The point he made, if I recall him correctly, was that he suggested that last year when we enacted this legislation the major argument, or the only argument—I do not remember which word he used for it—was the so-called poverty argument.

I would have to disagree with the gentleman. That may have been what he interpreted the bill as being confined to. But at least on this side I think it is fair to say that in addition to being concerned with improving educational opportunities for children in school districts where there are high concentrations of low-income families, with which we are concerned in the one title of the bill, that this is not a one-title bill, as the gentleman knows, and that it deals with improving the quality of education in the elementary and secondary school levels.

I am sure the gentleman will not quarrel with that.

Mr. GOODELL. I do not quarrel with that, except I want to say that I said the major argument used for this legislation was this need to equalize—the so-called need to equalize the situation, particularly for those poor areas that supposedly cannot support adequate schools. But the gentleman is well aware that the allocation formula we are talking about only applies to title I.

Mr. BRADEMAS. I understand that.

Mr. GOODELL. That is the formula that applies to the title that supposedly is going to help the poor areas.

Mr. BRADEMAS. I understand that.

Mr. GOODELL. And the net effect is to make the rich areas richer, and the poor areas relatively poorer.

But I would say originally when we debated this, we offered suggestions and amendments that would correct this, and we will offer such amendments again this year on the floor, as we offered them in committee.

One of the best ways to handle this would be to allocate the money to the State and let the State, with a State plan, allocate within its own borders.

Given that situation, the problem raised by the gentleman from New York [Mr. REID] would be met. He talked about an isolated school district that was located in a rich county. Any State could allocate to the poor school districts, and would, I am sure. So this could be worked out very easily.

I intend to offer, or some one on my side will offer an amendment to permit this kind of flexibility. Let the State allocate to those areas within its borders where it has particular need. And if the State so chooses they can allocate, in New York, to Harlem, to Bedford-Stuyvesant, in Michigan to some of the slum areas of Detroit. They can pick out the priority areas and see that the money is going there, which was the intent of the legislation. I believe this would be a very sensible approach to the whole problem of setting further priorities with the limited amount of money available.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. MACGREGOR. I commend the gentleman and others of his colleagues on the Committee on Education and Labor for offering these amendments both in committee and later here on the floor to put the State into this picture in a meaningful way in the distribution of funds under title I. I am sure that would be helpful not only in New York but it would also be helpful in my own State of Minnesota. For example, during the school year 1965–66 under the distribution of State aid within the State of Minnesota, school districts in the congressional district that I represent received 20 percent of the total money allocated under the State aids formula from the Commissioner of Education. During the same school year under the distribution pursuant to the Federal formula in title I, the school districts in my congressional district only received 3 percent.

The people in the State legislature who are best able to determine the relative needs in the State determined that the districts in my congressional district were seven times more deserving than did the formula planners who distribute the funds under title I. This would be corrected if the amendment offered by the gentleman from New York and others of his colleagues on the Committee on Education and Labor were adopted.

Mr. GOODELL. I thank the gentleman.

I might point out another aspect of this, any allocation under title I of this bill is made to the school district based upon the number of poor children in the school district, if adequate statistics are available—and if not, then to the county. Of course, the gentleman from New York [Mr. REID] raised the problem that we do not have statistics in many instances for the school districts of the number of poor children in the school district. So in most instances, apparently, the distribution is made per county throughout the country. This creates special problems where you have a multiple school district situation within a single county. The county, in other words, and the State must work out some plan acceptable to the Commissioner for distributing the money to the school districts within that county. This could be very easily and intelligently handled by putting the States into the picture and giving them the authority to set up State plans that the Commissioner would review to see that priorities are set properly and then let the State distribute the money to the poor areas.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. WILLIAM D. FORD. Did I understand the gentleman in the well to say that the plans for the distribution of funds under title I within a county to the respective school districts within that county were submitted to the Federal agency and approved by the Federal agency? Or is it not a fact, I ask the gentleman in the well, that the distribution down to the county level, is covered by this legislation and that below the county level it is covered in the State plan administered by the State governmental agency and is not submitted to or approved by the national agency.

Mr. GOODELL. The gentleman is only partially correct. I think what I said was that the bill provides for the distribution by the school districts on the basis of the number of poor children in the school districts, if the statistics are available.

Mr. WILLIAM D. FORD. No, that is where the gentleman and I disagree because the bill does not read that way. The bill provides for distribution down to the county level according to the number of children within the categories described. But below the county level, the State exercises its discretion in a rather broad sense to determine how the distribution will be made within the county.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. PERKINS. In every instance where the school districts within the county follow the census tract, of course the distribution within the county is figured from the census data.

Mr. GOODELL. That is to the school district.

Mr. PERKINS. Yes, the school districts.

Mr. GOODELL. That is exactly the point on which the gentleman from Michigan and I disagree.

Mr. PERKINS. That is where the census tract and the local school districts are coterminous.

Mr. GOODELL. That is correct.

Mr. PERKINS. But where they are not coterminous within the county, then the State educational agencies make the distribution in accordance with such data as may be available which will best determine those schools which have the largest concentration of educationally deprived children.

Mr. GOODELL. That is in accordance with the criteria furnished by the Commissioner of Education. That is the point I made earlier—subject to the approval of the Commissioner of Education.

Mr. Chairman, there will be a variety of other amendments. Let me say, first of all, in this connection that the bill increases the money available for this fiscal year to $1,679 million estimated. The following year, fiscal year 1968, the figure goes to $3,044 million. So the total for these 2 years is $4.7 billion. There will be an effort made to strike the commitment for the second year, particularly with reference to title III. I would point out that title III is perhaps the most controversial title in this bill. It started at $100 million. It went to $105 million. In this bill it goes to $150 million. In 1968 it takes a big jump to $575 million.

In that connection I would like to talk about the section that was debated a little bit earlier. It is the so-called O'Hara amendment to title III. Its language is very clear:

> In approving applications under this title for grants for any fiscal year after June 30, 1967, the Commissioner shall give special consideration to the application of any local educational agency which is making a reasonable tax effort, which is nevertheless unable to meet critical educational needs, including pre-school education for four- and five-year-olds, because some or all of its schools are seriously overcrowded as a result of growth, shifts in enrollment, or otherwise, obsolete, racially-imbalanced or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency.

My colleagues, when we first debated this bill, we described title III as the Federal-local schools. We talked about the obvious effort that would be made in the future to expand this title where the

Commissioner of Education can bypass all other educational authorities, go directly to the local level, and set up plans for approval of projects proposed at the local level.

We often are told that these have to be proposed by the local school people. The local school people, as a practical matter, come up with a plan. They submit it, and then you and I know what happens. They talk to the educators. They talk to the people in the Office of Education. And they are told, "Now, if you change it in this way, if you put a little emphasis there, and if you add that program and knock out that program, we might be interested. But we have a lot of applications here. We want to give particular emphasis to this kind of approach."

As a result, they go back and gradually move in the direction indicated by the Office of Education.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Does the gentleman know if any title III applications have been approved or funded by the Office of Education without being first approved by the State Education Agency?

Mr. GOODELL. Yes. I heard the gentleman say on a national television program this morning that none of them had been approved. None of them had been approved by the Office of Education that had not been first approved by the State. That is not true. Three months ago some 6 percent of the approved title III projects had been recommended against by the States involved. They were approved by the Commissioner. The statement you made this morning was not accurate. I want it on the record. This is a vital matter, that the Commissioner of Education does not have to go to the States, and in 27 or more cases the Commissioner has not taken the recommendation of the States. I think this is a vital example of what we are talking about.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. GOODELL. Yes; incidentally, I enjoyed the program and the performance by both you and our colleague, the gentleman from Minnesota [Mr. QUIE].

Mr. O'HARA of Michigan. I did not know if anyone was watching.

I was advised that all the applications they had approved had been approved by the State agency.

Mr. GOODELL. This is the kind of statistic and figure that is often given out. I am sure the gentleman was being accurate according to what he was told by the Office of Education, but I understand that the accurate figure was developed by Mrs. GREEN's subcommittee.

That is my information. We are both going on the basis of information given to us.

Mr. O'HARA of Michigan. I should like to have some of that information, and I should like to correct any misimpression I left, if I did.

Mr. GOODELL. I am sure the gentleman from Michigan would not have misstated deliberately.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, can the gentleman furnish us with the 60 he is talking about which have been approved over State disapproval?

Mr. GOODELL. I can furnish whatever they have in the Green subcommittee.

Mr. MEEDS. Would the gentleman put that in the record?

Mr. GOODELL. This was developed as a specific fact. I believe it was 6 percent of 1,030, or something of that nature.

I simply wish to point out that earlier in the debate a statement was made that one could not pay for busing under the provisions of title II. At least, there was grave doubt raised in this connection.

I am for civil rights and for equal opportunity, but I believe in all honesty I must be opposed to this whole new addition, the O'Hara amendment to title III. Only one aspect is the power to make grants locally to help racially balanced schools. There is a much more important aspect from my viewpoint; that is, that the Commissioner is to be given authority to determine if a locality is making a reasonable tax effort—the Commissioner alone.

The Commissioner is to be given authority to determine what is "overcrowded," to define this; to determine what "obsolete" means, and what "unsafe" is.

In addition, he is to be given authority to make special grants, to give special consideration to school districts "because of any other condition that has imposed a substantial and continuing financial burden upon the agency."

So the Commissioner is to be given a very broad grant of authority here to make a determination if a local school district, under regulations the Commissioner has developed, is qualified at all to apply for title III funds. I believe this is the kind of expansion in title III that we warned of and that we are deeply concerned about in terms of this legislation.

Just for the sake of the record, I would point out that other amendments will be offered. We now have a total of about 15. Most of them will be offered for the record, because we are of the opinion that the Committee has made up its mind, that the mood of the Congress in this respect is clear. We want on the record where we stand on these issues.

There are going to be two or three on which we would hope to have substantial support from both sides of the aisle. I would urge my colleagues to give them careful consideration when they are presented.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, I believe it might be helpful, and even interesting, if the gentleman from New York, who just completed, would let us know which of the 15 amendments are just for the record and which are, in a sense, for real?

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from New York.

Mr. GOODELL. They are all going to be for real, but there seems to be a disposition on the part of this particular Congress not to go for the State plans.

We will offer this in both title I and title III, but there will be a particular effort, I think, to cut down the authorization for the second year. I think this will be a significant amendment that will have considerable support on his side of the aisle. We would offer an amendment to strike the O'Hara amendment. I know of one from my colleague, the gentleman from California, Congressman BELL, to transfer the adult education program to the Office of Education. There are amendments that we will offer, for instance, with reference to the expansion of the impacted program and some other amendments of this nature. They are all, I think, of great significance in redirecting the program.

Mr. THOMPSON of New Jersey. But some are more important than others. I get it.

Mr. GOODELL. Some will get more support from your side of the aisle.

Mr. THOMPSON of New Jersey. I would suspect some might. A few will.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. WILLIAM D. FORD. I would like to ask the gentleman a question. He indicated they will offer amendments from his side of the aisle to cut the authorization of funds in the second year. Since the only increase in funds in the second year that I can discover that would occur in the $400 million in title I, in the case of the amendment which he has already spoken in favor of, I wonder if he intends to cut other funds in order to raise that $400 million.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. Yes. I will be glad to yield.

Mr. GOODELL. The gentleman should examine the authorizations for the 2 years. Title I goes from $1.3 billion to $2.2 billion. Title II goes from $105 million to $175 million. Title III goes from $150 million to $575 million. Each of the titles with the exception of the impact aid, which is estimated to stay at an increased cost of $35 million for the expansion provided in this bill, is substantially increased. The total is from $1.7 billion in round numbers to $3.44 billion in the second year, fiscal 1968. It will be our effort in some instances to eliminate the second year so that the Congress next year can take a new reading on it and in other instances cut the amount authorized for the second year.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. Chairman, I rise in support of this bill. Almost 19 months ago I rose in this same well and uttered those identical words. At that time we were debating the Elementary and Secondary Education Act of 1965, H.R. 2362. Today we are debating amendments to that act in the form of H.R. 13161.

I could, in all honesty, repeat my remarks of 19 months ago and they would be as applicable to this bill as they were to the original act.

Now that we have had experience under the act, I find that what I said in the early months of 1965 can be repeated in the latter months of 1966, with the added emphasis of experience.

Nineteen months ago I addressed myself principally to two major points, upon which I felt the debate resolved. These were:

First, the separation of church and state; and

Second, the utter dependence of the proposed act on local initiative and control.

I think I can discuss these points jointly, for it was the great latitude that was given to local school districts which provided—and still provides—the wall of separation between local control and Federal domination, as well as the wall of separation between church and state.

In March of 1965, I said, relative to the assistance authorized to be given to nonpublic school pupils:

> Services and arrangements provided for nonpublic school students must be special as distinguished from general educational assistance.
>
> The decision about the best arrangement for providing special educational assistance under title I is left to the public education agency of the school district, under the constitution and laws of the State.

And then I proceeded to list some "for instances." These remarks were made, first, on March 24, and appeared in the Congressional Record, volume 111, part 5, page 5758. The printer had them garbled, so I repeated them the next day, and they appear in the Congressional Record, volume 111, part 5, page 5979, for March 25.

The key to both the church-state and the Federal domination issues is found in the fact that "the best arrangement is left to the public education agency."

In other words, every program undertaken under this bill is initiated by the local board of education, or as in the case of title II, the State education agency.

I also justified the Elementary and Secondary Education Act of 1965 on the grounds that the legislation did not—as this instant bill does not—spell out programs. In the Congressional Record, volume 111, part 5, page 5763 is found my remarks made on March 24, wherein I said:

> We have given the local public school agencies every latitude in devising programs to improve educational opportunities for the culturally deprived children. In doing so we recognize and pay tribute to the principle of local control of education. We also realize that the program of greatest urgency in one area may not necessarily be of such urgency in another.

My diligent colleague, the gentleman from Kentucky [Mr. Perkins] convened his subcommittee in March of this year and began gathering impressive evidence as to the effective and varied use to which the Federal funds were being put.

In the first place, despite starting programs well after the school year had started, all over the Nation programs had been initiated benefiting more than 7 million children.

As reflected in the committee report, we found that some problems, such as inability to communicate, were shared by most schools serving culturally deprived children. Thus we found a great many local schools focusing major attention to remedial reading, speech, and writing projects.

Variety is indicated in the fact that 40 percent of the schools were using funds to employ subprofessionals as teacher aids, in order to make more efficient use of its available staff of qualified instructional staff.

About 40 percent of the participating school districts have developed inservice training programs for teachers.

As the report points out, we see three different and diverse special programs operated by public schools but made available to nonpublic school students. The examples listed in the report come from areas widely separated geographically, and from areas of differing population density. Each of them is found in the list of "for instances" mentioned by me in March 1965.

As I said from this spot then, and as I say again today, there is no doubt in our minds that the local education agencies are best able to evaluate local problems and to make the decisions as to what programs will best solve their own peculiar problems.

What is good for Trenton, N.J., may be bad for Louisa, Ky., and vice versa. That does not mean that programs for either area are bad. If, for instance, one school board feels it can best meet its problems through greater use of motion pictures and other audiovisual material, and another school board feels that it can best meet its problems by hiring subprofessionals, then both approaches are good. The school board in Litchfield, Minn., has approved a shared-time program; the school board in Cleveland, Ohio, has initiated a remedial reading program, after school hours, in public school facilities, for both private and public school children. All of these programs are funded under this act, and all share the one objective: improving the educational opportunities for the culturally deprived.

That is the genius of this bill. Under it the Federal Government can provide the financial support to improve educational opportunities in every one of the Nation's 3,000-plus counties, with each project tailored to fit a particular need, operated under the provisions of State constitutions and State laws. Washington does not dominate, and the line of separation between church and state is not violated.

I justified the 1965 act on those two main bases. Experience has proved my justification. I can justify this extension and these amendments on the same two bases with equal fervor and, as I have already said, with the added emphasis of experience.

Mr. Chairman, I apologize to my colleagues for citing myself as my personal expert, but it is not often that we have the opportunity to come to the well and say "I told you so," and do so in a positive, affirmative manner.

Mr. LENNON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-one Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 339]

Addabbo
Albert
Anderson, Tenn.
Aspinall
Ayres
Baring
Battin
Bolling
Bray
Broomfield
Brown, Calif.
Callaway
Celler
Chelf
Cohelan
Corman
Denton
Dyal
Edwards, Ala.
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Evins, Tenn.
Fisher
Flynt
Foley
Gallagher
Grabowski
Grider
Griffiths
Gross
Grover
Hansen, Wash.
Harvey, Ind.
Hébert
Holland
Jacobs
Joelson
King, N.Y.
King, Utah
Krebs
Kupferman
Landrum
Leggett
McDowell
McMillan
McVicker
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Moeller
Moore
Morris
Morrison
Morton
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
O'Neill, Mass.
Powell
Purcell
Reinecke
Rivers, Alaska
Rogers, Tex.
Roncalio
Roudebush
St Germain
Schisler
Schmidhauser
Scott
Shriver
Sickles
Sisk
Smith, N.Y.
Smith, Va.
Stephens
Stratton
Sweeney
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Walker, Miss.
Walker, N. Mex.
Watkins
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 13161 and finding itself without a quorum, he had directed the roll to be called when 336 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. GOODELL. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. Anderson].

Mr. ANDERSON of Illinois. Mr. Chairman, much of our time this afternoon in the consideration of this bill has been devoted to the allocation formula that is used under title I of this bill. I had some things to say about that, myself, on yesterday in connection with the discussion on the rule. I would like to take this time, however, and address my attention to another section of the bill referred to as title III. I think actually, as the bill came to the floor, this section is referred to as section (C), over on page 57 of the legislation.

I am moved to make these remarks because of the report that has been filed in connection with this bill—the minority report filed by three or four members of the House Committee on Education and Labor, who are not enemies of this legislation, and have announced, I believe, their intention to vote for this bill. Yet in commenting on title III, or section (C), they have this to say:

> This bill further expands the authority and power of the U.S. Office of Education, and of the whole Federal bureaucracy, to intervene in State and local educational administration in matters for which that Office has neither very much competence nor any legal responsibility.

They go on in the minority report to say:

> It has placed in the hands of the U.S. Commissioner the sole power of determination as to what constitutes educational need and desirable educational practices in thousands of communities.

They go on to say this:

> The new authority conferred on the U.S. Commissioner of Education is further broadened. He alone would, as now, determine which applicant school districts are to receive these funds and which purposes are to be favored in their use. * * * He would also be empowered to determine what constitutes obsolescence in facilities, crowding in classrooms (that is, desirable pupil-teacher ratios), and racial imbalance in a school system.

Mr. Chairman, we have recently had in the Committee on Rules, on which I serve, some very interesting hearings in connection with the guidelines that are being administered by the U.S. Office of Education. For me the interesting aspect of those hearings was the revelation that we received as to some of the educational philosophy of Mr. Harold Howe, the U.S. Commissioner of Education.

Now, I personally regret very much that in some instances and in some quarters the argument with respect to Mr. Howe has descended to the level of ad hominem, and he has been attacked for lack of educational qualifications, or for lack of intelligence, and his patriotism has been questioned, and other things.

I do none of those things in making my own personal critique of Mr. Howe's philosophy as an educator.

I recognize that Mr. Howe does have very impressive professional qualifications. I certainly make no charge with respect to his patriotism. But I do suggest this. If you will very carefully read the hearings that were held before the Committee on Rules in connection with the guidelines and if you will carefully read some of the speeches that in recent days have been put into the CONGRESSIONAL RECORD and which outline the educational philosophy of the No. 1 man in the Federal Government when it comes to education, you might feel as I do, some alarm and even some dismay at some of the ideas he has expressed.

I want to read very briefly from the speech he delivered before the Founder's Day Convocation, Teachers College, at Columbia University on May 3 this year, entitled "Education's Most Crucial Issue." Here is what he had to say and I am quoting now from his speech:

> It is not wholly by chance that our largest cities are marked by predominantly white and predominantly Negro schools and that this separation of the races is on the increase in our cities' schools. And whatever decisions we make about maintaining or eliminating these arrangements, it is necessary also to recognize that segregated schools in the North, every bit as much as in the South, violate not only the most revered principles of this Nation but our fundamental law.

Now what has Mr. Howe said. He has, in effect, declared that de facto segregation, as it exists in Montgomery County—where my own children attend school—that all de facto segregation as it exists in city after city throughout the North, is not only wrong from a policy standpoint, but Mr. Howe has taken it upon himself to say that it violates the fundamental law.

What is the fundamental law of the United States? It is the Constitution.

There is to be sure, pending before one of our courts of appeals, a case which would seek to determine and adjudicate that very question as to whether or not de facto segregation is unconstitutional and is a violation of the 14th amendment or some other portion of the Federal Constitution.

But Mr. Howe has arrogated to himself at this point the authority apparently to determine that de facto segregation is unconstitutional before any court has seen fit to do so. Later on in the speech to which I refer he asks this rhetorical question:

> Why isn't it legal and just to have segregated schools as long as they are created by the choices of pupils and parents or by the patterns of residence which emerge in portions of a school district?

He then goes on in this speech and makes it very clear that he does not think it either just or legal even though such racial imbalance or de facto segregation—for the terms can be used in this instance interchangeably—results from the fact that people have chosen to live in a certain area of a city, and even though it is because people have chosen to live in a particular area of the city or county. Mr. Howe says that it is unconstitutional and that so far as he is concerned steps must be taken to eliminate it.

Later on in that very same speech, he makes this statement:

> The fact is that although a great deal is being accomplished under the Civil Rights Act, this law is not an ideal instrument for changing de facto school segregation through enforcement.

What does he mean by that? Very simply I think he means this—he concedes that under the Civil Rights Act of 1964 you could not do what he wants to do. In other words you would have difficulty in eliminating de facto segregation that has occurred because of established patterns of residence or because of freedom of choice on the part of people as to where they want to live. Therefore, he is going to turn to other acts of Congress. He is going to turn to various education statutes in order to break up what he regards as undesirable de facto segregation or racial unbalance.

Mr. Chairman, when I questioned Mr. Howe when he appeared before the Committee on Rules, I told him very frankly that I was concerned about the future of the neighborhood schools; the institution of the neighborhood school in American education. He led me to believe that he likewise felt it still had a very important role to play and that the fears I had expressed in this regard were groundless.

So thereafter I consulted another of Mr. Howe's speeches, one that he delivered before the National Conference on Education of the Disadvantaged at the Mayflower Hotel in Washington, D.C., on the 19th of July, a speech which he called "A New Benchmark for Education." If you will bear with me, I would like to quote a passage or two from that speech to illustrate why I have this concern. This is what he says:

> I want to emphasize that the educational effectiveness of a mixture of children from different backgrounds does not refer only to racial integration. It also refers to economic and social integration.

He then goes on in another passage of of his speech to refer to the population shifts that have taken place in our country and he says, and again I quote:

> It makes it necessary that we take a close look at what the meaning of the word "neighborhood" has come to include. To a disturbing degree it has come to mean the polarization of families according to the size of their split-level homes or the size of their welfare checks. We are faced with the fact that we are becoming a nation of plush suburbs on the one hand, and midcity slums on the other.

Then he goes on further in the speech, and this is what I would emphasize particularly, to say this:

> These are the reasons why we will have to reappraise where the boundary lines of neighborhoods should be drawn when we speak of "the neighborhood school." It is essential that we give youngsters a glimpse of American life as Americans in every strata actually live it. Among other things this means operating our school systems in a fashion that encompasses the rich social, economic and cultural diversity that distinguishes our nation.

Now, I fully concede the right of Mr. Howe to feel as he does, that to have an educationally effective school system you have got to have, in effect, a homogenized society, and you have got to use the school district as some kind of blender to bring in children from every walk of life, from every social strata of our society that you have, to mix them all together in the proper proportion to have an educationally effective system. What I am trying to do by these remarks this afternoon is to alert the American people to what Mr. Howe has in mind. They should be alerted to the fact that under title III of this bill, under the power that he has by virtue of his Office as Commissioner of Education here in Washington, to pass on the grants that are made pursuant to this section, that he may very well, in choosing who the recipients of those grants are going to be, choose those districts that carry out the particular philosophy that he espouses.

Perhaps that is not a bad thing. Perhaps it is not anything that we should be concerned about. But, you know, when you look at this bill, you find that percentagewise, the biggest quantum increase in funds is under section C of title III. It goes up from $150 million in fiscal 1967 to $575 million in fiscal 1968.

I read somewhere the other day—and I believe my figures are approximately correct—that back in 1956 the activities of the Office of Education were funded only to the extent of around, I believe the figure was, $160 million. Today, 10 years later, that figure has risen from $160 million to about $3.3 billion. So when we talk about the Office of Education, when we talk about the views of Mr. Howe, the Commissioner of Education, we are talking about something that is fundamentally pretty important to the way education develops in this country of ours.

In concluding, I want to read just one other brief quotation from another speech—and I have spent some time reading Mr. Howe's speeches in the past few days—a speech he made in New York City on the 18th of June before the School Administrators Conference, where he said this:

> We are in the midst of a struggle for excellent education for every American youngster. We must use every likely tool we can devise. Local school administrators must consider such means as redrawing school district boundaries and consolidating with neighboring districts for educational purposes, even though political boundaries may remain unchanged. We cannot wait for mayors and city councils to do the work they hired us to do. And sometimes we must do work they don't want us to do.

I would suggest that Mr. Howe is wrong in suggesting that any official in this country can set himself up as some kind of supersalesman for educational policy to the point that he can ignore local educational desires and say, "We are going to make you do something even though you do not want to do it."

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Ohio.

Mr. HAYS. I would observe that it seems to me if the gentleman has proved nothing else, he has proved Mr. Howe has made too many speeches. Someone ought to point out to him that the speech he never makes cannot be held against him.

Mr. ANDERSON of Illinois. Of course, perhaps that can be said of the speech I have just delivered, but I believe it is useful to point out to the House some of the speeches Mr. Howe has made. For the most part they have been delivered before organizations of professional educators. Perhaps they have been properly advertised in the press, but I have not seen much about them, until the hearings before the Committee on Rules last week brought out some of the statements and some of the comments he has made.

Mr. HAYS. I do not want to have any misunderstanding. I was not disagreeing with the gentleman. Personally, I do not know whether the man is qualified or not. I rather gathered, from some of his speeches, we would be better off if we had another Commissioner of Education. Even so, I believe it would be better if he stayed down there and tended to business, instead of making so many speeches.

Mr. ANDERSON of Illinois. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. QUIE. Mr. Chairman, I yield the gentleman an additional 5 minutes.

Mr. ANDERSON of Illinois. I thank the gentleman from Minnesota for his courtesy.

I merely wish to make the point that when we act on this legislation, when we pass on the kind of language which is contained in title III, which says that the Commissioner of Education, in making grants under that section, must—the language is mandatory—must take into consideration plans that exist in school districts which are trying to overcome racial imbalance, that implies something. What does that imply?

There are thousands of school districts throughout the United States in which there is de facto segregation or racial imbalance. Again I refer to the kind of segregation brought about not because of a dual enrollment system, and not because of any law which says a Negro child is compelled to go to this or to that school, but merely because of patterns of residence, merely because people have exercised their freedom of choice to live where they want to live or to send their children to school where they want them to go to school. It is clear to me that Mr. Howe is quite conceivably going to have the authority under this section of the bill to make grants to do away with that kind of situation. He says it will be a voluntary program which must originate with the officials of the local school district. However, he is going to dangle the carrot of the Federal grant before a school board that is financially hard pressed to help them make up their mind to adopt his philosophy for producing an egalitarian, homogenized society.

How is he going to do it? I do not know. Perhaps he is going to set up giant educational parks, where 20,000 students will go to school from all over a metropolitan-wide district. Perhaps he is going to do it by busing students from the suburbs to the inner city. I do not know.

However, it is clear from the record that these are some of the tools that he has in mind to break up the neighborhood school.

It seems to me when an official of the Federal government alleges as Mr. Howe has done, that de facto segregation based on residence, based on freedom of choice, is in violation of the Constitution even before any court of competent jurisdiction has so ruled, that we have gone just a step further than this Congress ever intended to go when it passed the Civil Rights Act of 1964 or when it passed the original Education Act in 1965.

Mr. QUIE. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. BELL].

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. HAYS. Mr. Chairman, I ask unanimous consent to withdraw my point of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. BELL] is recognized for 10 minutes.

Mr. BELL. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, I want to thank the gentleman from California for yielding to me. I would like to take some credit, if I can, for the amendment to title I which would provide 1 percent of the funds to the communities for programing and planning, or up to $2,000. During the summer months I had a very good intern here from Smith College in Massachusetts who conducted a survey and they determined that they were entitled there to $16,539,000 under title I, but only availed themselves of $11,421,000, or a difference of $5,117,826. As a result of that, we had a survey made with the superintendent of schools and we sent questionnaires out to them asking them questions on why they did not avail themselves of this money under title I. Predominantly the answer that came back was that they had no money for planning and programing. During the summer months the Department of Education requested that survey of me and the answer to the survey was as stated. I understand the original bill as it came up to the committee did not contain this amendment. Is that right?

Mr. BELL. The gentleman is correct. It did not have this amendment. And I think your suggestion very well could have had the effect of bringing this about.

Mr. CONTE. I want to thank the gentleman.

Mr. Chairman, my concern for the continuing improvement of the education of our young people—and, particularly, the young people of Massachusetts' First Congressional District—is of long standing. The deep thought and serious consideration accorded to the Federal programs established under the Elementary and Secondary Education Act of 1965 by every Member of this body were evident in the hours of debate devoted to that measure by the House in the first session of this Congress.

The measure before this body today, in its amendments to the act, is a complex piece of legislation, too, and worthy of equally careful consideration.

We hold an advantage today. We stand with a year's experience at our backs. On the balance, I am encouraged and my enthusiasm is bolstered by what has transpired in that time. We have truly seen the opening of new horizons in public education. We have seen the realization of heretofore only hoped-for visions of many of our educators. We have seen the awakening of others to the special educational programs that can be employed to the advantage of our underachieving students. We have witnessed communities discover that there were educationally disadvantaged youngsters in their midst and seek answers to the needs of these boys and girls.

Unfortunately, we have also seen instances of hesitation, of faltering, of frustrated attemps to bring home the benefits of the programs of the 1965 act to our disadvantaged and underachieving children at its focus. These instances, when placed in the context of the short-run of the operation of the programs set up under the act, caution us not to be impatient. We have undertaken a comprehensive new program, broad in its scope and predestined to the drawbacks of initial administrative difficulties.

However, it is with equal efficacy that these instances, when placed in the context of the long run of the life of the programs, sound the call to study—to consider—to be aware. Experience is life's best teacher. So, too, it is an astute draftsman of legislative amendments.

I have been a student in the classroom of experience with regard to the operation of title I of the 1965 act. I would like to confine my remarks today, with regard to the amendments to the act, to recounting that experience, the lessons learned, and my support for amendments to title I, called for by those lessons.

Massachusetts was accorded humiliating billing when, in late June of this year, it was announced that, of the 55 States and territories eligible for funds under title I, the Bay State had come in 52d in the percentage of funds allocated to the State for fiscal year 1966, secured for use in the State to improve the educational opportunities of the children covered by that title's provisions.

In terms of dollars, of the $16,539,689 allocated to Massachusetts, the Commonwealth actually received only $11,421,827. This is a difference of $5,117,862. This is a difference made up of money that could have and should have been put to work all over the Commonwealth for special educational programs, facilities, and opportunities—for the benefit of children in our homes in need of such programs.

This difference of more than $5 million can now never be spent for these children. The remedial reading and math programs, the summer schools for mentally retarded children, the individual guidance for educationally disadvantaged youngsters, the cultural opportunity programs—available in some communities—were never made available to children of equal need in other communities. What was the reason?

The First District of Massachusetts was even lower than the State average in the percentage of funds, allocated to its communities, that were successfully applied for and put to work. Whereas the average for all communities in the State was a low 66 percent, western Massachusetts received only 63 percent of its allocated funds. What was the reason? I wanted to know. I wanted to know so that a repetition of such lost opportunities could be precluded in the current fiscal year.

I assure you, as I have assured each of the school superintendents in my district and the officials in the Department of Education of Massachusetts, that my concern is not merely that the money should have been spent—in any willy-nilly fashion—just because the opportunity for expenditure was there. The officials at all levels of administration of this program—local, State, and Federal—are much too conscientious and competent to condone such action or to listen to a foolish advocate of such action.

My concern cannot really be equated to a dollar spent or not spent. It is for the break, or the chance, or the opportunity, for the boy or girl somewhere in Massachusetts in need of that break or chance or opportunity that was not there. My concern was that the money, if it must be put in those terms, had not been vigorously and successfully pursued to fund programs obvious in their need and so planned as to be wise and sound in their undertaking.

The first arguments I encountered were that Massachusetts is a wealthy State, that it could not use the Federal moneys, that the need was not there. These were fallacious arguments. If the wealth was, in fact, there, and the need and use lacking, there would have been no allocation of funds to the State under the provisions of title I in the first place.

The money for title I was allocated because there was a young boy or a young girl in one of the communities in my district, in my State, or in any of the 54 other States and territories, educationally deprived or neglected because of family circumstances. That child was counted and the total count determined the dollars made available to his or her hometown. But, in too many instances in Massachusetts, he or she was counted out before having the chance for the special educational opportunities at the very heart of title I. What was the reason?

To get the answers for my district, I went directly to its educators in its public schools. I wrote a personal letter to each of the 35 school superintendents and enclosed a questionnaire—composed of 17 questions, most of which could be answered by a simple "yes" or "no"—relating to their experiences with title I. The response was enthusiastic and thoughtful. The lessons to be learned from their experiences and their need for additional help in the form of amendments to title I were obviously and persuasively brought home in their answers and comments.

Of the 35 questionnaires sent out, 26 were returned and another superintendent commented in a lengthy letter that touched on the matters raised in the questions. After summarizing their responses, the good and the bad of the first year's implementation of title I came sharply into focus.

The 35 superintendents represented the 73 communities, of the 88 in my district, eligible for funds under title I of the act. Of these 73 communities, 48 were named on application for funds, with only 34 of those applying receiving at least one-half of the amount allocated to it. Thus, of a total allocation to western Massachusetts of $1,159,404, only $732,519.75 were committed to programs for the first fiscal year of the act's operation.

Every superintendent who applied for funds indicated that they felt the programs could and did, where funded, fill a vital need in their communities. The programs that reached the operative stage were unanimously well-received and repeated comments were echoed in letters and notes attached to the questionnaires to the effect that the types of programs that could be funded under title I created new interest in the community with regard to special education programs. Only 3 of the 26 indicated that their local budget was adequate to support the normal educational demands of the community, as well as the supplementary programs now made possible under title I funding.

There were complaints, too. The bureaucratic bugaboos—delay due to guidelines interpretation and reinterpretation, too much paperwork, the need for more funds—were oft-cited, as was the element of time working against the taxed and harassed public educator.

Many of the problems were to be expected and were only temporary during the first months of the implementation of a new program. These are the growing pains of progress. There were a number of the complaints, however, that stemmed from a much more fundamental problem—the complete lack of adequate personnel to plan and write programs and projects of special education.

In replying to the questionnaire, 19 of the 26 superintendents said they did not feel that they had adequate personnel to investigate the possible use of title I funds and to draw up appropriate programs. Many of the superintendents employ teaching principals, already overburdened with both administrative duties and academic chores. Many of the superintendents did, in fact toil over burning midnight oil themselves to plan and write a program to meet the needs of the particular under-achieving children in their school districts.

The repeated entreaty was for a part of the Federal grant funds allocated to the community to be made available for the planning of title I programs to meet the particular needs of that community's children. Only through such means can a school district devote the necessary time and attention to the needs of the children and the development of a program sufficient to meet those needs.

This is the very thrust of title I. It must not be dulled by the impossibility of implementation. The needs of the disadvantaged children must not go unanswered simply because the educational agency does not have the time or the personnel to successfully pursue the money allocated to those very needs.

It makes good commonsense to free a portion of that money to be used for the planning of the programs, projects, and facilities that can, then, be funded under the communities remaining title I allocation. It insures the wisest expenditure of every dollar. This is exactly what the committee has done in one series of its amendments to title I. Within the provisions of these amendments, a grant can be made to a community in the amount of 1 percent of its basic maximum grant, or $2,000, whichever is greater, to be used for planning title I programs, projects, and facilities.

The committee has also made a portion of the funds allocated to each of the State administrative agencies available for the hiring of personnel to assist the local communities with their technical problems in program planning, project writing, and the application procedure. Surely these provisions will go a long way toward insuring a more successful title I program in every State and territory. If the bill had not contained this language, I would have offered an amendment to this effect. Therefore, I commend the committee for taking this action. The needs of Massachusetts, in this instance, were not merely indigenous to the Bay State. However, now that this need has been provided for, it will be imperative for the Bay Staters to apply the broadened grant moneys toward obtaining application approval and funding for programs in this fiscal year.

The youth of the Nation hold the promise of the future in their hands. Today, ours is the responsibility to develop their potential for greatness to the maximum extent within our power. So, in many respects, the promise of the future is held—for a moment—in the provisions of title I of this legislation: in the moment that a mentally retarded child completes a summer session to return to his regular class that fall, with a new confidence in his ability to compete with his fellow classmates; in the moment that the reason for a 7-year-old's lack of achievement is discovered during a summer guidance session; in the moment that a foreign-born child gets a perfect score on his English test during a remedial language class.

Alexander Pope penned the phrase:

'Tis education forms the common mind:
Just as the twig is bent the tree's inclined.

I believe I can speak for the educators in the public schools in my district when I say that we do not intend to finish in the cellar of the title I league next June 30.

Mr. BELL. Mr. Chairman, I rise in support of H.R. 13161 as I did a year ago in support of the Elementary and Secondary Education Act of 1965.

Mr. Chairman, education has been the hallmark of progress, I believe, in the United States. No other country has equaled the concerned attention that we have given to our educational system. It is not money alone that has preserved our Nation's leadership in this position. It has not been the Federal Government alone that has provided this leadership. Indeed, the very essence of our greatness in this is in the diversity provided by our States. The partnership of the Federal, State, and local governments has been successful in this program because primarily the State and local school boards throughout this country have been effective in providing imaginative and vital leadership in their programs.

We are here today to give further impetus to this program. It has been proven beyond doubt that education is our most effective weapon against poverty. Only by upgrading the educational capacities of the unemployed can we be certain they will have a marketable skill. Only by providing the best education to the very young today can we be assured that they will not be on the relief rolls tomorrow.

Mr. Chairman, last week I voted against the amendments to the Economic Opportunity Act. I did so because I have never felt that the poverty act in its shotgun approach provides an efficient and effective attack on the problem. I think the record bears this point out. I would point out, however, that Headstart, an educational program farmed out in most States to the educational boards, the local educational boards, has been one of the most successful among all the efforts under the Economic Opportunity Act.

Mr. Chairman, I firmly believe that poverty can best be attacked through education. Mr. Chairman, for this reason, and because of the major role it plays in our economic and political world leadership of the future, I have supported the Elementary and Secondary Education Act in 1964.

Mr. Chairman, we need only observe the percentage of selective service rejectees in order to get some indication of the educational needs yet unmet.

Mr. Chairman, a New York Times article of October 1 describes the results of mental examinations given to potential selective service inductees.

This article I shall obtain permission to insert into the RECORD at this point when we are again in the House.

The article referred to follows:

FAIL DRAFT TEST—DISQUALIFIED IN MENTAL EXAM—EDUCATION GAP CITED

(By Richard Eder)

WASHINGTON, October 1.—More than two-thirds of all Negroes tested for induction into the armed forces over an 18-month period failed their mental tests, according to a publication of the Office of Education.

This figure, released with considerable reluctance by the Department of Defense, is contained in a survey of United States education performance that will be published in the October issue of American Education.

According to the Defense Department breakdown, which has never before been made public, the rate of failure on the mental tests among Negroes was 67.5 percent. Among non-Negroes, the failure rate was 18.8 percent.

The survey was prepared by Mrs. Caryl Conner, editor of American Education, and Prof. Richard Neufille of Massachusetts Institute of Technology. It finds a close correlation between the quality of education available to Negroes—measured by the amount of money spent, the pupil-teacher ratio and other factors—and the gap in performance between Negroes and whites.

The figures are taken from 383,000 tests administered by the armed forces between June 1964, and December, 1965. They include both draftees and enlistees.

According to Mrs. Conner, the armed forces qualification test is perhaps the most extensive survey of United States educational performance in existence.

Thus, in an attempt to rate the comparative quality of education available to Negroes and non-Negroes, the results are of considerable significance.

Mrs. Conner said, however, that there had been considerable difficulty in obtaining a racial breakdown of the test results from the Defense that there was no such breakdown.

It was not until the survey's co-author, Professor Neufille, had obtained the classification number of the file on which the figures were entered that they were made available.

The national failure figure for all races was 25.3 percent. The highest failure rate for all races was 55.3 percent in the District of Columbia. The lowest was in the state of Washington.

Generally, rejection rates were highest in the South, and lowest in the Far and Middle West. In South Carolina, which had the highest failure rate of any state, 85.6 percent of Negroes and 21.8 percent of whites failed.

Mr. BELL. Mr. Chairman, the statistics are most disturbing.

They indicate that more than two-thirds of all our out-of-school youngsters tested for induction during an 18-month period failed to meet the minimal requirements for induction. These statistics include both draftees and enlistees.

Mr. Chairman, we face a tremendous challenge merely from the numbers of children demanding entry into our schools.

My own State, the State of California, though perhaps not typical of the Nation, does dramatize this problem.

During the past 8 years the number of children in elementary and secondary schools has grown 50 percent, from 2.9 million to 4.3 million.

Mr. Chairman, even at a predicted slower growth rate over the next 4 years, enrollment in larger education classes will increase by 500,000 students.

Across the country these statistics are echoed.

This fall an estimated 49.9 million children entered elementary and secondary schools. The financial burden is great, as we know.

Mr. Chairman, California is investing nearly -1.8 billion a year, and I know it is faced with great difficulties in meeting this financial burden. Property taxes have skyrocketed.

Mr. Chairman, the same pattern is evident throughout the State. All of our States are under financial pressure to meet the pressing needs of a growing population.

Mr. Chairman, H.R. 13161 represents the Federal share in this partnership. Without it, the ground we have gained will be lost and the goals of our battle against poverty would be dashed.

It is indicated that without Federal aid to education, California would be first to raise property taxes some 12 percent in order to maintain its present program.

My California colleagues are cognizant of the public reception such a proposal would receive.

Mr. Chairman, H.R. 13161 authorizes the expenditure of $1.6 billion over the next year. It is an investment with promise of rewarding dividends.

We are investing in a great American resource, an educated people.

Mr. Chairman, no longer can our greatness be measured by the number of tons of steel produced and the production of cars in Detroit. Technology has placed great forces within our control. They demand responsible guidance by an informed and educated people.

Mr. Chairman, this is the challenge before us.

I, therefore, urge passage of H.R. 13161.

Mr. Chairman, I do want to mention, in closing, that I will have an amendment to offer at the appropriate time regarding adult basic education.

Briefly, the amendment would transfer administrative authority for the program from OEO to the Office of Education. It is the same amendment that I offered last week during the poverty program debate. It is of a purely administrative nature, and intended to eliminate cumbersome red tape forcing communities to submit their program plans to two agencies at the Federal level. All in effect it means is that instead of the middleman OEO as a funnel for funds, the funds would go direct to the Education Department, and the Education Department right now has farmed out the whole project. So that in effect all that is happening is that the OEO is operating merely as a funnel.

I would point out that the Senate Committee on Labor and Public Welfare last week included an identical amendment in its version to the Elementary and Secondary Education Act.

Mr. Chairman, I yield back the balance of my time.

Mr. PERKINS. Mr. Chairman, I yield to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I thank the chairman for yielding.

Mr. Chairman, an attorney from my district has called my attention to a request the local school superintendent has received about a title I education program. The letter, and the request which provoked it, are worthy of the attention of the Secretary of Health, Education, and Welfare, who has proven himself to be a man of commonsense as well as high intelligence, and who just might be convinced of the need for a little commonsense in the Office of Education and down the line to all who work for him in administering the Federal education program.

My constituent wrote:

HON. PAUL G. ROGERS,
Member of Congress,
Rayburn Office Building,
Washington, D.C.

MY DEAR CONGRESSMAN: Among the myriad forms to be completed in connection with Federally financed assistance programs available to the several qualified public school districts, one occasionally comes across what can only be regarded as a gem of priceless quality.

Recently, our Superintendent of Public Instruction received a directive wherein he was requested (?) to assist (?) in evaluating (?) certain Title I projects as same relate to "educationally disadvantaged students." The evaluation forms which accompanied this directive were innocuous enough—but—the explanations and directions accompanying the evaluation forms could only have been contrived (?) or composed (?) by a budding genius, if not by the U.S. Commissioner of Education, himself. (See enclosure)

Now, let me hasten to say that no one has a greater appreciation for the flowing beauty and grace of the English language than our Superintendent. No mean linguist himself, he can dangle participles and split infinitives with the very best. His loquaciousness (?) is awesome to behold and, on occasion, his command of socially accepted invective would do credit to the busiest Southern school administrator who has nothing better to do than "afford" "affective reactions (?)" to Federal assistance programs.

Now—don't misunderstand—we thoroughly enjoy spending Federal money. We don't even mind having to hire (at Federal expense, of course) all the addition staff personnel required to fill out all the applications, forms and reports attendant upon obtaining these monies despite the fact that these staff personnel exceed the number of "educationally disadvantaged students" in our schools.

The truth of the matter is that our Superintendent, the etymologist, would like to accommodate the Government in every way if he could just tell what it is the Government wants! But he is worried lest we be severed from the public pap because he might perceive wrong or afford the wrong inferences based on the quantitative and qualitative data focused at this point on a time continuum—or worse yet, that he might assimilate the wrong index with the result that we would all be up the creek without a magnifier.

So—you can see our quandary—we're analyzed if we do and assimilated if we don't—not a very enticing proposition I'll vouchsafe.

In any event, it is a problem we must solve for ourselves assuming, of course, that there are no Federal grants available to us that would assist in interpreting and understanding the intricate workings of the bureaucratic mind. If such monies are available, please send all necessary forms and we'll try again. If not, we will just have to muddle through as before and take our chances.

Since I know something of the heavy demands on your time, this prayer does not require an answer.

The request was as follows:

"AFFECTIVE SUMMARY REACTION"

(To be returned to the Office of Federal-State Relations by October 15, 1966.)

"At this point on a time continuum, quantitative and qualitative data, relative to Title I and Non-Title I schools, have been brought into focus with the opportunity for general analysis, assimilation and inferences afforded. Needless to say, how one feels about that which has been accomplished for educationally disadvantaged students is equally important. This factor, when magnified by the perceptions of a cross section of those who were directly and indirectly involved, becomes perhaps, the singularly most important index as to the effect of Title I. programs on the disadvantaged student. It is to this feeling tone that this form concerns itself. You are requested herewith to afford us your affective reaction."

Mr. BOLAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, I rise today in favor of H.R. 13161, the proposed amendments to the Elementary and Secondary Education Act of 1965. We are only beginning to receive the results of the first year's operations for programs funded under Public Law 89-10, and while the data is incomplete, one point is overwhelmingly clear—those concerned with the education of our children in this country wanted this legislation. They have responded to the offers of Public Law 89-10 with an unprecedented enthusiasm and vigor. It is obvious to me that parents, teachers, researchers, administrators across the land have only been waiting for such an opportunity for growth and change to present itself, for they have answered our challenge with a deluge of ideas and energies to implement their plans.

Now we have the opportunity to make manifest our general approval and appreciation for the success of the program thus far, and to show our good faith for the future. Last year with the Elementary and Secondary Education Act, we of the Congress attempted to give educators an instrument with which to operate on some of the many problems plaguing American education. We were not absolutely certain how this tool should look since we had never seen or made one before, and because we could not always be sure of precisely what job it would, in fact, have to do. We are now being given a second chance to refine our sometimes crude implement to meet the needs that a year of experience, success, and failure, has shown us. The proposed amendments to the Elementary and Secondary Education Act of 1965 provide the kind of honing that will sharpen our weapon for a new advance on the old enemies, poverty, inadequacy, apathy.

We have been told in some early reports on the progress of title I, for example, that many of the very children for whom these appropriations were made, namely, the economically disadvantaged, have been missed by its programs. In an effort to rectify this error, the amendments lower the number of poor a district must have in order to qualify for title I money, from 100 to 10, and raise from $2,000 to $3,000—beginning in fiscal 1968—the low-income factor. Further, money is made available in these amendments specifically for Indian children, children of migratory workers, and neglected and delinquent children who are wards of the State.

TRIBUTE TO JOHN L. FITZPATRICK, OF CHICOPEE, EARLY PROPONENT OF IMPACTED SCHOOL ASSISTANCE

Mr. Chairman, this legislation also contains some very important and significant amendments to the federally impacted school districts laws, Public Laws 815 and 874. These public laws were first enacted in 1950. The purpose of the two laws is to compensate local educational agencies for financial burdens imposed on them by Federal activities.

One of the early proponents of Federal assistance for federally affected school districts was John L. Fitzpatrick, of Chicopee, Mass., in my congressional district. Mr. Fitzpatrick has been a distinguished, respected, and leading educator in Massachusetts for more than 40 years, and he served as superintendent of schools in his native city of Chicopee for the past 20 years.

When John Fitzpatrick took over the superintendentship at Chicopee in 1946, World War II had just ended and Westover Air Force Base nearby was returning to peacetime calm with the resumption of military family life. There had been only a few military dependents of school age living at Westover Field during the war. Now military families were being reunited again, new homes were being constructed on the base proper to accommodate these families, and the Chicopee school system began to feel the influx of youngsters who had spent the war years "back home" in other States.

Superintendent Fitzpatrick appealed to his Congressman and Senators, and to the military officers in charge at Westover, to have the Federal Government help bear some of the burden of the cost of educating these military dependents. Joined by other school administrators in other sections of the country who found themselves facing the same problem, Superintendent Fitzpatrick began sketching out a program draft for Federal payments in lieu of taxes to school districts in federally affected areas where the school system had heretofore absorbed the full cost of educating the children of military personnel. This was the genesis of Public Law 815 for school construction, and Public Law 874 for school operation and maintenance payments to school districts in federally affected areas, passed by Congress and enacted in 1950. And John Fitzpatrick played a vital and significant role in the writing of this important legislation.

Mr. Chairman, I am sure that the many friends of John Fitzpatrick in the House and Senate, and in the U.S. Department of Education, will miss his presence before congressional committees in the future, for he retired on August 31. I want to take this opportunity, as we again act on amendments to two public laws which were very close to his heart, to commend and congratulate John Fitzpatrick for his wonderful and lasting contributions to American education. I know that my colleagues join me in wishing Superintendent Fitzpatrick a long, peaceful, and healthy life in retirement. I ask permission to include with my remarks at this point in the RECORD, two editorials taken from Holyoke, Mass., Transcript-Telegram concerning John Fitzpatrick; the first on May 24, 1966, entitled "He Leaves a Worthy Legacy," and the second on August 9, 1966, entitled "With Deep Respect":

[From the Holyoke Daily Transcript, May 24, 1966]

HE LEAVES A WORTHY LEGACY

It was John L. Fitzpatrick Day in Chicopee on Sunday and with every good reason. The man who is retiring after 20 years as Superintendent of Schools in Chicopee has earned each handclap that mounted into an ovation at the testimonial given in his honor. Chicopee has been blessed with his remarkable leadership and it shows in a fine school system with a wide range of educational services.

When John Fitzpatrick came back to his native city to head up the school department, he found special problems added to those common to an industrial community with limited cultural advantages. These centered around the Westover Air Force base and its mushrooming school needs for a high-turnover student body. The new school superintendent attacked all these problems vigorously with enthusiastic determination to give the children in his charge everything a school should give and more.

It is well known and often mentioned how much federal money Mr. Fitzpatrick drew into the Chicopee school system through the need to educate children of the armed forces, but what he did with it is more important. When Westover personnel speak of the good schools in this area, which they often do, they are talking of the Chicopee schools, on and off the base.

A firm believer in guidance, Superintendent Fitzpatrick supported and used this relatively new element in his own school system and throughout the area. He was one of the founders and staunch promoters of the Area Mental Health Center here. He exerted leadership in other groups outside of Chicopee, notably the Massachusetts Superintendent's Association. His work has been observed and imitated in many other school districts.

Superintendent Fitzpatrick has always had a special feeling about Chicopee and what it should receive from its schools. He has been especially interested to see that Chicopee High School graduates get what help they may need to go on to college. He has felt that the public schools should be a fountainhead of cultural enrichment and encouragement.

These idealist principles have been put to work during a period of rapid growth. The Chicopee school population has more than doubled in two decades and 13 new schools have been provided in that time. Superintendent Fitzpatrick leaves a great piece of work for his successor to take over.

[From the Holyoke Daily Transcript, Aug. 9, 1966]

WITH DEEP RESPECT

Another area public official who compiled a distinguished record is retiring at the end of the month. We refer to John L. Fitzpatrick, who has served as superintendent of schools in Chicopee for 20 years. We know of no one in that area of public service who has faced more demanding challenges and who has resolved them with more vision and positive action than Mr. Fitzpatrick.

In the two decades as head of Chicopee's public school system he coped with a dramatic growth of his city's civilian population as well as the deepening of the roots of Westover Air Force Base which had an impact of enormous pressure on the school program.

Schools had to be built. The expanding educational facilities for the residents of Chicopee posed problems to tax the limits of the leadership. But added to that were the services which had to be provided for the children of Westover personnel. The federal government had an obligation here, and Superintendent Fitzpatrick saw to it that Uncle Sam contributed his share to the cost of the growth.

It wasn't easy. Mr. Fitzpatrick didn't always have an undesstanding School Committee. He had to cope with political maneuvering and jealousies. But he had a goal and he would never let the politicians move him off the main track. True, he had to compromise at times; but every move he made was forward.

John Fitzpatrick is retiring with the respect of his city and of all in the valley who have watched him build a public school system which ranks with the best. He need bow to no one. We bow to him.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Indiana [Mr. BRADEMAS], the ranking member on the subcommittee who contributed so much to the enactment of this legislation.

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The CHAIRMAN. The gentleman from Florida [Mr. HALEY] makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. PERKINS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to. Accordingly, the Committee rose, and the Speaker pro tempore (Mr. BOGGS) having assumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee having had under consideration the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, had come to no resolution thereon.

THE WILL FOR PEACE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, at the recently completed 55th conference of the Inter-Parliamentary Union in Teheran the U.S. delegation was privileged to have as its chairman our esteemed colleague, the gentleman from New York [Mr. PIRNIE].

The results of this meeting, which included the election of my friend and colleague from Connecticut, Representative EMILIO Q. DADDARIO, as a member of the executive committee of the Inter-Parliamentary Union, and the favorable attitude generally shown to our delegation were due to the tireless and devoted work of Representative PIRNIE.

He followed closely all the details of the sessions and in addition attended the innumerable meetings, conferences, and receptions which are an integral part of such meetings.

All the members of the U.S. delegation are personally grateful to Representative PIRNIE for his solicitude for their welfare, for his leadership, and for the beneficial results of the Conference to the national image of the United States.

Not the least of Representative PIRNIE's contributions was his notable speech, "The Will for Peace," which he gave at the opening of general debate and which placed the inevitable discussion of Vietnam on a high level. So noteworthy were Mr. PIRNIE's remarks, and so well did they state the position of the United States in the Vietnamese struggle, that I am happy to include them here in the

RECORD for the information and enlightenment of my fellow Members and the general public:

THE WILL FOR PEACE

(An address by the Honorable ALEXANDER PIRNIE, Member of Congress, chairman of the U.S. delegation to the Interparliamentary Union, 55th Conference, Interparliamentary Union, Teheran, Iran, September 27–October 4, 1966)

As Chairman of the American delegation to the 55th Interparliamentary Conference I have the honor to express appreciation to our Iranian hosts and all others who have made this gathering possible. As long as Parliaments continue to meet there is hope that we can meet the challenges of mankind.

The American delegation was greatly impressed by the call made in this chamber by His Imperial Majesty the Shahanshah of Iran this very morning. He urged this conference, as did our distinguished Chairman, to conduct this meeting in a climate of understanding reason and good-will. I can assure this assembly that such is the aim of the American delegation.

Some of the speakers this morning referred to an issue which weighs heavily on the hearts of all of us.

Let there be no misunderstanding. The United States is second to none in wanting peace in Viet Nam. Indeed, there is probably no parallel in recent history to the pressure for peace which my Government, with the welcome advice and assistance of many other countries and leaders, has exerted over the past year. We believe devoutly that there is no more urgent task confronting the statesmen of the world than finding a way to terminate the fighting in Viet Nam.

Our record in seeking an honorable solution speaks for itself. We have repeatedly offered to go anywhere, at any time, meet with anyone, and discuss any proposals if doing so would advance the cause of peace in Viet Nam. We have said we will engage in unconditional discussions or in negotiations on the basis of the Geneva Accords. In the some twenty-five efforts which have been made over the past three years to settle the conflict, the United States has consistently been cooperative. We have made many efforts of our own to get the problem to the conference table, both directly with Hanoi and through third parties. And we have responded affirmatively to the efforts of others, including the Afro-Asian 17-nation appeal last year and subsequent appeals by individual leaders.

The U.S. maintains literally a 24-hour a day watch on possibilities for peace in Viet Nam. We have not and will not fail to exploit any opening that may offer hope of leading to a solution of the problem. It was for these reasons that the United States enthusiastically supported the resolution approved by the IPU Council at Canberra on April 16 which is before this distinguished group for consideration in Tehran. It demonstrates that our attitude is consistent with the views and aspirations of this group and of most nations in the world.

The problem, however, is that it takes at least two parties to negotiate, and thus far the response of the other side to all efforts to bring peace to Viet Nam has been a harsh and unyielding negative. We cannot help but ask, what selfish reason leads North Viet Nam to persist in its refusal to talk. Is it pressure from Communist China? Is it a conviction that time is on its side, is it a hope that force will prevail, or is it a delusion that the United States is a "paper tiger"?

Hanoi's uncompromising attitude in the face of a world-wide desire for negotiations is startling. The report of our Secretary General on this point reads as follows:

"On the American side, there was a temporary suspension of the US air raids on North Vietnam at the beginning of 1966, and this coincided with a peace offensive. High officials were sent to different capitals to confirm that the United States was disposed at any time to enter into negotiations without conditions, either at Geneva or elsewhere, a position which has been reaffirmed at various times since then.

"These overtures, however, met with no response in Hanoi, where they were denounced as frauds. . . .

"In its refusal to enter into negotiations, the Hanoi Government is fully supported by Peking, which encourages North Vietnam in its resistance."

In this connection I am reminded of the old proverb "You can't clap with one hand."

North Viet Nam has persistently refused to engage in unconditional talks and has established pre-conditions for negotiations which in effect would mean turning the country over to Communist rule. The United States is absolutely confident that this is not the fate which the people of South Viet Nam seek for themselves. The recent elections there offer the best proof. Despite an intensive nation-wide Viet Cong campaign of propaganda and terror to keep the people from the polls, some eighty percent of the registered voters, or more than four million people, cast ballots for the parties of their choice. This repudiation of the Viet Cong came as no surprise because nearly a million Vietnamese had already voted with their feet by fleeing from Communist oppression in the North to South Viet Nam.

How long Hanoi will go in seeking to impose rule by a small minority on the clear will of the majority remains to be seen. But let me say emphatically today—that as long as that happens, the United States will be there helping the gallant people of South Viet Nam to protect their right of self-determination.

If World War II taught us anything, it was this: aggression appeased is aggression unleashed. We learned from the terrible tragedy of Munich that we must not, cannot, and will not permit a small nation struggling for its freedom to fall into the arms of a more powerful and aggressive neighbor.

We have given our solemn word to stay in Viet Nam until aggression ceases. And we will keep it. Those who interpret the right of free speech and dissent in my own country as a sign that America will abandon its pledge do not know my country well.

Let there be no mistake about it. Aggression is being waged against the Republic of Viet Nam. According to our best evidence, there are now no fewer than nineteen regiments of North Vietnamese regular Army troops in South Viet Nam. We as parliamentarians should be particularly mindful of what our colleagues who are closest to Viet Nam have to say about the problem. At its session in Seoul earlier this month the Asian Parliamentary Union agreed that

"External aggression by Communist forces seriously endangers the freedom and independence of the Vietnamese people and peace in the entire region. The Assembly commended the historic and timely decision of the Republic of Korea, Australia, Philippines, Thailand and other Asian Pacific countries to dispatch troops or to extend various types of assistance to the Republic of Viet Nam, and noted that to defeat aggression, aid to Viet Nam must be continued."

These, then, are the facts of the situation and the views of many of the free nations of Asia. This morning the delegate of the Soviet Union has again accused falsely the United States of committing aggression in Viet Nam.

I cannot let this distorted version of history go unchallenged. We seek no gains for ourselves in Viet Nam: no territory, no bases, no alliance. Nor do we seek the destruction of North Viet Nam or its government. Each and every one of our military operations in Viet Nam has been taken merely in response to steadily intensified military operations from the North and is designed for one purpose only: to halt the aggression. When that aggression stops, United States forces will gladly return home and American military bases there will be dismantled. We are prepared to sit down tomorrow to negotiate the terms of American withdrawal if the other side is prepared in good faith to abandon its efforts to subvert South Viet Nam.

Instead of circulating propaganda documents and indulging in harsh statements, the Soviet Union should contribute to ending the tragic conflict in Southeast Asia. It can do so by exercising its responsibility as Co-Chairman of the Geneva Conference to convene an international conference on Vietnam which it has failed to do. It can do so by joining in efforts to bring peace through United Nations action, which it has so far rejected. And, quite fundamentally it can do so by prevailing on its friends at Hanoi to leave their neighbors alone. We have a saying in the United States that it is not words but deeds that count. So I ask the Soviet representative, when his country will stop complaining and begin to take the steps within its power to bring peace about. It should join with the rest of our members in supporting the resolution adopted by the IPU Council at the Canberra session which calls for immediate discussion.

Limitations of time, Mr. President, make it impossible to do full justice to a problem of this gravity. I would conclude by reemphasizing that we can have peace in Vietnam tomorrow if Hanoi really wants it.

The United States wants peace with honor in Viet Nam with all its heart. We will not grow weary in the search for a just settlement; but neither will we relent in our determination to do what is necessary to protect South Viet Nam and to help maintain stability in Asia until those bent on conquest abandon their aggression.

PROPOSED SUSPENSION OF BOMBING OF NORTH VIETNAM

Mr. GILLIGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, today, October 5, I have asked President Johnson to consider a third suspension of bombing of North Vietnam.

With the forthcoming summit meeting scheduled in Manila on or around October 28, when President Johnson together with six of our Asian and Pacific allies in the Vietnam war will confer on the ways and means of bringing about a peaceful solution of the war in Vietnam, the cessation of bombing, at least during the proposed meeting, might provide the most impressive proof of our sincerity.

Chief U.S. Delegate Arthur J. Goldberg in his address before the United Nations made certain new offers in the direction of seeking a peaceful solution.

Ambassador Goldberg said among other things:

My government remains determined to exercise every restraint to limit the war and to

> exert every effort to bring the conflict to the earliest possible end.

He restated:

> The aims of our government in Vietnam are strictly limited. We are not engaged in a "holy war" against Communism. We do not seek to establish an American empire or a "sphere of influence" in Asia.
>
> We seek no permanent military bases, no permanent establishment of troops, no permanent alliances, no permanent American "presence" of any kind in South Vietnam. We do not seek to impose a policy of alignment on South Vietnam.
>
> We do not seek the overthrow of the Government of North Vietnam. We do not seek to do any injury to mainland China nor to threaten any of its legitimate interest.
>
> We do not ask of North Vietnam an unconditional surrender of anything that belongs to it; nor do we seek to exclude any segment of the South Vietnamese people from peaceful participation in their country's future.

He went on to say:

> We want a political solution, not a military solution to this conflict.

Further he said:

> The United States is willing to take the first step. We are prepared to order a cessation of all bombing of North Vietnam—the moment we are assured, privately or otherwise, that this step will be answered promptly by a corresponding and appropriate de-escalation on the other side.

Our Government, under the leadership of President Johnson, has carried on an unremitting effort to negotiate a peaceful solution to the problem without abandoning the people of South Vietnam, and after the recent trip to Vietnam with 13 other Members of the House I returned with the conviction that our Government's policy is the right one.

Further, I am aware that on two different occasions we suspended bombing, once for 37 days and once for 6 days, and I know full well that these actions failed to elicit a corresponding response from the other side. Not once since 1954 have the Communists taken a single backward, or conciliatory, step but they have, on the contrary, pressed forward their campaign of terrorism, sabotage, and aggression without any pause.

Nevertheless, I would urge the President to consider a further suspension of bombing, perhaps for an announced period of 10 days or 2 weeks, and as great a curtailment of ground action as military necessity will permit for the same period prior to and including the time of the meeting in Manila.

There are, of course, risks involved in such a course which the Commander in Chief is better able to judge than am I, but I feel it to be imperative that we repeatedly and unmistakably demonstrate to both friend and foe our earnest desire for the processes of peace, and our determination to spare so far as humanly possible the people of Vietnam, and our own troops, any unnecessary bloodshed and suffering.

As a Nation we must show the same resolute courage in seeking peace, as is shown by our men in the fields and skies of Vietnam, and as is daily demonstrated by the citizens of that unhappy land.

EMPLOYMENT OPPORTUNITIES

Mr. CAMERON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CAMERON. Mr. Speaker, certainly there cannot be a Member who is not aware of the Washington area's Visitors Convention Bureau, what with the public service advertising they have been stressing during the last several months. One of the feathers in the Convention Bureau's cap certainly is the convention that is convening today at the Statler-Hilton Hotel. This is a convention of the National Employment Association, an organization with which I am certain many of the Members are not familiar.

It is a group made up of affiliated State employment agency associations and of individual agencies in States where there are no State associations.

I bring this to the House's attention, Mr. Speaker, because for the last 8 years I have worked very closely with one of the affiliate members and I want to publicly express my appreciation for the service they have been providing to the State of California.

As a certified public accountant who knows full well how difficult it has been to upgrade the professional standing of accountants, I have been pleased to see the great efforts that have been made by the California Employment Agency Association in what was once a rather questionable industry with its unethical practices, and of its upgrading through personnel placement training and the higher caliber of services rendered to all employers.

It may come as a bit of a surprise, but there are many instances in California where not only private but public employees have been recruited through some of the excellent agencies which, in turn, are affiliated with the California Employment Agency Association.

During my career in public life, it has been my privilege to work closely with a number of the leaders and original founders of this organization; such persons as J. R. Pierce, the association's founding father, and Jean Kerr, its current president, as well as my very close and personal friend and fellow Whittierite, Jean Widdicombe, who owns the Dial Agency in Whittier.

During this close association with these leading lights of the California group, I have had the privilege of counseling them on the history of the American Institute of Certified Public Accountants and on how, over the past 50 years, the institute has managed to instill public confidence in financial reports that are signed by their affiliate members. I am pleased to state, Mr. Speaker, that the same quality of integrity in the services rendered by certified public accountants now is evident among the affiliated members of the California Employment Agency Association.

I am certain that the leaders of this group will, during this convention, give wise guidance and counsel to the National Employment Association; guidance and counsel which will lead to the creation of this same degree of public confidence in all of its affiliated members.

THE HOUSE MUST ASSUME A STRONGER ROLE IN FOREIGN AFFAIRS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY], is recognized for 60 minutes.

Mr. FINDLEY. Mr. Speaker, how often have we heard in recent years the statement: "The House of Representatives has no effective voice in the foreign policy decisions of the United States." Writers and commentators say again and again that in this complex world of the 1960's, where international politics is crisis politics, where the need to act is surpassed only by the need to act quickly, where efficient organization and refined information are the fiber and sinew of international politics, the supreme role in foreign policy belongs to and is the exclusive responsibility of the Chief Executive.

The less fervent detractors of the House's role in foreign policy maintain that the exercise of foreign policy is shared between the President and the Senate. Advocates of this theory maintain that since the Constitution gives to the Senate an intimate form of power in foreign affairs, namely the authority to accept or reject treaties entered into by the President, and the power to confirm or deny his diplomatic appointments, it is evident that no real role was ever envisioned for the House.

Other critics argue that because of its disparate composition, the rapid turnover in membership, its limited time for debate and discussion, the House of Representatives is inherently unsuited and, therefore, wisely excluded, from any determinative role in foreign policy. The whole case against participation of the House in the foreign policy decisions of this country is summed up in a statement by William S. White in his book "Home Place," the story of the House of Representatives.

> To ask of the House the kind of foreign policy debate, or grand constitutional inquest, which can be heard in the Senate at its best, is like asking an able and elderly banker or farmer, a man deeply and perfectly at home with the realities of banking and farming to turn his efforts to imaginative, creative discussion of, say, the doctrine of transsubstantiation. When the House is thrust into the great, swampy field of world affairs the result is never a happy one.

Today, speaking to you on the floor of this great Chamber, I want to challenge all those—the scholars, the newsmen, and even my own colleagues—who, either by intention or by habit, have lent their prestige and support to the solemn fiction that the House of Representatives has no role in the foreign policy decisions of this Nation. I challenge these critics on the grounds that their indictments are constitutionally invalid, historically untrue, and in practice unrealistic.

Even the most cursory look at the Constitution casts grave doubts on the presumption so prevalent today that foreign affairs is solely the province of the President or the President and the Senate. Article II of the Constitution defines the foreign policy powers granted the President. Section 2 declares:

> The President shall be Commander in Chief of the Army and Navy of the United States.

The same section grants him the power to make treaties and to appoint ambassadors, consuls, and other public ministers. But this authority is clearly circumscribed by the stipulation that he can act in these areas only with "the advice and consent" of the Senate and with the concurrence of two-thirds of its membership. Finally, section 3 gives the President the power to receive diplomatic representatives.

It was no accident that the Constitution was written with these restraints on the President, for the framers of the Constitution were well aware that traditionally the control of foreign relations was regarded as a function of the executive branch. But two developments in American history prior to 1787, influenced the framers to modify the historic tradition of executive predominance in foreign policy matters. The first development was the persistent distrust of executive power rooted in bitter colonial experience with the English King and royal Governors. The second development stemmed from a decade of legislative control over foreign affairs, first under the Continental Congress and later by the representative branch set up by the Articles of Confederation.

The Continental Congress, so suspicious of any sort of executive power, conducted all foreign relations under the auspices of the Committee of Secret Correspondence and later the Committee on Foreign Affairs. From time to time the Continental Congress as a whole dabbled in the management of foreign affairs.

Under the Articles of Confederation foreign policy matters were somewhat better coordinated. Although a Department of Foreign Affairs was created, the Confederation Congress retained all the foreign affairs powers, held a tight rein on the Department's two Secretaries—John Jay and Robert Livingston—and even managed to get along without a Secretary for 18 months.

When the Constitutional Convention convened in Philadelphia in 1787, a tradition for legislative control of foreign affairs was firmly established and the distrust of executive power was still widespread. The control of the treaty-making power was of particular concern to the Convention. In the first draft of the Constitution, the function of making treaties and appointing ambassadors was assigned to the Senate on the rationale that this body represented all the States equally. However, after the method for electing the President had been agreed upon, the Congress decided to give the President primary power in these two areas, subject to approval by the Senate.

The Framers then assigned the other key foreign policy powers of their day—the power to regulate foreign commerce and to declare war—to the Congress as a whole. Holbert Carroll in his book "The House of Representatives in Foreign Affairs" concludes:

> This action, coupled with the decision to associate the Senate and the President in treaty-making and appointments, leads to the conclusion that the Framers assumed that Congress . . . would predominate in the control of foreign affairs.

To this conclusion based on history the advocates of Presidential supremacy will doubtless reply, "But times have changed. This is the 1960's not the 1780's." In many respects this should be a valid reply, for times have changed. Foreign policy is no longer limited to matters of treatymaking or the conduct of war. But the Constitution provides for congressional participation in foreign policy in the 20th century by its grants of power under article I, section 8. In addition to the power to regulate commerce and declare war, the Congress—both the House and the Senate—is given the power to levy taxes, coin money and regulate its value, raise and support armies, provide for a navy, define and punish offenses against the law of nations, and make rules for capture on land and water. Two truths are obvious: Congress possesses certain constitutionally stipulated powers for influencing foreign policy and American foreign policy today rests squarely on the kinds of powers which constitutional doctrines stipulate for Congress. American foreign policy today depends on government loans and expenditures which require congressional appropriations; American foreign policy depends on military aid, trade agreements, resources control which require enabling legislation from the Congress; American foreign policy depends on the existence of military forces in constant readiness—this too must have congressional legislation and appropriations; American foreign policy lives with the imminent possibility of war—a possibility which requires a Congress ready to accept the responsibility of war and a nation willing to accept the sacrifice of war.

The conduct of foreign policy now calls for joint legislative-executive cooperation in the determination of objectives and in the formulation and execution of policies. The Executive must necessarily retain the initiative, but foreign policy is not for his sole determination or an exclusive relationship between the President and the Senate, but it includes the House as well. The Constitution by its grants of power clearly authorizes and requires this joint role.

Examining the role of the House of Representatives in foreign policy in the light of history reveals a long record of direct involvement in foreign affairs. During the first decade of the Republic, 1789–1800, the House acted upon several matters affecting the foreign relations of the United States. Acting in conjunction with the Senate, the House established a Department of Foreign Affairs—later to be known as the State Department—authorized money to support our embassies abroad and established the Post Office with the stipulation that the Postmaster General was to make agreements with foreign postmasters for the reciprocal receipt and delivery of mail.

It was also during this early 10-year period that Congress used its commerce power as a lever in foreign relations. In June 1794 Congress passed the first Neutrality Act, thereby supporting Washington's famous neutrality proclamation of April 22, 1793. Later by joint resolution Congress placed a temporary embargo on all ships in American ports bound for foreign ports and authorized the President to lay an embargo pending the next session.

Having tested the mettle of her commerce powers to affect foreign policy, the House proceeded to raise the question of her constitutional duty to enact legislation or appropriate funds to give effect to a treaty made by the President with the advice and consent of the Senate. This issue was debated at length in the House when an appropriation was sought to implement the Jay Treaty with Great Britain. The appropriation was finally voted over strong opposition but at the same time the House adopted a resolution offered by James Madison to the effect that: "When a treaty stipulates regulations on any of the subjects submitted by the Constitution to Congress, it must depend for its execution, as to such stipulations, on a law or laws, to be passed by Congress. And it is the constitutional right and duty of the House of Representatives in all such cases, to deliberate on the expediency or inexpediency of carrying such treaty into effect, and to determine and act thereon, as, in their judgment, may be conducive to the public good." This position has been vindicated by the Supreme Court in a number of cases holding that a later act of Congress supersedes a treaty as domestic law. *Al Abra Silver Mining Company* v. *United States*, 175 U.S. 423, 460 (1899). Thus by the end of the 18th century it was clearly established that the House, via its powers in commerce and its power of the purse, had a role in the foreign affairs of the young Republic.

During the 19th century the House of Representatives was principally occupied with the domestic affairs of a growing young nation, but she did continue to play a significant role in foreign affairs. Congressional control over international matters, especially by the House, was evident in the occurrences leading up to the War of 1812. Before the outbreak of war, Congress, led by Henry Clay and his warhawks, used the foreign commerce power to acerbate relations with Britain and France by various embargo acts. The War of 1812 was, indeed, a congressional war.

A few years later the House took the lead in prodding the President to recognize the insurgent republics in Latin America. In 1818, Henry Clay proposed to appropriate funds to pay the salary for a minister to one of the new republics, even though the President had asked for no money. The proposal was defeated, but on February 10, 1821, the

House passed a resolution giving "its constitutional support" to the President whenever he should consider it expedient to recognize the new states. It was obvious that the House had carried its point when the President requested and received $100,000 for diplomatic missions to Latin America.

Further questions regarding the powers of Congress in the recognition of new states and regarding the role of the House in foreign affairs were raised in response to the Texas declaration of independence in 1836.

Manifest destiny had gripped the public imagination and Texas became the goal. In July 1836, the House and Senate approved resolutions favoring the recognition, although President Jackson reasserted Executive power in the recognition of new States. But Jackson gave way as Monroe had done 14 years earlier. He extended recognition to Texas soon after Congress appropriated funds for the salary of a diplomatic agent to the new republic. Domestic politics complicated the question of annexation for the next 9 years: some opponents feared a war with Mexico, while others feared the extension of slavery. Although the Senate rejected an annexation treaty sent up by President Tyler in April 1844, within 6 months Texas was annexed by joint resolution of both Houses. The same method was employed in 1898 when Hawaii was annexed.

Other examples of "congressional fishing in disturbed international waters" can be recalled. After having failed to sanction the Monroe Doctrine in 1823, the House, provoked by the excursion of Napoleon III in Mexico, unanimously resolved "that it does not accord with policy of the United States, to acknowledge a monarchical government, erected on the ruins of a republican government in America under the auspices of any European power." When Secretary of State Seward tried to brush aside the resolution on the grounds that this was just the opinion of one part of Congress respecting a matter legally within the province of the President, the House was indignant. They responded with a resolution adopted by an overwhelming vote that "Congress has a constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States."

This tempest subsided until 1896 when a concurrent resolution expressing the view that a state of belligerency should be recognized in Cuba, was ignored by President Cleveland. In April 1898 amid great clamor on the House floor a more vigorous resolution declaring that the "people of Cuba are and of right ought to be free and independent," and directing the President to use force to secure the withdrawal of Spain from Cuba was passed. A bellicose Congress had prodded the United States into another war. Congress continued to dominate U.S. foreign policy with Cuba by the insertion of the Platt amendment, which stipulated conditions for recognition, in the form of a rider to the Army appropriations bill of 1901.

Despite its intermittent and sporadic participation in foreign affairs during the 19th century, the House did exercise a decisive influence upon our foreign policy—in the War of 1812, the annexation of Texas, and the intervention in Cuba.

The role of the House of Representatives in foreign affairs has grown remarkably, if not steadily, during the 20th century. Until the end of World War I the House played a bit part on a foreign policy stage dominated by the President. The House approved the Underwood Tariff, voted for war with Germany, and acquiesced to a presidential veto over a joint peace resolution passed in lieu of the Versailles Treaty. In the 1920's the House supported legislation for U.S. adherence to the World Court, although such action was delayed until 1945. It was not until a decade before Pearl Harbor that the House began to exert a more persistent and pervasive control over the foreign policies of the United States. This reawakening was spurred by a series of world events—widespread economic depression, the rise of Mussolini and Hitler, the crisis in Manchuria, the Italo-Ethiopian episode, civil war in Spain, war in China and in Europe.

When Congress adopted the Hawley-Smoot Act of 1930, such legislation was regarded as wholly domestic in its implications. But a sharp drop in world trade shortly thereafter forced Congress to reconsider American tariff policy in terms of its impact upon the rest of the world. The result was the Trade Agreements Act of 1934 which delegated authority to the President to make reciprocal agreements for the reduction of tariffs within limits laid down by Congress. This legislation laid the foundation for congressional participation in complex foreign economic policy problems of the postwar years.

While the House made strides in the area of foreign economic policy, retreat and isolation prevailed in the political field. Discussion and passage of neutrality legislation dominated House debate from 1922 to 1939. Between 1935 and 1939, the House Committee on Foreign Affairs was flooded with bills and resolutions seeking to preserve traditional isolation. The upshot was a series of five neutrality laws, but it was a futile task for by 1941 America was at war.

Involvement in a world war caused Congress to make an about-face: pleas for isolation were drowned in the rhetoric which gave rise to the Lend-Lease Act of 1941, the creation of the United Nations Relief and Rehabilitation Administration in 1943, adoption of the Fulbright and Connolly resolutions which indicated congressional support for the postwar establishment of an international organization to keep the peace, congressional participation in international conferences at Dumbarton Oaks, Mexico City, and San Francisco. By 1945 the House had already participated so extensively in legislation preparing for the postwar world that she felt it only natural to continue her role after hostilities terminated. By a vote of 288 to 88, the House passed a resolution amending the Constitution by giving itself equal power with the Senate over treaties. Unwilling to share this power, the Senate took no notice and, once ignored, the resolution withered.

The Second World War served to mature Congress, and especially the House in its foreign policy role. The war had caused a radical expansion in the scope, variety, and costs of the global concerns of the United States. Everything was changed—problems which were once considered wholly domestic in implication were now seen as inextricably linked to international concerns. Evidence of this transformation abounds. In 1925 not more than 1 of every 25 bills before Congress touched on foreign policy; today 1 out of every 5 bills has some foreign policy implications. In the 73d Congress the House Committee on Foreign Affairs authorized the appropriation of less than $200,000 for foreign policy matters. In the 82d Congress, it authorized $14 billion for foreign aid and mutual security: an increase of 70,000-fold.

The House's increasing importance on the international scene in recent years has been demonstrated by the submission to Congress of international agreements which require legislative implementation. The hallmarks of this legislation are U.S. participation in the International Monetary Fund and the International Bank, membership in the Food and Agricultural Organization, the World Health Organization and implementation of the NATO Treaty beginning with the Mutual Defense Assistance Act of 1949.

The development of foreign aid as a tool in the execution of foreign policy has forged a vital role for House committees affecting foreign policy. Beginning with the Marshall plan of 1948, the Herter committee, and the House Committee on Foreign Affairs played a significant role in hammering out the details of the administration and execution of economic assistance. The surge of foreign aid legislation called into play the massive appropriation machinery of the House Appropriations Committee and has given it tremendous influence in the conduct of postwar economic policy. The existence of the authorization function of the House Committee on Foreign Affairs and the appropriation function of the Appropriations Committee gives the House a reinforced opportunity to review how money has been spent and how programs have functioned.

Another significant development has transpired since World War II to enhance the role of the House in foreign policy without a formal constitutional change. Formal treaties which require approval of the Senate have given way to agreements between our President and foreign nations—agreements negotiated in a framework provided by Congress and governed by conditions spelled out in advance by Congress. Furthermore, this shift from treaties to legislative programs automatically transferred to the House a large share of the legislative responsibility for American foreign policy once held exclusively by the Senate.

In the last 5 years this House has enacted several major resolutions which have put the House on record on major policy matters. House Concurrent Resolution 570, concurred in on October 10, 1962, expressed the sense of the Congress that the continued exercise of United States, British, and French rights in Berlin was a fundamental political and moral determination and that the United States would use whatever means necessary to prevent any violation of those rights. This resolution, authored by the Honorable Mr. ZABLOCKI, passed the House by unanimous vote, clearly embodying the fervent desire of all Americans to see West Berlin remain free.

Legislation affirming support of the President following the Gulf of Tonkin incidents in August 1964 originated in the House of Representatives as Senate Joint Resolution 1145 and it was also this body, through the Emergency Food Aid for India Act of 1966, which supported the President's initiative in helping India combat the specter of hunger.

A quick look at the statistical record of the House Committee on Foreign Affairs alone will indicate the depth of this congressional concern with foreign affairs. During the 1st session of the 89th Congress the House Committee on Foreign Affairs, out of 608 pieces of legislation, guided 16 foreign policy measures into law and adopted 7 foreign policy resolutions. The committee conducted 335 hearings with over 310 witnesses testifying. Out of 302 hours and 44 minutes of sessions, the committee and an able staff produced 3,087 pages of printed hearings and 961 pages in 64 reports. Members of the House in the 89th Congress have a vast and growing experience in foreign affairs. Virtually every bill they discuss from sugar legislation, to monetary controls, to disarmament legislation touches on some foreign policy issue. Participation in international conferences such as the Interparliamentary Union and the Disarmament Conference in Geneva, plus official study trips to view first hand such trouble spots as the Dominican Republic and Vietnam have given all Members a more intimate involvement with foreign policy. It is just such study missions which have resulted again and again in the pruning of administration requests for the mutual security program, outlined better guidelines for foreign aid and brought increased knowledge of foreign affairs to the House.

I would be remiss in my attempt to scan the history of the House of Representatives in foreign affairs if I did not remind you that many of this country's distinguished spokesmen in foreign affairs served their "international apprenticeship" in this body. John Quincy Adams, who was President as well as Secretary of State, chaired the House Committee on Foreign Affairs as did John Jay, first appointed Secretary of Foreign Affairs under the Continental Congress. John Marshall, a Secretary of State, was a Member of this House, as were James Madison, Henry Clay, Edward Livingston, John Forsyth, Daniel Webster, John C. Calhoun, James Buchanan, Edward Everett, Hamilton Fish, James G. Blaine, John Sherman, William Jennings Bryan, Cordell Hull, James Byrnes, and Christian Herter. Many distinguished members of the Senate Foreign Relations Committee began their careers in this Chamber, speaking to foreign policy issues as I do today—among them are Mr. FULBRIGHT, of Arkansas, Mr. MANSFIELD, of Montana, Mr. MUNDT, of South Dakota, and Mr. SMATHERS, of Florida. At the present time two former Ambassadors are Members of the House: OGDEN REID, former Ambassador to Israel, JONATHAN BINGHAM, a former U.S. Ambassador to the United Nations. Chester Bowles, a member of the House Foreign Affairs Committee from 1959 to 1961, was a former Ambassador to India.

The tradition of the House in foreign affairs is replete with distinguished names and rich in significant legislation. In this review of the constitutional basis for the participation and by this rather kaleidoscopic survey of the last 200 years, it is not my intention to assert that the Congress should be supreme in the foreign policy sphere. Nor am I advocating any position so rash as a congressional power to negotiate treaties or to assume any of those powers specifically delegated to the Chief Executive. Historically, the initiative in foreign affairs has rested with the President, for reasons of superior access to information and the Executive's ability to respond swiftly. In the main, I think that this is as it should be.

But I do argue, with the force of all my convictions, that there is an urgent and vital role for the House of Representatives in the conduct of foreign policy today. I am weary of the allegations that this House is ill-suited for foreign policy considerations, that this House is too provincial to grasp the subtle intricacies of international politics, that our committee system is too clumsy and overlapping to conduct meaningful investigations, that our debate is too limited to explore the philosophy of our foreign alliances. I have grown weary of our being likened to Shakespeare's Hamlet, tormented by dreams of grandeur, but whose defects conspired with inopportune circumstances to undermine him.

I assert that the House has the role, via its vast constitutional powers, to review, modify, and implement executive actions in the conduct of foreign affairs. This role is, indeed, the very essence of the American constitutional system of checks and balances. Representing local interests as it does, the House furnishes a sort of recurrent plebiscite on the foreign policy of the United States. It is Congress, not the Executive, which most immediately reflects popular feeling, in foreign and domestic matters. Can anyone question the proposition that the November elections may have great influence on our foreign policy. In a dozen key races across the country the decisions of the voters may well turn on which foreign policy proposals of the two candidates they prefer. Congress plays a very significant dual role in foreign policy—one of interpreting the rationale of foreign policy to its constituencies and one of translating popular sentiment to the executive branch. An effective and viable foreign policy requires a constant interplay between what the experts propose and what the American people speaking through Congress are willing to support.

In addition to its role as the medium for the expression of popular sentiment on foreign policy, congressional review assures the democratic process in foreign policy making. The rigid attitude of strict Presidential supremacy bespeaks a lack of faith in the democratic process; it assumes that the President will always make the right decision and that Presidential judgment is inherently superior to congressional judgment. If we do not accept this logic in domestic matters—and indeed we do not—then why should it be true in foreign matters? Let me remind you that to increase the scope of Presidential discretion in foreign policy is not to increase the depth of Presidential wisdom or perception. Whatever may be wrong with our foreign policy cannot be corrected by the simple expedient of vesting more power in the President.

My friends, whatever "powers" the House of Representatives may need to influence foreign policy today are clearly within our reach. The Congress—and especially the House—should assume greater control over foreign policy. Let us review each foreign aid appropriation with an eye for tangible and intangible results as well as for economy; let us make trade policy with a view to world as well as domestic markets; let us conduct each hearing with the dual purpose of evaluation and education—only then can we make reasoned judgments and sound criticisms. And when we criticize let each of us be willing to propose a possible alternative—for if you believe, as I do, that this body has a genuine role in the conduct of foreign policy, then we must be willing to assume the responsibility that such a role implies.

I now yield to my distinguished colleague, the gentleman from New York [Mr. HORTON].

CONGRESSMAN HORTON CALLS FOR CONGRESSIONAL INITIATIVE

Mr. HORTON. Mr. Speaker, I am pleased to join with my colleague from Illinois [Mr. FINDLEY] in expressing my deep and urgent concern for the diminishing role of the House of Representatives and of the Congress as a whole in the making of foreign policy decisions. This is not the first time I have taken the floor to urge a forthright and continuing role for the representatives of the American people in shaping the direction and extent of our policies and commitments abroad, nor will it be the last.

The United States is party to intricate economic, social, and military ties with nearly every nation on earth. Every aspect of these relationships—from food shipments to India to the four-power agreement governing Berlin and to the involvement of our forces and aid programs in southeast Asia—is carried out by Federal agencies which look to the Congress for their power, their funds, their personnel, and their equipment.

Every tool that is used to carry out U.S. foreign relations is forged in the committeerooms of Congress. Commonsense dictates that in forging these tools, Congress should have a great deal to say about how and where they will be used. While we in the House have utilized every avenue of information and opinion to enhance our understanding of foreign policy goals, our role in the actual guidance and formulation of policy has consistently diminished in recent years. This is true partially because those in the executive branch who are responsible for carrying out foreign policy have chosen not to "talk turkey" on policy questions with the representatives of the people. Too many times, committee hearings on foreign aid, on Vietnam, on the Atlantic alliance, and on the U.N. have served as mere forums for administration spokesmen seeking to justify present policies. Full and free discussions of alternatives or variations in policy are infrequent. Often, when questioned as to the wisdom of adopting alternative goals or methods, these spokesmen dampen the opportunity for frank discussion with vague, if factual answers. With this attitude on the part of many in the executive, disturbing changes have taken place in the foreign policy roles of Congress and the people. An immediate result of the absence of frank foreign policy discussions in Congress has been a rerouting of public expressions on foreign affairs, often into less sophisticated channels. Having made it difficult for the people's views on policy to be adequately considered on Capitol Hill, the administration has encouraged the transfer of this public expression to placards in the streets and to other indirect avenues.

Another result of the overly defensive attitude of policymakers—toward what may indeed be sound foreign policy—has been an unhealthy crystallization of opinion on foreign policy. Because the State Department has been too quick to defend its decisions against suggestions for change, many people presume that the Department has something to hide, that we are not being told everything, or that there are inherent wrongs in our foreign activities. I doubt very much that the administration has been dishonest with Congress or the people on these crucial issues, and I believe their defense of policy is undertaken in complete sincerity. Nevertheless, the overemphasis on justifying present operations to the point of dampening frank and open congressional discussion has encouraged those who doubt the wisdom of these operations to defend their views just as quickly, and in some cases dogmatically.

This unhealthy "credibility gap" on foreign policy can be solved if the people's doubts and fears are given full and fair airing at the highest level of Government—not just in the newspapers and in the streets. We in Congress who have labored to achieve frequent and complete discussions of these issues must redouble our efforts. We must not allow the executive to look upon this effort as an attempt to undermine present policy. On the contrary, we would be attempting only to improve or sustain executive policy by weighing it carefully and fairly against the views of the people and their Representatives—as dictated by the precepts of our democratic system.

On many occasions, I have offered resolutions in Congress designed to influence the direction of U.S. policy abroad. I have urged a permanent peacekeeping force in the United Nations. I have chided the administration for its lack of initiative and new direction in the Atlantic alliance; I have urged policies which would encourage free societies in Communist Eastern Europe; I have urged policies which would deny aid or economic benefit to nations which help our foes in combat. All of these policy goals have come from the American people. Some of them fit well into the overall structure of our foreign relationships, some may not, but all of them deserve open and frank discussion in the Halls of Congress and in the policymaking branches of the executive.

Mr. Speaker, I believe that the role of Congress in foreign affairs must be strengthened and broadened. It is Congress which provides our Government with the tools for carrying out foreign policy and it is Congress which expresses the will of the American people on all Federal matters. Thus, the rightful place for public exchanges of opinion on the most pressing issues of the day is here. Every representative of the people, and every member of the executive must work to achieve this goal, for all of us, regardless of our views on policy particulars, have in mind the best interests of the United States of America and its role in the world.

Every day, the many shades of interests and opinion on domestic issues are blended into workable and effective programs by Congress. The same process of discussion and blending must take place with regard to foreign policy issues, if Americans are to continue in trusting and supporting the actions of their Government, and if Americans are to retain their traditional voice in the conduct of international affairs.

THE SECURITY OF THIS NATION

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. MARTIN] is recognized for 10 minutes.

Mr. MARTIN of Alabama. Mr. Speaker, I take the floor of the House at this time because I am deeply concerned with the security of this Nation. The safeguard of our freedoms for 190 glorious years has been the Constitution of the United States, a document described as "the greatest instrument of freedom ever produced by man." Our Founding Fathers, divinely inspired, brought forth an instrument which changed the course of history and established upon this earth a new concept of man's relationship to government. In their farseeing wisdom the framers of the Constitution adopted the basic principles of the separation of powers to make it impossible for a monarch, a dictator, or any small band of power-mad zealots to seize control of the government established of, for, and by the people.

There have been contests during these 190 years between the executive branch and the Congress to upset this balance of power, but heretofore neither executive nor Congress, nor the judiciary has been able to force its will upon the other bodies. Now this is not true.

Over the past several years the responsibilities and powers of Congress have been steadily eroded by a Supreme Court which far exceeded its constitutional functions and by an executive branch which seems to hold in disdain both the Constitution and the Congress. This steady encroachment upon the powers of the Congress has reached a climax under the present administration through the manipulation of the Department of Health, Education, and Welfare and more particularly by Harold Howe II, the Commissioner of Education. Making no pretense that it is his determination to use the power of his office and the support of the President to force his social philosophy upon the people of this country, Harold Howe has pressed down upon the brow of the South a crown of thorns as cruel and as torturous as that pressed upon the head of the Prince of Peace when they crucified Him on the cross.

The school guidelines engineered and put into action by Harold Howe are wreaking havoc among the schools of my beloved State of Alabama and other States of the South. While we are his victims today, I warn my colleagues that should he succeed in his effort, the long dreaded federalization of schools in America will be consummated in every State in the Union. Harold Howe seeks to assume authority over every local school board in this country. It is a recognized fact that the high standard of education attained in America for more children of every race, color, and economic condition than in any other place has been the result of local control of the schools. Who knows better what is the best education for their children than the mothers, fathers, neighbors, and local officials of every city, town, and hamlet across the land? There is no more dedicated group of public officials at any level of government than members of local school boards. They serve in most instances without compensation, often at great personal sacrifices, with long hours of toil to raise money to build schools, hire the best teachers available, and approve curriculums which will best prepare the children of their community to go into the world.

I say, Mr. Speaker, I would rather trust the destiny of my children—and I have three, the oldest just starting in the first grade—to the dedicated service of local school board officials than to the social philosophy of Harold Howe.

You who do not live in the South and have not yet experienced his heavy-handed autocracy cannot appreciate the damage he is doing to education. In Alabama our local school boards and our good people have been bending every possible effort to improve the standard of education for every boy and girl in our State. We have been endeavoring to build schools, to add new classrooms, to increase our teaching staffs, and although we are not as wealthy as some of our sister States, we have been making progress. Now comes Harold Howe with orders to realign our school boundaries, reassign students upon the basis of race even if it means closing badly needed schools and firing highly qualified teachers.

I say that is wrong, Mr. Speaker. I say that anything that hurts the education of a single boy or girl in Alabama or in any other State is a criminal act against the youth of the Nation.

Harold Howe was never given this authority by Congress. In fact, he has far exceeded the intent of Congress as expressed in the Civil Rights Act of 1964. In his ruthlessness to impose his will upon the States and the local school boards he has arrogantly ignored the will of Congress and instituted his own will over the people of the United States. By these acts he has forfeited the right to hold public office. He is a constant danger to the orderly process of government under the Constitution and a serious threat to the freedom of the people.

Mr. Speaker, I have been trying to arouse the Congress and the Nation to the danger of Harold Howe's guidelines for many months. On April 5 of this year I wired to the superintendents of local school systems in my State through Alabama State Superintendent of Education, Dr. Austin Meadows, the following telegram:

> This is to offer my assistance to Alabama Superintendents of Education in their opposition to the Federal Guidelines. I would appreciate your sending me such information relative to the present school situation and how these Guidelines will affect our system. This will be most helpful in our opposition to these unjust proposals. I think that the entire Alabama delegation should request a meeting with the Commissioner of Education and your presence at such a meeting would add support to our cause. Please let me hear from you if you can be with us and let us know what date will fit in with your schedule.

Subsequent to sending this wire I wrote to the President of the United States asking him to rescind these guidelines—

> Because they are illegal and will destroy the sincere and orderly efforts which are being made by the officials and people of Alabama to comply with the law. The enforcement of such unreasonable and unfair demands threatens the education of all Alabama school children including the children of the poor.

At the same time my fellow Republican Members of Congress from Alabama and I met with Commissioner of Education Harold Howe II in an effort to reach a reasonable and fair compromise on the guidelines. We spent 2 hours with the Commissioner of Education and we were unable to shake his determination to demand unquestionable obedience to his edicts by Alabama State officials and local school boards. He threatened to withhold all school money from any Alabama school district which would not comply with the demands of his guidelines. In the entire 2 hours I spent in his office I saw nothing in the Office of Education which dealt with education. Even when I requested some evidence of activities in behalf of improved education, the Commissioner would not produce it. The entire effort of the Office of Education seemed to me at that time to be to enforce its own ideas of social reform.

I pointed out to the Commissioner of Education in April that the people of our State were making every reasonable and fair effort to comply with the law, and all we asked was that we be allowed to meet the requirements so as not to hurt our schools or result in a lowering of educational standards for our children, especially our poor children. His only reply seemed to be that total compliance with the guidelines must be brought about immediately even if it meant closing good schools and overcrowding existing facilities.

Through April, May, and June I urged this Congress to stop this power-grab and disregard of Congress intent by the Commissioner of Education. In company with other Members of Congress from all the Southern States we met again with the Commissioner of Education to point out the recklessness of his actions. All to no avail. Harold Howe has set himself above Congress. He has assumed the position that he and he alone is the law, and that he and he alone is the sole interpreter of legislation passed by Congress.

Mr. Speaker, if this Republic is to be secure we dare not allow a hireling to exert such autocratic disdain for the elected representatives of the people of the United States. We must take action now to rescind these vicious, illegal, and unconstitutional school guidelines as well as the other guidelines imposed on the schools and hospitals of our country.

I have introduced a bill in conjunction with other Members of this body to prevent any agency or division of the Executive from exceeding its authority. I urge every Member of this House who is concerned with the education of the children of America and with proper responsibilities of Congress of the United States to pass this bill H.R. 17764. This should and must be done before this Congress adjourns or we face the complete destruction of our public school system.

In the meantime this Congress should demand that the President remove from office immediately the present Commissioner of Education, Harold Howe II. To do less reflects upon the strength and determination of this legislative body. I hope I will have your full support of these vital moves in this critical hour for this Nation.

AIR POLLUTION IN NEW YORK CITY AND NATURAL GAS AS SUBSTITUTE FUEL

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. KUPFERMAN] is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, on October 4, 1966, the Federal Power Commission held a hearing in connection with an application for a certificate of public convenience and necessity to allow Consolidated Edison in New York City to obtain additional natural gas for fuel purposes in New York City.

My concern with this question was based upon the need for an all-out assault on the air pollution problem in the city, and especially in the borough of Manhattan and that part of it which I represent.

The problem of air pollution, of course, is not confined to this core of the city of New York, and it is for that reason that my statement at this hearing, which was presided over by the FPC's Examiner, Francis L. Hall, is brought before my colleagues for their perusal.

The statement follows, along with pertinent material I submitted with my statement:

> Mr. Examiner Francis Hall, gentlemen, on December 15, 1965, Mayor John V. Lindsay asked his Task Force on Air Pollution to study the problem of air pollution in the City of New York, and to make a comprehensive report with recommendations for adequate, corrective measures.
>
> The purpose of the Task Force was to make a fundamental analysis and to arrive at fundamental approaches.
>
> On May 10, 1966, the Task Force, headed by its Chairman, Norman Cousins, reported to the Mayor. The report of the Task Force, entitled, "Freedom to Breathe," is a necessary document with which all New Yorkers and others should be concerned. While the aim of the Task Force has been not just to find short-term answers, but to define and pursue the basic elements of a comprehensive, effective and long-lasting program, it deals with the immediate problems presented by the greatest single source of air pollution in New York City: Consolidated Edison.
>
> The Task Force states:
>
> "Consolidated Edison has figured prominently in the deliberations of the Task Force for a simple reason: It is the largest single producer of foul air in the City of New York.
>
> "Con Ed last year burned more than ten billion pounds of bituminous coal inside the City limits of New York. This represented more than 90 percent of all the soft coal burned in New York City. Coal burning produces smoke, soot, and grime; it also produces sulfur dioxide, sulfur trioxide, and oxides of nitrogen, all of which are irritating to human tissue.
>
> "In 1965, coal accounted for about 40 percent of Con Ed's total combustion of fuels.
>
> "In 1965, Con Ed also burned some 800 million gallons of fuel oil. Fuel oil produces considerably less smoke than coal, but it generally produces more sulfur dioxide and sulfur trioxide.
>
> "In 1965, oil represented 39 percent of Con Ed's total combustion inside the City limits.
>
> "Nineteen percent of Con Ed's electricity last year was generated by the burning of natural gas, which contains no sulfur and produces no soot.
>
> "The approximate remaining 2 percent of Con Ed's total combustion was generated by nuclear power at Indian Point, outside the City."
>
> Con Ed is aware that it is polluting New York's air. But as the Mayor's Task Force points out, the central fact remains that Consolidated Edison today lacks sufficient reserve power-generated capacity. In other words, Con Ed is not in a position to shut down individual installations long enough to

make extensive improvements, or to install new equipment.

The Task Force's succinct statement which follows recognizes that Con Ed therefore poses two major problems for the City of New York:

"The first has to do with limited ability to meet peak-power demands, carrying with it the danger of overloading and consequent power failure. The second has to do with present inability to control the pollutants being pumped into the air."

And the issue squarely set forth by the Report is:

"How is it possible to increase generating capacity to meet New York's spiraling power needs, and at the same time, update existing equipment, and at the same time, use fuels in a way that will reduce all pollutants?"

This brings us to the point in question today. It is a fact that residual fuel oil produces the greatest quantity of sulfur dioxide and sulfur trioxide emissions. It is also a fact that natural gas used as a substitute for residual fuel oil, or other fuel (coal) is cleaner and therefore produces the least amount of air pollution.

The U.S. Federal Power Commission issued an order on March 1, 1966, which granted a temporary certificate of public convenience and necessity pursuant to an application in Docket No. CP65–181 filed by Transcontinental Gas Pipeline Corporation (hereinafter Transco), pursuant to Section 7(c) of the Natural Gas Act.

In other words, the FPC temporary approval allowed an additional 55,000 Mcf per day to be supplied to Consolidated Edison under Transco's CD–3 rate schedule, thereby bringing Con Ed's natural gas slightly above 25 percent of Con Ed's total supply of fuels. The 9th and 11th short-term recommendations of the Task Force's report in Chapter 9 concerning Consolidated Edison state:

"9. By way of further increasing its reserve capacity, Con Ed should apply to the Federal Power Commission for authorization to build up its use of natural gas to 30 percent of its total fuel use. . . . 11. Con Ed should begin now to develop a plan for the substitute use of natural gas and distillate fuel oil for coal and residual oil in the event of an air pollution emergency episode."

Transco's application for temporary authorization was opposed by the Commission's staff and by Fuels Research Council, Inc., National Coal Association and the United Mine Workers of America. Transco's application was supported by Con Ed and the City of New York. On May 18, 1966, Mayor John V. Lindsay, my predecessor in the 17th Congressional District, and one who has long been a hard-fighting enemy of air pollution, announced that Con Ed had entered into a Memorandum of Understanding with the City of New York.

Mayor Lindsay and the City of New York support Con Ed's application to the FPC for authorization to bring additional natural gas to New York City not only because the City of New York agreed to support Con Ed in its application pursuant to the Memorandum of Understanding, but because the dangers inherent in the air pollution dilemna with which New York is presently faced are imminent.

On March 29, 1966, I expressed my concern that the Federal Power Commission should not display a cavalier attitude toward its New York City air pollution problems. See Congressional Record of April 19, 1966 at pages 8482–8483. After extensive hearings, the FPC, on March 1, 1966, granted temporary one-year authorization to Con Ed beginning April 1, 1966, but stated that, "The determination to issue the temporary (authorization) has in no way been influenced by the air pollution issue raised by the City of New York and Con Ed."

The basis on which the Federal Power Commission stated that they temporarily authorized the natural gas is unfortunate. Here is one case where Consolidated Edison, which is normally charged with contributing to air pollution, is attempting to take steps to lessen it, and yet the Federal Government has chosen to discount this factor in making its determination.

I was happy to receive a letter on April 14 from Mr. Lee C. White, Chairman of the Federal Power Commission, expressing assurance that it was not the intention of the March 1st order to treat lightly the problem of air pollution in New York City. Mr. White further assured me that when the case comes before the Commission full consideration will be given to evidence on the question of New York City's air pollution.

Evidence of air pollution is not difficult to find. The Task Force Report, for example, lists a variety of sources in New York City, including:

"New York City's eleven Municipal refuse-disposal stations.

"New York City's Housing Authority projects.

"Privately owned apartment houses and office buildings.

"Approximately 600,000 private residences.

"Con Ed's eleven power-generating stations inside the City.

"Approximately 8,500 industrial manufacturing establishments.

"Demolition and construction dust.

"Ordinary street dirt.

"Approximately 13,000 lunchrooms and restaurants.

"Approximately 1,500,000 automobiles, buses and trucks.

"Emanations from approximately 400,000 takeoff or landing operations of jet aircraft at New York airports each year.

"Approximately 25,000 steamship operations in New York.

"Pollution by air invasion, dirty air drifts from hundreds of miles away, especially from nearby New Jersey, with its relatively uncontrolled industrial complexes and incinerators."

Other cities and metropolitan complexes are faced with similar sources of air pollution.

A good deal has been learned in recent years about air pollution; its damaging effects and how to control it.

Yet, despite the tremendous growth of urban areas in the Twentieth Century, no Federal program in the field of air pollution was begun until 1955, under the Eisenhower Administration.

In July of that year, the President signed Public Law 84–159, authorizing the Surgeon General, under the direction of the Secretary of Health, Education and Welfare, to begin a research and technical assistance program to combat air pollution. The Surgeon General was also authorized to encourage cooperation among State and local agencies and to disseminate information relating to air pollution surveys and activities. This early program did not, however, grant to the Surgeon General or the Secretary of HEW any powers of control or regulation.

Although the Surgeon General was subsequently authorized in 1960 (Public Law 86–493) to study the problem of motor vehicle exhaust pollution, Federal action languished in this field until the First Session of the 88th Congress. At that time, Senator Ribicoff of Connecticut and Representative Roberts of Alabama, supported by several colleagues in the House, sponsored the bill that became the Clean Air Act when signed into law on December 17, 1963. (Public Law 88–206).

The Clean Air Act authorized research and a national program to develop new control techniques and to train personnel to administer and run air pollution control agencies.

As passed, however, the Clean Air Act was limited in scope. Almost immediately improvements were proposed. The result of these proposals was a series of amendments, passed by the first session of the 89th Congress and signed by President Johnson on October 20, 1965. These measures gave the Secretary of Health, Education, and Welfare authority to control air pollution from new motor vehicles and to investigate and seek to prevent new sources of air pollution from coming into being. They also authorized the Secretary to take action to abate air pollution which originates in the United States and which endangers the health or welfare of persons in neighboring countries and to construct, staff, and equip facilities to carry out these added responsibilities under the amended Clean Air Act. (Public Law 89–272).

Introduced as S. 306 by Senator Muskie and others and by several members in the House, these amendments initiated positive Federal action in reducing some actual pollution, where the earlier bill had approached the problem only theoretically. Still no significant effort was made, however, to control the pollution created by private sources or by municipal and State agencies; these latter two provinces were left to the domain of the States.

Under the auspices of these early Federal activities, the Department of Health, Education and Welfare has conducted continuing studies of the problem of air pollution, and their findings as a result of these investigations have pointed out new directions for intensified Federal activities.

In June, 1965, for example, the HEW report (Senate document No. 42—June, 1965) discussing automotive air pollution revealed that vehicle operation under low temperature and at high altitudes tends to increase exhaust hydrocarbons and carbon monoxide. Naturally, these factors tend to intensify the hydrocarbon-exhaust problems and dangers discussed above. It was this report by HEW that led Senator Muskie to sponsor new amendments to the Clean Air Act to deal more extensively and thoroughly with the problem of automotive exhaust. This new legislation is currently (September, 1966) pending before Senator Muskie's Subcommittee on Air and Water Pollution of the Committee on Public Works.

That more positive action toward reducing the level of pollution is needed is indicated by the fact that, as of the passage of the Clean Air Act in 1963, only 34 local control programs had annual budgets exceeding $25,000 although 308 urban places were then deemed to be suffering from major air pollution problems.

Moreover, as many as 51 of these local agencies tried in 1963 to function on less than $10,000 per year. (Committee on Public Works, Staff Report, September, 1963).

As the Senate Subcommittee of Water and Air Pollution reported to the full Public Works Committee, there is a strong need for uniformity in the legal controls of air pollution throughout the country. The futility of controlling the quality of industrial byproducts and of regulating air pollution in one locality when a neighboring community is administering less stringent standards is clear.

In 1963, the Muskie Subcommittee recommended the legislation of national minimum standards for automobile exhaust gases. The 1965 amendments to the Clean Air Act took steps toward that goal, but only authorized the Secretary of Health, Education and Welfare to establish standards for new automobiles, while the regulation of older models, which are most in need of air pollution control devices, was bypassed.

In this connection I wrote to the Secretary of the Department of HEW to ask him to set similar standards to control emissions from diesel-powered engines as presently exist for the manufacture and importation of new gas-powered cars and which have application to the 1968 model year. In my letter of September 1, 1966, to Secretary Gardner I further stated:

"With the increasing number of passengers traveling by bus and with the growing demand for materials transported by truck, diesel-powered vehicles, which are among the worst polluters of our urban atmosphere, continue to expel more and more noxious fumes and smoke into the air. The failure to include this irritating source of pollution under the control of standards comparable to those you have already established for gasoline-powered vehicles can no longer be sustained." (See Congressional Record of Sept. 22, 1966 at p. 23717.)

On September 22, 1966, I was pleased to receive a reply from Wilbur J. Cohen, Under Secretary of Health, Education and Welfare, in which he stated:

"Dear Mr. Kupperman: We concur completely in the opinions expressed in your August 31 letter to Secretary Gardner regarding the offensiveness of emissions from diesel-powered motor vehicles. A 1957 survey conducted by the Air Pollution Control Association found that smoke and odor from diesels are the preponderant causes of citizens' air pollution complaints—even though diesel vehicles represent only 0.4 percent of the total vehicles registered in the United States for street and highway operation."

At present, the Federal Government sponsors several small scale activities being coordinated through the Division of Air Pollution of the HEW, such as education of the public on air pollution problems. The Department of Agriculture, Department of Commerce, and the Department of the Interior also maintain small facilities for research but these offices are mainly concerned with the solution of local, specific problems of limited scope.

The various states also maintain air pollution offices, but the variance among these disparate agencies is so great as to render meaningful coordination of existing efforts virtually useless in terms of establishing national uniformity.

Although there are several bills now pending before the second session of the 89th Congress, most appear to fail to attack the central problems of air pollution. With the exception of S. 560 introduced by Senator Muskie and others, the present bills deal either with very limited aspects of the overall problem or have received unfavorable reports from the executive agencies under whose jurisdiction their implementation might fall.

Senator Douglas' Bill (S. 3400) to amend the Clean Air Act of 1963 calls for a research and development program with regard to solid-waste disposal as related to the destruction of junked automobiles. This legislation would deal only with the narrow problem of one type of solid-waste disposal and does not attempt to cope with the problem of industrial waste on a more comprehensive scale.

Similarly, S. 2940, proposed by Senator Nelson of Wisconsin, would reorganize and centralize Federal activities in the field of waste management, but the coordination of research programs it seeks under the Federal Water Pollution Control Act, the Clean Air Act, and the Solid-Waste Disposal Act has been rejected as unsound in method by all executive agencies which submitted reports to the Muskie Subcommittee. (Reports of HEW, Interior, Budget Bureau, and Housing and Urban Development—Summarized in Calendar of Senate Public Works Committee, May 1966).

As this Session nears an end, the two bills which may have some chance of passing the current Session of the Congress (89th-2nd) are those offered by Senator Muskie, with support from several colleagues. Introduced as S. 560, the more important of these two Muskie bills is designed to "provide for improved cooperation by Federal agencies, to control water and air pollution from Federal installations and facilities, and to control automotive vehicle air pollution." This amendment was largely inspired by the HEW report cited above.

The other Muskie bill now pending before the Senator's Subcommittee on Air and Water Pollution is S. 3112 which, with its House counterpart, H.R. 13199 introduced by Rep. Staggers of West Virginia, would provide additional grants to local agencies for maintaining and improving local programs.

To understand the magnitude of the air pollution problem is to accept the fact that we need immediate and far-reaching programs to control and retard the advance of air pollution.

One method of control, suggested by Governor Rockefeller of New York, is a tripartite plan in which the main provision would be a tax incentive offered to industries which voluntarily take measures reducing their pollution levels.

The other facets of the Rockefeller proposals are mandatory controls of industrial pollution and the investment of definitive authority in an Air Pollution Commission. Such a commission would necessitate a careful amalgamation of the now semi-independent activities of the agencies listed above.

In this regard I have introduced legislation which would provide help to industries who wish to take active steps to reduce air pollution.

My bill, H.R. 18095, would amend the Internal Revenue Code to liberalize the tax treatment accorded facilities for air pollution abatement. The aim of the bill is to encourage industry to act promptly to build facilities designed to control air and water pollution by providing a 20 percent tax credit for such investments. According to H.R. 18095, the facilities could be paid for as they are built or financed over a term up to five years. Congressman Clarence J. Brown, Jr. of Ohio has been a leader on this question.

At present, the most practical organizational approach to the immediate problem of air pollution might be to work through the Secretary of HEW in curbing effectively those pollution practices for which we have the adequate detection and control technology and to develop as rapidly as possible the additional necessary techniques for pollution abatement.

The President's Environmental Pollution Panel has also made several recommendations for research that merit immediate consideration. Greater knowledge must, for example, be gleaned about the effects of excesses of lead in the air and the biological burdens thereby created, with an eye toward possible regulation of all noncombustible additives put into automobile fuel. Similarly, the effects of high lead contents in the air upon vegetation and upon the foods grown near highways must be more thoroughly understood.

Other programs should be undertaken immediately to explore the effects of pesticides now sprayed into the air and carried from agricultural areas to neighboring urban centers. The inter-relationship of rural and urban air masses is such that the concerns of the farmer and the urbanite inevitably and inseparably intertwine.

All of these suggestions should be implemented, but the emphasis of the research programs thus sponsored should be toward immediate implementation of practices to stem further exacerbation of the problems, rather than simply toward long-term, theoretical studies, such as have up to the present time been a major part of Federal programs.

Where Senator Douglas' bill (S. 3400) recommended control and regulation of the disposal of junked automobiles, for example, some form of incentive might prove more effective against long-term storage of junked automobiles and the disposal problems that are created by large volume than would the forms of simple restriction proposed in the Douglas bill.

Under the 1965 amendments to the Clean Air Act, the Secretary of HEW is authorized to establish standards for controlling air pollution in any Governmental installation. The President's Environmental Pollution Panel recommends that this power of establishing and enforcing standards be expanded to include all activities in any way supported by Federal funds. Insofar as this recommendation encompasses a sound and necessary principle, it deserves support; but a more desirable method of implementation might be to combine such an extension of the Secretary's powers with a provision calling upon each State to enact legislation establishing and enforcing standards for all industry and air pollution sources within the State. Should such State action be forthcoming, the necessity for Federal controls outside of Federal installations would be alleviated, and a reduction of the Federal jurisdiction in air pollution would become more feasible.

Even if each State were to enforce such standards, however, it would still be desirable to urge the formation of regional compacts and unified authorities to administer the air pollution control activities in multistate metropolitan areas. Although small-scale efforts in this direction have been undertaken in the New York City area, these prototype compacts, as Mayor Lindsay's Task Force Report points out, have been endowed with minimal authority and jurisdiction.

Senator Javits of New York has encouraged the formation of more comprehensive regional agencies, and Federal action in the immediate future should offer strong similar encouragement. Likewise, research programs should be intensified, under the aegis of the Clean Air Act, with the goal of developing techniques for predicting local air movements which affect large regions encompassing several State jurisdictions.

Also of major importance, especially in the urban areas, is the need for intensive investigation into the elimination and control of sulfur pollution in the atmosphere. At the present relatively uncontrolled rate of pollution, 23 million tons of sulfur oxides (primarily sulfur dioxide) are poured into the air each year (National Academy of Sciences Publication 1400, Waste Management and Control). Because of the deleterious effect of lung tissue penetration by sulfur dioxide, the magnitude of this pollution creates especially serious problems to congested cities.

According to the report by the National Academy of Sciences (Waste Management and Control), the generation of electricity by fossil-fuel burning, the byproducts of various industries, and the residues of home-heating by oil burning are the three major sources of sulfur dioxide contamination (22.3 million tons of the 23 million tons each year).

For an urban center like New York City, and especially the 17th Congressional District, which I represent, the importance of immediate control of sulfur pollution is evident when one realizes the immensity of the power-generating operation within the City. The Academy's report states that each fossil-fuel power-generating plant, such as those which comprise Consolidated Edison's New York City power system, may emit as much as several hundred tons of sulfur dioxide per day.

A subject which is still relatively new and which has until now been beclouded with emotionalism and genuine problems of safety techniques is the generation of electrical power by nuclear reactors. For the reasons outlined above, however, some viable alternative must soon be found to present means of electrical power generation.

Although nuclear technology has advanced significantly in recent years, the state of the art is not yet such as to justify the construction of reactors within the territorial jurisdictions of urban centers, according to Mayor Lindsay's Task Force Report and most scientific authorities. Because of the psychological and emotional reactions which greet the prospects of constructing nuclear generators within cities, intensive research must be undertaken upon improving control and protection methods associated with nuclear-source electricity. Moreover, the possibility of long-distance transmission of power thus generated, either over unused railroad rights-of-way as suggested by Mayor Lindsay's Task Force or by underground cables, must be more thoroughly developed.

As the National Academy of Sciences Report mentioned earlier points out, one of the primary reasons that these techniques and others discussed above have not been developed and implemented as rapidly as might be possible is that the refinement and manufacture of proper equipment has not been economically profitable. It is difficult and often impractical for certain industries to spend the large human and financial resources needed to apply proper control techniques to their own air pollution activities.

The existence of waste material which constitute environmental pollutants represents intrinsic inefficiency in the industrial process. Just as a few industries are able to utilize profitably every product of their particular manufacturing processes, so also would all other industries wish to eliminate costly wastes. At present, however, most industries accept some degree of waste-production as unavoidable.

Federal encouragement should now be given to private sources to develop a new, autonomous industry to accept this challenge. To combat pollution by eliminating unused byproducts a separate and distinct industry can and should be developed for research and development of techniques and equipment to utilize presently unwanted residues.

In this connection, I have been studying for some time methods of accelerating the Federal, State and local efforts to effectively eliminate harmful emissions of oxides of sulfur.

One of my first orders of business next year would be to introduce legislation designed to meet this problem by amending the Clean Air Act to provide the Secretary of HEW with authority to award grants and contracts to private industry for research to develop an economically feasible system for the commercial utilization of sulfur byproducts of fuel combustions.

The oxides of sulfur, for example, could be converted into H_2SO_4 or Sulfuric Acid, which if produced in a sufficiently high grade or quality, could be sold to nearby markets.

The legislation I would introduce further amends the Clean Air Act to authorize the Secretary of HEW to establish and enforce with appropriate sanctions Federal standards for sulfur emissions for those States which failed to submit acceptable proposals for State supervision and enforcement of air pollution criteria.

The urban market for this new byproduct-utilization industry is large and unserviced. There can be little question that our city-oriented society suffers badly from this neglect. Even if one assumes, for example, that 50 percent of the nation's electric generating capacity will be nuclear-powered by the year 2000, the Academy of Sciences estimates that pollutants resulting from fossil-fuel generation of electricity will double by 1980 and redouble by 2000.

Faced with this prediction as only one small aspect of the expanding pollution problem, we should examine the desirability of byproduct-utilization as one of the most effective long-term approaches to controlling and eliminating atmospheric contamination. That a separate and distinct industry is now needed to effectuate this goal is indicated by the inefficiency of the limited efforts which have until now been performed as small subsidiary activities by existing enterprises.

Right now studies are being made to determine how natural gas can be economically obtained from coal. This would eliminate pollution before it occurs and should be encouraged. I am informed by Michael A. Gibbs, Esquire, of Booz, Allen and Hamilton, Inc., that serious investigation is being given to this question by these well-known management consultants. (See Coal Age, January 1966, following at the end of this statement.)

Throughout the first half of the Twentieth Century, Federal activity in the field of air pollution was nonexistent. The past eleven years have seen life breathed into exploratory and limited projects which have provided the indispensible foundation upon which to build future programs. The severity of the problem today and the imminent danger of future tragic deterioration render limited efforts no longer wise or safe.

Mr. Hall, gentlemen, I thank the Federal Power Commission for the opportunity to submit this statement today.

Gentlemen, I was happy to have had the opportunity to submit this statement which I am bringing to the attention of my colleagues in the Congress.

It is my earnest hope that we can all work together to help control and combat the increasing and complex problems of air pollution. Thank you.

[Reprinted from the Pacific Coast Gas Association proceedings, vol. 56, 1965]

PIPELINE GAS FROM COAL AND OIL SHALE

(By Henry R. Linden, Director, Institute of Gas Technology)

(Dr. Henry R. Linden, director of the Institute of Gas Technology since 1947, was formerly with Socony Mobil Oil Company in Brooklyn. Dr. Linden is an adjunct professor of gas technology at Illinois Institute of Technology, and a vice president and board member of IGT's new commercialization and management service subsidiary. He has authored or co-authored some 60 publications and has received numerous awards for his technical work. A chemical engineering graduate of Georgia Institute of Technology, Dr. Linden earned his master's degree in chemical engineering from the Polytechnic Institute of Brooklyn and his Ph. D. from Illinois Tech. He is a member of the American Chemical Society and The American Petroleum Institute.)

[Figures referred to in this article cannot be reproduced in the CONGRESSIONAL RECORD.]

FOSSIL FUEL DEMAND AND SUPPLY

A well-documented projection of energy demands from 1960 to 2000 was published by Resources for the Future Inc. in 1963 (Table No. 1).[1] According to the median projection of this study, the net production of natural gas would have to rise to 24.5 trillion cubic feet by 1980, and 34.9 trillion cubic feet by the year 2000 to meet the domestic demand. These projections are conservative in that, despite this large increase, natural gas would not retain its present share of the energy market.

TABLE 1.—*Current and projected distribution of energy consumption*

	Energy consumption, 10^{15} B.t.u.				
	1960	1970	1980	1990	2000
Coal	11.1	13.0	15.8	16.4	18.0
Petroleum and natural gas liquids	19.4	25.2	32.9	44.0	61.7
Natural gas	13.3	19.1	24.2	28.4	33.8
Hydropower	1.6	2.5	2.6	2.8	2.8
Nuclear power	------	.4	3.7	10.3	18.9
Total	45.4	60.2	79.2	101.9	135.2
Natural gas, percent of total	29.2	31.8	30.5	27.8	25.0

Source: "Resources in America's Future." [1]

Based on a projection of the historical trend of domestic natural gas production and discoveries, 1740 trillion cubic feet of natural gas will ultimately be recovered. This agrees with several recent projections based on considerations other than historical trends. Subtracting the 243 trillion cubic feet which had been produced by the end of 1964, leaves a recoverable reserve of about 1500 trillion cubic feet (Table No. 2). This would be adequate to meet the anticipated requirements beyond the year 2000 so long as the reserves can be discovered in time and at a low enough cost to meet market demands.

Again, based on projections of historical trends of production and discoveries, 225 billion barrels of domestic crude oil ultimately will be recovered. This is close to one of the best documented recent predictions.[2] Subtracting total oil production through 1964 of 75 billion barrels, leaves a recoverable reserve of 150 billion barrels (Table No. 2). This is lower than those estimates in which it is assumed that the recovery of crude oil actually in the ground will exceed the amount that can be projected from historical data.[1] For example, if the present one-third recovery of the crude contained in oil-producing formations could be increased to two-thirds, remaining reserves would be about 300 billion barrels. Thus, roughly, the recoverable domestic Btu. reserve of gaseous and liquid hydrocarbons are of the same order of magnitude—100 to 200 quadrillion Btu.

In spite of the equivalence of domestic reserves, there are major differences in the natural gas and crude oil supply picture. First, domestic crude oil is already being supplemented by imports. These are equivalent to 20 percent of consumption in spite of continuing pressures to keep such imports to a minimum. Second, an alternate supply exists in the form of fully developed processes for retorting oil shale from the high-grade Green River formation in Colorado, Utah, and Wyoming (Table No. 2). Up to 750 billion barrels of this synthetic crude can be produced. Refined products from it are already nearly competitive with products from conventional sources. Thus, with the large world supply of low-cost crude oil and the huge potential sources from domestic oil shale, any possible limitations on domestic crude oil supply should have little effect on the petroleum industry's share of the market for energy.

In the future, imports of natural gas may become as significant as the imports of crude oil are now. In 1962, net pipeline imports from Canada and Mexico amounted to 0.4 trilion cubic feet. This is about 3 percent of consumption.[3] Liquefied natural gas transported by tankers is a commercial operation overseas. In spite of its costing more than pipeline gas, it may soon become an important source of peak supply on the

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See footnotes at end of article.

east and west coasts because it can now be stored economically and safely as a liquid near the point of use.

What is needed then by the gas industry to assure an essentially perpetual source of its commodity—methane—is the equivalent of the synthetic crude oil supply of the petroleum industry and the nuclear energy supply of the electric industry. The mere existence of such a source, if it meets reasonable economic tests, provides many immediate tangible benefits such as increased consumer and investor confidence. In the long range, it should be a major stimulus to optimum development of natural gas supplies at relatively stable costs.

TABLE 2.—*U.S. fossil fuel reserves, Jan. 1, 1965*

	Proved recoverable		Estimated recoverable	
	Billions of units	Quadrillion (10^{15}) B.t.u.	Billions of units	Quadrillion (10^{15}) B.t.u.
Natural gas, MCF.	[a] 283	[b] 293	[c] 1,500	[b] 1,550
Natural gas liquids (barrels).	[a] 7.7	[d] 33	[e] 41	[d] 170
Crude oil (barrels).	[a] 31.0	[f] 180	[g] 150	[f] 870
Oil shale (barrels assay).	[h] 250	[j] 1,450	[k] 750	[j] 4,350
Coal ton [m].	50	1,038	830	17,300

(a) Reference 2.

(b) Natural gas heating = 1035 Btu. per CF.

(c) Based on author's estimate of 1740 trillion CF. ultimate discoveries, less 137 trillion CF. of cumulated production through 1956,[3] and less 105.95 trillion CF. cumulated production from 1957 through 1964.[3]

(d) Natural gas liquids heating value = 4,200,000 Btu. per bbl.

(e) Estimated to be in same ratio to future natural gas recoveries as for proved reserves.

(f) Crude oil heating value = 5,800,000 Btu. per bbl.

(g) Based on author's estimate of 225 billion barrel ultimate recovery with only those improvements in recovery technology reflected by historical trends, less 75.05 billion barrel total production to January 1, 1965.[3, 4]

(h) 50 percent recovery from Green River formation deposits in Colorado, Utah, and Wyoming averaging 25 gal. per ton, as estimated in Reference 5.

(j) Crude shale oil heating value = 5,800,000 Btu. per bbl.

(k) 50 percent recovery from total Green River formation deposits, as estimated in Reference 6.

(m) Reference 7. CF. = cubic foot at 14.65 psia and 60°F; MCF. = 1000 CF.

Fortunately, the gas industry has a potential source of gas supply which, in many respects, is superior to the equivalent alternate supplies of competing energy industries. This is synthetic pipeline gas from coal. As will be shown later, even before the cost reductions that always come with commercialization, all indications are that in many areas the initial price of synthetic pipeline gas will only be slightly higher than wholesale natural gas. Compared to nuclear power generation just a few years ago, this is indeed a promising starting point.

THE ROLE OF SYNTHETIC PIPELINE GAS

The concept of supplementing natural gas supplies with synthetic methane has received much attention for about 20 years. At the end of 1965, the American Gas Association will have invested about 4 million dollars in R & D on the production of synthetic pipeline gas from coal and oil shale. Substantial programs on coal gasification also have been conducted by the U.S. Bureau of Mines. Recently, by sponsoring several major research programs, the Office of Coal Research of the U.S. Department of the Interior has given new impetus to work this field. Over the years, the Institute of Gas Technology has maintained the most comprehensive process development program for synthetic pipeline gas. Fig. 1 shows the annual expenditures and sources of funds since 1946. Overseas, the British Gas and Fuel Research Boards, the British Gas Council, and the British Coal Utilization Research Association have been active in fields closely related to production of pipeline-quality gas from coal. However, in recent years, the British gas industry has looked toward petroleum products and liquefied natural gas as its major raw materials for the future. In the remainder of Europe, the future also belongs to natural gas and petroleum-based gasification processes. In Australia, the Commonwealth Scientific and Industrial Research Organization still has active programs on coal gasification. However, the future of this development is questionable since there have been major finds of natural gas near the population centers.

In the U.S. a unique situation exists. It favors the future production of supplemental base-load gas from coal for the following reasons:

(1) Bituminous coal or lignite are available relatively near the major population centers at 10 to 20 cents per million Btu., whereas petroleum feed-stocks suitable for gasification cost from 30 cents to $1 per million Btu.

(2) Recoverable coal reserves are tremendous. They are nearly eight times the combined reserves of gaseous and liquid hydrocarbon (Table No. 2) after allowing for mining losses of 50 percent. More than half of these coal reserves are recoverable at present cost to 1½ times present cost. Subtracting estimated coal consumption of 25 billion tons of conventional uses between 1960 and 2000, and subtracting conversion losses, leaves an amount sufficient to produce 11 to 12,000 trillion cubic feet of pipeline gas.

(3) Future fuel cost trends favor coal as a raw material since the major coal market—thermal power plants—is under attack by nuclear energy. This has already resulted in a decline in coal prices through rapid improvements in mining techniques, shut down of uneconomical mines, and substantial reductions in transportation costs. From all indications, this trend will continue.

(4) The growing network of long-distance gas transmission lines and storage reservoirs will be able to accept supplemental quantities of synthetic pipeline gas in increments of 100 million cubic feet per day and up, at any time the cost of this gas becomes competitive with equivalent increments of new natural gas at the point of delivery. These competitive levels—about 40 to 50 cents per Mcf, near most of the population centers—are attainable with the coal-based processes now under development. Oil-shale based processes do not appear to have prospects that are quite as good. However, technologic progress may bring into contention synthetic pipeline gas from this tremendous source—a source that is capable of providing at least 3000 trillion cubic feet of natural gas equivalents.

The advances in synthetic pipeline gas technology can be demonstrated by recent decreases in estimated gas prices. This is shown in Figs. 2, 3, and 4 for bituminous coal lignite, and oil shale. Except for oil shale, synthetic gas prices are rapidly approaching the wholesale price for natural gas in areas where these raw materials are abundant. The synthetic gas prices are 20-year averages. They were computed by an accounting procedure developed by the General Accounting Committee of the American Gas Association. This procedure is based on the financing of utility gas plants at 65 percent debt and 35 percent equity. Straight-line depreciation is assumed over a 20-year period. Interest charged is 5 percent of the outstanding debt. A 7 percent return on an undepreciated fixed investment is assumed. The 20-year average capital charge composed of federal income tax, debt, and net income amounts to about 5.8 percent. State and local taxes and insurance are taken at 3 percent and annual depreciation at 5 percent. It is felt that these financial arrangements best fit the needs of a regulated utility which would be engaged in this gas manufacturing activity.

SYNTHETIC PIPELINE GAS PROCESSES

Two basic processes for the production of synthetic pipeline gas from coal are in an advanced state of development. The one with the most development work behind it is shown schematically in Fig. 5. Coal is almost completely gasified with steam and oxygen at 2500 to 3000° F. to form a mixture of hydrogen and carbon oxides (synthesis gas). This gas is then purified and converted to methane by being passed over a catalyst at 700 to 900° F. The entire operation is conducted at a pressure of several hundred pounds per square inch.

This methanation process has been demonstrated in a large pilot plant in the U.S. by both the Institute of Gas Technology and the Bureau of Mines, and in Great Britain by the Gas Research Board. All components of this process, except the methane synthesis unit, have been used commercially. Even the synthesis unit could be commercialized readily using available research results and design information for industrial scale liquid fuel synthesis units.

Unfortunately, an economic evaluation of this process shows that gas prices will be about $1 per million Btu. for a 90 billion Btu. per day plant (90–100 million cubic feet per day of 900–1000 Btu. per cubic foot gas) using bituminous coal that costs $4 per ton. Such a plant would require about 6500 tons of coal per day. It would have to produce about 4500 tons of oxygen per day for the gasifier if a suspension gasification system is used. The plant would cost about 100 million dollars. The overall thermal efficiency would be about 50 percent.

With a fixed-bed gasifier, only about 2300 tons of oxygen would be needed per day. However, U.S. bituminous coals cake in such a gasifier. This means that the coal would require a costly pretreatment which would wipe out the savings from the lower requirements for oxygen. The plant's thermal efficiency may be a little higher, possibly 55 percent, which corresponds to a somewhat lower coal consumption of 6200 tons per day. However, all of these gains are offset by higher investment costs and the net result is roughly, the same cost for the gas.

A more promising process economically is hydrogasification. In this process, coal, or char is reacted directly with hydrogen to form methane. The materials are reacted at about 1000 pounds per square inch pressure at 1100 to 1700° F. The less reactive portion of the coal, usually 50 to 60 percent, is used to produce hydrogen. A number of variations of this process are being developed on a large pilot plant scale. The two giving the lowest projected costs for gas are shown schematically in Figs. 6 and 7. In both of these schemes, a mixture of hydrogen and

See footnotes at end of article.

steam is fed to the hydrogasifier. This improves the thermal efficiency of the overall process from about 60 percent without steam to 70 percent or more with steam. Efficiency is increased by using the heat released by the coal-hydrogen reaction which forms methane. This heat is used to decompose some of the steam by reaction with coal to form hydrogen and carbon oxides. Thus, the requirements for external hydrogen are reduced which, in turn, reduces investment costs.

The difference between the processes of Figs. 6 and 7 is this: In the first process, the hydrogen is produced by purification of synthesis gas generated by conventional steam-oxygen gasification under pressure. In the second method, the hydrogen is produced by the continuous high-pressure steam-iron process. This new process is under development at the Institute of Gas Technology by Con-Gas Service Corporation, Texas Eastern Transmission Corporation, and Consolidation Coal Company.

The process requires no oxygen. Instead, hydrogen is produced by the decomposition of steam on a circulating steam of hot, reduced iron ore. The iron is oxidized in this step. It is then reduced with producer gas to complete the cycle (See Fig. 7). The producer gas is generated by the partial oxidation of residual char from the hydro-gasifier with air and steam. The hot mixture of hydrogen and unreacted steam from the oxidizer is fed directly into the hydrogasifier.

A hydrogasification plant producing about 90 billion Btu. per day of pipeline gas and using conventional hydrogen production equipment (Fig. 6) will cost about 60 to 65 million dollars. It will consume about 4700 tons of bituminous coal per day, and require 1000 to 1100 tons of oxygen per day. It will produce gas costing about 60 to 65 cents per million Btu. from $4 per ton bituminous coal. These figures do not include anything for coal pretreatment. Until recently, this step in the process has been required to eliminate coal agglomeration in the hydrogasifier. Now, coal pretreatment is no longer deemed necessary thanks to the success of a large pilot plant research program at the Institute of Gas Technology, jointly sponsored by the American Gas Association and the Office of Coal Research.

With the steam-iron process, the potential cost of pipeline gas from $4 per ton bituminous coal could be reduced to 50 to 55 cents per million Btu. in a 90 billion Btu. per day plant costing as low as 40 to 45 million dollars.[10] As noted before, no oxygen is required. Coal consumption would be about 4800 tons per day. However, to accomplish this, a high-pressure gas producer would have to be developed which could generate from residual char the very high quality reducing gas needed for the steam-iron process.

As plant sizes are increased, even lower pipeline gas prices could be achieved. For example, in a plant producing 250 million cubic feet per day, the gas price would be about 5 cents per million Btu. lower than in the examples given before (Fig. 2). The coal cost of $4 per ton (14 to 15 cents per million Btu.) is also higher than the cost of coal in many favorable locations. Further, when using low-cost highly reactive lignite as a feed material, pipeline gas prices of about 40 cents per million Btu. are attainable (Fig. 3). Consolidation Coal Company is now developing such a lignite process for the Office of Coal Research. It uses a different technique for the gasification step. Called the CO_2 Acceptor process, it is similar to the steam-iron process in that it eliminates the need for oxygen.

Two methods are available for producing pipeline gas from oil shale. Oil shale is a sedimentary rock containing a high percentage of organic matter which is similar to petroleum. Both methods employ hydrogasification at 1300 to 1400°F. and 1000 pounds per square inch pressure, and both have been deveolped to a small pilot plant scale. In one method, the feed to the hydrogasifier is crude shale oil obtained by retorting oil shale in one of several processes that have been developed to a semi-commercial scale. Gas costs for this type of operation are excessive. (Fig. 4).

In the other method, crushed shale is fed and the organic matter in it is hydrogasified directly. The necessary hydrogen-rich gas for both types of operation is produced by one of the commercial processes that partially oxidize oil.

An oil shale plant that can produce 90 billion Btu. per day of pipeline gas is shown schematically in Fig. 8. It would require per day from 22,000 to 25,000 tons of oil shale having an oil assay of 40 gallons per ton. About half of the shale would be retorted to produce crude shale oil. The oil, then, would be used to produce hydrogen-rich gas and for fuel. Oxygen requirements may vary from 800 to 1700 tons per day depending on the ratio of hydrogen to oil shale fed, and the extent of processing of the partial oxidation product gas to increase its hydrogen content. The investment cost of such a plant would be about 55 to 60 million dollars. Pipeline gas prices from shale costing 72 cents per ton would be 55 to 60 cents per million Btu. Substantial reductions in gas costs undoubtedly can be achieved with further process development and with improvements in the technology of mining oil shale. However, these reductions will have to be greater than for the equivalent coal processes. The reason, of course, is the added expense of transporting pipeline gas produced in Colorado long distances to the major markets.

PROGRAM FOR SYNTHETIC PIPELINE GAS DEVELOPMENT

The present cooperative American Gas Association-Office of Coal Research program will lead to an engineering design of a prototype plant for producing synthetic pipeline gas from coal in 1967. It is fully expected that this design will show the feasibility of producing pipeline gas from bituminous coal on a commercial scale at the rate of 250 million cubic feet per day and at a cost of 50 cents per million Btu. If it does, construction and operation of the prototype plant will proceed and should be completed in 1970. Support for this phase of the program could come from the Office of Coal Research, from gas industry sources, or from a joint program such as the present.

In 1970, a decision could then be made to build one or more commercial plants to be in operation around 1975. This is a critical period in that, by then, natural gas discoveries may fall behind consumption unless there is a radical change in exploration activity or the demand for gas. The purpose of this limited number of commercial plants would be to confirm the gas industry's ability to produce large quantities of supplemental gas at a sufficiently low cost to be competitive in the residential, commercial, and high-value industrial markets. Such a confirmation may then spur the development of additional natural gas supplies at competitive costs. It should be noted that the construction of small synthetic pipeline gas plants to increase baseload gas supplies by 100 to 250 million cubic feet per day should involve no major expenses above those that would come with an equivalent reinforcement of long-distance natural gas pipeline supply systems. Capital costs of 50 to 150 million dollars would be comparable. Further, the judicious location of such plants in areas of low-cost coal supply near major markets should make the delivered costs of gas a stand-off.

If projected gas demands continue to hold up, a third generation of pipeline gas plants may have to be built to produce supplemental gas in trillion cubic feet per year quantities by 1985. For every trillion cubic feet of natural gas equivalent, 55 million tons of bituminous coal would have to be mined, or about 10 percent of the projected annual production at that time. Investment in plants capable of producing one trillion cubic feet of pipeline gas per year would be 1-¼ to 1-½ billion dollars. The mining facilities would cost another half billion dollars. Thus, it is apparent that extensive advance planning would be required to manufacture a significant portion of the demand for pipeline gas.

COMPARISON OF ENERGY COSTS—ELECTRICITY VS. GAS

The question arises as to why coal should be converted to pipeline gas instead of electricity. The answer lies in the comparative economics of the two systems of energy conversion and transportation.

First, the investment in a plant to make pipeline gas from coal would be substantially less than that for a coal-fired steam-electric plant with the same thermal energy output. The cost of a plant to produce pipeline gas would be $400 to $650 per million Btu. of daily capacity. The cost of a plant to produce electricity would be $1500 to $2000 per million Btu. of daily capacity. This is equivalent to $120 to $160 per kilowatt capability.

Second, the efficiency of converting coal to gas is substantially higher than that of converting coal to electricity. Efficiency in producing gas is 70 percent compared to a practical maximum of about 40 percent for steam-electric plants.

These two factors are largely responsible for the data in Fig. 9. It shows that gas, at the point of production, is competitive with the most advanced electric power generation systems, including any conceivable corrections for differences in utilization efficiency. An example is the Breed plant of the Indiana and Michigan Electric Company which represents the best current practice for coal-fired steam-electric plants. Its heat rate in 1963 was 8898 Btu. per net kilowatt hour. This is equivalent to a thermal efficiency of 38 percent.[11] The reported investment cost is $160 per kilowatt of installed capacity. The bus-bar cost, on the basis of a plant load factor of 95 percent, a coal cost of $4.50 per ton, and fixed charges of 14 percent, is 4.6 mills per kilowatt-hour, or $1.35 per million Btu. (the actual plant load factor reported for 1963 was 79 percent and the coal was $4.12 per ton [11]).

This energy cost is much more than that of pipeline gas from coal at the same coal cost, the same plant load factor, and allowing for the maximum difference in utilization efficiency. The cost advantage of synthetic pipeline gas is even greater when we compare it with the average production costs for about 60 new and newly expanded steam-electric plants. In 1964, these were estimated at 6.7 mills per kilowatt hour, which is equivalent to $1.95 per million Btu.

Since the costs of producing electricity from fossil fuels are not competitive with those for synthetic 1000-Btu. pipeline gas, the next question that arises is whether nuclear power might offer an advantage. The lowest nuclear power costs announced so far, are those for the Oyster Creek plant of the Jersey Central Power and Light Company. The estimated bus-bar cost at a load factor of 88 percent during the first five years of operation is 3.8 mills per kilowatt hour. During the latter stages of plant life it is estimated that the generating cost will rise to 4 mills per kilowatt hour.[12] This cost is equivalent to a range of about $1.10 to $1.20 per million Btu, over the life of the plant.

See footnotes at end of article.

Even after adjustment for the 95 percent load factor, the generating cost is reduced only to about $1.05 to $1.15 per million Btu. While this cost is somewhat below that for generating electricity from fossible fuels, it is still significantly higher than the corresponding costs of manufacturing utility gas.

The most important advantage of gas in supplying the ever-increasing amount of energy required is its low cost of transportation. This is shown in Fig. 10. Here the cost of transmitting electricity in the most advanced extra-high-voltage systems is compared with those for transportation of direct fossil fuel. For example, the latest costs prepared for the National Power Survey indicate that a 500 kilo-volt system could deliver 700 to 900 megawatts of power over a distance of 600 miles for about 2¼ mills per kilowatt hour.[13] This corresponds to about 11 cents per million Btu. per 100 miles. For comparison, a typical cost of transmitting gas is less than 1.5 cents per million Btu. per 100 miles. Lower costs of transmitting alternating current have been projected,[14] but even this very optimistic value is a multiple of the most of transporting gas.

Extra-high-voltage transmission of direct current is another possibility. The lowest estimated value is for the Pacific Northwest Intertie. It is based on Federal financing at 2½ percent interest. On this basis, the total delivered cost of power including line losses is 2.9 cents per million Btu. per 100 miles at 100 percent load factor for the 881-mile delivery system.[15] It was later stated by Charles F. Luce, Bonneville Power Administrator and Chairman of the task force of the Department of the Interior making the study, that private financing would increase these costs by 180 percent,[16] that is, to 8 cents per million Btu. per 100 miles. According to the National Power Survey, a direct current line charged to ±500 kilovolts could transmit a 1200 megawatt block of power for 1600 miles at a cost of somewhat less than 8 cents per million Btu. per 100 miles.[17] The reduced cost for the longer system appears reasonable since the cost of terminal facilities are allocated to longer transmission lines. In any event, it should be recognized that these costs make no provisions for providing firm power. Such assurance could significantly increase the cost of transmitting direct current.

When coal fueled processes are compared, an important factor that must be considered is the relative cost of transporting coal to the producing plant vs. transporting the plant's product in the form of electricity or pipeline gas. Coal may be transported either in railroad cars or as a slurry in pipelines. The technical success of the Consolidation Coal Company's slurry pipeline has led its proponents to project slurry transportation costs of as low as 3.0 cents per million Btu. per 100 miles for long-distance, high-volume systems (400 miles, 5 million tons per year). This cost includes appropriate charges for slurry preparation and dewatering.[18]

The railroads have responded to this challenge by developing rate schedules which reflect the advantages of assured large volume sales to a single customer. Freight rates of 3.1 cents per million Btu. per 100 miles have been noted in the National Power Survey for a 400-mile transportation system.[19] With these costs, and in view of the high conversion efficiency and the low cost of transmitting gas having a high heating value, there appears to be little economic incentive to transport the coal to a gas generating plant located near the point of consumption. However, mine-mouth generation of electricity apparently can be justified only if an extra-high-voltage intertie system is available to help equalize load factors.

The highest cost differential between gas and electricity is in distribution. As shown in Table No. 3, the large difference in energy cost to the residential consumer is due primarily to the 7:1 ratio in distribution costs. Based on 1964 data, these costs were $6.78 per million Btu. for electricity and $1.01 for gas.

TABLE 3.—*Distribution costs of gas and electricity*

	Cost, dollars per million B.t.u.* (1964 data)	
	Natural gas	Electricity
As produced	$0.16	**$1.95
At city gate	[20] .34	
At point of use:		
Average	[21] .61	[22] 4.75
Residential	[21] 1.01	[22] 6.78
Distribution cost, residential	.67	4.83

*1,000,000 B.t.u.=293 kilowatt-hours.
**Estimated.

Space heating—Synthetic pipeline gas vs. electricity

One of the major factors responsible or the good competitive position of pipeline gas for space heating is the low cost at which it can be stored in depleted oil and gas fields or in other suitable geological formations near the major marketing areas. A major unbalance in winter and summer demands results from the sale of a substantial portion of gas for space heating at a low load factor (typically, 25 percent). This situation can be handled economically by avoiding low load factor operation of the high investment cost, long-distance transmission lines. Recently, as a result of intensive research and development efforts, liquefied natural gas (LNG) storage has been developed to the point where it can be used for economic large-volume storage of gas where no natural underground reservoirs exist near the point of consumption.

Fig. 11 depicts a system for supplying the New York metropolitan area with 25 percent load factor space-heating gas. The system has these parameters: (1) hydrogasification of West Virginia coal to a 964 Btu. per SCF. gas, (2) transporting this gas for 400 miles, and (3) storing it for most of the year in liquid form to permit a total sendout of about 300 million cubic feet per day of 1000 Btu. per SCF. gas for a period of 90 days.

The increase in the heating value of the gas is due to the removal of low heating value components that are in synthetic pipeline gas (primarily hydrogen) during the liquefaction process. This portion of the gas is equivalent to about 15 percent of the heating value of the stored gas and is used as fuel for the liquefication plant.

Using typical investment and operating costs developed in a recent study of peakshaving with LNG,[23] the storage costs shown below were obtained:

	Million
Storage tanks at $4.20 per barrel	$23
Liquefication equipment at $270 per MMCF.-day	25
Revaporization equipment at $5 per MMCF.-day	1
Auxiliaries, land, etc	14
Total, plant investment	63

The costs of pipeline gas from coal, and of gas transmission, have already been discussed. The resulting city gate gas price of $1.15 per Mcf. is obtained by mixing 70 percent liquefied storage gas with 30 percent of incoming pipeline gas (Fig. 12). In actual practice, this ratio would vary because of the usual wide fluctuation in daily demand for peakshaving gas. However, the cost of the gas at an average (instead of a constant) load factor of 25 percent would not be affected significantly by the necessary increase in the maximum sendout capacity. The reason is that the cost of the regasification plant is a very minor portion of the total investment cost.

The cost of gas to a residential consumer in this example would be about $1.80 per million Btu. This is about 80 percent higher than the present cost for residential gas. However, it is still higher competitive with electric heating at typical current space-heating rates (equivalent to $3 to $5 per million Btu.) after allowing for differences in utilization efficiency.

An analysis was made of a similar but larger volume gas manufacturing system for the southern California market where storage in depleted oil and gas fields could be used (Fig. 13 and 14). The fortunate juxtaposition of large coal reserves of lower but acceptable heating value, and an adequate supply of water at a point not too far from the market area occurs in the Lake Powell region of southern Utah. Coal is available in the area for $3.25 to $3.50 per ton. It can be converted to pipeline quality gas in a plant having a capacity of 250 million cubic feet per day for approximately 57 cents per million Btu. The gas can be transported to the Los Angeles basin region, and redelivered to residential customers on a 33 percent load factor for a city gate price of about 81 cents per million Btu. When the U.S. average cost of distribution to residential customers (67 cents per million Btu.) is added, the delivered price is again less than $1.50 per million Btu.

Thus, in two major market areas which consume a substantial portion of residential utility gas, pipeline gas from coal in its present stage of development could compete with typical existing electric spaceheating rates.

ACKNOWLEDGEMENT

The author is indebted largely to T. J. Joyce and also to P. S. Panos and C. L. Tsaros of the Institute of Gas Technology staff for providing much of the background information for this paper.

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THE CASE FOR SUPPLYING ALL NEEDS FOR ENERGY WITH GAS*

(By Henry R. Linden, director, Institute of Gas Technology)

In recent years, it has become rather widely accepted that a trend toward a completely electrified economy exists in our country. Many wish us to believe that it is inevitable. The happy goal of having all needs for energy in homes, commerce, and industry being satisfied with electricity has been thoroughly glamorized. In fact, it has only been recently that alternate sources of energy have received much attention at all.

We take a strong position that the increased use of electricity as our economy expands does not indicate any "trend" toward total electrification. The reason we don't believe it is simple—total electrification is just not economically sound. Let's consider some basic facts.

First of all, the main need for any form of energy is to produce heat. For example, over 85 percent of all energy used in homes is for heat. Less than 15 percent of the total energy needed is required in the form of electricity.

It follows then that there is little common sense in any energy supply system that requires (1) the conversion of heat to electricity in a central power station, (2) the transportation of this energy through an electric transmission and distribution system, and finally (3) the reconversion of the electricity back to heat at the point of consumption. To construct and operate such an electric system costs far more than it does to produce, transmit, and distribute energy for heat in the form of pipeline gas.

This is shown by the current rates for gas and electricity. The average price of enough electricity to produce one million Btu ranges from $2.65 for industrial consumers to $6.75 for residential consumers. By comparison, the average price of gas ranges from $0.35 to $1.00 per million Btu. For strict accuracy, these gas prices must be corrected to account for the efficiency of various gas burners. The correction, however, is relatively small. It does not seriously affect the basic advantage of gas in most of its applications for heat.

Now let us consider the comparatively small amount of energy that is needed in the form of electricity. Here again, electricity can be supplied, at a competitive cost in most markets, by transporting gas to the point of consumption and using it to generate electricity onsite.

Some will immediately question this statement by pointing out the higher load factor and lower investment cost for equipment in a central electric power station. And it is true that these costs per kw of power are lower than they are for onsite systems. But there is still one more important factor that is often not considered. This is exhaust heat.

As we know, when any electric generator is operated, a considerable amount of heat is also produced. In a central power station, and with the exception of the needs for the station itself, this exhaust heat is wasted. It goes up the stacks or into a river or cooling towers.

By contrast, exhaust heat from an onsite electric generator can be recovered to provide both heating and air conditioning. This ability, combined with the lower cost of transporting gas, will frequently offset the lower generating costs of a central power station.

If this concept of using gas as the source for all energy is broadly accepted, it is obvious that considerably more gas will be sold. This immediately raises more questions. Just how adequate is the supply of gas over a long term? And, what are the relative economics of a total gas vs. a total electric supply system? This presentation will attempt to answer these questions. It will also review the prospects for applying and developing the technology that is necessary to have a total gas energy supply system that can satisfy all types of requirements.

Regulating agencies are already expressing considerable interest in this concept of total energy from gas. Gas is inherently more reliable. It can be stored in underground reservoirs and piping systems. It is not subject to an instantaneous failure in a large region due to a temporary overload of one unit in the system.

Investors have also shown increased interest in what could be a new era of rapid growth of the gas industry. There have been two such periods in the past. The first came around the turn of the century when gas became popular for cooking and water heating instead of just for illumination. The next growth period followed the development of long distance gas transmission systems. These permitted the vast reserves of natural gas to supply all energy demands for heat.

The magnitude of the increased demand for energy in the future almost staggers the imagination. One of the most carefully documented recent forecasts predicts that the total consumption of energy will nearly triple by the year 2000 and that gas will retain most of its present share of the market.[1] If this proves out, the consumption of gas will increase to 25 trillion cubic feet by 1980, and to 35 trillion cubic feet by the year 2000.

In the past, natural gas producers have maintained a much larger working inventory of proved reserves than is apparently necessary or economical. So, we can expect that the ratio of reserves to production will continue to decline to a level of about 12 years. This is what the domestic oil producers have maintained for over 30 years. On such a basis then, we will have to discover only 1,600 trillion cubic feet by the year 2000.

Will we discover this amount of gas? The answer seems to be "Yes." As you can see, if the historical trends continue, we can expect to discover more than 1,700 trillion cubic feet of natural gas that can be recovered economically. This figure agrees well with another from the U.S. Geological Survey.[2] Their estimate, based on geological data, is 2,000 trillion cubic feet. In addition, imports of pipeline gas and liquefied natural gas could substantially increase the amount available to U.S. consumers. So, it would seem that adequate supplies of gas for the rest of this century are reasonably assured.

However, if we are to achieve the optimum development of our natural gas resources with stable prices, we will need more than our present set of regulations and economic restraints and incentives. On the basis of the projected trends in the ratios of reserves to production and total production to total discoveries, the annual rate of discovery can remain relatively stable until 1975. But, after that, we will have to find a lot more gas than we have in the past. This will put severe pressures on the mechanism that we now have to control supply and price.

This is why the gas industry has supported a major program to make synthetic gas available. One aim of the program has been to increase the confidence of consumers and investors. The electric industry has done this with its atomic energy program and the petroleum industry with its oil from shale program. In the gas industry's program, the primary emphasis has been to develop an economical process to convert coal to a synthetic pipeline gas that virtually cannot be distinguished from natural gas.

The reason for selecting coal as the raw material is simple. We estimate that we will recover between 1,000 to 2,000 quadrillion Btu of both gas and oil in the future. (One quadrillion Btu is equivalent to one trillion cubic feet of natural gas.) By contrast, the reserves of coal that can be recovered economically are equivalent in heating value to 17,000 trillion cubic feet of gas! Even after allowing for coal consumption to the year 2000, we could make 11,000 to 12,000 trillion cubic feet of pipeline gas from this coal—40 times the current proved reserves of gas!

The American Gas Association has already invested $4 million at IGT to make this nearly inexhaustible source of gas available. In addition, individual sponsors and the Office of Coal Research of the Department of the Interior have invested several million dollars more in various phases of this program.

Now what has been accomplished by this effort? First, in just the last six years, the price of synthetic pipeline gas from bituminous coal has been brought down from more than $1 to 50 cents per million Btu. In the west north central states where low-cost lignite is available (we have already caught up with the wholesale price of natural gas. These prices are based on relatively small pilot plant tests scaled up to a plant that would have a capacity of 250 million cubic feet per day.

We hope to be able to confirm these figures soon in a prototype plant having a coal feed of 1 to 3 tons per hour. The aim in building and operating the prototype is to gain information needed to build a commercial plant by 1970 and have it in operation around 1975. Such a plant should be a very useful demonstration of an alternate and economical source of gas. As such, it should spur the development of natural gas supplies. Once this first commercial plant has demonstrated its abilities, the full development of a synthetic pipeline gas industry could then proceed if this is necessary. Large amounts of capital and coal will be required to produce even a trillion cubic feet of gas per year—only 5 percent of the projected demand.

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*Prepared for the Public Utilities Fortnightly.

[1] Landsberg, H. H., Fischman, L. L., and Fisher, J. L., "Resources in America's Future, Patterns of Requirements and Availabilities 1960–2000," Table A 15–19, p. 858. Baltimore, Md.: The Johns Hopkins Press, 1963.

[2] Hendricks, T. A., "Resources of Oil, Gas, and Natural-Gas Liquids in the United States and the World," U.S. Geol. Surv. Circ. 522, p. 17. Washington, D.C.: 1965.

One trillion cubic feet per year requires plant investment of $1¼ to $1½ billion; mine investment of $0.5 billion; and 55 million tons of bituminous coal.

ENERGY COSTS—GAS VS. ELECTRICITY

This still leaves the question: Why make gas from coal instead of making electricity from coal? The answer lies in the relative costs of producing, transporting and distributing energy. For example, coal can be converted into gas at nearly twice the efficiency of converting coal to electricity. Gas can also be stored more cheaply for use during periods of peak demand. And, further, a pipeline gas plant costs only a third as much per net unit of heat energy produced as a coal-fired electric plant. Consequently, even today, heat energy can be produced in a pipeline gas plant for one-half to one-third the cost in a thermal electric plant.

The cost of transporting energy for heat in the form of gas is about as low as for any other form of energy. Gas can be transported for only about one-eighth the cost of transporting electricity in even the most modern, extra-high-voltage alternating current systems. In long distance direct current systems, the best cost of transporting electricity is five times as much as for gas.

Finally, gas can be distributed for just a fraction of the cost of distributing electricity. The distribution of gas to homes costs about one-seventh the cost of distributing electricity. And this difference could easily increase still more if the electric industry is forced to put all of its lines underground.

	1964 data (per million B.t.u.'s)	
	Natural gas	Electricity
As produced	$0.16	$1.95
At city gate	.34	----------
At point of use:		
Average	.61	4.75
Residential	1.01	6.78
Distribution cost, residential	.67	4.83

The gas industry is fortunate that large deposits of coal, underground storage systems, and large-diameter transmission lines are all found close to each other and close to most centers of population. However, residential markets have an inherent low load factor. This means that when the costs of transmitting and storing gas are included, the delivered cost to a home will be about $1 per million Btu. But this figure is certainly competitive with the best residential rates for electricity which are $3 to $4 per million Btu even after allowing for differences in utilization efficiency. In addition to this, with continuing R&D we can expect further substantial reductions in the cost of gas.

GENERATING ELECTRICITY WITH GAS ONSITE

The biggest part of the market for premium energy is now supplied by gas. In 1964, for example, the figures in billions of therms for the amount of gas and electricity bought by homes, commercial customers, and industry look like this.

Homes: 38.9 gas versus 8.9 electricity.

Commercial: 12.9 gas versus 6.2 electricity.

Industry: 47.3 gas versus 18.1 electricity. (Industrial figures exclude power plant sales.)

The generation of electricity onsite is the largest potential new market for gas. The reason is that the amount of energy required to produce electricity is about three times the figures just given for the amount of energy consumed. The expected increase in the amount of electricity used from 1970 to 1980 is equivalent to nearly $30 billion worth of natural gas and would require the installation of onsite generating equipment worth about $40 billion.

Vast potential markets exist for natural gas in on-site power generation

Consumer	Total new consumption, 1970–80*		Equivalent natural gas consumption, 1970–80	
	Billion kilowatt-hours	Billion dollars	Trillion cubic feet	Billion dollars
Residential	1,100	25.3	15.0	15.3
Commercial	550	12.1	6.3	5.0
Industrial and miscellaneous	1,850	16.8	25.3	8.9
Total	3,500	54.2	46.6	29.2

*From Electrical World, Feb. 22, 1965, p. 102 and "Resources in America's Future,'" the Johns Hopkins Press, Baltimore, 1963, pp. 837–838.

The gas industry now has, or will develop by 1970, gas-fueled onsite energy systems that can capture a substantial portion of these markets. These include the following:

Residential Market: This market (1 to 10 kw demand) represents 30 percent of the total market for electricity. It can be served with gas operated fuel cells. The cost of a residential fuel cell power plant is expected to be between $100 and $150 per kw of peak output and will operate at an overall efficiency of at least 25 percent.

Commercial Market: This market (10 to 50 kw demand) consumes 20 percent of the total electricity used. It can also be served with fuel cells of a different type than those for homes. These would cost between $200 to $400 per kw and would operate at an overall efficiency of about 30 percent.

Small Industry Market: Small industries demand between 50 to 1,000 kw. They represent another 25 percent of the market for electric power. They are best served with gas turbine and engine systems. The first cost of such systems will vary between $100 and $400 per kw and operate at an overall efficiency of between 30 and 50 percent.

Large Industry Market: The final segment of the electric power market is made up of large industrial consumers. They account for the final 25 percent of the market. Their demand is for 1,000 kw or more. This can be served with large gas turbines having a first cost of less than $100 per kw and an overall efficiency of 25 percent.

The choice of an engine or turbine system is determined by an evaluation of economic factors as they apply to a specific installation. These factors are gas cost, load factor, investment cost, and the extent to which exhaust heat can be recovered and used. Even with today's prevailing rates for gas and electricity, commercial onsite and total energy systems fueled by gas can compete in many locations.

FUEL CELLS

Generating electricity onsite with fuel cells is of particular interest to those concerned with the future of the gas industry. It is perhaps unfortunate that the term "fuel cell" has become so widely used because it is misleading. These devices could be better described as "continuous feed batteries" or "galvanic combustion engines". In a fuel cell, the chemical energy of a fuel is converted directly into electrical energy by a silent, efficient, electrochemical process. The process requires no moving parts, hence, the devices operate without noise, require little maintenance, and have a potentially long life.

The essential components of any fuel cell are a fuel chamber, a fuel electrode, an ion-conducting electrolyte, an oxidant electrode and an oxidant chamber. Our interest at IGT is in fuel cells that use natural gas as a fuel and air as the oxidant.

Lately, you have heard much about fuel cells. Gemini 7 orbited the earth for 14 days with a fuel cell generating the electricity needed. Undoubtedly, you will hear more about them in the future in conjunction with U.S. military and space programs. The technology being developed by our government in these efforts is useful to us in achieving our goal of a commercial fuel cell. Unfortunately, the hardware being developed for the space program is not suitable, technically or economically, to generate electricity for commercial needs.

In Western Europe, however, more emphasis is being placed on the development of commercial fuel cells. In France, the national utilities, Gaz de France and Electricité de France, are seeking to develop fuel cells to generate power for small towns and villages. In Holland, the Dutch government is supporting research on fuel cells that use natural gas to generate direct current for aluminum production. In Germany and England, work is being done to develop hydocarbon fuel cells to propel trains and other vehicles. These efforts are closely related to IGT's program. They are all directed toward the achievement of practical commercial fuel cells.

At IGT, two major fuel cell programs are now in progress. The first is sponsored by the American Gas Association. It is directed toward the development of a fuel cell that operates at high-temperature (900 to 1300° F) and which uses an inexpensive molten salt electrolyte. The basic components of this system are a porous nickel fuel electrode, an electrolyte made up of alkali metal carbonates, and a porous copper air electrode. The fundamental fuel cell components produce relatively low voltage. Higher voltages are achieved by stacking cells into batteries. Based on the typical performance achieved with these components in 1965, material costs are $40 per kw. If the material costs are based on the *best* performance in 1965, they drop to $20 per kw. This cost allows us to project a future cost of $100 per kw for the hardware for a complete battery.

A second program, sponsored by the Southern California Gas Co., Southern Counties Gas Co. of California and Consolidated Natural Gas Service Company, Inc., is directed at the development of a low-temperature fuel cell system. The main components of this system are the fuel cell, its auxiliary cooling equipment, and a natural gas-fueled generator of hydrogen.

The process to generate the hydrogen used in this system has been developed by IGT for these sponsors over the last three years. Essentially, it involves three stages of chemical processing. It converts natural gas into a hydrogen-rich gas that contains only very small amounts of carbon monoxide. A fully automatic generator that can produce over 100 cubic feet per hour of hydrogen, enough to supply a 2 kw low temperature cell, is smaller than most water heaters.

Both the low- and high-temperature work at IGT is aimed at achieving a low cost relatively efficient power source, which can be used by the gas industry for a variety of applications. One application of particular interest is the installation of fuel cells in homes—the total energy from gas concept.

A typical system embodying this concept is shown here schematically.

This system consists of a 1½ kw dc power plant, a unit to step-up and invert the dc output of the fuel cell to 115 v, 60 cycle ac power, and an electrical energy storage unit. Such a system would be able to generate about 11,000 kilowatt hours per year. This is more than twice the amount of energy presently consumed in an average U.S. home. The energy storage system provides for the peak power demands of present U.S. homes. Furthermore, the energy storage system would provide at least 24 hours of highly reliable power in the event of a failure of a fuel cell component in this system. It is estimated that such a system will cost about $600 in 1980.

To compare the all-gas and all-electric concepts, two important facts must be remembered. First, the all-gas system is much more efficient in its use of energy. Second, the additional gas required to produce the electricity needed in a home already making the maximum use of conventional gas appliances is less than 15 percent. Most present distribution systems could easily carry this additional load since it would add only a small increment to the high winter peaks.

In a total gas energy supply system, the only significant losses are those up the stack from the various gas appliances and the efficiency losses of the fuel cell system itself. Note that the energy requirements needed in the form of electricity represent only 5 units while that needed for heat is 34 units. Thus, the most important factor in the high efficiency of a total gas energy home is the relatively large amount of gas used by the heating plant which operates at an efficiency of over 70 percent.

By contrast, consider a full scale acceptance of the all-electric concept. At best, the power plant generates electricity with an efficiency of only 40 percent and there are further significant losses in transmitting the current. No electric heat utilization factor, even 100 percent, will ever recover the heat that is lost at the power plant. In addition, the high demand for additional current to produce heat, would require major new investments in electric distributions systems.

Under present rate structures, in cities across the country, the cost of energy for total gas energy service would be about one-third of the cost for all electric service. Electric costs are based on data published by the Federal Power Commission.[3] Gas costs were determined from existing standard residential rates. No allowances were made for the possibility of special all-gas rates. In these examples, the energy requirements for the fuel cell system are based on efficiencies which have already been surpassed in the laboratory. Further advances will, of course, improve the picture. These savings will defray all operating and maintenance costs and quickly amortize the cost of fuel cell system equipment.

	All electric	All gas	Saving
Cleveland	$619	$135	$484
Philadelphia	540	226	314
Chicago	468	162	306
New Orleans	398	98	300
San Francisco	380	129	251

SUMMARY

We believe that the well advertised trend toward a total electric economy in the future is a myth. Such a system would cost far too much to build and operate. On the other hand, the concept of a system in which all energy is supplied by gas makes much more economic sense. It costs far less to produce, transmit, and distribute gas than electricity. And, a gas system is highly dependable and not subject to unexpected shut-down due to weather or failure of one local unit in an entire region.

The adequate supply of utility gas in the future is assured despite the tremendous increases in consumption that are expected. Natural gas will be available for many years. Our ability to produce high quality synthetic pipeline gas from coal and lignite assures a supply that is nearly inexhaustible.

The future will bring a substantial increase in the number of gasfueled systems installed to generate electricity onsite in homes, commercial establishments, and industry. A major contribution to this, will have been the highly successful current R&D work on utility gas fed fuel cells at the Institute of Gas Technology.

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[3] Federal Power Commission, "All-Electric Homes, Annual Bills—January 1, 1963, Cities of 50,000 Population and More." Washington D.C.: Govt. Printing Office, 1963.

FLAGRANT MISSTATEMENTS OF FACT IN CONGRESS ON H.S. 820 GUN

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I am going to document, today, further flagrant misstatements of fact made to Congress by the Pentagon in the H.S. 820 affair.

These misstatements concern other uses the Defense Department is planning for this substandard 20-millimeter cannon, in the face of flat assurances to Congress that this German-made gun was being bought only as an "interim weapon" for M–114 armored reconnaissance vehicles.

These misstatements, which I shall cite, are just one more concrete illustration, among the many I have been presenting since June 15, of how the Pentagon has consistently misled Congress, about the low quality of this weapon, its planned uses, and our real reasons for buying it.

Secretary of Defense Robert McNamara himself has personally repeatedly assured inquiring committees in both Chambers that they are buying only enough of these controversial weapons to mount on our current inventory of M–114's. And that inventory is stable. In fact it is declining, because the M–114 went out of production last year.

Besides Mr. McNamara, other top Pentagon officials have also given repeated, explicit guarantees that this gun will be used only on the M–114.

For the purposes of brevity, I will cite just two of the most recent cases:

On March 10, 1966, Lt. Gen. William W. Dick, Jr., then chief of Army research and development, was questioned at a joint session of the Senate Armed Services Committee and the Defense Appropriations Subcommittee.

In response to a query by Senator Leverett Saltonstall, Republican, of Massachusetts, General Dick told the Senators that "it is the Army intention now to buy the Hispano-Suiza guns for this limited purpose of putting them on existing reconnaissance vehicles."

Also in March of this year, Lt. Gen. Ferdinand J. Chesarek, then the Army's Assistant Deputy Chief of Staff for Logistics, was questioned about the H.S. 820 by the House Appropriations Subcommittee.

The gentleman from Florida, Representative Robert Sikes, asked General Chesarek:

> Does the Army expect to make only a limited buy of the H.S. 820?

And the general responded:

> We expect to buy only enough for the M–114 vehicle and no more.

That is the same flat, unequivocal kind of assurance also given to the House Armed Services Committee and to all other committees and subcommittees of Congress that have anxiously inquired just what the Defense Department plans to do with this dubious weapon.

Yet what are the facts on the Pentagon's plans for this gun?

Directly contrary to the guarantees given Congress by Mr. McNamara and his top aids, the Department of Defense is already proceeding with plans to put this substandard weapon on at least two other vehicles, that I know of.

How many other, added missions are being contemplated for this gun, that have not come to my attention, I cannot say.

First, on instructions from the Defense Department, the Marine Corps has already ordered 15 of these guns to mount on the first 15 prototypes of the corps' new generation of amphibious landing vehicles, designated the LVT–PX–12. That stands for Landing Vehicle, Tracked, Personnel, Experimental, model 12.

First prototypes are scheduled for delivery by the F–M–C Corp., next March.

This vehicle, to be manned by a crew of three and designed to carry 25 marines fully combat equipped, will be the successor to the LVT–P5–A1, which is now the Marines' main amphibious landing craft.

While the exact final quantities that will ultimately be procured by the Marines are classified, the corps does state that it will be purchasing "well over 1,000" of these new vehicles.

Now, with the Army's proclivity toward slipping and sliding when caught in the act of misinforming Congress, I would not be surprised if the Pentagon tried to beg off in this instance by saying that they do not necessarily plan to equip all of the 1,000-plus new landing craft with the H.S. 820 as a main armament. Perhaps.

But as plans now stand, that craft is designed to mount the H.S. 820 automatic cannon as its major armament, with first quantities already ordered.

Contrast that, if you will, Mr. Speaker, with the flat, repeated assurances from Mr. McNamara and company that the H.S. 820 is to be used only on M–114 armored reconnaissance vehicles.

Second, it has been reported to me by Pentagon informants that the Defense

Department is now, or was recently, weighing plans to order the conversion of some 300 M–113 armored personnel carriers, to receive the H.S. 820.

I have also been unofficially informed, by friendly sources within the Defense Department, that active consideration is being given to the use of the H.S. 820 in South Vietnam.

Although the Department of the Army says that "that question has not yet been addressed," a top official of the Army Materiel Command acknowledged in a recent interview that he had been told the H.S. 820's use in Vietnam was "being considered."

If those reports are correct, then the logical conclusion would be that use of the gun in Vietnam is contemplated on the M–113 personnel carrier, which is widely employed in that theater.

That would square with the reports on the contemplated modification of the 300 M–113's, which are used to carry our troops into battle.

And where might the quantity of H.S. 820's be obtained that would be necessary to outfit new Marine amphibious vehicles, M–113 personnel carriers, and perhaps other vehicles?

There are two possible alternatives.

Although Congress has been assured that our procurement from West Germany's Rheinmetall Corp. and its associates will total only $75 million over 3 years, and cover only guns, ammunition and spare parts for the M–114, another, follow-on contract with Rheinmetall might well be signed.

It is more likely, however, that at least some of the guns to be procured under the present contract will be available for diversion to other uses.

It might be reasonably asked how that could be, since the Army tells us that the number of H.S. 820's we plan to buy—some 4,000 to 4,600—is roughly equal to our inventory of M–114's.

One reason for this, I believe, is that the Army may well not intend to equip all our M–114's with this substandard gun.

As I disclosed in my presentation of September 20, in a section at the end citing questions about the H.S. 820 which need to be answered, the Army's inventory of M–114's is undergoing rapid depreciation.

That problem is compounded, in reference to the H.S. 820, because the Army says the newest one-third of our M–114 inventory will receive the weapons first, and the oldest, most rapidly depreciating one-third are supposedly scheduled to receive the guns last, some 3 years from now.

Actually, as I disclosed September 20, cost studies which I am told the Army weapons command has conducted indicate that installation of the H.S. 820 on the oldest one-third of the M–114's will probably prove to be economically unfeasible, and installation on the middle one-third may be a marginal proposition at best.

Therefore it appears certain that contrary to the explicit assurances given to Congress, not all of the H.S. 820's being procured under the current contract are to go on M–114's. Instead, a sizable quantity will be available for use on other vehicles—such as the amphibious craft and the armored personnel carrier.

Because of the flagrant manner in which the Pentagon has broken its word to Congress in this instance, I took the matter up with Secretary of the Army Stanley Resor when we met 2 weeks ago, at his request, to discuss my continuing critique of the H.S. 820.

At that time, Secretary Resor made what was, to me, the astounding statement that since we have now contracted to buy the weapon, "the Army feels obligated at least to explore other possible uses" for the gun—the previous assurances to Congress notwithstanding.

What this means, of course, is that through this initial, supposedly "limited" purchase, this substandard gun and its ammunition are going to be introduced into our logistics system, and then—once in use—be given more new missions each year. Simply because "they are there."

Meanwhile, private industry's development of the vitally needed 25-millimeter successor weapon, needed to outgun the Russian 23-millimeter cannon, will continue at its present snail's pace, ignoring the need which is so critical that development of the successor weapon was recommended as far back as 1961, and urged in a "crash program" in an October 19, 1964, report to the Army staff by the Army Materiel Command.

Mr. Speaker, this is just one more instance in which the Congress has been given misstatements of fact about the H.S. 820 by Mr. McNamara personally, and by his top aids.

The other misstatements, as I have documented, were equally serious. In effect, they involved assurances that this gun was adequate for Army needs, when—as I have demonstrated in several speeches—the Army's own records show the weapon is inaccurate, malfunctions frequently, has deficient high explosive ammunition, and numerous other problems the Army is still trying to correct.

As I have also established, the Army actually agreed secretly to buy this weapon to give West Germany some U.S. arms business. And when it turned out that the gun could still not be made to work up to standard, after 5 years of testing and modification, then the standards were lowered to meet those of the gun.

Mr. Speaker, I think it is high time that the appropriate committees of Congress launched a fullscale investigation of this procurement, and called Mr. McNamara and his Army aids into open hearings to explain to Congress why committees of both Houses and the public, have repeatedly been given misstatements of fact concerning this weapon.

I would think that the appropriate committees would, by now, have become tired, and perhaps a little embarrassed, at the continuing spectacle of a Secretary of Defense who is apparently so contemptuous of Congress that he believes it can be fed misstatements of fact with impunity.

The H.S. 820 is an unreliable, inaccurate weapon for the use now planned, and all the "Rube Goldberg" modifications that the Army has installed on it cannot make it otherwise.

I have documented that fact in House presentations during the past 3½ months.

It is time now for the full Congress to pick up the ball and carry it the rest of the way, toward the logical, follow-through objectives: Cancellation of the 3-year H.S. 820 contract at its first-year level; commencement of a crash program for the successor weapon, and a full congressional investigation of this "gun gap" and the reasons why we still do not have an acceptable weapon to combat Russia's 14.5-millimeter and 23-millimeter guns, after 6 years and $6 million in effort.

IS THE MILITARY ROLE OF NATO ENOUGH TO SUSTAIN IT?

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, more and more statesmen and scholars are pointing out the need to broaden the functions of NATO lest it fade away like all past military alliances.

One such is Prof. Leslie Lipson, a professor of political science at the University of California, Berkeley, who recently completed an assignment as director of studies of the Atlantic Institute in Paris. The Atlantic Institute is the international, nongovernmental organization whose purpose is, as an "idea factory," to promote unified action by those nations on both sides of the Atlantic which are willing to cooperate regarding their own development and the discharge of their world responsibilities. Its chairman is John J. McCloy, former U.S. High Commissioner in Germany.

Professor Lipson is one of 26 foreign policy specialists who have cooperated in a series of studies of the future of the Atlantic community conducted by the House Republican Committee on NATO and the Atlantic Community.

As chairman of that committee, I wish to bring the Lipson study to your attention. Here it is:

THE COORDINATION OF FOREIGN POLICIES IN NATO

(By Leslie Lipson, Director of Studies, Atlantic Institute, Paris, on leave from the University of California, Berkeley)

In a group of allies, the successful coordination of foreign policies depends on (1) an accurate recognition of established facts and changing situations, (2) realistic analysis of the various national interests involved, and (3) a broad agreement on long-term objectives. This memorandum will attempt a review of NATO's achievements and prospects with these criteria in mind.

NATO was originally constituted because of the existence of a clear and present danger. Stalin had declared his open hostility to the Marshall Plan. The Communist Party had engineered its coup in Czechoslovakia. The large Communist Parties of France and Italy were hampering their governments and were fomenting industrial strife. It seemed probable that a Communist onslaught on western Europe was being prepared at a time when American forces had been substantially reduced, and this likelihood appeared ever more real in 1950 after the attack by North Korea on South Korea. Hence, the immediate motivation for the founding of NATO was the fear of invasion; and its initial functions, understandably and properly, were conceived in military terms.

Judged in this light, the record of NATO hitherto has been an unqualified success. Since its original purpose was to deter the Soviet Union from aggression against Western Europe, NATO has been fully vindicated by the results. The organization it established was an act of prevention, an insurance policy; and, precisely because of its existence, the calamity against which it offered protection never occurred. Nowadays, when the peoples of western Europe no longer live in apprehension of a Soviet military thrust, there are voices which proclaim that the shield can be dropped because the danger has lessened or has disappeared. But, if the NATO shield were in fact removed, or if, through the complacency of the member-governments, it were allowed to rust to the point of uselessness, would not the ensuing weakness of western Europe provide a temptation and whet anew the appetite of an aggressor?

If a city with a high crime-rate organizes its police force so effectively that crime is reduced, it does not then allow that force to disintegrate. But it will be wise to consider some measure of reorganization or redeployment. The same applies to NATO. The authors of this Alliance did not regard its framework as static or its provisions as unchangeable. In Article 10, they allowed for the possibility that other European States might be invited to join the Organization—as subsequently happened in the cases of Greece, Turkey, and West Germany. In Article 12, they stated that, after the Treaty had been in force for ten years, any Party could request that its terms be reviewed. Article 13 went further than this by permitting any member, after twenty years (i.e., in 1969), to give twelve months notice of its intention to withdraw from the Organization altogether. Thus far, only President de Gaulle has indicated that his Government might avail itself of this possibility.

The need for changes within NATO is due not only to the changes produced by NATO, but also to the evolution which has taken place both in western Europe and in the Communist world. Although the salient factors in this evolution are well-known, certain of their implications should be restated and evaluated together.

The economic recovery of western Europe is linked nowadays to two contradictory tendencies. While integrative associations, such as EEC, have been established, in some quarters these are matched by a resurgence of nationalistic sentiments which in turn give rise to a diversity of viewpoints on the subject of NATO's present capacity and future potential. This diversity is all to the good—as liberty itself is good—in promoting the maximum expression of ideas on which constructive cooperation may eventually be grounded. Even among those who are conscious of belonging to a broader community, divergences may legitimately arise from reasons of geographical location, defensive capability, economic resources, political tradition, and national culture—a list which is by no means exhaustive. It is such considerations which can often explain the different degrees of attachment on the part of particular countries or their governments to the concept of an Atlantic Community, or the varying emphases with which they uphold this policy or that. Feelings of national pride are none the less real—in small countries no less than in the great—and constitute a veritable political force, even though these may be based on unreal assessments of the objective situation. Likewise, a concept such as sovereignty may retain a symbolic appeal long after its logic has ceased to conform to the current laws of life.

The revival of self-confidence and the resulting assertiveness of western Europe are connected, paradoxically, with the possession of nuclear weapons by the U.S.S.R. In the "balance of terror", as it is called, between the United States and the Soviet Union, some Europeans believe they detect a situation which provides them with larger scope for diplomatic maneuver. From the premises that the nuclear weapons on the opposite sides cancel each other out, and that war between the two Super-Powers is for that reason improbable, the government of a small or medium-sized state may draw the conclusion that its security is guaranteed more or else automatically—whether it scrupulously follows the leader of the Alliance or not. That such a conclusion is almost certainly erroneous does not prevent it seeming persuasive to those who wish it were true and therefore act as if it were.

Viewed in another way, this style of thinking which, though typified by President de Gaulle, is by no means confined to him or to France, is a reaction, as unrealistic as it is excessive, to the undeniable fact that western Europe depends for its security on the United States. The crux of the problem can be stated thus: In an alliance composed of fifteen members, the bulk of the protection which all enjoy is provided essentially by the power of One. Yet, precisely because this is an Alliance which exalts the principle of freedom, because nearly all of the member-states are democracies, and because these are old nations with long memories and proud traditions, they do not readily resign themselves to complete dependence on another government in matters which may be vital, not merely to their security, but even to their survival. When people realize that decisions affecting peace or war can be taken in the capital of another country, over whose government they have no direct leverage or control, they tend to be hypercritical about decisions and the ways in which they are sometimes reached. While the privilege of deciding belongs to the suppliers of power, the prerogative of criticising remains with the consumers.

The foreign policies which one seeks to coordinate issue from the various member-states and are directed to solving certain central problems. The governments which are the most important to the United States—for the reason that their non-cooperation is, or would be, the source of the most acute difficulties—are Great Britain, France, and West Germany. The principal problems on which their agreement is sought are these: the reunification or continued division of Germany, military policy within NATO including the production and control of nuclear weapons, relations with the underdeveloped countries. The posture of the governments of our major allies, as well as the issues at stake in these questions, require some comment.

Among the Atlantic peoples, Great Britain occupies a unique position. This is a European country, situated so close to the continent as to share the influences of its commerce and culture. But it is also an island, with an ocean at its front door; and frequently throughout their modern history the avenues of opportunity have drawn the islanders towards the open sea. Linked by interest and propinquity to Europe, the British are united with North America by political and social affinity. Of them, one may say, adapting what Churchill has said of Canada, that they are the lynch-pin of the Atlantic world.

At the present time, the British confront a major turning-point in their long and epochal history. In Dean Acheson's phrase, they have lost an empire, but have not yet found a role. They need the association of a larger partnership, but are still unsure what form it will take, and what direction. By geography and history, alike, they are the natural members of an Atlantic grouping. But besides this more comprehensive union, they seek a place in smaller groups of more limited embrace.

For a decade and a half after the end of World War II, the British, when they looked beyond their island, felt closest to their Commonwealth. The United States, with which Britain prided itself on having a special relationship, occupied second place; and western Europe though geographically nearest, was psychologically a distant third. Recently, these priorities have been drastically shifted. Except for their traditional links with Canada, Australia, and New Zealand, the British are no longer at home in the Commonwealth which they once dominated and which appears more as a liability than as an asset. Hence, while continuing their close alignment with the United States, on whom they have become increasingly dependent for military and monetary support, they are now in the process of rediscovering the European continent where they have sought to establish commercial links. At the same time, however, the British retain from their imperial past a worldwide trading network, a series of military bases, and an influence derived from past experience and present example.

Some interesting comparisons can be made between the position of Britain and that of France under the presidency of General de Gaulle. Although the Gaullist regime has acquired the reputation of being our least accommodating European ally, actually there are certain similarities between French policy since 1958 and that of the British. France, too, has liquidated an empire, has recognized the Communist government of China, and is currently developing its own national force of rockets and nuclear bombs. As the seat of a culture which has gained international respect, they claim consideration, not only as a European people, but also as a world power.

These parallels are obscured, however, by two over-riding differences.

One of these, the extreme brusqueness of the General's diplomatic style, is attributable to traits of personality, which manifest themselves in much the same way whether in relations with Washington or London, or Brussels, or his domestic critics. The other salient characteristic of Gaullist policy has a deeper implication. It is the reassertion of an outlook which is strongly nationalistic, and, as such, stands opposed to any species of integration in larger unions, whether these be Atlantic or European. This resurgent nationalism, of which President de Gaulle has become the chief European exponent, unfortunately assumes the form of anti-Americanism for the reason that the pursuit of any separate national policy—be it strategic or diplomatic—must result in a challenge to the leadership in the Alliance of its strongest member.

It is, of course, easy to point out the contradictions in the Gaullist position and the unrealism of certain of its particulars. The General desires that Europe should be the equal partner of the United States, yet he is hostile to that European integration which alone could make equality genuine. He resents the fact of hegemony when it is exercised by the United States, but would welcome the hegemony of France. He insists on developing an independent French nuclear force, without recognizing that it cannot constitute by itself a deterrent to a would-be aggressor.

Yet, when all that has been said, there remains in the phenomenon of Gaullism an aspect which is not peculiar to the General himself or even to his country. In Germany, there are those in contemporary public life, who have been called Gaullists (Franz Josef Strauss is an example); and there are those at both extremes of the British political spectrum, the far Right as well as the far Left, who could qualify for the same label. Viewed in this light, the anti-American aspect of Gaullism exemplifies that general human reaction towards any power which is bigger and stronger and more successful—as was manifested in the past towards Great Britain and France and Germany in the days when hegemony was theirs. Along with gratitude and respect, envy and resentment are among the factors of which international politics must take account.

The relations of Germany both with the United States and with its European partners are another story. This is a people which bears a burden of guilt, but it is unevenly distributed. The new generation of young adults—those under 25 years of age—cannot be held responsible for the past excesses of German militarism or the crimes of Hitler. Innocent of such deeds, they aspire to a future in which they and their country will be treated as equals, whether as a wholly independent state or within any union or alliance. Among the older generation and those of middle-age, three points of view are discernible—nationalism, European unity, and close alignment with the United States. This last has been the official policy under Chancellors Adenauer and Erhard, because German security depends on American power. But that did not exclude a vigorous support for Europeanism by the Adenauer government, the climax being attained in the Franco-German treaty of reconciliation and cooperation.

The question of the future place of the German people in Europe was not settled by the defeat of Hitler's regime, and it was left to hang over from the bold war of Stalin's period, when were formed the two blocs which, despite a marked evolution, persist substantially today. Two of the vexed problems which illustrate so clearly both the need, and the difficulty, of coordinating foreign policies in the western Alliance are related directly to Germany. One is the choice between reunification or perpetuating the present division; the other concerns the production and control of nuclear weapons.

As to the former, weighty arguments exist on both sides of the question. In favor of reunification is the moral claim of the Germans to be treated as a single people and to live under a common government. Grounded on the principle of justice, such a claim comes inappropriately from that older generation which in past years allowed the power of a unified German state to be turned to aggressive ends. But the plea for justice has a very different sound when it is voiced by the young who represent their country's future and cannot fairly be identified with the evils of yesterday. The reverse side of this argument should also be considered. If the two parts of Germany are not reunited, a sense of injustice is likely to be intensified. In that case, a mood could become widespread, from which a Nazi-style movement might once again originate and a new potential Führer could base his power on the frustrated desire to be reunited.

But a case can also be made against reunification. If the two parts were rejoined, the resulting state would unquestionably be the strongest in Europe west of the Soviet Union. That being so, the Germans would become the arbiters of the European continent. If they should choose to align them with the U.S.S.R., the balance of power in the western world would be tilted decisively in Russia's favor. Conversely, if they aligned themselves with us, it would be tilted against Russia just as decisively. Manifestly, it is dangerous for either the United States or the U.S.S.R. to permit such a situation to arise; and for that reason, and in this sense, both we and the Russians may be considered to have a tacit common interest in keeping Germany divided as at present.

It could be suggested, however, that a reunited Germany might be prevented from dominating its neighbors, if, as a condition of reunification, it were required by treaty to accept limitations on its future armaments and, perhaps, to pursue a policy of neutrality (for which Austria supplies a precedent). But the answer to this is that, if a future German government were to violate such a treaty, it could not be enforced—except at the price of a major war. In terms of power, Germany is not to be classified along with Austria, and restrictions which are practicable and acceptable in the one case would be meaningless as applied to the other.

Further, if Germany is ever to be reunified, one needs to consider the method by which that would be brought about. All responsible men will rule out the use of force since, if employed in that situation for that purpose, it could involve a high risk of escalating into a major war conducted with nuclear bombs. If, on the other hand, Germany is to be reunited by peaceful means, not only must its immediate neighbors consent, but so must the United States and the Soviet Union. In view of the well-known Russian fears of German power, arising from the memories of the two world wars of this century, is there any possibility that the Soviet Government would ever consent to reunification?

Only one situation can be envisaged in which that is likely—namely, if the Russians become obsessed with another fear which exceeds their fear of the Germans: This may possibly occur when the government of China has completed the development of its nuclear weapons and the missiles required for their delivery. It will then possess the means to challenge the Russian occupation of Siberia and may seek to expand into that region. In that eventuality, the Russians will need to secure their position in the west, so as to be able to turn their whole attention to eastern Asia. Conceivably, they may be ready to pay the price of letting East Germany go. Until that time comes, if indeed it ever does, it seems most probable that Germany will remain divided.

The production and control of nuclear weapons raises questions of which some are specially connected with the German problem, while others reach out to the political, economic and military foundations of the Alliance. The various members of NATO differ markedly in their attitudes to nuclear bombs. Some of the smaller states, such as Denmark, refuse to admit these weapons to their country, fearing that they would then be a prime target for Russian attack in the event of war. France, for nationalistic reasons, has produced some nuclear bombs and rockets of its own, but does not permit American weapons of this kind on its territory. Britain, like France, possesses its own nuclear arsenal; but, unlike France, does allow American bombs on British soil. West Germany neither manufactures nor owns bombs, but American bombs are located within its borders under American control.

Can a common policy be produced from such dissimilars? My answer to this question must seek reconciliation of opposites. The military and economic factors tend, on the whole, in one direction; potential and psychological factors, in another.

It has already been proven that several countries in the western world, besides the United States, possess the technological capacity to produce nuclear bombs and long-range rockets. But it has also become clear that only the strongest of the economies can bear the cost (in manpower, finance, and materials) without suffering strain and sacrifice elsewhere. Judged in terms of economies and technology, there are only two systems which can be justified in the western Alliance: (1) production by the United States alone, or (2) production by NATO, and under its auspices, in a joint arrangement of the participating member-states. Either one of these methods has the advantage that it is unified and centralized, and thereby avoids the risks of indefinite proliferation.

In the military sphere, the same case can be made for unity and centralization in such matters as the control and custody of nuclear bombs and decisions concerning their use. These bombs are annihilating. With rockets, they arrive like lightning. Hence, there are the soundest military reasons for instituting an integrated command. If all deterrents fail and if a nuclear attack should ever be launched against the West, effective defense and counter-measures would require both unity and speed. The more fingers there are on the trigger, the less is the likelihood that these requirements can be met.

But these military, economic and technological considerations are offset by political and psychological factors, which foster the spread of national nuclear systems and a consequent decentralization of command and control. People are understandably apprehensive if others have the power to take the decisions on which it depends whether they will live or die. They seek alternative means, therefore, to protect themselves against possible errors of judgment—whence an allied government may conclude that the possession of a national deterrent, however limited in scope, affords some modicum of independence. In addition, a government which is nationalistic, and is influenced by considerations of prestige, may persuade itself that its status requires that it build a bomb of its own. Such feelings are understandable, though not justifiable. Still less justifiable is the international danger of indefinite proliferation which can result. It should be added that those European governments (i.e. France and Britain), whose policies in this field stimulate a German desire to do the same, are certainly those which strongly object to the production by Germans of a national nuclear bomb.

In sum, the following possibilities have to be considered: (1) Production and control of nuclear bombs solely by the United States for the NATO Allies. This runs counter to the national attitudes of certain European governments. (2) Continued proliferation of national nuclear systems within the Alliance. This involves the risks of independent action, and the dangers of indefinite nuclear proliferation. (3) A NATO solution. Production and control of all nuclear systems by members of the Alliance to be conducted solely under the authority and auspices of NATO. Questions: Would our Government agree to such an arrangement in principle? If so, could a satisfactory machinery be devised?

A third issue confronting the Alliance, and requiring some coordination of foreign policies, consists in the relations between the NATO countries and those of Asia, Africa, and Latin America. Hitherto, apart from our confrontation with the Soviet Union over Berlin, one crisis only, that of Cyprus, has erupted inside the area of NATO jurisdiction which led to actual fighting and entailed the possibilities of wider conflict. In the Cyprus case, although all parties involved were members of NATO, it has not been NATO, but the U.N. which has taken the lead in mediating the conflict and dispatching a peace-keeping force to the troubled area. Outside the Atlantic and Mediterranean, situations continue to erupt which are of concern to the Alliance for the reasons that a civil war can erupt into a general war and a change of regime may alter the balance of power within a geographical region. Suez, the Congo, and currently Vietnam, are vivid reminders of this truth.

The question, then, for NATO is whether the Alliance, as such, can concert its policies so as to present a common front in coping with situations of this kind—and a common front implies both diplomatic measures and, where necessary, military action planned and executed in concert. To do this involves two requirements at least. First, there must be preliminary discussion—leading, one hopes, to eventual agreement—about the conditions in which joint intervention by the NATO Allies would be appropriate and desirable outside of the NATO area. Since the circumstances in the particular cases are likely to vary so much, it is impossible to be entirely specific in advance of the event. However, agreement might be reached, in broad terms, about such situations in general. Second, it should then be possible to institute a standing machinery which would make immediate recommendations or decisions about what NATO should do whenever a dangerous state of affairs erupts.

If any such arrangements are to function satisfactorily, what is abundantly clear, is that there must be the fullest and frankest prior consultation among Allies if their consent is sought for joint action. NATO is not a super-State and does not have the political power to take decisions on behalf of the member-governments. (When, and if, that stage is ever attained, we would have reached the point of the political integration of the Atlantic Community. That may be ultimately desirable, but it is not the present actuality.) For the time being, granted that NATO is an Alliance of separate States, their governments are not going to write a "blank check" authorizing any one of their number, even the leading power of the group, to act on their behalf in unforeseen contingencies. The United States may justifiably hope to obtain support for joint action if procedures are employed for prior consultation and consent, but not taking unilateral measures for others to follow. This is the essence of partnership in a society of democratically-minded peoples.

Finally, it may be suggested that there are other possible spheres of action which would involve a departure from NATO's established role to date, but are simply a logical extension of its original and underlying concepts. This memorandum opened with the assertion that NATO was designed in the face of an immediate danger. True enough—but, it has always contained the seeds of a larger vision. That vision is, or should be, the dedication to the values of western civilization and a determination to safeguard and develop them both within the Atlantic region and wherever the Atlantic peoples can transmit their influence and culture. Thus far, NATO has limited itself to the military function, which it has conducted with success. But it is now time to pose squarely the question: Is the military role enough? Should not NATO begin to cultivate more fruits from the seed?

It could plausibly be argued that NATO needs at this time to acquire a new élan by deliberately launching itself into new activities which are not military and which will broaden the purposes of the Organization and deepen its meaning. If that argument holds up after examination, what could these activities be?

For a start, two may be suggested here. The NATO members, belonging for the most part to the most highly developed region in the world, have an obligation, as well as a selfish interest, to assist the more backward areas. NATO could consider the advisability of embarking on a program of economic aid and technical assistance to some of the less highly developed States in Africa, Asia and Latin America, and this would have the advantage of engrafting onto NATO and introducing into its politics the persons and organizations whose specialties lie in economic and technical development and in human welfare.

In addition, since homo Atlanticus has distinguished himself by the evolution of his ethical ideals, political institutions, and creative culture, NATO could well address itself to the animating spirit of the Atlantic peoples—i.e. the values which they share and have developed in common in Western Europe and North America. Consequently, it would be entirely appropriate for NATO, and wholly consonant with the larger vision which inspired its inception, for the Organization henceforth to initiate new programs for intellectual cooperation and for educational and cultural exchanges. While it is essential to maintain the defensive shield that protects the body politic of western civilization, it is no less important to nourish the spirit that accords the entire enterprise its raison d'être.

Mr. Speaker, our committee is indebted to the gentleman from New Hampshire [Mr. CLEVELAND] for an analysis of the Lipson study. The gentleman is a member of our committee and also a member of the Committee on Public Works. I yield to Mr. CLEVELAND.

Mr. CLEVELAND. Professor Lipson's paper is a perceptive and challenging exposition of the current state of NATO affairs. He thoughtfully points out that NATO's very success in carrying out the mission for which it was created—defense against Communist expansion—is perhaps the main reason for the present difficulties.

The nations of the Alliance, enjoying a breathing spell behind the NATO shield and, in a rather curious way, secure beneath the nuclear "balance of terror" between the United States and the Soviet Union, are freer to follow individual, nationalistic goals. The wreckage of war has been swept away, and, although many scars of war are forever engraved on the landscapes and in the souls of the people, prosperity has come. A new generation has risen, free from the wounds and bitter memories of war.

The Communist aggressor has been balked and now appears at least to direct his attention toward internal problems—and to the rising threats against himself from the Far East.

Conditions are changed from the founding days of NATO. The monolithic equipoise for international communism is gone for the moment, along with its one-time wholly Russian color. The threat to free nations is not lessened but it has changed.

It is time for a new look; for adaptations to new circumstances; for recasting the Atlantic structure to gain a better expression and effectuation of our common hopes and goals.

I hope that my colleagues will give it careful study and, with my distinguished colleagues on the NATO Task Force, I invite and welcome their constructive comment and observations.

Mr. FINDLEY. Mr. Speaker, this is the ninth and last of the Atlantic studies conducted by our committee. I trust these have been useful to the deliberation of the House on foreign policy. I yield back the remainder of my time.

HOW HYPOCRITICAL CAN THIS ADMINISTRATION GET?

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, how hypocritical can this administration get?

On September 12, the President sternly vetoed an overdue measure to increase life insurance coverage for Federal employees on the ground that the additional $90 million a year it would cost would be inflationary.

Then the President turned right around and put on the heat to pass a political $1¾ million poverty bill and followed that by demands to get going on a multi-billion-dollar demonstration cities program to federalize blockbusting in the suburbs of our metropolitan areas.

Civil service employees can draw their own conclusion. When it is a matter of elementary justice to them, it is inflation—but when it comes to massive vote-buying projects it is noble statemanship.

I repeat: How hypocritical can this administration get?

PLYMOUTH NATIONAL MEMORIAL

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. KEITH. Mr. Speaker, 346 years ago the Pilgrims began their life in the new world at Plymouth, Mass. This brave group who ventured across the Atlantic to practice their religion in freedom symbolizes for many Americans and freedom-loving people throughout the world the spirit on which this Nation was founded. Thousands of people from all parts of this country and others visit this spot each year to spend an afternoon amid the charm and history of Plymouth.

I am therefore filing a bill today to establish a national memorial to commemorate the landing of the Pilgrims at Plymouth Rock.

It is entirely fitting that the area around this famous rock be made a national memorial. Moreover, a move of this sort may soon become necessary. Plymouth, though it retains much of its colonial atmosphere, is a modern and growing town. The Rock and other points of interest are near its center and the town seems to be closing in. At the same time the number of tourists is increasing. This spot must be preserved now if it is to be enjoyed by future generations of Americans.

Early in 1963 I therefore, asked the park service to study the area to suggest possible plans for a memorial. They made a study and in June of this year released a report, detailing three possible plans. As is my custom in matters of immediate concern to my constituents, I have waited to hear the reaction to the various proposals before taking any action.

The bill I am filing today reflects the views of those who will be closely associated with any national memorial as well as my own interest and theirs in seeing that Plymouth receive this long-merited national recognition.

My bill provides that no more than 15 acres may be taken for the memorial. I am hopeful that more specific details on the size and outlines of the park can be worked out as a result of committee hearings.

The bill also stipulates that no private homes may be destroyed or taken unless the land on which they are situated is essential to the development of the memorial. The proposed park area includes a few homes on the fringe. My bill would permit most of these to remain in private hands so long as owners conformed to zoning bylaws.

The outline of the park proposed by the National Park Service in their report includes at least one house which appears to have significant historic interest. It may be one of the oldest homes in the Nation. Since the park service report did not make any mention of this house, my bill provides that if the park service acquires any such property, it must maintain and preserve this as a part of the memorial.

In my view, it is essential that the Federal Government be kept highly aware of local needs, particularly when it moves into the heart of a town. Therefore the bill also provides for an advisory commission. This group would act as a liaison between the town and park service. In particular, it would be concerned with decisions to acquire property for the memorial, with standards for zoning bylaws—advising both town and park service on this—and with judging the importance of any historical property. In all these matters, it can act as interpreter between the town and park service.

It is my opinion that, under these circumstances, a national park could be established in a way that would serve our national interest and at the same time be of most benefit to the town of Plymouth.

The plan for this memorial, as set forth in my bill, is similar to the program for the development of the Cape Cod National Seashore. The seashore plan was the product of the joint efforts of Massachusetts two Senators, LEVERETT SALTONSTALL, and John Kennedy, and myself. In that case we had a similar problem in that we were proposing a national park in a densely populated area. As the years go by, the system we worked out seems to be functioning smoothly. Hopefully we can have the same success with Plymouth.

It is important that we balance the needs of America for recreation areas and areas of natural beauty with the rights of individuals. It is possible to accommodate both if we make the effort.

"WE PROPOSE"—CLAREMONT (N.H.) EAGLE PRAISES GOP TASK FORCE FOR BOOK PROPOSING MODERNIZATION OF CONGRESSIONAL PROCEDURES

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as chairman of the House Republican conference committee's task force on congressional reform and minority staffing, I am justifiably proud of the first fruits of our labor. This is a book, published September 30 by McGraw-Hill Co., entitled "We Propose: A Modern Congress." Containing articles by 21 Members and former Members of this body, it represents more than a year and a half of research, writing, rewriting, and editing. So far as I know it is the first book about Congress—a very much studied organization—to be written by a group of authors who have actually served in the House.

Most of the task force members presented their views in testimony before the Joint Committee on the Organization of the Congress. Some of our recommendations have been included in the bill the joint committee is proposing. Other points are made in the committee's final report and in the supplemental views, including those by the gentlemen from Missouri [Mr. CURTIS and Mr. HALL].

In our book, these proposals and comments are presented anew, in detailed and extended form. It is our intention and hope that the publication of "We Propose" will stimulate interest and discussion in the crucial problem of congressional reform. Although the book has not been out very long, there are already some encouraging responses. One of the best of these appeared in an editorial by Kenneth Whipple, editor of the Claremont Daily Eagle in my own district. I hope the interest shown in this thoughtful editorial will be taken up by editors and commentators throughout the land, spreading public interest and arousing public demand for reform across the country.

The Claremont Eagle has performed an outstanding public service in advancing the discussion thus far and I am happy to acknowledge its continuing contribution to good government through this editorial.

FOR A MORE MODERN CONGRESS

Serious students of government can find plenty of meat in a new volume of 338 tightly-packed pages, published this week by McGraw-Hill. Its title is "We Propose: A Modern Congress," and its proposals are broad and far-reaching indeed.

The average citizen, unfortunately, may not find or take time to study its details. Such neglect is indeed regrettable. For "We Propose" is a fascinating résumé of the work, procedures and problems faced by our elected representatives in safeguarding the public interest.

The book is made up of 21 articles by Members and former Members of Congress. These include selected proposals by the House Republican Task Force on Congressional Reform and Minority Staffing, of which our own New Hampshire Congressman, JAMES C. CLEVELAND of New London, is chairman.

Congressman CLEVELAND has based portions of his Washington Reports, from time to time, on the findings and progress of his committee. But the new volume goes far beyond this.

"We Propose" is divided into four major sections. The first, "The Committee Structure," has an article by CLEVELAND, "The Need for Increased Minority Staffing," whose arguments are familiar to his constituents.

Contributing to this section also are New York Mayor and ex-Congressman John V. Lindsay, Sen. GRIFFIN of Michigan, Congressman MORSE of Massachusetts. These experts discuss critically problems posed by the seniority system, by the composition and work of standing committees, and by overlapping jurisdiction.

"Policy-Making, Lobbying and Oversight" is the joint work of six Members of Congress. These experts take up congressional attitudes toward science policy, toward foreign policy, toward lobbying, and toward reforming budgetary and fiscal machinery.

A particularly pertinent contribution has been made here by Rep. ANCHER NELSEN of Minnesota, who decries "arm twisting" by the administration in all its forms as a means of securing passage by Congress of White House legislation.

Seven more congressmen continue their analysis of governmental shortcomings in a section titled "Toward More Efficiency and a Better Image." Reforms they propose include a new system of hiring youthful congressional pages; abandonment of the "spoils" system of hiring House employes; new rules for floor procedures; and installation of electric voting. And there's a lively and readable discussion titled "The Cost of Getting There and Length of Stay."

Fourth and final section of "We Propose" is perhaps its most controversial. In it members of the House argue the case for television and radio coverage, urged not only for the floor of the House but for committee sessions also; plus another oft-argued subject, the "captivity" of voteless Washingtonians, who after 80 years are still trying to gain self-government.

Another highly readable chapter is on "Operation of the Congressional Office." The writer here discusses the congressman's basic job (legislation); the diverse demands on his time, both from his constituents and otherwise; the amount of help he can have, and the amount he can pay.

A breakdown here shows that the average congressman, during an average five-day week, puts in a 12-hour day made up of (a) time on the floor of the House, (b) time on committee work, (c) time spent studying legislation, (d) time on constituent affairs, (e) time devoted to public statements and party functions.

A final chapter, by a 12-year veteran of Congress (Rep. Fred Schwengel of Iowa) urges modernization and improvement of the Legislative Reference Service (LRS) by means of automated information handling through Automated Data Processing (ADP) to replace behind-the-times methods which will grow even more outdated in the immediate future.

"We Propose" will, we fear, gain less readership that it deserves. But if it succeeds in stirring public discussion on the role of today's Congress—and on its shortcomings—it will have made a meaningful contribution to the continuing experiment in American democracy.

K.D.W.

THE WORST 5 YEARS

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LANGEN. Mr. Speaker, a resigning high-level U.S. Department of Agriculture official has confirmed what this task force has pointed out time and again about the Johnson-Freeman administration's deliberate efforts to downgrade U.S. farmers for blatantly political reasons.

Mr. Frank M. LeRoux, former General Sales Manager for the Department of Agriculture's Foreign Agricultural Service, has termed the 1961–65 period covered by the Kennedy-Johnson administration as "the worst 5-year period for the American farmer in the history of modern American agriculture."

In his 64-page brochure entitled "1961 Through 1965—The Farmers' Worst 5 Years," Mr. LeRoux charges that the Agriculture Department and the administration have followed a course of depressing farm prices for political gain, and have made no effort to reach parity for farmers. This is exactly the state of affairs to which our task force has been calling attention for some time now, and Mr. LeRoux's analysis of the administration's destructive role in the field of Federal farm policy affords bipartisan confirmation of the incredible facts.

Mr. Speaker, this document sustains virtually everything the minority agriculture task force has revealed about the administration's agricultural policy in the numerous statements we have issued since our group was organized in early 1965.

Following are some typical examples of how Mr. LeRoux's findings substantiate those of the task force.

For instance, the task force has consistently denounced the administration's appalling plan to remove more than two-thirds of the Nation's farmers from the land. Mr. LeRoux says:

> If the minimum of gross sales be put at $10,000 as some in U.S.D.A. suggest, this will eliminate all but about one million farms (p. 59).
>
> If this becomes a reality, does this mean that all the small farm operators will no longer be considered as farmers and will be forced out of business? (p. 59).
>
> The American public would be much better off in many ways if the American farmer received an adequate return for his farming efforts and investment now. It would go a long way in stopping the exodus from the farm to the city and would save and maintain the family-sized farming unit (p. 58).
>
> How many of the social problems of the city have been brought about by the failure of the government to allow the farm economy to progress along with the other business segments of this prosperous nation? (p. 59).

The task force has said—on May 17, 1965:

> Nine million farm people, along with additional millions who provide the services for rural America, would become the "MiGrate Society" if the Administration should succeed in its plan to remove 2½ million farm families from the land.

On April 8, 1966:

> It is not difficult to understand why the farmers are leaving their fields, for the Johnson administration and Secretary Freeman have consistently pursued policies which have depressed the prices of farm commodities.

On April 8, 1966:

> The House Republican Task Force on Agriculture enthusiastically endorses the concept of reversing the migration (from the farms) and revitalizing rural America. As we pointed out last year, the decline of rural America is harmful to the entire Nation. But we cannot emphasize too strongly that the first and most important step in "rural revitalization" must be to allow the producers of food and fiber a fair return for their efforts. The Johnson Administration has it in its power to do something constructive for the farmer.

Time and again the task force has described with dismay the administration's deliberate attempts to depress farm prices and hold them at low levels. Mr. LeRoux says:

> While this Agricultural Administration was claiming the credit for the overall gains in Agricultural income it was at the same time trying to beat back the prices on the very commodities that were being used to base their claims of increased farm income (p. 32).
>
> Never before in agricultural history has a Secretary so frankly admitted the economic plight of the American farmer and at the same time be doing the unbelievable to destroy the farmers' opportunities to get a fair return for his efforts (p. 34).
>
> Why should the Farmers' own Secretary have made such an all out effort to break the price of meat? (p. 36).
>
> Commodity stocks could have been priced to raise market prices intsead of being used in the reverse manner—as they were to keep prices down (p. 38).

The task force has said—June 21, 1965:

> The House Republican Task Force on Agriculture has observed many examples of how the sale of Government-owned CCC stocks has become a gimmick for the purpose of artificially and arbitrarily depressing farm prices and lowering farm income.

On April 8, 1966:

> Secretary of Agriculture Freeman continues to use his authority to drive the prices of farm commodities downward.

On June 13, 1966, the task force spoke of the "deliberately planned" administration effort to break farm prices and drive them down through the "wholesale dumping of Government-owned corn and wheat, export controls on hides, slashes in Defense Department buying of butter, beef and pork, easing of import restrictions on sugar and Cheddar cheese and jawboning against food prices by the President himself."

The task force has often noted how the administration has turned its back on parity as an economic goal for agriculture. Mr. LeRoux's chart on page 43 of his brochure shows that for the last 5 years the parity ratio has averaged 78 percent, and that during the depression years 1933–40 the average was 81 percent. He says:

> During the greatest prosperity in the history of man, a record such as this 78 percent of parity could only have been accomplished through intent.

The task force has said—June 17, 1966:

> Langen pointed out that the parity ratio—a comparison of the prices farmers receive with those they pay—for the past five years has reflected an average 78 percent of parity. This is the lowest for any consecutive five year period since the depression days of the thirties.

The grossly inequitable economic position of American agriculture has also been a subject of continuing concern to the task force. Mr. LeRoux has said:

> Agriculture has shared but little in our startling national prosperity and the minute that the farmer has a chance to receive the least bit improvement, his prices are beaten back by one means or another and this has continued behind the scenes (p. 12).
>
> The farmer has received barely enough to offset his increased operational expenses (p. 12).
>
> The American farmer has not been put into the position of sharing in the prosperity of the times but rather he has been forced into the position of subsidizing the economy (p. 12).

The task force has said, on February 4, 1966:

> For instance, in spite of his key world-wide position, and in spite of the significance of his contribution to the strength of this Nation, the U.S. farmer is today faced with an economic situation which is both precarious and inequitable in comparison with the rest of the economy.
>
> Perhaps the most accurate indicator of the farmer's financial situation is the fact that his per capita disposable income averages little more than half that of the rest of the Nation.

Concerning the need for increased food production in the future and the question of prices to farmers, Mr. LeRoux says:

> Now is the time for the Government to reflect a fair price return to the farmer for his products so as to get the production necessary instead of the present policy of depressing prices (p. 63).

The task force has said, on July 26, 1966:

> Government grain dumping has depressed prices to farmers. Farmers must have assurance of a fair price for the additional food they are asked to produce. If they are asked to increase wheat and feed grain production in 1967, they should not also be asked to assume the entire risk of lower prices.

Regarding the fallacy of USDA "per farm" income statistics, Mr. LeRoux says:

> Why has the Secretary continued to make the average realized net income per farm his success story when this means nothing (p. 22).

The task force has said, on April 16, 1965:

> The per farm method of comparison is neither accurate nor valid.

The task force, in May of this year, sponsored the introduction of a resolution, House Concurrent Resolution 635, in the House of Representatives, which called upon the administration to:

> (1) Cease and desist in its efforts to enforce selective economic discrimination against American farmers and ranchers by deliberately depressing farm prices, and (2) use the various legislative authorities at its disposal to improve and enhance farm prices in order to build a strong and viable market economy for agriculture, the cornerstone of American and free-world prosperity.

There is still great need for this resolution which would require the administration to stop depressing farm prices. Only this week, Mr. LeRoux said:

> Now is the time to decide if the apparent turn-about by the Secretary of Agriculture just before the election is sincere, and if the change of direction is in favor of the farmer. As of this date things have not changed. The same maneuvering against the farmers interests still goes on behind the scenes.

Mr. Speaker, on behalf of myself and the other members of the minority task force on agriculture, we recognize the great service Mr. LeRoux has performed to both American agriculture and the Nation in making public his candid analysis of present U.S. agricultural policy as expressed in his document entitled "The Farmers Worst 5 Years."

In conclusion, I just want to call to the attention of my colleagues in the House one more comment attributed to Mr. LeRoux at a news conference on Tuesday. When queried about Government statements that the farmer "never had it so good," he reportedly called them "absurd" and replied, "actually, he has never had it so bad."

REACHING FOR MORE POWER

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GURNEY. Mr. Speaker, in these days of increased Federal involvement in nearly every sector of public and private life, it is not surprising that another activity of private enterprise should be threatened by the reaching arms of the Federal bureaucracy. This time it is the recruitment and hiring of employees.

There is no doubt that the U.S. Employment Service could stand some improving, but the language of the Manpower Services Act of 1966, which is before my own Committee on Education and Labor, threatens to do much more than modernize and improve. It sets up mechanism to allow the Federal Government to recruit and place in different jobs those workers who are already employed. This is not the purpose of the Employment Service, which was set up to help those workers who are unemployed.

I commend to the attention of my colleagues an excellent editorial from the Wall Street Journal of August 18, 1966, which follows:

UNCLE SAM'S HIRING HALL

> There is not much doubt that some functions of the U.S. Employment Service could stand improvement, but that doesn't mean it has to be radically altered in the way Congress is leaning.
>
> In the area of job information, to mention one defect, the need is for more accurate and faster nationwide dissemination of information on job vacancies. As it is now, the swapping of job information from area to area depends largely on the cooperation of state employment services, which vary in efficiency.
>
> Surely, however, this and other placement functions of the USES can be bettered without changing the essential nature of the Federal-state service. It was not intended, when the service was set up more than 30 years ago, that public funds be used to find new jobs for workers already employed.
>
> And yet that is how such funds would be used under the Manpower Services Act of 1966, already passed by the Senate and now before a House committee. "The Congress declares," says the act's statement of purpose, "that a strong and modern manpower service system which operates not merely as a labor exchange . . . but as a comprehensive manpower services agency is essential . . ."
>
> To make the service "comprehensive," the act would authorize the USES to do what lately it has been doing without authorization: To recruit for an employer a worker already employed by another. Put in blunt terms, the act would legalize Federal pirating of employes.
>
> It is plain why private employment agencies are strongly opposed to this change in USES function. It could put them out of business—particularly if, as might happen in some period of declared manpower emergency, the Government made mandatory all job placement through its own service.
>
> Less plain, perhaps, are the implications of the proposed change to employes. If the USES is empowered to move people about from one job to another, what is to prevent it from keeping them where they are if it so chooses? In other words, the act implies the sort of control over manpower which up to now, even in wartime, the Government has adopted only reluctantly.
>
> A good many employers already have challenged the wisdom of giving the USES such broad controls over human beings. Certainly the concept of a centralized Federal hiring hall ought to be equally repugnant to employes, union and nonunion alike.

ARM TWISTING

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in this age of guidelines, the following guideline for public officers and employees might be useful for future reference:

LOBBYING WITH APPROPRIATED MONEYS

(Title 18, sec. 1913, USCA, pp. 118 and 119)

> No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.
>
> Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment. June 25, 1948, c. 645, 62 Stat. 792.

HOUR OF MEETING ON THURSDAY

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock a.m. tomorrow.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

WOODROW WILSON MEMORIAL COMMISSION

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, it has been my pleasure and honor to serve for the last 4 years on the Woodrow Wilson Memorial Commission. I have greatly valued the experience of serving under Dean Sayre, the Chairman, and with the other distinguished members of the Commission.

During the course of our studies, we heard from many notable and knowledge men and women from every field. Each presented a different facet to the task of selecting a fitting memorial to the memory of President Wilson. I think it fair to say that every viewpoint was given comprehensive study and deep consideration.

From the many plans presented to the Commission, we settled on what has been called by former Justice Frankfurter the embodiment of an idea. We decided on a living memorial to the spirit and the ideas of Woodrow Wilson.

I am introducing legislation today to implement the recommendations of the Commission.

The structure will be located on Pennsylvania Avenue behind the National Archives. The memorial complex will consist of a number of buildings suited for scholarly pursuits, dominated by a sculpture which will be the embodiment of the idea of Woodrow Wilson.

The nearness of the National Archives and the Library of Congress relieve the need for any library facilities within the memorial complex. The buildings will simply provide a place for scholars to meet and study—a sanctuary where ideas can be exchanged and intellects interact. This should be a place where men can meet to ponder the place of the individual in the modern world. I would hope that this center would particularly draw the students of international relations and of law and world order.

The sculpture will dominate and permeate the entire memorial. I am hopeful that it will inspire the fresh visions so necessary to bring peace in our changing world. It should also serve to remind every visitor of the timeless yearning for world tranquillity that so constantly occupied the thoughts of President Wilson.

The sculpture should indeed be the embodiment of not only Woodrow Wilson the man, but also an expression of the ideas and spirit of Wilsonian democracy.

During President Wilson's trip to Europe to attend the Paris Peace Conference, President Wilson said in Manchester, England:

> There is only one thing that can bind people together and that is a common devotion to right. Ever since the history of liberty began men have talked about their rights, and it has taken several hundred years to make them perceive that the principal part of right is duty, and that unless a man performs his full duty he is entitled to no right.

This is the essence of Wilsonism—the appeal to common counsel and dynamic morals that cuts across national boundaries, and soars above individual selfishness. This was, and remains, the spirit of Wilson.

Perhaps no man better summed up Woodrow Wilson than Minority Floor Leader Finis James Garrett, of Tennessee, in remarks to the House the day after President Wilson's death:

> He walked upon heights untouched before by human foot; he sought to break new trails for mankind. Not alone in senates, parliaments, and chancelleries; not only in throne rooms and executive courts and cloisters was his idealism weighed and analyzed, but its spirit permeated the great masses of men, and from all the regions of earth in multifarious languages . . . came the plaudits of brain and heart and wistful souls.

Mr. Speaker, I cannot urge too strongly the acceptance of the concept of this memorial to such a great man, Woodrow Wilson.

Thank you.

ISLAND OF CYPRUS

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Puerto Rico [Mr. POLANCO-ABREU] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, in August 1960 the island of Cyprus became an independent Republic. Today, 6 years later, finds the political status of that lovely island still a subject of controversy, involving not only the Cypriots themselves, but also at least two of our most trusted allies.

Democracy rests on the strength of two equally important pillars: majority rule and minority rights. If the majority fails to respect the rights of the minority, tyranny emerges. If the minority resists the will of the majority, anarchy and chaos prevail.

The people of Cyprus are engaged in a valiant struggle to establish democracy in their island. In pursuing this goal they have committed themselves in a declaration of intention and accompanying memorandum addressed to the Secretary General of the United Nations, to protect and guarantee the rights and privileges of any minority group and individual members of said minority. The rights guaranteed to these minorities range from the use of their own languages in the courts and participation in Parliament, to the right to establish their own schools with financial support from the Government of the Republic. As an additional guarantee they are willing to accept, for a reasonable transitional period, the presence of a United Nations Commissioner to insure the protection of these rights.

As you can see, Mr. Speaker, in Cyprus one of the two pillars stands solidly. Unfortunately, the other one does not. As a result of the series of international compromises leading to the establishment of the Republic, the right of the majority to rule was seriously curbed, and the door was left open for undue external interference in the internal affairs of Cyprus.

I am convinced that so serious have been these impediments, that the people of Cyprus, as a whole, have not had the opportunity to exercise their natural right of self-determination. These obstacles threaten to slow the pace of the Cypriots in their venture to provide a fuller life for all the people, and thus become an outstanding example to the world of democracies in development.

When these impediments have been removed, I am certain that Cyprus will prove how much a people, though small in numbers and geography, can accomplish through the democratic process and through the exercise of their inalienable right to self-determination on the basis of the universally accepted principle of one man, one vote.

CONGRESSMAN PETER W. RODINO, JR., REPORTS ON THE RECORD OF THE 89TH CONGRESS

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RODINO. Mr. Speaker, most authorities consider this the most productive Congress in our history. In the determined effort to forge a greater America and fashion a better life for every man, woman, and child, we have made notable progress, and it is a pleasure to report to the people of New Jersey's 10th District on the record of achievements of the 89th Congress to date.

This review must necessarily be confined to highlights, for in the nearly 18 years I have been privileged to serve in the House there has never been such a vast legislative record, or one to match such quality and substance.

My own efforts centered on my work as a member of the House Judiciary Committee, which in this Congress considered several of the most vital issues of our times. As assistant majority whip and a member of the steering committee, I participated in leadership decisions on legislative policies and programs. In the international area, I was again a delegate to the Intergovernmental Committee for European Migration—ICEM—and the NATO Parliamentarians' Conference, working on solutions to such problems as refugee resettlement, global hunger, and the security of NATO nations.

The programs enacted by this Congress are neither mysterious nor complicated. They add up to a decent job at decent pay, a decent home, and a decent education for every American; better cities, safer highways, cleaner air and water; a conscientious effort to end discrimination and uproot poverty, to help the elderly, and protect the consumer.

These programs recognize the importance of the human being. They elevate the worth of the individual. They celebrate the dignity of man.

The goal ahead is not a welfare state, but a state of well-being for all people—a state of well-being that is true to the principles of the Declaration of Independence, loyal to the wisdom of the Constitution, and faithful to the freedoms of the Bill of Rights.

Great forward strides have been taken, but there is still some distance to travel, and the path ahead may not always be smooth and not always clearly marked.

HUMAN RIGHTS

This Congress came to grips with two basic issues that had long been neglected, and this Congress successfully resolved them with the passage of legislation to assure the right to vote to all citizens and to end discriminatory practices in the admission of immigrants to this country. I was privileged to cosponsor the immigration reform bill and to write the majority report approving the voting rights bill. Enactment of these measures is vital to the fulfillment of the American ideal of equality for all.

Recognition also was given to the plight of Cuban refugees desiring permanent resident status and the problems of overhauling bail procedures in bills developed by the Judiciary Committee.

HUMAN NEEDS

Specific measures were passed to give special assistance to senior citizens, veterans, and those who have not had the benefit of education and employment opportunities.

For senior citizens, an Administration on Aging was approved to centralize all programs for the elderly, social security benefits were increased and expanded, and most important of all, the long struggle for medicare ended in victory. I was pleased to cosponsor and support these measures.

For disadvantaged citizens, the Job Corps, community action program, Headstart, and other antipoverty projects were extended and a rent supplement program authorized to break the cycle of poverty and give hope to those who have known only despair.

For veterans, the cold war GI bill will provide educational and housing benefits to post-Korean veterans. I was a cosponsor of the bill finally enacted. This Congress also authorized pay increases for military personnel and increases for veterans' pensions, improved health benefits for retired personnel, insurance and free mailing privileges for our men in Vietnam, and a number of other measures to assure a strong and safe America.

In the field of education, at all levels, the 89th Congress has compiled a magnificent record with programs of grants and assistance for construction, to help end the teacher shortage, to increase research facilities, and to provide financial aid to students.

In the field of health, in addition to medicare, this Congress approved the establishment of regional centers to combat the major killing diseases—heart, cancer, and stroke; expanded programs to wipe out polio and other infectious diseases; provided aid for medical students; and expanded the program for the vocational rehabilitation of disabled persons.

Additionally, a bill for the rehabilitation of narcotic addicts, which I cosponsored, has passed the House and is awaiting final approval in the Senate.

ECONOMIC DEVELOPMENT

The challenge of maintaining a strong and healthy economy while providing fully for the conflict in Vietnam has been met by this Congress through the approval of checks and controls sought by the administration.

Important to our continued economic growth is the passage of legislation to increase the minimum wage and extend its coverage to additional workers, to adjust interest rates, and to authorize additional loan funds for home buyers.

Small business will benefit from legislation passed to improve and expand loan procedures and amounts.

In appraising legislation affecting the economy, I have given full consideration to the needs of labor and management in the belief that our continued prosperity is dependent upon fair and just treatment of both.

URBAN AFFAIRS

Because of the urban-suburban character of the 10th District, I will outline separately a number of measures of special importance to our area.

A measure which I cosponsored and strongly supported establishes the Department of Housing and Urban Development to deal specifically with the problems related to the growing urbanization of America, including mass transit, housing, renewal of slums, and the improvement of educational, economic, and social conditions of the people who live in slum areas.

The twin problem of water and air pollution has been of concern to me for years, and I have worked to develop effective control programs in the United States and at the international level through my participation in the NATO Parliamentarians' Conference. In this Congress we succeeded in extending the Clean Air Act to provide grants for air pollution control, a solid wastes disposal program, and a program for the elimination of pollution from motor vehicle exhausts. Legislation which I cosponsored was adopted to establish a Water Pollution Control Administration.

Other measures of importance to urban residents include the high-speed rail transportation program, extension of the highway system, and the traffic safety bill with its provision for Federal standards for all new cars.

CONSERVATION AND NATURAL RESOURCES

Important natural resource and conservation measures were approved by this Congress, including efforts to increase water supplies in drought-parched areas like New Jersey through a Water Resources Commission, a desalinization program, and increased water research grants.

Of particular importance to New Jersey residents is the Delaware Water Gap National Recreation Area, approved as part of the Tocks Island project. It will create a 37-mile-long body of water for boating, fishing, and swimming, while preserving thousands of acres of natural beauty for the enjoyment of hikers, campers, and picnickers.

Congress also acted to expand recreational facilities and fish and wildlife benefits in watershed areas and approved legislation which I introduced to preserve and develop the Hudson River.

INTERNATIONAL AREA

The conflict in Vietnam dominates the international scene. It is an agonizing situation, but until the Hanoi regime agrees to negotiate we must honor our commitment to protect Vietnam's independence. As chairman of a special subcommittee which investigated the refugee problem in Vietnam, I had the opportunity to talk personally with many of our fighting men there. Without exception, these young Americans expressed their strong belief in the cause for which they fight and in the necessity to continue the struggle until a just solution is achieved.

While we continue to explore every possible avenue to a peaceful settlement, we have not closed our eyes to the second struggle in Vietnam, the one against hunger, disease, and poverty. For this humanitarian purpose, Congress approved a supplementary aid program. We also extended the Peace Corps and the Arms Control and Disarmament Agency, and provided emergency food aid for famine-suffering India.

WORK FOR THE 90TH CONGRESS

In the limited time remaining, it is doubtful that Congress will act on all of the meritorious legislation pending. I am concerned, for example, about the civil rights bill which I managed when it was before the House and which the House approved. Against a background of unrest, disturbances, and rioting that erupted in some areas of the country, the Senate failed to act on this measure. I abhor the violence and looting of unlawful mobs on the loose. Under no circumstances can such actions be condoned. We must keep in mind, however, that the rioting and disturbances are the handiwork of a handful of brash and irresponsible extremists, and that millions of Negro citizens should not be made to suffer because of the rashness of the few troublemakers. We need calm and tranquillity, and we need good laws to generate respect for the law. The civil rights bill will make a good law and will contribute importantly to the easing of racial tensions. The situation, however, is so urgent that I have introduced the antiriot provisions of the bill as separate legislation. The terror and havoc which have destroyed the peace in various communities must be halted. At hearings today I urged speedy approval of this measure, for I believe its enactment will help to make it possible for voices of reason to prevail.

Another pending bill with which I am concerned is one to limit the powers of States to tax interstate commerce. This measure, developed after 4 years of study by a special Judiciary Subcommittee of which I am a member, will be of particular help to business, large and small.

Despite the lack of final action on these and other important bills, it is evident that the record of the 89th Congress has more than justified President Johnson's description of it as "the greatest outpouring of creative legislation in the history of the Nation."

In determining my position on this legislation, I have—as always—given full consideration to the views of all residents of the 10th District, regardless of political affiliations. It is only natural that in a district as diverse and populous as the 10th District the residents will hold to varying shades of opinion on the many bills involved. I respect the views of each individual and consider them fully and fairly. In the final analysis I have taken my stand on the basis of what, in deference to all of these opinions, I believe is in the best interests of the people of the 10th District and the Nation.

During the nearly 2 years of the 89th Congress, I might point out, my office has received more than 100,000 pieces of mail from 10th District residents, expressing their opinions on pending legislation, seeking information, or requesting assistance in connection with problems involving governmental agencies.

Every letter, every postcard, was given careful attention, and every problem, no matter how big or small, where I could properly be of help, was followed up quickly and diligently.

Mr. Speaker, I hope to represent New Jersey's 10th District in the 90th Congress, and I extend, through this report, my offer to assist those who need help. As in the past, I welcome the views of all 10th District residents and the opportunity to be of service to them.

THE PRESIDENT AND THE JEWISH COMMUNITY

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MULTER. Mr. Speaker, there has been a great deal of misinformation published recently concerning some remarks attributed to President Johnson with respect to this Government's support of Israel and the alleged relationship of that support to the attitude of the Jewish community toward administration policy in Vietnam.

There is no question that the overwhelming majority of lay opinion in the Jewish community supports President Johnson's policy in honoring our commitment to the people of South Vietnam and there is no question but that we could not be asked to keep our commitment to Israel and violate the same commitment to South Vietnam.

To clarify this matter even further, I commend to the attention of our colleagues the following statement issued September 12, 1966, by Dr. William A. Wexler, president of B'nai B'rith:

> B'nai B'rith places little credence in the validity of the statements attributed to President Johnson in which the Administration's support of and aid to Israel was equated with a presumed attitude of the American Jewish community toward the war in Viet Nam.
>
> We also find no reason to accept as substantive the publicized statements which interpreted the President as having expressed a near-blanket indictment of Jewish organizations for a supposed view on the Viet Nam issue.
>
> Rabbi Jay Kaufman, executive vice president of B'nai B'rith, and I met with the President Saturday evening. [Sep. 10]
>
> It is our belief that the President's views were either misunderstood or poorly interpreted to the news media.
>
> It is evident to us that the views attributed to the President conveyed neither his attitude nor his convictions.
>
> The inference of an interrelationship between future American-Israeli affairs and support among Jewish organizations for Administration policies in Viet Nam appears to us to have been as inaccurate as it was unfortunate.
>
> It was an inference wholly inconsistent with Mr. Johnson's long-standing views regarding United States relations with Israel. His record, dating back to his service as Senator and Majority Leader, has been consistently predicated on a spirit of friendship and mutuality between the two nations; his actions, consonant with our national interest in reducing political tensions and the threat of war in the Middle East, have been productive.
>
> Implicit in the publicized statements was a contention that most Jewish organizations do not support United States policy in Viet Nam.
>
> There is no real basis for such an inference.
>
> In the view of B'nai B'rith, it is inaccurate to speak of a distinctly Jewish viewpoint on Viet Nam.
>
> There is none as such.
>
> The fact is: most Jewish organizations have adopted no formal views or policies on Viet Nam.
>
> Among those that have, only a few have taken a pro or con position on the opposing views of American escalation of or withdrawal from the war. Even here, there exist strong differences of opinion within the constituencies of these organizations.
>
> B'nai B'rith supports the principle of the right of small nations to the integrity of their independence and to pursue their own destiny.
>
> We believe that the major powers have a moral responsibility to preserve that integrity and freedom, and we are concerned—as we understand the President to be—that a neo-isolationist mood can threaten to negate this principle.
>
> The differing viewpoints and the absence of definitive positions by most Jewish groups appear to us to demonstrate an ambivalence among American Jews that is parallel with and a part of the uncertainties and division of thought and attitude evident in the Congress, the religious community, other elements of our society and the citizenry as a whole.
>
> Jewish organizations have been nearly unanimous on a single, corollary aspect of the Viet Nam crisis—the right of and need for those who disagree with Administration policy to express their dissent freely and, of equal importance, responsibility.
>
> Support of this basic American principle was demonstrated at the National Community Relations Advisory Council meeting in Washington in June. The resolution subscribed to by the participating Jewish groups affirmatively supported and quoted President Johnson's expressed view that "No American, young or old, must ever be denied the right to dissent. No minority must be muzzled. Opinion and protest are the life breath of democracy—even when it blows heavy."
>
> It is regrettable that this resolution has been, at times, misinterpreted or distorted to simply a Jewish viewpoint on the Viet Nam issue itself.
>
> The resolution dealt singularly and exclusively with the right of dissent. It did not in any way express either adverse judgment or endorsement of Administration policy in Viet Nam.

BANK MERGER ACT

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. TODD] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. TODD. Mr. Speaker, I have noted the recent statement of the gentleman from Texas [Mr. GONZALEZ] regarding the Bank Merger Act of 1966.

I am pleased that he has brought statements of our fellow colleagues to my attention, so that this matter might be put in the proper perspective. We can only look to the statements of this body prior to the passage of the act in determining what was the intent of Congress. At that time this issue was freshest in all our minds. At that time we were most intensively immersed in the matter. At that time the statements that were made regarding the intent and meaning of the act were representations to one's fellow colleagues, made solemnly on the floor of this body. At that time each Member had the opportunity to examine and question one's colleagues, should any doubt have existed in a single mind as to the meaning of the bill that we were considering. At that time any Member might object if he heard any idea or interpretation that he considered in error, so that the official debate would be officially correct in everyone's mind.

In that atmosphere of examination and debate, the meaning of a piece of legislation emerges. The value of unilateral statements, composed long after the fact, not open to the questioning and thorough examination of debate, has no value whatsoever in determining the legislative intent of an act.

Men may reconsider their views. Men may forget. Men may change their positions with time.

Quite rightly, we must examine the actual words of the Members of this body if we are to determine the congressional intent of the Bank Merger Act of 1966.

This was primarily an act composed in this body. The committee of which I am privileged to be a member radically changed the bill that it received. For better or worse, this body and the House Banking and Currency Committee are officially the authors of the Bank Merger Act of 1966.

There appears to be confusion about the interpretation of the act, and unfortunately my statement in the report on the bill may prove all too accurate—House Report 1221, 89th Congress, 2d session, January 24, 1966, pages 35–36:

> Although it is my understanding that the bill leaves the antitrust laws intact, it will be argued by any future beneficiary of an anti-competitive merger that the bill intends to eviscerate the antitrust laws: Accordingly, the intent of Congress, . . . will probably require definition by the Supreme Court. Until that time, we will not know the meaning of what we have written.
>
> The majority reports states: "(1) The bill would establish a single set of standards for the consideration of future mergers * * * under the antitrust laws * * *", and in the section 2(d) H.R. 12173 defines the antitrust laws as those now in existance. Thus, there is a clear implication that the antitrust provisions have not been changed.

It is my hope that an examination of the debate on the floor will clearly resolve the meaning of the act. If confusion persists among those who have large financial interests in proving otherwise, I have little doubt that the courts of the Nation will correctly see the legislative history in its proper perspective.

The debate on February 8, 1966, on the act was long and regarded many, many facets of a highly complex subject.

One thing however, comes through from it all loud and clear, and that is that the antitrust laws under the standards enunciated in the 1966 act apply to banks with equal if not more force than before. The basic concept emerges, time and again, during the course of debate, that competition is the prime factor to be considered in bank mergers. Bank factors, to be sure, have their part in the weighing-in processes of a bank merger, but competition is preeminent. The act stands for legislative reaffirmation of the Philadelphia case. It gives added strength to the holding in that case.

I quote from my statement in the committee report, No. 1221, on the bill:

> The committee is fully cognizant, as a consequence of the hearings, of the interpretation of the "public interest" as enunciated by the Supreme Court in the Philadelphia case:
>
> "It therefore proscribed anticompetitive mergers, the benign and the malignant alike, fully aware, we must assume, that some price might have to be paid. * * *
>
> The fact that banking is a highly regulated industry critical to the Nation's welfare makes the play of competition not less important but more so. At the price of some repetition, we note that if the businessman is denied credit because his banking alternatives have been eliminated by mergers, the whole edifice of an entrepreneurial system is threatened; if the costs of banking services and credit are allowed to become excessive by the absence of competitive pressures, virtually all costs, in our credit economy, will be affected; and unless competition is allowed to fulfill its role as an economic regulator in the banking industry, the result may well be even more governmental regulation. Subject to narrow qualifications, it is surely the case that competition is our fundamental national economic policy, offering as it does the only alternative to the cartelization or governmental regimentation of large portions of the economy."

However, this is not what one person believes. Others told their fellow colleagues their interpretation of the act prior to our voting on it. It is with their uncontradicted and uninterrupted statements on the floor at that time with which I agree. As the distinguished and knowledgeable chairman of the Banking and Currency Committee stated on February 8, 1966, at page 2441 of the Congressional Record:

> This bill, in contrast [to the seven factors of the Bank Merger Act of 1960], makes the competitive factor pre-eminent. And the competitive standard to be applied is clearly that of the Sherman and Clayton Acts. In fact the language of paragraph 5 of the bill is taken directly from the language of sections 1 and 2 of the Sherman Act and section 7 of the Clayton Act, and intentionally so.
>
> * * * * *
>
> I would like to emphasize again that, as far as the bank supervisory agencies are concerned, the standard established under this bill is a stricter standard for approving mergers than that in the 1960 Act. Under this legislation competition is pre-eminent. Under the 1960 Act competition was only one of seven factors to be considered by the bank supervisory agencies.

After the remarks of the chairman of the committee, then the ranking member of the other party, the distinguished gentleman from New Jersey [Mr. Widnall] rose and continued to explain the bill to the members present—Congressional Record, page 2442:

> I believe, Mr. Chairman, that the bill has been explained sufficiently by the Chairman of the Committee on Banking and Currency, and the gentleman from Texas [Mr. Patman] quite fully as to the context of the bill.
>
> * * * * *
>
> H.R. 12173 does not attempt to make bank mergers easier by rewriting the antitrust laws.

Thus the gentleman from Texas [Mr. Patman] and the gentleman from New Jersey [Mr. Widnall] agreed on this very fundamental issue.

Other knowledgeable members of the Banking and Currency Committee agreed with the above statements during the course of the debate:

The gentleman from Ohio [Mr. Ashley] stated—Congressional Record, page 2446:

> Briefly summarized, H.R. 12173 would establish a single set of standards for the consideration of future mergers by the banking supervisory agencies, the Department of Justice, and the courts under the antitrust laws—standards stricter than those in the Bank Merger Act, but which include both the effect of the merger on competition and the convenience and needs of the community to be served.

The gentleman from Pennsylvania [Mr. Moorhead] reinforced this position with his speech—Congressional Record, page 2448:

> In the bill which is before us, we do not go as far as the Supreme Court did in minimizing the antitrust factors. We do not merely say that the merger must be "consistent with the public interest" as the Court said. We gave greater weight to the antitrust factors by providing that the merger cannot be approved unless, "the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest."

The gentleman from New York [Mr. Ottinger] further reinforced the interpretation of the bill before us during that debate when he stated—Congressional Record, page 2456:

> It preserves intact section 2 of the Sherman Act as applied to banks and weighs other antitrust laws against the convenience and needs of the community keeping anticompetitive factors predominant. Those who say that it has the effect of repealing the antitrust laws as applied to banks are misleading their colleagues.

The distinguished gentleman from New Jersey [Mr. Minish], in analyzing the bill, declared—Congressional Record, page 2451:

> This bill established competition as the primary factor in determining whether a bank merger shall be approved by the appropriate bank supervisory agency.

During the course of the debate on the floor, the distinguished gentleman from Georgia [Mr. Weltner] and the distinguished gentleman from Wisconsin [Mr. Reuss], both lawyers of vast experience in their own right, examined the exact impact, if any, that the Bank Merger Act of 1966 would have on the factor of competition:

> Mr. Weltner. If the gentleman will hold a moment, let us assume that we have a bank merger which tends to create a monopoly. I should like to ask the gentleman if he can suggest to me some circumstances involving the convenience and needs of the community where the tendency to create a monopoly may be clearly outweighed in the public interest by the probable effect of that proposed transaction on meeting the convenience and needs of the community to be served.
>
> Mr. Reuss. I will be very glad to do so. Take a community with two banks. One of those banks is failing. In such a situation, even though the absorption of the failing bank will create in the community thereafter one bank, a monopoly, I think that that might well be upheld as a merger which would meet the convenience and needs of the community. Indeed, I remind the gentleman from Georgia that under existing antitrust law such a merger would be valid. I reiterate my contention that we are not here today in any way tampering with the existing enlightened interpretation of the antitrust laws.
>
> Mr. Weltner. Is the gentleman saying that this legislation does not affect the antitrust laws as they are written and presently interpreted by the Court, to wit, in the Philadelphia case of June 1963?
>
> Mr. Reuss. I am so saying. I think under this law, as amended, a court could very well come to precisely the same conclusion as the Court did in the Philadelphia case, holding that the 30-percent concentration inherent in the merger sought in that case was not overweighed by the convenience and needs of the community.
>
> Mr. Weltner. The gentleman's response is encouraging. As one of the chief architects of this bill, his interpretation is helpful to me as one concerned about the application of the antitrust laws.

It is important to note that not only did these two gentlemen agree that the antitrust laws were not in any way affected by the Bank Merger Act of 1966, but that they also defined the phrase "convenience and needs of the community" as applying to failing banks. These are the shotgun mergers, which have always been recognized as standing in a unique relationship to the antitrust laws.

Indeed, this removed entirely the ambiguity surrounding the phrase "convenience and needs of the community." It places in phrase in the proper context of previous legislation, designed to protect the community from failing banks. Special timetables exist for mergers involving failing banks. This is a unique distinction, and we recognized it as such.

The distinguished gentleman from Connecticut [Mr. Grabowski], in expressing his analysis of the bill, stated during the debate the following—Record, page 2462:

> The bill would establish a single set of standards for the consideration of future mergers by the banking supervisory agencies, the Department of Justice, and the courts under the antitrust laws. These standards are stricter than those in the Bank Merger Act [of 1960].

During the debate on the floor the honorable and perceptive gentleman from Georgia [Mr. Weltner] asked me on the floor to clarify these impressions of the pending bill—Record, page 2457:

> Mr. Todd. I am pleased to yield to the gentleman from Georgia.
>
> Mr. Weltner. Would the gentleman from Michigan agree that in determining what is in the public interest in meeting the needs and convenience of the community to be served, it would be important to consider as

probably primary among those factors, the free and open competition between banks unfettered by contracts or agreements in restraint of trade, undiminished by monopolies, and without being strictured by the creation of economic units intended to stifle free and open competition?

Mr. Todd. I think that the gentleman from Georgia states it very well . . .

The Supreme Court has said exactly what the gentleman from Georgia said in defining public interest. The public interest is the preservation of competition.

All of the Members who are concerned about the meaning of the bill before the House on February 8, 1966, were present. All heard the above words, excerpts of the debate. When the vote came, the Members understood that they were voting on a bill whose meaning has just been documented above.

Men may change their minds after an event, and have doubts about the wisdom of their previous actions. They may question the wisdom of a bill after it has been fought over, debated, and passed. But none may doubt the meaning of the Bank Merger Act of 1966. It retains and indeed strengthens the antitrust laws. The importance of the anticompetitive factor cannot be overemphasized. With the full knowledge of the Philadelphia decision, this body chose to legislate a bill that would reaffirm that competition is a primary consideration when evaluating a bank merger.

The above is legislative history of the act under discussion.

Four months after the passage of the Bank Merger Act of 1966, the Comptroller of the Currency appeared before the Banking and Currency Committee to discuss H.R. 14026, a bill that would restore sound competition for savings and time deposits. On May 31, 1966, the Comptroller of the Currency and I discussed the relationship of competition and the public interest, and were able to come to agreement. It was gratifying that the Comptroller further substantiated and reaffirmed to my mind the position that I have demonstrated here today in this speech.

As the Comptroller and I differed on many matters during consideration of the Bank Merger Act Amendments of 1966, and as his lawyers undoubtedly will be arguing against the views stated in this speech in future cases, it was good to have had an opportunity, away from the sound and the fury of formal debate, to discuss the meaning of this matter and agree on it as two individuals, unburdened by one's immediate interests that require consideration and protection.

The dialog follows—"To Eliminate Unsound Competition for Savings and Time Deposits," hearings before the Committee on Banking and Currency, House of Representatives, 89th Congress, 2d session, on H.R. 14026, pages 278–280:

Mr. Todd. Then would I be correct in believing that you feel the broad public interest is promoted by competition, and that it clearly outweighs our traditional means of regulating the interest rate ceilings, that the promotion of competition——

Mr. Saxon. The answer is yes, the most efficient mechanism of allocating resources to their most effective use in the economy. I do not know how the Government can perform this function as efficiently. We talk about the housing industry. We project x starts. Now who can profess to say what the starts should be outside of the normal demand generated throughout the country and reflected in terms of the market forces.

Mr. Todd. So that the role of the regulatory agency then would be one of promoting financial soundness, but at the same time promoting competition between the various agencies which are being regulated, and this would be the primary public interest consideration of the agency.

Mr. Saxon. That competition ought to exist among all of the financial businesses generally.

Mr. Todd. Well then, would you feel that if the regulations were issued by a regulatory agency which had some anticompetitive effect, that this would have to be, if it were to be in the public interest, it would have to be addressed to the financial stability of the institution? In other words, the only reason for issuing a regulation which is anticompetitive would be one which would effect the financial soundness of the institution.

Mr. Saxon. I think this is correct.

Mr. Todd. The reason I bring this up . . . is we were to a certain extent on different sides of the Bank Merger Bill, but I think we both, based on this colloquy, believe that competition is the primary function of a regulatory agency and there is a primary public interest involved in financial institutions, would that not be correct?

Mr. Saxon. Yes, sir.

Mr. Todd. Fine . . .

With the agreement of the Comptroller of the Currency that competition is the primary part of the public inerest, there can be no question as to the interpretation of this matter. The maintenance and strengthening of open and free competition is the major and overriding public policy consideration in this field. All other factors must be subordinate to it.

On this there seems to be complete agreement, if one looks to facts. I am certain that no one would want to do otherwise.

DOMINICAN FORCE WITHDRAWN

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, we can all rejoice in the fact that the last units of the Inter-American Peace Force have been withdrawn from the Dominican Republic.

The new government of President Joaquin Balaguer deserves much credit for achieving the political stability and order which makes this withdrawal possible. But, as noted in the Houston Post, substantial credit also must go to President Johnson. Bloody civil strife or Communist domination might have been the legacy of inaction at the moment of difficult decision.

Hard decisions cannot wait, though their assessment must. It is gratifying to take cognizance of one hard decision that has been proved correct in the perspective of time.

I place in the Record the entire editorial as it appeared in the Houston Post:

[From the Houston Post, Sept. 21, 1966]

Dominican Force Withdrawn

Nobody ever was very happy over the necessity for outside intervention in the affairs of the Dominican Republic, least of all the United States, so there can be nothing but satisfaction over the fact that the last units of the Inter-American Peace Force have been withdrawn.

It is a tribute to the new government of President Joaquin Balaguer that sufficient progress has been made toward restoring order and political stability to permit the withdrawal, after only 17 months. But most of the credit should go to the Dominican people themselves for their rejection of extremism of both the right and the left when given an opportunity to express themselves.

It would be naive to believe, or even hope, that complete tranquillity is going to prevail in the country in the foreseeable future. Formidable economic problems remain to be solved. Only a start has been made, and until they are solved, they will nourish the roots of unrest. Moreover, the extremist elements that were responsible for plunging the country into bloody chaos or that undertook to exploit the situation remain on the scene and can be counted upon to take advantage of every opportunity for creating trouble that presents itself.

There were rumors recently of a coup against the newly elected government. This might have had the effect of delaying withdrawal of the inter-American troops, but the talk died down. It appears that the government of President Balaguer has the internal situation fairly well in hand and is headed down the right road. It is to be expected that there will be sporadic violence and bloodshed, but hopefully it will not be on a large scale.

Withdrawal of the inter-American force robs the Communists of their favorite propaganda theme. For all the shouting of Yankee-go-home slogans, this was the last thing that the leftwing extremists really wanted. It was inevitable that there should be some resentment among the Dominican people against outside intervention, and particularly against the United States. The left-wingers exploited these emotions fully.

President Johnson and his administration have been criticized sharply in some quarters for having initiated the Dominican intervention, but they can look back with considerable satisfaction upon events of the past 17 months. Except for the firm, positive and swift action taken by the United States, it is highly improbable that things would have worked out as they did. Indeed, it is quite possible that the Dominican Republic today would be under Communist control or still engaged in bloody civil strife.

Although the Dominican people and their moderate leaders deserve most of the credit for the progress that the country has made in recent months, this progress hardly would have been possible without help and guidance from Washington. From the standpoint of President Johnson, the Dominican episode must be regarded as much more of a feather in his cap than a black eye.

At the same time, probably nobody is happier about the fact that withdrawal of the last inter-American units was possible. Their presence, no matter how necessary, continued to be a thorn in inter-American relations. This thorn would have become increasingly painful if the troops had remained any longer than there was a clear, definite and demonstrable need for them to remain.

THE JOHN BIRCH SOCIETY: AN INVITE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, recently I conducted a seminar on the problems of unemployment in my home district of San Antonio, Tex. Among the participants were representatives of the business and community leadership. In connection with the seminar I stated that it was vital to the future growth of San Antonio that there be full commercial and industrial growth as well as maximum use of the available Federal, State, and local programs. Apparently, the John Birch Society was intrigued by my reference to the private sector, and as a result of my statement I received yesterday an invitation to join that organization.

For the interest and enlightenment of my colleagues in the House, I am inserting in the Record a copy of the unusual invitation from the John Birch Society along with my reply. I hope to keep the House further informed.

October 3, 1966.

Hon. Henry B. Gonzalez,
Twentieth Congressional District of Texas,
Federal Building,
San Antonio, Tex.

Dear Mr. Gonzalez: Enclosed is an application for membership to the John Birch Society. This application is tendered to you in view of your recent apparent conversion to Conservatism. Published comments by you, as they appeared in the local newspapers of September 13th and 14th, indicating strong concern for the dangers of government paternalism over the economy of this nation, is truly a conservative attitude. Holding to this concern it is only natural to assume that you will direct your future efforts to the idea of "Less Government" which is the John Birch Society's approach to the securing of more freedom for all.

In addition, since it is impossible to embrace two opposing positions at the same time, your strong stand for and support of all the Conservative candidates of your Party, has been a definite repudiation of your former Liberal supporters. Since TRUTH is the weapon of the John Birch Society we salute you in taking a definite stand befitting your position of leadership.

You have recently in articles published in all newspapers blasted the Administration and the Defense department policies for not curtailing defense contractor's profits and have claimed "despite the threat of inflation profits for contractors have zoomed right along." This, of course, would tend to support the idea that this war is an economic one and that the idea of communism vs americanism is only secondary. It is timely that you present this question just before an election, because there are many thinking people, not only members of the John Birch Society, that have drawn this same conclusion.

We applaud what is apparently your rejection of the doctrinaire Liberalism and feel that your courage in accepting the true worth of the conservatives in your Party will contribute much to our cause, which is the conservation of our form of government as prescribed by the founding fathers.

Whether you decide to take advantage of this application at this time or not, we want to assure you that you should feel free to call upon us for information of most reliable and detailed nature, which will be made available to you according to your need.

It would only be fair, but probably not necessary, to premise the acceptance of your application on your rejection as a congressman, the idea of the "Father idea" of a paternal government and accepting the idea that each citizen should accept more individual responsibility making possible less government thus allowing more freedom, creating a better USA and a better World.

Sincerely yours,
Charles W. Johnson, M.D.,
Member, John Birch Society.
Bard A. Logan,
Member, John Birch Society and Conservative Party Candidate for Governor.

Application for Membership

——, 19—.

The John Birch Society,
Belmont, Mass.

Gentlemen: This is my application for membership in the —— Chapter of the John Birch Society, for one year from this date, and for automatic renewal each year thereafter, unless I resign in writing. I understand the dues schedule printed on the back of this sheet as applicable to myself.

If my application is accepted, I agree that my membership may be revoked at anytime, by a duly appointed officer of the Society, without the reason being stated, on refund of the pro rata part of my dues paid in advance.

Sincerely,
(Name) ----------------------------
(Address) ----------------------------

Date ----------------------------
Dues Received ----------------------------
Application Approved By ----------------------------
Title ----------------------------

Dues Schedule

Life membership in the home chapter (which automatically covers membership in any local chapter), for men or women (this may be paid in two consecutive annual installments of $500 each)	$1,000
Regular annual membership in the home chapter (this is paid annually to the home office):	
For men	24
For women	12
Membership in local chapter, minimum per year (this may be paid as $2 per month for men, and $1 per month for women, to the local chapter leader):	
For men	24
For women	12

If any member wishes to pay larger dues, to support the Society's work (or to make contributions for that purpose), such dues or contributions may also be split into monthly installments if desired.

(Applications for membership in local chapters should be approved by the Chapter Leader. Applications for membership in the Home Chapter will be approved by the home office.)

October 5, 1966.

Dr. Chas W. Johnson and Mr. Bard A. Logan,
San Antonio, Tex.

Dear Dr. Johnson and Mr. Logan: Thank you for your invitation to the John Birch Society.

It is gratifying to know that some of my speeches have now reached the level of consciousness of the John Birch Society leadership in San Antonio. As a matter of fact, you would find, if you checked the record and some of my earlier speeches, that for years I have been urging the community and business leaders to place greater emphasis on greater commercial and industrial development of our city. The failure of the private sector to realize its potential is a serious limitation on the future growth of San Antonio. At the same time, the Federal government has played an important and constructive role in our area, and will continue to do so. The achievement of both full industrial and commercial development, and of maximum use of the available Federal, State and local programs, is in the public interest and is the challenge which faces San Antonio.

Before responding to your invitation, I wonder whether you can provide me with some information about your organization. I would like to see a copy of your constitution and bylaws and whatever literature you can send to explain the goals and purposes of the JBS, its organization and structure, and eligibility and requirements of membership. I would also like to know something about the membership. How many members of the JBS are there in San Antonio, and what are their names? Who are the officers of the San Antonio branch? What is your relationship to the national JBS? Are any other groups subsidiaries or in any way affiliated with the JBS, such as the Minutemen? Is the John Birch Society a political organization, or does it consider itself a non-profit or educational organization? What can you tell me about the activities of the JBS in Texas and in the San Antonio area?

As soon as I receive this information and have a chance to study it, I will be in a better position to evaluate your invitation.

With every good wish, I am,
Sincerely yours,
Henry B. Gonzalez,
Member of Congress.

POLISH BISHOP SPEAKS AT ST. PATRICK'S CATHEDRAL

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, on Sunday, September 25, His Excellency Bishop Wladyslaw Rubin, auxiliary to Stefan Cardinal Wyszynski, Primate of Poland, delivered the sermon at a mass in St. Patrick's Cathedral in New York marking the observance of Poland's millennium. The sermon, as reprinted in the September 28 edition of Nowy Swiat, the Polish Morning World, follows:

We are gathered here today to commemorate the one thousandth anniversary of Poland's Baptism. With our celebration, we are entering in a great current of prayers flowing throughout the Universal Church, to honor God and to thank Him for the gift of faith which the Polish nation received a thousand years ago.

It is obvious, that for celebrating such a great event, the Polish nation first of all unites in prayerful assemblies.

The Polish people manifested their feelings for the Church in many ways and especially in the participation of the observances which are taking place throughout the country in these last few months. However, many of Poland's Millennium celebrations encountered difficulties, obstacles and harassments; and yet, her people keep their faith in God and remain faithful to the Church and the pastors.

It was not only the Polish nation who wanted to celebrate this event, but many fellow Christians and brothers in Christ throughout the world were anxious to join the Catholics in Poland in their joy and to unite with the Polish nation in prayer and sacrifice.

Above all the Holy Father, Pope Paul VI has shown great interest and enthusiasm for the Millennium celebration in Poland. Therefore the Church in Poland wanted to give her children the greatest possible joy: the presence of the common Father of all Catholics, Pope Paul VI, at the thanksgiving services in Czestochowa. For that reason, Cardinal Wyszynski appealed to the government in his own and in the name of the Polish Bishops to allow the Holy Father's visit. The Cardinal knew how much good it would add to the prestige of the country, and how easily it would help maintain peace in the land. The government's refusal wounded the feelings of the Poles for all the grief it caused the Holy Father, whom they love and for throwing away a splendid opportunity for good.

Since the Polish government would not allow the Holy Father to participate in the ceremonies at Jasna Góra. He offered the Mass in the Chapel of Our Lady of Czestochwa beneath Saint Peter's Basilica at the very same time when the celebrations were going on in Poland. A few days later, on May 15, before a crowd of thousands of Poles living abroad who came to Rome, the Holy Father celebrated Mass at Saint Peter's Basilica to commemorate the Millennium. In his sermon, the Holy Father refuted the government's claim that the Millennium was a political maneuver of the Polish Hierarchy. He went on to say that the faith shown during the Millennium celebration serves well for Poland's future as a modern advancing nation.

The Church in Poland wishes just to fulfill that mission working so that the nation would remain Christian, so that it would not lose its faith. Therefore the Church in Poland wishes to actualize the ecumenical renewal of spirit in every segment of its spiritual life and in every field of human endeavor. No one more than the Church of Poland demands that the Conciliar Constitutions, decrees and declarations be put into practice. All of the documents would be of great benefit to the Church in Poland. But the Church in Poland cannot put them into practice, because the Church in Poland is often denied the possibility of introducing fully the decrees due to restrictions and harassments imposed on her activities. In this ecumenical renewal Stefan Wyszynski plays the most important role. The Pope John XXIII, great friend of the Polish people, at an audience for the Poles on November 19, 1958, acclaimed Cardinal Wyszynski as the Shepherd of the highest virtue who brings honor and glory to his nation and the Church. "Under his leadership", said the saintly Pope John XXIII, and under that of all your Shepherds . . . the Polish Catholics shall not falter." It was as though he had a premonition that there will be those who will use his great and good Person of the Good Shepherd to evil ends in their struggle with the Church; he said: "Let no one allow himself to be seduced by those movements that appear under the label 'Catholic' but are not its true expression" Pope John warned us against such Catholics who take separate thought out of the context of his teaching to fight the Church, especially if that thought had been wrongly interpreted. Those people never mention that Pope John demanded freedom for his oppressed Church. In his encyclical, "Pacem in terris" he defines the conditions of coexistence. He stresses that coexistence will be possible if the basic natural rights of the human person are respected in the State, in international relations, and in the family. These are the rights to truth, freedom, justice, mutual respect and love. The Catholic Church in Poland has called on the State for laws which recognize her as a legally existing public body. She demands the right to establish religious groups, sodalities, brotherhoods of Christian mercy, schools, hospitals, social centers to use instruments of social communication such as the press, radio and television. The Church in Poland does not ask for privileges, she merely asks to be treated in the same manner as are treated the unbelievers.

Man today wants full religious freedom and respect for his beliefs. He will not impose his beliefs upon others, but he is entitled to hold and openly profess his beliefs. No one has the right to oppose the faith of others. No civil authority has the right to interfere with citizen's beliefs or to try to change them by pressure. Though the authorities have the right to prepare citizens for modern life, and therefore to set certain educational standards, they cannot require people to abandon their God. "Peaceful coexistence within a particular country means respect for every citizen in every situation."

The Church in Poland follows the line of the Vatican Council and walks in the footsteps of Popes, John XXIII and Paul VI. Such is the meaning, the sense, and the character of the Millennium observance in Poland. The Church in Poland desires to build bridges between people, to reconcile everybody, extending a friendly hand to all. We are confident that the spirit of love and forgiveness, so strikingly present in the observances and celebrations in Poland, will bring freedom to the Church, the freedom for which the nation prayed by offering itself in holy slavery to the Blessed Mother at Czestochowa on May 3, 1966. How solemn and grand it would have been had the Holy Father been present there. That was the one desire of the entire nation, of the Polish Episcopate, and especially of the Cardinal Primate who begged competent authorities to allow the Holy Father's visit.

In order to live this period of divine grace in peace and quiet joy, and with greatest spiritual benefit, the Church in Poland wanted to share her joy with the entire Catholic world by sending out invitations to Catholic Hierarchies all over the world.

How great would have been Poland's joy if the members of the American Hierarchy were allowed to attend! Unfortunately, your Bishops and many of the priests were denied the chance to become acquainted with the Polish people and their country, for many of you, the land of your forefathers. But this did not diminish in the least your good will and benevolence to Poland and her Church.

Your compassionate love prompted you to manifest your sentiments for the Polish people and for the Church in and through these Millennium observances programed originally for the arrival of Stefan Cardinal Wyszynski. There again you were painfully touched by the Cardinal's inability to obtain passport. I wanted so much to see this brave man of God who fearlessly defends the rights of the Church and her faithful, though in consequence he suffers continued harassments and calumnies from the enemies of the Church. You wanted to know more intimately this servant of God whose only ambition in life is to be a true Father to God's People entrusted to his care.

You were denied all this. Yet, your good and generous hearts toward Poland urged you to gather here with your Shepherd, His Eminence Francis Cardinal Spellman, to participate in these ceremonies commemorating Poland's Millennium of Christianity.

As the representative of the absent Cardinal Wyszynski, of the Polish Episcopal Conference and of the entire Church in Poland, I want to thank first you, Your Eminence, for having taken a kindly interest in this Millennium observance and for having so generously consented to preside.

I would like to thank H. E. Paulo Cardinal Marella for gracing this occasion with his presence. We wish to thank the H. E. the Most. Rev. Archbishop J. Krol for celebrating this Millennium Mass.

Our special thanks go to the American hierarchy for having invited the Cardinal Primate of Poland, and for all the generous help given to the Church in Poland. Many sincere thanks for the Polish American clergy and Sisters as well as to all lay people who take an active part in Polish American affairs, and especially to all who were responsible for the preparations of today's observance. Our warmest thanks to America, particularly to Polonia—Americans of Polish ancestry—for your constant generosity and goodness of heart. Today's solemnity will serve to tighten the bonds that unite the Church in America with that of Poland, and at the same time strengthen the ties of friendship between the two countries.

Lastly, I beg your fervent prayers for the Church in Poland, for her shepherds and God's people in their care, so that our nation may be always faithful to God and to the Church. Pray that this great year of grace, the year of Sacrum Poloniae Millennium, be a firm foundation for a truly Christian Poland in the second Millennium upon which it is entering now.

Let us offer our prayers through the intercession of the Blessed Virgin Mary whom the Polish nation had so loved that it chose her for its Patroness and Queen. It knows that she is the perfect example for every person wanting to live accordingly to the Will of God, to realine the kingdom of God in his own and in the souls of others. She lived it perfectly. Through Mary to Jesus. Queen of Poland, pray for us.

AID TO FAMILIES OF DEPENDENT CHILDREN

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FRASER. Mr. Speaker, I wish to speak in support of section 213(a) of the amendments to the Elementary and Secondary Act of 1965.

This section, of which I am a sponsor, would permit mothers on public assistance who hold jobs under this act to retain part of their earnings. They would be allowed, for a period of not less than a year and not more than 2 years, to keep the first $85 of their monthly income.

The purpose of this amendment is to provide supplementary income to the welfare checks paid to mothers on the aid to families of dependent children—AFDC—program. With the help of such supplementary income it is hoped that the mothers can learn job skills that will lead to eventual self-sufficiency.

Without any question, Mr. Speaker, adoption of the amendment would benefit mothers employed under the provisions of this act. But considerably more important would be the benefits to society as a whole. This amendment would contribute, I am sure, to the economic and social well-being of our Nation. It would give many mothers who are now on relief the chance to hold jobs and help to support their families. Not all AFDC mothers would choose to work, of course; and those who prefer to spend full time with their children would have the option of doing so, as they have now.

My only regret about this amendment is that it does not go far enough. It is only one step, applying only to mothers employed under one program. I have introduced another bill, H.R. 15167, that would apply to all AFDC mothers, regardless of their employment.

This week, Mr. Speaker, the Minnesota AFL–CIO Federation of Labor is holding its ninth constitutional convention in Rochester. Two resolutions have been submitted to the convention on the subject of AFDC improvements. I insert the text of both in the RECORD. The first, submitted by the Minneapolis Central Labor Union Council, reads as follows:

Whereas: The Minneapolis AFL–CIO Central Labor Union Council has always been aware of the primary objectives of the War on Poverty and has always encouraged individuals who are dependent and who are on welfare roles to improve their education, their skills and gain work experience that will enable them to become self-supporting citizens; and

Whereas: Many mothers of young children feel it is necessary to remain at home to care for their children on a full time basis, and should be encouraged to do so, nevertheless, as children enter school many mothers can and wish to be self-reliant by working; and

Whereas: The existing laws provide little or no financial advantages for AFDC mothers to be employed, thus stifling initiative and ambition and thus denying those mothers who wish to work a sense of competence and independence derived from improving the standard of life of their children and discouraging mothers from participating in the dignity of work to improve their lot in life; and

Whereas: This existing situation does not realistically emphasize that portion of the purpose of AFDC which states that the program should provide "the opportunity for self-support and to strengthen family life"; and

Whereas: The existing law actually hinders rather than encourages an AFDC mother to seek opportunities to continue her education and to seek training and work experience to prepare her for her own self-support as her children grow older and she is no longer eligible for AFDC; and

Whereas: The Federal Government has accepted the principle of realistic incentive income by permitting AFDC mothers who work on the programs of Economic Opportunity Act, Title I and Title II, to retain a portion of their earned income; now, therefore, be it

Resolved: That the 9th Constitutional Convention of the Minnesota AFL–CIO Federation of Labor encourage the Federal Congress and the State Legislature to strengthen the law to permit wider opportunities for AFDC mothers to continue their education and training to change the law both federal and state in order to establish a policy of incentive income that will be both realistic and reasonable that will enhance self-support, normal participation in the community and a spirit of enterprise in the family.

The second, submitted by Council No. 1 of the American Federation of State, County, and Municipal Employees, reads as follows:

Whereas: Federal legislation permits the states individually to liberalize federal categorical assistance policies, permitting exemption of some earned income of parent or child to improve incentive toward further employment; and

Whereas: This legislation will not result in increased cost to taxpayer; and

Whereas: It will encourage the adult and/or child and he or she may earn a part of the budget as well as the incentive, it could reduce some AFDC payments; and

Whereas: The incentive would mean that assistance families could occasionally enjoy items and/or outings such as non-assistance families usually enjoy; thus children could be provided for more similarity to their classmates with an allowance to give experience in money management and as an incentive to work and thus family life strengthened; now, therefore, be it

Resolved: That the 9th Constitutional Convention of the Minnesota AFL–CIO Federation of Labor, its councils and central bodies support enabling legislation to permit exemption of some earnings to act as incentive to families receiving categorical aid.

NATIONAL BUSINESS WOMEN'S WEEK

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SCHISLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SCHISLER. Mr. Speaker, October 16 to 22 marks the annual observance of National Business Women's Week by the National Federation of Business and Professional Women's Clubs, Inc.

The first observance of this kind took place in 1928 with the announced purpose of dramatizing the contribution of women to the business and professional life of this country.

Since 1928, the observance of this week has become a time to take note of the dignity, the stability and the importance of business and professional women in this country.

More and more, we are being made aware of the important contributions made to our Federal, State, and local governments, to our Nation's economy, to our own local communities and to the private business world by the American woman. She is meeting our Nation's manpower shortages and offering a new dignity to the affairs of this country by her presence, her dependability, and her many worthwhile activities.

It is encouraging to me to note the increasing interest and activity by the Federal Government in extending to women an opportunity to share more fully in the affairs of this country. President Johnson has done much to upgrade the role of women in the American life.

There is still much to be done in this area, however, and we in Congress must continue our efforts in this important area of activity.

The National Federation of Business and Professional Women's Clubs and the other many fine business women's organizations have led in the effort to advance women's rights and upgrade the status of women in this Nation. They are to be commended, encouraged and supported in their good efforts.

I wish to take this opportunity to bring to your attention, Mr. Speaker, and to the attention of my colleagues the national legislative platform for 1966–67 adopted by the National Federation of Business and Professional Women's Clubs. I invite your attention especially to the three action items called for in the platform. These items will benefit men as well as women and deserve our careful consideration:

NATIONAL LEGISLATIVE PLATFORM, 1966–67, ADOPTED BY THE ANNUAL CONVENTION, JULY 24–28, 1966, ATLANTA, GA.

LEGISLATIVE PURPOSE

1. To elevate standards for the employed woman, to promote her interests, to create a spirit of cooperation, to expand opportunities through industrial, scientific and vocational activities, to secure equal consideration under the law and to establish conditions which assure both men and women the fullest opportunity and reward for the development of their capacities to the maximum potential.

2. To consider the place and responsibility of the employed woman as a concerned citizen in the complex democratic society of the United States, and to strengthen the role of this nation in world affairs.

ACTION ITEMS

Item 1. Propose and support legislation to amend the Constitution of the United States to provide equality of rights under the law to men and women.

Item 2. Propose and support (a) legislation in the field of employment which provides uniform laws and regulations for men and women as to working hours, working conditions, rates of pay, and equal employment opportunity; (b) uniform legislation for men and women in the areas of taxation and retirement.

Item 3. Propose and support legislation to provide for uniform jury service and uniform qualifications in the selection of men and women to serve on grand or petit juries in any court.

POLICY ITEM

Support measures within the framework of the United States Constitution to promote peace and strengthen national security and make effective the United Nations and such other international organizations of which the United States is a participant.

FREEDOM STUDIES CENTER

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DULSKI. Mr. Speaker, on September 25, the Freedom Studies Center was dedicated at Boston, Va. I, and certainly many other Members, regard this dedication as a historic American event. The nature and the objectives of this new American institution are unique and novel. As a member of the center's congressional advisory committee, I take great pride in this innovation in the American environment. Except in Korea, nowhere in the free world is there a comparable institution devoted to necessary instruction in psychopolitical warfare.

I was privileged to send a member of my staff, Mrs. Irene Neese, to the congressional aids schools conducted recently at the center. The wealth of information and interpretation she received in a short span of time demonstrates the high caliber of this institution. The efforts and contributions of many are responsible for this excellent level of achievement, but it must be nationally recognized that without the leadership and superb educational entrepreneurship of Mr. John M. Fisher, president of the Institute for American Strategy, all of this would not have come to pass. I warmly congratulate him on this achievement and extend my heartiest cooperation for the further development of the center. In this, I know that I am not alone.

Over 1,000 representatives from the broadest conceivable spectrum of our society participated in the dedication of the center. Because of the tremendous importance of this event for our security and our future, which every American should become acquainted with, I append the following indicative items to my remarks at this point:

First. The full text of the program at the center's dedication.

Second. The exemplary dedication expression by Dr. Lev E. Dobriansky, of Georgetown University.

Third. The article by James J. Kilpatrick on "A Great Concept: Freedom Studies Center," which appeared in the October 2 issue of the Sunday Star:

Dedication: Freedom Studies Center, Boston, Va., September 25, 1966

MUSIC

U.S. Navy Band, Lieutenant Commander Anthony A. Mitchell, USN, Leader; Warrant Officer Eugene E. McGowan, USN, Conducting

MASTER OF CEREMONIES

Wallace R. Fanning, Jr., NBC

INVOCATION

Reverend Daniel E. Powers, S.J., Director of Public Affairs, Georgetown University

COLORS CEREMONY

Massed Color Guards: Joint Colors Team representing the Armed Services—The American Legion, Department of Virginia—Veterans of Foreign Wars, Culpeper Post

DEDICATION EXPRESSIONS

Senator HARRY FLOOD BYRD, Jr., Virginia; Representative JOHN O. MARSH, Jr., Virginia; John M. Fisher, President, Institute for American Strategy; Dr. James D. Atkinson, Faculty Director of First Congressional Aides Seminar; Alan G. Grant, Jr., President, Orlando Committee; Dr. Walter H. Judd, Former Member of Congress; Senator THOMAS J. DODD, Connecticut; Admiral Arleigh Burke, Director, Center for Strategic Studies, Georgetown University; Kenneth D. Wells, Jr., Vice President, Freedoms Foundation at Valley Forge; Dr. Lev E. Dobriansky, Chairman, National Captive Nations Committee; The Honorable Constantine Visoianu, Former Foreign Minister of Romania; John W. Piercy, Chief, Conferences Division, Department of State; Lieutenant General J. L. Throckmorton, Director of Special Studies, Office of the Chief of Staff, Department of the Army; Rear Admiral James F. Calvert, Director of Politics—Military Policy Division, Office of the Chief of Naval Operations, Department of the Navy; Lieutenant General Jack G. Merrell, Comptroller of the Air Force, Department of the Air Force; Brigadier General Earle E. Anderson, Deputy Chief of Staff, Research, Development and Study, U.S. Marine Corps; Admiral Felix B. Stump, USN (Ret.); William C. Dougherty, Jr., Administrator, American Institute for Free Labor Development; Page Groton, Director, Iron Shipbuilders International Marine Council; Andrew C. McLellan, Inter-American Representative, AFL–CIO; Andrew A. Pettis, Vice-President, Industrial Union of Marine and Shipbuilding Workers of America, AFL–CIO; John P. Fraim, Chairman of the Board, Mutual Broadcasting System; Representative DANTE B. FASCELL, Florida; Dr. Woodrow W. Wilkerson, Superintendent of Public Instruction, Commonwealth of Virginia, and National Commander John E. Davis, The American Legion.

PRESENTATION OF FLAGS

William L. Gray, Commander, Department of Virginia, The American Legion, and Marshall E. Brookman, Commander, Culpeper Post, Veterans of Foreign Wars.

DEDICATION PRAYER

Reverend Horace D. Douty, Culpeper Presbyterian Church

CLOSING

John M. Fisher

BENEDICTION

Reverend C. N. Dombalis, Saint Constantine and Helen Greek Orthodox Church, Richmond, Virginia

RECEPTION

Music by Georgetown University Concert Band.

Freedom Studies Center: An Historic American Event

(Address by Dr. Lev E. Dobriansky, professor of economics, Georgetown University, and chairman of the National Captive Nations Committee and the Ukrainian Congress Committee of America, at Dedication Ceremonies of the Freedom Studies Center, Boston, Va., September 25, 1966)

Mr. Fanning (Master of Ceremonies), Distinguished Guests, and Dedicated Friends of Freedom, I am greatly honored to be afforded this precious opportunity for a strong expression of warmest greetings and best wishes for the solid success of this Freedom Studies Center. With all passion and guiding reason I convey them on behalf of the National Captive Nations Committee, all its associated branches and groups, here and abroad, and also the Ukrainian Congress Committee of America and its supporters on almost every continent of our earth.

Indeed, it would not be presumptuous to say that my words of greeting, hope, and determination also measure and express the suppressed voices and hearts of close to a billion fellow humans trapped in the captivity of over 27 nations in the Red Empire. The vehement and vitriolic denunciations by their totalitarian Red captors against the Captive Nations Week Resolution (Public Law 86–90) and our conduct of the annual Week furnish more than adequate negative support for this.

Without an iota of exaggeration or rhetorical pretense, it can veritably be said that the dedication of this Center is a singularly historic event in the glorious annals of our Nation's history. Yes, there are numerous institutions and foundations in this country devoted to the study of freedom, but this Center is unique and unprecedented. For here will be generated the embryo of a Private Freedom Academy which, in its concentration of the intricate field of psycho-political warfare, will be of fundamental, institutional value not only to the security interests of our own country but also to those of every non-Communist state in the Free World. For those of us who for over a decade have struggled to overcome this perilous cultural gap by advocating a public Freedom Academy, only to find ourselves still bogged in the morass of bureaucratic insularity and legislative imbroglio this event is a supremely happy one. And I for one believe it to be manifestly proper and institutionally symbolic (and wholesome) that the alert interests in the private sector of our society pave the way in the knowledge, science, and art of psycho-political warfare—the one field in which the Red totalitarians possess a virtual monopoly of advantage and use.

If in the course of its studies this Center achieves, among its many objectives, the one practical end of transporting into the minds of most Americans the idea, the concept, the scope and extent of professional Red revolutionism, this in itself would be worth unlimited billions of dollars of security and safety. The very idea of a professional Red revolutionary is incomprehensible in this day and age to most American minds. And yet it is this idea and its decades-long realization that, fundamentally, have enslaved close to half of mankind in the far-flung Red Empire. Once our people grasp this idea, all else will inevitably fall into place and this Center, after a period of expansion, will still face an acute housing problem.

Unquestionably, too, this dedication, followed by years of systematic implementation, will produce an enormous impact on the captive nations—not only those in Central-South Europe, but also on the many crucial ones in the Soviet Union itself (Lithuania, Byelorussia, Ukraine, Armenia, Georgia, Cossackia, Turkestan, and Idel-Ural) as well as in Asia, (North Korea, Red China, Tibet, Outer Mongolia, North Vietnam) and in our own hemisphere, Cuba. There is much to be studied and uncovered here, particularly in the non-monolith state of the USSR itself; and here, too, this Center can pioneer intellectually in our American environment and for expansive freedom throughout the world.

My friends, as in everything else human, there will be bumps and bruises in the early development of this indispensable Center, but these will be readily ironed out. As life is more mysterious and miraculous than death, so it is a miracle in itself that this Center has finally come to life, thanks to the tremendous assistance given by you and others throughout the country. Yet all of this assistance would not have congealed into this reality without the painstaking leadership provided by the versatile president of the Institute For American Strategy, Mr. John M. Fisher, to whom I pay our highest tribute and esteem.

[From the Washington (D.C.) Sunday Star, Oct. 2, 1966]

A Great Concept: Freedom Studies Center

(By James J. Kilpatrick)

BOSTON, VA.—The tiny community of Boston, Va., lies some 80 miles southwest of "Big Washington." It is 10 miles up the road from Culpeper. On to the west lie Scrabble, Woodville, Sperryville, and "Little Washington," and beyond them lie the Blue Ridge Mountains. Boston thus is situated in the midst of the most beautiful 200 square miles in the world, if not in the universe, but until last Sunday this wide space on Route 522 had no other distinction.

Now Boston, Va., is on the map. If plans of the Institute for American Strategy come to fulfillment—and these plans already are far along—the Institute's new "Freedom Studies Center" at Boston one day may become as well known in its field as the Naval Academy at Annapolis or the military academy at West Point. The Center, dedicated a week ago, has but a single purpose: It is to turn out graduates who know as much of the tactics and strategy of communism as prospective admirals know of the tactics and strategy of naval warfare.

Toward this end, the Institute for American Strategy some months ago acquired a 671-acre tract of land in Culpeper County, a mile or so from the wide space known as Boston. The property includes an impressive stone mansion that rises out of the hills as naturally as a granite boulder. From its courtyard, one may look to the Hazel River, plunging over rapids far below. In the middle distance, Black Angus cattle graze on green mountain meadows. On beyond are the soft and silent mountains, slate blue and dark blue, and still darker blue. Here the students will come.

It is important to touch on the setting, for the leaders of the Institute for American Strategy chose this lovely stillness as deliberately as any Thoreau at Walden Pond. They could have established their Freedom Studies Center smack in the middle of Big Washington or in some glass hutch on the Hudson. But their conviction is that men who would master great ideas need some measure of great tranquility to grasp them in. The small community of scholars they envision is not to be distracted by a jangling urbanism, pressing in.

The name of the "Freedom Studies Center" is a model of precision. The idea is to bring in small groups at first—25 or 30 at a time—for seminars of a few days or a few weeks. Twenty-eight congressional aides came as a vanguard to Boston on September 21 for four days of intensive studies. The next such group may be chosen from industrial leaders, then from professors of history and political science. In time, as a prospective building program moves ahead, most of the full-time students (about 400 in all) will be graduate students chosen from participating universities. They will study freedom, what it is, why the West must preserve it, how the East would twist freedom into slavery.

This is training in psychopolitical warfare. For those closest to the project, it is a dream coming true.

More than eight years ago, a group in Orlando, Fla., headed by Alan G. Grant, Jr., perceived the need for an academy that would train key men in government, in the armed services, in academia, and in private life in certain nonmilitary aspects of Communist aggression. They envisioned a govment-financed academy, patterned generally after West Point and Annapolis.

The idea was embodied in various House and Senate bills, sponsored by members of Congress from across the political spectrum: Senators Fong, Keating, Douglas, Proxmire, Lausche, Dodd, Hickenlooper, Goldwater, Mundt. The range was as wide in the House. But under the wet blankets of the State Department's opposition, the bills regularly went to sleep in committee.

Then the idea developed—and it was a better idea in every way—for the proposed Academy to be brought into being with private funds. The Institute for American Strategy, founded in 1958, took the lead. Fifty-five educational institutions and major organizations offered their support. To date, nearly $800,000 has been donated or pledged by leading foundations, corporations and individuals. A long-range goal has been set of $11 million. The land and the manor house are bought and paid for. The Center is now an institution in being.

The congressional aides who came here for the shakedown seminar heard a dozen cold war experts—Edgar Ansel Mowrer, Dr. Eleanor Dulles, Walter Judd, Allen Dulles. They heard Dr. Frederick Barghoorn, of Yale, on "Soviet Propaganda with Special Reference to Peace and Disarmament Themes." Two spokesmen from the AFL–CIO's National Maritime Union gave them insight on the cold war at sea. By the time the seminar ended, their heads were bursting with new understanding of the pivotal struggle of this century.

Not one nickel of "CIA money," or any other government money, has gone into the Freedom Studies Center. It is intended to be the voluntary contribution of a voluntary society toward its own survival. The scholars and officials who are invited to come here will come at their own expense, or on Foundation grants. And because the Center is not an agency of government, it will be free to pursue the study of freedom and communism untroubled by the inhibitions of diplomacy. It is a great concept in terms of the total struggle between West and East, as solid as the distant mountains, as clear and cold as the stream.

ASSISTANCE FOR ELEMENTARY AND SECONDARY SCHOOLS

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Helstoski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, we are, today, debating the merits of H.R. 13161, legislation to strengthen and improve programs of assistance for our elementary and secondary schools.

I have always supported adequate aid to our elementary and secondary schools as a major weapon in the battle against poverty and in the effort to raise educational standards of our developing youngsters.

Educational facilities and education in itself has become an investment in the foundation of our country. In our battle against poverty, education contributes directly to our economic growth because it improves the quality of our labor force. We are no longer in the era where a high school diploma serves as a stepping stone to a job, and in this respect we must provide our children, especially from low-income families, the education which they need to become a productive force of America. We must start this development at the lowest level of our educational endeavor and continue it through to the end of a student's scholastic career.

Our failure to provide adequate educational achievements can only result in low earning capacities, a high rate of unemployment, high rates of rejections for military service, and a definite dependence upon various types of relief programs.

It is my opinion that a sound and constructive bill to provide educational benefits at the Federal level would make a great impact on the educational problems which now face us and will continue to be a factor in the future.

In the pursuit of education we must not take measures that would cut out any of the Federal programs now in effect to advance our educational systems. I am, Mr. Speaker, of the opinion that we should provide adequate funds to continue our obligations to the school districts, not suddenly cut down their programs.

Many school districts have come to rely on Federal payments as an annual component of their budgets. Many districts have already planned their programs for next year, on the funds they anticipated from present Federal laws regarding our educational potential. Any radical reduction in the amount of funds actually available would force disruptive retrenchment in the educational services provided by those districts. If we are to make any drastic reductions, they should be made over a period of years to allow school districts the time they need for replanning.

There is no lessening need for education. We are, day in and day out, reaching further out into space and we shall be in need of better educated people to continue our explorations.

The Congress has appropriated funds for Headstart programs but at the time when we need to continue our educational endeavors we are pulling the rug from under the school districts by refusing to meet their rising costs of educational facilities and the need for additional Federal funds.

Mr. Speaker, I favor strong aid to education because there have been wide gaps between the fiscal needs and resources, not only among the separate States but often among the school districts of the wealthier States.

This is not the time to curtail our assistance to meet the future educational needs of this country. In fact, we should encourage education in all its phases to expand for the economical well-being of our Nation.

It is my hope, Mr. Speaker, that at the conclusion of the debate on this bill, we will have come up with legislation which will prove our faith in our educational system and provide adequate funds to our schools and libraries where this assistance is most acutely needed.

Our crucial needs at the elementary and secondary school levels are growing more intensified every day. We cannot retreat in our efforts to help our school programs and I, again, stress the need for meeting this problem.

Mr. Speaker, let us not neglect our educational system by forcing it to operate, as one would say, "on a shoestring."

WOODROW WILSON MEMORIAL

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Helstoski] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **HELSTOSKI**. Mr. Speaker, today, I, among others, have introduced a bill which would provide for the preparation of plans for a memorial to Woodrow Wilson, our 28th President.

I am proud that President Wilson was once the Governor of our great State of New Jersey, which served him as the stepping stone to the Presidency. It was fortunate that we, in New Jersey, also had him as the president of Princeton University from 1902 to 1910, where he served as a professor of jurisprudence and political economy from 1890 to 1910.

President Wilson, during his tenure in office, has shown his interest in protecting American freedom and the peace of the world. His most significant peace proposal was embodied in his fourteen points for peace which he presented on January 8, 1918, and which has become a state paper of worldwide influence.

In connection with the proposed memorial, the Washington Post of October 4, 1966, carried a short but inspirational editorial. Under leave to extend my remarks I would like to have his editorial placed into the Record as part of my remarks.

The editorial follows:

THE WILSON MEMORIAL

"In Washington, Capital of the most affluent Nation in history, no intellectual crossroads exists to meet the needs of wayfaring scholars," Professor Julian Boyd observed two years ago in his presidential address to the American Historial Association. "Graduate students and seasoned veterans alike who come here from this and many other countries have no place to live and associate with others of like purpose, no staff of experts to advise them . . ."

The Woodrow Wilson Memorial Commission has done a signal service, both to scholarship and to this city, in proposing an international center for scholars immediately north of the Archives. The center would be entirely consistent with the Pennsylvania Avenue Plan; from the viewpoint of those who would use the center, the convenience of the site could not be improved. The Commission has notably fulfilled its intention to devise a memorial that would recall not only the name of a great man, but also the spirit that guided him.

COMMUNITY DEVELOPMENT DISTRICT BILL

Mr. **ROSTENKOWSKI**. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Moeller] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **MOELLER**. Mr. Speaker, yesterday, unfortunately due to a long-standing commitment in my district, I missed the special order discussion of the important community development district bill initiated by the gentleman from Tennessee and joined in by my other colleagues from districts similar to mine. I will make my comments at this time.

Mr. Speaker, today's rural communities are no more free of problems than today's urban centers. We are currently providing assistance to urban areas in an attempt to overcome some of their growth and development problems.

This same kind of help should be available to the nonmetropolitan areas of our Nation. The Community Development District Act will provide the authority to extend planning assistance to predominately rural areas.

It is not economical for the small- or medium-sized city to attempt to achieve metropolitan standards of service, opportunities, and culture in isolation from the neighboring rural communities.

Community development districts will provide an incentive and an administrative vehicle for coordinated planning on the basis of units of sufficient size and scope to permit more efficient use of local, State, and other Federal resources available from existing sources.

I particularly wish to cite Meigs County, within the 10th Congressional District, as typical of areas to be aided by S. 2934. Earlier this year, after considerable local initiative, time, and effort, the county commissioners of Meigs County, through Mr. Jack Crisp of Langsville, Ohio, chairman of a local watershed association, submitted to the Economic Development Administration an application for a technical assistance grant of only $61,152. The sum of $11,680 was to be supplied by local groups to establish in Meigs County a development center. Some of the purposes of this center would be:

First. Advising industrial and business officials in the county on sources of financial assistance from EDA, SBA, and other State and Federal, as well as private lenders.

Second. Providing new job opportunities through expansion of the county's 26 industrial firms and creation of a new "internal" industries program.

Third. Developing major industrial sites along the Ohio River and in other parts of the county for prospective industrial firms.

Fourth. Developing new agricultural enterprises in the county such as the expansion of new greenhouses in select areas of the country for growing tomatoes for Columbus, Cleveland, and Cincinnati metropolitan markets.

Fifth. Utilizing the county's important mineral and geological resources including gas, coal, timber, sand, shale, salt, limestone, and water resources.

Sixth. Developing the county's outstanding tourism and recreational potentials and historical resources.

At the time this proposal was submitted by the local people to EDA, I informed them that I did not think EDA could handle such local, nonregional types of programs. This Agency, under its authority from Congress, is making great strides in bolstering the economy of many areas. The 10th District of Ohio has and will continue to be helped by the fine organization put together by Assistant Secretary of Commerce Foley. The Meigs County situation simply did not fit the EDA pattern. At the time I explained to the sponsors of the proposal that the administration had legislation pending that would meet the needs, desires, and aspirations of a Meigs County in any State. This legislation is the community development district bill, S. 2934, which I earnestly hope will soon be brought before the House. Certainly no one who is reasonable and fair thinking could deny that to enable our rural and country areas to attract people from our congested and multiburdened metropolitan areas is not a wise move.

In recent months the President and such a distinguished representative of the business community as Mr. William B. Murphy, chairman of the National Business Advisory Council and president of the Campbell Soup Co., have spoken eloquently on what we must do in our efforts to retard the fatal outmigration from our rural areas to our multiburdened cities of the solid people who live in the small town and country place.

These and other spokesmen have pointed out rewards to industry and the enriched life for people that can be had in the small communities that dot our great country from coast to coast. When a dispute over public transportation can halt the commercial, business, and cultural life of millions of people—and when we see a combination of frustrations lead to the violent expression of resentments—surely we are seeing signals that it is time to consider alternatives to ever larger urban complexes.

A promising alternative is making more adequate public and private services—and more jobs—available in rural America. The community development district bill can meaningfully assist in this great effort.

Community development districts offer a way to effectively explore, and exploit, this alternative. They can contribute to the building and rebuilding of a physical, social, economic, and cultural environment which by 1975 must accommodate 225 million men and women and children.

Whether we force 225 million Americans to stack up, or enable them to spread out, is a decision our people, our business and industrial and service and banking communities, and every level of government faces right now.

In Ohio we are initiating some of our development activities on a regional or district basis. I feel that this is a move toward sound and efficient community development assistance.

Many rural communities are not taking advantage of Federal aid programs currently available. This is due primarily to two things: First, people do not know about the programs and, second, they are not eligible to participate without first having a comprehensive plan.

The Community Development District Act would permit small cities and county governments to organize a district, hire and supervise their own district planners and participate fully in planning and economic and cultural activities.

Could any Member of this House deny them this assistance? The small- and medium-sized cities in predominantly rural areas, are able to marshal sufficient physical, human, and financial resources to achieve a satisfactory level of social and economic development, such as Meigs County has done. This is true, despite the fact that many rural communities lag behind urban areas in income, educational attainment, housing, health care, and public facilities. This legislation will not duplicate nor supplant any kind of Federal aid for planning available from any other program. It will simply extend to predominantly rural districts the kind of help already available for urban communities. It will enable predominantly rural districts to plan for all the needs of all their residents—both urban and rural.

Requests for the grants-in-aid to set up districts under this program will originate with the local governments as in the Meigs County situation. Plans developed by the district would represent a voluntary plan of action agreed to by the participating local and State governments, and would be advisory but not binding. Under the community development district bill, grants will be available to district boards from the Secretary of Housing and Urban Development in amounts certified by the Secretary of Agriculture. They will cover up to 75 percent of the cost of salaries and expenses for a professional staff to be hired by the district board for community development district planning.

Planning incentive grants would be made in an amount up to 10 percent of the amount of other Federal planning grants made within the district. This would enable the district board to coordinate all planning activities within the district, so that local, State, and Federal Governments will be assured of getting maximum returns from their investments in development projects.

Grants under this act would be included in the $230 million already authorized by section 701 of the Housing Act of 1954, as amended. Up to $5 million would be requested for grants to community development districts in the first year.

Again, I appeal to all Members of this great body from urban as well as rural areas to think deeply about what is proposed most modestly here. In concluding, I am reminded of the inherent wisdom of the words of our great Secretary of Agriculture, Orville L. Freeman, when he testified before the Senate Agricultural and Forestry Committee on this legislation. He said:

> Doesn't it seem ridiculous to contemplate creating more and more artificial hills at $3,000 each . . . more and more $8,000 sandboxes . . . when we have so many places in the nation where the hills and the sand are real, are more abundant, and are free for children whose dads have rewarding work there, or who can move into rural America and find such work?
>
> There is something for everybody—including our children—in a purposeful program of Rural Community Development. It is in helping rural Americans help themselves improve their total environment so that more and more families can know freedom of choice in living places, that the Community Development District proposal has merit, and great promise.

HOME LEAVE FOR FEDERAL SEAFARING EMPLOYEES

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I have today introduced a bill to authorize home leave for Federal seafaring employees. The purpose of my bill is to facilitate the recruitment and retention by the Government of personnel for its oceangoing marine positions by authorizing the granting of home leave for service rendered by such personnel on extended voyages.

A survey by the U.S. Civil Service Commission of the four Federal agencies which are the principal employers of seafaring personnel discloses that the Government's ability to recruit and retain qualified crewmembers is seriously hampered by the inadequacy of certain fringe benefits—particularly vacation privileges—available to the Government's seafaring employees. There are shortages of licensed engineers, deck officers, skilled deck and engineering personnel, and radio officers for oceangoing ships. Turnover in Federal marine employment is considerably in excess of turnover of employees in other Government activities. The shortages and excessive turnover will become more acute as the demand increases for shipping in support of troops in Vietnam and other commitments abroad.

Civilian crews of Government vessels man the personnel and cargo carriers of the Military Sea Transportation Service, the research and survey ships of the Departments of the Interior and Commerce, the tugs and floating cranes of the Department of Army; and certain vessels of the Panama Canal Company. They number approximately 10,000, with 90 percent in the Military Sea Transportation Service, and over 98 percent of them serve aboard oceangoing vessels.

These civilian maritime employees are paid in accordance with prevailing industry rates, but their leave rights are the same as the leave rights of other Federal employees. The leave benefits of crewmen in the maritime industry are far superior to such leave benefits of Federal employees. The Civil Service Commission study stressed this disparity in leave benefits as a principle because of the Government's difficulty in recruiting and retaining qualified civilian crews for its oceangoing vessels.

The bill I have introduced would materially improve the competitive position of the Government in the recruitment and retention of needed seafaring personnel.

The bill authorizes the granting of home leave to personnel serving on any oceangoing vessel on an extended voyage, at a rate of not more than 2 days for each 30 calendar days of such service. This home leave will be in addition to the regular annual leave now authorized by law, and will accumulate for future use. The home leave will not be the basis for any lump sum payment upon separation from the service, and may be granted as terminal leave only under special or emergency circumstances as provided by regulations to be issued by the Civil Service Commission.

With respect to terminal leave, it is intended that "special or emergency circumstances" will include, without limitation, administrative refusal or failure to authorize use of home leave when requested and inability of an employee to use such leave due to circumstances which are beyond his control and not due to his own act or omission.

Mr. Speaker, enactment of this legislation will not make the leave benefits of Federal maritime personnel fully comparable to the industry leave benefits. The industry benefits system, with its numerous variations based on positions and location, is not suitable to Federal employment. Extension of the industry benefits system to Federal employees would involve unjustified costs and administrative difficulties. However, establishment of the home leave system authorized by the bill will provide equitable and reasonable treatment of Federal seafaring personnel in their relationship to employees in other Federal positions and in industry.

CONSUMERS' RIGHTS

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, President Johnson in his consumer message of January 1964, said:

> For far too long, the consumer has had too little voice and too little weight in government. As a worker, as a lawyer or doctor, the citizen has had to take a back seat. . . . We cannot rest content until he is in the front row, not displacing the interest of the producer, yet gaining equal rank and representation with that interest.

Again in 1966 he reiterated:

> A new and progressive program is needed if we are to protect the American consumer's rights in the marketplace—his right to be informed, to choose, to be protected from unsafe products and to be heard in the councils of government.

On April 19th of this year,the Subcommittee on Executive and Legislative Reorganization of the House Government Operations Committee, under the chairmanship of the Honorable WILLIAM L. DAWSON, opened hearings to consider my bill, H.R. 7179, for the creation of a

Cabinet-level Department of Consumers which would give the American consumer an effective voice within the Federal Government. Six years ago, a similar bill was introduced by the late Senator Estes Kefauver and 23 of his distinguished colleagues, but, at that time the bill never gained momentum. Since 1960, however, a growing awareness of the consumer's plight in our complex and rapidly changing economy has raised issues which will lie dormant no longer. In particular, the problems of the poor consumer—symptomatic of deficiencies in consumer-protection across the land—have raised a fundamental question to which an answer must now be forthcoming: Is our present institutional structure adequate to our concern for the consumer?

I

In our search for answers to this question, the subcommittee, at the hearings this year, sought the views of some 20-odd witnesses; experts on consumer affairs, State officials concerned with consumer protection, representatives from private consumer groups, including representatives of the poor, and spokesmen for the Federal Government. Their testimony suggests that the present institutional structure is, indeed, inadequate for the proper protection of consumer interests. As a result, Chairman DAWSON has now established a special inquiry on consumer representation in the Federal Government of which I will have the honor to act as chairman. Its first hearing will be held on October 10 to examine the extent to which the Office of Economic Opportunity is meeting its responsibilities to the poor as consumers.

Consumers from all walks of life can be, and are, victimized by the unscrupulous. But it is the poor who suffer most. As Cernoria Johnson, director of the National Urban League, described their plight:

> Thanks to poor education, they may not be able to read labels or advertisements. They lack the training which would lead to comparison shopping, price comparison, and the effective questioning of the practices of retail purveyors. Bound to local neighborhoods, they do not travel in search of better bargains, nor are they exposed to information such as newspaper advertisements which would inform them of the possibility of better bargains. Compensating for lack of achievement, they often-times aspire to consume highly visible status-giving goods, and so become susceptible to fraudulent or high-powered advertising, with consequent ensnarement in heavy installment debts, legal entanglements, and repossession claims.
>
> Lacking the ability to consume wisely, the impoverished are subject to a variety of exploitative forces. Retail goods are marked up in price, often to higher levels than in more affluent communities. Unlabeled and outdated merchandise is sold to purchasers who do not exercise quality control.

Since the poor are usually regarded as bad credit risks, the credit available to them often commands exorbitant prices. In many cases, credit sales are made with no other thought than to garnishee the customer's salary. Employers faced with double bookkeeping chores arising out of garnishees often prefer to fire the employee. Thus, in its most vicious form, credit selling where the customer is ignorant of the consequences can destroy his very livelihood. Unable to rely on a personal income, the unfortunate victim must seek public welfare. This harms both him and society.

Only consumer education can break this vicious cycle of ignorance and exploitation. In Harlem and in the Bedford-Stuyvesant areas of New York City, local organizations have recently undertaken extensive research into prices and unscrupulous commercial practices, using the poor themselves to gather the information and to pass it on to others. These pilot programs have been successful in broadening the awareness of the poor consumers involved. In some cases, their findings have prompted the creation of food-buying clubs, credit unions, and other cooperative enterprises greatly improving the buying power of the poor. Such successes have demonstrated that the poor can help themselves to become intelligent consumers if only they are provided with the tools to get information about the marketplace. But this requires research and costs money, and both are generally in short supply.

Local initiative is behind most of what is being done for the poor consumer today. It is necessarily scattered and fragmented, pointing up the need for a national attack on the problem. The urgent requirement now is for communication between consumer groups working on similar problems in the ghettos, for coordination of their services, and for funding to conduct investigations and gather information about ghetto conditions.

Although the poor suffer most, rich and poor alike share consumer problems which cut across all economic strata. Anyone can be defrauded by a deceptive package, an inferior product sold as something better, or an appliance repair job which claimed more repairs than were in fact made. In the home improvements industry alone, it has been estimated that of the $13 billion worth of business done annually, somewhere between $500 million and $1 billion are lost to the public because of consumer fraud. The attorney general of California has revealed that the losses to the public and legitimate business in California resulting from the sales of defective aluminum siding alone are over $7 million per year. Not confined to the home improvements industry, extensive frauds of this sort affect consumers from all walks of life, presenting a national rather than a local problem.

Yet under the present institutional arrangement, there is no single Federal agency or department to which the consumer, poor or rich, can turn with confidence.

To meet the increased incidence of consumer fraud and deception, several State governments have been forced to set up special consumer counsels within the attorney general's office. But their task is vastly complicated by the frequently national scope of fraudulent practices. As the assistant attorney general of New York, Mr. Barnett Levy, testified at our hearings in New York on April 29:

> Many of the slick promoters are of the hit-and-run variety who, after saturating one area with their shoddy goods and service, literally pull up stakes and move on to greener pastures, many times moving their location from one state to another.

Similarly, such practices as deceptive advertising and mail order fraud often cross State lines and are therefore not controllable on the State level.

Law enforcement in the consumer field cannot be left to the uncoordinated efforts of State and local authorities and to the present scattering of Federal regulatory agencies. All who testified on behalf of consumer protection—in particular, Wisconsin's Attorney General Bronson La Follette and New York's Attorney General Louis Lefkowitz—were agreed that their efforts were handicapped without Federal oversight. Under the existing arrangement, there is much duplication and little coordination. A single Federal department could fulfill a much-needed service to all 50 attorneys general across the country. As a clearinghouse for interstate operations, the Department would be the pivot, the central store of information, in a nationally coordinated effort to enforce the rights of consumers.

II

The recently created President's Committee on Consumer Interests is but a partial answer to the need. It lacks statutory authority. It conducts only limited programs of its own and administers no laws. Its operating philosophy is primarily to encourage existing organizations in their struggle to assure the consumer his rights. The Committee is, at best, an advisory body without legal powers.

Advocates of the existing institutional order have argued that the consumer's interests are more than adequately represented throughout the Federal Government. As evidence, they point to some 33 different agencies and departments engaged in consumer-oriented activities. They assume, moreover, that because the consumer's voice has always been muted in government, his interests are too broad and disparate to be isolated and defined, and, consequently, to be represented by a single institutional structure. But this view is the obverse of the reality: the consumer's voice has been silent because there has been no one place to which he could turn for information or redress. The recent regional conference report of the President's Committee on Consumer Interests said: "It was evident throughout the four regional conferences that consumers harbor many more complaints than they attempt to register, for there is an unmistakable fatalism toward what is regarded as the futility of individuals expressing themselves effectively in the maze of the marketplace." Consumers need help and will seek it when it is offered.

In practice, consumer protection is, at best, an incidental function in the Government agencies and departments where it is distributed. Thus, it is not surprising that the consumer interest is frequently ignored or neglected, even in cases where it clearly should be heard. Instances of poor coordination in the dissemination of consumer information, of inadequate representation of consumer interests before the regulatory agencies, and of frequent defeat in Congress of consumer-protective legislation, all attest to the need for an institution vested with the power to assure the consumer his rights in these areas.

The General Services Administration sets quality and price standards for products it buys for the Government. The Agriculture Department inspects and grades meats and sets prices for a wide variety of agricultural commodities and dairy products. The Department of the Interior inspects fish, and the Federal Trade Commission establishes advertising standards for all these products. Without oversight, this proliferation of functions makes it difficult to coordinate and disseminate the findings of the various agencies. An example recently cited by Senator ABRAHAM RIBICOFF is illustrative of what can happen:

> In the pesticide field the Department of Agriculture, the Food and Drug Administration, the Public Health Service, and the Interior Department all vie with one another, not only in their day-to-day operations, but in the policy area, too. Interior forbids its constituent agents to use in national forests the same poisons that the Agriculture Department urges the public to spray on lawns, trees, and rosebushes. The Public Health Service spends public funds to study the possible connection between the cancer toll and the increased use of pesticides, while the Food and Drug Administration says the housewives' market basket is "safe from pesticide residue."

Although the regulatory agencies are intended to be the real agents of the consumer interests in our Government, they are subject to producer pressures which far outweigh any countervailing force mustered by consumers. Inadequately financed and staffed, and overburdened with caseloads they cannot quickly expedite, these agencies are often reduced to the expediency of settling the conflicting claims of rival producers. Thus it is that the Interstate Commerce Commission mediates a dispute between railroads and trucks. The Civil Aeronautics Board adjudicates the claims of large certified carriers and smaller airlines. The Federal Communications Commission referees the battle of the networks or the rivalries of TV and radio. The Federal Power Commission must arbitrate free trade and protectionist squabbles. More often than not, the consumer is the lowest common denominator in a process which has been carried out in his name though not in his presence.

One of the key provisions in my bill for a Department of Consumers would give the consumer equal rank and representation with the producer. Section 6 proposes the establishment of a Consumer Counsel empowered to intervene as a party before any U.S. regulatory agency in nonadjudicative matters when the Secretary determines such matters may substantially affect the economic interests of consumers. It also authorizes the Department to appear before any appellate court of the United States as amicus curiae in a proceeding involving the review of any order by any regulatory agency, or any civil judgment, decree, or order entered into by a district court relating to trade and commerce. Combined with the Department's power to evaluate and receive complaints, these provisions would enable the Federal Government, for the first time, to initiate direct preventive action in the protection of consumer interests.

The fate of the truth-in-packaging bill, which has been before Congress for more than 5 years, is proof of the need for a strong voice to press the consumer viewpoint on pending legislation. Despite wholehearted administration support for this bill, it failed to emerge intact when the House Interstate and Foreign Commerce Committee reported it out on September 22. Its most important provisions, establishing mandatory Federal standardization of weights, quantities, sizes, and shapes of packages, were removed, thus pulling the bill's teeth. This is not to suggest that industry lobbying was in any way improper, but that the consumer viewpoint should have been equally represented, independent of the administration's support.

III

The consumer function is as important to America's economic growth as the producer function. Yet, for years, our governmental institutions have been so well attuned to producer interests that this reality has nearly been forgotten. Our long neglect of the consumer's importance has led to imbalances and distortions in the flow of our national resources. We cannot expect the free enterprise system to function properly, nor can we hope for a rational distribution of money resources in an economy where the consumer function, either through ignorance or fraud, is not exercised freely and intelligently. Mr. David Borden, Director of Block Communities, Inc., in New York City made an effective point of this in testimony before the subcommittee when he said:

> The Nation cannot afford an economy which does not serve the interest of all its people. There is an enormous and irresponsible misappropriation of private funds as they flow in and out of an urban ghetto. Too often, private revenue in the form of income flees the neighborhood to be replaced by massive public aid. The economy of the ghetto as well as the economy of the city itself can and must be a vital, legal, and opportunity-creating entity. If it continues to deteriorate, no one suffers more than the consumer.

I am convinced, therefore, that giving the consumer Cabinet-level representation is also good economics.

It is my great and earnest hope that the special inquiry to be launched October 10 will usher in a new deal for the American consumer. Its establishment promises, for the first time, that Congress will take a comprehensive look at consumer problems and at the Federal Government's programs to solve them. Ultimately, I expect that these investigations will throw new light on the institutional changes required for the protection and representation of the consumer's interests.

I do not believe that the provisions of H.R. 7179 are above improvement. But I am firmly convinced that no bill is adequate unless it incorporates two inseparable principles: the consumer's right to be informed, and his right to be heard at all levels of government. Neither of these rights is assured unless we give the consumer a single institution with powers to gather and coordinate the dissemination of information, and to represent his interests before the regulatory agencies, in the courts, and in the halls of Congress. I intend to see that these rights are fulfilled.

SOUTH BEND, IND., COMES BACK STRONG TO SHARE IN THE NATION'S PROSPERITY

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, 2½ years have passed since the Studebaker Corp. of South Bend, Ind., in my congressional district, stopped manufacturing automobiles in the United States. During that time the coordinated efforts of thousands of people in the community and at all levels of government focused on the human problems created by that economic disaster.

I am proud to say that today South Bend is once again a booming city. Its citizens are fully sharing in the prosperous economy of our State and the Nation.

I rise today to bring the story of South Bend's dramatic recovery to the attention of my colleagues in the House of Representatives. For I believe that if communities in their congressional districts should suffer the loss of a major industry, they may find both encouragement and valuable lessons from a study of the South Bend experience.

Those of us involved in attempts to revitalize the economy of the South Bend area have learned many lessons. It is my intention here to chronicle the activities during this period of recovery in order that my colleagues and others will know what measures were taken to achieve one of the most extraordinary comeback stories in Hoosier history.

ECONOMIC PICTURE NOW IMPRESSIVE

There is truly a remarkable success story in the revitalization of the South Bend economy. Consider these impressive facts about our current economic position:

In September of 1966 the unemployment rate for the South Bend area was 2.3 percent, below the rates for both Indiana and the Nation.

Total employment in the area was about 104,000, a gain of more than 3,000 over last year and more than 10,000 above the figure in January 1961.

Thirteen industries employing 4,000 persons now occupy the former Studebaker complex, representing both new plants and expanded local operations.

Kaiser-Jeep Corp. took over and completed in South Bend the $87 million Studebaker military truck contract. Since then Kaiser-Jeep has successfully bid on additional military truck contracts totaling over three-quarters of a billion dollars.

Sixty-eight area manufacturing companies have either located new plants or expanded existing facilities since the Studebaker shutdown.

Furthermore our booming economy has created a shortage of skilled workers in a number of technical fields. To help relieve this shortage the city of South Bend plans to build an area vocational school at a cost of $1.6 million. This school, which will train workers for the many firms in the South Bend area that require skilled workers, will be constructed with the help of funds from the Vocational Education Act of 1963, of which I was proud to be a sponsor in the House of Representatives.

SHUTDOWN AFFECTS 7,000

This bright picture is in sharp contrast to the gloom in South Bend on December 9, 1963, the day that the Studebaker Corp. announced that it was ending its automotive production in the United States. This was a bitter pre-Christmas message to the firm's nearly 7,000 workers, who represented about 8 percent of the total work force of St. Joseph County.

The closing of the Studebaker plant ended a long and proud company history that began in South Bend in 1852 with the opening of a wagon building and blacksmith's shop. At one time the company had employed nearly 25,000 people, but its work force had been reduced to just over 8,000, 2 months before the announcement of the closing, and was reduced still more by the time the gates were officially closed.

Clearly, the worst part of the immediate reaction was psychological. The loss of the city's largest manufacturing plant brought to many the terrible visions of a ghost town. But from the outset concerned people throughout South Bend and St. Joseph County directed their attention and energies to finding remedies for this economic misfortune.

The problem we faced was grave indeed. In November 1963, one month before the announcement of the closing, the unemployment rate for the South Bend area was 2.1 percent—a record low. Four months later, over 9 percent of the total labor force was jobless. There were in addition undetermined, but widespread, economic effects on local Studebaker suppliers, retail stores, banks, realtors, and other business enterprises.

The average age of the Studebaker employees was 54; 20 percent were Negro, representing about a third of the city's Negro labor force; most were longtime employees; almost two-thirds were unskilled; and approximately 700 were physically handicapped.

On December 20, 1963, almost all of these employees drew their final paychecks. It was immediately apparent that the routine services provided to the unemployed would be inadequate to cope with this massive problem.

South Bend Mayor Lloyd M. Allen created a Mayor's Committee on the Studebaker Problem to coordinate efforts at recovery. Named as cochairmen of the committee were Franklin D. Schurz, editor and publisher of the South Bend Tribune, and Paul D. Gilbert, a retail clothier, both men widely regarded as civic and community leaders.

One of the principal obstacles confronting those engaged in efforts to revitalize the economy was the longstanding belief of many in the community that without Studebaker the city's economy could never recover completely. The firm's annual payroll, although it had experienced wide fluctuations, was in excess of $30 million. The committee therefore undertook the important task of allaying the fears of many citizens that recovery in the near future would be next to impossible.

Immediately upon receiving word of the Studebaker plant closing, Indiana Senators VANCE HARTKE and BIRCH BAYH and I, as the district's Congressman, communicated our profound concern to President Johnson. The President quickly responded by setting up an Interdepartmental Committee to assist South Bend in meeting its problems.

PRESIDENT TAKES ACTION

This action was followed up by the President on December 24, 1963, when he directed—

Secretary of Commerce Luther H. Hodges to have the Area Redevelopment Administration "work with the local South Bend community in its efforts to attract new industry to the area."

The Interdepartmental Committee to "send to South Bend a full-time official who will remain on the spot to coordinate all Federal activities with the officials of the State and local government." The man selected for this task was Dr. Harold L. Sheppard of the W. E. Upjohn Institute for Employment Research. Dr. Sheppard, an expert in the problems of unemployment, spent 90 days in South Bend and Washington, conferring with people at all levels, spotting problems, bringing them to the attention of the Interdepartmental Committee, providing new and imaginative ideas, and, in the process, gathering material for his report to the administration.

Secretary of Labor W. Willard Wirtz to establish "the maximum number of training projects consistent with the needs and demands of the area" under newly enacted provisions of the manpower training law.

Agriculture Secretary Orville L. Freeman to "do whatever is necessary to expedite the distribution of surplus food to the large number of displaced workers."

Secretary of Defense Robert S. McNamara "to the extent consistent with sound procurement policies, to see that the $87 million Studebaker military truck contract is completed in South Bend."

RECOVERY DRIVE PLANNED

Following the President's directives of December 24, the Interdepartmental Committee held periodic meetings under the cochairmanship of the Area Redevelopment Administrator, William L. Batt, and the Economic Adviser to the Secretary of Labor, Stanley H. Ruttenberg. Meetings were attended by representatives of the Departments of Commerce, Labor, Health, Education, and Welfare, Defense, Post Office, Agriculture, and various independent agencies, including General Services Administration, Veterans' Administration, Housing and Home Finance Agency, and Small Business Administration.

Senators HARTKE, BAYH, and I, or members of our respective staffs, also attended these meetings. Participating in addition were representatives of the community, the United Auto Workers, the Indiana State government and the Studebaker Corp.

During the ensuing months a number of activities were set in motion to meet the crisis.

For example, South Bend was one of the first cities in the Nation to begin a worker retraining program under the Manpower Development and Training Act. In limited operation locally before the Studebaker closing, the program was subsequently greatly expanded. During the past 2½ years, over 2,500 trainees have graduated from training projects and 70 percent have found employment in occupations for which they were trained.

Project ABLE—ability based on long experience—was a coordinated effort of the Department of Labor and the National Council on Aging designed to assist the hundreds of ex-Studebaker workers over the age of 50 with counseling, testing, and job placement. The program was in operation for 18 months and proved to be highly successful.

In early March of 1964, the Indiana Senators and I, in cooperation with the South Bend Chamber of Commerce, the Department of Defense, and other Federal agencies, sponsored a 2-day procurement conference in South Bend. More than 450 persons registered at the conference. Some 339 firms were added to the bidders' lists of Government agencies, and more than 300 sets of bids were issued to the companies attending by the Department of Defense alone.

ASSISTANCE FROM FEDERAL AGENCIES

The Department of Agriculture liberalized eligibility requirements to permit surplus food distribution to approximately 2,800 individuals from families of former Studebaker workers.

The Federal Housing Administration and the Veterans' Administration sent representatives to provide information for those requesting forbearances on FHA- and VA-insured mortgages.

The Department of Labor sent a team of specialists to South Bend to analyze the unemployment and to start special procedures to handle the mass layoff. This was done through a program of expanded and intensified direct personal services to the workers involved. These services were provided by the U.S. Employment Service and the State employment service offices.

Studebaker executives, government officials, labor leaders, and the chamber of commerce through its committee of 100 played an important role in attracting new industries to locate in the 7½ million square feet of factory space vacated by Studebaker or elsewhere in the area.

The South Bend-Mishawaka Labor-Management Commission announced "a maturity of mutual understanding" between labor and management and pointed to a 93.6-percent decline in work stoppages between 1957 and 1964. The commission's report was distributed nationally with the objective of merchandising the area's economic assets and dispelling "the ghost of a bad labor image of the past."

The results of these efforts speak for themselves: South Bend has truly come back. Because of our magnificent economic recovery we are now enjoying a period of unprecedented growth and prosperity in South Bend, neighboring Mishawaka, and all of St. Joseph County. We now have the strongest possible base on which to build a still better life for all the residents of our area.

In human terms our recovery is especially impressive. And it is this fact about our comeback—its effect on the lives of thousands of workers and businessmen and their families—that is for those of us who have worked long and hard for this recovery—private citizens and public officials alike—the greatest source of pride and satisfaction.

Mr. Speaker, I believe that other communities in the United States which have the misfortune to lose a major industry will benefit from studying the South Bend story. It proves with certainty that Federal, State, and local governments and community leaders can work efficiently and effectively together in time of crisis.

ROADWAY LIGHTING FOR THE MOTORIST

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, night use of the multibillion-dollar motor vehicle transportation facilities in the United States have been seriously retarded by a delay in the use of appropriate roadway lighting. Low, poor, or mediocre visibility restricts the expanding benefits as contained in our Interstate Highway System and the numerous expressways that are being built in every section of the country. So states Charles Rex, roadway lighting engineer, of Hendersonville, N.C.

Vision is by far the most important sensory process involved in driving and, with 30 percent of the automobile travel occurring at night—210 billion miles last year—it is only logical that satisfactory illumination facilities be made available for the motoring public.

Added value and increased night use of the tremendous national investment in streets and highways will result from the application of appropriate roadway lighting. Add to this the fact that the livelihood, general welfare, social and economic progress of millions of citizens is dependent on efficient and safe movement of people and goods after dark—and we soon recognize the universal obligation that exists in this field.

Effectiveness ratings for the benefits which the American public expects from roadway lighting may be summed up as follows:

First. Increased value of automotive-highway investment.

Second. Night transportation to operate more safely and efficiently.

Third. Proportionate decreases in crime occurrences.

Fourth. Better environment for social, recreational, and business activities.

Fifth. Increased development of useful land areas.

Sixth. An improved standard of night living for those who drive at night.

Thus, proper lighting offers a sound solution to the night accident problem and, as a bonus, contributes materially to the reduction of crime on our streets and highways.

We need more application of techniques that are known to reduce night accidents. We must make the driving public more knowledgeable regarding after-dark operation of a motor vehicle. Above all, engineers and automobile designers must continue to research more effective and economical means of obtaining better illumination.

HUNGARIAN REVOLUTION, OCTOBER 1956

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PATTEN. Mr. Speaker, last November, when I visited Hungary, everywhere I saw the Russian soldiers in complete control of these poor people, and my mind turned back to October 1956, when thousands of Hungarians, fleeing the Red terror, came to Camp Kilmer as refugees.

The Hungarian revolt was one of the most thrilling, heartbreaking, and awe-inspiring events of our lifetime. Thrilling, because it was unequivocal proof that communism was objectionable and unbearable to freedom-loving people. Heartbreaking, because of the destruction and massacre wrought by Soviet and Communist forces on the population of Hungary. Around 30,000 Hungarians were killed; 200,000 fled in search of refuge. Awe-inspiring, because virtually unarmed and unprepared, the valiant Hungarians fought for 7 days against suicidal, insurmountable odds.

Seldom in history has man been so sorely tested—his beliefs, principles, and desires so magnificently demonstrated. To stand before those of you who participated in or were tragically affected by that outcry for human dignity and liberty does indeed fill me with the deepest awe and respect. Time, 10 years' worth, I am sure has not erased, nor even diminished, the images, the emotions, the terror, the exhilaration, or the agony in your memory. Forgive me if my words should unintentionally insult that memory, for as a nonparticipant I will never be able to share the full realization of the significance of that event to you as an individual or to Hungary as a nation.

The Hungarian revolt had great significance for the entire world, not only because it was a tragic contribution to man's historic struggle for independence and freedom, but also because it gave a true picture of Communist oppression. The revolt of the Hungarian people was not a planned revolution. It grew almost spontaneously from the seeds of discontent—a discontent resulting from the gap that existed between Communist promises and reality. World communism has never recovered from the blow that revolt dealt to its image. For the Hungarians demonstrated to the world that communism had been superimposed on them, but not accepted by them; they focused world attention on the actual and abominable Soviet motives and on the atrocious Soviet use of force against a virtually defenseless people. Whatever attraction the Communist system had held for the developing nations was greatly lessened. Communism was stripped of its idealistic camouflage, bared to reveal the tyranny it is in essence.

There were several sociological aspects of that revolt, which were in contradistinction to Communist theory. First, it was an expression of nationalism—for a Hungary free from Soviet intervention. In Communist theory, the state should disappear; logically, national boundaries should cease to exist, nationalism should cease to exist in a unified Communist community. Two of the major groups, leading and participating in the revolt, were the students and the workers. Hungary had been under Soviet domination for 11 years. The Communists had had 11 years in which to indoctrinate the youth, yet the revolt began with a peaceful student demonstration. The workers, the proletariat which was to be the ruling class in Marxist theory, the inheritors of the state, revolted out of frustration. They fought against the Communists whose promises were unfulfilled; they fought for the very rights which Communist doctrine had assured them, for the benefits which had never materialized. There were representatives from every realm of Hungarian society, joined together in rebellion against Soviet depredations. How sparse were the roots of communism the Soviets had transplanted in Hungarian soil.

Neither the revolt, which was an expression of the will of the people, nor the adverse world reaction, deterred the

Soviet Union from its inexcusable course of action. Its horrendous crushing of the revolt was a prime example of man's capacity for inhumanity to man. It was a testament of the despicability to which man can resort.

The aftermath of the revolt has meant a further subjugation of the brave Hungarians. Even 10 years later the Soviet Union finds it necessary to maintain over 85,000 troops in Hungary in order to insure Communist domination in Hungary. In February of this year the Communists jailed hundreds of known former participants in the 1956 revolt. This was a preemptive measure against a possible resurgence of rebellion in commemoration of the anniversary of the revolt. The Hungarians have only been granted token liberties by the Communists over the past 10 years. In reality, the Hungarians are still being subjected to persecution and enslavement. They are still being denied their basic rights, their national existence, their freedom for which they paid such an exorbitant toll.

Today, on the anniversary of their revolt, Americans of all descents identify with the Hungarian people, joining them in prayer for their eventual liberation. Our hearts ache as we recall the abortive end to which their revolt came. Your identification is more immediate and infinitely more cognizant of their unbearable fate. For their heritage is yours, their suffering yours, their enslavement yours. There are bonds between you and your native soil and fellow countrymen which will never be severed. Nor would we as Americans want those bonds severed. We are proud that we could offer you safety. The United States came into existence because of men similar to you, men in quest of freedom, liberty, basic rights, and safety from oppression. That you remain here by choice is in itself an endorsement of the American way of life. We are proud that from this base of strength in freedom, you have continued in your endeavors to lend support to those Hungarians still under foreign domination. Today, all Americans wish you success in your endeavors, lend their support to yours, and hope for a hasty liberation of your nation and your brave countrymen who remain under the yoke of communism.

TIME REMAINING FOR GENERAL DEBATE ON ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. PERKINS. Mr. Speaker, may I inquire as to the time remaining for general debate on the Elementary and Secondary Education Act?

The **SPEAKER** pro tempore (Mr. Boggs). The gentleman from Kentucky [Mr. Perkins] has 53 minutes remaining and the gentleman from New York [Mr. Goodell] has 49 minutes remaining.

SCHOOL BUSING

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. Wydler] is recognized for 30 minutes.

Mr. WYDLER. Mr. Speaker, the problem of Federal control of education and its dangers to the traditional American system of home rule education has never been more dramatically presented than in the question of federally induced school busing.

Recent revelations show that the administration in Washington is planning a Federal program which will induce and encourage our local areas to bus pupils across district lines for the sole purpose of obtaining some type of racial balance in school systems.

I recently had occasion to comment on this in my "Washington Watch" of September 26, and wish to set this out for my colleagues in Congress.

The Johnson-Humphrey administration is drafting legislation to start a federally directed multibillion-dollar national school busing program. Your tax dollars are to be used to carry it out.

Of all the ideas proposed to help the American Negro achieve equality of opportunity, the idea of busing schoolchildren for long distances is the most self-defeating.

Its justification is hard to understand and I doubt if any significant number of parents, whether they be white or black, wish to see their children transported across long distances to school. The neighborhood school has the same appeal as the corner store, the local church, or the community outing. It is traditionally American—not black or white—and it has worked well.

Better education and improved schools will really help children.

More and more civil rights leaders now realize that the busing issue is distracting attention from this important goal.

The Johnson-Humphrey proposal is for a federally sponsored areawide rezoning of schools, without regard to existing lines, to compel and force racial balance in public schools. This includes busing of suburban schoolchildren to city schools at Federal expense.

The dangers of excessive Federal control over education now becomes a clear and present danger. Federal money always means some sort of Federal control, but that control should be reasonable and should be minimized.

My proposal to return directly a portion of Federal income to the States for educational purposes would be a step in the right direction. It would cut down redtape and help educational control in State and local hands. It would stop the nameless and faceless persons in Washington from planning to give our children an unnecessary bus ride which will get longer, more futile, and more expensive with each passing year.

The unnecessary busing of children should not be forced on any child, regardless of race. As one who believes and votes for equal opportunity, I cannot see any constructive purpose in a program that is equal only because it punishes white and black children alike.

I do not want to hurt them, equally or otherwise, but I want to help them attain a better education in better schools as near to their homes as possible. I think the light of exposure and the fresh air of public discusion is all that is necessary to assure that this matter will remain a local responsibility.

I attended the hearings before the House Rules Committee in which Commissioner Howe testified concerning this proposal. I was shocked to find a Democratic member of the Rules Committee charging that the hearings were a "political inquisition." How a Democratically controlled committee investigating a Democratic department of a Democratic administration could be engaging in a "political inquisition" is still unclear to me. Nevertheless, the charge was repeatedly made.

During the course of these hearings Commissioner Howe stated clearly that it was not his duty to force integration in any school district in the Nation. Nevertheless, he similarly testified that his Department is presently approving programs which supply Federal funds for school busing and other purposes to encourage just such a result. Although the Commissioner repeatedly stated that it was not the intention of the proposed new bill to force any school district to bus its pupils, he did not and could not deny that the lure of large amounts of Federal funds to do just that would, in fact, interfere with local control and decisionmaking processes.

In the October 10 issue of U.S. News & World Report, on page 76, an article appears entitled "Government's Plan To Desegregate the Suburbs." This article clearly reviews the present trend of administration thinking which is to use U.S. funds to break down present school district lines and get metropolitan area school district lines established with long-range school busing. The article goes on to explain:

> A major weapon in the new approach to desegregation of suburbs would be granting or denying a Federal subsidy to local communities. This power would reside largely in the Office of the Commissioner of Education.

The clear intent of title II of the so-called equal education opportunity bill sets up a program of Federal aid for school construction but, quite clearly, the only way a community gets such aid is to tie it in with one of the busing or pairing schemes under title III or to surrender school districting control throughout an entire metropolitan area. The following are the plans specifically proposed to revamp education throughout the United States.

First. School busing.

Second. Redistricting of school districts to achieve racial balance.

Third. Pairing of schools.

Fourth. Suburban and slum pupil exchanges.

Fifth. Revision of school textbooks on behalf of minority groups.

All this in spite of the clear direction of the Congress in the Civil Rights Act of 1964 which says:

> Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils from one school to another or one school district to another in order to achieve racial balance—

And which also contains these words:

> Desegregation means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance.

It is apparent the administration is trying to circumvent the clear direction of Congress. It is further apparent that the hand of Congress must be strengthened if this is to be stopped.

The shocking fact is that such a proposed 1967 equal education opportunity bill does exist and has already been drafted and submitted to the Secretary of Health, Education, and Welfare for consideration for submission to the 90th Congress next year.

Fortunately, this draft legislation came to the attention of some Republican Members of the House of Representatives who made it available to the general public for examination. I am setting out herewith title II and III of the proposed bill. As can be seen, this does not propose to order any school district to comply but it does hold forth as national policy financial inducements of substantial amounts to encourage school districts to bus their children and enlarge and merge school districts for racial purposes.

Recent testimony by Commissioner Harold Howe, Office of Education, denying that the Federal Government intends to force school districts to do this is, of course, a clear evasion of the intent of his Department. It is not claimed that the Federal Government will at this time attempt to actually order such busing to take place. It is, however, obvious that the Department intends to do everything in its power to see that such a result is obtained and that as many school districts as possible will, in fact, bus their children across school district lines.

The bill follows:

Equal Educational Opportunity Act of 1967—Detailed Explanation and Justification

TITLE II: CONSTRUCTION OF SCHOOL FACILITIES

Purpose

To help meet the pressing need for modern school facilities, especially in central cities and rural areas where outmoded facilities exist in conjunction with high concentrations of disadvantaged children. The program is aimed particularly at the facilitation of more flexible educational programs, in conjunction with educational innovations such as those supplementary services and arrangements which can be funded under title III of the Elementary and Secondary Education Act.

In addition, reduction of de facto segregation would be encouraged by combining grants under this title with the extra-cost grants for construction projects designed to achieve integrated education under title III of this legislative package.

Program

a. Survey of construction needs by State agency: Grants for an initial inventory of facilities would first be made so that within the first 6 to 9 months of the program a complete and reliable inventory of educational facility needs would be available. This inventory would then form the basis for establishing priorities as to the areas of greatest need within each State before the project approval process begins.

b. Basic grants for construction projects: These grants would build an estimated 110,000 classrooms over a 5-year period. Funds would be allotted among the States on the basis of relative per capita income and State educational effort. The basic grant could not ordinarily exceed 50 percent of the cost of construction.

c. Administration of grants: State educational agencies would assign priorities to project applications on the basis of objective need criteria, with preference for projects designed to alleviate segregation or racial imbalance. The Commissioner of Education would have final approval authority before a project could be funded under this title.

d. Supplementary grants: Supplementary grants providing an additional 20 percent of the project cost would be made to projects which fit into metropolitan area plans. This increased Federal share would provide an incentive for joint school district planning in metropolitan areas. This proposal is patterned after the proposed supplementary grants for planned metropolitan development contained in title II of the Senate-passed "Demonstration Cities and Metropolitan Development Act of 1966" (S. 3708). If enacted into law, that legislation could simply be amended to include school construction projects assisted under this proposed program in the definition of an eligible "metropolitan development project" in the same manner as libraries assisted under the Library Services and Construction Act and hospitals assisted under the Public Health Service Act are covered in the pending legislation. The location and scope of educational parks should be an important component of any comprehensive metropolitan areawide planning.

e. Loans: While outright grants should be restricted to special construction needs which impose heavy burdens upon the resources of local educational agencies and the States, the Federal government can, with minimum budgetary impact, assist schools which undertake to spread out the cost of constructing facilities by facilitating the marketing of long-term bonds and by lowering the interest rate for local educational agencies. For example, rapidly expanding middle-income communities are in a better position to afford the construction of needed school facilities than other areas, but the rapid development of an area does impose a fairly sudden impact of school-age children. While able to afford the facilities, such communities nevertheless find it desirable to spread the cost over a long period of time.

Furthermore, even in the case of projects which do receive Federal grants for a share of the cost of construction, few construction projects will be funded without requiring substantial local funds. Accordingly, in most cases, a part of the cost of most projects will have to be obtained by borrowing. The maximum maturity of school bonds—the spread-out period—is rather short compared to the long-term loans which institutions of higher education can obtain under the Higher Education Facilities Act and the College Housing Program.

In addition, the interest rate on school bonds is now significantly higher than the "ideal" of 3 percent.

It is therefore recommended that a school bond support program be devised using the procedures of the Federal National Mortgage Association. FNMA may now issue debentures to secure funds from private investors with which to purchase home mortgages in its secondary market operations at a ratio of 15 times its capital and reserves (i.e., the net cost is one-fifteenth of the mortgage purchased). In view of the similar ratio on the sale of participation certificates in Federal loans (a 5 percent reserve, or a 20-to-1 ratio of loans to net cost), a special fund or account could be administered by FNMA through which school bonds would be purchased out of funds secured by the sale of FNMA obligations equal to 20 times the appropriations deposited in the fund. The net cost to the Federal Government would be one-twentieth of the total amount of such school construction loans, assuming a 5 percent reserve requirement.

As an additional part of the program, the Commissioner of Education would be authorized to make payments on behalf of the local educational agencies for that portion of the interest necessary to make up the difference between a 3 percent rate of interest and the rate which FNMA must pay on its outstanding debentures which provided the funds for the purchase of the school bonds.

Funding	Fiscal year 1968	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971	Fiscal year 1972
Basic grants		$930,000	$1,108,000	$1,284,000	$1,274,00
Loans		200,000	100,000	100,000	
Supplemental grants		120,000	140,000	160,000	160,00
State administration (including inventory in fiscal year 1968)	$57,000	10,000	11,000	13,000	13,00
Research		10,000	11,000	13,000	13,00
Total	57,000	1,270,000	1,370,000	1,570,000	1,400,00

TITLE III: GRANTS TO ASSIST SCHOOLS IN THE PROCESS OF DESEGREGATION

Purpose

To assist communities throughout the Nation to cope with problems of segregation and racial imbalance in order to facilitate racial, ethnic and socio-economic integration.

Program

a. Educational excellence grants: Local educational agencies would be eligible for Federal grants to assist in achieving integrated education. On the assumption that integrated education involved added costs to accommodate educationally disadvantaged students, Federal grants would be offered to schools which have few or no students from minority racial or ethnic groups in order to facilitate educational integration and reduce educational disparities. As one alternative, a formula similar to that in the impact aid program (with a per pupil Federal payment multiplied by the increased number of children in integrated schools for 5 years) would provide a real incentive for schools to desegregate completely over a 5-year period.

Federal grants would be offered to school districts for use in specific neighborhoods which show promise of being able to maintain integrated education (such as Hyde Park in Chicago) or to achieve integration by attracting white students to exceptional schools currenly serving predominantly Negro residential areas (including appropriate schools in urban renewal areas). The grants may be used to produce exceptional education programs, attractive to parents of all races, by supporting, *inter alia*, superior salaries for master teachers, improved instructional equipment, lighted schoolhouse-community centers for around-the-clock superior programs, stipends for visiting lecturers, individualized instruction, and reduced pupil-teacher ratios.

b. In addition to expanding training institutes to prepare local school personnel to deal with problems of racial imbalance as well as de jure segregation, title IV of the Civil Rights Act of 1964 would be amended to provide grants to support techniques appropriate to correct *de facto* segregation in individual communities. Such techniques could include:

1. Comprehensive, district-wide rezoning of school attendance areas to obtain maximum heterogeneity.

2. Pairing, grouping or clustering or adjacent Negro and white schools a division by grade level in two or more residential areas.

3. Reorganization of the use of schools; reorganizing the grades of a school; converting schools to other uses; closing schools; changing feeder patterns; grade pattern reorganization.

4. Careful site selection to locate new schools so as to maximize integration of residentially segregated student populations.

5. Increased bussing from overcrowded to underutilized schools.

6. Development of "magnet" high schools, each specializing in a different subject area with enrollment open to the entire school district on the basis of interest rather than ability.

7. Development of supplemental educational centers, comprehensive community schools and shared time programs to draw district-wide enrollment as well as participation from private and parochial schools.

8. Open enrollment, voluntary enrollment and free transfers.

9. Creation of metropolitan school districts to include urban and suburban areas.

10. Suburban-Inner City pupil exchanges.

11. In-class pupil grouping to avoid racial separation, development of ungraded primary classes; remedial and compensatory programs within the framework of regular classroom structure.

12. Inservice training for teachers and other school personnel; employment of specialists to advise school personnel, parents, children and the public on problems of desegregation; improving guidance and counselling services.

13. Development of new curricular materials, particularly those including proper representation or racial and religious minorities.

14. Teacher assignment to assure faculty integration at all schools.

15. Improvement of recruitment and advancement of minority group teachers and of white teachers who are motivated to teach in ghetto schools and in transitional programs.

c. Extra-cost grants for construction to achieve integration: Grants would be made by the Commissioner of Education (not allocated by State) to meet the extra costs of constructing new schools, including special education centers and educational parks and complexes located on the borders of ghettos under plans insuring interracial attendance of students.

Insofar as the acquisition of large blocks of land and the construction methods are more expensive than the conventional school facility the Federal government should cover 100 percent of the difference. Preference would be given to multiple school district applications, especially those joining suburban and core-city districts.

Funding

[In thousands]

Fiscal year 1968	175,000
Fiscal year 1969	275,000
Fiscal year 1970	375,000
Fiscal year 1971	375,000
Fiscal year 1972	375,000

Equal Educational Opportunity Act of 1967

[In millions of dollars]

	1968	1969	1970	1971	1972
I. Grants to local education agencies for self-assessment, planning, and evaluation	75	75	75	75	75
II. Construction of school facilities	57	1,270	1,370	1,570	1,460
III. Grants to assist schools in the process of desegregation	175	275	375	375	375
IV. Educational personnel training and staff development	25	40	50	60	60
V. Expanded pupil personnel services [1]	5	5	10	14	25
VI. Educational programs for adults	15	50	150	200	250
Total	352	1,715	2,030	2,294	2,245

[1] Amounts represent increases in the funding authorization of title V-A of NDEA; no specific funds would be earmarked for the additional pupil personnel services authorized.

This is an exact copy of the detailed bill now under consideration by the Johnson-Humphrey administration.

On October 6, 1966, the Republican Coordinating Committee issued a statement to the effect that "our schools should not be directed from Washington." This statement pointed out the dangers in the enormous powers given to the Commissioner of Education to establish criteria for Federal aid under the Elementary and Secondary Education Act of 1965. It called for congressional action to eliminate unauthorized Federal dictation.

This will have my support and must be done. If not by this Congress, then certainly by a new Congress next year which is responsive to the will of the people.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 17788. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17788) entitled "An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes," disagreed to by the House; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Pastore, Mr. Russell, Mr. Ellender, Mr. McClellan, Mr. Holland, Mr. Monroney, Mr. Saltonstall, Mrs. Smith, and Mr. Kuchel to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15111) entitled "An act to provide for continued progress in the Nation's war on poverty," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Clark, Mr. Randolph, Mr. Pell, Mr. Kennedy of New York; Mr. Kennedy of Massachusetts, Mr. Nelson, Mr. Javits, Mr. Prouty, and Mr. Murphy to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15963) entitled "An act to establish a Department of Transportation, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McClellan, Mr. Jackson, Mr. Ribicoff, Mr. Harris, Mr. Mundt, and Mr. Curtis to be the conferees on the part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McMillan (at the request of Mr. Fountain), for the remainder of the week, on account of official business.

Mr. Hicks, for the week beginning October 10, on account of district business.

Mr. Dyal (at the request of Mr. Moss), from October 4 through the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Wydler (at the request of Mr. Skubitz), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Marsh (at the request of Mr. Rostenkowski), for 60 minutes, on October 11; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Rhodes of Arizona.

(The following Members (at the request of Mr. Skubitz) and to include extraneous matter:)

Mr. Pelly.

Mr. Quillen and to include extraneous matter, notwithstanding the fact it exceeds the limit and is estimated by the Public Printer to cost $302.50.

Mr. Morse.

Mr. Minshall.

Mr. Bell to include extraneous matter in remarks made in the Committee of the Whole.

(The following Members (at the request of Mr. Rostenkowski) and to include extraneous matter:)

Mr. Ottinger.

Mr. Rogers of Florida in two instances.

Mr. Ichord.

Mr. William D. Ford.

Mr. Bandstra.

Mr. Hansen of Iowa.

Mr. Redlin.

Mr. Matthews.

Mr. Joelson.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5912. An act for the relief of the estates of certain former members of the U.S. Navy Band;

H.R. 9916. An act to amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes; and

H.R. 16559. An act to amend the Marine Resources and Engineering Development Act of 1966 to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education and research in the various fields relating to the development of marine resources, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 491. An act to provide for the establishment of the Bighorn Canyon National Recreation Area, and for other purposes;

S. 2070. An act to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City; and

S. 3433. An act to make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline, and for other purposes.

ADJOURNMENT

Mr. ROSTENKOWSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, October 6, 1966, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2784. A letter from the Under Secretary of the Navy, transmitting a list of certain surplus property intended to be donated to the U.S.S. *Massachusetts* Memorial Committee, Inc., pursuant to the provisions of section 7545 of title 10, U.S.C.; to the Committee on Armed Services.

2785. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notice of an estimated cost increase of a certain construction project for the Naval and Marine Corps Reserves authorized in section 701(2) of Public Law 88-390, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

2786. A letter from the Comptroller General of the United States, transmitting a report on procurement of thrust vector control nozzles for the Minuteman missile program, Department of the Air Force; to the Committee on Government Operations.

2787. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2788. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) was exercised, pursuant to the provisions of section 212(d)(6); to the Committee on the Judiciary.

2789. A communication from the President of the United States, transmitting proposed supplemental appropriations for the legislative branch and the executive branch of the Government for the fiscal years 1967 and 1968 (H. Doc. No. 505); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 12822. A bill to authorize the extension of certain naval vessel loans now in existence, and for other purposes; without amendment (Rept. No. 2186). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. House Resolution 1028. Resolution providing fund for the Committee on House Administration; without amendment (Rept. No. 2187). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 1029. Resolution providing an additionary stationery allowance for Members of the House of Representatives; without amendment (Rept. No. 2188). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 1034. Resolution that the amount of $15,000, authorized to be paid out of the contingent fund of the House by House Resolution 241, agreed to February 24, 1965, on vouchers authorized by the committee on arrangements for the centennial anniversary of the second inaugural of Abraham Lincoln, incurred pursuant to Public Law 88-427, approved August 14, 1964, is increased to $30,000; with amendment (Rept. No. 2189). Ordered to be printed.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 18019. A bill to authorize the Secretary of the Army to construct an addition at the Walter Reed Army Medical Center, Washington, D.C.; without amendment (Rept. No. 2190). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. S. 3500. An act to authorize the President to advance Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general; without amendment (Rept. No. 2191). Referred to the Committee of the Whole House.

Mr. PHILBIN: Committee on Armed Services. H.R. 16000. A bill to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes; with amendments (Rept. No. 2192). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. Senate Joint Resolution 153. Joint resolution to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States; without amendment (Rept. No. 2193). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 16923. A bill to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York City, N.Y.; without amendment (Rept. No. 2194). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 18190. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 18191. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 18192. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

By Mr. KEITH:

H.R. 18193. A bill to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LENNON:

H.R. 18194. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

By Mr. PATTEN:

H.R. 18195. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18196. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

By Mr. POOL:

H.R. 18197. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 18198. A bill to authorize the merger of two or more professional football leagues, and to protect football contests between secondary schools from professional football telecasts; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 18199. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. TUPPER:

H.R. 18200. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 18201. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. GALLAGHER:

H.R. 18202. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. HELSTOSKI:

H.R. 18203. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. KREBS:

H.R. 18204. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. McGRATH:

H.R. 18205. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. PATTEN:

H.R. 18206. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. RODINO:

H.R. 18207. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. THOMPSON of New Jersey:

H.R. 18208. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. DEVINE:

H.R. 18209. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mrs. DWYER:

H.R. 18210. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. HUNGATE:

H.R. 18211. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer shall have until March 15 (instead of only until February 15 as at present) to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 18212. A bill to establish a Commission to review the Federal income tax structure and recommend revisions to redistribute the burden of taxes so as to remove inequities adversely affecting the middle-income family in America; and for other purposes; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 18213. A bill to provide for a national program of flood insurance; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 18214. A bill to amend the Internal Revenue Code of 1954 to provide for the treatment of certain real property acquired by foreclosure and subdivided for sale; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 18215. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. HOWARD:

H.R. 18216. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. MATSUNAGA:

H.R. 18217. A bill to provide home leave for Federal seafaring personnel, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIS:

H.R. 18218. A bill to amend section 104 of the Revised Statutes of the United States (2 U.S.C. 194) so as to clarify the duty of the President of the Senate and the Speaker of the House in certifying reports of contempts under section 102 of such Revised Statutes; to the Committee on the Judiciary.

By Mr. FOLEY:

H.J. Res. 1314. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KING of New York:

H. Con. Res. 1029. Concurrent resolution to express the sense of Congress with respect to certain agreements which would necessitate the modification of duties or other import restrictions; to the Committee on Ways and Means.

By Mr. RACE:

H. Con. Res. 1030. Concurrent resolution relating to diet foods and supplements; to the Committee on Interstate and Foreign Commerce.

By Mrs. REID of Illinois:

H. Con. Res. 1031. Concurrent resolution expressing the sense of Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. REUSS:

H. Con. Res. 1032. Concurrent resolution expressing the sense of the Congress with respect to the worldwide conservation of wildlife and the convening in 1968 of an international conference on the conservation of wildlife; to the Committee on Foreign Affairs.

By Mr. GIBBONS:

H. Res. 1042. Resolution providing for the removal of certain employees of the House of Representatives whose employment is in violation of law; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHELF:

H.R. 18219. A bill for the relief of Surjeet Singh Dhanjal; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 18220. A bill for the relief of Sun On Ng, to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 18221. A bill for the relief of Phillip H. Kass; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 18222. A bill for the relief of Stanislawa Gurdak; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 18223. A bill for the relief of Chang-You Wu, M.D.; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A Tribute to Business and Professional Women

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. RHODES of Arizona. Mr. Speaker, during the week of October 16 we shall commemorate the annual observance of National Business Women's Week; a time when we pay tribute to and recognize the many contributions of women to business and professional life.

Only when we recognize that women comprise a third of today's labor force and that most of the increase has occurred since World War II, can we realize the tremendous advances women have made in every segment of our society. The doors to every profession have been opened to women in recent years, largely through their own determined efforts. However, there are still many challenges to be met and dealt with. Today, women doctors, lawyers, scientists, and business executives are making lasting contributions to their respective fields, but such organizations as the National Federation of Business & Professional Women's Clubs—B. & P.W.—still perform yeoman service in their endeavors to elevate the status of women.

The B. & P.W. club has chapters in every State, the District of Columbia, Puerto Rico and the Virgin Islands. With over 177,000 members, it is promoting the interests of business and professional women who have organized to extend opportunities to an even greater number of women at every level. Through its scholarships and awards, it gives many young women the opportunity to fulfill their ambitions in the business and professional community. The spirit of cooperation and understanding which the B. & P.W. has advanced among working women is illustrative of what can be accomplished by a determined organization with a worthwhile purpose.

I certainly want to commend the efforts of this outstanding group, and during this week which is dedicated to publicizing the achievements of business and professional women everywhere, it is with admiration that I extend my best wishes. The true pioneer spirit displayed by the women in B. & P.W. is in the best traditions of our American heritage. With a renewed vigor toward achieving its goals, it should move forward with increased strength.

Disclosures of the Week

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. PELLY. Mr. Speaker, the debate last week on the so-called antipoverty bill brought to light many examples of why the Office of Economic Opportunity has come under such widespread criticism. These and examples in other agencies of Government indicate continued maladministration in the Federal Government. Here are a few examples of what I mean.

CASE I. GOVERNMENT CONSULTANTS

There are 200 consultants on the Federal Economic Opportunity payroll at $60 to $100 a day. This consultant device is being used to pay at a higher level than permitted by civil service standards and a higher level than their qualifications and credentials justify.

CASE II. PRESIDENT'S CLUB

The Office of Economic Opportunity arbitrarily chose Consolidated American Services, Inc., to evaluate Job Corps sites, although this company did not qualify as did other firms. Coincidentally, the one qualification this company had was a $3,000 gift to the President's Club. Involved was a contract exceeding $1 million.

CASE III. EXPENSIVE PUBLIC RELATIONS

It was revealed in the House recently that the Economic Opportunity regional Office in Kansas City, after a Congressman had criticized Sargent Shriver, sent 40 telegrams to newspapers in the area, boosting the boss. The cost of these 40 3½-page messages was $2,900.

CASE IV. JOB CORPS COSTS STATISTICS

The 38,951 Job Corps enrollees cost U.S. taxpayers $160,064 per graduate. It costs more in 1 year to train an individual to clean parks than it would to send 12 students to Harvard for 4 years.

CASE V. VISIT TO MOSCOW

Prof. Stephen Smale of the University of California traveled to Moscow on a $13,000 Federal grant. When he got to Russia, he called a press conference to denounce U.S. policy in Vietnam.

CASE VI. GOVERNMENT SPENDING

A statement in the September 13 CONGRESSIONAL RECORD points out that this administration is putting this country in debt at the astounding rate of $40,000 a minute, or about $2.5 million per hour on the basis of a 40-hour week.

CASE VII. COST OF LIVING

Between January and August, living costs jumped more than 2½ percent. In the same 7 months, grocery costs increased just under 4 percent according to the Bureau of Labor Statistics latest Consumer Price Index. This same source shows that what $10 would buy in 1940 takes $23.20 today.

CASE VIII. INCREASE IN THE PUBLIC PAYROLL

Last December, at his Texas ranch, President Johnson announced a plan to eliminate 25,000 Government jobs. Between the date of this announcement and July 1, 1966, according to the Joint Congressional Committee on Nonessential Federal Expenditures, the greatest and fastest increase on record in Federal employment took place. At a cost of $1 billion per year for salaries, the Government added 190,325 new employees to the public payroll.

Inflation Dangers Exaggerated?

EXTENSION OF REMARKS

OF

HON. JOHN R. HANSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. HANSEN of Iowa. Mr. Speaker, there have been constant allusions made by the Republican side that fiscal policies being used by the administration were inadequate to stem the inflationary trend and that increased taxes should be considered. This talk went on through the month of April. On May 12, the distinguished minority leader said:

> This administration has set the brakes too severely.

This comment temporarily slowed the discussion regarding this problem. Then little by little the discussion commenced to increase.

In late August I made a statement based on the July letter of the First National City Bank in New York in which they held that inflationary pressures were no longer as acute as was being alleged by the men of the Republican side. The next day my Republican opponent accused me of being a "star gazer." Now a month later the First National City Bank confirms and agrees with the viewpoint of the earlier letter. This viewpoint is quite succinctly explained in an editorial published in the Des Moines Register and Tribune of September 27.

I present it herewith for the information and enlightment of my colleagues:

INFLATION DANGER EXAGGERATED?

Assuming that Congress passes the Administration's proposed suspension of the 7 per cent tax credit for investment in machinery and equipment and the fast writeoff for depreciation of buildings, are further tax boosts necessary? Many business men and economists believe they are, and there has been an assumption in business circles that the Administration would go to Congress after the first of the year for an across-the-board boost in personal and corporation income taxes.

However, the National City Bank's Economic Letter warns that there is a danger of "overreacting to increases in widely publicized price indexes." It says a dissection of the official price indexes indicates that "most of the rises in prices have not been of the sort that are readily controllable by changes in demand without dangerous side effects."

This means that the editors believe a further tax increase may not be needed to curb aggregate demand and hints that such a move might push the economy into a recession.

The Economic Letter points out that farm and food price increases accounted for nearly half of the total increases in the wholesale price index since July, 1964. These price boosts were caused largely by the downswing in cattle and hog supplies in 1965 and early 1966. Prices of grains and soybeans have risen because of extraordinary export sales and food aid. The bank letter editors think supplies are beginning to catch up with demand in farm products and in industrial raw materials.

"It is one of the ironies of the postwar price history that plain bad luck on food prices has been a key factor in the current inflation scare as well as in the last one during 1956–57," says the Economic Letter. "One of the key lessons offered by our 1956–57 experience is that an inflation largely attributable to food supply factors cannot be effectively suppressed by limiting over-all demand without creating even worse disruptions elsewhere in the economy . . . Restrictions on demand aggravated the cost-push inflation in that period." (Cost-push inflation is the jacking up of wages and prices by unions and businesses with monopoly power to set rates.)

The Economic Letter concludes that "present evidence does not support the idea that demand is now growing at an excessive rate."

This is an argument against further deflationary measures designed to restrict total demand—such as a tax increase or further tightening of credit.

Since bankers are supposed always to favor tight money and stopping inflation at all costs, this analysis from one of the nation's leading banks is interesting. It supports President Johnson and his economic advisers in their cautious approach to tax increases. And it reminds us that there is a danger of "over-doing" inflation control, as in 1956–57, and precipitating a recession.

It is quite evident that our present economic situation is one which requires extremely deft handling. In the opinion of many of us, the administration is fully aware of the dangers and pitfalls that face our economy. As Secretary Fowler has said:

> Any dolt can manage reasonable price stability in a stagnant and sluggish economy. Separation of the men from the boys takes place in the army of economic statesmen only when the goal of full employment growth has been achieved.

Past performance and the opinions of sophisticated financiers all point up the fact that this administration is handling the problem in expert fashion.

Aw, Stop Worryin'

EXTENSION OF REMARKS

OF

HON. D. R. (BILLY) MATTHEWS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. MATTHEWS. Mr. Speaker, I have recently had the opportunity of reading a book written by my friend, Winston K. Pendleton, of Windermere, Fla. The title of the book is "Aw, Stop Worryin'," published by the Bethany Press, St. Louis, and I would certainly like to commend it to my colleagues for their attention.

This is a short book—only 80 pages in length—and the reading is interesting, practical, and inspirational.

The subject matter may be considered by some as old fare, but then, faith, hope, and charity are as old as Christianity, and, let me add, as new as today and the hope for tomorrow.

As a Member of Congress for 14 years, I find the suggestions by Win Pendleton on how to keep all of us from "stop worryin'" as practical as Benjamin Franklin's comments of decades ago and as serviceable as the old Model T Ford.

My advice is to get a copy of "Aw, Stop Worryin'" and read it through before you put it down. Then, make every effort to follow the suggestions made by the author, and I believe you will discover ways for a more successful and a happier life.

Washington Report

EXTENSION OF REMARKS

OF

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. MINSHALL. Mr. Speaker, under leave to extend my remarks, I wish to insert in the RECORD my October newsletter and opinion poll results, as follows:

WASHINGTON REPORT, OCTOBER 1966

(By Congressman WILLIAM E. MINSHALL, 23d District, Ohio)

Heading for the last round-up in a stampede of major bills, the 89th Congress hopefully will adjourn no later than October 22. Days are growing longer on Capitol Hill as the leadership attempts to clear the crowded legislative calendar. During one recent week, bells summoned House members 24 times to answer record votes and quorum calls, exactly the same number of rolls as were called during the entire months of January and February.

As this newsletter is written, the pace is increasing in both House and Senate, with scores of important measures still awaiting final Congressional action. Among them are funds for the Departments of State, Justice and Commerce, military construction, public works, the Demonstration Cities Act, foreign aid, Economic Opportunity Act amendments, and aid to elementary, secondary and higher education.

Later this month I am looking forward to meeting personally with constituents. During the week of October 24, the Minshall Traveling Office will make the rounds of the 23rd District, including the new Cleveland Wards 1 and 4. Notices of dates and locations of the meetings are being mailed to the homes of all registered voters in the district.

The annual Final Report, covering highlights of the Congress and including the Minshall voting record on key issues, will be available on request from either my Cleveland or Washington offices within the next several weeks.

Results of the Minshall opinion poll, which was sent in September to the home of every registered Independent, Republican and Democratic voter in the 23rd District, 130,000 in all, appear on the reverse side of this newsletter. More than 16,000 polls have been returned and I have sent copies of the results to the President, the Secretary of Defense, the Secretary of State and other key government officials. I also have discussed them with the leadership of both political parties in the House of Representatives.

Looking Ahead: The U.S. Civil Service Commission has announced examination dates for office and science assistant positions for Summer, 1967. Young people interested in Grades 1–4 temporary government jobs during school vacations next year may obtain Application Form 5000–AB at any post office or from the Civil Service Commission in Cleveland. Applications must be received by Civil Service by October 21 to be eligible for the November 26 examination; by December 9 for the January 7 examination, and by January 9 for the February 4 examination.

Anti-riot legislation came up for two days of hearings before the House Judiciary Committee last week. Approved overwhelmingly by the House as an amendment to the now-dead Civil Rights Act of 1966, the measure was re-introduced as a separate bill. I appeared in behalf of my H.R. 17728, which calls for strong penalties for persons crossing state borders to incite riots. Administration disapproval of such legislation stalled hearings until closing days of this session, thus postponing action until new measures are introduced and reviewed by the 90th Congress which meets in January.

Did You Know . . . The U.S. Army is procuring nearly three times as many aircraft as the Air Force, Navy and Marine Corps combined. Figures released by my Defense Appropriations Subcommittee show that helicopters make up the bulk of the Army order.

Green thumb? Then you'll enjoy the government bulletin just off the press, Growing Flowering Perennials, yours without charge from my Washington office while my allotment lasts.

The poll results are as follows:

Results of Minshall opinion poll, October 1966

[In percent]

		Yes	No	No opinion
VIETNAM				
1. Do you think the United States is making progress toward victory?		31	60	9
2. Which most nearly expresses your point of view? (Check only one.):				
(a) Continue present policy		6		
(b) Withdraw all U.S. forces immediately		10		
(c) Limit military actions and intensify peace efforts		25		
(d) Make all-out effort to win militarily without nuclear weapons		43		
(e) Make all-out effort to win militarily including nuclear weapons		13		
No opinion on any part of question 2		3		
3. Do you favor a stronger policy against countries trading with North Vietnam?		80	13	7
4. Should U.S. citizens be prohibited by law from giving aid to North Vietnam?		82	12	6
5. What form of Selective Service System is preferable? (Check only one.)				
(a) Present system		24		
(b) Universal military training		55		
(c) Lottery		4		
(d) Lottery with limited deferments		6		
No opinion on any part of question 5		11		
6. Should selected Reserves be called to active duty?		49	24	27
DOMESTIC ISSUES				
7. Are stronger civil rights laws needed?		23	70	7
8. Should there be a strong Federal antiriot law?		85	12	3
9. Do you think the war on poverty has been effective to date?		10	79	11
10. To combat inflation, should the Federal Government—				
(a) Increase personal income taxes		7		
(b) Increase corporate taxes		15		
(c) Initiate wage-price controls		21		
(d) Reduce Federal domestic spending		38		
(e) Reduce military spending		19		
11. Do you favor laws to require disclosure of outside income and other assets by all public officials, including Members of Congress?		65	28	7
12. As a result of the recent airline strike, do you favor new laws to prevent strikes which affect the national interest?		67	29	4
13. Is a multi-billion-dollar crash program desirable to combat air and water pollution?		66	23	11
14. What do you think is the principal problem facing the Nation today?	*Percent*			
(1) Vietnam	18			
(2) Race relations	17			
(3) Inflation	16			
(4) Federal spending	9			
(5) Big government	5			
Crime	5			
(6) Moral decline	4			
President Johnson	4			
(7) U.S. Supreme Court	3			
(8) Air, water pollution	2			
Communism	2			
(9) Miscellaneous	15			

Questionnaire Results

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. ROGERS of Florida. Mr. Speaker, as the 89th Congress draws to a close I would like to take note of the cooperation of the residents of my district in letting me have the benefit of their views during these past 2 years. Their letters, telegrams, telephone calls, and personal visits have enabled me, during the sessions of the Congress, to keep advised of the thinking at home on the matters pending before us here in Washington.

Of particular help was the large response to my annual questionnaire. I first sent out a questionnaire in 1955, my first year in Congress, and it has grown in these 12 years from an initial response of 20,000 to over 55,000. This high return, along with the other forms of communication during the sessions, permits close contact with the home district which would otherwise be impossible, and it strengthens the process of representative government.

I want to thank all those who have participated in their Government in these ways, and to report here the results of the questionnaire for the two sessions of the 89th Congress.

The results follow:

Questionnaire results, 1st session, 89th Congress (1965)

[Results in percent]

1. Are you in favor of a Government-supported medical care plan for the aged?

	Percent
Yes	59
No	35
No answer	6

If your answer to the above question was "yes," please answer one of the following:

	Percent
(a) Do you favor medicare financed by social security?	54
(b) Do you favor "eldercare" financed by matching Federal-State funds?	40

2. Do you approve a reduction in excise taxes this year?

	Percent
Yes	72
No	21
No answer	7

3. Should foreign aid be cut?

	Percent
Yes	86
No	10
No answer	4

4. Do you favor repeal of section 14(b) of the Taft-Hartley Act, which now permits the States to have right-to-work laws?

	Percent
Yes	25
No	67
No answer	8

5. Do you approve increased Federal aid to education?

	Percent
Yes	49
No	45
No answer	6

Questionnaire results, 1st session, 89th Congress (1965)—Continued

[Results in percent]

6. Do you favor my bill to raise the "outside income" limitation from $1,200 to $2,400 for those drawing social security benefits?

	Percent
Yes	89
No	9
No answer	2

7. Do you support U.S. military activity in Vietnam?

	Percent
Yes	55
No	37
No answer	8

Questionnaire results, 2d session, 89th Congress (1966)

[Results in percent]

1. Do you support U.S. military activity in Vietnam?

Yes	68
No	24
No answer	8

2. Would you support an increased program for highway safety?

Yes	87
No	12
No answer	1

3. Do you favor legislation to provide more humane treatment for laboratory animals?

Yes	55
No	36
No answer	9

4. Should excise taxes on telephone bills and automobiles be reinstated?

Yes	20
No	78
No answer	2

5. Should the $1.25 minimum wage be raised?

Yes	51
No	44
No answer	5

6. Should the "war on poverty" be continued?

Yes	30
No	64
No answer	6

7. Would you favor a change in the present 2-year term of office to a 4-year term for the U.S. House of Representatives if half of the Members were elected every 2 years?

Yes	65
No	29
No answer	6

8. Do you support an increased U.S. effort in ocean research?

Yes	81
No	15
No answer	4

Election of Representative Monagan to Executive Committee of United States Group, Interparliamentary Union

EXTENSION OF REMARKS

OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. MORSE. Mr. Speaker, I am pleased to announce the election of our colleague, the gentleman from Connecticut [Mr. MONAGAN], as a member of the American Inter-Parliamentary Regional Group at the 5th American Inter-Parliamentary Union Conference in Tehran. I was honored to be the other representative of the U.S. delegation appointed to this group by our president, Senator HERMAN E. TALMADGE.

Representative MONAGAN is a member of the Inter-American Affairs Subcommittee of the House Committee on Foreign Affairs and is well versed on the problems of the Western Hempshire and I am sure will make a valuable member of the executive committee.

During the meeting in Tehran this group held one formal meeting and several informal conferences and enjoyed fruitful discussions relating to the role of the United States in fostering hemisphere solidarity.

I am confident that this meeting is a beginning of a movement toward an improvement in hemispheric cooperation and I can assure this House that Representative MONAGAN and I will work strenuously for this objective.

The 50th Anniversary of Sokol Assembly 162

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. JOELSON. Mr. Speaker, I am pleased to bring to the attention of my colleagues the 50th anniversary of Sokol Assembly 162 of the Slovak Catholic Sokol of Passaic, N.J.

The Sokol branch, which was organized on October 15, 1916, and is affiliated with SS. Cyril and Methodius Church in the congressional district which I represent, is the largest unit in group 1 of the Sokol organization. The Sokol is a fraternal, gymnastic, and athletic organization with physical fitness as its major theme. I might point out to this assembly that although the importance of physical fitness has only recently been brought to the attention of the American public, the Sokol movement has been stressing physical fitness for a long time.

The Slovak Catholic Sokol has 52,000 members throughout the country, and is recognized as an active and alert organization. I am sure many House Members will recall the postal stamp issued by the Post Office Department in honor of physical fitness, which had been strongly supported by the Sokol movement.

Sokol Assembly 162 will celebrate its anniversary with a jubilee program on October 23, beginning with a mass of thanksgiving in the Slovak language in SS. Cyril and Methodius Church. Msgr. Emil Suchon, who was born in Passaic and is now supreme chaplain of the Sokol, will deliver the principal address.

The Reverend Jerome Pavlik, OFM, a member of the Sokol branch, will be the celebrant. The Reverend Lawrance Pollak, OFM, pastor of the parish, will be deacon, while Rev. Anthony Maskulka, OFM, assistant pastor, will be subdeacon.

The golden jubilee committee is comprised of John Kalata, chairman; John S. Domyon, cochairman; John Pavlica, George A. Dluhy, Joseph Glodava, Michael Franek, Andrew Klukosovsky, John Bigos, Joseph A. Kuchta, and John A. Bigos, Jr.

Report on 2d Session, 89th Congress

EXTENSION OF REMARKS
OF

HON. BERT BANDSTRA

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. BANDSTRA. Mr. Speaker, last year at the close of the 1st session of the 89th Congress I summarized the accomplishments of the session, reprinted them at my own expense and mailed them to the people of the Fourth Congressional District.

At the time of the writing of this report, the second session of Congress has not adjourned. For the most part, this summary includes legislation that has already passed both Houses of Congress and has been signed into law by the President. In some cases, however, I am listing major bills still pending at one stage or another in Congress, but which are almost certain to receive final approval this year. In order to inform as many as possible what has taken place in Congress during the past 10 months, I plan to have this summary reprinted at my own expense as I did last year.

This has been a long and grueling session. Legislation is becoming more complicated each year and complex legislation must be dealt with in a careful and deliberate manner. As it appears now, each session of Congress will be longer until we reach the point that Congress is in continuous session.

Every bill enacted into law this year cannot be included, but I do want to list and briefly describe the legislation that is significant nationally and to the people of the Fourth Congressional District of Iowa.

AGRICULTURE AND RURAL DEVELOPMENT

The Food for Peace Act, approved by a House-Senate conference committee, establishes a 2-year program for the sale or donation of available U.S. farm commodities to alleviate hunger abroad. Included is a provision barring benefits to nations shipping strategic materials to Cuba or North Vietnam.

Congress provided funds to continue the food stamp program, which helps low-income families obtain an adequate diet by utilizing our free enterprise system of distribution. A total of 13 Fourth District counties are now approved for the program.

EDUCATION

Congress amended the Library Services and Construction Act, continuing for 5 years the grant-in-aid program for improving public library facilities and adding a program for services to the physically handicapped. Iowa's grant-in-aid allocation for library services and construction this fiscal year is about $1.1 million.

Amendments to the Higher Education Facilities Act, approved by the House, extend for 3 years the program of Federal grants and loans to aid in construction of buildings at colleges and universities.

Amendments to the Elementary and Secondary Education Act, pending before the House, continue the Federal aid-to-education program for local school districts, add a provision for aid to pupils in Bureau of Indian Affairs schools and extend assistance to State-supported schools for neglected and dependent children such as the State Juvenile Home at Toledo.

HEALTH AND WELFARE

The Child Nutrition Act, pending in a House-Senate conference committee, authorizes a 2-year program of breakfasts for pupils living in low-income areas or who must travel long distances to class. Also, Congress restored budget cuts which would have curtailed the regular school lunch program.

Congress passed legislation providing monthly payments of $35, beginning October 1, for all persons 72 or older not currently eligible under the social security system.

Congress extended through May 31, 1966, the initial period for those 65 or older to enroll in the supplemental medical-care-for-the-aged program. Enrollment in the Fourth District totaled 49,147, or 95 percent of those eligible under the program.

Congress passed legislation to prevent the use of stolen dogs and cats for medical research and to provide for their humane care, treatment, and transportation.

ECONOMIC DEVELOPMENT

Amendments to the Economic Opportunity Act, as approved by the House, authorize continuation of the antipoverty program, increase slightly the overall funding authorization, put increased emphasis on the Headstart and Neighborhood Youth Corps programs, and provide aid for placement of older workers in community service jobs.

Included is a provision which I proposed to close the "information gap" in the antipoverty program by requiring the Office of Economic Opportunity to make prompt distribution of rules, regulations, and guidelines to State and local officials.

The Sales Participation Act, designed to place increased reliance on private rather than public credit, authorizes the sale to private investors of pools of Government assets held as security for Federal loans.

Congress increased the FNMA's borrowing authority to lessen the shortage of mortgage capital needed for homebuilding.

TRANSPORTATION

The Traffic Safety Act, aimed at reducing the rising highway death toll, authorizes Federal safety standards for new motor vehicles and for tires. The first standards will apply to 1968-model vehicles.

The Highway Safety Act, in a further effort to cut traffic deaths, authorizes a Federal-State highway safety program and encourages States to establish an approved program by December 31, 1968.

Amendments to the Federal Airport Act, cleared with minor differences by both Houses, continue for 3 years the grant-in-aid program for building and improving local airports.

The Federal-Aid Highway Act includes a 2-year authorization of funds to continue work on the Interstate Highway System. Iowa's allocation for interstate construction during the 2 years totals about $86.4 million.

BUSINESS AND FINANCE

Congress increased the lending authority of the Small Business Administration and created a special SBA disaster loan fund to ease the burden on SBA's regular business loan fund.

The Tax Adjustment Act establishes a new system of graduated withholding for individual income taxes and accelerated payment schedules for corporate taxes.

Congress passed legislation authorizing the Interstate Commerce Commission to take steps to end the recurrent shortage of freight cars, a problem which has troubled many Iowa business firms.

The Fair Packaging and Labeling Act, passed by both Houses in a different form, prohibits unfair and deceptive packaging and labeling of consumer goods.

CIVIL RIGHTS

The Bail Reform Act establishes procedures to insure that no person regardless of financial status, is needlessly detained pending trial in a Federal court.

INTERNATIONAL RELATIONS

The Foreign Assistance Act authorizes a 1-year program of economic and military aid abroad, places a limit on the number of nations eligible for U.S. aid and also continues the Alliance for Progress for 3 years.

Congress continued the Peace Corps Act for 1 year and included provisions for a school-to-school program, under which a U.S. school can help build a sister school in a less-developed nation.

Congress approved U.S. participation in the Asian Development Bank, established to promote economic development among peaceful Asian nations.

GOVERNMENTAL REORGANIZATION

A new Cabinet-level Department of Transportation, now awaiting conference committee action, was established to coordinate Federal policies for highway, air, and rail travel. A similar measure was recommended by the Hoover Commission.

Congress passed a freedom-of-information bill requiring Federal agencies to make records publicly available, except in cases involving national security or individual privacy.

LABOR

Congress passed legislation to increase the minimum wage to $1.40 an hour, effective February 1, 1967, and to $1.60 an hour, effective February 1, 1968. The new law also extends coverage to an additional 8.1 million workers.

Congress approved an across-the-board pay raise of about 2.9 percent for 1.8 million Federal workers.

CONSERVATION

Congress provided authority for planning of 100 watershed projects and construction of 80 or more during fiscal year 1967, thus rejecting Budget Bureau efforts to sharply curtail the program. The Budget Bureau's proposed limitations, as I pointed out to the House on March 22, would have cut in half the scope of the SCS watershed program.

Amendments to the Federal Water Pollution Control Act, awaiting conference committee action, continue the grant-in-aid program to help local communities build sewage treatment plants and add a new program to plan and build treatment plants on a river basin basis.

The Clean Air Act, approved by both Houses in a slightly different form, authorizes a 3-year program of grants to State, regional, and local agencies for expansion of efforts to control air pollution.

NATIONAL DEFENSE AND VETERANS

Congress passed a cold war GI bill of rights establishing a program of benefits, including educational, home loans, medical, and Federal job preference, for veterans serving in the Armed Forces since January 31, 1955.

Congress approved a pay increase, averaging 3.2 percent, for members of the Armed Forces.

PUBLIC WORKS

Favorable congressional action was taken on the following Fourth District public works projects.

The Three Mile Creek watershed in the Union County area received final approval by the House and Senate Public Works Committees.

A $6 million appropriation was made to continue work on the Rathbun Dam, which will form an 11,000-acre reservoir covering portions of Appanoose, Monroe, Wayne, and Lucas Counties.

Congress approved $9.5 million in funds for the Red Rock Dam and Reservoir on the Des Moines River, which will provide downstream flood protection to Eddyville, Ottumwa, Eldon, and other communities.

Appropriations totaling $930,000 were made to finance highway relocation and planning for the Ames Dam and Reservoir, needed for flood control in portions of Jasper, Marion, Mahaska, and Keokuk Counties.

Congress appropriated $100,000 for engineering and design work on the Marshalltown flood control project, authorized last year to protect areas along the Iowa River and Linn Creek.

A $70,000 appropriation was made to continue the Iowa-Cedar River flood control survey, which includes a study of flood prevention on the Cedar River near Vinton.

Congress appropriated $350,000 for a 70-bed general medical and surgical unit at the Knoxville Veterans' Administration Hospital. The unit will qualify the VA facility for use as a general hospital.

FEDERAL BUDGET

In an effort to reduce expenditures to the minimum, Congress spent much of its time this session carefully scrutinizing the appropriation requests submitted by the administration.

Final action has not been taken on a number of budget requests and it is therefore impossible to show an accurate and detailed breakdown on each appropriation bill.

The latest figures, however, show that thus far this session Congress has appropriated $594,249,156 less than was recommended by the administration. The final reduction is likely to be even greater.

National Federation of Business and Professional Women's Clubs

EXTENSION OF REMARKS

OF

HON. QUENTIN N. BURDICK

OF NORTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 5, 1966

Mr. BURDICK. Mr. President, October 16 to the 22d will mark the annual observance of National Business Women's Week by the National Federation of Business and Professional Women's Clubs, Inc. This week has been observed every year since 1928, and dramatizes the role of women in the business and professional life of the Nation.

During this week, the 177,500 members of the BPW salute the achievements and accomplishments of all business and professional women throughout our country.

This organization was founded in 1919, and is now in operation in all the 50 States, District of Columbia, Puerto Rico, and the Virgin Islands. The growth of this organization is exemplified by its emblem, the Nike—Winged Victory of Samothrace, which symbolizes progress.

Its noteworthy objectives are fourfold:

First. To elevate the standards for women in business and in the professions.

Second. To promote the interests of business and professional women.

Third. To bring about a spirit of cooperation among business and professional women of the United States.

Fourth. To extend opportunities to business and professional women through education along lines of industrial, scientific and vocational activities.

At this time I would like to add my voice in commendation for the excellent work performed by this organization, particularly for elevating the standards and increasing the opportunities for all business and professional women.

Centennial Anniversary of Ukrainian Leader

EXTENSION OF REMARKS

OF

HON. ROLLAND REDLIN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. REDLIN. Mr. Speaker, the Ukrainian Congress Committee of America and its North Dakota branch on September 29 celebrated the centennial of the birth of Mykhailo Hrushevsky—the father of Ukrainian modern histography, world renowned historian, outstanding statesman, and the first president of the Ukrainian National Republic in 1917.

Dr. Anthony Zukowsky of Steele, N. Dak., president of the North Dakota branch of the Ukrainian Congress, was extremely active in the centennial activities and is now attending sessions of the national Ukrainian Congress meeting in New York City.

Dr. Zukowsky was also kind enough to provide me with a brief background of Mykhailo Hrushevsky.

Hrushevsky, who in a relatively short time, became the symbol of Ukrainian national unity, and the spiritual leader of Ukrainian national movement in western and eastern Ukraine, devoted his work to awakening his people, and to the liberation of his nation from these persecutions and mistreatments.

On the outbreak of the World War in 1914 Hrushevsky was arrested by the Russian Government, which deported him to Siberia, and later confined him to Moscow. With the outburst of the revolution in March 1917, Hrushevsky returned to Kiev where he became the head of the Ukrainian General Council—Ukrainska Centralna Rada—the first Ukrainian National Parliament. The following year Hrushevsky was elected the President of the Ukrainian National Republic, which proclaimed the complete independence of Ukraine. Hrushevsky was honored as the founding father of a modern Ukrainian Republic. At this point Hrushevsky as a statesman achieved his aim: his nation was liberated from foreign yoke and Ukraine became an independent democratic state.

In April 1918 the German troops dispersed the Central Rada, and Gen. P. Skoropadsky became the head—"Hetman"—of the Ukrainian State. After a short time Hrushevsky left the country and went to Vienna. Ukraine in 1923 became one of the Republics of the Soviet Union. In 1924 Hrushevsky decided to return to Ukraine in order to continue his historical research. Hrushevsky was arrested in 1930 and deported near Moscow. All his works were prohibited in the Soviet Union, and destroyed in public and academic libraries. Gradually Hrushevsky lost his strength and became blind. He was then sent by the Soviet Government for "recuperation" to a home for Soviet scholars in Kislovodsk in the Caucasus Mountains where he died on November 26, 1934.

Statement by Congressman Reuss

EXTENSION OF REMARKS

OF

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. WILLIAM D. FORD. Mr. Speaker, the problem of inflation is one of great concern to every American. Unfortunately, partisan politics has been injected into the situation by some Republicans, who have charged that "Democrats are the party of inflation."

My good friend and colleague, Congressman HENRY S. REUSS, of Wisconsin, has compiled an excellent report which completely refutes this charge. Congressman REUSS' statement should be of interest to every Member of this Congress, and for this reason I am having it made part of the CONGRESSIONAL RECORD.

1. Since 1961, U.S. prices have been remarkably stable. During the first half of this decade, wholesale prices remained virtually unchanged, while consumer prices edged up only 1.4 percent on the average. This record of price stability, accomplished during a period when our gross national product was increasing by $100 billion a year, and our unemployment rate was declining from around seven percent to below four percent:

A. Is far better than that of any other leading country. During the five-year period 1960–65, U.S. wholesale prices rose 0.4 percent, and consumer prices rose 1.3 percent, compared to Belgium's 1.7 percent and 2.4 percent; Canada's 1.7 and 1.7 percent; France's 2.5 and 3.7 percent; Germany's 1.4 and 3.0 percent; Italy's 2.7 and 5.0 percent; Japan's 0.4 and 6.2 percent; the Netherlands' 2.3 and 4.1 percent; Switzerland's 1.9 and 3.2 percent; and the United Kingdom's 2.8 and 3.7 percent.[1]

B. Is far better than that of the Republican years. Despite large-scale unemployment and underuse of resources during the Eisenhower Administration, wholesale prices rose 1.6 percent per year during 1955–60, compared with 0.4 percent per year during the Kennedy-Johnson Administrations of 1960–65. Similarly, the Consumer Price Inex rose 2 percent a year during 1955–60, and only 1.3 percent a year during the following five Kennedy-Johnson years.

2. While irresponsible deficit financing can cause inflation, the Kennedy-Johnson national debt bears a far sounder relationship to gross national product than in Eisenhower's day. In 1955, the ratio of the national debt to the gross national product was 76 percent; in 1966, it is only 53 percent. During this same period, state and local debt climbed from about 11 percent to 14.5 percent; personal debt rose from 48 percent to 67.5 percent; and corporate debt rose from 63 percent to 78 percent. Thus, while Federal debt was declining sharply in proportion to GNP, State and local, personal, and corporate debts, in total, climbed from about 1⅓ times the national GNP to over 1½ times. Plainly, the deficit financing was in the State, local, personal, and corporate sectors, and not in the Federal government.

Today, the Consumer Price Index is about 3.5 percent above the figure for the comparable month in 1965. Between early 1965 and early 1966 about one-half the rise came from an increase in food prices, and most of the remainder was from services. Since early 1966, over four-fifths of the rise in consumer prices has been due to increases in the prices of services.

Parts of this 3.5 percent increase are not properly increases at all, but instead represent increases in improvements in quality which are impossible to measure.

Furthermore, the price increases that have occurred—mostly in food and services—are in part due to special circumstances rather than to overall inflationary demand. In food, adverse weather conditions accounted for shortages in production of fruits and vegetables, dairy products, and some bread grains—which naturally led to price increases. Other shortages in farm products appeared because there was a larger-than-normal exodus of farmers from the farm toward newly-created city jobs.

Some price increases were due to bunched defense spending. For example, a sudden concentration of lumber purchases by the Department of Defense last winter caused a run-up of prices.

Services contributed to the consumer-level price increases because, since they typically involve a lot of manpower and little machinery, productivity does not rise rapidly. The costs of staying in a hospital, of hiring a maid, of visiting a beauty parlor, or buying a newspaper are climbing because wages are going up here as well as elsewhere, but productivity rises slowly, if at all. Increased demand for medical care, straining available facilities, has encouraged rises in this area. And more generous damage awards by the courts, together with a higher proportion of younger drivers, have sent auto insurance costs soaring.

4. This serious problem—how to maintain price stability in a growing economy—is receiving a responsible response from the Democratic Congress and Administration. Republicans talk a good anti-inflationary game, but have never done much about it. The strong anti-inflationary programs of FDR in World War II, and Harry Truman during the Korean conflict, were fought tooth and nail by the Republicans.

Today, the Democratic Administration and Congress are acting responsibly to promote price stability while protecting our prosperity:

A. $10 billion excess purchasing power was removed from the economy early in 1966—$6 billion through increased social security payroll taxes, $1 billion through restored excise taxes, $1 billion through graduated withholding of individual taxes, $1 billion through accelerated corporate tax payments, $1 billion through an administrative acceleration of tax payments.

B. On June 16, 1966 the Democratic majority in the House Committee on Banking and Currency brought to the floor a proposal for standby controls over consumer credit. By requiring minimum down payments, and maximum length of maturity on installment sales of consumer durables, this could have provided a means of restraining inflationary demand without constantly tightening money and raising interest rates. While the measure was defeated 275–73, those who voted for it were all Dembocrats with the exception of two Republicans—two out of 140.

C. President Johnson's September 8 anti-inflationary package is well on the way toward enactment. Its principal recommendation—to suspend the seven percent investment tax credit until January 1, 1968—was fought by the U.S. Chamber of Commerce, but has been favorably reportedly by the House Ways and Means Committee. The President is also taking strong measures to reduce lower-priority federal expenditures, on the order of $3 billion. Some of the leading Republican "economizers" were strangely silent while the House passed a public works bill containing projects for their areas on September 21. A Republican-sponsored attempt to raise the Mass Transit Act authorization from the $150 million a year requested by the President to $175 million a year was turned back in the House in August.

D. The President signed into law, on September 21, the Democratic-sponsored bill to obtain lower interest rates on certificates of deposit, and thus reduce the squeeze on the homebuilding industry. The Federal Reserve System the same day responded by lowering the interest rate ceiling on certificates of deposit.

E. The President's Council of Economic Advisers has promised a prompt review and reinvigoration of the wage-price guideposts, with full participation by both labor and management in formulating them.

Taken together, these measures will reduce overheating in those areas in the economy where it occurs. By doing so, this should reduce the demand for money and the constant upward pressure on interest rates. This should be particularly helpful to the homebuilding industry, where dwelling-units-started are down to an annual rate of slightly over one million—a drop of almost forty percent since last December.

The Democratic Administration and Congress are conscientiously trying to achieve price stability and lower interest rates without bringing on heavy unemployment. It took the Republicans to achieve heavy unemployment and price inflation at one and the same time when they were last in power. They did it before and, given a chance, they can do it again!

Voting Record, 89th Congress

EXTENSION OF REMARKS

OF

HON. RICHARD (DICK) ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. ICHORD. Mr. Speaker, as the 89th Congress nears adjournment, the time arrives for me to submit my usual end-of-Congress report on my votes and activities to the people of my district—and submit my voting record on the bills that have been passed by the 1st and 2d sessions of this Congress.

My district, Mr. Speaker, is composed of 443,747 people in 24 counties in mid-Missouri and presents a diversity of interests; namely, small business, farming, educational, labor, and mining, including an area suburban to St. Louis County. This complexity of interests and myriad of pursuits makes it impossible for anyone to agree with every vote I have cast. Surely, I do not expect that all of my constituents will agree with my position all the time, but what is important to me is that I have voted in a way that I believe best serves the district I represent, the State of Missouri, and the Nation as a whole.

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[1] Source: Federal Reserve Bank of St. Louis, July, 1966.

The record covers the major bills enacted by the 89th Congress, both sessions, and I have indicated my vote on the following chart:

Public law or bill No.	Description of bill	I voted
Public Law 89-358	Veterans' Readjustment Benefits Act, to provide a program of educational benefits and others for the cold war veterans	Yes.
Public Law 89-171	Foreign Assistance Act of 1965—authorizing foreign aid program	No.
Public Law 89-273	Foreign aid funds for 1966—appropriating $3,218,000,000 for 1966 program	No.
Public Law 89-321	Omnibus farm bill, extending for 4 years existing wheat, feed-grain agricultural programs, and others	Yes.
Public Law 89-240	FHA loan ceiling—increasing the annual gross ceiling on FHA-insured loans to help develop water supply and waste disposal systems in rural areas.	Yes.
Public Law 89-6	Inter-American Development Bank—authorizing $750,000,000 increase in U.S. contributions to the Bank's Fund for Special Operations	No.
H.R. 7984	Rent-supplement amendment to the Federal Housing Act	No.
Public Law 89-562	Urban Mass Transportation Act—authorizing a program of Federal grants to States and cities for planning, engineering, and designing urban mass transportation projects.	No.
Public Law 89-10	Elementary-secondary education benefits, authorizing funds for general use in elementary and secondary schools including grants to low-income school districts, text and library books, education centers, etc.	Yes.
Public Law 89-329	Higher Education Act—authorizing funds for Federal scholarships for college students, federally guaranteed low-interest loans to college students and aid to small colleges and community service programs.	Yes.
Public Law 89-97	Medicare—establishing a social security medical care program for the aged	Yes.
Public Law 89-97	Social security increase—providing a 7 percent across-the-board increase in old age survivor's disability insurance retroactive to Jan. 1, 1965	Yes.
Public Law 89-74	Drug controls—expanding Federal controls over depressant and stimulant drugs (barbiturates or "goof balls" and "pep pills") to reduce illegal distribution and use.	Yes.
Public Law 89-109	Health program extensions—to extend and strengthen programs of grants for immunization of children against polio, diphtheria, tetanus, whooping cough, measles, and other infectious diseases.	Yes.
Public Law 89-333	Vocational rehabilitation—to expand existing vocational rehabilitation programs to train from 120,000 to 200,000 trainees annually	Yes.
Public Law 89- (H.R. 15111)	Economic Opportunity Amendments of 1966—to extend and authorize the poverty programs	No.
Public Law 89-564	Auto safety—establishing Federal safety performance standards for motor vehicles and tires	Yes.
Public Law 89-41	Disaster legislation—to provide more comprehensive and rapid disaster relief in the case of natural disasters and price support payments to farmers who were unable to plant crops because of floods.	Yes.
Public Law 89-236	Immigration—revising the immigration laws to eliminate the national origins quota system which has been in effect since 1925 and to establish general priorities for admitting immigrants.	Yes.
Public Law 89-110	Voting rights—to enforce 15th amendment to the Constitution (right-to-vote) and to suspend the use of literacy tests or similar qualifications voting devices.	Yes.
H.R. 14765	Civil Rights Act of 1966—including open occupancy provisions on the sale and rental of housing and Federal controls over jury selection	No.
Constitutional amendment.	Presidential continuity—providing specific procedures for presidential succession and to permit the Vice President to become Acting President if the President becomes unable to perform his duties.	No.
Public Law 89-141	Assassination of the President—making it a Federal crime to kill, kidnap, or assault the President of the United States	Yes.
Public Law 89-197	Crime—Law Enforcement Assistance Act with training programs for local law enforcement personnel	Yes.
Public Law 89-504	Federal employee pay raise—providing salary increases for Federal workers	Yes.
Public Law 89-214	Insurance for servicemen—making available group life insurance for all servicemen and authorizing death gratuity payments to survivors of servicemen.	Yes.
Public Law 89-132	Military pay—providing 1st pay increase for enlisted men since 1952, including reenlistment bonuses for critical skills, extra "hostile fire" pay for men in combat zones.	Yes.
Public Law 89-44	Excise tax cut—a graduated elimination of all excise taxes except user and regulatory levies, cigarettes and liquor taxes and the 1-percent manufacturer tax on automobiles.	Yes.
Public Law 89-81	Silver coinage—to revise the Nation's coinage by eliminating all silver from dimes and quarters and reducing silver content of half dollars to 40 percent.	No.
Public Law 89-601	Minimum wage—to increase the minimum wage from $1.25 per hour to $1.60 by Jan. 1, 1968, and extending minimum wage coverage to workers not previously covered.	Yes.
Public Law 89-387	Uniform Time Act—to establish uniform dates for commencing and ending daylight saving time and to allow each State to enact State law to exempt itself on a statewide basis from the provisions of the act.	Yes.
H.R. 14929	Food for Freedom Act—a broad expansion of old Public Law 480 of shipping our food surpluses to more than 100 foreign nations to be paid for in local currency not redeemable in U.S. dollars—a new program of foreign aid.	No.
Public Law 89-152	Draft card burning—amending Universal Military Training and Service Act to make it a crime to knowingly destroy or mutilate a draft card.	Yes.
Public Law 89-285	Highway beautification—providing for Federal control of advertising and junkyards along the highway right-of-way	No.
Public Law 89-583	Foreign Assistance Act of 1966—authorizing foreign aid program	No.
H.R. 17788	Foreign aid appropriations for 1967 program, $3,047,065,800	No.

The Answer to Inflation: Cut Federal Spending

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. OTTINGER. Mr. Speaker, inflation is clearly the most serious domestic problem facing our Nation today. Every family in America feels its pinch, but the lower and middle income families and retirees living on fixed incomes feel it most painfully now. Inflation must—and can—be stopped.

Recently, we have approved certain actions to "cool down" our overheated economy and provide additional revenue. These were wise and necessary actions, but they were late. The best way to meet the cost of our commitments in Vietnam and carry on needed domestic programs without a repressive across-the-board tax increase is to cut nonessential Federal spending.

VOTED AGAINST $24 BILLION

In the past 10 months I have repeatedly acted on the need for spending cuts. I have made specific proposals to the President. I have spoken on the floor of the House. I have voted against more than $13 billion in nonessential Federal spending this session, making a cumulative total of more than $24 billion for this Congress.

Here is what I have voted against: $7.4 billion for "pork barrel" public works appropriations; $11 billion for wasteful farm price supports and subsidies; $800 million for unnecessary congressional committee expenses; $530 million "fat" in the budgets for the Departments of Labor and Health, Education, and Welfare; $362 million "fat" in the Treasury and Post Office budgets; $66,100,000 "fat" in the Interior Department budget; $121 million "fat" in the Commerce, State, and Justice Department budgets; $55,200,000 to provide extravagant living quarters for Foreign Service personnel; $15 million for a federally financed "promotion" for cotton goods; $3,500 million in sugar subsidies; $15 million in tobacco subsidies; and $750,000 to build a new house for the Vice President.

In 2 years, counting only these major measures, I have voted against $24.8 billion in what I considered to be nonessential spending.

VOTED AGAINST "ICING"

Inflation is made up of little, unnecessary expenditures as well as large ones. I led a floor fight against a $42 billion TVA real estate speculation in connection with a proposed dam on the Tellico River in Tennessee, and against another measure authorizing $35,000 to hire elevator operators to run the automatic elevators in the Rayburn House Office Building.

I have also publicly opposed costly administration decisions, such as, for instance, the top priority placed on $5 billion Federal assistance for research and development of a new supersonic passenger plane. This program has no military significance. While it would be nice to be the first with the biggest and fastest passenger jet, this is the kind of project that can and should be delayed in this time of inflationary crisis.

Our economy is essentially healthy and strong. Once we have corrected the imbalance caused by excessive Federal spending, the natural forces of our free economy and our free enterprise system will work, as they have in the past, to bring continued prosperity and a sound and steady growth.

TAX INCREASES, CONTROLS AND MONETARY POLICY

I have declared on the record my opposition to a general tax increase at this time. People are already hurting too much from price increases and soaring State and local taxes. To add a new general tax burden at this time would cause undue hardships, particularly on those who can least afford it.

There are a number of tax loopholes that give a special and unwarranted advantage to a select few. These should be closed, not only to assure that everybody bears a fair share of the tax burden, but also to recapture billions of dollars of potential revenue that now escape the Federal Treasury. On July 9, I wrote to the President and the chairman of the Ways and Means Committee, outlining a program of reform which would close inequitable loopholes and save more than $3 billion.

I have also opposed such unnecessary interference with our free market as price, wage, and credit controls. I will continue to do so, except in a national emergency. The problem that our economy is encountering comes, not from any inherent imbalance in the system, but from artificial imbalance caused by too much Federal interference and too much Federal spending.

The other device that can be used to check inflation is monetary policy. It is a useful tool, but it cannot do the job alone. Unfortunately, the only action the Federal Government has taken to counter inflation is to force up interest rates. This has placed an unfair burden on all businesses that depend on borrowing—and particularly on the small borrower, the small business and the homebuilding industry, which depends on mortgages for its sustenance. I have backed Federal legislation to relieve the tight mortgage market and reduce soaring interest rates. But the real way to relieve the pressures on interest rates is by exercising fiscal responsibility—again, the answer is to reduce unnecessary expenditures.

I believe that we can halt inflation. I believe we can do so even in the face of rising costs in Vietnam. I believe we can do it without curtailing needed domestic programs. I believe we can do it without a general increase in taxes. The program is simple: cut the "fat" out of the Federal budget—now.

Daughters of the American Revolution Essay Contest Winners

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. ROGERS of Florida. Mr. Speaker, the Frances Broward Chapter, Florida Daughters of the American Revolution, have in recent years sponsored a Constitution Week essay contest among the schools of Broward County. The DAR is to be commended for this most worthwhile project and all of those who participated in the contest this year deserve our praise for their interest in our American heritage.

The winners this year were:

Senior high: First place county winner—Darcy Shean, Cardinal Gibbons High School. Second place—Kathleen Smith, Ft. Lauderdale High School.

Junior high: First place—Elaine D. McWhite, Dillard Junior High.

Elementary: First place—Barry Townsel, Sanders Park Elementary School. Second place—Mike Rich, Bayview Elementary School.

South Broward County winners: First place—Senior high: Doreen Poirier, Madonna Academy. First place—Junior high: Michael Miciak, Lake Forest.

I will request permission to place the winning essays in the Congressional Record in the days ahead but want to at this time congratulate all of those who took part in the program this year.

Mrs. Edith O'Keefe Susong, Publisher of the Greeneville, Tenn., Sun

EXTENSION OF REMARKS

OF

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 5, 1966

Mr. QUILLEN. Mr. Speaker, because of the schedule here in the Congress. I was unable to return to my district this past weekend, and I missed attending an open house for Mrs. Edith O'Keefe Susong, the publisher of the Greeneville, Tenn., Sun. The open house, held Saturday, October 1, honored Mrs. Susong on her remarkable career of 50 years in the newspaper business.

Mrs. Susong's half century of accomplishments is an archive of service which will long be remembered. I wish very much that I could have been there in person to congratulate her and to thank her for all that she has done for us all, but since I could not, I include at this point in the Record several of the letters, including my own, that Mrs. Susong received on her anniversary. I would also like to insert Mrs. Susong's reminiscences and an editorial from the Knoxville, Tenn., Journal.

I again extend my sincerest congratulations and best wishes to Mrs. Susong, and as she looks to the future, it is my hope that she will find continued success.

The material follows:

Congress of the United States,
House of Representatives,
Washington, D.C., September 28, 1966.

Dear Mrs. Susong: I am delighted to join a host of your many friends in extending my heartiest congratulations on the occasion of your Fiftieth Anniversary in the newspaper business.

Greeneville, Greene County, the State of Tennessee, and the entire Country have indeed been fortunate in having the benefit of your fifty years of wise counsel and unselfish devotion to public service. You have given of your time and energy to the cause of progress and to the betterment of mankind. Your record of service is one that few achieve and one that deserves a sincere word of gratitude in behalf of those you have helped so generously throughout these years.

You have not only seen Greeneville, Greene County, and the First District grow by leaps and bounds, but you have helped to bring about this growth. To know that one's dreams have come to pass is very comforting and satisfying.

Your planning for the One Hundredth Anniversary of your newspaper in 1979 is indicative of your realization that many things are yet to be accomplished. This clearly demonstrates your faith, your confidence, and your vision.

During your tenure as Director of the Southern Newspaper Publishers Association and the Tennessee Press Association your ideas and suggestions were gratefully received and widely acclaimed. As a result of your work in these Associations, the whole newspaper industry has benefited.

Another well-deserved honor in recognition of your many contributions was your being named the most outstanding newspaper woman throughout the Country by the Women's Press Club in Washington in 1950.

You are to be commended for taking time out during these busy years to devote yourself to civic and community projects. Your having served as President of the Tennessee Federation of Women's Clubs and as a Trustee of the General Federation of Women are other examples of your untiring devotion.

I am extremely proud of your record and accomplishments. Your honors have been many, and you have deserved every one of them. I am sure that the future holds many more wonderful things in store for you.

I hope to see you Saturday during the Open House in your honor. Again, I extend my sincerest congratulations on this grand occasion.

Sincerely,

James H. Quillen.

The Associated Press,
New York, September 22, 1966.

Mrs. E. O. Susong,
Publisher, the Greeneville Sun,
Greeneville, Tenn.

Dear Mrs. Susong: All of your many friends in The Associated Press join in congratulating you as you approach your 50th year in the newspaper business. It is a milestone that should bring you great satisfaction.

The greatest tribute a newspaper can attain is the respect and confidence of its readers. The Greenville Sun has served its community well and has won respect and confidence. This should be a great source of pride to you and should make your 50 years of dedicated service to the journalism profession seem very worthwhile.

We look forward to many more years of association with you and your colleagues.

With best wishes,

Sincerely,

W. Gallagher.

Tennessee, Executive Chamber,
Nashville, September 16, 1966.

Mrs. E. O. Susong,
Publisher, the Greeneville Daily Sun,
Greeneville, Tenn.

Dear Mrs. Susong: Our mutual friend, John M. Jones, has told me that on October 1, you will complete fifty years in the newspaper business, and that appropriate ceremonies honoring the event will be held.

I wish I could be there to take part, but since I cannot, I want to convey by means of this letter what those years have meant not only to your city and county, but to the whole state and the profession of journalism which you have so ably served.

The remarkable thing is that today, after all these years of dedicated service, you are still looking forward, not backward. In my mother's old scrapbook, there is a quotation from Ralph Barton Perry: "Age should not have its face lifted, but rather teach the world to admire the marks of service."

If you have acquired any marks of service you have come by them honestly for there has been hardly a civic or charitable undertaking in your community that you have not served—hardly a cause that was in the public interest in which you did not willingly enlist and faithfully fight.

The acclaim of the nation's newspapers, of leaders of the field of politics, finance and the arts which have come to you in this busy half-century can hardly match the simple affection of those of us who have come to know and respect you here at home.

May I congratulate you on a remarkable career made rich and full by the lives you have touched.

And may I wish for you many more fruitful years at the publisher's desk.

Sincerely,

FRANK G. CLEMENT.

NASHVILLE, TENN.,
October 1, 1966.

Mrs. E. O. SUSONG,
Publisher, the Greenville Daily Sun,
Greenville, Tenn.

DEAR MRS. SUSONG: A golden anniversary for any reason is noteworthy, but I believe the anniversary of your 50 years in the newspaper profession is one that is unparalleled—not for the span of time alone, but for the accomplishments and contributions you have made.

Serving as the perpetual "first lady" of journalism in Tennessee for these many years has, again, been an honor based more on service than on longevity. As a lay observer of the journalism profession, I can readily recognize these many contributions; and, as one who is interested in the promotion of the State of Tennessee, I have watched our state benefit from the national recognition your efforts have brought us.

The groups and individuals who have benefited from your untiring efforts are manifold; I'm sure more numerous than you could imagine.

I join the thousands who offer congratulations on this most pleasant occasion. Even more than congratulations, let me say thank you for investing this half-century in Tennessee's development and enrichment.

I'm also happy that the ceremony marking a career of 50 years isn't marking "30" to that career at the same time. I look forward to many more years of beneficial contributions from the First Lady of Tennessee Journalism.

Sincerely,

BUFORD ELLINGTON.

CONGRATULATIONS, MRS. SUSONG

Today the staff of The Greeneville Sun, our neighbor paper, is staging an open house at its plant in honor of Mrs. Edith O'Keefe Susong's entry into the newspaper business 50 years ago.

The Knoxville Journal extends to Mrs. Susong cordial greetings and best wishes for many more years of public service for her newspaper, of which her son-in-law, John M. Jones, is now publisher.

Since every newspaper subscriber naturally feels that the publication for which he pays each week should reflect both his views and individual tastes, we know from experience that the task of no newspaper is easy. Every reader, in effect, feels that he is a member of the board of directors and is entitled to have both his general and special interests reported and even espoused as newspaper policy.

This reader attitude may, by some thoughtless newspaper publishers, be considered a cross which they must necessarily bear. Actually it is this feeling of joint ownership, or participation, through payment for every subscription that becomes a newspaper's greatest source of strength. Any newspaper which succeeded in pleasing all of its readers all of the time could be certain of an early and untimely demise.

Thus the 50 years in which Mrs. Susong has savored the joys and the discomforts of newspaper publishing and has seen her newspaper survive and grow attest to her success in pleasing enough of the people enough of the time to gather both size and vigor over the years. This is a fine achievement to contemplate in retrospect and it augurs well for the future of The Greeneville Sun.

We congratulate our neighbor!

THANK YOU, GREENE COUNTY

(By Edith O'Keefe Susong)

Thank you, friends and neighbors, for fifty full and fruitful years, years filled with joy and also sadness, years of hard unrelenting labor and tireless effort, years that have been most rewarding.

I have had my ups and downs, but always I have had the happy feeling that all of you were right there along with me, and that we were working together as one for the growth and prosperity and upbuilding of our beloved county. From those first lean years when I could hardly pay my $50 a year rent you constantly renewed my courage and determination by your loyal support.

I wonder if you realize what it has meant to me to hear you say "I'd rather miss a meal any day than a copy of the paper"? That kind of statement has been made to me literally thousands of times and each time it has warmed the very cockles of my heart.

And now as I approach the sunset of life, I look back over five decades and gratefully recall the many manifestations of kindness and friendship you have given me always.

The words of a dear old silver haired friend from the foot of the mountains will ever be engraved in my memory. They were Golden Words to me.

He came into my office one dark day when a new battle was looming on the horizon. I was very despondent and almost hopeless and he must have seen it in my face as he gave me a broad smile and said "I just came in to tell you that all of us have talked it over and have decided to stick by Miss Edith." And that is just what they did and not only his community, but many others throughout the length and breadth of the county. This morale builder enabled me to win not only that battle, but others that were to come. It smoothed many a rough and stony path for me. Small wonder that I think Greene County is the Garden Spot of the World inhabited by the world's finest and am more thankful with each passing day that the roots of my destiny have been so firmly planted here.

The people of Greene County are my people. Shoulder to shoulder we face the Past, the Present and the Future in a world of Fear, Confusion and Challenge. Thank you, my good comrades, for my Golden Yesterdays and the shining faith I hold for Tomorrow.

AND THE ROSES HAVE BLOOMED AND BLOOMED—REMINISCENCES OF 50 YEARS AS A NEWSPAPER PUBLISHER

(By Edith O'Keefe Susong)

Anyone caught in the heavy "Coming Home" traffic in Greeneville any afternoon in 1966 would find it hard to picture the quiet even pace of the Greeneville of fifty years ago. The difference is as startling as that between the old two page press on which my newspaper was printed in 1916 and the handsome thirty two page offset press with four pages in full color which we are installing in the Sun plant in the near future.

The radical changes that have taken place in this period of time, the buildings that have been torn down, the new ones erected, the real estate transfers that amount to more in a week than were then made in a year are astounding. The whole change of tempo is unbelievable.

Fifty years ago Greeneville was a pleasant small town of 3775 with many picturesque old homes reminiscent of the days when the village was first carved out of the wilderness.

There were still horse drawn vehicles to be seen amid traffic slowly moving through the town. The business section consisted of a comparatively small number of stores on Main and Depot Streets.

The wide spreading Banner Tobacco Warehouse still occupied a strategic spot on Depot Street and the Adams Warehouse was in the next block. There were two banks, the First National and the Greene County, three schools, two white and one colored. The Greeneville Hospital had opened its doors in 1913 and was the only hospital serving the town and county.

The economy of the county depended entirely on tobacco. Everybody waited with bated breath for the opening of the market. If prices were high they paid their bills and made new purchases. If prices were low (some times they were as low as 3 cents per pound) everybody was hard up and debts piled up again.

There was no Pet Milk Company, no Kraft Cheese Company to add to the tobacco income. Farmers sold wheat and corn and hay and chickens and turkeys and eggs. There were no chain stores, no shopping centers, no residential additions, no flourishing plants with big payrolls.

The Austin Company was operating and the Brown Manufacturing Company made pills and calendars. The Lamons Wagon Company was still making fine farm wagons and the Hood Chair Company had been established but there was very little income from industry.

People were careful and thrifty and got along surprisingly well without any kind of government aid. Few of them had luxuries, but the rank and file lived comfortably and well.

In June D. P. Mason who served as mayor for so many years had been elected. The aldermen then on the board were C. W. Allen, L. H. Trim, N. T. Howard and W. H. Thompson. All these men were outstanding citizens of the town with its welfare at heart.

This, then, was the environment in which I launched my newspaper career fifty years ago today. It was, of course, a most important milestone in my life.

October 1, 1916 dawned bright and clear, a typical October day, with the leaves just beginning to turn everywhere, the air crisp and cool with just enough zip to make walking delightful.

I tripped down the two blocks to the location of my "plant" with wings on my feet. I had a mortgage for $4,000 in my hand, but I also had a means of livelihood for my two children and I was ready to go to work with a will.

Nothing could prove more definitely the truth of that old saying, "Where ignorance is bliss, 'tis folly to be wise" than the zest and enthusiasm I felt on that sunny morning so long ago. I simply did not know!

Had I realized how utterly impossible was the task I was undertaking, I'd have turned at the door and fled, and some one else would be giving Greene County a newspaper today. But since I had no slightest comprehension of what I was trying to do I breezed gaily in, greeted the two employees, and prepared to take over.

The equipment of the weekly Democrat was located on the ground floor in the upper corner of the Wheatly Building on the corner of Main and Summer Streets.

It was utterly and absolutely ante diluvian, a few cases of worn type, two ancient job presses, and a two page Country Campbell press. Power was furnished by a most elderly gasoline engine.

Any person in his right mind would have been too depressed to start even, but I had never been in a newspaper office so I had no means of comparison. It meant nothing to me that both the prosperous opposing papers were in well lighted buildings on Depot Street with efficient type setting machines, and modern fast presses, to say nothing of their having twice as much circulation as I had.

In view of these circumstances it was not surprising that one of my competitors came out that first week with the statement, "The Greeneville Democrat is now being managed by a woman. It will not be alive when the roses bloom again." I think most of the people in the county concurred in that belief though they were too polite to tell me so.

Remember this was before World War I. It was then that the remarkable discovery was made that women were fully capable of doing the work of the fighting men, and doing it well. But in 1916 women were considered too dumb for any kind of administrative work. It was all right for them to teach school or give music lessons or look after children or sew for a living, but for any woman to have the arrogance to undertake to run a newspaper was simply beyond belief.

I soon found that there was a penalty attached to this idea. A man would come in to renew his subscription which was only a dollar a year. He would give me an icy stare and begin looking around and then say, "Hey Sister, where's your Pap," and when Pap did not show up to take the money he would not entrust it to any female. I was subjected many times to the painful experience of seeing that precious dollar I needed so badly walk out of my office.

To say I worked hard is the under statement of the year. I wrote all the news, wrote and sold the advertising, kept the books, did the collecting. When my employees were busy with the job presses I would run two pages of the paper through my lumbering Country Campbell, take it out and run it through again, fold them all by hand, address them by hand, roll them up and take them to the post office alone and unaided. This is not as big a job as one might think since I had only 650 subscribers. In my leisure time I fed the job presses and on occasion I actually "swept out".

I soon realized that if I was to make any progress I must have some new equipment My first purchase was a second hand motor which cost $60. The day it replaced that smelly, cantankerous gasoline engine I was radiant. I felt that at last I was "on my way".

Nobody knows how much I wanted a type setting machine, but I knew if I were going to buy such high faluting machinery as second hand motors and second hand linotypes I had to discover some gimmick to bring in additional revenue, so I decided to get out a special edition for a Shrine Convention that was being held in Greeneville. Can you imagine trying to get out a special edition with a hand set paper? I can't now but I sold a double page spread of advertising and it looked pretty good to me. I gave my five year old son an armful of papers to peddle on the streets. I am sure this was as hard for him as it was for me but we both plowed ahead.

I was eager to get more subscribers so I put my two children in the car and we went up one road and down another. I'll never forget how kind and gracious people were to us. Whether they wanted the paper or not they bought it as they could not bear to cloud the hopes of that ambitious trio by turning us down and we were much encouraged. We also had a lot of fun as we chose lovely spots where we enjoyed the picnic lunch I had prepared to take with us and made many new friends.

Every day was full of activity and time sped by until 1920 dawned. In May of that year I had a real shot in the arm as I heard on good authority that one of my competitors was going to suspend publication and close his doors and exactly four and a half years after I had plunged into the icy sea of journalism that is what happened.

Never in my life had I wanted anything as much as I wanted that plant. I knew I MUST have it. Though I had been carefully hoarding my pennies I did not have nearly enough money to swing the deal, but I borrowed some more and bought it on the installment plan. This enabled me to move to a larger location and have a better linotype and a really efficient press for the first time. I was now in the Smith Building on Depot Street.

Six months later the other paper in town also stopped publication and closed up. I knew I had to have this one also to merge with the other two, but it was nearly two weeks before I could work it out. The purchase price was so high I simply could not reach it, so I induced my indulgent parents, W. H. O'Keefe and Quincy Marshall O'Keefe, to go in with me and buy it. My mother who had always had a yen to try serious writing was all for it, but my father was harder to persuade. He did not think much of the newspaper business and wanted no part of it. Our combined efforts, however, finally wore him down and he agreed to try it for six months only. He came in and our paper became the Democrat-Sun, a name which it bore for some years until we decided to shorten it to the Sun.

My father became business manager and my mother wrote editorials which were much enjoyed and a delightful column which she called "The QMO Column".

On one occasion when we were conducting a survey in regard to features to find out which was most popular QMO tied with one of the comics for first place, and people who liked it still call for extra copies which we unfortunately cannot supply.

This released me from a lot of work I had been doing and enabled me to give more time to improving the quality of the paper and making other changes.

Mr. W. A. Kennon, a newspaper man of long experience, who was operating the Democrat when I first took over became superintendent of the merged newspaper and served in this capacity until his death. He gave me invaluable aid from the first by teaching me rudiments of the newspaper business of which I knew nothing.

With the purchase of the last paper Hugh Smith came into the picture. He took over the advertising and was a tower of strength from the first. Without the very fine help of these two able men who assisted me in carrying on the newspaper story in Greeneville might have been entirely different. Their help and advice gave me encouragement and assurance and I shall be forever grateful to them for it.

In 1922 we built our present building on Main Street which has been renovated and enlarged three times. We are now in the process of knocking out walls and adding space to take care of the big new 32 page press we have bought. This is the sixth press we have owned. The first was a two page Country Campbell, the next a four page Babcock. When we built our new building we put in a Duplex Model A, but growth of the business made the eight page press too small so we replaced it with a sixteen page Duplex. The big Goss press we are now using will take care of 24 pages, and the new Goss Urbanite which is on order will print 32.

Another assistant that came on soon after we moved into our building was Ruth Keller who has been our hard working society reporter and Woman's Editor for a long period of time and added much to the interest of the paper.

We had a most active Chamber of Commerce under the direction of W. H. Kiser, one of the most public spirited men that ever lived in the county. He, W. C. Waddell, and Jimmy Rader and others realizing what a boon the Pet Milk Company plant would be here, set in motion a drive to secure one. They wanted to provide extra income for the farmers and at the same time build up the soil depleted by years and years of raising tobacco.

I was sold on the idea from the beginning and almost stopped work devoting practically all my time to getting it. Meeting after meeting was held throughout the county trying to induce our people to buy fine, expensive cows. Finally the Pet Milk Company built a plant in Greeneville and one of the proudest days of my life was the day it was opened and I was asked to pour the first can of milk.

I soon found that a partisan newspaper had no place in a small town. It serves only to engender bitterness and division among the people who should be working together as one man for the benefit of the community as a whole.

Our merged newspaper has been independent and we have tried to bring the people together urging them to consider that all of us are primarily Greene Countians, rather than urban and rural and democrats and republicans, and that we should all unite and work together.

Our newspaper has always worked tirelessly for the benefit of our town and county and done everything we possibly could for churches, schools, scouting, United Fund, civic clubs, Ruritan clubs, Band Boosters, sports, Little Theatre. Anything that has seemed to promise something worth while for Greene County we have enthusiastically supported.

There are many citizens gone to their reward who should be listed on the Honor Roll of these last fifty years. Such a man was Clyde B. Austin, who as a very young man organized the Burley Association to promote the growth of the Greeneville Tobacco Market and the Greene County Foundation which has been largely responsible for the industrial development of the county. The Tobacco Experiment Station and the Clyde Austin Camp which is so much enjoyed by the young people of the whole area were also due to him, and there are many others. I should like to list all of their names here but there are so many that I might omit one. Unselfishly they gave liberally of their time and energy and means to give every material aid to this community and all of us honor their memory. It was a real privilege to be associated with them.

In 1937 I lost my father and had to return to the drudgery of bookkeeping which is certainly NOT my talent, but I struggled along until 1945 when a fortunate circumstance added my son-in-law, John M. Jones, to the Sun staff. He came to stay a year only, but before the time was out he became an ardent Greene County booster. He believed so firmly in the bright future of the community that he decided to buy an interest in the paper and thus became my partner.

In fifty years our circulation has grown from 650 to 11,410; our press from 2 pages to thirty-two, our staff from two to forty, all wonderful talented young people and Greene County enthusiasts. At the same time the population of the town has gone from 3,775 to 14,060 (with more than 20,000 in Greater Greeneville (counting the people around the edges of the town outside the corporate limits.) Greene County population is now more than 42,000.

As I look over the business section of the town as it was then I realize that most of the names that were there in 1916 have long ago disappeared. The small Humphreys grocery store on Depot Street has become the vast chain of Super Dollar Markets. The Bernard tobacco warehouses are still operating, one in the same place. The Banner and Adams houses are in new locations and under different management. The Waddell Hardware Store, Doughty Stephens, Lancaster's, Rhea Foral Company, Greene County Motor Co., City Garage and Hotel Brumley are still flourishing but all of them are being operated by the second generation of the families that founded them. This is the sad but inevitable result of the passage of time.

I feel that the newspaper I nursed along so laboriously for so many years is now in safe and capable hands. My son-in-law and partner, John M. Jones, and our fine managing editor, Ken Hood, together with an outstanding staff whose loyalty, efficiency and industry have played such a large part in making the paper what it is today have great plans for growth and expansion of which I approve whole heartedly.

In addition I have three stalwart grandsons all of whom have had a chance to study a newspaper by working in the plant. If they should decide to go into journalism the decision would be made with their eyes wide open.

My hope is that they will see in newspaper business a profession that is not only stimulating and inspiring but one that offers unequalled opportunity for stewardship.

I could not ask for them a future more rewarding. Should they become dedicated newspapermen, and I trust that they will, they would probably never acquire great wealth, but they should be able to make a living and what could be more exciting, more challenging than to be always in the thick of things, and a chronicler of current history as it happens?

Today I am looking back over Fifty Years, years of memories of hard days and happy ones, days of discouragement and satisfaction, days of struggle and inspiration. As I review them I am overwhelmed with nostalgia on this first day of October, nineteen hundred and sixty six . . . with eager anticipation I shall begin tomorrow on fifty more.

SENATE

Thursday, October 6, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. Daniel K. Inouye, a Senator from the State of Hawaii.

Capt. Ronald A. Millian, chaplain, U.S. Air Force, Andrews Air Force Base, Md., offered the following prayer:

Holy and loving Father of all nations and peoples, we pause here in humble reverence before Thee asking Thy divine blessing for the living of this day. Make us spiritually sensitive that we may clearly discern Thy divine leading. Open our hearts that we may accept Thy truth. Bestow upon us moral courage that we fail not to speak and act for right and righteousness.

We pray for peace. Help us to pursue it with unending patience and exceeding good will. Even though we abhor war and its accompanying destruction we pray we may be resolute in the sure knowledge that freedom must be defended and nurtured through the ages. We pray for our fellow countrymen in Vietnam who must accept the hardships and daily danger of our larger choices.

May we during this day be worthy of the great Nation founded upon Thy moral and spiritual laws. May there go from these legislative halls such acts and messages of good will and understanding that all the world will be brought closer to a oneness of mind and unity of purpose. Help us to be true to Thy trust placed in us, that together we may build Thy kingdom on earth. This we ask in Thy holy name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., October 6, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Daniel K. Inouye, a Senator from the State of Hawaii, to perform the duties of the Chair during my absence.

Carl Hayden,
President pro tempore.

Mr. INOUYE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, October 5, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

Proposed Amendments to the Budget, 1967, for the Judiciary, Federal Departments and Agencies, and District of Columbia (S. Doc. No. 112)

A communication from the President of the United States, transmitting proposed amendments to the budget for the fiscal year 1967, as follows: The judiciary, $66,500; Federal departments and agencies, $23,700,000; and the District of Columbia, $12 million in Federal funds and $4,268,100 in District of Columbia funds (with accompanying papers); to the Committee on Appropriations, and ordered to be printed.

Plans for Works of Improvement in Various States

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Big Coon Creek, Ala. and Tenn., Ebenezer Creek, Ga., Spillman Creek, Kans., Mill Creek, Ky., and Hobbsville-Sunbury watershed, North Carolina and Virginia (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Overobligation of an Appropriation

A letter from the Under Secretary of the Interior, reporting, pursuant to law, on the overobligation of an appropriation in that Department; to the Committee on Appropriations.

Report on Export–Import Bank Insurance and Guarantees on Exports to Yugoslavia

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, on insurance and guarantees issued by that Bank in connection with U.S. exports to Yugoslavia, for the month of August 1966; to the Committee on Appropriations.

Report on Commissary Operations

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on commissary operations, for the fiscal year 1966 (with an accompanying report); to the Committee on Appropriations.

Report on Projects for Army National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on two nonarmory projects to be undertaken for the Army National Guard; to the Committee on Armed Services.

Report on Military Construction Contracts Awarded Without Competition

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on military construction contracts awarded by that Department without competition, for the 6-month period ended June 30, 1966 (with an accompanying report); to the Committee on Armed Services.

Amendment of Chapter 73, Title 10, United States Code, Relating to Retired Serviceman's Family Protection Plan

A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend chapter 73 of title 10, United States Code, relating to the retired serviceman's family protection plan, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Report on Defense Procurement for Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on defense procurement for small and other business firms, for July 1966 (with an accompanying report); to the Committee on Banking and Currency.

Report on High-Speed Ground Transportation

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on high-speed ground transportation, for the 9-month period of fiscal year 1966 (with an accompanying report); to the Committee on Commerce.

Publication of Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, a publication issued by that Commission entitled "World Power Data, 1964" (with an accompanying document); to the Committee on Commerce.

Report of Public Service Commission of District of Columbia

A letter from the Executive Secretary, Public Service Commission of the District of Columbia, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the calendar year 1965 (with an accompanying report); to the Committee on the District of Columbia.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on followup review of the management of aircraft engines used in ground training programs, Department of the Air Force, dated September 1966 (with an accompanying report); to the Committee on Government Operations.

Proposed Concession Contract in Grand Teton National Park, Wyo.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Grand Teton National Park, Wyo. (with accompanying papers); to the Committee on Interior and Insular Affairs.

Reports on Final Conclusion of Claims of Certain Indians

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claims of the Iowa Tribe of Indians, Docket No. 79, and the Kickapoo Tribe of Indians, Docket No. 145, versus the United States of America (with accompanying papers): to the Committee on Interior and Insular Affairs.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceeedings have been finally concluded with respect to the claim of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont., versus the United States of America (with accompanying papers); to the Committee on Interior and Insular Affairs.

Reports on Claims Paid Under Military Personnel and Civilian Employees Claims Act of 1964

A letter from the Under Secretary of the Treasury, transmitting, pursuant to law, a report on claims paid under the Military Personnel and Civilian Employees Claims Act of 1964, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on the Judiciary.

A letter from the Acting Director, U.S. Information Agency, Washington, D.C., transmitting pursuant to law, on claims paid under the Military Personnel and Civilian Employees Claims Act of 1964, for the period September 1, 1965, through August 31, 1966 (with an accompanying report); to the Committee on the Judiciary.

Report on Claims of Employees for Damage to or Loss of Personal Property

A letter from the Secretary of Commerce, reporting, pursuant to law, on claims of employees for damage to or loss of personal property, for the fiscal year 1966; to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Reports Relating to Third Preference and Sixth Preference Classification of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of National Academy of Sciences (S. Doc. No. 114)

A letter from the President, National Academy of Sciences, Washington, D.C., transmitting, pursuant to law, a report of that Academy, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Labor and Public Welfare, and ordered to be printed.

Report on Bonding of Government Officers and Employees

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the bonding of Government officers and employees, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report of Postmaster General

A letter from the Postmaster General, transmitting, pursuant to law, his report for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

Plans for Works of Improvement in Georgia, Oklahoma, and Texas

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Little Sandy Creek and Trail Creek, Ga., Caston-Mountain Creek, Okla., and Choctaw Creek, Tex. (with accompanying papers); to the Committee on Public Works.

Compilation and Dissemination of Information on Floods and Flood Damages by Secretary of the Army

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to further amend section 206 of the Flood Control Act of 1960 to authorize the Secretary of the Army to compile and disseminate information on floods and flood damages to other Federal agencies, and for other purposes (with an accompanying paper); to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON from the Committee on Interior and Insular Affairs, without amendment:

H.R. 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians (Rept. No. 1684);

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes (Rept. No. 1685);

H.R. 10633. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes (Rept. No. 1686);

H.R. 10674. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes (Rept. No. 1687);

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes (Rept. No. 1688); and

H.R. 12437. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes (Rept. No. 1689).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1101. A bill to provide for the conveyance of certain mineral interests of the United States in seventy-nine and one-hundred-and-eighty-four one-thousandths acres located near Orangeburg, S.C., to Allen E. Dominick, the owner of such property (Rept. No. 1680); and

H.R. 8917. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes (Rept. No. 1683).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

H.R. 8678. An act to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes (Rept. No. 1681).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 698. An act to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes (Rept. No. 1682).

By Mr. BYRD of Virginia, from the Committee on Armed Services, without amendment:

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty (Rept. No. 1692).

By Mr. YOUNG of Ohio, from the Committee on Armed Services, without amendment:

H.R. 17119. An act to amend title 10, United States Code, to permit members of the Armed Forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce (Rept. No. 1694).

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

H.R. 5297. An act to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes (Rept. No. 1693).

By Mr. CANNON, from the Committee on Armed Services, with an amendment:

H.R. 15748. An act to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area (Rept. No. 1691).

INSTRUCTION OF CERTAIN PERSONS FROM FRIENDLY NATIONS AT U.S. MILITARY INSTALLATIONS—REPORT OF A COMMITTEE (S. REPT. NO. 1690)

Mr. INOUYE, from the Committee on Armed Services, reported an original bill (S. 3887) to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes, and submitted a report thereon, which bill was placed on the calendar and the report ordered to be printed.

PRINTING OF INTERIM SURVEY OF NORTH NASHUA RIVER AND TRIBUTARIES, MERRIMACK RIVER BASIN, MASS. (S. DOC. NO. 113)

Mr. MANSFIELD. Mr. President, on behalf of the Senator from West Virginia [Mr. RANDOLPH], I present a letter from the Secretary of the Army, transmitting a report dated April 18, 1966, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on an interim survey of North Nashua River and tributaries, Merrimack River Basin, Mass., requested by resolutions of the Committee on Public Works, U.S. Senate. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RUSSELL of Georgia, from the Committee on Armed Services:

Gen. Hunter Harris, Jr. (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of general;

Maj. Gen. Ferdinand Thomas Unger, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general; and

Lt. Gen. Albert Watson II, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general.

Mr. RUSSELL of Georgia. Mr. President, in addition, I report favorably the nominations of 8,312 officers for promotions in the Navy not above the rank of captain. Since these names have already appeared in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Hubert K. Adkisson, and sundry other officers, for promotion in the Navy.

By Mr. THURMOND, from the Committee on Armed Services:

Vice Adm. Rufus L. Taylor, U.S. Navy, to be Deputy Director of Central Intelligence.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MONDALE:

S. 3886. A bill for the relief of William D. Noun; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 3887. A bill to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. INOUYE, which appears under the heading "Reports of Committees".)

By Mr. PEARSON:

S.J. Res. 198. Joint resolution to establish a National Advisory Commission on Foreign Policy; to the Committee on Foreign Relations.

(See the remarks of Mr. PEARSON when he introduced the above joint resolution, which appear under a separate heading.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SCOTT:

Speech entitled "Methods of Strengthening Regional Security in Conformity With the United Nations Charter," delivered by him before the 55th Conference of the Inter-Parliamentary Union at Teheran, October 1, 1966.

U.S. PARTICIPATION IN HEMISFAIR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1641, H.R. 15098.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15098) to amend Public Law 89–284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations with amendments on page 5, at the beginning of line 1, to strike out "$10,000,000" and insert "$7,500,000"; at the top of page 7, to insert a new section, as follows:

SEC. 7. Said Act is further amended by inserting at the end thereof the following new section:

"SEC. 9. (a) No funds made available under this Act shall be expended to provide for United States participation in the exposition, unless the Secretary of Commerce has received satisfactory assurances from the San Antonio Fair, Incorporated, a nonprofit corporation of the State of Texas, that—

"(1) there is and at all times will be full participation by all segments of the San Antonio community, as evidenced by the membership of the executive committee of such corporation, or any other body thereof which exercises general administrative control and direction with respect to the planning or operation of the exposition, and by such other criteria as the Secretary shall determine to be relevant, and

"(2) the public shall be kept fully informed as to the activities of such corporation, and that the activities of such corporation shall at all times, to the maximum extent practicable, be conducted openly, including assurances that the meetings of the executive committee of such corporation, or any other body thereof which exercises general administrative control and direction with respect to the planning or operation of the exposition, will be held in open sessions at regularly scheduled times and places after public notice of the times and places for such meetings, and such other assurances as the Secretary of Commerce shall determine to be relevant, and

"(3) no person shall be an officer, or member, or ex officio member of the executive committee of such corporation who shall have a substantial financial interest in any organization doing business with such corporation or in any personal business arrangement with such corporation or who shall be an elected officer of any political organization, and

"(4) historic structures in the area encompassed by the exposition will be preserved to the maximum extent possible.

For the purposes of this subsection (A) the term 'metropolitan area of San Antonio' includes the municipal limits of San Antonio and such surrounding areas as the Secretary of Commerce may determine to constitute the metropolitan limits of San Antonio, and (B) the term 'substantial financial interest in any organization' includes having a financial interest in any organization through serving as an officer, director, trustee, partner, or executive of such organization, or through negotiating with or having any arrangement concerning prospective employment with such organization, or through holding legal title to or any beneficial interest in or control over more than 5 per centum of the total of issued and subscribed share capital of such organization.

"(b) Whenever the Secretary of Commerce, after reasonable notice and opportunity for hearing to the San Antonio Fair, Incorporated, finds that—

"(1) such corporation will not or cannot make any of the assurances required by subsection (a); or

"(2) any assurance given under subsection (a) is not being or cannot be complied with by such corporation,

the Secretary of Commerce shall forthwith notify such corporation that no funds will be made available under this Act to provide for United States participation in the exposition until satisfactory assurances are given as required by subsection (a), or if any construction or other activity has commenced to provide for or carry out United States participation in the exposition, that no further funds will be made available under this Act with respect to such United States participation until the assurances required to be given by subsection (a) are being complied with by such corporation. Until the Secretary of Commerce is given satisfactory assurances as required by subsection (a), or is satisfied that such corporation will comply with such assurances, as the case may be, no funds shall be made available under this Act to provide for United States participation in the exposition other than any funds previously expended for such purposes, and no construction, display, or other activity may be commenced or continued for such purpose.

"(c) The action of the Secretary of Commerce or his designee in allowing or denying the expenditure of funds under this Act to provide for United States participation in the exposition shall be final and conclusive for all purposes, except as otherwise provided in subsection (b) and not subject to review by any court by mandamus or otherwise."

And, on page 10, after line 11, to insert a new section, as follows:

SEC. 8. The Congress declares it to be the policy of the United States that, hereafter, United States participation shall not be authorized in any international fair, exposition, celebration, or other international exhibition proposed to be held in the United States unless such exhibition is registered in the first category by an established international organization.

Mr. YARBOROUGH. Mr. President, I desire to thank the distinguished majority leader. I see that my colleague, the junior Senator from Texas, is on the floor, and I desire to thank him for his very effective aid in support of this bill.

This bill was reported in the House, and it was passed 43 days after it was reported. It is now being considered 3 days after it was reported in the Senate, and I think that the Senate committee has acted with great dispatch. After the bill reached the Senate, the committee held a hearing on the eighth day. The Committee on Foreign Relations held a hearing 8 days after this bill was received from the House, and ordered it reported 8 days after, and it is being considered 3 days later.

We had complete cooperation from the other side of the aisle. The distinguished junior Senator from Texas, my colleague, had gained support on his side of the aisle for this bill. The reason why the bill received such expeditious handling is that we had the unanimous support of both parties.

Having been the author of the bill last year that authorized the study under which the President recommended HemisFair, I would be amiss if I did not pay tribute to my colleague for some of the most effective cooperation I have ever seen.

Mr. President, the authorization in this bill of $7.5 million is not as large as we wished. In the House bill $10 million was provided. The amount was cut by the Senate Committee on Foreign Relations to $7.5 million. But in view of the fact that there was very strong opposition in that committee to this regional type of bill, which covers the Western Hemisphere, as contrasted to a worldwide situation, and the fact that provisions have been written into the bill which would bar future Federal support to a portion of this globe instead of all, I think we are fortunate to receive three-quarters of the amount that had been requested.

The city of San Antonio has voted a bond issue of $30 million. The Texas Legislature has appropriated $4.5 million, and is expected to appropriate $5.5 million next year. Seven and one-half million dollars has been pledged by U.S. industry. Commitments have been made by several foreign governments for participation.

The fact that $50 million has already been raised bespeaks a HemisFair that will be a successful exposition of the confluence of the cultures of the Americas and all the factors that have gone into building the cultures of North, South, and Central America.

HEMISFAIR 1968

Mr. President, I wish to thank the members of the Foreign Relations Committee for their prompt, affirmative action on the HemisFair bill. The committee held a hearing only 8 days after the bill was received from the House and the bill was ordered reported 8 days later. I thank the majority leader for calling this bill up in the midst of major national legislation, only 3 days after it was placed on the calendar.

BACKGROUND ON HEMISFAIR 1968

Planning for this immense project began in 1962 and much hard work has been carried on in the intervening 4 years.

A nonprofit management corporation, San Antonio Fair, Inc., was organized in December 1962, and within 7 months, had obtained more than $7.5 million in underwriting pledges from San Antonians who were ready to help establish a credit line, based on such pledges, to support the operation of the corporation.

In early 1963 the corporation secured an economic feasibility study from one of the leading organizations on such matters in the Nation—Economic Research Associates of Los Angeles. The study established a conservative economic base for the project and predicted an attendance at HemisFair of 7.2 million people.

The city of San Antonio, in the fall of 1963, called a special municipal election to consider bond issues of $30 million for a permanent civic center which would house HemisFair as its first major activity, for convention facilities and other community improvements tied to the project. The election saw the bond issue carried by huge pluralities in every precinct in the city.

The San Antonio Urban Renewal Administration, working with the city government, selected a centrally located site of 92.5 acres for the new center, and in October 1964, following approval of all official agencies, received an urban renewal grant of $12.5 million for purchase of the site.

In early 1965, the Legislature of the State of Texas overwhelmingly endorsed HemisFair and appropriated $4.5 million for construction of a permanent State pavilion on the site. The 1967 legislature, meeting next January, is expected to give similar support to an appropriation of $5.5 million for exhibits.

During the 1st session of the 89th Congress a bill was passed authorizing a study by the Commerce Department to determine the desirability of Federal participation in the fair. That legislation was sponsored by Congressman HENRY B. GONZALEZ, the distinguished junior Senator from Texas [Mr. TOWER], and the senior Senator from Texas. Congress recognized "the international exposition, HemisFair 1968, which is being held at San Antonio, Tex., in 1968, as an event designed to enhance the existing brotherhood between new world nations, reaffirm common ties, increase understanding, and fortify world peace."

Last November, with the support of the U.S. Government, HemisFair won the approval and registration of its dates by the Bureau of International Expositions, only the third U.S. exposition to secure this vital international recognition—New York 1939, Seattle 1962.

Thus, with its opening scheduled for April 1968, exactly 18 months from now, HemisFair stands as a responsibly managed, widely supported project with more than $50 million already invested in it, with seven formal commitments to date for foreign government participation: Bolivia, Canada, Mexico, Panama, Peru, Spain, Switzerland—30 governments are expected to take part—and with several of the major, bellwether U.S. industries also already committed as exhibitors: IBM, American Telephone & Telegraph, General Electric, Humble Oil, Coca-Cola, and Pepsi Cola.

In all candor I must acknowledge that the distinguished members of the Senate Committee on Foreign Relations have been disturbed about Federal participation in fairs. While I do not share the view of the Foreign Relations Committee, I have given much thought to what Congress might do to better protect its investment and at the same time make the best possible contribution to the fairs.

Many of the procedures which were followed with HemisFair have much to recommend them as a general policy.

First, the Commerce Department conducted a detailed investigation to determine whether Federal participation was desirable. Their exhaustive study determined that it was.

Second, two amendments which I offered to the bill and which the committee adopted enhance the chances for the success of the fair. My amendments would require the Secretary of Commerce, before any funds could be provided, to receive satisfactory assurances from the fair management that there is and will be full participation by all segments of the community, that the public shall be kept fully informed as to the activities of the fair, that no officer or member or ex officio member of the executive committee shall have a substantial financial interest in any organization doing business with the fair, and historic buildings in the area which is being cleared for the fair shall be preserved to the maximum extent possible.

Public money is spent at these fairs. The public should be safeguarded against the possibility of any insider using his position to unduly influence the awarding of contracts and concessions for his own private gain.

Some question has been raised as to whether the conflict of interest amendment covers exhibitors. I am advised by HemisFair that exhibitors will not be allowed to sell anything at the fair. I am also advised that any legitimate exhibitor is welcome so long as he has an exhibit which carries out the HemisFair theme and meets quality standards. This is necessary in order to get away from the New York situation in which some exhibitors either did not carry out the theme or came in with cheap exhibits. In view of all these factors, I do not contemplate that exhibitors are "doing business" with the fair in the sense contemplated by the conflict of interest amendment.

Public support is necessary for the success of a fair. One of the problems with the New York Fair was that it was run in a high-handed manner without enough community support and involvement. My amendment requires that there be full community participation before one Federal dollar can be spent.

Mr. President, I assure the Senate that this is a sound investment of the taxpayer's dollar. The fair will improve our foreign relations by promoting international good will and understanding, especially in the crucial area of Latin American relations. The Commerce Department estimates that the amount spent by foreign tourists and governments at the fair will add over $38 million to our balance of payments. I ask unanimous consent that the Commerce Department "Evaluation of Federal Participation" be printed at the conclusion of my remarks.

The PRESIDING OFFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, in the strongest possible terms I implore the Commerce Department to hire a good architect for the Federal pavilion. Many times in the past, fairs have been the settings for great advances in architecture. The Crystal Palace, the Eifel Tower, and Mies van der Rohe's Barcelona Pavilion are great architectural landmarks that appeared at expositions. I hope that the Commerce Department will be bold, daring, and will venture into that exciting but frightening world of the new and unknown in its search for the right expression of America's contribution to the confluence of civilizations.

EXHIBIT 1

PART V—EVALUATION OF FEDERAL PARTICIPATION

In April 1962, the Department of Commerce developed several criteria to evaluate requests for Federal participation in domestic exhibitions. These criteria were applied by the planning staff to evaluate U.S. participation in "HemisFair 1968" at San Antonio, Texas; with the following conclusions:

1. Evidence that the Exposition is of more than local or State interest.

The Congress, in P.L. 89–284, recognized "HemisFair 1968" as an event "designed to enhance the existing brotherhood between new world nations, reaffirm common ties, increase understanding, and fortify world peace." The international consequence of this Exposition has also been recognized by the President. On August 6, 1964, in a letter wishing success to the HemisFair authorities, President Johnson wrote:

"The New World nations are brothers in history, friends in commerce, and partners in aspiration. San Antonio's 'Fair of the Americas,' HemisFair 1968, will celebrate this partnership. Dedicated to the advancement of social, economic, and cultural well-being of all peoples of the Americas, it will be a living example of our nation's policy of Inter-American cooperation."

On November 11, 1965, President Johnson issued a Proclamation directing the Secretary of State officially to invite foreign nations to participate in HemisFair (Appendix 8). On November 17, 1965, B.I.E. approved international participation in this Fair.

2. Factors indicating national interests served by Federal participation.

The Commerce staff has identified the following characteristics of the planned Exposition which demonstrate a definite national interest in the success of the Exposition and in Federal participation therein:

(a) Precedents. Beginning with the 1876 Philadelphia Centennial, in the last 90 years there have been 40 domestic celebrations involving Federal participation. Only one, the 1935 Texas Centennial, with its follow-up the 1937 Pan American Exposition, was in the Southwest. Federal participation in these celebrations have run the gamut from a token amount ($10,000) to a most substantial amount ($17,000,000 for the 1964/65 New York World's Fair). (Appendix 9) If there is any precedent-pattern to any Federal participation, it would appear that well organized, well planned, large scale international expositions similar to HemisFair 1968 have received substantial Federal support.

(b) "See America" Promotion. The 1968 World Olympics will be held in Mexico City. Many thousands of U.S. citizens who have never seen our great Southwest would be induced to stop at a properly-promoted Exposition. Significant U.S. participation would serve not only as a magnet for people who would otherwise continue their journey without visiting the HemisFair 1968 Exposition, but also induce many happy returns in future years to Texas and neighboring States.

(c) Promoting a Sense of Community. San Antonio is more than an historic gateway between the Americas. Forty per cent of her residents are of Mexican or Spanish descent, and even more are bilingual. As a result, San Antonio has been a favorite shopping and tourist center for Latin Americans, and wants to retain and expand this role.

A major international event, such as "HemisFair," will not only stimulate more foreign interest in San Antonio, but will also strengthen a sense of community in the area with the rest of the Americas.

(d) Bureau of International Expositions. Unlike the New York World's Fair, "HemisFair" has the official approval of B.I.E. It might seem strange to other countries if the United States (although not a signatory to the 1928 Paris Convention which brought B.I.E. into existence) failed to participate in an approved international exposition, when we did participate on a large scale at New York in spite of the lack of B.I.E. approval.

(e) Inter-American Relations. The lack of U.S. participation in this particular Exposition would be more conspicuous to our Central and South American neighbors, in view of its inter-American theme and its clear relation to the spirit of the Alliance for Progress. But positively, we have a vital stake in projecting through "HemisFair" the efforts of the United States to better understand the cultural confluence of the Americas and its mutual benefits.

(f) Contributions to the Balance of Payments. HemisFair 1968 should result in an increase in foreign visitors to the United States, a decrease in travel overseas by American nationals and an increase in dollar expenditures by foreign exhibitors at San Antonio. All of this will result in favorable contributions to the U.S. Balance of Payments. While such contributions are difficult to quantify, an attempt to do so was made by the Staff. (Appendix 10) It is believed that the figures summarized in the following table are conservative:

[In thousands of dollars]

(1) Tourist dollar expenditures in United States:	
Additional expenditures in United States by Latin American visitors	6,116
Additional expenditures in United States by other foreign visitors	5,735
Retained U.S. tourist dollars which would otherwise be spent abroad	24,000
(2) Foreign exhibitor expenditures at HemisFair	2,785
Total	38,636

3. Guarantee of free land site to the U.S. Government.

The sponsors of "HemisFair" have provided an assurance that they will convey by a deed satisfactory to the United States the land on which any Federal Pavilion is located (Appendix 11). Furthermore, the City of San Antonio has indicated that any zoning problems which might arise with respect to residual building use would be given expeditious consideration. Examples of possible end-uses, both public and private, would include a 4th Army Command Headquarters in a general office building, a Latin American trade mart, a school of export managers, an Inter-American trade and tourist information center, or a technical-vocational training center for exchange students in the arts, sciences and professions for all the Americas. Another possible end-use is an Educational complex such as an H.E.W. Regional Laboratory or a School of Tomorrow. Arrangements might also be made with private interests, or a non-profit foundation to buy the land and its residual use improvements from the Federal Government.

4. Evidence of adequate planning.

Adequate planning for HemisFair 1968 is evident from the feasibility studies which have been carried out by Economics Research Associates of Los Angeles, economic consultants to HemisFair. (See supra page 3).

5. Evidence of adequate organization and administration.

San Antonio Fair, Inc., an organization set up to administer the Exposition, is directed by an active board of 167 directors with an executive committee and staff and a permanent headquarters. Chartered by the State of Texas, this non-profit corporation has secured from the city a lease on 92.5 acres in the central business district. The organizational talents of San Antonio Fair, Inc. are amply demonstrated in the Participants Manual for HemisFair, attached as Appendix 12. The State Department has commented favorably on the manner in which the HemisFair authorities presented their application for B.I.E. approval.

6. Evidence of adequate local financing without Federal participation.

Since 1963, San Antonio business firms and individuals have pledged over $7.5 million to underwrite preopening expenses. In 1964 the voters of every precinct of San Antonio approved a $30 million bond issue to prepare the city for HemisFair 1968.

In addition, all of San Antonio's 26 banks have participated in a loan to San Antonio

Fair, Inc. of $4.5 million secured by the $7.5 million in pledges. The State of Texas has appropriated $4.5 million for a State pavilion and Governor Connally intends to seek an additional appropriation of $5.5 million (Appendix 13).

Congressman HENRY B. GONZALEZ stated at the hearing on H. R. 9247, which he introduced, that the sponsors would not have approached the Federal level "until we knew that we had the community willing to do it even on its own first, and then certainly the State. . . ."

Mr. TOWER. Mr. President, I should like to thank my distinguished colleague for his very generous remarks in connection with my participation in the HemisFair bill. Needless to say, without his great prestige and tremendous energy and effort, we would not have had a HemisFair bill. I am grateful to him for extending assistance to me and to my efforts on behalf of the HemisFair bill, and I applaud his very fine spirit of cooperation.

The relationship between us in connection with his measure points up the very fine bipartisan support for the HemisFair that is evidenced by the people of San Antonio, people ranging across all walks of life, and with various types of political persuasion.

I think that the passage of this bill would be a great boon to inter-American relations and a great stimulus to trade, and it would result in benefits for many years to come.

HEMISFAIR

HemisFair 1968 is an international exposition to be held in San Antonio. It is to be built around the theme of the confluence of cultures in our two-continent hemisphere. Quoting from the language of Public Law 89-284, which originally authorized U.S. participation, the purposes of HemisFair are to:

> (1) honor and display the diversified cultures of Pan America, including the history, art, industry, commerce and economic development of each of the nations of the Western Hemisphere, their interrelationships and common ties, and the contributions to their development from Europe, Asia, and Africa;
>
> (2) encourage, coincident with the Olympic Games being held in Mexico City in 1968, tourist travel in and to the United States, stimulate foreign trade, and promote cultural exchanges; and
>
> (3) commemorate the 250th anniversary of the founding of bilingual San Antonio, "the gateway of Latin America."

Public Law 89-284, which passed last session, granted official recognition to the fair, and provided for a study to determine the extent of U.S. participation in the fair.

The Secretary of Commerce has made that study, provided plans and made recommendations regarding U.S. participation.

H.R. 15098, as reported by the Foreign Relations Committee, would authorize an appropriation of $7.5 million for construction and operation of a Federal pavilion and exhibit.

I was sorry to see that the committee had reduced the $10 million figure in the House bill by $2.5 million. I believe the fair to be a most worthwhile investment, and I do not think that $10 million was an unreasonable request. However, I can appreciate the concern of the members of the committee for the current need for economy, given the present economic climate.

The remaining $7.5 million Federal investment will be more than offset by the foreign funds coming into this country for materials and construction, and the inflow of foreign tourists. I am confident that the fair will stimulate an inflow of foreign exchange capable of significantly offsetting our balance-of-payments deficits.

With that background, I want to bring to the attention of my colleagues the progress which has been made on HemisFair, and to elaborate the reasons why I think the exposition will be successful in its purposes, and a sound venture.

It is estimated that 30 nations will participate in HemisFair through establishment of exhibits. Already Mexico, Spain, Switzerland, Peru, Bolivia, Panama, and Canada have committed themselves to participation.

Last month the representatives of 20 other nations journeyed to San Antonio to visit the fair site, which has been 100 percent acquired and on which considerable construction is underway, and to investigate the opportunities for participation by their countries.

I want to point out that the management of HemisFair is substantially ahead of the Seattle Century 21 Fair at this point in securing commitments of international participation. I mentioned that an estimated 30 nations will participate in HemisFair. This is, of course, predicated upon U.S. participation. I have grave doubts that there would be anywhere near that number participating, or that the fair would be the cultural and financial success it is expected to be if it were not for U.S. participation. Success of the fair depends upon U.S. support, as well as recognition.

At this time, one-third of the commercial exhibit space has been leased. I think the managers of the fair can take justifiable pride in this particular fact, since the fair is still almost 2 years off. It has been announced that International Business Machines, Southern Bell along with American Telephone & Telegraph Co., General Electric, Humble Oil, Coca-Cola, and Pepsi-Cola have committed themselves to participation. There are, of course, a number of other firms which have committed themselves to participation, but who for competitive reasons have not yet announced their intentions.

There is a total commitment at this point of $52.5 million. This, of course, does not include the present Federal authorization request. The city of San Antonio has issued $30 million in general obligation bonds and $8 million has been underwritten by business concerns in the area. The State of Texas has approved an appropriation of $4.5 million, and an additional $5.5 million is assured during the next legislative session. A special San Antonio corporation is spending $4.5 million to erect the central tower which will be a highlight of the fair. It will be visible in Austin 80 miles away.

It is estimated that there will be a total of between $90 and $100 million in governmental and industrial commitments to the fair.

In the matter of attendance, HemisFair managers have been most circumspect in their estimates. They have planned for the fair to be a financial success on the basis of 7.5 million attendance. In view of the fact that there was an attendance of 9.5 million at the Seattle Fair, I would call the estimate quite conservative. There are three times as many people living in the radius of a 2-day drive to San Antonio as they are in the radius of a 2-day drive to Seattle.

There also will be foreign visitors to the fair.

It is estimated that the average Latin American tourist on a pleasure trip to the United States spends about $682 during the trip, according to statistics supplied by the U.S. Department of Commerce. The average tourist from Mexico, specifically, spends slightly less: $550. Since the fair is being timed to coincide with the Olympic Games in Mexico City, a great deal of tourist revenue is expected to enter the United States, much of it from Latin America as travelers are en route to and from Mexico City. Mexico City, I might point out, is within a 2-day drive of San Antonio.

Every possible effort is being made to put construction on a permanent basis. Exhibit buildings are being built by the fair corporation for lease to exhibitors, rather than ground leases. It is expected that there will be a great deal of permanent value remaining after the close of the fair.

I make this observation with the intention of pointing out the sound financial basis on which the fair is being planned. It is a sound financial undertaking for San Antonio, and it is no less a sound investment for the United States.

I am convinced this fair also has real good-will value. The positive international relations value which will be generated by the fair is substantial. Plans devised by the Department of Commerce for U.S. involvement in the fair are attractive yet economical.

I am convinced HemisFair will be a financial success. I am convinced it will generate an important net return in our international balance of payments. Substantial foreign investment is assured if the U.S. participates. A substantial inflow of tourist dollars is assured.

San Antonio residents are so confident of the project that 400 local businessmen and individuals have committed over $8 million to support the management cooperation.

HemisFair is, without doubt, receiving stronger local and State support than any previous comparable undertaking. With Federal participation the U.S. investment will be recovered many times over not only in Texas but also in all the other States which will be visited by the foreign tourists and from which workers and materials are being supplied.

I hope the Senate, recognizing all these advantages, will approve the bill.

Mr. YARBOROUGH. I thank my colleague, the Senator from Texas, for his kind remarks.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered, and without objection they are agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1673), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

WHAT THE BILL DOES

H.R. 15098 authorizes the appropriation of $7,500,000 and provides other necessary authorities and waivers to implement U.S. participation in the HemisFair Exposition in San Antonio in 1968. A new section 8 declares it to be the policy of the United States not to authorize any further Federal participation in undertakings such as HemisFair, unless they are classified as first-category international expositions.

BACKGROUND AND COMMITTEE ACTION

In enacting Public Law 284 last year, the Congress recognized HemisFair "as an event designed to enhance the existing brotherhood between new world nations, reaffirm common ties, increase understanding, and fortify peace." The law also authorized a study to be made to "determine the extent to which the United States shall be a participant in, and an exhibitor at, the exposition."; $125,000 was authorized and appropriated for this purpose.

The study was undertaken by an interagency working committee, under the direction of the Department of Commerce, on which a number of other departments and agencies were represented, among them the U.S. Information Agency, the Library of Congress, the Atomic Energy Commission, the Department of State, the General Services Administration, the Department of Defense, and the Smithsonian Institution. On April 1, 1966, the Secretary of Commerce transmitted the study to the President with the following summary of findings and recommendations.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Findings

1. In 1965, Congress indicated its interest in HemisFair 1968 by appropriating $125,000 for a study and report on the nature and extent of U.S. participation in this exposition.

2. The overall theme of HemisFair, "Confluence of Civilizations in the Americas" lends itself ideally to a storyline for U.S. Government participation as an exhibitor at the international exposition, HemisFair 1968.

3. There is sufficient evidence of adequate local planning, financing, and organization for managing HemisFair 1968.

4. Projected administrative and operating costs for U.S. Government participation as an exhibitor are at a level comparable with previous investments to support a U.S. exhibit at recently completed "World Fairs."

5. Bureau of International Expositions' approval of participation by BIE members and of registered exposition dates has been obtained, thereby facilitating participation by foreign nations without jeopardizing BIE approval of a U.S. Bicentennial Exposition in 1975 or 1976.

6. The design and construction of some of the exhibits proposed for U.S. participation is such that they might be used for postexposition travel throughout Latin America in support of our "Alliance for Progress" efforts.

7. The possible residual uses of buildings for Federal participation could have approximately a $2 million benefit to the U.S. Government.

8. The interagency working group reviewed two possible approaches as a basis for cost estimates of U.S. participation in HemisFair. One, a two-structure concept, envisaged a revolving stage pavilion without any end-use and a "school of tomorrow" building with continuing use for that purpose after the conclusion of the exposition. The other estimate incorporating a single building concept, would have a confluence theater pavilion with an end-use as a building base for either a multistory office building or a "school of tomorrow." The working group recommended requesting an appropriation authorization on the basis of the estimate for the confluence theater approach with a "school of tomorrow" end-use.

9. A site would be deeded free to the United States for a pavilion to house the U.S. exhibit and for whatever future end-use purposes, public or private, are determined.

Recommendations

1. The national interest would be served by substantial Federal participation in HemisFair 1968.

2. The Federal participation should be in the form of an exhibit housed in a pavilion constructed by the U.S. Government on land deeded to the United States.

3. The U.S. participation should be so designed as to permit an end-use which would benefit the United States after the conclusion of HemisFair 1968.

4. The cost of U.S. participation should be based on the estimate for the confluence theater plan with a residual use as a "school of tomorrow."

5. An additional $10 million should be authorized for appropriation to carry out this participation.

In accordance with Public Law 89–284 the President on May 13, 1966, submitted the report to Congress, stating that "I fully support the Secretary's findings * * * and concur in his recommendations * * *."

The draft bill which was simultaneously transmitted was introduced by Congressman Henry Gonzalez on May 19, 1966, as H.R. 15098, and by Senator Tower on August 24, 1966, as S. 3757. On September 1, 1966, the House of Representatives passed H.R. 15098, and on September 14, the Committee on Foreign Relations at a public hearing received favorable testimony from Senator Ralph Yarborough, Senator John G. Tower, Representative Henry B. Gonzalez, Mr. H. B. Zachry, director, HemisFair 1968, and Mr. John E. Orchard, director, U.S. Expositions staff, U.S. Department of Commerce. Their prepared statements are appended to the report. Further discussion was held on September 15, and on September 22, 1966, the Committee on Foreign Relations ordered the bill reported favorably with amendments.

SECTION-BY-SECTION ANALYSIS

Section 1 amends existing law by authorizing the President to appoint, subject to Senate confirmation, a Commissioner for a Federal exhibit at HemisFair 1968. The Commissioner will be in the Department of Commerce and compensated at the level V rate ($26,000) of the Federal Executive Salary Schedule. U.S. Commissioners have been similarly appointed to other important international fairs, most recently to the United States exhibit at Canada's 1967 Exposition.

Section 2 amends existing law by striking out references to the planning staff and its work and inserting clauses authorizing the Secretary of Commerce to enter into contracts to erect appropriate buildings and other structures and to incur other expenses which are necessary to implement U.S. participation in HemisFair. The structures are to be erected on approximately 4½ acres conveyed to the United States in consideration of its participation in the fair. The requirement that "in the design and construction of such buildings and other structures, consideration, including consultation with the General Services Administration, shall be given to their utility for governmental purposes, needs, or other benefits following the close of the exposition" is further discussed elsewhere in this report.

Sections 3 and 4 of the bill eliminate further references in the law to preliminary planning and the report, which have been completed, and replace them with provisions relating to the termination of the exposition. The new subsections require the Secretary of Commerce to report to Congress on exposition activities 6 months after its close and include in that report a detailed statement of expenses. After transmission of this report, all appointments made under the act will terminate except those determined by the President to be necessary to allow for dismantling and transfers of the U.S. exhibit in case this work is not completed within the 6 months.

Section 5 of the bill, as reported, authorizes the appropriation of $7,500,000 to carry out U.S. participation in the exposition.

Section 6 adds two new sections to the law. The first provides that after the close of HemisFair, all U.S. property purchased or erected shall be disposed of in accordance with the Federal Property and Administrative Services Act of 1949 and other laws applying to the disposal of excess and surplus property.

The second provides for waivers of certain statutory limitations having to do with contracting, purchasing supplies and services, leasing buildings, printing, advertising, and the like. These same waivers were provided by Executive order, pursuant to the Mutual Educational and Cultural Exchange Act of 1962, for U.S. participation in the New York World's Fair. That act has since been amended to exclude domestic international fairs from its provisions, and these statutory waivers are now necessary.

Section 7 of the bill adds a new section 9 to the act requiring the Secretary of Commerce, before making any expenditures for U.S. participation to receive satisfactory assurances from the San Antonio Fair, Inc.: (1) that all segments of the San Antonio community are participating fully at all times; (2) that the public is kept fully informed about the activities of the corporation; (3) that no person is an officer, member, or ex officio member of the corporation who has a substantial financial interest in any organization doing business with the corporation; and (4) that historic structures in the exposition area will be preserved to the maximum extent possible. If these assurances are not made or complied with, the Secretary is to notify the corporation that no funds, or no further funds, will be made available until they are complied with. This amendment is designed to prevent conflicts of interest and the type of financial problems encountered by the New York World's Fair Corp.

The declaration appended by the committee to H.R. 15098 sets forth future U.S. Government policy with respect to enterprises such as HemisFair and its predecessors. It states that no further U.S. participation shall be authorized within the United States in any fair, exposition, celebration, or exhibition, unless it is registered as an international exhibition of the first category by an established international organization. By "first category" the committee means the infrequent, truly international exposition such as the Brussels World's Fair and the Canadian 1967 Universal and International Exposition, so registered by the Bureau of International Expositions. "First category" does not include undertakings such as the Seattle Century 21 Exposition and HemisFair, which were registered as "special category" events, nor the so-called New York World's Fair which was not registered at all.

COMMITTEE COMMENTS

The committee's concern about U.S. participation in HemisFair revolved around two questions—the residual end use of the U.S. pavilion or buildings, and the basic justification for U.S. participation in events of this sort.

Concerning the first question, the committee was gratified to note an awareness in the Department of Commerce that heretofore only "lipservice" had been rendered to the expressed desire of the Congress that the buildings housing a U.S. Government exhibit be so designed to serve Federal needs for space in the community after the event. The committee cannot stress too strongly its insistence that in the case of HemisFair, this "lipservice" be replaced by vigorous action to assure some permanent benefits to the Federal Government.

It is the lack of any appreciable Federal benefits that has led the committee to add the policy declaration in section 8. Ever since the successful Century 21 Exposition in Seattle, which turned a depressed area of Seattle into a civic center, Congress has been importuned for assistance in similar improvement schemes. HemisFair is patterned on the Century 21 Exposition, which was a creditable and profitable venture. Like Century 21, the private local HemisFair backers expect to be fully repaid from the proceeds of that venture. Likewise, the $30 million bond issue of the city of San Antonio will be used largely for works—highways, bridges, waterways, an exposition hall, and a stadium—that will permanently improve the city. The State of Texas, which is planning to appropriate $10 million in all for its own participation in HemisFair, also has a permanent end use in mind for its facility. In sum, everyone benefits tangibly—the local citizens, the city, and the State—except the Federal Government, unless a practical end use for the U.S. structure is found. The committee has come to the conclusion that henceforth Federal assistance for fairs of this type is no longer justified.

These comments are no reflection, of course, on the backers and planners of HemisFair. The committee's observation last year that "HemisFair appears well conceived and vigorously backed by the State and locality" still holds true. The Congress has already "recognized" the event and work on the exposition is well underway.

Under these circumstances, and subject to the proposed amendments, the committee recommends enactment of H.R. 15098.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 15098) was passed.

Mr. YARBOROUGH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. TOWER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection with routine morning business be limited to 3 minutes, except for the bringing up of the bill on narcotics at an appropriate time during the morning hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CHANGING WORLD REALITIES REQUIRE MAJOR CHANGES IN AMERICAN FOREIGN POLICY

Mr. PEARSON. Mr. President, I introduce, for appropriate reference, a joint resolution to establish a National Advisory Commission on Foreign Policy.

Mr. President, basic concepts of public policy are seldom born overnight, and once crystallized they shape our thoughts and influence our actions for years, even decades. However, every so often the development of new conditions, or new insights into continuing conditions, present the opportunity for reformulation and reorientation.

Thus, the great depression had profound effects on our economic and social policies. And because of the current Negro revolution, we are attempting to write the final chapter in the long stalemated struggle to translate into reality the ideals of human equality so proudly proclaimed in 1776.

Today we live with a foreign policy whose basic outline was drawn during the historic period marked by President Truman's decision in 1947 to offer aid to Greece and his decision in 1950 to resist aggression in South Korea. The details of this policy have changed over time, but the basic principles and mode of implementation remain much the same.

Mr. President, I believe we again stand at one of those great but subtle turning points of history; old and familiar conditions are changing; new and strange conditions are developing. These changing world realities require major changes in our foreign policy. Failure to adjust our policy will destine us to indecision and reflex reactions to new challenges which could do irreparable damage to our national interest and the interests of the free world.

Vietnam symbolizes many of these new challenges and this specific problem calls for contemplation and revision. But at the same time complete preoccupation with southeast Asia endangers our capacity for taking the broad overview so necessary at this stage in world affairs. We must avoid being entrapped in an obsessive fixation about Vietnam and remind ourselves that it is only one aspect, albeit the most dramatic at the moment, of our total foreign policy commitment.

There is an even greater danger. The agony of Vietnam has generated criticisms, which whether or not actually intended by the critics, are giving strength to two forces in American public opinion that threaten to shatter the broad base support on which has rested our foreign policy of the past two decades, a support which will be absolutely necessary in the long decades ahead. On the one hand, certain criticism has given new life to the argument which holds, in effect, that because we are the most powerful Nation in the world we should use our military might virtually without reservation to secure our objectives. On the other hand, some of the criticism of those who recognize that our power is limited or who believe we have committed grievous errors in Vietnam has touched a responsive chord within that segment of the American public which holds that we have no business being so heavily involved in Vietnam.

These are two powerful strains in American attitude toward foreign involvement. They may be referred to as the big stick approach and the ostrich head in the sand attitude. The successes of the past two decades have been possible because each of these views has been effectively moderated. Although the future demands policy changes I would hope that we could maintain this same balance of moderation—this same broad-based support.

However, Mr. President, I am apprehensive that the frustrations of Vietnam are threatening this balanced support. The actions and words generated by the heat of the moment may become the unbreakable precedents of the future. We must not allow the agony of Vietnam to give strength to an exaggerated faith in the efficacy of military power on the one hand or on the other hand allow it to sap our will to continue the heavy and often thankless burden of world involvement into the long years ahead.

Mr. President, it is not my intention to speak directly about Vietnam, but to present a brief survey of what I believe the more significant of the changing world realities; to outline some of the changes demanded in our foreign policy; and in conclusion, make a proposal as to how we should begin to prepare ourselves for this rethinking and reshaping of our foreign policy.

First, a brief look at the basics of our current policy and the conditions out of which it developed.

After World War II, we were presented, as in 1918, with the opportunity for world leadership. After World War I, we had chosen to fall back to the position with which we had always felt most comfortable, that of isolationism and nonentanglement. But by the late 1940's we had finally thrown off the cloak of isolationism and energetically, if not always enthusiastically, took up the reins of world leadership.

We became extensively involved in world affairs because we were rich and powerful, because of obligations to old allies impoverished and weakened by the Great War, and because of our respect for the demands of humanitarianism.

But the dominating reason which compelled us to step so boldly into the arena of world affairs was the newly recognized threat posed by a militant, expansionist communism. Recognizing the expansion of totalitarian communism as a threat to our national security and a rejection of principles of freedom and democracy, which we had long championed, we dedicated our energies to contain communism within its then present borders and thereafter, hopefully, to advance the cause of world peace and freedom.

While it is too much to say that our postwar policy has been concerned only with the containment of communism, it is nevertheless the case that all other objectives have been of secondary, and often subordinate, status. This policy has consisted of four basic features.

First. We developed a program of nuclear armament as the major deterrent to Communist aggression. This was reinforced by the strategic placement and use—as in Korea—of modern conventional forces as a further barrier to Communist military expansion.

Second. We offered extensive military aid to countries threatened by aggression and encouraged the formation of regional defense alliances.

Third. We launched a vast aid program to speed economic recovery in those nations devastated by World War II and the stimulation of economic growth in other critical areas of the world, with the conviction that economic strength was essential to resisting either internal or external Communist aggression.

Fourth At the diplomatic level, we used the influence of our world position to encourage the isolation of Communist Russia and Red China.

Mr. President, objective realism forces the conclusion, that despite many frustrating disappointments, these programs have served the times well. I believe that international historians of the future will write of this period that a nation little experienced in international affairs assumed the mantle of world leadership virtually overnight and exercised its role with great distinction.

But past victories do not guarantee future successes. The times are different and conditions are changed, and this same realism forces the conclusion that we must begin to adjust our foreign policy accordingly.

Mr. President, I would suggest that many of these changing conditions can be conveniently outlined under two broad headings. The first involves the changing nature of the Communist challenge. The second concerns the emergence of new challenges which relate to, but at the same time, so transcend the Communist challenge that efforts to deal with them can no longer be safely subordinated to the containment objective.

Mr. President, what of the changing nature of the Communist challenge?

First. while it would be the height of folly to suggest that the threat of Soviet communism has disappeared, there is little question but that its expansionist strategy has been moderated. This is due primarily to the nuclear stalemate and our other successes in applying the containment policy, but also because of internal changes within the Soviet Union. Soviet communism has not abandoned its expansionist goals, but there has been a shift in emphasis as to how these goals are to be realized.

Second. The former monolith of international communism has been shattered. Good authority advises that it is no longer possible for Moscow to direct and control the actions of Communists throughout the world.

Third. A powerful, and in many ways different, Communist force in the form of Red China commands attention. Significantly, the independence of Red China is the most dramatic example of the breakup in world Communist unity. The Sino-Soviet split holds many imponderables for American interests. We must be constantly alert to the dangers and possible benefits that are thus presented. More important, however, is the emerging power of Red China. This sleeping giant is rousing from its long slumber, and the world will never be the same. Because it has not yet attained full economic, technological, and military power many of its bellicose claims of world revolution must be depreciated. However, it would be foolhardy to believe that this will always be the case. A realistic assessment forces the conclusion that increasingly in the future Red China will pose one of the greatest threats to American foreign policy interests and the peace of the world.

Fourth. The location of the most critical points of the Communist challenge—both Soviet and Chinese—has shifted to the vast underdeveloped areas of Asia, Latin America and Africa. Because the locale is different, the problems are different and at the same time more difficult. The critical areas are physically more vast. Much of it is of greater distance from our shores and more difficult to defend militarily.

But far transcending the physical differences are those of culture, history, race, and economics. Only in Latin America do we share any common bonds but they have been poisoned to some degree by the resentful memories of earlier imperialistic exploitation.

Yet, the most difficult challenge of all is economic. In Western Europe the task was to help restore war-devastated industrialized economies. This was difficult, but it pales to insignificance against the task of stimulating rapid economic development in nonindustrialized nations.

To be sure, China is confronted with many of the same difficulties, but this is of little solace for it only serves to highlight the growing challenge of Red China which shares with these areas a greater commonality of race, culture, history, and economics.

Mr. President, I stated earlier that there are challenges which now transcend, or at least equal, the Communist challenge. I would mention two.

First, I am convinced that in Europe the great challenge is no longer that of containment, but fulfillment of the long hoped for unification and integration of the European community. We have done a great deal to help lay the groundwork for European unity, and much has been accomplished. However, all recognize that the integration of Western Europe is far from complete and the task of uniting Western and Eastern Europe has not yet begun.

With the threat of Communist expansion reduced or changed we must give renewed emphasis to our efforts to help tamp down the ancient nationalistic rivalries of the European states, out of which has come almost every worldwide war of the past three centuries and which twice in this century brought the West to the brink of disaster.

Moreover, the great resources of a strong and unified Western Europe are needed to help carry the burden of protecting and advancing the interests of the free world. But the Western European community cannot look outward until it has resolved its own internal problems.

Mr. President, the second new challenge concerns what I believe to be the single most important feature of the modern world, the disparity between the poor nations and the rich nations. In the future it will likely pose the single greatest threat to world peace. The task of closing the gap will become the overriding challenge of our time.

There have always been rich nations and poor nations and there will always be differences in comparable economic wealth, but the present gap will not be tolerated in the future. The underdeveloped world has been caught up in a revolution of rising expectations. Grinding poverty is no longer accepted as a harsh and inevitable fact of life.

The poor nations are irrevocably committed to the goal of narrowing the gap between themselves and the rich nations. They expect results in this generation. They are not content to think in terms of a century-long evolution. Tragically, the gap between the rich and poor has widened in recent years rather than narrowed.

All this is not to say that the Communist challenge will be relegated to secondary significance. They are intricately interwined. However, the gap between poor nations and rich nations is the equal of the issue of communism in several respects and impels us to adjust our foreign policy accordingly.

We would be naive, indeed, to ignore the fact that today's rich are primarily white, that the poor are for a good part nonwhite. Moreover, throughout the poor nations the memories of colonial exploitation remain strong. Thus, anticolonial memories fired by differences of race could in the future pit the poor in a vicious and all-consuming struggle with the so-called rich.

We must not, therefore, overlook the possibility of the development of a new totalitarianism. It is not inconceivable that the poor nations will reject both communism and democracy and unite under a new banner of totalitarian expansionism aimed at taking from the rich through war what they have not been able to obtain in peace.

The containment of communism per se should no longer constitute the dominating rationale of our relationships with the poor nations.

Mr. President, even if I were blessed with omniscience it would be impossible to list here all the possible changes in our foreign policy required by the changing world realities. However, I do want to comment briefly on two areas: our policy toward Western Europe and our economic assistance policies toward the poor, underdeveloped nations.

Mr. President, we still live in the shadow of our experience in the Europe of the early postwar years, a Europe graphically described by Winston Churchill in 1947 as "a rubble heap, a charnelhouse, a breeding ground of pestilence and hate [where] ancient nationalistic feuds and modern ideological factions distract and infuriate the unhappy, hungry populations." This was a Europe economically prostrate, politically demoralized, and threatened by external Communist aggression and internal Communist revolution.

But in 20 years an almost miraculous transformation has occurred. Prostrated economies have been restored to new heights of prosperity. Internal communism has atrophied. The threat of Soviet aggression has significantly de-escalated. Mutual political cooperation is overpowering centuries-old nationalistic animosities. In short, a new Europe has come into being on the Western side of the Iron Curtain, and in the lands to the east there are signs of a new life struggling to be born.

Our policy is still geared too closely to the old Europe, it must now be accommodated to the realities of the new Europe.

The old conditions required that we assume a major, even dominant, military, economic, and political position in Western Europe. As those conditions no longer exist there is danger that in continuing our present posture we will create resentment and division at the very time we seek to promote European unity.

One of the symbols of the new Europe is Gen. Charles de Gaulle. The language he uses is often abrasive to American ears, and some of his tactics would appear to stymie rather than promote European unification. But, nevertheless, he symbolizes the radical change in Western Europe which is ready to stand on its own and wants the opportunity to do so. We respond erroneously if we interpret this as a sign that Western Europe seeks to pursue policies which are basically at odds with long-range American interests.

Mr. President, let me stress as strongly that I am in no way calling upon the United States to abandon Europe. This would be pure folly. However, I do suggest that our heavy involvement there is no longer necessary; that, indeed, it has become a liability to Americans and Europeans alike.

We should welcome the opportunity to lessen the burden of our involvement there. Yet we appear to be unable to break out of the patterns of the past. We seem to be adopting a paternalistic attitude. This subtly distorts our view of what our role should be in Europe, and in turn evokes an unhealthy response from the Europeans by encouraging too many to rely on the United States where, in fact, they should be less dependent, or on the other hand, fosters resentment among those who recognize our continued heavy involvement is no longer needed.

The first step in adjusting our policy to the realities of the new Europe should be the reduction of our conventional military force. I spoke in detail on this in an earlier speech, thus, I would simply emphasize again that the other NATO countries are fully capable of maintaining the conventional forces required there. Because of this and because of our own heavy commitments elsewhere in the world, it is unbecoming of the United States and undeserving of the Western Europeans to argue that we must continue to maintain five or six combat divisions in NATO. Encouraging the other NATO countries to shoulder their full responsibilities will advance, rather than hinder, the cause of European unity—as some on both sides of the Atlantic would have us believe.

There are other policy changes required as we give greater emphasis to the goal of European unification. However, I would note that in the final analysis it is the Europeans themselves who must complete the construction of a truly meaningful and stable community. We must have the vision to let them proceed.

Mr. President, the realities of the new Europe justify a reduction of our involvement there. The realities of the great problems with which we are confronted in the poor, underdeveloped nations of Asia, Latin America and Africa demand such a reduction.

The changes in policy necessary to better meet the challenges of these areas are likely to be many. I direct my comments to those associated with economic development.

Economic development is the all consuming goal of the underdeveloped nations. We share this objective. The question is how is this development to be achieved. We and the developing nations usually respond with a one-word answer—industrialization.

Despite the fact that it cannot be achieved on command, the desire is there, it is the nirvana to which all aspire. The developing nations will not be put off by arguments that they cannot achieve overnight that which took the West centuries to develop.

The industrialization of the poor nations can, of course, proceed at a faster pace through a sharing of the results of two centuries of trial and error. More importantly, it can be accelerated through the importation of capital and technology from the industrialized nations. However, to the growing disillusionment of the developing nations and to the increasing frustration of the American people we have discovered that the giving of dollars, unfortunately, does not assure that industrialization will in fact occur.

Mr. President, I would suggest that we must accept the very simple proposition that it takes "more than industry to industrialize." We must concentrate more on programs which, although less visible and less spectacular, are necessary to create the infrastructure on which genuine industrialization can develop.

First. Far greater attention needs to be given to the agricultural sectors of the developing nations. Because of the world food crisis, we have begun to do more to stimulate agricultural productivity. But more is needed and we need to recognize and act upon the fact that improvements in agriculture can also serve the long range goal of industrial growth, and that improvements in agriculture will do as much more than any other single factor to reduce the social and political discontent that now plagues so many of the developing nations.

Second. There is need for greater emphasis in the development of educational institutions and programs. Returns on educational investments do not have immediate visibility, but it is only through a massive expansion of educational opportunities that the long range objectives of economic development and political stability can be achieved. Fortunately, we have already begun to move in this direction, the trend must be accelerated.

Third, I am convinced we must begin to shift away from a policy now characterized primarily by unilateral aid to a policy characterized to a considerable extent by multilateral aid.

The reason for this is quite simple. To achieve the desired economic growth the developing nations need not only a great deal of imported capital but also advice on how to best use this capital. Because the developing nations have little practical experience in what it takes to achieve genuine economic growth, great quantities of capital and technical aid imports have been mismanaged and wasted.

To put it bluntly, aid to most developing nations must be made on a conditional basis; that is, certain requirements must be laid down as to how and where the aid is to be used. But here we are confronted with a great dilemma; they want our dollars but not our advice. For Americans, the experience is most frustrating. We expand great quantities in taxes for foreign aid but see few concrete results of economic growth. Moreover, these nations often seem to be openly antagonistic to the United States rather than genuinely grateful.

This is an almost inevitable consequence of this type of giver-receiver relationship. The poor, weak receiver knows he must have help; but to overcome the humiliating sense of dependence he will be tempted to react by downgrading his actual need and will make an effort to show his independence by resisting or ignoring the advice offered by the rich donor and often by being openly critical of him.

A greater reliance on multilateral aid would help overcome this, for it is simply a fact that agencies such as the World Bank are much more successful in laying down tough and realistic conditions for the use of aid than is the United States acting alone.

There is another great advantage. As the concept of multilateral aid gains wider acceptance and as the agencies for handling this aid are strengthened, it is likely that more of the richer nations can be induced to contribute more heavily to economic aid efforts. This would have benefits for the world as a whole and the United States as well.

A fourth new emphasis should be a major initiative to encourage regional economic integration.

Inadequate scale of markets is one of the greatest barriers to economic growth. The proliferation of nation states throughout the underdeveloped world has resulted in such a balkanization of economies that even if they make the necessary internal reforms, the bright hopes for economic development often will be frustrated by inadequate markets.

The achievements of meaningful regional integration will depend ultimately upon the willingness and the abilities of the leadership of the less developed nations themselves. However, if we approach the task properly, we can serve as an effective third party in promoting greater cooperation.

In addition, we should give greater emphasis to aid programs specifically intended to promote regional development. For example, we should be offering more aid aimed at the development of common transportation and communication facilities and the utilization of natural resources.

Mr. President, I would conclude this review by suggesting two general principles we need to keep foremost in mind as we look to the future.

First. While changing world realities necessitate policy changes, this does not mean we can look forward to any reduction in our world involvement. We have not, as some seem to suggest, reached a stage where we can begin to withdraw into neoisolationism. There can be no turning back; there can be no lightening of the burden. The demands of the future may exceed those of the past.

Second. While it is not possible to forgo any of the burden in advancing the causes of world freedom, peace, and economic prosperity, we shall not be able to exercise the all-persuasive leadership of the free world that we have in the past. Although our power is great, it is not unlimited and the forces which threaten the goals of freedom, peace, and security are stronger and more diverse than ever before.

We alone are not capable of securing the attainment of these goals. If we assume that we are, we will overextend ourselves. Moreover, such an attitude on our part will only serve to antagonize and alienate potential allies, who, out of resentment toward our dominance, will likely forgo the exercising of responsibilities that are rightfully and properly theirs.

Indeed, this attitude already exists. To put it crudely, a "leave it to George" attitude prevails, and adverse consequences result. "George" comes to believe that if he is to carry the full burden then he has the right to dictate the terms. This creates resentment among potential allies so that when "George" rightly complains that others should be more cooperative, they are likely to overreact and be excessively critical or casually indifferent.

Mr. President, we need more help than we are getting. The fact that we are not is partly due to the failure of others to recognize and fulfill their own responsibilities, but we would be remiss not to recognize that our own policies and attitudes have encouraged this situation. We must find new ways to broaden the base of agreement among the non-Communist nations. We cannot police the world. If we try we will fail, not because our underlying intentions are bad but because our behavior will antagonize those who otherwise would support us.

Mr. President, it has been the theme of these comments that we must reassess, rethink, and reorganize our foreign policy efforts. This is a task of monumental magnitude.

It has become a characteristic of our time that in such a situation we establish a special high-level commission to study the problem and to offer recommendations for its solution. Some of these commissions have made major contributions, but candor forces the conclusion that too often these groups produce little more than simplified summaries of existing knowledge, which could have been produced as easily by other means and with far less effort and fanfare.

Their greatest weakness is that those appointed to the commission never have time to really study the problem. Those typically appointed are so overburdened and preoccupied with other duties and obligations that they can do no more than hire a staff director who in turn collects studies and testimonies from various professional experts. Typically, the experts themselves are so preoccupied that they do little more than perfunctory analyses. Once collected the studies are given a quick once-over by the commission members, who then request the staff director to write a summarizing report, the language of which must be acceptable to all commission members. The end result is that little new knowledge has been accumulated and few of the commission members have acquired any deeper understanding of the problem.

The commission which I propose hopefully will overcome some of these limitations. The objective is to assure that those serving on the commission actually be given the opportunity to study the problem themselves.

The members would be drawn from the Executive Department, both Houses of Congress, and from outside Government. The primary requirement in the selection would be not so much the individual's past experience in foreign policy matters but his intention to be concerned with foreign policy in the future. The objective here is not simply to produce a special report, but to deepen the understanding of the commission members, who would continue to make contributions to foreign policy long after the immediate task of the commission was accomplished.

To achieve this, those persons named to the Commission would be relieved of their regular duties to the extent that it would be possible for them to devote a major part of their time to the Commission's work. Those individuals from the executive department, for example, would have their regular duties reduced to at least half time. Members of Congress services on the Commission might be given special leaves of absence from some of their regular committee duties. Those drawn from outside the Government will also be expected to devote a major part of their time strictly to the work of the Commission.

Mr. President, one of the great problems of the modern era is that those who lead this Nation and who exercise the power to influence its destiny are so caught up in the pressure and pace of day-to-day events they seldom have time to think and to plan for the future. James Reston of the New York Times effectively stated this problem in his May 1, 1966, column:

> The main problem is that the leaders of America—not only in government but in the universities, the churches, the big corporations, the newspapers, and the television networks—are so overwhelmed by the problem of doing things that they have little time left to think about what they are doing. Operations dominate purposes.

We are so burdened with executing and performing that few have time to read, meditate, or to think. We are prepared to say where we are and where we have been but we are often ill-prepared to say where we are going in the future and how we should get there.

This applies to all phases of public policy and certainly to foreign policy. Indeed, to take a current example, it can be argued that the difficulty of our position in Vietnam today is due in large part to the fact that our involvement there is more the result of a day-to-day reaction to unforeseen events than the result of well-defined goals and long-range planning designed to meet those goals under a variety of conditions.

Mr. President, it is my intention that the National Advisory Commission on Foreign Policy, which I propose, would correct some of these deficiencies. Mr. President, I ask unanimous consent that the text of this joint resolution be printed in the Record at this point, and that it remain at the desk for 5 days so that other Senators may join as cosponsors if they so desire.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, and be printed in the Record.

The joint resolution (S.J. Res. 198) to establish a National Advisory Commission on Foreign Policy, introduced by Mr. Pearson, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSE

Section 1. Recognizing that dramatic, far-reaching, and portentous changes have occurred in recent years in the realities of world politics and the interrelationships of nations, it is the sense of the Congress that there is an urgent need for a thorough review and reevaluation of United States foreign policy in the light of present conditions and future demands. It is the purpose of this joint resolution to establish a high-level commission, comprised of public and private members, to undertake this review and reevaluation with a view to obtaining for the Nation a better understanding of what our role in present world affairs should be, and how our foreign policy can best reflect that role and serve the national interest.

ESTABLISHMENT OF COMMISSION

Sec. 2. (a) There is hereby established the National Advisory Commission on Foreign Policy (hereinafter referred to as the "Commission") which shall be composed as follows:

(1) Six members to be appointed by the President from the executive branch of the Government;

(2) Six members to be appointed by the President of the Senate from the Senate, of whom at least three but not more than four shall be members of the Committee on Foreign Relations;

(3) Six members to be appointed by the Speaker of the House of Representatives from the House of Representatives, of whom at least three but not more than four shall be members of the Committee on Foreign Affairs; and

(4) Six members from private life to be appointed by the President from a panel of at least twelve persons submitted by members appointed to the Commission pursuant to clauses (1), (2), and (3).

Members of the Commission shall be expected to devote approximately half of their time to the work of the Commission and appropriate leaves of absence shall be granted as needed to the members appointed from the Government.

(b) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) The Commission shall elect a Chairman and Vice Chairman from among its members.

DUTIES OF THE COMMISSION

Sec. 3. (a) The Commission shall undertake a thorough and comprehensive study and appraisal of United States foreign policy in the light of present world conditions with a view to carrying out the purpose set forth in section 1. Such study and appraisal shall include, without being limited to—

(1) a consideration of the significance of the changing tactics of Soviet communism;

(2) an assessment of the effect of the emergence of Communist China as a world power;

(3) an analysis of the changing conditions in Western Europe and an assessment of the modifications that these changes require in American policies toward Europe;

(4) a consideration of the economic gap which exists between the developed nations and the underdeveloped nations and its significance with respect to world stability;

(5) a consideration of the proper role of economic aid in United States foreign policy, both unilateral and multilateral, and the emphasis which should be accorded in such aid to agricultural development and education; and

(6) an assessment of the value of regional economic and political organizations in achieving world stability and the extent to which the United States should encourage the use of such organizations in meeting the problems of the less developed nations.

(b) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations not later than one year after the Commission has been duly organized.

POWERS AND ADMINISTRATIVE PROVISIONS

Sec. 4. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this joint resolution.

(c) The Commission shall have power to appoint and fix the compensation of a staff director without regard to the civil service laws and the Classification Act of 1949. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

(1) to appoint and fix the compensation of such other personnel as he deems necessary, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed $50 a day for individuals.

COMPENSATION OF MEMBERS

Sec. 5. (a) Members of the Commission who are appointed pursuant to clauses (1), (2), and (3) of section 2 shall serve without compensation in addition to that received in their regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $75 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

EXPENSES OF THE COMMISSION

Sec. 6. There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this joint resolution.

EXPIRATION OF THE COMMISSION

Sec. 7. The Commission shall cease to exist thirty days after the submission of its report.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954 TO PROVIDE EQUITABLE TAX TREATMENT FOR FOREIGN INVESTMENT IN THE UNITED STATES—AMENDMENT

AMENDMENT NO. 955

Mr. HARTKE submitted an amendment, intended to be proposed by him, to the bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States, which was ordered to lie on the table and to be printed.

CONSENT OF CONGRESS TO ARKANSAS RIVER BASIN COMPACT, KANSAS-OKLAHOMA—CHANGE OF REFERENCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (S. 3885) to grant the consent of the United States to the Arkansas River Basin compact, Kansas-Oklahoma, and that the bill be referred to the Committee on Public Works. The original legislation dealing with this Kansas-Oklahoma water project of 10 years ago did originate in the Senate Committee on Public Works.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF AMENDMENT NO. 779

Mr. HARTKE. Mr. President, I ask unanimous consent that the names of the Senator from South Dakota [Mr. Mundt] and the Senator from New Hampshire [Mr. McIntyre] be added as additional cosponsors of amendment No. 779, to H.R. 11256.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF JAMES E. NOLAND, OF INDIANA, TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF INDIANA

Mr. BAYH. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, October 13, 1966, at 10:30 a.m., in room 2228 New Senate Office Building, on the following nomination:

> James E. Noland, of Indiana, to be U.S. district judge, southern district of Indiana, to fill a new position created by Public Law 89-372, approved March 18, 1966.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Dakota [Mr. Burdick], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. ERVIN. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

> Anthony R. Marasco, of New York, to be U.S. marshal, southern district of New York, for a term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Thursday, October 13, 1966, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ENROLLED BILL AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, October 6, 1966, he presented to the President of the United States the following enrolled bill and joint resolutions:

S. 2218. An act to establish a contiguous fishery zone beyond the territorial sea of the United States;

S.J. Res. 108. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor; and

S.J. Res. 197. Joint resolution to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes.

S. 2191: NARCOTIC ADDICT TREATMENT AND REHABILITATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1634, S. 2191.

The PRESIDING OFFICER (Mr. HARTKE in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2191) to provide for the civil commitment of certain persons addicted to the use of narcotic drugs.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

TITLE I—DECLARATION OF POLICY

SEC. 101. It is the policy of the Congress that certain persons charged with or convicted of violating Federal criminal laws, who are determined to be addicted to narcotic drugs, should, in lieu of prosecution or sentencing, be civilly committed to the custody of the Surgeon General for confinement and treatment in a hospital or other facility of the Public Health Service designed to effect their cure, restoration to health, and return to society as useful members. It is the further policy of the Congress that narcotic addicts thus committed for hospitalization treatment should be required in addition to submit to whatever posthospitalization care or supervision is determined by the Surgeon General to be necessary to effect their complete rehabilitation and prevent their re-addiction to narcotic drugs.

It is the further policy of the Congress that certain persons addicted to narcotic drugs who are not charged with the commission of any offense should be afforded the opportunity, through civil commitment, for treatment and cure, including posthospitalization care, in order that they may be rehabilitated and returned to society as useful members and in order that society may be protected more effectively from crime and delinquency which result from narcotic addiction.

TITLE II—DEFINITIONS

SEC. 201. For the purposes of this Act, the term—

(1) "narcotic addict" means any person who habitually uses any narcotic drugs so as to endanger the public morals, health, safety, or welfare, or who is so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction;

(2) "narcotic drug" means opium and coca leaves and the several alkaloids derived therefrom, such as, but not limited to, morphia, heroin, and codeine, obtained from opium, and cocaine derived from the coca plant; all compounds, salts, preparations, or other derivatives obtained either from the raw material or from the various alkaloids; Indian hemp and its various derivatives, compounds, and preparations, and peyote in its various forms; isonipecaine and its derivatives, compounds, salts, and preparations; and opiates (as defined in section 4731 of the Internal Revenue Code of 1954, as amended);

(3) "treatment" includes confinement and treatment in a hospital of the Service and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction;

(4) "Surgeon General" means the Surgeon General of the Public Health Service; and

(5) "hospital of the Service" means any hospital or other facility of the Public Health Service especially equipped for the accommodation of addicts, and any other appropriate public or private hospital or other facility available to the Surgeon General for the care and treatment of addicts.

TITLE III—CIVIL COMMITMENT

SEC. 301. For the purposes of this title, the term—

(1) "patient" means any person with respect to whom a petition has been filed by a United States attorney as provided under subsection (b) of section 302 of this title; and

(2) "posthospitalization program" shall mean any program providing for the treatment and supervision of a person established by the Surgeon General pursuant to section 307 of this title.

SEC. 302. (a) Except as otherwise provided in section 311 of this title, whenever any narcotic addict desires to obtain treatment for his addiction, or whenever any individual has reason to believe that any person is a narcotic addict, such addict or other individual may file a petition with the United States attorney for the district in which such addict or person resides or is found requesting that such addict or person be admitted to a hospital of the Service for treatment of his addiction. Any such petition filed by a narcotic addict shall set forth his name and address and the facts relating to his addiction. Any such petition filed by an individual with respect to a person believed by such individual to be a narcotic addict shall set forth the name and address of the alleged narcotic addict and the facts or other data on which the petitioner bases his belief that the person with respect to whom the petition is filed is a narcotic addict.

(b) After considering such petition, the United States attorney shall, if he determines that there is reasonable cause to believe that the person named in such petition is a narcotic addict, and that, for financial or other reasons, appropriate State or other facilities are not available to such person, file a petition with the United States district court to commit such person to a hospital of the Service for treatment as provided in this title. In making his determination with respect to the nonavailability of such facilities, the United States attorney shall consult with the Surgeon General, and other appropriate State or local officials.

(c) Upon the filing of any such petition by a United States attorney, the court may order the patient to appear before it for an examination by physicians as provided under section 303 of this title and for a hearing, if required, under section 304 of this title. The court shall cause a copy of such petition and order to be served personally upon the patient by a United States marshal.

SEC. 303. The court shall immediately advise any patient appearing before it pursuant to an order issued under subsection (c) of section 302 of his right to have (1) counsel at every stage of the judicial proceedings under this title and that, if he is unable because of financial reasons to obtain counsel, the court will, at the patient's request, assign counsel to represent him; and (2) present for consultation during any examination conducted under this section, a qualified physician retained by such patient, but in no event shall such physician be entitled to participate in any such examination or in the making of any report required under this section with respect to such examination. The court shall also advise such patient that if he is found to be a narcotic addict, after an examination and hearing as provided in this title, he will be civilly committed to the Surgeon General for treatment; that he may not voluntarily withdraw from such treatment; that the treatment (including posthospitalization treatment and supervision) may last forty-two months; that during treatment he will be confined in an institution; that for a period of three years following his release from confinement he will be under the care and custody of the Surgeon General for treatment and supervision under a posthospitalization program established by the Surgeon General; and that should he fail or refuse to cooperate in such posthospitalization program or be determined by the Surgeon General to have relapsed to the use of narcotic drugs, he may be recommitted for additional confinement in an institution followed by additional posthospitalization treatment and supervision. After so advising the patient, the court shall appoint two qualified physicians, one of whom shall be a psychiatrist, to examine the patient. For the purpose of the examination, the court may order the patient committed for such reasonable period as it shall determine, not to exceed thirty days, to the custody of the Attorney General or the Surgeon General for confinement in a suitable hospital or other facility designated by the court. Each physician appointed by the court shall, within such period so determined by the court, examine the patient and file with the court a written report with respect to such examination. Each such report shall include a statement of the examining physician's conclusion as to whether the patient examined is a narcotic addict. Upon the filing of such reports, the patient so examined shall be returned to the court for such further proceedings as it may direct under this title. Copies of such reports shall be made available to the patient and his counsel.

SEC. 304. (a) If both examining physicians (referred to in section 303) conclude in their respective written reports that the patient is not a narcotic addict, the court shall immediately enter an order discharging the patient and dismissing the proceedings under this title. If the written report of either such physician indicates that the patient is a narcotic addict, or that the physician submitting the report is unable to reach any conclusion by reason of the refusal of the patient to submit to a thorough examination, the court shall promptly set the case for hearing. The court shall cause a written notice of the time and place of such hearing to be served personally upon the patient and his attorney. Such notice shall also inform the patient that upon demand made by him within fifteen days after he has been served, he shall be entitled to have all issues of fact with respect to this alleged narcotic addiction determined by a jury. If no timely demand for a jury is made, the court, in conducting such hearing, shall determine all issues of fact without a jury.

(b) In conducting any hearing under this title, the court shall receive and consider all relevant evidence and testimony which may be offered, including the contents of the reports referred to in section 303. Any patient with respect to whom a hearing is held under this title shall be entitled to testify and to present and cross-examine winesses. All final orders of commitment under this title shall be subject to review in conformity with the provisions of sections 1254 and 1291 of title 28 of the United States Code.

(c) Any patient with respect to whom a hearing has been set under this title may be detained by the court for a reasonable period of time in a suitable hospital or other facility designated by the court until after such hearing has been concluded.

(d) Witnesses subpenaed by either party under the provisions of this title shall be paid the same fees and mileage as are paid to other witnesses in the courts of the United States.

SEC. 305. If the court determines after a hearing that such patient is a narcotic addict, the court shall order him committed to the care and custody of the Surgeon General for treatment in a hospital of the Service. The Surgeon General shall submit to the court written reports with respect to such patient at such times as the court may direct. Such reports shall include information as to the health and general condition of the patient, together with the recommendations of the Surgeon General concerning the continued confinement of such patient.

SEC. 306. Any patient committed to the care and custody of the Surgeon General pursuant to section 305 of this title shall be committed for a period of six months, and shall be subject to such posthospitalization program as may be established pursuant to section 307 of this title; except that such patient may be released from confinement by the Surgeon General at any time prior to the expiration of such six-month period, if the Surgeon General determines that the patient has been cured of his drug addiction and rehabilitated, or that his continued confinement is no longer necessary or desirable.

SEC. 307. (a) Whenever any patient under the care and custody of the Surgeon General pursuant to this title is to be released from confinement in accordance with the provisions thereof, the Surgeon General shall give notice of such pending release to the committing court within ten days prior thereto and shall, at the time of the patient's release, promptly return him to that court. The court, after considering the recommendations of the Surgeon General with respect to posthospitalization treatment for any such patient so returned, may place such patient under the care and custody of the Surgeon General for the three-year period immediately following the patient's release, for treatment and supervision under such posthospitalization program as the Surgeon General may direct.

(b) If, at any time during such three-year period, any patient (1) fails or refuses to comply with the directions and orders of the Surgeon General in connection with such patient's posthospitalization treatment and supervision or (2) is determined by the Surgeon General to be again using narcotic drugs, the Surgeon General may order such patient's immediate return to the committing court which may recommit such patient to a hospital of the Service for additional treatment for a period of not to exceed six months, and may require such patient thereafter to submit to a posthospitalization program in accordance with subsection (a) of this section.

SEC. 308. The court, upon the petition of any patient after his confinement pursuant to this title for a period in excess of three months, shall inquire into the health and general condition of the patient and as to the necessity, if any, for his continued confinement. If the court finds that his continued confinement is no longer necessary or desirable, it shall order the patient released from confinement and returned to the court. The court may, with respect to any such patient so returned, place such patient under a posthospitalization program in accordance with the provisions of subsection (a) of section 307 of this title.

SEC. 309. Any determination by the court pursuant to this title that a patient is a narcotic addict shall not be deemed a criminal conviction, nor shall such patient be denominated a criminal by reason of that determination. The results of any hearing, examination, test, or procedure to determine narcotic addition of any patient under this title shall not be used against such patient in any criminal proceeding.

SEC. 310. Any physician conducting an examination under this title shall be a competent and compellable witness at any hearing or other proceeding conducted pursuant to this title and the physician-patient privilege shall not be applicable.

SEC. 311. The provisions of this title shall not be applicable with respect to any person against whom there is pending a criminal charge, whether by indictment or by information, which has not been fully determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served, except that such provisions shall be applicable to any such person on probation, parole or mandatory release if the authority authorized to require his return to custody consents to his commitment.

SEC. 312. Notwithstanding any other provision of this title, no patient shall be committed to a hospital of the Service under this title if the Surgeon General certifies that adequate facilities or personnel for treatment of such patient are unavailable.

SEC. 313. The provisions of this title shall not be applicable to the District of Columbia.

TITLE IV—CIVIL COMMITMENT IN LIEU OF CRIMINAL PUNISHMENT

SEC. 401. (a) Whenever after arrest and prior to conviction the United States attorney has reasonable cause to believe that a person charged with an offense against the United States (other than a person excluded under section 408(a) of this title) is a narcotic addict, the United States attorney shall immediately file with the United States district court in which proceedings against the accused are pending a motion for an examination of the accused. Upon such a motion, or upon its own motion, the court may order the accused, whether or not previously admitted to bail, to submit to an examination. For the purpose of any examination ordered under this section, the court shall appoint two qualified physicians, one of whom shall be a psychiatrist, and may order such person committed for such reasonable period as it shall determine, not to exceed thirty days, to the custody of the Attorney General or the Surgeon General for confinement in a suitable hospital or other facility designated by the court. Each physicain shall, within such period so determined by the court, examine such person and file with the court a written report with respect to such examination. Each such report shall include a statement of the examining physician's conclusion as to whether the person examined is a narcotic addict, or a statement to the effect that he is unable to reach any conclusion by reason of the refusal of the person to submit to a thorough examination.

(b) Upon the filing of such reports, the person so examined shall be returned to the court. Copies of the reports shall be made available to such person and the United States attorney. If the court, acting on the report and other information coming to its attention, determines that the individual is an addict and is likely to be rehabilitated through treatment, the court may advise such person that the prosecution of the criminal charge will be held in abeyance if he elects to be civilly committed to the Surgeon General for treatment in accordance with this title. In offering such person an election, the court shall advise him that, if he does so elect, he will be civilly committed to the Surgeon General for treatment, that he may not voluntarily withdraw from such treatment; that the treatment (including posthospitalization treatment and supervision) may last for fifty-four months; that during treatment he will be confined in an institution; that for a period of three years following his release from confinement, he will be under the care and custody of the Surgeon General for treatment and supervision under a posthospitalization program established by the Surgeon General; and that if such person successfully completes this treatment and his posthospitalization program the charge against him will be dismissed, but if he does not, prosecution on the charge will be resumed. Upon being advised with respect to his right to elect to be civilly committed, such person shall be permitted a maximum of five days within which to make his election. Except on a showing that a timely election could not have been made, such person shall be barred from an election after the prescribed period. If such person makes a timely election to be civilly committed under this section, the court shall commit him to the care and custody of the Surgeon General for treatment (including treatment and supervision under a posthospitalization program) in accordance with the provisions of this title. If no such timely election is made, the court shall order the immediate resumption of the prosecution of the criminal charges against such person.

(c) Whenever any person is committed to the custody of the Surgeon General for treatment under this section the criminal charge against him shall be continued without final disposition and shall be dismissed if the Surgeon General certifies to the court that the person has successfully completed his treatment and posthospitalization program. On receipt of such certification, the court shall discharge the person from custody and dismiss the charge against him. If prior to such certification the Surgeon General determines that the person cannot be further treated as a medical problem, he shall so advise the court. The court shall thereupon terminate the commitment, and the pending criminal proceeding shall be resumed.

SEC. 402. (a) In any case in which a person convicted in a court of the United States of an offense against the United States (other than a person excluded under section 406(b) of this title) is believed by the court to be a narcotic addict, the court may, prior to sentencing such person, cause him to be examined with reference to his addiction. An examination of a person conducted in accordance with section 401 shall be deemed to be an examination conducted in accordance with provisions of this section if such examination conducted under section 401 indicated that such person was a narcotic addict and if the court has no reason to believe that the narcotic addiction of such person shall have ceased to exist. For the purpose of any examination ordered under this section, the court shall appoint two qualified physicians, one of whom shall be a psychiatrist, and may order such person committed for such reasonable period as it shall determine, not to exceed thirty days, to the custody of the Attorney General or the Surgeon General for confinement in a suitable hospital or other facility designated by the court. Each physician shall, within such period so determined by the court, examine such person and file with the court a written report with respect to such examination. Each such report shall include a statement of the examining physician's conclusions as to whether the person examined is a narcotic addict, or a statement to the effect that he is unable to reach any conclusion by reason of the refusal of the person to submit to a thorough examination. Upon the filing of such reports, the person so examined shall be returned to the court for such further proceedings as are hereinafter provided under this title. Copies of such reports shall be made available to the person examined and his counsel.

(b) The court, with respect to any such person examined in accordance with subsection (a) of this section, may (1) order a hearing to determine whether such person is a narcotic addict, or (2) sentence such person to the penalty otherwise provided by law for the offense of which he was convicted. In any case in which a person is sentenced as provided under clause (2), the court shall credit against any sentence imposed the time spent by such person in the custody of the Attorney General or the Surgeon General while undergoing an examination under this title.

(c) In conducting any hearing ordered by the court pursuant to clause (1) of subsection (b), the court shall receive and consider all relevant evidence and testimony which may be offered, including the contents of any report made with respect to an examination conducted pursuant to this section or section 401 of this title. Any person with respect to whom such hearing is being held shall be entitled to testify and to present and cross-examine witnesses. Any final determination by the court that such person is a narcotic addict shall be subject to review in conformity with the provisions of sections 1254 and 1291 of title 28 of the United States Code.

(d) If the court determines on the basis of the evidence and testimony given during such hearing (including the reports referred to in subsection (c) of this section) that the person with respect to whom such hearing was conducted is a narcotic addict, the court may, in lieu of the penalty otherwise provided by law, commit such person to the care and custody of the Surgeon General for treatment in a hospital of the Service. If, however, the court determines on the basis of such evidence and testimony that such person is not a narcotic addict, the court shall sentence him to the penalty otherwise provided by law for the violation of which he was convicted. The court shall credit against any such sentence so imposed the time spent by such person in the custody of the Attorney General or the Surgeon General while undergoing an examination and a hearing under this title.

Sec. 403. Any person determined by the court to be a narcotic addict and committed to the care and custody of the Surgeon General pursuant to the provisions of section 401 or 402 of this title shall be committed for a period of eighteen months, and shall be subject to such posthospitalization program as may be established by the Surgeon General pursuant to section 407 of this title; except that such addict may be released by the Surgeon General at any time after such addict has been confined pursuant to such commitment for a period in excess of three months, if the Surgeon General determines that such addict has been cured of his drug addiction and rehabilitated or that his continued confinement is no longer necessary or desirable for the reason that his treatment and rehabilitation could be more effectively accomplished under a posthospitalization program established by the Surgeon General pursuant to section 407 of this title.

Sec. 404. (a) Whenever any person committed as an addict to the care and custody of the Surgeon General for treatment pursuant to this title is thereafter released from such care and custody in accordance with the provisions of section 403 of this title, the Surgeon General shall give notice of such pending release to the committing court within ten days prior thereto and shall, at the time of such person's release, promptly return him to that court. The court, in order to insure that he does not return to the use of narcotic drugs following his release from confinement, shall place him under the care and custody of the Surgeon General for the three-year period immediately following such release, for treatment and supervision under such posthospitalization program as the Surgeon General shall establish pursuant to section 407. While subject to such program, such person shall submit to such reasonable tests as may be ordered by the Surgeon General to determine whether such person is again using narcotic drugs.

(b) If, at any time while subject to such program such person so released fails or refuses to comply with the directions and orders of the Surgeon General in connection therewith, or if the Surgeon General determines that the person is again using narcotic drugs, the Surgeon General shall so notify the committing court. Upon receiving that notification, the court may order that such person be taken into custody and returned to the court. Upon the return of such person, the court, if his commitment was pursuant to section 401, shall order the immediate resumption of the prosecution of the criminal charges which were held in abeyance by reason of his commitment, or if such person's commitment was pursuant to section 402, shall sentence him to the penalty otherwise provided by law for the offense of which he was convicted. Any time spent by any such person while in the custody of the Attorney General or the Surgeon General under this title shall be credited against any sentence imposed against such person returned to the court pursuant to this subsection.

Sec. 405. (a) Any person committed as a narcotic addict to the care and custody of the Surgeon General for a period of eighteen months under this title and who has not been released pursuant to section 403 shall, not later than thirty days prior to the expiration of such period, be examined by the Surgeon General for the purpose of determining whether that person continues to be a narcotic addict. If the Surgeon General determines on the basis of any such examination that such person is still a narcotic addict and that he may by further treatment be cured of his addiction, the Surgeon General shall inform the addict of the advisability of his submitting himself to further treatment. The addict may then apply in writing to the Surgeon General for further treatment in a hospital of the Service for a period not exceeding the maximum length of time considered necessary by the Surgeon General to effect a cure. No application of any such addict shall be approved unless he agrees to submit to treatment for the maximum amount of time estimated by the Surgeon General to be necessary to effect a cure. Any addict who agrees to submit himself for further treatment under this section may be confined in a hospital of the Service for a period not exceeding the maximum amount of time estimated by the Surgeon General as necessary to effect a cure of such addict's addiction.

(b) Any addict confined for further treatment pursuant to subsection (a) of this section shall be released by the Surgeon General (1) when the Surgeon General determines that such addict has been cured of his drug addiction, (2) when the Surgeon General determines that the addict's continued confinement is no longer necessary or desirable for the reason that his treatment could be more effectively accomplished under a posthospitalization program established by the Surgeon General pursuant to section 407, or (3) upon the expiration of the maximum period previously estimated by the Surgeon General as necessary to cure such addict of his addiction. If such addict fails or refuses to apply for such further treatment, or refuses to agree to submit to treatment for such maximum period, the Surgeon General shall so advise the committing court and, after the expiration of such addict's eighteen-month period of confinement, return him to that court. Upon the return of such addict, the court, if such person's commitment was pursuant to section 401, shall order the immediate resumption of the prosecution of the criminal charges which were held in abeyance by reason of his commitment, or if such person's commitment was pursuant to section 402, shall sentence him to the penalty otherwise provided by law for the offense of which he was convicted. Any time spent by any such person while in the custody of the Attorney General or the Surgeon General under this title shall be credited against any sentence imposed against such person returned to the court pursuant to this subsection.

Sec. 406. In any case in which the Surgeon General determines that an addict under his care and custody for treatment pursuant to this title is incorrigible, noncooperative with respect to his treatment or supervision, or that his presence at a hospital of the Service is detrimental to the well-being of the hospital, the Surgeon General may discharge such addict and return him to the committing court. Upon his return, the court, if such person's commitment was pursuant to section 401, shall order the immediate resumption of the prosecution of the criminal charges which were held in abeyance by reason of his commitment, or if such person's commitment was pursuant to section 402, shall sentence him to the penalty otherwise provided by law for the offense of which he was convicted. Any time spent by any such person while in the custody of the Attorney General or the Surgeon General under this title shall be credited against any sentence imposed against such person returned to the court pursuant to this section.

Sec. 407. In order to insure that any person committed to the care and custody of the Surgeon General for treatment in a hospital of the Service pursuant to this title does not return to the use of narcotic drugs following his release therefrom, the Surgeon General shall establish a posthospitalization treatment and supervision program to which such person shall be subject for the three-year period following his release from such care and custody.

Sec. 408. (a) The provisions of section 401 of this title shall not be applicable with respect to any person—

(1) charged with a crime of violence;

(2) charged with unlawfully importing, selling, or conspiring to import or sell, a narcotic drug;

(3) against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served; except that any such person on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment; or

(4) who has been civilly committed under this title, under the laws of the District of Columbia, or under any State proceeding because of narcotic addiction on two or more occasions.

(b) The provisions of section 402 of this title shall not be applicable with respect to any person—

(1) convicted of a crime of violence;

(2) convicted of unlawfully importing or selling or conspiring to import or sell a narcotic drug, unless the court determines that such sale was for the sole purpose of enabling such person to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug;

(3) against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served; except that any such person on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment; or

(4) who has been civilly committed under this title, under the laws of the District of Columbia, or under any State proceeding because of narcotic addiction on two or more occasions.

SEC. 409. Any physician or psychiatrist conducting an examination under this title shall be a competent and compellable witness at any hearing or other proceeding conducted pursuant to this title and the physician-patient privilege shall not be applicable.

SEC. 410. In any case in which a person committed to the care and custody of the Surgeon General under this title has been duly certified by the Surgeon General as having successfully completed his three-year posthospitalization program and as having been effectively removed from the use of narcotic drugs, such person's conviction shall be automatically set aside and the court shall issue to such person a certificate to that effect.

SEC. 411. The provisions of section 4161 of title 18 (regulating commutation of sentence for good conduct), section 4162 of title 18 (regulating commutation of sentence for employment in industry), and sections 4201–4209 of title 18 (relating to parole), of the United States Code, shall not be applicable to any person committed to the custody of the Surgeon General under this title while addict is under such custody.

SEC. 412. The provisions of this title shall be applicable to cases tried on and after the date of enactment of this title, but shall also be applicable in the case of any person convicted in a United States court prior to the date of enactment of this title if such person (1) has not been sentenced for such conviction and (2) is believed by the court to be a narcotic addict.

SEC. 413. Notwithstanding any other provision of this title, no person shall be committed to a hospital of the Service under this title if the Surgeon General certifies that adequate facilities or personnel for treatment of such person are unavailable.

SEC. 414 (a) Any person committed for examination or treatment under this title shall not be released on bail or on his own recognizance.

(b) Whoever escapes or attempts to escape while committed to institutional custody for examination or treatment under this title, or whoever rescues or attempts to rescue or instigates, aids, or assists the escape or attempt to escape of such person, shall be subject to the penalties provided in sections 751 and 752 of title 18, United States Code.

SEC. 415. As used in this title, the term—

(1) "crime of violence" includes murder, voluntary manslaughter, rape, mayhem, kidnaping, robbery, extortion accompanied by threats of violence, assault with a dangerous weapon or assault with intent to commit any offense punishable by imprisonment for more than one year, arson punishable as a felony, or an attempt or conspiracy to commit any of the foregoing offenses;

(2) "posthospitalization program" shall mean any program providing for the treatment and supervision of a person established by the Surgeon General pursuant to section 407 of this title;

(3) "felony" includes any offense in violation of a law of the United States classified as a felony under section 1 of title 18 of the United States Code, and further includes any offense in violation of a law of any State, possession, or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was classified as a felony by the law of the place where that offense was committed; and

(4) "conviction" or "convicted" means the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, but does not include a final judgment which has been expunged by pardon, reversed, set aside, or otherwise rendered nugatory.

TITLE V—SENTENCING AFTER CONVICTION FOR VIOLATION OF LAW RELATING TO NARCOTIC DRUGS OR MARIHUANA

SEC. 501. Section 7 of the joint resolution of August 25, 1958 (72 Stat. 845), is amended to read as follows:

"SEC. 7. This Act does not apply to any offense for which a mandatory penalty is provided; except that section 4209 of title 18, as amended, shall apply to any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended."

SEC. 502. Section 4209 of title 18, United States Code, is amended by (1) inserting immediately before the first sentence thereof "(a)" and (2) adding at the end thereof the following new subsections:

"(b) A defendant described in subsection (a) of this section who is convicted of a violation of any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended, shall, if the court is considering sentencing him to the custody of the Attorney General pursuant to the provisions of the Federal Youth Corrections Act, be committed to the custody of the Attorney General for observation and study in accordance with the provisions of section 5010(e) of this title. Before sentencing such a defendant to the custody of the Attorney General for treatment and supervision pursuant to the Federal Youth Corrections Act, the court must affirmatively find, in writing, that there is reasonable ground to believe that the defendant will benefit from the treatment provided thereunder.

"(c) Section 5010(a) of this title shall not be applicable to a defendant described in subsection (a) of this section who is convicted of a violation of any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended."

SEC. 503. Section 7237(d) of the Internal Revenue Code of 1954, as amended, is amended to read as follows:

"(d) NO SUSPENSION OF SENTENCE; NO PROBATION; ETC.—Upon conviction—

"(1) of any offense the penalty for which is provided in subsection (b) of this section, subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended, or such Act of July 11, 1941, as amended, or

"(2) of any offense the penalty for which is provided in subsection (a) of this section, if it is the offender's second or subsequent offense,

the imposition or execution of sentence shall not be suspended, probation shall not be granted, and in the case of a violation of a law relating to narcotic drugs, section 4202 of title 18, United States Code, and the Act of July 15, 1932 (47 Stat. 696; D.C. Code 24–201 and following), as amended, shall not apply."

SEC. 504. The Board of Parole is hereby directed to review the sentence of any prisoner who, before the enactment of this Act, was made ineligible for parole by section 7237(d) of the Internal Revenue Code of 1954, as amended, and (1) who was convicted of a violation of a law relating to marihuana or (2) who was convicted of a violation of a law relating to narcotic drugs and had not attained his twenty-sixth birthday prior to such conviction. After conducting such review the Board of Parole may authorize the release of such prisoner on parole pursuant to section 4202 of title 18, United States Code. If the Board of Parole finds that there are reasonable grounds to believe that such prisoner may benefit from the treatment provided under the Federal Youth Corrections Act (18 U.S.C., ch. 402), it may place such prisoner in the custody of the Youth Corrections Division of the Board of Parole for treatment and supervision pursuant to the provisions of the Federal Youth Corrections Act. Action taken by the Board of Parole under this section shall not cause any prisoner to serve a longer term than would be served under his original sentence.

TITLE VI—POSTHOSPITALIZATION CARE PROGRAMS

SEC. 601. The Surgeon General is authorized to establish, as an integral part of the program of treatment for narcotic addiction authorized by section 341 of the Public Health Service Act, outpatient units of hospitals of the Service which shall (1) provide guidance and give psychological help and supervision to patients and other individuals released from hospitals of the Service after treatment for narcotic drug addiction, utilizing all available resources of local, public, and private agencies, and (2) assist States and municipalities in developing treatment programs and facilities for individuals so addicted, including posthospitalization treatment programs and facilities for the care and supervision of narcotic addicts released after confinement under this or any other Act providing for treatment of drug addiction. Such units shall be located at places designated by the Surgeon General. The Surgeon General shall take into consideration in determining the location of these units the extent of drug addiction in the various States and political subdivisions thereof and the willingness of such States and subdivisions to cooperate in developing a sound program for the care, treatment, and rehabilitation of narcotic addicts.

SEC. 602. (a) There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1966, and for each of the two succeeding fiscal years, the sum of $15,000,000 to enable the Surgeon General (1) to make grants to States and political subdivisions thereof and to private organizations and institutions; (A) for the development of field testing and demonstration programs for the treatment of narcotic addiction, (B) for the development of specialized training programs or materials relating to the provision of public health services for the treatment of narcotic addiction, or the development of in-service training or short-term or refresher courses with respect to the provision of such services, (C) for training personnel to operate, supervise, and administer such services, and (D) for the conducting of surveys evaluating the adequacy of the programs for the treatment of narcotic addiction within the several States with a view to determining ways and means of improving, extending, and expanding such programs; and (2) to enter into jointly financed cooperative arrangements with State and local governments and public and private organizations and institutions with a view toward the developing, operating, staffing, and maintaining of treatment centers and facilities (including posthospitalization treatment centers and facilities) for narcotic addicts within the States.

(b) The Attorney General is authorized to appoint such technical or other advisory committees as he deems necessary to advise him in connection with carrying out the provisions of this Act. Members of any such committees not otherwise in the employ of the United States, while attending meetings of their committee, shall be entitled to receive compensation at a rate to be fixed by the Attorney General, but not exceeding $75 per diem, including traveltime; and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

(c) Payments under this section may be made in advance or by way of reimbursement, as determined by the Surgeon General, and shall be made on such conditions as the Surgeon General determines to be necessary to carry out the purposes of this title.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. McCLELLAN. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, the problems of narcotic addiction and related crimes have become serious and are of increasing concern to Federal and State law enforcement officials. They are a menace to society and constitute an assault upon law and order and the safety and security of our people.

In terms of numbers alone, the problem of narcotic addiction is frightening. The Federal Bureau of Narcotics has estimated that there are approximately 57,000 active addicts in the country. However, some of the expert witnesses who testified before the Subcommittee on Criminal Laws and Procedures during its hearings on S. 2191 estimated that there are 60,000 addicts in New York alone, and perhaps as many as 100,000 total addicts on the streets of our Nation's cities.

In terms of the detrimental effects to the safety and well-being of society, the problem of drug addiction is even more frightening. As the President noted in his March 9, 1966, message to the Congress on the subject of the national fight against crime:

> Drug addiction is a double curse. It saps life from the afflicted. It drives its victims to commit untold crimes to secure the means to support their addiction.

Mr. President, we need to think of the drug addiction problem in terms of wasted human lives—possibly 100,000 hopeless, estranged, dependent human beings, living only to secure the means of obtaining drugs to feed the habit which holds them captive. We need to consider, too, the tragic fact that a very large percentage of these addicts are young people, young men and women who should be preparing for useful and productive roles in our society, but who, because of drug addiction, are living as parasites on society. Many of them will grow to adulthood crippled for life physically, emotionally, and economically. In our modern, prosperous economy, such a waste of human lives and productive potential is deplorable and challenging.

Equally intolerable is the problem of addict crime. The subcommittee was told by experts in the field that many addicts have criminal records before becoming addicted and that most addicts in the course of time turn to crime to support their affliction. We were told that law enforcement officials in New York City have estimated that fully one-half of the crimes committed in that city are committed by narcotic addicts seeking the means to buy drugs, and that the cumulative value of goods stolen for that purpose exceeds one-half billion dollars annually. Bear in mind, too, that the money thus obtained and used to buy drugs usually becomes revenue for organized crime, which spearheads the illicit traffic in narcotics in this country.

Drug addiction has been a matter of Federal concern for more than a half century. In recent years, the Federal Government has intensified its efforts to identify and deal with individual addicts and to suppress the illicit traffic in drugs in this country. The Federal Bureau of Narcotics has pursued its enforcement duties energetically and effectively. Seizure of illegal narcotics and marihuana rose 62 percent from 1962 to 1965. The subcommittee was told that the efforts of Federal enforcement authorities to apprehend and convict narcotic peddlers have been so effective that organized crime has begun to shy away from the narcotics traffic in favor of equally profitable, but less dangerous, racketeering enterprises.

Our efforts to treat and rehabilitate individual addicts have been far less successful. In truth, they have been deplorably unsuccessful. The reason for this, according to virtually every witness who testified at our hearings, is that our entire approach to dealing with individual addicts has been wrong. For almost a half century we have relied upon a punitive approach to narcotic addiction which, instead of minimizing the effects of addiction, has actually made the situation worse. We have provided long prison sentences, without eligibility for probation or parole, for virtually all narcotic law violators prosecuted in Federal courts. We continue to do this in the face of several decades of experience showing conclusively that addicts are not rehabilitated by excessively long periods of imprisonment. Narcotic abuse persists and even increases, despite these severe penalties. Moreover, the high rate of relapse to drugs by addicts released after prison terms indicates that imprisonment, even accompanied by the in-custody treatment we now afford addicts in Federal prison, has no significant rehabilitative effect. The released addict will almost surely go back to drugs, to the commission of crime to support his habit, and to the probability of creating new addicts by inducing others to use drugs.

Mr. President, the measure before us today presents a whole new approach to the problem of handling individual drug addicts. It involves a sharp departure from our past insistence on treating drug addicts, once apprehended, as criminals. It adopts, instead, the more realistic approach of treating the individual addict as a medical problem, as a sick human being capable of being cured and restored to useful citizenship. Contrary to a common misconception, narcotic addicts can be permanently cured, but only if they are given the proper treatment and guidance.

S. 2191 will enable Federal authorities to utilize the flexible tools of medicine and psychiatry, reeducation and job training, family and neighborhood supervision, to cure and rehabilitate the addict. In that way he can be returned to society, not hardened and embittered as he now may be after a 10-year prison sentence, but physically and emotionally stable and prepared to lead a normal, productive life and resist the stresses that originally turned him to drugs and crime.

CIVIL COMMITMENT

The most innovative concept embodied in this legislation is the procedure for "civil commitment" of arrested addicts. Civil commitment in essence is the commitment by court order of certain addicts, included within a legislatively defined group of eligible offenders, to the custody of the Surgeon General for confinement and treatment in a hospital or other facility in lieu of prosecution and imprisonment on the pending criminal charges. The bill, in title IV, provides both for pretrial civil commitment, in lieu of prosecution, for those eligible addicts who voluntarily elect to be so committed, and for the alternative of commitment after conviction, in lieu of ordinary imprisonment, for addicts not committed before trial.

PRETRIAL COMMITMENT

Under the provisions of title IV, if an eligible offender is suspected of being a narcotic addict at any time after his arrest and prior to conviction, he may be examined by court-appointed physicians to determine whether he actually is an addict. If the examination indicates that the individual is an addict, the court is authorized immediately to offer him an election to be civilly committed for treatment instead of being prosecuted on the criminal charge against him. If the addict elects civil commitment, he is committed to the custody of the Surgeon General for confinement and treatment in a Public Health Service hospital or other available facility. Once an addict has made his election and has been committed, he may not voluntarily withdraw from the treatment program. He is required to remain and to cooperate in his treatment until he is certified by the Surgeon General to be cured and rehabilitated. If he completes the treatment program successfully, the criminal charge, which is held in abeyance during the treatment program, is dismissed. If he proves unsuitable for treatment or refuses to cooperate, the prosecution on the criminal charge will be resumed. Thus, the desire to avoid the stigma of a criminal conviction constitutes an incentive to the addict to cooperate throughout his program of treatment.

Under the terms of the bill, the addict can be confined in the hospital for a maximum of 18 months, which is long enough to cure virtually all curable addicts, according to our medical witnesses. However, the addict can be released from the hospital at any time after 3 months if the Surgeon General deems it advisable. Released addicts become subject to aftercare and supervision in their home environment, which I shall discuss in more detail in a moment.

POSTCONVICTION COMMITMENT

The bill provides an alternative method of commitment for addicts who do not elect pretrial civil commitment or who are not offered a pretrial election. Such addicts may be tried and, if convicted, may be committed to the custody of the Surgeon General for treatment in lieu of sentencing on the conviction. As in the case of pretrial commitment, the hospitalization period is 18 months maximum, with provisions made for earlier release if the Surgeon General deems it advisable. If the addict successfully completes the treatment program, including the posthospital phase, the conviction is expunged. If he fails in the treatment program, he is returned to court and sentenced on the charge for which he was convicted.

INELIGIBLE OFFENDERS

Mr. President, in order that the courts may retain their authority to enforce full criminal sanctions against dangerous offenders and in other appropriate cases, certain categories of offenders are made ineligible for civil commitment—either before or after conviction. Included in the ineligible categories are:

First. Persons charged with—or convicted of—a crime of violence. Crime of violence is defined to include such crimes as murder, rape, and robbery, but it does not include burglary and housebreaking since those two crimes are commonly committed by addicts seeking funds to buy drugs. To exclude all burglars and housebreakers would unwisely exclude a great number of otherwise eligible addicts who may show great potential for rehabilitation. Of course, the court retains discretion to enforce ordinary criminal sanctions against persons charged with burglary or housebreaking in cases where violence or other aggravating circumstances are involved.

Second. Also ineligible are persons charged with—or convicted of—unlawfully importing or selling narcotics, or conspiring to do so. However, a person convicted of selling narcotics may be eligible for commitment after trial, if the court finds on the basis of the evidence that the sale was for the sole purpose of supporting his addiction.

Third. Persons with a prior charge of felony pending against them are ineligible. This includes those who have not been tried as well as those who have been convicted but whose sentence has not been fully served. An exception to this exclusion is that a person on parole or probation may be eligible if his parole or probation officer consents.

Fourth. Persons with two or more unsuccessful civil commitments are ineligible.

The net effect of the exclusions is to confine eligibility for the benefits of the civil commitment program to persons charged with or convicted of essentially nonviolent crimes who show good prospects for rehabilitation, while retaining strict criminal punishment for dangerous or hardened offenders, narcotics peddlers, and persons with a history of failure to respond to treatment.

POSTHOSPITALIZATION TREATMENT

One of the most important aspects of this legislation is that it provides, for the first time, authority for compulsory aftercare following the release of an addict from the hospital. Our medical experts told us that the posthospital period is the vital key to permanently rehabilitating drug addicts. Curing an addict's physical dependence on drugs can now be accomplished humanely and quickly. But curing his psychological dependence—his tendency to use drugs to escape from the problems and stresses of life—may take years, because it is deeply rooted in his maladjustment to his environment. Moreover, if an addict is to be permanently rehabilitated, he must go back to his own community and prove to himself that he can face life without drugs. During this critical period of transition back to the community, he is most desperately in need of guidance and encouragement. If he does not get it, he will almost certainly relapse to drugs. This is borne out by the fact that over 90 percent of the addicts now released from Public Health Service hospitals, without compulsory aftercare, return to drugs within 1 year after release. But if he is given careful supervision and counseling, he can stay off drugs permanently. Drug addiction treatment programs in California, Puerto Rico, and other localities, have demonstrated that careful attention to addicts during the posthospital period can achieve the permanent rehabilitation of up to 90 percent of treated addicts.

There is little doubt, therefore, that any effective narcotic addiction treatment program must provide for compulsory treatment and supervision for a considerable period after release of the addict from the hospital. S. 2191 accomplishes this by providing that the released addict shall be placed by the court under the continuing custody of the Surgeon General for the 3-year period following release, for posthospitalization treatment and supervision. In this way, the Surgeon General's authority over the addict is continued so that he may be required to submit to whatever treatment and guidance he may need to help him over the transition period. The flexibility of the provision leaves the Surgeon General free to establish an individualized program of treatment best suited for the particular needs of each individual addict. Such program need not be limited to medical and psychiatric treatment, but may include vocational counseling, job training, and even educational services.

Even with intensive posthospital attention, some addicts may relapse to drugs. If so, they can be given the help they need to pick themselves up again, or they can be returned to the hospital for a fresh start. Without some provision for posthospital care, however, we would not be realistically legislating in this area.

CIVIL COMMITMENT OF ADDICTS NOT CHARGED WITH ANY CRIME

The civil commitment provisions of title IV, discussed above, apply only with respect to addicts charged with or convicted of a criminal offense. A further innovative approach to the problem of narcotic addiction is contained in title III of the bill which provides for the voluntary and compulsory civil commitment of narcotic addicts not charged with any offense.

Mr. President, I am strongly of the view that it is desirable that narcotic addicts should have an opportunity to obtain treatment for their addiction before they become involved in any criminal proceeding. In view of the great proportion of crime committed by narcotic addicts in an effort to obtain money to buy drugs, it seems clear to me that society would be benefited by a procedure authorizing the commitment and rehabilitation of addicts before they are forced to turn to crime to support their habits. Under present procedures, narcotic addicts may voluntarily enter the Public Health Service neuropsychiatric hospitals on a space-available basis. However, such voluntary patients are free to leave at will, and in the great majority of cases they leave against medical advice before they have been hospitalized long enough to profit from treatment. It is necessary, therefore, to provide a system under which addicts may be legally committed for a sufficient period to obtain the maximum benefit of treatment.

Some may feel that the Federal Government should leave the civil commitment and treatment of narcotic addicts not charged with Federal crimes to the several States, which have traditionally dealt with health problems. To those who have this impression, I would say this: In the first place title III of the bill authorizing civil commitment of addicts who have not been arrested and charged with crime will be applied only in those States which have not embarked upon a similar program or which have failed to provide proper and adequate facilities.

The bill provides that the application for treatment of such addicts must be made to the U.S. attorney, who petitions the court for a commitment order only if he is satisfied first, as to the addiction; and, second, that the State has not provided the necessary facilities for treatment. The State of New York, where one-half of the addicts in this country are concentrated, and the State of California, where one-fourth of the addicts reside, have provided some facilities. The same is true of Illinois and Michigan. Therefore, the treatment of narcotic addicts who have not been arrested will continue to be afforded by those States to the extent that they can do so. The Federal program will be used only for the comparatively small portion of addicts who have no State or local facilities available to them.

In the second place, the Federal Government may properly legislate in this field of confinement and rehabilitation of narcotic addicts because the Federal Government has a vital interest in the matter. Practically all narcotics used in this country are imported into the country, and the Federal Government has for many years regulated the importation, sale, dispensing and distribution of narcotic drugs. There is no question but that the Congress has the power under the Constitution to provide for civil commitment of narcotic addicts. Such legislation is supportable under the "necessary and proper" clause of article I, section 8, as a proper means of effectuating the comprehensive and detailed Federal scheme of regulation of narcotics. Nor is there any reasonable likelihood that this legislation would be declared unconstitutional on procedural grounds. Ample safeguards for the constitutional rights of addicts are written into the bill. There is provision for the right to counsel. The court must warn the addict who voluntarily seeks treatment of the consequences if his application is granted and he is committed for treatment. Moreover, the addict may have his own physician present when he is examined under court order for the purpose of determining whether or not he is addicted.

Any person civilly committed under this title of the proposed legislation will be committed to the custody of the Surgeon General for hospital treatment for a period of 6 months. As in the case of addicts committed under title IV, the Surgeon General is authorized to release an addict from confinement and treatment in a hospital at any time prior to the expiration of the maximum period if he determines that the addict has been cured or that his treatment could better be continued under a posthospital program. Provision is also made for an inquiry by the court into the necessity for continued hospital confinement upon the petition of an addict who has been confined for over 3 months.

As in the case of addicts committed under title IV, it is recognized that the success of the treatment program depends upon the effectiveness of posthospitalization treatment and supervision. The bill provides, therefore, that any addict released from confinement in a hospital shall be remanded by the court to the custody of the Surgeon General for a 3-year period following such release for treatment and supervision under such posthospitalization program as the Surgeon General may establish.

ASSISTANCE TO THE STATES

Under the bill, the Surgeon General is authorized and directed to assist States and municipalities in developing their own treatment programs and facilities for narcotic addicts. The bill authorizes the appropriation of $15,000,000 for each of the next 3 fiscal years to enable the Surgeon General to make grants to States, municipalities and private institutions for the purpose of developing, staffing and operating such treatment facilities. The Surgeon General is also authorized to enter into jointly financed cooperative programs with States, municipalities and private institutions, for similar purposes.

CONCLUSIONS

Mr. President, control of narcotic drug addiction is a most difficult matter. Medical science admittedly lacks considerable knowledge about the causes of drug addiction and how best to treat it. Moreover, the close connection between crime and addiction necessitates great caution to assure that legislation to provide for the treatment of addicts does not deprive the courts of authority to cope with the criminal aspects of the problem.

After carefully considering the proposed legislation, I firmly believe that it offers a flexible and logical means to provide for the treatment of drug addicts who are likely candidates for rehabilitation without essentially changing the authority of law enforcement officials and the courts to enforce full criminal sanctions in appropriate cases. The bill affords an opportunity for narcotic addicts who wish to extricate themselves from a hopeless life of addiction and crime to have themselves committed for treatment. It also affords a civil, nonpenal procedure for the compulsory commitment of addicts not charged with a crime so that they may be cured and rehabilitated before they are forced by their addiction to resort to crime. Finally, it provides procedures for offering certain addicts charged with criminal offenses the opportunity to be committed for treatment in lieu of prosecution, and for sentencing certain addicts convicted of criminal offenses to a program of treatment instead of to an ordinary prison term.

Mr. President, this legislation is humane and I believe it will prove effective. It can reclaim thousands of lives. It can begin to eliminate the driving hunger for drugs that leads so many of our citizens, particularly young ones, into lives of crime and degradation. I urge the Senate to pass this legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD a synopsis of the bill which is before us, immediately following my remarks.

There being no objection, the synopsis was ordered to be printed in the RECORD, as follows:

[Synopsis]

OUTLINE OF S. 2191 AS REPORTED BY SENATE JUDICIARY COMMITTEE

TITLE I—DECLARATION OF POLICY

Civil treatment for certain addicts in lieu of criminal prosecution or imprisonment.

TITLE II—DEFINITIONS

(1) Narcotic addict: user of narcotic drug so as to endanger public health, morals or safety, or so as to have lost self-control.

(2) Narcotic drug: includes usual opiates (morphine, heroin, codeine and cocaine) and marihuana and peyote.

(3) Treatment: defined to include rehabilitative as well as medical services.

(4) Surgeon General defined.

(5) Hospital of the Service defined.

TITLE III—CIVIL COMMITMENT OF PERSONS NOT CHARGED WITH ANY CRIMINAL OFFENSE

Sec. 301. Definitions of "patient" and "post-hospitalization program".

Sec. 302. Provides procedure for petitioning for commitment.

(a) Addict or third person petitions U.S. Attorney, setting forth basic facts.

(b) U.S. Attorney may petition district court for commitment order if he's satisfied as to (1) addiction (2) no State or other facilities available.

(c) District court considers petition and may order alleged addict to appear for medical examination and hearing.

Sec. 303. Medical Examination:

District court advises alleged addict of his right to have counsel (retained or assigned) and to have his own dotcor present for examination. Court also advises alleged addict of consequences of commitment.

Court then appoints two physicians to examine the patient and commits him to Surgeon General or Attorney General for the examination. Each physician files written report on examination with court.

Sec. 304. Hearings.

(a) If both physicians report that person examined is not an addict, he's discharged. If either or both physicians report that he is or may be an addict, court orders a hearing on issue of addiction. Alleged addict may demand jury.

(b) Court hears all relevant evidence, including physicians' report. Alleged addict can testify and can present and cross-examine witnesses. Final orders of commitment subject to appellate review.

(c) Alleged addict can be detained during hearing.

(d) Witnesses paid same fees, etc., as other witnesses in U.S. courts.

Sec. 305. Commitment Order: If court determines the person is an addict, it commits him to care and custody of the Surgeon General for treatment. Surgeon General is required to submit periodic reports on progress of the addict.

Sec. 306. Duration of Commitment: Addicts are committed to hospital for maximum of six months (plus post-hospitalization), but Surgeon General can release them sooner if desirable in his discretion.

Sec. 307. Post-hospitalization treatment.

(a) When Surgeon General is ready to release an addict patient from hospital, he gives ten days notice to court and returns patient to court. Court, after considering Surgeon General's recommendations, may place patient under Surgeon General's custody for three years for post-hospitalization treatment and supervision.

(b) If patient doesn't cooperate with Surgeon General or relapses to drug use, Surgeon General may return him to court, and court may recommit him to hospital for up to six months more and may require three more years post-hospitalization treatment.

Sec. 308. Addict's Petition for Release: Any addict who's been in a hospital for three months or more can petition court for release. If court finds continued confinement unnecessary, it may order him released to post-hospitalization program.

Sec. 309. A finding of addiction cannot be deemed a conviction and examination or test results cannot be used in criminal proceeding.

Sec. 310. Examining physicians are competent and compellable witnesses, and physician-patient privilege is inapplicable.

Sec. 311. Persons Ineligible: This title does not apply to persons charged with criminal offense or under sentence on criminal conviction, except that probationers and parolees are eligible if their supervisory officer consents.

Sec. 312. No person can be committed if Surgeon General certifies that adequate facilities or personnel are not available.

Sec. 313. Title not applicable in District of Columbia.

TITLE IV—CIVIL COMMITMENT IN LIEU OF CRIMINAL PUNISHMENT

Sec. 401. Pretrial commitment procedure.

(a) Any time between arrest and conviction that U.S. attorney suspects an eligible defendant is an addict, he petitions court for an examination. Court appoints two physicians and orders defendant committed for examination to Surgeon General or Attorney General. Each physician examines defendant and files report with court.

(b) If court, on basis of reports and other relevant information, determines that defendant is an addict and amenable to treatment, it offers him an election to be civilly committed instead of prosecuted. Court warns defendant of consequences of commitment. If addict elects civil commitment within 5 days, he's committed to custody of Surgeon General for treatment.

(c) During treatment, criminal charge is continued. If Surgeon General certifies that addict has been rehabilitated, charge is dismissed. If treatment fails, prosecution is resumed.

Sec. 402. Post-conviction commitment procedure.

(a) After conviction, if court believes an eligible person is an addict, it may, prior to sentencing, have him examined. (A pretrial examination can be relied upon if court deems it still valid.) Court appoints two physicians and commits the person to Surgeon General or Attorney General for examination. Each physician files report with court.

(b) Court may (1) order a hearing on issue of addiction, or (2) sentence the person to penalty provided by law.

(c) At hearing, court considers reports and other relevant evidence. Alleged addict can testify and present and cross-examine witnesses. Final determination of addiction is reviewable.

(d) If court determines the person is an addict, it may commit him to Surgeon General for treatment instead of sentencing him to prison. If it determines he is not an addict, it sentences him. He is given credit for time in custody for examination.

Sec. 403. Duration of Treatment.

Commitment under Sec. 401 or 402 is for maximum of 18 months (plus post-hospitalization), but Surgeon General can release anytime after 3 months if he deems it advisable.

Sec. 404. Post-hospitalization.

(a) When patient is ready for release from hospital, Surgeon General gives 10 days notice and returns patient to court. Court then places him under custody of Surgeon General for 3 *years* for post-hospitalization treatment.

(b) If patient fails to cooperate with Surgeon General or relapses to drug use, court orders him apprehended and returned to court. Court then orders prosecution resumed, or sentences him, as case may be. Credit is given for time under treatment.

Sec. 405. Extended hospital treatment: Provides for extended hospital treatment of addict who is not cured in 18 months, if addict consents. If addict does not consent, he is returned to court and prosecuted or sentenced.

Sec. 406. Incorrigible or non-cooperative addicts: Provides that they may be discharged in discretion of Surgeon General and returned to court for prosecution or sentencing.

Sec. 407. Post-hospitalization: Addicts released from hospital are subject to post-hospitalization treatment for 3 years following release.

Sec. 408. Persons Ineligible.

(a) Pretrial Civil Commitment. Not available to persons:

(1) charged with crime of violence.

(2) charged with importing or selling narcotics.

(3) with prior felony charge pending, or under sentence on prior felony conviction, except probationers and parolees are eligible if supervisory officer consents.

(4) who have been unsuccessfully committed two or more times previously.

(b) Post conviction Commitment. Exclusions from eligibility are the same as pretrial exclusions, except that persons convicted of selling narcotics are eligible if court finds sale was solely to support habit.

Sec. 409. Examining physicians are competent to testify and physician-patient privilege is not applicable.

Sec. 410. If addicts are certified by Surgeon General as permanently cured and rehabilitated, conviction is set aside and certificate to that effect given.

Sec. 411. Provisions of title 18 of the United States Code concerning commutation of sentence and parole are not applicable to civilly committed persons.

Sec. 412. Effective date: Act is effective upon enactment and applies to some cases tried before enactment.

Sec. 413. No civil commitment if Surgeon General certifies that adequate facilities and personnel are not available.

Sec. 414.

(a) Civilly committed persons are not eligible for bail or release on recognizance.

(b) Penalty provided for escape from treatment.

Sec. 415. Definitions.

(1) "crime of violence" does not include burglary or housebreaking.

(2) "post-hospitalization program".

(3) "felony".

(4) "conviction" or "convicted".

TITLE V—MISCELLANEOUS SENTENCING PROVISIONS

Sec. 501. Makes Federal Youth Corrections Act available to 22–26 year-old narcotic and marihuana violators, who are not now eligible.

Sec. 502. Requires such persons to be examined by Attorney General and certified in writing to be amenable to treatment.

Sec. 503. Makes marihuana violators eligible for parole.

Sec. 504. Extends equal treatment (under sections 501–503) to persons now in prison who were not eligible at time they were convicted.

TITLE VI—POST-HOSPITALIZATION CARE PROGRAMS

Sec. 601. Surgeon General is authorized to establish outpatient units of Public Health Service hospitals to provide the treatment (including post-hospitalization) necessary to combat narcotic addiction. Cooperation with States and municipalities authorized.

Sec. 602.

(a) Authorizes appropriation of $15 million per year for three years to make grants to States and local subdivisions, private institutions, and to enter jointly financed cooperative arrangements with States and local governments for developing and maintaining treatment centers and facilities.

(b) Authorizes Attorney General to appoint advisory committees.

(c) Surgeon General authorized to make payments under this section in advance or by reimbursement, and on such conditions as he deems necessary.

Mr. McCLELLAN. Mr. President, I send to the desk two amendments to the committee amendment.

The PRESIDING OFFICER. The amendments to the committee amendment will be stated.

The legislative clerk read as follows:

Amendment 1: On page 30, strike out lines 1 and 2.

Amendment 2:

On page 21, line 7, strike out "and".

On page 21, line 13, strike out the period and insert a semicolon.

On page 21, between lines 13 and 14, insert the following: (6) "State" includes the District of Columbia and the Commonwealth of Puerto Rico; and (7) "United States" includes the Commonwealth of Puerto Rico.

Mr. McCLELLAN. Mr. President, the two amendments would broaden the bill by making its provisions applicable in the District of Columbia and the Commonwealth of Puerto Rico. The necessity for these changes came to my attention after the bill was reported by the Committee on the Judiciary.

The first amendment would delete section 313 of the bill in its entirety. Section 313 provides that the provisions of title III shall not be applicable to the District of Columbia. Title III provides for the civil commitment of narcotic addicts not charged with any criminal offense. As originally drafted, this title made posthospitalization treatment of such addicts subject to their voluntary agreement to submit to it. The District of Columbia was omitted from the application of this title because the District presently has a similar commitment statute. However, during the course of its consideration in subcommittee and before the full committee, title III was amended to make posthospitalization treatment compulsory. In this respect, then, the treatment procedure under title III is preferable to that under the District of Columbia commitment statute, which makes posthospitalization treatment voluntary.

The first amendment would make the superior treatment procedure under title III available to addicts in the District of Columbia, as well as in the States.

The second amendment would add to the definitions title of the bill a definition of "State" to include the District of Columbia and the Commonwealth of Puerto Rico, and a definition of "United States" to include the Commonwealth of Puerto Rico. It has come to my attention that the Commonwealth of Puerto Rico has a large number of narcotic addicts and that it was not clear under the bill as reported whether they would be eligible for treatment. The amendment will make it clear that they are eligible.

Mr. President, I ask unanimous consent that the amendments to the committee amendment be considered and agreed to en bloc.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the amendments are agreed to en bloc.

The bill is open to further amendment.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I offer an amendment to the committee amendment and ask that it be stated.

The **PRESIDING OFFICER**. The amendment to the committee amendment will be stated.

The legislative clerk read as follows:

On page 50, line 3, after the word "developing," insert the word "constructing.".

Mr. JAVITS. Mr. President, I have worked out in committee with the Senator from Arkansas [Mr. McClellan] the necessary compromise, and it is a rather considerable compromise on the amount to be provided with respect to treatment facilities in title VI of this bill. The figure was doubled from $7.5 million to $15 million and it is now entirely satisfactory to me.

In cooperation with the Department of Health, Education, and Welfare, and other authorities, we have prepared a substitute for title VI of the bill, which, in our judgment, is desirable—I do not use the word "essential"; but it is desirable—leaving the money figures the same, but tightening up the language giving more fiscal controls for the Federal Government, balancing out the role for the States, and so forth.

That language is satisfactory to the agency which will administer the act, and the language would, in our judgment, make a very much more finished product. But as I thoroughly agree with the Senator from Arkansas [Mr. McClellan], with whom I have had the most cordial relations on this matter, it would be difficult to ask him on the floor, and at this writing, to take what is a very comprehensive rewrite of title VI in terms of authority, though not of money or intent.

I have now agreed with Senator McClellan to offer this simple amendment which is now pending in order to spell out the clear intent of the bill. In addition, if it is considered desirable in conference, I would hope that he would add such parts of the proposed substitute for title VI on the administrative aspects of the matter, as would be useful. The Senator from Arkansas is gracious enough to say that I will be a conferee on this matter, too, in order to work it out intelligently.

Thus, for the purpose of debate on my amendment, I ask unanimous consent that the text of the original amendment which I prepared may be printed in the Record; but, of course, I stand by the amendment I have offered and hope very much that the Senator from Arkansas will see fit to accept it.

There being no objection, the text of the original amendment was ordered to be printed in the Record, as follows:

On page 48, line 10, strike all following language through page 50, line 23, and insert in lieu thereof the following:

"TITLE VI—DRUG ABUSES TREATMENT FACILITIES AND SERVICES

"Sec. 601. The Community Mental Health Centers Act (42 U.S.C. 2681–2688d) is amended by adding at the end thereof the following new parts:

" 'PART C—DRUG ABUSERS TREATMENT FACILITIES

" 'Sec. 230. (a) For the purpose of financially assisting the several States in the construction of facilities for the treatment and rehabilitation of drug abusers, there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1967, and for each of the two succeeding fiscal years, the sum of $10,000,000.

" '(b) Sums appropriated pursuant to subsection (a) shall be available for use by the Secretary in (1) making grants under this Act to assist financially any State (which has submitted and had approved a State plan as hereinafter provided in this part) in the construction of facilities for the treatment and rehabilitation of drug abusers; and (2) furnishing technical assistance to such State in designing, locating, and constructing such facilities.

" '(c) Sums appropriated pursuant to subsection (a) of this section shall remain available until expended for payments with respect to projects on which applications have been filed under section 233 of this part before July 1, 1970, and approved by the Secretary before July 1, 1971. The full amount (as determined by the Secretary) of any grant for a project under this part shall be reserved from any appropriations available therefor; and payments on account of such grant may be made only from the amount so reserved.

" 'Sec. 231. (a) Within six months after the enactment of Title VI of the Narcotic Addict Treatment and Rehabilitation Act, the Secretary shall issue such regulations, applicable uniformly to all the States, as he may determine necessary to enable him to carry out the provisions of this part. Such regulations shall include, among others, provisions prescribing—

" '(1) general standards of construction for any such facility the construction of which is financed at least in part from a grant under this part; and

" '(2) the kinds of facilities and services needed to provide adequate treatment and rehabilitation for drug abusers.

" '(b) The regulations referred to in subsection (a) may include provisions requiring that (1) before approval of any application for a project pursuant to a State plan is recommended by any Agency, an assurance shall be received, by the State filing such plan, from the applicant that a reasonable volume of treatment and rehabilitation services for drug abusers shall be made available to such drug abusers who are unable to pay for such services.

" 'Sec. 232. (a) After the regulations referred to in section 231 have been issued, any State desiring to secure financial assistance under section 230 of this part shall submit a State plan for carrying out the purposes of such section. Such plan must—

" '(1) set forth a program for construction of facilities for the treatment and rehabilitation of drug abusers which conforms with the regulations prescribed under section 231;

" '(2) contain satisfactory evidence that the agency will have authority sufficient to carry out such plan in conformity with this part;

" '(3) provide satisfactory assurance that the services to be provided through the facility to be constructed, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated or having an arrangement with the applicant, will include, or be part of a program providing, principally for persons residing in or near the particular community or communities in which such facility is situated, at least those essential elements of comprehensive treatment services for narcotic addicts, including postinstitutional aftercare and rehabilitation, that are prescribed by the Secretary;

" '(4) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

" '(5) provide that the agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports;

" '(6) provide for affording to every applicant for a grant for a project pursuant to a State plan an opportunity for hearing before the agency;

" '(7) provide that the State will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

" '(b) Any State desiring to submit a State plan as provided under subsection (a) shall submit such plan as a separate and distinct part of its State community mental health centers plan submitted to the Public Health Service in accordance with section 204 of this Act.

" '(c) The Secretary may approve any State plan (and any modification thereof) which is in substantial conformity with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

" 'Sec. 233. (a) Any State, political subdivision thereof, or nonprofit organization desiring to secure financial assistance under this part for any project for the construction of facilities for the treatment and rehabilitation of drug abusers pursuant to an approved State plan shall submit, through the agency, an application for a grant under this part to assist it in carrying out such project. If any State, one or more political subdivisions thereof, or one or more nonprofit organizations jointly participate in any such project, the application may be filed by one or more of the participants. The application shall set forth—

" '(1) a description of the site for such project;

" '(2) plans and specifications for such project in accordance with the regulations prescribed by the Secretary under subsection (a) of section 231 of this part;

" '(3) reasonable assurances that title to such site is or will be vested in one or more of the applicants filing the application;

"'(4) reasonable assurances that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

"'(5) reasonable assurances that the applicant will meet the requirements, if any, for furnishing treatment and rehabilitation services to drug abusers who are unable to pay for such services;

"'(6) such other information and assurances as the Secretary may, by regulation, require; and

"'(7) reasonable assurances that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"'(b) The Secretary may approve any application filed under this section if he finds that the application (1) is in substantial conformity with subsection (a) of this section and all applicable regulations issued pursuant to this part; (2) is in substantial conformity with the State plan approved under section 232 of this part; and (3) has been approved and recommended by the agency. No application filed pursuant to this section shall be disapproved by the Secretary until he has afforded the applicant an opportunity for a hearing. Any amendment of an application approved under this part shall be subject to approval in the same manner as the original application.

"'SEC. 234. The payment of any grant to a State, political subdivision, or nonprofit organization under this part may follow the approval by the Secretary of the application of such State, subdivision, or organization. Any grant made pursuant to this part for the construction of a project in any fiscal year shall include such amounts as the Secretary determines to be necessary in succeeding fiscal years for completion of the Federal participation in the project as approved by him. Payment of a grant may be made in advance or by way of reimbursement, and in such installments as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this part. Amounts paid under this part with respect to any project for the construction of a facility shall not exceed two-thirds of the construction costs of such facility as determined by the Secretary.

"'SEC. 235. Whenever the Secretary, after reasonable notice and opportunity for hearing to the agency, finds—

"'(1) that the agency is not complying substantially with the provisions required by subsection (a) of section 232 to be included in its State plan, or with regulations under this part;

"'(2) that any assurance required to be given in an application filed under subsection (a) of section 233 is not being or cannot be carried out; or

"'(3) that there is a substantial failure to carry out plans and specifications approved by the Secretary under section 233;

the Secretary may forthwith notify such agency that no further payments will be made under this part for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph 1, 2, or 3 of this subsection; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments in connection with such State plan may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurances or plans and specifications, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

"'SEC. 236. If any facility with respect to which funds have been paid under this part shall, at any time within twenty years after completion of its construction—

"'(1) be sold or transferred to any nonpublic organization; or

"'(2) cease to be used for the purposes for which it was constructed unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant from the obligation to continue such facility for the purpose of providing treatment for drug abusers;

the United States shall be entitled to recover from the recipient of such funds an amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of the facility.

"'SEC. 237. If any recipient of a grant under this part is dissatisfied with any action taken by the Secretary under section 232(c), 233, 235, or 236 of this part, such recipient may appeal to the United States court of appeals for the circuit in which such recipient is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

"'SEC. 238. (a) The Secretary is authorized to appoint such technical or other advisory committees as he deems necessary to advise him in connection with carrying out the provisions of this part.

"'(b) Members of any such committees not otherwise in the employ of the United States, while attending meetings of their committee, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time; and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"'SEC. 239. As used in this part, the term—

"'(1) State shall include the District of Columbia;

"'(2) drug abuser means any person who repeatedly uses, on a periodic or continuous basis, for their psychotoxic effects alone and not as therapeutic media prescribed in the course of legitimate medical treatment, any drug or drugs capable of altering or affecting, to a substantive degree, the consciousness, mood, motivation, or critical judgment of an individual, or the psychomotor coordination or the perception of the auditory or visual sense of an individual. Such drugs shall include, without limitation thereto, the opiates, cocaine, marihuana, barbiturates, and amphetamines, but shall not include alcohol;

"'(3) facilities means buildings or other facilities which are operated for the primary purpose of assisting in the treatment and rehabilitation of drug abusers by providing, under competent professional supervision, detoxification or other medical treatment, physical therapy, family counseling, psychotherapy, vocational training, help in finding employment, or other services. The term facilities shall include, among others, facilities for medical care, laboratories, community clinics, halfway houses, sheltered workshops, and camps;

"'(4) construction includes the creation of new buildings, acquisition, expansion, remodeling, and alteration of existing buildings, and payment of architect's fees. The term construction does not include the cost of off-site improvements and acquisitions of land.

"'PART D—DRUG ABUSERS TREATMENT SERVICES

"'SEC. 240. (a) For the purpose of financially assisting the several States in establishing, developing, and maintaining treatment and rehabilitation services for drug abusers, there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1967, and for each of the two succeeding fiscal years, the sum of $5,000,000.

"'(b) Of the amount appropriated to subsection (a) for each such fiscal year (1) not less than 80 per centum thereof shall be available for use by the Secretary in (A) making grants under this title to assist any State (which has submitted and had approved a State plan as hereinafter provided in this part), in defraying expenses and other costs incurred by it in establishing, developing, and maintaining treatment and rehabilitation services for drug abusers (including the training of personnel necessary to operate such services and the conducting of statistical and biometric programs necessary for carrying out epidemiologic and longitudinal studies of drug addiction and abuse); and (B) providing technical assistance to such State in carrying out such services; and (2) not more than 20 per centum thereof shall be available for use by the Secretary in (A) making grants under this part to assist any nonprofit organization (which has submitted and had approved an application as hereinafter provided in this title) in defraying expenses and other costs incurred by it in establishing, developing, and maintaining such treatment and rehabilitation services as are referred to in clause (1) of this subsection; and (B) providing technical assistance to such organization in carrying out such services.

"'(c) Any sums appropriated pursuant to subsection (a) of this section shall remain available until expended for payments with respect to projects on which applications have been filed under section 243 or 244 of this part before July 1, 1970, and approved by the Secretary before July 1, 1971. The full amount (as determined by the Secretary) of any grant under this title shall be reserved from any appropriations available therefor; and payments on account of such grant may be made only from the amount so reserved.

"'Sec. 241. (a) Within six months after the enactment of title VI of the Narcotic Addict Treatment and Rehabilitation Act, the Secretary shall issue such regulations, applicable uniformly to all the States, as he may determine necessary to enable him to carry out the provisions of this part. Such regulations shall include, among others, provisions prescribing the kinds of treatment and rehabilitation services for drug abusers for which grants may be made under this part, such as, but not limited to, detoxification or other medical treatment, physical therapy, family counseling, psychotherapy, vocational training, help in finding employment, or probation-type supervision.

"'(b) The regulations referred to in subsection (a) may include provisions requiring that (1) before approval of any application for a project pursuant to a State plan is recommended by any agency, an assurance shall be received, by the State filing such plan, from the applicant that a reasonable volume of treatment and rehabilitation services for drug abusers shall be made available to such drug abusers who are unable to pay for such services; and (2) each application filed by a nonprofit organization for financial assistance under clause (2) of subsection (b) of section 240 of this part contain an assurance that a reasonable volume of such services shall be made available to such drug abusers who are unable to pay for such services.

"'Sec. 242. (a) After the regulations referred to in section 241 have been issued, any State desiring to secure financial assistance under clause (1) of subsection (b) of section 240 of this part shall submit a State plan for carrying out the purposes of such clause. Such State plan must—

"'(1) set forth a program for providing for treatment and rehabilitation services for drug abusers which conforms with the regulations prescribed under section 241;

"'(2) contain satisfactory evidence that the agency will have authority sufficient to carry out such plan in conformity with this part;

"'(3) provide satisfactory assurance that the services to be provided, alone or in conjunction with services provided through facilities owned or operated by the applicant or affiliated or associated or having an arrangement with the applicant, will include, or be part of a program providing, principally for persons residing in or near the particular community or communities in which such facility is situated, at least those essential elements of comprehensive treatment services for narcotic addicts, including post-institutional aftercare and rehabilitation, that are prescribed by the Secretary;

"'(4) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"'(5) provide that the agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports;

"'(6) provide for affording to every applicant for a grant for a project pursuant to a State plan an opportunity for hearing before the agency;

"'(7) provide that the State will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

"'(b) Any State desiring to submit a State plan as provided under subsection (a) shall submit such plan as a separate and distinct part of its State community mental health centers plan submitted to the Public Health Service in accordance with section 204 of this act.

"'(c) The Secretary may approve any State plan (and any modification thereof) which is in substantial conformity with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

"'Sec. 243. (a) Any State, political subdivision of a State, or nonprofit organization desiring to secure financial assistance for any project for the treatment and rehabilitation of drug abusers pursuant to an approved State plan shall submit, through the agency, an application for a grant under this part to assist it in carrying out such project. If any State, subdivision, or organization jointly participates in any such project, the application may be filed by one or more of the participants. The application shall set forth—

"'(1) the kinds of treatment and rehabilitation services which will be provided under the project with respect to which such application is filed;

"'(2) reasonable assurances that the applicant is legally qualified and is competent to provide such services;

"'(3) reasonable assurances that the applicant will meet the requirements, if any, for furnishing treatment and rehabilitation services to drug abusers who are unable to pay for such services; and

"'(4) such other information and assurances as the Secretary may, by regulation, require.

"'(b) The Secretary may approve any application filed under this section, if he finds that the application (1) is in substantial conformity with subsection (a) of this section and all applicable regulations issued pursuant to this title, (2) is in substantial conformity with the State plan approved under section 242 of this part; and (3) has been approved and recommended by the agency. No application filed pursuant to this section shall be disapproved by the Secretary until he has afforded the applicant an opportunity for a hearing.

"'Sec. 244. (a) Any nonprofit organization desiring to secure financial assistance for any project for the treatment and rehabilitation of drug abusers as provided under clause (2) of subsection (b) of section 240 of this part shall submit to the Secretary an application for a grant under such clause to assist it in carrying out such project. If two or more such organizations jointly participate in such project, the application may be filed by one or more of the participants. The application shall set forth—

"'(1) the kinds of treatment and rehabilitation services which will be provided under the project with respect to which such application is filed;

"'(2) an assurance that the applicant is legally qualified and is competent to provide such services;

"'(3) reasonable assurances that the applicant will meet the requirements, if any, for furnishing treatment and rehabilitation services to drug abusers who are unable to pay for such services; and

"'(4) such other information and assurances as the Secretary may, by regulation, require.

"'(b) The Secretary may approve any application filed under this section, if he finds (1) that the application is in substantial conformity with the provisions of subsection (a) of this section and all applicable regulations issued pursuant to this title; and (2) after consultation with the agency, that the application is not inconsistent with the State plan. No application filed pursuant to this section shall be disapproved by the Secretary until he has afforded the applicant an opportunity for a hearing.

"'(c) The Secretary may, by regulation, provide for regular reports to him by any recipient of a grant under this section.

"'Sec. 245. The payment of any grant to a State, political subdivision of a State, or nonprofit organization under this part may follow the approval by the Secretary of the application of such State, subdivision, or organization. Such payment may be made by the Secretary in advance or by way of reimbursement, and in such installments as he may determine, and shall be made on such conditions as he finds necessary to carry out the purposes of this part. Amounts paid under this part with respect to any project covered by an application made under section 243 shall not exceed two-thirds of the cost of such project as determined by the Secretary.

"'Sec. 246. (a) There is hereby created an Advisory Committee on Drug Abuse (hereinafter referred to as the "Committee"), which shall consist of nine members appointed by the Secretary. Such members shall be appointed from among individuals concerned with the medical and social aspects of drug abuse and who are eminent in fields relating to the treatment and rehabilitation of drug abusers (including the field of research), such as psychiatry, psychology, general medical practice, pharmacology, internal medicine, vocational training, correctional rehabilitation, and law enforcement. Each member of the Committee shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members of the first Committee appointed shall expire, as designated by the Secretary at the time of appointment, as follows: three at the end of sixteen months after their appointment, three at the end of thiry-two months after their appointment, and three at the end of four years after their appointment.

"'(1) advise, consult with, and make recommendations to the Secretary on matters relating to the administration of this part;

"'(2) assist States desiring financial assistance under this title in the preparation and filing of their State plans; and

"'(3) assist the Secretary in his carrying out of the purposes of this Act and of section 301 of the Public Health Service Act with respect to narcotics by encouraging States, local agencies, laboratories, public and nonprofit agencies, and other qualified individuals to engage in research projects and collaborative studies, on a long-term contract basis, into all aspects of drug abuse with a view to obtaining information, facts, and other data necessary to enable the various governmental entities and private agencies to meet and combat the many problems resulting from drug abuse.

"'(c) Members of the Committee, not otherwise in the employ of the United States, while attending meetings of the Committee or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time; and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"'(d) The Committee shall elect a Chairman from among its members, and shall be provided, by the Secretary, with such technical, consultative, clerical, and other assistance as he determines necessary to enable it to carry out its duties under this section.

"'Sec. 247. (a) Whenever the Secretary, after reasonable notice and opportunity for hearing to the agency, finds—

"'(1) that the agency is not complying substantially with the provisions required by subsection (a) of section 242 to be included in its State plan, or with regulations under this part;

"'(2) that any assurance required to be given in an application filed under subsection (a) of section 243 is not being or cannot be carried out; or

"'(3) that there is a substantial failure to carry out the treatment and rehabilitation services approved by the Secretary under section 243;

the Secretary may forthwith notify such agency that no further payments will be made under this part for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph 1, 2, or 3 of this subsection; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments in connection with such State plan may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurances or services, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

"'(b) Whenever the Secretary, after reasonable notice and opportunity for hearing to any nonprofit organization, which is the recipient of a grant under clause (2) of subsection (b) of section 240 of this part, finds—

"'(1) that such recipient is not complying substantially with the provisions required by section 244 of this part to be included in its application for such grant, or with regulations under this part;

"'(2) that any assurance required to be given in such application filed under section 244 is not being or cannot be carried out; or

"'(3) that there is a substantial failure to carry out the treatment and rehabilitation services approved by the Secretary under section 244;

the Secretary may forthwith notify the recipient that no further payments will be made under this part for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph (1), (2), or (3) of this subsection; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments under this part to such recipient may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurances or services, as the case may be) or, if such compliance (or other action) is impossible, until the recipient repays the moneys to which it was not entitled.

"'Sec. 248. (a) In providing technical assistance pursuant to this part, the Secretary is authorized to make studies with respect to matters relating to the treatment and rehabilitation of drug abusers, including the effectiveness of projects financed in whole or in part by grants made pursuant to this title, to cooperate with and render technical assistance to States, political subdivisions of States, and nonprofit organizations with respect to such matters, and to provide short-term training and instruction in technical matters relating to the treatment and rehabilitation of drug abusers.

"'(b) The Secretary is authorized to collect, evaluate, publish, and disseminate information and materials relating to studies conducted pursuant to this part, and to such other matters involving the treatment and rehabilitation of drug abusers as the Secretary may determine feasible. The Secretary may, to the extent he determines appropriate, make such information and materials available to the general public or to any agency or other organization concerned with, or engaged in, the treatment and rehabilitation of drug abusers.

"'Sec. 249. In any case in which a State is dissatisfied with the actions of the Secretary under section 242(c), 243(b), or 247(a), or in which a nonprofit organization is dissatisfied with his actions under section 244(b) or 247(b), such State or organization, as the case may be, may appeal to the United States court of appeals for the circuit in which such State or organizations is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

"'Sec. 250. As used in this part the term—

"'(1) State shall include the District of Columbia; and

"'(2) drug abuser means any person who repeatedly uses, on a periodic or continuous basis, for their psychotoxic effects alone and not as therapeutic media prescribed in the course of legitimate medical treatment, any drug or drugs capable of altering or affecting, to a substantive degree, the consciousness, mood, motivation, or critical judgment of an individual, or the psychomotor coordination or the perception of the auditory or visual sense of an individual. Such drugs shall include, without limitation thereto, the opiates, cocaine, marihuana, barbiturates, and amphetamines, but shall not include alchohol.'

"Amendments to the Public Health Service Act

"Sec. 602. (a) Section 341 of the Public Health Service Act (58 Stat. 682) is amended (1) by inserting immediately after 'discipline of persons' the following: 'who are physically or psychologically'; and (2) by inserting at the end of the first paragraph thereof the following: 'Such hospitals shall, in addition to providing such care and treatment, engage in research, training, and demonstration in the techniques of treatment and social rehabilitation of addicts.'

"(b) Paragraph (j) of section 2 of the Public Health Service Act is amended by adding at the end thereof the following: 'any drug which contains any quantity of (A) barbituric acid or any of the salts of barbituric acid, or (B) any derivative of barbituric acid which has been designated by the Secretary under section 502(d) of the Federal Food, Drug, and Cosmetic Act as habit forming; any drug which contains any quantity of (A) amphetamine or any of its optical isomers; (B) any salt of amphetamine or any salt of an optical isomer of amphetamine, or (C) any substance which the Secretary, after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system; any drug which contains any quantity of a substance which the Secretary, after investigation, finds, and by regulation designates as a substance which (D) affects or alters to a substantive extent, consciousness, the ability to think, critical judgment, motivation, mood, psychomotor coordination, or sensory perception, and (E)(i) is substantially involved in drug abuse ("drug abuse" being deemed to exist when drugs are used for their psychotoxic effects alone and not as therapeutic media prescribed in the course of medical treatment or when they are obtained through illicit channels), or (ii) has a substantial potential for such abuse by reason of the similarity of its effect to that of a drug already subject to this paragraph;'.

"(c) Paragraph (k) of section 2 of the Public Health Service Act is amended by adding at the end thereof the following: 'or any person who repeatedly uses, on a periodic or continuous basis, for their psychotoxic effects alone and not as therapeutic media prescribed in the course of legitimate medical treatment, any drug or drugs capable of altering or affecting, to a substantive degree, the consciousness, mood, motivation, or critical judgment of an individual, or the psychomotor coordination or the perception of the auditory or visual sense of an individual;'."

Mr. McCLELLAN. Mr. President, I am perfectly willing to accept the amendment offered by the Senator from New York. The amendment which the Senator would like to have considered in conference, and which has now been printed in the Record, is quite lengthy and involved, and I do feel that we should have an opportunity to study it.

I do not know that I am opposed to its objectives or even opposed to its contents, but I do think that we should have an opportunity to study the amendment before agreeing to it.

By adopting the amendment which the Senator has offered, including the word "constructing" at the place in the bill he has suggested, we will open the door for consideration of the amendment in full in conference, or for such parts of it as the conferees feel should be adopted.

Mr. JAVITS. That is correct.

Mr. McCLELLAN. With that statement, Mr. President, I have no objection to adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York to the committee amendment at page 50, line 3, of the bill.

The amendment was agreed to.

Mr. JAVITS. Mr. President, would the Senator from Arkansas yield to me very briefly for about 2 minutes to make a statement on the bill?

Mr. McCLELLAN. I am very glad to yield to the Senator from New York for that purpose.

Mr. JAVITS. Mr. President, in 1961, a group of Senators from States familiar with the problem of narcotics addiction first introduced bills providing for the civil commitment and treatment of addicts. Two years after that, President Kennedy, in response to our repeated requests, convened a White House Conference on Narcotics and Drug Abuse and a concerned Federal effort began to meet the problem. Today, with Senate passage of this bill we will be embarking on a whole new approach to the treatment of addicts.

It is not a matter of pride to me that the State of New York is the home of 47 percent of the Nation's addicts; but the statistic does underscore my personal concern. In New York, we passed the first law in the Nation providing for the civil commitment and treatment of addicts and have increasingly set aside and constructed facilities for the institutional and aftercare facilities needed to make such a program meaningful.

I ask unanimous consent that the text of a report to the New York State Narcotic Addiction Control Commission on the State department of mental hygiene's narcotic addiction treatment program be printed at this point in the RECORD, together with a statement from Governor Rockefeller's office summarizing the report.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

Governor Rockefeller today released a report, prepared at his request by the State Department of Mental Hygiene for the new State Narcotic Addiction Control Commission. The report summarizes the department's narcotic addiction treatment program as it has developed over the past eight years and explains what has been learned about narcotic drug dependence.

The Governor stated that "The experience gained by the Department of Mental Hygiene will be of inestimable assistance to the Narcotic Addiction Control Commission in preparing to implement the nation's most comprehensive attack on the problem of narcotic addiction. The Department has done a pioneering job," the Governor continued, "in developing services where none existed and training the skilled personnel needed to provide these services."

The new narcotics program, to be carried out by the Commission, provides for compulsory commitment and aftercare of persons who are adjudged narcotic addicts after examination and court hearing or trial. The program provides for a control period that can range up to three or five years and will include periods at rehabilitation centers, State hospitals, half-way houses, supervised aftercare and community programs.

The Narcotic Control Commission is presently tooling-up to initiate its comprehensive program for the prevention, treatment and rehabilitation of narcotic addicts under the new program. The Commission received $6 million in operating funds so that it could begin extensive training programs for the personnel necessary to provide the services that will be required when the first phase of the law becomes effective on April 1, 1967. This is one of the most crucial aspects of the new program since there is an acute shortage of qualified personnel.

Among the highlights of the report:

The Department of Mental Hygiene has 555 beds in narcotic treatment units at six state hospitals for treatment of over 2200 addicts a year. It will add 150 beds, increasing its yearly capacity by 600, by the end of the year. Aftercare units are also being expanded.

The department will receive referrals from the State Narcotic Addiction Control Commission, when the new law goes into effect on April 1, 1967, and state aid is being given to community-oriented organizations in New York City which are devoted to the treatment and care of addicts.

The department's program, begun in 1959, provided some answers about the needs of treatment programs during its first three years.

The next major step was passage of the Metcalf-Volker law, effective January 1, 1963, which gave arrested addicts the alternative of treatment in a state hospital in lieu of prosecution.

The treatment program provided a firm basis for the new law which created the Narcotic Addiction Control Commission (pages 7–13).

The Department has experimented with varied approaches, including the "maintenance method" (page 14).

Mental Hygiene is about to undertake another experimental program to evaluate the new drug, Cyclazocine, an opiate which blocks the effects of heroin (page 15).

Basic scientific research, longer-range in nature, is being conducted by the Department's Narcotics Division at Manhattan State Hospital (page 16).

A great need exists for varied aftercare facilities (page 16).

The Department extends services to drug-dependent persons through contracts with community agencies and through cooperation with the program being developed by the City of New York (page 19). It is also active in the areas of education and information.

THE STATE DEPARTMENT OF MENTAL HYGIENE'S NARCOTIC ADDICTION TREATMENT PROGRAM

The problem of drug dependence, particularly when it involves narcotics, is one that derives from all facets of an individual's life—physical, psychological, social, economic and familial—and in turn creates a wide spectrum of problems—medical, psychiatric, social and legal.

Law enforcement officials and others have written and spoken a great deal about the relationship between opiate addiction and crime, and this particular relationship in a whole constellation of problems is one that seriously affects the citizens of New York State, where approximately half of the estimated 100,000 narcotic addicts in the nation reside. However, the program which the State Department of Mental Hygiene has been developing over the past eight years has been oriented to treatment, as well as research and evaluation about the nature and effects of narcotic abuse.

There is no gainsaying the fact that no one has discovered a "cure" for narcotic dependence. Not surprisingly, many approaches to the problem have been proposed, some in conflict with others, yet nearly all containing varying degrees of merit. However, starting virtually from nothing in a field that had been largely unexplored, the Department in the late 1950's began a program which has been characterized by an evolutionary approach—in the absence of firm knowledge about the causes, treatment and prognosis of drug dependence, experience has had to be the teacher.

It is the purpose of this review to show what the department has learned about narcotic drug dependence. This knowledge has been gained largely through exploring all avenues offering reasonable promise. These efforts have been marked by an open-minded viewpoint.

Therefore, it will be necessary to trace the development of the department's narcotic program from its inception, touching upon our experience in such areas as aftercare and administration of "maintenance" drugs, and attempting to summarize what has been learned to date. First, however, it would be germane to describe the facilities the department has developed, then to take a look at the addict himself—the factors and influences leading to drug abuse. Final pages are devoted to an appendix containing a statistical breakdown of patients treated by the Department's Division of Narcotics, in categories of age, sex, residence and other factors.

FACILITIES

Presently, the Department has 555 beds in narcotic treatment units at six state hospitals available for treatment of over 2200 addicts a year; 150 more beds will be added by the end of this year, increasing the yearly capacity by 600. In operation are units at: Manhattan State Hospital, 200 beds including a special unit for male adolescents under 17; Pilgram State Hospital, 165 beds; Central Islip State Hospital, 90 beds; Middletown State Hospital, 55 beds for females—the only unit for women; Buffalo State Hospital, 25 beds, and Utica State Hospital, 20 beds. New 75-bed units will be opened at Bronx and Kings Park State Hospitals. The department also operates aftercare units in Manhattan, Brooklyn and Queens, plus one at Manhattan State Hospital which soon will be moved to the Bronx for residents of that borough. Plans are underway for additional aftercare facilities in Brooklyn and Queens.

In addition, the State Narcotic Addiction Control Commission will be establishing extensive rehabilitation facilites and aftercare services. The Department's units will receive referrals from the Commission when the new commitment law goes into effect on April 1, 1967.

State aid is also being given to community-oriented organizations in New York City which are devoted to the treatment and care of addicts. An important phase of the department's program is basic scientific research, being carried out in the Division of Narcotics' laboratories at Manhattan State Hospital, including investigations into the effects of narcotics on body chemistry. The division's experience in the use of "maintenance" drugs and a new experiment involving an opiate antagonist drug will be discussed in detail later.

THE NATURE OF THE ADDICT

In understanding the nature of drug abuse, it is essential to explain the nature of the addict. While considerable variety exists among narcotic abusers, psychiatrists most frequently encounter those who fall into the personality disorder group, marked by a relatively unmodifiable pattern of behavior. This type of addict often has a background of poverty and emotional deprivation, frequently with one or both parents absent. His upbringing is likely to be marked by discipline which is either inconsistent, absent or excessively harsh, with basic needs of love and security frustrated and unfulfilled. This type of person presents the appearance of one who is out of step with society, unable to learn by experience and prone to make the same mistakes repeatedly. Beneath this are profound feelings of inadequacy, low personal esteem, an inability to tolerate frustration along with an impulsiveness demanding immediate satisfaction. These factors all limit initiative and sustained effort, discouraging work towards any long-term goal. He is prone to harbor underlying feelings of resentment which may sometimes lead to open aggressiveness, but more often to passive aggressive behavior in the form of procrastination, stubbornness or inefficiency. He often presents a confused personal identity which complicates the assumption of a mature male or female role. Such an individual, unable to comply with society's demands and expectations, may seek to change the rules, or he may resort to shallow rationalizations and "blaming the other fellow" to justify his own shortcomings. Eventually, manipulating the truth becomes his constant method of coping.

USE OF NARCOTICS

In choosing a narcotic such as heroin, the drug user finds a sort of "magical" substance which alters his subjective experience, giving him an overall feeling of optimism and confidence in place of his usual depressed, inadequate emotional tone. Such feelings can also be produced in an individual without personality disorder when given opiates for post-operative pain, for example, but these persons readily withdraw from use of a substance which they do not need as they regain their sense of well-being. The addict, to the contrary, forms a whole constellation of attitudes and behavior surrounding drug use, seeking out other addicts for companionship and generally cutting himself off from the world of non-users. Usually, the addict requires several bags of heroin daily at considerable cost to maintain his habit, which tends to grow as time passes. To meet the cost of the drug, he generally is forced to turn to crime—robbery, shoplifting and other methods of obtaining money quickly, if illegally. In addition to heroin, some narcotic abusers also partake of hypnotics such as barbiturates or Doriden, stimulants including amphetamines and cocaine, or marijuana and other hallucinatory drugs.

WITHDRAWAL

Withdrawal from drug use is subject to frequent overdramatization—particularly by addicts themselves. Many users can "kick the habit in the street" while others enter hospitals to be withdrawn in an easier fashion, through oral administration of methadone, a synthetic opiate which reduces withdrawal pains to a minimum. It is administered in hospitals in diminishing doses until detoxification is completed. The vast number of volunteers who enter the department's units do so for this relatively painless withdrawal and almost always leave when detoxified and before treatment can begin. Complications can arise when other drugs are used. Generally, the amphetamines can produce a tolerance—a need for greater and greater quantities to produce the desired effect—but not physical dependence. The barbiturates, however, can and do create a physical dependence and sudden withdrawal can result in severe, continued convulsions and even death. For this reason, the opiate user who also has become addicted to barbiturates is withdrawn through administration of both methadone and pentobarbital in the department's units.

TREATMENT DIFFICULTIES

Historically, psychiatrists have been reluctant to treat drug addicts as their general experience has been that most addicts neither want nor can follow psychiatric methods without some form of coercion, such as the threat of imprisonment. Further, addiction must be viewed as a relapsing phenomenon, with the drug dependent person undergoing "cure" again and again. All too frequently, an addict will consider himself "cured" when he has been detoxified, although the underlying personality disorder which contributes to his drug dependence has not been altered. Because of this, it often is considered futile to treat addicts, yet as one expert has pointed out: "The above argument is also used to justify complete nihilism and medical withdrawal from the field. This ignores the fundamental rule of medicine that we cannot restrict ourselves to the treatment of recoverable disease."[1]

A degree of encouragement is indicated, however, in the fact that a small number of addicts can be and are "cured" insofar as they are able to remain drug-free over a number of years. Others, as they reach their mid-30's, stop using opiates, seemingly almost spontaneously. No one knows the answers to the questions these phenomena raise, but it does seem clear that a degree of motivation is necessary to the success of any treatment course. Lack of motivation, however, can be overstated as a cause of relapsing—the type of personality an addict often presents is not consistent with either setting of long-term goals or honest evaluation of his problems. He may have ambiguous feelings toward being "cured" and his more positive attitudes toward becoming drug-free can be reinforced through an extended treatment period. Indeed, even addicts who state that they prefer continuing opiate usage can experience a considerable change in attitude through treatment.

Where the course of treatment breaks down, however, is after the addict leaves the hospital. Suddenly, he is thrown into the same frustration-producing environment, often with no friends outside the world of drug users. Unequipped with education or skills to find any form of satisfying employment, hounded by his own feelings of inadequacy and both hindered and bolstered by a "junkie" label—which may handicap him in a number of ways but also gives him a ready excuse for not measuring up to society's demands—the addict must fight the overwhelming temptation to "solve" his problems via the needle. In recognition of the importance of the post-hospital period, the Department has been strengthening its aftercare facilities and other methods of assistance, in the form of halfway houses, vocational training, education, job placement and outpatient services.

BEGINNING OF STATE'S PROGRAM

When the department first became involved in the problem of drug dependence much was needed in the way of formal knowledge of its origins, methods of treating addicts and the special problems these patients present. There was no satisfactory or successful system of treatment existing anywhere; no professional personnel trained to meet the needs of addict patients were available; existing scientific knowledge was limited, and research activities required expansion. Starting with the encouragement of Governor Rockefeller in 1959, the department undertook treatment of non-psychotic narcotic addicts with a 55-bed unit at Manhattan State Hospital. There was no statutory basis for the program, however, and the majority of patients were voluntary. However, the next few years did result in the gaining of definite knowledge to form the basis for a decision on what was needed in a treatment program. By 1962, certain definite patterns could be seen emerging and a departmental report made at that time to the National Research Council described them. First, it was reported, narcotic use largely involved individuals with severe personality disorders, and these disorders were not secondary to drug use. In short, the addict's inner problems did not stem from his use of drugs but, rather, drug abuse was largely derived from the inward conflicts, plus other factors. Volunteers generally sought treatment as a means to avoid legal problems, under pressure from probation officers, to meet parole conditions, to qualify for aid from housing or welfare authorities or simply reduce the quantity of their drug intake to more manageable economic size. Most (more than 95 percent) of the patients were heroin users with nearly two-thirds in the age group of 21 to 30. Another 30 percent were under 40 years of age. Most came from depressed socio-economic areas although, interestingly, a small number were from "non-blighted" areas. Although most were of normal or higher intelligence, their education was not consistent with their abilities—87 percent had not completed high school. While the majority of drug users did not come to participate in a long-range treatment program aimed at improving their overall functioning, and despite a large turnover rate, some were able to adjust to a drug-free life. An informal follow-up study of 100 patients involved in the initial program showed that about 10 percent had remained drug-free two years later.

Meanwhile, the department was expanding its facilities and had established its research laboratories. Perhaps the most important result of this initial three-year period was that it demonstrated conclusively that it was possible to develop services for drug users and to work out procedures which showed some promise. Further, it provided a really comprehensive survey of the problem, indicating its scope, types of patients involved, where knowledge and skills were lacking and pointing the way to a routine of treatment. Finally, it allowed the department to train personnel—both professional and non-professional—to carry out such a treatment program.

All of this paved the way for the next important step in the state's efforts in the field of drug dependence—adoption in 1962 of the Metcalf-Volker Law, a measure encouraged and signed by Governor Rockefeller. This law contained a provision offering the alternative of treatment in a state hospital unit in lieu of prosecution for arrested addicts. This provision, which became effective January 1, 1963, also directed that these particular patients be returned to the courts if they did not prove to be amenable to treatment or did not adhere to the terms of hospitalization. The Division of Narcotics was established within the department and advisory council was organized to guide it, allowing participation of persons outside state government. The department also was empowered to conduct research, contract with private and public agencies engaged in care and treatment of addicts, and develop a program of public education.

Under the Metcalf-Volker Law, admissions were made in three general categories: 1. addicts who were arrested for criminal activity and elected to undergo treatment in lieu of prosecution, but excluding serious criminal offenders; 2. addicts who were admitted as a condition of probation or on court certification; and 3. voluntary admissions. Those entering under the first two categories are required to remain in the treatment unit 90 days, unless found unsuitable for treatment, then to follow an aftercare program. Volunteers are free to leave at will.

COURSE OF TREATMENT

Guided by the experience gained in the first few years, the treatment program began to take definite form, with units geared to the particular needs of this type of patient. Upon admission, a patient receives a thorough physical examination and psychiatric screening. Arrested addicts usually receive medical treatment for withdrawal in detention units where they have been housed before entering the hospital, but others—particularly volunteer patients—then enter the detoxification ward. There, they receive oral doses of methadone for the next several days until withdrawn from physical narcotic dependence, plus pentobarbital if also addicted to barbiturates, as are about one-fifth of the patients admitted. Under the methadone regimen, the symptoms of withdrawal are similar to and no more severe than those of a moderately heavy cold.

At this point, a number of services and activities are made available to the patient. Usually he must enter a work program, spending four hours a day, five days a week in this activity, which embodies sheltered work concepts. The goal is to confront the patient with a situation similar to that which he will encounter in a competitive employment situation. The nature of the work generally involves assembly of products, for which the patient is paid on a piece-work basis. Also available are various recreation activities—sports, arts and crafts. Group therapy is widely used as a means of helping the drug abuser to better understand his personality and addiction problems.

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[1] "Misapprehensions About Drug Addiction, Some Origins and Repercussion" by Dr. Henry Brill, Vice Chairman of the State Addiction Control Commission, in Comprehensive Psychiatry, June, 1963.

Educational services have been established and a meaningful education program is evolving. The focus is upon meeting the deficiencies so frequently encountered with this patient groups, which include individulas who read with difficulty and are unable to cope with such rudimentary demands as filling out employment applications. Others have dropped out of high school but with assistance can secure high school equivalency diplomas. A few can be oriented towards more advanced educational goals. Three months is a short period of time to achieve these aims and this fact contributes to current thinking which tends to favor a more extended stay. Patients are housed in wards and, within the supportive environment of the hospital generally experience improvement in their physical condition. This includes gaining weight, often lost in the course of drug use, when the addict tends to neglect most of the routines of healthful living including diet.

In the period from January 1, 1963, when the arrested addict provision of the Metcalf-Volker Law became effective, to June 30, 1966, *a total of 6,799 patients have been admitted to department units.* This includes 6,205 males and 594 females. More than half of the patients have been between 21 and 30 years old, with slightly under one-fourth falling into the under-21 and about the same number over-30 ranges. Some 61 percent have entered as arrested addicts, 36 percent were voluntary and 3 percent were admitted under court certification or probation conditions. A further exposition of these statistics is contained at the end of this review.

Males under 21 were housed in a separate unit at Manhattan State Hospital until August of this year, but it was found that an adolescent milieu evolved which was disruptive to the treatment aims and programs. Therefore, only the youths under the age of 17 are now treated in a special unit. Older youths are treated at all of the department units.

Experience with volunteers after the Metcalf-Volker Law became effective has been essentially the same as it was before 1963. A study made prior to enactment of Metcalf-Volker showed 41 percent of all admissions signed out of the hospital by the eighth day and another 33 percent by the 15th day. Only about 10 percent remained beyond the 25th day, and this is tempered largely by a number who had pressure brought to bear to remain in the program. With the Metcalf-Volker provisions, however, many more patients were compelled to remain the full 90 days, and it was in this group that most of the admittedly limited success has occurred.

Since adoption of the Metcalf-Volker Law, it has become much more apparent that firm control of the addict has the additional benefit of curbing criminal activities stemming from addiction, although this was not the purpose that led to enactment of the law. Features of the law which did not lend themselves to control of addict behavior included:

1. Limitations of court certification provisions—they applied only to adult addicts; petitioners were limited to the immediate family, the addict himself, or those with whom he resided; aftercare was limited to a very brief period; and addicts found unsuitable for treatment and care could be discharged.

2. Limitations of civil commitment—the procedure allowed arrested addicts to volunteer for the program, which only a small percentage did—one out of five; their compliance depended largely upon pressure exerted through the sentencing power of the courts, which varied according to presiding judges. The charges were often dropped against minor offenders and short sentences frequently were imposed. Credit given for the period of hospitalization made sentences even shorter.

All of these deficiencies were corrected in the legislation of 1966 which created the Narcotic Addiction Control Commission and set up commitment and aftercare supervision periods of from three to five years.

The Metcalf-Volker Law provided much that was useful and constructive. It did, for the first time, recognize addiction as a medical problem and placed treatment on a statutory basis and allowed a variety of services to be made available to addicts in a hospital setting. In so doing, it demonstrated that many narcotic-dependent persons could be treated in such an environment, particularly with the reinforcement of legal control.

It showed that, for many addicts, a structuring of their life situation upon the framework of the treatment routines provided a platform from which rehabilitative steps could be taken. Without this necessary discipline, any rehabilitation effort would be largely lost. The experience also brought out that relating the program to a single authority which deals consistently with behavior problems as they arise is a useful adjunct to treatment. Even if there were statutory limitations, the civilly-committed patients much more frequently made constructive use of services offered, indicating strongly the value of coercive measures. Finally, the experience gained showed that addicts need a whole range of living arrangements, from maximum security to the "youth camp" type of facility, for strict parole supervision in the community, for organized residential centers (halfway houses) to serve as stepping stones back into the community, and for neighborhood centers to aid discharged patients living in the community.

BASIS FOR NEW COMMISSION

The Metcalf-Volker program provided the experience necessary to promulgate and establish provisions of the new law providing for the Narcotic Addiction Control Commission. Without the experience gained in these past years, no firm basis would have existed for so sweeping a statute as Chapter 192 of the Laws of 1966, urged by Governor Rockefeller as part of an all-out war on drug abuse.

The 1966 statute will permit a broad approach to the narcotic-dependent person by establishing a single agency to meet the problem of addiction through a consistent, sustained approach. Those addicts who require extended stays in highly controlled settings will be required to do so. Those who can be treated on an outpatient basis or in vocational and educational centers will receive this opportunity. At the same time, those who need extensive psychiatric attention will be admitted to Department of Mental Hygiene units.

METHADONE MAINTENANCE

Because of the wide spectrum of problems attendant upon drug abuse, it is not surprising that numerous "cures" are claimed. However, upon close evaluation, it often is found that these cures are either relatively short in duration or work only for a highly selected group. One means of dealing with the problem which has found both strong advocates and strong opponents is the "maintenance method" which utilizes controlled dosages of methadone hydrochloride, a synthetic but addictive opiate which allows an addict to function fairly "normally" but, as administered without the euphoric effects of heroin use.

The department undertook an experimental program of providing methadone to addicts, drawing 23 applicants interested in the maintenance program over a 2½-year period. Of these, 17 or 74 percent were over 30 years old, the age group found to be most amenable to treatment, and 10 or 43 percent of the total were over 35. As the department sought candidates, it found that most were unwilling to accept a structured situation aimed at adjustment to the community in place of the indulgence of heroin use. Of the 23 applicants, nine either requested an end to the methadone maintenance after five to 14 days or presented complaints which appeared to represent a wish to return to former habits. The remaining 14 felt that the methadone helped them. Ten of these elected to enter the community while receiving a daily spansule of methadone, with five making poor adjustments, ceasing methadone maintenance after periods of two days, one week, one month, 2½ months and four months. Others remained on the program longer, finding employment and attempting to make a constructive adjustment.

The work with methadone by the department is continuing at a higher dose level and other groups also are experimenting with this program. Although one of these projects has been reported in positive terms, caution must be exercised in stating that methadone maintenance has universal or broad application. There are still many questions to be answered, and these studies should continue so that better defined results can be secured.

CYCLAZOCINE STUDY

Another experimental program about to be undertaken by the department is a study and evaluation of the new drug, Cyclazocine, an opiate antagonist which blocks the euphoric effects of heroin. Thus, a person who takes Cyclazocine, then receives a dose of heroin, will not obtain the "high" desired by the narcotic addict. This program, about to be studied at Manhattan State Hospital, suggests that there may be a possible role for this drug, however there is some doubt that addicts would have much interest in a continued program of Cyclazocine administration. Further, the drug produces undesirable side effects which complicate its use. Much more research will be needed, and perhaps fuller development of the drug itself, before any meaningful evaluation can be made. The drug should be viewed as one possible means of controlling addiction and investigated in line with the department policy of studying every reasonable approach to control of narcotic addiction.

BASIC SCIENTIFIC RESEARCH

In the Division of Narcotics' research laboratories at Manhattan State Hospital, continuing experiments are being made on the effects of a narcotic (morphine) on body chemistry, particularly in studies of brain tissue. This is a basic research project, aimed at broadening overall knowledge of the body's functionings. Unlike crash experimentation, this type of painstaking, thorough research is not likely to present any fast answers to drug addiction problems, but may well provide enlightenment in biochemical areas which could lead to new medical approaches. Such research, too, may result in important findings in other areas, such as the role of body chemistry in mental disorders. Another laboratory operation, known as thin-layer chromotography, is being developed to assist in the conduct of clinical studies. This is a fast, sure means of detecting opiate use in an individual through a urine test procedure. Such a method will be needed to launch a large-scale follow up program.

AFTERCARE

As noted earlier, it is after hospitalization that the patient is most vulnerable, so aftercare must be viewed as a vital link in the chain of treatment procedures. The need is great for a wide variety of facilities for aftercare—not only halfway houses, but also sheltered workshops, vocational training, education, and continued contact between the patient and social worker. Extremely important is the need for stricter follow-up procedures by probation and parole authorities. All of this means large expenditures not only for physical facilities, but also for hiring and training the needed staffs for this wide range of services.

Because the patient in the post-hospitalization period often is unable to meet the requirements of community living, and so relapses into drug use, there is real need for a spectrum of services beginning in the hospital and extending into the community. So, too, are provisions for return to the hospital if relapse occurs, for it would be unrealistic and even futile not to expect relapsing and be prepared to deal with it effectively.

In its earliest form, the department's aftercare program revolved about the concept of providing clinical services to patients released from treatment units. This would allow services already initiated in the hospital to be continued and extended. With the passage of time, it became increasingly evident that adjustment to the community by the addict is a complex matter which required the utmost of aftercare staff members' skill, tremendous patience, consistent availability and willingness to respond to the repeated crises that arose in the lives of these patients. Problems such as tardiness, missed appointments had to be resolved, as well as the patient's inability to find and sustain employment, acquire suitable living arrangements, secure the assistance of his family and enter into constructive relationships with the non-addict world. Agencies which met the needs of the community's disabled rarely were geared to deal effectively with this patient group. Indeed, the attitude encountered often was one of hostility and rejection.

Out of this emerged the realization of the need for a broad spectrum of services to which a clinic could relate. Clearly, it was not simply a matter of supervision and counseling, but rather of facing the realities which a severely handicapped person encountered in a community which was ill equipped to receive him. Intertwined with more traditional services—by necessity—were such additional problems of exploring job possibilities, vocational counseling, training for employment, providing suitable housing and obtaining cooperation of families. The need to work with resources located in the immediate community where the patient lives became increasingly evident, as was the concept of a multi-agency participation in the attempt to rehabilitate and assist the drug-dependent person to a constructive level of living. Relapse was an ever-present problem, but this certainly could not be defined as patient defiance. Rather, it had to be viewed as an expression of his inability to cope and as a problem which called for intensified treatment effort.

It was out of these understandings, as they emerged, that the department saw the wisdom of aiding and encouraging the work of private agencies, which are the forerunners of community-based activity. Such community-oriented programs are required if aftercare treatment personnel are to be supported in their efforts. Further, out of this experience emerged a spirit of willingness, indeed of desire, to tackle the problem, which provided a stimulus for interagency cooperation so that better services for the addict client could be provided. Finally, the willingness to use the hospitals to allow the addict who had slipped back into drug usage to regain this equilibrium came to be viewed as essential to the total treatment approach.

During the period in which the department has conducted its aftercare program, it has become self-evident that most drug-dependent people do not pursue such services constructively on a voluntary basis. With the introduction of some structure, a degree of pressures as provided by the Metcalf-Volker Law, it became clear that addicts who otherwise would not make themselves available for aftercare would make clinic visits and interact constructively with treatment personnel. On the other hand, as stated earlier in this report, this structure was limited in that an organized, consistent approach was not possible under Metcalf-Volker provisions. The role of the formal clinic setting, and its use as a point around which efforts on the addict's behalf might be coordinated, has been well-established. However, it is essential that such clinics be distributed so as to make them geographically accessible to the patients using them. The department is seeking to achieve this through establishment of a multi-borough operation.

At such locations, the addict patient can secure continuing psychotherapeutic assistance, casework pertaining to the immediate problems he encounters, use of other agencies, and a continuity of human contact and support. In addition, group sessions and activities are available and the inclusion and involvement of the addict's family is made to part of the aftercare effort when possible. Staff members are in a position to make field visits and often to intervene when difficult circumstances confront the patient. However, all this does not mean that clinic settings should stand alone. Rather, their efforts must be integrated with the total services that are essential for a community to provide. The presence of such clinics serves as a stimulus for the community and its agencies to take action.

Through a program initiated by Governor Rockefeller in 1965, the Department of Mental Hygiene extends services to drug-dependent persons through contracts with community organizations and through cooperation with the narcotic treatment program being developed by the City of New York.

This year, $1,560,000 is available to the community organizations from the state, including $1,010,000 for direct contracts with these agencies and another $550,000 provided to the New York City Mental Health Board for contracts with these groups. To date, contracts totaling $914,227 have been made. Of this, $480,000 in contracts has been established by the state directly with seven community groups, while the Mental Health Board has contracts with two agencies totaling $434,227. The remaining funds will be used for additional state contracts and for city board contracts, which are presently under development and review.

The seven agencies with which the state has contracts are:

East Harlem Protestant Parish-Exodus House, Inc; Salvation Army; Quaker Committee for Social Rehabilitation; Greenwich House; Addict Rehabilitation Center; Village Haven; and the Lower East Side Information and Service Center for Narcotics Addicts. The New York City Mental Health Board has made contracts with Daytop Village and the Quaker Committee for Social Rehabilitation.

EDUCATION

Still another area in which the department has played a major role is that of education. Through visits to treatment units and public talks by division officials, both professional and lay persons concerned with the problem have been able to learn more about drug dependence. Division professionals have conducted teaching days for schools of nursing in New York City and an annual course in narcotic abuse has been given for several years at the New York School of Psychiatry. The division has offered resident psychiatrists at state hospitals an opportunity to obtain experience in addiction problems as part of their training. The division also has assisted representatives of the press, television and radio in developing informational material on the problems of narcotic dependence.

SUMMARY

Much has been learned in the past few years about drug dependence—its nature, causes, effects and treatment. Much more can be learned, and it is only through a greater understanding of this phenomenon of drug dependence that workable programs can be developed. It has been seen that addiction is a relapsing condition, but experience also has shown that while many users have not remained drug-free for long after one hospitalization, it has been demonstrated that some can be helped over a period of time.

STATISTICAL APPENDIX

Records of narcotic users admitted to New York State Department of Mental Hygiene treatment units since the Metcalf-Volker Act became effective January 1, 1963 until June 30, 1966, show a total of 6,799. This includes 6,205 males, or 91.3 percent of the total, and 594 females, or 8.7 percent.

In age groups, more than half were between 21 and 30, slightly less than one-fourth under 21 and about the same number over 30. For both male and female admissions, the total in the under 21 group was 1,579, or 23.2 percent of all admissions; there were 3,601 in the 21–30 age group, or 53.0 percent; and 1,619 over 30, or 23.8 percent. Of this older group, 1,315, or 19.3 percent, were between 31 and 40, while 304, or 4.5 percent, were over 40.

Generally, these ratios were about the same for both males and females, with a slightly larger group in the older range for women. Broken down by age groups, the male admissions showed: 1,442 under 21, or 23.2 percent, 3,304 between 21 and 30, or 53.3 percent, and 1,459 over 30, or 23.5 percent, including 1,178 between 31 and 40, or 19.0 percent, and 281 over 40, or 4.5 percent. Female admissions showed: 137 under 21, or 23.1 percent; 297 between 21 and 30, or 50.0 percent; and 160 over 30, or 26.9 percent, including 137 between 31 and 40, or 23.0, and 23 over 40, or 3.9 percent.

The majority of admissions for both sexes fall into the arrested (legal) addict category—those who chose the treatment program in lieu of imprisonment. Of the 6,799 total admissions, 4,132 were in this group, or 60.8 percent. Those admitted under court certification or probation conditions totaled 200, or 2.9 percent. The balance of 2,467, or 36.6 percent, were voluntary admissions.

There are significant differences by sex in admissions, however. Among males, some 3,847, or 62.0 percent, were arrested addicts, whereas only 48.0 percent, or 285, of the females were in this category. Voluntary admissions among males totaled 2,180, or 35.1 percent, but there were 287 voluntary female admissions, or 48.3 percent. Those admitted under court certification or probation condition accounted for 178, or 2.9 percent, of the males and 22, or 3.7 percent, of the females.

The large majority of admissions—5,870 or 86.3 percent—were residents of New York City, with the greatest number of these patients, 2,453, coming from New York County (Manhattan), followed by 1,568 from Brooklyn, 1,103 from the Bronx, 717 from Queens and 29 from Staten Island. Of the remaining 877 admissions, the largest number—284—came from Erie County, followed by 178 from Suffolk, 162 from Nassau and 152 from Westchester.

Mr. JAVITS. Mr. President, the civil commitment provisions of this bill and the sections allowing more reasonable parole and probation procedures for young offenders are greatly needed. But I take particular interest—as a member of the Labor and Public Welfare Committee as well as the Judiciary Committee—in title VI which provides badly needed Federal funds for the construction and operation of treatment facilities and the training of personnel. My colleague, Senator KENNEDY of New York and I have been particularly interested in this feature of the measure.

We collaborated in a group of measures intended to effect substantially these results. We testified before a subcommittee of the Committee on the Judiciary presided over by the Senator from Connecticut [Mr. DODD]. I want to express my appreciation to the committee chairman, the Senator from Arkansas [Mr. MCCLELLAN], for the courteous and receptive consideration of our views with respect to the whole matter, and for the embodiment, in substance of the objectives which we were seeking.

Mr. President this bill represents a totally new turn in the Federal approach to the problem of narcotics addiction; namely, it provides for treatment of an illness rather than punishment for a crime—punishment which, in my judgment, has proved to be completely inappropriate and has resulted only in a rate of recidivism exceeding 90 percent, and this notwithstanding the fine work done at Fort Worth and Lexington. If I may say so to the Senator from Arkansas, he is today an instrument serving a very great cause, of tremendous interest to a community like mine in New York which has been so heavily troubled in terms of crime and social breakdown as a result of narcotics addiction.

I know that the Senator from Arkansas will join me, in saying that we are also indebted to the Senator from Connecticut [Mr. DODD] for the hearings he has held, on this problem and for his fine leadership in this whole movement which now culminates in this bill.

Mr. McCLELLAN. I thank the distinguished Senator from New York. He has been most cooperative. He has manifested an abiding interest in this problem, and he has made a substantial contribution to the development of the proposed legislation which is now before the Senate.

I appreciate his assistance very much. As he pointed out, not only for himself but also for the Senator from Connecticut [Mr. DODD], his colleague from New York [Mr. KENNEDY], and others, they have all worked most conscientiously to bring about legislation in this field. Each Senator has contributed in a measure to the product which is now before us for consideration.

It is hoped that since the House has already acted, we can finalize their action and get the bill enacted into law before the end of this session.

This is an area where legislative action is needed, where a program is very much desired, and where it can contribute both to law and order and to a healthier American society.

Mr. DODD. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Arkansas yield to the Senator from Connecticut?

Mr. McCLELLAN. I am very happy to yield to the Senator from Connecticut.

Mr. DODD. Mr. President, I am pleased that we are considering today a legislative proposal offered by my distinguished colleague, the senior Senator from Arkansas, that will lead to a wiser, more humane, and more effective treatment of narcotic addicts in Federal courts and institutions.

Because I have studied the dilemma of drug addiction, since I came to the Senate, I know that this bill, by itself, cannot produce a solution. Indeed, I have questioned some of its provisions, and I will propose the addition of several amendments to strengthen it.

But, even so, we cannot expect to pass an ideal piece of legislation that is approved by all and that can instantly wipe out a problem that for decades has threaded its way in the very fabric of our society. Therefore, I want to view this measure not as a final solution but as a new beginning in our fight against the drug menace.

I want to affirm my support of the legislation before us.

And I want to express the hope that in our execution of the program provided for in this bill we come as close as humanly possible to an effective control of narcotic addiction throughout the Nation.

The main thrust of this legislation is to provide civil commitment treatment and rehabilitation to narcotic addicts under the jurisdiction of the Federal courts to erase the stain of criminality that for decades has tainted the victims of narcotics, and to recognize that the sciences of medicine and of human behavior can be used to reconstruct lives otherwise doomed to the failure and waste of penal confinement.

It is a welcome sign of growth, that today, the Congress is prepared to reach out to help those who only yesterday were thrown into prison under long mandatory sentences of 10 and 20 years without parole privileges.

It is a sign of strength and confidence that this body is willing to undo some of the harm it perpetrated 10 years ago in a law which by virtue of the unmerciful punishment it imposed, made supercriminals out of many narcotic addicts.

And it is a tribute to the men of science that they have disproved the old postulate that a narcotic addict cannot be cured.

Based on new knowledge and experience the bill we consider today would for the first time offer the addict-offender a realistic alternative to futile incarceration, excessive punishment, and a life wasted in institutions due to overly harsh sentences. And it would for the first time give official recognition to something those who have worked with offenders have known for a long time, that long-term inmates can only come back to haunt society more mentally disturbed, more irresponsible and more crime and addiction prone than ever before. We now know that whatever prison does to men it does not cure the emotional quirks associated with drug addiction.

It is because this proposed legislation does hold promise for the rehabilitation of one of the most difficult types of offenders who populate our prisons that I support it, and ask my colleagues to support it.

It is because of the urgency of getting started with this work that I call for its immediate enactment.

And it is because I think it important to have the bill passed this year that I have kept the number of amendments I am offering to the minimum, in order not to delay our deliberations on this measure.

I hope that the House of Representatives will view this matter in the same light and will accept the bill as it is passed by the Senate.

The improvements that I would like to see in S. 2191 fall into three categories, the inclusion of certain addict-sellers under the preconviction treatment provisions, the development of a more realistic standard for including addict-sellers under this bill, and the elimination of restrictions on treatment eligibility for addicts with two or more prior civil commitments.

Two of these suggested improvements are based on the testimony developed before our subcommittee indicating that virtually all addicts sell drugs from time to time to supply their own habits. This contention was supported by prison administrators, by medical authorities, and by the addicts themselves.

Thus, I would strongly suggest that contrary to the present provisions of S. 2191 seller-addicts should be included under the preconviction treatment provisions of this bill.

This position was endorsed by Dr. Robert W. Rasor, medical officer in charge of the Public Health Service hospital at Lexington, Ky. He testified:

> It is very difficult if not impossible to distinguish between sellers and nonsellers in the so-called street addict . . . most youthful addicts started their use of heroin by being given a shot by a friend. Once addicted, however, drugs become the most important thing in the life of the addict, and in the culture where they live most of them will resort to selling drugs on a small scale to support their habit.

In line with the objectives of this bill, we know that only the less hardened offenders would be considered for preconviction civil commitment and that on this basis, it would be a medically unsound distinction to eliminate a seller-addict, but not a thief or a prostitute-addict.

A seller-addict does not fit into a medical category essentially different from any other addict.

If we have any confidence in the effectiveness of the treatment proposed under this bill, we should make such treatment available as early as possible to as many addicts as can profit from it.

While testimony before our subcommittee indicated that most addicts sell drugs to supply their own needs, over one-half of the addicts going to Federal penal institutions are convicted of an offense other than a narcotic offense. Since this population includes undetected sellers, it would be highly illogical to deny preconviction civil commitment to seller-addicts charged with a narcotic offense and yet make such treatment available to seller-addicts charged with some other offense.

Finally, the testimony of the former director of the Federal Bureau of Prisons, Mr. James V. Bennett, before our subcommittee stressed the need to allow greater discretion to the judge. Since the court may choose either to offer civil commitment or to proceed with the prosecution, it should be the judge, who has intimate knowledge of the individual case, who makes the determination of whether certain seller-addicts as well as any other addicts should be given preconviction treatment. Such authority in the hands of the judge would both serve the ends of justice and save the time and expense of a full trial in many cases.

I will not introduce this proposal as an amendment at this time because it may encounter more opposition than my other proposals and I do not want to delay the passage of this bill today. However, I will offer this same proposal to the Senate-House conference with respect to S. 2191.

The first amendment I offer today calls for a more realistic definition of addict-sellers who would be eligible under this bill. I think this is vital if we do not want to severely cripple the new treatment program set up by S. 2191.

Based on the testimony that most addicts sell drugs on a small scale at one time or another I think we must change the provision of S. 2191 which makes only those addict-sellers eligible for treatment who have sold drugs "for the sole purpose of enabling such person to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug."

I propose that the words "primary purpose" be substituted for "sole purpose" in the language of the bill.

To do otherwise would be to require the addict to prove the impossible. It would presume that each addict follows a meticulous system of accounting which allows him to spend money acquired from selling drugs only in connection with obtaining his own drug supply while all other necessities of life would be provided for from another fund.

In effect, if we maintain the absolute concept of "sole purpose" in the bill, we create the absurd situation of denying treatment to an addict who has sold enough drugs over and above his own requirements to buy a pair of shoes for his children.

We know that addicts are the most disorganized of all human beings when it comes to conducting their personal affairs. They get their money where they can and how they can, and they spend it where they need it. To require that an addict have two sources of income, one from selling drugs and one from some other activity, is most unrealistic to say the least. And to incorporate this kind of interpretation in the present legislation would tend to eliminate virtually all addict-sellers under this bill.

My second amendment would allow addicts who have received two or more civil commitments for the treatment of narcotic addiction to still be eligible under S. 2191 if they are likely to profit from such rehabilitation.

Again, testimony before our subcommittee from a host of medical sources proved that narcotic addiction must be viewed as a chronic condition and that relapse to drug use on two or even more occasions cannot be considered as a failure to profit from treatment. The medical profession feels that an addict that has relapsed several times is a more likely candidate for a cure than one who has not.

Mr. Roland Wood, superintendent of the California Rehabilitation Center, made the following plea on this point:

> Previous civil commitments for narcotic addiction should not be made exclusively except at the discretion of the court as many addicts, if properly handled in a good program, might be excluded arbitrarily and quite unnecessarily.

In addition, since treatment programs for addicts differ throughout the country, both in nature and quality and since all programs can be expected to improve as we gain more experience, failure under any program in the past should not deny an addict the improved treatment methods of the future.

I should point out that I offered an amendment which was voted on favorably by the Senate Judiciary Committee and which is designed to cover certain young drug law violators under the Federal Youth Corrections Act.

Under this proposal certain marihuana offenders and certain young adult offenders between the ages of 22 to 26 convicted under the narcotic laws carrying mandatory penalties would become eligible for the indeterminate sentencing, conditional release and other treatment provisions of the Federal Youth Corrections Act.

This title also requires that sentences of marihuana offenders and of young adult narcotic offenders be reviewed by the parole board and that appropriate treatment or conditional release be made available in some of these cases.

These youthful offenders, of which there are 641 presently in our Federal system, are in an age range in which lengthy mandatory sentences can have the most detrimental effects perhaps on the entire course of their lives. We know that it is at this age when rehabilitation and treatment can be more effective and beneficial than in any other age bracket.

Particularly if the young adult offender is an addict he should receive the various treatment and rehabilitative services that are available under the Youth Corrections Act.

I was pleased that the Judiciary Committee accepted this amendment and I hope the Senate and House will do likewise.

Today we are approaching a new era in the handling of all criminal offenders and specifically in the handling of the special problem offenders.

We will soon have to face the truth that long mandatory sentences do not help in the correction and rehabilitation of criminals but in fact lower the morale among all inmates and place unnecessary burdens on the administration of our prison system.

The future in correctional work holds the greatest promise in the development of individualized, special and intensive treatment for each of the categories of offenders who come into contact with the correctional field.

The Federal Youth Corrections Act is one example of the progressive developments that serve as landmarks for even greater advancement tomorrow and the bill we consider today will be still another. I believe that we owe it to the public who pays for our accomplishments as well as for our mistakes to make this new program as strong and as complete as possible. And we certainly owe this to the victims of crime and narcotic addiction whom we are all trying to help.

Mr. President, although we do not have precise figures, it is estimated that there are from 50,000 to 100,000 narcotic addicts scattered in the streets of our cities and in the cellblocks of our prisons throughout the Nation.

And as never before, the bulk of this group is made up of young people.

Without the law we pass today, most of them could be expected to add considerably to the crime rate in our country because enough money to supply one's drug needs can rarely be obtained through legitimate means.

Properly administered, the program this legislation authorizes will reduce that crime not by keeping addicts hopelessly buried in prison, but by returning them to drug-free lives.

In the past narcotic addicts have been a constant drain on our economy, dependent on others whether in institutions or out on the street.

This new program will not only help to free them from the grip of the drug habit, it will make them productive citizens again.

And perhaps what may be even more important, this measure and the programs set up under it can serve as a laboratory for developing new knowledge that will help us not only in dealing with narcotic addicts but in solving some of the mysteries surrounding habitual criminal offenders and other deviates who have found it impossible to conform to our laws, to our standards of conduct, and to other requirements that must be adhered to for even marginal adjustment in our complex world.

In the past, we have been quick to use the lock and key on those members of our society who due to a diseased mind have become out of step with the rest of us.

The bill we passed today represents a break with that tradition.

It can give researchers and practitioners alike a broader opportunity to study human behavior not from their armchairs alone, but from actual contact with the men and women who hide deep within their personalities the reasons for human weakness, inadequacy, resentment and dissatisfaction.

It can give us answers about our society, about aspects of our system which seem intolerable to some of its members. And it will help us all understand both the failures of individual men and the flaws in our social fabric, those hidden defects which have made us helpless to contain the dope fiend in the past.

In short, it will give us an opportunity to make the world of tomorrow a little bit better than it was before.

In concluding my remarks, I would like to express my thanks and appreciation to the members of the Juvenile Delinquency Subcommittee for their help on this legislation.

Our subcommittee devoted 11 days to hearings on narcotics rehabilitation, during which time we heard expert testimony from 45 witnesses. And we reported without dissent to the full committee a good bill, one very similar to the bill we are now considering.

I especially want to commend Senator McClellan, an able and hard working colleague who is unquestionably one of the most knowledgeable persons in the country on crime problems. He is showing his continued leadership in this field with his work in behalf of this enlightened narcotics rehabilitation legislation.

Mr. President, I have two amendments which I should like to offer. I hope the Senator from Arkansas can see his way clear to accept them.

I send the first amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut to the committee amendment will be stated.

The Legislative Clerk. It is proposed, on page 42, line 3, after the word "the," strike the word "sole" and insert in its place the word "primary."

Mr. DODD. Mr. President, the large majority of addicts resort to selling drugs to supply their own habit.

On the basis of this, I question the provision of S. 2191 which makes only those addict-sellers eligible for treatment who have sold drugs "for the sole purpose of enabling such person to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug."

I propose that the words "primary purpose" be substituted for "sole purpose" in the language of the bill.

To do otherwise would be to require the addict to prove the impossible. It would presume that each addict follows a meticulous system of accounting which allows him to spend money acquired from selling drugs only in connection with obtaining his own drug supply while all other necessities of life—food, clothing and shelter—would be provided for from another distinctly separate fund.

In effect, if we maintain the absolute concept of "sole purpose" in the bill, we create the absurd situation of denying treatment to an addict who has sold enough drugs over and above his own requirements to buy a pair of shoes for his children.

To assume or require that an addict continuously has two sources of income, one from selling drugs and one from some other activity, is most unrealistic. And to incorporate this kind of interpretation in the present legislation would tend to eliminate virtually all addict-sellers under this bill.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. McCLELLAN. I am prepared to accept the amendment. In fact, I think his amendment improves the bill. If the word "sole" were strictly construed by the court, it could be interpreted as placing a restriction that would be undesirable. I think if the discretion were left to the court to determine whether it was for the primary purpose, rather than the sole purpose, the language in the bill would be better than it is at the present time. Therefore, I am willing to accept the amendment and will support it in conference.

Mr. DODD. I thank the Senator.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut to the committee amendment.

The amendment to the amendment was agreed to.

Mr. DODD. Mr. President, I have a second amendment, which I also send to the desk.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut to the committee amendment will be stated.

The Legislative Clerk. It is proposed, on page 41, line 17, to strike the semicolon, insert a period in its place, and strike the word "or".

On page 41, to strike lines 18 through 21.

On page 42, line 15, strike the semicolon, insert a period in its place, and strike the word "or".

On page 42, strike lines 16 through 19.

Mr. DODD. Mr. President, I wish to make an explanation of this amendment.

The assumption of this bill is that addicts are sick people. The fact that they have relapsed on two occasions should not eliminate them from further treatment. If we followed this line of reasoning, psychiatrists should deny treatment to people who come to them for the third time with the same problem.

Addicts are easier to cure as they get older. The more times an addict relapses and the older he gets the closer he is to a cure. There are very few old addicts. Most mature out of addiction after the age of 30. This bill should help the addict-prone person get through the most difficult years in a treatment setting, not a prison setting.

Testimony by medical witnesses has shown that narcotic addiction must be viewed somewhat as a chronic condition, an illness, and that relapse to drug use on two or even more occasions cannot be considered as failure to profit from treatment.

Testifying to this point, Mr. Roland Wood, superintendent of the California Rehabilitation Center, made the following comment:

> Previous civil commitments for narcotic addiction should not be made exclusionary except at the discretion of the court as many addicts, if properly handled in a good program, might be excluded arbitrarily and quite unnecessarily.

Finally, since treatment programs for addicts differ throughout the country, both in nature and quality and since all such programs can be expected to improve as we gain more experience, failure under any program in the past should not deny an addict the improved treatment methods of the future.

Mr. McCLELLAN. Mr. President, I am willing to take the amendment to conference in deference to the Senator from Connecticut, who has worked so hard and faithfully in helping to produce this legislative proposal.

I personally believe that, if an addict has been given two chances and has failed, there is not much hope for his rehabilitation. Some of these patients can receive treatment for as long as 8 years or more, under supervision. It seems to me that if a man or woman cannot be cured in 8 years, there is not much hope.

However, in deference to the distinguished Senator from Connecticut and his intense interest in this legislation, and in trying to find a solution to this problem, I am willing to accept the amendment and take it to conference.

I have not discussed this with other members of the committee.

I shall be happy to recommend that the Senator be a member of the conference committee so he can push this amendment when the bill gets in conference.

Mr. DODD. I am grateful to the Senator from Arkansas. The Senator said that it would be possible for a man or woman to have received treatment for 8 years. As I read it, it would also be possible for an addict to have received two civil commitments but only a total of 6 months or even less of treatment under his bill. I do not think such a person should be automatically excluded from further attempts at rehabilitation.

At any rate, I am glad to have the Senator take the amendment to conference.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut to the committee amendment.

The amendment to the committee amendment was agreed to.

Mr. ERVIN. Mr. President, I enthusiastically join my colleague, Senator McClellan, in urging passage of S. 2191, the bill providing for the civil commitment and treatment of narcotic addicts.

Edmund Burke said:

> All that is necessary for the forces of evil to win in this world is for enough good men to do nothing.

His observation is certainly true with respect to the cancerous evil of narcotic drug addiction. For decades we have watched this debilitating and degrading disease afflict our people—mostly young people—and have done nothing in the way of realistic efforts to stamp it out.

We have continued to treat addicts as common criminals, and have subjected them to long mandatory prison sentences, despite clear evidence that severe criminal sanctions have not reduced the number of addicts in our society. This approach has merely increased the number of addicts in our jails.

Mr. President, the bill which Senator McClellan introduced, and which I joined him in cosponsoring, along with 13 other members of the Committee on the Judiciary, is based upon a simple proposition. That proposition is that drug addiction is primarily a medical problem, not a criminal problem. You can keep an addict from using narcotics by putting him in prison. But we have learned conclusively that you simply cannot cure him that way. We must heed the advice our medical authorities have offered for many years and establish procedures for the medical treatment of individual addicts designed to cure and rehabilitate them so that they can be returned to society as useful, productive citizens. S. 2191 will accomplish that purpose.

The measure, as reported by the Committee on the Judiciary, is a comprehensive one embodying an across-the-board approach, which, I believe, is the only realistic way to deal with the problem. There are provisions establishing procedures for the commitment of narcotic addicts arrested for Federal offenses, both before trial, in lieu of prosecution, and after conviction, in lieu of imprisonment. Mr. President, this aspect of the bill has received the unanimous support of literally every person who has considered it. Every witness who testified before the Senate Subcommittee on Criminal Laws and Procedures, every witness who testified before Senator Dodd's Subcommittee on Juvenile Delinquency, every witness who testified before this subcommittee of the House of Representatives which considered similar legislation—all agreed that legislation providing for the medical treatment of arrested addicts instead of ordinary criminal prosecution and imprisonment of them, is necessary and desirable.

The same can be said of another important aspect of the bill—the establishment of mandatory followup treatment and supervision of drug patients after their release from hospital treatment. It would be futile to hospitalize an addict and cure him of his physical craving for drugs and then return him unsupervised to the environment which turned him to drugs in the first place. We have seen that addicts who are not helped to cope with their environment after release from treatment return to drugs at an alarming rate—over 90 percent. S. 2191 would give the Surgeon General authority to retain an addict under his custody for 3 years after release from a treatment center. During that period, the addict would be required to submit to whatever continuing treatment and supervision the Surgeon General deems necessary to insure his complete rehabilitation. The medical witnesses who testified at the hearings on this legislation were unanimous in their support of this feature of the bill.

Mr. President, the most important part of the bill, in my view, is title III, which provides for the commitment and treatment of narcotic addicts not under Federal custody on a criminal charge. I do not think we can afford to wait until an addict commits a Federal crime to try to help him. If we agree that narcotic addicts are sick people entitled to help at the earliest possible moment, why should commission of a Federal offense be the ticket to treatment facilities? I believe that we must strike at narcotic addiction before it generates crime. Title III of this bill would enable us to do that.

I have no doubt of the power of the Congress to provide for the commitment and treatment of narcotic addicts at the Federal level. In my view, such an enactment can be sustained as a necessary and proper means of carrying out the obligations of the Federal Government under the extensive scheme of national and international regulation of narcotic drugs. Moreover, the rights of the alleged addict are rigidly protected under the many procedural safeguards built into the bill. Finally, the bill avoids preemption of the responsibilities of the States in this field by providing that narcotic addicts shall be committed to Federal treatment facilities only if State and local facilities are unavailable or inadequate.

I have examined title III carefully, Mr. President. I find it to be a valid and necessary exercise of congressional power, and I fully endorse it.

In conclusion, Mr. President, let me say that I recognize that this bill is not the final word on treatment of narcotic addiction. We do not know enough about the problem yet to legislate with finality. But this bill is a good start. It embodies all of the necessary major features of a broad treatment program. Most importantly, it constitutes a legislative recognition of the crucial fact that narcotic addiction is a medical problem, and rehabilitation of addicts is the goal, not their imprisonment. Incorporation of this idea into any legislation on the subject is the most important step we can take in the battle against the terrible ravages of addiction.

I strongly urge passage of this bill, Mr. President.

Mr. KENNEDY of New York. Mr. President, I wish to comment on certain aspects of S. 2191 which is before us today.

This legislation is in the main a worthwhile and constructive set of improvements upon our existing Federal laws relating to narcotic addiction. For too long a Federal court having an addict before it for violation of our narcotic laws has had no choice but to sentence him to a mandated jail term—a situation which ignores the addict's very real mental and physical problems; indeed, the very fact that his problem is really one of illness and not of criminality. The major provisions of S. 2191—those which are similar to the bill which the administration proposed last year, S. 2152, introduced by Senator Dodd, and to some aspects of S. 2113 and S. 2114, which Senator Javits and I introduced last year—would bring a new flexibility to the way our Federal courts handle a narcotic addict.

For the first time, at least some of the addicts who come before a Federal Court will be able to elect to be considered for a voluntary commitment program, a program which recognizes that their problem is medical and seeks to treat it as such. And, for the first time as well, Federal judges will have the discretion to sentence some of the addicts who come before them and are convicted of a crime to a treatment program instead of jail. These are important innovations, and I am glad to support them. I would have preferred that eligibility for these programs be less restrictive than it is, as I indicated in testimony before Senator Dodd's subcommittee last January. But on the whole, the provisions for voluntary commitment and post-conviction sentencing are a good beginning.

I am pleased, too, that the Senator from Arkansas has improved upon the administration bill by adding a title providing Federal aid for treatment services for addicts. I believe that this kind of program is urgently needed. If we are to experiment, as we must, with all of the various kinds of service and programs which may help addicts begin again to lead useful lives, we need to experiment with half-way houses and sheltered workshops, with camps and community clinics and with a full range of services—from psychiatric therapy to job training to job placement to marriage counseling, and so on. This title will, again, serve as a beginning for the Federal Government standing specifically behind that kind of experimentation. We have long had demonstration money available under section 303 of the Public Health Service Act for projects in the narcotics field, but such projects have had to compete with other mental health projects for funding. This title will give us specific narcotics Federal aid programs for the first time.

In the development of all these projects, I would point out to Members of the Senate that Dean Markham played a major role. His work as Executive Director of the President's Advisory Commission on Narcotic and Drug Abuse led to the enlightened recommendations of that Commission which in turn served as the basis of S. 2152, the bills which Senator Javits and I introduced, and the portions of S. 2191 which I have discussed. I think we all owe Dean Markham a great debt of gratitude for his important work in this difficult area.

There are, however, aspects of S. 2191 which trouble me deeply. Those are the provisions of title I which would allow the forceable commitment of addicts, without conviction of a crime; and which purport to require an addict who wishes to commit himself voluntarily to then remain incarcerated for a fixed period of time. I believe the former is of dubious constitutionality. It injects the Federal courts into a matter which is essentially a local health regulatory function. It is doubtful that article III of the Constitution permits the judicial power of the United States to be extended to a matter of this type; and, in any event, it is doubtful that there is any kind of Federal police power that would permit the Federal Government to reach out and commit an individual who has not been convicted of an offense against Federal law. Civil commitment for illness has always been regarded as a prerogative of State and local government; I believe it should remain so.

Second, the attempt to turn a voluntary commitment into a stay of mandatory duration—while an admirable attempt to get at the revolving door problem which has plagued narcotics treatment programs for years—is dubious because it is difficult to see the existence of Federal power to hold a man against his will when he has not been convicted of crime.

Even more important, these provisions raise fundamental civil liberties questions. To forcibly deprive a man of his liberty because he is addicted to a drug—while expedient in taking the problem off the streets—does so at the expense of principles of liberty that we hold dear. And the fact is that it is medically unsound. Expert opinion in the narcotics field is generally agreed that an addict is unlikely to become interested in rehabilitating himself unless he can be induced to do so as a voluntary matter. The principle underlying title I goes directly contrary to this insight. Therefore, on doubtful underpinnings of Federal power, title I would enact a program which is antilibertarian and of dubious medical value.

I would hope, therefore, that the conference committee which meets to resolve the difference between the House and Senate bills will eliminate the more questionable aspects of title I. I believe it would be unfortunate for us to mar our otherwise constructive effort to enact new narcotics legislation if these provisions were to become law.

In closing, I congratulate the Senator from Arkansas for the fine work that he has done in this field over a long period of time. I also congratulate the Senator from Connecticut. The hearings that he has held this year and in past years have contributed greatly to our knowledge of narcotics problems.

Mr. BREWSTER. Mr. President, I wish to express my strong support for the program of civil commitment for narcotics addicts. In many cases, these unfortunate individuals are criminals largely because of their addiction. They are sick people, and they ought to be treated as sick people. The bill will accomplish that end.

The bill does not apply to persons charged with crimes of violence, nor to those on parole after their conviction for felonies. Thus, we punish those criminals who pose a real threat to society. The other addicts, who may have been forced to minor crimes by their own sickness, are given medical care. They will be helped more in hospitals than in prisons.

The days when we imprison those who are sick, instead of giving them medical and psychological attention, should be behind us. The approach embodied in the proposed legislation is thus both humane and realistic. I commend the senior Senator from Arkansas [Mr. McClellan] and the other Senators who have worked so hard to produce this bill. I am in complete agreement with their position.

Mr. KENNEDY of Massachusetts. Mr. President, I rise to speak in support of S. 2191, a bill which recognizes both the medical and criminal aspects of drug addiction.

The problem of drug addiction is not one involving a single consequence or a single cause. In his message on crime and law enforcement on March 9 of this year, President Johnson commented on the effects of addiction and the relationship of that addiction to crime:

> Drug addiction is a double curse. It saps life from the afflicted. It drives its victims to commit untold crimes to secure the means to support their addiction.

While the words of President Johnson go to the essence of the relationship between addiction and crime—namely, that the drug habit invariably drives those addicted to crime in order to support the habit—the size of the problem is reflected in one single statistic: $300 million is spent each year in this country on heroin. The sellers are the barons of organized crime. The buyers, or more precisely, the exploited, are not the rich but the poor. Seventy-five percent of those addicted to heroin come from the 20 percent of society with the lowest incomes. The kick provided by heroin or barbiturates is, in many cases, the only alternative to the reality of a life without work, without meaning, and without dignity.

Mr. President, the bill we are considering today recognizes that drug addiction is associated not only with crime but with phychological, medical, and environmental problems as well. It recognizes that in many individual cases the medical aspect of addiction far outweighs the criminal aspect. Moreover, it recognizes that the law must be as concerned with rehabilitation as it is with punishment, and that existing law, which treats addicts simply as criminals, has failed both to curtail addiction and to prevent crime.

In providing for civil commitment, sentencing for treatment, and supervisory care upon termination of institutional treatment, the bill provides a needed flexibility in the law that was heretofore absent. In providing a variety of remedies, individual addiction cases can be judged as they should be judged—with a consciousness of the medical and sociological factors involved.

The provisions relating to civil commitment are particularly appropriate if we are to pay more than lipservice to the goal of rehabilitation. By holding the system of a criminal trial and possible conviction in abeyance, an individual receiving medical treatment is far more likely to be rehabilitated than the individual who must carry with him the burden of a criminal conviction in addition to the burden of his past habit.

The inclusion of what was title III in Senator Dodd's bill, a title allowing young narcotic offenders and marihuana offenders to profit from the advanced treatment provisions of the Federal Youth Corrections Act recognizes that addiction is a problem of the young. Many addicts in their twenties and thirties were introduced to barbiturates, heroin, or marihuana before their 20th birthday. Expert testimony has continually pointed out that treatment of youthful offenders is often effective while penal incarceration without treatment can be very damaging.

The committee has approved a provision calling for a $15 million appropriation to implement the provisions of the bill. Facilities and personnel are sorely needed. I regard a $15 million appropriation for this purpose as an investment rather than an expenditure.

The flexibility afforded by this bill should enable a greater percentage of narcotic and barbiturate addicts to return to useful and productive lives. Moreover, the successful rehabilitation of each user interferes with the market of organized crime and eliminates the need of that individual to turn to crime to support his habit.

For these reasons, I urge this bill's passage, and I commend the distinguished Senator from Arkansas [Mr. McClellan] and the distinguished Senator from Connecticut [Mr. Dodd] for the outstanding work they have done on this legislation.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, as amended, was agreed to.

Mr. McCLELLAN. Mr. President, I move that the Committee on the Judiciary be discharged from further consideration of H.R. 9167, a bill which has a purpose similar to S. 2191. The House bill was passed by the House and sent to the Senate Judiciary Committee, but has not been reported. It will be my purpose then to move that the text of S. 2191 be substituted as an amendment for the text of H.R. 9167.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arkansas.

The motion was agreed to.

The PRESIDING OFFICER. The question is now on the third reading of the Senate bill.

The bill (S. 2191) was ordered to be engrossed, and to be read a third time.

The bill was read the third time.

Mr. McCLELLAN. Mr. President, I move that the Senate proceed to the consideration of H.R. 9167.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arkansas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. McCLELLAN. Mr. President, I move that the text of the bill (S. 2191), as agreed to by the Senate, be substituted for the text of H.R. 9167.

The PRESIDING OFFICER. The question is on agreeing to the motion to strike out all after the enacting clause of H.R. 9167 and insert in lieu thereof the text of S. 2191 as agreed to by the Senate.

The motion was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment, and the third reading of H.R. 9167.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Has the text of S. 2191 been substituted for the House bill?

The PRESIDING OFFICER. That is correct.

Mr. McCLELLAN. Very well.

The amendment was ordered to be engrossed and the bill (H.R. 9167) to be read a third time.

The bill was read the third time, and passed.

Mr. McCLELLAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HARRIS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate bill 2191 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, Senate bill 2191 is indefinitely postponed.

EMERY L. FRAZIER, FELLOW KENTUCKIAN AND FRIEND, RETIRES FROM THE SENATE

Mr. MORTON. Mr. President, the Senate loses a devoted servant and I a workaday association with an old friend in the retirement of Emery L. Frazier as Secretary of the Senate.

Mr. Frazier came to Washington from our native Kentucky in 1933. He had served in the State legislature and in administrative positions—including mayor—in Whitesburg. He has had a distinguished career in the last 33 years in several Senate offices and in national Democratic politics. In the former, he has been, besides Secretary, legislative clerk, and Chief Clerk. Furthermore, he has been chief reading clerk of every Democratic National Convention since 1936.

Mr. Frazier's endeavors in public service and politics have been long and honorable. His many friends in the Senate and the Democratic Party will, I am certain, miss him.

AVIATION SECTION OF DEPARTMENT OF TRANSPORTATION BILL AS PASSED BY THE SENATE SHOULD REMAIN INTACT

Mr. RANDOLPH. Mr. President, during the Senate debate on H.R. 15963, the bill to create a Department of Transportation, I was concerned, as were others, about the well-being of our great aviation industry, and a few of its specific problems which result from the unique character of many years of Federal regulation.

I followed with interest the remarks of the distinguished gentleman from Oklahoma [Mr. MONRONEY] on September 29 with reference to these characteristic problems, and I associate myself with his comments. I place on the record, before my distinguished colleagues who are the Senate conferees on this bill meet with the House, my own comments with reference to the difference between the House- and Senate-passed versions of this legislation.

We commend the diligent and effective gentleman from Arkansas [Mr. McCLELLAN] and the able Senator from Washington [Mr. JACKSON] for efforts on this measure, and for fine leadership and acute understanding of the particularly vital nature of the aviation section of this legislation. Mr. President, the Senate measure is more responsive to the best interests of public safety in this area, and I urge the Senate conferees to retain this portion of the bill intact.

The Senate version would transfer all FAA functions to the Secretary with the specific proviso that certain basic aviation safety responsibilities which are specifically identified in the bill would be exercised by the FAA Administrator. The Administrator's decisions in the safety areas would be administratively final. Other functions, powers, and duties would be vested in the Secretary who could redelegate any of them to the Administrator. Under the bill passed by the House, all functions, powers and duties of the Federal Aviation Agency would be transferred to the Secretary who might or might not redelegate some or all of them to the Federal Aviation Administrator.

In my opinion, the Senate course is preferable, since it would place in one identifiable official—the Administrator of the Federal Aviation Agency—the responsibility for aviation safety regulation. This preserves a fundamental safety principle recognized in the Federal Aviation Act of 1958, which required the Administrator to have aviation experience and an aviation background. Aviation safety regulation is a field in which FAA has had long and broad experience and about which it has developed a high level of expertise. Lodging this responsibility with the Secretary, as the House bill does, would involve him unduly in technical aviation safety regulation. Although the Secretary could redelegate his duties, he could not redelegate his responsibility. Confusion and uncertainty might exist as to the locus of responsibility for aviation safety.

In the field of aviation accident investigation and probable cause determination, the Senate bill is also preferable to the House bill. Although both bills unfortunately take away from the CAB its aviation safety functions, the Senate bill would keep the functions together in the new National Transportation Safety Board while the House bill splits them between the Secretary and the National Transportation Safety Board.

The Senate-passed measure would transfer the authority for both aviation accident investigation and probable cause determination from the Civil Aeronautics Board to the National Transportation Safety Board.

On the other hand, the House language would establish in the Department and under the Secretary a separate Office of Accident Investigation, but the National Transportation Safety Board would be charged with determining the probable cause of aviation accidents.

Thus, the Senate bill preserves the basic safety principle of separation of safety rulemaking from accident investigation. This principle was firmly established by Congress in the Federal Aviation Act of 1958 and followed successfully ever since. The separation of aviation safety rulemaking and accident investigation as provided by the Senate bill, retains a delicate balance of functions and preserves a check against any possible conflict of interest, since the Federal Aviation Administrator will make the safety regulations, while the National Transportation Safety Board will investigate the accidents. Under the House bill, with both aviation safety regulation and aviation accident investigation under the Secretary, the separation principle is lost. The Secretary is too deeply involved in safety rulemaking and airways operation to be in a position to obtain the kind of independent investigation of accidents that is needed.

The Bureau of Safety within the CAB has acquired a worldwide reputation for its expert handling of accident cases, developed only after years of experience through trial and error. To take these functions away from the CAB is itself undesirable, but to dismember them as the House has done would be a severe setback for aviation safety.

For these reasons, Mr. President, I again stress my interest in seeing the Senate language, at least the aviation sections, remain intact during the coming conference and I ask my colleagues to work to this end.

THE NEED TO SIMPLIFY ADMINISTRATION FARM PROGRAMS

Mr. PEARSON. Mr. President, with the passage of the Food and Agriculture Act of 1965 there was general agreement that something of a breathing spell would be provided, during which to reassess and reevaluate agricultural conditions and existing Federal programs so that we would be better prepared to enact permanent legislation to deal effectively and meaningfully with the continuing problems of agriculture.

Such a reassessment and reevaluation is already underway in the form of the work by the National Advisory Commission of Food and Fiber and the ongoing studies of the agricultural committees in both the House and Senate.

Mr. President, I would suggest that in addition to the need to reevaluate agricultural conditions and the objectives of future Federal legislation there is a pressing need for extensive studies aimed at determining how the administration of existing programs can be clarified and simplified. Such a study would also be extremely valuable in developing general guidelines for the development and administration of farm programs in the future.

Mr. President, I am sure all Senators, particularly those from States having large farm populations, have had brought to their attention many cases in which, due to honest misinterpretations of administrative rules by either the farmer or the county ASCS office, or both, individual farmers have been caused to suffer great inconvenience and oftentimes considerable economic loss.

The most recent example to come to my attention involves a Cheyenne County farmer, Mr. Fred Waters, who has been advised by the county ASCS office that he is not entitled to the wheat certificates which had been issued him and that he must now reimburse the Government for this amount.

As I read the correspondence in this case, I was forcefully reminded once again how complicated the administration of the farm program has become. The program has been amended, modified, and added to over so long a period of time that the end result is a veritable bureaucratic jungle which only a highly trained expert can fully understand.

The administrative rulings, procedures, and definitions have become so complicated that mistakes by ASCS personnel and by farmers, as well, are inevitable even though all concerned may have the best of intentions.

In the case to which I just referred, it is quite clear that the problem is a result of an honest misinterpretation or misunderstanding on the part of one or both of the parties involved. Mr. Waters has appealed the ruling on the basis that he had been improperly advised by personnel of the office. But even if he receives a favorable ruling on his appeal, he will already have been caused great difficulty and considerable anguish. If the ruling on the appeal is unfavorable then he will have suffered a very considerable economic loss.

Regardless of whether or not one agrees with the farm program that is now in effect, all agree that it should be administered in the simplest and fairest way possible. I think that most will agree that this situation does not always exist today for the simple reason of the program's hodgepodge complexity.

Mr. President, I have written to the chairman of the Committee on Agriculture and Forestry, the distinguished Senator from Louisiana [Mr. Ellender], expressing my belief that it would be most desirable for his committee to undertake as soon as possible a full-scale study of current administrative rules and practices with the intention of developing a set of recommendations as to how the administration of the present farm program can be simplified and clarified. The results of such a study would also be extremely valuable to Congress and the Department of Agriculture in the development and administration of future farm programs.

INTERSTATE TRAFFIC IN FIREARMS

Mr. DODD. Mr. President, in the near future the Senate will be considering legislation to regulate the interstate traffic in firearms. The need for stiffer controls over this traffic has been amply demonstrated during 6 years of investigation by the Subcommittee To Investigate Juvenile Delinquency, in its reports and in the thousands of pages of testimony it has published.

It has been demonstrated beyond question that the spiraling increase in the number of gun-connected homicides and other crimes is related to the easy availability of firearms to criminals, delinquents, drug addicts, and others.

The public is aware of the problem, and wants something done about it. There is evidence that the public is becoming irritated with the stall and delay tactics of the small but organized minority opposing effective legislation.

Only last month when the Gallup poll asked the public if it would support gun legislation that would require a police permit even to purchase a gun—a much stronger provision than anything in the proposed Federal law—68 percent of the public favored it.

When the same question was asked only of those who already own firearms, 56 percent supported the need for a police permit.

It seems to me these figures make it amply clear that the organized minority opposing stronger Federal gun laws clearly does not represent the majority of the gun-owning public, nor do they represent its views.

I have previously recited a long list of responsible organizations that have publicly supported this need for stronger gun laws such as the American Bar Association and the International Association of Chiefs of Police. In addition, support comes from individuals in every corner of the country.

Mr. President, I ask unanimous consent that three such letters, and an article from the Toledo Blade and two articles from the Toledo Times, be printed in the Record at this point. The first is from a Crime Commission in Georgia, the second from a retired police officer in Florida, and the third from a prominent attorney in Toledo, Ohio. The letters speak for themselves.

There being no objection, the letters and articles were ordered to be printed in the Record, as follows:

Alston, Miller & Gaines,
Atlanta, Ga., September 2, 1966.

Senator Thomas J. Dodd,
U.S. Senate,
Washington, D.C.

Dear Senator Dodd: As Chairman of the Metropolitan Atlanta Commission on Crime and Juvenile Delinquency I am writing to support strongly your proposed legislation on the responsible control of firearms. The flooding of the market with very inexpensive firearms has emphasized the need and importance of controlling the sale of firearms generally. This need was felt so strongly in Atlanta that the Board of Aldermen recently passed an ordinance controlling the sale of certain firearms. Such action, while commendable, is necessarily limited in its effect and for this reason legislation at the federal level is called for in an effort to reduce the misuse and criminal use of firearms.

Sincerely,

Frank Shackelford,
Chairman, Metropolitan Atlanta Commission on Crime and Juvenile Delinquency.

National Police Officers
Association of America,
Venice, Fla., August 3, 1966.

Senator Thomas J. Dodd,
Washington, D.C.

Dear Sir: As Regional Vice President of the National Police Officers Association of the New England States, I wish to congratulate you on your constant fight to control the sales of firearms.

In the past years I have taken a poll of approximately 1000 police Officers who are members of the NPOAA in the New England States and they all agree with your stiff control on firearms.

It is the purpose of this organization to bring the interest of the police before the eyes of the general public.

If there is any way that I as the Regional Vice President of the NPOAA in the New England States can be of any help please let me know. Thank you.

Yours truly,

William J. Kurpiewski,
Regional Vice President.

Toledo, Ohio,
August 3, 1966.

Hon. Thomas J. Dodd,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator: Enclosed you will find clips and Xerox copies of the clips from the August 3, 1966 issues of the Toledo Times and the Blade published here in Toledo. I believe that these clips should be of interest to you and the members of your subcommittee.

I know that the gun people have a potent lobby, but I am sure that an overwhelming number of Americans cannot understand the failure of the Congress to do something about the sale of guns in this country.

During the course of my practice I have defended more than 50 men charged with homicide. Most of these cases were bottomed upon easy access to a hand gun, rifle or shotgun at a particular moment. I think it is fair to say that in 45 of these cases nothing would have happened if a gun had not been handy at that particular moment.

Yours truly,

Dan H. McCullough.

[From the Toledo (Ohio) Blade, Aug. 3, 1966]

Recoil

Not surprisingly, echoes of the murderous barrage of gunfire by a mad sniper in

Austin, Tex., had scarcely disappeared when calls resounded in Congress for legislation clamping down on the sale of firearms. This time, it is worth noting, President Johnson has added his personal support for a federal law that would control the sales not only of hand guns but of rifles and shotguns as well.

This is long overdue. Few among the growing legions advocating an effective gun law contend that such a measure would automatically have prevented the tragedy in Austin where a demented man, using an arsenal of weapons, killed 15 persons and wounded 31 others; or, indeed, that it would end all of the senseless shooting of human beings that goes on in this country every year.

What a realistic gun law would do, however, would be to make it far more difficult for fanatics, teen-agers, psychotics, hate groups, and even criminal elements to acquire a gun or an arsenal with the devastating firepower of that used by the Austin sniper. And by requiring records of all gun sales, authorities would at least have some check on who is buying guns.

The earlier bill proposed by the Administration to crack down on the sale of guns by mail still faces obstacles. Although the powerful gun lobby would make passage of meaningful new control laws difficult enough at any time, the progress of this measure has undoubtedly been handicapped because of the plague of troubles that has fallen upon its sponsor in the Senate, Thomas J. Dodd of Connecticut.

The Senate ethics committee is currently investigating allegations of misconduct against Senator Dodd. Ironic in view of his attacks on lobbyists in the course of years of effort to regulate the traffic in firearms is the accusation that he used his position as a senator to carry out assignments and do favors for a lobbyist.

But the senator's difficulties notwithstanding, the gun control bill is too important to lie dormant. It should be acted on immediately. It is disgraceful that the United States, alone among the advanced western nations, laxly permits the distribution of firearms to practically anyone at all. There is no sanction in law or logic for a situation in which the country is virtually turned into an armed camp.

Apart from a volume of shootings in everyday life that makes our society appear barbarically unrestrained, doesn't the part that guns play in disturbing outbreaks of racial violence, north and south, indicate that the need is pressing to curb indiscriminate sales of these weapons?

[From the Toledo (Ohio) Times, Aug. 3, 1966]

The Real Tragedy

The senseless slaying of 12 innocent bystanders on the campus of the University of Texas is a horrible tragedy. But it is hardly more horrible or more tragic than the senseless conditions under which any deranged mind can freely avail itself of an arsenal of three rifles, a shotgun, a semi-automatic pistol, and a high-powered revolver with which to perpetrate mayhem on anyone who happens to come within shooting distance. For in most of the United States it is easier to buy a gun and ammunition than a drink of whisky.

Despite this glaring paradox, the enactment of effective controls over gun purchases—particularly the mail-order variety—has been blocked by one of the most formidable lobbies in history, an opposition, moreover, that is as misconceived as it is strong. For the leading proposal on the subject—the so-called Dodd bill—actually is quite innocuous, perhaps too much so. It merely would require purchasers of mail-order guns to submit to the seller a sworn affidavit that they are over 18, have not been convicted of or indicted on felony charges, and that it is not against local law to purchase a gun. The statement then would be forwarded to local police officials.

Admittedly such provisions could not keep all firearms out of the hands of all criminals, dope addicts, mental defectives, and even the temporarily deranged like Charles Joseph Whitman—not by any means. No law could do that, however stringent its terms or however zealously enforced. But such a law at least would make it much more difficult for criminals and other dangerously irresponsible elements in our society to arm themselves. And it certainly would not in any way jeopardize the rights of sportsmen and legitimate gun owners any more than does the registration of their automobiles. Indeed, less. For registration is not involved here; only a limitation on the ability to buy guns in absentia, through the mails.

This is little enough, and episodes like that at the University of Texas strongly suggest that even stronger regulations are desirable. How many more assassinations and mass killings will it take? What is Congress waiting for?

[From the Toledo (Ohio) Times, Aug. 5, 1966]

The Land of Guns

When the founding fathers wrote into the Second Amendment to the U.S. Constitution the right of the people to bear arms, they could not have imagined what was going to happen. In his recent book, "The Right to Bear Arms," Carl Bakal tells what did:

"A strange and peculiarly American plague has long swept our land—a plague of guns. Every year firearms claim more and more lives in this county. Since the turn of the century, this plague has brought death to the astonishing total of more than 750,000 Americans—men, women, and children—a figure based on official though incomplete government figures."

A year ago Attorney General Katzenbach, speaking for the Johnson administration, advocated a law placing some federal controls on the sale of firearms. At that time he reported to a congressional committee that more than half the 9,300 murders in 1964 were perpetrated with firearms, many of them obtained through the mails, as were many of the guns used in half the 20,000 suicides in 1963. And, he added, a "vast majority" of the 64,000 armed robberies in 1964 were carried out with firearms. Finally, 96 per cent of the 278 police officers killed in line of duty since 1960 died from gunshot.

It would be misleading to give the impression that American murders are the work of adults, sane or otherwise. Last year, testifying before the same congressional committee, Carl K. Miller, director of records in the Chicago police department, told this story.

In 1963 and 1964 Chicago police confiscated over 12,000 guns. Of the 391 murders in Chicago in 1964, firearms were used in 191 of them. And in these 191 murders in which guns were used; there were three 13-year-old juveniles involved, two 14-year-olds, seven 15-year-olds, and eleven 16-year-olds. Eighteen others involved in these murders were under 20.

Mr. Miller also told what was disclosed by a search of the records of 4,069 persons who had purchased guns from three California mail order firms. Of those 4,069 persons, 948 had an arrest record of some kind. Thirteen had been arrested for murder, 58 for robbery, 42 for burglary, 111 for various types of assault, 83 for carrying concealed weapons, 426 for disorderly conduct, and more than 200 had been arrested for other crimes, including larceny, gambling, resisting arrest, causing a disturbance with a gun, narcotics investigation, and sex offenses.

In his study of crime and guns, Mr. Bakal said the United States can "claim the dubious distinction of being perhaps the most lawless nation on earth." Perhaps it is too early to accept such an assessment as conclusive, but the grim statistics are a brutal reminder that Congress has failed—and continues to fail—the nation by not passing gun-control legislation.

STATEMENT OF THANAT KHOMAN, FOREIGN MINISTER OF THAILAND, BEFORE THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. MUSKIE. Mr. President, I wish to bring to the attention of Members of Congress a speech by an outstanding leader of Asia, Thanat Khoman, the Foreign Minister of Thailand.

Thanat, his country's Minister of Foreign Affairs since 1959, has been a pioneer in developing regional cooperation in Asia. During the dark days of the confrontation between Indonesia and Malaysia, Thanat labored hard to keep the door open between the two. His was among the major hands in the revival of the Association of southeast Asia, and the success of the Asian and Pacific Council meeting in Seoul in June of 1966. Thailand was one of the first to support the Asian Development Bank. It is a member of the Mekong Development Subcommittee of ECAFE, and has contributed to building a dam in neighboring Laos. Foreign Minister Thanat has proposed that Asian nations take the initiative for a negotiated peace in Vietnam, which has received wide support in Asia except for Peking and Hanoi.

The Foreign Minister's statement at the United Nations on September 27 is an eloquent statement of an Asian leader's view of his nation's interest. I commend it to your reading, and ask unanimous consent to insert it in the Congressional Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Mr. Thanat Khoman, Minister of Foreign Affairs, Chairman of the Delegation of Thailand, at the 21st Session of the General Assembly of the United Nations, September 27, 1966

As in preceding years, many of us have come from all parts of the globe to take part in the United Nations General Assembly with our concern and worries but invariably with inexhaustible hopes that, after our deliberations in this World Assembly, our cares may be lessened, our apprehensions assuaged and our problems moving toward gradual but satisfying solutions.

This year seems to make little difference with the years gone by, except perhaps the fact that within a few weeks the term of office of our Secretary-General will expire and since he has already declined to offer himself for re-election, this important high office will become vacant with no one in sight to fill it. There is also the financial crisis which has beset our Organization for some years already and for which no solution has as yet been devised to relieve the crushing burden which has imposed an almost unbearable weight on the United Nations and has practically paralyzed it. Finally, the dangers of large scale warfare have markedly increased in Southeast Asia, because those who launched the aggressive attacks against peace and freedom-loving South Vietnam continue to show an almost insane obduracy and refuse to join in any peaceful approach, preferring to expand still further their warlike activities.

Exception made of these differences, the problems facing us in this Organization and the world at large remain, at least in appearance, sensibly the same as before. The question, however, is whether we should trust the appearance which, in our opinion, is deceiving and conceals a disquieting deterioration in the situation both within our Organization as well as in the world at large, with particular reference to Asia as a whole and more specifically in relation to Southeast Asia.

To our mind, the financial problem of the United Nations and the Secretary-General's reluctance to serve for a second term are unmistakably linked. Indeed he has made it repeatedly clear on several occasions that the lack of fund resulting from the failure of certain nations to honour their financial obligations hinders the efficient discharge of his duties and, in some cases, renders it even impossible. Few people of impartial mind and dedicated to the support of the United Nations would think of disagreeing with him. They indeed sympathize with his plight and share his frustration brought about by those who pay only lip service to peace while actually are doing much to impede various efforts to consolidate and strengthen goodwill and harmony. They seek in particular to restrict the Secretary-General's initiatives in the political and diplomatic fields which he considers an essential part of his functions and to make him, to quote his own words, a 'glorified clerk'.

This is the situation, what is now to be done?

Much as we would like the Secretary-General to continue in his office, we do not believe that, in order to save ourselves a great deal of prolonged wrangle and wearisome negotiations, we should follow the easiest solution for us and 'draft' this distinguished Asian, thus compelling him to serve us and the Organization against his will and his better judgment, while on our side, we continue to deny him the necessary means to enable him to perform his function properly. Such a course would be not only unreasonable but highly undignified. The only way to resolve our problem, as far as we can see it, is rather to strive to make the sources of this crisis realize their share of the responsibility and take the necessary steps to redress the wrong they have done. Through clear expression of impartial opinions in this Assembly, the part of responsibility for causing these grave difficulties may be openly apportioned and consequences for further negative attitude properly established. However, if such a procedure should fail to be adopted or to evoke a favourable response, the last resort may be to launch a world-wide appeal to the population of this planet, particularly those of the impoverished under-developed nations, to contribute whatever they can spare from their meager resources to cover up the deficit now being suffered by this Organization, and to show to the great powers of this earth that the poor peoples of this world can give their flesh and blood so that the former may continue to enjoy their privileges without incurring corresponding obligations. In our opinion, other expedients are not likely to save the Organization, whose downfall may only be postponed and ultimately come at a time when the international situation will be the least apt to absorb the shock.

Another reason which prompted the Secretary-General to decline accepting further his present difficult assignment is said to be the lack of co-operation on the part of certain nations to solve a number of international problems, among which figures prominently that of the war in Vietnam. There again we who live in Southeast Asia fully understand and appreciate the disappointment and frustration felt by an international official whose primary duty it is to help bring international conflicts to an end and to develop and promote peaceful conditions in the world. For in spite of his desire to discharge conscientiously the responsibility of his office, the Secretary-General, more often than not, has had to face non-co-operation and even completely negative and obstructive attitude from those who seek to extend their domination and further to expand their influence and control over others. That explains why, on more than one occasion, the Secretary-General has had to adopt a totally despondent posture and confess to the world at large that, much as he realizes that it is his duty to help resolve the present acute problem of the war in Vietnam, neither the Organization which is entrusted with the function of preserving and maintaining peace nor he himself who is its chief executive, can do much, if anything at all, to carry out their peace mission.

Accordingly, it is natural that an international official with a high degree of self-respect can find no alternative but to bow out with the full realisation that, continuing in his present predicament, he would merely lend himself to be used as a scapegoat for present and future failure of the Organization to fulfill its high purposes.

This leads us to consider why the problem of Vietnam, which is not only fraught with dangerous potentialities but also highly explosive, has so far defied various attempts and many-sided efforts to solve it.

In the first place, the instigators who planned and initiated the war of aggression against South Vietnam have so far entertained a hope that they might be able to attain their objective of ultimately seizing that country and finally placing it under their ruthless totalitarian rule. That is why they still persist in their combined nefarious activities of infiltration, subversion and terrorism which brought about untold sufferings and ravages upon their victims. On the side of the aggressors, they themselves have incurred heavy losses of human lives in the conduct of their ferocious and fanatic campaign of war and terror, as well as heavy destructions which have descended upon their homeland as the result of air attacks intended to reduce and slow down the infiltration of men and materiel needed to sustain them in their acts of aggression against South Vietnam.

Their hopes are not completely without support. They have been kept alive and in fact fueled by the provision of the necessary wherewithals from their allies to wage war. Economic aid as well as military equipment have flowed from external sources into North Vietnam which enable that country to carry on to this day its war of aggression. For countries siding with the aggressors, the war in Vietnam must be won for their friends and partners, as victory would further extend their ideological and political empire. Although not all of them are prepared to share the cost and bear proportionate sacrifices, they seem to be willing to show their solidarity to the extent of their immediate national interests and practical capability. At least on the propaganda side, they are willing to blare in unison that the war in Vietnam is a Holy War of National Liberation, which in effect serves to cover the stark fact that the people of South Vietnam are being subjected to a war of conquest and colonial expansion from across the northern border.

The well-drilled chorus of martial singers seem to be bent upon pursuing to the end their war path and have repeatedly spurned various suggestions to divert from the escalating trend of war into a more peaceful approach. In appearance at least, they seem to be fortifying themselves in the belief that, by rejecting every peaceful suggestion, they are more likely to attain their war objectives. That is why even though the call for peace and reason may have come from fellow Asians, they contemptuously brushed aside the genuine yearnings for peace of Asian nations and have retorted with their arrogant intransigence untempered by abuses of the lowest sort. Such a display of uncultured and un-Asian behaviour conceals not an inherent strength but rather fundamental weakness which has come to the surface and covered with a misnomer euphemistically called the "Great Proletarian Cultural Revolution". As of now, while the defenders' side in Vietnam has shown its willingness and readiness to discuss unconditionally the ways and means to resolve peacefully the war in Vietnam, the aggressors' camp has consistently closed the door to every probe for negotiation and peaceable settlement.

The intransigence of the aggressors has in no small measure been encouraged and even enhanced by the lack of unity and by dissenting opinions of small and misguided minorities in various countries. These dissenting minorities, consisting of elements from legislative quarters, from the press, the church and from the uninformed academic circles, are least familiar with and even ignorant of the true facts of the situation, but allow themselves nevertheless to be carried away by their abstract and unrealistic constructions, or by their belief in false liberalism, to voice suggestions and opinions, which benefit and give comfort to no one except the enemies of freedom and liberty. While innocent victims are daily maimed, molested and massacred by fanatic terrorists, the so-called liberals commiserate not with the unfortunate victims, but rather with those who kill, torture and terrorize. Some of them even exceed the limit of decency by brandishing the aggressors' flag while they comfortably enjoy the rule of law and the fruits of liberty in their own countries. Others inspired by unrealistic and unmitigated fear tend to attribute to the other side greater military power to commit mischief and greater capability to wage war than it really possesses.

Others still who are far away and in the midst of their opulence and comfort seem also to be seized with griping apprehension that events in Vietnam may adversely affect their present abundant and luxurious living by dragging them into the spreading conflict. They, therefore, and not quite altruistically so, advocate courses of action which would in effect sacrifice the victims and condone and consummate aggression. Such divergent voices, although infinitely small and outnumbered, have given the erroneous impression that the aggressors can count upon the defenders soon to become wearied and tired of the exactions of war, and that they may ultimately yield to force and aggression.

In the face of these divergencies and dissents, it is the hope of all freedom-loving people that the South Vietnamese who are fighting for their survival and their future of liberty will join together in presenting a solid front to the invaders and inspire confidence not only among their own people but also the outside world which supports them in this vital struggle.

These are some of the factors which through their naive gullibility in the face of the aggressors' propaganda tend to favour the enemies of freedom and thus have the effect, directly or indirectly, of prolonging the present conflict in Vietnam and retarding its early conclusion. Let us now examine whether there are ways and means which may not immediately solve the problem, but may at least begin to pave the way towards its peaceful settlement.

It has been said by some and almost too frequently that military solution is not the solution for the present war in Vietnam. But this oracular assertion appears to be more of a truism than an effective solution. In any case, that assertion has never been gainsaid by the defending side in the Vietnam war, which is only too ready and willing to agree with such a contention. It is rather the aggressors who have consistently and stubbornly adhered to the said military solution and tried to pursue it to the bitter end, in complete disregard for the sufferings of their own people and the peaceful aspirations of the rest of the world. On the other hand, it is not enough just to make a pronouncement that military solution is not a real solution, one ought to be able to offer a workable alternative.

Some have suggested that in order to end the war in Vietnam there should be unilateral cessation of aerial attacks on North Vietnam. In this connection, they all seem to have forgotten that bombing has been halted at least twice, the first time for five days and the second time for more than a month. In both cases, the cessation of bombing yielded no worthwhile results. On the contrary, it gave undue advantage to the other side which made use of the lull to gather more strength, with which to intensify and escalate the conflict.

Others have advocated that foreign troops now assisting South Vietnam, especially those of the United States, be unilaterally withdrawn from that country, while intruding forces introduced from the North are not mentioned and consequently are allowed to continue their depredations and aggression. The partiality and unworthiness of such views are too obvious to warrant any comment and discussion. Such suggestions are no doubt designed to delight the aggressors. They amount in fact to delivering the victims to the attackers.

As any impartial observer may notice, many if not all the solutions so far advanced by one party or another tended to favour the side which instigated the war for the purpose of placing South Vietnam under its control, while the victims and those who help repel aggression and conquest are considered "trouble-fête" or feast-spoiler for prolonging the ordeal and for not allowing the aggression to be more expeditiously consummated.

Why should it be so, one may ask, why should the victims be penalized and the peace and law-breakers be treated with indulgence and even with direct or indirect encouragement?

From a pragmatic viewpoint, it may be too much to expect that ethical considerations should prevail in the discussion of such a hotly-contested international issue. In reality, the question is much more complex, involving heterogeneous elements among which are ideological bias, acute self-interests, past private feuds and instinct of revenge or simply fears of losing the beatific enjoyment of present material abundance and luxury available in profusion in certain parts of the world. Some of these elements were already at play, when the dark Hitlerite power threatened Europe with its domination and succeeded in cowing those endowed with clouded intellect and weaker knees to hail that evil force as the true voice of German and European nationalism which deserved respect and support. Nowadays, these heads are again rising and by their wild clamours try to delude the world that a war of conquest is a war of national liberation. However, the most deplorable fact of all is perhaps that some nations and statesmen of this world should want to make use of the Vietnam war as an occasion to let loose their past rancour over inconsiderate treatment in by-gone days, and to launch a vendetta to satisfy their long pent-up feelings. They disregard the consequence of their ill-timed revenge and fail to recognize that those who will be paying the price are not the ones who caused them displeasure many long years ago, but the innocent people of Vietnam who had no part whatsoever in any humiliation which may have been inflicted in the past.

Whatever these views may be they present one common characteristic: they are shortsighted. By cajoling and favouring the aggressors' side, they are paving the way for their own destruction, for in due course and perhaps in not too distant a future, they will not be spared any more than the South Vietnamese have been spared.

To many of us in Asia who desperately try to keep our heads cool and clear, the solutions thus far put forward do not appear to be the real solutions likely to resolve the present difficulties and restore peace and tranquility for any durable length of time, because they are tainted with ideological bias and prejudice or prompted by crying selfish preoccupations or by personal and individual considerations of a purely private nature.

A truly worthy solution to the Vietnam war must see to it that aggression shall not be rewarded and that South Vietnam should be assured essentially of being able to maintain its freedom and independence and not be delivered with bound hands and feet to the conquerors. To us in Thailand, and I am sure to all the freedom-loving peoples of the world, the United Nations and its officials or any member of this Organization, however great or however small, have no right to sell away the inherent right of South Vietnam, or for that matter of any country, to exist and survive as a free and sovereign nation. If such an unfortunate precedent were to be created now, the survival of many other nations will become greatly compromised. As for the aggressors, although they deserve to be punished for their crime, we should be far-sighted enough not to be vengeful and should not seek to bring about their destruction. Rather it would be in the interests of all to persuade them to renounce their expansionist designs and join hands with other peace-loving nations in building a future of peace, progress and prosperity.

With that purpose in mind, Thailand together with Malaysia and the Philippines initiated an appeal to all Asian nations to launch a Joint Asian peace move designed to bring the Vietnam Conflict to a peaceful conclusion. Although two of the above countries, namely Thailand and the Philippines, are already militarily involved in South Vietnam because they seek to help repel aggression and prevent the enlargement of the conflict in Southeast Asia, they are not precluded from genuinely desiring to end the conflict by peaceful means. The three countries have consequently suggested that Asian nations should join together in urging the Parties involved in the Vietnam Conflict to come to a Conference Table. This represents the first collective Asian initiative to suggest a peaceful approach to the Vietnam problem. While there is encouraging response and general support for a peaceful approach from the non-communist countries in Asia as well as elsewhere, it is becoming increasingly clear that the other side, in its unrestrained manifestations of displeasure, has shown a completely negative attitude. It is therefore crystal clear now who are for peace and who are against it. If one side favours a peaceful approach while the other has so far rejected every move towards a peaceful settlement, there should be no room for doubt as to where the blame lies, and which side should bear the responsibility for the prolongation of the war.

Thus the Asian peace move launched with a view to offering a fair and honourable approach to end the conflict has met with a stone-wall erected by the stubborn and obstructive attitude of the side favouring war and forceful conquest. If the appeal has so far failed to elicit a favourable response from the other side, it cannot be because it was initiated by nations which have openly subscribed to certain viewpoints. For as is well known, many attempts to suggest peaceful approach have been undertaken by various nations and personalities upholding different viewpoints, among whom is His Holiness the Pope, and up till now none has ever won the trust and confidence of those who broke the peace and launched the hateful aggression. The realities are that the latter have no intention of trusting anyone, not even their own ideological comrades. Rather they look upon all who try to halt their aggression as belonging to their enemies' camp.

The Thai Government and people, nevertheless, would welcome peace in Vietnam and in Southeast Asia. Any proposal for an honourable and peaceful solution to the Vietnam problem from whatever quarters will therefore be assured of our cooperation and support. In the mean time, the freedom and independence of the South Vietnamese people must continue to be defended.

Such a belief has driven us to exert efforts to seek a more harmonious relationship among our neighbours in Southeast Asia. We are particularly gratified to see that traditional Asian wisdom and far-sightedness have prevailed over our friends and neighbours, the Philippines, Malaysia and Indonesia, which have successfully resolved their differences, and have resumed their normal intercourse within the Southeast Asian family. It is our fervent hope that normalization of relations will bring the benefits deriving from practical and fruitful cooperation.

Thailand is also happy to extend a warm welcome to the brotherly nation of Indonesia upon its decision to resume full cooperation with the United Nations. Indonesia's resumption of participation in the United Nations activities is indicative of her desire to uphold the lofty principles of international co-operation as laid down in the United Nations Charter. There can, therefore, be no doubt that Indonesia, being the largest nation in Southeast Asia, can greatly contribute to the effectiveness of the United Nations as well as to the stability and progress of that region.

In the same spirit, we have sought to ensure long-lasting peace in Asia by arousing the consciousness on the part of the Asian countries not only to coexist together but also to co-operate closely for mutual benefits. We believe that regional co-operation will bring not only direct benefits to the peoples of the region, but will also serve to strengthen the solidarity and enhance the security of our respective countries. Thus Thailand has joined with Malaysia and the Philippines in founding the Association of Southeast Asia (ASA) which has recently been revived to serve the purposes of co-operation in the economic, social and cultural fields. Recently, and on an even larger scale, the Asian and Pacific Council (ASPAC) has been established at the historic meeting in Seoul, the capital of the Republic of Korea. Indeed in a relatively short time since its inception, it offers promising prospects. Several other regional undertakings are also in the making. In this particular connection, Thailand has welcomed Japan's initiative in convening the Conference on Asian Development in Tokyo, last April, which will continue to meet in other Asian capitals. It should also be noted that an Asian Development Bank is being established for the benefit of Asian countries. Thailand has actively taken part in all these worthwhile projects, as well as the important project for the Development of the Lower Mekong Basin under the United Nations sponsorship. This worthy international undertaking has proven its high value and has continued to function through the vicissitudes of political relationship between some of the participating Member countries.

Although the Asian nations in general have shown their profound faith in the usefulness and benefits of regional co-operation among themselves as well as with outside countries, certain other nations of different ideologies have bitterly criticized these joint endeavors and have tried to calumniate that they are being instigated and sponsored by far-away Powers. Nothing can be further from the truth.

Indeed, it does not take long, nor in fact is it really necessary to point out that such criticisms are totally unfounded and have been motivated by the desire to see Asian nations divided and powerless so that those who nourish expansionist designs may with greater ease interfere in the internal affairs of the thus weakened countries and eventualy succeed in bringing about their downfall. The main motivation which has prompted Asian nations to strengthen regional co-operation lies in their common desire to assume greater responsibility in regard to Asian problems and to prevent outside powers from interfering with and dominating the life of Asian peoples. The experience of the past and particularly that of Western colonialism have shown how disastrous the loss of control over our own destiny could be, not only to our national pride, but even more so to our fundamental interests. Nowadays, while the Western type of imperialism has receded, a new and even more ruthless form of imperialism is attempting to step in and derive benefits from exercising influence and overlordship over our national life and patrimony.

While a few nations in Asia have been cowed into submission or deluded into believing in alien doctrines born in the dark and sordid recesses of European ghettoes and become oblivious of their lofty Asian heritage, many others remain faithful to the age-old ideals of Asia which uphold not only peace and friendship among the peoples of the world, but also the intrinsic worth and dignity of human beings. To them, the recent manifestations of the so-called Red Guards have nothing to do with Asian values and traditions, but represent the lower instincts of man brought over from beyond the confines of Asia. That is why a great many of us who believe in serving our people and our region deeply felt the urge of establishing an effective and fruitful co-operation which will bring to us all substantial mutual benefits.

At the same time, when the world organization is passing through an anguishing period of stress and strain due to certain deleterious activities within the Organization, the existence of even a loose form of regional co-operation is a measure of comfort and assurance that international anarchy will not take the place of a world of law and order.

It will thus be seen that all these moves have been launched with a view to bringing about peace and prosperity for the entire region. In spite of grave difficulties and at times abuses and provocations from Cambodia, Thailand has refrained, in the interest of regional peace, from retaliating in kind. Instead, Thailand has kept calm and has shown restraint and moderation. To avoid further deterioration and escalation, my country appealed to the United Nations Secretary-General to send a Special Representative to explore ways and means of easing tension between the two countries. This appeal has received sympathetic consideration from the Secretary-General who, with Cambodia's concurrence, has despatched his Special Representative to the two countries. The matter is now receiving careful attention with a view to achieving reconciliation. On the part of Thailand, the United Nations can be assured of the fullest co-operation from the Thai Government in this mission. In order to ensure and enhance regional peace and tranquillity, and in the case that Cambodia gives a similar response, the Thai people are prepared to extend their hand of friendship to our neighbours to the East and to forget past differences, for the peoples of the two countries should be aware that they are bound by traditional ties of friendship and close affinities. They shared in the past many common cultural legacies and their destinies in the future may hardly be apart. We are hopeful therefore that with wisdom and goodwill on both sides, and thanks to the good offices of Secretary-General's Special Representative, the two countries may soon find themselves back on their normal relationship.

Even though our efforts for peace and harmony are by necessity concentrated on our immediate vicinity and our area of Southeast Asia, our genuine desire is to see peace and tranquility prevail not in our region alone, but as far and wide as possible, indeed, in the whole world. Consequently we cannot help holding the view that Rhodesia is a case of worrisome problem in which an unruly white minority has usurped the authority of government and unconstitutionally arrogated to itself the right to dominate the other segments of the people and deprived the latter of their inherent freedom. The illegitimate regime, condemned in this Assembly, can still breathe the air of insubordination, scornfully disregarding the ineffective measures taken against it, and may probably survive the public disapproval because of noticeable lack of adequate and meaningful sanctions.

Another example of international concern over the plight of a non self-governing people is provided by the Southwest Africa Case. The recent decision of the International Court of Justice does not in any way serve to improve the situation. The Court has regrettably found it convenient to reverse its own previous pronouncements upon its competence and has declined in this case to consider the substance of the question, thus retarding possible settlement of the issue. Thailand has taken a keen interest in this case right from the very beginning as its representative had served for many years in the five-nation Committee set up by the General Assembly to implement an advisory opinion of the Court in 1950, and was Chairman of the seven-member Committee established by General Assembly resolution 749 (VIII) in 1953.

In these capacities, Thailand has consistently upheld the position that the General Assembly is the rightful successor to the League of Nations. Such a stand also received judicial endorsement in the advisory opinion of June 11, 1950. In consequence, the General Assembly is entitled, in our opinion, to exercise its supervision over the administration of Southwest Africa. My Delegation will elaborate further on this question in the debate on that specific item. For the time being, may we express the hope that the country responsible for the present administration of Southwest Africa will heed the unequivocal opinion of the overwhelming majority of nations in the world.

Similarly, it is a matter of deep regret that despite the Nuclear Test Ban Treaty concluded by practically all the nations of the world, large and small, there are a few countries still defying the conscience of mankind which aspires to be free from the hazards of radio-active contamination and nuclear proliferation. No doubt one can see in this callous disregard of international opinion a persistent search for national aggrandizement, but in the long run it is doubtful whether the advantage thus gained will be commensurate with the danger which may accrue all around in the world scene. Only the future will tell whether the investment in considerable resources has brought to the nations involved the benefits that they desire to acquire.

The problems as outlined above may appear to be hard of solution. If they are so, it is probably because, to some nations, the scoring of victory on ideological issues and the spreading of their political doctrines take precedence over the consolidation of peace and freedom. The attainment of their political objectives is of such paramount significance to them as to make the preservation of world peace and order recede into secondary importance. The latter is given consideration only when such rupture may entail their own annihilation. Only then would they relent in their inflexible submission to their political dictates and allow the consideration for general welfare to assume the importance that it deserves. Otherwise, human understanding as well as the spirit of give and take seem to be totally lacking. What prevails is rather a tendency to demand and to take without making concessions. There can be little doubt that, if such trend were to continue, if all of us were to come to this Assembly with an unyielding one-track mind and seek to make gains on our ideological and parochial stands, the pending crucial problems would scarcely have any chance of a reasonable solution. On the contrary, it is not unlikely that such problems would even increase in acuteness in the future with dangerous implications for mankind. If instead we were to envision that long-term interests in peace and well-being can accommodate a measure of general understanding and rational compromise, the prospects for our nations to be able to live together in a more harmonious world and in more secure and lasting peace, will become infinitely brighter for the benefit of our present and future generations.

While the leading industrialized nations have made important strides in scientific and technological fields of human endeavours to the extent of discovering a soft landing technique on the moon, they would earn an even more profound gratitude from the millions of this world if they could devise ways and means to end and avoid present and future earthly conflicts.

THE ASIAN CONFERENCE THROUGH JAPANESE EYES

Mr. HARTKE. Mr. President, only today I received from Japan a letter from a former constitutent whose husband is now associated with the International Christian University in Tokyo. Enclosed with the letter was a clipping of an editorial from the September 29 issue of the English-language newspaper, the Asahi Evening News.

Entitled "Manila Meeting and Japan," this editorial gives a view from a friendly nation outside the United States, a nation which is itself a leading power in Asia. Among other things, the editorial expresses a fear that the conference, instead of helping toward settlement of the Vietnam issue, will have a possible harmful effect by becoming only "a political strengthening of the war effort."

Mr. President, I ask unanimous consent that this Japanese comment may appear in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MANILA MEETING AND JAPAN

It seems that the proposed "Conference on Vietnam," announced by Philippine President Ferdinand E. Marcos in Honolulu Monday on his way back from his visit to Washington, will materialize with U.S. President Lyndon B. Johnson attending.

Although various names have been given to it, such as "Vietnam Peace Conference," "Meeting of Nations Concerned with Vietnam War," "Summit Conference of Vietnamese Allies" and "Conferences of Nations Participating in the War in Vietnam" and others, judging from the composition of the attendants, the proposed conference will be clearly a one-sided meeting of nations fighting in Vietnam and composed only of members of one belligerent camp.

It is reported that the coming conference will study the possibilities of a peaceful settlement of the Vietnam war as well as the military, political and economic situations in South Vietnam and the public welfare project now being pushed by the Saigon Government.

However, we cannot help but feel that such a one-sided conference would conclude, in fact, in nothing but a political strengthening of the war effort.

It goes without saying that such a result would prove a "blessing" to the South Vietnamese Government as well as to the Vietnam war policy of the United States.

In South Vietnam the Constituent Assembly has finally been called into session, but it is viewed in many quarters that as the deliberations on the draft constitution progress, criticism of the military government and the demand for a return to civil rule will mount in volume.

This will no doubt force the military government into a difficult position. However, should all of the nations participating in the conflict get together and announce their agreement for a more stringent and concerted military action, what a shot-in-the-arm it would be for the military regime.

It is quite probable that by creating the impression that the war in Vietnam is not an "American war" but a conflict widely supported by various nations of Asia, President Johnson figures that he will be able to make a good showing in the coming "off-year" elections in the United States and at the same time succeed in exerting more pressure than ever on North Vietnam.

South Korea, aiming at gaining a more powerful political voice in Vietnamese affairs, has from time to time advocated the holding of a meeting of the war participants.

At the recent conference of foreign ministers of the Association of Southeast Asia, Thailand, using the slogan that the Vietnam war should be settled by Asians, proposed the holding of an "Asian Peace Conference." It is quite likely that these two ideas, together with the speculations of both the United States and South Vietnam, resulted in the recent proposal by President Marcos.

Hence, what we fear is that this conference, instead of moving toward a settlement of the war through negotiations, will only lead toward keeping the participating nations away from such negotiations.

We believe that one of the most promising approaches being proposed today as a concrete method of ending the war is "de-escalation of the fighting by stages." Representative of this idea are the testimony given by U.S. Secretary of State Dean Rusk before the U.S. Congress (Aug. 25), the speech by chief U.S. delegate to the United Nations Arthur J. Goldberg at the U.N. General Assembly (Sept. 22) and the proposal for settlement of the Vietnam war presented by U.N. Secretary-General U Thant.

It is true that the premises of the abovementioned three approaches differ: Secretary Rusk's testimony assumes a sort of a natural cease-fire based on a one-sided U.S. victory while Ambassador Goldberg "passed the buck" to the North Vietnamese side. In contrast, Secretary-General Thant's proposal laid down a basic course for settlement of the conflict.

However, we feel that common to all three approaches is the idea to seek out a possibility for peace in the process of "de-escalation of fighting by stages." Will the forthcoming Manila conference be in line with such a course?

When we consider that the conference, on the contrary, will arouse further antagonism on the part of the Communist side, we fear that it will bring only adverse effects.

In recent years, the view that "Asian problems should be solved by the hands of Asians"—the so-called upsurge of "Asian consciousness"—is making itself more and more evident. And this is probably the factor which, in relation to the Vietnam war, is giving birth to a trend toward settling this conflict through the initiative of the Asian nations.

It seems that by "Asian consciousness" is meant the renewed recognition of Asian nationalism and Asian solidarity. If such is the case, should not more concern be directed than ever to the national sentiments of the Vietnamese people?

It is important for Asia to stand on her own feet, but should not true independence be rooted in a wide and unbiased vision?

At present, the prevailing view within the Japanese Foreign Office is that Japan should not take part in the conference. This is only proper. As for Japan, it seems that she should refrain from making any move that might place restrictions on her own independent actions.

What is most important is to devote her attention toward means for a peaceful settlement of the war in a straightforward manner.

Assumption of such an attitude is a separate matter from the problem of how to strengthen further the ties of friendship between Japan and the Philippines.

HOUSING NEEDS MUST BE MET

Mr. BARTLETT. Mr. President, in the last several months the plight of Alaska's Eskimo, Indian, and Aleut people has been discussed in newspapers and magazines of general distribution throughout the country. I am pleased that this interest is being generated and I am hopeful that it will continue. Alaska's native people are forced to live in environments none of us here would tolerate and certainly we would not tolerate them with the grace and dignity exhibited by our native people.

Recently Homer Bigart of the New York Times made a tour through Alaska and several of his articles dealing with native land problems were published. Mr. Bigart also took a look at the housing conditions of our native people. You may recall that late last year the Anchorage Daily News published a series of articles on conditions in Alaska villages and those articles were reprinted in the Record. Late last month, on September 27, Homer Bigart's impressions of Alaska's native villages were printed in the Anchorage Daily Times and I ask unanimous consent that Mr. Bigart's article be printed in the Record at the conclusion of my remarks. Mr. Bigart's findings coincide almost exactly with the Anchorage Daily News articles and with testimony submitted to the Housing Subcommittee of the Senate Banking and Currency Committee.

Mr. President, conditions in these villages are deplorable and they cannot be tolerated any longer. We must give these people the opportunity for a decent life according to what all of us regard as the American standard of living.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Anchorage Daily Times, Sept. 27, 1966]

Writer Finds Nation's Worst Slums on Alaska Coasts

Editor's Note.—A New York Times staff writer, Homer Bigart, takes a probing look at Alaskan poverty. While the national focus has been on city slums, he finds they do not match up with the squalor found in scattered Alaska villages.

(By Homer Bigart)

Bethel, Alaska.—The worst slums in the United States are not in the racially turbulent quarters of New York, Cleveland, Chicago or Los Angeles. By all available indices of poverty, they are sparsely strewn, like garbage on an ice floe, along the nation's desolate sea frontier with the Soviet Union.

Except for Nome, Kotzebue and Barrow, the 50 or more Eskimo settlements on the Bering and Arctic coasts of Alaska are rarely seen by tourists. The squalor of the region has had little or no impact on the national conscience.

Eskimos, if thought of at all, were considered to be so friendly, so indomitably cheerful and so amenable that nobody in Juneau or Washington, except a few officials in the Bureau of Indian Affairs, ever worried much about them.

Suddenly, however, the state and national governments are becoming sharply aware of political agitation among the 50,000 Alaskan "natives." The term natives embraces about 27,000 Eskimos, 17,000 Indians in the interior and southeastern Alaska and 6,000 Aleuts (pronounced Al-ee-oots), a people of mixed Eskimo and Russian blood living on the Aleutian Islands and the Kenai and Alaskan peninsulas.

The last six months have seen the formation by Eskimos of political action groups. These groups will press Eskimo claims to vast sections of Alaska. Some leaders have even suggested the creation of a Native Party But for the moment they will work within the existing parties. Most Eskimos are Democrats.

Because natives comprise more than 20 per cent of the state population, the "bush vote" is important.

Various greedy motives have been ascribed to the Eskimo communities for demanding all of Northwest Alaska and all the Arctic Slope, north of the Brooks Range, including areas believed fabulously rich in oil and copper.

But native leaders retort that they are simply demanding their rights under the United States-Russian treaty under which Alaska was acquired in 1867. The treaty says, "Natives shall not be disturbed in the possession of the land they occupy."

And the new breed of Eskimo leadership, educated to middle class values and wanting economic security, has evolved a rather subtle line of argument for native title to the land. These young leaders promise not to stand in the way of "orderly" industrial development and mineral exploitation. They say they only want to prevent the rape of the land and the pollution of the streams.

At a hearing on July 8 before President Johnson's Public Land Law Review Commission in Fairbanks, Hugh Nicholls, one of the most articulate of the new breed, said that "the past performance of the white man speaks only too plainly of his inability or indifference in preventing stream pollution and depletion of the God-given natural sources of food."

He concluded:

"With the nation's highest birth rate, we (Eskimos) must be assured of a continuing, adequate food supply. Only by full control of our lands, our caribou herds, our streams and other natural resources can we escape the ultimate deadly trap of the welfare State."

Nicholls is a light-skinned Eskimo, a carpenter, a veteran of World War II and executive director of the recently formed Arctic Slope Native Association of Barrow, a political action group.

Pausing from work July 14 on what will be the dining room of the new $1-million high school being built by the Bureau of Indian Affairs at Barrow, Nicholls said the new political action group was backed by "90 per cent of the native people" and that all the smaller villages of the Arctic Slope—Barter Island, Wainwright, Point Lay, Point Hope, Anaktuvik Pass and Wood's Camp—had "signed up."

As he spoke, Eskimo seal hunters with high-powered rifles and telescopic sights sat a half-mile away on a low bluff above the sea, scanning a ribbon of water that had opened between the shore and the Arctic icecap. At long intervals a seal would surface and there would be a brief commotion of shooting.

Near the edge of the receding icecap was a curious array of 55-gallon drums. They contained most of Barrow's winter sewage; the melting icecap, it was hoped, would dump the buckets somewhere nearer the Pole.

Nicholls said the average native family income in booming Barrow was between $4,000 and $5,000. But Barrow was by far the richest Eskimo community, he said, and at Anaktuvik Pass, in the Brooks Range, the cash income for a family might be as low as $500 a year.

Nicholls himself came not from the Arctic Slope but from the most chronically depressed region, the Yukon-Kuskokwim delta country, of which Bethel is the commercial hub.

The poorest American citizens are some 12,000 Eskimos and Athabascan Indians living near the mouths and lower reaches of Alaska's two great rivers, the Yukon and the Kuskokwim.

This is known as the Bethel district, a vast, treeless tundra etched by nameless lakes, sloughs and meandering streams. Here the winters are desperately harsh. The subzero temperatures can become almost unbearable when winds lash the flats wth snow and tiny ice particles from the Bering Sea.

On this July day, the snow had vanished from the tundra, and in Bethel backyards the willow and alder thickets were freshly green. By Alaska standards Bethel is a "city," with a permanent population of 1,600, predominantly Eskimos.

Bethel's streets are unpaved and muddy, and there are no sidewalks. In the whole Yukon-Kuskokwim delta country there are fewer than 20 miles of road, of which 13 are inside the city.

Front Street, boasting a half-dozen stores, a bank, and a two-story hotel called Leen's Lodge, starts near a forgotten cemetery and ends in "Lousetown," the name given by Bethel whites to the most wretched native quarter.

The cemetery is gradually sliding into the Kuskokwim River. Every time the ice breaks up, one or more rotting coffins and the contents are carried off in the flood.

Lousetown, inhabited by Indians and Eskimos, is a planless huddle of driftwood and tarpaper shacks. Outside each shack is a wooden fish rack on which salmon are hung out to dry. The smell of fish is pervasive, and this is all to the good because Lousetown, like most of Bethel, has no sewage system.

Even for whites, housing in Bethel is critically short. Last year several public-school teachers had to sleep in bedrolls on their classroom floors. Now the problem has been worsened by a fire that destroyed a block of apartments in early July.

But the native housing is something special.

Typical of Eskimo dwellings in the delta region, Lousetown's hovels are generally one-room shacks so overcrowded, damp and ill-ventilated as to guarantee the highest incidence of tuberculosis in the United States and an infant mortality rate five times the national average.

It is not uncommon to find nine Eskimos sharing one room.

"Instead of wall-to-wall carpeting we have wall-to-wall people," a visitor was told.

Dr. Robert Fortune, of Ogunquit, Me., who directs the Bethel Native Hospital for the United States Public Health Service, was fascinated by this statistic from a recent survey: the average house had 2.7 persons per bed.

"We have some of the most remarkable disease rates in the world." Dr. Fortune said.

His hospital is the only medical facility in an area of 85,000 square miles. The chief health problem, he explained, is infant mortality; 12 of every 100 babies did not live to be a year old. Diarrhea, pneumonia and meningitis were the principal killers.

Dr. Fortune reported that tuberculosis, long the scourge of Alaskan natives, had sharply declined from the period 1949–51. Then, the average annual infection rate among children up to age 3 was an "astounding" 24.6 per cent, a situation virtually unparalleled in medical history.

An intensive attack on TB by the Arctic Health Research Center cut the annual infection rate to 1.1 per cent by 1960, but Dr. Fortune warned that tuberculosis would remain a strong threat to life and health until the whole standard of living was raised.

Today, a native who contacts TB can expect that it will be arrested. But if he returns to a primitive dwelling, his chances of complete recovery are slight. In the still darkness of a native hut, the tuberculosis organism can remain suspended for six months and still cause disease, a Public Health Service official in Anchorage said.

One of every four natives of the Bethel area suffers a significant hearing loss, usually the result of an inner ear infection acquired at infancy. Also prevalent is a form of conjunctivitis that can cause blindness in children.

A rare hereditary disease called methemoglobinemia, caused by a hormone deficiency, has produced a rate of eight "blue babies" out of 10,000, a "fantastically high incidence," Dr. Fortune said. The infants have blue lips. The disease can be regulated by drugs but it is fatal if not detected.

Despite all these health hazards, the delta Eskimo population is expanding at a rate exceeding 4 per cent a year, more than double the national rate.

The extraordinary fecundity of the Eskimo—the annual birth rate of 53 per 1,000 is one of the highest in the world—has saved him from extinction. But Dr. Fortune fears that the explosive growth is rapidly outstripping the economic resources of the region. There is no program to encourage birth control.

Slight improvements in housing and sanitation would vastly swell the population growth. Except in a few villages where wells were dug by the Public Health Service, most settlements still lack a sanitary water and sewage system.

"I've never seen anything like it, even in the worst slums of our major cities," said Mrs. Marie McGuire, commissioner of the U.S. Public Housing Administration, when she toured Alaska last year. "In the 'lower 48'", she added "we are trying to get rid of privies. In Alaska we feel it would be a great advance just to have privies."

In Anchorage Dr. Martha Wilson, the Public Health Service's director of outpatient clinics for Alaska, recalled that villagers usually listed as their top priority need a safe water supply. "Why?" some were asked. "Well we believe the babies wouldn't die so much if we had water," they replied.

Because the area economy is virtually nonexistent, the swelling multitude of Eskimos seem doomed to the relief rolls if they remain in the delta.

Most natives are self employed in fishing, trapping, and hunting. Trappers complain that slumping fur prices and soaring costs of gear make trapping profitless. And the population is expanding too rapidly to rely on a continued abundance of fish and game.

So cash is needed to supplement the diet with store food, to buy hardware and clothing and perhaps some heating oil. The oil costs 43 cents a gallon in Hooper Bay, and according to Bob Clark of Syracuse, who teaches in the local school, probably not one family in ten can afford it.

The rest must hunt wood to survive and in winter this could involve a brutal 15-mile trip by dog team or motorized sled across the treeless tundra to willow thickets in the foothills.

Hooper Bay, the second largest community in the delta region, has a population of 527 natives and 13 whites. There are two churches and a new wooden frame recreation hall ("just a place indoors that's not as cold as outdoors").

Some years ago a Roman Catholic priest and a teacher with the Bureau of Indian Affairs decided to give the natives English names. Now there is a Night family and a Day family, some Rivers, Lakes, Greens and, of course, Smiths.

Unemployment is heavy. This summer, about 50 Hooper Bay Eskimos got jobs in Bristol Bay canneries. The canneries work six weeks during the salmon run. Counting overtime, an Eskimo can make up to $600. Trapping and hunting the rest of the year might bring $400 for mink, fox and sealskins.

With this $1,000 he must buy sugar, tea, flour, milk and other basic staples for the year, gasoline at 95 cents a gallon for his outboard motor and motorized sled (these sleds cost nearly $1,000 on the Bering coast, but there are already 30 in Hooper Bay; in 10 more years they will completely replace the dogs) and entertainment.

Movies cost 75 cents in Hooper Bay; $1 in Barrow. Barrow where Eskimos have money to spend, is supporting two theaters. One, the Polar Bear, grossed $11,000 in 35 days. Its manager, Jerry Crow reports Eskimos love horror films, religious spectaculars and westerns, hate sophisticated romances.

A small number of exceptional natives break out of the bonds of poverty. Jimmix (Little Fish) Samuelson, of Bethel is one of the best bush pilots in Alaska. Other Eskimos have proved to be excellent electronics mechanics, plumbers and carpenters, miners and construction workers. Some get jobs with government and state agencies. Eskimo girls have become clerks, stenographers, teachers and nurses.

But most of the delta villagers have what sociologists call "cultural immobility." They lack the education and skills to escape to urban areas and compete in the white man's world.

Caught between two cultures, unable to return to the old hunting economy yet unable to adjust to a mechanical society, Eskimo and Athabascans are showing anger and frustration.

It is against this background that the new political organizations are emerging.

Typical of the young leaders who are challenging the traditional authority of the village elders is Willie A. Hinsley, 25, of Kotzebue, a graduate of George Washington University.

It was largely through Mr. Hinsley's efforts that some 13 Eskimo villages in northwest

Alaska united to announce claim to nearly 30 million acres on Kotzebue Sound and the basins of Noatak and Kobuk Rivers, including the huge copper deposit at Bornite. The deposit is now being explored by Kennecott Copper.

"This is one of the last opportunities for America to be fair in dealing with aboriginal people's land claims," Hinsley said.

"Senator Gruening is afraid our claims will stop development. I disagree. I think we are doing the state and business interests a favor by bringing this issue to a head."

Hinsley is executive director of the Northwest Alaska Native Association, newest of the Eskimo political action groups. The president is Capt. John Schaeffer Jr., adjutant of the First Scout Battalion, Alaska National Guard.

Schaeffer, at his office in the Nome armory, said he remembered when Nome movie theaters segregated Eskimos into sections "for natives only." Now discrimination was less obvious, although a government official said there were still no natives in the Chamber of Commerce, and only one in Rotary.

"We want to be involved in the future development of the land," Schaeffer said. "We don't want to hold up progress; we just want a voice in it."

Eskimo political ferment is being stirred by a native newspaper, The Tundra Times, edited weekly in Fairbanks by Howard Rock, an Eskimo from Point Hope.

"The first sign of political awakening," said Rock in his Fairbanks office, "came in May when the Arctic Slope Native Association announced its endorsement of candidates." The association endorsed Gov. William A. Egan and Sen. E. L. Bartlett for reelection but withheld endorsement from Rivers.

Rock heard about the endorsement several days in advance, swore his staff to secrecy, and landed a scoop.

"I think there's a real chance of all these groups getting together in a loose confederation," the editor said. "The Barrow group wanted to create a Native Party. I thought it was premature."

Indian groups, particularly the more sophisticated tribes of Southeast Alaska, have long been organized. The oldest of these, the Alaska Native Brotherhood, was founded among the Tlinget and Haida tribes 53 years ago, and led a long fight against discriminations that culminated in the passage of a civil rights bill by the territorial legislature in 1945.

In Fairbanks, the president of the University of Alaska, Dr. William R. Wood, said the plight of the natives was "desperate" and that unrest was inevitable.

"Here's where the political unrest comes in: the natives expect to move from one level to another," he said. "What they fail to understand is that it will cost them a tremendous effort. Primarily it will be a mental and emotional effort, much tougher than the physical effort."

Eskimos are not aggressive or pushy, and consequently they are at sharp disadvantage in the competitive world.

A foremost student of Eskimo life, Dr. Max C. Brewer, director of the Arctic Research Laboratory in Barrow, fears that the native culture, based on the art of survival, is vanishing.

"Maybe they weren't the first to develop the Model T," Dr. Brewer said, "but in some ways their culture has a lot to offer."

DEATH OF MAJ. DAVID H. TITTLE, U.S. AIR FORCE

Mr. CANNON. Mr. President, yesterday, in the crash of a vertical-takeoff aircraft during a test flight at the U.S. Air Force Flight Test Center at Edwards Air Force Base, Calif., the Nation lost a fine officer and a great test pilot, and I lost a good friend. Maj. David H. Tittle was a gifted instructor at the aerospace test pilot school at Edwards Air Force Base, where so many of our astronauts have trained. It was there only a few months ago that I participated in stimulating discussions with Major Tittle on the aerodynamic characteristics of modern high performance aircraft and the problems that yet need to be resolved. It was there that Major Tittle and I flew together.

Major Tittle was a member of that small, elite fraternity of experimental test pilots who are so dedicated to their challenging and hazardous work. It is because of the calculated risks taken over the years by courageous men like Major Tittle that our Nation is preeminent in aerospace achievements.

I extend my heartfelt sympathy to Major Tittle's family and friends at their great loss, and I share in their sorrow.

REDUCTION OF IMPACT OF TAX CREDIT SUSPENSION ON SMALL BUSINESSES

Mr. TYDINGS. Mr. President, today, I have joined Senator John Sparkman, chairman of the Senate Select Committee on Small Business, in urging the Senate Finance Committee to give special consideration to small businesses in acting upon the President's request to suspend the 7-percent investment tax credit for a year.

The Sparkman proposal would allow small businesses to continue receiving the benefit of the tax credit on up to $25,000 worth of new equipment investments annually. This means that small businesses would have a maximum investment tax credit of about $1,700 per year as an incentive to modernize and expand operations in order to produce more goods and create more jobs. Adoption of this small business proposal will reduce by less than 2 percent the $2 billion expected to be raised by suspension of the tax credit.

I support the President's request to suspend the investment tax credit, because I think the heavy pressures which the current business boom has put on the capital goods-producing sectors of our economy are direct and substantial contributors to the inflation we now face. However, it is equally clear that the capital expenditures of American small business are relatively minor contributors to the pressure on the capital goods sector, since, although small businesses constitute 80 percent of all corporate taxpayers, small businesses produce only 9 percent of all business receipts and less than 3 percent of all business income.

But small business depends heavily on the investment tax credit for expansion. Last year more than 54 percent of this country's 294,000 small businesses used the tax credit.

Continuing the investment tax credit for small business will help the little man—the local manufacturer, the drugstore owner, the plumber, and the garageman. It will not defeat the anti-inflationary purpose of investment tax credit suspension. Instead, this proposal will merely make the tax credit suspension more equitable by allowing small business to continue to expand and modernize, while reducing the capital expenditures of the corporate giants which dominate the economy and whose expansion has created the real pressure on the capital goods sector.

A GENTLEMAN HAS LEFT US

Mr. BARTLETT. Mr. President, the death in Honolulu last Sunday of Riley Allen will be mourned not only by all his friends and admirers in the 50th State, but by thousands elsewhere who knew him and respected him. To me his passing is a personal loss.

As funeral services are held today in Honolulu many thousands who will not be able to be present will none the less be present in spirit and in thought and in grief.

In the real meaning of the term, Riley Allen was a very perfect gentleman.

A transplanted Texan, he served his adopted homeland as a great humanitarian, a courageous advocate of the causes in which he believed, and a newspaper editor whose right to a place in the journalistic hall of fame is acknowledged both east and west of Hawaii. For almost half a century he was editor of the Honolulu Star-Bulletin. I first came to know him when Joseph R. Farrington and I served together as Delegates from the then Territories of Hawaii and Alaska. Joe Farrington was then principal owner of the Star-Bulletin and no two men than he and Riley Allen could have more compatibly joined in operation of a newspaper and as battlers for what they believed in.

Gentle as he was, Riley Allen was not a man who would deviate from a principle which he had embraced. He was a leading fighter in the battle for statehood for Hawaii and his interest in this subject led him to become a proponent likewise of Alaska statehood.

It goes without saying that Hawaii will miss him. Alaska will too. And he will be missed also not only by all those who knew him in the United States but by a host of friends throughout the world, including Asia.

For Riley Allen, I had an affection and a regard, deep and abiding. He is gone now at the age of 82 years but his works and memories of him will endure.

TRANSFER OF CERTAIN POLICE FUNCTIONS TO ADMINISTRATIVE OFFICIALS

Mr. KENNEDY of New York. Mr. President, each year crime rates in the cities of the United States increase. Each year, more voices are heard complaining about the shortages of policemen for keeping city streets free from violence and safe for walking.

In order to obtain sufficient police to patrol our cities, we do not merely have to increase recruitment policies and raise salaries, we must also free our police forces from the many clerical and administrative tasks that fill their working days.

On September 15, 1966, Mr. James E. DeRyan prepared for Judge Harold Brown, of the San Francisco Municipal Court, a report on the "Estimated Uncompensated Expenses Incurred To Arrest Parking Violation Offenders for Nonpayment of Parking Violation Citations." Cogently, Mr. DeRyan demonstrates how much time and money are wasted in dealing with parking ticket violators at the criminal level. He agrees with many other writers who, after viewing the workings of police departments, have recommended that various police functions, including most traffic violations, be transferred to administrative officials.

I ask unanimous consent, Mr. President, that the report be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report on Estimated Uncompensated Expense Incurred To Arrest Parking Violation Offenders for Nonpayment of Parking Violation Citations

This report was prepared at the direction of Assistant Division Chief Anthony Silva at the request of Judge Harold Brown, by Deputy Clerk James E. DeRyan. San Francisco Municipal Court, September 15, 1966.

The major cost of servicing warrants of arrest, booking prisoners, and processing 120,000 new parking warrants each year is paid by the taxpayer via the Police Department Budget. An estimated 80% of the warrants processed by the Police Central Warrant Bureau are for mere parking violations. 80% of the salaries paid to personnel of this Bureau ($30,280) is $24,224 monthly. 80% of the time of police personnel, who were trained to stem the tide of crime and are paid high wages to fight crime, is occupied in this Bureau by these trivial matters which are required by present law to be treated as any other criminal misdemeanor. This Bureau is staffed by one lieutenant ($1100 mo.), two sergeants ($875. mo. for ea.) and twenty-six patrolmen ($775. mo. for ea.) plus twenty civilian clerks ($364. mo. for ea.). If a change of legal procedure for these trivial matters could free as little as 50% of the trained police personnel for the urgent responsibilities of law enforcement and crime prevention, the public would reap the benefit, and the high salaries could not be criticized.

This Report concerns itself only with the expense of servicing parking violation warrants after 25% have been paid, and processed by Deputy Clerks before the warrants are delivered to the Police, and does not include the cost to the taxpayer of servicing defendants in the City Prison by the Police, or by the Deputy Sheriff's after further sentencing to the County Jail by the Court. It does not include the loss to the public of the time and dignity of the unfortunate parking violator who has not "paid his tag". It does not consider the loss of dignity afforded to the Courts which are used more as a revenue agency than a dispenser of justice, nor the loss of morale among trained police officers who are forced to act as "tax collectors", nor the loss of respect for the image of the Police Officer as a Protector of Society when the majority of taxpayers experience the Police and the Court as another device to extract money from the public, particularly from the poorer elements of the public. It does not consider the injustice of freeing a person accused of serious crime through the O.R. Bail Project while incarcerating another person for "not paying tags". It does not consider the effect of this system which utilizes the unpaid parking tag as a means of introducing parking violators to major criminals at the County Jail, where they may compare notes as to the seriousness of their "crime" and the proportionate punishment afforded to them in comparison to the punishment afforded to thieves and other criminals. That this system of jailing citizens for unpaid parking tags is a major factor in the national disrespect for Courts and Police cannot be denied, and thus this system is a direct contributor to the increasing crime rate. The concept of American Society, based on religious regard for the dignity of man, and philosophical respect for the principles of Justice wherein there is equal justice under law, where punishments are made to fit the crimes, has been seriously undermined by this system of arresting parking violators for unpaid tags. Beyond all of these facts is the irrefutable fact of cost: the system does not produce revenue, but costs the taxpayer in San Francisco as a typical city using this system over $200,000 annually.

This estimate is based on the following costs:

(1) 80 percent of the salaries of the Police Central Warrant Bureau as representing the cost of processing 80 percent of the warrants, which are parking violations	$24,224
(2) Services of three Deputy Clerks in the Municipal Court which processes the Booking Calendar before Court, after Court, and for reconciliation; and one-eighth of the expense of one Court for Judge, Reporter, District Attorney, Deputy Clerk, Police Liaison Officer and Deputy Sheriff	1,620
(3) Estimated expense of the Central Tabulation Bureau's personnel and machinery to process the Booking Calendar listing and adjudication statistics	180
Estimated monthly expense, booking calendar	26,024

The revenue deposited in the City Treasury from adjudications of this Booking Calendar in Department Sixteen for the last available month Reconciled (July 1966) indicates that out of $43,131 warrant bail price value of citations listed on this calendar, only $9,346 was collected. Thus 78 percent of the revenue of parking warrant bail for citations on the Booking Calendar is not collected. Theoretically, if all citizens refused to pay their citations until they were listed on this calendar, they could save 78 cents on every dollar the honest taxpaying citizens are now paying for parking violation warrants! To what use is the processing of these trivial matters by an entire Police Bureau, if 78 percent of the revenue is lost, and additional cost to the taxpayer results from sentencing these "criminals" to the County Jail?

Collection of revenue from booking calendar	−9,346
Monthly uncompensated expense	16,678
Annual uncompensated expense	200,136

Under present laws, no warrant of arrest need issue for unpaid noticed citations. Upon proof that violator received notice by registered or certified mail of unpaid citations, and has not "posted bail" or otherwise paid for the parking privilege, the violator could be noticed to appear and show cause why his vehicle should not be seized and sold by the Marshal at the Order of Court to satisfy a judgment through civil trial for parking fees dues.

Statewide, an abstract of judgment against parking violator could be forwarded to the Department of Motor Vehicles. When violator appears at the Department to obtain driver license or vehicle license, new legislation could provide that neither will be delivered by the Department until the violator satisfies all judgments on file for parking fees in any area of the state. Failure to satisfy such judgments within a reasonable time could result in seizure and sale of his vehicle by the Department. The Department could deduct a processing charge, and forward the judgment amount to the appropriate city or town in the State.

In this way a trivial matter would not be made into a criminal misdemeanor, millions of dollars of revenue would not be lost, and statewide, police would be free to prevent crime in larger numbers.

PROTEST OF ACTIONS BY U.S. OFFICE OF EDUCATION

Mr. TALMADGE. Mr. President, in recent weeks there has been considerable protest—from Congress and from the American people—against actions by the U.S. Office of Education, which seems to be seeking to take over control of local school systems in this country.

As a matter of fact, Mr. Harold Howe, the Commissioner of Education, has become one of the most controversial officials in the Federal Government hierarchy. His revised school "guidelines" of last March have been justly assailed as violative of both the letter and the intent of the Civil Rights Act of 1966, and the Office of Education has been subjected to well-deserved criticism, in my opinion, for embarking on a course of enforced togetherness in the public schools of America.

Recently disclosed was a piece of draft legislation prepared by the Office of Education which proposes a multibillion-dollar program of busing and redrawing of school district attendance lines in order to achieve racial balance. In my current newsletter to constituents in Georgia, I discussed in some detail this proposed bill in the context of recent developments emanating from the Office of Education.

Also, the Washington Evening Star for October 5 published an excellent editorial column by David Lawrence which forcefully calls attention to the power plays being made by Commissioner Howe and his office.

I ask unanimous consent that my newsletter and Mr. Lawrence's column be printed in the Record.

There being no objection the material was ordered to be printed in the Record, as follows:

United States Steps To Control Schools Seen

(By David Lawrence)

The U.S. Department of Health, Education and Welfare has just taken the first steps which can lead to complete control in Washington of the entire educational system of states, cities and counties throughout the country.

Harold Howe II, commissioner of education in the department, is quoted by Rep. Fino of New York as having said:

"If I have my way, schools will be built for the primary purpose of economic and social integration."

Whether the local governments like it or not, they will find themselves required to correct "racial imbalance" or lose federal funds. The authority to distribute money is being taken to mean that, if the local communities do not conform to "guidelines" prescribed by the Office of Education, grants can be withheld or "deferred."

Comments have been made by the U.S. Office of Education denying that any such interpretation is intended. But members of the House Rules Committee, which has been holding hearings for three days, are convinced that Howe has given abundant proof of his purposes in his recital of what has been going on between local communities and the federal government with respect to deferment of federal funds.

In the official transcript of the testimony of Commissioner Howe, he concedes that the Civil Rights Act of 1964 forbids the federal government to require correction of "racial imbalance" in the schools. But he seeks to justify what is being done to achieve the same objective by arguing that the localities have the responsibility and that the mere withholding of funds by the federal government is a discretionary power.

Howe says that his agency is trying to bring about "free choice" by the pupils and that, when they choose a school, they should be assisted by busing or any other means to get into the school they select.

When asked particularly about busing, Commissioner Howe said:

"There are some school boards in Northern communities, Northern school districts, which have decided on their own that they believe this is a useful device to work on the problem of school segregation as it exists in their areas and some of them have decided that they would like to experiment with the busing programs, but I would emphasize that this is entirely a matter of local decision and nothing that is enforced by us and nothing that we have the authority to enforce.

"The chairman: But there are complaints that you will reward them for doing that by giving them extra money for some extra programs, to teach them how to assimilate the segregation principle. Now, is that true? . . . So that you are doing it in an indirect way with federal money?

"Mr. Howe: It is true that there are some complaints and it is also true that local school districts have decided to use some of the federal funds available to them for this purpose. . . .

"I say local school districts—not we—may, if they wish, at their local option, use funds that come from sources that are not subject to this interdiction of the Civil Rights Act to promote projects in which they are interested in this area of busing children."

Members of the House committee said afterwards that they are convinced that the commissioner of education is willing to approve programs of busing through the use of federal funds from other sources, and that this is how the Civil Rights Act, which specifically prohibits such steps to correct "racial imbalance," is circumvented.

The chairman of the House committee found another example of the same approach in the "guideline" demand that teachers and other school employes be integrated. He pointed out that the Civil Rights Act of 1964 specifically states that it does not authorize any action "with respect to any employment practice of any employer," and asked the commissioner to justify his course. Howe denied that assignment is "a condition of employment," and said that it is proper "to require school districts to make assignments without regard to race."

The country as a whole is not informed about the significance of the whole question, for it means that the national government, by the use of federal funds, can control almost any action of the local governments and threaten the withholding or deferment of such funds until there is "compliance" with the wishes of a department in Washington.

This is an issue which, if submitted in comprehensive form to the electorate at the coming elections with the demand that each candidate for Congress state his or her position on it, would have a considerable bearing on the outcome of the elections to both the House of Representatives and the Senate.

Herman Talmadge Reports From Washington

Judged by recent developments, the U.S. Office of Education appears to regard the primary purpose of education as the destruction of neighborhood school patterns and enforced togetherness.

Education Commissioner Harold Howe has put himself on record as an advocate of breaking up school district systems in our cities and suburbs. He openly favors busing children from one school to another and the shuffling of attendance zones on the basis of arbitrary ratios and percentages. He has made his position clear in a number of speeches throughout the country.

The arbitrary and capricious school "guidelines" revised in March of this year, are an outstanding example of the new line of dictatorial thinking within the Office of Education. These so-called guidelines are actually orders from Washington on how local school systems are to be operated. They set ratios and percentages and, under threat of the loss of all federal assistance, declare "this is how we think things ought to be." They have nothing to do with the law and, in fact, go far beyond what the Supreme Court and federal statutes require.

Now comes the Office of Education with draft legislation called the "Equal Educational Opportunity Act of 1967," which proposes a multi-billion dollar program for school busing, redrawing attendance lines, exchanging pupils from one district to another, textbook revision, and a horde of other measures designed to tighten federal control over local schools.

This is an outgrowth of the philosophy espoused by the Office of Education and the super-liberals who would extend federal power to the shocking degree that virtually every action of every citizen would be subjected to the whim and dictate of some bureaucrat in Washington, the Constitution, the law, or the best interests of the American people notwithstanding.

This latest venture is nothing short of incredible. However, considered in the present context of events—rioting, blatant disrespect for law and order, and coercive proposals for force legislation of almost every kind—it becomes understandable but certainly not acceptable.

All citizens of America have certain rights under our Constitution. I favor the full enjoyment of these rights by everyone. But one of the most cherished of these rights is freedom from government regimentation which, in fact, is forbidden by the Constitution.

It would be sheer folly for legislation such as that advanced by the Office of Education to ever find its way to the floor of the Congress. Surely the American people would rise up in righteous indignation as never before.

BIG BROTHER

Mr. LONG of Missouri. Mr. President, the June 1966 issue of Diplomat contains an article entitled "The Year of the Bug."

Bugs—

The article says—

are no longer solely the province of spies, fictional or real. Manufacturers are now turning out an enormous variety of fairly low-priced "security devices" for the general public.

The article continues to list and describe some of these various devices.

I ask unanimous consent to insert, at this point in the Record, this article from the Diplomat.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Year of the Bug

(By Parley J. Cooper)

Thanks to the new boom in electronic snooping devices, your privacy is now wide open to invasion—by anyone.

When a James Bond from the intrigue-laden world of spy fiction enters a strange room, one automatically expects that he will discover a hidden microphone ingeniously planted in a flowerpot or other inconspicuous object.

Even in the half-world of professional espionage there is hardly a spook worth his hazard pay who is not similarly well-versed in all the intricacies of electronic detection devices.

"Bugs," however, are no longer solely the province of spies, fictional or real. Manufacturers are now turning out an enormous variety of fairly low-priced "security devices" for the general public, and if the booming market in these devices means anything, it is that one's nosey neighbor down the street may be transforming himself, via the miracles of the electronic age, into a one-man CIA.

The largest of these "security device" manufacturers opened its Manhattan showroom late in 1965. It advertised a unique assortment of gadgetry designed to satisfy all sorts of curiosities, ranging from those of the private investigator to the suspicious husband.

One of the lesser results of this energetic advertising campaign was that I decided to pay the company a visit, determined to satisfy some growing curiosities of my own concerning the extent and nature of the burgeoning private spy business.

When, upon entering the showroom, I informed a salesman that it was "security devices" that I sought, I was whisked past the conventional displays of television sets, stereos, telephones and other electronic equipment, through a chained-off stairway, to the "security office" on the second floor. This proved to be a small room with folding chair, felt-covered tables and "bugged" telephones. Here, I was informed, one's exact needs are determined and the appropriate devices demonstrated.

The manager, a small man with a dark complexion and a well-rehearsed manner, introduced himself and motioned me to a chair.

I explained that the advertising slogan "To Satisfy The Spy In You" had piqued my interest and that I hoped he might be able to show me some of his extraordinary wares.

"Extraordinary" was probably not the best word to express my feelings about the eight hundred different electronic contraptions listed in the catalogue, but it brought a sigh of acceptance from the manager and then a completely candid demonstration.

The first device was an electronic stethoscope that sells for less than eighty dollars. It was originally invented for a doctor who was losing his hearing, but now it is produced for surveillance and detection work. It picks up sounds and voices through thick walls with complete accuracy and can record them by simply being plugged into a tape recorder.

The days when a curious individual had to rely on the inaccuracy of a drinking glass pressed against the wall to discover his neighbors' secrets are, it would seem, gone forever. Now he can unzip his "genuine black medical carrying case lined with plush crush-resistant velvet," and not miss the lowest whisper.

The stethoscope comes with optional accessories. For an additional $79.50 one may purchase a voice- and sound-activated AC-DC tape recorder; and for another $12.50, there is the Fetal Heart-Beat Microphone, which, it is expected, will make fact out of the theory that the sex of an unborn child can be determined by the difference in the heart beat of the male and female fetus.

The stethoscope is, in fact, being extensively tested at New York's Mount Sinai Hospital, but the first application listed by its manufacturer is for *detection*.

Equally fascinating was the postage stamp transmitter called the "007" by its imaginative inventor. Hardly larger than a coin, this device has a range of approximately 200 feet, and will broadcast to any good FM radio for monitoring or recording. An "007" was selected by a burlesque queen whose costume made concealment a particularly difficult problem.

If one's needs are for distances greater than 200 feet, the company also carries the "008," a larger brother of the "007." The "008" is the size of a package of cigarettes and will transmit up to an approximate range of 1,000 feet. A special shoulder holster is available to help conceal it.

While the manager was reaching enthusiastically for the next device, I asked him what sort of people bought his product.

"About sixty percent of our items are sold to enforcement agencies," he said.

"And the other forty percent?"

"Private individuals."

I asked if he was aware of the uses the devices were put to by these individuals.

"That's the hardest part," he admitted. His first task was always to determine exactly what purpose the customer intended for the equipment. "It's not that I'm interested in what they're doing, but unless I know the specifics I'm not sure they're getting the proper device."

I asked if the potential uses to which his devices might be put ever worried him, and was given a comparison. His conscience was no more affected than, say, a car salesman who sold a car to a man he knew was a drunkard and would probably end up killing someone.

While I thought about this, he reached for the next device, a miniature microphone no bigger than a tie tack. This microphone, which broadcasts to a monitoring system, could be concealed anywhere in a room and, best of all, if it were found, there would be no wires to be traced, no way of discovering who had "bugged" the room.

This model, he explained, had been installed in one of Miami's top hotels. The management was having difficulty with tenants who charged extravagant bills to their rooms and then skipped out without paying. "Bugging" allowed the hotel to tune into any room and monitor conversations that might aid in assessing the client's financial stability.

A public relations man, who had joined us, cheerfully added the story of a motel owner, who had installed one of the company's lamps in each of his units to prevent theft.

The innocent-looking lamp which had been shedding light on my note pad now demanded my attention. This "silent sentry" harbored a subminiature microphone which was undetectable and could monitor the slightest whisper and transmit it to a private receiving station. It cost $150, and, for the fastidious decorator, may be obtained in any style or color. It needs no batteries, tubes or visible antennae. As its advertisement proclaims, "It makes an unusual gift."

If one is not in the market for a lamp, the same equipment can be incorporated into a radio or picture frame. The possibilities are limitless. One need only specify the size.

Edging slightly away from the lamp, I asked which of the many devices was the most popular. Both men answered in chorus: "The attaché."

An attractive black attaché case, which looked, from the outside, exactly like thousands one has seen in the firm grips of hurrying businessmen, was opened to reveal a complete voice-activated tape recorder. The recorder has a self-contained lid and is built into the center of the case with thick polyfoam insulation for safety and silence. A miniaturized microphone is concealed behind the case's handle, and the operating switches are part of the latches. Each track of the tape is worth six hours of stolen conversation.

"The attaché is popular with insurance investigators, salesmen, writers and the like," the manager noted.

The attaché itself need not be taken into an office if one also owns the "007" or "008." It can be left in the trunk of one's car and the "007" will transmit all conversation to it.

Ever the worrier, I proposed a theoretical problem: "Won't the case become so well-known after a while that it will be recognized?"

"It needn't be. We can build the unit into any good case as long as the dimensions correspond to the size of the recorder."

"What about your female clients? There aren't many women who carry attachés."

"But they carry purses,'" the manager replied darkly.

The attaché's price varies depending on the model tape recorder inside and the accessories chosen. The cheapest costs $219.50; the deluxe sells for approximately $615.

Of course, there is an unending variety of optional extras, including the Fountain Pen Mike for $24.95, or the telephone-line-powered tape transmitter with no batteries and a two-block range, for $129. (For an additional twenty dollars one may purchase this latter accessory in subminiature for *secrecy*.)

If "security devices" had been manufactured for the general public a few years ago, Arthur Miller's Willy Loman might not have had to die a has-been. And, in fact, modern salesmen are rapidly adjusting to the electronic age. A men's clothing store in New York has strategically placed its cuff link display near the suit racks. One stubborn little cuff link box does not open for inspection. A miniature microphone that transmits to a receiving station in the back room has been sealed inside. A salesman, after showing several suits to a customer without a sale, excuses himself, leaves the husband and wife alone, and rushes to the monitor, on which he listens to their comments. He may find that they object to the style or color of the suits he has shown, or, more likely, to their price range, which is an unmentionable embarrassment. The mystery solved through the miracle of electronics, the salesman hurries back onto the floor and, like a clairvoyant, produces a suit that exactly meets their needs.

The same technique is being applied to automobile, house and apartment hunters. That private room in which the prospects are thoughtfully left alone to discuss the pros and cons of a possible purchase may not be so private after all. The innocent-looking desk set, the lamp, a miniature microphone stuck beneath the desk—any of these devices could be transmitting a private conversation to the salesman who will later propose a solution that overcomes all objections.

"That's about it," the manager said, many demonstrations later. "Except, of course, for these two items . . . the only two items in the store that I can't demonstrate."

He pointed to a metal-tipped stick and an aerosol can.

The stick, he explained, was called the "security shock rod." It is lightweight, compact enough to be carried in an overcoat pocket or purse, and operates on standard flashlight batteries. One touch of the stick delivers enough of an electrical shock to disable temporarily any would-be mugger or intruder.

The aerosol can contains tear gas. It gives the user from eighty to a hundred shots of perfect deterrent.

Both sell for less than ten dollars.

"The shock rod was used a lot in the race riots," the manager said.

"How many stores do you have at the present time?" I asked.

"Six. All in major cities across the country."

"Since your business seems so good (over one million dollars in security sales prior to 1965), have you any plans for new stores?"

The next "big" plan for the company, he told me, was for a store in Washington, D.C. "We expect a lot from our Washington store."

There is also a franchise plan. Men who own small out-of-the-way businesses will be brought to the Manhattan showroom for training. After they have been instructed in the use of the equipment, they will be able to sell the security devices in gas stations, hardware stores or country trading posts. "We'll retain control of these devices here, of course.

"But our next really big plans for the future are for anti-snooping devices. It's not perfected yet, but we're working on it."

I was shown a statement which announced that an "anti-snooping" apparatus would thoroughly protect anyone afraid of having their privacy invaded.

A few of these devices are already on the market. The Detecto F202, which sells for $200, can be used to locate any transmitter hidden on the premises or concealed on an individual. The Detecto F201, a $250-device, gives off a flashing warning light if it detects the presence of a transmitter.

The most unusual of the anti-bugging gadgets is the Pen Scrambler. Deceptively concealed in a regular pen case, The Scrambler will jam the reception of *any* transmitted signal. Unfortunately, this also includes the reception of all neighboring radios and TV sets.

Stifling an urge to make out a check for an anti-snooping gadget, I bade farewell to the "security office," and went out to face the lesser problem of hailing a noon-hour taxi. During the ride up Park Avenue, I looked at the thousands of hurrying people and tried to imagine a race of the future in which every man, woman and child was equipped with both "bugging" and "anti-bugging" devices.

Out of curiosity, I asked my cab driver if he had heard anything of the "bugging" craze.

He took time away from his horn long enough to examine me in his rear view mirror: "You mean like on *The Man From U.N.C.L.E.?*"

"That's right."

"Ah, that's strictly somethin' for the television," he said.

One week after the above interview, the FCC announced its intention to make the secret transmittal of conversations illegal. Thinking that the future of privacy invasion might have been brought to an unexpected end, I called the "bugging" manufacturer to get his reaction.

"It (the ruling) has been one of the greatest things ever happen to us. The store

is doing a land-office business. Not so much for "bugging" devices, but for the anti-bugging machines. I guess the ruling made them aware of how easily their privacy could be invaded."

"And what about the bugging gadgets? Does this mean the end of them?"

"We don't think so. Demonstration is not illegal because the client is aware that his voice is being transmitted. Neither is the sale illegal. Certain items, like the attaché, will be illegal to use with a transmitter, but that doesn't affect its use when carried directly into a room for recording purposes."

"What about the fine for someone caught transmitting conversations without all parties being aware? Wouldn't that be a deterrent?"

"What effect will a five-hundred-dollar fine have on someone who is determined to use them? It seems to me it would be like a parking ticket. No one wants to get one, but they go right on parking illegally."

WATER POLLUTION CONTROL—AN AMERICAN MUST

Mr. MUSKIE. Mr. President, the 39th annual conference of the Water Pollution Control Federation was held in Kansas City, Mo., on September 27, 1966. Frank C. DiLuzio, Assistant Secretary of the Interior for Water Pollution Control, addressed the conference in a speech entitled "Water Pollution Control—An American Must." In his speech, Mr. DiLuzio outlines the 14-point statement of policy adopted by the Federation. I ask unanimous consent that the speech be included in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

WATER POLLUTION CONTROL—AN AMERICAN MUST [1]

(By Frank C. DiLuzio, Assistant Secretary of the Interior for Water Pollution Control, Washington, D.C.)

One of the greats of the entertainment world has been entertaining himself and the world for years with the delightful spoof that he is always just 39 years old.

There, at first glance, any similarity between Jack Benny and the Water Pollution Control Federation would seem to begin and end.

This coincidence of age is not, however, without some relevancy to what I want to discuss with you today at this, your 39th Annual Conference.

Before you meet again, Jack Benny hopefully will have celebrated another of his unnumbered 39th birthdays. But this Federation will be 40, and with the passage of one more year the problems with which you deal will have become still more complex, still more urgent, still more crucial to the future progress and well-being of the Nation.

What I am leading up to in this round about way is that while the Water Pollution Control Federation has been advancing professionally it has managed to give the impression that philosophically it has not been keeping up with either its professional growth or the increasing magnitude of its mission.

I will not go so far to say that philosophically you are still driving the old Maxwell. But I will contend—and with specific documentation—that philosophically the model you are driving is at least ready for the used car lot if not for the junkheap.

Professionally, the Federation and its distinguished members have been and are on the move. You deal from day to day with the hard realities of the water pollution problem in this country. Professionally, you know—and I know—that this problem cannot be wished away, that the hard facts of water pollution must be matched with the hard facts of science and engineering.

Water pollution control, however, is more than science and technology. It is—or should be—more than the sum of its parts. To be successful, both the policy and practice of water pollution control must be woven into the total fabric of our national life. It must become an integral part of the political, economic, and cultural affairs of the Nation.

Viewed in that light, the Water Pollution Control Federation has a role and a responsibility over and above its role and responsibility in the fields of science and technology. In short, it has a large philosophical role to play in our society.

Unless that larger role is fully appreciated, acknowledged, and enunciated, the very scientific and technological achievements of the Federation and its members will remain forever limited. And the total water pollution control effort itself will remain forever limited.

With the deepest respect for the Federation and its members, I suggest that in your efforts to deal with the day-to-day scientific and engineering problems of water pollution control you have underestimated your philosophical role in this vast and complex field.

The membership of this great organization comprise authorities on every aspect of water pollution control. But you are something more. You are the moulders of public opinion in this field. What you say can or cannot be done, what you say should or should not be done, will have an important bearing on the total outcome of this effort. What you do *not* say can be equally significant.

Water pollution control is no longer an academic matter. Thanks to persistent and imaginative Congressional leadership and in recent years to increasing Presidential leadership water pollution control has emerged as a matter of major national policy in this country.

It has become a matter of major national policy because in point of cold hard fact, for the country as a whole the war on water pollution is not going well.

There is prima facie evidence all around us that far more must be done than is now being done to safeguard the country's vital water resources and to reclaim those waters that have already been made useless by pollution.

New York City, with the greatest river of the east flowing by its doors, has found it necessary repeatedly to ration its water.

Lake Erie, one of the major fresh water resources of the world, is dying, and others of the Great Lakes are in serious jeopardy. While we meet here today, wastes by the hundreds of millions of gallons are pouring into those lakes.

Pollution has seriously damaged all or nearly all of our great ocean bays and is slowly strangling the shellfish industry.

Pollution is causing wholesale destruction of fish and wildlife. It is ruining property. It is restricting necessary as well as desirable water uses.

The list could be strung out almost indefinitely. These few examples of overwhelming prima facie evidence should be enough to convince the most scientifically minded among us that water pollution has become a serious drag on our national progress.

Now let me superimpose over this bleak picture Point 1 of the Statement of Policy on Water Pollution Control in the United States which was revised by the Board of Control of the Water Pollution Control Federation only last October 14.

Point 1 reads as follows: "The discharge of pollutional wastes into the waters of the Nation should be controlled."

I beg of you, as experts, as opinion molders, and as citizens to ask yourselves whether this key statement adequately reflects the urgency and importance of the situation that we are dealing with. I urge you to consider whether these words do justice either to your own position or to the national interest.

For this distinguished organization to say blandly at this late date that water pollution in the United States "should be controlled" is, I submit, selling yourselves short and selling the Nation short. By any reasonable standard, the word must be "must."

It is not enough to say that millions of fish "should" not be killed every year by pollution. We must not allow this to continue.

It is not enough to say that the Great Lakes "should" not be killed by pollution. Those lakes, if they are nothing more, are the lifeblood of the industrial heartland of America. Those priceless resources must not be destroyed.

From every standpoint, the Great Lakes represent the Number One pollution control priority in this Nation today. Name another pollution problem as urgent. Name another with as many billions of dollars at stake. Name another involving the well-being of so many millions of Americans.

Whatever it takes, pollution of Lake Erie, Lake Ontario, Lake Michigan and all other resources of fresh water in this country must be controlled.

I will go further. I will predict that the time is not far off when even a statement that water pollution in America "must be controlled" will prove to be inadequate and that a different word or combination of words will be substituted for the word "controlled".

Now I know that at this point in the history of water pollution control no responsible authority could, in any conscience, declare that water pollution must be eliminated.

But I can tell you this: Unless I am grossly misreading all the signs, we are a lot closer to the concept of eliminating pollution in this country, as against merely controlling it, than many of us may realize today.

The fact that the pollution caused by municipal wastes is continuing today, in some cases without even a semblance of control, could be entirely eliminated on the basis of the knowledge we now have seems to be one of the country's best kept secrets. But the facts about pollution and the means available to control it aren't going to be kept secret from the American People forever. One of the greatest challenges we still face is the effective control of industrial and agricultural wastes. While the technology to control these difficult contaminants is at hand, great efforts are still required to perfect this technology with regard to process economics. Costs must be reduced so that it is available for use and reuse.

Moreover, the state-of-the-art of water pollution control is going to come out of the cocoon stage very shortly and emerge into the big time. In this age of science and technology, in this age of change in every aspect of our national life, it is ridiculous to assume that we are going to be stuck indefinitely with the old biologic principles of water pollution control. We've learned to walk. It's time we started trying our legs at a faster pace. Who knows, we might find that we can actually run. I could go on, but enough about Point 1. There are 14 points in all, and I have some observations about quite a few of them.

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[1] Presented at the 39th Annual Conference of the Water Pollution Control Federation, Kansas City, Missouri, September 27, 1966.

Take Point 2 of the Policy Statement. "Decisions on the type and degree of treatment and control of wastes, and the disposal and use of adequately treated wastewaters, *must* be based on thorough consideration of *all* the technical and related factors in each portion of each drainage basin." (The emphasis on the words "must" and "all" is mine.)

If this statement is to be taken at its face value, if it is in fact a must that no responsible decisions about water pollution control can be made until all the facts are in for each portion of each drainage basis, God help us.

This might work—might, I say—if we were in a completely static situation. At the pace of change today, this statement, I submit, is a prescription for literally studying America's water resources to death.

It would be dandy if every last fact about water pollution and its effect on our national life could be fed into a computer today. And it would be dandy if the data, once collected, would stand still for a while.

Engineers, scientists, administrators—all of us would like to know all the facts about the problems we are dealing with. Since we never will know all the facts, we've got to do the best we can with the facts at hand. To a considerable extent we must forgo the satisfaction of dealing with incontrovertible scientific data and be guided simply by prima facie evidence.

I am not suggesting action for action's sake. I am suggesting that we know enough right now to be doing a far better job of water pollution control in this country than we are doing.

I have no particular quarrel with Points 3, 4, 5, or 6, except to say that a little more sense of urgency, a little more specificity would seem to me to be in order. For example, some elaboration of the word "equitable" in Point 5 would help to clarify the whole drive and thrust of the policy statement. In the context, it is not clear to what extent "equitable" is intended to include the public interest. Many industries, many communities question the equitability of having to spend money for water pollution control solely for the benefit, as they see it, of the people down stream.

On the matter of who should administer pollution control programs, which is covered in Point 6, I think we might as well face the fact that this longstanding issue is ultimately going to be decided not on the basis of pious statements but on the basis of who can and, more importantly, who will get the job done. I would like to see it done by the State and interstate agencies, and I devoutly hope that it will be.

Moving on to Point 7, it is my view that this distinguished organization and its members should do more than "give full support to all constructive efforts, public and private, which contribute to the control of water pollution."

The Water Pollution Control Federation is the professional organization in this vital aspect of water resources management in this country. The membership of the Federation includes men of towering stature and distinction in a field of compelling importance to the future progress and well-being of this Nation.

I should like to see the Federation and its members not only support constructive water pollution control efforts but to acknowledge—and assert—positive, far-ranging leadership in this field.

Point 8. Obviously, every effort must be made to safeguard the public health. But health means more than disease prevention.

Certainly the total health and well-being of the Nation involves much more than the prevention of disease. Our society wants—and needs—not only a safe environment, it wants—and needs—an environment which offers opportunities for the good life, an environment not only free of disease but an environment that uplifts the spirit. Water pollution control is rapidly ceasing to be solely a matter of health protection. It is rapidly becoming a matter of major social policy as well. I know that the Federation is aware of this great trend, but that awareness is not reflected in the Policy Statement.

Point 9 is an elaboration on the reference to water reuse in Point 8. The treatment of this subject seems to me to be out of phase with the facts. Water reuse is not some vague objective on some vague and distant horizon. It is here. There are parts of the country in which water reuse is literally a matter of water or no water.

To some extent, the whole country is already dependent on water reuse and will become increasingly so as time goes on. The almost theoretical discussion of this compelling matter in the Policy Statement does not seem to me to do justice to the subject. The ways known today to increase our supplies of fresh water are desalination and complete waste treatment. This is already a fact of life, not some distant goal that in the words of the Policy Statement "might well be" considered.

Point 10 relates back, as I read it, to the reference to health in Point 8. For years, efforts have been made to frighten the public about the hazards of water pollution, with little noticeable effect. This is at once a tribute to the water works engineers of this country and a commentary on human nature. We have cried wolf so often about the perils of pollution, while water that was at least safe continued to flow from the tap, that people who should know better are bored with threats that never seem to materialize. When the taps run dry, that's another matter, but that doesn't happen very often—or hasn't so far.

The fact that there is today widespread and growing interest in water pollution is not, I am convinced, a result of fear but a result of the growing understanding of both the immense costs of pollution and the immense benefits to society that can be achieved through pollution control.

I think that the American people are beginning to realize that there is more to pollution than a health hazard, that water pollution is more costly in the long run than pollution control. I will venture the opinion that such effects of pollution as the wholesale killing of fish and other wildlife, the degradation of once-valuable water front property, and the interference with swimming, fishing, and other recreational activities, to name only a few, have had more to do with the growing interest in water pollution control than all of the horrendous hazards to health that have been compiled in the last 20 years.

Again, it seems to me, that in Point 10 the Policy Statement would be improved by a somewhat broader frame of reference. Perhaps more is intended in the reference to "the hazards of pollution" than I am reading into it. But as worded it does not seem to me to be entirely in phase with the total effects of pollution on our national life.

Point 11 of the Policy Statement, it seems to me, is thrown totally out of focus by one word. This point reads: "Mandatory certification or licensing of better trained and better compensated operating personnel is the best ultimate means of assuring the most effective operation and maintenance of pollution control facilities." The word that gives me trouble, as my emphasis indicates, is "ultimate." I can predict with confidence that those who operate the waste treatment facilities of the future will be both well trained and well paid, for the waste treatment plants of the future will be completely automated. And I'm not talking about the far-distant future either.

The means suggested in Point 11 are without doubt the best immediate means for assuring the most effective operation and maintenance of pollution control facilities. In that sense, I would endorse the point wholeheartedly. Ultimately, adequate training and pay—plus, I daresay, certification—will be dictated by the nature of the work itself.

Point 12 states: "Standards for radiation hazards in water pollution control should be primarily for the protection of the public health."

As with so many of the other points of the Policy Statement, my difficulty with Point 12 is not so much with what it says as with what it does not say. From any realistic standpoint, it seems to me that the statement should at the very least include a specific reference to the protection of fish and wildlife.

Point 13 states: "To the maximum extent practicable, the control of toxic and exotic chemicals should be exercised at the source in order to prevent problems in water pollution control."

As a matter of basic policy, it seems to me that control of some of the toxic and exotic chemicals that we are dealing with today must be exercised at the source to the extent possible.

In the final point of the Policy Statement —Number 14—the Federation has zeroed in on one of the most troublesome and complex aspects of the whole water pollution control effort.

I would not change a word or comma of this point.

In conclusion, I hope that I have not been unduly harsh in the things I have said.

I am fully aware of the invaluable work of this Federation and of its distinguished members. I am also aware that actions speak far louder than words. The basic policy statement of a major organization, however, can do much to set the whole tone and direction of its work. Your policy statement, I know, is not intended to read like a prescription for advancing gradually and cautiously toward a limited objective. But the march of events and the tremendous stakes involved make it seem to come out that way.

The whole water pollution control movement in this country—not only research and development in this field but the whole movement—is rapidly emerging from the cocoon phase into a major national effort.

This is reflected in many ways. It is reflected by what amounts to a crescendo of legislative action—with new and stronger legislation yet to come. It is reflected by a barrage of Page One stories on water pollution all across the country. It is reflected by the fact that administration of the Federal water pollution control program has been lifted out of relative obscurity in the Federal hierarchy and converted into a front-line operating agency of the resource-oriented Department of the Interior.

From every realistic viewpoint, water pollution in this country constitutes a sorry chapter in the history of America.

The story of water pollution control can be one of the brightest chapters in that history. I believe we owe it to ourselves, as professionals and as citizens, to see to it that the story of water pollution control in this Nation is not dimmed or tarnished by lack of imagination, lack of daring, or lack of action.

Above all, the story of water pollution control must not be spoiled by lack of perspective, lack of appreciation of what the destruction of priceless water resources can mean to the American future.

It has been my sole purpose today to be constructive, not carping. I do not believe it is carping to observe that a policy statement on water pollution control that does not contain so much as a passing reference to the recreational values of clean water is out of phase with the realities of the modern world.

In the kind of world that is emerging, yesterday's luxuries have a way of becoming tomorrow's necessities. Recreation is a prime case in point. In an increasingly crowded world, adequate opportunities for recreation will have an increasingly important bearing on the quality and tone and spirit of our total society.

I will not go so far as to suggest that a reference to natural beauty be included in the Federation's Statement of Policy. But such a reference would by no means be out of place. What we are and what we hope to become involves more than material values. Perhaps in the long reach of history, our productive genius will have pushed many of the material values as highly cherished today into a lower order of importance in our total value system. Indeed, for large numbers of Americans, that transformation is already well advanced.

The Government has been criticized on the grounds that we have failed to take full advantage of private engineering, pollution equipment manufacturing, and water management talents that exist and are available to effectively control pollution. A cross-section of the Nation's finest talent in these areas make up a large part of the membership of the Federal Water Pollution Control Federation and many experts in these various fields are present here today.

If we have done so in the past, I want to assure you that we no longer intend to ignore your expertise. We want your ideas, your suggestions, your proposals and assistance. To underscore that this is not just lip service—we intend to begin here and now to work more closely with you. I will arrange for a room here at the hotel where Commissioner Quigley and members of the Federal Water Pollution Control Administration staff will be available to discuss any facet of water pollution control you may wish to bring to our attention. Those of you who are not prepared to meet with us here in Kansas City, we urge you to write us, call us, or visit us in Washington.

We intend to draw to the fullest extent possible on your training and experience because we are dealing with one of the great issues, one of the great challenges in America today. We can—and I submit we must—make this a better land for those now living and a still better land for all the generations to come.

THE ROLE OF THE LAWYER IN HELPING UNDERDEVELOPED COUNTRIES

Mr. HARTKE. Mr. President, I have just read the address by Thomas L. Farmer, General Counsel of the Agency for International Development, before the council of the Section of International and Comparative Law of the American Bar Association which met in Montreal, Canada, last August. I ask unanimous consent to have the text of this address printed in the RECORD at the conclusion of my remarks.

Mr. Farmer focuses on what lawyers can do to assist economic growth in developing countries. He points to the need for a lawyer's skills to surmount the legal blocks found frequently in developing countries to such useful economic tools as bank credit. In addition, there is a need for lawyers to help create, draft and guide legislative programs for social welfare, tax systems, and the like. Mr. Farmer observes that American lawyers can do much to help their colleagues in developing countries cope with the legal aspects of economic development and he urges our law schools to educate lawyers for a broader role in society. I think that there is much merit in Mr. Farmer's address and I commend it to the attention of my colleagues.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THOMAS L. FARMER, GENERAL COUNSEL, AGENCY FOR INTERNATIONAL DEVELOPMENT, DEPARTMENT OF STATE, BEFORE THE COUNCIL OF THE SECTION OF INTERNATIONAL AND COMPARATIVE LAW, AMERICAN BAR ASSOCIATION, MONTREAL, CANADA, AUGUST 7, 1966

Dr. Re, members of the council: I am indeed grateful for your invitation to discuss a line of activity which has not until very recently received much attention at the higher levels of the Federal government. Only in the past two years have we in Washington begun to grapple seriously with the problem of assisting developing countries in creating the legal framework and institutions which will help provide some measure of stability while simultaneously facilitating necessary social and economic change.

In approaching this problem we have encountered staggering technical problems and frankly, we are perplexed as to how to proceed. You can readily see, therefore, why I am so grateful to Dr. Re for the opportunity to consult with this group which I know has been considering this problem for some time and has in fact sponsored some very considerable efforts in this area.

At this point it seems fair to ask why a country which is presently engaged in large scale combat operations on the other side of the globe should simultaneously devote its energy and financial resources to an effort such as the one we are discussing here today. The best answer I have heard was given right here in Montreal less than three months ago by the Secretary of Defense. He put the case so eloquently that I want to repeat Secretary McNamara's remarks at some length:

"The irreducible fact remains that our security is related directly to the security of the newly developing world.

"And our role must be precisely this: to help provide security to those developing nations which genuinely need and request our help, and which demonstrably are willing and able to help themselves.

"The rub comes in this: we do not always grasp the meaning of the word security in this context.

"In a modernizing society, security means development.

"Security is not military hardware—though it may include it. Security is not military force—though it may involve it. Security is not traditionally military activity—though it may encompass it.

"Security is development.

"Without development, there can be no security.

"Development means economic, social, and political progress, it means a reasonable standard of living—and the word 'reasonable' in an earlier stage of development will become 'unreasonable' in a later stage.

"As development progresses, security progresses; and when the people of a nation have organized their own human and natural resources to provide themselves with what they need and expect out of life—and have learned to compromise peacefully among competing demands in the larger national interest—then, their resistance to disorder and violence will be enormously increased."

This view that our security is bound up with the future of the developing nations has also been accepted by the Congress which for many years has appropriated large sums for food and development aid.

The foreign assistance program, however, is frequently thought of as concerned solely with the transfer of capital resources from the industrialized countries to the developing countries. Obviously, the process of development or modernization is much more complicated. It requires not only technological advance but also institutional advance. Although we have furnished technical assistance of various kinds for many years, the House of Representatives this year has added a new Title to the Foreign Assistance Act which urged A.I.D. to place emphasis "on assuring maximum participation in the task of economic development on the part of the people of the developing countries, through the encouragement of democratic private and local governmental institutions." This expression of Congressional policy is a welcome sign of support for the view that our program of assistance be conceived of along very broad lines. This broad view of U.S. development assistance clearly includes cooperative efforts to strengthen the legal framework required to permit the orderly change which we call development.

In considering this interaction between the lawyer's skill and economic growth, I note that many obstacles to the mobilization of capital in developing countries are in areas which Americans consider the lawyer's traditional preserve. Let me cite some examples:

First, legal requirements for collateral on loans in many less developed countries prevent banks from extending general lines of credit so common in advanced countries. In some areas, there are frequently legal blocks to useful economic tools such as the cooperative bank or credit union, the organized stock exchange, the leasing of capital assets or the conditional sale. Such examples can be proliferated.

In addition, there is the need for the lawyer's hand in creating, drafting and guiding legislative programs for social welfare, improving tax systems, providing inducements to greater agricultural efforts, etc. The lawyer is needed to guide the necessary institutions as well as to help provide general leadership in any drive to make the government more responsive to the needs of the governed. Finally, the lawyer in private practice must be prepared to be of greater help to his clients who must operate in an increasingly complex business community.

Despite the clearly demonstrable need for the skills of creative lawyers, there is little doubt that economists, engineers, agronomists, public administrators and a variety of other specialists have played a far more prominent role than lawyers as architects of development in Asia, Africa, and Latin America.

The role of the lawyer in most developing countries is on the whole a very narrow one indeed. Both in government and private work, the lawyer is usually considered a technician and generally appears prepared to accept restriction to a technician's role. The government lawyer rarely participates in the policy making process and frequently even cedes the task of legislative drafting to government administrators. The private lawyer rarely acts as a general business advisor and generally does not participate significantly in negotiation on behalf of his client.

There is no shortage of law school graduates or practicing lawyers in these countries. On the contrary, there are in most of the less developed areas many more lawyers than could be usefully employed even under the best of conditions. Why then do attorneys in the developing world play such a minor role in what is unquestionably the central focus of popular concern in their countries?

The explanation seems to lie first of all in the nature of their legal education—a system generally based on foreign models more responsive to conditions in Europe than to the distinctive needs of the developing societies. But even more important is the lawyers' preoccupation with formal rules rather than with creative problem-solving—whether the problems are those of a government trying to implement a new development program or those of private clients (local or foreign), trying to conduct business in a society experiencing the many stresses and strains besetting the developing countries. In general, then, we find a legal system inadequate to the task at hand and a legal profession not equipped to make the necessary improvements.

Is this a situation in which the American bar could and should help? I believe the answer must be an emphatic "yes." There must be, however, one more overriding consideration—namely that American legal assistance is wanted, indeed eagerly sought. I have discussed this question with many foreign lawyers, law teachers, foundation executives and others. As a result, I know of many specific instances in which foreign lawyers would welcome the cooperation of their American colleagues in helping them cope with the legal aspects of economic development.

Assuming a widespread willingness in the developing countries to accept participation by American lawyers, what have we to offer from our experience that would be relevant in the underdeveloped world? Clearly the substantive rules of American law are not readily translatable to a foreign context.

Our major contribution, it seems to me, could be in explaining our approach to legal problems and the broader role of the lawyer which grows out of that approach. What I have in mind is the lawyer who, rather than merely "looking up the law," attempts to use the law imaginatively, as a tool, considering his client's problem and its broadest ramifications, and attempting to find a useful solution for his client in that context.

The American lawyer has often been described as an engineer of social change. Whenever in our history there has been dramatic and rapid change—the Revolutionary and post-Revolutionary period, the time of the vast expansion of business following the Civil War, the early days of trust-busting, the New Deal, the Civil Rights movement—lawyers have been active participants in their capacity as lawyers. As a consequence, both the society and the legal profession have benefited: American society has been able to undergo extensive change without undue violence, and the lawyer has been granted a preeminence unknown in most other countries.

A number of efforts of different kinds have been undertaken by various American groups to assist in the development of legal institutions. I would like to mention here one which, I believe, has a particularly good chance of making a significant impact. The reason I am so hopeful about this particular project is that it very clearly plans to utilize the special qualities of the American lawyer. This effort, which is about to get underway in Brazil, was largely initiated by a young A.I.D. lawyer stationed in Rio, but will be implemented by Brazilian lawyers assisted by an American law school and an American foundation. Let me describe it briefly.

Brazil during the past year or two has entered a period of extensive legislative experimentation relating to the economic structure of that vast country. There is, however, a glaring lack of legal talent equipped to participate in the planning of the complicated legal and economic structure that is emerging, or to counsel both private and public groups which must learn to live within the new system. This project is designed to meet that need by stressing the role of the lawyer as a generalist and a social architect.

A group of leading members of the Rio Bar have organized a "Center for Studies and Research on Legal Education" as an independent organization within the framework of the law faculty of Guanabara State University. The faculty will be drawn from the Bar generally and from other law faculties in Brazil, and most importantly also from the economists, political scientists and government officials engaged in economic planning. A visiting professor of law from Harvard will be in residence for a full year.

The students will be full-time students; they will number about 30 during the first session which will last from March to December 1967. Most significantly, all students will be law graduates with substantial experience in private practice or government service.

A number of Brazilian faculty members will spend a two-week period at the Harvard Law School observing the unique American method of teaching law and are now, together with two American law professors, preparing the curriculum for the Center. The general plan is to devote the first two months to courses in economics specially designed for lawyers, including accounting and problems of inflation and fiscal policy which are at the heart of many of Brazil's current difficulties.

The courses offered by the Center will examine the capital markets, public and private credit mechanisms, tax policies, forms of governmental regulation of the economy and alternative business forms available to realize various investment or trade purposes.

Most important of all, the Center will depart from the usual Brazilian system in which different subjects are taught in a carefully compartmentalized fashion. Instead, the Center will attempt to integrate in each of its courses both the legal and economic aspects of a problem, as well as relevant legal principles drawn from different fields of law. For example, the Center might give detailed attention to the problems which would be encountered by a Brazilian firm seeking to build a new productive facility. Within this framework, the class would examine opportunities for raising capital from Brazilian governmental or private sources; availability of capital from foreign sources, including governmental or international lending agencies; examination of existing security devices, which under Brazilian law might give concern to potential investors; various techniques for sharing corporate control; relevant economic priorities established by the Brazilian government; and consideration of the various administrative processes through which governmental approvals are obtained.

Our hopes are high that such a coordinated course of study repeated over a number of years will have a significant impact upon Brazilian development. But time is short and this is only one small effort in one country. Although a few similar projects are also getting under way elsewhere—the burden of my message is that we must do much more and we must do it quickly. We have requests for assistance from foreign law schools, foreign Ministers of Justice, members of the Bar and others—not only in Latin America but also in the Far East, South Asia and Africa. Considerable government and foundation funds are available for this kind of effort.

Given the recognized need and the financial resources available, there is one principal barrier blocking the way to action in this area: There does not appear to be a significant number of American lawyers with the necessary knowledge of foreign law and foreign economic problems. Furthermore, our own law schools are not producing lawyers suited for this task. Our law schools generally focus their attention upon training men and women for practice in the U.S. To the extent that foreign or comparative law is taught, it is generally divorced from development economics or any other kind of economics. Few law school courses are open to non-law students, and generally law students are not encouraged to take courses outside of the law school. There are, of course, notable exceptions but they are all too few.

This, then appears to me to be a major problem. Yet, for the reasons I have described, I believe this situation is one which must be of serious concern both to the government and the organized American Bar. Lack of trained manpower and the [creative and] technical problems involved in setting up these programs must be met and overcome.

I have, therefore, come here today to ask your assistance and counsel in finding ways in which we can be of greater help to foreign lawyers and foreign countries in developing their legal institutions. How can we most effectively utilize the resources at our disposal to make the maximum impact in the minimum time in this area in which lawyers are peculiarly equipped to act?

I hope that this council will see its way clear to appoint a group which could work with A.I.D. in considering measures we could take jointly to the end that this country could make a significant contribution in this effort which I believe to be vital to the security of our friends and ourselves.

COMMUNICATIONS IMPROVED

Mr. BARTLETT. Mr. President, communication is probably one of the most difficult problems Alaska has. We have few roads and telephones and telephone systems are prohibitively expensive for certain areas of the State.

Gradually, however, the problem of communication is being overcome. A great deal of credit has to go to individuals and groups who, with traditional American ingenuity, are working to solve this problem on their own. An outstanding effort is being made by Mrs. Lois "Sandy" Jensen. The story of the important work Mrs. Jensen is doing is contained in an article in QST, the publication of ham radio operators and I ask that at the conclusion of my remarks it be printed in the Record. Mrs. Jensen is a ham radio operator and together with the Association on American Indian Affairs has put together a ham radio operator training course for Alaska natives living in the remote villages of the State. Mrs. Jensen has devoted a great deal of her time, money and efforts to putting across this training program and I know that the support, both financial and moral, of the Association on American Indian Affairs has been vital. Both Mrs. Jensen and the association deserve Alaska's warmest thanks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bush Amateur Radio Training

(By Nancy Lee Dittmann; KL7FCG)

There have been many individuals who have felt the great needs of native and white people alike that live in the Alaskan bush country. One of these is Sandy Jensen—writer, homesteader, ham radio operator, (KL7EWH) a girl having numerous other interests far too many to mention. Since her arrival in Alaska in 1959 she has been involved in many enterprises to help the natives. The most recent, the subject of this story, is a radio training program by correspondence.

She felt that one vital need was a better communication among the various remote settlements. An obvious way to solve this was by amateur radio, but where were the amateur operators to come from? In a town or city it is not so difficult—any would-be amateur can usually find someone who is already licensed and who will take him in hand to provide the necessary training.

But in the Alaskan bush country it would be another problem. There are no next-door neighbors who are amateurs. Any production of new radio amateurs would have to be by mail.

Armed only with the bare knowledge of radio that was required to obtain her ham license, she attempted to get volunteers to write the course, make the code tapes and do anything else that would be helpful.

The first contact was a radio club in Fairbanks. They were interested and expressed a desire to help but mentioned that since everyone was so busy, it would have to be on an individual basis rather than a club project. While disappointed that it could not be undertaken by the club itself, we welcomed individual help. Sandy then wrote a long-time friend, Dr. Henry Forbes of the Association on American Indian Affairs. He had aided her in other projects, and was impressed with this idea and goal. From the very first, he offered not only moral support but numerous personal contributions to help with postage and stationery.

The Alaska Native Rights Association, which had recently become inactive, voted to turn over the remainder of their funds to the cause. A checking account was set up and a committee of volunteers agreed to work on the project.

Dick, KL7DCF, originated the name, Bush Amateur Radio Training—BART for short—to be the title of the project. Letters were typed by Sandy and sent to 19 villages and several individuals. When the replies started coming back, she reported the progress to the club and asked for assistance in typing return letters. Rachel, KL7EUW; Joan, KL7EPG and Clara, KL7ENO stepped forth and offered their help. Cards were then made up inquiring about education, background and radio reception in the villages.

Response was staggering. These people from the bush are starved for contact with other villages and towns, and especially need emergency communications. The majority of villages have neither hospital or doctor and must depend upon a traveling health nurse or an occasional visit by a doctor.

Further announcements about the radio course were sent out to the Bureau of Indian Affairs paper, *Native News*, and over a program called *Mukluk Telegraph*, station KENI, Anchorage, and on *Tundra Topics*, sponsored by Wien Alaska Airlines, on KFAR, Fairbanks.

More answers started coming in and things quickly got out of hand. One look at the cards, indicating the low level of education, that averaged between the fourth and sixth grade, was enough to show this would be a gigantic undertaking. However, it was also surprising that a number were from college graduates, teachers and numerous non-natives living in the bush.

The latter could be sent a regular theory text book and code tapes, but for the most part it would be a great struggle. And it was difficult to find anyone with time to help. Sandy was swamped with mail to be answered, letters and lessons to be sent. And what was worse, there was no help and no lessons written!

During weekdays a full-time job at the University Library kept her busy. Weekends were a constant struggle at her homestead to get wood in for the forthcoming week. In desperation, she decided to write the course herself and try to find someone to check its accuracy before mailing.

Sandy also needed help in getting all the rest of the letters answered and books set up, as many of the prospective students had sent in money for a theory book and tapes. Reluctantly she asked me, her daughter, to help. You might think this should be the first place to go for help but my husband and I are also homesteading with two babies. It was apparent that the only way I could help was at night after my boys were in bed. This meant working by candle and kerosene lamp.

These obstacles proved almost too much for us and if it had not been for plain stubbornness, BART would not have gotten under way. Long hours were needed at first to get things going. Sometimes I spent as much as six hours in a day and Sandy used the weekend daylight hours to get in wood and other chores, and evenings writing the first BART lesson by Coleman lantern.

These lessons were written with the sole purpose of making examples of radio theory that could be understood by the uneducated. A language barrier was another big draw-back. There were plenty of reasons for not attempting a project of this size but the love of ham radio and a desire to help the bush people were the strong forces that kept the project alive.

New students were being registered at the rate of about 5 to 10 a month. By February of 1965 there were 64 active and about the same amount interested but afraid to try. We had at first tried to encourage them to go on, but with all the work of keeping up with the 64, it was apparent the best procedure was to let them wait until the others were on the air and then try a new approach by using them for examples.

Through numerous letters and effort, Dr. Forbes persuaded his group, the Association on American Indian Affairs (AAIA), that the project was worthwhile and that we needed financial help. They sent a substantial contribution, part of which went to buy a used mimeograph. The balance went for postage, mimeo paper and other supplies.

We have tried to be a friendly group and gain the confidence and trust of the students. We let them know our interest is in each one as an individual. A few mimeoed letters have gone out that cover everyone, but nearly every lesson and letter has a personal comment. We sent out Christmas cards, and also get-well cards when we knew of illness.

It was a difficult task, as neither of us had time to type up a list of students. The only records we had were index cards with all the information on them. There was panic whenever a card turned up missing. At first we could recall what went where and who needed what lesson. But soon this became impossible to remember. Jo Ann Kelley, KL7EPG, came to the rescue when I moved to town for a couple of weeks. She typed mailing lists, fixed cards with tiny resistors on them to be mailed to the students and helped us to get reorganized.

Technical advice on the lessons has come from AL Weber, KL7AEQ; Bob Merritt, KL7-DIY; and Jerry Piland, while George Ryan, president of the 49er's Amateur Radio Club at Ft. Wainwright, set up a bookkeeping system for us which has helped immensely. Rod Leap, Jr., KL7GWD, contributed used equipment and components.

Recently, when we desperately needed someone to make code tapes, help came in the form of Claude Wilber, KL7DIA. Within a week he had six lessons on tape that covered the alphabet, numbers, punctuation marks and some of the Q signals. At present he is working on an organizational outline that should take some of the QRM out of the procedure we've been following.

Sig Wien was contacted to determine if he would consider having code follow *Tundra Topics* since we felt that was the time when most of the people would be listening. He was more than willing and also interested in the project. He also offered help by putting news of the course on *Tundra Topics*.

To date, we have 30 students who are current in their lessons. Eight are using the regular theory book and doing very well. Two are studying on their own and making no reports to us except that they are progressing. Our efforts have been crowned with success in two instances so far, as two of our students have received their ham tickets—KL7FMR and KL7FKR. We feel confident there will be at least a dozen more on the air before long if they are able to continue with their lessons.

We heard a remark the other day that operators in the lower 48 think there are no hams in Alaska because they can seldom raise one to yak at. Looks as though there might be a big surprise in store for them next year. Can't you just hear the sputtering when they try to spell some of the QTH's that will be given!

THE HIDE EXPORT CONTROL FIASCO

Mr. McGOVERN. Mr. President, there has been no more obvious fiasco in Government this year than the hide export fiasco staged by the Department of Commerce.

Last March, the Commerce Department put export controls on bovine hides of all kinds. In my opinion, it was in defiance of the clear language in the Export Control Act, which provides that such export limitations may not be imposed for economic reasons in the case of agricultural commodities produced in excess of domestic requirements. The fact that any exports were allowed was proof of itself of production in excess of domestic requirements.

But the limitations were imposed. The explanation of the controls was to keep domestic shoe prices from rising. Nevertheless, shoe prices did rise, as Barron's magazine predicted they would. The magazine contended that the real effect of the controls would be to give domestic shoe producers shelter from foreign competition; that domestic shoe price management would follow, and American footwear buyers instead of benefiting from the action, would find themselves paying higher prices for many years to come. Shoe prices went up, and they are staying there.

They are staying there in spite of the fact that the export control order has depressed the market and seriously impaired our European market for hides, probably for a good many years to come. The European tanners are turning to other more reliable sources for their raw materials in spite of our lower hide prices, which have fallen as much as 35 percent in the past 6 months. They have failed to buy even quota allowances in the second 3 months of the export control period, choosing instead to establish connections with new more reliable sources of supply.

I have obtained copies of Footwear News, the weekly newspaper of the footwear industry and one of the Fairchild business publications, for the first week in July and the last week in September, covering 3 months of the past 6 months.

Heavy steer hides were selling for 20½ to 20¾ cents per pound at the end of June. On September 21 they were down to 15½ to 15¾ cents per pound; off almost exactly one-fourth in 3 months.

Calfskins that brought 60 cents at the end of June were selling for 51½ cents at the end of September.

Kipskins bringing 46 cents at the end of June were down to 39 cents at the end of September.

But have shoe prices come down? Have leathergoods prices declined proportionately?

We heard that leather prices were an important factor in the cost of shoes last spring. If that was true in April and May, why is it not true in October? Why do shoe prices not come down? Has hide cost suddenly become unimportant?

I ask unanimous consent, Mr. President, to put in the RECORD the Chicago hide market reports for July 6 and September 28, as they appeared in Footwear News.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Chicago hide and skin prices as of noon Wednesday, July 6, 1966

	This week	Last week	Year ago
PACKER HIDES			
Heavy native steers	20 -20¼	20½-20¾	14½-14¾N
Light native steers	21	21 -21½	15 -15½
Extra light native steers	22	22 -22½	16 -16½N
Heavy native cows	21 -21¼	22 -22¼	14¾-15B
Light native cows (nor.-Chgo.-Riv.)	20½-21½	21½-22½	14½-16
Light branded steers	20N	20 -20½N	13A
Extra light Texas steers	21N	21 -21½N	14N
Butt branded steers	19 -19¼	19½-19¾	12¾-13¼
Colorado steers	18 -18¼	19 -19¼	11¾-12¼
Branded cows	18½-18¾	19½-19¾	13 -13½
Native bulls	14 -14½T	14 -14½N	9 - 9½N
CALFSKIN			
Pkr. Nor. light (under 9½ pounds)	60T	60T	50
Pkr. Nor. heavy (9½ to 15 pounds)	57½T	57½T	52½
Pkr. Riv. light (under 9½ pounds)	60N	60N	49
Pkr. Riv. heavy (9½ to 15 pounds)	57½N	57½N	51½

	Northern-Rivers		Southwestern	
	This week	Last week	This week	Last week
KIPSKINS				
Pkr. (15 to 25 pounds)	46T	46T	45T	45A
Pkr. (25 to 30 pounds)	44T	44A	43T	43A

Chicago hide and skin prices as of noon, Wednesday, Sept. 28, 1966

	This week	Last week	Year ago
PACKER HIDES			
Heavy native steers	16 -16¼	15½-15¾	16 -16¼
Light native steers	17½-17¾	18T	17 -17¼A
Extra light native steers	18½-18¾	19N	18 -18¼A
Heavy native cows	15¾-16N	15¾-16N	15¼-15½A
Light native cows (nor.-Chgo.-Riv.)	17 -17¾T	17T	15 -16½
Light branded steers	16½-16¾N	17N	16N
Extra light Texas steers	17½-17¾N	18N	17N
Butt branded steers	14½-14¾	14 -14¼	14½-14¾
Colorado steers	13½-13¾	13 -13¼	13½-13¾
Branded cows	14 -14¼T	13 -13¼	13¾-14A
Native bulls	11½-12	11½-12	9¾-10A
CALFSKINS			
Pkr. Nor. lgt. (under 9½ pounds)	51½T	57½T	57½LT
Pkr. Nor. hvy. (9½ to 15 pounds)	47½T	52½T	57½LT
Pkr. Riv. lgt. (under 9½ pounds)	51½N	57½N	56½N
Pkr. Riv. hvy. (9½ to 15 pounds)	47½N	52½N	56½N

	Northern-Rivers		Southwestern	
	This week	Last week	This week	Last week
KIPSKINS				
Pkr. (15 to 25 pounds)	39T	42½T	38N	41½T
Pkr. (25 to 30 pounds)	37T	40½N	36N	39½N

Mr. McGOVERN. Mr. President, it is hard to understand why this hide export limitation order, which has resulted in our former foreign customers abandoning American suppliers in such great numbers, is not rescinded immediately to give American farmers an opportunity to go to Europe, apologize for the Commerce Department blunder, and attempt to recapture what was once a remunerative market?

It should have been off the books before this.

It should come off the books by tomorrow.

Even if it should come off the books, I urge Senators to retain in the Commerce Department appropriations bill a provision which the House of Representatives has wisely included.

The bill as passed by the House forbids the use of any of the funds appropriated for the purpose of imposing hide export quotas.

It is a congressional directive to end the fiasco.

Such a congressional directive is urgently needed, regardless of any belated action by Commerce to correct its mistake.

The Fairchild Publications Cable Service reported early in September on a survey of foreign hide and leather buyers as to why they had deserted American outlets, that price and redtape in securing American supplies were factors in the shift, but the report added:

> They contend that the export controls imposed by Washington last March strengthened this decision. Now many feel that it's best, so far as long range planning is concerned, to solidify these connections (with alternate sources) rather than return to the American market even with prices down.
>
> The tanners were surveyed in European capitals after it was made known last week that the United States quotas on hide exports went unused in the second control period. . . .

Mr. President, I hope that Congress at this session, by including the House provision in the Commerce appropriations bill to end the limitation during the present fiscal year, and subsequent enactment of S. 2875 to provide a permanent safeguard against hasty, ill-considered limitations on any agricultural exports, will let foreign customers for our farm products know that there will be no more such capricious tampering with their American sources of supply.

We have done a tremendous job of expanding agricultural exports in recent years. Trade has followed aid to Japan, Western Europe, and the developing nations. We were exporting $3.1 billion of agricultural commodities in fiscal year 1955 when the Agricultural Trade Development and Assistance Act was first passed. Our agricultural exports increased to $6.7 billion in fiscal year 1967. The bulk of the increase, from $2.3 billion to $5.1 billion, was in regular commercial transactions.

Nothing can hurt the continuing growth of agricultural exports more than a reputation for unreliability in available supplies. There is, consequently, a need for Congress to let buyers abroad know that this branch of the Government will not allow a repetition of the hide fiasco.

MORE BAD NEWS FOR FARMERS

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from my current newsletter which deal with the agricultural problems of the country.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PARITY DROPS AGAIN

Latest report from the Department of Agriculture gives the official—but distressing—information that the parity level of farm products compared with what the farmer has to buy has dropped again—back down to only 80 percent. This compares with the parity level average of 84½ percent during the Eisenhower Administration—and more significantly—with the 107½ percent of parity farmers were receiving during the Korean War. Of course, World Wars I and II also produced above parity farm prices.

Somebody has said, however, that under Secretary Freeman this is the only war in American history which has brought a "consumer's bonanza" in still being able to supply their wants through receiving what is tantamount to a 20 percent food subsidy paid for by the American farmer and rancher! This is the first war to produce sub-marginal farm prices averaging *below* 80 percent, which is the record for the Vietnam war years.

BAD NEWS FOR LIVESTOCK PRODUCERS

Nearly 75 percent of South Dakota's agricultural income comes from livestock. Thus, our State is always concerned about Federal policies and programs having an impact on the long-term profits coming from the production of cattle, hogs, and sheep. The long look ahead for these products is being clouded by sharply stepped up imports at a time when American producers were hoping to expand their operations to meet the growing needs of a growing American population. To do so, however, we must restrict imports rather than expand them.

Unhappily, the Johnson-Freeman concept of farm programs is designed to hold food prices down rather than to move prices up for farm products.

Realizing (1) that you can't achieve both of the two foregoing objectives at the same time and (2) that "the votes are in the big cities" as they put it here, the Johnson-Freeman farm administration is expanding farm imports as a highly effective method of holding down prices producers receive for livestock and other farm products. There appears to be increasing trouble ahead pricewise for the livestock industry and a quick look at the grain prices on your local market reports tells its own sad and disillusioning story.

In fact, the USA is now importing more beef, veal, pork, cheese, and apparel wool this year than last year despite the waves of protest rolling up from the farm states. Cattle imports recently reached an all-time record of 1,265,000 head . . . previous high was also under this Democratic Administration when it reached 1,032,000, about three years ago, causing Congress to pass tough quota limitations on imports which unhappily the Administration succeeded in "watering down". Now the import competition is even worse! We are even importing pork products from Communist Poland!

Last year total agricultural imports jumped to four billion four hundred million dollars—biggest one-year increase since the Korean War, or in 15 years. It would be exciting to try to figure out what that $4.4 billion would have meant to American agriculture and our American economy if purchased at home, spent at home, and taxed at home instead of being spent overseas to do additional damage to our balance-of-payments problem and our inflationary problems. But imports come cheap—and the consumer has become the darling of the powers that be! Unhappy days are here again!

Mr. MUNDT. Mr. President, reports from the Farm Belt indicate that America's farmers and ranchers are up in arms against the Johnson-Freeman farm policies, programs, and pronouncements. The drumfire of attacks against American agriculture is taking its steady toll as young farm families are giving up the fight and older families struggle along with 80 percent of parity during a war when their boys are being drafted once again to fight on foreign soil.

The net result is that farm youth are being sacrificed along with American boys from every other sector of our economy, but the farm families of America have become the only segment of our economy which the so-called war prosperity has not aided. Instead, farmers are also sacrificing seriously on the economic front as well as the battlefront, since farm products are bringing only 80 percent of parity, whereas in all other wars farmers received 100 percent or more of parity. The difference this time is created by the deliberate, open, documented, and repeated efforts of the Freeman crowd to hold down and to force down the food prices paid by the great consumer classes. So in the Vietnam war, farmers are subsidizing the rest of our economy to the tune of 20 percent of the costs of their food and clothing while joining the rest of America in sacrificing their sons who are called into war. This is the first time our farmers have had to fight a two-front war: one on foreign soil, in defense of the U.S. Navy, and the other, an economic war at home.

So serious has this situation become that just the other day a high ranking Department of Agriculture official, Frank LeRoux, a wheat farmer and rancher from the State of Washington and one of that State's outstanding Democrats, resigned his position as General Sales Manager of the U.S. Department of Agriculture, Foreign Agriculture Services, which he had held from February 1961 to September 1966—just a few days ago—and announced his determination to tell the American farmer exactly what is being done to him by the city intellectuals who have taken over in the Department of Agriculture.

The day before yesterday, the first report to the people by Mr. LeRoux was made available in a graphic, 64-page monograph entitled "The Farmers' Worst 5 Years—1961 Through 1965." The monograph is carefully documented with the Department's own statistics and reports.

Mr. LeRoux has done the massive research necessary to prove that the past 5 years have actually been the worst from the farmers' standpoint and has included tables of comparison with other eras of history and specific comparisons between the farmers' economic relationships with other segments of our economy in each era, together with the precise parity ration involved.

The report is an eye opener. Every county and local farm organization should have one, and farmers who can still afford the $2 price tag on this unusual and epochal publication—the pages measure 14 by 10 inches and the book is printed on expensive paper in two colors with numerous charts and graphs from Department of Agriculture records not usually made available to public eyes—should order a copy direct. It could be the most important and productive $2 they ever spent.

Anyone who desires to procure a copy of "The Farmers' Worst 5 Years" may do so by sending a check for $2 direct to the publisher's address. Make the check payable to "Five Worst Years," mail it to Box PH 1, 1301 South Arlington Ridge, Arlington, Va., and the publication will come to him postpaid.

Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "High-Ranking Agriculture Aid Resigns," published in the Chicago Tribune of October 5, 1966. It is a news report of the press conference which Mr. LeRoux held the day before yesterday in Washington, when he distributed to the press copies of his startling and revealing report entitled "The Farmers' 5 Worst Years."

There being no objection, the article was order to be printed in the Record, as follows:

High Ranking Agriculture Aid Resigns—Charges Sellout of Farmers

(By Russell Freeburg)

Washington, October 4.—A high Democratic appointee in the agriculture department resigned today in rebellion against his own party's farm policies.

He is Frank Le Roux, who since 1961 had been general sales manager of the department's foreign agriculture service. He is a cattle and wheat farmer in the northwest.

Le Roux charged at a press conference that the Democrats, despite sweet words, have written the farmer off politically and are in the process of depressing farm prices for the benefit of consumers.

Le Roux said he had been in department meetings where officials said the farmer doesn't count any more at the polls and the consumer does.

"WORST 5 YEARS"

He charged that 1961 thru 1966 have been "the farmers' worst five years."

"The record shows," Le Roux said, "that the farmer did better under Benson [Ezra Taft Benson, secretary of agriculture in the Eisenhower administration]."

Le Roux said he was tired of the administration's talk of farm prosperity when it is nonexistent. He said he resigned because he felt he could do more good for the farmer outside the department than inside.

"In this administration, a new low becomes a new high," remarked Le Roux.

Le Roux said he has been politically active in farm problems as a Democrat for years. He ran for Congress unsuccessfully in Washington state in 1956 and 1958, and in 1960 was a western leader of Farmers for Kennedy.

HOPED TO BE OF AID

He said he came to Washington in 1961 with the blessing of Sen. Warren Magnuson (D., Wash.) among others, to see what could be done for agriculture. Until now, said Le Roux, he thought Benson had been the worst secretary of agriculture in history.

At his press conference, Le Roux distributed a 64-page brochure of charts and statistics entitled "1961 thru 1965—the Farmers' Worst Five Years." He said he spent $11,000 of his own money on the publication, which he is sending to members of Congress and Democratic party officials across the country.

Le Roux acknowledged that his timing—a month before the elections—was purposeful. But he said his purpose is not to get farmers to vote Republican; instead, he said, it is to get the Democratic party to keep its 1960 campaign promises, including efforts to raise farm income to full parity.

EXPENSES RISE FASTER

The brochure charges Secretary of Agriculture Orville Freeman with a misleading interpretation of government figures in preaching that farmers are well off. The department of agriculture's own statistics show that farm expenses are rising so much faster than farm income that a farmer's income as a percentage of his total sales is falling fast, Le Roux said.

Le Roux charged that by almost every conceivable standard farmers rank last, including the lowest share of the gross national product and the lowest return on gross sales. He cited his own salary as evidence government workers fare better than farmers. He said that when he entered government service his annual salary was $16,530. At the time he resigned he was still in the same civil service grade, but his salary had increased to $25,040.

A few hours after Le Roux's press conference, a spokesman for Freeman attempted to discredit the former official. He called him a disappointed job seeker who campaigned vigorously within the department and on Capitol Hill for promotion, but who "in the judgment of his superiors was not qualified for it."

Mr. MUNDT. Mr. President, for "samplers" of the direct, blunt, but demonstratably authentic facts put together in such sharp comparison, contrast, and compactness by this distinguished Democrat and well recognized, high-ranking Department of Agriculture official until he voluntarily resigned a month ago, let me quote what is set out in boldface print on pages 8 and 9 of his book, "The Farmers' Worst 5 Years." This is what he says on those two pages:

> The facts: 1961 thru 1965:
>
> Instead of the farmer never having it so good; the farmer has never had it so bad!
>
> The record follows: By almost every conceivable standard this has been * * * the worst 5 years for the American farmer of any administrative period regardless of party in modern American Agricultural history; the lowest—
>
> Share of gross national product;
> Return on gross sales;
> Return on total capital investment;
> Share of the consumer dollar;
> Share of the food dollar;
> Level of parity of income;
> Return for farming versus all other major businesses;
> Performance on campaign promises.

Mr. President, most of the rest of Mr. LeRoux's carefully and specifically documented report—using the Government's own figures—is devoted to his proof of the foregoing charges.

Another example of the startling nature of what is contained in "The Worst 5 Years" is found on page 42 in a frank comparison, of the all-important parity levels which mean so much to agriculture which accurately measure the opportunity quotas of our farmers and ranchers, and spell out automatically their prospects for success or failure over the long-term pull.

Under the heading "Parity of Income," a table is set out in the LeRoux presentation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Parity of income in every aspect of American agriculture

Parity average:	*Percent*
Depression years, 1933–40	81
Truman years, 1946–52	107½
Benson years, 1953–60	84½
Freeman years, 1961–65	78

> During the greatest prosperity in the history of man, a record such as this 78 percent of parity could only have been accomplished through intent.

Mr. MUNDT. Mr. President, the foregoing table speaks for itself. It tells its own sad, disillusioning story from the statistical records of the Department of Agriculture, the Department of Commerce, and the Department of Labor. Those are the facts, and it is useless to quarrel with the multiplication table or to argue with arithmetic. What we need are new and better farm programs and a new Secretary of Agriculture, one who will demonstrate a friendliness to the farmer and rancher by his actions rather than his words. His friendly actions under this administration are always designed to help the consumers in the big cities because, as it is said, "That's where the votes are."

However, Mr. President, I am inclined to believe that the results next November 8 will also show that there are votes and voters also on the farms and in the small towns of America. Many of them and most of them who have had access to the facts are "mad all over." They now know that the answer to their basic problems must be written in the polling places of America. They are not going to get the help they need from Attorney Orville Freeman in the Department of Agriculture.

Those who spend $2 and send for and read "The Farmers' Worst 5 Years" are in for some exciting, although disillusioning, reading. But the message is so strong and clear that it may be the very tonic required to get the changes needed.

As one Democratic colleague of mine said yesterday—his name shall remain unpublished—

> I just hope that too many farmers do not get hold of Mr. LeRoux's report or I'll have to quit campaigning in the farm belt altogether. I can just see myself talking to farmers with two or three of them waving before me king sized copies of "The Farmers Worst 5 Years" and daring me to answer the questions it asks. But it may have one good effect—it may keep Freeman, HUMPHREY and LBJ from campaigning in my State since every press conference and every meeting would run the risk of running into farmers or newsmen armed with facts.

So be it, Mr. President, let the facts be circulated. Our farmers need a fair break and let us hope Mr. LeRoux's report may help them get it.

GUNS FOR EVERYBODY

Mr. DODD. Mr. President, I ask unanimous consent to include in the RECORD at this point two articles from recent editions of the Chicago Daily News and the Chicago Sun-Times, both in the form of editorials.

The first, published in the News on September 26, 1966, entitled "Guns for Everybody," discusses the recently published opinion of Columnist Charles Nicodemus on the byplay of the gun control measures now before this Congress, his considered view that these measures will not be adopted, and his reflections on a Congress that fails to act on such urgently needed legislation.

The second, a Sun-Times editorial, dated October 1, 1966, and with the same title, is another chapter in a running account compiled by that newspaper in which guns were used in the commission of violent crimes.

The Sun-Times list of gun murders and gun-crimes committed between September 15, and October 1, 1966, is not complete, but it does adequately illustrate the need for effective laws to keep guns out of the hands of criminals, addicts, delinquents, and others likely to misuse them.

Mr. President, may I say that I do not agree entirely with the views and language in the first editorial—though I support their right to publish it—but I do endorse the latter and commend both to the attention of my colleagues, who I sincerely believe will be called upon in the near future to decide the gun control issue.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Chicago Daily News, Sept. 26, 1966]

GUNS FOR EVERYBODY

Congress, reports our Charles Nicodemus, is on the way to disgracing itself once more by failing to take even the mildest step toward controlling the wide-open traffic of firearms.

Sen. THOMAS DODD (D-Conn.) has been unable to move his strong and sensible measure out of the Judiciary Committee. And the prospect for the tepid measure offered by his colleague, Sen. ROMAN HRUSKA (R-Neb.) is hardly better. DODD got it out of committee by announcing he simply wanted to get some measure onto the Senate floor. If the Senate doesn't kill it, Nicodemus believes the House will.

The Hruska bill would require of buyers of mail order revolvers and pistols an affidavit declaring the purchaser to be over 21, mentally competent, and eligible under local laws to buy the gun. And it would provide, in the case of over-the-counter sales of handguns, a moderate waiting period to check out the buyer.

It is hard to see what any responsible citizen could find objectionable in this measure, restricted as it is to handguns and mild even as to these.

Yet such is the gun lobby's hammerlock on Congress that this measure is expected to die with all the rest. It's quite a lobby that can so consistently substitute its will for that of the people. And quite a body of legislators that will so consistently knuckle under.

[From the Chicago Sun-Times, Oct. 1, 1966]

GUNS FOR EVERYBODY

Since our last report from the guns-for-everybody front, made on Sept. 15, the following incidents have occurred:

Chicago—A vice detective, Daniel J. Quinnan, was mortally wounded by a robber he encountered at a downtown night spot on his beat.

Chicago—Sidney Rubin, 52, a Chicago policeman, was wounded in the abdomen when he encountered a neighbor who had been engaged in a family argument.

Chicago—A 30-year-old Explorer Scout was seriously wounded in the head by one of a gang of young hoodlums who had shouted "mighty Blackstone Rangers."

Chicago—A 26-year-old man was wounded on 66th near Sangamon by a sawed-off shotgun carried by one of six or seven youths whom he encountered on the street.

Atlanta—A 42-year-old white man allegedly fired a pistol-shot that killed a 16-year-old Negro youth and touched off three nights of racial violence in Atlanta.

St. Louis—A 17-year-old boy was accidentally shot to death by a 15-year-old friend practicing a fast-draw routine with his brother's police revolver.

Chicago—A 27-year-old man playfully aimed an "empty" pistol at his 50-year-old friend and pulled the trigger; the friend died later in a hospital.

Gary—A 41-year-old steelworker shot his wife to death with a shotgun and then gravely wounded himself.

New York—A man with a shotgun and a pistol was killed in a duel with police after an hour-long chase in which he fired upon his pursuers three times in the crowded areas of the Bronx and Manhattan.

Scranton, Pa.—State and city police arrested a 24-year-old man on charges of kidnapping his former wife, murdering her father and wounding her brother.

Boston—A Boston Gas Co. employe was critically wounded by a sniper who opened fire on a four-man repair crew.

Princeton, N.J.—A Gallup Poll reported that in a recent survey 68 per cent of those questioned favored a law requiring a police permit for the purchase of a gun, and that 27 per cent favored the complete prohibition of the use of guns by persons younger than 18, and 55 per cent favored restrictions on such use.

Washington—The Senate Judiciary Committee approved a bill to restrict the mail order sale of sidearms, instead of a broader bill sponsored by Sen. THOMAS DODD (D-Conn.). The new bill would not apply to the mail order sale of shotguns and rifles. (Mild as it is, it has little chance of passage—such is the power of the gun lobby.)

All this has happened in two weeks.

FOREIGN MARKETS: GREAT ASSET OF U.S. FARMS

Mr. LONG of Missouri. Mr. President, on October 3, Secretary of Agriculture Orville L. Freeman performed a most pleasant duty in Kansas City, Mo. At a luncheon sponsored by the Kansas City Chamber of Commerce, with cooperation of the Kansas City Board of Trade, Mr. Freeman presented "Billion-Dollar Award" certificates to the representatives of three agricultural industries: Wheat, feed grains, and soybeans.

Under the leadership of Secretary Freeman and the U.S. Department of Agriculture, the overseas exports of these three commodities have expanded tremendously in the past 6 years. In fiscal year 1966, shipments of feed grains, wheat, and soybeans exceeded $1 billion each.

America's farm export story is a great success story. In the past 6 years, agricultural exports have risen 48 percent, to a record $6.7 billion. Sales for dollars rose even more, by 58 percent, to a record $5.1 billion. Last year feed grains were our No. 1 dollar earner among all American exports, including industrial products.

Dollar earnings from shipments of our farm products are benefiting the Nation as a whole by providing strong support for our balance of payments. Ten years ago, the annual deficit in our agricultural trade balance was well over half a billion dollars a year. In 1965–66, we had a favorable balance in agricultural trade of $2.2 billion—of which more than $1 billion was dollar earnings and the remainder was from the Public Law 480 program.

This progress did not just happen. It took a great deal of work and cooperation between the Government and many people and groups in the private sector. On October 2, the Kansas City Star published an editorial on the subject of farm exports and the Department of Agriculture's market development program. The editorial was entitled "Foreign Markets: Great Asset of U.S. Farms."

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOREIGN MARKETS: GREAT ASSET OF U.S. FARMS

Secretary Freeman's meeting here tomorrow to celebrate the huge grain exports of the last marketing year will tend to focus attention—national and local—on the many facets of the expanding segment of our economy.

It would be good for us, therefore, to take a serious look at what a tremendous role our foreign trade is playing in farming and its associated agri-businesses, how we got where we are today, what may be some of the problems of continued expansion in the future and, overall, how we are to grow more internationally minded, so that we will become better international traders.

Two measurements dramatize the full extent of our farm export trade:

The production of one crop acre out of four was exported in the 1965–66 marketing year.

The exports of wheat, feed grains and soybeans each exceeded a total value of more than 1 billion dollars. These crops now are being referred to as members of the exclusive Billion Dollar Export club. It is significant to Kansas City and this trade territory that all three are major crops grown in this area.

A survey by the Board of Trade of 16 exporting firms revealed that in the calendar year of 1964, 75,249,599 bushels of grain were moved out of Kansas City for export. The figure for 1965 was 66,443,658 bushels. The statistics cover all grain but the bulk of it is wheat, with grain sorghums second.

The economic impact of grain export business, however, goes far beyond the total number of bushels shipped abroad. Recollections of the freight car shortages of the last few years suggest the impact upon transportation facilities. The truck grain business has shown a huge gain during these years of the rail car shortages. The increased sales of big farm machinery and fertilizers also are a part of this production for the market overseas. The grain all has been handled in elevators, it has been financed through banks.

In the main, it has been these exports which have reduced the surplus piles. That development has given a big boost to the farm and rural economy.

Exports long ago were seen as the solution to the American "farm problem." But such a solution cannot materialize unless there are buyers for the commodities offered. In the 1920s, when serious efforts first were made toward farm income-supporting legislation, the proposal then favored was the McNary-Haugen bill. That plan would have established an American price for commodities consumed in this country while any surplus would have been disposed of overseas. Called '"dumping" by some, this principle never has become entirely acceptable. However, as is well known, the U.S. has given huge quantities of farm products to needy nations in recent years.

Our farm exports were rather small in the 1920s and even of less significance in the 1930s. The big exports of recent years result from a host of efforts and circumstances. They are not exclusively the product of the Kennedy and Johnson administrations alone, or even of an era that includes the Eisenhower period. Some of the seeds were sown back when Harry Truman was President.

We need to recognize this fact in order to comprehend that it has been a cumulative process—the consequence of many actions within the United States and in other countries as well. Certain parts of the broad picture, however, stand out glowingly:

The U.S. farmer has demonstrated that he has no peer in production per man. Our huge exports obviously are possible because the agricultural plant in this country, involving a small percentage of the population, is able to produce abundantly for the people of the United States and yet leave substantial supplies for the rest of the world. No matter what other challenges are made as to the abilities of America in any field, no one suggests we can be surpassed in total farm production.

With our surpluses gone (but with no shortages), there could be an inclination to say we have reached the end of the line. This overlooks the fact that this year farmers diverted 61½ million acres from crop production under government programs. Nor does it take into account the gradual increase in output per acre and per man. One man on the farm, on the average, in 1950 supplied food and fiber for 15 persons; today the figure is 37. Progress hasn't stopped yet. Imagine how much land would of necessity be idled if we did not have the big export market.

World prosperity and in particular prosperity in the industrial nations has been a big factor in farm exports.

The Public Law 480 program not only has been directly responsible for major export business, including the "give-aways" in wheat, but has contributed to the development of dollar trade that is extremely important today. The trade with Japan is an outstanding example.

Market development—just plain salesmanship—has been a great catalyst of exports.

U.S. policy has contributed to the prosperity in Japan and Europe. Our aid to these nations after World War II now is a well-known and shining chapter in history. One of General MacArthur's first actions after the occupation of Japan was to request U.S. wheat to feed a hungry people. Huge quantities of food were shipped to the war-torn nations of Europe as soon as hostilities ceased. Then came the Marshall plan. All of this contributed appreciably to the rehabilitation and eventual prosperity of these nations.

Public Law 480 was enacted in 1954. It made farm commodities available to needy nations in return for their currencies. The immediate purpose of the 480 program was the disposal of troublesome surpluses, or, to put it another way, to make good use of these surpluses. An important provision of the program was that part of the soft currencies received could be used for market development overseas.

With these funds the Department of Agriculture went into partnership with various commodity groups in the United States to promote our farm products. This has developed into a tremendous program. It was given an ambitious start in the Eisenhower administration and has been carried on aggressively by the present administration. Some of these commodity groups will be honored by Secretary Freeman tomorrow.

It would take chapter after chapter to tell everything about the commodity promotion efforts. People of rice-eating nations, for example, were convinced through the introduction of new dishes, through cooking lessons and through other devices that wheat was a good food. They were persuaded that a red or brown wheat could be as tasty as a white rice. In this country, where wheat is consumed almost entirely as bread made with flour, it is difficult to understand the meaning of the resultant change in diet habits.

In Japan, a nation extremely short on protein feeds for livestock, the U.S. promoted the idea of using soybean meal as a supplement to grain to make a much more efficient ration for livestock and poultry. Japanese research workers, financed by P. L. 480 funds, came up with new uses for soybeans as human food—a soy sauce and soybean grits are examples.

In Spain and other Mediterranean countries soybean oil was at first resisted as a substitute for olive oil. It took salesmanship in many forms to convince them there was little difference. In fact, part of the program was to stage carefully controlled taste tests in which the people were asked to say which was which. Some times olive oil and soybean oil were mixed. So there has been at least a part acceptance of the soybean oil, and a major new U.S. market has been born.

In Europe it was contended that American cattle hides had defects which the tanners disliked. Research in Italy under the P.L. 480 program led to methods of eliminating this defect and made the U.S. hides more competitive. This added several million dollars a year to their price.

Population growth and prosperity indicate a continued expansion of U.S. farm exports. Not only is the world population growing, but people are demanding greater quantities of food. In other words, the demand for food is increasing faster than population figures alone would indicate, and the figures themselves cause world food authorities to ponder what may be ahead.

There are, in fact, difficulties ahead for U.S. exports. Many of the countries which need food the most still do not have the money to pay for it. Obviously every modern nation is attempting to increase its own production to reduce imports as far as possible. The Common Market countries continue to insist on restrictive measures to hold down imports while subsidizing their own production.

There is also a possibility that this country could increase production so quickly that surpluses would develop before effective markets could be found. Opinion is divided on whether the government should attempt to keep tight reins on production, or whether the market would be the best guide. Certainly this is an important aspect in the future export picture.

There is also a need for careful management, both in practice and in policy, of our aid programs. As great as its food-production machinery is, the United States cannot indefinitely feed the world. Other nations which have the farm resources will need to develop them more fully and Washington should not let them assume that they can permanently rely on the U.S. farmer.

Obviously the prosperous nations make the best dollar customers. Most of the farm export business is with 10 of these countries, with Japan the No. 1 customer. The others are the Netherlands, Canada, West Germany, United Kingdom, Italy, Spain, Belgium, Luxembourg, France and Denmark.

As more and more nations move from the have-not to the have category—a painfully slow process—the American export business will benefit. Thus the element of self-interest in foreign aid is apparent.

And if the various assistance programs, properly managed, are a part of enlightened self-interest, it is necessary to realize also that trade is a 2-way street. If other nations are to buy with dollars, they must sell, and the U.S. could never afford a retreat once more behind the walls of protectionism. For the American export business, in farm and industrial commodities as well, has become a vital part of the national economy.

Perhaps the most interesting story of all concerns poultry. Poultry groups in this country joined the Department of Agriculture in teaching the people of Europe and Japan the virtues of the American broilers and turkeys. Particularly in West Germany they served turkey and chicken at trade fairs, held cooking schools, and, to a degree, proved that poultry meat was cheaper than red meat. The promotion was a success in creating a market for poultry.

But there was eventually a sudden letdown for the American promoters because the Europeans and the Japanese eventually decided they could produce their own chickens. The "chicken war" with the Common Market followed, virtually precluding shipments of broilers to Europe. But even out of this setback there came new business for U.S. farmers—the greatly increased export of feed grains. Another new business for U.S. poultry producers is the supplying of breeder stock to the Japanese. Baby chicks by the millions are transported to Japan by plane. Then U.S. producers sell Japan feed grains and soybean meal to feed them.

The size of the pay check in Europe and Japan directly affects U.S. imports. In this country we would explain it by saying they are eating higher on the hog. In Japan, not only are the people buying more of the staples such as wheat, grain feeds, soybeans, but they also are taking lemons, raisins, dates and other products formerly regarded as luxury foods.

Prominent in the promotional efforts have been the trade fairs. These are traditional in foreign lands. This year, American trade groups and the Department of Agriculture are co-operating in exhibits at nine trade fairs in Europe and one in Hong Kong. In recent days seven U.S. states had exhibits in a trade fair in Munich. The U.S. displays were in a large building, the Hall of States. Each state exhibited its distinctive foods, including popcorn, maple syrup, red tart cherries, white mushrooms, blueberries, pea beans, canned and flaked yams, pickled peppers, dessert topping, live lobsters and turkey. The states involved were Illinois, Louisiana, Maine, Michigan, Minnesota, New York and Pennsylvania. In one day, 25,000 people passed through the hall to view the American products. This is just one more example of what has been going on in recent years. The results are beginning to multiply.

OUR PEOPLE AND THEIR CITIES

Mr. MUSKIE. Mr. President, the Urban America Conference held in Washington on September 11, 12, and 13 was a worthwhile session dealing with "Our People and Their Cities." The program included sessions on housing, the work environment, transportation, and leisure. It had as its speakers such well-informed persons as the Vice-President, Robert C. Weaver, John Kenneth Galbraith, and Stephen A. Currier, president of Urban America. I ask unanimous consent that the speeches given by these distinguished Americans be printed in the RECORD at this point.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

REMARKS, VICE PRESIDENT HUBERT HUMPHREY, URBAN AMERICA CONFERENCE, WASHINGTON, D.C., SEPTEMBER 13, 1966

In the Middle Ages, sober and civilized citizens surrounded their cities with high, fortified walls. The gates in these walled cities were closed at night to keep out the savage marauders of the countryside.

Today, in the middle of the 20th century, we are in danger of creating new walled cities—but cities from which the "sober and civilized citizens" will largely have fled—cities in which violence lies on the inside . . . cities in which the remaining inhabitants will be surrounded not by walls of stone, but by unbreechable social, economic and political barriers.

We are in danger—in a society that prides itself on being an open society . . . in a society that espouses the democratic ideal—of making our central cities not centers of enlightenment and higher aspiration, but stagnant and congested places to be avoided except on the most necessary missions of commerce or of politics.

We are in danger—unless we act wisely and quickly—of making our cities places where business goes on but where life, in its real sense, is lost.

We know our problems. We talk about them, in the abstract, as slums, crime, crowding, lack of clean air, overburdened schools, inadequate transportation, a shortage of playgrounds and parks, and the need for revenue.

But they are, to the human beings living in the ghettoes of our great cities, far more immediate. They are problems of people—of old people living on miserably small incomes, in single, musty, lonely rooms . . . of children whose play areas are littered, uncleaned gutters . . . of Negro families denied housing everywhere but in the ghetto, paying exorbitant rent for unheated apartments . . . of poor men and women falling victim after dark to robbery and violence.

They are problems of people living without self-respect, without hope, without any solid tie to the rest of our growing and prosperous nation.

What brought us here and what can we do about it?

First, we must recognize major changes in our society. Not only are we no longer primarily people of farms and towns, but we are no longer primarily a people engaged in producing goods—although we grow more farm produce and make more goods than ever before.

Most of our people earn their livings by providing services for others.

Both these trends—the move toward a metropolitan society . . . the growth in services—can be expected to continue.

Then, too, there is the growth of our population. We have increased our population by 47 per cent since 1945 and at the present rate it will grow another 60 per cent by the year 2000.

Added to the increase in population is the constantly-increasing demand of a larger and larger percentage of our people for an ever-higher standard of living.

And I would like to take this moment to point out that our standard of living is not just an accumulation of material things, it includes education and recreation and beauty and leisure.

This legitimate demand of more people for more of the rewards of life—added to the obsolescence of what we already have—is what in large part is creating the galloping muddle of our cities.

So we see a situation of accelerated change and growth—but change and growth that in our cities has been largely uncontrolled.

Those who traditionally would be in control have the titles but not the authority, or where they have the authority, they cannot get the funds to do the job.

The number of officials and official bodies that function in the crazy-quilt pattern of city authority has its rationale only as a subject for doctoral theses, or as testament to inhuman ingenuity.

Ours is a nation with 80 thousand separate, local governmental units. In the New York metropolitan area alone, there are over 1,400 units of government. Today's problems do not respect yesterday's governmental structures.

They are often as not metropolitan problems and there is usually no metropolitan framework in which they can be solved.

As our problems gather speed, all those who might have been drivers are in the back seat.

If our structure of local government were permanent and unchangeable, the case for local control would be hopeless.

But we have seen in reapportionment a major shift on the state level, which I hope will be soon reflected on the local level.

It is important for the autonomous units which cluster about our great cities to realize that they are in the same boat, and if it goes down, all aboard are in the swim.

At this moment in history, it is obvious that the problems have gotten out of hand

and local governments, stunted by historical accident, must have help.

I have worked with mayors and municipal officials at President Johnson's request, and I know that they have both dedication and competence. But they are fighting massive problems with dwindling resources.

These require more, not less, services and the federal government is doing its best to be of help. But I think it would be unhealthy indeed for local government to adopt an attitude of "let Washington do it."

What is needed is a cooperative effort at and between the city, state, and federal levels—and the private sector—to solve the problems which neglect and growth have caused.

That is what the concept of creative federalism—a concept much discussed but still not fully understood—is all about.

This is a concept that at the outset recognizes the importance to the national economy of viable, economically sound urban areas.

It is a concept that also recognizes the importance of local political institutions.

It is a concept that recognizes the importance of local decisions and of local direction.

It is a concept that rejects and rejects vigorously the idea that the federal government should make decisions for local communities.

It is a concept that says that federal assistance, both monetary and technical, is necessary to help metropolitan areas solve their problems, but that the particular solutions should be local in character.

Creative federalism means programs, policies, and projects locally inspired, locally developed, locally administered—but with a broader design that includes state and regional development, backed and supported by federal assistance and resources.

In the past several weeks there have been a number of statements made to the effect that the federal government has failed in its responsibility to America's cities.

I will not attempt to respond to this criticism.

In these past few years we have been engaged in a rapid and massive effort to catch up to problems too long ignored.

We have created a new federal Department of Housing and Urban Development.

We have, in the past three years, more than doubled our federal investments in health.

We have, in the past three years, more than doubled our federal investments in education.

We have launched an unprecedented national war on poverty.

We have proposed a new Department of Transportation. We have worked for an economy both of expansion and of social justice. We have worked to eradicate discrimination.

We have, under forced draft, put our best minds and the most advanced management techniques to the task of creating integrated, systematic solutions to the encrusted problems of metropolis.

And, in the speed and vast scope of those efforts, there can be no question that we have made mistakes.

Some of our approaches have been experimental—many have succeeded; but a few have failed.

Some of our funds have undoubtedly gotten less immediate return—in terms of results—than we might have hoped.

And criticism is not only justified. It is welcome.

I would only say this: Just men . . . just money . . . just material—no matter how high the level of each—will not be enough to make our cities what we want them to be.

As you know so well, what is required is a rational, responsible approach utilizing imaginative research . . . skilled administration . . . trained manpower . . . productive facilities and equipment—all brought to bear at the right places at the right time.

Today we have two proposals before the Congress which I believe will help us achieve such a systematic approach to our urban problems. I ask your support—and the support of all concerned with the American city—for these proposals.

I ask your support for the Demonstration Cities Bill and the Metropolitan Development Bill.

In proposing the Demonstration Cities Bill we have said to the nation's mayors, "We will fund plans for a large scale attack on urban blight for whole neighborhoods."

We have said, "Survey the federal and state programs, put them all together in a rational way, and we will then give you a further grant which can fill the gaps."

In proposing the Metropolitan Development Bill we have said to the nation's communities: "In your consideration of programs requiring plans—airport programs, mass transit programs, land and water conservation programs, regardless of the federal agency—the secretary of Housing and Urban Development can add 20 per cent to those grants if the plans for that program include the whole metropolitan area."

We ask local communities to tell us their needs, but encourage them to plan for the whole urban area.

These programs are not panaceas, but they are certainly landmarks in our federal aid program.

Finally, may I try to put the problems of our cities in perspective.

Our Gross National Product this year will be over three quarters of a trillion dollars.

Federal revenues will be running 50 billion dollars more per year in 1970 than they were in 1965 and will continue to increase as the economy grows.

Ours is the richest and most powerful society ever created on earth.

There is little doubt that we can—and very soon—reverse the trends we see today in our cities.

Life in our cities can be more than steaming asphalt and crowded tenements . . . more than filthy air and polluted water . . . more than clogged highways and congested streets . . . more than bursting schoolrooms and underpaid teachers . . . more than violence and hopelessness and discrimination and hate and despair . . . more than temporary material satisfaction.

The way lies open to build a society in which the human values above all count uppermost.

The way lies open to cities filled with green and open space . . . to transportation that is safe, comfortable, rapid . . . to neighborhoods once more filled with neighbors . . . to schools and universities that truly care about the future of our children . . . to rural areas, towns, cities, suburbs where people—because they are citizens, because they are people—can live together in harmony and cooperation, no matter what their age, the color of their skin, their religion, or their last name.

We have the knowledge. We have the resources. And, I believe, we should have the wisdom to put them intelligently together.

The critical question is this: Do we have the will?

Does each one of us really care enough to make it his personal business—as you have—to invest his time and effort to a task that does not immediately affect his own neighborhood, his own income, or his own place in life?

When enough Americans can answer "yes" to that question, we will be on our way.

HUMANIZING THE AMERICAN CITY

(Address by Robert C. Weaver, Secretary, Housing and Urban Development on the occasion of the Departmental Design Awards Presentation Conference on "Our People and Their Cities," Urban America, Inc., Sheraton Park Hotel, Washington, D.C., September 13, 1966)

The reason for my presence at the conclusion of this conference has to do with our joint concern for quality in the human environment.

It is, therefore, a pleasure to have been introduced by Mr. August Heckscher, whom we respect and admire for his many contributions to America's awareness of the Arts.

The concern for quality and its presence in this conference is exemplified by the participants and guests, by the range of subjects and by the provocative ideas that have flowed from the panel sessions.

It is implicit in the title of the conference: "Our People and Their Cities," and it is what I had in mind when I selected a title for the remarks I will make today, "Humanizing the American City."

The Department of Housing and Urban Development feels this concern for quality very deeply indeed. It is basic to the ceremony I am here to conduct—the practical manifestation of that concern in the Department's Design Awards Presentation of 1966.

I would like to thank Urban America, Inc., for its generosity in allowing us to couple our ceremony with this conference. I hope and I believe that it is symbolic of the type of cooperation between government and private institutions which is essential if we are to bring quality into the lives of our urban people.

During this conference you have covered in detail the facts of urban life as we face them today. You have had plenary sessions on a place to live and a place to work. You have discussed leisure time and urban transportation.

This is the framework of man in his urban environment—or as you stated it so well, of "Our People and Their Cities."

My portion of the discussion, that of humanizing the city, will deal with the quality of the urban environment as affected by design. And when I speak of this, I mean a concept of all the elements that go into the design of the urban environment:

Of not only good architecture in homes and buildings, but of design which makes whole commercial districts and neighborhoods good places to work and live;

Of not only more malls and parks and playgrounds, but of imaginative open spaces built to human scale and to meet human aspirations;

Of not only attractive public and private buildings, but of attractive city furniture such as street signs and kiosks to complement those buildings.

In both his messages on Natural Beauty and the City, President Johnson pointed his Administration toward activating a new conservation policy in our nation's cities. He pointed out in his many recommendations for city beautification that: "The attractiveness of our cities depends upon the design and architecture of buildings and blocks and entire urban neighborhoods."

He spoke, in short, of a broad-scale, coordinated attack on the elements of ugliness which blight the cityscape.

The development of quality in the urban environment is not a simple process in the America of today. Everywhere in our nation we are beset by growth and confounded by change.

Even half a century ago the city was a relatively coherent place, with its careful grid of streets ending abruptly at the city boundary where the farm and rural life began.

This is not to say all our cities were beautiful a half century and more ago, nor that they were invariably pleasant places in which to live. But they did develop in slower stages and their appearance by and large reflected orderly growth. Architectural styles changed, but at a leisurely pace. Generation after generation worked to solve the same problems and build the same monuments.

Today the reverse is true. The rate of change has accelerated. Scientific and technological breakthroughs between 1950 and 1965 equal in number and significance those made between 1900 and 1950. Our population doubles within the span of a lifetime—60 years.

The President made a conservative estimate when he said in his Message on the Cities of 1965 that by the turn of the century—the span of a working lifetime—we would build an inventory of homes and buildings and parks and factories equal to the entire inventory accumulated on this continent since the Pilgrims arrived.

The modern American world is one of unparalleled growth, and mobility, and change. The city of orderly boundaries has disappeared and in its place is the new spread city, devouring increasing amounts of land in lower and lower density patterns. Coherent political boundaries have disappeared. Determining who should pay for what in the great sprawling and linear cities of today is in itself a major research undertaking.

But this is the context in which we must consider our urban destiny. And in this context there is a tendency to bend all our efforts to meet quantitative needs—for new schools and highways and offices and public facilities. Quality in the urban environment is too often relegated to the lowest order of priority.

But quality must be the single most important component as we plan for the vast expansion ahead. To humanize the city is to offer urban man the range of urban options he came to the city to find. It is to fulfill those obligations you have discussed during this conference, to build cities at once a pleasure to see, a pleasure to work in, and a pleasure to live in.

I believe this can be done, and I know you do or you would not belong to an organization such as Urban America. Quality can be equated with quantity; the combining of beauty with utility is a natural process.

But it cannot be done if we equate simplicity with cheapness, nor if we build without planning. It cannot be done if we think of bricks and mortar before we think of man. And it certainly cannot be done without the coordinated and cooperative efforts of private and public institutions alike, and of private and public citizens alike.

This is one of the challenges of living and working in a Democracy.

There is no autocrat at the planning board, so it is unlikely we will build a Paris of Louis Napoleon. But neither will we be dominated by the ubiquitous structures which characterized a whole generation of Soviet building—when the same drab, monolithic apartment houses rose in Moscow and Prague and East Berlin.

The fact that central authority does not and should not impose national standards does not mean that government is not involved, however.

The Federal function is an important one, and will increase in importance.

My own Department has traditional programs of vast importance to the process of humanizing the city—public housing, mortgage insurance, urban renewal, planning grants, public facility grants and loans, just to name a few. Mass transit grants too, can transform the face of a city.

And we have a new family of programs brought in by the President and a great Congress which apply directly to the quality of urban life:

Urban beautification grants to help such activities as landscaping city streets and buying street lights and park benches;

An expanded open space land program for the purchase, clearance and development of such civic amenities as parks and malls and playgrounds;

Grants for neighborhood centers.

There are in addition the many programs of other Federal agencies which directly affect city life—ranging from the brick and mortar highway program of the Department of Commerce to the social programs of HEW and OEO.

But our problem of the past, and it still lives with us today, is that we made only separate and uncoordinated attacks on urban problems—those problems defined in your four panel discussions. Each of the needs you have defined have physical, social and economic dimensions. We have had our successes in attacking those individual problems and meeting those explicit needs. But by our uncoordinated approach—applying a separate program to each separate need—we have also had our failures. We will all agree, I believe, that we are still a long way from achieving the order of quality which is your basic concern in Urban America.

To meet the needs you have outlined, we must bring into balance the social and economic dimensions with the physical dimensions of our many programs. Then and only then will we bring to our cities the measure of quality so necessary to our way of life.

The fact that my own Department now exists is a revolutionary factor in the Federal involvement. And our commitment to the cities and the urban American were greatly enhanced last month when the President by Executive Order gave us additional responsibility for coordinating Federal urban programs.

We were called upon, among other things, to provide a forum for consideration of mutual problems concerning Federal programs and activities affecting the development of urban areas, and to promote coordination of Federal programs. We have already moved to implement that order, and we will accelerate that movement in the future.

I have acquired the invaluable assistance of Mr. George Rockrise as my consultant on design matters, and we are now infusing all the programs of the Department with an enthusiasm for design excellence. We are considering the activation of regional design committees in each of our seven major field offices. And the fact that we are met here at this time for our third Design Awards presentation is evidence of our commitment to urban beauty.

All these efforts can be immeasurably enhanced if we can bring into being our major urban proposal of this year—the Demonstration Cities program. This program will allow us, for the first time, to lend substance as well as hope to the concerted and coordinated attack we know is necessary for our cities.

We all realize there is no single answer to the problem of humanizing the city. Bricks and mortar will not do it alone. Good design will not, nor will social programs. The problem of humanizing the city will be met only by meeting the human needs of its people, be they for beauty, or work, or food, or decent housing. This sounds like a simple formula, but it is surprising how often that basic fact is ignored.

The Demonstration Cities program proposes to meet these human needs in several ways: It will focus all Federal programs on selected major residential areas—those of other agenices as well as our own. It proposes that the city bring in State and municipal aids, develop the plans, and create the administrative machinery to make the plans work. Human rehabilitation will be accompanied by physical rehabilitation, but it is the human element which will always be uppermost.

We also propose to grant substantial Federal funds so that a firm economic base can be established for a demonstration program. And we will extend needed technical assistance.

This program, for the first time, will permit the kind of coordinated, well-financed, broad-gauge program I have alluded to throughout these remarks. I am convinced that it is the one single proposal now in hand which can bring about the kind of constructive revolutionary change we must bring about. It is only through such a program that we can transform a major part of the city into the kind of human environment where people of all incomes can have access to the range of urban options they deserve. It is a sure method to restore cities which are a pleasure to see, a pleasure to work in, and a pleasure to live in.

In that effort, the utimate success must lie with an informed and concerned citizenry. Urban America is a catalytic force which in concert with other local citizen action groups can galvanize an infromed urban citizenry into action.

By this conference—your response to the President's Conference on Natural Beauty—you have demonstrated that you can gather the leaders of the nation in the environmental arts to forge positive and powerful policies for our urban future. You must organize your strength and deploy the knowledge you have acquired into every city and community across the land.

Among you are leaders in the business world, in public administration and in the design professions. Individually and severally you must find ways to galvanize your special spheres of influence for the common cause. I ask you to make common cause with us, and to assume common responsibility with us, in humanizing the American city.

Keynote Address by John Kenneth Galbraith at "Our People and Their Cities," a Conference of Urban America, Inc., in Washington, D.C., September 12, 1966

I observe, with some interest, that I am described as giving the keynote address at these proceedings. The term keynote, one assumes, was taken over by oratory from music. And most experience would suggest that the adaptation has been relatively slight. There is a great burst of sound. Whatever its value it is certainly more musical than intellectual. When the echoes have died away, nothing much except the melody lingers on. I shall do my best to conform.

But perhaps I might be allowed to do a little more. For I have some rather clear ideas as to the factors underlying the problems of our cities and also as to the remedies. I feel a natural reluctance to have you go about your work in the days ahead in ignorance of these truths.

The last quarter century, I venture to think, will be known to historians as the years of the economist. And I have little doubt that the crisis of the cities, with which you are here concerned, is the consequence of the two great preoccupations of the members of my profession in this period. One of these has been the preoccupation with production. The other has been the preoccupation with the market. Both have induced a myopia which has kept us from seeing some very great problems which these concerns have left untouched and which in some respects they have made more acute.

II

I do not need to argue the depth of our preoccupation, in these last twenty-five years, with the production of goods. One possible reason is that I have urged it so frequently before. In general reaction to man's ancient experience with penury and in specific reaction to the miseries of the thirties, we have made the increased output of goods the prime and in some measure the exclusive goal of domestic policy in the United States. None other has been deemed so important; quite a few have come to imagine that no other goal is possible. Agreement that the main task is to increase output has united Democrats and Republicans, liberals, conservatives and even modern conservatives. The consensus extends from the Communists to the more thoughtful branches of the John Birch Society. There has been a difference only on methods. Liberals have sought to increase production by public spending, deliberate government deficits and tax reduction. Conservatives have not entirely abandoned their faith in balanced budgets, stern law enforcement and measures to curb the socialist tendencies of the Supreme Court. To believe we have been doing well in these last two decades is to believe that we have had an adequate rate of economic growth. St. Peter has been asking new arrivals only what they have done to increase the Gross National Product.

Though economic growth is a condition precedent for solving most social problems, there are many it doesn't solve. And it creates massive new ones. Let me be specific.

Economic growth does not provide the public services which mark our progress toward a more civilized existence and which also are made necessary by a higher level of private consumption.

Economic growth does not help those who, because of careless choice of birthplace or parents, poor early environment, absence of educational opportunity, poor health, mental retardation or racial discrimination or old age are unable to participate fully in the economy and in its gains. On the contrary, it makes this disadvantage more visible and obscene.

And economic growth, we have learned, does not solve the problems of our environment and especially of our urban environment. On the contrary, it makes these problems infinitely more urgent.

Let me say a word about the first two areas of failure for they bear strongly on the problems of the cities. Then I should like to advert, at more length, to the problems of urban environment. I would like to show how, at this point, our preoccupation with the market has accentuated our troubles here.

III

It is imperative that we maintain a sound balance between the private and public sectors of the economy. In the years following World War II we were afflicted by the atavistic doctrine that government services are wasteful, wicked, a manifestation of individual weakness, and a menace to liberty. Editorials argued the case. Political cults asserted it. Legislators—only a few fortunately—were elected on this platform. We have, I hope, recovered from this lapse. I am specifically encouraged, as I have said several times recently, by a letter earlier this summer from Barry Goldwater appealing for support for the purchase of some parkland in Arizona. Private development was threatening a beautiful mountain—and I gather also his view. He wants the mountain to be a public park.

Some public services—transportation, manpower training, postal services, research and statistical facilities—must grow if private growth is to continue. Other public services—control of water and air pollution, removal of litter—must keep pace if private growth is to be tolerable. Yet others—health services, welfare services, help to the dependent—must grow if there is not to be an appalling contrast between the two—between private affluence and public squalor.

Public services, we need also to bear in mind, are progressive in their incidence. In use this term in its technical sense as we apply it to the progressive income tax. Colleges and universities, public parks, good and well-paid police, good health services, good public transportation, even clean streets render their greatest service to the poor and especially to the urban poor. Those who call for curtailment in public services should never suppose they are being neutral as between the affluent and the less so. Those who are now calling, so righteously, for shelving the Great Society because of the Vietnam war are asking that the well-to-do taxpayer, whose income is at an all-time high, be protected at the expense of aid to schools in depressed areas, the Job Corps, Low income housing and youth employment. This is outrageous. With Voltaire I will defend to the death the right of a man to be this selfish. But I am not sure he should be allowed to practice without a license.

Our next failure consists in the people who are left behind by economic advance. Increasing national income benefits only those who participate in the economy and thus establish a claim on the income it produces. A sizable minority cannot or do not so participate. Thus they have no share in improving well-being.

Good public services and sound environmental conditions promote such participation. Good health services increase the number of people who are physically and mentally able to participate in the economy. So does good law enforcement. So does good and well-located housing. So does effective action against racial discrimination. So does good urban transportation—as the recent case of Watts has made clear.

But mostly this is what a good educational system accomplishes. There is no single cure for poverty. But we should not, in our sophistication, be afraid of the obvious. President Johnson observed a year ago, "Education will not cure all of the problems of a society . . . without it no cure for any problem is possible." And he was right. A community that provides really superior schools from the earliest ages and allows the pupil to go just as far at the public expense as his abilities allow will not have many people that are poor. There are few college graduates and not many high school graduates who are in the poverty brackets.[1]

My approach, so far, to the problem of poverty, you will have observed with some sense of reassurance, is strongly traditional. We should help people to participate in the economy; we should help them to help themselves. That is good whereas merely to help them is bad. I venture to think that the time has come to reexamine these good Calvinist tenets which also fit so well with our ideas of what saves money. We need now to consider the one prompt and effective solution for poverty which is to provide everyone with a minimum income.

The arguments against this solution are numerous. Most of them are excuses for not thinking about anything so exceedingly plausible. It would, it is said, destroy incentives. Yet we now have a welfare system that could not be better designed to destroy incentives if we wanted it that way. We give the needy income. And we take away the income if the recipient gets the smaller job. Thus we tax the wages of the welfare recipient at rates of 100% or more.

And it is said this would keep people out of the labor market. But we do not want all people with inadequate income to work. In 1964 of 14.8 million children classified by the Department of Health, Education and Welfare as poor, nearly a third were in families headed by a woman. Three-fifths of the children in families headed by women were so classified.[2] Most of these women should not be working.

Nor, given our present condition of affluence, it is certain that we need to have every last living soul at work. What is the price? A few fewer automobiles; a little less traffic congestion; a few fewer cigarettes; a little less cancer; not quite so many beer cans; a bit more grass by the roadsides. Is this such a hideous cost?

Idleness we do know to be demoralizing. But even here there is a problem. Why is leisure so uniformly bad for the poor and so uniformly beneficient for the moderately well-to-do?

We can easily afford a floor income. It would cost about twenty billion to bring everyone up to what the Department of HEW considers a reasonable minimum. This is a third less than the amount by which personal income rose last year. It is not so much more than we will spend next fiscal year to rescue freedom and democracy and religious liberty, as these are defined by the experts, in Vietnam. (Admittedly these problems grow more acute the farther one gets from home.) And there is no antidote for poverty that is quite so certain in its effects as the provision of income.

In recent years we have come to recognize a major defect in the fiscal system of the United States. Put briefly it is that, with economic growth and rising incomes, the Federal government through the income and corporation tax gets the money. The cities on everything from traffic to air pollution get the problems. And this is more acutely the case when the effects of population growth and urbanization are added. Various ways have been suggested in these last years for correcting this anomaly—most of them calling for subventions by the Federal Government to the states and cities. The best way would be for the Federal Government to assume the cost of providing a minimum income and thus to free the cities from the present burden of welfare costs. In the years of the farm crisis it did this for agriculture. In these years of the urban crisis we want a system that directs funds not by some formula to the country at large but to the points of greatest need. These are the large cities. To transfer income maintenance to the Federal Government—to free big city budgets of a large share of their welfare payments—would be an enormous step in exactly the right direction.

IV

The problem of environment is surprisingly simple—and universal. It is that we have for long assumed that nearly everything must be subordinate to economic growth and that the largest possible number of problems must be left to solution by the market. Accordingly, questions of beauty, livability, even health have been of secondary importance. Cities must grow. That is economic progress. If they are ugly, that is the price for progress. If the streets are a jungle of poles, that is because people want telephones and should have them as cheaply as possible. Power lines march across the countryside. But people need power, and that too should be cheap so instead of old-fashioned trees they have new ones of steel. A factory is not a pleasant or attractive neighbor; it smells of scorched rubber and is very dirty. But people must have jobs and the community needs the payroll and production, accordingly, should be whenever the entrepreneur thinks it will be most efficient. Highways and roadsides are made hideous by outdoor advertising and vendors of remarkably unattractive merchandise. But it is held to bring money into the community.

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[1] Cf. "Poverty in the United States." Committee on Education and Labor. House of Representatives. April, 1964. P. 216 et seq.

[2] "Who's Who Among the Poor—A Demographic View of Poverty," by Mollie Orshansky. U.S. Department of Health, Education and Welfare. July, 1965.

In each case economic goals have been accorded an implicit priority. To make matters worse quite a few people have persuaded themselves that out of the chaos of economic motivation will come some tolerable result—some manifestation of unplanned but functional beauty.

Such a system of priorities and such wishful thinking can no longer be afforded. When people were insufficiently fed and clothed and sheltered, economics rightly enjoyed a high priority in social calculation. But as we move on to lower orders of need—the wants that can be stimulated only by singing commercials—economics loses any natural claim to priority. Other goals are rightly advanced. And there is no reason to believe that an unplanned metropolis will have any better chance of beauty than an unmade bed.

Indeed, we must recognize that the market attitudes which were fostered by the industrial revolution are strongly inimical to urban design. That is why, broadly speaking, no city built since Adam Smith—noncommercial capital cities apart—is ever admired. Each summer Americans migrate by the millions to look at those which were built in the eighteenth century or long before. If you visit my distinguished friend the Secretary of Commerce he will tell you that this migration of Americans is one of the most troublesome of factors in our balance of payments. It must pain him to reflect that it is caused by men and women, reared in a free enterprise environment, departing from it in droves to see the wonders of medieval and renaissance urban planning.

Let me now say a specific word about our preoccupation with the market. It is our common assumption that, generally speaking, the response to market incentives takes care of our needs. Somewhat exceptionally, and the modern metropolis is such an exception, we find market incentives inadequate. Here we must have planning. We must settle on goals—an overall architectural framework, a plan for streets and parks, a plan for land use, specification of needed utilities—which are part of a predetermined design. We note with some surprise that we are engaged in planning.

In fact, the modern city is one of the least planned parts of our economy. Our space voyages are planned. So are our weapons systems. So is our supersonic travel—and it is planned for us whether we want it or not. So is our telephone service. So is our automobile production. So are most of the other requisites of an industrial civilization. We have corporations large enough to embrace the tasks of planning. They assume control of the prices at which they buy and sell. And they exercise measurable influence over suppliers and customers. They do not leave things to the market; they would regard that as leaving it to chance.

This planning is successful because we have planning units with a size and power competent for their task. If one doubts the importance of this, he might reflect, for a moment, on the kind of telephone service we would have were the long lines system wholly separate, and without reliable interchange arrangements or equipment compatibility, from the local system. And were each local city system separate, in turn, from every other local system. And were local systems partly public and partly private. And were these systems, local or long distance, variously subject in its investment and service to shortrun considerations of profits and loss.

We could be sure, under these circumstances, that not many calls would go through. No one would be much bothered by the telephone. Lyndon Johnson would have to revise his operations. But the system I have described, though obviously out of the question for something as significant as electronic communication, is precisely what we employ for moving human bodies around.

We have a planned system of electronic communication and an unplanned system of urban and interurban transportation. It does not matter that the Telephone Company is nominally a private enterprise; the significant fact is that it has the size and the power sufficient for its planning.

The same is true of the successful industrial enterprise. It has a size coordinate with its task. It controls the relevant parameters of its operation—including markets. It plans. That the modern industrial firm is subordinate to the control of the market—that it is not a planning instrument—belongs to the apologetics, not the truth, of economics.

But when we get to the cities—to the urban transit I have mentioned, the general direction of land use, most urban housing, the patterns of suburban development, the selection of architectural types and designs—we find the market largely in control. Not A.T. & T., no General Motors is in charge. Nor is any public authority.

The problem of the modern city is partly that the age of economics, with its preoccupation with private production, has denied it the public services it needs. It is partly that the same age, with its mistaken assumption of the rule of the market, has denied it the planning that is commonplace elsewhere in the economy.

What should we do? Fortunately that is your task in the days ahead. I don't want to rob you of employment. But even here I have a suggestion or two.

The successful defense and development of our urban and related living space requires progress on three broad fronts.

First: We must explicitly assert the claims of the community against those of economics. I have aesthetic claims especially in mind. If a structure, facility or design is cheaper, more convenient or more efficient, it is no longer decisively in its favor. If it is ugly or otherwise offensive, it is probable that it should be rejected. The airlines have no God-given right to the cheapest track if they keep ten-thousand people awake.

So wires and poles must go underground, although this costs more and power and communications, as a result, will most more. Industry should be not in the most efficient but in the most agreeable locations. Highways and streets are not primarily a business opportunity. They are primarily places for tranquil movement—and that means the streets on which one goes to where efficiency of movement is also weighed against charm. Air and water and landscape must, of course, be protected from pollution. It should not be claimed that the eventual cost of all this will be less—that it will pay in the long run. That is no longer the test. The test is what, in the end, people will enjoy most.

And it must be recognized that the last resort of all who argue for economic priority is that the public is intransigently vulgar. So it is wrong to inflict on them the value system of those who pretend to taste. This is pure nonsense, and the worst kind of special pleading for private gain. Every successful society has allowed its artists and critics to act as arbiters of taste. Nothing artistically more compelling than the Rayburn Building would ever have been built had it been otherwise.

Second: Effective management of environment will require far more effective planning and control of land use. The city cannot remain in the unplanned lacunae of our society. One reason is that we cannot go on wasting space, a scarce and important asset, as at present. Even if planning and control lead to deliberation and thus to delay, we should welcome them. Once again economic priority cannot be granted. We should gladly trade a slower for a better planned growth.

We need such planning in order to gain attention for social and aesthetic priorities. The assessment of economic priority lies with the individual owner. He can tell what will be the economically best land use and the resulting judgment will not be far astray. But only the community can decide what is socially and aesthetically the most desirable use.

Further, we need such planning and control to permit the architect to work within a suitable framework—a consistent design. This is not to impose uniformity; rather it is to require harmony and order. Order is no more the enemy of artistic freedom than anarchy is its servant. The cities we visit and most admire—Florence, Fatehpur-Sikri, Leningrad nee St. Petersburg, Hausmann's Boulevards—all owed much to strong rulers, even despots. That is not because despotism is conducive to art. It is because it is conducive to symmetry and order. It enforces an overall design. Even a bad one is better than none. Democracy can, I think, have such discipline though it remains to be proven.

We should not imagine that our traditional arrangements for guiding or directing land use will be sufficient for the purposes I have just mentioned. Private land ownership is a natural way of according economic priority. That, generally speaking, accords the largest private return. It was also right for the stage in social development that accorded economic priority. It is not so certain that it can be accommodated to social and aesthetic goals. The record of planners and zoning authorities when they come in conflict with the profit motive is not encouraging. I incline to the belief that for good urban, suburban and adjacent land use we will need to resort increasingly to public ownership of the strategic land areas. Nor does it take a political genius to see the prospect here for some blood letting.

Third and finally, it must be evident from this discussion that the city or metropolis is the key unit in the management of environment. This means that city government must be stronger, by far, than in the past. This means that cities must be run by stronger, more imaginative, and, needless to say, intelligent and strictly honest men. They must have better and much better paid employees. And they will need to have much much more money. They already have the most important tasks and the least money. This starvation cannot continue.

OUR PEOPLE AND THEIR CITIES

(Address by Stephen R. Currier, president, Urban America, to Urban America Conference)

To speak at the end of this meeting, which has heard the country's most distinguished leaders and experts on urban problems, makes me feel like the man whose greatest pleasure in life was to tell about the Johnstown flood. He had gone through it, and it had made a deep impact on him. When finally he came to Heaven, and Saint Peter asked him what he most wished to do, he said that he would like to tell as many people as Saint Peter could round up about the Johnstown flood. Peter said that he would be glad to arrange for such a convocation of the Heavenly Hosts—"But," he added, "I want you to realize one thing: You've got Noah in the audience!"

There are many Noahs here, and I want to express to each of you my gratitude for bringing to this meeting the wealth of your knowledge, the perspective of your imagination, and the wisdom of your experience.

Since we have come together here not only as experts, but also as citizens, with a deep and troubled concern for our cities, it seems to me appropriate to put this concern into the context of our system of moral and social values.

More than 2,500 years ago an Athenian, upon becoming a citizen of the "polis," took an oath in which he pledged "to strive unceasingly to quicken the public sense of public duty . . . (and to) hand down this city, not only not less, but greater, better and more beautiful than it was given to us."

This oath conveys a perception of the city which has become obscured, if not lost, in our time. This dilution—this loss—I believe goes to the heart of the problems with which we are concerned here. The cities of the olden days—Athens, Rome and more recently Venice, to cite a few examples—were the expression of the highest form of human relationships and endeavors.

They were places where men transcended mere physical existence to carry on the discourse and the work that marked them off from the rest of living creatures. Here, in the cities, they created art in all its varied forms and developed coherent systems of thought and values. Here they organized themselves into societies that infused a new meaning into the life of each individual.

Viewed from the vantage point of our time, the trouble was that only a small minority of the population of the ancient city-state was able to take part in these higher pursuits. Most people continued to devote their lives to the elementary tasks of seeking their daily bread, combatting illness, or death—in short, existing rather than living.

Our concept of democracy rejects the notion of a city as a privileged sanctuary for the few. It recognizes the right of all citizens to participate in the life of the polis, which has now become the metropolis. But what kind of a life? A life just satisfying man's bare physical needs? Or the full life of the ancient cities, extended with equal opportunity to all citizens This, it seems to me, is the root question. This is the issue whose dimensions we have failed to grasp, and to which we have not applied the vast technical knowledge at our command.

Our cities are vast concourses of human beings. In theory all are equal participants in the life of the urban society, but in fact many have little time or energy left when they have grappled with the hazards of physical survival. These hazards have come to dominate the urban scene, and the result is what in these days we commonly call "the crisis of our cities."

It is a crisis of housing: In the next 34 years, we must build more new homes than exist in our nation today—and most of them will have to be built in the cities.

It is a crisis of transportation: Our cities are clogged, our railroads are undergoing recurrent comas, our subways and buses are not fit for human travel. And while the Federal government is spending 4 billion dollars a year to send an American to the moon, it spends but one-tenth of this amount to ease the daily journey of Americans to and from work.

It is a crisis that is hardest on the Negro and Spanish-speaking communities in our big cities, for their plight as city dwellers is compounded by the blight of the ghetto. In 1960 close to half (43.2 per cent) the homes of urban Negroes were substandard. The figure for whites was one-sixth. In New York City alone, despite the largest slum clearance program in the United States, the number of unsound homes rose from 425,000 to 525,000—a full one hundred thousand—during the last five years.

Along with these problems of physical decay in the ghettoes, we must face the related issues of social and economic deterioration. In 1964, more than a third of all our Negro families had incomes of less than $3,000 a year—but again only one-sixth of whites fell into this category of poverty. I could go on citing figures, but there is no need for it. The dreary statistics documenting life in the ghetto are well known. What is less well known and understood is that the ghetto is not only a Negro problem. The fortunate residents of other parts of the city, or suburb, cannot ignore it or pay attention to it at will. The problem of the ghetto is the flashpoint of the crisis of the cities.

We are all inextricably caught in this crisis. Our water supply is dwinding; and of the water we still have, a rapidly increasing proportion is being polluted. If we run out, the color of our skin will matter very little. Air pollution is growing faster than the population. Air, like water, recognize no dividing line between neighborhood or races. And as pollution mounts, the suburbs will be enveloped in the same gray clouds.

The fate of the cities in turn, is increasingly decisive for the destiny of our nation. Seventy per cent of our people today live in urban places, and two-thirds of them in metropolitan areas. By the end of the century, only 34 years from now, the majority of our people—330 million of us—will be living in a few vast megalopolitan areas.

Thus, the crisis of our cities is the crisis of America. All of us are involved; all of our children will be directly and deeply affected by what happens in—and to—our cities in the decades ahead.

This is what prompted us to develop a program through which we might help spur the search for solutions. Urban America is the organization which has emerged. Its structure reflects a series of related concerns—ranging from broad policy issues to questions of design, the development of more informed public judgments, and new forms of cooperation among different sectors of our people in building more and better homes. Let me tell you how we propose to tackle this assignment.

Through our Urban Policy Center, we will analyze major issues and propose policies and programs to solve them. For example, this nation has no overall policy at this time on the future course of urban growth. We must analyze and decide whether this growth will continue in the present concentrated urban areas, or whether it will be channelled onto new land. Whatever the conclusion of such a study, Urban America will then follow up with concrete proposals for action.

The Urban Policy Center also will chart ways in which city governments can devote a far greater proportion of their time and resources to planning and policy-making chores. Our municipal administrations must be more than harried respondents to urges and proposals that press upon them. They must become initiators and innovators with a key role in shaping the destiny of the people that live in their jurisdictions.

Another potentially fruitful job we shall undertake is to stimulate new designs and to serve as a clearing house of ideas and information to cities, designers, private developers, and others involved in these questions. This will be the job of our Urban Design Center which will seek to accelerate the introduction of definable design standards in the development and redevelopment of our urban areas. When I speak of urban design, I am not referring to the mere physical aspects—the vistas and the pleasing facades. I am speaking of function as well.

Closely related to this function will be the role of architectural forum. It speaks directly to the architect, the planner, the private developer, and the public official. Its purpose will be to evaluate, criticize, and advocate. It will do so not as a house organ—but with complete and rugged independence.

But Urban America must speak to a still broader audience. This will be the job of our urban information center. Through it, we shall distribute material on significant developments on the whole range of urban and urban-related issues. The center will put out a regular publication, as well as special materials, which will articulate the best and most provocative ideas and concepts emerging in the field. It will also serve as a technical center which can answer inquiries from Urban America's constituencies: local citizens' organizations; city planning and housing authorities; neighborhood organizations; and any group—large or small—or any individual concerned with making our cities a better place to live. Our constituency also includes the National Action Council, a group of business and professional men acutely aware of urban problems and with a demonstrated interest in helping solve them. We hope that this council will become a major forum for discussion of these questions and particularly of proposals developed under the auspices of Urban America.

One issue in which we have a special interest is housing for low and moderate income families. Through the assistance of The Ford Foundation, and in partnership with four national protestant denominations, we have established a housing center. It provides assistance to non-profit groups in coping with the technical problems of developing and building homes on a large scale. It also helps local businessmen set up development funds in major cities to build non-profit housing for low and moderate income families.

Finally, Urban America works with private developers in helping to improve building and area design and in overcoming the many obstacles that now inhibit aesthetically and functionally sound construction.

This, very briefly, is the scope of activities which we have assumed for Urban America. We are aware that these efforts are but a modest contribution to the total task ahead. They are designed to stimulate thought, generate new ideas and plans, and foster an educational process to involve both experts and laymen in the quest for solutions. We are not so presumptuous as to think that we, by ourselves, can find the way to any paradise. But we do believe that the work in which we are engaged will help speed national action.

Because our problem is national in scope, it cannot be attacked successfully by specialists alone. This is why I was particularly pleased that many participants in this conference made their contributions as citizens as well as experts. The time is long past when planners, designers, builders, economists, and administrators could go about their business in splendid professional isolation. Today they must either work together or fail separately.

Beyond professional disciplines, we must see our task in terms of rapid social change. Administrative reorganization, and basic national purpose.

Communities are astir today in their search for rapid, measurable change. The most significant new element in this movement is the determination of hitherto silent men and women to have a voice in what happens to them. We who propose to help, or even to lead in the regeneration of our cities should neither fear nor dismiss these voices. We should accept and welcome them as an enrichment of the democratic process, which for decades was the poorer for having ignored them.

The problems and concerns of many of our largest cities have long ago outgrown traditional administrative divisions. The migration into the cities of large numbers of poor people, coupled with the departure of millions of middle-income families to the suburbs, wreaks havoc with the cities' treasuries. For the demands for services and the claims on urban revenues rise steadily, while the taxpayers slip across the city limits into the bedroom communities.

Thus, we must press the search for a system of regional government which takes into account the realities of the urban sprawl. It is time we gave up the hopeless attempt to press cities for solutions to problems that range across their borders into the broader jurisdictions of tens of counties, and often of several states.

Finally, we must reassess our national goals and priorities. This year, we are spending 58 billion dollars for defense—with little or no argument in congress or among the public. We spend 5 billion dollars for space—with nary a nay on the floor of either house. But a bill to spend 2.3 billion dollars to attack the physical and social ills of sixty slum areas across the country—a modest enough proposal at that—is deeply mired in parliamentary disputes.

Two years ago, we pledged ourselves to launch a war against the poverty that afflicts one fifth of our people. Yet this year we are spending less than 2 billion dollars to fight it. We would never fight a foreign war with such meager resources. It would be unpatriotic. The dictionary defines patriotism as love and devotion to one's country. Does this definition exclude the fate of tens of millions of our countrymen who live amidst decay, locked in ghettos and in permanent penury? Does our patriotism begin at the water's edge?

We are now engaged in a difficult and costly conflict to defend our society and its values. But even as we fight this most trying of modern wars, we cannot afford for one moment to relinquish or relax our concern for the values we seek to defend in jungles thousands of miles away. What are we building here at home while our men are fighting abroad? Have we done everything we can do to make sure that men, who have braved the worst and survived, return to a life of hope and dignity? Are we meeting our commitment to freedom and opportunity for these men and their families here at home with the same zeal with which we meet America's commitment to freedom around the world?

These are the questions about national goals, values, and priorities translated into human terms. These are the issues raised by the contrast between our instant readiness in paying the bills of war abroad—and the endless haggling over the price of peace and progress at home.

We must ask these and other questions that go to the heart of the most urgent problem faced by this nation today. We must press for answers and for resources that meet the demands of our conscience, the needs of our people, and the challenge of the future.

Success in this quest is worthy of the best efforts of us all. For it will mean the end of the dangerous division of America into a nation half-affluent and half-slum. It will mean a rebirth in the metropolis of the twentieth century of the "greater, better, and more beautiful city" to which wise and creative men have aspired throughout history. The key to success is that same "public sense of public duty" to which the Athenians pledged themselves.

All Americans must take this pledge today. It is the qualification for citizenship in our time.

No longer do we have an option to be generous. Instead, we have an obligation to enroll for duty.

No longer can we make do with adequacy. Excellence has become a requirement.

No longer can the many stand by as the few grapple with problems that dwarf their energies.

Whenever a generation has the opportunity to act greatly, that opportunity becomes a command. The vastness of the challenge calls for greatness in action. We have no choice but to measure up.

TRIBUTE TO ARTHUR KROCK

Mr. PELL. Mr. President, Arthur Krock has been eulogized so often in these halls that I may be guilding the lily a little bit to be adding my own words. But, if I did not, I would consider myself most remiss for there is no man amongst us who admires, respects and has a greater regard for Arthur Krock than do I.

He has been a family friend for many years and used to give me excellent advice long before I ever became a Senator. And when I had become a Senator, I am glad to say he continued to do so. In fact, if he had not believed in some of my high-speed railroad ideas I really do not believe that the present arrangements for at least semi-high-speed railroads going up and down our megalopolitan corridor this coming year would have come into being at this time.

I have also been particularly impressed by Mr. Krock's urging of the necessity of breaking down the present barriers bebetween Western and Eastern Europe and of achieving some form of settlement that would result in a peaceful Europe dominated neither by the United States nor a rearmed Germany.

I notice from the press reports that the New York Times will be preserving an open-door policy to his writings and I hope he will take advantage of that open door.

HOLIDAY COMPENSATION PAID FOR DISTRICT OF COLUMBIA FIRE CHIEF

Mr. MORSE. Mr. President, several months ago, I requested the General Accounting Office to look into the holiday compensation payments to the District of Columbia Fire Chief, Henry A. Galotta. Chief Galotta requested holiday compensation payment from the District government for holidays that he obviously did not work.

Chief Galotta collected several hundreds of dollars from the District government to which he is legally not entitled. This is substantiated by a report I received on August 31, 1966, from the Comptroller General of the United States and in a report addressed to the Comptroller General on the question by Commissioner Walter Tobriner, President of the District of Columbia Board of Commissioners.

In my judgment, the argument presented by Chief Galotta in favor of his accepting this illegal payment was obviously flimsy.

Chief Galotta states that on every holiday he collected pay, he kept himself "fully and accurately informed as to the effective operations of the Department at all times and was available for instant response to such fires and other emergencies as necessity required."

This lame alibi offers no justification for his taking pay to which he was not entitled.

Commissioner Tobriner states in his report that Chief Galotta's duty station was in the "field." Does this mean, Mr. President, that he is on the golf course, at the racetracks, or fishing? Chief Galotta certainly did not elaborate upon the nature of his duty station on these holidays.

I am informed, Mr. President, that Chief Galotta has repaid several hundreds of dollars to the District of Columbia government because he was not entitled to it.

In view of the fact that I have made public reference to this investigation in the past, I ask unanimous consent that the Comptroller General's report be made a part of the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., August 31, 1966.

B–118638.

Hon. WAYNE MORSE,
Chairman, Subcommittee on Public Health, Education, Welfare, and Safety, Committee on the District of Columbia, U.S. Senate.

DEAR MR. CHAIRMAN: Reference is made to your request that the General Accounting Office examine into the practice of the District of Columbia Government of paying the District Fire Chief holiday compensation on the basis that he is on duty 24 hours a day even though no work is performed.

We found that the payment of holiday compensation to officers and members of the Fire Department is made by Finance Office, Department of General Administration, on the basis of written certifications submitted by officials of the Fire Department. These certifications shows the Fire Department personnel entitled to holiday compensation pursuant to Public Law 82–195, approved October 24, 1951. This law provides, among other things, that officers and members of the Fire Department shall be entitled to additional compensation when they are required to work on any holiday.

We requested the President, Board of Commissioners, District of Columbia, to inform us whether the holiday compensation paid to the Fire Chief and three other officers of the Fire Department for specific holidays during the period from September 1962 through February 1966 represented compensation for work actually performed on each of the holidays or compensation for being on standby duty for 24 hours on each of the holidays. In the event the compensation was paid for work actually performed on each of the holidays, we asked to be informed of the nature of the work, where it was performed, and the actual duty hours. In the event the compensation was paid for being on 24-hour standby duty on each of the holidays, we asked to be informed of the basis on which such practice was considered to be consistent with the requirements of Public Law 82–195.

By letter dated August 2, 1966 (copy enclosed), the President, Board of Commissioners, District of Columbia, informed us that two of the four officers performed work at their regular duty stations on the holidays in question, but that Fire Chief Henry A. Galotta and Assistant Fire Chief William C. Weitzel were on 24-hour standby duty on each of the days for which they received holiday compensation. The President's letter stated that it is the opinion of the Acting Corporation Counsel that, while the standby duty performed by Fire Chief Galotta and Assistant Fire Chief Weitzel may, in a sense, be deemed "work," such duty does not come within the contemplation of the statute and that the payment of holiday compensation to the two officers for the days in question was not authorized by the provisions of Public Law 82-195, or by any regulation promulgated by the Commissioners of the District of Columbia.

On August 8, 1966, we were informed by the Director, Department of General Administration, that the Finance Office is preparing billings for the amounts of compensation paid to the two officers for the holidays in question and that the officers have agreed to refund the amounts upon receipt of the billings.

We plan to make no further distribution of this report unless copies are specifically requested and then only after your approval has been obtained or public announcement has been made by you concerning the contents of the report.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General of the United States.

THE DISTRICT OF COLUMBIA,
Washington, D.C., August 2, 1966.

Mr. L. K. GERHARDT,
Associate Director,
Civil Auditing and Accounting Division,
U.S. General Accounting Office,
Washington, D.C.

DEAR MR. GERHARDT: Pursuant to the request contained in your recent letter relative to the payment of holiday compensation to certain officers of the District of Columbia Fire Department, I have had the matter investigated by the Office of the Corporation Counsel and have received a report from that office, which is basically as follows.

Deputy Fire Chiefs Alexander J. Patrick and Henry B. McDonald performed work at their regular duty stations on the holidays in question. The nature of the work, and the actual duty hours are shown on the Schedule "A" attached hereto.

Fire Chief Henry A. Galotta and Assistant Fire Chief William C. Weitzel, were on twenty-four hour standby duty on each of the days for which they received holiday compensation. Each of these officers performed the standby duty at places other than his normal duty station. The nature of such duty has been described by the Fire Chief as keeping himself "fully and accurately informed as to the effective operations of Department at all times and was available for instant response to such fires and other emergencies as necessity required." Continuous communication was maintained with the Fire Department through radio transmitters and receivers in their homes, their private automobiles and in their officially assigned Fire Department vehicles, and by way of personal "bellboy" equipment worn on the person of the officer.

Public Law 82-195 (Section 4-807, D.C. Code, 1961 ed.) approved October 24, 1951, states, in pertinent part, that:

"Under regulations promulgated by the Commissioners of the District of Columbia, each officer and member of the Metropolitan Police force and of the Fire Department of the District of Columbia, *when he may be required to work on any holiday,* shall be compensated for such duty, excluding periods when he is in a leave status, in lieu of his regular rate of basic compensation for such work, at the rate of twice such regular rate of basic compensation * * *." (Emphasis supplied.)

It is the opinion of the Acting Corporation Counsel that, while the standby duty performed by Fire Chief Galotta and Assistant Fire Chief Weitzel may, in a sense, be deemed "work," it does not come within the contemplation of the above-quoted portion of the statute.

Accordingly, the holiday compensation paid to Chief Galotta and Assistant Chief Weitzel for the days in question was not authorized by the provisions of Public Law 82-195, nor by any regulation promulgated by the Commissioners of the District of Columbia.

Sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners.

Attachment.

Schedule A

Date	Work performed	Nature of work	Duty station	Actual hours
HENRY A. GALOTTA				
Sept. 3, 1962, Labor Day	As acting fire chief in command of the fire department I kept myself fully and accurately informed as to the effective operations of department at all times and was available for instant response to such fires and other emergencies as necessity required.	Standby	Field	Midnight to midnight.
Nov. 11, 1962, Veterans Day	do	do	do	Do.
Nov. 29, 1962, Thanksgiving.	do	do	do	Do.
Dec. 24, 1962, Christmas Eve	do	do	do	Do.
Dec. 25, 1962, Christmas Day.	do	do	do	Do.
Jan. 1, 1963, New Year's Day	do	do	do	Do.
May 30, 1963, Memorial Day	do	do	do	Do.
July 4, 1963, Independence Day	do	do	do	Do.
Nov. 11, 1963, Veterans' Day	do	do	do	Do.
Nov. 28, 1963, Thanksgiving	do	do	do	Do.
Dec. 25, 1963, Christmas Day	do	do	do	Do.
Jan. 1, 1964, New Year's Day	do	do	do	Do.
May 30, 1964, Memorial Day	do	do	do	Do.
Sept. 7, 1964, Labor Day	do	do	do	Do.
Nov. 11, 1964, Veterans Day	do	do	do	Do.
Nov. 26, 1964, Thanksgiving	do	do	do	Do.
Jan. 1, 1965, New Year's Day	do	do	do	Do.
Feb. 22, 1965, Washington's Birthday.	do	do	do	Do.
May 30, 1965, Memorial Day	do	do	do	Do.
July 4, 1965, Independence Day.	do	do	do	Do.
Sept. 6, 1965, Labor Day	do	do	do	Do.
Nov. 11, 1965, Veterans Day	do	do	do	Do.
Nov. 25, 1965, Thanksgiving	do	do	do	Do.
Dec. 25, 1965, Christmas Day.	do	do	do	Do.
Jan. 1, 1966, New Year's Day	do	do	do	Do.
Feb. 22, 1966, Washington's Birthday.	do	do	do	Do.
WILLIAM C. WEITZEL				
July 4, 1964, Independence Day.	As acting fire chief in command of the fire department I kept myself fully and accurately informed as to the effective operations of department at all times and was available for instant response to such fires and other emergencies as necessity required.	do	do	Do.
Dec. 25, 1964, Christmas Day.	do	do	do	Do.
ALEXANDER J. PATRICK				
July 3, 1964, Independence Day.	Completed agency submission of 1966 budget estimates.	Urgent, to meet deadline June 29.	Headquarters	7:30 a.m. to 4:30 p.m.
Sept. 7, 1964, Labor Day	Completed analytical statements on 1965 appropriation; prepared apportionments of 1965 appropriation.	Urgent, to meet deadlines Sept. 4 and Sept. 11.	do	Do.
Dec. 24, 1965, Christmas	Prepared 1967 justifications for House committee.	Urgent, due Jan. 7, 1966.	do	8:00 a.m. to noon.
HENRY B. M'DONALD				
May 30, 1964, Memorial Day.	Prepare apparatus specifications; supervise on-duty mechanics.	Urgent. To meet deadline.	Repair shop	8:00 a.m. to 4:30 p.m.
Do	do	do	do	Do.
Nov. 11, 1965, Veterans Day.	Develop details of apparatus; supervise on-duty mechanics.	do	do	Do.

INFLATION AND THE ELDERLY

Mr. PEARSON. Mr. President, few domestic problems are more pressing and more extensive than those of our senior citizens. Unfortunately, many of their problems have been greatly magnified by the ongoing and spiraling inflation. No other group in our society suffers more from inflation than do our senior citizens. Because of the rising cost of living the elderly have seen the purchasing power of their income sharply reduced over the past 2 years. This has been effectively pointed out by Mr. Kenneth O. Gilmore in an article in the September 1966 issue of the Reader's Digest.

Mr. President, I ask unanimous consent that the text of this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S STOP EXPLOITING PEOPLE OVER 65!

(By Kenneth O. Gilmore)

"There's an old axiom in politics," thundered Vice President HUBERT H. HUMPHREY to Democratic Party chairmen after he had enumerated a long list of new multimillion-dollar measures passed by Congress: "'Let the people know what you've done for them, and they'll treat you right.'"

"So I call upon each of you," he went on, "to spread the word from the biggest city to the smallest town and tell the people what we've done for them."

The exhortation was the signal for the release of a flood of words that citizens are now hearing every day about the wondrous gifts pouring down upon them from Washington. But a look behind this buy-off strategy reveals that the political speechmakers have failed to mention one sobering fact: the menace spawned by the Great Society's gigantic federal spending.

Though this menace endangers us all, it holds particular peril for citizens over 65. Relentlessly it shatters their dreams, destroys their dignity and brings dread into their lives. Systematically it strips away their small fixed incomes, undermines their insurance protection, robs their savings, plunders their private pensions and steals their Social Security benefits. It is *inflation*, the No. 1 enemy of 19 million older Americans.

They Never Catch Up. Consider how the merciless price spiral of inflation strikes hardest at those who can never catch up:

In Pennsylvania a bright-eyed 80-year-old man confesses that he cannot afford to live much longer. "I thought I had all the savings I'd ever need, but food and rent keep costing more. It won't be too long before I run out of money," he says. "That worries me more than dying."

A 67-year-old widow in Florida declares: "My Social Security benefits shrink every time I go to the store. The President is concerned about the cost of steel—but what has he done to curb food prices?"

A young mother of three children in Nebraska says, "Granddad had to move in with us because his retirement money was just eaten away. It's breaking his heart because he is no longer independent. That's more important to him than anything."

An 85-year-old woman in Washington, D.C., is looking for a $50-a-month room with a hot-plate because she can no longer afford to live in a commercial hotel. "My savings have been wiped out by high costs," she says. "I'm just sliding down into poverty."

In Ohio a retired barber exclaims: "Doesn't our government in Washington realize how badly it is bleeding those of us on fixed incomes?"

Such cases can be multiplied by the millions. They tell of the terrible penalty that inflation is imposing on those who can least afford it. And what is happening to them should serve as a frightening warning to all, for none of us can escape the consequences of the daily dilution of the dollar.

Every day 3,800 Americans turn 65. Only then do many suddenly realize that each five dollars they put aside before World War II now brings home just $1.85 in groceries. And what of 44,500,000 citizens under 65 with savings, and 25 million persons covered by private pension plans? If costs climb as they have in the past, people now 40 years old could at age 65 pay $2.19 for a dozen oranges, 72 cents for a head of lettuce, $3.10 for a pound of round steak and $5.92 per pound of lamb chops.

Or how about the 80 million persons who forked over $9 billion in Social Security taxes last year? Will they someday find that, despite the promises heralding federal old-age insurance, inflation has made a mockery of this "protection"? Unless the lessons of the past quarter-century are meaningless, they will. In 1940 the highest monthly payment to a retired couple was $68.40 per month. Now it is up to $152.50 for that couple. Yet in purchasing power the benefit buys $1.32 *less* per month than the much smaller pension did 26 years ago!

Such is the consequence of gigantic deficit spending: the resultant inflation takes away with one hand what the government so grandly gives with the other. It unquestionably means that older citizens must receive larger pensions just to survive. It also means higher levies on everyone's wages. And those covered by expensive new benefit programs such as Medicare will discover that no plan guards their pocketbooks against growing market bills.

Ponder this one set of facts: More than 5,500,000 persons 65 and over try to exist on $2,000 or far less per year, and at least 60 percent of their money goes for food. Yet in a recent 12-month period meat prices in major U.S. cities jumped 21 percent, and non-meat substitutes rose 12 percent, not to mention other items. That's how our elderly are victimized, even as the system supposedly helps them. That's why they keep falling behind.

Bedazzled by Benefactors. Despite the cruel hoax, untold numbers of citizens over 65 have been bedazzled into believing that Washington's money dispensers are their true benefactors.

This masterful feat has been achieved by the mobilization of tens of thousands of the elderly into a gigantic "pressure" organization which, by the record of its own words and actions, is actually little more than a political pawn of the current administration. Called the National Council of Senior Citizens, it parades as a "non-partisan" group and is permitted to enjoy tax exemption, yet works hand in glove with one party, pummels its members with Great Society propaganda and promotes ever-larger federal ventures which too often are not even remotely helpful to the elderly.

Most significantly, this nationwide apparatus represents a cynical new grab for the votes of our older citizens. Its techniques typify an alarming trend toward exploiting huge minority segments of the U.S. population. How it started and grew to phenomenal size tells much about both the plight of our elderly and their pathetic vulnerability to political opportunists.

Baiting the Trap. Prior to the formation of the council, many older people belonged to some 7000 local recreational and community-service clubs which had approximately four million members. What if they could be lured into one enormous "action" network with medical-care legislation as the bait? In 1961, during a conference on the aged at the University of Michigan, labor leaders, welfare workers, government "specialists" and social scientists began hammering at this seductive theme: Why not organize the elderly and provide them with "spokesmen" to "articulate" their views?

Some recent history showed that it could be done. During the 1960 Presidential election the Democrats had put together an impressively effective Senior Citizens for Kennedy Committee. And the man who headed it, former Rep. Aime J. Forand, a Democrat from Rhode Island, had crisscrossed the nation making scores of contacts with groups of the elderly.

Thus it was that on August 25, 1961, a lengthy appeal letter under the heading "National Council of Senior Citizens Health Care Through Social Security" (the longer title was later dropped) was mailed from a hotel office on Capitol Hill to 1900 leaders of the elderly. The solicitation, signed by Forand, said that the new council's "primary purpose" was "to weld senior citizens' organizations and millions of individuals from all over the country into one strong and effective voice in Washington."

The AFL–CIO swiftly threw in its support, and unions such as Walter Reuther's United Auto Workers and the United Steel Workers not only provided leadership but brought over thousands of their retired members belonging to senior citizens' clubs. In less than two weeks the council claimed commitments from groups totaling 65,000 persons.

Propaganda Unlimited. As the council battled for Medicare, it wielded all the tools of a well-oiled pressure machine. Speakers' bureaus provided orators for service clubs, church groups and social gatherings. Across the nation thousands of rallies were staged. Detailed instructions went out on how to write Congressmen.

All the while the council posed as a "nonpartisan" organization to ensure success of its intensive membership drive. But this was only a façade. Over a four-year period the Democratic National Committee had been quietly pumping thousands of dollars into the council's coffers. During 1962 and 1963 the pipeline fed in $45,000, and in the next two years $50,000 more was "contributed" to the council kitty. These political subsidies have never been mentioned in the council's monthly newspaper.

But consider what *has* been discussed. The council has claimed it "had a hand in ensuring" that four members of the House Ways and Means Committee "were rejected by their constituents" in the 1962 and 1964 elections. Yet the Internal Revenue Service's instructions specify that "participation in a political campaign on behalf of or in opposition to a candidate for public office will *preclude tax exemption.*"

By January 1964 more than 1700 affiliated older people's clubs had been signed up, with a combined membership of nearly two million persons. The passage of Medicare legislation the following year was a heady experience. Four of the council's Washington headquarters staff were invited to fly in President Johnson's aircraft to Independence, Mo., for a ceremonial bill-signing. Not long after, a call went out to members for greater effort—because "many of those in positions of power can only be moved to action when they are jolted by mass-membership organizations."

And now, with health care on the books and membership growing by 20 new affiliate clubs every month, the council showed its real claws.

Payoff to AFL–CIO. One huge IOU was to organized labor. So a first order of business last fall was to line up battalions of older people behind the big administration-labor drive to have Congress repeal the right-to-work provision which permits workers to hold jobs without belonging to a union. Council President John W. Edelman, a former lobbyist for the Textile Workers Union in Washington, evangelized his two million members with the gospel that repeal "is an essential step in the construction of the Great Society." It is hard to imagine how this would benefit those who are retired.

Today the council continues to flex its muscles on a wide front. It publicly calls itself "a powerful political force" and brags that its officers are invited to the White House "on many occasions, and their advice is sought on many national problems." Wielding its big-membership stick, it has faithfully beaten the drums for Presidential spending proposals. Nothing is said, however, about the additional debt and inflation that will ensue when each big project drains more booty out of the federal till. In fact, the council has backed the administration on raising the minimum-wage level—*despite* *authoritative testimony that the consequent boost in prices will hit the elderly the hardest.*

Last June the Great Society followed up when council delegates met in Washington for their annual convention. Buses took them from their Statler Hilton headquarters to the White House rose garden. There President Johnson pledged an across-the-board Social Security increase for all 21 million beneficiaries. "I thank you from my heart for standing by us over the years," he declared.

Afterward, at a gala luncheon, a council official appealed for the re-election of 55 Democratic Congressmen in marginal districts. Then Vice President Humphrey stood up to speak. "I hope you will work hard for their re-election," he declared. "We'll deliver for you," he promised, "if you, your family and your friends work for the election of a solidly liberal Congress next November."

Herded and Hoodwinked. Is this what our older citizens want—to be put on a political treadmill that keeps them panting in pursuit of federal handouts so long as they deliver votes to their benefactors on election day? Certainly there are millions who do *not* want to be herded like animals into a great voting bloc. Neither do they wish to become totally dependent on an ever-enlarging bureaucracy. But so long as inflation persists, they *must* be extended larger benefits just to keep their heads above water. Here's how we can help give them a fair break:

Our bureaucracy should stop pretending that inflation does not really exist, especially as it affects retired people. I have combed through piles of reports and studies on the aged by a variety of U.S. agencies and found very little specific material about the cost-of-living spiral. A recent report on the elderly, prepared for the Poverty Program, contains only six words specifically about inflation buried in its 28 pages. "Researching inflation's damages to the aged steps on sensitive toes in Washington, so you see very little about it," says Mabel Edwards, a research specialist on old age at the University of Iowa. Yet, as Yale economics professor Richard Ruggles has pointed out, expenditures for retired people are usually for rent, property taxes, urban transportation and medical care—all of which have risen even faster than the average of consumer prices.

Our gigantic federal welfare empire must stop inflicting preposterous double standards on older citizens. The Office of Economic Opportunity sets the overall poverty line at $3000 income per year and spends tax funds to teach the elderly new employment skills. Yet simultaneously the Social Security Administration penalizes older workers by holding back one dollar of benefits for every two dollars earned above $1500. Thus, those who otherwise might work their way out of poverty are thrown back into it again by Washington.

Our older citizens must be on the alert against those who are eager to exploit them for political purposes. The National Council of Senior Citizens should certainly drop its "non-partisan" cover and register as a lobbyist for either the AFL–CIO or the Democratic Party. And, on the basis of the council's political activity, its federal tax immunity should be carefully renewed, and its receipts and expenditures should be made public.

If the Great Society continues to pursue inflationary policies, then the administration should tie Social Security benefit increases directly to price rises. Taxpayers obviously would have to pay more into the Social Security fund to keep it solvent—but at least they would know the real price of fiscal irresponsibility.

We must admit that there can be no lasting hope for the elderly until inflation, their No. 1 enemy, is beaten back. This will happen only when unconditional war is waged against excessive, extravagant spending in every branch of our federal establishment. Otherwise, new gifts will *always* trail behind new prices. So let's end this demoralizing exploitation. Let's give our older citizen's present and future, the greatest gift of all—*a stable dollar.*

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, are we still in the morning hour?

The PRESIDING OFFICER. The Senator from Montana is correct.

Is there further morning business? If not, morning business is concluded.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which will be stated.

The Legislative Clerk. A bill (S. 3046) to strengthen and improve programs of assistance for our elementary and secondary schools.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill.

Mr. DIRKSEN. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 10, between lines 6 and 7, insert the following:

"(c) The amendments made by this section shall be effective for fiscal years beginning after June 30, 1967."

On page 12, beginning with line 12, strike out all through line 21 and insert in lieu thereof the following:

"RAISING THE LOW-INCOME FACTOR TO $3,000 AFTER JUNE 30, 1967

"Sec. 106. Section 203 (c) of such Act of September 30, 1950 is amended to read as follows:

"(c) For the purposes of this section, the "Federal percentage" shall be 50 per centum and the "low-income factor" shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and they shall be 50 per centum and $3,000, respectively, for the fiscal year ending June 30, 1968."

On page 13, line 2, insert "1967" in lieu of "1966".

On page 13, line 4, insert "1967" in lieu of "1966".

On page 24, line 13, insert "$105,000,000" in lieu of "$125,000,000".

On page 29, line 24, insert "$150,000,000" in lieu of "$200,000,000".

On page 37, line 11, insert "$22,000,000" in lieu of "$30,000,000."

Mr. DIRKSEN. Mr. President, without losing my right to the floor, I make a point of no quorum.

The PRESIDING OFFICER. On whose time?

Mr. DIRKSEN. I ask unanimous consent that time for the quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I yield 5 minutes on the bill to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, it was a privilege to have participated in subcommittee and committee consideration of S. 3046, the Elementary and Secondary Education Amendments of 1966. I enjoy the opportunities and responsibilities of membership on both groups.

Before I proceed with remarks on this legislation, I praise the leadership of the distinguished colleague who is the manager of this measure, my cherished friend from Oregon [Mr. Morse], chairman of our education subcommittee. He is a leader in the education legislation field whose contributions should surely be acclaimed and whose devotion to the cause can never be adequately measured by any test of its intensity and its depth.

Also, Mr. President, I commend the dedication and the diligence of all of my colleagues on the education subcommittee and I emphasize the fine cooperation we have received from the minority members under the patriotic leadership of the ranking minority member, the senior Senator from New York [Mr. Javits].

As Senators know, we faced many severe difficulties during our deliberations in the Subcommittee on Education and in the Labor and Public Welfare Committee sessions. In substantive legislation when we consider authorization, as in actual appropriations consideration, we face many budgetary problems. This is true in all committees because of the imponderable nature of the fluctuating needs of this Nation, both at home and abroad, and because of economic impacts. There were no exceptions to these conditions as we worked to shape and to report the Elementary and Secondary Education Amendments of 1966.

Mr. President, the immediate past president of West Virginia University, Dr. Paul Miller, is now serving as Assistant Secretary for Education under the distinguished Secretary of Health, Education, and Welfare. We had the pleasure in this body recently of confirming Dr. Miller for that post. In an interview on August 9 with a representative of the West Virginia Center for Appalachian Studies and Development, Dr. Miller made the following observation, which I believe we should keep in mind during debate on this and other education measures:

> No state is excluded from the general principle which governs social and economic development throughout the world: whether in the duties of being good citizens or performing occupational tasks, all of the people, in an industrial society, must achieve the highest possible level of education which they are capable of attaining. Second only to the proficiency of government, education

> is the chief hope for the future of West Virginia. From what we now know about economic development, it is directly related to the level of knowledge in a given society and how people are prepeared to use it.

I emphasize two points Dr. Miller made, and then will discuss some of the statistics which the very able Senator from Oregon [Mr. Morse] has inserted into the record during the past 2 days. The two points are: "in the duties of being good citizens, all of the people must achieve the highest possible level of education which they are capable of attaining," and, "it—economic development—is directly related to the level of knowledge in a given society."

Mr. President, whether in a peacetime or wartime society, one of the duties of the men, and in some cases the women, of a nation has always been to serve for some time in the uniform of their country, for—we would always hope—merely defensive purposes. This service can be as medical corpsmen, or armed soldiers, in the Reserves or in the National Guard. But it is expected of most, and most do desire to serve. I am distressed, therefore, that in my State, in 1965, there was a failure of 27.8 percent of those who were drafted to pass the Armed Forces mental tests.

I am further disturbed that, according to Census Bureau figures, in 1960 the percentage of illiteracy among those over the age of 14 years in my State was 2.7—ranking us 17th from the top in the percentage figures from all States. One further statistic which causes me distress is that West Virginia ranks third from the top in a scale showing the number of median school years completed by persons 25 years and older—where those who are on top are there because they have the least number of school years completed. What this really means is that my State is third from the bottom, Mr. President, with a median of only 8.8 years of completed schooling for all West Virginians 25 years of age or older.

I do not want any Senator to think that I am being critical of West Virginia. I love my State and its citizens, and I am proud and honored to represent its citizens here in this chamber But as it is with all things we love, Mr. President, we desire them to be and to have the best of everything—and I want West Virginia to be and to have the best in education. I have worked to this end for over 40 years, as a private citizen and public servant. And, God willing, I shall continue this task for years to come.

The figures cited will show to any who might doubt, that Dr. Miller was right—illiteracy, and a low median in years of school completed have had a foreseeable result in the ability of our young men to pass the national mental tests given by the Armed Forces. Some of our citizens cannot perform "the duties of good citizens." But West Virginia has a proud history of vital contributions in our Nation's battles—the Revolution, the Indian wars, and World Wars I and II.

The second point Dr. Miller made, that of the relation of economic development to the level of knowledge, is even more telling when we consider, only briefly, that West Virginia was included in the vital Appalachian assistance program we have had to undertake in this Congress—and that many of us wanted enacted in 1964.

Mr. President, I desire Senators to know that the State of West Virginia is making a tremendous effort to offer the best in education to its children. We spent 5.09 percent of our per capita income on education in 1963. We are continuing to improve. But we need, as all States do, the assistance provided by legislation such as that before us today. I oppose all efforts to reduce or dilute the measure before us.

I support this measure, not simply because West Virginia would receive an estimated $28,230,085 under this bill, but because I believe, sincerely, that there was truth in the statement made by Assistant Secretary of Education Dr. Miller.

> No state is excluded from the general principle which governs social and economic development throughout the world . . . all of the people . . . must achieve the highest possible level of education which they are capable of attaining.

Mr. President, we must place within the reach of our youth that highest level. We must not leave them grasping vainly for a goal that is out of their reach. This we owe to our Nation, to our conscience, and to the Creator of us all.

AMENDMENT OF SECTION 25 OF THE IMMIGRATION AND NATIONALITY ACT

Mr. MANSFIELD. Mr. President, with the permission of the distinguished manager of the bill, the senior Senator from Oregon, I ask unanimous consent that the pending business (S. 3046) be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1643, S. 3712.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 3712) to amend section 245 of the Immigration and Nationality Act.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

> That, notwithstanding the provisions of section 245(c) of the Immigration and Nationality Act, the status of any alien (1) who is a native or citizen of Cuba or (2) who, subsequent to April 24, 1965, and prior to June 2, 1966, has been displaced from his usual place of abode in the Dominican Republic because of military operations in that Republic and who has been inspected and admitted or paroled into the United States and has been physically present in the United States for at least two years, may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe, to that of an alien lawfully admitted for permanent residence if the alien makes an application for such adjustment, and the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence. Upon approval of such an application for adjustment of status, the Attorney General shall create a record of the alien's admission for permanent residence as of the date of his last arrival into the United States. The provisions of this Act shall be applicable to the spouse and child of any alien described in this subsection, regardless of their citizenship and place of birth, who are residing with such alien in the United States.
>
> Sec. 2. In the case of any alien described in clause (1) of section 1 of this Act who, prior to the effective date thereof, has been lawfully admitted into the United States for permanent residence, the Attorney General shall, upon application, record his admission for permanent residence as of the date the alien originally arrived in the United States as a nonimmigrant or as a parolee, or as of January 3, 1961, whichever date is later.
>
> Sec. 3. Section 13 of the Act entitled "An Act to amend the Immigration and Nationality Act, and for other purposes", approved October 3, 1965 (Public Law 89–236), is amended by adding at the end thereof the following new subsection:
>
> "(c) Nothing contained in subsection (b) of this section shall be construed to affect the validity of any application for adjustment under section 245 filed with the Attorney General prior to December 1, 1965, which would have been valid on that date; but as to all such applications the statutes or parts of statutes repealed or amended by this Act are, unless otherwise specifically provided therein, continued in force and effect."
>
> Sec. 4. Except as otherwise specifically provided in this Act, the definitions contained in section 101 (a) and (b) of the Immigration and Nationality Act shall apply in the administration of this Act. Nothing contained in this Act shall be held to repeal, amend, alter, modify, affect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of the Immigration and Nationality Act or any other law relating to immigration, nationality, or naturalization.

Mr. KENNEDY of Massachusetts. Mr. President, passage of this bill will reaffirm our Nation's traditional humanitarian concern for refugees who come to our shores.

Since Fidel Castro's coming to power in Cuba in January 1959, some 300,000 Cuban refugees have come to the United States. The influx was small in the early days of the Castro regime, but increased rapidly as the Cuban revolution gained momentum and its totalitarian character emerged. For nearly 2 years, beginning in late 1960, arrivals at Miami's International Airport numbered some 1,500 to 2,000 persons weekly. The flow was hampered only by the rupture in Cuban-American relations on January 3, 1961, and the restrictions imposed by the Castro government.

The flow of refugees ended abruptly during the missile crisis in October 1962. In the following months and years, several thousand Cubans departed their homeland on ships returning to the United States following the delivery of medical supplies in connection with the agreement on prisoners. Others have entered the United States via third countries; chiefly, Mexico and Spain. Still others have fled, and continue to flee, under adverse and hazardous conditions, using a small boat and the waters between Cuba and the United States as their gateway to freedom.

In late September 1965, Castro announced to the Cuban people his willingness to permit the free departure of Cubans with relatives in the United States, and anyone else who desired to leave. On October 3, President Johnson reaffirmed America's concern for the plight of the Cuban people, and our continued willingness to welcome those who sought asylum in the United States.

Through negotiations conducted by the Swiss Ambassador in Havana, a memorandum of understanding was concluded with the Cuban Government on November 6, 1965. The memorandum provided for an orderly entry, by airlift, of some 3,000 to 4,000 refugees monthly. Since December 1, more than 36,500 Cubans have arrived in Miami to be reunited with their families.

In the early days of the exodus, and during the period when American consular offices were still open in Cuba, Cuban nationals applied for regular immigrant visas, and many were admitted to the United States for permanent residence. Others arrived with visitor's visas, and were subsequently permitted to remain in this country.

The bulk of the refugees, however, entered the United States pursuant to section 212(d)(4) of the Immigration and Nationality Act, which authorizes the Attorney General to parole aliens into the United States without the benefits of an immigrant visa. The Immigration and Naturalization Service reports that nearly 200,000 refugees are currently in parole, or other nonimmigrant status.

The provisions of existing law preclude such alien—like any native of the Western Hemisphere—from adjustment of status in the United States. Such aliens are required to leave this country, and apply for an immigrant visa at a consular post abroad. If their applications are approved, they are permitted to reenter the United States as permanent residents.

I do not question this procedure for aliens who come to our country through normal channels and in casual circumstances, and then elect to become permanent residents. I believe, however, the procedure has little justification in the case of refugees from Cuba. Their entry into this country has been anything but normal and casual—they were under duress and fleeing oppression. Moreover, the procedure in existing law is time-consuming, and places a heavy financial burden on a people dispossessed by an oppressive regime in their homeland.

Mr. President, the main purpose of the pending measure is simply to waive this procedure in the case of refugees from Cuba, who have been physically present in the United States for at least 2 years. The Attorney General, in his discretion, is permitted to adjust the status of any native or citizen of Cuba—who was admitted, inspected, or paroled into the United States—to that of permanent residence, as of the refugee's last arrival in the United States.

I want to emphasize that adjustment of status will not be automatic. The refugee himself must make application, and be otherwise eligible to receive an immigrant visa.

In the case of any Cuban refugee who has previously been lawfully admitted to the United States for permanent residence, upon application of such refugee, the Attorney General is authorized to record the refugee's admission for permanent residence as of the date of the refugee's original arrival in the United States, or as of January 3, 1961, whichever date is later.

The Congress has, in the past, granted similar relief through legislative enactment to refugees in the United States in temporary status. Legislation was enacted for Hungarian refugees in 1958, for certain refugees admitted under the so-called fair share law, and for refugees from countries outside the Western Hemisphere who are presently granted conditional entries under the Immigration Act of 1965.

Mr. President, aside from the pending bill's basic humanitarian objective, I believe it will help remedy a number of specific problems.

First, the talents and experience of many Cuban refugees are going to waste because State professional licensing laws keep those without permanent residence status from practicing their skills and professions. It is obvious that such refugees could fill an urgent need in our society if given the opportunity for adjustment of status.

Second, this bill will facilitate the rather substantial Federal program of assistance administered by the Department of Health, Education, and Welfare. The purpose of this program is to give effective asylum by providing the refugees with opportunities for self-support. In the current fiscal year expenditures in the Cuban refugee program will approach nearly $51 million, and officials in the executive branch have indicated a rise in that amount can be anticipated for fiscal year 1968. It is important that every effort be made to direct these funds toward making the refugees self-sufficient, so that we can anticipate a decline in expenditures in future months and years.

Third, I am hopeful that the pending measure will encourage the resettlement of some refugees to other countries in this hemisphere, where refugee talent would contribute so much to economic, political, and social development. Today, however, refugees are hesitant to leave the United States. As parolees, they are not assured reentry if, for valid reasons, they choose to return.

Mr. President, as chairman of the Judiciary Subcommittee on Refugees and Escapees, I have conducted a number of hearings in Washington and elsewhere which dramatically document the need for legislation to adjust the status of Cuban refugees. Recently, in response to questions before the subcommittee, Secretary of State Dean Rusk said he placed a "high priority" on such legislation and urged the Congress to take action.

In a later hearing before the Subcommittee on Immigration and Naturalization, other officials from the Department of State repeated this call for action, and enactment of the pending bill. They were supported by officials from the Department of Justice and the Department of Health, Education, and Welfare. Representatives from the private voluntary agencies added their support as well.

Legislation to adjust the status of Cuban refugees has been pending in the Senate since February 1962, when the very able and distinguished senior Senator from Michigan first introduced a bill for this purpose. And I want to pay tribute to Senator HART for his leadership in this area.

I would also remind Senators that the general immigration bill which passed this body during the last session included a provision for adjustment of status. Unfortunately, it was deleted at the last minute in conference.

Mr. President, although the pending measure applies primarily to the refugees from Cuba, I would also point out, that in committee it was amended to cover, as well, bona fide refugees from the Dominican Republic, who fled to the United States in the period immediately following the Dominican revolution in April 1965.

The bill was also amended to include the substance of H.R. 12596, which passed the other body on August 1, 1966. This would adjust the status of natives of the Western Hemisphere, physically present in the United States, whose petitions for adjustment were pending on December 1, 1965, the effective date of the Immigration Act of 1965. This act does not provide for adjustment procedures for natives of the Western Hemisphere.

Mr. President, I urge passage of the pending bill.

Mr. HART. Mr. President, when Fidel Castro turned the Cuban Government into a Communist-dominated area in 1959, many Cubans fled to the United States. These people applied for and were granted visas by our consular offices in Cuba.

Although some of the visas were student or visitor visas, the great majority provided permanent resident status.

In January 1961, our Government closed these consular offices but permitted the Cubans to continue to enter our country through a visa-waiver process. Cuban refugees have continued to seek asylum in the United States, even after the missile crisis of October 1962 cut off direct flights from Cuba to this country. On December 1, 1965, the United States permitted a new influx of Cuban refugees to come directly from Cuba on flights chartered by our Government. As the result of our open-door policy for Cuban refugees, which is commendable and consistent with our traditional asylum policies, thousands of these fine people have reached our shores over the past 6 years. The large majority, however, have indefinite voluntary departure or parole status. The Cuban refugee program of the Federal Welfare Administration charged with servicing the refugee population, reports that over 200,000 Cubans have registered for assistance. It is estimated that two-thirds of the people have been admitted to the United States on some form of parole status.

The Cuban refugee program, with the help of the voluntary agencies, has been remarkably successful in moving over 110,000 of these refugees away from Miami to some 3,000 communities throughout the country. Many of these people are professionally trained or have skills which our country has in short supply. As an example, nearly 2,000 Cuban doctors have come to this country in the refugee influx. Many of these highly skilled persons have been with us for a period of 3 to 4 years. They cannot enter their chosen fields of work, with rare exceptions, due to their lack of permanent resident status. They just cannot qualify in the majority of States for the required licenses or certificates due to this lack of permanent immigration status. As a result of this situation one finds these trained people working as parking lot attendants, bus boys and in other menial services. Our country is the loser for we could well use these skills in our booming economy. A Florida legislator recently pointed out these facts:

> U.S. medical schools will have to produce 11,000 new doctors every year up to 1975 to keep up the ratio of one physician to every 1,000 persons in the United States. Yet in 1965, U.S. medical schools graduated only 7,400 new doctors.

Mr. President, I do not believe that this is a matter of foreign policy. These people are here, and our communities have welcomed them with open arms.

This is a matter of economics. The Cubans should be permitted to use their skills and professional training and our country should be able to profit from their work. It seems almost unbelievable that the only way in which a Cuban professional person, caught in this web, can obtain permanent resident status, is to pack himself and his family over the border to neighboring Canada where he may be processed for a visa granting him permission to return to the country which he just left. He has been relieved of many dollars expended in making the trip and, I might add, dollars which might be better put to use by himself and his family during his adjustment period in the United States. It is to alleviate this situation, Mr. President, that I urge the approval of the pending measure.

We pray for the day these people will be able to return to their native land because this is where they prefer to be. But I would like to believe that while these refugees were in our land, we did everything to strengthen their belief in the democratic process and that we helped preserve their skills so that they might put them to good use in their own country. I sincerely believe that the pending measure, of which I am a cosponsor, will be of immeasurable aid in meeting these two objectives.

Mr. JAVITS. Mr. President, as a cosponsor of this measure, I want to voice my approval and urge its speedy passage.

The report clearly indicates the special problem of the more than 240,000 Cuban refugees who have entered this country since the advent of the Castro regime. Many came as refugees and desire to become citizens, but they, as well as other citizens of Western Hemisphere nations are precluded from adjusting their status to permanent resident while in this country. While others can return to their country of origin for appropriate processing, Cubans cannot return, and even if they could, there is no U.S. Embassy in their country to issue the correct visa. For many Cubans, this has meant a costly and inconvenient trip outside the United States—usually to Canada or Mexico—where the required documents can be obtained. This measure will relieve them of that burden and will facilitate their applications for citizenship.

Last year, when the Congress revised the Immigration and Nationality Act, I proposed an amendment similar to this bill which would have allowed adjustment of status in the United States. My amendment was accepted in committee and was passed by the Senate, but was lost in conference.

The vast majority of these Cuban refugees have already made a contribution to our Nation in the form of skills, education, and initiative. This bill will assure them the opportunity to continue their new lives in freedom and security.

Mr. ERVIN. Mr. President, the bill came from the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary. It authorizes an adjustment of the status of Cuban refugees to the United States.

While I am a stanch advocate of restricted immigration, I think that the passage of the pending bill is necessary in respect to the Cuban refugees. There is no prospect that they will be able to return to their own country within any foreseeable time.

The pending measure merely provides that they may have their status adjusted with a view ultimately to becoming American citizens.

I think it is necessary to pass the pending bill to deal with the situation confronting us which, in the words of Grover Cleveland, is "a condition and not a theory."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 3712) was ordered to be engrossed for a third reading and was read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 15183, a bill similar to the pending measure, and that the Senate proceed to the consideration of H.R. 15183.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15183) to adjust the status of Cuban refugees to that of lawful permanent residents of the United States.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill, H.R. 15183.

Mr. MANSFIELD. Mr. President, I move to strike out all after the enacting clause of the bill, H.R. 15183, and insert in lieu thereof the language of S. 3712, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 15183) was passed.

The title was amended, so as to read: "A bill to adjust the status of Cuban refugees to that of lawful permanent residents of the United States, and for other purposes."

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 3712 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF NATIONAL SCHOOL LUNCH ACT—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair.) The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 5, 1966, pp. 25306-25307, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, the bill S. 3467, as passed by the Senate provided for: first, a special milk program for fiscal years 1967, 1968, 1969, and 1970, with an authorization of not to exceed $110 million for the present fiscal year, $115 million for fiscal 1968, and $120 million for the last 2 years of the extension; second, a pilot breakfast program for fiscal years 1967 and 1968, with an authorization of not to exceed $7.5 million during this fiscal year and $10 million in fiscal 1968; third, a permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist; and, fourth, general administrative provisions for (a) appropriation of funds to assist State educational agencies, when necessary, in administering additional activities, (b) authorizing the Secretary to extend school feeding programs under the act to include preschool programs operated as part of the school system, and (c) centralization in the Department of Agriculture of the administration of Federal programs to assist school feeding programs.

The bill as approved by the conference committee is essentially the same as that passed by the Senate. The only major change, if it can be called major, is that the nonfood assistance program is limited to 4 years with stated authorizations of not to exceed $12 million for fiscal 1967, $15 million for fiscal 1968, and $18 million for the last 2 years of the program. The conferees felt that since this was a new program, a time limitation would be desirable so that the Agriculture Committees and the Congress would again have an opportunity to take a look at the program to see how it was working out.

One of the main features of S. 3467 was the extension of the special milk program for children. In this regard both the Senate and House versions were identical. Therefore, no changes were made.

The House had extended the provisions of the bill to include the Trust Territories of the Pacific Islands and would have authorized appropriations to extend to children attending overseas dependent schools, administered by the Department of Defense, the benefits of this act and of the National School Lunch Act. Both of these provisions were dropped because the conferees felt that the complexity of administration would be extremely difficult. Also, with respect to the extension of the feeding programs to dependents in overseas schools, the conferees felt that this involved matters of substantive legislation and policy affecting not only this act but the National School Lunch Act as well, and therefore should be the subject of separate legislative consideration.

Mr. President, I am fully satisfied with the conference report. It represents a forward looking program designed to provide the schoolchildren of this Nation with highly nutritious food and milk for the development of their minds and bodies. I hope the Senate will approve this measure.

The **PRESIDING OFFICER**. The question is on agreeing to the conference report.

The report was agreed to.

PROXMIRE HAILS SCHOOL MILK VICTORY

Mr. **PROXMIRE** subsequently said: Mr. President, the Senate today has taken the final legislative action on the school milk bill. I am proud that on the day this bill was finally sent to the President, I presided over the Senate and struck the gavel sending it on its way. The goals I set out to achieve on that January 14 when I started my series of speeches on the milk program, when the outlook for the school milk bill was as cold as the weather, have now been substantially reached. This series of more than 150 speeches was triggered when the administration's budget for fiscal 1967 proposed an 80-percent slash in the program, which would have cut it to a minuscule and ineffective $21 million.

Week after week of pleading on the floor, together with the great work of school organizations and dairy groups throughout the Nation, began to pay off when two-thirds of my colleagues in the Senate joined me in cosponsoring legislation to make the program permanent.

Early this summer, Congress approved $104 million for the school milk program after the administration, in the person of Secretary of Agriculture Orville Freeman, wisely reversed its position by supporting the indefinite expansion of the program in its present form.

However, legislation to extend the program, which expires on June 30, 1967, still awaited action. Now a child nutrition bill has been sent to the President which, among other things, extends the school milk program through 1970.

I still intend to continue to fight for additional funds for the school milk program for fiscal 1967 in a supplemental appropriations bill. But the daily speeches which were so important in arousing public awareness of the danger the school milk program was in have now, with these final words, come to an end.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 16646) to amend title 10, United States Code, to authorize the award of Exemplary Rehabilitation Certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes.

The message also announced that the House further insisted upon its disagreement to the amendments of the Senate to the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes; asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. SIKES, Mr. WHITTEN, Mr. GEORGE W. ANDREWS, Mr. FLOOD, Mr. LIPSCOMB, Mr. LAIRD, Mr. MINSHALL, and Mr. BOW were appointed managers on the part of the House at the further conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17788) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. ROONEY of New York, Mr. NATCHER, Mrs. HANSEN of Washington, Mr. COHELAN, Mr. LONG of Maryland, Mr. MAHON, Mr. SHRIVER, Mr. CONTE, Mr. ANDREWS of North Dakota, and Mr. BOW were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Acting President pro tempore:

S. 2218. An act to establish a contiguous fishery zone beyond the territorial sea of the United States;

S.J. Res. 108. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor;

S.J. Res. 197. Joint resolution to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes;

H.R. 5912. An act for the relief of the estates of certain former members of the U.S. Navy Band; and

H.R. 9916. An act to amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1967

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its further disagreement to the amendments of the Senate to the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. **RUSSELL** of Georgia. I move that the Senate insist upon its amendments, agree to the request of the House for a further conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL of Georgia, Mr. HILL, Mr. MCCLELLAN, Mr. ELLENDER, Mr. STENNIS, Mr. SYMINGTON, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mrs. SMITH conferees on the part of the Senate.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (S. 3046) to strengthen and improve programs of assisstance to our elementary and secondary schools.

Mr. **MANSFIELD**. Mr. President, what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To whom will the time be charged?

Mr. DIRKSEN. It is not to be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 283 Leg.]

Aiken
Allott
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Cotton
Dirksen
Dodd
Ellender
Ervin
Fannin
Fong
Fulbright
Harris
Hartke
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Muskie
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], and the Senator from Michigan [Mr. HART] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. JORDAN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. DIRKSEN. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. DIRKSEN. Mr. President, I think this bill is living witness to the old, natural truth that tall oaks from little acorns grow, because we go back, for the genesis of this bill, to the act of September 23, 1950, known as Public Law 815, which was enacted by the 82d Congress.

Actually, that act dealt only with the question of impacted areas, but it has been amended; and it was rather substantially amended by the act of 1965, because there were included other provisions and other titles dealing with library resources, textbooks, instructional materials in educational centers, research for State departments of education, and the handicapped.

These are two basic acts. They continue to grow and grow, as witness the bill before us at the present time.

I have seen many difficult and prolix bills in my time. I have seen many bills that were difficult to amend; but I think this is about the most difficult to amend that I have ever known of to make what I considered to be some reasonable reductions and bring the bill more in line with the administration's request.

The budget request for title I was $1,271 million-plus. When that is measured against what was expended in fiscal year 1966, namely $950 million, there was an increase of roughly $300 million. This simply means that when the request was messaged to Congress, the administration had already taken into account so many of the factors involved and added $300 million that constituted the budget request.

When the House acted on the bill, it provided for only $1,392 million. That was an increase of $100 million. But the bill before us now, with respect to title I, calls for $1,667 million. That would be $400 million over the budget.

That does not take account of the other titles in the bill.

The main provisions in the bill refer to the change of a formula from $2,000 to $3,000, with provision for a choice starting in 1967 or 1968. So that there is a choice in making a selection between the national and State average.

Included in the bill are benefits for Indians, Guam, the Virgin Islands, and Puerto Rico.

There is also provision to take care of children of migratory workers and orphans in correctional schools.

In working out what I thought was a fairly decent reduction here, I start at the very beginning of the bill, on page 10. In order to make what I thought was a modest cut, the amendment indicates that in lines 6 and 7 on page 10, which deal with the provision for counting of orphans, children in State correctional institutions, and other children lacking parental support, it might well be reduced by the sum of $70 million.

The second amendment appears on page 12, beginning on line 12, and deals with the question of the low-income factor.

Originally it was an income factor of $2,000, and an allowance of a Federal percentage of 50 percent. Then it went up to $2,500. At long last it went up to $3,000. By holding the figure at a $2,000 base, it will save $313 million.

On page 13, in line 2 of the bill, there is a question of using the most recent aid-for-dependent-children data. That would bring in, of course, a good many more children. That starts with fiscal 1966. In the House bill that would be applied as of June 30, 1967. If the House figure, instead of the Senate figure were used, that would make a difference, I believe, of some $20 million.

On page 24 of the bill is a provision which deals with school library resources, textbooks, and other instructional materials, and authorizes appropriations. The exact language of the bill is:

> For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $100 million for the fiscal year ending June 30, 1966, $125 million for the fiscal year ending June 30, 1967, and $150 million for the fiscal year ending June 30, 1968; * * *

Reducing the figure "$125,000,000" to "$105,000,000" would provide a saving of $20 million.

The next item in the package amendment appears on page 29 of the bill. It deals with supplementary educational centers and services. It will be seen, on line 24, page 29, that the House figure was $150 million. The Senate committee saw fit to strike that amount and to make it $200 million.

The last amendment appears on page 37, line 11, and provides for restoring the House figure of $22 million, a reduction from $30 million, with a consequent saving of $8 million.

Mr. President, these amendments bring the amounts at least part way back to the figures which the President and the Budget Bureau submitted. In the aggregate, if my arithmetic is correct, the total reduction in title I of the bill would be $483 million.

There is no necessity for me to labor the point any further. What I do, I do in consequence of a promise I made that, so far as I could contrive it, no matter what the bill was, I would follow a reasoned course, not dipping into items that are highly sensitive, such as for instance, funds for handicapped children. I prefer to deal with the other items, which will add up to a substantial reduction in the bill.

That is the whole story, and I trust that this package amendment, aggregating $483 million, will prevail.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. MORSE. Mr. President, I yield myself 5 minutes.

In essence, the amendment of the Senator from Illinois [Mr. DIRKSEN] seeks to substitute the President's budget figures for the figures recommended to the Senate by the committee.

Therefore, let us face it, it is a question as to whether or not the Senate, this afternoon, is going to substitute the President of the United States for the Senate, by rubberstamping the President, and make him the legislative body also.

Mr. President, the committee has had placed on the desk of each Senator a copy of the hearings, setting forth the evidence submitted to us by the school people of this country, those to whom we entrust what I consider to be a sacred obligation—training the youth of this land for citizenship.

The President has not heard that testimony. The Bureau of the Budget has not heard that testimony. But your committee, as your agent, has weighed the evidence and has come forward with these authorization recommendations, and we stand on these recommendations.

We are dealing with human values. In my judgment, we are charged with meeting one of the gravest domestic crises of our time—the crisis in the schools of America. I say, Mr. President, that in my judgment we have no moral right to follow a course of action which denies to the boys and girls the appropriations necessary to meet their educational requirements. In talking about dealing with delicate matters, let us not forget that the proposal of the Senator from Illinois will work a great hardship upon the education of orphans and boys and girls in foster homes. It will work a great hardship upon the education of boys and girls in the ghetto schools of this country. Almost within a stone's throw from where I speak, we have ghetto schools which are a disgrace to this Republic. Some of the schools in the District of Columbia are nothing but daytime custodial institutions, even though we call them schools. Nevertheless, it is proposed that we should cut the authorization figures your committee brings to you this afternoon, and says are the minimum the Senate should approve.

Let me tell you what we did in our committee, Mr. President. We spent long hours thrashing out the problem of seeing how much we could legitimately postpone or defer to make certain that we would present to the Senate a barebones bill, authorizing no more than the amount which, in our judgment, is essential to carry out the trust that the Senate of the United States owes to the schoolchildren of America.

The figure we have brought to you is $650 million less than the optimum figure that we think could be substantiated on the basis of the evidence before us. We had a very hard time, may I say, in our committee, in bringing to the Senate a recommendation with that $650 million cut from it. But I always put my cards on top of the table, when I report to my principal—and the Senate is my principal. I am but the agent of the Senate; and every member of my committee is but an agent of the Senate. I wish to say that in our committee, we are aware of the fact that there is terrific pressure on the part of the Johnson administration to have the schoolchildren of America help pay for the war, instead of the taxpayers of this country paying for the war.

The **PRESIDING OFFICER.** The Senator's time has expired.

Mr. **MORSE.** I yield myself 2 more minutes.

We are aware of the fact, Mr. President, that the President of the United States has not faced up to his responsibilities in bringing to Congress a tax bill that would have this war paid for by those who are making the money out of the blood that is being spilled. But it is much easier, apparently, for President Johnson, to have the schoolchildren and the poverty-stricken people of America pay for this war. That is why the President put on the political heat day before yesterday. I refer to what I consider to be a scuttling of the poverty bill. We are making the Negroes in the ghettos of America, who are being denied their just civil rights, who suffer accordingly, pay for an unjust share of the cost of this war. Instead the Johnson administration should come to the Congress with a tax bill and let us pass the type of tax bill that would cause those who have the ability to pay, pay for this war. We know why the President does not do it. It is apparently not good politics.

But neither is it good humanity, nor a keeping of faith with our humanitarian obligations, I say to my President this afternoon. As far as I am concerned it is an issue, now, for the President of the United States. For with this amendment the Senator from Illinois is, in fact, carrying out the wishes of the President of the United States. I consider him to be entirely in the wrong. But I am perfectly willing to have the issue drawn. The Members of the Senate will have to assume the responsibility of whether or not they wish to vote for the educational needs of the boys and girls of America, or for the political and budgetary expediency of the President of the United States.

Mr. **KENNEDY** of New York. Mr. President, will the Senator yield?

Mr. **MORSE.** I yield 5 minutes to the Senator from Massachusetts.

The **PRESIDING OFFICER.** The Senator from Massachusetts is recognized for 5 minutes.

Mr. **KENNEDY** of New York. The Senator from New York.

The **PRESIDING OFFICER.** The Senator from New York.

Mr. **MORSE.** Ten thousand apologies.

Mr. **KENNEDY** of Massachusetts. I yield to the Senator from New York.

Mr. **KENNEDY** of New York. The Senator from New York apologizes to the Senator from Massachusetts. [Laughter.]

Could I ask the Senator from Oregon some questions? As to whether the facts that I have in relation to the matter are correct?

Mr. **MORSE.** The Senator may.

Mr. **KENNEDY** of New York. Is it correct that under the present legislation, with the $2,000 figure that was discussed last year, approximately 5 million children in the country would be covered? Is that correct?

Mr. **MORSE.** That is correct.

Mr. **KENNEDY** of New York. Is it not correct that if the figure is raised to $2,500, we would cover another 2,500,000 children?

Mr. **MORSE.** That is correct. Needy children, too.

Mr. **KENNEDY** of New York. The Senator has spent a great deal of time studying the problems of this country, and I would like to have him discuss just for a moment what the great needs of the United States are.

Is it not correct that in the 1960's and 1970's, the great problem we are going to face in the United States is the question of whether our young people are going to be adequately educated; that during the 1930's it might have been satisfactory to leave school in the 10th, 11th, or 12th grade, because there was such a high percentage of jobs available for the unskilled, but now, unless an individual has finished high school, at least, and within 5 years unless he has gone on to higher education, that individual child is going to have a virtually impossible time finding employment?

Mr. **MORSE.** The Senator is correct. We are talking, now, about a problem of employability.

As a member of the Foreign Relations Committee, as I have been heard to say before, if I had to name the five most critical foreign policy needs of this Republic, I would include the American education crisis within the five, because unless we develop to the maximum extent possible the brainpower of America, the next generation of young men and women in this country will be confronted with serious international problems.

We cannot keep ahead of Russia and China in manpower, but we had better see to it that we do so with respect to brainpower. When we talk about unemployability, in the next generation a boy or a girl who has only a grade school education will be in grave need of work, but will not be employable in most instances.

We must develop our educational facilities to put these young men and women through high school, and many, if not most, of them through college, if they are to be productively employed.

Mr. **KENNEDY** of New York. Is it not correct that this program is going to be for those white children of the United States who do not have the income that we have described and for the Mexican Americans who have also suffered in the United States, as well as for the Negroes?

Mr. **MORSE.** It will be for the Negroes. It will be for the poor children coming from white American homes. It will be for the so-called Mexican American children. It will be for all those groups of children. At the present time, they create the educational crisis of our country.

Mr. **KENNEDY** of New York. I have here a report entitled, "Technology in the American Economy." It is the report of a Presidential Commission with such members as Thomas Watson of IBM, Edwin Land of Polaroid, Walter Reuther, and many other distinguished Americans. It says that if the nonwhites continue to hold the same proportion of jobs in each occupation as in 1964, the nonwhite unemployment rate in 1975 will be more than five times that of the labor force as a whole.

As in the discussion several days ago concerning the antipoverty bill, we are talking about the distress and turmoil and lawlessness that is taking place across the United States. Every Senator is distressed about this.

It seems to me that the way to deal with it is not to fall back on the so-called backlash. That course of action does not give us any answer. It might be politically acceptable at a particular time, but it will not be the answer to our problems.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield 2 additional minutes to the Senator from New York.

Mr. KENNEDY of New York. At a particular moment in the history of the United States, it might be acceptable politically, but if we analyze the matter, it will not be an answer.

The only thing that will be an answer is jobs, training, and education.

We had hearings at which we went into the matter in great detail. Education, without any question, will make a major difference for our country.

It seems to me that a cut now in this all-important field would be the most drastic kind of mistake that the United States could make.

I am distressed, as is the Senator from Oregon, that the administration gives no support in connection with the fight we made on poverty. It is giving no support in connection with the effort being made by the Senator from Oregon and the other members of the committee in the field of education.

I think that the education bill we passed in 1965 was important, as was the antipoverty bill. However, it is a facade and we are misleading the American people when we say we are doing something about the problems if we pass legislation and do not appropriate funds. I think it becomes a fraud.

Mr. MORSE. I completely agree.

Mr. KENNEDY of New York. When we examine the figures with respect to the question of paying for the war in Vietnam, we find that 49.9 percent of all personal taxes in the United States come from the lowest tax bracket—the 20-percent bracket. Forty-nine and nine-tenths percent of all personal taxes paid in the United States are paid by those who have taxable incomes of less than $2,500 a year. They are the ones who will be paying for the program. They need the program. Their children need the program.

That is the philosophy behind the effort made by the Subcommittee on Education.

I think that a cut in the program would be the worst mistake we could make. We face these problems in the United States because sufficient funds have not been provided to overcome the problems.

If we want to cut back on programs in the name of economy—I am for economy—but why do we not cut back on the space program, the highway program, and the airport program?

Every person in the United States who owns an airplane receives an automatic subsidy equivalent of $5,000. These people are in the upper bracket of taxpayers in our country.

I do not think the poor should have to suffer.

Mr. MORSE. I understand the Senator to say that 49.9 percent of all the personal taxes collected by the Federal Government come from the lowest tax bracket, which is the lowest 20 percent of taxpayers in the United States, those people earning less than $2,500 a year.

Mr. KENNEDY of New York. The Senator is correct.

Mr. MORSE. The people in this country with the lowest of taxable income pay 49.9 percent of all personal taxes.

Mr. KENNEDY of New York. The Senator is correct. That amounts to $24,550 million. I point out that all our great corporations, the Du Pont and the General Motors, and all the rest, down to the very smallest, pay only $23 billion. We have all of these other programs that benefit the middle class and the rich. We have the highway program, the airport program, the space program, and many others. It seems to me that the worst kind of mistake would be to make the poor people pay for the war in Vietnam.

Mr. MORSE. I think the issue is clearly drawn as to whether we should cut this bill to the figure that the committee has recommended based upon the evidence it heard.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from South Carolina.

Mr. THURMOND. Mr. President, I cannot support the pending bill as it has been reported by the Labor and Public Welfare Committee of the Senate.

Time and again, we have heard statements made on the Senate floor and elsewhere that the fiscal dilemma now facing our Nation requires our best efforts to cut back on, or even eliminate, many spending programs. I venture to guess that every Member of this body subscribes to that principle in the abstract. However, it seems to become a difficult or even impossible task to apply that principle to specific proposals, particularly those which are popular from a political standpoint.

Nevertheless, Mr. President, this is exactly what must be done if we are to return to fiscal sanity and avoid a recession or worse. The pending bill carries the price tag of approximately $2.7 billion, some $1 billion more than was requested by the Executive. I realize that a portion of the increase in this bill is attributable to the decision by Congress to continue the impacted areas legislation. In my judgment, this was a wise decision as the impacted areas school program is worth while and proven. However, even with the addition of the funds for impacted areas, I do not think the total sum authorized by this bill can be justified at the present time.

Simply adhering to the budget request made by the President will result in a deficit for the fiscal year. To exceed the budget request of the President will result in continued and worsened inflation and higher and higher rates of interest for both Government borrowing and private borrowing. The authorizations contained in this measure should be reduced below the budget request.

One particularly objectionable feature of this bill is contained in section 135. In this section, the Commissioner of Education is directed to give "specific consideration to the application of any local educational agency" which is experiencing difficulty in meeting educational needs because of, among other things, racially imbalanced schools. The special consideration spoken of carries with it a price tag of $50 million for each of the fiscal years 1967 and 1968.

Mr. President, there is no question but that under any interpretation of the Constitution of the United States, this section is unconstitutional. I make this statement advisedly because, even though no methods to overcome a so-called racial imbalance are specified, it is obvious that it would be necessary to either redraw school district lines or assign children to schools solely on the basis of race if a racial balance is to be achieved. This is exactly what the Supreme Court has outlawed.

This provision would require discriminating among students solely on the basis of race in assigning them to any elementary or secondary school. It is discrimination in reverse. No law passed by Congress requires any local school district to seek a racial balance in the public schools, and it would be unconstitutional for Congress to attempt to pass such a law. Provisions have been written into several bills prohibiting any such requirement.

Congress has, in enacting title VI of the so-called Civil Rights Act of 1964, authorized the withholding of funds to any school district which practices racial discrimination. That section of the law has been resorted to time and again and is the basis for the so-called school integration guidelines which are the subject of an investigation in the other body. And yet, Mr. President, in the face of that, Congress has been asked to authorize the expenditure of funds for the purpose of carrying out a planned program of discrimination.

It is an open secret that the Office of Education of the Department of Health, Education, and Welfare is considering asking Congress for the authority to require racial balance in the schools. The provision contained in this bill is merely a first step in that direction, and, in my judgment, should be rejected before it goes any further.

I thank the distinguished minority leader.

Mr. MORSE. Mr. President, before I yield to the Senator from New York, I yield myself 2 minutes.

I wish to put into the RECORD a table supplied by the Surgeon General of the U.S. Army, showing the failure on the part of 18-year-olds to pass the tests for the draft.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Armed Forces mental test failures, 18-year-olds: June 1964 to December 1965 study

[In percent]

	Total	White	Negro
U.S. average	25.3	18.8	67.5
District of Columbia	55.3	16.8	65.4
South Carolina	54.6	21.8	85.6
Mississippi	53.8	25.2	84.9
North Carolina	53.0	37.9	82.1
Tennessee	49.0	43.7	70.8
Louisiana	46.0	25.4	74.9
Virginia	45.3	33.6	73.7
Alabama	44.5	24.4	76.2
Georgia	43.2	23.5	79.1
Kentucky	39.1	38.0	59.2
Texas	38.6	32.5	60.4
West Virginia	35.5	35.3	46.0
Arkansas	33.7	21.0	70.9
Florida	32.9	18.4	74.4
New Mexico	29.4	29.1	62.1
Hawaii	28.3	28.2	[1] 100.0
Maryland	27.8	19.1	55.2
Arizona	25.9	24.0	68.1
New York	24.9	21.1	53.8
Oklahoma	23.3	19.3	60.1
Missouri	21.6	17.3	65.4
Colorado	21.2	20.5	54.7
Maine	20.9	20.9	(2)
Delaware	20.8	12.8	52.6
California	19.5	17.1	49.4
Michigan	18.2	14.4	46.2
Illinois	17.8	13.4	55.5
Massachusetts	17.0	16.6	42.2
New Hampshire	16.1	16.1	(2)
Vermont	15.1	15.1	(2)
Nevada	14.9	9.4	68.2
New Jersey	14.4	10.7	45.2
Indiana	14.2	12.8	43.6
North Dakota	14.1	14.1	(2)
Ohio	13.9	11.9	40.3
Connecticut	13.8	11.3	50.3
Pennsylvania	13.7	11.6	41.7
Kansas	13.5	11.8	45.9
Alaska	13.1	12.9	[1] 50.0
South Dakota	12.6	12.6	(2)
Rhode Island	12.4	12.1	29.3
Nebraska	12.1	10.9	54.7
Idaho	11.4	11.4	(2)
Wisconsin	9.4	8.7	56.2
Montana	8.3	8.3	[1] 100.0
Utah	8.2	8.1	[1] 50.0
Iowa	7.7	7.7	(2)
Wyoming	7.5	7.6	(2)
Oregon	7.4	7.0	57.8
Minnesota	6.9	6.9	[1] 37.4
Washington	5.8	5.5	25.0

[1] Small sample.

[2] Too small—figure meaningless.

NOTE.—Range: Total: 5.8 percent (Washington) to 55.3 percent (District of Columbia); white: 5.5 percent (Washington) to 43.7 percent (Tennessee); Negro 25 percent (Washington) to 85.6 percent (South Carolina).

Source: Office of the Surgeon General, Army.

Mr. MORSE. We will find, as we analyze the facts behind that table, that the States with the lowest school standards are the States with the highest number of young men who have failed to meet the draft tests.

I wish to point out to the Senators from some of the States ranked higher on educational standards that we have to raise the level of education across the entire country. We must, if we are to prevent, for example, discrimination against the young men in their States. A higher percentage of young men from educationally advanced States will be put into the Army to fight for their country—and they should. But there should be the same number proportionately serving from the other States. This cannot be done, if the funds are cut which are necessary to upgrade the schools of this country.

I ask unanimous consent also to put in the RECORD another table that has been supplied to us, showing the number of high school dropouts, State by State.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

High school dropouts (percent of 1961–62 9th graders not graduating in 1964–65)

1.	Mississippi	37.7
2.	Georgia	37.0
3.	Kentucky	36.3
4.	North Carolina	33.7
	District of Columbia	33.7
6.	Alabama	33.6
7.	Tennessee	33.2
8.	New Mexico	33.1
9.	South Carolina	33.0
	Alaska	33.0
11.	Louisiana	32.6
12.	Arizona	31.9
13.	Florida	31.5
14.	West Virginia	31.0
15.	Texas	30.5
16.	Virginia	30.2
17.	Arkansas	30.1
18.	Kansas	29.9
19.	Missouri	27.6
20.	Illinois	25.8
21.	Oklahoma	25.6
22.	Wyoming	25.3
	United States	25.1
23.	Indiana	25.0
24.	Maine	24.0
25.	Maryland	23.7
26.	New York	23.6
27.	Nevada	23.0
	Vermont	23.0
29.	Michigan	22.7
30.	Colorado	21.8
31.	New Hampshire	21.5
32.	Idaho	21.4
33.	New Jersey	20.8
34.	Massachusetts	20.6
35.	Delaware	20.4
36.	Utah	19.1
37.	Ohio	18.9
38.	South Dakota	18.7
39.	North Dakota	18.6
40.	Connecticut	18.4
	Rhode Island	18.4
42.	Nebraska	18.1
43.	Pennsylvania	17.7
44.	Oregon	17.4
45.	Iowa	16.8
46.	Montana	15.7
47.	Washington	15.1
48.	Hawaii	14.5
49.	Wisconsin	14.2
50.	California	12.5
51.	Minnesota	12.1

Source: Office of Education.

Mr. MORSE. Here, again, we will find that the very States in which there is a need for a raising of educational standards are those States with the highest percentage of high school dropouts.

I also wish to insert in the RECORD another table, showing the State rankings of the estimated percent of illiteracy in our population over the age of 14.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

STATE RANKINGS OF EDUCATION INDICATORS SHOW SIMILARITY OF PERFORMANCE

Estimated percent of illiteracy in population over 14: 1960

1.	Louisiana	6.3
2.	South Carolina	5.5
3.	Hawaii	5.0
4.	Mississippi	4.9
5.	Georgia	4.5
6.	Alabama	4.2
7.	Texas	4.1
8.	North Carolina	4.0
	New Mexico	4.0
10.	Arizona	3.8
11.	Arkansas	3.6
12.	Tennessee	3.5
13.	Virginia	3.4
14.	Kentucky	3.3
15.	Alaska	3.0
16.	New York	2.9
17.	West Virginia	2.7
18.	Florida	2.6
19.	Rhode Island	2.4
	United States	2.4
20.	New Jersey	2.2
	Massachusetts	2.2
	Connecticut	2.2
23.	Pennsylvania	2.0
24.	Oklahoma	1.9
	District of Columbia	1.9
	Maryland	1.9
	Delaware	1.9
28.	Illinois	1.8
	California	1.8
30.	Missouri	1.7
31.	Michigan	1.6
32.	Ohio	1.5
33.	North Dakota	1.4
	New Hampshire	1.4
35.	Maine	1.3
	Colorado	1.3
37.	Wisconsin	1.2
	Indiana	1.2
39.	Vermont	1.1
	Nevada	1.1
41.	Montana	1.0
	Minnesota	1.0
43.	Wyoming	0.9
	Washington	0.9
	Utah	0.9
	South Dakota	0.9
	Nebraska	0.9
	Kansas	0.9
49.	Oregon	0.8
	Idaho	0.8
51.	Iowa	0.7

Source: Census Bureau.

Mr. MORSE. If Senators analyze the meaning of these tables, they will agree that we should not cut the amounts provided for in this bill. In fact, these tables raise grave doubts as to whether our committee should have come to the floor of the Senate with a $650 million cut in the bill.

I yield 5 minutes to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, I should argue the merits of this amendment; but, as we know, there are mighty few Members present. Exhortations on the floor sometimes echo through the corridors, but not too often. Therefore, I shall devote my time to far more tangible fare.

I suggest—I do not ask now; I know it is a matter of right for any Senator—I suggest that I am of a mind to ask for a separate vote on each one of these propositions that compose the amendment. To be specific, I note that there are six. Before the time expires, I shall determine whether or not to do that, because I would appreciate the advice of any Senator who has a feeling about the matter in respect of whether this ought to be done. It seems to me that it should be done; and in the absence of some good reason to the contrary, I will ask for it.

I say that, Mr. President, because that is the best way to argue this case. The best way to argue the case is to see what we are doing—not to talk about a cut of $483 million, which is fine; but to see what we are doing when we cut the $483 million, and to ask every Member to face his own judgment and his own conscience, even with the President's budget, in respect of every one of these cuts.

Mr. MORSE. Mr. President, will the Senator yield for 30 seconds?

Mr. JAVITS. I yield.

Mr. MORSE. I wish to say, as chairman of the committee, that I think we should vote on the so-called division of the amendment, item by item, and I hope the Senator will ask for that division. If he does not ask for it, the chairman of the committee will.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. Will there be an hour's discussion on each item? If there will, I am against it.

Mr. JAVITS. I might say to the Senator that even if there were, it would be justified; but I do not think the division of the vote goes to the time for debating the amendment.

Mr. AIKEN. Very well.

Mr. JAVITS. Mr. President, let us see what we are doing with respect to this bill. I have lived with this bill, and I think I know a little about it, just as the chairman of the committee does.

The first cut is to delete the item in title I of the Elementary and Secondary Education Act with respect to orphans and delinquents. These are institutionalized children about whom we are speaking, and the particular educational opportunities which relate to them. They are eliminated entirely by this cut.

The next cut is to delete foster children from title I of ESEA. These are children who live in foster homes, not institutionalized, but again deprived children, and again there is a complete deletion.

I shall pass by the next cut, which deals with the reduction of the income level in title I from $2,500 to $2,000, because that will take a little discussion.

I shall go directly to updating the aid for dependent children's data used in title I. Mr. President, that amendment is a relic of the iniquitous immigration law which for years persisted in setting a quota based upon a count which was 40 years old; and now we propose to perpetuate the same artificiality in respect of aid to dependent children, instead of facing it frankly and saying, "We will cut it, but we will cut the funds for whatever reason is good and sufficient." We adopt the arbitrary practice of stopping the clock and forgetting that time is moving on.

The next cut is with respect to libraries, title II of the law. Every Senator knows that the libraries of the country's schools are woefully inadequate. One of the most elementary needs in the country is with respect to this library problem.

The next cut is supplemental educational centers provided by title III of the Elementary and Secondary Education Act. I invite Senators to examine that item. Even the language of the bill gives a fairly good picture of what that is about. The language of the report indicates it, but it will be remembered that we have tried to resolve the controversy.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

Mr. MORSE. Mr. President, I yield 5 minutes to the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 5 additional minutes.

Mr. JAVITS. Mr. President, we have tried to resolve the controversy in respect of the church-state problem by making available services to children from parochial schools and private schools, through public school channels, in order to obviate that problem. In the supplemental educational center there is one way afforded in which such instruction can be administered. Senators should bear that in mind as they decide whether to vote on that provision.

Finally, there is the question of beefing up the State education departments as provided in title V of the Elementary and Secondary Education Act. We all know of the manifold problems we have with respect to this bill: the great increases in the State aid, the greater emphasis upon the quality of education, the desegregation problems which are involved. Those are certainly a reason to bolster the State agency to solve these educational problems. But, Mr. President, I would be the first to say that it does not begin to go in order of magnitude with the other problems I described, and it demonstrates why we should not vote this whole matter up or down.

I could conceivably vote for this cut of $8 million from title V. It is no great shakes, one way or the other. I could vote for it, although I will not.

This cut of $50 million from title III educational centers has had less work done on it, when the theory is that we need to save money. I would be appalled at my own conscience if I voted to delete a provision for orphans and delinquents, or foster children, or libraries, or items so artificial with respect to stopping the clock on aid to dependent children.

Mr. President, I wish to say something about increasing the income level from $2,000 to $2,500. The bill provides that the income level under title I shall be $3,000 in fiscal year 1968.

The Senator from Illinois [Mr. DIRKSEN] is doing his duty as he sees it in representing the minority in holding down these expenditures and invoking the name of the President as justification for doing it. I will say for him that the burden is on me and the Senator from Oregon [Mr. MORSE] and people like us, to show why we exceed the budget figure. I do not think that the burden is on the Senator from Illinois [Mr. DIRKSEN]. He is right in making us prove to the Senate why this should be done. I have no fault to find with what is being done. We should prove to the Senate why we are exceeding the President's budget figure. That is the whole burden of my discussion here now.

Mr. President, I do wish to speak about raising the income level from $2,000 to $2,500 for fiscal year 1967. This is why it was done. It is being increased to $3,000 a year in fiscal year 1968. The question of this income level bears a relation to the definition of a family that is poor. It is a factual question and not merely a technical question.

What is a poor family? We have demonstrated by figures of the Bureau of Labor Statistics, by indicating the minimum increase in the basic cost of living of 10 percent, and have indicated by increasing the minimum wage from $1.25 to $1.40. We have indicated that we understand the definition of poverty is now different than it was heretofore under the bill. As heretofore provided the amount was $2,000. Now, we have had the major rise in the cost of living within the last fiscal year. The cost of living has risen about 6½ percent from the last fiscal year. We increased the minimum wage because we recognized the situation. Therefore, effective February 1, 1967, the minimum wage becomes $1.40, and under the normal 40-hour week the very lowest income people should be earning is at least $56 a week.

Mr. President, I ask the manager of the bill for a few minutes on the bill. Mr. President, may I have 3 additional minutes?

Mr. MORSE. Mr. President, I yield 3 additional minutes to the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York [Mr. JAVITS] is recognized for 3 additional minutes.

Mr. JAVITS. Mr. President, the $56 standard, which we established in the rock-bottom minimum wage bears a direct relation to why we increase this figure because we were trying to be conservative, as the Senator from Oregon [Mr. MORSE] said. We made the cut in the bill after assessing the need, and as related to the financial situation in the country. The $2,500 figure bears a direct relationship to the $1.40 minimum wage figure. We set the poverty level to what is now provided. The $3,000 figure for fiscal year 1968 bears a direct relationship to the minimum wage. The $1.60 minimum wage is effective February 1, 1968, so that for a 40-hour week earnings will be a basic $72.

Mr. President, these are intelligent and logical figures and bear a direct relation to the factual definition of poverty. Poverty today is not a family earning $2,000, but a family earning $2,500. That is why we set the figure where we did.

Finally, what does this mean? Is this a great bonanza to any State, including my State? On the contrary, it is not. I wish to give some of the selected figures. For a State such as New York we have 200,000 children under this program. We would have 284,000 children if the figure is $2,500. A State such as Arizona would go from 39,000 to 52,000; Colorado would go from 34,000 to 47,000; Illinois—where there is a greater increase in proportion than New York—would go from 148,000 to 205,000; Missouri from 125,000 to 166,000; Pennsylvania from 175,000 to 249,000.

In other words, we would do nothing inordinate in this respect. It would not sweep a whole mass of people into the program. It would make a modest increase based on the factual definition of poverty. It seems to me, therefore, that we join the President on the major aspect of these cuts.

Mr. President, I wish to repeat what I said before. I will agree that it is not going to sink the world if there is voted a minimum cut in title V, the State education department, or title III. But I think there is a very serious affront to the conscience to do it in respect of orphans, delinquents, and foster children. It is degrading this program if there is not taken into account the definition of "poor" and if the clock is stopped on that as it is on aid to independent children.

In connection with the library situation I submit that the matter is so critically urgent that we should do something to alleviate the problem.

For those reasons, Mr. President, I demand a split vote on each of the separate items of this amendment.

Mr. DIRKSEN. Mr. President, first I wish to refresh the Senate that this package of amendments will bring about a reduction of $483 million and bring it reasonably in line with the President's budget.

I do not touch the impacted school area, although the money would raise that substantially over the budget from $183 million to $430 million; but I have not done anything about it and tried to maintain an emphasis on title I.

As I listened to the colloquy, I am reminded of the days of long ago, when I was the commissioner of finance of my hometown, which is an elective office, although my duty was to keep the finances and the budget of my fellow citizens in pretty good shape.

One day, a citizen accosted me, and he said: "Why don't you let this town live like a gentleman?"

I said, "Spell out for me what you mean by 'gentleman.'"

When he got through explaining, I said, "What you want to do is not just impair the credit of your hometown; you want to destroy it, so that its bonds will have no value in the bond markets of the country. You could not so much as float an issue to put in a paving contract or sewage lines, or anything else, or render any services to the community which are built upon a bond issue."

Mr. President, the President of the United States has not only to keep in mind constantly the revenues of this country, but also its expenditures. I recall that in 1946, when I served on the Legislative Reorganization Committee, we set up an overall committee consisting of all members of the Appropriations Committees in the House and Senate, members of the Ways and Means Committee, and members of the Finance Committee, all of them spending committees, as well as the tax committees. They were all brought together for the purpose of looking at our country, its assets and liabilities, in perspective and also as a whole.

The committee held only one meeting and then it sank without a trace.

We never had another meeting from that day to this.

There is only one place where revenues and expenditures are correlated and that is at the other end of Pennsylvania Avenue. It is not done here in Congress. Anyone who has been around in Congress for a long time knows that. I know it from long experience on the Appropriations Committee and the other committees. I also know it from my membership on the Finance Committee. It is not done. It is being ignored, even as it was in the case of the poverty bill. Now it is ignored this time.

Yet, they come back and very blithely come in and write a bill which is way above the President's budget, at the very time there is deep concern about inflation, and when there is deep concern about financing the war in Vietnam.

It is the Nation's first duty to bring the war in Vietnam to an end, to find an honorable way to conclude hostilities, and to save the blood of young Americans.

Over 5,000 young American boys have died already in Vietnam and more than 27,000 have been wounded. If Senators want to get a look-see, go out to Walter Reed Hospital and see them there with their stumps. I go there three times a week for my own hip condition, and I visit with them. It is the most distressing thing ever to see—and it will, unfortunately, continue until we get through with that insane bloodletting business over there.

Thus, concluding the war in Vietnam is the Nation's first order of business. In the meantime, we are also trying to maintain a solvent country.

The question is: Can we do it on the basis of guns and butter?

I do not think so.

I think we can dispense with some of these things and, sometime later perhaps, we can address ourselves to them again. But, when the country is confronted with the serious situation of a war going on, the time has come to give some attention to our budgetary affairs and to keep the budget in reasonable balance.

Everyone knows that domestic expenditures for items which are not absolutely essential are the root cause of inflation, which registers itself in every grocery store in the land. From the Dominion of Canada to Mexico, and from the Atlantic to the Pacific, people are becoming thoroughly aware of what is happening to the commodity price level in this country. They are also becoming increasingly aware of the dangerous burglar of inflation which is eating at everything that has any value.

When we talk about children, we might also talk about the old folks in this country who live on fixed incomes and fixed pensions, and the burglar called inflation comes in and takes it out of the checks that go to them. It also affects every one of the 22 million Americans living on social security this very day.

To listen to the colloquy here today as to needs, uses, wants, and desires, one would think there was no interest in Congress in the stability and solvency of the Republic.

Suppose the Republic should founder? I do not mean physically, because a country like ours could not founder physically, but suppose it is projected on the kind of fiscal and monetary state where we would have a complete disruption of values—then what?

That is when we will all start rushing for the storm cellars, as everyone knows we will.

Accordingly, Mr. President, in my judgment, the amendment I offer today is a modest cut, indeed, totaling approximately $483 million.

It has been hinted that there should be a vote on each one of the cuts. I am quite willing, and I should like to have a record vote on every one, if that is the case. If we sort of get lost in the bells, then there will be a motion to recommit the bill, I can assure the Senate on that point. If I do not make it, I know who on this floor will make it.

Thus, it will go right down to the wire, and to the very limit.

It might be said that I am speaking for the President. No, I am not. I am speaking for the Senator from Illinois. Look back at my record and see how consistent a furrow I have plowed constantly, in order to keep our budget in shape, and to keep the country on sound ground in order to preserve and maintain its credit.

When our country's credit is shattered, it is not going to affect merely those who would be helped by this bill, it will affect all 195 million people—every mother's son in the country—that is what will happen.

Thus, I commend to Members of the Senate the adoption and approval of this cut which will be in harmony with something we have already done, and other things that we must do, if we are going to carry out our responsibility as that branch of government which has the power to appropriate money and take it out of the Treasury of the United States.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield for a question?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. Mr. President, looking at page 9 of the committee report, it shows that the administration's bill asks for an authorization for 1967 of $1,754,958,000. That is located in the second column at the top.

If the Senator's amendment is adopted, by how much will that figure be reduced?

Mr. DIRKSEN. The Senator is taking the figure for the whole bill?

Mr. LAUSCHE. Yes.

Mr. DIRKSEN. I have done nothing about title II, the federally impacted areas, nor title III which is the adult education title. I have contented myself with items in title I which I thought should be reasonably cut. That adds up to $483 million.

If the Senator will look further he will see that the amount for title I is, first, the request of the administration of—

Mr. LAUSCHE. Is that $1,271,658,000?

Mr. DIRKSEN. Yes; $1,271,658,000. And to save looking at those tiny figures, we spent $659 million for fiscal 1966 and now the administration is asking for $300 million on top of that. That is the budget figure. The House adopted $100 million. The Senate comes now and adds $400 million.

Mr. LAUSCHE. Is it that $400 million which the Senator is trying to reach?

Mr. DIRKSEN. There are about seven different items that total up to $483 million.

Mr. LAUSCHE. If the Senator's amendment is adopted, then the bill with respect to this phase of the financing will be brought in quite close conformity with what the President recommended?

Mr. DIRKSEN. Fairly so.

Mr. LAUSCHE. I thank the Senator.

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. AIKEN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. Mr. President, I yield such time as the Senator from Vermont wants on the bill.

Mr. AIKEN. Mr. President, I do not think anyone can dispute the fact that inasmuch as the President decided to continue an expanded and costly war in southeast Asia, and as long as that war continues, we should unstintingly support the men in our Armed Forces who are trying to win that war.

The question is, How should we do it? There are going to be greatly increased costs. We can do it either by increased taxes on unprecedented profits being made from the war in southeast Asia, or we can do it by denying to the children of this country the rightful heritage which they should expect from the greatest democracy in the world.

Personally, I feel it is far better to get the cost of the war out of the unprecedented fortunes and profits that are being made in the Vietnam war than to take it out of the kids of this Nation.

Mr. MORSE. Mr. President, I yield 5 minutes to the Senator from New Mexico [Mr. MONTOYA], but before I do so I yield myself 30 seconds in order to say that I completely agree with the Senator from Vermont. I think he has pointed out the issue. As far as I am concerned, that is the issue. Let the Senate vote on it.

I now yield 5 minutes to the Senator from New Mexico [Mr. MONTOYA].

Mr. MONTOYA. I thank the Senator from Oregon.

Mr. President, I want to commend the Senator from Oregon and his committee for having given of their time and effort in preparing a bill in aid of education in America, which I think bespeaks great credit to this country of ours.

Congress and the Federal Government have done much for education in the last few years, but the real beginning was made last year under the education bill prepared by the Education Committees of the respective Houses of Congress.

Many of the provisions of those bills were authored and created by the wisdom of those who serve on those committees in the Congress. In other words, the Congress led in this particular field in opening up new vistas and opportunities for the children of America.

It is well to speak of economy in the Halls of Congress, but we must speak of economy within the context of the vacuum which exists in the United States of America, and one of the sorry vacuums that exist in America is the lack of educational opportunity for many of our children. We are just beginning, and we have made a great beginning, a great start, under the provisions of the bill which we enacted in 1965.

Now I want to speak for a moment about the provision in this bill dealing with orphaned children. Under the bill which we enacted last year, orphaned children were left out completely for inclusion in the count in determining what Federal participation or grant should be made insofar as the local school districts are concerned. This was not done unintentionally. I think the committee was not aware that orphaned children would be left out of the provisions of the education bill which we enacted.

So this year I proposed an amendment which is now included in the bill. I understand the members of the committee adopted this amendment unanimously, and rightfully so.

The effect of the amendment offered by the Senator from Illinois [Mr. DIRKSEN] is to postpone the day when the foster children can share in the benefits of this bill until the beginning of the next fiscal year.

Mr. President, it is already 1 year too late. It is time we included them, because the orphan children of America have been forgotten.

I want to read into the RECORD how many orphaned children are involved in this bill: orphans, 77,300; children in public foster homes total approximately 162,800; orphan children in private foster homes, 45,000. In addition, there are juvenile delinquents and other children in State training schools who are involved.

The effect of the amendment is that the local school districts are paying for the education of these children and they are having to apportion the paucity of the funds which exist in some of the school districts to take care of orphaned children. They should be included under the formula existing for other children in the Nation. There is utter discrimination unless this provision takes effect immediately.

I sincerely urge the Senate to disapprove the Dirksen amendment because it would give an opportunity to this Congress to go on record as favoring some kind of educational opportunity and funding with respect to the orphaned children of this Nation.

Mr. MORSE. Mr. President, I yield 5 minutes to the Senator from New York [Mr. KENNEDY].

The **PRESIDING OFFICER.** The Senator from New York is recognized for 5 minutes.

Mr. KENNEDY of New York. Mr. President, I have the figures here showing the cuts that would be made in the individual States in that section of the bill which the Senator from Illinois suggested be cut. I shall place these figures in the RECORD, but first let me read the figures into the RECORD. These are approximate figures.

For Alabama there would be a cut from $45 million to $35 million.

Alaska, $3 million to $2 million.
Arizona, $15 million to $11 million.
Arkansas, $26 million to $20 million.
California, $122 million to $79 million.
Colorado, $15 million to $9 million.
Connecticut, $13 million to $8 million.
Delaware, $3 million to $2 million.
Florida, $40 million to $30 million.
Georgia, $52 million to $39 million.
Hawaii, $3 million to $2 million.
Idaho, $4 million to $2 million.
Illinois, $71 million to $60 million.
Indiana, $28 million to $18 million.
Iowa, $25 million to $18 million.
Kansas, $16 million to $11 million.
Kentucky, $39 million to $30 million.
Louisiana, $53 million to $40 million.
Maine, $6 million to $4 million.
Maryland, $24 million to $15 million.
Massachusetts, $26 million to $16 million.
Michigan, $50 million to $36 million.
Minnesota, $33 million to $23 million.
Mississippi, $39 million to $33 million.
Missouri, $40 million to $30 million.
Montana, $6 million to $4 million.
Nebraska, $10 million to $7 million.
Nevada, $1.6 million to $1 million.
New Hampshire, $2.5 million to $1.5 million.
New Jersey, $37 million to $25 million.
New Mexico, $13 million to $9 million.
New York, $180 million to $117 million.
North Carolina, $68 million to $52 million.
North Dakota, $8 million to $5 million.
Ohio, $55 million to $39 million.
Oklahoma, $24 million to $18 million.
Oregon, $12 million to $8 million.
Pennsylvania, $77 million to $59 million.
Rhode Island, $6 million to $4 million.
South Carolina, $37 million to $29 million.
South Dakota, $9 million to $7 million.
Tennessee, $42 million to $33 million.
Texas, $116 million to $78 million.
Utah, $4 million to $3 million.
Vermont, $3 million to $2 million.
Virginia, $44 million to $32 million.
Washington, $17 million to $10 million.
West Virginia, $21 million to $17 million.
Wisconsin, $27 million to $18 million.
Wyoming, $2,500,000 to $1,500,000.
District of Columbia, $8 million to almost $6 million.

The **PRESIDING OFFICER.** The Senator's time has expired.

Mr. MORSE. I yield the Senator 5 more minutes.

Mr. KENNEDY of New York. There are some other aspects of the bill, including some orphans and handicapped and other special groups that need assistance, but this is going to be the overall cut, Mr. President, that is going to be made from this section of the bill, from each one of these States. It is going to mean that, for each one of these States, this money is not coming from the Federal Government for them to keep. It means that each one of these States is going to have approximately a third less money available for education.

The taxes of all these States and localities are going almost more for education than anything else. It is an effort by the Federal Government to help all these States. It is not staying here in Washington. It is not staying with the chairman of our committee. It is going to the States, to be used by them.

More money is coming, for instance, from my own State, the State of New York, than any other State. We pay $1.50 for every dollar we get back. We pay 13 percent of all Federal taxes. But nevertheless, the program is important. It is important for South Carolina, Mississippi, and all the rest of the States. That is the reason why I support the committee figures, and urge that the amendment be rejected.

Mr. MORSE. Mr. President, time does not permit us to go through all the evidence in the committee report. I wish we had the necessary time. But it is the responsibility of every Senator to read the report.

I direct the attention of the Senate to pages 18 and 19 of the report, to a table of estimates which supplements the figures the Senator from New York has given. I ask unanimous consent to have printed in the RECORD "Table V—Estimated Grants Under Title I, Public Law 89–10," found on pages 18 and 19 of the committee report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE V.—*Estimated grants under title I, Public Law 89–10*

	Administration bill		Senate bill		Percent of per capita income spent for education: 1963
	1967[1]	1968[2]	1967[3]	1968[4]	
	(1)	(2)	(3)	(4)	(5)
United States and outlying areas	$1,271,657,531	$1,881,739,164	$1,667,569,860	$2,291,404,689	----------
50 States and District of Columbia	1,233,507,805	1,825,286,989	1,620,175,429	2,225,841,283	5.20
Alabama	36,093,925	51,678,410	44,770,089	84,572,439	5.22
Alaska	2,123,580	3,038,038	2,983,417	3,361,685	7.39
Arizona	12,014,206	16,920,355	15,252,454	17,523,573	7.55
Arkansas	21,419,689	31,019,013	26,643,964	52,673,675	5.44
California	86,421,358	117,910,060	122,774,080	125,894,253	5.99
Colorado	11,415,187	16,627,637	15,215,268	17,373,630	7.17
Connecticut	8,898,255	13,669,172	13,681,850	15,056,472	4.00
Delaware	2,285,343	3,699,121	3,460,317	4,019,764	4.86
Florida	35,487,553	59,175,651	48,614,245	67,220,509	5.08
Georgia	39,718,009	62,507,250	52,430,915	91,733,130	5.21
Hawaii	2,550,035	3,785,853	3,558,974	4,393,816	5.94
Idaho	3,165,785	4,885,964	4,034,964	6,496,009	6.69
Illinois	60,860,832	75,024,985	71,297,783	77,963,405	4.15
Indiana	19,825,096	32,457,124	28,050,608	34,292,395	5.71
Iowa	19,263,470	29,561,041	25,992,389	30,658,475	6.14
Kansas	11,714,885	19,041,159	16,204,582	19,415,641	6.55
Kentucky	31,418,998	45,573,132	13,042,933	68,467,075	5.69
Louisiana	40,868,135	62,479,102	53,519,371	75,814,643	6.37
Maine	4,069,549	7,197,455	5,875,421	9,639,406	5.48
Maryland	16,255,992	25,033,035	24,753,109	27,682,301	4.57
Massachusetts	17,514,411	28,051,862	26,165,336	29,849,796	3.61
Michigan	38,989,349	55,766,221	50,534,476	57,011,355	5.94
Minnesota	24,318,875	38,304,750	33,874,595	39,889,902	6.40
Mississippi	33,589,812	44,311,040	39,647,501	81,283,068	6.27
Missouri	31,154,768	46,734,065	40,107,338	50,840,770	4.38
Montana	4,404,834	6,843,445	6,018,429	7,094,077	7.04
Nebraska	7,417,976	13,023,790	10,645,688	15,637,597	5.35
Nevada	1,100,662	1,617,102	1,602,285	1,815,380	4.66
New Hampshire	1,580,870	2,799,381	2,492,963	3,448,908	4.62
New Jersey	27,848,828	38,388,701	37,686,506	41,182,395	3.78
New Mexico	10,626,612	15,546,421	13,946,374	16,081,712	9.02
New York	122,012,658	186,717,605	180,053,095	197,484,530	4.59
North Carolina	53,538,519	79,331,307	68,440,666	119,208,066	5.60
North Dakota	5,916,615	9,300,675	7,909,361	10,521,422	7.27
Ohio	40,661,897	59,015,997	55,526,132	66,965,517	4.43
Oklahoma	18,747,325	27,404,074	24,315,129	35,176,105	6.21
Oregon	9,471,906	13,316,446	12,595,198	14,494,766	6.83
Pennsylvania	60,786,264	84,360,941	77,302,915	88,288,217	4.61
Rhode Island	4,373,044	6,236,886	5,888,938	6,579,808	4.15
South Carolina	29,934,221	42,729,553	37,118,237	71,976,735	5.56
South Dakota	7,185,036	10,715,502	9,173,595	11,880,344	7.64
Tennessee	33,283,616	50,492,255	42,515,713	80,767,648	4.76
Texas	89,039,263	138,252,299	116,095,337	165,978,551	5.35
Utah	3,131,510	4,891,378	4,352,695	5,778,985	8.56
Vermont	1,889,839	3,653,678	2,977,168	4,020,945	6.04
Virginia	32,826,064	51,319,288	44,184,568	66,624,733	5.21
Washington	12,149,985	17,867,621	17,058,391	19,186,124	7.15
West Virginia	17,311,828	24,809,171	21,653,523	37,467,110	5.09
Wisconsin	18,655,808	30,754,114	27,001,484	32,689,560	6.18
Wyoming	2,098,666	3,062,882	2,652,612	3,189,306	7.20
District of Columbia	6,076,862	8,384,982	8,382,439	9,175,555	2.51
Outlying areas	38,149,726	56,452,175	47,393,431	65,563,406	----------

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[1] Estimated maximum grants based on estimated 5 to 17 population; low-income factor, $2,000 per annum; aid for dependent children, 1962; estimated average daily attendance handicapped children (June 30, 1966); estimated migratory children of migratory workers (FTE 1965); 50 percent State current expenditure per average daily attendance, 1964–65 (except migratory). 3 percent reserved for outlying areas.

[2] Estimated maximum grants based on estimated 5 to 17 population; low-income factor, $3,000 per annum; aid for dependent children, 1965; other data as in footnote 1. 3 percent reserved for outlying areas.

[3] Grants estimated on basis of estimated 5 to 17 population; low-income factor, $2,500 per annum; aid for dependent children, 1965; estimated average daily attendance handicapped children (June 30, 1966)· estimated migratory children of migratory workers (FTE 1965); dependent and neglected children 5 to 17 in institutions (Apr. 1, 1960); children under 21 in foster homes under the auspices of public agencies (Apr. 1, 1960); juvenile delinquents 5 to 17 in training schools and detention homes (Apr. 1, 1960); and 50 percent State current expenditure per pupil in average daily attendance, 1964–65 (except migratory children). 1960 data on children based on 25 percent sample. 3 percent of 50 States and District of Columbia amounts added for the outlying areas (except migratory children).

[4] Grants estimated on low-income factor, $3,000 per annum; 50 percent State or national average current expenditure per pupil in average daily attendance, 1964–65 (except migratory children); other factors as in footnote 3. It is estimated that the current expenditure per pupil in average daily attendance for 1965–66 will increase approximately 5 percent. This will increase the fiscal year 1968 amounts listed.

Mr. MORSE. The table is a comparison of the administration bill and the Senate bill. It shows the cuts the States will suffer under the administration's amendment offered by the minority leader. It shows the damage that is going to be done to the boys and girls in your respective States, as far as giving them the educational service to which they are entitled.

Oh, would that the Members of the Senate would read the report. Would that they would analyze the evidence set forth in the report and in the hearings. Then I think they would see what we are talking about here this afternoon, as to whether we are going to vote to protect human values, or whether we are going to vote to say that the educational needs of the children, to the degree that they will be sacrificed and waived under the pending amendment, can be set aside for the duration of the war.

I say it is of the utmost importance that we continue to train these children now, and that we set aside other things for the duration of the war that, as the Senator from New York [Mr. KENNEDY] has pointed out, can well be set aside.

Mr. President, this morning our subcommittee had under consideration an international education bill, which this administration wants my subcommittee to bring to the full committee and to the floor of the Senate.

Mr. President, I want to help boys and girls abroad, but I want to first help boys and girls in the United States get the education that is necessary to keep this Republic strong. In my judgment, the President cannot justify an international education bill and at the same time send up from the White House a recommendation to support this kind of a cut, at the expense of the educational needs of the boys and girls of America.

That is the issue. Mr. President, as far as I am concerned, I am ready to vote. I yield to the Senator from New York such time as he may need.

Mr. JAVITS. Just 2 minutes. Mr. President, I would not take this time, except to point out what I consider to be a very important question on the basic issue of what the amendment would do.

It will be noted, Mr. President, that at least so far no cut has been made whatever in the impacted areas benefited under Public Law 815 and Public Law 874, where the U.S. Government is responsible for local activities which increase local school costs. That does not deal with poverty, or need, or deprivation; it just deals with tax money.

That figure was increased by $283 million in the Senate bill, and more in the House bill, over and above the administration request, the administration's request being $205 million, and the amount in the Senate bill $488 million, and in the House bill, $509 million.

Mr. President, it seems to me that a lot better case can be made out for that cut, which the administration asked be made because it wishes to phase down the impacted areas program. But, Mr. President, that is a matter of considerable interest to every Senator when it affects his locality. And more power to him. But it seems to me that when we talk about need, we ought to be looking at that figure, too, which deals only with money.

I point out, too, Mr. President, that no cut has been offered on the handicapped children provided in the new title VI of Public Law 89–10. There, the administration request had nothing whatever. The House bill has nothing. The Senate bill provides $154 million.

Mr. President, there is $154 million that does not relate to need or to poverty. Those are handicapped children; and I think every Senator who favors cutting the poverty aspects of this bill had better ask himself, Is not a child equally handicapped whose family is so poor that its aggregate income is not in excess of $50 a week? Mr. President, I respectfully submit that that is what they are—just as handicapped as children who have difficulty with their hearing or their eyesight, or are crippled in some other way. I have great sympathy for them, and have voted to do anything I could for them, and I shall do so again. But I think, in the realm of doing and not doing, this matter is well worthy of our consideration; and I hope very much that as Senators consider each item on its merits—and that is the only fair way to do it—they will reject each of these amendments in turn.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. How stands the time on the amendment?

The PRESIDING OFFICER. The Senator has 3 minutes remaining on the amendment.

Mr. DIRKSEN. Mr. President, I yield myself the remainder of the time on the amendment, and probably 2 minutes on the bill.

Mr. President, apropos of what the distinguished Senator from New York said about the other items in the bill, any Member of the U.S. Senate is free to stand in his place and offer an amendment to cut impacted area items, which were hiked very materially in the bill, or the handicapped children items, or any other item.

I do not serve on this committee. I have enough to do as it is, serving as minority leader and being on two busy committees. I have to dig this stuff out at night. Let somebody else put their teeth in this bill.

As I listen to the figures from my distinguished friend, the Senator from New York, he ought to have called it by its right name when he mentioned that my State and other States would be reduced. He should have said this is a reduction in the Federal handout. That is what it is. It is a Federal subsidy to the States.

One would think, to hear the discussion, that State lines have suddenly gone into orbit and that there is no such thing as State school systems and State jurisdictions and State sovereignty.

They have maintained all along that education is their particular province, and they do not want the Federal Government to intrude and to get control of their systems.

We are moving in that direction all the time. As I indicated, a textbook survey is underway now, I suppose, to see who is going to tell what the youngsters shall read in the textbooks of America.

If it comes from here, it will be slanted just as surely as we are sitting in this Senate Chamber this afternoon.

Mr. President, I am ready to have a record vote on every one of these amendments, and I want to ask for the yeas and nays on every amendment and make the record. What we deal with here, the question of the solvency and stability of our government in an anxious hour, is not child's play, and it is not trifling business.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I yield myself 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. Mr. President, my reply to the Senator from Illinois is that there is not a dollar of Federal subsidy in the bill in the sense the Senator from Illinois uses the word "subsidy."

This bill contains an appropriation of Federal funds for living up to a Federal responsibility in the field of education. Education is a State problem, State by State, and it is a national problem.

Mr. President, we know that many States in this country are not in a financial position to maintain the educational quality and services that their young people need without the Federal Government taking the taxes from Federal citizens, who are as well State citizens, to help pay for the educational needs of the children of this country.

There is a joint Federal and State responsibility owed to the boys and girls of this country. We all know that because someone is born in Ohio, Alabama, Oregon, Mississippi, or Texas, they are not necessarily going to live out even their teenage lifetime in those States. The mobility of our population makes it important that we recognize a Federal responsibility as well as a State responsibility in helping to educate the children of this country.

A few moments ago I had printed in the RECORD a tabulation which shows what is happening in connection with the draft, and how the young men in the States with higher educational standards are really being discriminated against when it comes to being drafted, because a much larger percentage of them are drafted than young men in other States of lower educational standards.

All of us have a dual citizenship. We are citizens of our State and we are citizens of our Nation. In respect of a problem such as this, and as taxpayers, we have a joint responsibility to make our fair share of tax contribution for the benefit of the education of the boys and girls in the so-called low-standard education States. That is no reflection on such States for, in many of them, the taxes on real property are proportionately higher than they are in some of the so-called wealthier States.

One more point and I am then willing to vote on this item by item.

We also know that some of the richer States, such as Illinois, New York, Pennsylvania, and California are sometimes heard to say that they pay a larger percentage of the Federal cost in such a field as education than do poorer States.

Our answer always has been, "And they should." Those great centers of American wealth, those great centers of American corporate enterprise after all derive a large share of their money directly and indirectly from the raw materials of some of the poorer States, and so that problem is involved, too.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **MORSE**. Mr. President, I yield myself 1 additional minute.

The **PRESIDING OFFICER**. The Senator from Oregon is recognized for 1 additional minute.

Mr. **MORSE**. I only cite that to give support to my argument that it is a mistake to talk about supporting education on the basis of the territory within State boundaries.

We must come to grips with the problem. At long last we have had a breakthrough. We started in the first years of the Kennedy administration to pass legislation that recognizes our responsibility as Federal citizens to the schoolboys and girls across this land.

I think the figures referred to by the Senator from New York [Mr. KENNEDY] are most apropos.

If Senators would only take the time to see the effect of the Dirksen amendment on the schools of their States, I cannot imagine that the amendment would be agreed to.

Mr. President, I yield such time to the senior Senator from Vermont as he might require.

The **PRESIDING OFFICER**. The Senator from Vermont is recognized.

Mr. **AIKEN**. Mr. President, I am not on the whole opposed to reducing appropriations. I would look more kindly upon a general reduction in this bill, however, if it also applied to the impacted areas, but we know the impacted areas are in many instances those areas in which the greatest profits are being made out of this war.

For that reason, I do not think it is fair to reduce this aid for the areas in which the people can least afford it without touching those areas that can better afford it.

I am not opposed to benefits for the impacted areas. In fact I would support them, but I do not think that the other fields should be required to bear the entire reduction—while the areas of greatest prosperity are left exempt.

Mr. **MORSE**. Mr. President, I yield myself 1 minute to comment on what the Senator from Vermont has said.

He is so correct about not cutting the impacted areas.

Mr. **AIKEN**. Those are the war production areas for the most part.

Mr. **MORSE**. Those are the great defense industry areas and the great Federal installation areas. They are sacrosanct.

Senators ought to have heard the testimony given before our committee by representatives of business interests seeking to see to it that nothing was done to diminish impacted area aid.

I happen to support impacted area aid.

Mr. **AIKEN**. I do, too.

Mr. **MORSE**. None the less, if we are going to have to take a cut in the pending bill, that is one of the first places at which we should look, not, however, to eliminate it entirely in these areas that have the Federal installations. Why? Because the people in those areas are in many instances better able to pay taxes than are the people in the communities in which there are no Federal installations.

The Federal installations bring great wealth and income into those communities, but they bring a lot of children, too.

The theory for the aid to impacted areas is that the workers in the Federal installations bring with them children which imposes a burden upon the school districts.

That is true, but let me say that it is not nearly as true as it was 20 years ago. Those great Federal installations have been absorbed into the industrial life of the community, and there is no longer as great a disparity. This is due to the increase in the local tax base that such installations have made possible in those communities in the last 10 or 20 years.

I still would support aid to those impacted school districts. The Senator from Vermont is correct. If we are to cut, we ought to cut there first and then cut the other items last.

Mr. President, I yield to the Senator from New York on the bill.

The **PRESIDING OFFICER**. The Senator from New York is recognized.

Mr. **JAVITS**. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. **JAVITS**. Mr. President, has all time expired on the amendment?

The **PRESIDING OFFICER**. All time has expired on the amendment.

Mr. **JAVITS**. A demand for a separate vote may be made as to any or each item which is separable, may it not?

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **JAVITS**. That demand is not in order until all time has expired on the amendment.

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **JAVITS**. Therefore, the demand which I made heretofore was not a valid demand and was not granted.

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **JAVITS**. It must be made now in order to be effective.

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **DIRKSEN**. Mr. President, I yield myself 1 minute on the bill.

It is a rather refreshing experience to have the chairman of the committee freely confess his sins on the Senate floor. I know that open confession is good for the soul. They brought in here the impacted areas with an increase of $257 million over the budget, and they did not put a profane knife on it anywhere. Perhaps they should have confessed their sins in the committee, while they were about it, instead of doing it on the floor.

Mr. **MORSE**. As usual, the Senator from Illinois is very adept at attempting to put words in other people's mouths.

Mr. President, the impacted areas figures are based on the existing program figures, to which we added more coverage, on the basis of the testimony given to us by the school superintendents. I said in my statement that I thought the increases were justified. I am in favor of full funding of the impacted areas obligation.

However, if one wishes to compare an impacted area community with a ghetto community, with a poverty-stricken community—and that is the type of community the Senator from Illinois is gutting by his amendment—then my answer is that the impacted area community should be cut first.

I also made clear, however, that none of them in my judgment should be cut, because the schoolchildren in each community are entitled to the benefits of every dollar that we seek to authorize in this bill.

Mr. **YARBOROUGH**. Mr. President, will the Senator yield?

Mr. **MORSE**. I yield.

Mr. **YARBOROUGH**. What is the total cost of this bill per year?

Mr. **MORSE**. The Senator will find that information on page 9 of the committee report, broken down into item by item. The Senate bill for 1967 would be $2,716,519,000. The administration bill would be $1,754,958,000.

The amendment of the Senator from Illinois seeks to approach the administration bill and cut the Senate bill.

Mr. **YARBOROUGH**. What is the cost of the war in Vietnam each month?

Mr. **MORSE**. One cannot learn from the administration. They are all over the lot on it. They do not want to tell the American people the exact cost of the war per month.

Let me say, as a member of the Committee on Foreign Relations, that I am satisfied, on the basis of the evidence before that committee, that it is at least $2,700 million a month. But the real cost is the loss of American blood.

Mr. **YARBOROUGH**. My next question of the distinguished Senator is this: Does the Senator not think that the education of the youth of America, as provided for in this committee bill, which is approximately one-twelfth the cost of the war in Vietnam, according to these figures, is at least one-twelfth as valuable as the cost of the war in Vietnam?

Mr. **MORSE**. Let me warn the Senator from Texas to be careful of what he says, or he will be charged with being unpatriotic. Be careful.

Mr. **YARBOROUGH**. Oh, no; the Senator is not unpatriotic.

Mr. **MORSE**. I agree with the Senator from Texas. I think that our patriotism calls upon us to give these boys and girls the education they should have while the war is going on.

Mr. **YARBOROUGH**. With reference to the statement of the distinguished Senator that it might be considered unpatriotic to raise this question, let me point out that that portion of the American people who, in our entire history, have been under the most extreme pressure in time of war have been the people of the South, during the War Between the States.

When boys of 14 began to run away and to enlist in the Confederate Army, the President of the Confederacy, Jefferson Davis, pleaded with them not to do it, pleaded with the people not to let the boys do it, pleaded with the generals not to accept the boys. He said, "We are using up the seed corn."

So if the Confederacy, in its extreme situation, could say, "Educate these children first," surely we, in this rich affluence today, could say, "Let us educate these children."

Mr. MORSE. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged to either side.

The **PRESIDING OFFICER** (Mr. Byrd of Virginia in the chair). Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MORSE. Mr. President, the chairman of the subcommittee, as he always attempts to do, has consulted with the members of his subcommittee on the question whether the chairman should ask for a division of the amendment and a vote on each item of the amendment. The result of the conference is that the chairman, in behalf of the majority of the committee, should make such a request. I am advised by the Parliamentarian that I am within my parliamentary rights to do so.

Therefore, I now officially ask for a vote on each segment of the Dirksen amendment, in the order of their appearance in the amendment. I am ready to vote.

Mr. RUSSELL of Georgia. Mr. President, may we have the first amendment stated.

Mr. MORSE. It is my understanding that the yeas and nays have already been ordered. If not, I ask for the yeas and nays.

The **PRESIDING OFFICER.** The yeas and nays have been ordered.

Mr. RUSSELL of Georgia. Mr. President, since there is to be a division of the amendment, may we have the first amendment stated?

Mr. MORSE. Yes; but I think that in fairness to him, the Senator from Illinois [Mr. Dirksen] should be in the Chamber. I observe that he has now entered the Chamber, so I shall take another minute, so that I may explain to him what is proposed to be done.

I have consulted with the committee, and the majority of the committee has decided that I should ask for a vote on each of the items of the amendment. I have asked for a vote on each item, but I do not want to proceed without the Senator from Illinois being in the Chamber.

I should like to have his observations as to whether I am correct in the order in which I shall call for the votes, because the amendment relates to several sections.

It is my understanding that the first item in the Dirksen amendment is a provision that would delete $28,416,000 that is provided in the Senate bill for orphans and delinquents. That would mean a cut of $28,416,000.

Mr. SALTONSTALL. Mr. President, would the Senator from Oregon be so good as to tell those of us who have not been able to follow the procedure in its entirety on what page the amendment is?

Mr. MORSE. As I recall, it is on page 10 of the bill.

The **PRESIDING OFFICER.** The Chair will have the clerk state each amendment before it is voted on. For the purpose of clarification, the yeas and nays had been ordered on the amendment prior to the request for a division. Therefore, the order for the yeas and nays will be applicable to each of the separate votes on the amendments. The clerk will state the amendments separately.

Mr. MORSE. Mr. President, may I again have the attention of the Senator from Illinois.

Attention has been called by counsel for the committee that the first vote should be on title I, page 10, the deletion of orphans and delinquents, and foster children, found on page 10: For orphans and delinquents $28,416,000; for foster children $41,210,000.

Mr. DIRKSEN. Mr. President, I think it should be more correctly stated. If one said this is money to be used for the account of orphans and children in a State correctional institution, and others lacking in parental support, it is not eliminating them as such. This is administrative money.

The **PRESIDING OFFICER.** The clerk will state the first amendment.

The legislative clerk read as follows:

> On page 10, between lines 6 and 7, insert the following:
>
> "(c) The amendments made by this section shall be effective for fiscal years beginning after June 30, 1967."

The **PRESIDING OFFICER.** The question is on the amendment.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. HOLLAND. Mr. President, I understand this amendment simply means that the terms of the amendment shall not apply to the fiscal year 1967, but thereafter.

Mr. MORSE. It is a savings of $28 million plus $41 million, a total of $69 million in fiscal year 1967.

Mr. HOLLAND. That is undoubtedly the case, but the real form of the amendment is to cut off one provision of the bill as applied to fiscal year 1967 and not after June 30, 1967.

Mr. JAVITS. Mr. President, let us be clear whatever may be the language at the desk, because of the parliamentary words used in the bill and the amendment. The fact is, Senators voting "yea" on this amendment vote to cut off such aid provided for in this bill to orphans, delinquents, and foster children under title I and the aggregate is $69,600,000. Let us have no doubt about that.

Mr. LAUSCHE. Mr. President, will the Senator yield 1 minute to me on the bill?

Mr. MORSE. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, what is the President's position as reflected in his budget on this item?

Mr. DIRKSEN. I do not know if he had a specific position or not.

Mr. MORSE. There is nothing in the introduced bill on this item.

Mr. LAUSCHE. So that if a Senator shall vote "yea" it will not be in conflict with what the President submitted because there is nothing in the bill on this item?

Mr. MORSE. That would be true and it would also be a vote against what the committee found the children are entitled to on the basis of the evidence.

Mr. LAUSCHE. How does it compare with the House of Representatives?

Mr. MORSE. They did not have anything in the bill as introduced.

Mr. LAUSCHE. Neither the President nor the House of Representatives had a provision?

Mr. DIRKSEN. The Senator is correct.

Mr. MORSE. The conclusion would be that delinquents, orphans, and foster children should not be protected.

Mr. MONTOYA. Mr. President, will the Senator yield 1 minute to me?

Mr. MORSE. I yield to the Senator from New Mexico.

Mr. MONTOYA. Mr. President, by way of further clarification, this is the amendment I submitted by way of a special bill, and the committee incorporated the amendment as a part of the entire bill.

This would affect 77,300 orphans, 162,800 children in public foster homes, 45,000 children in private foster homes, and would affect allocations to every State in the Union, by virtue of the elimination from the original parent Education Act.

With the provision now in the bill, these orphan children will be counted in trying to figure out what Federal aid will go to school districts which are educating these orphan children and the children in State training schools.

The **PRESIDING OFFICER.** The question is on the first section of the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from North Carolina [Mr. Jordan], the Senator from New Hampshire, [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Wisconsin [Mr. Nelson], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Tennessee [Mr. Gore], and the Senator from Michigan [Mr. Hart] are absent on official business.

I further announce that, if present and voting, the Senator fram Alaska [Mr. GRUENING], the Senator from Montana [Mr. METCALF], and the Senator from Wisconsin [Mr. NELSON] would each vote "nay."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from Mississippi would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Iowa [Mr. MILLER], the Senator California [Mr. MURPHY], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from New Jersey [Mr. CASE]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from New Jersey would vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Vermont [Mr. PROUTY]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 23, nays 50, as follows:

[No. 284 Leg.]

YEAS—23

Bennett
Byrd, Va.
Cotton
Dirksen
Ellender
Ervin
Fannin
Hickenlooper
Holland
Lausche
Long, La.
McClellan
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Stennis
Talmadge
Thurmond
Tower
Williams, Del.

NAYS—50

Aiken
Allott
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Dodd
Fong
Fulbright
Harris
Hartke
Hill
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Muskie
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—27

Anderson
Bass
Carlson
Case
Church
Clark
Cooper
Curtis
Dominick
Douglas
Eastland
Gore
Griffin
Gruening
Hart
Hayden
Hruska
Jordan, N.C.
McIntyre
Metcalf
Miller
Morton
Murphy
Nelson
Prouty
Sparkman
Symington

So the first section of Mr. DIRKSEN's amendment was rejected.

Mr. MORSE. Mr. President, I move that the vote by which the first section of the amendment was defeated be reconsidered.

Mr. KENNEDY of New York. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, if I may have the attention of the minority leader, I understand the next section of the amendment refers to a proposal to cut, on page 12 of the bill, title I, the low income factor from $2,500 to $2,000 in fiscal 1967.

I yield myself time on the bill.

The PRESIDING OFFICER. Does the Senator want his amendment stated?

Mr. MORSE. My understanding is that the next part of the amendment that the Senate is to vote on, because of the division of the amendment which was ordered, will be found on page 12; the language that cuts the low-income-level factor from $2,500 as contained in the committee bill to $2,000.

The PRESIDING OFFICER. That is correct; the second part.

Mr. MORSE. By that means, the Dirksen amendment would make a cut of $313,653,000.

I shall later take a minute or two to explain the effects of the amendment, but I wanted to ask the Senator from Illinois if he agrees that that is the effect of the amendment.

Mr. DIRKSEN. Yes.

The PRESIDING OFFICER. The second section of the amendment will be stated.

The legislative clerk read as follows:

On page 12, beginning with line 12, strike out all through line 21 and insert in lieu thereof the following:

"RAISING THE LOW-INCOME FACTOR TO $3,000 AFTER JUNE 30, 1967

"SEC. 106. Section 203 (c) of such Act of September 30, 1950 is amended to read as follows:

" '(c) For the purposes of this section, the "Federal percentage" shall be 50 per centum and the "low-income factor" shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and they shall be 50 per centum and $3,000, respectively, for the fiscal year ending June 30, 1968.' "

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DIRKSEN. Mr. President, this is language that was written in by the Senate committee. It does not appear in the House bill. I go along with the idea of having the income go up for the fiscal year ending June 30, 1968, but for the year before that to retain it at this level.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. Am I correct in my understanding that for this fiscal year 1967 the Senator's amendment will leave this amount in accord with the budget figure?

Mr. DIRKSEN. Exactly so.

Mr. HOLLAND. I thank the Senator.

Mr. MORSE. Mr. President, I yield myself 2 minutes.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon allow me to ask a question of the Senator from Illinois?

Mr. MORSE. On his time.

Mr. LAUSCHE. What has the President said as to what the qualifying income should be?

Mr. DIRKSEN. I have never discussed it with the President. I simply know that the House and the budgetary procedure did not include it, and the Senate committee did include it.

Mr. LAUSCHE. The amendment would simply follow the House figure and the formula fixed by the budget?

Mr. DIRKSEN. That is correct.

Mr. MORSE. Mr. President, I point out that the Senator from Illinois, of course, admits that by his proposal to have the figure apply in 1968, the poverty figure in his proposal of $2,000 does not correspond with the facts. The Government figures supplied to our committee show that $3,000 is the poverty level. We first added in our committee a proposal for $3,000. When we reached the final conclusion of what should be reported to the Senate, we recommended $2,500, which is $500 below the poverty level, for 1967, and $3,000 for 1968. Those are based on figures furnished by Federal statisticians.

What does the Dirksen amendment do? It means that services for about 2,500,000 children in this country will not be covered under this section of the bill.

What the amendment does is that help for 2,500,000 of the poor children, the poverty-stricken children, children that come from those school districts that most sorely need what we can do to save them, so that they can become employable citizens in their adulthood, will be set aside for 1967.

What else does it do? The amendment takes away from each State one-third of the money, in regard to this item, which it would otherwise get.

Times does not permit me to go into all the figures which I placed in the RECORD, but let us take the State of Florida, for example. Under the Dirksen amendment Florida would get $35 million, approximately, while under the bill Florida would get $48 million, in round numbers.

I would have Senators take a look at the ghettos of America. This figure is one that seeks to help relieve children in the ghettos of America. The ghettos cannot do without it. We cannot justify this kind of economy. If there ever was a penny-wise-pound-foolish amendment, this is it.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. AIKEN. In some programs, is not the level of $3,000 being used?

Mr. MORSE. In some parts; not in the educational part.

Mr. AIKEN. In some programs the level is fixed by the States; is it not?

Mr. MORSE. Yes.

Mr. AIKEN. For example, in the food stamp program, my State has already fixed the $3,000 level. So it does not trouble me to fix a $3,000 Federal level when that has already been decided upon by my own State.

Mr. MORSE. Mr. President, I yield 30 seconds to the Senator from New York [Mr. Kennedy].

Mr. KENNEDY of New York. Mr. President, this amendment is going to affect not just those States which have large cities. Is not that correct?

Mr. MORSE. We are helping the rural areas. Senators should have heard witnesses on conditions in rural areas and education in rural areas. This bill is not only for urban ghettos but for poverty-stricken areas wherever they are.

Mr. President, I am ready to go to a vote.

The PRESIDING OFFICER. The question is on the second section of the Dirksen amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana (when his name was called). Mr. President, on this vote I have a pair with the Senator from Pennsylvania [Mr. Clark]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator fom Arizona [Mr. Hayden], the Senator from North Carolina [Mr. Jordan], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Wisconsin [Mr. Nelson], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Tennessee [Mr. Gore], and the Senator from Michigan [Mr. Hart] are absent on official business.

On this vote, the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Alaska [Mr. Gruening]. If present and voting, the Senator from Mississippi would vote "yea" and the Senator from Alaska would vote "nay."

I further announce that, if present and voting, the Senator from Montana [Mr. Metcalf], and the Senator from Wisconsin [Mr. Nelson] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from New Jersey [Mr. Case], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Colorado [Mr. Dominick], the Senator from Michigan [Mr. Griffin], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Kentucky [Mr. Morton] would vote "yea."

On this vote, the Senator from Nebraska [Mr. Hruska] is paired with the Senator from New Jersey [Mr. Case]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from New Jersey would vote "nay."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from Colorado [Mr. Dominick]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Vermont [Mr. Prouty]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 26, nays 45, as follows:

[No. 285 Leg.]

YEAS—26

Bennett
Byrd, Va.
Cotton
Dirksen
Ellender
Ervin
Fannin
Harris
Hickenlooper
Hill
Holland
Lausche
McClellan
Monroney
Proxmire
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—45

Aiken
Allott
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Dodd
Fong
Fulbright
Hartke
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Mondale
Montoya
Morse
Moss
Mundt
Muskie
Neuberger
Pastore
Pearson
Pell
Randolph
Ribicoff
Scott
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—29

Anderson
Bass
Carlson
Case
Church
Clark
Cooper
Curtis
Dominick
Douglas
Eastland
Gore
Griffin
Gruening
Hart
Hayden
Hruska
Jordan, N.C.
Long, La.
McIntyre
Metcalf
Miller
Morton
Murphy
Nelson
Prouty
Sparkman
Symington
Tower

So section 2 of Mr. Dirksen's amendment was rejected.

Mr. MORSE. Mr. President, I move to reconsider the vote by which section 2 of the amendment was rejected.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question recurs on the third section of the amendment of the Senator from Illinois.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the third part of the amendment offered by the Senator from Illinois.

Mr. MORSE. Mr. President, the next section of the amendment is, "On page 13, line 2, insert '1967' in lieu of '1966.'"

Mr. President, I want the Senator from Illinois to listen so as to make sure that I clearly and accurately represent his amendment.

It deletes the updating of the statistics for aid to dependent children.

The present statistics on dependent children are 1962 statistics. All the committee action would do would be to move the clock ahead to the facts.

There are many more dependent children in the United States today than there were in 1962.

This is only a correction in order to have statistical accuracy so that the nose count is accurate.

It is true, if we use the accurate figures, it means, because there are additional children, there will be a difference of $12,632,000.

The Senator from Illinois is saying, "Don't pay any attention to what the statistical facts are. Go ahead and assume that the situation is the same as it was in 1962."

The committee took testimony on it. We cannot possibly run in the face of mathematics. Of course we ought to make our count on the basis of the number of dependent children who actually exist.

I therefore urge that the amendment be rejected and that we accept the committee recommendation as being statistically accurate.

Mr. DIRKSEN. Mr. President, the House heard all of the testimony, probably infinitely more than did the Senate. They wanted to start the count on the data of fiscal 1967 instead of 1966. That is what is involved in the matter.

The PRESIDING OFFICER. The question is on agreeing to the third section of the amendment of the Senator from Illinois. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from North Carolina [Mr. Jordan], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Wisconsin [Mr. Nelson], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Tennessee [Mr. Gore], and the Senator from Michigan [Mr. Hart] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. Gruening], the Senator from Montana [Mr. Metcalf], and the Senator from Wisconsin [Mr. Nelson] would each vote "nay."

On this vote, the Senator from Pennsylvania [Mr. Clark] is paired with the Senator from Mississippi [Mr. Eastland]. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from Mississippi would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from New Jersey [Mr. Case], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Colorado [Mr. Dominick], the Senator from Michigan [Mr. Griffin], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Kentucky [Mr. Morton], the Senator from Nebraska [Mr. Hruska], and the Senator from Colorado [Mr. Dominick] would each vote "yea."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from New Jersey [Mr. Case]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from New Jersey would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Vermont [Mr. Prouty]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Vermont would vote "nay."

The result was announced—yeas 17, nays 55, as follows:

[No. 286 Leg.]

YEAS—17

Bennett
Byrd, Va.
Cotton
Dirksen
Ervin
Fannin
Hickenlooper
Holland
Mundt
Robertson
Simpson
Smathers
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—55

Aiken
Allott
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Dodd
Ellender
Fong
Fulbright
Harris
Hartke
Hill
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—28

Anderson
Bass
Carlson
Case
Church
Clark
Cooper
Curtis
Dominick
Douglas
Eastland
Gore
Griffin
Gruening
Hart
Hayden
Hruska
Jordan, N.C.
McIntyre
Metcalf
Miller
Morton
Murphy
Nelson
Prouty
Sparkman
Symington
Tower

So the third section of Mr. Dirksen's amendment was rejected.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the third section of the amendment was rejected.

Mr. RANDOLPH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). The question now recurs on the next part of the amendment.

Mr. MORSE. Mr. President, I wish to say that the minority leader is willing—and I have talked to the members of my committee, and the consensus of that membership shows the same willingness—to package together the next three items in the amendment of Senator Dirksen, and vote on them in a single vote. One is the proposed cut in title II, on libraries, of $20 million, found on page 24. One is the proposal on page 29 to cut $50 million from the supplemental education centers. There is one on page 37, to cut State education departments by $8 million.

The minority leader, the manager of the bill, and the members of my committee are willing to vote in one vote.

The PRESIDING OFFICER. The Chair is advised that four sections of the amendment remain to be voted on, instead of three.

Mr. MORSE. Those were the three that were handed to me.

Mr. President, I understand that parts of the amendment appear on different pages, and therefore my request is that we vote on all the remaining sections of the Dirksen amendment in one vote at this time.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUSSELL of South Carolina (when his name was called). On this vote I have a pair with the Senator from Pennsylvania [Mr. Clark]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I therefore withold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from North Carolina [Mr. Jordan], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Wisconsin [Mr. Nelson], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Tennessee [Mr. Gore], and the Senator from Michigan [Mr. Hart] are absent on official business.

I further announce that, if present and voting, the Senator from Montana [Mr. Metcalf] and the Senator from Wisconsin [Mr. Nelson] would each vote "nay."

On this vote, the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Alaska [Mr. Gruening]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Alaska would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from New Jersey [Mr. Case], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Colorado [Mr. Dominick], the Senator from Michigan [Mr. Griffin], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Kentucky [Mr. Morton], the Senator from Nebraska [Mr. Hruska] and the Senator from Colorado [Mr. Dominick] would each vote "yea."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from New Jersey [Mr. Case]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from New Jersey would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Vermont [Mr. Prouty]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Vermont would vote "nay."

The result was announced—yeas 27, nays 44, as follows:

[No. 287 Leg.]

YEAS—27

Allott
Bennett
Byrd, Va.
Cotton
Dirksen
Ellender
Ervin
Fannin
Hickenlooper
Holland
Lausche
Long, La.
McClellan
Monroney
Mundt
Pearson
Robertson
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—44

Aiken
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W .Va.
Cannon
Dodd
Fong
Fulbright
Harris
Hartke
Hill
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Mondale
Montoya
Morse
Moss
Muskie
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—29

Anderson
Bass
Carlson
Case
Church
Clark
Cooper
Curtis
Dominick
Douglas
Eastland
Gore
Griffin
Gruening
Hart
Hayden
Hruska
Jordan, N.C.
McIntyre
Metcalf
Miller
Morton
Murphy
Nelson
Prouty
Russell, S.C.
Sparkman
Symington
Tower

So sections 4, 5, 6, and 7 of Mr. Dirksen's amendment were rejected.

Mr. MORSE. Mr. President, I move to reconsider the vote by which sections 4, 5, 6, and 7 of the Dirksen amendment were rejected.

Mr. KENNEDY of New York. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARTKE. Mr. President, I offer an amendment which would delete on page 19, beginning with the title in line 7, the words "authority to obligate certain amounts," down through line 22, and to renumber sections 114, 115, and 116 as sections 113, 114, and 115. The Senator from Ohio [Mr. Lausche] joins me in the amendment.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). The amendment will be stated.

The legislative clerk read as follows:

On page 19 strike out line 7 through line 22, inclusive, as follows:

"AUTHORITY TO OBLIGATE CERTAIN AMOUNTS

"Sec. 113. Section 207 of such Act of September 30, 1950, is further amended by inserting at the end thereof a new subsection as follows:

" '(d) In the event that no appropriation for the purpose of making payments pursuant to this title is made prior to the first day in April immediately preceding the beginning of any fiscal year for which appropriations for such purpose are authorized, the Commissioner may execute grant agreements for grants pursuant to this title for such fiscal year. Such grant agreements shall be obligations of the United States. The amounts of such grant agreements shall be determined on the basis of an appropriation for the purposes of this title equal to the amount appropriated for such purposes prior to such first day in April for the fiscal year in which such day occurs'."

Mr. MORSE. Mr. President, will the Senator yield to me briefly?

Mr. HARTKE. I yield.

Mr. MORSE. Mr. President, I wish to insert at the end of our colloquy the statement of the Senator from Vermont [Mr. Prouty] who offered this amendment in committee, and whose amendment it is.

Mr. President, I have been in consultation with members of my committee, and I wish to advise the Senator from Indiana [Mr. Hartke] that, as the manager of the bill, I accept his amendment to strike.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR PROUTY

One of the problems confronting school administrators is the uncertainty that the appropriations to continue and extend their programs will be approved for next year.

At the present time neither authorizations nor appropriations have been acted upon and there is no guarantee that appropriations will not be reduced over last year's amounts.

Traditionally, teacher contracts are given out for the school year in March or April and if Federal grants are not available before the end of the summer or at least guaranteed by late fall, all of the programs started the previous year could well fall by the wayside for lack of personnel.

The Elementary and Secondary Education Act was approved on April 11, 1965. The vital programs it authorized, however, were not funded until September 23 of that year, or more than six months after enactment. We are now nearly 4 months into fiscal 1967, the second year of those programs. But as yet, not one dollar has been appropriated for the support of those programs for the current fiscal year.

This situation presents a serious and, in some cases, impassable barrier to the successful implementation of the very programs we strove so long to enact. For until local schoolmen learn how much money will be available to them, they cannot plan wisely how to use that money. They cannot plan wisely for the use of their own State and local funds. They cannot make the necessary decisions on the allocation of physical facilities, on the assignment of teaching staff, or on the employment of additional, specialized personnel. Delayed funding of these programs is a serious problem, indeed, but a problem which would be largely removed, I believe if this amendment should be accepted.

This amendment is quite simple. The trigger date for its operation is April 1 of each year. If by that date in any year, appropriations have not been made for the Elementary and Secondary Education Act for the next succeeding fiscal year, then the Commissioner of Education would be authorized to obligate funds under the programs on the basis of the amounts actually appropriated for the fiscal year then current. Such obligations would be met from appropriations for the next succeeding fiscal year when those appropriations become available.

Now, some might say that this proposal smacks of "back-door financing," or even of fiscal irresponsibility. I cannot agree with them at all. I see it rather as a legitimate, if somewhat unorthodox, means of meeting a real emergency. We are in the process of authorizing each of the programs in question for two years. I am sure we will finance each program for each year of its authorization. I am fairly certain that the appropriations for these programs will not be cut radically from one fiscal year to the next. Consequently, I can see little likelihood that the obligation of funds for these programs prior to actual appropriations would lead to any degree of fiscal embarrassment for the Federal Government.

The only practical way to stimulate a genuine long range school assistance program is to have funds available on a steady basis over a period of years long enough to enable cities and towns to plan their programs, secure their grants from the Commissioner of Education, and be certain that the money will be available to enable them to carry through with their work.

To assure that this money will be available to the extent of the authorization, this amendment contemplates adoption of a contract authority principle which has been so successfully applied to the Federal highway programs.

Moreover, there are other precedents for a proposal of this nature. By terms of the 1955 amendments to the Federal Airport Act, for example, the Administrator of the Federal Aviation Agency was empowered to obligate funds for the purposes of that act beginning on the first day of each fiscal year. That is, he could obligate funds before any sums of money had actually been appropriated for the purposes of the program.

Again, the Administrator of the Federal Aviation Agency is given wide fiscal latitude with respect to the purchase and delivery of supplies necessary for the execution of his functions at installations outside the continental United States. If his agency has not received its appropriation for any fiscal year by March 1 of the preceding year, he may go ahead and incur obligations for such purpose of up to 75 percent of the amount appropriated for that purpose in the fiscal year then current.

The Commissioner of Indian Affairs is authorized under title 25, section 99, to advertise the spring of each year for bids, and enter into contracts, subject to the approval of Secretary of the Interior for goods and supplies for the Indian Service required for the ensuing fiscal year notwithstanding the fact that the appropriations for the fiscal year have not been made.

And finally, I would mention certain provisions of Public Law 89-313, enacted just last year. This act, as you recall, added new sections to the Federally affected areas laws authorizing programs of assistance for school construction and operation in major disaster areas. These new sections—section 16 of Public Law 815 and section 7 of Public Law 874—have their own language authorizing appropriations, but each section also has the following language:

"Pending such appropriation, the Commissioner may expend . . . from any funds heretofore or hereafter appropriated for expenditure in accordance with other sections of this Act such sums as may be necessary for immediately providing assistance under this section, such appropriations to be reimbursed from the appropriations authorized by this subsection when made."

So here again, a Federal official is authorized to obligate funds under a program before specific appropriations for that program have been made available.

There are precedents, then, for this proposal, and, to reiterate, there is a pressing need for its enactment. School people across the country have been perturbed by the appropriations lag with regard to Public Law 89–10. The chief State school officer of Vermont, Dr. Richard Gibboney, recommended in his brief to our subcommittee that it would help in administering the program if we could know the amount of money that is available in a fiscal year at an earlier date.

And the National Advisory Council on the Education of Disadvantaged Children, in its first annual report on the operation of title I, included the following among its 10 recommendations:

"There is no doubt that implementation of title I was greatly hampered this year by the nonavailability of funds until after the school year began. Most personnel in needed specialties were already under contract, and school administrators were forced to plan projects almost overnight. The pressures of time gave State departments of education little opportunity to revise substantially many quickly conceived programs. We strongly urge the Congress to enact the next title I appropriations bill as early as possible, but not later than early summer 1966, to permit more careful program development and thus assure more effective use of the funds."

We know from experience that the painstaking appropriations procedure is not susceptible to a drastic speed-up. It should be equally clear, however, that the programs under Public Law 89–10 should be funded at the earliest possible date. This amendment, I am convinced would lead to that end. I hope the Senate will see fit to endorse it, and I hope it will be made a part of the law.

Mr. MORSE. Mr. President, I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana [Mr. Hartke]. [Putting the question.]

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I ask unanimous consent that there be inserted in full the provision relative to section 113 found in the majority committee report, entitled "Authority To Obligate Certain Amounts," found on page 53 of the committee report.

There being no objection, the provision was ordered to be printed in the Record, as follows:

SECTION 113. AUTHORITY TO OBLIGATE CERTAIN AMOUNTS

This section permits the Commissioner to execute, for any fiscal year for which an appropriation under this title is authorized, grant agreements, which will be obligations of the United States, with State educational agencies, if no appropriation for such fiscal year for the purpose of making payments under this title is made prior to the first day in April immediately preceding the beginning of such fiscal year. The amounts of such grant agreements will be determined on the same basis as if such agreements were made under the authority of a continuing appropriations resolution based on actual appropriations made before such April 1.

AMENDMENT NO. 954

Mr. HARTKE. Mr. President, on behalf of myself and Senators Moss and TOWER, I call up my amendment No. 954, which is at the desk.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

Mr. PASTORE. Mr. President, I think that this amendment should be read and read slowly.

The **PRESIDING OFFICER.** Objection is noted. The clerk will report.

The legislative clerk read as follows:

At the end of the bill insert the following:

"TITLE IV—SENSE OF CONGRESS WITH RESPECT TO PRAYERS IN PUBLIC SCHOOLS

"Statement

"SEC. 401. It is the sense of the Congress that—

"(1) notwithstanding the recent Supreme Court decisions relating to the reading of the Bible and the offering of prayer in the public schools, any public school system if it so chooses may provide time during the school day for prayerful meditation if no public official prescribes or recites the prayer which is offered; and

"(2) providing public school time for prayerful meditation in no way violates the Constitution because each individual participating therein would be permitted to pray as he chooses, but that such practice is consonant with the free exercise of religion protected by the first amendment to the Constitution."

Mr. HARTKE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MORSE. Mr. President——

Mr. DIRKSEN. Mr. President, I have a substitute.

Mr. YOUNG of Ohio. Mr. President——

The **PRESIDING OFFICER.** The Senator from Indiana [Mr. HARTKE] has the floor.

Mr. HARTKE. Mr. President, the amendment which I have offered here is not new to the Senator from Indiana. On June 25, 1962, the Supreme Court's decision concerning prayer was handed down. On June 27, 1962—2 days later—I introduced an identical resolution now before the Senate as an amendment to the education bill. Most certainly on a question of whether one shall have prayer in schools, the proper piece of legislation is an education bill.

The amendment which I have introduced goes back basically to the decision itself. I do think there has been widespread misinterpretation of what the Supreme Court said. In some cases, many individuals have not paid much attention to it, and in many other cases I think many individuals have possibly taken advantage of what the Supreme Court did say.

There is nothing wrong with a nation which still marks on its public buildings, "In God We Trust." This body, at least, still opens its daily sessions with prayer. To say absolutely, as some school boards have, that the Supreme Court decision indicates that there is no time in which a person can go ahead and pray, is taking the decision of the Supreme Court one step too far.

The Supreme Court left plenty of room for silent prayer. In other words, to set aside a time during the course of the day in which an individual can do what the Constitution provides for; namely, practice freedom of religion. If one wishes to pray, he can; and if he does not wish to pray, he does not have to.

I can understand why, as a political measure, some persons might be disturbed about it, but I see no reason whatever to duck out of the expediency.

As Justice Black wrote in his opinion—from which I wish to quote as follows:

> Under that (the first) amendment's prohibition against governmental establishment of religion, as reinforced by the provision of the 14th amendment, government in this country, be it State or Federal, is without power to prescribe by law any particular form of prayer which is to be used as an official prayer in carrying on any program of governmentally sponsored religious activity.

What the Justice said there—as I said 2 days after the decision—was simply this: That they saw nothing wrong in prayerful meditation, but what exactly was prohibited was for anyone to tell an individual how he had to pray, or how to pray in any form whatever.

I introduced this resolution in the succeeding Congress, then again in this Congress. I testified on it before the Committee on the Judiciary; thus, certainly, so far as my conduct on the amendment is concerned, it is nothing new. But, I think it should be something which should be affirmed by the Senate.

I frankly think that most Senators are religious. I would hope that those who do not feel that they can conscientiously pray, when prayers are offered by the Chaplain of the Senate, would at least respect those words and feel that such a prayer being offered is something worth while, at least.

In this day and age, we still cling to the idea that something can be accomplished other than by mere formal force, or by merely prescribing words. Frequently, the thoughts of man can be transmitted throughout the world in a fashion which is probably more effective than others.

What I am really saying is that I believe prayer has a rightful place within the conduct of man's activities. Is it not foolish for us to live with our children if we are leading an irreligious life?

One of the things which has made this country great was the idea that people could come to this country and could go ahead freely and worship God in the religion of their choice, and pray to God in the secrecy of their own hearts.

I see nothing wrong with continuing that situation at the present time, although I do not think I can change anyone's mind.

Mr. President, I reserve the remainder of my time.

Mr. ERVIN. Mr. President, will the Senator from Indiana yield for a question?

Mr. HARTKE. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. The Senator quoted Justice Black's opinion in the Engel case, to the effect that a State cannot prescribe the form of prayer.

Now, does not the Senator from Indiana agree with the Senator from North Carolina that the first amendment applies to Congress as well as it does to the States?

Mr. HARTKE. I think it does.

Mr. ERVIN. Well then, can Congress prescribe—if we are going to have prayer in the schools—prayerful meditation?

Mr. HARTKE. No. There is nothing in this resolution which states that we have to have prayerful meditation. It states that we can set aside the time for it.

Mr. ERVIN. But it says the only thing it can have is prayerful meditation.

Mr. HARTKE. No. If the Senator will read the amendment, it does not say that at all. In other words, all we are doing is providing the time.

Mr. ERVIN. It says a school board may provide time not for prayer but for prayerful meditation.

Mr. HARTKE. That is right.

Mr. ERVIN. Yes. Now, does the proposed amendment not prescribe the form of the religious exercise to be observed by one who undertakes to avail himself of the privilege which the amendment would give him?

Mr. HARTKE. I do not think so. That would be a strained interpretation of the resolution. I think that would be just trying to make a play on words. All the amendment does is state that one can set aside the time. It does not say who shall prescribe that there shall be prayerful meditation. If it said that, I would agree with the Senator from North Carolina.

Mr. ERVIN. Does not the Senator from Indiana agree with the Senator from North Carolina that the power to interpret the meaning of the Constitution resides in the Supreme Court and not in Congress?

Mr. HARTKE. The power to interpret the actions of Congress does not solely lie within the Supreme Court. The final decision upon any contested element lies with the Supreme Court but only in relation to contested items, not alone by the legislatures themselves, but also by individuals and officials of the Government who give official interpretation of what is constitutional and what is not. If those items are challenged, they are then brought to the courts but only in cases of contested items, which means that the final authority for determination does rest, in cases of dispute, with the Supreme Court.

Mr. ERVIN. Does the Senator contend that Congress has power to interpret the Constitution in a way which would be binding upon anyone?

Mr. HARTKE. Most certainly. It is done every day in practically every piece of legislation passed by Congress. Because honestly, any piece of legislation which is passed is ultimately subject to final decision of the Supreme Court of the United States as it comes within the confines and the bounds of the Constitution.

Mr. ERVIN. One other question. Will the Senator from Indiana inform the Senator from North Carolina what provision of the Constitution gives Congress the power to say to the States, "You have our permission to do this in your public schools?"

Mr. HARTKE. Most certainly. It is in the first amendment of the Constitution, where it is definitely prescribed.

Mr. ERVIN. If Congress can tell the State what activities are permissible in schools, it can tell the States what activities are required in the schools, can it not?

Mr. HARTKE. The Senator is giving his own interpretation of the amendment, prescribing as to activity. I am saying that the amendment prescribes that time can be set aside, just as time can be set aside to adjourn schools at an earlier hour, if they want to.

Mr. ERVIN. What authority does Congress have to say that?

Mr. HARTKE. This is a "notwithstanding" clause. That, notwithstanding the Supreme Court's interpretation, it is the sense of Congress that this is the interpretation of the Constitution. This is not a directive to the people, this is more or less an application of what the situation is at the moment.

Mr. ROBERTSON. Mr. President, will the Senator from Indiana yield?

Mr. HARTKE. I am happy to yield to the Senator from Virginia.

Mr. ROBERTSON. I wish to remind my distinguished colleagues of the fact that 18 days before the Continental Congress adopted the Declaration of Independence, the Convention in Williamsburg adopted a bill of rights for the State of Virginia.

One paragraph dealt with religious freedom. It was drafted by that great statesman, George Mason. It declared that the Church of England would be the sole church of Virginia but that other denominations would be tolerated.

This was attacked by James Madison, who said that if we are to have religious freedom it must not be on the basis of toleration.

Now I understand that the distinguished Senator from Indiana [Mr. HARTKE] is unwilling to say that a child shall have the privilege of expressing a prayer in schools, but that we will let him sit quietly, and perhaps it will be assumed that the child is offering a prayer, or he may be thinking about the football game or anything else, just so long as the child does not say anything.

Mr. HARTKE. Let me tell——

Mr. ROBERTSON. The Senator would tolerate a period and call it religious toleration. James Madison would have repudiated that, without any question.

Mr. HARTKE. If the amendment said what the Senator has said, I could agree with his interpretation, but the amendment does not say that. This is a sense of Congress amendment. It makes no statement as to what should be done. It does not tolerate anything. It clarifies the proposition. Since it clarifies the proposition, it provides that a person may pray silently in school. If this were made into a negative proposition, I think it would be absolutely impossible for Members of Congress to vote for it, but a vote against this amendment is a vote against permitting prayer, unless one wants to condemn prayer as being perfectly proper in school. What a Senator is voting against when he votes against this amendment is against the religious freedom to pray in school.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. HOLLAND. The Senator knows that I was one of the cosponsors of the proposed amendment to the Constitution of the United States on this same subject of voluntary prayers in the schools, which was passed by the Senate a few days ago, a majority of the Senate voting for it, but not the two-thirds majority required to submit it to the States for ratification as a constitutional amendment. I think I have shown how I feel about this subject.

Mr. HARTKE. The Senator has.

Mr. HOLLAND. However, I do not think this is a subject which can be properly dealt with in a statute. While I realize it simply states the sense of Congress, the Senator recites certain things as being, in the opinion of the Congress, facts. One is:

> Any public school system if it so chooses may provide time during the school day for prayerful meditation if no public official prescribes or recites the prayer which is offered.

Here is another recital:

> Providing public school time for prayerful meditation in no way violates the Constitution because each individual participating therein would be permitted to pray as he chooses, but that such practice is consonant with the free exercise of religion protected by the first amendment to the Constitution.

I think that recital is argumentative and may or may not state the opinion of any individual Senator; but for us to put in the bill a recital to the effect that this would not be unconstitutional, and a school can do what it wants in this respect as cited, is reciting facts which I do not think Senators who have supported a constitutional amendment which properly dealt with this subject would support.

For that reason, while I am in sympathy with the motive of the Senator and I am in accord with doing something which deals properly with the subject along the line he suggests, I could not support the amendment. I wanted to have my reason in the RECORD. I have great sympathy with the Senator, but I cannot support his amendment.

Mr. HARTKE. I appreciate the remarks of the Senator from Florida. A vote against this amendment does not mean a Senator is against prayer. I would not say that any Senator who votes against this amendment is saying he is against prayer. I do say that if we do not do this in some form or another and state that this is the understanding of the Senate, the course of action in some States is to take the schools further and further away from any form of prayer, and it will leave a negative policy in effect.

Mr. HOLLAND. Does not the Senator think that a majority expression of Senators present and voting on the same subject in a proposed constitutional amendment form is an expression which the public can see and will feel is the expression of a majority in the Senate along the lines the Senator has suggested?

Mr. HARTKE. I think, no doubt, it is understood by people who follow the actions of the Senate day by day, but I will say that if any Senator will go into the States and talk to the people about this subject, they will say they cannot have even silent prayers in the schools. If one asks how the Senate has spoken up in that regard, they will probably say that the Senate has said, "No, you cannot have any kind of silent prayer."

The action of the Senate such as I suggest would correct that. The Senator from Florida has asked about a majority expression of the Senate. The difficulty is that a proposed constitutional amendment requires a vote of two-thirds of the Senate. I would be in favor of having a majority of the Senate say that people can pray in school at a time set aside if one is not forced to say a certain prayer, or, if he desired not to pray at all, to have the right not to pray. That is what the Constitution of the United States guarantees. My amendment recites what the Constitution of the United States says.

Mr. HOLLAND. I appreciate the very worthy objective of the distinguished Senator, with which I am in sympathy, but I cannot agree with the method in which he approaches it.

Mr. HARTKE. Other Senators probably feel the same way the Senator from Florida feels about it, so I do not feel badly about it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. LAUSCHE. In my opinion, the Senator from Indiana is attempting, in legislative form, and correctly so, to correct what the Supreme Court said in its pronouncement. The Supreme Court says that prayers in schools shall not be prescribed. The Senator from Indiana is not attempting to prescribe what the form of prayer shall be. His amendment states that each individual shall be permitted to pray as he decides. He can pray in silence or he can pray by vocalizing his expressions.

I understand that if all prayed in a different way, there would be babel; but that is what the Supreme Court said: "Do not prescribe." This amendment does not prescribe a prayer, but provides that each student shall be permitted to pray as he wants.

Now, in reading the language of the amendment, it states:

> Notwithstanding the recent Supreme Court decisions relating to the reading of the Bible and the offering of prayer in the public schools, any public school system if it so chooses may provide time during the school day for prayerful meditation if no public official prescribes or recites the prayer which is offered.

The language further reads:

> Providing public school time for prayerful meditation in no way violates the Constitution because each individual participating therein would be permitted to pray as he chooses—

Pray in silence or pray by open expression.

Mr. HARTKE. Or not pray at all.

Mr. LAUSCHE. Or not pray at all.

Mr. HARTKE. That is correct.

Mr. LAUSCHE. One step further. The argument is made that we do not declare by legislation constitutional rights. In every bill we pass, we impliedly state that what we have done is constitutional. Moreover, in countless acts, Congress has declared a policy, and the principle of the declaration conforms to what the Senator from Indiana is trying to do.

Mr. HARTKE. I thank my friend from Ohio. He has stated exactly in his words my thoughts, and the reasons why I have presented this amendment at this time.

I think it is very important for us that prayer not be prohibited in these United States of America. By implication, that is what the interpretations of the Supreme Court on the cases which have been before it have been doing throughout the school systems.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HARTKE. I yield to the Senator from Virginia.

Mr. ROBERTSON. I merely wish to remind my distinguished friend of the history of our Constitution on the subject of religious freedom and separation of church and state.

I previously mentioned that George Mason wanted toleration. Madison fought that. He tried to change that to complete freedom. He had that in his first amendment as passed by the House—complete freedom.

What happened when it came to the Senate? They inserted the words "establishment of religion." That restricted the first amendment as Virginia had adopted it, and as James Madison had framed it on the House side.

Madison believed half a loaf was better than no loaf at all so he accepted the change.

There is not a word about prayer in the amendment. And what is establishment of religion? Congress passed a bill to charter an Episcopal church in Alexandria. Madison vetoed the bill, and he said, "An Episcopal church is an establishment of religion, and it is prohibited by the Constitution."

Then there was the distinguished Dr. Adams in South Carolina, who felt that there was a wave of materialism sweeping over this country, with perhaps a little touch of a crime wave such as we have now. He wrote Madison a letter, and sent copies to a lot of people, saying that Congress should declare that the Christian religion is the religion of our Nation.

Well, of course, it is the religion of our Nation. All of our laws are based upon the Christian religion. In world affairs, it is a minority religion, but we think it is the best.

But Madison said, "No, Congress should not act with respect to religion." And what was religion? It was an establishment. And what was an establishment? It was a church.

The keystone of the arch of Madison's philosophy of religious freedom was that it must be voluntary; and in his answer to Dr. Adams in South Carolina, he emphasized three facts: First, Congress shall not establish a church, even though it is a Christian church—and Madison was a great Christian, a Presbyterian; second, tax money shall not be used to support a church; and third, worship shall be voluntary, and the Government shall not interfere.

I say, with all due deference to the idea of a prayer being an established church, that it certainly is not. The only thing we are dealing with is an establishment of religion. My friend has fallen into the error of a good many others in assuming that a prayer is similar to a church, which it is not; and thus he will not let them say a prayer to God.

"If you sit there and keep quiet, we will tolerate you, but if not, we will throw you out."

Mr. HARTKE. With all due respect to the Senator from Virginia—and I know no man better acquainted with the Bible than is he, and certainly his background in this field is without question—I respect, with great admiration, his opinions upon the interpretation of the Constitution. But let me say there are two things definitely wrong with his argument.

In the first place, I have not fallen into any error concerning the question of prayer being a religion. The whole point about it is that the question before the Supreme Court involved the reading of the Bible and the saying of a prayer which had been prescribed.

What I am talking about here is that part of the interpretation of the Constitution which deals with prayer. Most certainly the only way you can talk about prayer is to talk about prayer. You cannot talk about prayer and say you meant to talk about the establishment of a church. So that part certainly should be laid to rest.

The second thing, very definitely, here, is that there is no proscription that a man should pray, or that he cannot pray out loud if he wishes, as the Senator from Virginia has said. The point is whether a time can be set aside. The Supreme Court stated in their opinion that that was the question at issue.

All I am saying is that there was widespread misinterpretation of what the Supreme Court said. It is being continually compounded, moreover, by the fact that Congress itself is not taking any action whatsoever, by declaring what its policy is. As the Senator has said, all we are doing here is making a declaration of policy. It is a sense of Congress amendment. It does not say that you have to have a silent prayer; it does not say that you have to have a silent meditation. You can do as you please. That is the meaning of freedom. It does not say toleration; it says absolute freedom.

Mr. ERVIN. Mr. President, will my good friend yield for one more question?

Mr. HARTKE. How could I resist?

Mr. ERVIN. I should just like to ask the Senator from Indiana if he does not inhibit, in this sense of Congress amendment, freedom of teachers and school officials, in that the amendment provides that the State may permit a period of prayerful meditation in its schools if no public official recites the prayer offered.

Mr. HARTKE. No, I do not think so.

Mr. ERVIN. Does it not say that?

Mr. HARTKE. If no public official prescribes or recites the prayer; that is correct.

Mr. ERVIN. "Prescribe" and "recite" are alternatives. They are two different things.

Mr. HARTKE. That is correct.

Mr. ERVIN. So I leave out the question of prescribing, and read the amendment as providing that "any public school system, if it so chooses, may provide time during the school day for prayerful meditation if no public official recites the prayer which is offered."

Mr. HARTKE. That is correct.

Mr. ERVIN. Is not the teacher a public official?

Mr. HARTKE. That is correct.

Mr. ERVIN. So teachers would be prohibited from reciting prayers in the schools?

Mr. HARTKE. It says if they recite it in the school system. Of course, the implication would be that this is what the rest of them are to pray. I understand what the Senator is saying. I respect his right to say it. I just do not think it has much to do with the amendment.

Mr. ERVIN. I am just talking about what the Senator from Indiana was saying.

Mr. HARTKE. Mr. President, I reserve the remainder of my time.

Mr. MORSE. Mr. President, I yield to the Senator from Illinois such time as he may require.

Mr. DIRKSEN. Mr. President, this is a glorious expression of a pious hope, and nothing more. It is just the sense of Congress.

It has other limitations in it, because it says "any public school system if it so chooses may provide time."

I would not settle for that, Mr. President. In my judgment, voluntary prayer is a matter of right, and it is not for a school system or board of trustees or anybody else to determine; because, in my judgment, it does not violate the first amendment to the Constitution.

I should hate to see a resolution of this kind adopted. I have one here, which I had intended to offer. I shall not do so, but I wish to read it for the edification of my friends here, because the Hartke resolution has no clout in it; you could not enforce it if you wanted to.

If you want something enforcible, listen to this:

> None of the funds or assistance under this Act—

That means billions of dollars—

> shall be made available to any State or to any school board, district, authority, system or institution which prohibits or prevents or any employee of which prohibits or prevents students or pupils from participating in voluntary prayer.

Let a teacher try to stop them, under this. The school gets no money. That is the way you enforce it.

> Nothing contained in this Section shall authorize any State or any school board, district, authority, system or institution to prescribe the form or content of any prayer.

If we are going to get down to business with this matter, we had better do just like Jacob did with the Angel. He wrestled with the Angel, and we should wrestle with this with vigor. And we have got to do it with vigorous language.

The proper thing to do is to take the Dirksen resolution and pick up the other 9 votes that we lack, since a constitutional amendment requires two-thirds, and then let us send it to the House and to the 50 States.

I will hold that for a better day, when the Senate is in a better mood, and when I think we will agree to it.

That is all I have to say. I hope the amendment is rejected.

Mr. MORSE. Mr. President, I yield to the majority leader.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MANSFIELD. Mr. President, I shall move shortly to table the amendment of the distinguished Senator from Indiana.

I do not doubt the religiosity of any Member in this body. I do not think that a Senator has to declare himself on the basis of a sense resolution to prove that he believes in prayer.

After all, we are dealing with what is a personal matter, and it is up to each individual to decide how, where, when, and in what manner he wishes to pray or not to pray.

One's religious practice is a response to the individual conscience, not to a sense of Congress resolution.

It is too personal, too sacred, too private to be influenced by pressures for change each time a new school board—be it Jewish, Protestant, or Catholic—is elected to assume control of a school district.

I support the first amendment to the Constitution. I believe that we should continue to separate all manners of worship from the public school room. I strongly believe that we should preserve our public academic institutions free from a function they cannot justify—a function that could be destructive of their purpose, as the Founding Fathers pointed out in the Constitution.

I agree that a period set aside for silent meditation in a public school room would not abuse the personal choice of prayer or the private nature of worship. And I believe that, too, is fully consistent with the first amendment. But to prescribe this in a sense of Congress resolution is completely unnecessary.

Finally, I agree with the views expressed by the senior Senator from North Carolina [Mr. ERVIN] and the senior Senator from Florida [Mr. HOLLAND]. The proposed sense of Congress' resolution is just not the proper vehicle for challenging the Supreme Court, not to mention our great charter of fundamental liberties—the Bill of Rights.

I would think that, if anything would be attempted, the proper way to pursue it would be the method already attempted by the distinguished minority leader, the Senator from Illinois. We are dealing with fundamental constitutional liberties and the issue should be faced up to in that context.

It is my hope that after serious consideration the membership of this body will agree that the remedy for irreligion in our society is in the family, is in the home, is in the church, and is not in the Congress.

Mr. President, I shall move to table the pending amendment.

Mr. HARTKE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 1 minute.

Mr. HARTKE. Mr. President, I understand that the Senate wants to vote on this matter. In the Supreme Court opinion and Justice Black's opinion, it says nowhere that prayerful meditation cannot be had.

The first amendment to the Constitution guarantees freedom of worship, which is exactly what I call for in this amendment.

I think that a reiteration by the U.S. Senate is not only proper but also necessary in order that the first amendment to the Constitution can be brought to the attention of all the people of the United States.

I dare say that if we do not take this action—and I am well aware of what the final decision will be—the people in the United States, the school boards, will again take the position that there will be no attention whatsoever paid to religion in any form.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the statement I made on the floor of the Senate on September 21, 1966, at the time the Dirksen constitutional amendment on prayer in our public schools was under consideration.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. MANSFIELD. Mr. President, I yield myself 5 minutes.

Mr. President, since June 1962, when the Supreme Court prohibited the State of New York from composing and prescribing a prayer for recitation in its public schools, there have been about 200 resolutions introduced in the Congress in an attempt to remedy this apparent reversal to religious training. All the sponsors of these various proposals are genuinely concerned with the growing deemphasis of religion in our modern society. When the topic of casual conversation is whether "God is dead," the concern is real—and the remedy must be appropriate.

As I read the first amendment to the Constitution, it says in nonlawyer language that the Government—Federal, State, or local—shall keep out of the field of religion. I consider this prohibition as wise today as it was 180 years ago. I think the Supreme Court was merely enforcing this "no trespassing" sign when it forbade the reading of a State-composed prayer or a passage from a Bible in a public school. Those of us who believe strongly in the consolation of prayer and the wisdom of the teachings of the Bible cannot understand how anyone could fail to appreciate the redeeming value of these practices. But we must not forget that our beliefs are personal and free—and this freedom is also extended by our Constitution to the nonbeliever.

When President Kennedy was asked to comment on the Supreme Court's prohibition of the New York regents prayer he said:

"We have in this case a very easy remedy, and that is to pray ourselves. And I would think that it would be a welcome reminder to every American family that we can pray a good deal more at home, we can attend our churches with a good deal more fidelity, and we can make the true meaning of prayer much more important in the lives of all our children."

I agree fully with this statement of our late President. The manner of worship must be the free choice of the person; it is a personal and family responsibility that should not be surrendered to any public body. With the daily problems of society becoming more complex and the government at various levels taking a more active role in so many facets of our daily lives, I think it imperative that we protect fully and without exception the free and personal choice of religion and emphasize the responsibility of the person and the family in these matters of delicate choice. We must do nothing to upset the neutrality of government in religion; and it is clear to me that with the authoritative position of government in the State public school system, this neutrality can be maintained only by a policy of abstention. I think that any thing less would render a body blow to the proven American doctrine of the separation of church and state.

One's religious practice is a response to the individual conscience; it is too personal, too sacred, too private to be influenced by pressures for change each time a new school board is elected to office.

I support the first amendment as it now exists. I believe that we should continue to separate all manners of worship from the public schoolroom; I strongly believe that we should preserve our public academic institutions from a function they cannot justify—a function that could be destructive of their purpose.

Finally, I agree that a period set aside for silent meditation in a public schoolroom would not abuse the personal choice of prayer or the private nature of worship. I believe such is fully consistent with the first amendment. I urge all Members to give serious thought to any proposal that seeks to change any of our Bill of Rights. I hope that, after serious consideration, you will agree that the remedy for irreligion in our society is in the home—not in the Congress.

Mr. MANSFIELD. Mr. President, I move to table the amendment of the distinguished Senator from Indiana.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana to table the amendment of the Senator from Indiana. [Putting the question.]

The motion of the Senator from Montana was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. FANNIN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 34, line 6, strike out "racially imbalanced,".

Mr. FANNIN. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. FANNIN. Mr. President, the amendment I am offering is a simple one. It strikes from the bill a provision authorizing the Commissioner of Education to grant funds to local education agencies which have schools that are racially imbalanced. This amendment strikes out the words, "racially imbalanced." The committee authorized the sum of $50 million a year in order to bolster the provision on "racial balance."

Mr. President, this is an education bill and this unsound and unproven idea of racial balance has no place in it.

Under this section the Commissioner of Education would award grants on the basis of what he thought was or was not a proper racial mix. This brings up the interesting question of just what is meant by a proper balance. Is it 50–50, 90-10, or 60–40? There is no definition of racial imbalance in the act and the committee members themselves were not clear as to what was intended. The committee report does not supply the answer and even the supporters of this proposal differ as to what ratio might be an appropriate one. Presumably, however, the whole problem will be resolved by the Commissioner of Education who will make the determination and who has $50 million a year for each of 2 years to spend on this program.

Moreover, it is unclear how this program would operate, how the funds would be used or what measures are contemplated to offset any so-called racial imbalance. Would there, for example, be involved in addition to educational parks, busing, the altering of geographical boundaries, and the erasing of traditional neighborhood lines?

The Civil Rights Acts have not, to date, undertaken to deal with racial imbalance but have been limited to desegregation. Are we to assume that a new policy is now being inaugurated—one calling for racial balance in the schools? If so, it is submitted that such a change should be preceded by thorough study and deliberations following full hearings. There is no constitutional provision nor any Federal statute requiring a balance between the races. Nor is there even a factual showing that racial balance is necessarily a healthy state of affairs from the standpoint of either minority groups or education as a whole. There is only the fuzzy and rather vague notion on the part of some persons that a given ratio between the races is a desirable situation.

I think that the American people disapprove of this type of misguided policy and in my opinion would resent the use of an education bill as a vehicle to advance this unproven concept.

Mr. President, I hope this amendment will be adopted.

Mr. President, what are the problems caused by racial imbalance? I should like to have them answered. What steps would be taken? We have not the answer. It is not in the proposed legislation. Mr. President, is not this truly discrimination in reverse?

The Commissioner of Education, Mr. Howe, had this to say:

> Traditional school boundaries often serve education badly and may have to be changed. . . . We could, for example, alter political boundaries to bring the social, economic, and intellectual strengths of the suburbs to bear on the problems of the city schools.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. FANNIN. I yield myself 2 additional minutes.

I continue with the quotation:

> Building programs for the future could be planned so that new schools break up rather than continue, segregation of both the racial and economic sort. The Office of Education will provide Federal planning funds for such efforts right now, and, if I have my way, the office will provide construction funds before long.

This is from a statement by Mr. Howe.

Mr. President, I think we all recognize the problems that would result if this wording is retained in the proposed legislation. We should give thought to some of the problems that exist.

For instance, I can cite my State of Arizona as an example. We have an Indian school in the city of Phoenix. The proposed legislation would require that we have non-Indian students attend this Indian school. The reservation land area consists of 27.7 percent of our land area, and is greater than the privately owned land within our State. These vast areas have Indian schools upon them. Would we be required to bus students into these areas so that they could have a balance as referred to in the proposed legislation? Just what do we mean by "racial imbalance"?

Mr. President, I reserve the balance of my time.

Mr. KENNEDY of Massachusetts. Mr. President——

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Who yields time?

Mr. MORSE. Mr. President, I yield to the Senator from Massachusetts such time as he needs.

Mr. KENNEDY of Massachusetts. Mr. President, I should like to describe briefly how this particular provision entered into the bill.

Earlier this session, I proposed legislation that would permit the Commissioner of Education, upon the initiative of local school districts, to make grants to school districts around the country that were honestly attempting to reach some kind of accommodation on the problem of racial concentration in the public school.

We had a series of hearings on my bill, which was cosponsored by other distinguished Members of this body. It was virtually the unanimous opinion of the principal educators of our country, of the representatives of the National Education Association, of the American Association of School Superintendents, of various State commissioners of education, and the Secretary of HEW that the problems of racial imbalance did present an extraordinary burden on many young people of this country. Those groups enthusiastically supported my bill, and I think their testimony would be relevant to the language which is in this bill.

The committee agreed to report my bill favorably, but as a separate bill, rather than a part of S. 3046. But to carry through this concept, the committee accepted the language adopted by the House in section 304, which includes the words, as part of section 304 of the Elementary and Secondary Education Act, found on pages 33 and 34 of the printed S. 3046.

Mr. President, my primary concern has always been to attempt to assist various school communities that voluntarily want to make an effort to deal with the problems of racial imbalance.

Mr. President, the committee amendment to title 304 is simply intended to insure that local school agencies whose districts have unusual financial burdens and who lack the resources to meet their needs can receive help in overcoming these problems from the Federal Government, including the problem of racial imbalance.

The hearings demonstrated that many of our local communities are overburdened, and that in many of the areas where communities are facing the greatest financial problems, their schools are most overcrowded, obsolete, or racially imbalanced.

There is no problem over what we mean by the term "racial imbalance." It obviously refers to the existence of an unusually heavy concentration of minority race schoolchildren in a public school. I would consider that a school has a problem of racial imbalance when the concentration of minority pupils is so heavy as to present a serious obstacle to providing high quality and equal educational opportunity. Some States in consideration of their own situations have defined racial imbalance in their State laws. New York and Massachusetts, for example, find racial imbalance where more than 50 percent of the pupils are of a minority race. But I think it would be a mistake to attempt to define racial imbalance in Federal law by a specific percentage. We know that de facto segregation exists in the public schools in many major cities in the North and West of this country. In my own city of Boston, for example, some 28 schools have from 80 to 100 percent nonwhite enrollment. I would consider these schools severely racially imbalanced—in fact if not in law by color.

But every local community and State has its own unique situation. I believe we should leave it to the community or the State to make the judgment about whether there exists a problem of racial concentration in its schools. It is for the local community to determine if they wish to take action to improve the quality of education in their community by reducing racial concentration. Therefore, all the term racial imbalance in this amendment to title III is meant to connote is plans by local school districts initiated by them alone which attempt to deal with the problem of racial concentration in the schools of their community and to make clear in the statute that such plans would be eligible for Federal assistance.

So there is no problem about what is meant by racial imbalance and there really can be no question that severe racial concentration in public schools is an educational problem. Hearings were held on this question before the Education Subcommittee. The printed hearings of S. 3046, pertaining to my bill, S. 2928, clearly demonstrate that segregated schooling, whether de jure or de facto, is harmful to the Negro child and denies him equal educational opportunity.

And if there remained any doubt, the recent report on equality of educational opportunity submitted in July 1966 to the Congress by HEW should lay those doubts to rest. This report is the most comprehensive of its kind ever compiled. It found that today—

> American public education remains largely unequal in most regions of the country, including all those where Negroes form any significant portion of the population.

It found that in every significant factor related to achievement the Negro was receiving inferior education. He had fewer facilities, fewer books, less access to curricula and extracurricular programs; he was taught by inferior teachers and, in many cases, he left school worse off in relation to his white counterparts than when he entered.

But perhaps the most striking observation of the entire report is that of all the factors which have a strong relation to achievement the most important factor seems to be the psychological or motivational factor and the Negro child will be more strongly motivated in a nonsegregated school than in a segregated school where he tends to have feelings of inferiority and rejection because of the racial isolation he experiences. Small children do not make fine legal distinctions between de jure and de facto segregation, but they know what they see and if they are separated on the basis of color they suffer from it.

Therefore, local communities are certainly justified in considering the problem of ghetto schools as an educational problem which they desire to deal with. Many communities have made that judgment independently and on their own initiative. They are working on plans to deal with the problem. In Cortez, Colo., two neighboring school districts are making educational plans to promote the integration of Indians and Spanish-American children with other peoples. In Akron, Ohio, seven elementary schools in a ring of average neighborhoods between the rich suburbs and the poor inner city were selected so that children of different environments could mingle in a creative program of outdoor summer education. Conway, Ark., is planning a center of education and training for a model curriculum for grades 10 through 12 in a fully integrated school system. Evanston, Ill., is planning to convert the city's only all-Negro school into an experimental school offering special programs to children from the entire city.

Many cities such as Syracuse and Pittsburgh and East Orange and Albuquerque and Denver and Baltimore are planning educational parks.

I could cite many more examples which have been undertaken by many communities around the country. I would like to say to my colleagues that I have been impressed by the number of communities who on their own initiative are seeking to do something about this problem and by the variety of innovative programs that are being contemplated.

I ask unanimous consent to insert at the end of my remarks a short memorandum listing a number of such projects.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY of Massachusetts. Mr. President, consider a few examples from my own State of Massachusetts. A number of suburban communities—among them Brookline, Newton, Wellesley, and Arlington—got together and the school boards developed a program to send buses into the Roxbury area of Boston and bring students, young Negro children, into their communities to attend their schools, some of the finest schools in the State of Massachusetts, in places where they had a number of vacancies. This experiment has worked admirably well. It has been well accepted in the communities where these young Negro boys and girls have come to participate in the schools, and I have had an opportunity to talk to some of the schoolteachers involved. They talk about the remarkable rise in the educational performance of these young people. This program has also been extremely well received in the city of Boston as well.

We also have another situation in which a small group of Negroes got together voluntarily in "Operation Exodus," which, through private contributions, is attempting to send students out from the Boston ghetto schools to vacancies in other Boston schools which are integrated. They have been doing that and raising the funds themselves, at considerable expense, and they have been doing that successfully as well.

Both of these experiences have been extremely successful. What they demonstrate quite clearly, I think, is a very sincere desire, among many communities, to help these students in a voluntary manner. It has also demonstrated the desire of many of the Negro families, in places where there are vacancies, to send some of their young people into these communities; and that, too, has been well received.

Mr. President, it was hoped, in view of the success of these programs, that we could develop programs that would encourage and permit the various school districts to make direct application to the Commissioner of Education, if it was a determination of the local school board and the local school district that they desire funds, to help in a host of ways in dealing with problems of racial imbalances, one of which might be busing. The other methods of assistance would be the providing of various curriculum materials, or the construction of educational parks, the additional training of schoolteachers, perhaps the technical assistance on the redistricting of school lines—a whole host of different ways to help and assist the various school communities that honestly want to act to deal with this problem.

I believe the Federal Government should support these initiatives. Title III is designed to provide assistance for innovation and experiment, and it is not for the Federal Government to exclude certain programs from consideration because they involve problems of race, especially when we know that these race problems are serious educational problems.

The committee has made it crystal clear in the committee report that this is not an attempt at Federal control or Federal design. This is not an attempt to achieve some arbitrary concept of racial mix in the public schools. The decision to initiate programs is a local decision. A local school board need not take any action under this title; there is no element of coercion. It can apply for title III money on a variety of grounds, only one of which is the correction of racial imbalance. But racial concentration in public schools does exist and many school districts do consider it a problem they desire to correct. Such programs deserve Federal support.

Under this section development of local control will continue to reside in the local community, not in the Office of Education. The Commissioner of Education is directed to give special consideration to such projects because in the past construction projects have been given a very low priority in the title III program and the hearings made plain that as a result of the planning done by the local communities, a need has arisen for giving greater consideration to the many worthwhile and innovative construction projects which local communities desire to initiate but lack the financial resources to undertake.

There is absolutely no power of compulsion given to the Commissioner of Education in any respect during the implementation of this program.

Mr. President, the only thing we are suggesting is that if a given school community is attempting to make some kind of adjustment, the Federal Government should be willing to assist. The language, I think, speaks clearer than attempting to paraphrase it, so addressing attention to page 33:

> (c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1966, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, racially imbalanced, or unsafe, or because of any other condition

that has imposed a substantial and continuing financial burden upon the agency.

Mr. President, I wish to stress the point that there is no language in this legislation, that in any way implies any compulsion. It is solely a question of voluntary integration from school districts, and it is offering the carrot to the school districts which are really attempting to cope with what all Senators realize is one of the most difficult questions that we face as a nation—the problem of segregation in our public schools.

EXHIBIT 1

Two Title III projects in operation in Hartford, Connecticut, and in Newton, Massachusetts, provide for transporting pupils and there may be a few others. However several proposals are attempting to solve racial imbalance problems through other means.

1. Monticello, Arkansas, is planning a model school for grades 9 through 12 for a fully desegregated and integrated school system of both pupils and teachers in all grades in six counties of southeastern Arkansas where about 43 per cent of the population is Negro.

2. The school district in Guthrie, Oklahoma, where about 20 per cent of the students are Negro, is planning for the total integration of all pupils in kindergarten through grade six, through the attendance of all children in the same grade at one school and those in each of the other grades in other separate buildings for each grade.

3. Conway, Arkansas, is planning a center of demonstration, observation, and training for a model curriculum for grades 10 through 12 of a fully integrated school system.

4. The Junior Explorers Learning Centers in Akron, Ohio, illustrate how many Title III projects encourage integration indirectly while serving primarily other educational needs. Seven elementary schools in a ring of average neighborhoods between the richer suburbs and the poorer inner city were selected so that children from the three different environments could mingle in a creative summer program of outdoor education.

One of the possible advantages in the educational park concept is the provision of quality education to help maintain social-economic balance in the school population. Transportation would certainly be a significant factor in most instances. Five cities are engaged in such projects with grants of Title III funds. Syracuse, New York is operating a Multiple School Site Plan, and Pittsburgh, Philadelphia, New York City, and East Orange, New Jersey, are planning educational parks. Cities considering educational parks and who may submit proposals include Albuquerque, New Mexico; Baltimore, Maryland; Berkeley, California; Denver, Colorado; Fort Lauderdale, Florida; Los Angeles, California; New Haven, Connecticut; and St. Paul, Minnesota.

Several integrated neighborhoods in the area of San Francisco in which ghettos are beginning to develop are cooperating in the planning of educational programs to help stabilize their racial composition. In Cortez, Colorado, two neighboring school districts are making educational plans to promote the integration of Indian and Spanish-American children with other pupils. In Springfield, Massachusetts, children from predominately Negro schools are meeting in integrated groups with children from other parts of the city to read and discuss literary classics.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. MORSE. Mr. President, I yield to the Senator from Wisconsin.

Mr. NELSON. Do I understand the Senator that it is his interpretation of this section that the school district would have to qualify as a financial hardship case and that the school district would be the applicant for the funds?

Mr. KENNEDY of Massachusetts. The Senator is exactly correct.

Mr. NELSON. And that the Commissioner could not direct any school to accept funds for this purpose?

Mr. KENNEDY of Massachusetts. The Senator is correct. I think it is important that we realize that this determination, in the absence of a State law to the contrary, must remain in the local community.

The only thing this amendment would provide is that once there has been a local determination, then there would be Federal funds to see that the determination is carried through.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Who yields time?

Mr. MORSE. Mr. President, I yield myself such time as I may need.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I wish to tell the Senate, and particularly the Senator from Arizona [Mr. FANNIN], because he is a member of my committee, that I could not have had more cooperation than the Senator from Arizona [Mr. FANNIN] has always given me; and as he knows, we worked on this matter in committee.

I think that the Senator is entitled to know from me, as the manager of the bill, the history of the language that is now in the bill.

The Senator from Massachusetts [Mr. KENNEDY] had introduced a separate bill (S. 2928). That separate bill became title IV of the committee bill. The Kennedy bill raised a considerable amount of controversy in our committee and we moved to strike title IV of the bill. We moved to strike it for various reasons. Let us be frank about it. One of the reasons was that it was subject to interpretation by some members of the committee that it placed the Department of Health, Education, and Welfare in an initiative position—to initiate projects and programs to meet so-called racial imbalance.

The Senator from Arizona [Mr. FANNIN] will remember that.

I yield to no one on the committee in my opposition to the Department of Health, Education, and Welfare telling the States or local school districts how to run their schools. I have stood on the floor of the Senate and pledged to you many times over the years that I would not support legislation that placed the Federal Government in the position of controlling local education. Because I was confronted with a situation in the committee where the consensus of opinion was that that particular title would jeopardize our bill, I took the responsibility away from the others of the committee and I moved to strike title IV from the bill.

I felt I owed it to all members of the committee to do that. I did it after we had had a long discussion about it. The language that is now in the bill was taken from the House bill. That is where the section 135 language comes from. It comes from the House bill.

I do not know the reasons given for adopting it over there. I understand this section is going to be debated in the House of Representatives and that an attempt is to be made on the House side to strike it from the House.

The language that seems to be objectionable to many is the language contained in the amendment of the Senator from Arizona [Mr. FANNIN], "racially imbalanced," which creates the fear that no matter what we put in the bill the Department of Health, Education, and Welfare will be insistent upon some busing program in local school districts.

All I can say to Senators is that the Senator from Oregon has never proposed, and is not proposing now, that the Federal Government tell the local school districts what schools their youngsters are going to attend, regardless of the problems that may exist in local school districts from the standpoint of overcrowded school A and undercrowded school B, when the local school A wants to send students, irrespective of whether they be white, colored, or mixed, to school B.

I would like to have the attention of the Senator from Massachusetts [Mr. KENNEDY] carefully now when I give my feeling about this. I discussed it briefly with the Senator from Arizona. I am inclined to accept the amendment of the Senator from Arizona [Mr. FANNIN] and strike the words "racially imbalanced" from the bill. Although I want the Senator to know—and I have the House bill in front of me, but I am sure the Senator will take my word for it—Senators can come over to the desk and look at it—they will find the language in our bill taken directly from the House bill.

The committee unanimously decided that if they accepted my motion to strike title IV, which is the amendment of the Senator from Massachusetts [Mr. KENNEDY], there would be agreement to put the following language in the committee report, and I read it.

It is on page 26, beginning with the next to the last paragraph at the bottom of the page:

> It is for this reason that the committee proposes an amendment to section 304 of the Elementary and Secondary Education Act, requiring the Commissioner to give special consideration, beginning in fiscal year 1967, to applications of local educational agencies which are financially overburdened. The amendment provides that any local school district making a reasonable tax effort which is unable to meet critical educational needs because of serious overcrowding, obsolete or unsafe school buildings, racial imbalance, or any other condition imposing a continuing and financial burden shall receive special consideration in title III project approval.
>
> Among the projects which shall receive special consideration are problems, in both the North and the South, arising out of efforts to overcome racial segregation and related conditions. Thus, projects under this title may be used to encourage imaginative approaches, designed by local school districts, to achieve the elimination of racial

> segregation or the alleviation of problems resulting from racial concentrations of students. These projects could include, for example, the construction of educational parks and other experimental or demonstration facilities under plans insuring desegregated student attendance, the conduct of teacher inservice training programs in community relations, support of curriculum development projects, and the support of joint academic programs by suburban and core-city school districts.
>
> The committee hopes that this amendment will be of significant importance in overcoming the difficulties confronting many school districts today. These difficulties have been evident in the applications already submitted for project approval. An analysis of the 991 planning projects submitted during the first 2 project periods shows that 234 of them would have culminated in the need for the construction of a center or other facility to house the program being planned. In addition, the Office of Education estimated that, of the 24,000 independent school districts, two-thirds are financially unable to afford viable programs, centralizing vitally needed services for the education program.

Let me say here to the Senator from Arizona that this refers to projects already approved and to projects already on the way to implementation.

Continuing reading from the report:

> Under the proposed amendment, it is possible that large cities, confronted with problems of obsolete core-city school buildings and de facto segregation, might attempt to utilize title III funds for the establishment of educational parks. The first two rounds of project approval resulted in the funding of planning projects for educational parks in Philadelphia, New York, Pittsburgh, and East Orange, N.J. In addition, proposals are currently before the Office of Education for the planning of educational parks in St. Paul, Chicago, Syracuse, and Cleveland. Denver, Baltimore, and Richmond have expressed interest, and are designing proposals for the development of educational parks. Moreover, it is apparent from data on school facilities in rural areas that many multigrade, one-room schools still exist simply because of a lack of local financial resources to provide consolidated facilities. The educational park concept may well offer exciting possibilities in such areas. If such ideas are to be successful, this planning activity will result in an exceedingly large request for operational and construction funds. To support these additions, the committee recommends an authorization of $250 million in fiscal year 1968.

Now let me say to the Senator from Arizona that I think the problem in this whole matter is the language in the bill. There may be members of my committee who do not agree with me; but, unless they reverse me, I want to accept the Senator's amendment. I want to strike the language from the bill. I want it made perfectly clear, however, that in accepting the amendment and striking it from the bill, it will not create Federal interference in reverse—in a negative way.

For example, in Massachusetts, they may have local boards faced with overcrowded schools. This is going back to my hypothetical school A and school B. If school A is overcrowded and school B is underused and the local authorities decide that they will transfer students from school A to school B, I think that is the right of the local authorities. I do not think there should be language in the bill, such as the language the Senator from Arizona seeks to strike, which would give anyone the feeling that the Department of HEW would have authority to direct a program, to initiate a program, or to tell the local authorities what they can or cannot do.

I think it would serve the best interests of the principle of guaranteeing non-Federal interference in the operation of local schools if the amendment of the Senator from Arizona were accepted.

I am willing to accept it.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, I should like to have a chance, at least, to explore this matter in some greater detail with the Senator from Oregon, for whom I have the greatest regard. Certainly, he has been working in the vineyard of human rights many years before I was even on the face of the earth, and I certainly respect his knowledge and his great interest in the field of education.

The problems are great when any individual goes through the experience of attending a school which is culturally deprived. I have listened for specific explanations going back over the various provisions which have come up in this Chamber this afternoon.

I should like to find out, within the general framework that the Senator has outlined in the report, if a school district makes an application under this section, which really is directing itself and concerning itself with culturally deprived children, that certainly, as an educator, the Senator from Oregon would recognize that anyone who is attending a segregated school, whether de facto or de jure, is being disadvantaged; would he not agree?

Mr. MORSE. I made very clear—I said this to the committee—in fact the Senator will recall that in committee the chairman of the subcommittee thought that the language in the report would be sufficient to protect the interests of local school control.

I was in the committee. The opinion was that the reported language was all that was needed in order to protect the local school district. The argument was that the language of the House bill should be the same language in the Senate bill.

To answer the Senator's question, as I understand it, let us take Boston. Let us say that in Boston——

Mr. KENNEDY of Massachusetts. Could I pose, perhaps, this hypothetical question to the distinguished Senator from Oregon, and at least try to get his reaction to it?

Mr. MORSE. The Senator may, but if he will let me finish this hypothetical point, I think it will save a great deal of time. I hope so, at least.

Mr. KENNEDY of Massachusetts. Fine.

Mr. MORSE. Let us take Boston, school A, an overcrowded school, and also school B which has a somewhat smaller population which could take on say, x number more students. The school board would say, "We will undertake to send x number of students from school A to school B." In my judgment, with this language out of the bill, the Boston School Board could still decide for itself how to distribute the children in schools A and B.

What concerns me is that if we leave the language "racially imbalanced" in the bill, the fear will be created—whether warranted or not—it will mean, somehow, that we have given some direction to the Department of Health, Education, and Welfare to initiate programs for busing students.

I do not want the Department of Health, Education, and Welfare to have any authority to direct and initiate the busing of students; but, in reverse, I do not want it—and I do not think the Senator from Arizona intends it—to have a bill passed here this afternoon that can be interpreted as saying to Boston, "You cannot, on the basis of your local control of your educational rights there, take x number of students and bus them to Boston School B." That is their right.

Mr. KENNEDY of Massachusetts. I think the Senator has really clarified to a significant extent his attitude, which I would certainly respect and support, and which reflects my attitude as well on this difficult question.

If the city of Boston felt that it was in the interest of schoolchildren to bus them; that not being able to bus them would be depriving children in their education, and it was a situation where they had jurisdiction, is there anything which would prohibit or proscribe it, if Boston developed such a program, from receiving assistance?

Mr. MORSE. The answer is "No."

The Senator from Arizona [Mr. FANNIN] and I are the ones on the spot on this. Does the Senator from Arizona agree with the interpretation I have given, backed up by my willingness to take his amendment?

Mr. FANNIN. Mr. President, in the committee, as he has on the floor today, the Senator from Oregon was very much in favor of taking out this language. He felt it would create a problem because it would be an encouragement, in view of the moneys involved and made available to the school districts, to carry out a busing program or whatever else might be involved. For that reason, he was concerned and was instrumental in the changes made. I think it is regrettable that the language was not taken out at that time, although I think that with the change now it will materially improve the bill. I agree with his understanding of what is intended.

Mr. KENNEDY of Massachusetts. In view of the explanation, Mr. President, I have no objection.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY of Massachusetts. May I have 15 seconds?

Mr. MORSE. I yield 1 minute to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Under the explanation of the Senator from Oregon section 304(c) achieves everything that it was hoped would be accomplished.

Mr. MORSE. Mr. President, I accept the amendment.

The PRESIDING OFFICER. Do Senators yield back their time on the amendment?

Mr. FANNIN. Yes.

Mr. MORSE. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona.

The amendment was agreed to.

Mr. RUSSELL of Georgia. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. TALMADGE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RUSSELL of Georgia. Mr. President, may I ask the Senator from Illinois, if he has any time on the bill, to allow me 3 minutes?

Mr. DIRKSEN. I yield 3 minutes to the Senator from Georgia.

Mr. RUSSELL of Georgia. Mr. President, I wish to make a brief statement with respect to this situation. I am glad, of course, that the Senator from Oregon [Mr. MORSE] has accepted the amendment of the Senator from Arizona. It may end some confusion here, but I do not think it is going to end confusion in the school districts of the country. I do not think it is going to end the very evident conclusion that has been generated by the office of the Commissioner of Education with respect to acts of Congress dealing with this subject.

This is a carrot-or-stick provision. It is an amendment which provides that you go in and ask for funds and lay down a program as to what you intend to do with it. It is my opinion, from having seen how the Office of Education operates, that unless there is a provision in the application providing for the busing of students or otherwise dealing with the problems of racial imbalance, that no applicant will ever be able to get a favorable determination on the application from the Office of Education. It will be handed around from office to office.

Finally there will be a suggestion that the application deal with imbalance. Some applicants will succumb to the temptation; others may not. They will get no money.

This entire provision in the bill is a step in the direction of what it is said we are trying to avoid—Federal control over education in America—because when you leave the matter so wide open, entirely in the discretion of the Office of Education, with the very limited standards in the bill, and the definite encouragement in the committee report in the question of busing, you will find that it will be the position of the Office of Education that no school is in compliance that does not work to achieve racial percentage in both pupils and teachers.

I regret that any part of this provision is in the bill. The first two or three bills dealing with education had definite and clear standards as to the scope of the applications and expenditure of the funds. I think the bill that deals wholly with higher education is fairly clear and has some standards, but in the elementary or primary education bill, they become more and more indefinite. These standards are now as nebulous as the views of the Commissioner of Education.

For my part, there is great doubt as to the definition of what an "educational park" is. We have had applications approved for educational parks. Some are in operation. But they vary greatly in their composition and in the work they do. It would be of great benefit to everyone concerned with education, particularly at the level of the trustees of the local school districts, who nearly always are public-spirited citizens who give much of their time and energy to try to improve their educational systems, if we more clearly defined what was contemplated in a bill of this nature. Those who will administer the law are dedicated to the establishment of educational parks.

For my part, I regret these vague definitions and provisions that are vesting so much greater authority in the Office of Education. They have reached the stage where I can no longer support such bills though I am anxious to support a fair and definite bill for Federal assistance to schools. Being now placed in the position where a vote in favor of the bill is a vote not only approving the perverted guidelines already promulgated but for any future vagaries of the Commissioner of Education I have no alternative but to vote against it.

Mr. MORSE. Mr. President, I yield myself 1 minute.

I am glad the Senator from Georgia has made the statement he has made. This question has given me and the committee a great deal of concern. The Senator should know that we have served notice on the Department that we are going to give it the opportunity of having a hearing to reply to the complaints we have been receiving. They are entitled to their day in court, so to speak. If the complaints are not warranted, we are going to sustain the Department but, on the other hand, this is one committee which is of the opinion that we have to exercise surveillance over the funds given to the Department. That needs to be done by more and more committees. We have made some start in that direction. I refer the Senator to page 27 of the report, the last full paragraph, wherein we say:

> The committee, however, in supporting the increases in the funding of title III, wishes to make it crystal clear that all projects, especially those emanating from local school systems, will be reviewed solely upon the merits of such proposals, and that decisions regarding the types and kinds of proposals and the components of such proposals are to be taken by the originators and proponents of the projects. Title III programs do not countenance, in any way, expressed or implied, the exercise by the Office of Education of initiatives to modify proposed programs which are in accord with the requirements of existing law. The key to this area is to be found in the best judgment of the project proponents in their evaluation of the community's educational needs and the solutions they propose to meet those ends.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield myself 1 additional minute.

That is a beginning. It is only the beginning. I assure the Senator from Georgia—and I ask him to quote these words back in my teeth in the future if there is justification for any finding that I have not lived up to this pledge—that as long as I am chairman of this subcommittee, I intend—and I speak respectfully, but the phrase I shall use has a clear meaning—"to ride herd" on the Department of Health, Education, and Welfare in regard to this pledge I have made so many times here on the floor of the Senate, that I will never countenance the Federal Government taking over in any way the educational duties of the local school districts.

Mr. RUSSELL of Georgia. Mr. President, if I may have 1 minute——

Mr. MORSE. I yield 1 minute to the Senator from Georgia.

Mr. RUSSELL of Georgia. I merely wish to say the Senator has made a very clear statement, and, of course, as he knows, I have the utmost confidence in his integrity. I have served with him long enough to know that he is a man of his word, and of the very highest honor. If I had half as much confidence in the Office of Education as I have in the Senator from Oregon, I would not be disturbed about any aspect of the application of this bill.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I have supported every bill presented to the Senate since I became a Member providing for Federal aid to elementary and secondary schools. I hold in my hand a letter from Dr. Harold Howe II, U.S. Commissioner of Education, to the superintendent of a North Carolina school district in which he states that if "reasonable progress in school desegregation is not achieved under the free choice plan" in the school district, an alternative plan to desegregate the schools of the district would have to be adopted.

Mr. President, the school officials of North Carolina have been harassed from one end of the State to the other by the demands of the Commissioner of Education that they desegregate faculties according to the notions of the Commissioner, that they transfer children from one school to another according to the notions of the Commissioner, and that they rezone the lines of their districts according to the notions of the Commissioner. A few North Carolina districts have refused to bow to this bureaucratic tyranny, and as a result, these schools and the children attending them have been denied the benefit of tax money simply because they would not agree to the bureaucrat's whim.

Despite the fact that the Federal courts have held that the 14th amendment merely prohibits discrimination and does not require desegregation, the Commissioner of Education has insisted that the schools be desegregated to conform to so-called racial balances which he deems to be "reasonable." He has refused to allow the parents and schoolchildren to exercise freedom of choice in respect to the schools the children attend unless the school officials assign teachers and schoolchildren in a manner satisfactory to him. All of this is done in the exercise of his arbitrary power to withhold Federal appropriations—even though the Civil Rights Act of 1964 forbids coercion to achieve so-called racial balance.

Let me say my constituents are a long-suffering and patient people. They reside in a State which delayed ratifying the Constitution and in consequence did not have a chance to vote for George Washington as President the first time he ran and which delayed seceding and in consequence did not have a chance to vote for Jefferson Davis for President of the Confederacy the first time he was up for election. But now they are upset by the tyrannies practiced upon them by the Commissioner of Education.

I think the time has come for the Senate of the United States to make it clear that the public schools of the States are not going to be ruled by the Commissioner of Education, whoever he may be; and I venture to predict that in the future State school officials will increasingly refuse to take bribes of Federal tax moneys from the Commissioner of Education, if those bribes are conditioned upon their bowing to his will.

Mr. RUSSELL of Georgia. And not to the law.

Mr. ERVIN. And not to the law. The Commissioner of Education has gone far beyond the Civil Rights Act of 1964; and if ignoring of the provisions of that act is to continue in the future as it has in the past, I intend to stop voting for the authorization or appropriation of money which will put school officials in my State at the mercy and at the whim of a bureaucrat who refuses to be bound by the acts of Congress, as plainly expressed by Congress itself.

I thank my friend for yielding time.

Mr. DIRKSEN. Mr. President, I have at the desk a motion to recommit the bill, which I now offer and ask that it be stated.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The motion will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Illinois [Mr. DIRKSEN] moves to recommit the bill (S. 3046) with instructions to report it back with total authorizations not in excess of the budget estimates.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, about 2 weeks ago I made the statement that in every instance where an authorization——

Mr. MORSE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LAUSCHE. That in every instance where an authorization or appropriation bill substantially exceeded the recommendation made by the President of the United States, I would vote against it.

The bill before the Senate tonight substantially exceeds the recommendation made by the President. Next year, after delaying for 1 year the responsibility of imposing new taxes, I am certain that this body, if it meets its obligation, will impose new taxes. I wish to be in the position of voting for new taxes to the minimum degree necessary.

The bill before the Senate contains a plethora of new programs, duplications of what are already in existence—perhaps not identically duplicates, but programs which provide aid for the multiple classes mentioned in the bill to be helped. Every Senator will be called upon in 1967 to vote for new taxes. Those new taxes will be required, first, because of the expenditures made for the war in South Vietnam, and second, to finance these expanding programs of Federal encroachment and Federal assumption of fiscal obligations that belong to local and State governments.

I was back in Ohio about a month ago.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The time of the Senator from Ohio has expired.

Mr. LAUSCHE. May I have 2 more minutes?

Mr. DIRKSEN. I yield 2 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. I was on a television program. People were calling in, asking questions of me. Practically every question was, "What are you going to do about increasing taxes? The burden is already unbearable."

The moderator threw his lot with the women who were calling in. The women were saying, "We have trouble financing our homes."

It is one thing, politically, to promote demagogic programs that appeal to the passions, for the purpose of getting votes. I repeat: It is one thing for demagogery to appeal to the passions for the purpose of getting votes. It is another thing to promote fiscal responsibility in the handling of the taxpayers' money, thinking not only of tomorrow, but thinking also of the long-range impact that will result.

The Senate can continue each year, especially in election years, to expand Federal subsidies and Federal aid. But what will happen if there is a crash in the economy? When the crash comes, it will be necessary to finance a multiplicity of programs.

I was mayor of Cleveland for 3 years and Governor of Ohio for 10 years. I believe I have some knowledge of the burden that falls upon the President to manage finances so as not only to meet the demands of the day reasonably——

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. I ask for 2 additional minutes.

Mr. DIRKSEN. I yield 2 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. The President has made a recommendation. Do the proponents of the bill want to tell the Nation that the President is callous and indifferent about orphan children, foster children, and other deprived children? I do not believe that to be the fact. But that is what they are saying.

The President's budget for fiscal year 1967 has been increased by the Senate bill by almost $1 billion. I suppose that as the word is passed out that the President is opposed to orphans, the President is opposed to foster children, the President is opposed to the deprived children, the President will be weakened, and others will be strengthened. I will vote to return the bill to the Committee on Labor and Public Welfare to redraft its findings to conform substantially with the recommendations of the present. If I fail in that vote, I will finally vote against the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, may I have 1 additional minute?

The PRESIDING OFFICER. Could the Chair explain to the Senator that one of its responsibilities is that of timekeeper.

Mr. LAUSCHE. I understand that.

The PRESIDING OFFICER. There is nothing personal.

Mr. LAUSCHE. I understand that thoroughly.

The PRESIDING OFFICER. I thank the Senator.

Mr. LAUSCHE. Sympathy, of course, abides with every one of us, but there is also the responsibility of handling finances soundly and responsibly.

I will vote against every authorization bill and every appropriation bill that substantially increases the allowances in excess of what the President recommended.

I thank the Senator from Illinois.

Mr. MORSE. Mr. President, I yield 2 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I urge that the Senate reject the position of the Senator from Ohio.

This is a good bill. It is a moderate bill. It is a bill that is desperately needed by the schoolchildren of the United States of America.

I had the privilege of participating in the drafting and marking up of the bill in the Subcommittee on Education under the gallant leadership of the senior Senator from Oregon. In my judgment, the fact that the pending bill exceeds the present budget is not particularly important.

This is a great investment in America. The money spent on this bill will come back in taxes many times over the years.

Anybody who has any acquaintanceship with local government—and I served as mayor of Philadelphia for quite a while—knows that the local school districts are quite incapable of making the investment necessary to give an adequate education to every boy and girl.

The youth of our Nation are the greatest asset we have, and merely in the crass fiscal terms on which opposition to the pending bill has been based, this great investment in the youth of America will be paid back in income taxes many times over the amount invested in their education.

The question concerns the needs of our country and of our children. Therefore, I shall oppose the motion to recommit.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. DIRKSEN. Mr. President, I remind the Senate that before the pending bill came to the Congress, the administration had added approximately $300 million to what was expended last year. The House then proceeded to add approximately another $300 million. The Senate then added another $400 million.

It is a good thing that there are no other intermediate bodies, because this might go right through the sky.

I think the figure ought to go back to the budget level. The motion to recommit is very simple. We should send it back to the committee with instructions that they place it at the budget level.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. MORSE. Mr. President, in my judgment, the motion in effect would kill all the work of the Education Committee, and we would be deprived of the benefit of its judgment.

It would also set aside all of the work that we have done on the floor of the Senate this afternoon. I think the very real probabilities are that we would end up with no education bill at all.

We will go to conference. There is one figure in the House and another figure in the Senate. That is our legislative process.

Let the Senate work its will upon the bill and the House work its will upon the bill. Then the conference committees can get together in conference. We will go to conference on the bill.

I do not think that we ought to agree to the motion to recommit. In my judgment, it would endanger the effort to have an education bill before adjournment.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. MORSE. Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). All time having been yielded back, the question is on agreeing to the motion of the Senator from Illinois to recommit.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Indiana [Mr. BAYH], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. JORDAN], the Senator from New Hampshire [Mr. McINTYRE], the senator from Montana [Mr. METCALF], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN] and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], and the Senator from Michigan [Mr. HART] are absent on official business.

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Mississippi would vote "yea" and the Senator from Alaska would vote "nay."

I further announce that, if present and voting, the Senator from Montana [Mr. METCALF], and the Senator from West Virginia [Mr. RANDOLPH] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], the Senator from Vermont [Mr. PROUTY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from New Jersey [Mr. CASE], the Senator from Colorado [Mr. DOMINICK], the Senator from Vermont [Mr. PROUTY] and the Senator from Texas [Mr. TOWER] would each vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Kentucky [Mr. COOPER]. If present and voting the Senator from Iowa would vote "yea" and the Senator from Kentucky would vote "nay."

The result was announced—yeas 23, nays, 48, as follows:

[No. 288 Leg.]

YEAS—23

Bennett
Byrd, Va.
Cotton
Dirksen
Ellender
Ervin
Fannin
Hickenlooper
Holland
Jordan, Idaho
Lausche
Long, La.
McClellan
Proxmire
Robertson
Russell, Ga.
Saltonstall
Simpson
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—48

Aiken
Allott
Bartlett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Clark
Dodd
Fong
Fulbright
Harris
Hartke
Hill
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Ribicoff
Russell, S.C.
Scott
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—29

Anderson
Bass
Bayh
Carlson
Case
Church
Cooper
Curtis
Dominick
Douglas
Eastland
Gore
Griffin
Gruening
Hart
Hayden
Hruska
Jordan, N.C.
McIntyre
Metcalf
Miller
Morton
Murphy
Prouty
Randolph
Smathers
Sparkman
Symington
Tower

So Mr. DIRKSEN's motion to recommit was rejected.

Mr. MORSE. Madam President, I move to reconsider the vote by which the motion was rejected.

Mr. KENNEDY of New York. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Madam President, I call for a third reading.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MORSE. Madam President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MORSE. Madam President, I yield to the Senator from Illinois.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT UNTIL 10 O'CLOCK TOMORROW

Mr. DIRKSEN. I wish to ask the majority leader about the schedule for tomorrow.

Mr. MANSFIELD. First, I ask unanimous consent that when the Senate completes its business this evening, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Madam President, when the pending legislation is concluded, it is the intention of the leadership to call up the public works appropriation bill, which will be handled by the distinguished senior Senator from Louisiana [Mr. ELLENDER]. However, nothing will be done on that bill tonight, unless the chairman of the committee [Mr. ELLENDER], and the ranking minority member wish to make speeches on it, which I do not think they will.

Therefore, it would appear to me that the vote on final passage of the education bill will be the last vote for tonight. We will come in tomorrow, and the public works appropriation bill will be followed by the higher education bill; and with the completion of the public works appropriation bill tomorrow, as we hopefully anticipate, there will be no session on Saturday, because we will have no business pending.

I would hope that the distinguished Senator from South Dakota [Mr. MUNDT], who raised that question the other day, would forgive us for not being able to give him very much notice, but we have to play this by ear.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (S. 3046) to strengthen and improve programs of assistance for our elementary and secondary schools.

Mr. MORSE. I yield to the Senator from New York.

Mr. JAVITS. Senator Cooper, who is necessarily absent from the Senate today, has asked me to bring about the correction of what is obviously a typographical error in the committee report, which otherwise might cause unnecessary concern in his State.

The item appears in table II at page three of the committee report, in the list by States of estimated grants under title I of the bill; and in table V at page 18, "Estimated Grants Under Title I," comparing the administration proposal and the Senate bill.

Obviously, the figure for Kentucky under the column "Fiscal year 1967" in each case is completely inconsistent with the other figures in the tabulation. Obviously, it is an incorrect figure.

Could the chairman of the committee give us the correct figure for estimated fiscal 1967 grants under title I for the State of Kentucky, in lieu of $13,042,933?

Mr. MORSE. A member of the committee staff called about this matter, because it is an obvious error; and he has given me the correct figures, which now, for legislative history, I put into the Record.

In the tables referred to by the Senator from New York, the Kentucky figure should be $39,144,151.

Mr. JAVITS. Madam President, I thank the Senator from Oregon for making the correction.

I wish to point out that the Senator from Kentucky [Mr. Cooper] has been a strong advocate of this type program, and as a member of this committee for a long time, has worked for years for programs to assist the States and local school districts in their efforts to improve the quality of education. Therefore, of all the States this bill is designed to help, it should be clear that it will certainly be helpful to Kentucky.

Madam President, I ask unanimous consent that a statement by the Senator from Kentucky [Mr. Cooper] in support of the bill may be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Cooper

Education is imperative—for the technical needs of our changing economy, to provide the complex weapons to secure our country, and to give every boy and girl an equal chance. I have worked for Federal aid to education since 1947, when Senator Taft asked me to cosponsor the first such bill to pass either House of the Congress. I have done so because I believe in opportunity for all, and because Kentucky and many of her school districts cannot by themselves afford education up to the national average—which is Kentucky's greatest need.

I was glad to support and vote for the Elementary and Secondary Education Act of 1965, which the bill now before the Senate proposes to continue and extend.

I know the Senate Committee on Labor and Public Welfare, on which I served until 1960, has worked to improve and make as effective as possible the extension of this program—which realizes the hope of so many of us who have worked for years to assist local efforts toward improving the quality of education. Among other changes, the Senate Committee bill revises the formula for the computation of benefits under Title I of the Act, primarily in two ways. First, by increasing from $2,000 to $2,500 for fiscal 1967, and to $3,000 for fiscal 1968, the family income criteria used to count the number of school children upon which the entitlements of the States and their school districts would be based. Second, by providing that beginning in fiscal 1968, the States may choose as the formula factor used in computing the grants, either the State average per pupil expenditure, or the national average, whichever is higher.

I was of course deeply interested in the effect of these changes on the estimated entitlements for the State of Kentucky, as computed under the new criteria provided in the Committee bill.

Table II on page 3 of the Committee report indicates that the estimated grants under Title I for the State of Kentucky for fiscal 1967, under the formula recommended by the Committee, if fully funded through budget estimates and appropriation action, would be $13,042,933. The same figure appears in Table V on page 18 of the Report—making a comparison with the Administration bill. It indicates that under the bill recommended by the Administration, which authorizes a smaller total amount, Kentucky could qualify for grants estimated at $31,418,998.

These same figures appear in those tables, as set forth in the Congressional Record yesterday on pages 25265 and 25266. Table V showing that Kentucky is among those States devoting to education more than the national average proportion of its personal income, appears again on page 25289, and has also been inserted in the Record during the debate today.

The maximum entitlement of the State of Kentucky last year, fiscal 1966, was $30,131,330. The Elementary and Secondary Education Act last year assisted 1,480 schools throughout the State, which actually received $28,317,299, 94% of the State's entitlement—as shown by the table on page 25286 of the Record, and which I know to be correct.

It seemed to me wholly unlikely that the Senate bill, which is designed to continue and improve the Act of last year, would result in cutting the Kentucky entitlement to less than half what it was last year. In fact, the formula modifications are designed to further assist school districts in Kentucky and other States. And of course, the entitlements are authorized under the provisions of the bill—not by the tables of estimates which were supposed to have been computed in accordance with the formula in the bill.

In looking at these tables, it is apparent that Kentucky is the only State in which the 1967 Title I entitlement is shown to be less than the entitlement last year, or less than that provided in the proposed Administration bill. The tables show an increase, in many cases substantial, for every other State.

So I believed it quite likely that an error had been made in the figures supplied to the Committee by the Office of Education.

Upon inquiry, I have been informed by officials of the Office of Education, and by the distinguished senior Senator from Oregon, who is the Chairman of the Subcommittee on Education and the manager of this bill, that this is indeed the case.

I am informed that the correct figure for the estimated entitlement of Kentucky under the title I formula in the bill before the Senate today is not $13,000,000—but rather $39,144,151.

I think it would be well, for the purpose of legislative history, if the Chairman would confirm that this is the case.

I make this request because this program is so important to my State, and there should be no misunderstanding about what it provides.

I know it is the clear intention of the Committee, and I am sure of the Office of the Education, that the provisions of this bill be truly beneficial to school districts in my State, and certainly help in no lesser degree than in other States. But because the wrong figure appears in several places in the Committee report and the Congressional Record, and in fact I believe is wrong wherever estimated entitlements are shown, I am sure the Chairman will agree that it should be corrected.

Having this assurance from the Chairman, and from the Office of Education, I am glad to support the extension of the Elementary and Secondary Act of 1965.

THE ADULT EDUCATION ACT OF 1966: TITLE III

Mr. HARTKE. Madam President, there are three titles in the elementary and secondary education amendments bill. Title I contains amendments to the pioneering act passed last year, which is now Public Law 89–10. Title II amends the impacted areas legislation, Public Laws 815 and 874. But title III is a brandnew title, and if enacted it will become the Adult Education Act of 1966. It is to title III that I wish to direct my remarks.

I believe this is also like the Elementary and Secondary Act of last year, pioneering legislation. Implicit in it for the first time is the recognition that completion of high school should be considered the normative pattern for basic adult education. It recognizes that we should no longer make the adult education effort the stepchild of the poverty program, but that it should become a full part of the responsibility of the U.S. Office of Education. For the first time it makes Federal funds available for the training of leaders in adult education, an area in which professional leadership has been struggling to develop and whose advancement through this act will greatly forward the whole process of adult education. It provides, in a parallel to the highly successful procedures of the 1965 elementary and secondary bill, grants to local educational agencies, or other public and private nonprofit agencies, including educational television stations, who will use these funds for innovations with promise of "national significance," with a Federal contribution of at least 10 percent. It calls for the establishment by the President of a National Advisory Committee on Adult Basic Education, to work as experts in this area and as representatives of the schools and the public, in developing the programs provided for under the title.

Madam President, we have rightly concerned ourselves in the recent past as never before for the education of the young. We have adopted a variety of measures to help make possible the expanding higher education development which is filling our colleges and universities to the bursting point. We have attempted, and I believe we are achieving already, the upgrading of grade and high school education. Previously, through the poverty program, we have made some effort to reach the most deprived whose educational handicaps prevent their assuming a useful and productive place in a society whose demands for more and more education leave them too often unemployed.

But the Higher Education Act of 1966 recognizes that we have not dealt with all our educational needs until we provide not only for the youth of the land and their future, but also for the unmet needs of the millions whose accident of birth in an earlier time may often be responsible for their lack of educational attainment.

Yet, among these people, the educational deficiencies of their youth tend to make their position in society ever more precarious. As you go higher in the age bracket, you find the educational level dropping decidedly. A 1962 study showed a third of the work force in the 25-to-34 age group as without a high school education. But among workers 45 to 54, half had not attained high school graduation, and in the older group from 55 to 64 years of age, only a third were high school graduates. The 46 percent in the total labor force without completion of high school comprise 64 percent of the unemployed. Sixty-two percent of the jobless fathers of those receiving aid to dependent children have less than an eighth-grade education.

These are among the facts which I pointed out in an address to the State conference of the New York Association of Public School Adult Educators a year and a half ago, an address which was later published in the journal of the Adult Education Association, Adult Leadership. In the course of that address, I announced my intention to prepare legislation which would move us forward on the last frontier of educational need as yet little touched by Federal effort, that of adult education. In that address I said:

> There will continue to be a fundamental weakness in American education unless we turn our attention to the education of the adult. The need is there, the response is waiting to be encouraged, and the tools are available for improving the meager educational services we are now rendering the adult in our society.

Out of that conviction, working with the Adult Education Association, the National Association of Public School Adult Education, and the U.S. Office of Education, over the next few months there was developed the bill which I introduced last March, S. 3012, on which Senator MORSE's subcommittee held hearings. As noted on page 47 of the report, my own 10 pages of testimony were supplemented by expert witnesses from a number of organizations to whom adult education is a vital concern. Among them were the National Education Association, whose representative said:

> We enthusiastically support this proposed legislation.

My good friend Jack Crabtree represented the Adult Education Association, which he said "commends and indeed supports very strongly" S. 3012, which is now modified as title III of the bill before us. Mr. Crabtree stated:

> We feel that it is perhaps the most giant step forward we have had in adult education so far in this country.

Dr. William Harley of the National Association of Educational Broadcasters was another witness, viewing the proposal as "opening up additional opportunities for educational radio and television to work more effectively with Federal, State, and local agencies, in attacking problems of adult education."

Another participant in the hearings who urged the adoption of the adult education bill was the executive director of the American Vocational Association, Mr. Lowell Burkett. He noted that increasingly a requirement for entrance into apprenticeship training programs is graduation from secondary schools. One of the opportunities the Adult Education Act of 1966 will afford is that of securing the high school completion which the adult, defined as a person over the age of 18 who has not completed secondary school, will have. There is no reason in our expanding technological society to limit basic adult education, as we have done under the concept embodied in the Economic Opportunity Act, to the sixth-grade level. Mr. Burkett spoke particularly, and I am glad that the provision continues in the bill as we have it before us, of the value of changing the definition of adults so that there is no longer the hiatus between normal high school graduation age and age 25 for basic adult education purposes. Mr. Burkett said:

> We commend the authors of S. 3012 for defining adults as an individual attaining the age of 18 instead of 25. The 16-to-25-year age group constitutes the highest unemployment rate—namely about 12.7 percent. It is this group that must be provided the necessary basic education which they may have failed to acquire and must also be provided with opportunity to participate in vocational education programs.

Madam President, adult education is not new in this country. Dr. Wilmer Bell, director of adult education for the Baltimore city schools, noted in his testimony that Baltimore was the first to begin a public school program for adult education, and that it has been in continuous existence since 1839. I presume that this was related to the American Lyceum movement, which began in 1826 and which survived for over a hundred years. The Chautauqua movement likewise was a force in adult education, providing 168 extension lecturers by 1892.

But adult education has only in quite recent times been developing into an area of professional educational concern. It was 1926 before the Adult Education Association was founded. The term "adult education" as part of a university course title first appeared only 4 years earlier at Columbia in 1922. The first full-time university professorship in adult education came in 1931–32 with the establishment of curriculums leading to advanced degrees in the field at Columbia. The first Ph. D. degrees in adult education came in 1935 from the same school.

It was my hope, and my bill was so drafted, that we might be able to move into some Federal concern for adult education in its broader meaning, without confining it as does title III to adult basic education. The present bill omits a second objective set forth in the statement of purpose of S. 3012, "to encourage and expand supplemental educational programs for adults." The concept of supplemental, as contrasted with basic, adult education is one which would draw in a broader, specifically adult program to benefit not only those with formal educational lack, but all members of the community regardless of educational attainment who wish to prepare themselves in a better way for the specifically adult tasks of homemaking, citizenship, and similar areas for which the regular curriculum makes only peripheral provision, if it is dealt with at all.

So title III, with its authorization of $40 million for fiscal 1967 and $60 million for 1968, is a very modest beginning, directed entirely to basic education needs, through the Office of Education. By way of comparison, I might note that for this portion of the needs of adult education—the basic adult education with which we are now concerned—the authorization in my bill was $90 million for 1967 and $125 million for 1968. The basis for the figure, I might say, was realistic, and it was arrived at by calculating the sum already authorized for basic adult education under the poverty program for those with less than a 6th-grade education, and then expanding it on a proportional basis to cover the needs of those who, as title III provides, are less than 12th-grade graduates.

I still believe there is a great need for supplemental adult education, and my bill would have begun such a program with a $35 million authorization for the first year, followed by $50 million in the second year. But now that we have begun, through this bill, to tackle the third area of educational needs—adult education, following upon higher education and elementary-secondary—we will be setting in motion the forces which will lead to increased opportunity for continuing education among adults whether or not they have completed the basic adult education of 12 grades.

So the action of the Labor and Public Welfare Committee, and particularly of its Education Subcommittee under Senator MORSE, in its inclusion of the Higher Education Act of 1966 as a part of the bill before us is one which I most heartily support and whose advancement into law I trust we shall see before adjournment. In its transfer of the adult basic education program to the Office of Education it is doing what we did previously in shifting the work-study program, which I originally proposed in my higher education bill, out of OEO and into the Office of Education. We should use the Office of Education for educational development, rather than build parallel operations elsewhere in government with an overlapping of authority and a probable failure to achieve full potential as a result.

The expansion of basic adult education by definition to the 12th-grade level, and the lowering of the "adult" age for this purpose from 25 to 18 is another significant advance, perhaps the greatest of any portion of the title in its significance, since it implies that we are now adopting high school graduation as normative for all adults rather than anything less. Certainly this is the need in our technological society today. A 1962 study showed unemployment among professional, technical, and similar workers, 93 percent of them with high school and 27 percent with college or postgraduate education, stood at the full-employment level, with only 1.7 percent out of jobs. But among nonfarm laborers, three-quarters of them without a high school diploma, the unemployment rate was 12.6 percent.

Another most significant provision, one which will give much new thrust to the adult education movement as a whole, is that allowing grants for the training of adult education leadership.

The structure through which the aims are to be achieved, both by operating through State plans under direction of State educational authorities and by providing an advisory council at the national level, set the pattern for orderly development now and in the future alike.

So I hope that the Higher Education Act of 1966, title III of the bill, which has been referred to by the Office of Education as the Hartke amendment, will secure the full support of other Senators and will continue on to acceptance by the House and enactment into law. When that is done, we will have made a notable forward stride in completing the national structure of education legislation, and the future will be brighter for bringing adults up to a better minimum educationally than they could otherwise obtain.

Mr. MORSE. Madam President, I yield to the Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Madam President, I first wish to commend the Senator from Oregon [Mr. MORSE] for the very fine statement he has made here, which cleared up the situation on the Fannin amendment.

I would like to support any worthwhile educational bill. A great many persons in my family have devoted their lives to teaching young people, and I have been interested in the subject also.

I know that the civil rights bill has already passed and it is the law of the land.

But I do not see how I could vote for the pending bill without impliedly approving the guidelines and the way they have been administered at times by the Office of Education.

In all my public life I have never seen anything handled wich so much abuse of power, intimidation, and coercion, as have the guidelines, which, in my opinion, are invalid under the law, extreme in their application, and not justified from a legal standpoint, or from the standpoint of education. In the administration of the education program at the national level there have been some persons who have shown good judgment and understanding. But I know that the guidelines have been demoralizing to a great many people of the teaching profession in our area of the country, and it is to them we must look for guidance and leadership. They are the ones who make the sacrifices and really take care of the children in the schools. They provide the leadership and training in the formative years of the lives of children.

I commend the Senator from Oregon [Mr. MORSE] on his statement about his determined purpose to have a hearing on this matter to bring out the facts. I hope the facts can be fully brought out. As I have said, not all the personnel have closed their eyes to reason and some have put education first in their objectives.

But the embarrassment, the intimidation, the frustration and the hurt that has been imposed on our educators through this guideline surveillance is something that cannot be measured in court or in a hearing. It can be truly measured only in the saddened hearts of the teachers and educators who know the misery brought on by the enforcement of these unreasonable measures. I strongly support education at all levels, but for the cause of education I must oppose this bill because to support it would by implication approve the guidelines. I must, therefore, vote against the bill.

Mr. DODD. Madam President, the minds and skills of a nation's young people comprise its single greatest resource. If education is neglected, if the full potential of these young minds is not developed, all the natural wealth, all the productive capacity, all the armaments in the world will account for nothing in tomorrow's complex society.

Our boys and girls have, I believe, the greatest potential for creative leadership in the world, and it is our responsibility to see that they are assured the opportunity to develop and use their best talents.

The education bills enacted in the past 2 years are undoubtedly the most important landmarks in the history of American education. The bill before us today and the higher education bill which is on the Senate Calendar are the necessary continuation of this vital program.

Education is not the place for budget restrictions or cutbacks in the existing program. This is shortsighted and dangerous, and we would undoubtedly pay dearly for such false economy in the future.

The elementary and secondary education bill as reported by the Senate committee would authorize a $6 billion, 2-year program. It would provide funds for State grants under Public Law 89-10, the historic 1965 Education Act, for extended aid to impacted areas, and for a new adult education program administered by the Office of Education.

The impact of this bill would be to extend more educational assistance to more children, more schools, and more school districts, with a particular emphasis on educationally deprived and handicapped children. It would improve the quality of education by making more and better facilities, materials, and services available, and it would provide needed continuity by extending the program through 1968.

In fiscal year 1966, 371 Connecticut schools and 67,078 children benefited from the Federal funds which were made available under title I of the 1965 Education Act.

These figures would be substantially increased under the terms of S. 3046, which would provide Connecticut an estimated $13.7 million in Federal grants in 1967, and $15.1 million in 1968. The total of this would be approximately $6.2 million more than the State would receive under the administration bill.

Title II of the 1965 act established a program of grants to States for library resources, textbooks, and other instructive material for public and private schools. This provision is of particular importance to Connecticut, where a larger-than-usual percentage of students attend nonpublic schools and do not otherwise benefit from Federal funds.

The authorization contained in the Senate bill represents a 30-percent increase in Federal funds for improved educational materials, and it would make almost $4 million available to Connecticut for this purpose.

In addition, this bill is of great interest to Connecticut because it would substantially increase funds for supplementary education centers and services, educational research programs, the strengthening of State offices of education, and assistance for handicapped children.

With regard to impacted areas, the Senate committee rejected the administration request that the program be curtailed and instead seeks to broaden the eligibility for Public Law 874 and Public Law 815 funds. I have witnessed the tremendous importance of this particular form of assistance in my own State, and I wholeheartedly support title II of the Senate bill.

I hope the Senate will support the position of the committee members who have studied this entire question so carefully and have based this expanded education bill on the educational needs of the Nation.

WEST VIRGINIA'S INTEREST IN EDUCATION

Mr. BYRD of West Virginia. Madam President, I wish to offer my support for S. 3046, the Elementary and Secondary Education Amendments of 1966.

It has been my lifelong belief that education is a key to a useful and enjoyable life, and I believe that most of the amendments proposed in this measure will direct greater emphasis toward the core of many problems which face our country today—an improper education for too many adults.

As a boy, I lived in a small mining community during the depression years and I can clearly recall the discouragement and disappointment of many men who were handicapped, by a severe lack of training, in efforts to find other employment. As the chairman of the Senate Appropriations Subcommittee for the District of Columbia, I have come face to face with the costs of protecting the Nation's Capital City from crime and growing welfare costs—again, attributed in great measure to those persons who have failed to take advantage of their educational opportunities.

This measure will improve these opportunities for children who come from families of low income. It will place great stress on such vital subjects as remedial reading and speech therapy. It will also provide some health services and equipment.

Needless to say, remedial instruction can play the most important role in maintaining a child's interest in learning.

I am also pleased that we shall provide additional funds for the education of handicapped children. These youngsters deserve the best planning and research that we can offer and this measure will assist in making this possible.

Mr. MORSE. Madam President, I yield back the remainder of my time.

Mr. DIRKSEN. Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Indiana [Mr. Bayh], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from North Carolina [Mr. Jordan], the Senator from New Hampshire, [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Florida [Mr. Smathers], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], and the Senator from Michigan [Mr. Hart] are absent on official business.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Tennessee [Mr. Gore], the Senator from Montana [Mr. Metcalf], the Senator from Rhode Island [Mr. Pell], and the Senator from West Virginia [Mr. Randolph] would each vote "yea."

On this vote, the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Alaska [Mr. Gruening]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Alaska would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from New Jersey [Mr. Case], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Colorado [Mr. Dominick], the Senator from Michigan [Mr. Griffin], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Morton], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Colorado [Mr. Dominick], the Senator from Iowa [Mr. Miller], the Senator from Vermont [Mr. Prouty], the Senator from California [Mr. Murphy], and the Senator from Michigan [Mr. Griffin] would each vote "yea."

On this vote, the Senator from Kentucky [Mr. Cooper] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 54, nays 16, as follows:

[No. 289 Leg.]

YEAS—54

Aiken
Allott
Bartlett
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Clark
Dodd
Ervin
Fong
Fulbright
Harris
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Proxmire
Ribicoff
Russell, S.C.
Saltonstall
Scott
Smith
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—16

Byrd, Va.
Cotton
Dirksen
Ellender
Fannin
Hickenlooper
Hill
Holland
Jordan, Idaho
Lausche
Robertson
Russell, Ga.
Simpson
Stennis
Thurmond
Williams, Del.

NOT VOTING—30

Anderson
Bass
Bayh
Carlson
Case
Church
Cooper
Curtis
Dominick
Douglas
Eastland
Gore
Griffin
Gruening
Hart
Hayden
Hruska
Jordan, N.C.
McIntyre
Metcalf
Miller
Morton
Murphy
Pell
Prouty
Randolph
Smathers
Sparkman
Symington
Tower

So the bill (S. 3046) was passed, as follows:

S. 3046

An act to strengthen and improve programs of assistance for elementary and secondary schools, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1966".

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Part A—Financial assistance to educational agencies for the education of children of low-income families

Revision of Authorization

Sec. 101. Section 202 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

"Duration of Assistance

"Sec. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, 1968."

Grants With Respect to Certain Indian Children

Sec. 102. Section 203(a)(1) of such Act of September 30, 1950, is amended to read as follows:

"Sec. 203. (a)(1)(A) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 207(a) (other than payments under such section to jurisdictions excluded from the term 'State' by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective need for such grants. In addition he shall allot from such amount to the Secretary of the Interior the amount necessary to make payments pursuant to subparagraph (B) of this paragraph, and for the fiscal year ending June 30, 1967, the amount necessary to meet the special educational needs of educationally deprived children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive and the terms upon which payment shall be made to the Department of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(B) The terms on which payment shall be made to the Department of the Interior shall include provision for payments by the Secretary of the Interior to local educational agencies with respect to out-of-State Indian children in the elementary or secondary schools of such agencies under special contracts with that Department. The amount of any such payment may not exceed, for each such child, one-half the average per pupil expenditure in the State in which the agency is located."

Payments to State Educational Agencies for Assistance in Educating Migratory Children of Migratory Agricultural Workers

Sec. 103. (a) Section 203(a) of such Act of September 30, 1950, is amended by inserting after paragraph (5) the following new paragraph:

"(6) A State educational agency which has submitted and had approved an application under section 205(c) for any fiscal year shall be entitled to receive a grant for that year under this title for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. For purposes of this paragraph, the 'average per pupil expenditure' in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the United States (including only the fifty States and the District of Columbia), plus any direct current expenditures by States for operation of local educational agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agenices provided free public education during such preceding year."

(b) Section 205 of such Act is amended by adding the following new subsection at the end thereof:

"(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

"(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including the transmittal of pertinent information with respect to school records of such children;

"(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

"(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through (8) of subsection (a), and of section 206(a).

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable notice and opportunity for a hearing to the State educational agency.

"(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States."

(c)(1) The portion of section 206(a) of such Act which precedes clause (1) is amended by striking out "participate in the program of this title" and inserting in lieu thereof "participate under this title (except with respect to the program described in section 205(c) relating to migratory children of migatory agricultural workers)".

(2) The first sentence of section 207(a)(1) of such Act is amended by inserting "it and" after "the amount which".

(3) Section 210 of such Act is amended by striking out "section 206(b)" and inserting in lieu thereof "section 205(c) or 206(b)".

(4) Section 211(a) of such Act is amended by striking out "section 206(a)" and inserting in lieu thereof "section 205(c) or 206(a)".

Providing for the Counting of Orphans, Children in State Correctional Institutions, and Other Children Lacking Parental Support

Sec. 104. (a) The first sentence of section 203(a)(2) of the Act of September 30, 1950, is amended by striking out the word "and" before "(B)" and by inserting before the period at the end thereof a comma and the following: "and (C) the number of children of such ages in such school district being supported because of lack of parental care in public or private nonprofit institutions or with public funds in foster homes, but not including any such children who are counted pursuant to paragraph (7) of this subsection for the purpose of a grant to a State agency".

(b) Section 203(a) of such Act is further amended by inserting at the end thereof a new paragraph as follows:

"(7) In the case of a State agency which is directly responsible for providing free public education for children being supported by the State because of lack of parental care or for children in correctional institutions, the maximum grant which that agency shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for such children operated or supported by that State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this title only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the educational needs of such children on behalf of whom the grant was made."

Eligibility for Grants; Clarifying Definition of "Average per Pupil Expenditure" in a State

Sec. 105. (a)(1) The portion of section 203(b) of such Act of September 30, 1950, which precedes paragraph (1) thereof is amended by inserting "the sum of" before "the number", and by inserting after "subsection (c))" the following: ", the number of children of such ages of families receiving an annual income in excess of the low income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act and the number of other children counted pursuant to paragraph (2) of subsection (a)".

(2) Section 203(b)(1) of such Act is amended by striking out all that follows "shall be" and inserting in lieu thereof "at least ten."

(3) Section 203(b)(2) of such Act is amended by striking out "shall be one hundred or more" and inserting in lieu thereof "shall be at least ten".

(b)(1) Paragraph (2) of section 203(a) of such Act is amended by inserting "or, if greater, in the United States (which for purposes of this and the last sentence of this paragraph means the fifty States and the District of Columbia)," after "average per pupil expenditure in that State".

(2) Paragraph (5) of section 203(a) of such Act is amended by inserting "or, if greater, in the United States (which for purposes of this sentence means the fifty States and the District of Columbia," after "in that State".

(3) The amendments made by this subsection shall be effective with respect to fiscal years beginning after June 30, 1967.

(c) The last sentence of section 203(a)(2) of such Act is amended to read as follows: "For purposes of this subsection, the 'average per pupil expenditure' in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6)(A) in the State, or in the United States, as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

Raising the Low-Income Factor After June 30, 1966

Sec. 106. Section 203(c) of such Act of September 30, 1950, is amended to read as follows:

"(c) For the purposes of this section, the 'Federal percentage' shall be 50 per centum and the 'low-income factor' shall be $2,000 for the fiscal year ending June 30, 1966. For the fiscal year ending June 30, 1967, they shall be 50 per centum and $2,500, respectively, and for the fiscal year ending June 30, 1968, they shall be 50 per centum and $3,000, respectively."

Using Most Recent Aid-for-Dependent Children Data Available After June 30, 1966

Sec. 107. Effective with respect to fiscal years beginning after June 30, 1966, the third sentence of section 203(d) of such Act of September 30, 1950, is amended to read as follows: "The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving an annual income in excess of the low-income factor from payments under the program of aid to famililes with dependent children under a State plan approved under title IV of the Social Security Act on the basis of data for the last calendar year ending before the beginning of the fiscal year for which the determination is made."

Repealing Provision for Special Incentive Grants

Sec. 108. (a) Title II of such Act of September 30, 1950, is amended by striking out section 204.

(b) Such title II is further amended by—

(1) striking out "basic grant", "BASIC GRANTS" and "basic grants" each time they occur and inserting in lieu thereof "grant", "GRANTS" or "grants", as the case may be;

(2) striking out "or a special incentive grant" in the portion of section 205(a) which precedes clause (1); and

(3) striking out in section 207(a)(2) the portion which follows the comma and inserting in lieu thereof "except that this amount shall not exceed the maximum amount determined for that agency pursuant to section 203."

Treatment of Income of Employees Receiving Aid for Dependent Children

Sec. 109. The following new section is added immediately after section 212 of such Act of September 30, 1950:

"Special Treatment of Certain Earnings

"Sec. 213. (a) Notwithstanding the provisions of title IV of the Social Security Act, a State plan approved under section 402 of such Act shall provide that for a period of not less than twelve months, and may provide that for a period of not more than twenty-four months, the first $85 earned by any person in any month for services rendered to any program assisted under this title of this Act shall not be regarded (A) in determining the need of such person under such approved State plan, or (B) in determining the need of any other individual under such approved State plan.

"(b) Notwithstanding the provisions of subsection (a) of this section, no funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the first month after the adjournment of the State's first regular legislative session which adjourns more than sixty days after enactment of the Elementary and Secondary Education Amendments of 1966, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a) of this section."

Amendments to Section 205 With Respect to Areas Having Projects, Construction for Handicapped, Size of Projects, and Coordination with Other Federal Programs

SEC. 110. (a) Clause (1) of subsection (a) of section 205 of such Act of September 30, 1950, is amended by striking out the word "high" preceding "concentrations of children", and by striking out "children from low-income families" and inserting in lieu thereof "such children".

(b) Such clause is further amended (1) by inserting after the phrase "toward meeting those needs" the following: "and to this end involve an expenditure of not less than $2,500, except that the State educational agency may with respect to any applicant reduce such $2,500 requirement if it determines that it would be impossible, for reasons such as distance or difficulty of travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting such requirement", and (2) by changing the comma before "and nothing herein" to a semicolon.

(c) Such subsection (a) is further amended by striking out clause (7) and inserting in lieu thereof the following:

"(7) in the case of a project for the construction of school facilities, that, in developing plans for such facilities due consideration has been given to compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons; and".

(d) Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by section 161 of this Act) is amended by inserting at the end of section 703 a new subsection as follows:

"(c) In administering the provisions of this Act and any Act amended by this Act, the Commissioner shall consult with other Federal departments and agencies administering programs which may be effectively coordinated with programs carried out pursuant to such Acts, and to the extent practicable for the purposes of such Acts shall (1) coordinate such programs on the Federal level with the programs being administered by such other departments and agencies, and (2) require that effective procedures be adopted by State and local authorities to coordinate programs carried out under such Acts with other public and private programs having the same or similar purposes."

Computing Amount of Payments for State Administrative Expenses

SEC. 111. Clause (1) of section 207(b) of such Act of September 30, 1950, is amended to read as follows:

"(1) 1 per centum of the total maximum grants for State and local educational agencies of the State as determined for that year pursuant to sections 203 and 208, or".

Providing a More Current Base for Determining Maintenance of Effort

SEC. 112. Section 207(c)(2) of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1964" and inserting in lieu thereof "for the second preceding fiscal year".

Continuing and Revising Provision for Adjustments Where Necessitated by Appropriations

SEC. 113. (a) Section 208 of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1966," and inserting in lieu thereof "for any fiscal year".

(b) Such section 208 is further amended by adding at the end thereof the following: "In order to permit reductions made pursuant to this section for any fiscal year to be offset at least in part, the Commissioner may set dates (not earlier than March 1 of such fiscal year) by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section 203(a)(6) must file applications. The excess of (1) the total of the amounts of the maximum grants computed for all educational agencies of any State under section 203, as ratably reduced under this section, over (2) the total of the amounts for which applications of agencies of that State referred to in clauses (1) and (2) of the preceding sentence are approved shall be available, in accordance with regulations, first to educational agencies in that State and then to educational agencies in other States to offset ratable reductions made under this section."

Revision in National Advisory Council Reporting

SEC. 114. Section 212(c) of such Act of September 30, 1950, is amended to read as follows:

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 31 of each calendar year beginning after the enactment of this title. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report."

Short Title for Title II of Public Law 874, Eighty-First Congress

SEC. 115. Title II of such Act of September 30, 1950 (as amended by this Act), is further amended by inserting at the end thereof an additional section as follows:

"Short Title

"SEC. 214. This title may be cited as the 'Educationally Deprived Children's Act'."

Definitions

Broadening Definition of "Local Educational Agency"

SEC. 116. (a)(1) Section 303(6) of such Act of September 30, 1950, is amended to read as follows:

"(6)(A) For purposes of title I, the term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities for providing free public education.

"(B) For purposes of title II, the term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school, and it also includes (except for purposes of sections 203(a)(2), 203(b), and 205(a)(1)) any State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education)."

(2) The first sentence of section 203(a)(5) of such Act is amended by striking out ", on a non-school-district basis,".

(3) Section 203(a)(3) of such Act is amended to read as follows:

"(3) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this title."

Providing for a more precise definition of "current expenditures"

(b) Section 303(5) of such Act is amended to read as follows:

"(5) The term 'current expenditures' means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under title II of this Act or title II or III of the Elementary and Secondary Education Act of 1965."

Part B—School library resources, textbooks, and other instructional materials appropriations authorized

SEC. 121. Section 201(b) of the Elementary and Secondary Education Act of 1965 (Public Law 89-10) is amended to read as follows:

"(b) For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $125,000,000 for the fiscal year ending June 30, 1967, and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

Revision in Authorization for Title II, and Provision for Indian Children in Schools Operated by the Department of the Interior

SEC. 122. Section 202(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"SEC. 202 (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 201(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall allot from such amount to the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for such purpose shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 201(b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

Administrative Expenses and Improved Coordination

Sec. 123. Section 203(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows through the end of clause (3) of such section:

"Sec. 203. (a) Any State which desires to receive grants under this title shall submit to the Commissioner a State plan, in such detail as the Commissioner deems necessary, which—

"(1) designates a State agency which shall, either directly or through arrangements with other State or local public agencies, act as the sole agency for administration of the State plan;

"(2) sets forth a program under which funds paid to the State from its allotment under section 202 will be expended solely for (A) acquisition of library resources (which for the purposes of this title means books, periodicals, documents, audiovisual materials, and other related library materials), textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools in the State, and (B) administration of the State plan, including (i) the development and revision of standards relating to library resources, textbooks, and other printed and published instructional materials furnished for the use of children and teachers in the public elementary and secondary schools of the State, and (ii) the distribution and control by a local educational agency of such library resources, textbooks, and other instructional materials in carrying out such State plan for the use of children and teachers in schools referred to in clause (A), except that the amount used for administration of the State plan for any fiscal year shall not exceed an amount equal to 5 per centum of the amount paid to the State under this title for that year or $50,000, whichever is greater;

"(3) sets forth the criteria to be used in allocating library resources, textbooks, and other printed and published instructional materials provided under this title among the children and teachers of the State, which criteria shall—

"(A) take into consideration the relative need, as determined from time to time, of the children and teachers of the State for such library resources, textbooks, or other instructional materials,

"(B) provide assurance that to the extent consistent with law such library resources, textbooks, and other instructional materials will be provided on an equitable basis for the use of children and teachers in private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State, and

"(C) provide assurance that, in order to assure the effective and efficient use of Federal funds, there will be appropriate coordination at both State and local levels between the program carried out under this title with respect to library resources and the program (if any) carried out under the Library Services and Construction Act (20 U.S.C. ch. 16);".

Part C—Supplementary educational centers and services

Appropriations Authorized

Sec. 131. Section 301(b) of the Elementary and Secondary Education Act is amended to read as follows:

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $200,000,000 for the fiscal year ending June 30, 1967, and $250,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

Revision in Authorization for Title III, and Provision for Indian Children in Schools Operated by the Department of the Interior

Sec. 132. Section 302(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"Sec. 302. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall apportion the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall apportion from such amount to the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior. The terms upon which payments for such purpose shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 301(b), the Commissioner shall apportion $200,000 to each State and shall apportion the remainder of such sums among the States as follows:

"(A) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands."

Providing That Facilities Constructed Under Title III Will Be Usable by Handicapped Persons

Sec. 133. Section 304(a)(4) of the Elementary and Secondary Education Act of 1965 is amended by striking out "and (C)" and inserting in lieu thereof the following: "(C) that, in developing plans for such facilities, there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons, and (D)".

Requirement of Approval by State Educational Agency in Certain Cases

Sec. 134. Section 304(b)(4) of the Elementary and Secondary Education Act of 1965 is amended by inserting before the period at the end thereof a comma and the following: "and in the case of applications providing for the expenditure of 25 per centum of a State's apportionment for any fiscal year for the purposes of this title, such applications have been approved by the State educational agency of such State."

Special Consideration for Local Educational Agencies Which Are Financially Overburdened

Sec. 135. Section 304 of the Elementary and Secondary Education Act of 1965 is further amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1966, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency."

Part D—Cooperative Research Act amendments

Permitting the Research Training Program To Be Carried Out Through Contracts as Well as Grants

Sec. 141. Section 2(b) of the Cooperative Research Act (20 U.S.C. 331a) is amended to read as follows:

"(b)(1) The Commissioner is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in section 503(a)(4) of the Elementary and Secondary Education Act of 1965), including the development and strengthening of training staff and curricular capability for such training, and, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

"(2) Funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this subsection may, when so authorized by the Commissioner, also be used by the recipient (A) in establishing and maintaining research traineeships, internships, personnel exchanges, and pre- and post-doctoral fellowships, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (B) where the recipient is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations.

"(3) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection for training in sectarian instruction, or for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

"(4) Prior to January 31, 1968, the Commissioner shall make a complete report to the Congress with respect to contracts and other arrangements made pursuant to this subsection with private organizations, including benefits received from such contracts and arrangements, and the Commissioner's recommendations with respect to the continuation of the authority to make such contracts and arrangements with private organizations."

Consolidating Research Authority Under Section 2

SEC. 142. Section 4(b) of the Cooperative Research Act is amended by striking out the second sentence thereof.

Amending the Definition of "Construction" To Include the Acquisition of Existing Buildings

SEC. 143. Section 5(4) of the Cooperative Research Act is amended to read as follows: "(4) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building) or offsite improvements, and (B) equipping new buildings and existing buildings, whether or not acquired, expanded, remodeled, or altered."

Part E—Grants to strengthen State departments of education

Appropriations Authorized

SEC. 151. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1966, $30,000,000 for the fiscal year ending June 30, 1967, and $50,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

Postponement of State Matching

SEC. 152. (a) Section 503(b)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "July 1, 1967" in the first sentence and inserting in lieu thereof "July 1, 1968".

(b) Section 503(b)(2) of such Act is amended by striking out the first sentence and inserting in lieu thereof the following: "The Federal share for each State for the fiscal year beginning July 1, 1968, shall be promulgated by the Commissioner between July 1 and August 31, 1967, and the Federal share for each State for the fiscal year beginning July 1, 1969, shall be promulgated by the Commissioner between July 1 and August 31, 1968."

Technical Amendment Regarding Interchange of Personnel With States

SEC. 153. Effective as of April 11, 1965, section 507(c)(3)(D) of the Elementary and Secondary Education Act of 1965 is amended by inserting ", and for retention and leave accrual purposes," after "toward periodic or longevity step increases".

Part F—Handicapped children

Programs Authorized

SEC. 161. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VI as title VII, by redesignating section 601 through 605 and references thereto as section 701 through 705, respectively, and by adding after title V the following new title:

"TITLE VI—EDUCATION OF HANDICAPPED CHILDREN

"Appropriations Authorized

"SEC. 601. (a) The Commissioner is authorized to make grants pursuant to the provisions of this title during the fiscal year ending June 30, 1967, and each of the three succeeding fiscal years, for the purpose of assisting the States in the initiation, expansion, and improvement of programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) for the education of handicapped children (as defined in section 602) at the preschool, elementary, and secondary school levels.

"(b) For the purpose of making grants under this title there is authorized to be appropriated $150,000,000 for the fiscal year ending June 30, 1967, and $250,000,000 for the fiscal year ending June 30, 1968, but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.

"Definition of 'Handicapped Children'

"SEC. 602. As used in this title, the term 'handicapped children' includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services.

"Allotment of Funds

"SEC. 603. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 601(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title.

"(2) From the total amount appropriated pursuant to section 601(b) for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

"(b) The number of children aged three to twenty-one, inclusive, in any State and in all the States shall be determined, for purposes of this section, by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

"State Plans

"SEC. 604. Any State which desires to receive grants under this title shall submit to the Commissioner through its State educational agency a State plan in such detail as the Commissioner deems necessary. The Commissioner shall not approve a State plan or a modification of a State plan under this title unless the plan meets the following requirements:

"(a) The plan must provide satisfactory assurance that funds paid to the State under this title will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects, (A) which are designed to meet the special educational and related needs of handicapped children throughout the State, (B) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and (C) which may include the acquisition of equipment and where necessary the construction of school facilities. Nothing in this title shall be deemed to preclude two or more local educational agencies from entering into agreements, at their option, for carrying out jointly operated programs and projects under this title. The plan may provide up to 5 per centum of the amount allotted to the State for any fiscal year or $75,000 ($25,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, may be expended for the proper and efficient administration of the State plan (including State leadership activities and consultative services), and for planning on the State and local level.

"(b) The plan must provide satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this title.

"(c) The plan must provide satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property.

"(d) The plan must set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this title will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds.

"(e) The plan must provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children.

"(f) The plan must provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan.

"(g) The plan must provide for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title, including reports of the objective measurements required by paragraph (e) of this subsection; and the plan must also provide for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(h) The plan must provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to local educational agencies.

"(i) The plan must provide satisfactory assurance that funds paid to the State under this title shall not be made available to any school for handicapped children eligible for assistance under section 203(a)(5) of title II of Public Law 874, Eighty-first Congress.

"(j) The plan must provide satisfactory assurance, in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 610 will be complied with on all such construction projects.

"(k) The plan must provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers and administrators of handicapped children significant information derived from education research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects."

"Payments

"Sec. 605. From the amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. These payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"Administration of State Plans

"Sec. 606. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency administering the plan reasonable notice and opportunity for a hearing.

"(b) Whenever the Commission, after reasonable notice and opportunity for hearing to such State agency, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 604, or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provisions,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

"Judicial Review

"Sec. 607. (a) If any State is dissatisfied with the Commission's final action with respect to the approval of its State plan submitted under section 604 or with his final action under section 606(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"National Advisory Committee on Handicapped Children

"Sec. 608. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner, who shall be Chairman, and not more than twelve additional members, not less than 50 per centum of whom shall be persons affiliated with educational, training, or research programs for the handicapped, appointed by the Commissioner without regard to the civil service laws.

"(b) The Advisory Committee shall review the administration and operation of this Act, title II of Public Law 874, Eighty-first Congress, and other provisions of law administered by the Commissioner, with respect to handicapped children, including their effect in improving the educational attainment of such children, and make recommendations for the improvement of such administration and operation with respect to such children. These recommendations shall take into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall from time to time make such recommendations as it may deem appropriate to the Commissioner and shall make an annual report of its findings and recommendations to the Commissioner not later than January 31 of 1968 and each fiscal year thereafter. The Commissioner shall transmit each such report to the Secretary together with his comments and recommendations, and the Secretary shall transmit such report, comments, and recommendations to the Congress together with any comments or recommendations he may have with respect thereto.

"(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

"(d) The Commissioner may, at the request of the Advisory Committee, appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

"Bureau for Education and Training of the Handicapped

"Sec. 609. The Commissioner shall establish and maintain within the Office of Education a bureau for the education and training of the handicapped which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training.

"Labor Standards

"Sec. 610. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

Part G—Dissemination of information

Sec. 171. Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by this Act) is amended by inserting at the end thereof a new section as follows:

"Dissemination of Information

"Sec. 706. (a) For the purpose of carrying out more effectively the provisions of this Act and title II of Public Law 874, Eighty-first Congress, the Commissioner—

"(1) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful for such purpose;

"(2) shall upon request provide advice, counsel, technical assistance, and demonstrations to State or local educational agencies or institutions of higher education undertaking to initiate or expand programs under this Act or such title in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

"(3) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of projects carried out pursuant to this Act and such title; and

"(4) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

"(b) There are authorized to be appropriated not to exceed $1,500,000 for the fiscal year ending June 30, 1967, and not to exceed $2,000,000 for the fiscal year ending June 30, 1968, to carry out the provisions of this section."

Part H—Effective date

Sec. 181. The provisions of this title shall be effective with respect to fiscal years beginning after June 30, 1966, except as specifically provided otherwise.

TITLE II—FEDERALLY AFFECTED AREAS

Part A—Amendments to Public Law 874

Amendments to Section 3

Sec. 201. Section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended in the following respects:

Providing an alternative means of meeting the eligibility requirement

(a)(1) Section 3(c)(2)(B) is amended by inserting after "amount to" the following: ", whichever is the lesser, one thousand such children, or a number of such children equal to".

(2) Section 3(c)(5) is amended by striking out "percentage requirements for eligibility under paragraphs (2) and (4) of this subsection" and by inserting in lieu thereof "requirements for eligibility under paragraphs (2)(B) and (4)(C) of this subsection".

Method of determining local contribution rate

(b) Subsection (d) of section 3, relating to the computation of the local contribution rate, is amended as follows:

(1) The first sentence of subsection (d) is amended by striking out "and the local educational agency".

(2) Clauses (1) and (2) of the first sentence of subsection (d) are amended to read:

"(1) he shall place each school district within the State into a group of generally comparable school districts; and

"(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation which all of the local educational agencies within any such group of comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence of subsection (d) is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)" and substituting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)".

(4) The next to the last sentence of subsection (d) is amended by inserting after "as the case may be," the following: "plus any direct current expenditures by the States for the operation of such agencies", and by inserting "either of" after "funds from which".

Providing that children of servicemen shall be deemed to reside with a parent employed on Federal property

(c)(1) The first sentence of subsection (b) of section 3 is amended by—

(A) inserting "(1)" before "resided on Federal property",

(B) inserting "(2)" before "resided with a parent", and

(C) inserting before the period at the end thereof ", or (3) had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

(2) The second sentence of subsection (b) is repealed.

Children moving into an area as a result of an international boundary relocation

(d) Such subsection (b) of section 3 is further amended by adding at the end thereof the following new sentence: "For the purpose of computing the amount to which a local educational agency is entitled under this section for the fiscal year ending June 30, 1967, the Commissioner shall also determine the number of children (other than children to whom subsection (a) or any other provision of this subsection applies) who were in average daily attendance at such schools and for whom such agency provided free public education, during such fiscal year, as a result of a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States."

Providing that all Federal payments will be deducted from gross entitlements on the same basis

(e) Subsection (e) of section 3 is amended to read as follows:

"(e) In determining the total amount which a local educational agency is entitled to receive under this section (other than subsection (c)(4) thereof) for a fiscal year, the Commissioner shall deduct (1) such amount as he determines that agency derived from other Federal payments (as defined in section 2(b)(1)) but only to the extent such payments are not deducted under the last sentence of section 2(a), and only to the extent the payments are made with respect to property on which children, counted for purposes of this section, live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal Government during such year. The Commissioner shall make no deduction under this subsection for any fiscal year in which the sum of the amounts determined under clauses (1) and (2) of the preceding sentence is less than $1,000."

Making the Appropriation for One Fiscal Year Available Through the Following Year To Meet Obligations of the Current Year

SEC. 202. Section 5(b) of the Act of September 30, 1950, is amended by adding at the end thereof the following new sentence: "Sums appropriated pursuant to this title for any fiscal year shall remain available, for obligation and payments with respect to amounts due local educational agencies under this title for such year, until the close of the following fiscal year."

Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

SEC. 203. Section 6 of the Act of September 30, 1950, is amended by redesignating subsection (f) as subsection (g), and by inserting immediately after subsection (e) the following new subsection:

"(f) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of sections 3 and 4 of this Act. If a local educational agency refuses for any other reason to provide in any fiscal year free public education for children who reside on Federal property which is within the school district of that agency or which, in the determination of the Commissioner, would be within that school district if it were not Federal property, there shall be deducted from any amount to which the local educational agency is otherwise entitled for that year under section 3 or 4 an amount equal to (1) the amount (if any) by which the cost to the Commissioner of providing free public education for that year for each such child exceeds the local contribution rate of that agency for that year, multiplied by (2) the number of such children."

Amendments to Section 303

SEC. 204. Section 303 of the Act of September 30, 1950, is amended in the following respects:

Extending to all property the provision which permits Federal property used for housing to be counted as Federal property for one year after transfer by the United States

(a) Clause (B) of the second last sentence of section 303(1) is amended by striking out "housing".

Repeal of exclusion of property used for provision of local benefits

(b) The last sentence of section 303(1) is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Authorizing the Commissioner to establish a method of counting children for the purpose of determining average daily attendance

(c) Subsection (10) of section 303 is amended to read as follows:

"(10) Average daily attendance shall be determined in accordance with State law, except that (A) the average daily attendance of children with respect to whom payment is to be made under section 3 or 4 of this Act shall be determined in accordance with regulations of the Commissioner, and (B) notwithstanding any other provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the attendance of such child at such school shall be held and considered (i) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (ii) not to be attendance at a school of the local educational agency receiving such tuition payment or entitled to receive such payment under the contract."

Part B—Amendments to Public Law 815

Extending Temporary Provisions for Two Years

SEC. 221. Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "1966" and inserting in lieu thereof "1968".

Reducing Percentage Increase Required for Eligibility and Lengthening Increase Period to Four Years

SEC. 222. (a) Section 5(c) of the Act of September 23, 1950, is amended by striking out "at least 5 per centum" and inserting in lieu thereof "at least 6 per centum".

(b) Section 15(6) of such Act is amended by striking out "base year" and inserting in lieu thereof "second year of the four year increase period".

(c) Section 15(15) of such Act is amended by inserting "third or fourth" immediately before the phrase "regular school year" the first time that phrase occurs in the subsection, and by striking out "or the regular school year preceding such school year".

(d) Section 15(16) of such Act is amended by striking out "two" and inserting "four" in lieu thereof.

(e) Section 5(f) of such Act is amended to read as follows:

"(f) In determining under this section the total of the payments which may be made to a local educational agency on the basis of any application, the total number of children counted for purposes of paragraph (1), (2), or (3), as the case may be, of subsection (a) may not exceed—

"(1) the number of children whose membership at the close of the increase period for the application is compared with membership in the base period for purposes of that paragraph, minus

"(2) the number of such children whose membership at the close of the increase period was compared with membership in the base year for purposes of such paragraph under the last previous application, if any, of the agency on the basis of which any payment has been or may be made to that agency".

Reduction in the Non-Federal Growth Requirement

SEC. 223. Section 5(d) of such Act is amended by striking out "107 per centum" and by inserting in lieu thereof "106 per centum".

Extending the Time for Determining the Number of Unhoused Children by Authorizing the Commissioner to Make the Estimate for a Period Extending Two Years Beyond the Increase Period

SEC. 224. Section 4 of such Act is amended by inserting "the second year following" immediately before the phrase "the increase period".

Making the Provisions Relating to Indians Living on Reservations Permanent

SEC. 225. (a) The first sentence of section 14(b) of such Act is amended by striking out "ending prior to July 1, 1966," and ", not to exceed $60,000,000 in the aggregate,".

(b) The third sentence of section 14(b) is amended by striking out ", except that after June 30, 1966, no agreement may be made to extend assistance under this section".

Providing That Children Who Have a Parent in the Uniformed Services Will Be Considered as Federally Connected

SEC. 226. (a) Section 5(a)(1) of such Act is amended by inserting ", (A) who so resided" immediately before the phrase "with a parent employed on Federal property" and by inserting immediately before the comma preceding the phrase "multiplied by 95 per centum" the following: ", or (B) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

(b)(1) The first sentence of section 5(a)(2) of such Act is amended by inserting "(A)" after "children", by inserting "(B)" immediately before "residing with a parent", and by inserting after "school district)," the following: "or (C) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949),".

(2) The second sentence of section 5(a)(2) of such Act is repealed.

Children Moving Into an Area as a Result of an International Boundary Relocation

SEC. 227. Section 5(a) of such Act is further amended by striking out the period at the end of clause (3), by inserting "; and" in lieu thereof, and by inserting immediately after clause (3) the following new clause:

"(4) for the fiscal year ending June 30, 1967, the estimated number of children, without regard to the limitation in subsection (d), whose membership in the schools of such local educational agency resulted from a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated."

Providing for Transfer of Title to Facilities to the Local Educational Agency Where It Is in the Federal Interest To Do So

SEC. 228. Section 10 of such Act is amended by inserting "(a)" immediately before the first word thereof, and by adding the following new subsection:

"(b) When the Commissioner determines it is in the interest of the Federal Government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or sections 204 or 310 of this Act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this Act."

Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

SEC. 229. Section 10 of such Act is further amended by adding an additional new subsection as follows:

"(c) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of section 5 of this Act."

Repeal of Exclusion of Property Used for Provision of Local Benefits

SEC. 230. The last sentence of section 15(1) of such Act is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Providing That Minimum School Facilities Be Usable by Handicapped Persons and Have Certain Other Features

SEC. 231. Section 15(10) of such Act, relating to the definition of "minimum school facilities", is amended by adding at the end thereof the following: "Such regulations shall (A) require the local educational agency concerned to give due consideration to excellence of architecture and design, (B) provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans therefor if the cost of such works of art does not exceed 1 per centum of the cost of the project, and (C) require compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons."

Including American Samoa in Definition of "State"

SEC. 232. Section 15(13) of such Act, relating to the definition of "State," is amended by inserting "American Samoa," immediately before "the Virgin Islands".

Part C—Effective date

SEC. 241. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1966, except that (1) the amendment made by section 201(b) shall be effective for fiscal years beginning after June 30, 1967, and (2) if the amendment made by section 203 or 229 would have reduced payments to a local educational agency for the fiscal year ending June 30, 1966 (if it had been in effect for that year), the amendment shall not apply to that local educational agency for fiscal years ending prior to July 1, 1968.

TITLE III—ADULT EDUCATION

Short Title

SEC. 301. This title may be cited as the "Adult Education Act of 1966".

Statement of Purpose

SEC. 302. It is the purpose of this title to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens.

Definitions

SEC. 303. As used in this title—

(a) The term "adult" means any individual who has attained the age of eighteen.

(b) The term "adult education" means services or instruction below the college level (as determined by the Commissioner), for adults who—

(1) do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education, and

(2) are not currently enrolled in schools.

(c) The term "adult basic education" means education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

(d) The term "Commissioner" means the Commissioner of Education.

(e) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools; except that if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority.

(f) The term "State" includes the District of Columbia, and (except for the purposes of section 305(a)) the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands.

(g) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is a separate State agency or officer primarily responsible for supervision of adult education in public schools then such agency or officer may be designated for the purposes of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor.

Grants to States for Adult Basic Education

SEC. 304. (a) From the sums appropriated pursuant to section 314, not less than 10 per centum nor more than 20 per centum shall be reserved for the purposes of section 309.

(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this section, to pay the Federal share of the cost of the establishment or expansion of adult basic education programs to be carried out by local educational agencies.

Allotment for Adult Basic Education

SEC. 305. (a) From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot not more than

2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number of adults who have completed not more than five grades of school (or have not achieved an equivalent level of education) in such State bears to the number of such adults in all States.

(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the portion of the State plan relating to adult basic education approved under this title shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this title, and total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

State Plans

Sec. 306. Any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan. Such State plan shall be in such detail as the Commissioner deems necessary, and shall—

(1) set forth a program for the use of grants, in accordance with section 304(b), which affords assurance of substantial progress, with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section;

(2) provides for the administration of such plan by the State educational agency;

(3) provides for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this title;

(4) provides for grants to public and private nonprofit agencies for special projects, teacher-training and research;

(5) provides for cooperation with Community Action programs, Work Experience programs, VISTA, Work Study, and other programs relating to the antipoverty effort;

(6) provides that such agency will make such reports to the Commissioner, in such form and containing such information, as may reasonably be necessary to enable the Commissioner to perform his duties under this title and will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of such reports;

(7) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid the State under this title (including such funds paid by the State to local educational agencies); and

(8) provides such further information and assurances as the Commissioner may by regulation require.

(b) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

Payments

Sec. 307. (a) Except as provided in subsection (b), the Federal share of expenditures to carry out a State plan shall be paid from a State's allotment available for grants to such State. For the fiscal year ending June 30, 1967, and the succeeding fiscal year, the Federal share for each State shall be 90 per centum.

(b) No payment shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that the amount available for expenditure by such State for adult education from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

(c) Payments to a State under this title may be in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

Operation of State Plans; Hearings and Judicial Review

Sec. 308. (a) Whenever the Commissioner after reasonable notice and opportunity for hearing to the State educational agency administering a State plan approved under this title, finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 306, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify such State agency that no further payments will be made to the State under this title (or in his discretion, that further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this title (or payments shall be limited to programs under or portions of the State plan not affected by such failure).

(b) A State educational agency dissatisfied with a final action of the Commissioner under section 306 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shows, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to the review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not unless so specifically ordered by the court operate as a stay of the Commissioner's action.

Special Experimental Demonstration Projects and Teacher Training

Sec. 309. (a) The sums reserved in section 304(a) for the purposes of this section shall be used for making special project grants or providing teacher-training grants in accordance with this section.

(b) The Commissioner is authorized to make grants to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects which will be carried out in furtherance of the purposes of this title, and which—

(1) involve the use of innovative methods, systems, materials, or programs which the Commissioner determines may have national significance or be of special value in promoting effective programs under this title, or

(2) involve programs of adult education, carried out in cooperation with other Federal, federally assisted, State, or local programs which the Commissioner determines have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with basic educational deficiencies.

The Commissioner shall establish procedures for making grants under this subsection which shall require a non-Federal contribution of at least 10 per centum of the costs of such projects wherever feasible and not inconsistent with the purposes of this subsection.

(c) The Commissioner is authorized to provide (directly or by contract), or to make grants to colleges or universities, State or local educational agencies, or other appropriate public or private nonprofit agencies or organizations to provide, training to persons engaged, or preparing to engage, as personnel in adult education programs designed to carry out the purposes of this title, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Commissioner may by regulation determine.

Advisory Committee on Adult Basic Education

Sec. 310. (a) The President shall, within ninety days of enactment of this title appoint a National Advisory Committee on Adult Basic Education.

(b) The National Advisory Committee shall have eight members, consisting of the Commissioner of Education, who shall be chairman, and seven other members who shall, to the extent possible, include persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge and experience, or qualifications with respect to adult basic education, and persons representative of the general public. Such Advisory Committee shall meet at the call of the chairman but not less often than twice a year.

(c) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

(d) The Advisory Committee shall review the administration and effectiveness of the adult basic education program and other federally supported adult education programs as they relate to adult basic education, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations. The Secretary of Health, Education, and Welfare shall coordinate the work of this committee with that of other related advisory committees.

(e) Members of the Advisory Committee who are not regular full-time employees of the United States, shall, while serving on the business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

(f) The Commissioner shall engage such technical assistance as may be required to carry out the functions of the Advisory Committee, and the Commissioner shall, in addition, make available to the Advisory Committee such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

(g) In carrying out its functions pursuant to this section, the Advisory Committee may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head of such agency.

Administration

SEC. 311. (a) The Commissioner is authorized to delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

Federal Control Prohibited

SEC. 312. (a) Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institutional or school system.

(b) The National Advisory Committee on Adult Basic Education is authorized to encourage the establishment of State and local adult education advisory committees in order to improve reporting of State and local administration of programs under this title. Such local and State advisory committees may be existing groups or especially established by State and local administrators of the programs to assure that the local program is meeting the needs of the community.

Limitation

SEC. 313. No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

Appropriations Authorized

SEC. 314. There is authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1967, and $60,000,000 for the fiscal year ending June 30, 1968, for the purposes of this title.

Repealer

SEC. 315. Part B of title II of the Economic Opportunity Act of 1964 is repealed.

Mr. MORSE. Madam President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KENNEDY of New York. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Madam President, I ask unanimous consent that the bill as passed by the Senate be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Madam President, we have come to the conclusion, through the passage of this bill today, of one step on the road to helping our young people have access to the type and kind of education which will allow them to realize their innate potentialities. But I should be less than grateful and I should be less than honest if I failed to give the highest tribute to my colleagues on both sides of the aisle and to the chairman of my committee [Mr. HILL], my heartfelt thanks for this splendid cooperation I have invariably been given.

I am indebted to each and every one of the members of the subcommittee and the full committee. I also wish to pay the highest tribute to the leadership quality of the distinguished senior Senator from Montana, whose counsel on this, as on so many other occasions, has been invaluable.

But the authors of this bill are not the Senators alone who worked on it in the hearings, which were well attended and faithfully, and in the executive sessions.

They are also the Senators who, through the amendments they offered and correspondence they gave to the committee, have indelibly imprinted their mark on the bill. I hesitate to name even one because there are so many. The distinguished Senator from New Mexico [Mr. MONTOYA], the distinguished Senator from Indiana [Mr. HARTKE], and the distinguished Senator from Montana [Mr. METCALF] are among the many.

I know and Senators know that there are others who worked long, hard, and faithfully with you, and to them I wish to pay tribute. To the staff of the Legislative Counsel of the Senate, and in particular Mr. Pete LeRoux and Mr. Blair Crownover; to the Counsel of the committee, Mr. Forsythe, and to the clerk of the committee, Mr. McClure, to the clerk for the minority, Mr. Millenson, and the minority Counsel Mr. Kurzman, who until very recently worked with us; to the professional staff member of the subcommittee, Mr. Charles Lee, and to the staff of the Labor Committee, who kept us currently supplied with information and materials, I express my thanks.

In fact, may I say about Mr. Jack Forsythe and Mr. Charles Lee that without their dedicated service and the benefit of their duties far beyond the call of duty, time and time again, often far into the night, it would have been impossible for me to have brought this bill to the floor of the Senate today. To them I want to express my heartfelt thanks, as well as to the other members of the staff.

Also, our printing clerks on the committee have had a great deal of work to do this session and they have done it magnificently, and I particularly wish to thank Mr. Coffey and Mr. Otley. To Mr. Art Dufresne, assistant to the ranking minority member of the subcommittee, Mr. PROUTY, I also wish to give my thanks.

I also wish to give my heartfelt thanks to Alan Mandell and Adam Walinsky, able staff assistants of the Senator from Texas [Mr. YARBOROUGH] and the Senator from New York [Mr. KENNEDY].

In parallel fashion, I wish to pay tribute to Secretary Gardner, Commissioner Howe, and each of their associates in legislative liaison such as Dr. Ralph Huitt, Dr. Sam Halperin, and on the legislative liaison staff of the Office of Education, Dr. Al Alford, and all of his associates, particularly Mr. Richard Smith and Mr. Steinhilber.

In the closing minutes of this session I know that I have omitted many, many names of many individuals who on Capitol Hill and downtown have truly deserved my thanks and the thanks of my committee, and I trust, the thanks of all American school children.

I have taken these few minutes to state these expressions of appreciation because I think too often, even those in the Senate, and I am sure this is true of the country as a whole, are not appreciative of how legislation gets passed. Often Members of the Senate themselves receive more credit than they deserve for their efforts in getting legislation passed, and the public generally does not appreciate the service that others perform. So there should be recognition for their services in having legislation passed that will accrue to the public benefit and welfare.

To all of them I want to say I shall always be grateful for their help to me.

Mr. KENNEDY of New York. Madam President, I want to rise, as I have on other occasions when we have considered legislation dealing with education, the District of Columbia, and matters really dealing with the hearts, future, and hopes of our citizens, to commend the Senator from Oregon.

As he pointed out, there is a great deal done prior to the time that legislation comes to the floor of the Senate.

I can honestly say, as a member of the Labor and Public Welfare Committee, that it would not have been possible for the Senate to consider this legislation if it had not been for the leadership and commitment of the Senator from Oregon [Mr. MORSE].

One of the most impressive things that has happened to me since I have been in the Senate of the United States has been to see the work of the Senator from Oregon in the committee, not, perhaps, as is true of others, because we are always in agreement on every matter. The Senator from Oregon expresses his views when he disagrees with anyone, whether he is in the legislative or executive branch of the Government. But, as chairman of the subcommittee, the effort and direction he gives to all his colleagues on the committee is one of the most impressive and moving things that has occurred to me since I have been in the Senate.

I say that not merely as a result of the efforts he made on the floor of the Senate today, under heavy odds, but I refer to all of the work he has done, which is never made public and which is not publicized and which is not known. The hard work he does and the effort he makes on behalf of those who are not here, on behalf of children, in terms of the improvement of our society across this land, are in the highest traditions of public service.

I want to add my commendation to the chairman of the full committee, the Senator from Alabama [Mr. HILL] who has always given leadership and direction to matters concerned with compassion for those in need.

I join the Senator from Oregon in paying tribute to Mr. Jack Forsythe and Mr. Charles Lee for the efforts they have made, who have shown not only great understanding of such legislation but great patience with the members of the committee, particularly the junior Senator from New York.

Mr. MORSE. Madam President, I just want to say that I am proud to know that I am leaving behind for my descendants to read the flattering and generous comments made by the Senator from New York. As I have said outside the Senate, in many platforms throughout the country, he is one of the great statesman of our times. I shall be proud to leave behind me this heritage.

Mr. KENNEDY of Massachusetts. Madam President, I would like to echo the sentiments which have been expressed this afternoon in commending the distinguished chairman of the subcommittee, the floor manager of the bill, Senator MORSE.

Not all of us who are on the Labor and Public Welfare Committee have the privilege of serving on the Education Subcommittee. Nevertheless, some of the junior members of the full committee have been interested in the cause of education, and we have always found the distinguished chairman of the subcommittee has interested himself in those causes and has taken our causes as his causes, always with the understanding, concern, and interest which brings to any ideas we may have the great wealth of his understanding and experience which are his.

As a member of the full committee, I express my admiration and respect for the distinguished Senator from Oregon and echo the sentiments which have been expressed.

Speaking for my own State, there will be hundreds of thousands of children who will be better served because of this bill and because of the deep and abiding concern about their well-being.

Mr. MORSE. Madam President, I say, in response to the generosity of the Senator from Massachusetts, that we would not have the education legislation that we have passed through our committee and through the Senate, and which has become the law of the land, if we had not had his many contributions by way of suggestions and amendments to that legislation.

There flashes through my mind, for example, the contribution he and the Senator from Wisconsin [Mr. NELSON] made 2 years ago in connection with the Teachers Corps title of the Higher Education Act of 1965. That illustrates well the vision and the looking ahead of the Senator from Massachusetts and the Senator from Wisconsin. We have not, as yet, developed the Teachers Corps to the point that we must develop it. It must be expanded. It is in trouble, as we know, suffering from underfunding, but it is not in trouble as far as the soundness of its educational philosophy is concerned. It is not in trouble from the standpoint of justification, for it meets the needs of the underprivileged little boys and girls living in the poverty-stricken school districts of this country. I respond to the Senator's kind remarks by paying this tribute to him, for his efforts in connection with not only that part of the higher education statute, but for a whole series of amendments to educational legislation that he has offered since he has been in the Senate, each of which has made a great contribution to the educational structure of this country, and I thank him.

Mr. MANSFIELD. Mr. President, the tributes already made to the senior Senator from Oregon [Mr. MORSE] are all well deserved and fully merited. Today the Senate witnessed again his powerful and effective advocacy, and the Nation has benefited with an outstanding elementary and secondary education measure. Its broad acceptance can be attributed only to the outstanding manner in which it was guided by Senator MORSE. His persuasive abilities—abundantly demonstrated today—are unsurpassable. His articulate and clear responses coupled with his broad and acknowledged expertise in the area of education problems and needs made successful action a certainty.

I add only that his unmatched ability observed today and the great achievement obtained are just typical of Senator MORSE's long and abundant record of magnificent public service. The Senate, indeed the Nation, are in his debt.

Commendation must go equally to the senior Senator from New York [Mr. JAVITS] whose brilliant support and cooperation as the ranking minority member of the Committee on Labor and Public Welfare served immensely to assure this great success. Joining Senator JAVITS for his diligent work and outstanding contribution both in committee and on the floor was the junior Senator from Vermont [Mr. PROUTY], the ranking minority member of the Education Subcommittee.

The junior Senator from New York [Mr. KENNEDY] also must share the credit for this achievement. His deep appreciation of the problems involved in our education systems was made vastly clear during the discussion on the floor. We certainly are grateful for his fine contributions.

Others too deserve high commendation for joining to assure efficient and successful action. The assistance of the junior Senator from Massachusetts [Mr. KENNEDY] along with the junior Senator from New Mexico [Mr. MONTOYA] was thus greatly welcomed. Notably, too, the typically outstanding cooperation of the distinguished minority leader [Mr. DIRKSEN] made possible the final disposition of the measure without undue delay. The same may be said of the splendid cooperation of the senior Senator from Indiana [Mr. HARTKE] and the junior Senator from Arizona [Mr. FANNIN].

To the entire Senate I express my appreciation for obtaining another outstanding achievement—with efficiency, with order, and with reasonable dispatch.

PUBLIC WORKS APPROPRIATIONS, 1967

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1640, H.R. 17787. I do this so that it may become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 17787) making appropriations for certain civil functions, administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

FAIR PACKAGING AND LABELING ACT

Mr. MAGNUSON. Madam President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 985.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Fair Packaging and Labeling Act".

DECLARATION OF POLICY

SEC. 2. Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING

SEC. 3. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined in this Act) for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this Act and of regulations promulgated under the authority of this Act.

(b) The prohibition contained in subsection (a) shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

REQUIREMENTS AND PROHIBITIONS

SEC. 4. (a) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity unless in conformity with regulations established by the promulgating authority pursuant to section 6 of this Act which shall provide that—

(1) The commodity shall bear a label specifying the identity of the commodity and the name and place of business of the manufacturer, packer, or distributor;

(2) The net quantity of contents (in terms of weight, measure, or numerical count) shall be separately and accurately stated in a uniform location upon the principal display panel of that label; and

(3) The separate label statement of net quantity of contents appearing upon or affixed to any package—

(A) (i) if on a package containing less than four pounds or one gallon and labeled in terms of weight or fluid measure, shall, unless subparagraph (ii) applies and such statement is set forth in accordance with such subparagraph, be expressed both in ounces (with identification as to avoirdupois or fluid ounces) and, if applicable, in pounds for weight units, with any remainder in terms of ounces or common of decimal fractions of the pound; or, in the case of liquid measure, in the largest whole unit (quarts, quarts and pints, or pints, as appropriate) with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart;

(ii) if on a random package, may be expressed in terms of pounds and decimal fractions of the pound carried out to not more than two decimal places;

(iii) if on a package labeled in terms of linear measure, shall be expressed in terms of inches and the largest whole unit (yards, yards and feet, or feet, as appropriate) with any remainder in terms of inches or common or decimal fractions of the foot or yard;

(iv) if on a package labeled in terms of measure of area, shall be expressed in terms of square inches and the largest whole square unit (square yards, square yards and square feet, or square feet, as appropriate) with any remainder in terms of square inches or common or decimal fractions of the square foot or square yard;

(B) shall appear in conspicuous and easily legible type in distinct contrast (by typography, layout, color, embossing, or molding) with other matter on the package;

(C) shall contain letters or numerals in a type size which shall be (i) established in relationship to the area of the principal display panel of the package, and (ii) uniform for all packages of substantially the same size; and

(D) shall be so placed that the lines of printed matter included in that statement are generally parallel to the base on which the package rests as it is designed to be displayed.

(4) For purposes of paragraph (3)(A)(ii) of this subsection, the term "random package" means a package which is one of a lot, shipment, or delivery of packages of the same consumer commodity with varying weights, that is, packages with no fixed weight pattern.

(b) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity if any qualifying words or phrases appear in conjunction with the separate statement of the net quantity of contents required by subsection (a), but nothing in this subsection or in paragraph (2) of subsection (a) shall prohibit supplemental statements, at other places on the package, describing in nondeceptive terms the net quantity of contents: *Provided*, That such supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of the commodity contained in the package.

ADDITIONAL REGULATIONS

SEC. 5. (a) The authority to promulgate regulations under this Act is vested in (A) the Secretary of Health, Education, and Welfare (referred to hereinafter as the "Secretary") with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and (B) the Federal Trade Commission (referred to hereinafter as the "Commission") with respect to any other consumer commodity.

(b) If the promulgating authority specified in this section finds that, because of the nature, form, or quantity of a particular consumer commodity, or for other good and sufficient reasons, full compliance with all the requirements otherwise applicable under section 4 of this Act is impracticable or is not necessary for the adequate protection of consumers, the Secretary or the Commission (whichever the case may be) shall promulgate regulations exempting such commodity from those requirements to the extent and under such conditions as the promulgating authority determines to be consistent with section 2 of this Act.

(c) Whenever the promulgating authority determines that regulations containing prohibitions or requirements other than those prescribed by section 4 are necessary to prevent the deception of consumers or to facilitate value comparisons as to any consumer commodity, such authority shall promulgate with respect to that commodity regulations effective to—

(1) establish and define standards for characterization of the size of a package enclosing any consumer commodity, which may be used to supplement the label statement of net quantity of contents of packages containing such commodity, but this paragraph shall not be construed as authorizing any limitation on the size, shape, weight, dimensions, or number of packages which may be used to enclose any commodity;

(2) require, on the label of any package of a consumer commodity which bears a representation as to the number of servings of such commodity contained in such package, a statement of the net quantity (in terms of weight, measure, or numerical count) of each such serving;

(3) regulate the placement upon any package containing any commodity, or upon any label affixed to such commodity, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price or that a retail sale price advantage is accorded to purchasers thereof by reason of the size of that package or the quantity of its contents;

(4) require that the label on each package of a consumer commodity (other than one which is a food within the meaning of section 201(f) of the Federal Food, Drug, and Cosmetic Act) bear (A) the common or usual name of such consumer commodity, if any, and

(B) in case such consumer commodity consists of two or more ingredients, the common or usual name of each such ingredient listed in order of decreasing predominance, but nothing in this paragraph shall be deemed to require that any trade secret be divulged; or

(5) prevent the nonfunctional-slack-fill of packages containing consumer commodities.

For purposes of paragraph (5) of this subsection, a package shall be deemed to be nonfunctionally slack-filled if it is filled to substantially less than its capacity for reasons other than (A) protection of the contents of such package or (B) the requirements of machines used for enclosing the contents in such package.

(d) Whenever the Secretary of Commerce determines that there is undue proliferation of the weights, measures, or quantities in which any consumer commodity or reasonably comparable consumer commodities are being distributed in packages for sale at retail and such undue proliferation impairs the reasonable ability of consumers to make value comparisons with respect to such consumer commodity or commodities, he shall request manufacturers, packers, and distributors of the commodity or commodities to participate in the development of a voluntary product standard for such commodity or commodities under the procedures for the development of voluntary products standards established by the Secretary pursuant to section 2 of the Act of March 3, 1901 (31 Stat. 1449, as amended; 15 U.S.C. 272). Such procedures shall provide adequate manufacturer, packer, distributor, and consumer representation.

(e) If (1) after one year after the date on which the Secretary of Commerce first makes the request of manufacturers, packers and distributors to participate in the development of a voluntary product standard as provided in subsection (d) of this section, he determines that such a standard will not be published pursuant to the provisions of such subsection (d), or (2) if such a standard is published and the Secretary of Commerce determines that it has not been observed, he shall promptly report such determination to the Congress with a statement of the efforts that have been made under the voluntary standards program and his recommendation as to whether Congress should enact legislation providing regulatory authority to deal with the situation in question.

PROCEDURE FOR PROMULGATION OF REGULATIONS

Sec. 6. (a) Regulations promulgated by the Secretary under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, pursuant to the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)). Hearings authorized or required for the promulgation of any such regulations by the Secretary shall be conducted by the Secretary or by such officer or employee of the Department of Health, Education, and Welfare as he may designate for that purpose.

(b) Regulations promulgated by the Commission under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, by proceedings taken in conformity with the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)) in the same manner, and with the same effect, as if such proceedings were taken by the Secretary pursuant to subsection (a) of this section. Hearings authorized or required for the promulgation of any such regulations by the Commission shall be conducted by the Commission or by such officer or employee of the Commission as the Commission may designate for that purpose.

(c) In carrying into effect the provisions of this Act, the Secretary and the Commission are authorized to cooperate with any department or agency of the United States, with any State, Commonwealth, or possession of the United States, and with any department, agency, or political subdivision of any such State, Commonwealth, or possession.

(d) No regulation adopted under this Act shall preclude the continued use of returnable or reusable glass containers for beverages in inventory or with the trade as of the effective date of this Act, nor shall any regulation under this Act preclude the orderly disposal of packages in inventory or with the trade as of the effective date of such regulation.

ENFORCEMENT

Sec. 7. (a) Any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321), and which is introduced or delivered for introduction into commerce in violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic Act, but the provisions of section 303 of that Act (21 U.S.C. 333) shall have no application to any violation of section 3 of this Act.

(b) Any violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, with respect to any consumer commodity which is not a food, drug, device, or cosmetic, shall constitute an unfair or deceptive act of practice in commerce in violation of section 5(a) of the Federal Trade Commission Act and shall be subject to enforcement under section 5(b) of the Federal Trade Commission Act.

(c) In the case of any imports into the United States of any consumer commodity covered by this Act, the provisions of sections 4 and 5 of this Act shall be enforced by the Secretary of the Treasury pursuant to section 801 (a) and (b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381).

REPORTS TO THE CONGRESS

Sec. 8. Each officer or agency required or authorized by this Act to promulgate regulations for the packaging or labeling of any consumer commodity, or to participate in the development of voluntary product standards with respect to any consumer commodity under procedures referred to in section 5(d) of this Act, shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this Act during the preceding fiscal year.

COOPERATION WITH STATE AUTHORITIES

Sec. 9. (a) A copy of each regulation promulgated under this Act shall be transmitted promptly to the Secretary of Commerce, who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal regulation of the labeling of consumer commodities.

(b) Nothing contained in this section shall be construed to impair or otherwise interfere with any program carried into effect by the Secretary of Health, Education, and Welfare under other provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

DEFINITIONS

Sec. 10. For the purposes of this Act—

(a) The term "consumer commodity", except as otherwise specifically provided by this subsection, means any food, drug, device, or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use. Such term does not include—

(1) any meat or meat product, poultry or poultry product, or tobacco or tobacco product;

(2) any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, or the provisions of the eighth paragraph under the heading "Bureau of Animal Industry" of the Act of March 4, 1913 (37 Stat. 832–833; 21 U.S.C. 151–157), commonly known as the Virus-Serum-Toxin Act;

(3) any drug subject to the provisions of section 503(b)(1) or 506 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1) and 356);

(4) any beverage subject to or complying with packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.); or

(5) any commodity subject to the provisions of the Federal Seed Act (7 U.S.C. 1551–1610).

(b) The term "package" means any container or wrapping in which any consumer commodity is enclosed for use in the delivery or display of that consumer commodity to retail purchasers, but does not include—

(1) shipping containers or wrappings used solely for the transportation of any consumer commodity in bulk or in quantity to manufacturers, packers, or processors, or to wholesale or retail distributors thereof;

(2) shipping containers or outer wrappings used by retailers to ship or deliver any commodity to retail customers if such containers and wrappings bear no printed matter pertaining to any particular commodity; or

(3) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236), the Act of August 31, 1916 (39 Stat. 673, as amended; 15 U.S.C. 251–256), or the Act of May 21, 1928 (45 Stat. 685, as amended; 15 U.S.C. 257–257i).

(c) The term "label" means any written, printed, or graphic matter affixed to any consumer commodity or affixed to or appearing upon a package containing any consumer commodity.

(d) The term "person" includes any firm, corporation, or association.

(e) The term "commerce" means (1) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rica, or any territory or possession of the United States, and any place outside thereof, and (2) commerce within the District of Columbia or within any territory or possession of the United States not organized with a legislative body, but shall not include exports to foreign countries.

(f) The term "principal display panel" means that part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display for retail sale.

SAVING PROVISION

Sec. 11. Nothing contained in this Act shall be construed to repeal, invalidate, or supersede—

(a) the Federal Trade Commission Act or any statute defined therein as an antitrust Act;

(b) the Federal Food, Drug, and Cosmetic Act; or

(c) the Federal Hazardous Substances Labeling Act.

EFFECT UPON STATE LAW

Sec. 12. It is hereby declared that it is the express intent of Congress to supersede any and all laws of the States or political subdivisions thereof insofar as they may now or hereafter provide for the labeling of the net quantity of contents of the package of any consumer commodity covered by this Act which are less stringent than or require information different from the requirements of section 4 of this Act or regulations promulgated pursuant thereto.

EFFECTIVE DATE

Sec. 13. This Act shall take effect on July 1, 1967: *Provided,* That the Secretary (with respect to any consumer commodity which is a food, drug, device, or cosmetic, as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and the Commission (with respect to any other consumer commodity), may by regulation postpone, for an additional twelve-month period, the effective date of this Act with respect to any class or type of consumer commodity on the basis of a finding that such a postponement would be in the public interest.

Mr. MAGNUSON. Madam President, I move that the Senate disagree to the amendment of the House and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Magnuson, Mr. Pastore, Mr. Hart, Mr. Cannon, Mr. Cotton, and Mr. Morton conferees on the part of the Senate.

AMENDMENT OF CLEAN AIR ACT

Mr. MANSFIELD. Madam President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 3112.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes, which were, on page 2, line 5, strike out "$46,000,000" and insert "$39,000,000"; on page 2, line 6, strike out "$70,000,000" and insert "$62,000,000"; on page 2, line 7, strike out "$80,000,000" and insert "$71,000,000"; on page 2, line 19, after "agencies" insert "in an amount"; and on page 3, line 13, after " "control".", insert:

Such next to the last sentence is further amended by inserting immediately before the period at the end thereof the following: "; and no agency shall receive any grant under this section with respect to the maintenance of a program for the prevention and control of air pollution unless the Secretary is satisfied that such grant will be so used as to supplement and, to the extent practicable, increase the level of State, local, and other non-Federal funds that would in the absence of such grant be made available for the maintenance of such program, and will in no event supplant such State, local, and other non-Federal funds".

Mr. MANSFIELD. Madam President, I move that the Senate disagree to the amendments of the House and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RANDOLPH, Mr. MUSKIE, Mr. MOSS, Mr. HARRIS, Mr. BOGGS, and Mr. MURPHY conferees on the part of the Senate.

FINANCIAL INSTITUTIONS SUPERVISORY ACT OF 1966

Mr. MANSFIELD. Madam President, on behalf of the Senator from Virginia [Mr. ROBERTSON], I ask that the Chair lay before the Senate the amendment of the House of Representatives to the bill (S. 3158).

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Financial Institutions Supervisory Act of 1966".

TITLE I—PROVISIONS RELATING TO THE FEDERAL HOME LOAN BANK BOARD AND THE FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

SEC. 101. (a) Subsection (d) of section 5 of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(d)) is hereby amended to read as follows:

"(d)(1) The Board shall have power to enforce this section and rules and regulations made hereunder. In the enforcement of any provision of this section or rules and regulations made hereunder, or any other law or regulation, or in any other action, suit, or proceeding to which it is a party or in which it is interested, and in the administration of conservatorships and receiverships, the Board is authorized to act in its own name and through its own attorneys. Except as otherwise provided herein, the Board shall be subject to suit (other than suits on claims for money damages) by any Federal savings and loan association or director or officer thereof with respect to any matter under this section or any other applicable law, or rules or regulations thereunder, in the United States district court for the judicial district in which the home office of the association is located, or in the United States District Court for the District of Columbia, and the Board may be served with process in the manner prescribed by the Federal Rules of Civil Procedure.

"(2)(A) If, in the opinion of the Board, an association is violating or has violated, or the Board has reasonable cause to believe that the association is about to violate, a law, rule, regulation, or charter or other condition imposed in writing by the Board in connection with the granting of any application or other request by the association, or written agreement entered into with the Board, or is engaging or has engaged, or the Board has reasonable cause to believe that the association is about to engage, in an unsafe or unsound practice, the Board may issue and serve upon the association a notice of charges in respect thereof. The notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices, and shall fix a time and place at which a hearing will be held to determine whether an order to cease and desist therefrom should issue against the association. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after service of such notice unless an earlier or a later date is set by the Board at the request of the association. Unless the association shall appear at the hearing by a duly authorized representative, it shall be deemd to have consented to the issuance of the cease-and-desist order. In the event of such consent, or if upon the record made at any such hearing the Board shall find that any violation or unsafe or unsound practice specified in the notice of charges has been established, the Board may issue and serve upon the association an order to cease and desist from any such violation or practice. Such order may, by provisions which may be mandatory or otherwise, require the association and its directors, officers, employees, and agents to cease and desist from the same, and, further, to take affirmative action to correct the conditions resulting from any such violation or practice.

"(B) A cease-and-desist order shall become effective at the expiration of thirty days after service of such order upon the association concerned (except in the case of a cease-and-desist order issued upon consent, which shall become effective at the time specified therein), and shall remain effective and enforceable, except to such extent as it is stayed, modified, terminated, or set aside by action of the Board or a reviewing court.

"(3)(A) Whenever the Board shall determine that the violation or threatened violation or the unsafe or unsound practice or practices, specified in the notice of charges served upon the association pursuant to paragraph (2)(A) of this subsection, or the continuation thereof, is likely to cause insolvency (as defined in paragraph (6)(A)(i) of this subsection) or substantial dissipation of assets or earnings of the association, or is likely to otherwise seriously prejudice the interests of its savings account holders, the Board may issue a temporary order requiring the association to cease and desist from any such violation or practice. Such order shall become effective upon service upon the association and, unless set aside, limited, or suspended by a court in proceedings authorized by subparagraph (B) of this paragraph, shall remain effective and enforceable pending the completion of the administrative proceedings pursuant to such notice and until such time as the Board shall dismiss the charges specified in such notice or, if a cease-and-desist order is issued against the association, until the effective date of any such order.

"(B) Within ten days after the association concerned has been served with a temporary cease-and-desist order, the association may apply to the United States district court for the judicial district in which the home office of the association is located, or the United States District Court for the District of Columbia, for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of such order pending the completion of the administrative proceedings pursuant to the notice of charges served upon the association under paragraph (2)(A) of this subsection, and such court shall have jurisdiction to issue such injunction.

"(C) In the case of violation or threatened violation of, or failure to obey, a temporary cease-and-desist order, the Board may apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the association is located, for an injunction to enforce such order, and, if the court shall determine that there has been such violation or threatened violation or failure to obey, it shall be the duty of the court to issue such injunction.

"(4)(A) Whenever, in the opinion of the Board, any director or officer of an association has committed any violation of law, rule, or regulation, or of a cease-and-desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the association, or has committed or engaged in any act, omission, or practice which constitutes a breach of his fiduciary duty as such director or officer, and the Board determines that the association has suffered or will probably suffer substantial financial loss or other damage or that the interests of its savings account holders could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the Board may serve upon such director or officer a written notice of its intention to remove him from office.

"(B) Whenever, in the opinion of the Board, any director or officer of an association, by conduct or practice with respect to another savings and loan association or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer, and, whenever, in the opinion of the Board, any other person participating in the conduct of the affairs of an association, by conduct or practice with respect to such association or other savings and loan association or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such association, the Board may serve upon such director, officer, or other person a written notice of its intention to remove him from office and/or to prohibit his further participation in any manner in the conduct of the affairs of such association.

"(C) In respect to any director or officer of an association or any other person referred to in subparagraph (A) or (B) of this paragraph, the Board may, if it deems it necessary for the protection of the association or the interests of its savings account holders, by written notice to such effect served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the association. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by subparagraph (E) of this paragraph, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under subparagraph (A) or (B) of this paragraph and until such time as the Board shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the association of which he is a director or officer or in the conduct of whose affairs he has participated.

"(D) A notice of intention to remove a director, officer, or other person from office and/or to prohibit his participation in the conduct of the affairs of an association, shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or a later date is set by the Board at the request of (i) such director, officer, or other person, and for good cause shown, or (ii) the Attorney General of the United States. Unless such director, officer, or other person shall appear at the hearing in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal and/or prohibition. In the event of such consent, or if upon the record made at any such hearing the Board shall find that any of the grounds specified in such notice has been established, the Board may issue such orders of suspension or removal from office, and/or prohibition from participation in the conduct of the affairs of the association, as it may deem appropriate. Any such order shall become effective at the expiration of thirty days after service upon such association and the director, officer, or other person concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the Board or a reviewing court.

"(E) Within ten days after any director, officer, or other person has been suspended from office and/or prohibited from participation in the conduct of the affairs of an association under subparagraph (C) of this paragraph, such director, officer, or other person may apply to the United States district court for the judicial district in which the home office of the association is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director, officer, or other person under subparagraph (A) or (B) of this paragraph, and such court shall have jurisdiction to stay such suspension and/or prohibition.

"(5) (A) Whenever any director or officer of an association, or other person participating in the conduct of the affairs of such association, is charged in any information, indictment, or complaint authorized by a United States Attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the Board may, by written notice served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the association. A copy of such notice shall also be served upon the association. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the Board. In the event that a judgment of conviction with respect to such offense is entered against such director, officer, or other person, and at such time as such judgment is not subject to further appellate review, the Board may issue and serve upon such director, officer, or other person an order removing him from office and/or prohibiting him from further participation in any manner in the conduct of the affairs of the association except with the consent of the Board. A copy of such order shall be served upon such association, whereupon such director or officer shall cease to be a director or officer of such association. A finding of not guilty or other disposition of the charge shall not preclude the Board from thereafter instituting proceedings to remove such director, officer, or other person from office and/or to prohibit further participation in association affairs, pursuant to subparagraph (A) or (B) of paragraph (4) of this subsection.

"(B) If at any time, because of the suspension of one or more directors pursuant to this subsection (d), there shall be on the board of directors of an association less than a quorum of directors not so suspended, all powers and functions vested in or exercisable by such board shall vest in and be exercisable by the director or directors on the board and not so suspended, until such time as there shall be a quorum of the board of directors. In the event all of the directors of an association are suspended pursuant to this subsection (d), the Board shall appoint persons to serve temporarily as directors in their place and stead pending the termination of such suspensions, or until such time as those who have been suspended cease to be directors of the association and their respective successors take office.

"(6) (A) The grounds for the appointment of a conservator or receiver for an association shall be one or more of the following: (i) insolvency in that the assets of the association are less than its obligations to its creditors and others, including its members; (ii) substantial dissipation of assets or earnings due to any violation or violations of law, rules, or regulations, or to any unsafe or unsound practice or practices; (iii) an unsafe or unsound condition to transact business; (iv) willful violation of a cease-and-desist order which has become final; (v) concealment of books, papers, records, or assets of the association or refusal to submit books, papers, records, or affairs of the association for inspection to any examiner or to any lawful agent of the Board. The Board shall have exclusive power and jurisdiction to appoint a conservator or receiver. If, in the opinion of the Board, a ground for the appointment of a conservator or receiver as herein provided exists, the Board is authorized to appoint ex parte and without notice a conservator or receiver for the association. In the event of such appointment, the association may, within thirty days thereafter, bring an action in the United States district court for the judicial district in which the home office of such association is located, or in the United States District Court for the District of Columbia, for an order requiring the Board to remove such conservator or receiver, and the court shall upon the merits dismiss such action or direct the Board to remove such conservator or receiver. Such proceedings shall be given precedence over other cases pending in such courts, and shall be in every way expedited. Upon the commencement of such an action, the court having jurisdiction of any other action or proceeding authorized under this subsection to which the association is a party shall stay such action or proceeding during the pendency of the action for removal of the conservator or receiver.

"(B) In addition to the foregoing provisions, the Board may, without any requirement of notice, hearing, or other action, appoint a conservator or receiver for an association in the event that (i) the association, by resolution of its board of directors or of its members, consents to such appointment, or (ii) the association is removed from membership in any Federal home loan bank, or its status as an institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation is terminated.

"(C) Except as otherwise provided in this subsection, no court may take any action for or toward the removal of any conservator or receiver, or, except at the instance of the Board, restrain or affect the exercise of powers or functions of a conservator or receiver.

"(D) A conservator shall have all the powers of the members, the directors, and the officers of the association and shall be authorized to operate the association in its own name or to conserve its assets in the manner and to the extent authorized by the Board. The Board shall appoint only the Federal Savings and Loan Insurance Corporation as receiver for an association, and said Corporation shall have power to buy at its own sale as receiver, subject to approval by the Board. The Board may, without any requirement of notice, hearing, or other action, replace a conservator with another conservator or with a receiver, but any such replacement shall not affect any right which the association may have to obtain judicial review of the original appointment, except that any removal under this paragraph (6) shall be removal of the conservator or receiver in office at the time of such removal.

"(7) (A) Any hearing provided for in this subsection (d) shall be held in the Federal judicial district or in the territory in which the home office of the association is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. Such hearing shall be public, unless the Board, in its discretion, after considering the views of the party afforded the hearing, determines that a private hearing would be in the public interest. After such hearing, and within ninety days after the Board has notified the parties that the case has been submitted to it for final decision, the Board shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and cause to be served upon each party to the proceeding an order or orders consistent with the provisions of this subsection. Judicial review of any such order shall be exclusively as provided in this paragraph (7). Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in subparagraph (B) of this paragraph, and thereafter until the record in the proceeding has been filed as so provided, the Board may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Board may modify, terminate, or set aside any such order with permission of the court.

"(B) Any party to the proceeding, or any person required by an order issued under this subsection to cease and desist from any of the violations or practices stated therein, may obtain a review of any order served pursuant to subparagraph (A) of this paragraph (other than an order issued with the consent of the association or the director or officer or other person concerned, or an order issued under paragraph (5) (A) of this subsection), by filing in the court of appeals of the United States for the circuit in which the home office of the association is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Board be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Board, and thereupon the Board shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall except as provided in the last sentence of said subparagraph (A) be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Board. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

"(C) The commencement of proceedings for judicial review under subparagraph (B) of this paragraph shall not, unless specifically ordered by the court, operate as a stay of any order issued by the Board.

"(8) The Board may in its discretion apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the association is located, for the enforcement of any effective and outstanding notice or order issued by the Board under this subsection (d), and such courts shall have jurisdiction and power to order and require compliance therewith; but except as otherwise provided in this subsection no court shall have jurisdiction to affect by injunction or otherwise the issuance or enforcement of any notice or order under this subsection, or to review, modify, suspend, terminate, or set aside any such notice or order. Any court having jurisdiction of any proceeding instituted under this subsection by an association or a director or officer thereof, may allow to any such party such reasonable expenses and attorneys' fees as it deems just and proper; and such expenses and fees shall be paid by the association or from its assets.

"(9) In the course of or in connection with any proceeding under this subsection, the Board or any member thereof or a designated representative of the Board, including any person designated to conduct any hearing under this subsection, shall have power to administer oaths and affirmations, to take or cause to be taken depositions, and to issue, revoke, quash, or modify subpenas and subpenas duces tecum; and the Board is empowered to make rules and regulations with respect to any such proceedings. The attendance of witnesses and the production of documents provided for in this paragraph may be required from any place in any State or in any territory at any designated place where such proceeding is being conducted. Any party to proceedings under this subsection may apply to the United States District Court for the District of Columbia, or the United States district court for the judicial district or the United States court in any territory in which such proceeding is being conducted or where the witness resides or carries on business, for enforcement of any subpena or subpena duces tecum issued pursuant to this paragraph, and such courts shall have jurisdiction and power to order and require compliance therewith. Witnesses subpenaed under this paragraph shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. All expenses of the Board or of the Federal Savings and Loan Insurance Corporation in connection with this subsection shall be considered as nonadministrative expenses.

"(10) Any service required or authorized to be made by the Board under this subsection may be made by registered mail, or in such other manner reasonably calculated to give actual notice as the Board may by regulation or otherwise provide.

"(11) The Board shall have power to make rules and regulations for the reorganization, consolidation, liquidation, and dissolution of associations, for the merger of associations with other institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, for associations in conservatorship and receivership, and for the conduct of conservatorships and receiverships; and the Board may, by regulation or otherwise, provide for the exercise of functions by members, directors, or officers of an association during conservatorship and receivership.

"(12) (A) Any director or officer, or former director or officer, of an association, or any other person, against whom there is outstanding and effective any notice or order (which is an order which has become final) served upon such director, officer, or other person under paragraph (4) (C), (4) (D), or (5) (A) of this subsection, and who (i) participates in any manner in the conduct of the affairs of such association, or directly or indirectly solicits or procures, or transfers or attempts to transfer, or votes or attempts to vote any proxies, consents, or authorizations in respect of any voting rights in such association, or (ii) without the prior written approval of the Board, votes for a director or serves or acts as a director, officer, or employee of any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, shall upon conviction be fined not more than $5,000 or imprisoned for not more than one year, or both.

"(B) Except with the prior written consent of the Board, no person shall serve as a director, officer, or employee of an association who has been convicted, or who is hereafter convicted, of a criminal offense involving dishonesty or a breach of trust. For each willful violation of this prohibition, the association involved shall be subject to a penalty of not more than $100 for each day this prohibition is violated, which the Board may recover by suit or otherwise for its own use.

"(C) Whenever a conservator or receiver appointed by the Board demands possession of the property, business, and assets of any association, or of any part thereof, the refusal by any director, officer, employee, or agent of such association to comply with the demand shall be punishable by a fine of not more than $5,000 or imprisonment for not more than one year, or both.

"(13) (A) As used in this subsection—

"(1) The terms 'cease-and-desist order which has become final' and 'order which has become final' means a cease-and-desist order, or an order, issued by the Board with the consent of the association or the director or officer or other person concerned, or with respect to which no petition for review of the action of the Board has been filed and perfected in a court of appeals as specified in paragraph (7) (B) of this subsection, or with respect to which the action of the court in which said petition is so filed is not subject to further review by the Supreme Court of the United States in proceedings provided for in said paragraph, or an order issued under paragraph (5) (A) of this subsection.

"(2) The term 'territory' includes the Commonwealth of Puerto Rico, and any possession of the United States or any place subject to the jurisdiction of the United States.

"(B) As used in paragraph (4) of this subsection, the term 'violation' includes without limitation any action (alone or with another or others) for or toward causing, bringing about, participating in, counseling, or aiding or abetting a violation.

"(14) As used in this subsection, the terms 'Federal savings and loan association' and 'association' shall include any institution with respect to which the Federal Home Loan Bank Board now or hereafter has any statutory power of examination or supervision under any Act or joint resolution of Congress other than this Act, the Federal Home Loan Bank Act, and the National Housing Act. For the purposes of this paragraph (14), references in this subsection to directors, officers, employees, and agents, or to former directors or officers, of associations shall be deemed to be references respectively to directors, officers, employees, and agents, or to former directors or officers, of such institutions, references therein to savings account holders and to members of associations shall be deemed to be references to holders of withdrawable accounts in such institutions, and references therein to boards of directors of associations shall be deemed to be references to boards of directors or other governing boards of such institutions. Said Board shall have power by regulation to define, for the purposes of this paragraph (14), terms used or referred to in the sentence next preceding and other terms used in this subsection."

(b) The amendment made by subsection (a) of this section shall be effective only with respect to proceedings commenced on or after the date of enactment of this Act. Section 5(d) of the Home Owners Loan Act of 1933 as in effect immediately prior to the date of enactment of this Act shall continue in effect with respect to any proceedings commenced prior to such date.

SEC. 102. (a) Section 407 of the National Housing Act (12 U.S.C. 1730) is hereby amended to read as follows:

"SEC. 407. TERMINATION OF INSURANCE AND ENFORCEMENT PROVISIONS.—

"(a) VOLUNTARY TERMINATION OF INSURANCE.—Any insured institution other than a Federal savings and loan association may terminate its status as an insured institution by written notice to the Corporation specifying a date for such termination.

"(b) INVOLUNTARY TERMINATION OF INSURANCE; NOTICE AND HEARING.—(1) Whenever, in the opinion of the Corporation, any insured institution has violated its duty as such or is engaging or has engaged in an unsafe or unsound practice in conducting the business of such institution, or is in an unsafe or unsound condition to continue operations as an insured institution, or is violating or has violated an applicable law, rule, regulation, or order, or any condition imposed in writing by the Corporation in connection with the granting of any application or other request by the institution, or any written agreement entered into with the Corporation, including any agreement entered into under section 403 of this title, the Corporation shall serve upon the institution a statement with respect to such violations or practices or conditions for the purpose of securing the correction thereof, and shall send a copy of such statement to the appropriate State supervisory authority.

"(2) Unless such correction shall be made within one hundred and twenty days after service of such statement, or such shorter period of not less than twenty days after such service as (A) the Corporation shall require in any case where the Corporation determines that its insurance risk with respect to such institution could be unduly jeopardized by further delay in the correction of such violations or practices or conditions, or (B) the appropriate State supervisory authority shall require, or unless within such time the Corporation shall have received acceptable assurances that such correction will be made within a time and in a manner satisfactory to the Corporation, or in the event such assurances are submitted to and accepted by the Corporation but are not carried out in accordance with their terms, the Corporation may, if it shall determine to proceed further, issue and serve upon the institution written notice of intention to terminate the status of the institution as an insured institution.

"(3) Such notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices or condition, and shall fix a time and place for a hearing thereon. Such hearing shall be fixed for a date not earlier than thirty days after service of such notice. Unless the institution shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the termination of its status as an insured institution. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any violation or unsafe or unsound practice or condition specified in such notice has been established and has not been corrected within the time above prescribed in which to make correction, the Corporation may issue and serve upon the institution an order terminating the status of the institution as an insured institution; but any such order shall not become effective until it is an order which has become final (except in the case of an order of termination issued upon consent, which shall become effective at the time specified therein).

"(c) DATE OF TERMINATION OF INSURED STATUS.—The effective date of the termination of an institution's status as an insured institution under the foregoing provisions of this section shall be the date specified for such termination in the notice by the institution to the Corporation as provided in subsection (a) of this section, or the date upon which an order of termination issued under subsection (b)(3) of this section becomes effective. The Corporation may from time to time postpone the effective date of the termination of an institution's status as an insured institution at any time before such termination has become effective, but in the case of termination by notice given by the institution such effective date shall be postponed only with the written consent of the institution.

"(d) CONTINUATION OF INSURANCE; EXAMINATION; NOTICE TO MEMBERS; AND PAYMENT OF PREMIUMS.—In the event of the termination of an institution's status as an insured institution, insurance of its accounts to the extent that they were insured on the effective date of such termination as hereinabove provided in subsection (c), less any amounts thereafter withdrawn, repurchased, or redeemed, shall continue for a period of two years, but no investments or deposits made after such date shall be insured. The Corporation shall have the right to examine such institution from time to time during the two-year period aforesaid. Such insured institution shall be obligated to pay, within thirty days after the effective date of such termination, as a final insurance premium, a sum equivalent to twice the last annual insurance premium payable by it. In the event of the termination of insurance of accounts as herein provided the institution which was the insured institution shall give prompt and reasonable notice to all of its insured members that it has ceased to be an insured institution and it may include in such notice the fact that insured accounts, to the extent not withdrawn, repurchased, or redeemed, remain insured for two years from the date of such termination, but it shall not further represent itself in any manner as an insured institution. In the event of failure to give the notice to insured members as herein provided the Corporation is authorized to give reasonable notice.

"(e) CEASE-AND-DESIST PROCEEDINGS.—(1) If, in the opinion of the Corporation, any insured institution or any institution any of the accounts of which are insured is engaging or has engaged, or the Corporation has reasonable cause to believe that the institution is about to engage, in an unsafe or unsound practice in conducting the business of such institution, or is violating or has violated, or the Corporation has reasonable cause to believe that the institution is about to violate, a law, rule, or regulation, or any condition imposed in writing by the Corporation in connection with the granting of any application or other request by the institution, or written agreement entered into with the Corporation, including any agreement entered into under section 403 of this title, the Corporation may issue and serve upon the institution a notice of charges in respect thereof. The notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices, and shall fix a time and place at which a hearing will be held to determine whether an order to cease and desist therefrom should issue against the institution. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after service of such notice unless an earlier or a later date is set by the Corporation at the request of the institution. Unless the institution shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the issuance of the cease-and-desist order. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any violation or unsafe or unsound practice specified in the notice of charges has been established, the Corporation may issue and serve upon the institution an order to cease and desist from any such violation or practice. Such order may, by provisions which may be mandatory or otherwise, require the institution and its directors, officers, employees, and agents to cease and desist from the same, and, further, to take affirmative action to correct the conditions resulting from any such violation or practice.

"(2) A cease-and-desist order shall become effective at the expiration of thirty days after service of such order upon the institution concerned (except in the case of a cease-and-desist order issued upon consent, which shall become effective at the time specified therein), and shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the Corporation or a reviewing court.

"(f) TEMPORARY CEASE-AND-DESIST ORDERS.—(1) Whenever the Corporation shall determine that the violation or threatened violation or the unsafe or unsound practice or practices, specified in the notice of charges served upon the institution pursuant to subsection (e)(1) of this section, or the continuation thereof, is likely to cause insolvency or substantial dissipation of assets or earnings of the institution, or is likely to otherwise seriously prejudice the interest of its insured members or of the Corporation, the Corporation may issue a temporary order requiring the institution to cease and desist from any such violation or practice. Such order shall become effective upon service upon the institution and, unless set aside, limited, or suspended by a court in proceedings authorized by paragraph (2) of this subsection, shall remain effective and enforceable pending the completion of the administrative proceedings pursuant to such notice and until such time as the Corporation shall dismiss the charges specified in such notice or, if a cease-and-desist order is issued against the institution, until the effective date of any such order.

"(2) Within ten days after the institution concerned has been served with a temporary cease-and-desist order, the institution may apply to the United States district court for the judicial district in which the principal office of the institution is located, or the United States District Court for the District of Columbia, for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of such order pending the completion of the administrative proceedings pursuant to the notice of charges served upon the institution under subsection (e)(1) of this section, and such court shall have jurisdiction to issue such injunction.

"(3) In the case of violation or threatened violation of, or failure to obey, a temporary cease-and-desist order, the Corporation may apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the principal office of the institution is located, for an injunction to enforce such order, and, if the court shall determine that there has been such violation or threatened violation or failure to obey, it shall be the duty of the court to issue such injunction.

"(g) SUSPENSION OR REMOVAL OF DIRECTOR OR OFFICER.—(1) Whenever, in the opinion of the Corporation any director or officer of an insured institution has committed any violation of law, rule, or regulation, or of a cease-and-desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the institution, or has committed or engaged in any act, omission, or practice which constitutes a breach of his fiduciary duty as such director or officer, and the Corporation determines that the institution has suffered or will probably suffer substantial financial loss or other damage or that the interests of its insured members could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the Corporation may serve upon such director or officer a written notice of its intention to remove him from office.

"(2) Whenever, in the opinion of the Corporation, any director or officer of an insured institution, by conduct or practice with respect to another insured institution or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer, and, whenever, in the opinion of the Corporation, any other person participating in the conduct of the affairs of an insured institution, by conduct or practice with respect to such institution or other insured institution or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such insured institution, the Corporation may serve upon such director, officer, or other person a written notice of its intention to remove him from office and/or to prohibit his further participation in any manner in the conduct of the affairs of such institution.

"(3) In respect to any director or officer of an insured institution or any other person referred to in paragraph (1) or (2) of this subsection, the Corporation may, if it deems it necessary for the protection of the institution or the interests of its insured members or of the Corporation, by written notice to such effect served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the institution. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by paragraph (5) of this subsection, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under paragraph (1) or (2) of this subsection and until such time as the

Corporation shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the institution of which he is a director or officer or in the conduct of whose affairs he has participated.

"(4) A notice intention to remove a director, officer, or other person from office and/or to prohibit his participation in the conduct of the affairs of an insured institution, shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or a later date is set by the Corporation at the request of (A) such director, officer, or other person and for good cause shown, or (B) the Attorney General of the United States. Unless such director, officer, or other person shall appear at the hearing in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal and/or prohibition. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any of the grounds specified in such notice has been established, the Corporation may issue such orders of suspension or removal from office, and/or prohibition from participation in the conduct of the affairs of the institution, as it may deem appropriate. Any such order shall become effective at the expiration of thirty days after service upon such institution and the director, officer, or other person concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the Corporation or a reviewing court.

"(5) Within ten days after any director, officer, or other person has been suspended from office and/or prohibited from participation in the conduct of the affairs of an insured institution under paragraph (3) of this subsection, such director, officer, or other person may apply to the United States district court for the judicial district in which the principal office of the institution is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director, officer, or other person under paragraph (1) or (2) of this subsection, and such court shall have jurisdiction to stay such suspension and/or prohibition.

"(h) SUSPENSION OF DIRECTOR OR OFFICER CHARGED WITH FELONY.—Whenever any director or officer of an insured institution, or other person participating in the conduct of the affairs of such institution, is charged in any information, indictment, or complaint authorized by a United States Attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the Corporation may, by written notice served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the institution. A copy of such notice shall also be served upon the institution. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the Corporation. In the event that a judgment of conviction with respect to such offense is entered against such director, officer, or other person, and at such time as such judgment is not subject to further appellate review, the Corporation may issue and serve upon such director, officer, or other person an order removing him from office and/or prohibiting him from further participation in any manner in the conduct of the affairs of the institution except with the consent of the Corporation. A copy of such order shall also be served upon such institution, whereupon such director or officer shall cease to be a director or officer of such institution. A finding of not guilty or other disposition of the charge shall not preclude the Corporation from thereafter instituting proceedings to remove such director, officer, or other person from office and/or to prohibit further participation in institution affairs, pursuant to paragraph (1) or (2) of subsection (g) of this section.

"(i) TERMINATION OF FEDERAL HOME LOAN BANK MEMBERSHIP.—Termination under this section or otherwise of the status of an institution as an insured institution shall automatically constitute a removal under subsection (i) of section 6 of the Federal Home Loan Bank Act of the institution from Federal home loan bank membership, if at the time of such termination such institution is a member of a Federal home loan bank; and removal of an institution from Federal home loan bank membership under subsection (i) of section 6 of the Federal Home Loan Bank Act or otherwise shall automatically constitute an order of termination under this section of the status of such institution as an insured institution, if such institution is at the time of such removal an insured institution.

"(j) HEARINGS AND JUDICIAL REVIEW.—(1) Any hearing provided for in this section shall be held in the Federal judicial district or in the territory in which the principal office of the institution is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. Such hearing shall be public unless the Corporation, in its discretion, after considering the views of the party afforded the hearing, determines that a private hearing would be in the public interest. After such hearing, and within ninety days after the Corporation has notified the parties that the case has been submitted to it for final decision, the Corporation shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and cause to be served upon each party to the proceeding an order or orders consistent with the provisions of this section. Judicial review of any such order shall be exclusively as provided in this subsection. Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in paragraph (2) of this subsection, and thereafter until the record in the proceeding has been filed as so provided, the Corporation may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Corporation may modify, terminate, or set aside any such order with permission of the court.

"(2) Any party to the proceeding, or any person required by an order issued under this section to cease and desist from any of the violations or practices stated therein, may obtain a review of any order served pursuant to paragraph (1) of this subsection (other than an order issued with the consent of the institution or the director or officer or other person concerned, or an order issued under subsection (h) of this section), by filing in the court of appeals of the United States for the circuit in which the principal office of the institution is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Corporation be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Corporation, and thereupon the Corporation shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have juridiction, which upon the filing of the record shall, except as provided in the last sentence of said paragraph (1), be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Corporation. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

"(3) The commencement of proceedings for judicial review under paragraph (2) of this subsection shall not, unless specifically ordered by the court, operate as a stay of any order issued by the Corporation.

"(k) JURISDICTION AND ENFORCEMENT.—(1) Notwithstanding any other provision of law, (A) the Corporation shall be deemed to be an agency of the United States within the meaning of section 451 of title 28 of the United States Code; (B) any civil action, suit, or proceeding to which the Corporation shall be a party shall be deemed to arise under the laws of the United States, and the United States district courts shall have original jurisdiction thereof, without regard to the amount in controversy; and (C) the Corporation may, without bond or security, remove any such action, suit, or proceeding from a State court to the United States district court for the district and division embracing the place where the same is pending by following any procedure for removal now or hereafter in effect: *Provided*, That any action, suit, or proceeding to which the Corporation is a party in its capacity as conservator, receiver, or other legal custodian of an insured State-chartered institution and which involves only the rights or obligations of investors, creditors, stockholders, and such institution under State law shall not be deemed to arise under the laws of the United States. No attachment or execution shall be issued against the Corporation or its property before final judgment in any action, suit, or proceeding in any court of any State or of the United States or any territory, or any other court.

"(2) The Corporation may, in its discretion, apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the principal office of the institution is located, for the enforcement of any effective and outstanding notice or order issued by the Corporation under this section, and such courts shall have jurisdiction and power to order and require compliance therewith; but except as otherwise provided in this section no court shall have jurisdiction to affect by injunction or otherwise the issuance or enforcement of any notice or order under this section, or to review, modify, suspend, terminate, or set aside any such notice or order.

"(l) REPORTING REQUIREMENTS.—(1) Whenever a change occurs in the outstanding voting stock of any insured institution which will result in control or a change in the control of such institution, the president or other chief executive officer of such institution shall promptly report such facts to the Corporation upon obtaining knowledge of such change. As used in this subsection, the term 'control' means the power to directly or indirectly direct or cause the direction of the management or policies of the insured institution. If there is any doubt as to whether a change in ownership or other change in the outstanding voting stock of any insured institution is sufficient to result in control or a change in the control thereof, such doubt shall be resolved in favor of reporting the facts to the Corporation.

"(2) Whenever an insured institution or an insured bank of the Federal Deposit Insurance Corporation makes a loan or loans secured (or to be secured) by 25 per centum or more of the voting stock of an insured institution, the president or other chief executive officer of the lending insured institution or insured bank shall promptly report such fact to the Corporation upon obtaining knowledge of such loan or loans, except that no report need be made in those cases where the borrower has been the owner of record of the stock for a period of one year or more, or the stock is of a newly organized insured institution prior to its opening.

"(3) The reports required by paragraphs (1) and (2) of this subsection shall contain the following information to the extent that it is known by the person making the report: (A) the number of shares involved, (B) the names of the sellers (or transferors), (C) the names of the purchasers (or transferees), (D) the names of the beneficial owners if the shares are of record in another name or other names, (E) the purchase price, (F) the total number of shares owned by the sellers (or transferors), the purchasers (or transferees) and the beneficial owners both immediately before and after the transaction, and in the case of a loan, (G) the name of the borrower, (H) the amount of the loan, and (I) the name of the institution issuing the stock securing the loan and the number of shares securing the loan. In addition to the foregoing, such reports shall contain such other information as may be available to inform the Corporation of the effect of the transaction upon control of the institution whose stock is involved. The reports required by this subsection shall be in addition to any reports that may be required pursuant to other provisions of law.

"(4) Whenever such a change as is described in paragraph (1) of this subsection occurs, the insured institution involved shall report promptly to the Corporation any change or changes, or replacement or replacements, of its chief executive officer or of any director occurring in the next twelve-month period, including in its report a statement of the past and current business and professional affiliations of the new chief executive officer or director.

"(5) Without limitation by or on the foregoing provisions of this subsection, the Corporation may require insured institutions and individuals or other persons who have or have had any connection with the management of any insured institution, as defined by the Corporation, to provide, in such manner and under such civil penalties (which shall be cumulative to any other remedies) as the Corporation may prescribe, such periodic or other reports and disclosures as the Corporation may determine to be necessary or appropriate for the protection of investors or the Corporation.

"(6) As used in this subsection, the term 'stock' means such stock or other equity securities or equity interests in an insured institution, or rights, interests, or powers with respect thereto, regardless of whether such institution is a stock company, a mutual institution, or otherwise, as the Corporation may by regulation define for the purposes of this subsection.

"(m) ANCILLARY PROVISIONS.—(1) In making examinations of insured institutions, examiners appointed by the Federal Home Loan Bank Board shall have power, on behalf of the Corporation, to make such examinations of the affairs of all affiliates of such institutions as shall be necessary to disclose fully the relations between such institutions and their affiliates and the effect of such relations upon such institutions. The cost of examinations of such affiliates shall be assessed against and paid by the institution. For purposes of this subsection, the term 'affiliate' shall have the same meaning as where used in section 2(b) of the Banking Act of 1933 (12 U.S.C. 221a(b)), except that the term 'member bank' in said section 2(b) shall be deemed to refer to an insured institution.

"(2) In connection with examinations of insured institutions and affiliates thereof, the Corporation, or its designated representatives, shall have power to administer oaths and affirmations and to examine and to take and preserve testimony under oath as to any matter in respect of the affairs or ownership of any such institution or affiliate thereof, and to issue subpenas and subpenas duces tecum, and, for the enforcement thereof, to apply to the United States district court for the judicial district or the United States court in any territory in which the principal office of the institution or affiliate thereof is located, or in which the witness resides or carries on business. Such courts shall have jurisdiction and power to order and require compliance with any such subpena.

"(3) In the course of or in connection with any proceeding under this section, the Corporation or its designated representatives, including any person designated to conduct any hearing under this section, shall have power to administer oaths and affirmations, to take or cause to be taken depositions, and to issue, revoke, quash, or modify subpenas and subpenas duces tecum; and the Corporation is empowered to make rules and regulations with respect to any such proceedings. The attendance of witnesses and the production of documents provided for in this subsection may be required from any place in any State or in any territory at any designated place where such proceeding is being conducted. Any party to proceedings under this section may apply to the United States District Court for the District of Columbia, or the United States district court for the judicial district or the United States court in any territory in which such proceeding is being conducted, or where the witness resides or carries on business, for enforcement of any subpena or subpena duces tecum issued pursuant to this subsection, and such courts shall have jurisdiction and power to order and require compliance therewith. Witnesses subpenaed under this subsection shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. All expenses of the Board or of the Federal Savings and Loan Insurance Corporation in connection with this section shall be considered as nonadministrative expenses. Any court having jurisdiction of any proceeding instituted under this section by an insured institution, or a director or officer thereof, may allow to any such party such reasonable expenses and attorneys' fees as it deems just and proper; and such expenses and fees shall be paid by the institution or from its assets.

"(n) SERVICE.—Any service required or authorized to be made by the Corporation under this section may be made by registered mail, or in such other manner reasonably calculated to give actual notice as the Corporation may by regulation or otherwise provide. Copies of any notice or order served by the Corporation upon any State-chartered institution or any director or officer thereof or other person participating in the conduct of its affairs, pursuant to the provisions of this section, shall also be sent to the appropriate State supervisory authority.

"(o) NOTICE TO STATE AUTHORITIES.—In connection with any proceeding under subsection (e), (f)(1), or (g) of this section involving an insured State-chartered institution or any director or officer or other person participating in the conduct of its affairs, the Corporation shall provide the appropriate State supervisory authority with notice of the Corporation's intent to institute such a proceeding and the grounds therefor. Unless within such time as the Corporation deems appropriate in the light of the circumstances of the case (which time must be specified in the notice prescribed in the preceding sentence) satisfactory corrective action is effectuated by action of the State supervisory authority, the Corporation may proceed as provided in this section. No institution or other party who is the subject of any notice or order issued by the Corporation under this section shall have standing to raise the requirements of this subsection as ground for attacking the validity of any such notice or order.

"(p) PENALTIES.—(1) Any director or officer, or former director or officer, of an insured institution or an institution any of the accounts of which are insured, or any other persons, against whom there is outstanding and effective any notice or order (which is an order which has become final) served upon such director, officer, or other person under subsection (g)(3), (g)(4), or (h) of this section, and who (A) participates in any manner in the conduct of the affairs of such institution, or directly or indirectly solicits or procures, or transfers or attempts to transfer, or votes or attempts to vote any proxies, consents, or authorizations in respect to any voting rights in such institution, or (B) without the prior written approval of the Corporation, votes for a director or serves or acts as a director, officer, or employee of any insured institution, shall upon conviction be fined not more than $5,000 or imprisoned for not more than one year, or both.

"(2) Except with the prior written consent of the Corporation, no person shall serve as a director, officer, or employee of an insured institution who has been convicted, or who is hereafter convicted, of a criminal offense involving dishonesty or a breach of trust. For each willful violation of this prohibition, the institution involved shall be subject to a penalty of not more than $100 for each day this prohibition is violated, which the Corporation may recover by suit or otherwise for its own use.

"(q) DEFINITIONS.—(1) As used in this section—

"(A) The terms 'cease-and-desist order which has become final' and 'order which has become final' mean a cease-and-desist order, or an order, issued by the Corporation with the consent of the institution or the director or officer or other person concerned, or with respect to which no petition for review of the action of the Corporation has been filed and perfected in a court of appeals as specified in subsection (j)(2) of this section, or with respect to which the action of the court in which said petition is so filed is not subject to further review by the Supreme Court of the United States in proceedings provided for in said subsection, or an order issued under subsection (h) of this section.

"(B) The term 'territory' includes the Commonwealth of Puerto Rico, and any possession of the United States or any place subject to the jurisdiction of the United States.

"(2) As used in subsection (f) of this section, the term 'insolvency' means that the assets of an institution are less than its obligations to its creditors and others, including its members.

"(3) As used in subsection (g) of this section, the term 'violation' includes without limitation any action (alone or with another or others) for or toward causing, bringing about, participating in, counseling, or aiding or abetting a violation."

(b) The amendment made by subsection (a) of this section shall be effective only with respect to proceedings commenced on or after the date of enactment of this Act. Section 407 of the National Housing Act as in effect immediately prior to the date of enactment of this Act shall continue in effect with respect to any proceedings commenced prior to such date.

SEC. 103. Subsection (c) of section 408 of the National Housing Act (12 U.S.C. 1730a (c)) is amended to read:

"(c) It shall be unlawful for any company on or after September 23, 1959—

"(1) to acquire the control of more than one insured institution, or

"(2) to acquire the control of an insured institution when it holds the control of any other insured institution,

except in a transaction which has been approved by the Federal Home Loan Bank Board upon a determination by it that such transaction is advisable to assist in preventing the commencement or continuance of involuntary liquidation of the insured institution whose control, whether by acquisition of stock or assets or otherwise, is being acquired by such company or an insured institution which it controls."

TITLE II—PROVISION RELATING TO THE FEDERAL DEPOSIT INSURANCE CORPORATION, THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, AND THE COMPTROLLER OF THE CURRENCY

SEC. 201. Paragraph (6) of subsection (j) of section 7 of the Federal Deposit Insurance Act (12 U.S.C. 1817(j)(6)) is repealed and section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) is amended by adding the following new subsection (q):

"(q) The term 'appropriate Federal banking agency' shall mean (1) the Comptroller of the Currency in the case of a national banking association or a District bank, (2) the Board of Governors of the Federal Reserve System in the case of a State member insured bank (except a District bank), and (3) the Federal Deposit Insurance Corporation in the case of a State nonmember insured bank (except a District bank)."

SEC. 202. Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818), is amended by redesignating subsections (b), (c), and (d) thereof as (o), (p), and (q) and by adding after subsection (a) thereof the following new subsections (b) through (n), inclusive:

"(b)(1) If, in the opinion of the appropriate Federal banking agency, any insured bank or bank which has insured deposits is engaging or has engaged, the agency has reasonable cause to believe that the bank is about to engage, in an unsafe or unsound practice in conducting the business of such bank, or is violating or has violated, or the agency has reasonable cause to believe that the bank is about to violate, a law, rule, or regulation, or any condition imposed in writing by the agency in connection with the granting of any application or other request by the bank, or any written agreement entered into with the agency, the agency may issue and serve upon the bank a notice of charges in respect thereof. The notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices, and shall fix a time and place at which a hearing will be held to determine whether an order to cease and desist therefrom should issue against the bank. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after service of such notice unless an earlier or a later date is set by the agency at the request of the bank. Unless the bank shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the issuance of the cease-and-desist order. In the event of such consent, or if upon the record made at any such hearing, the agency shall find that any violation or unsafe or unsound practice specified in the notice of charges has been established, the agency may issue and serve upon the bank an order to cease and desist from any such violation or practice. Such order may, by provisions which may be mandatory or otherwise, require the bank and its directors, officers, employees, and agents to cease and desist from the same, and, further, to take affirmative action to correct the conditions resulting from any such violation or practice.

"(2) A cease-and-desist order shall become effective at the expiration of thirty days after the service of such order upon the bank concerned (except in the case of a cease-and-desist order issued upon consent, which shall become effective at the time specified therein), and shall remain effective and enforceable as provided therein, except to such extent as it is stayed, modified, terminated, or set aside by action of the agency or a reviewing court.

"(c)(1) Whenever the appropriate Federal banking agency shall determine that the violation or threatened violation or the unsafe or unsound practice or practices, specified in the notice of charges served upon the bank pursuant to paragraph (1) of subsection (b) of this section, or the continuation thereof is likely to cause insolvency or substantial dissipation of assets or earnings of the bank, or is likely to otherwise seriously prejudice the interests of its depositors, the agency may issue a temporary order requiring the bank to cease and desist from any such violation or practice. Such order shall become effective upon service upon the bank and, unless set aside, limited, or suspended by a court in proceedings authorized by paragraph (2) of this subsection, shall remain effective and enforceable pending the completion of the administrative proceedings pursuant to such notice and until such time as the agency shall dismiss the charges specified in such notice, or if a cease-and-desist order is issued against the bank, until the effective date of any such order.

"(2) Within ten days after the bank concerned has been served with a temporary cease-and-desist order, the bank may apply to the United States district court for the judicial district in which the home office of the bank is located, or the United States District Court for the District of Columbia, for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of such order pending the completion of the administrative proceedings pursuant to the notice of charges served upon the bank under paragraph (1) of subsection (b) of this section, and such court shall have jurisdiction to issue such injunction.

"(d) In the case of violation or threatened violation of, or failure to obey, a temporary cease-and-desist order issued pursuant to paragraph (1) of subsection (c) of this section, the appropriate Federal banking agency may apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the bank is located, for an injunction to enforce such order, and, if the court shall determine that there has been such violation or threatened violation or failure to obey, it shall be the duty of the court to issue such injunction.

"(e)(1) Whenever, in the opinion of the appropriate Federal banking agency, any director or officer of an insured State bank (other than a District bank) has committed any violation of law, rule, or regulation, or of a cease-and-desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the bank, or has committed or engaged in any act, omission, or practice which constitutes a breach of his fiduciary duty as such director or officer, and the agency determines that the bank has suffered or will probably suffer substantial financial loss or other damage or that the interests of its depositors could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the agency may serve upon such director or officer a written notice of its intention to remove him from office.

"(2) Whenever, in the opinion of the Comptroller of the Currency, any director or officer of a national banking association or a District bank has committed any violation of law, rule, or regulation, or of a cease-and-desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the bank, or has committed or engaged in any act, omission, or practice which constitutes a breach of his fiduciary duty as such director or officer, and the Comptroller determines that the bank has suffered or will probably suffer substantial financial loss or other damage or that the interests of its depositors could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the Comptroller of the Currency may certify the facts to the Board of Governors of the Federal Reserve System.

"(3) Whenever, in the opinion of the appropriate Federal banking agency, any director or officer of an insured State bank (other than a District bank), by conduct or practice with respect to another insured bank or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer and, whenever, in the opinion of the appropriate Federal banking agency, any other person participating in the conduct of the affairs of an insured State bank (other than a District bank), by conduct or practice with respect to such bank or other insured bank or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such insured bank, the agency may serve upon such director, officer, or other person a written notice of its intention to remove him from office and/or to prohibit his further participation in any manner in the conduct of the affairs of the bank.

"(4) Whenever, in the opinion of the Comptroller of the Currency, any director or officer of a national banking association or a District bank, by conduct or practice with respect to another insured bank or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer and, whenever, in the opinion of the Comptroller, any other person participating in the conduct of the affairs of a national banking association or a District bank, by conduct or practice with respect to such bank or other insured bank or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such bank, the Comptroller of the Currency may certify the facts to the Board of Governors of the Federal Reserve System.

"(5) In respect to any director or officer of an insured State bank (other than a District bank) or any other person referred to in paragraph (1) or (3) of this subsection, the appropriate Federal banking agency may, if it deems it necessary for the protection of the bank or the interests of its depositors, by written notice to such effect served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the bank. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by subsection (f) of this section, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under paragraph (1) or (3) of this subsection and until such time as the agency shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the bank of which he is a director or officer or in the conduct of whose affairs he has participated.

"(6) In respect to any director or officer of a national banking association or a District bank, or any other person referred to in paragraph (2) or (4) of this subsection, the Comptroller of the Currency may, if he deems it necessary for the protection of the bank or the interests of its depositors that such director or officer be suspended from office or prohibited from further participation in any manner in the conduct of the affairs of the bank, certify the facts to the Board of Governors of the Federal Reserve System.

"(7) In the case of a certification to the Board of Governors of the Federal Reserve System under paragraph (2) or (4) of this subsection, the Board may serve upon the director, officer, or other person involved, a written notice of its intention to remove him from office and/or to prohibit him from further participation in any manner in the conduct of the affairs of the bank. In the case of a certification to the Board of Governors of the Federal Reserve System under paragraph (6) of this subsection, the Board may by written notice to such effect served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the bank. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by subsection (f) of this section, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under the first sentence of this paragraph and until such time as the Board shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the bank of which he is a director or officer or in the conduct of whose affairs he has participated. For the purposes of this paragraph and paragraph (8) of this subsection, the Comptroller of the Currency shall be entitled in any case involving a national bank or a District bank to sit as a member of the Board of Governors of the Federal Reserve Sytem and to participate in its deliberations on any such case and to vote thereon in all respect as a member of such Board.

"(8) A notice of intention to remove a director, officer, or other person from office and/or to prohibit his participation in the conduct of the affairs of an insured bank, shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or a later date is set by the agency at the request of (A) such director or officer or other person, and for good cause shown, or (B) the Attorney General of the United States. Unless such director, officer, or other person shall appear at the hearing in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal and/or prohibition. In the event of such consent, or if upon the record made at any such hearing the agency shall find that any of the grounds specified in such notice has been established, the agency may issue such orders of suspension or removal from office, and/or prohibition from participation in the conduct of the affairs of the bank, as it may deem appropriate. Any such order shall become effective at the expiration of thirty days after service upon such bank and the director, officer, or other person concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the agency or a reviewing court.

"(f) Within ten days after any director, officer, or other person has been suspended from office and/or prohibited from participation in the conduct of the affairs of an insured bank under subsection (e)(5) or (e)(7) of this section, such director, officer, or other person may apply to the United States district court for the judicial district in which the home office of the bank is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director, officer, or other person under subsection (e)(1), (e)(3), or (e)(7) of this section, and such court shall have jurisdiction to stay such suspension and/or prohibition.

"(g)(1) Whenever any director or officer of an insured bank, or other person participating in the conduct of the affairs of such bank, is charged in any information, indictment, or complaint authorized by a United States attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the appropriate Federal banking agency may, by written notice served upon such director, officer, or other person suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the bank. A copy of such notice shall also be served upon the bank. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the agency. In the event that a judgment of conviction with respect to such offense is entered against such director, officer, or other person, and at such time as such judgment is not subject to further appellate review, the agency may issue and serve upon such director, officer, or other person an order removing him from office and/or prohibiting him from further participation in any manner in the conduct of the affairs of the bank except with the consent of the appropriate agency. A copy of such order shall also be served upon such bank, whereupon such director or officer shall cease to be a director or officer of such bank. A finding of not guilty or other disposition of the charge shall not preclude the agency from thereafter instituting proceedings to remove such director, officer, or other person from office and/or to prohibit further participation in bank affairs, pursuant to paragraph (1), (2), (3), (4), or (7) of subsection (e) of this section.

"(2) If at any time, because of the suspension of one or more directors pursuant to this section, there shall be on the board of directors of a national bank less than a quorum of directors not so suspended, all powers and functions vested in or exercisable by such board shall vest in and be exercisable by the director or directors on the board not so suspended, until such time as there shall be a quorum of the board of directors. In the event all of the directors of a national bank are suspended pursuant to this section, the Comptroller of the Currency shall appoint persons to serve temporarily as directors in their place and stead pending the termination of such suspensions, or until such time as those who have been suspended, cease to be directors of the bank and their respective successors take office.

"(h)(1) Any hearing provided for in this section shall be held in the Federal judicial district or in the territory in which the home office of the bank is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. Such hearing shall be public unless the appropriate Federal banking agency, in its discretion, after considering the views of the party afforded the hearing, determines that a private hearing would be in the public interest. After such hearing, and within ninety days after the appropriate Federal banking agency or Board of Governors of the Federal Reserve System has notified the parties that the case has been submitted to it for final decision, it shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and serve upon each party to the proceeding an order or orders consistent with the provisions of this section. Judicial review of any such order shall be exclusively as provided in this subsection (h). Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in paragraph (2) of this subsection, and thereafter until the record in the proceeding has been filed as so provided, the issuing agency may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the agency may modify, terminate, or set aside any such order with permission of the court.

"(2) Any party to the proceeding, or any person required by an order issued under this section to cease and desist from any of the violations or practices stated therein, may obtain a review of any order served pursuant to paragraph (1) of this subsection (other than an order issued with the consent of the bank or the director or officer or other person concerned, or an order issued under paragraph (1) of subsection (g) of this section) by the filing in the court of appeals of the United States for the circuit in which the home office of the bank is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the agency be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the agency, and thereupon the agency shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall except as provided in the last sentence of said paragraph (1) be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the agency. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in section 1254 of title 28 of the United States Code.

"(3) The commencement of proceedings for judicial review under paragraph (2) of this subsection shall not, unless specifically ordered by the court, operate as a stay of any order issued by the agency.

"(i) The appropriate Federal banking agency may in its discretion apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the home office of the bank is located, for the enforcement of any effective and outstanding notice or order issued under this section, and such courts shall have jurisdiction and power to order and require compliance therewith; but except as otherwise provided in this section no court shall have jurisdiction to affect by injunction or otherwise the issuance or enforcement of any notice or order under this section, or to review, modify, suspend, terminate, or set aside any such notice or order.

"(j) Any director or officer, or former director or officer of an insured bank, or any other person, against whom there is outstanding and effective any notice or order (which is an order which has become final) served upon such director, officer, or other person under subsections (e)(5), (e)(7), (e)(8), or (g) of this section, and who (i) participates in any manner in the conduct of the affairs of the bank involved, or directly or indirectly solicits or procures, or transfers or attempts to transfer, or votes or attempts to vote, any proxies, consents, or authorizations in respect of any voting rights in such bank, or (ii) without the prior written approval of the appropriate Federal banking agency, votes for a director, serves or acts as a director, officer, or employee of any bank, shall upon conviction be fined not more than $5,000 or imprisoned for not more than one year, or both.

"(k) As used in this section (1) the terms 'cease-and-desist order which has become final' and 'order which has become final' mean a cease-and-desist order, or an order, issued by the appropriate Federal banking agency with the consent of the bank or the director or officer or other person concerned, or with respect to which no petition for review of the action of the agency has been filed and perfected in a court of appeals as specified in paragraph (2) of subsection (h), or with respect to which the action of the court in which said petition is so filed is not subject to further review by the Supreme Court of the United States in proceedings provided for in said paragraph, or an order issued under paragraph (1) of subsection (g) of this section, and (2) the term 'violation' includes without limitation any action (alone or with another or others) for or toward causing, bringing about, participating in, counseling, or aiding or abetting a violation.

"(l) Any service required or authorized to be made by the appropriate Federal banking agency under this section may be made by registered mail, or in such other manner reasonably calculated to give actual notice as the agency may by regulation or otherwise provide. Copies of any notice or order served by the agency upon any State bank or any director or officer thereof or other person participating in the conduct of its affairs, pursuant to the provisions of this section, shall also be sent to the appropriate State supervisory authority.

"(m) In connection with any proceeding under subsection (b), (c)(1), or (e) of this section involving an insured State bank or any director or officer or other person participating in the conduct of its affairs, the appropriate Federal banking agency shall provide the appropriate State supervisory authority with notice of the agency's intent to institute such a proceeding and the grounds therefor. Unless within such time as the Federal banking agency deems appropriate in the light of the circumstances of the case (which time must be specified in the notice prescribed in the preceding sentence) satisfactory corrective action is effectuated by action of the State supervisory authority, the agency may proceed as provided in this section. No bank or other party who is the subject of any notice or order issued by the agency under this section shall have standing to raise the requirements of this subsection as ground for attacking the validity of any such notice or order.

"(n) In the course of or in connection with any proceeding under this section, the agency conducting the proceeding, or any member or designated representative thereof, including any person designated to conduct any hearing under this section, shall have the power to administer oaths and affirmations, to take or cause to be taken depositions, and to issue, revoke, quash, or modify subpenas and subpenas duces tecum; and such agency is empowered to make rules and regulations with respect to any such proceedings. The attendance of witnesses and the production of documents provided for in this subsection may be required from any place in any State or in any territory or other place subject to the jurisdiction of the United States at any designated place where such proceeding is being conducted. Any party to proceedings under this section may apply to the United States District Court for the District of Columbia, or the United States district court for the judicial district or the United States court in any territory in which such proceeding is being conducted, or where the witness resides or carries on business, for enforcement of any subpena or subpena duces tecum issued pursuant to this subsection, and such courts shall have jurisdiction and power to order and require compliance therewith. Witnesses subpenaed under this section shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. Any court having jurisdiction of any proceeding instituted under this section by an insured bank or a director or officer thereof, may allow to any such party such reasonable expenses and attorneys' fees as it deems just and proper; and such expenses and fees shall be paid by the bank or from its assets."

SEC. 203. Subsections (b) and (c) of section 10 of the Federal Deposit Insurance Act (12 U.S.C. 1820 (b), (c)) are amended to read as follows:

"(b) The Board of Directors shall appoint examiners who shall have power, on behalf of the Corporation, to examine any insured State nonmember bank (except a District bank), any State nonmember bank making application to become an insured bank, and any closed insured bank, whenever in the judgment of the Board of Directors an examination of the bank is necessary. In addition to the examinations provided for in the preceding sentence, such examiners shall have like power to make a special examination of any State member bank and any national bank or District bank, whenever in the judgment of the Board of Directors such special examination is necessary to determine the condition of any such bank for insurance purposes. In making examinations of insured banks, examiners appointed by the Corporation shall have power on behalf of the Corporation to make such examinations of the affairs of all affiliates of such banks as shall be necessary to disclose fully the relations between such banks and their affiliates and the effect of such relations upon such banks. Each examiner shall have power to make a thorough examination of all of the affairs of the bank and its affiliates, and shall make a full and detailed report of the condition of the bank to the Corporation. The Board of Directors in like manner shall appoint claim agents who shall have power to investigate and examine all claims for insured deposits. Each claim agent shall have power to administer oaths and affirmations and to examine and to take and preserve testimony under oath as to any matter in respect to claims for insured deposits, and to issue subpenas and subpenas duces tecum, and, for the enforcement thereof, to apply to the United States district court for the judicial district or the United States court in any territory in which the main office of the bank or affiliate thereof is located, or in which the witness resides or carries on business. Such courts shall have jurisdiction and power to order and require compliance with any such subpena.

"(c) In connection with examinations of insured banks, and affiliates thereof, the appropriate Federal banking agency, or its designated representatives, shall have the power to administer oaths and affirmations and to examine and to take and preserve testimony under oath as to any matter in respect of the affairs or ownership of any such bank or affiliate thereof, and to issue subpenas and subpenas duces tecum, and, for the enforcement thereof, to apply to the United States district court for the judicial district or the United States court in any territory in which the main office of the bank or affiliate thereof is located, or in which the witness resides or carries on business. Such courts shall have jurisdiction and power to order and require compliance with any such subpena. For purposes of this section, the term 'affiliate' shall have the same meaning as where used in section 2(b) of the Banking Act of 1933 (12 U.S.C. 221a(b)) except that the term 'member bank' in said section 2(b) shall be deemed to refer to an insured bank."

SEC. 204. The first five sentences of section 8(a) of the Federal Deposit Insurance Act (12 U.S.C. 1818(a)) are amended to read as follows:

"SEC. 8. (a) Any insured bank (except a national member bank or State member bank) may, upon not less than ninety days' written notice to the Corporation, terminate its status as an insured bank. Whenever the Board of Directors shall find that an insured bank or its directors or trustees have engaged or are engaging in unsafe or unsound practices in conducting the business of such bank, or is in an unsafe or unsound condition to continue operations as an insured bank, or violated an applicable law, rule, regulation or order, or any condition imposed in writing by the Corporation or any written agreement entered into with the Corporation, the Board of Directors shall first give to the Comptroller of the Currency in the case of a national bank or a District bank, to the authority having supervision of the bank in the case of a State bank, and to the Board of Governors of the Federal Reserve System in the case of a State member bank, a statement with respect to such practices or violations for the purpose of securing the correction thereof and shall give a copy thereof to the bank. Unless such correction shall be made within one hundred and twenty days, or such shorter period not less than twenty days fixed by the Corporation in any case where the Board of Directors in its discretion has determined that the insurance risk of the Corporation is unduly jeopardized, or fixed by the Comptroller of the Currency in the case of a national bank, or the State authority in the case of a State bank, or Board of Governors of the Federal Reserve System in the case of a State member bank as the case may be, the Board of Directors, if it shall determine to proceed further, shall give to the bank not less than thirty days' written notice of intention to terminate the status of the bank as an insured bank, and shall fix a time and place for a hearing before the Board of Directors or before a person designated by it to conduct such hearing, at which evidence may be produced, and upon such evidence the Board of Directors shall make written findings which shall be conclusive. If the Board of Directors shall find that any unsafe or unsound practice or condition or violation specified in such statement has been established and has not been corrected within the time above prescribed in which to make such corrections, the Board of Directors may order that the insured status of the bank be terminated on a date subsequent to such finding and to the expiration of the time specified in such notice of intention. Unless the bank shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the termination of its status as an insured bank and termination of such status thereupon may be ordered. Any insured bank whose insured status has been terminated by order of the Board of Directors under this subsection shall have the right of judicial review of such order only to the same extent as provided for the review of orders under subsection (h) of this subsection."

Sec. 205. Subsection "Fourth" of section 9 of the Federal Deposit Insurance Act (12 U.S.C. 1819 "Fourth") is amended to read as follows:

"Fourth. To sue and be sued, complain and defend, in any court of law or equity, State or Federal. All suits of a civil nature at common law or in equity to which the Corporation shall be a party shall be deemed to arise under the laws of the United States, and the United States district courts shall have original jurisdiction thereof, without regard to the amount in controversy; and the Corporation may, without bond or security, remove any such action, suit, or proceeding from a State court to the United States district court for the district or division embracing the place where the same is pending by following any procedure for removal now or hereafter in effect, except that any such suit to which the Corporation is a party in its capacity as receiver of a State bank and which involves only the rights or obligations of depositors, creditors, stockholders, and such State bank under State law shall not be deemed to arise under the laws of the United States. No attachment or execution shall be issued against the Corporation or its property before final judgment in any suit, action, or proceeding in any State, county, municipal, or United States court. The Board of Directors shall designate an agent upon whom service of process may be made in any State, Territory, or jurisdiction in which any insured bank is located."

Sec. 206. Nothing contained in this title shall be construed to repeal, modify, or affect the provisions of section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829).

Sec. 207. Section 30 of the Banking Act of 1933 (12 U.S.C. 77) is hereby repealed.

TITLE III

Increase in insurance limit

Sec. 301. (a) The first sentence of section 3(m) of the Federal Deposit Insurance Act (12 U.S.C. 1813(m)) is amended by changing "$10,000" to read "$20,000", and such section is further amended by adding the following new sentence at the end: "For the purpose of clarifying and defining the insurance coverage under this subsection and subsection (i) of section 7, the Corporation is hereby authorized to define, with such classifications and exceptions as it may prescribe, terms used in said subsections, in subsection (p) of section 3, and in subsections (a) and (i) of section 11 and the extent of the insurance coverage resulting therefrom."

(b) The first sentence of section 7(i) of the Federal Deposit Insurance Act (12 U.S.C. 1817(i)) is amended by changing "$10,000" to read "$20,000".

(c) The last sentence of section 11(a) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)) is amended to read: "The maximum amount of the insured deposit of any depositor shall be $20,000."

(d) The fifth sentence of section 11(i) of the Federal Deposit Insurance Act (12 U.S.C. 1821(i)) is amended by changing "$10,000" to read "$20,000".

(e) Section 401(b) of title IV of the National Housing Act (12 U.S.C. 1724(b)) is amended by changing "$10,000" to read "$20,000" each place it appears therein.

(f) Section 405(a) of title IV of the National Housing Act (12 U.S.C. 1728(a)) is amended by changing "$10,000" to read "$20,000", and by adding the following new sentence at the end: "For the purpose of clarifying and defining the insurance coverage under this subsection and subsection (b) of section 401, the Corporation is hereby authorized to define, with such classifications and exceptions as it may prescribe, terms used in said subsections and in subsection (c) of section 401 and the extent of the insurance coverage resulting therefrom."

(g) The amendments made by this section shall be effective only with respect to claims accruing after the date of enactment of this Act.

TITLE IV—EXPIRATION

Sec. 401. The provisions of titles I and II of this Act and any provisions of law enacted by said titles shall be effective only during the period ending at the close of June 30, 1968. Effective upon the expiration of such period, each provision of law amended by either of such titles is further amended to read as it did immediately prior to the enactment of this Act and each provision of law repealed by either of such titles is reenacted.

Mr. MANSFIELD. Madam President, I move that the Senate disagree to the amendment of the House and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Robertson, Mr. Sparkman, Mr. Douglas, Mr. Proxmire, Mr. Williams of New Jersey, Mr. Muskie, Mr. Long of Missouri, Mr. Bennett, Mr. Tower, and Mr. Thurmond, conferees on the part of the Senate.

Mr. MANSFIELD. Madam President, also on behalf of the Senator from Virginia [Mr. Robertson], I ask unanimous consent to have printed in the Record letters which have been received from the interested agencies and trade associations commenting on the bill (S. 3158).

There being no objection, the letters were ordered to be printed in the Record, as follows:

The Secretary of the Treasury,
Washington, D.C., October 6, 1966.

Hon. A. Willis Robertson,
Chairman, Banking and Currency Committee, U.S. Senate.

Dear Mr. Chairman: Reference is made to S. 3158, the "Financial Institutions Supervisory Act of 1966."

As you know, this legislation, as passed by the Senate, was satisfactory to the Administration. It has now been passed by the House of Representatives with a number of amendments, which are generally satisfactory to us. We wish to comment, however, upon two of the amendments.

The first of these is an increase in the amount of deposit insurance from $10,000 to $20,000. The President, in his Economic Report for 1966, recommended Congressional action on financial legislation to increase the maximum amount of insurance coverage for bank deposits and savings and loan accounts, but also to provide safeguards against conflicts of interest in the management of these institutions. Legislation submitted by the Administration to accomplish these purposes proposed an increase in deposit insurance from $10,000 to $15,000 and additional safeguards relating to conflicts of interest in management, granting standby control over interest and dividend rates, and additional authority to assure maintenance of adequate liquidity.

S. 3158, coupled with Public Law 89–597, goes a long way toward meeting the Administration's objectives, even though P.L. 89–597 was enacted on a temporary basis. We would, therefore, have no objection to an increase in deposit insurance to $15,000. If the legislation is enacted on a permanent basis we would have no objection to an increase to $20,000, provided that such an increase would not jeopardize the soundness of the insurance funds.

The second amendment upon which we wish to comment is the provision of the House passed bill under which the legislation, except for those provisions increasing deposit insurance, would be effective only until June 30, 1968. We see no need for legislation of this type being made temporary, and in any event we believe that less than two years is inadequate for any meaningful experience to serve as the basis for further legislation. While we indicated to the Chairman of the House Banking and Currency Committee that legislation which would be effective until June 30, 1968, would be better than no legislation at all, we would prefer that legislation of this type be enacted on a permanent basis, or at least that it be effective for a period of five or more years in order that there be an adequate trial period.

Sincerely yours,

Henry H. Fowler.

Board of Governors
of the Federal Reserve System,
Washington, D.C., October 6, 1966.

Hon. A. Willis Robertson,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in response to your request for the Board's views on S. 3158 as amended by the House. The principal changes made by the House were to increase FDIC and FSLIC insurance ceilings to $20,000, and to fix a termination date of June 30, 1968, with respect to the other provisions of the bill.

The Board believes that the twenty-month limitation on the exercise of the supervisory authority contained in the bill would render it largely ineffective. The administrative proceedings leading up to a final cease-and-desist order in a controversial case could easily consume ten months, as indicated by the following time schedule; which is based for the most part on time limits specified in the bill and the Board's Rules of Procedure:

1. Notice to State agency allows 30 days for State action.
2. After 30 days expire without State action, Federal agency serves notice on respondent.
3. Hearings begin 60 days later.
4. Hearings end 30 days later; part of this time would be needed to dispose of motions filed during hearing.
5. After hearings close, 15 days allowed for submission of proposed findings and conclusions of law.
6. Hearing examiner submits report and recommendations 60 days later.
7. After report submitted, 20 days allowed for filing exceptions and briefs.
8. Agency takes final action 70 days later (90 days after hearing examiner submitted report and recommendations).

Another month is allowed by the bill for filing an appeal with a Federal court of appeals. The median time interval from docketing to disposition of cases disposed of after hearing or submission in Federal courts of appeal is over eight months. Thus, an additional nine months could go by before court review would be completed, even if no further review in the Supreme Court were involved.

This would mean that a supervisory agency would have to begin a cease and desist proceeding immediately after the bill was signed in order to have a reasonable chance of winding up the case before the authority expires.

Setting a later expiration date would not solve the problem. Even if a later date were fixed and even if the Congress extended it from time to time, such extensions probably would not be granted very far in advance of the expiration date. Thus, there would be recurring periods when the authority in the bill would be illusory. A supervisory agency with the appearance of authority and the responsibility for its effective use could find itself unable to invoke it as a practical matter. If the underlying statute forced the agency into a race against the clock, the odds against winning the race would be lengthened by the incentive the respondent would have to engage in delaying tactics.

The Board has no recommendation with respect to increasing insurance coverage. If, however, the Congress should decide in favor of such an increase, the need for effective supervisory authority would become that much greater. Proponents of higher insurance ceilings in the industry, as well as in Government, have stressed the link between stronger supervision and greater insurance coverage. In legislation proposed earlier in this Congress by the Administration (S. 2561) an increase in insurance ceilings to $15,000 was linked with other provisions strengthening liquidity requirements, and protection against conflicts of interest. If the conferees are persuaded that a permanent increase in insurance ceilings is justified, the Board hopes that they will make the supervisory provisions of the bill permanent as well.

The Congress may, of course, wish to review the use of the enforcement powers granted to the supervisory agencies, but we do not regard this as a reason to grant such powers on a temporary basis. If the agencies are to be held accountable for effective use of such authority, the authority should be granted in a usable form. A copy of this letter is being sent to the Chairman of the House Banking and Currency Committee.

Sincerely yours,

Wm. McC. Martin, Jr.

Federal Deposit Insurance Corporation,
Washington, D.C., October 5, 1966.

Hon. A. Willis Robertson,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: We take this opportunity to comment upon S. 3158, a bill, "To strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes", as it was amended and passed by the House of Representatives. This Corporation supported S. 3158 in the form in which it passed the Senate and our only comments with respect to the House version of the bill are those discussed below:

The major changes made by the House include provisions that Titles I and II of the bill shall be effective only through June 30, 1968, and that the maximum insurance coverage afforded by this Corporation and the Federal Savings and Loan Insurance Corporation for each depositor or share account holder shall be permanently increased from $10,000 to $20,000.

Titles I and II of the bill contain the provisions which would grant to the Federal supervisory authorities additional powers to enable them to move more quickly and effectively to require compliance with applicable law and regulations and to correct unsafe and unsound practices by insured banks and savings and loan associations, including the issuance of cease-and-desist orders and the suspension or removal of officers and directors. This authority would have little value during the short period it would be in effect under the House version of the bill because of the possibility that final disposition of proceedings could be delayed beyond that time. Experience gained from the temporary legislation would not be a fair test, and it could serve little purpose as a guide for future action by Congress. As we have previously advised your Committee, we feel that permanent legislation of this nature is highly desirable and we strongly urge the elimination of the House adopted provision for a June 30, 1968, expiration date.

Although the Corporation has favored in the past some increase in the maximum insurance coverage, it should be noted that this position was conditioned upon the enactment of accompanying legislation which would make possible the more effective regulation and supervision of insured institutions. This position was, and still is, in accord with the position taken by the Administration.

If the provisions of Titles I and II of the bill were made permanent, it is our view that an increase in maximum insurance coverage to $15,000 would be adequate under existing conditions. Consequently, the Corporation would prefer that if an increase is made, the coverage be limited to $15,000 instead of $20,000 as provided by the House version of the bill. The Corporation wishes strongly to emphasize, however, that any increase in the maximum insurance coverage would be objectionable if Titles I and II of the bill are enacted as temporary legislation.

Another change made by the House was to provide that administrative hearings are to be public unless the appropriate agency, after consideration of the views of the party afforded the hearing, determines that a private hearing would be in the public interest. We believe that these hearings normally should be private, and we prefer as to this matter the Senate version of the bill under which hearings would be private unless a public hearing is agreed to by the party afforded the hearing and the agency.

Thank you for affording us the opportunity to make further comment on this important legislation.

Sincerely yours,

K. A. Randall,
Chairman.

Federal Home Loan Bank Board,
Washington, D.C., October 6, 1966.

Hon. A. Willis Robertson,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: We wish to thank you for affording us the opportunity to comment upon S. 3158, the Financial Institutions Supervisory Act of 1966, as passed by the House of Representatives on October 4, 1966.

As you know, S. 3158 as passed by the Senate on August 22, 1966, was entirely acceptable to the Administration. The House adopted four substantive amendments to the bill:

(1) A requirement of public hearings in proceedings authorized by the bill unless a private hearing is determined to be in the public interest.

(2) An amendment to the savings and loan holding company law to permit holding company acquisitions approved by the Federal Home Loan Bank Board to prevent an association's involuntary liquidation.

(3) A new Title III which would increase deposit and share account insurance from $10,000 to $20,000.

(4) A new Title IV which would cause all of the bill's provisions except those relating to the increase in insurance limits to expire on June 30, 1968.

At the outset, I should make it clear that, because the need is so pressing, the House version is of course preferable to failure to enact any legislation at all. However, while we have no objection to the first two of the foregoing amendments, the relationship between the last two amendments gives us serious difficulty.

The Administration has on a number of occasions made clear its view that any increase in the limits of deposit and share account insurance should be coupled with additional safeguards to enable the supervisory agencies to protect more effectively the soundness of financial institutions and the insurance funds which are administered by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation. It should be noted that the increase in insurance coverage is not coupled with any increase in premiums or assessments by the Insurance Corporations, but this does not seem objectionable if they are instead provided better ways of minimizing demands upon the insurance funds. One approach to such additional protection was contained in S. 2561, the Federal Deposit and Share Account Insurance Act of 1966. S. 2561 combined an increase in the insurance limits to $15,000 with provisions dealing with rate control, conflicts of interest, and strengthened liquidity requirements for members of the Federal Home Loan Bank System. Adequate rate control provisions, although on a temporary basis, were enacted this year as Public Law 89–597, and at least the more serious problems of conflicts of interest and inadequate liquidity can be dealt with by the cease-and-desist and removal authority contained in S. 3158.

If, therefore, the enforcement remedies contained in Titles I and II of S. 3158 were permanent legislation, we would support an increase in the insurance limits to $15,000. Indeed, even an increase to $20,000 would not constitute a significant further addition to the total of insured accounts now outstanding, according to our best estimates. We strongly oppose, on the other hand, basing any permanent increase in the insurance limits upon a brief and temporary foundation of enforcement safeguards. If a tentative or trial approach is to be taken to this measure, which we believe to be neither desirable nor logical, then it should extend to the insurance increase itself as well as to the basis upon which it rests. It would be far more desirable to place the whole bill upon a permanent footing, since the Congress can at any time examine experience under it and make any modifications that seem indicated.

I wish to underscore the unsatisfactory nature of placing a twenty-one month expiration date upon enforcement procedures, as is done by Title IV. The conduct of administrative proceedings such as are provided in the bill can easily consume a year, from original notice to final decision and order; hence there would be little point in even commencing proceedings after July 1967, and it is not likely there would be much of anything in the way of completed proceedings or experience under the act to evaluate before that date. In short, the period is so brief as to be impractical, and upon its expiration all action previously taken and all outstanding orders would become unenforceable, in view of the terms of Title IV. If such an approach is to be taken at all, it is of limited value unless the period is considerably longer.

With kindest regards, I am,

Sincerely,

JOHN E. HORNE,
Chairman.

THE AMERICAN BANKERS
ASSOCIATION,
New York, N.Y., October 5, 1966.

Hon. A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I appreciate this opportunity to comment, on behalf of The American Bankers Association, on H.R. 17899, as adopted by the House of Representatives.

The bill is intended primarily to provide the Federal banking agencies and the Federal Home Loan Bank Board with certain supervisory tools which will better enable them to carry out the responsibilities with which they are charged. From the time that this measure was first proposed The American Bankers Association has taken the position that responsible banking leadership required that we assist in developing reasonable legislation to promote sound banking and keep undesirable elements out of the banking system. Not only have we worked closely with the Federal agencies in accordance with this guiding principle, but we have also spoken out publicly and frequently against criticism of the bill which, however well-intentioned, we believe to be misinformed or based largely on emotion.

H.R. 17899 as adopted by the House of Representatives limits to two years the portions of the bill dealing with officer-removal and cease-and-desist authority. We see no particular need for the limitation. Indeed, in view of the types of problems the bill is intended to solve, it would seem to unduly restrict the agencies in carrying out their responsibilities. Accordingly, we would recommend the deletion of this time limitation.

Otherwise we understand that there are only clarifying and technical changes from the original Senate measure, so far as officer-removal and cease-and-desist authority is concerned. One such change—which we believe to be desirable—would give to the regulatory authorities greater control over the splitting of accounts. The other changes in this portion of the bill would also appear to be acceptable, although we have not had an opportunity to examine closely the final measure adopted by the House of Representatives. Undoubtedly the agencies themselves will be able to comment more explicitly on these technical points.

As you know, however, in addition to the changes noted, the bill before you now contains a provision calling for an increase of insurance coverage to $20,000 for depositors and share account holders of insured banks and savings and loan associations. The American Bankers Association is strongly opposed to this provision, and we urge that it be deleted from the bill.

While we recognize the importance of deposit or share insurance as a means of providing reasonable protection against loss due to failure of an insured institution, The American Bankers Association has always opposed increasing insurance levels to the point where differences in the management and strength of individual institutions are obscured. Accordingly, we have consistently opposed any increase in deposit or share insurance in the absence of a clear showing of need for such increased protection. We submit that no such showing was made, or can be made, in this instance.

So far as insured banks are concerned, the latest survey of accounts and deposits made by the Federal Deposit Insurance Corporation revealed that as of November 18, 1964, 97.2 percent of all accounts in insured banks have balances of $10,000 or less and are thus fully protected under present insurance levels. The percentage of fully protected accounts was slightly higher for insured commercial banks (97.6 percent) than insured mutual savings banks (94.0 percent). Although we do not have official data for savings and loan associations, surveys made by the U.S. Savings and Loan League suggest that the proportion of accounts fully protected in savings and loan associations is approximately the same as that in insured mutual savings banks.

So far as the dollar amount of coverage is concerned, the FDIC survey showed that 54.5 percent of total deposits was protected under existing insurance levels. This percentage has shown virtually no change in the past decade, declining by only six-tenths of one percentage point since 1955. More importantly perhaps, the percentage of deposits insured is substantially higher today than in the early years of deposit insurance. For example, only 44 percent of deposits were insured in 1936, while in 1945 coverage was 47 percent of total deposits. Again depending on unofficial data for savings and loan associations, it appears that approximately 90 percent of the total amount of share accounts in savings and loan associations is presently covered by insurance.

Insurance of deposit and share accounts was never intended as a device to control the flow of funds from one type of institution to another, or from one segment of the economy to the other. It is intended to provide basic protection against bank or savings and loan failure. Yet there seems no question, judging from recent comments in support of the increase in insurance coverage, that proponents are not so much concerned with the protection afforded individual depositors as with attempting to alter the present distribution of funds in financial institutions.

In this connection I think it is of interest that immediately upon adoption by the House Banking and Currency Committee of the insurance section of this bill, an official of the United States Savings and Loan League was quoted by the *Wall Street Journal* as predicting that an increase of $5,000 in insurance coverage "would attract $2 billion to $5 billion more in deposits in the first year it is effective." I have no idea whether this estimate is accurate, but there is no doubt that some shifting of funds will occur. Obviously, institutions which are not presently able to compete effectively will henceforth be able to use Federal insurance as a device to attract to themselves amounts which would otherwise not be available to them.

If in fact an increase of only $5,000 in insurance coverage would cause a shift in funds on the order of $2 to $5 billion—and a $10,000 increase presumably an even larger shift—it is proper to ask where these funds will come from. Will the shift be from eastern and middle-western institutions to west coast savings and loan associations because of their ability to pay higher rates under the recently issued regulations? Will the net inflow be matched by offsetting declines in commercial bank savings and time deposits? Will funds be pulled out of the market for Treasury obligations or for municipal bonds? Whatever the answers to these and other relevant questions, the point is that any change in insurance coverage is likely to set off quite massive shifts of funds among institutions and between various parts of the country.

In view of the possible impact of a change in insurance coverage, it is unfortunate that this particular section of the bill was adopted by the House of Representatives with no opportunity to examine either the underlying data or the possible consequences. So far as we can tell it appears to have been intended solely as an aid to those institutions which must depend upon Federal insurance—rather than strength of management or capital—for their future growth.

In our view, any change in insurance coverage should always be considered in the context of the role which deposit and share insurance is intended to play, namely reasonable protection for the account holder. If, despite the fact that well over 90 percent of all account holders are fully protected, a persuasive case can be made that this basic function is not being served, the American Bankers Association would be happy to reconsider its present position. Moreover, we would be quite willing to assist in any way in providing information needed for a thorough and impartial study. But until a study is made and a case developed, we believe that such legislation is inappropriate, whether advanced as part of this bill or separately.

In this connection, we would point out that the Administration has proposed a bill which includes an increase in insurance coverage together with important safeguarding changes, including improved FHLBB authority over liquidity requirements for savings and loan associations and strengthened conflict of interest provisions. In our view it is essential that any proposed insurance increase be thoroughly considered in conjunction with other necessary changes, rather than hastily appended to a measure which is intended to deal with a different set of circumstances.

Sincerely yours,

ARCHIE K. DAVIS.

NATIONAL ASSOCIATION OF
SUPERVISORS OF STATE BANKS,
Washington, D.C., October 5, 1966.

Hon. A. WILLIS ROBERTSON,
Chairman, Senate Banking and Currency Committee, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Mr. William Nuesse, Commissioner of Banks for Wisconsin and the President of the National Association of Supervisors of State Banks, has asked me to convey to you and the members of the Senate Banking and Currency Committee the position of our Association on S. 3158, the so-called cease and desist bill, as it passed the House of Representatives.

While there were several amendments made on the House floor, there are only two that are of prime concern to our Association. You will recall, of course, that NASSB has taken a position of opposition to the bill since its inception. We reaffirm that position. If the Congress believes that the bill should be approved, however, we believe that:

1. With regard to the proposed increase on deposit insurance to $20,000 per account, we interpose no objection. The last poll taken of our members and associate members on this subject indicated a substantial majority in favor of an increase in the insurance coverage.

2. NASSB urges that the temporary provision whereby the effective termination date of this bill is June 30, 1968, be retained. It is our feeling that because of the many controversial facets in this bill, it is most appropriate that further study be made of the bill during the next session of the Congress.

Your consideration of these points will be sincerely appreciated.

Cordially,

HOLLIS W. BURT,
Executive Vice President.

INDEPENDENT BANKERS ASSOCIATION
OF AMERICA,
Washington, D.C., October 5, 1966.

Hon. A. WILLIS ROBERTSON,
Chairman, Banking and Currency Committee, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The Independent Bankers Association reaffirms its opposition to S. 3158, as bad legislation overly filled with loose language granting broad and unwarranted powers to the Federal supervisors, upon their generalized requests and with no demonstrated need.

Our Association reaffirms our objection to the astonishing number of instances, almost beyond count, where the opinion of the supervisors is the basis for punitive action against banks, bankers and officers of commercial banks and thrift institutions.

We are familiar with the House of Representatives amendments to the Senate-passed bill to provide increased FDIC and FSLIC insurance coverage. Our Association is presently conducting a poll of member banks on this subject, based on the initially proposed increase from $10,000 to $15,000, and the results to date, with ballots received from more than 55 percent of our 6400 members, favors the insurance increase almost two to one.

This poll is completely current. It reflects the actual views of our members now, and while it may be at variance with other representations on this subject that have been given to your Committee, we hope this factual information will be helpful and useful in arriving at your decision. The latest tabulation, made at our home offices today, shows 2188 for, and 1316 against the increase, which is 62 percent for the increase, and 38 percent opposed.

We are likewise familiar with the House-passed amendment, in Title IV, to terminate the effective date of the cease and desist provisions, Titles I and II, on June 30, 1968.

We strongly urge retention of these temporary or emergency provisions, in the same manner that temporary or emergency provisions were written into the recently passed interest rate control bill, to permit the thorough review, early next year, of the obviously loose language which grants broad controversial and unwarranted powers to the supervisors, without demonstration of need, as the record of your hearings on the bill, and Tuesday's floor debate in the House, eloquently shows.

We have no record position on increase in the insurance ceiling above the $15,000 figure, and believe that this decision could more properly be made next year, after study and consideration as a part of the review of the cease and desist bill provisions.

We cite the special provisions written into the bill to insure continued control by the Comptroller of the Currency over National banks, and the quite contrary provisions for superimposing the unwarranted authority of Federal administrators over the primary historic and traditional supervisory authority of the State supervisors.

We are aware that the insuring agencies object to the increase in insurance coverage without permanent provisions, both for interest and dividend controls and powers to issue cease and desist orders.

However, the Congress has recently adopted the previously mentioned interest rate control law with temporary provisions. Because the language of the removal provisions of the cease and desist bill are so objectionable, we strongly urge with all the sincerity we can command, that the temporary provisions of this bill be retained, as provided in Title IV, to insure its review and reconsideration next year.

Sincerely and respectfully,

PAT DUBOIS,
President.
REED H. ALBIG,
Chairman, Federal Legislative Committee.

UNITED STATES SAVINGS
AND LOAN LEAGUE.
October 6 1966.

Hon. A. WILLIS ROBERTSON,
Chairman, Senate Banking and Currency Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The United States Savings and Loan League supports S. 3158 as passed by the House of Representatives containing the increase in insurance for the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation to $20,000.

We would like to see the 1968 expiration date eliminated.

Sincerely,

STEPHEN SLIPHER,
Legislative Director.

NATIONAL LEAGUE OF
INSURED SAVINGS ASSOCIATIONS,
Washington, D.C., October 5, 1966.

Senator A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, Washington, D.C.

DEAR SENATOR ROBERTSON: With respect to the proposed Financial Institutions Supervisory Act of 1966, the National League of Insured Savings Associations strongly urges the Senate to agree to amendments adopted by the House of Representatives which would: (1) establish a June 30, 1968 expiration date on the "cease and desist" powers contained in the bill; and (2) increase the FSLIC and FDIC insurance to $20,000.

As you know, the National League has expressed deep concern over the broad grant of power contained in S. 3158 which members of the League fear is susceptible to possible abuse and arbitrary action by Federal supervisors. The League's position in this regard was expressed in detail before your Committee earlier this year.

Since those hearings, the League has attempted to develop alternative legislation which would grant a proper "cease and desist" authority to the Federal Home Loan Bank Board and legislation to this effect was introduced in the House of Representatives by Representative CLAUDE PEPPER of Florida, on September 22, 1966, in the form of H.R. 17900. Unfortunately, there was not sufficient time for the House Committee to give the kind of extensive study to H.R. 17900 that might otherwise have been the case at an earlier point in the session.

The report of the House Banking Committee makes this observation: "While the new cease-and-desist powers contained in titles I and II of the bill are temporary, it is the firm intention of the Committee to consider early in the 90th Congress permanent legislation to achieve maximum public benefit and security from insured financial institutions."

Inasmuch as the powers proposed in S. 3158 are of major consequence both to the Federal supervisors as well as the management of financial institutions throughout the United States, we are in support of the June 30, 1968 expiration date and request that the Senate favorably act upon the House amendment.

With respect to the increase in FSLIC-FDIC insurance, the National League has advocated in numerous communications with the Senate Committee on Banking and Currency legislation which would raise the ceiling. We feel that prior objections raised against this legislation no longer are valid at this time and believe that the public interest would be served if this amendment voted by the House were incorporated in the Conference Committee report.

As you undoubtedly are aware, the nationwide shortage of mortgage funds has intensified in recent months to the point where housing starts have fallen precipitously. We feel that the $20,000 insurance ceiling would help to expand modestly the availability of funds for home financing and would urge its enactment.

Sincerely yours,

WILLIAM J. KERWIN,
Executive Vice President, Administration.

ADJOURNMENT

Mr. MORSE. Madam President, in accordance with the order heretofore entered, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 44 minutes p.m.) the Senate adjourned until 10 o'clock a.m. tomorrow, Friday, October 7, 1966.

NOMINATIONS

Executive nominations received by the Senate October 6, 1966:

THE JUDICIARY

Spottswood W. Robinson III, of the District of Columbia, to be U.S. circuit judge, District of Columbia Circuit, vice George T. Washington, retired.

John Lewis Smith, Jr., of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Luther W. Youngdahl, retired.

Aubrey E. Robinson, Jr., of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Matthew F. McGuire, retired.

James E. Noland, of Indiana, to be U.S. district judge for the southern district of Indiana to fill a new position created by Public Law 89–372, approved March 18, 1966.

Lansing L. Mitchell, of Louisiana, to be U.S. district judge for the eastern district of Louisiana to fill a new position created by Public Law 89–372, approved March 18, 1966.

Philip Nichols, Jr., of Massachusetts, to be associate judge of the U.S. Court of Claims, to fill a new position created by Public Law 89–425, approved May 11, 1966.

FOREIGN CLAIMS SETTLEMENT COMMISSION

Edward D. Re, of New York, to be a member of the Foreign Claims Settlement Commission of the United States for the term of 3 years from October 22, 1966. (Reappointment.)

THE JUDICIARY

Harold H. Greene, of Maryland, to be chief judge for the District of Columbia Court of General Sessions for the term of 10 years, vice the elevation of Chief Judge John Lewis Smith to the U.S. district court for the District of Columbia.

Richard R. Atkinson of the District of Columbia to be an associate judge of the District of Columbia Court of General Sessions, domestic relations branch, for the term of 10 years, vice John H. Burnett, deceased.

Harry T. Alexander, of the District of Columbia, to be an associate judge of the District of Columbia Court of General Sessions for the term of 10 years to fill a new position created by Public Law 89–598, approved September 21, 1966.

Justin L. Edgerton, of Maryland, to be an associate judge of the District of Columbia Court of General Sessions for the term of 10 years to fill a new position created by Public Law 89–598, approved September 21, 1966.

Timothy C. Murphy, of the District of Columbia, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years to fill a new position created by Public Law 89-598, approved September 21, 1966.

IN THE AIR FORCE

Maj. Gen. John S. Hardy, FR1502 Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

Lt. Gen. Benjamin J. Webster, FR974 (major general, Regular Air Force, U.S. Air Force, to be placed on the retired list in the grade of lieutenant general under the provisions of section 8962, title 10 of the United States Code.

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier generals, Medical Corps

Brig. Gen. Robert Lee Rhea, Jr., O29285, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Philip Wallace Mallory, O20916, Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. Charles Harold Gingles, O20920, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Oscar Elliott Ursin, O21687, Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. Laurence Addison Potter, O22294, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier generals, Dental Corps

Col. Robert Bruce Shira, O21052, Dental Corps, U.S. Army.

Col. Pearson White Brown, O23610, Dental Corps, U.S. Army.

DIPLOMATIC AND FOREIGN SERVICE

The following-named person for appointment as a Foreign Service officer of class 1, a consular officer, and a secretary in the diplomatic service of the United States of America:

Maurice L. Hawes, of the District of Columbia.

For appointment as a Foreign Service officer of class 2, a consular officer and a secretary in the diplomatic service of the United States of America:

Dante E. Candelore, of California.

For appointment as a Foreign Service officer of class 3, a consular officer, and a secretary in the diplomatic service of the United States of America:

James W. Misslbeck, of New York.

For appointment as a Foreign Service officer of class 4, a consular officer, and a secretary in the diplomatic service of the United States of America:

James Maish, Jr., of California.

For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the diplomatic service of the United States of America:

Henry R. Appelbaum, of New York.
Robert W. Becker, of Minnesota.
David L. Boerigter, of Michigan.
L. Paul Bremer III, of Connecticut.
William R. Brew, of New York.
Miss Edith Louise Bruce, of Illinois.
George S. Durgan, of Connecticut.
John D. Finney, Jr., of Missouri.
Alan H. Flanigan, of Tennessee.
Dennis G. Harter, of New Jersey.
Ronald L. Humphrey, of Washington.
Wendell H. Jones, of Minnesota.
Allen J. Kampel, of New York.
Gilbert D. Kulick, of California.
Laurin L. Laderoute, of New York.
Ernest H. Latham, Jr., of Massachusetts.
Miss Bonnie M. Lincoln, of Minnesota.
David W. Loving, of Virginia.
James N. May, of North Carolina.
Miss Stephanie Mayfield, of California.
James A. Nathan, of Illinois.
David C. Norton, of Florida.
Thomas F. O'Herron, of New York.
David D. Passage, of Colorado.
Andrew D. Sens, of the District of Columbia.
Michael S. Sinton, of California.
Steven E. Steiner, of Pennsylvania.
Robert H. Stern, of New York.
A. Stephen Telkins, Jr., of Pennsylvania.
Thomas F. Timberman, of Maryland.
Victor L. Tomseth, of Oregon.
James A. Treichel, of the District of Columbia.

For appointment as Foreign Service officers of class 8, consular officers, and secretaries in the diplomatic service of the United States of America:

Wendell L. Belew, of California.
Clifford Lloyd Brody, of Virginia.
James W. T. Clarkin, of Rhode Island.
Miss Kathleen Jane Day, of Florida.
Thomas G. Eversen, of Wisconsin.
Brian R. Furness, of Maryland.
David P. Garretson, of New York.
John F. Hildebrand, of Texas.
David L. Hobbs, of California.
Larry J. Ikels, of Texas.
Barry B. R. Jacobs, of Michigan.
Robert K. Kelley, of California.
Charles T. Long, of Virginia.
Rafael L. Marin, of New York.
G. Eugene Martin, of New York.
Charles T. Moffitt, of California.
John G. H. Muehlke, Jr., of New Hampshire.
Richard W. Mueller, of Connecticut.
B. Donovan Picard, of Alabama.
Lionel A. Rosenblatt, of Pennsylvania.
Eric Rosenquist, of the District of Columbia.
Stanley S. Shephard, of Colorado.
David L. Tivol, of California.
Miss Marilyn Ann Train, of California.
Christopher G. Ward, of New York.
Douglas K. Watson, of California.
Stephen W. Worrel, of Ohio.

Foreign Service Reserve officer to be consular officer of the United States of America:

John S. Tilton, of Virginia.

Foreign Service Reserve officers to be consular officers and secretaries in the diplomatic service of the United States of America:

John Raymond Baine, of Virginia.
Philip J. Balestrieri, of Virginia.
Clarence E. Barbier, of Connecticut.
Francis E. Barnhart, of Maryland.
Gerard L. Buckhout, of New York.
Stanley R. Burnett, of Virginia.
Paul J. Burns, of New York.
George T. Colman, Jr., of Virginia.
Nicholas E. Conduras, of Massachusetts.
Jeff Corydon III, of Maryland.
McGregor Gray, of Maryland.
John J. Kadilis, of Maryland.
John F. King, of Virginia.
Gabriel L. Lowe, of Virginia.
David B. McGrath, of Virginia.
George B. Morley II, of New Hampshire.
Harold M. Otwell, of California.
Daniel Ricketson, of Minnesota.
Owen E. Robinson, of California.
Clark Rumrill, of New York.
Sunao Sakamoto, of Hawaii.
Alexander Shatton, of the District of Columbia.
Stannard K. Short, of Virginia.
Stanley Sikora, of Pennsylvania.
Royce W. Snyder, Jr., of Virginia.
George D. Swerdlin, of Virginia.
Samuel H. Wyman, of the District of Columbia.

Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Donald S. Brown, of New York.
Newman Jeffrey, of Michigan.
Willard Dean Sharpe, of California.

Foreign Service staff officers to be consular officers of the United States of America:

Miss Sarah R. Aft, of California.
Miss Edith M. Brown, of Florida.
Miss Nancy M. Campbell, of Virginia.
Miss Rachel C. Campbell, of Illinois.
Miss Micaela A. Cella, of New Jersey.
Mrs. Sarah G. Fisher, of Maryland.
John C. Garon, of Maryland.
Rudolph F. Glasl, of Wisconsin.
Julio B. González, of Texas.
David P. Hudson, of Florida.
Lewis A. Kert, of California.
William D. Kralle, of Pennsylvania.
Richard H. Luchesa, of Pennsylvania.
Mrs. Leia B. Luther, of Missouri.
Mariano R. Martinez, of Texas.
Miss Rose M. McCarthy, of Massachusetts.
Harry C. Merson, of Tennessee.
John H. Miller, of New York.
Spencer W. Phillips, of Connecticut.
J. Keith Powell, of Texas.
Arthur L. Price, of Illinois.
William J. Raftery, of New York.
Miss Margot E. Reiner, of New Jersey.
Miss Lucille M. Reny, of Maine.
Miss Mary A. Ryan, of New York.
Thomas J. Sinclair, Jr., of Maryland.
Miss Molly G. Skoll, of California.
David G. Summers, of Massachusetts.
James R. Todd, of Pennsylvania.
Donald R. Tremblay, of California.

ORGANIZATION OF AMERICAN STATES

Sol M. Linowitz, of New York, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

COMMERCE DEPARTMENT

Ross D. Davis, of New York, to be an Assistant Secretary of Commerce.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia for the remainder of the term expiring June 30, 1967, vice James A. Washington, Jr.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 6, 1966

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

In Him we live and move and have our being.—Acts 17: 28.

Eternal Father, who art the life of our spirits, the law of our minds, and the love in our hearts, with simple trust we draw near to Thee, opening our lives to Thy renewing presence. Strengthened with might by Thy spirit in the inner man, may we launch out into this new day sustained by an unfaltering faith which holds us up and supported by an unfailing fortitude which will carry us through with honor to ourselves, to our country, and to Thee.

Into Thy keeping we commit our loved ones, our Armed Forces throughout the world—especially in Vietnam—our Nation, and the cause of freedom.

During this time of danger and trouble keep us steady, make us confident, and give us the courage to face each day with a firm trust in Thee: through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolution of the House of the following titles:

H.R. 8034. An act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes; and

H. Con. Res. 1028. Concurrent resolution directing the Secretary of the Senate to correct the title of the bill, S. 3467.

The message also announced that the Senate agrees to the amendments of the House to a bill and joint resolution of the Senate of the following titles:

S. 2218. An act to establish a contiguous fishery zone beyond the territorial sea of the United States; and

S.J. Res. 106. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2102) entitled "An act to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BARTLETT, Mr. MAGNUSON, and Mr. PROUTY to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2720) entitled "An act to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. BARTLETT, and Mr. PROUTY to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3247. An act to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 689, 84th Congress, appointed Mr. Moss to be an alternate delegate to the North Atlantic Treaty Organization Parliamentary Conference to be held in Paris, France, November 14–19, 1966.

DEPARTMENT OF DEFENSE APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I call up the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, with Senate amendments thereto, and move that the House further insist on the disagreement of the House to the amendments of the Senate and ask for a further conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion of the gentleman from Texas.

The motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. MAHON, SIKES, WHITTEN, GEORGE W. ANDREWS, FLOOD, LIPSCOMB, LAIRD, MINSHALL, and BOW.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17788) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, with the Senate amendments thereto, disagree to the amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair hears none, and appoints the following conferees: Messrs. PASSMAN, ROONEY of New York, NATCHER, Mrs. HANSEN of Washington, Messrs. COHELAN, LONG of Maryland, MAHON, SHRIVER, CONTE, ANDREWS of North Dakota, and BOW.

AUTHORITY TO FILE CONFERENCE REPORT ON H.R. 17788

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on H.R. 17788.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 340]

Albert
Arends
Aspinall
Battin
Belcher
Bray
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Cooley
Corman
Craley
Davis, Ga.
Denton
Duncan, Oreg.
Dyal
Edmondson
Edwards, Ala.
Erlenborn
Evans, Colo.
Fisher
Flynt
Foley
Fulton, Tenn.
Grider
Griffiths
Gross
Halleck
Harvey, Ind.
Hébert
Holifield
Jacobs
Landrum
Long, La.
Long, Md.
McDowell
McEwen
McMillan
McVicker
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Moeller
Morris
Moss
Murphy, N.Y.
Murray
O'Konski
Olsen, Mont.
O'Neill, Mass.
Pool
Powell
Purcell
Rees
Reinecke
Rivers, Alaska
Robison
Rogers, Tex.
Roncalio
Roudebush
St Germain
Saylor
Scheuer
Schisler
Scott
Shriver
Smith, Calif.
Steed
Stephens
Sweeney
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Vivian
Walker, Miss.
Walker, N. Mex.
Watkins
Whitener
Willis
Wilson, Bob
Younger

The SPEAKER. On this rollcall 348 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXEMPLARY REHABILITATION CERTIFICATES

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 16646) to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 8, after "honorable" insert ", or who received a general discharge,".

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman make a short explanation of the Senate amendment and tell us whether it would be germane under the rules of the House, to the bill passed by the House?

Mr. BENNETT. It would be germane. It is a very small amendment of the Senate. All the Senate did was to include general discharges along with other types of discharges for consideration.

The House version had left out general discharges, because there is not usually substantial disapproval involved in a general discharge. Therefore, we saw no purpose in having it in this bill. The Senate decided it wanted to be able to have an exemplary rehabilitation certificate even as to a general discharge. We have no objection to this, because it does not in any way weaken the bill or hurt it in any way.

Mr. HALL. Will the gentleman state for the RECORD whether this bill that passed the House had to do with application to the regular military corps for this type of discharge?

Mr. BENNETT. This bill allows a request to the Department of Labor to get an exemplary rehabilitation certificate to show that the man has performed properly in civilian life. It does not wipe out his original type of discharge at all.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PERSONAL FINANCIAL STATEMENT

Mr. DUNCAN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DUNCAN of Oregon. Mr. Speaker, in times past I have inserted in the Congressional Record a statement of my income, assets, and liabilities. In view of the fact that I am again offering myself for public office and that much of the unfortunate results of conflicts of interests can be avoided by full and complete disclosure, I am again doing so. My statement follows:

I. ASSETS

1. Stocks and bonds:

One hundred shares of ICOA Insurance Co: $200.

One share of Rogue Valley Country Club: $75.

2. Financial interests subject to Federal regulatory agencies: None.

3. Real estate:

Residence in Medford, Oreg. (cost approx.) $25,000.

Residence in Virginia (cost) $43,500.

One hundred and fifty-five acres unimproved land near Medford, Oreg. (cost) $13,400.

4. Personal property:

(a) Household furniture in Virginia and a little in Medford. Most of the Medford furnishings went to the Salvation Army because of no storage facilities.

(b) Savings account in Jackson County Federal Savings and Loan, Medford, Oreg., approximately $2,800.

(c) Cash value of life insurance, about $3,750.

(d) A 1964 Ford Falcon (cost) $2,100; 1957 Oldsmobile (cost) $150; horse trailer (cost, approximately) $900; two horses; pets; and one-third interest in float house (cost about $85).

II. LIABILITIES

1. Mortgage on home in Medford: $6,339.

2. Two trust deeds on home in Virginia: $32,215 and $3,404.

3. Personal notes from First National Bank: $5,000.

4. Current household expenses.

III. INCOME

Virtually all of my income is from my congressional salary. I will have one or two small honorariums for speeches and a small amount from my former law partnership for accounts receivables and work in progress before my resignation upon my election to the Congress.

TAX CREDIT FOR TEACHERS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I have today joined in sponsoring legislation to insure the tax deductibility of educational expenses incurred by members of the teaching profession.

The bill would permit deductions necessary for expenses incurred while qualifying for academic credit necessary for maintaining and improving employment. The Internal Revenue Service has chosen to narrow its application of section 162 of the Internal Revenue Code.

At the present time, regulations limit deductions from gross income for educational expenses in those limited circumstances where an individual must take educational courses to maintain his job. No deduction is being allowed now for educational expenses to prepare a teacher for a better job, or even improve his or her effectiveness in present employment.

The bill being introduced today would serve to reverse this money-grabbing and "backward" trend, in IRS interpretation—specifically in one important area. Because of the teacher shortage in the country, it is believed action on this bill should be taken in time to make it applicable to 1966 tax returns.

We have a strange situation today where the Federal Government is expending large sums of money for education and training, while at the same time maintaining tax barriers and rates, which discourage people from spending these sums on themselves in order to upgrade their inherent skills.

We have received many letters from education officials in southwest Missouri urging support of this legislation, and after thorough research I am convinced it is both desirable and equitable.

The urgency is demonstrated by the fact that the Internal Revenue Service has proposed new regulations, July 8, 1966, which if made final, would make most teachers' educational expenses nondeductible.

PERSONAL ANNOUNCEMENT

Mr. HANSEN of Iowa. Mr. Speaker, yesterday I was unavoidably detained on official business and thus missed the vote on the conference report covering food for peace. Had I been present I would have voted "yea" on the motion to return the bill back to conference.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 13161, with Mr. Rostenkowski in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from New York [Mr. Powell] had 53 minutes remaining and the gentleman from New York [Mr. Goodell] had 49 minutes remaining. Before the Committee rose yesterday the gentleman from Indiana [Mr. Brademas] had been recognized for 10 minutes. The gentleman from Indiana is now recognized for 10 minutes.

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 13161, the 1966 amendments to the historic Elementary and Secondary Education Act of 1965, which I imagine most of us in this committee would agree represents, if not the most significant education bill ever enacted in the history of our country, at least the most important education legislation since the Land-Grant College Act back in the middle of the last century. The landmark legislation we are considering here today has provided the first general Federal-aid program to education for our elementary and secondary schools and in practically every school district of our country. This bill has come to the aid of hard-pressed teachers and overburdened administrators. Most important of all, Mr. Chairman, this legislation has given to children all over the country an opportunity for a better education.

Mr. Chairman, my colleagues have been discussing some of the amendments that have been recommended by the Committee on Education and Labor to various titles of the 1965 act. Therefore, I would like to concentrate briefly on the amendments proposed to title III of the act, the supplementary educational centers and services.

Let me observe at the outset, Mr. Chairman, that the title III part of the 1965 act, a very significant part in terms of its impact on the American educational system, nonetheless represents a rather modest part of the bill so far as expenditures are concerned. In the 1965 act we authorized $100 million for this title. Title III established a 5-year program of grants for the purpose of supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services that are not available in either sufficient quality or quantity, as well as to aid in the establishment and development of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

The touchstone of title III is innovation. Its principal purpose is to raise the quality of elementary and secondary education. Title III is not intended, therefore, simply to encourage more of the same to American schoolchildren. It is intended as a stimulus to improvement. Its support of imaginative, innovative programs is helping educators all across the country reduce the gap between research and the quality of educational practice, between what we know about education and how we teach. Title III achieves this purpose by encouraging local school districts to design at the local level innovative solutions to particular problems and then, by providing the resources, to help them put into effect plans that they have locally developed.

The development of the title III projects is now up to local administrators and classroom teachers as well as other professionals in the field of education and representatives of various educational and cultural resources of the area being served. We want to see this initial program at the local level. We want to help people at the local level to take a serious look at their most pressing educational problems and encourage them in their thorough search for the special services that they decide will help them to meet those problems. In a sense we are endeavoring to put our money where the shoe pinches by relying on the ingenuity and a commitment of local educators to educational excellence and improvement.

Mr. Chairman, I feel it is significant that the general response to this program has been heartening. I further believe its overall significance is clearly seen in the actual demand for proposals under title III, which have thus far exceeded the funds that have been made available.

Mr. Chairman, as I stated earlier, the bill last year authorized $100 million for title III programs, only $75 million of which was actually appropriated.

Mr. Chairman, by the end of this fiscal year, 2,700 projects had been submitted, projects seeking over $250 million.

Mr. Chairman, 1,000 of these programs were finally approved.

Mr. Chairman, the committee has, therefore, this year authorized $150 million for fiscal 1967, which authorization will permit the continuation of these worthwhile programs, programs which were begun in 1966, and which will make possible the support of approximately 1,000 new projects in fiscal 1967.

Mr. Chairman, in fiscal 1968, the committee bill authorizes the sum of $575 million, and I shall say a word about the purpose of these additional funds in just a moment.

Mr. Chairman, does the chairman of our subcommittee, the distinguished gentleman from Kentucky [Mr. PERKINS] wish me to yield to him at this time?

Mr. PERKINS. Yes, I desire the gentleman from Indiana to yield to me.

Mr. BRADEMAS. I shall be glad to yield to the distinguished chairman of the subcommittee.

Mr. PERKINS. First, Mr. Chairman, permit me to compliment the distinguished gentleman from Indiana [Mr. BRADEMAS] who has taken the lead in writing title III of the Elementary and Secondary Education Act, not only for this year but for last year, and a gentleman who has contributed so much during the course of the hearings to this entire piece of legislation, particularly those provisions which seek to inspire excellence and improvement in quality of education.

Mr. Chairman, I would like to ask the gentleman from Indiana [Mr. BRADEMAS] whether the evidence disclosed the fact that the funds which we appropriated and authorized last year were well utilized and put to use for a good purpose? Also, whether most of the funds were used for planning purposes and why it is necessary to authorize $150 million for fiscal year 1967 and why it is necessary to go above that amount for fiscal year 1968.

Mr. BRADEMAS. Mr. Chairman, I thank the chairman of the subcommittee for his kind comments, and in my remarks I shall answer the gentleman's questions.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield for a question?

Mr. BRADEMAS. I would like to complete my statement before yielding to the gentleman from Minnesota.

Mr. Chairman, in the thousands of school districts across the country affected by title III projects, over 8 million children are now benefiting from the exemplary programs that title III authorized, involving such new approaches as team teaching, computer-assisted instruction, flexible scheduling, instant retrieval of educational materials and programed learning for individual instruction.

Several hundred multipurpose centers are being planned or operated through the joint effort of schools in different districts and even in different States. Such cooperative planning offers our schools a new-found wealth, both in resources and in ideas.

Mr. Chairman, this approach has been urged in other contexts by such distinguished educational authorities as Dr. James B. Conant and Rev. Terry Sanford, former Governor of the State of North Carolina. At least 12 of our large cities have undertaken, entirely on their own volition metropolitan projects, involving both central city and suburban school districts, to reverse the deterioration of the schools in our central cities.

Mr. Chairman, as a firm believer in the role of the teacher as central to the improvement of education, I am particularly pleased to see that title III inservice projects are engaging some 300,000 teachers in a reexamination of their training and experience in order to develop methods and techniques relevant to the individual differences and varied background of their students.

But most of all, Mr. Chairman, it is the children who benefit while the Nation gains from better schools. Title III projects have meant and will mean better instruction, new methods of learning, and also new experiences—such as live theater, musical concerts, and art exhibits—for over 8.3 million children. For these children, as well as for many others as the program continues, title III can make the difference between just going to school and having a chance for a first-class education.

Yet, Mr. Chairman, despite our concern for providing quality educational opportunity for all children of our country, title III has until now overlooked a group for whom education can be of significant importance.

I refer at the outset to the American Indian children who attend schools operated by the Bureau of Indian Affairs of the Department of the Interior. And, I refer to the children who attend schools operated by the Department of Defense. For this reason, the committee has recommended that these children be included in the provisions of title III, which title at present authorizes a set-aside of 2 percent of the funds for children who go to schools in the outlying areas of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific. The set-aside figure for the outlying areas, together with the children in the Defense Department, overseas dependent children, and the Indian children, will be 3 percent.

In addition, Mr. Chairman, the committee has recognized that many of our local communities are making valiant educational efforts, but that they are already overtaxed and overburdened. Many of these communities facing the greatest educational problems are the same communities which are least able to meet them because of pressing financial burdens. For this reason the committee proposes to amend the present act to require the Commissioner of Education to give special consideration to meritorious proposals from local educational agencies which are financially overburdened.

This section, Mr. Chairman, provides that the Commissioner will give special consideration to those districts which are making reasonable tax efforts, but which are unable to meet the critical educational needs because of serious overcrowding, obsolete buildings, racial imbalance, or unsafe facilities, or because of any other condition that has imposed a substantial and continuing financial burden on the local agency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. I yield an additional 5 minutes to the gentleman.

Mr. BRADEMAS. I was referring, Mr. Chairman, to title III of the bill, which provides for some assistance to school districts which are very seriously overburdened in terms of their financial efforts in coping with a number of pressing problems.

Just as with title III programs during the last year, the proposals contemplated by the committee amendment to title III would originate from the local school district. They would be reviewed by the States, which have an opportunity then to make recommendations as under the present procedure—and there is no change whatsoever in the present procedure—and then be subsequently approved by the Office of Education. No school district or community would be required, would be forced, would be compelled, to make a special effort in a particular problem area. The choice with respect to the amendment that I am presently discussing, as with the operation of title III as it is at present, rests with the particular locality. As in the past year, projects will be approved on the basis of merit within the limitation of the allocation for the State.

The Commissioner, however, must give special consideration to projects of high merit which deal with the pressing educational problems which the committee has listed.

The local projects will be reviewed by the State educational agency and final approval for funding will take place in Washington, as at present, from the Office of Education. But I reiterate, Mr. Chairman, the fundamental point that the initiative for proposals will still come from the local school areas. The Office of Education will fund only projects which are initiated, designed and submitted by local school districts.

Mr. Chairman, because of the relatively low level of funding last year—and I now address myself to one of the points which the gentleman from Kentucky raised—title III applications for construction have received low priority. Increased authorizations will mean that the necessary construction, which has been deferred until now, can receive greater attention. Planning for construction of innovative centers should receive greater priority, and the committee has set authorization levels with that need in mind. Obsolete, unsafe and overcrowded facilities do not create the kind of atmosphere in which creative imaginative education, which it is contemplated title III should encourage, can take place.

Our 1966 amendments will be of significant value in eliminating these roadblocks to educational progress.

Mr. Chairman, I believe that Congress can be very proud of what has been accomplished so far under the impetus provided by the Elementary and Secondary Education Act. I believe as well that the 1966 amendments will serve to strengthen the act, and thus enhance the quality of educational opportunity for the young people of our country.

I urge very strongly, therefore, that this Committee act favorably on H.R. 13161.

Now I will be pleased to yield to my colleague from Minesota.

Mr. MacGREGOR. In speaking of title III the gentleman told us, and I am sure I am quoting him correctly, that the help was designed to go where the shoe pinches.

May I ask the gentleman from Indiana whether under title III it is the intent of the Committee on Education and Labor to give special assistance to disadvantaged or impoverished areas?

Mr. BRADEMAS. I would say to the gentleman from Minnesota, if he will examine the formula for the making of grants under title III——

Mr. MacGREGOR. I have done so.

Mr. BRADEMAS. He will observe that there is no poverty formula along the lines of the title I formula. It is important, I think, and there is perhaps a good deal of confusion in the public mind on this, that we recall that it is the title I programs which are written on the basis of putting the funds into the school districts where there are large concentrations of low-income families. But the formula does not carry over into title III.

Mr. MacGREGOR. I thank the gentleman for making that distinction and for nailing down the fact that the intent of title III is not necessarily to provide assistance in areas where the need is.

Mr. BRADEMAS. I did not say that. I did say that there is a distinction between the purpose of title I and the purpose of title III and I pointed out that the distinction can be observed by reading the formulas for the allocations of moneys under the two titles. I note in the title III formula there is no reference to the fact that funds must be granted to concentrations of low-income families.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield further?

Mr. BRADEMAS. I will yield at this point to the gentleman from Michigan [Mr. WILLIAM D. FORD] and later yield to the gentleman from Minnesota [Mr. MacGREGOR].

Mr. WILLIAM D. FORD. Mr. Chairman, I would like to point out that the language of the section that is being questioned at the moment is specifically designed to give school aid on the basis, not of the financial standing of the individual students in the school districts, but on the financial status of the school district itself. The words are, for example, that "special consideration will be given to the school district that is making a reasonable local tax effort but" "is nevertheless"—nevertheless is the important word here—"unable to meet critical educational needs under this section of the bill."

I might say specifically there are three areas that we are targeting in on: the older parts of some of our cities where the facilities that they have been able to provide, with our overtaxed local ability to support schools, are overcrowded, inadequate, and unsafe; the rapidly growing suburban school district, which despite the Herculean efforts on the part of the States and the local communities to raise taxes, cannot keep pace with the rapid growth; and the rural school districts which, because of the sparsity of the school population and the property tax that it takes to support quality education are in need. These are the three areas, specifically, that this section of the bill would direct the attention of the commissioner toward. I might say that the original purpose of this section is to provide a means of using the resources of our educators across the country and of finding new methods of improving the quality of education.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman.

Mr. MacGREGOR. I thank the gentleman from Michigan for the detailed information on the question of the purpose of title III. But I do want the record to show that in my particular suburban district the only title III money which has been disbursed by the Office of Education during the school year of 1965–66 has gone to the wealthiest school districts, and the poorer schoolchildren have not received one dime of money under title III.

I bring this point out even though it may well be that the poorer school districts were tardy in making their application for funds. I do think that the intent of title II as developed by the gentleman from Michigan [Mr. WILLIAM D. FORD] has not been carried out in the implementation of the program in the suburban Minneapolis areas.

Mr. BRADEMAS. I will say to the gentleman that his remarks are most encouraging to me because if he carries through on his philosophy he will be a strong supporter of the proposed title III amendment which the committee bill contains.

The fact of the matter is that the amendment I have just been discussing, which is addressed to the kinds of needs which the gentleman from Michigan also discussed, is what we hope will be added to the present language of the bill. This language is not now in the law.

So if I read the gentleman aright, he wants us to help him do what he wants to help his own school district to do.

Mr. GOODELL. Mr. Chairman, I yield 13 minutes to the gentleman from Alabama [Mr. GLENN ANDREWS].

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. GLENN ANDREWS. I yield to the gentleman from California.

Mr. BELL. I just take this time to mention that, as the House knows, my amendment relating to adult education was defeated during consideration of amendments on the poverty bill. I have the amendment up again for this particular bill, H.R. 13161. I want to point up one thing. I agree very much with what the gentleman from Indiana [Mr. BRADEMAS] said. He has been an outstanding member of the committee. However, I think he has made some errors in his comments during the debate on the poverty bill relative to adult education.

For example, he said the Commissioner is too busy with other programs to be given an added responsibility. The point is under the Adult Education Act it is already being handled by the Department of Education and the Office of Education, and only the purse strings under the OEO would be involved. The administration request for money was less than $40 million. This year there is an expansion of the program under the Poverty Act with less money. These and other points I would like to bring out which I think were missed. It was claimed that my amendment and the Office of Education program was not focused on the poor through the guidelines set up in conjunction with the Commissioner of Education. My amendment states its purpose, and I read it in quotes: "To encourage and expand basic educational programs for adults, to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens."

The thrust of the amendment would be to improve the ability of the deprived. This is no different from what it is under the present OEO.

The argument was made that this means it would be a scattered program if it were changed. Actually, it would not be. This would eliminate a scattered program by eliminating the unnecessary OEO middleman.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield for one observation?

Mr. GLENN ANDREWS. I have only a few minutes; I yield to the gentleman from Indiana very briefly.

Mr. BRADEMAS. I just want to say to my good friend from California that I appreciate his comments. If we are both reelected to Congress on the 8th of November, I look forward to discussing his proposal when we next year debate extension of the Economic Opportunity Act.

Mr. BELL. I thank the gentleman.

Mr. GLENN ANDREWS. Mr. Chairman, during the recent 1966 civil rights debate, a very eloquent plea for spiritual attainment was made by the gentleman from Maryland [Mr. MATHIAS]. He urged the adoption of the open housing section of the bill as a means of getting something off our consciences and of bringing to our hearts a sort of spiritual peace.

I weighed this deep emotional sincerity against the background of my own, and then believed, as I do now, that we had the same end in view. But I do not believe you can effectively legislate matters of the heart. You only compound the problem. We witness today serious reactions to the liberal drive to end discrimination quickly with irresistible Federal law and arrogant executive decrees instead of persuasion.

The Southern States have lived for a hundred years with a custom which had the legal sanction of the highest court in the land. This custom had State and local legal sanctions only in the Southern States, but was practiced all over America not in hate, but as a natural selective process. If there is now hate, some of it is against arbitrary, illegal, heavy-handed, vindictive authority. People prefer their own kind, naturally. This has never until now been declared a general crime.

I regard the retention of some degree of voluntarism in personal association, freedom to choose our companions, at least in some facets of our daily living, as a cornerstone of the very survival of the great American experiment. The welding together into a Nation of an assortment of people of different cultures and ethnic backgrounds, different physical, mental, and moral capacities, requires some recognition, some tolerance, of American differences. The Nation is not strengthened by bureaucratic mixing and blending of these differences—it is questionable whether these differences can ever be wiped out by Executive decree.

The Brown decision of 1954 recognized that the descendants of the former slaves were not enjoying full citizenship, full access to the advantages of free America: it reversed the traditional Court position which had endured for a hundred years.

The Supreme Court in 1954 struck down the State and local laws requiring segregation in public institutions.

If I may interpret what the Court said in the 1954 decision—and I represent the predominant view of 400,000 people—the Court said unequivocally that it was not within the authority of any government or agency to choose an environment or social mixture of any of its citizens in public institutions—that is, in schools, buses, juries, or courthouses. In short, legal segregation in public institutions had to go.

I submit that, if it was beyond the authority of Government to segregate, I have yet to see the source of the authority to force integration in public institutions, by direct action or by indirection as in Federal aid to education, rent supplement or any other Federal bribery. We are all aware of more stringent schemes as concocted by the recent HEW task force. We have read the blueprint on forced integration of the future—bonus Federal money to those who integrate the most. The bonus is a particularly irritating method of force.

As the Government spreads its economic mantle over one facet after another of the lives of its citizens, each time clothing with a public interest a new department of our lives, the matter of choosing an environment for our citizens in public institutions means choosing an environment for us in everything that we do.

Federal aid for everything we do is changing us from a free to a coerced society. We appear to need a bigger and better civil rights bill every few months to whip some poor victim of 100 years of custom into line. Coercion fails to give me Mr. MATHIAS' spiritual uplift—coercion, rather, gives me a spiritual depression.

In defiance of the Brown Court decision of 1954, which said that Government had no right to choose an environment, the Commissioner of Education, with the advice and consent of the President, is now personally attempting to choose the environment or social mixture for millions of Americans. And if the President does not concur with Mr. Howe's speeches all over the country, he has never said so and the integrity of the executive branch is being compromised. While the President is persevering in silence, America is being handed a deal which could outdo discrimination as an evil—that deal is political mixmasterism.

Mr. Howe's guidelines and speeches say, in arrogant imperative, "I shall choose the environment of our junior citizens, based on voluntarism, initially, in whatever percentages I may feel are expedient. If that does not accomplish my objective, which is completely balanced integration, I will defy geography, tear down existing schools, build new ones and redraw boundaries." Mr. Howe and Secretary Gardner both assure America that they have no intention of requiring or compelling busing or of rezoning. But if you look at what they propose, somebody is going to have to bus someone or no one gets to school. Great central school parks may not be rezoning, but it is zone destruction. It is a disservice to the intelligence of America to play the old shell game with them, using the vagueness of words in the English language to con or deceive them.

I come from a region hungry for knowledge, a region where poverty stalks the lives of great sections of my people. I come from a region where education should have far-reaching results.

I shall introduce an amendment to the primary and secondary education bill to prevent any governmental agency from cutting off Federal funds in order to overcome racial imbalance in public schools. I hope this may temper this mixmaster madness. My amendment already has the sanction of the courts.

The courts have already said, "you shall not tear down schools or redraw zones or bus to achieve racial balance." I think it highly proper that we stop fooling the American people with word games and executive trickery.

Let America understand that the executive branch of the Government intends to support the law as spelled out by the courts and by, in this case, the Congress itself, by adopting my amendment.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me for 1 minute or even 30 seconds.

Mr. GLENN ANDREWS. If I have any more time, I will be glad to yield.

The CHAIRMAN. The gentleman from Alabama has 2 minutes remaining.

Mr. PERKINS. I just wish to compliment the gentleman and the great State of Alabama in the circumstances for the progress they are now making under the Elementary and Secondary Education Act of 1965. I am advised you have 118 school districts and you only have 11 that have been declared ineligible for assistance under the Elementary and Secondary Education Act, but you do have in the deferred status 9 other school districts that have received funds and only 2 of those that have been cut off have been put in the deferred status. So I think your State, considering all of the circumstances involved, is making tremendous progress under this particular piece of legislation.

Mr. GLENN ANDREWS. I would say to the gentleman that when we have no ineligible districts instead of 11 and when we have no districts in confusion instead of 9, when such a time arrives, I will have no need to stand in the well and offer this amendment.

Mr. GOODELL. Mr. Chairman, I yield 10 minutes to the gentleman from New York, [Mr. FINO].

Mr. FINO. Mr. Chairman, I intend to support this bill, but I also hope to see one part of it cut to the bone. I refer to the section of the bill which is to provide a half billion dollar slush fund for school busing, pairing, and redistricting.

Frankly, I was amazed to read that this administration, notwithstanding the fact that we are fighting a war in Vietnam, proposes to spend $575 million in fiscal 1968 for the "supplementary" services section—title III of the Elementary and Secondary Education Act. Do you know what that title provides for? I regret to say that this money is to be used to fund schemes for ending so-called racial imbalance. This language is right in the committee report.

The committee report says on page 24 that:

> Projects under this title may be used to encourage imaginative approaches, designed by local school districts, to achieve the elimination of racial segregation and related conditions.

Related conditions, of course, mean racial imbalance. Now the Supreme Court has refused to deal with racial imbalance. I would hate to see the House of Representatives turn to fuzzier thinking than even the Supreme Court.

Let me tell you what title III has been used for to date. In Hartford, Conn., this Federal money has been used for the busing of schoolchildren.

Mr. Chairman, I am against forced busing of our schoolchildren and I am against anything like busing. In a nutshell, I am for the neighborhood school and against programs to undercut it in the name of "racial balance."

One type of program mentioned in the committee report is "support of joint academic programs by suburban and core-city school districts." Mr. Chairman, that is a fancy name for a program which amounts to busing—pure and simple. I will not vote for money for a program which will split classes between slum and suburban schools so that children in my district or other outer metropolitan area districts get bused into the slums so that some sociological quack like Harold Howe can experiment.

If you do not think that the new Commissar of Education has busing in mind, read his speeches. On May 3, at Columbia University in New York, Harold Howe said:

> Busing of pupils to create racial balance is highly controversial, but must be conceded to be helpful in some situations.

I suggest you read the recent testimony of Howe before the Rules Committee. He talked about how both busing and metropolitan areawide school planning are under consideration down at the education directorate. Let me also point out that this bill specifically includes language providing for reimbursement for "pupil transportation services." What else is that but busing?

Yesterday, I discussed this point about busing with the gentleman from New York [Mr. Carey] and the gentleman from Kentucky [Mr. Perkins]. They told me that this language will not be interpreted to mean busing for racial balance. Just busing of crippled children. Now I would not for one minute doubt the statements of the two gentlemen. They do not want this money used for school busing for racial balance. But the gentlemen from New York and Kentucky do not make the rules down at the Office of Education. Harold Howe does. And we all know Harold Howe. He has babbled about busing, pairing, and metro planning at every conference of school planners from Los Angeles to Long Island. Who here wants to leave the definition of "busing" to Harold Howe?

I suggest that anyone who does is taking a big chance with the children of this Nation. As a matter of fact, the child you save may be your own. Think of it that way. That is how the people of this Nation are thinking about it.

Several weeks ago, I exposed the proposed Equal Educational Opportunity Act of 1967. This incredible document proposes to add busing grants to the Civil Rights Act. But if we pass this bill today, it will not matter if busing is tacked onto the civil rights bill because Commissar Howe will be able to give away Federal dollars for school busing under the terms of this very bill.

Let me read you the list of racial balance schemes proposed by the Office of Education in the 1967 draft legislation, which, by the way, has gone to Secretary Gardner and bears the names of the Office of Education planning head and the Office legislative man. Here is the list of grants the social planners want to make under the Civil Rights Act, which is to be amended, they hope. Here is the list:

> 1. Comprehensive, district-wide rezoning of school attendance areas to obtain maximum heterogeneity.
> 2. Pairing, grouping or clustering of adjacent Negro and white schools a division by grade level in two or more residential areas.
> 3. Reorganization of the use of schools; reorganizing the grades of a school; converting schools to other uses; clothing schools; changing feeder patterns; grade pattern reorganization.
> 4. Careful site selection to locate new schools so as to maximize integration of residentially segregated student populations.
> 5. Increased bussing from overcrowded to underutilized schools.
> 6. Development of "magnet" high schools, each specializing in a different subject area with enrollment open to the entire school district on the basis of interest rather than ability.
> 7. Development of supplemental educational centers, comprehensive community schools and shared time programs to draw district-wide enrollment as well as participation from private and parochial schools.
> 8. Open enrollment, voluntary enrollment and free transfers.
> 9. Creation of metropolitan school districts to include urban and suburban areas.
> 10. Suburban-Inner City pupil exchanges.
> 11. In-class pupil grouping to avoid racial separation, development of ungraded primary classes; remedial and compensatory programs within the framework of regular classroom structure.
> 12. Inservice training for teachers and other school personnel; employment of specialists to advise school personnel, parents, children and the public on problems of desegregation; improving guidance and counselling services.
> 13. Development of new curricular materials, particularly those including proper representation of racial and religious minorities.
> 14. Teacher assignment to assure faculty integration at all schools.
> 15. Improvement of recruitment and advancement of minority group teachers and of white teachers who are motivated to teach in ghetto schools and in transitional programs.

Now Commissioner Howe says that this type of program—which he admitted before the Rules Committee he is considering—is purely voluntary, and is simply intended to stimulate local efforts. In other words, only cities requesting it will get it.

This is not true, there will be coming up before the House next week a mechanism to force communities to take money for busing and other experiments, such as educational parks and suburban-inner city pupil exchanges. The "metropolitan planning" section of the 1966 omnibus housing bill requires metropolitan areas to plan education according to Federal criteria before they can get bonus grants for airports, sewers, and so forth. Secretary Weaver, another supersocial planner, specifically said so on February 28 of this year when he testified before the Subcommittee on Housing, of which I am a proud member.

I urge this House to delete the money for title III's busing, pairing, and educational park schemes. I hope that the House will cut the proposed busing and racial school experiment money down to size, or cut it out altogether.

In closing, I would like to tell the House that for pointing all this out, I have earned a desperate smear from the Washington Post. I urge the Members of this House to read that editorial, and then to read my reply, which is in the Record for October 4. I answered the lies or faulty research of the Post by quoting Secretary Weaver. He told our Housing Subcommittee hearings last February and March that education was involved in both the demonstration cities and metro bill. The foolish Post said that—and I quote:

> The demonstration cities bill has nothing to do with schools.

This stupidity is all the more inexcusable when you consider that the Post contacted my office several weeks before, and all of this was cited and explained to them. They were not even smart enough to read the hearings and see that there are 12 Office of Education programs in the demonstration cities bill.

I commend the Post editorial to you all. Read it and read my reply. You will learn the anatomy of a smear. I suggest you read this bill carefully, too, and the hearings as well. The social planners are at work. The country wants us to stop them.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. William D. Ford].

The CHAIRMAN. The gentleman from Michigan [Mr. William D. Ford] is recognized for 5 minutes.

Mr. WILLIAM D. FORD. Mr. Chairman, I simply would like to observe that as one of the authors of title III, I feel the gentleman who just preceded me in the well once again is searching for the nonexistent specter of school busing with about the same success as the old maid who looks half hopefully under her bed for a burglar.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I have listened with great interest to the remarks made by our able and distinguished colleague from New York. Last week he read John Lindsay out of the Republican Party. Maybe this week is Governor Rockefeller's week.

I call to the attention of the gentleman from New York the language of the bill, and I challenge the gentleman from New York to show me where there is anything in the bill that, to quote him, forces busing on local school districts. He will not find it, and he knows he will not find it.

The gentleman also made reference to an alleged bill which he says will impose mandatory busing on children in the United States.

I refer the gentleman from New York to a statement made by the Commissioner of Education, Mr. Howe, on the 13th of September this year—and these are facts that I am quoting, because I agree with the gentleman that stupidity has no place in a discussion of so sensitive an issue, and on that we are completely, 100 percent, in agreement.

I call the attention of the gentleman from New York to these facts—facts, that is, f-a-c-t-s, not allegations—that is, a-l-l-e-g-a-t-i-o-n-s.

The Commissioner stated:

> The Office of Education has no intention of compelling school busing and the redrawing of school boundary lines.
>
> The Office of Education is firmly committed to the principle of local control of public schools.

Mr. Chairman, on the 14th of September, the next day, the Secretary of Health, Education and Welfare, John W. Gardner, a distinguished Republican American, repeated the position of the Department and he said—and this is a fact—f-a-c-t:

> We can say flatly—

F-l-a-t-l-y—

> that the Department of Health, Education, and Welfare has no intention whatever of submitting legislation that would compel school busing or rezoning.
>
> The Department of Health, Education and Welfare—

Secretary Gardner went on to say:

> is deeply concerned with improved education throughout the Nation and the insurance of equal educational opportunities for all.
>
> It should be emphasized, however—

Secretary Gardner continued—

> that any legislation proposed by the department will embody the historic American principle of local supervision and control of public education.

Now, Mr. Chairman, if indeed there were in this bill any such mandatory requirement of busing, which the gentleman from New York has alleged was in this bill, I would oppose it flatly because I do not think it would be wise to impose in any mandatory way such a requirement on the local school districts.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from New York.

Mr. CAREY. The worst disservice that could be done to this bill at this juncture would be to misrepresent title III for anything but what it is. It is really the "sweetheart title" according to the educational authorities of this country.

It is a title for innovation and for imaginative proposals which must originate in the community with wide consultation and coordination of all the strengths in the community—the arts, the sciences, literary people, public and nonpublic educators—the entire community participates.

The one thing that it certainly is not is a "poor child" title. This is the title which addresses itself to educational programs for all children of families of all incomes.

I have the great honor to represent an area in New York City and share in the representation of a section of New York City with my distinguished colleague, the gentleman from New York [Mr. FINO], in a district which is quite similar in income to his own. I regard the gentleman very highly. Within the confines of his district there is the great Fordham University. Fordham University has participated very actively in the generation of title III proposals. I know that his district, as mine has also, has benefited in these new imaginative proposals that go to the building of quality programs into our educational system.

I know my distinguished colleague, the gentleman from New York, is conversant with the precedents and the history and experiences which he and I have shared in watching these programs develop in New York City. These include some of the finest things that have ever been done. Children are getting to go to museums and art exhibits. They hear traveling symphonic groups. The schoolchildren are seeing these great works of natural history in the museums. This is done under title III, and the gentleman well knows that.

I think the gentleman also knows that there has never been a proposal made in our city or anywhere else under title III that this title be used for any kind of program for the transportation of children for other than cultural purposes. Is that not the truth and I would like to have the answer of my colleague, the gentleman from New York [Mr. FINO]?

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from New York to answer our colleague's question.

Mr. FINO. I am in complete agreement with the gentleman from New York, that if this bill provided for exactly what the gentleman has said it will provide, I am in complete agreement.

However, I do have this fear—that with Mr. Howe down here in the Department of Education, and with his philosophy and with his thinking, I have tremendous fears that compulsory busing might be injected into this picture.

If the gentleman is sincere when he states that the only purpose is exactly what he supposes and states—that is, for cultural transportation and all that sort of idea, then will he support an amendment to restrict any compulsory busing under this legislation?

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman.

Mr. CAREY. Such an amendment, and I have had the opportunity to consider it, which would simply dot the "i" and cross the "t" and which has to do with compulsory busing may well be considered by the House. But none of us have seen the gentleman's amendment. I am not going to prejudge it and say at this time whether I would be for it or against it.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, to continue, I want to make the point crystal clear that any misinterpretation of title III would not work, curiously, to the disadvantage of poor children only.

It would not work to the disadvantage of poor Negro children who are basically helped under title I. If you destroy title III, if you impair the local school district in its exercise of discretion, you will be doing it to the disadvantage of the middle-income groups who participate in title III. This would work to the disadvantage of districts like that of the gentleman from the Bronx and my own district. That is why I do not want to see any impairment of this.

In consideration of the gentleman's very grave concern that there would be compulsory busing involved here, let me recite a history of the recent relationship between the New York City Board of Education and the Commissioner of Education of the United States. When the board was considering title I proposals and title III proposals during the past school year, advices were received from the Commissioner of Education at my instance. I took the proposals and submitted them to the Commissioner for study.

The Commissioner gave me some curbstone opinions on what the proposals contained in terms of value and quality. These were communicated to me. These evaluations were sent to the board. The board, probably quite properly, resented the Commissioner communicating with me instead of with them.

The Commissioner went up to the board, met with them, and, in all candor, he apologized. He was "carried out on his shield." He said he would never again do anything unless he conferred with the board first.

I want to impress on the gentleman from New York that the board in every way imposed its will upon the Commissioner as to the conduct of its own programs. I think the gentleman will agree that no amendment we could pass in this House could have any effect upon the local authorities, the discretion and will of the school authorities in New York State and New York City. Under this bill I am sure he does not want to accomplish that.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from New York.

Mr. WOLFF. Since from this colloquy there is no question as to whether local autonomy will be maintained under this bill and busing can only be initiated by State authority, I wonder if we can get some information from the gentleman from New York [Mr. FINO] as to Governor Rockefeller's position on the question of busing.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from New York.

Mr. FINO. I would like to tell the gentleman from Nassau County that I am not interested in the position of Mr. Rockefeller; neither am I interested in the position of Mr. Lindsay. They have their own problems, and I suggest that we let them solve their own problems.

Mr. CAREY. I agree they have problems.

Mr. FINO. I am interested in the people of the 24th Congressional District. I am interested in seeing that there is no involuntary or forced busing under this legislation. When the gentleman said that this legislation will have no effect on the local authority because they are autonomous and all that nonsense, let me remind the gentleman from New York that the Commissioner of Education here in Washington holds the purse strings and the gentleman from Brooklyn knows full well that if he controls the purse strings, then he can control the destiny of that school district, wherever it might be.

Mr. CAREY. Mr. Chairman, I decline to yield further at this point. I did recite to the gentleman an actual instance of where the board called the Commissioner to account in New York City, and the Commissioner accepted the imposition of their will upon his. This has happened before. This is a clear precedent. But in not one instance has the Commissioner been able to direct the board in that city to take one single action that was not of their own doing.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, as an indication of my own earnest in this respect, I want to say to my fellow Mediterranean from New York that if he can show me where there is any language in this bill that provides for compulsory busing, I will buy him a first-class dinner at the best Greek restaurant in New York; if he cannot show me such language, I hope he will buy me a first-class dinner at the best Italian restaurant in New York.

Mr. CAREY. Mr. Chairman, I decline to yield further at this point. Because I, too, am a member of a Panhellenic organization known as Ahepa, if there are any dinners going around here, I want to be in on them. I have great regards for the Sons of Italy as well.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to my colleague from New York.

Mr. FINO. The gentleman from New York still has not answered my question as to whether or not he will support an amendment that I shall offer to make it explicit and clear that no interpretation of this section of the law shall imply any compulsory busing or involuntary busing.

Mr. CAREY. I would dearly love to discuss the amendment with the gentleman. I have not seen it.

Mr. FINO. I do not want to discuss it with the gentleman. I want to know if he will vote for it.

Mr. CAREY. I am opposed to the compulsory busing of schoolchildren.

Mr. PERKINS. Mr. Chairman, I yield myself 1 minute.

First let me state that I had the privilege of hearing the distinguished city school superintendent from the State of New York, before our committee, on this particular title.

He was not concerned about busing. In fact, there is no busing in this title. He was concerned about many things, including the quality of education, that was going to be improved in New York City as a result of this title.

He stated that many projects had been approved under this title, and he was there asking for money to finance these projects to improve the quality of education of all the children in New York.

Mr. GOODELL. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, again we have the elementary and secondary school bill before us, with a great deal of controversy and concern about what will be enacted.

My position this year is slightly different from what it was last year.

I was strongly opposed to most of the bill last year. I was opposed to the formula which would have given the least amount of money to the poorest State and the greatest amount of money to the wealthiest State—$121 per poor child in Mississippi and $364 per poor child in New York.

We have changed that, now—not fully, not to the extent I would like to see it, but at least we have changed it sufficiently so that the poorer States will receive the amount of money which an average State in the Union would receive. I believe this was a great step forward. Mississippi will receive $237 per poor child under my amendment.

We have made some other smaller amendments in the act, which are beneficial. There is help to the Indian children and help to the migratory children, which I believe will have a salutary effect on the future of these young people.

My other change of opinion from last year comes from the fact that we have a program in operation in the schools now. Title I is operating in more than 90 percent of the school districts of the country. They have been led to believe it will continue. The continuing resolutions enable those who want to take a chance on the whole year to begin in the first month and in the second month of this school year. I believe that in order to keep faith with these people we should do as best we can to adopt a bill which will continue into next year.

Also title I especially, I believe, needs to be in a 2-year bill. As we know, the schools prepare their budgets about April for the coming year. If they live in uncertainty as to whether the bill will be continued, and what will be in the legislation, that makes it extremely difficult for them. They cannot carry on past the end of the fiscal year like the Federal Government does.

So, since the Federal Government is now a major partner in education, not only in higher education but also in the elementary and secondary schools, I believe we must bear this in mind.

But there are still plenty of faults in this act, even after amended as in the bill before us.

In title I the States do have a choice. They must approve the projects that come from the local school districts, but they cannot lay out State plans in which they can put special emphasis into an area of dire need.

Every Member knows that someplace in his State the children are educationally deprived. Everyone knows it. Nobody has to question that at all. If such a district, however, cannot receive a sufficient amount of money to bring their young people out of their deprivation, because some other school district receives money which it does not need—those who don't need it are wealthy districts with a small percentage of poor children, and therefore such poor children receive the same education as the wealthier. I do not believe we are zeroing in on the real problem of the educationally deprived children until we permit States to determine as only they can determine where the greatest incidence of educational deprivation exists.

I think that an amendment which would permit a State to devise a State plan which must be approved by the U.S. Commissioner of Education would be an amendment that would improve this legislation. Now, the committee has not seen fit to adopt the amendment I have offered because they fear there are some States in the Union that you cannot trust. They cite Southern States and use Alabama and Mississippi as a couple of examples of States they cannot trust. My amendment permits the Commissioner to reject a State's plan if he feels it is not in the best interest of all people of the State, no matter what the race may be of the young people in the State. But in the future we must permit State planning in order that they may and that we may zero in on areas of the States that have the greatest need. Title III is especially bad in this respect. Now all a State can do is make some recommendations. As was pointed out yesterday, the Commissioner of Education approved some title III grants that have not been recommended by the States.

I believe title III especially could function much better if a State plan were required. Especially if the O'Hara amendment remains in the bill, because this changes its concept from the concept which we had last year to a new one, a broader expanded one, where we get into classroom instruction and a whole host of other expenditures.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield briefly to the gentleman from Indiana.

Mr. BRADEMAS. First may I say that I appreciate the leadership that the gentleman from Minnesota has given on this bill and I am very glad he is a supporter of it. However, with respect to the last point he has been making on the question of the role of the States in the process of approving title III funds, would the gentleman not agree that in all of the hearings we had, there was very little, if indeed any, attack on that particular point. I do not recall that any States came to our committee or that we heard a lot of complaints about that.

Mr. QUIE. The gentleman is correct. In the hearings we did not have that kind of criticism or complaint. I notice that there is a tendency of many organizations—and this cannot just be leveled at educational organizations—who have been trying for years and years and years to get some Federal help and are now quite careful that they are not too critical immediately after a proposal was enacted into law. But I have heard from many school superintendents and teachers and people who are administering these programs who have criticized this fact and have told me that of any change they would be most in favor of it would be for a State plan in title III.

Mr. BRADEMAS. I wish the gentleman, if he will yield further, had brought to the attention of the members of the committee this volley of complaints, because this is the first time before the House that I have heard it.

Mr. QUIE. I sent over to some of my colleagues complaints that I have received. I will say I hope we get into this some in the Green subcommittee studies this fall of the Office of Education and the operation of educational laws they administer. I believe this year it would be unwise to expand the authorization, as this bill proposes, when we are fighting a war in Vietnam. I believe it would be unwise to expand this beyond the budget which the President recommends. This bill is definitely beyond the President's budget. I think it would be good if we would limit it to the budget. I think the two ways in which we could do it would be to put an authorization limitation on the number of dollars we want in title I so that under the new formula it would be prorated so that it would not expend more than the present authorization or the present law authorizes. The same thing with title III. I think it would be unwise now to expand this beyond the $150 million for title III that the President recommends.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield for a moment?

Mr. QUIE. Yes. I will be glad to yield.

Mr. O'HARA of Michigan. Yesterday the gentleman from New York [Mr. GOODELL] and I had a discussion with respect to a statement I had made to the effect that no title III applications had been approved that did not have prior approval of a State education agency. The source of that statement made by me is page 21 of the committee report at the bottom of the last full paragraph in which it states:

> No projects have been approved that have not finally been recommended for approval by a proper State educational agency.

Mr. QUIE. I see that.

At this time I yield to the gentleman from New York [Mr. GOODELL].

Mr. O'HARA of Michigan. Mr. Chairman, if the gentleman from Minnesota will permit me to finish my statement, I believe I can clear it up.

Mr. QUIE. Yes; certainly.

Mr. O'HARA of Michigan. Evidently, this report was printed subsequent to the first two go-rounds of approval applications under title III, but prior to the last go-round of applications for approval under title III, and if any title III applications have been approved, without first having been approved by the State educational agency, I am sure they are in the third go-round, and if that is the case, I apologize for having made this statement, because I relied upon information that is apparently out of date.

Mr. QUIE. I would add, Mr. Chairman, in my statement to the Members of the Committee of the Whole House on the State of the Union that I know my friend, the gentleman from Michigan [Mr. O'HARA] would never attempt to mislead the House of Representatives and, personally, I recognize that this was not intended, or that any thought was maintained on his part to mislead anyone.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. Yes, I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I thank the gentleman from Minnesota for yielding.

Mr. Chairman, the information that some projects had been approved came from Dr. Estes, the Director of the Division of Plans and Supplementary Centers in the Office of Education.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. GOODELL. Mr. Chairman, I yield 10 additional minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. Chairman, will the gentleman yield further?

Mr. QUIE. I yield further to the gentleman from New York.

Mr. GOODELL. In other words, these had been approved, when the State agency had recommended against them. And, Mr. Chairman, it is my understanding that some 3 months ago the figure that was estimated by the Commission to the chiefs of the State school officers was 6 percent of the total applications which had been turned down but which had been given funds, even though the State had recommended against them.

What the total figure is today, I am not aware as to how many had been turned down.

Mr. Chairman, the 6 percent and the figure ratio are different.

Mr. Chairman, if there were 1,030-something grants made, I suppose you would come up with somewhat over 60. I think the figure used a few moments ago was somewhere around 27 or 30 that had been approved against which the State had gone. That is the source of information which I used in the discussion yesterday.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me at that point?

Mr. QUIE. I yield to the chairman of the subcommittee.

Mr. PERKINS. In the course of the hearings, the Commissioner had not approved any application from a local educational agency for a grant under title III. But I understand subsequently thereto, a few may have been approved.

Mr. Chairman, we must keep in mind that these applications come from the local agency, and that is where the grants are made.

Mr. QUIE. Mr. Chairman, all of us recognize this.

Mr. Chairman, I had promised to yield to the gentleman from Michigan [Mr. WILLIAM D. FORD] on this subject.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. I believe the latter situation of the chief State school officer was true in July of this year.

Mr. Chairman, I do not have the letter right here, but I am referring to information and am informed that it was in July, and it did say that not only 6 percent had been recommended against by the State but that they had been funded.

Mr. QUIE. Mr. Chairman, I yield to the gentleman from Michigan [Mr. WILLIAM D. FORD] for, I hope, a question.

Mr. WILLIAM D. FORD. Mr. Chairman, I call the attention of the gentleman in the well to page 121 of the report, in connection with the request that the gentleman has just made about holding to the budget and holding to the line, and the criticisms of the committee proposals with regard to the expenditure of funds.

I call his attention—without reading it in full—to the first full paragraph on that page, under the gentleman's signature, relative to the majority breaking the 1968 budget before it is even written, and I ask the gentleman if it is not true that the so-called Quie amendment, which he defended here yesterday on the floor, will add to the cost of this legislation in fiscal 1968 $400 million that will go to those States that at the present time do not expend in the education of their children an amount equal to or in excess of the average per-pupil expenditure in the country.

Mr. QUIE. Let me say to the gentleman that I accepted the figure of the gentleman from Kentucky of $350 million. Being chairman of the subcommittee, I thought he undoubtedly would have the best figure available, and therefore I would accept it.

But if the gentleman from Michigan will remember my amendment as I proposed it in the committee, it was not to increase the low-income factor from $2,000 to $3,000, therefore save that money and put it into the formula, which would have balanced out, and stayed within the budget. That part of my amendment would have saved $450 million and therefore more than offset my amendment which is a part of this bill.

And we tried to reach an agreement in the committee, and the agreement we got was that the majority of those—that meant those who voted for my amendment—would accept the change in the formula, but they would not accept the change in the low-income factor. So we are caught with an authorization, as the gentleman says, which is above the President's budget.

As I said a few minutes ago, what I would like to see us do, then, is put in a dollar figure authorization limit in title I so that there will be a proration to each school district.

As the gentleman also knows, the administration recommendation for title I without any changes would have meant an 85 percent payment for this fiscal year, and therefore the payment will be something less than full authorization. So when the gentleman chastises me because my amendment will go beyond the President's budget, I would say that if my full amendment had been adopted it would not have gone beyond it, and I am still going to try to protect the President's budget; I am going to stand up for the President in this regard.

Mr. WILLIAM D. FORD. But the gentleman nevertheless will support the $400 million increase, whether it is changed or not?

Mr. GOODELL. Mr. Chairman, may I inquire how much time we have?

The CHAIRMAN. After the gentleman from Minesota concludes, the gentleman from New York will have 6 minutes remaining.

Mr. QUIE. Mr. Chairman, I would say that I do believe in the new formula, I believe in it wholeheartedly, and I think one reason why the Federal Government should be helping in elementary and secondary education is because it wants to equalize educational quality throughout the country. You all know that there are some States, some school districts, that cannot provide an adequate education for their young people.

Let us look again at Mississippi. Mississippi, a maligned State in very many instances, yet is putting up 6.27 percent of its per capita income toward education.

That is high in percentage throughout the country. There are some that are higher, it is true. Some of the Western States are expending higher amounts than that—New Mexico 9 percent—but when you look at New York, which has been receiving the highest payment, they are only expending 4.59 percent.

So what I believe we ought to do on the Federal level when we assist the States is to make certain that we help the poor States—at least bring them up to the national average.

That is what my amendment does, bearing in mind what we have done in the formulas, and other legislation in the past, vocational education, for example, where the poorer States receive the most, they receive a higher payment than the wealthier States. So it makes no sense to me to do it in the reverse, and pay wealthier States more than the national average.

But you know politics. You cannot take money away from people that they are receiving. Therefore, some of the wealthier States are getting a higher payment. My amendment does not take anything away from them. It lets them retain what they had before. I do not believe in it, but because of the politics in the situation we are going to let it happen.

I might point out another fault that I see in the administration of title I. I believe there has been an insufficient amount of money going to preschool education.

Just as we put a percentage in the higher education bill of an amount of money that ought to go to 2-year institutions, the junior colleges, and the community colleges, because we believe in them and we figure that they have not developed a strong enough voice, we said there a certain percentage should go to the community colleges. The same way here, last year only 5.7 percent of the money in title I went for preschool programs.

We know the need here because we have been involved in the efforts to bring people out of poverty. We know the local districts and the parents of the children who are poor and who are educationally deprived and do not have the voice in the local school system that other parents have.

We see that the poor people are unable to provide nursery schools for their children.

But we have realized from the studies that have been made, the tremendous improvement in the ability to assimilate education which we see in young children who do have preschool training. Preschool training has been proven by two summers in project Headstart and a number of years on a small scale in preschool education and this last year a little greater in the preschool education.

If you bring the parent and child in the preschool together in a training program, they can then assimilate and in a much greater degree than ever was conceived possible when they get into the first, second, and third classes.

I might point out that if any of you have my concern about the first, second, and third grades doing an adequate job, it will become glaringly apparent that when we talk about preschool education we are doing a lousy job in the first three grades in the schools of America. They will have to upgrade their programs just as the colleges had to upgrade their programs when we got the new math and the new sciences.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. PERKINS. The gentleman from Minnesota realizes that possibly 65 percent of title I money has gone for the first six grades. He may be correct about only 5.7 percent for the preschool program. But I thought the figure was about 10 percent. I know during the summer program we spent about $350 million.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, I rise in support of the bill. H.R. 13161.

Mr. Chairman, while I shall speak to certain specific aspects of this bill, I want to state strongly that I support these amendments and I feel that Public Law 89–10 is a compliment to all the Members of the 89th Congress who have supported it. If they had been able, as I was able in the subcommittee, to hear the witnesses who came before our subcommittee and who congratulated us and who told us in glowing terms about the excellent programs that are being carried out under this legislation, they would feel these compliments as I did.

Mr. Chairman, I am going to talk about amendments specifically regarding Indians, migrants, and Public Law 874.

In that order, Mr. Chairman, under the old bill, the bill which we are now amending, there was no provision for the Bureau of Indian Affairs as an educational agency in spite of the fact that approximately 44,000 Indian people are attending Bureau of Indian Affairs schools.

While it was not the desire of the subcommittee and/or the committee to perpetuate any type of education which places Indians aside in a special category, we felt after the hearings and after the testimony which was presented that there were special circumstances which required the type of education which the Bureau of Indian Affairs is presently carrying out.

There are good programs by the Bureau of Indian Affairs on resident vocational education and in furnishing dormitory facilities where young Indian people who are from reservations that are so remote and isolated that it would be impractical to have schools on those reservations and in those places.

There are only nine States in these United States that have completely integrated Indian people into the public school system.

In nine States of this Union there are no Bureau of Indian Affairs schools. There are no barriers in other instances which prevent a young Indian student from coming into the public school and partaking of that education immediately. So some of these special schools are necessary.

Mr. Chairman, this bill will make the Bureau of Indian Affairs a designate agency, and they will receive the 1-percent increase which is going into that section which will come from the outlying-areas portion of the bill. This percentage will amount to about $10 million, and will be made available to the Bureau of Indian Affairs for the Bureau of Indian Affairs Education.

This legislation and this change is necessary because we are shown Indian children are perhaps some of the most educationally deprived people in our Nation. There is a 50-percent dropout rate of Indians across the Nation, even though the national average for all people is only 29 percent. On the reservations the adult Indians at age 45 average an 8th-grade education, whereas the national average, on the other hand, runs approximately to 12th-grade education.

So we concluded, and I think properly so, that one of the areas of greatest educational deprivation was the Indian people, and this amendment undertakes to do something about it.

Mr. Chairman, another segment of our society in which the percentage of educationally deprived children is at least as great as and perhaps even greater than that of the Indian children is the migrant children. Approximately 150,000 of these children follow their parents across the Nation from State to State, season to season, and are not being properly educated. In fact, they are averaging between 2 to 6 weeks of education in any one spot in this Nation. Over half the migrant children in our schools today are at least 2 years behind their peers when they reach grade 6, if they ever do.

Also, Mr. Chairman, of all the migrants over 25 years of age, only one-third have completed a fourth-grade education. The median education of our migrant people is only 6.5 years, as compared to the almost 12 years of the median education of the average American.

This bill will provide approximately $40 million, which will be allocated to the State educational agencies—and I want to make that amply clear—to the State educational agencies, which will make their plans for migrant education and will carry out the plans through their own State departments of education upon approval of the Commissioner of Education.

Addressing myself to the last part of my remarks, I would like to make it clear that our committee, the subcommittee and the full committee, have made no major changes in Public Law 874. The authorization for Public Law 874 will be approximately the same as it was in fiscal 1966. We have made some improvements or some minor amendments which we feel will improve the act.

For example, we have proposed an amendment in this act which will allow the alternative to the larger cities in our Nation of coming under this act. We saw places where they have large school districts, but the percentage of children, while they may come in the thousands, may not equal 3 percent. So we have the alternative that if they have over 100 students or 3 percent, they will be entitled to the benefits of this act. This will certainly affect and make available for the cities of Chicago, Detroit, Cleveland, Milwaukee, Dallas, Nashville, Cincinnati, and others the benefits of Public Law 874.

We now also allow the school districts to make, and under an amendment of this act we would require the use of, group comparable rates. That is what some States have been doing, and this certainly can be called an economy move. What some school districts have been doing under the present law is shopping. School districts are called comparable when they really are not comparable.

We now will require them to consolidate and to make comparable selections or group selections, so that the basis of their entitlement will not be really larger than what it costs in those areas to educate children.

We have also recognized the problem of where a parent of a child may indeed be in the service and may be overseas. Such a child, under the present law, because that parent is not within commuting distance, is not able to participate, and the school district is not entitled under the present law to receive the benefits under Public Law 874.

Under our amendment, the Federal connection of the parent being established, it would not be necessary for the parent to be within commuting distance.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the chairman of the subcommittee.

Mr. PERKINS. I certainly wish to compliment the distinguished member of the subcommittee. I ask the gentleman if the evidence did not disclose that we could not cut back the impacted program without seriously damaging education programs in these areas because of the military buildup throughout the country and the extra burden that buildup is imposing.

Mr. MEEDS. I am glad the chairman of the subcommittee brought that up, because it is a very important point.

We went into the field and made some very close examinations as to the effect of the proposed cuts which the Bureau of the Budget would make on Public Law 874.

We found one instance—and it just happened to be in my own congressional district—where there would be a buildup of 420 students, all of whose parents would be stationed on the base, and for whom the local educational agency would be required to fund. That was 420 additional students, yet there was more than a 50-percent cut in the impacted area funds which would have been allowed under the Bureau of the Budget, or 26 percent of the budget of that school district.

The **CHAIRMAN** pro tempore (Mr. GALLAGHER). The time of the gentleman from Washington has expired.

Mr. PERKINS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the distinguished Speaker.

Mr. McCORMACK. I wish to congratulate the gentleman from Washington for a very excellent presentation which he has just made. It is one of the finest and most effective speeches I have ever heard any Member make in my many years as a Member of this body.

The gentleman has shown his dedicated mind by his knowledge of the facts and of the situation throughout the country, by his knowledge of the educational situation throughout our country. None of us can fail to be impressed by what the gentleman has said, in giving information in a sound and logical manner, in a powerful and effective manner.

I was particularly impressed with the gentleman's speech, and I want to congratulate him particularly for the information he has given about the children of our American Indians and our migrants. It is something which is effective and powerful, and should touch not only the hearts but also the reason of every one of us.

Mr. MEEDS. Thank you, Mr. Chairman.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. In the discussion the gentleman made reference to certain changes made in Public Law 874.

On page 67 of the bill, in section 213, there is reference to "Adjustments for Reductions in State Aid" which is also explained on page 36 of the report.

The reduction apparently is to be aimed at those States which fail to supply a fair proportion of State aid to the school districts.

Mr. MEEDS. That is correct. That portion of the bill is not for the purpose of penalizing school districts which have an equalization formula within the State and in which funds may be allocated from the State to the local educational agencies, but only if the State drops its effort and does not maintain its present effort in education.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. SCHEUER].

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman from New York yield to me so I may ask a question of the gentleman from Washington [Mr. MEEDS]?

Mr. SCHEUER. I will yield briefly for that purpose.

Mr. ROGERS of Colorado. If a State has a plan whereby the allocation of a State's fund gives to the school district based upon public enrollment and the taxing base of that particular school district certain funds, would that kind of a formula—in the more wealthy districts, which would receive less State money—would that in any manner reduce the amount of money that would be eligible there under Public Law 874 or would this amendment cause that to be reduced?

Mr. MEEDS. If the gentleman will yield, I would like to reply to the gentleman from Colorado that it would not. The gentleman is talking about an equalization formula where the State's support or the local support may be conditioned on the support of the other, that is, the State or local support. In that instance the impact money may be added into and figured in that equalization formula. We looked into this and found it would be almost impossible to withhold funds in a situation where an equalization formula such as the gentleman from Colorado mentioned existed. So the purpose and intent of it is to insure State and local effort is not diminished because of the funds coming in under Public Law 874.

Mr. ROGERS of Colorado. Then, as I understand the gentleman's explanation, there must be a reduction by the State itself because the school district gets Public Law 874 money.

Mr. MEEDS. Precisely.

Mr. ROGERS of Colorado. Before this amendment would become effective?

Mr. MEEDS. Precisely.

Mr. ROGERS of Colorado. Thank you for that explanation.

Mr. SCHEUER. Mr. Chairman, I am happy to rise in support of this bill and the pending amendments to the historic Elementary and Secondary Education Act. I am proud to have played a small part in the passage of this bill last year and its extension this year. We are writing fundamental social policy here in a field which for too many decades was neglected beyond belief. Now this legislation is emerging as perhaps the most vital of all the Great Society programs. Children are our most important commodity; we can no longer give them short shrift in their development. Whether it is the white child or minority child, he must not be left to the vagaries of an educational environment that is less than the best.

I welcome the bipartisan support of my colleague from Minnesota [Mr. QUIE], in the thoughtful remarks he made in highlighting the importance of the relationship between Headstart and preschool, and the elementary and secondary education bill. I could not agree with him more as to the stark truths we are learning in Headstart and the high priority these dramatic lessons should give to building a radically expanded preschool education and parent outreach program within the framework of a much more enriched and vital public school system.

Credible evidence stemming from serious research is mounting which indicates that the Headstart child stands a good chance of succeeding in elementary school given an alive and stimulating teacher and an enriched classroom atmosphere, but where the Headstart child is cast into the foreboding world of a mediocre public school, his preschool experience and progress is shattered.

We already know some simple truths about what happens to children from Headstart once they enter kindergarten or first grade.

We know, for instance, that a child with Headstart has a better chance than a non-Headstart child to be ranked in the top 30 percent of his class if a good teacher manages the class.

We know that if a poor teacher is managing a class with Headstart and non-Headstart children, the average Headstart child will do worse than the non-Headstart child.

We know that good or poor teaching affects the Headstart children far more markedly than the non-Headstart children. Contrariwise, we know that non-Headstart children are not as dramatically affected by good or poor teaching.

This means, of course, that if a Headstart child is to achieve permanent progress and momentum from his preschool experience, his performance in public school depends more on the qualities of the school and the teacher than does the performance of the non-Headstart child. All of the findings reinforce the belief that Headstart advantages can be maintained only if the level and teaching and the curriculum in the kindergarten and first grade are strong. This, of course, would be to the advantage of the non-preschool children too.

The opposite is true. More damage is done to children who look forward eagerly to education programs they have learned to enjoy, than to the child who has had no previous knowledge of what to expect, if the later school experience is poor.

It is this simple, harsh truth more than any other that confirms the utter tragedy of many of our public schools. How do we reinforce and rethink public school education to give it that continuity in enriched development, whether it is the small class, the deep involvement of parents, or the complex of community and family services we bring to bear on Headstart children?

We must devote major resources to studying the basic elements of the elementary school system, particularly in the first 3 years—among the most formative in a child's life—so as to make the necessary structural changes to insure that the whole child is attended to, that he is stimulated to learn, that the momentum of the preschool and Headstart experiences are not lost in public school as is unquestionably the case today in a disturbing number of instances.

I am introducing an amendment to insure that we know the answers and make elementary education a total and positive experience in child development.

My amendment will encourage State and local leadership in devising studies of the first 3 years of public school which will give us hard information, analysis, and data upon which we can make judgments about how well the public schools are fulfilling their obligation to provide the best possible educational setting for all children in this country.

Already Headstart has pioneered in a compelling demonstration of the dramatic and profound impact on disadvantaged youngsters of a program which makes possible small classes, a comprehensive spectrum of educational, health and social services as well as parent outreach and participation, and the training and employment of persons from the neighborhoods served as subprofessional education aids. We can no longer ignore the highly significant implications of this experience for our school systems.

Ideally, at a minimum, these services should be extended into the early public school years. The public schools should reach out and downward to embrace Headstart and preschool programs and make them an integral part of the school system, while at the same time bringing the total resources of the community to bear on the development of all children from as young as 2 years, perhaps, up through the primary grades.

This is a goal to which I am committed. The amendment is but the first step in that bold direction.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I shall be happy to yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I would like to say to my colleague, the gentleman from New York [Mr. SCHEUER], that I am pleased with the gentleman's comment, which adds a bipartisan approach which would bring about a solution of this problem.

Mr. Chairman, the gentleman's remarks with reference to preschool education and the first 3 years of school, is really shocking and deplorable, when we find that money has been expended for a good purpose but turns out to be of little avail. As the gentleman from New York has mentioned, preschool training has been completely lost when children got into first grade. I will say that the best expenditure of money to help educationally deprived children is to begin before they get that way, and improve the first three grades so they do not regress again.

Mr. Chairman, I want to say to the gentleman from New York that I shall join with the gentleman in the excellent amendment which he proposes to offer.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, I have already discussed briefly with the committee inequities inherent in the distribution formula as contained in title I of this bill as it applies to the congressional district which I represent.

Mr. Chairman, the critical educational needs in the suburban areas north and northwest of the city of Minneapolis, the hard pressed and less affluent areas of the congressional district which it is my honor to represent, are for construction money. More specifically, money is needed to reduce the burden of debt which was necessarily incurred because of past construction needs.

Therefore, Mr. Chairman, I am greatly disappointed to read in the report accompanying this bill from the Committee on Education and Labor, the following language which appears on page 22:

> While the committee does not wish to see school districts attend to their less pressing problems at the expense of fundamental needs, it emphatically states that title III is not intended as general support for the conduct of day-to-day school operations and ordinary school construction.

Mr. Chairman, the Office of Education in the Department of Health, Education, and Welfare advised me on September 30 that although some title III money during the school year 1965–66 went into the more prosperous areas of my district, not a cent was provided to the poorer suburban school systems north and northwest of Minneapolis. These districts are in great relative need, particularly for construction money and funds which would help them manage monster building debts incurred by reason of their greatly expanding school populations and because of the fact that they have a limited tax base. There is no reason why the work both of the subcommittee and of the Committee on Education and Labor did not provide for curing these built-in inequities. Indeed the majority now proposes to continue them insofar as title I is concerned and insofar as title III is concerned for the coming school year.

Mr. GOODELL. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we have been dealing with rather sensitive topics during the general debate upon this bill.

Mr. Chairman, I feel it is imperative that we be very factual and very accurate about what this bill proposes to do and what powers are left with the Commissioner of Education.

Mr. Chairman, there have been statements made that there is nothing contained in this bill which offers or extends an incentive for busing; there is nothing in this bill that offers an incentive to the local people to take other actions. The bill clearly defines pupil transportation services as within the purview of title I, thereof.

In the title III addition made by the committee, clearly and unpreservedly we require the Commissioner to give special consideration to certain types of applications. Included among those applications is an application to correct racial imbalance in the school.

It is very clear, I think, to be factual about it, and accurate, that a local school district can apply for funds for busing to try to correct racial imbalance. So that the Commissioner is ordered to give special preference and special consideration to such an application.

I think it is also clear, regardless of the merits, that the Commissioner is able to give grants for local applications for busing and that he may move into a variety of other areas. These are the areas that concern me a great deal more. In effect, we give the Commissioner the authority to determine when a locality is making a reasonable tax effort. If in the opinion of the Commissioner the locality is not making a reasonable tax effort, it is disqualified for title III funds, and for this special consideration.

The same is true of the Commissioner's power to decide when schools are seriously overcrowded and what overcrowding means, or an unsafe school, and what obsolete means as applied to classrooms. And then the language, "or because of any other condition that has imposed substantial and continuing financial burden upon the agency," occurs.

The Commissioner under those circumstances can and must give special consideration for grants.

I think, as we debate this, we should all be very careful to be accurate as to what powers are given to the Commissioner, and in that sense we will at least be making a decision on the facts.

Mr. PERKINS. Mr. Chairman, I yield the remainder of the time to the gentleman from New York [Mr. CAREY].

The CHAIRMAN. The gentleman from New York [Mr. CAREY] is recognized for 5 minutes.

Mr. CAREY. Mr. Chairman, first let me commend again the members of the subcommittee and the full committee on both sides for, first, the constructive and diligent efforts that are evidenced by the production of this legislation, and second, for the high level of debate which we have enjoyed so far.

I come to the well as one who has increased pride and satisfaction in the progress of this legislation. It has been on our books as a statute since April 11, 1965.

If we look at the preponderance of comment made about this bill, indeed, if we look at almost all of the comment made about this bill, of that in the record and the testimony before the committee, we find an overwhelming degree of support from the educational community, from civic leaders, from parents, from all who are truly interested in education. It remains an historic landmark, in fact, the greatest piece of legislative enactment in all of the educational history in our country. It is that, regardless of what is going to be said about it in the next few minutes of debate.

Mr. Chairman, if the Committee will think back in its recollection, with all the flak and all the noise that was made about this bill when it first came to the floor, very few of those outcries are heard any more. In fact, with regard to title II the provision which provides for the loan of textbooks and the provision for library materials to children of all schools, even those who were most opposed to this kind of a program, were abstemious in their restraint of objection. There is an absence, a paucity of any kind of criticism on the operation of the program.

Title IV, the research title, is working wonderfully for the progress of education.

In title V, for the strengthening of the State departments of education—there are wonderful new beginnings and concepts for introduction into the State schools. All of these are working wonderfully.

Therefore let us look at the bill in the best possible light since the children are concerned.

I have only one real concern about the bill and I have one reservation, that in the debate to follow during the 5-minute rule someone is going to shout—"How" or "Howe."

Then someone else is going to shout—"How" or "Howe."

Then we are going to hear an Indian war cry—"How!" I hope we are not going to stampede all over this bill like a bunch of Indians.

Gentlemen, do not let this bill become involved in election-year jitters.

This bill was a good bill all during the spring when our subcommittee held extensive hearings and we heard from all the educational authorities who wanted to come before the committee. We opened our door to all Members of this body to come in and have their say on this bill.

We loved the bill back in those days in the spring of the year and we should love it now.

In fact I am reminded of a song that was written by a mayor of New York City back in democratic days. "I hope you will love me in December as you did in May."

That is what we need to do with this bill because children are involved.

It is just as good a bill as when we wrote the bill in 1965 and in fact it is a better bill this year.

Everyone had a chance to criticize or to offer constructive suggestions with reference to this bill all during the spring and summer. Therefore I say it ill becomes those who now come to the floor of the House and try to involve this bill in any kind of racial tension or any kind of falsely constructed busing argument to impair the effective working of this bill by introducing such amendments at this time at this late hour in the closing days of this session.

If this bill has done anything, it has built up a better and more effective working relationship between the States and the Federal Government and among the States and within the cities.

The bill has brought together those forces in education that heretofore were divided and which were not coordinated in the movement toward the great objective of quality education.

This bill has been the instrument—yes, if you will—an ecumenical instrument to bring together all the forces of good in education. Let us do nothing on this day to divide those forces, and place those forces in disarray because November is coming up.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman.

Mr. COHELAN. Mr. Chairman, this legislation before us today carries forward the hopes and promises of the 89th Congress that the special educational needs of our most educationally deprived children will be met. I rise in support of H.R. 13161 and urge that it be passed.

In its first session, this Congress finally swept away the myth that the Federal Government could not cooperate with the States and local communities in bringing quality education to all of our young people. It faced up squarely to the direct relationship between poverty and low educational achievement—to the fact that lack of a good formal education is likely to mean low wages, frequent unemployment and a home in an urban or rural slum. It recognized that education is a key weapon in our fight against poverty and inequality—that it is the key to a society where every individual, whatever his starting point, has the opportunity to achieve the best that is in him.

In enacting the Elementary and Secondary Education Act, this Congress made a national commitment to improving the quality and the opportunities for education in this country. It is our responsibility to see that this commitment is fulfilled.

There is impressive evidence, Mr. Chairman, that the funds provided to date under this act are being utilized effectively to meet serious educational needs at the elementary and secondary levels. In spite of the handicap of starting well after the beginning of the academic year in 1965, some 22,000 projects in 17,000 school districts were funded under title I. More than 7 million educationally deprived and handicapped children have been reached by special services and programs, and 72 percent of the school districts across the United States have already participated in this effort. From my own experience, I know that schools in the Seventh District of California have made good use of this support.

In the interest of time, I will not discuss each of the amendments to the original act that this bill contains. In general, they are designed to permit the participation of more children and to strengthen areas of the program where experience indicates this is needed. I fully support these changes and additions, which I believe reflect a more realistic level of financial need.

There is one amendment, however, that I would like to comment on, and that is the extension of title I funds to the children of migratory farmworkers.

These men and women who toil in our fields have often and correctly been described as America's forgotten people. But the tragedy of our neglect has fallen most heavily on their children, who by any standard are the most educationally deprived group in this country.

Each year, approximately 160,000 children accompany their parents as they follow the crops. Some spend only 2 to 6 weeks in any one school district during the harvest season. Many, for reasons of sheer economic necessity or the lack of nearby school space, never see the inside of a classroom. Many are retarded 2 years and more below their grade level. Achievement in reading and other language arts is especially low.

The plight of these children is not only a national problem but a national disgrace. Absence of a basic education condemns them to a life of ignorance, poverty and dependence on our society. We can and must do better. This bill would make that possible.

Under title I amendments, State educational agencies would be aided in establishing special programs to help meet the urgent and special educational needs of these children. This is an appropriate and necessary supplement to the other forms of assistance we provided for migrant farm workers in the antipoverty amendments last week. It is essential if these children are to break out of the vicious cycle of poverty and achieve a better, brighter and more productive future.

Mr. Chairman, no task before our country is more important than expanding and improving the educational opportunities of all our people. Education is both the foundation and the unifying force of our democratic way of life. It is the mainspring of our economic and social progress.

This bill, then, is an investment in the future of America. It is a wise, practical and necessary investment which deserves and demands our support.

Mr. PELLY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Chairman, I find myself at a considerable loss to understand why the school superintendents and principals in my congressional district have not written me about the elementary and secondary education bill. They generally do.

It may be due to the criticism I raised last year as to the dangers inherent in certain aspects of this program. My friends in the schools may think me a lost cause when I question the wisdom of channeling Federal assistance to private schools through public school boards.

However, that objection is moot today. That is the way the program works.

This bill, on the other hand, would correct, or at least improve, some of the weaknesses the Republicans pointed to last year. The rich counties have been getting more money for education of their disadvantaged children than the poor counties. Now, as I understand, the formula will be changed and improved.

Depending on how the bill is amended, I may support it. I have checked with the Washington State Superintendent of Public Instruction and likewise with the office of Gov. Dan Evans. It seems that our schools in Washington are counting on Federal money to continue their programs. If, at this late date, they were cut off, the results could be serious and our children would be the losers.

I have always feared Federal control of local school districts. That control belongs in the hands of parents and school boards. Some day, I hope, before Federal assistance to schools goes too far, a new method of eliminating controls will be adopted. I favor return of Federal income tax money to the States, so State legislatures can provide for our schools instead of Federal officials doing this.

But until any such new method can be adopted, reluctantly, I suppose I must go along, because of the need for funds and the value of education.

Congress must carefully scrutinize what is going on. There exists a plan in the Department of Education and in the minds of persons in that department, for federalization of our schools. The blueprint of that plan is contained in a pamphlet which is difficult to obtain, but all one has to do is read the various speeches of Commissioner Harold Howe and his views will indicate what that agency has in mind.

So, Mr. Speaker, what with ideas that Federal officials have of rewriting textbooks and using the schools as a means of standardizing our society, we must be careful. On the other hand, no one, more than I, wants to assure every boy and girl in America an opportunity to acquire a high-quality education.

Under unanimous consent I include at this point a telegram received this morning from Washington State's Superintendent of Public Instruction in obvious strong support of this legislation:

OLYMPIA, WASH.,
October 6, 1966.

Hon. THOMAS PELLY,
House Office Building,
Washington, D.C.:

I sincerely urge your strong support of H.R. 13161—Elementary Secondary Education Act and amendments thereto.

LOUIS BRUNO,
Superintendent of Public Instruction.

Mr. DENT. Mr. Chairman, no matter what we personally feel about the bill before us one thing we must all agree on, education is good business.

Getting away from the social and humane benefits that come from education as it is applied to our way of life, the benefits for the individual can, and in most cases are, economic.

Education has and will continue to be the greatest force in our Nation and in the world for peace, understanding, and prosperity.

Prosperity for the individual will in turn bring prosperity to a nation and all of its institutions.

I repeat, Mr. Chairman, no matter how you view it, education is good business.

I include the following information for the RECORD:

ADVISORY COMMITTEE

H. C. Bleckschmidt, Assistant Superintendent in Charge of Business Affairs, Normandy School District, Normandy, Missouri.

Forrest E. Conner (ex officio), Executive Secretary, American Association of School Administrators, Washington, D.C.

Edward C. Epstein, President, Crete-Monee Board of Education, Crete, Illinois.

Charles W. Foster (ex officio), Executive Secretary, Association of School Business Officials of the United States and Canada, Chicago, Illinois.

Everett Keith, Executive Secretary, Missouri State Teachers Association, Columbia, Missouri.

Oscar Lanphar, Secretary-Business Manager, Community Consolidated School District 65, Evanston, Illinois.

Dale Stauffer, Assistant to the Director, Chemical Therapeutics Research Laboratory, Miles Laboratories, Inc., Elkhart, Indiana.

Harold S. Vincent, Superintendent of Schools, Milwaukee, Wisconsin.

Harold V. Webb (ex officio), Executive Director, National School Boards Association, Evanston, Illinois.

That the United States is one of the great civilizations in the history of human life on our planet, no one can deny. We can take pride in this fact; but we should ask ourselves, "What is especially significant in our way of life?"

Some persons might answer that the important feature of American life in our time is the large amount of money we have to spend. We consume an abundant supply of goods and services, and compared with the majority of the other nations of the world, we are indeed rich. About half the people of the world live in nations where the average income per person is less than $200 per year. Technological know-how applied to our production problems has produced a standard of living for our citizens which is the highest in history. Our Gross National Product, the total output of goods and services, is now more than $3,200 per person. This compares with $80 per person in India and $32 per person in Ethiopia. We have only 6 percent of the earth's population. We live on 7 percent of the world's land area. Yet we produce more than 30 percent of the world's goods and services.

This country consumes one-third of the total energy produced in the world, and we own one-half of the world's telephones, radios, and television sets.

There is one automobile for every three persons in the United States. The Soviet Union has one automobile for every 336 persons. In the United States today, the problem is where to park the third automobile that so many families now have. In Ethiopia today, the problem is how to feed the third child that has just come into the family. In Moscow, the problem is to convince the starving family in Ethiopia or Red China or elsewhere that food will be abundant for them under the Communist brand of socialism.

In the United States, 94 percent of the homes have water piped into them. The percentage in Egypt is 20; in Brazil, 16; in India, 14; and in Ethiopia, 8.

The standard of living in the United States is about twice that of the advanced countries of Europe, such as France, Germany, and England.

Other persons might say that the distinctive quality of American life is our scientific accomplishments. From the reaches of space to the depths of the ocean, American scientists stand at the forefront of discovery. We see practical applications of science in improved medical care, gains in highway safety, our efficient system of jet air transport, international television, and finally, in our sparkling array of household appliances.

Still others might point to the fact that so broad a land, populated with people drawn from so many different countries, is governed by democratic processes and that in the face of the growing complexity of business life we have maintained a free economic system.

But the list is not complete unless we take note of our remarkable system of public education. Our best schools are the equal of those found anywhere in the world. The unique feature of American education, however, is that our young people, as a whole, are offered considerably more years of schooling than are made available to students in other countries. Except for those youths who choose not to attend, we have achieved universal secondary education; the rest of the world has not. In addition, it appears that public junior (community) colleges will soon be so freely available that practically every youth in America with the ability and the desire will be able to attend one within commuting distance of his home.

Benefits for All

THE STUDENT

Our public education system provides benefits to students first and foremost, and these benefits are of many kinds. One of the most easily measured is financial: the more education a person has, the more money, on the average, he earns. Estimated average lifetime earnings of people by levels of education completed follow:

Schooling	*Lifetime earnings*
Elementary school:	
Fewer than 8 years	$143,000
8 years	184,000
High school:	
1 to 3 years	212,000
4 years	247,000
College:	
1 to 3 years	298,000
4 years	385,000
5 or more years	455,000

Source: Miller, Herman P. *Rich Man, Poor Man*. New York: Thomas P. Crowell, 1964, p. 145.

We see that the high school graduate earns about $35,000 more during his lifetime than the person who drops out of high school, even though the graduate starts work one or two years later than the dropout. The college graduate earns $138,000 more than the high school graduate, even though typically he starts to work four years later.

These figures describe only the present situation, but the fact that education pays financial dividends has been recognized for some time. In 1930, the college graduate was estimated to have lifetime earnings $35,000 greater than the high school graduate. This was back in the days when prices were considerably lower than they are now, so the extra income represented much more in goods and services than $35,000 would buy today. Around 1930, it was calculated that four years of college cost $6,400, counting tuition, room, board, books, and other expenses. The college graduate received, on the average, 5.5 times more "extra" income than his college education cost him. Presently, college costs are a little more than double what they were in 1930, that is, about $14,500 for four years. But today, the college graduate receives 9.5 times more in "extra" income than college costs him ($138,000 divided by $14,500). College education has actually improved as an investment, even though the supply of college graduates has increased enormously since 1930.

Now, extra pay accompanying more education is not due alone to the fact that educated people have different kinds of jobs than people with less education, although generally it is true that the more schooling one has, the broader the range of jobs from which one can choose. Consider these figures about people in the same jobs. The last census (1960) showed that carpenters with an elementary education earned $4,800 a year, on the average, while carpenters who had completed high school earned $5,700. Electricians who had finished elementary school but not high school earned $6,100, while electricians who had graduated from high school received $6,600. For toolmakers, the figures are $6,700 and $7,300. The situation is the same for people who work in government. Local firemen who did not graduate from high school earned an average of $5,300, while those who held high school diplomas received $6,100.

THE CITIZEN

The benefits to citizens are various. Among them are the gains we all enjoy from scientific discoveries. Let us look first at the field of medicine. The results of medical research are well known. The crippling of children and young adults by infantile paralysis is now almost a thing of the past. No longer do vast numbers of people succumb to such diseases as pneumonia, diphtheria, and meningitis. Let's take a less prominently discussed disease: aneurysm—a permanent abnormal blood-filled dilation of an artery. Until four or five years ago, 9 out of every 10 persons who developed this condition were dead within five years. Now, 7 out of 10 who undergo new surgical procedures are alive and well at the end of five years. One could extend the list of present benefits of medical research almost indefinitely, but naturally one wants to look to the future. Major efforts are now being made to conquer the scourges that kill large numbers of mature adults: heart disease, cancer, and stroke.

Approximately $1 billion is now being spent annually in the United States on medical research. The corps of research workers numbered 39,700 in 1960. It is literally true that these researchers hold the lives of many of our friends and neighbors in their hands. What determines the quality of medical research? What determines, for example, how rapidly cures for cancer will be developed? To be sure, research facilities and equipment are important. Nonetheless the primary and basic factor is the caliber of people who conduct the research. Insofar as extraordinarily competent people are recruited to the field and are provided with exceptionally good training, the quality of research will be high. This is where the educational system comes in. The educational system is first of all society's instrument to discover talent and to develop that talent to a high peak of usefulness. No one can tell when or where a future genius is going to be born, and this is why our society casts a wide net for talent—why society needs mass education.

The Country and the Community

NATIONAL POLICY

The Annual Report of the President's Council of Economic Advisers, dated January 1965, contained the statement: "In 1964, the United States passed a watershed in economic policy." This statement referred to the fact that the Congress had passed a tax cut (amounting to about $14 billion for the year 1965), and it had done this in a time of substantial prosperity, not to combat a serious recession. In June 1965, the Congress passed another tax cut (of about $4 billion), again while the economy was breaking all previous records of production. Though the Employment Act of 1946 had committed the federal government to policies which would promote "maximum employment, production, and purchasing power," the government had theretofore been willing to act strongly only when we appeared to be heading for real economic trouble; for example, when a serious recession was threatening us.

Under the new economic philosophy of the federal government, policies are to be based on the proposition that the economy should continually be pushed to the maximum use of our resources: unemployment of men and machines is to be kept at the minimum level attainable.

Tax cuts are a means to this end because we generally spend the additional money, thereby creating a demand for goods and services and putting more men and machines to work.

The better our children are educated the sooner they will learn new techniques in on-the-job training programs. Moreover, the success of industrial training programs depends on the academic preparation of the trainer as well as on that of the trainee. Insofar as we can obtain improvements in our elementary and secondary schools, the foremen and skilled workers of the future will be better able to impart knowledge about work skills to apprentices and other young recruits to the labor force.

Although the relation between education and labor productivity may be easiest to see in the case of the rising number of science-based industries, all employers benefit from having workers who display traits of initiative, responsibility, self-discipline, ambition, and planning. Wages are high in America, and in spite of the great degree of mechanization we have, labor costs are still a very important element of total cost in American industry. For example, General Motors Corporation spent $4,592,481,476 in payrolls in 1964. This amount was 4.9 times more than the company spent on plants and equipment. Payrolls represented 27 percent of net sales, and a 10 percent saving in labor cost would have served to increase net income by 26 percent. Accordingly, when schools develop tendencies in youth to work hard and be responsible, conscientious citizens, the significance to business costs is highly important.

Teachers' Salaries

The biggest single item of school expense is teachers' salaries. Are teachers' salaries too high? Let's recall what we have talked about several times already, namely, that the amount of money people make is related to the amount of education they have. Teachers, curiously enough, are the big exception to this rule. The 1960 U.S. Census revealed the following situation. Secondary school teachers had received an average of 17.2 years of education. This put them in the same category as physicians (17.5 years), dentists (17.3 years), lawyers (17.4 years), and veterinarians (17.4 years); and as chemical engineers (16.7), architects (16.8), pharmacists (16.2), and reporters (16.0). The average pay of secondary teachers at the time of the 1960 census was $5,800. The average for those workers listed above was $9,700—$3,900 more a year than teachers were paid. The lowest income for any of the workers listed here, aside from teachers, was $6,800 for reporters; even this was $1,000 higher than the average teacher's pay.

On the other hand, secondary school teachers had at least five more years of education, on the average, than any of the following occupational groups: ships' officers, electrotypers, locomotive engineers, photoengravers, electricians, and millwrights. Yet the average annual salary of teachers was below that of any of these groups—and in some cases as much as $2,000 below. Teachers provide the educational basis of the income differences that exist in our society, but their own incomes do not reflect the amount of education they have had. This is said not so much to plead for higher pay for teachers as simply to point out that we are truly getting a bargain when we pay taxes to buy educational services.

In any case, teachers' salaries are increasing gradually. In 1964–65 the average pay of public school teachers, elementary and secondary, had risen to $6,450. More important than the average figure is the fact that salary schedules in a number of states now enable outstanding teachers to earn a respectable salary for a college graduate—a salary, that is, in the area of $10,000 to $12,000.

Of course, it can be claimed that teachers work a short year and that the relatively low amount of salary they receive reflects this fact. Nowadays, the working year of a conscientious teacher is only about one month shorter than that of members of other professions. The secondary school teacher, today, attempts to provide instruction for 120 to 150 students each school day; it would be a wonderful thing if teachers could and would spend that extra month in preparing for the next year's work.

A Final Word

Education is a great engine of social progress. In this report we have described the manifold ways in which good schools strengthen our society. Let us recall some of the main points.

1. Well-documented evidence indicates that schools have made a magnificent contribution to our economic growth. More education means a more highly skilled work force; gains in worker efficiency achieved through education have accounted for 20 to 23 percent of our growth in national product. Education is the base upon which the quality of research and development activities of American industry rests; the "advance of knowledge" achieved through research accounts for an additional 20 percent of our prosperity.

2. Investments in education, accordingly mean bigger markets for American businessmen. Rising markets give us strength in our economy.

3. Just as we want our economy to be generally strong, we want the many special benefits that education-based research helps to provide: freedom from disease, better communiactions, faster travel, clean water, and clear air in our growing cities.

4. We want a national government and an economic structure that can cope with chronic unemployment, a problem which appears to be characteristic of periods of rapid technological change. We believe that education, properly directed, is the chief means whereby people can find new kinds of jobs when the old kinds disappear. Labor, industry, and government must be sensitive to this fact.

5. For our whole system of government to function properly, we need strength and fiscal stability in our local governments. Good education is an important safeguard against economic stagnation and decay of local areas.

6. Of great importance are the benefits that education yields to the student as an individual. For the student, the zealous pursuit of education leads to higher income; the opportunity to choose among a variety of interesting and challenging kinds of work; a greater chance to participate in on-the-job training (in order to keep one's skills fresh and up-to-date); and, finally, job security.

7. By no means, however, are all the individual benefits of education in material form. Education promotes stability of family life, the improvement of educational opportunities for one's children through the early learning experiences that educated parents offer their boys and girls, and a vastly greater capacity to enjoy leisure. Furthermore, the attainment of full cultural maturity may be a central purpose of education.

8. Education is one of the chief ways by which we come to value human life in all its complexity. Through education, our children are led to develop a feeling of compassionate regard for their fellowmen—to be willing, on the one hand, to walk the extra mile to alleviate our neighbor's distress; and to be able, on the other, to share gracefully our friend's happiness in times of joy.

Such a great engine of social progress is too important to be run ineffectively and inefficiently. Schools, like any activity conducted by man, can be made better than they are; and, as they are improved, we will reap even greater benefits. Improvements will occur as taxpayers respond favorably to well-documented presentations of financial need and—most important—as the best minds of our rising generations are attracted to the schools as teachers.

Americans can be justly proud of the efficiency with which their schools are administered. The price of teachers' services, while rising steadily, still represents a great bargain for the taxpayer. Budgetary techniques are improving. In terms of quantity—and quality as well—educational research is moving ahead so that our teachers may make more effective use of their skills. Much progress has been made in consolidating school districts which were too small or too poor to be run efficiently. We look forward to an increasing measure of cooperation between local school authorities and other agencies of local government. All these things augur well for achieving gains in efficiency in education.

The outlook for American education is one of well-tempered optimism. Great opportunities lie ahead. There is a need to acquire greater strength to meet these opportunities. This need is matched by a feeling of confidence in the ability of our schools to serve our society in ever more challenging ways. Truly, *education is good business.*

H. Res. ——

To authorize the General Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study of the operation of elementary and secondary schools by Federal agencies and of production of foreign-made goods competing with domestically produced goods.

Resolved, That the General Subcommittee on Labor of the Committee on Education and Labor, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study (1) of the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of civilian officers and employees, and members of the Armed Forces, of the United States will receive high quality elementary and secondary education, and (2) of the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. TRIMBLE. Mr. Chairman, I support the amendment that will be offered by the gentleman from North Carolina [Mr. Fountain] because it keeps control of our schools at the State and local level.

Mr. FOGARTY. Mr. Chairman, we Americans have always believed that all our citizens should have opportunity to grow to full stature. We have known that nature is not always fair in the start in life it gives to people. Men are not necessarily equal in the circumstances and endowments with which they begin. But we have believed that we could use education as a mighty tool to equalize the opportunities of children to realize their aspirations.

But education cannot equalize opportunity if education itself is not given in equal measure to all our children. When the socially and economically disadvantaged attend poor schools, their handicaps are doubled.

Last year we took a long stride with the ESEA to make the blessings of education more nearly equal for both the rich and the poor. Tonight we extend and enlarge that great act. I am proud to vote for it and to give it my full support. It reflects credit on the Congress that passes it—just as it enriches the lives of the children it is meant to help.

I wish to make very evident in my opinion the Elementary and Secondary Education Act is one of the most remarkable pieces of legislation in the history of Congress. In attempting to provide improved educational opportunities for the deprived children of our Nation and in providing an incentive for the improvement of education at all levels, the act has the loftiest of purposes. Moreover, its effects to date have been successful beyond our hopes.

In Rhode Island, for example, Portsmouth and East Providence school district have utilized funds available under title I to provide tutorial programs for educationally deprived students at all levels. Also, successful attempts are being made to take advantage of the gains already made by children under Headstart programs. For example, in West Warwick each child is attending a federally funded kindergarten for 2½ hours a day 5 days a week.

Furthermore, Providence has implemented a project on the University of Rhode Island campus which provides guidance, instructional, diagnostic, and recreational services to students who, because of serious learning problems, need special educational services.

All of these, in addition to many other imaginative programs, are concrete evidence of the success of title I.

In addition to benefiting from title I, Rhode Island schools have effectively utilized funds from title III. For example, Providence, Blackstone Valley, and Wakefield School Districts have learned the rich diversity of resources they have available to them and are using them to provide richer lives for their students.

North Providence, Middletown, and Providence School Districts have taken dramatic steps to improve the remedial and guidance services available to all students from elementary through adult education levels. In yet another outstanding example of the imaginative use of Federal funds available under title III of the Elementary and Secondary Education Act, students in Providence School District now have the programs of music, drama, ballet, and museum activities which provide them with an enriched educational experience and an appreciation for our cultural heritage.

One of the most exciting uses to which title III funds have been put is the creation of the Educational Laboratory Theater for the Secondary School Children of Rhode Island. This landmark project provides all students in grades 10 through 12, public and nonpublic, with the opportunity to see dramatic productions during this school year. This is indeed a significant accomplishment which was made possible only by the availability of Federal funds.

Thus, because of its outstanding past effectiveness and its promise for even greater success in the future, I wish to add my full support for this bill.

Mr. ROBISON. Mr. Chairman, I have decided to support this bill—H.R. 13161—the Elementary and Secondary Education Act of 1966, on final passage, even though I still firmly believe that this new program, as enacted into law last year, is not the answer to the needs of education at this level.

I believe the debate on this bill this year has made it even more clear than it has been before that what we actually have, here, is a program providing peripheral or marginal aid to education, at this level, under the guise of a program supposedly aimed at and designed to serve the special educational needs of the "educationally deprived" child. And, further, that this program has, at best so far, actually been only of a tenuous and indirect benefit to such children.

Indeed, a conference that I had last weekend with an areawide group of elementary school principals in my congressional district confirmed my previous opinion that the Federal dollars being expended for the purposes supposedly espoused under this act are, with rare exceptions, being used to fill in the gaps—so to speak—in the normal operational budgets of the school districts receiving them for programs or projects that their local taxpayers, for one reason or another, have been unwilling to pay for themselves.

This being the case—or, at least, my judgment of the situation—what the Congress really needs to do is to review this entire subject, fully and objectively, and, if that is indicated, to redirect this program accordingly.

If a Congress ever does that—and it obviously will take another Congress than this one to do it—I believe we will discover that the most feasible and efficient method for "aiding" education at this level is to adopt some form of the various "tax sharing" proposals that have heretofore been made, including my own proposal, H.R. 16205.

Most of the school districts in my congressional district have applied for and received some aid under this program. The Federal grants they have received range in size from a low of $15,412 to a high of $277,000—based on such information as I have been able to gather, and that information is now rather complete.

Every little bit helps, of course—and there is no doubt that these moneys have been put to good use—but we need, I believe, to keep our sense of proportion about this aid and, when it is related as I have related it to the normal operational budgets of those school districts, we find that it averages out to a Federal "contribution" of 1.8 percent.

It is certain, therefore, that no school district budget anywhere in my district has been reduced, as a result of this "aid," and that no school tax rate anywhere in my district has gone down or even been held at its former level as a result of this "aid."

And this, I believe, is our real, our ongoing problem, here; that of finding some permanent method for relieving the ever-increasing burden of those school taxes on local real estate, a burden that is bound to grow ever heavier as such additional sources as we can find for additional State revenues for school purposes become scarcer and scarcer.

Mr. Chairman, I know from letter after letter I receive from my constituents—just as all my colleagues here are receiving such letters—that many of them, especially the older, retired person trying to live on a fixed income, just do not know how they are going to be able to maintain their homes and pay those ever higher school taxes.

A "tax sharing" plan—based on the so-called "Heller proposal"—would as I said provide the means for easing that burden, and, at the same time, would permit our own people in charge of our own educational systems to use those returned tax moneys in the manner and for the programs and projects to which they would assign the highest priorities.

I would like to hold out for that kind of an approach this year, Mr. Chairman, but the necessities of the moment do not make that very practical.

It is obvious that this program is going to be extended just about as it is.

It is also obvious that we will have to wait for another Congress—a more objective Congress—to take another look at such alternatives as are available to us.

In addition, we are already nearly a month into the present school year. Most of my school districts—like those of most of my colleagues—have already applied for assistance under this program for this year, and have adjusted their overall programs accordingly. Having gotten them out on this limb, those of us here who feel as I do have little alternative except to follow through and vote to extend this program, such as it is, for 1 more year.

But I, for one, will be waiting with hopes that when the 90th Congress convenes next January we will fully reconsider what we are doing.

Mr. SKUBITZ. Mr. Chairman, the Committee on Education and Labor completed its work on the elementary and secondary amendments last July. By accident or design it comes before us today, 1 month after the schools have begun operation.

On three separate occasions this body—in June, again in September, and again in October—passed continuing resolutions authorizing the agencies to continue spending money at the same level as provided in fiscal 1966. Our failure to act at an earlier date has placed every school district in a bind. Budgets have been adopted, personnel hired, programs commenced. School districts assumed, and rightfully so, that Congress would at least enact legislation comparable to that enacted in 1965. If legislation is not enacted into law, chaos might well result in many areas. This is particularly true in my State of Kansas, which operates on a cash basis.

I shall support this bill—not because I agree with it in principle; in fact, I think it is entirely wrong in its approach. I support it because I do not want to do irreparable damage to our schools.

The question before us is not whether we should improve the educational opportunities for every boy and girl, the question is how this should be done. The question is not one of intent; it is one of procedure.

I object to this bill because it leads us down the road to Federal domination of our schools. Proponents of this bill deny it, but ask any school administrator or board member who is required to prepare reports, or meet the guidelines laid down by the "Commissar" of Education. Day by day the noose becomes tighter and tighter.

I am hopeful that following the November election this body will be made up of men and women who believe in education but not in federalized education—who will provide assistance to education but who will insist that control of our schools remain in the State and local communities.

Last year, this body passed the original legislation. It carried the title "To strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools." The "declaration of policy" found therein is as follows:

> In recognition of the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in this title) to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means (including preschool programs) which contribute particularly to meeting the special educational needs of deprived children.

Were the funds distributed on the basis of need? Look at the facts. Under the formula that was devised the opposite effects resulted. For example: First, the 10 "wealthiest" counties in the United States having 32,452 deprived children received $8,918,087, while the 10 "poorest" counties having 32,563 deprived children received only half as much—$4,507,149. Second, in Montgomery County, Md., the average family income is $9,317. This county has 2,300 deprived children and received $572,000. Compare this with Tunica County, Miss., where the average family income is $1,260. This county has 2,900 deprived children and received $357,000.

What are the effects of the formula under this bill? Kansas in 1963–64 spent 6.55 percent of her total per capita income for education. Under the formula provided in this act, Kansas will receive $240 per deprived child. Compare this with New York which spent 4.59 percent of her per capita income on education, but will receive $393 per child, or with New Jersey which spent 3.78 percent of her per capita income on education and will receive $301 per child. Mississippi which spent 6.27 percent of her per capita income will receive $129 per child. How does this conform to the purpose of this legislation as stated in the "declaration of policy?" Where is the justice and equity, I ask?

The youth of this country are our most precious resource and the wisest investment society could possibly make is in the development of their bodies and minds. As one who has labored in the vineyard of education as a student, teacher, and school administrator, I think I know something about education and its problems that confront our youth, schools, teachers, and local communities.

My first official act as a Congressman was to introduce a bill which would return to each State 3 percent of the total individual income tax collected to be used for educational purposes. If enacted into law, Kansas would keep approximately $11 million of its own tax money, and control would be in the hands of the State and local communities.

I think it is important that the States be allowed the discretion and the responsibility for the distribution of funds for educational purposes. Of one thing I am sure, the taxpayer will get more for his dollar by having the educators in the State make the determination rather than a bunch of bureaucrats in Washington. Let us take bureaucracy out of democracy.

Mr. DANIELS. Mr. Speaker, last year, after many years of frustration in attempting to pass legislation which would strengthen American elementary and secondary education, we enacted the Elementary and Secondary Education Act. With the passage of that act we took the initial step in assuring that every American child would have an equal opportunity to a high-quality education regardless of where he lives or the economic circumstances of his parents. The passage of that legislation was a commitment on the part of Congress—a commitment to the proposition that the Federal Government will assist the States and the local schools in areas of critical educational needs.

One of the areas of critical educational needs which Congress recognized was the special need of disadvantaged children. In response to this need, the major thrust of the Elementary and Secondary Education Act was to establish a special program specifically designed to meet the special educational needs of disadvantaged children under title I.

Now, not quite a year since funds were first made available, we have had an opportunity to review the first year's operation of the program. Frankly, as a result of this review, I am proud to have had a hand in its creation.

Title I authorized school districts across the Nation to use almost $1.2 billion. I have to admit that I was somewhat apprehensive. This was a large sum of money, and decisions as to how it was to be spent were being made by officials in almost 18,000 school districts and in every State educational agency. Further, since funds were not made available until after the school year began, thousands of school districts had to plan and implement projects with a great deal of speed while, at the same time, they were already conducting their regular school program.

My apprehensions were uncalled for. Reports on the operation of the new program give evidence of a success which has exceeded our expectations. Initially there was some difficulty in conducting an extensive review because many of the projects were funded just a few weeks before hearings began. However, the hearings were extended over a period of several weeks. Further, we continued to collect additional data until a few days ago.

Of the $1.18 billion authorized, projects amounting to $1.05 billion were approved. That amounts to 89-percent utilization. Of the amount not used, $21 million was attributed to the enforcement of the Civil Rights Act.

The fact that 11 percent of the funds was not used is, in itself, a tribute to the good judgment of the State and local school officials. I asked Office of Education for the major reason for nonutilization of title I funds. The administrators informed me that the major reason, other than civil rights enforcement, was that State educational agencies were very strict in approving projects. There was a real effort made to insure that the intent of Congress was carried out and that the projects were of the highest quality.

From this report, I think we can be assured that Federal dollars were spent wisely.

In our review of the program, we were particularly gratified to find that schools had devised methods for effective use of school personnel. More than 40 percent of the participating school districts used title I funds to hire teacher aids. These teacher aids, serving in a subprofessional or auxiliary capacity, were able to relieve classroom teachers from many of their nonteaching chores. This permitted the teachers to serve more students and to spend more time with individual students.

Other uses of title I funds have been guidance and counseling services, a broad range of remedial educational programs, health care projects, and, in some instances, school breakfast programs for children who have been coming to school without breakfast.

Schools have been able to hire highly trained specialists who are best qualified to deal with the problems of disadvantaged children. They have hired speech therapists, remedial reading specialists, school social workers, and many professionals whose training has uniquely qualified them to deal with the disadvantaged.

As a whole, we have found that school administrators throughout the Nation have moved rapidly through the process of implementing the program. In spite of the speed with which they moved, there is every evidence that they have done an outstanding job. At every turn we have found enthusiasm, efficiency, and wise administration.

I am proud to be able to make this kind of report on a new program—a program which, if our educators were not able, could have had only mediocre success. It is with this report that I recommend and urge you to support the continuation of the program for 2 more years.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 13161, the Elementary and Secondary Education Amendments of 1966.

In March 1965, when the Elementary and Secondary Education Act of 1965 was under consideration by this body, it was my privilege to support that legislation and to point out that it would dramatize our national concern over the problem of correcting educational deficiencies among children born to poverty. The experience since the enactment of this legislation shows that our faith in its uplifting provisions for our educationally deprived children was not misplaced. The studies made by our Committee on Education and Labor reveal general success in this program. However, these studies also indicate areas where the program could be expanded and strengthened.

The Elementary and Secondary Education Amendments of 1966 are designed to do just this for the program, which is already recognized as one of the great achievements of the 89th Congress.

The bill we are now considering extends the Elementary and Secondary Education Act through fiscal 1968, and strengthens and improves the 1965 legislation by increasing aid for federally impacted areas. I am pleased that the assistance for the education of children of low-income families which was provided under title I of the 1965 act will now include a larger number of children under an expanded distribution formula. The raising of the low-income factor to $3,000 in fiscal year 1968, in my opinion, is realistic. More children will also be provided assistance by the requirement that the most recent aid to families with dependent children—AFDC—data be used to count the number of children aged 5 to 17 in families receiving AFDC. These changes, plus the committee-adopted amendment of basing the per-pupil payment on 50 percent of the national average per pupil expenditure if higher than 50 percent of the State average per pupil expenditure, would mean a substantial increase in the funds allocated under title I of the 1965 act.

In Hawaii, this would mean that in fiscal year 1967 the sum of $968,424 would be available for AFDC, almost twice the amount allocated in fiscal year 1966. As a result, the estimated total maximum grant under title I would be increased by almost a million dollars in fiscal year 1967, over the $2.1 million estimate for 1966.

I am gratified that under the 1966 amendments Hawaii will also be eligible for increases in other phases of the proposed expansion of the program.

Finally, the bill now before us would also correct inequities which time and practice have disclosed in Public Laws 815 and 874, both enacted in 1950, with respect to federally affected areas.

Mr. Chairman, the program of assistance for our elementary and secondary schools was given a notable start in 1965. The bill on the floor would strengthen and improve that program. I therefore urge wholehearted support for the Elementary and Secondary Education Amendments of 1966.

The CHAIRMAN. The time of the gentleman has expired.

All time has expired.

Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

Mr. GOODELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 341]

Albert
Arends
Aspinall
Ayres
Battin
Bray
Brown, Calif.
Cooley
Corman
Davis, Ga.
Denton
Dorn
Dyal
Edmondson
Edwards, Ala.
Evans, Colo.
Evins, Tenn.
Fisher
Flynt
Foley
Grider
Griffiths
Gross
Hansen, Wash.
Harvey, Ind.
Hébert
Leggett
McEwen
McMillan
McVicker
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Michel
Miller
Moeller
Morris
Morrison
Murphy, N.Y.
Murray
O'Brien
O'Konski
Olsen, Mont.
O'Neill, Mass.
Pepper
Pool
Powell
Purcell
Rees
Reinecke
Rivers, Alaska
Robison
Rogers, Tex.
Roncalio
Roudebush
Saylor
Schisler
Scott
Shriver
Sisk
Smith, Calif.
Smith, Va.
Stephens
Sweeney
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Van Deerlin
Vivian
Walker, Miss.
Walker, N. Mex.
Watkins
Weltner
Whitener
Wilson, Bob
Younger

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 13161, and finding itself without a quorum, he had directed the roll to be called; when 351 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 13161

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1966".

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Part A—Financial assistance to educational agencies for the education of children of low-income families

Grants to School Agencies

SEC. 101. Section 202 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

"Duration of Assistance

"SEC. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, 1968."

Grants for Indian Children in Schools Operated by the Department of the Interior

SEC. 102. Section 203(a)(1) of such Act of September 30, 1950, is amended to read as follows: "There is hereby authorized to be appropriated for each fiscal year, for the purposes of this paragraph, an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 207(a) (other than payments under such section to jurisdictions excluded from the term 'State' by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Department of the Interior (to meet the special educational needs of educationally deprived children in elementary and secondary schools operated for Indian children by that Department) according to their respective need for such grants. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive, and the terms upon which payments shall be made to the Department of the Interior for such Indian children, shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Payments to State Educational Agencies for Assistance in Educating Migratory Children of Migratory Agricultural Workers

SEC. 103. (a) Section 203(a) of such Act of September 30, 1950, is amended by inserting after paragraph (5) the following new paragraph:

"(6) A State educational agency which has submitted and had approved an application under section 205(c) for any fiscal year shall be entitled to receive a grant for that year under this title for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by the sum of (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. For purposes of this paragraph, the 'average per pupil expenditure' in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the United States plus any direct current expenditures by States for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

(b) Section 205 of such Act is amended by adding the following new subsection at the end thereof:

"(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

"(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including the transmittal of pertinent information with respect to school records of such children;

"(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

"(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through (10) of subsection (a), and of section 206(a).

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable notice and opportunity for a hearing to the State educational agency.

"(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States."

(c)(1) The portion of section 206(a) of such Act which precedes clause (1) is amended by striking out "participate in the program of this title" and inserting in lieu thereof "participate under this title (except with respect to the program described in section 205(c) relating to migratory children of migratory agricultural workers)".

(2) The first sentence of section 207(a)(1) of such Act is amended by inserting "it and" after "the amount which".

(3) Section 210 of such Act is amended by striking out "section 206(b)" and inserting in lieu thereof "section 205(c) or 206(b)".

(4) Section 211(a) of such Act is amended by striking out "section 206(a)" and inserting in lieu thereof "section 205(c) or 206(a)".

Grants—Eligibility for and Computation of Amounts

SEC. 104. (a)(1) The portion of section 203(b) of such Act of September 30, 1950, which precedes paragraph (1) thereof is amended by striking out all that follows after "children aged five to seventeen, inclusive," and inserting in lieu thereof "described in clauses (A) and (B) of the first sentence of paragraph (2) of subsection (a):".

(2) Section 203(b)(1) of such Act is amended by striking out all that follows "shall be" and inserting in lieu thereof "at least ten."

(3) Section 203(b)(2) of such Act is amended by striking out "shall be one hundred or more" and inserting in lieu thereof "shall be at least ten".

(b) The first sentence of section 203(a)(2) of such Act is amended by striking out "the average per pupil expenditure in that State" and inserting in lieu thereof "(i) for the two fiscal years ending prior to July 1, 1967, the average per pupil expenditure in that State, and (ii) for the succeeding fiscal year, the average per pupil expenditure in that State, or in all the States, whichever is higher".

(c) The last sentence of section 203(a)(2) is amended to read as follows: "For purposes of this subsection, the 'average per pupil expenditure' in a State, or in all the States, as the case may be, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the State, or in all the States, as the case may be, plus any direct current expenditures by the State or States for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

Raising the Low-Income Factor to $3,000 After June 30, 1967

SEC. 105. Section 203(c) is amended to read as follows:

"(c) For the purposes of this section, the 'Federal percentage' shall be 50 per centum and the 'low-income factor' shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and they shall be 50 per centum and $3,000, respectively, for the succeeding fiscal year."

Using Most Recent Aid-for-Dependent-Children Data Available After June 30, 1966

SEC. 106. Effective with respect to fiscal years beginning after June 30, 1966, the third sentence of section 203(d) of such Act of September 30, 1950, is amended to read as follows: "The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving annual income in excess of the low-income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act on the basis of the latest calendar or fiscal year data, whichever is later."

Repealing Provision for Special Incentive Grants

SEC. 107. (a) Title II of such Act of September 30, 1950, is amended by striking out section 204.

(b) Such title II is further amended by—

(1) striking out "basic grant", "BASIC GRANTS", and "basic grants" each time they occur and inserting in lieu thereof "grant", "GRANTS", or "grants", as the case may be;

(2) striking out "or a special incentive grant" in the portion of section 205(a) which precedes clause (1); and

(3) striking out in section 207(a)(2) the portion which follows the comma and inserting in lieu thereof "except that this amount shall not exceed the maximum amount determined for that agency pursuant to section 203."

Treatment of Income of Employees Receiving Aid for Dependent Children

SEC. 108. The following new section is added immediately after section 212 of such Act:

"Treatment of Earnings for Purposes of Aid to Families With Dependent Children

"SEC. 213. (a) Notwithstanding the provisions of title IV of the Social Security Act, a State plan approved under section 402 of such Act shall provide that for a period of not less than twelve months, and may provide that for a period of not more than twenty-four months, the first $85 earned by any person in any month for services rendered to any program assisted under this title of this Act shall not be regarded (A) in determining the need of such person under such approved State plan or (B) in determining the need of any other individual under such approved State plan.

"(b) Notwithstanding the provisions of subsection (a) of this section, no funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the fourth month after the adjournment of the State's first regular legislative session which adjourns more than sixty days after enactment of the Elementary and Secondary Amendments of 1966, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a) of this section."

Providing That a Program or a Project Must Be at Least a Certain Minimum Size To Be Approved

SEC. 109. Section 205(a)(1)(B) of such Act of September 30, 1950, is amended by striking out the comma after "needs" and inserting in lieu thereof the following: "and to this end involve an expenditure of not less than $5,000, except that the State educational agency may with respect to any applicant reduce the $5,000 requirement if it determines that it would be impossible, for reasons such as distance or difficulty of travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting the requirement;".

Uses of Granted Funds

SEC. 110. (a) Section 205(a)(1) of such Act of September 30, 1950, is amended by striking out "(including the acquisition of equipment and where necessary the construction of school facilities)" and inserting in lieu thereof the following: "(including the acquisition of equipment, and, where necessary, the construction of school facilities and plans made or to be made for such programs, projects, and facilities)".

(b) Section 205(a)(1) of such Act is further amended by inserting before the semicolon at the end thereof the following: ": *Provided*, That the amount used for plans for any fiscal year shall not exceed 1 per centum of the maximum amount determined for that agency for that year pursuant to section 203 or $2,000, whichever is greater".

(c) Section 205(a) of such Act of September 30, 1950, is amended by renumbering paragraphs (5), (6), (7), and (8) as (6), (7), (8), and (9), respectively, and by inserting after paragraph (4) the following new paragraph:

"(5) in the case of an application for payments for planning, (A) that the planning was or will be directly related to programs or projects to be carried out under this title and has resulted, or is reasonably likely to result, in a program or project which will be carried out under this title, and (B) that planning funds are needed because of the innovative nature of the program or project or because the local educational agency lacks the resources necessary to plan adequately for programs and projects to be carried out under this title;".

(d) Section 205(a) of such Act is amended by striking out "and" at the end of paragraph (8), by striking out the period at the end of the last paragraph and inserting "; and", and adding at the end thereof the following new paragraph:

"(10) in the case of a project for the construction of school facilities, that, in developing plans for such facilities, due consideration has been given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project)."

Computing Amount of Payments for State Administrative Expenses

SEC. 111. Clause (1) of section 207(b) of such Act of September 30, 1950, is amended to read as follows:

"(1) one per centum of the total maximum grants for State and local educational agencies of the State as determined for that year pursuant to sections 203 and 208, or".

Provisions To Encourage Local Effort

SEC. 112. (a) Section 207(c)(2) of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1964" and inserting in lieu thereof "for the second preceding fiscal year".

(b) Section 203(a)(3) of such Act is amended by striking out "1966" and inserting in lieu thereof "1967" and by striking out "30 per centum" both times it appears and inserting in lieu thereof "40 per centum".

Continuing and Revising Provision for Adjustments Where Necessitated by Appropriations

SEC. 113. (a) Section 208 of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1966," and inserting in lieu thereof "for any fiscal year".

(b) Such section 208 is further amended by adding at the end thereof the following: "In order to permit reductions made pursuant to this section for any fiscal year to be offset at least in part, the Commissioner may set dates by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section 203(a)(6) must file applications. The excess of (1) the total of the amounts of the maximum grants computed for all educational agencies of any State under section 203, as ratably reduced under this section, over (2) the total of the amounts for which applications of agencies of that State referred to in clauses (1) and (2) of the preceding sentence are approved shall be available, in accordance with regulations, first to educational agencies in that State and then to educational agencies in other States to offset proportionately ratable reductions made under this section."

Payments on Account of Neglected or Delinquent Children

SEC. 114. (a) The first sentence of section 203(a)(2) of such Act of September 30, 1950, is amended by striking out all that follows "multiplied by" and substituting: "the number of children in the school district of such agency who are aged five to seventeen, inclusive, and are (A) in families having an annual income of less than the low-income factor (established pursuant to subsection (c)), (B) in families receiving an annual income in excess of the low-income factor (established pursuant to subsection (c)) from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, or (C) living in institutions for neglected or delinquent children but not counted pursuant to paragraph (5) of this subsection for the purpose of a grant to a State agency."

(b) The second sentence of such section 203(a)(2) is amended by striking out "the number of children of such ages and families in such county or counties" and inserting in lieu thereof "the number of children of such ages in such county or counties who are described in clause (A), (B), or (C) of the previous sentence,".

(c) Subsection (b) of section 203 of such Act, as amended by section 104 of this Act, is further amended by—

(1) striking out, in the part which precedes paragraph (1), "clauses (A) and (B)" and inserting in lieu thereof "clauses (A), (B), and (C)";

(2) striking out in paragraph (1) "the number of such children of such families" each time that it appears and substituting "the number of such children";

(3) striking out in paragraph (2) "the number of children of such ages of families with such income" and substituting "the number of such children"; and

(4) striking out in paragraph (3) "the number of children of such ages of families of such income" and substituting "the number of such children."

(d) The third sentence of subsection (d) of such section 203, as amended by section 106 of this Act, is further amended by inserting ", and the number of children of such ages living in institutions for neglected or delinquent children," before "on the basis of".

(e) Section 203(a)(5) of such Act is amended to read as follows:

"(5) In the case of a State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education) or for children in institutions for neglected or delinquent children, the maximum grant which that agency shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for such children operated or supported by that State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this title only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of such children."

Definitions

Broadening definition of "local educational agency"

SEC. 115. (a)(1) Section 303(6) of such Act is amended to read as follows:

"(6)(A) For purposes of title I, the term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities for providing free public education.

"(B) For purposes of title II, the term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school, and it also includes (except for purposes of sections 203(a)(2), 203(b), and 205(a)(1)) any State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education) or for children in institutions for neglected or delinquent children."

(2) Paragraphs (4) and (5) of section 203(a) of such Act, as amended by this Act, and references thereto, and paragraph (6) of such section 203(a) as added by this Act, and references thereto, are respectively redesignated as paragraphs (5), (6), and (7), and such section 203(a) is further amended by inserting after paragraph (3) the following new paragraph:

"(4) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this title."

Providing for a more precise definition of "current expenditures"

(b) Section 303(5) of such Act is amended to read as follows:

"(5) The term 'current expenditures' means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under title II of this Act or title II or III of the Elementary and Secondary Education Act of 1965."

Part B—School library resources, textbooks, and other instructional materials

Appropriations authorized

SEC. 121. Section 201(b) of the Elementary and Secondary Education Act of 1965 (Public Law 89–10) is amended to read as follows:

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $105,000,000 for the fiscal year ending June 30, 1967, and $175,000,000 for the fiscal year ending June 30, 1968."

Interior Department Schools for Indians and Defense Department Overseas Schools

SEC. 122. Section 202(a) of such Act is amended by—

(a) striking out "2 per centum" in the first sentence and inserting in lieu thereof "3 per centum";

(b) striking out "and" after "the Virgin Islands," in the first sentence, and striking out all of such sentence after "the Pacific Islands" and inserting in lieu thereof the following: ", the Department of Defense (for library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in the overseas dependents schools of the Department of Defense), and the Department of Interior (for library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in elementary and secondary schools operated for Indian children by that Department), according to their respective needs for assistance under this title. The terms upon which payments shall be made to the Department of Defense and Department of the Interior for such purposes shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Administrative Costs of State and Local Agencies

SEC. 123. (a) Paragraph (2) of section 203(a) of such Act is amended—

(1) by inserting "(i)" after "State plan, including",

(2) by inserting immediately before "except that the" the following: "and (ii) the distribution and control by a local educational agency of such library resources, textbooks, and other instructional materials for the use of children and teachers in schools referred to in clause (A),", and

(3) by striking out "shall not exceed for the fiscal year ending June 30, 1966, an amount equal to 5 per centum of the amount paid to the State under this title for that year, and for any fiscal year thereafter an amount equal to 3 per centum of the amount paid to the State under this title for that year" and inserting in lieu thereof the following: "for any fiscal year shall not exceed an amount equal to 5 per centum of the amount paid to the State under this title for that year, or $50,000, whichever is greater".

(b) Paragraph (3) of section 203(a) of such Act is amended by striking out "and" at the end of clause (A), by striking out the semicolon at the end of clause (B) and inserting ", and", and by adding at the end thereof the following new clause:

"(C) provide assurance that, in order to secure the effective and efficient use of Federal funds there will be appropriate coordination at both State and local levels between the program carried out under this title with respect to library resources and the program (if any) carried out under the Library Services and Construction Act (20 U.S.C., ch. 16);".

Part C—Supplementary educational centers and services

Appropriations Authorized

SEC. 131. Section 301(b) of the Elementary and Secondary Education Act is amended to read as follows:

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $150,000,000 for the fiscal year ending June 30, 1967, and $575,000,000 for the fiscal year ending June 30, 1968."

Interior Department Schools for Indians and Defense Department Overseas Schools

SEC. 132. Section 302(a) of such Act is amended by—

(a) striking out "2 per centum" in the first sentence and inserting in lieu thereof "3 per centum";

(b) striking out "and" after "the Virgin Islands," in the first sentence and by striking out all of such sentence after "the Pacific Islands," and inserting in lieu thereof the following: "the Department of Defense (for carrying out the purposes set forth in paragraphs (a) and (b) of section 303 for children in overseas dependents schools of the Department of Defense), and the Department of the Interior (for carrying out the purposes set forth in paragraphs (a) and (b) of section 303 for the benefit of Indian children in elementary and secondary schools operated by that Department) according to their respective needs for assistance under this title. The terms upon which payments shall be made to the Department of Defense and the Department of the Interior for such children shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Excellence of Architecture and Design and Works of Art

SEC. 133. Section 304(a)(4) of such Act is amended by striking out "and (C)" and inserting in lieu thereof the following: "(C) that, in developing plans for such facilities due consideration will be given to excellence of architecture and design, and to the inclusion of works of art (not representing more that 1 per centum of the cost of the project), and (D)".

Special Consideration for Local Educational Agencies Which Are Financially Overburdened

SEC. 134. Section 304 of such Act is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1967, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, racially imbalanced, or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency."

Part D—Cooperative Research Act amendments

Permitting the Research Training Program To Be Carried Out Through Contracts as Well as Grants

SEC. 141. Section 2 of the Cooperative Research Act (20 U.S.C. 331a) is amended by striking out "(a)" after "503" in subsection (a), and by amending subsection (b) to read as follows:

"(b)(1) The Commissioner is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in section 503(4) of the Elementary and Secondary Education Act of 1965), including the development and strengthening of training staff and curricular capability for such training, and, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

"(2) Funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this subsection may, when so authorized by the Commissioner, also be used by the recipient (A) in establishing and maintaining research traineeships, internships, personnel exchanges, and pre- and post-doctoral fellowships, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (B) where the recipient is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations.

"(3) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection for training in sectarian instruction, or for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects."

Consolidating Research Authority Under Section 2

SEC. 142. Section 4(b) of the Cooperative Research Act is amended by striking out the second sentence thereof.

Amending the Definition of "Construction" To Include the Acquisition of Existing Buildings

SEC. 143. Section 5(4) of the Cooperative Research Act is amended to read as follows:

"(4) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building) or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not acquired, expanded, remodeled, or altered."

Part E—Grants to strengthen State departments of education

Appropriations Authorized

SEC. 151. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1966, $30,000,000 for the fiscal year ending June 30, 1967, and $50,000,000 for the fiscal year ending June 30, 1968."

Elimination of Matching Requirement

SEC. 152. (a) Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out "(a)" where it appears after "Sec. 503.", by striking out "Federal share of", and by striking out subsection (b) of such section.

(b) Section 303(b)(3) of such Act is amended by striking out "503(a)(4)" and inserting in lieu thereof "503(4)".

(c) Section 502(b) of such Act is amended by striking out "Federal share (as defined in section 503(b)) of the" and by striking out the last sentence of paragraph (2) thereof.

(d) Section 504 of such Act is amended by striking out "section 503(a)" both times it appears and inserting in lieu thereof "section 503".

Technical Amendment Regarding Interchange of Personnel with States

SEC. 153. Effective as of April 11, 1965, section 507(c)(3(d) of the Elementary and Secondary Education Act of 1965 is amended by inserting ", and for retention and leave accrual purposes," after "toward periodic or longevity step increases".

Part F—Dissemination of information

SEC. 161. Title VI of the Elementary and Secondary Education Act of 1965 is amended by redesignating sections 604 and 605 as 605 and 606, respectively, and by inserting after section 603 the following new section:

"Dissemination of Information

"SEC. 604. In order to disseminate information concerning this Act, and any Act amended by this Act, to State and local educational agencies, for use in their elementary or secondary schools, the Commissioner—

"(1) shall prepare and publish catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful in the encouragement and most effective use of this Act, or any Act amended by this Act, as well as foster the development of information networks, systems, or other procedures for disseminating the results of research and experimentation conducted under this Act, or any Act amended by this Act;

"(2) may, upon request, provide advice, counsel, technical assistance, and demonstrations to State and local educational agencies and institutions of higher education undertaking to initiate or expand programs carried out under this Act, or under any Act amended by this Act, to increase the quality or depth or broaden the scope of their educational programs;

"(3) shall prepare and publish an annual report setting forth (A) projects carried out under this Act, or under any Act amended by this Act, and the cost of each such project, and (B) developments in the utilization and adaptation of projects carried out under this Act, or under any Act amended by this Act, and

"(4) may, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), enter into contracts with public or private agencies, organizations, or groups, to carry out the provisions of this section."

Part G—Effective date

SEC. 171. The provisions of this title shall be effective with respect to fiscal years beginning after June 30, 1966.

Mr. POWELL (during reading of the bill). Mr. Chairman, I am wondering if my colleagues would agree that the bill be considered as read at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. POWELL]?

Mr. GOODELL. Mr. Chairman, reserving the right to object, may I ask the gentleman whether we can do it by title?

Mr. POWELL. I can assure the gentleman that we will give ample opportunity for any amendments. I am not trying to hamstring any part of it.

Mr. GOODELL. Mr. Chairman, it seems to me it would be more orderly to know where we are in the bill if the titles are open to amendment at any point, and we can proceed expeditiously in that way.

Mr. POWELL. The gentleman is objecting, then?

Mr. GOODELL. I would object to it.

The CHAIRMAN. Objection is heard.

Mr. POWELL. Mr. Chairman, I then ask that the further reading of title I be dispensed with, and that the Committee consider title I as having been read, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman?

There was no objection.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 40, line 3, strike out "at least ten" and insert in lieu thereof "equal to 3 per centum or more of the total number of all children aged five to seventeen, inclusive, in such district, except that it shall in no case be less than ten".

Page 40, on line 6, strike out "at least ten" and insert in lieu thereof "equal to 3 per centum or more of the total number of all children aged five to seventeen, inclusive, in such county, except that it shall in no case be less than ten".

Mr. FEIGHAN. Mr. Chairman, I rise in support of the bill. After many years of attempting to pass legislation which would strengthen American elementary and secondary education, we enacted Public Law 89-10 last season. With the passage of that act we took a significant step in assuring that every American child would have an opportunity to a high-quality education. I regard last year's action as a pledge to our young people that their Nation's Government regarded their education as vital to the Republic's future—a commitment to the proposition that the Federal Government will assist the States and the local schools in areas of critical educational needs.

One of the areas of critical educational needs which Congress recognized was the special need of disadvantaged children. In response to this need, the major thrust of the Elementary and Secondary Education Act was to establish a special program specifically designed to meet the special educational needs of disadvantaged children under title I.

Now, not quite a year since funds were first made available, we have had an opportunity to review the first year's operation of the program. Frankly, as a result of this review, I am proud to have had a hand in its creation.

I am heartened by the broadened opportunities in the State of Ohio and in the Cleveland area. Title I of Public Law 89-10 as amended by this bill will provide my State with approximately $62 million next fiscal year; $43 million in the current school year.

Reports that I have seen on the operation of the new program give evidence of a success which has exceeded educators' expectations. Nationwide, of the $1.18 billion authorized, projects amounting to $1.05 billion were approved. That amounts to 89 percent utilization.

The fact that 11 percent of the funds was not used is, in itself, a tribute to the good judgment of the State and local school officials. I asked the Office of Education for the major reason for nonutilization of title I funds. The administrators informed me that the major reason, other than civil rights enforcement, was that State educational agencies were very strict in approving projects. There was a real effort made to insure that the intent of Congress was carried out and that the projects were of the highest quality.

From this report, I think we can be assured that with no exceptions Federal dollars were spent wisely.

I am also extremely pleased that the committee has adopted an amendment to Public Law 874 which I have supported—to make Cleveland and other large city areas eligible for the first time for Federal payments for the education of federally connected children.

Mr. QUIE. Mr. Chairman, as you listen to the reading of my amendment, it changes the effect of this bill as to which school district would be able to receive money under title I.

A school district would have to have at least 3 percent of its children, age 5 to 17 in the so-called poverty class, for which they receive this money.

The law presently provides that a county must have at least 100 and a school district must have 3 percent or 10, whichever is less.

My amendment would change the new requirement in the bill that a district only need 10. I think it is inconceivable that some school districts with a substantial number of children in the district, and have only 10 who come from families of less than $2,000 or are in the AFDC category, should then receive some money.

This program is for the school districts that have a substantial number of children who are educationally deprived.

This amendment would affect a handful of very wealthy school districts; possibly Montgomery County, Md., would be one of them and Du Page County, Ill., and Bergen County, N.J. They would be eliminated by my amendment.

But this bill is many times spoken of and it is intended to help the educationally deprived; and one of the bigger groups who are supposedly educationally deprived are the poverty children.

So in order to prevent the money from going into school districts with a small number of children from poor families compared to the total number of children, I think this would be a much better criteria than just 10 students as presently provided in the bill.

Therefore, I would surely ask you to support my amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. WILLIAM D. FORD. I call the attention of the gentleman to page 43 of the bill, starting on line 18, which contains the title, "Providing that a program or a project must be at least a certain minimum size to be approved."

I will remind the gentleman that the circumstances or the situation which the gentleman just outlined cannot occur because in order to have a project approved, you must put enough school districts together with 10 or 12 or 15 children so that you can put together a meaningful program of not less than $5,000 in size, and that $5,000 represents one-half of the per pupil expenditure times the number of children that you combine into this program. This is of special benefit in the extreme rural parts of the country particularly in some parts like Appalachia where you have a number of small districts which acting alone could not come up with a program of substantial size which would guarantee a good end result.

By requiring them to put enough of these programs together to meet the $5,000 qualification, we encourage them to combine their entitlements so that they can engage in a joint program.

Mr. QUIE. I recognize, I will say to my colleague, the gentleman from Michigan, the value of that amendment and it would apply to the rural areas. What I am talking about are the wealthier counties which have a substantial number of poor students but do not have anywhere near 3 percent. Therefore, I do not believe the intent of the language on page 43 is to bring together the school districts that are wealthy but rather as the gentleman mentioned, districts like we find in Appalachia—my amendment would apply to the wealthy school districts which presently have less than 3 percent but more than 10 and, therefore, would not allow them to come under the program. Their districts can well afford good education without Federal aid.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment. In my judgment, the great virtue of this legislation is that we recognize the plight of the disadvantaged child, whether he is in a wealthy district or in a poorer school district. The amendment that the gentleman from Michigan [Mr. WILLIAM D. FORD], just referred to that we adopted this year requires projects to involve at least as much as $5,000, unless it would work an extreme hardship. If the Commissioner found that it would work an extreme hardship in any case the requirement could be waived. The purpose of this legislation is not to reward or punish school districts but to provide for the special educational needs of children who are educationally disadvantaged. It is the purpose of the legislation to put this money into any districts in the country where these disadvantaged youngsters are. I think the amendment that we adopted this year, putting the $5,000 minimum limitation or program size except in extreme hardship cases, amply takes care of the situation and is as far as we dare go without the danger of eliminating benefits for needy children.

Therefore, Mr. Chairman, I ask the Committee to vote down the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. QUIE].

The question was taken; and on a division (demanded by Mr. QUIE) there were—ayes 38, noes 47.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA of Michigan: Page 63 between lines 12 and 13, insert the following new part:

"PART H—RACIAL IMBALANCE

"SEC. 181. Section 604 of the Elementary and Secondary Education Act of 1965 (containing a prohibition against Federal control of education) is amended by inserting the following at the end thereof and before the period: ', or to require the assignment or transportation of students or teachers in order to overcome racial imbalance'."

Mr. O'HARA of Michigan. Mr. Chairman, it is very unfortunate that in the course of this debate some statements have been made on the floor of the House, the implications of which were that under this bill the Office of Education, or the Secretary of the Department of Health, Education, and Welfare, or the Federal Government, operating through one or more of its agencies or departments, could require the busing of children or the assignment of children or the assignment of teachers to correct a so-called racial imbalance.

Mr. Chairman, the chairman of the subcommittee and the other members of the majority on the subcommittee have repeatedly pointed out this is not true. To make certain that everyone understands it is not true I have offered this amendment.

I should like to point out how section 604 of the Elementary and Secondary Education Act would read following the adoption of this amendment. It now reads:

> Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

We would add: "or to require the assignment or transportation of students or teachers in order to overcome racial imbalance."

I believe that is about as clear as we can make it.

Let me point out what the amendment is and what it is not.

In the first place, title VI of the Civil Rights Act deals with segregation and it in no way deals with any so-called racial imbalance. It deals with racial discrimination and racial segregation. It gives no warrant or authority to deal with so-called racial imbalance. And nothing in this act would permit requiring correction of racial imbalance, absent racial discrimination or segregation prohibited by title VI of the Civil Rights Act of 1964.

We would not add to or take away from the Civil Rights Act of 1964 by this amendment. What we say, simply, is in order to overcome the false allegations which have been made against this legislation we want to add a prohibition that would specifically spell out that nothing contained in this act could be construed to require the assignment or transportation of students in order to overcome racial imbalance as such.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. GOODELL. I believe the gentleman's statement a few moments ago is not entirely accurate with reference to what is in this bill. I do not mean to misquote the gentleman, but if I understood him correctly he said there is nothing in this bill that would permit money to go for busing unless there was segregation in violation of the act.

Mr. O'HARA of Michigan. The gentleman misunderstood me, I believe.

Mr. GOODELL. I should like for the gentleman to repeat that, and to clarify it.

Mr. O'HARA of Michigan. I said that there was nothing in this act that would in any way permit any officer of the Federal Government to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

The gentleman certainly would agree with that statement, would he not?

Mr. GOODELL. Will the gentleman yield?

Mr. O'HARA of Michigan. Would the gentleman agree with that statement?

Mr. GOODELL. Will the gentleman yield?

Mr. O'HARA of Michigan. I yield.

Mr. GOODELL. There is nothing in the act that says the Commissioner can require them to bus, but the gentleman yesterday, at page 25334, answered a question by the gentleman from North Carolina [Mr. KORNEGAY]. Mr. KORNEGAY asked:

> Is there any provision in this bill which would give to a local school unit an incentive, and that is more money?

The gentleman replied:

> There is no incentive contained therein which has anything to do with busing.

And the gentleman talked about title III.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(On request of Mr. GOODELL, and by unanimous consent, Mr. O'HARA of Michigan was allowed to proceed for 5 additional minutes.)

Mr. GOODELL. I believe the record should be clear that the new provision which the gentleman was instrumental in putting into the bill does put an obligation on the Commissioner to give special consideration to applications from the local units for funds, for a variety of reasons, including overcrowded conditions, obsolete classrooms or schools, unsafe schools, or any other condition that has imposed a substantial and continuing financial burden upon the local agency, and one other, racially imbalanced schools.

I think we can agree that this provision clearly permits and puts an obligation on the Commissioner to give special consideration to grants to local agencies to come forward with busing proposals if they wish to or with other proposals to solve these problems. Is that not correct?

Mr. O'HARA of Michigan. A busing proposal, a simple busing proposal, would not be a supplementary educational center or service as provided for in title III. But let me say that it is not germane, is it, to what we are doing right now? When we have reached that point I will be happy to discuss it with the gentleman and clear up any difficulty that exists there. But I would like to repeat and reiterate now what we are doing is amending section 604 of the existing legislation which applies to the entire Elementary and Secondary Education Act of 1965 to make it perfectly clear what was always clear to most of us, that nothing contained in that act could be construed to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

Mr. WYDLER. Mr. Chairman, will the gentleman yield to me?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. WYDLER. I think this whole question on the amendment you are offering turns on the word "required." I would like to ask the gentleman, would the meaning of the amendment you are offering be the same if we were to add to the word "required" or after it the words "or induce"? Is that what the gentleman is telling the House now, that your amendment would disallow or not allow the Commissioner of Education to induce these school districts to bus pupils for the purpose of correcting racial imbalance?

Mr. O'HARA of Michigan. It would not. No.

Mr. WYDLER. Thank you.

Mr. O'HARA of Michigan. There is nothing in the act that permits him to induce them to correct racial imbalance. I do not have Webster's dictionary in front of me and cannot tell you the exact meaning of the word "require," but I mean it to include "coerce" and "compel" and "force" or "insist" or whatever. But what I am not saying is that the Commission of Education is under any obligation to prevent a school district from taking steps to correct racial imbalance if that is what they want to do. Now, I understand there are some school districts in the State of New York which, with the encouragement of the Governor, are thinking of undertaking such projects, and the Commissioner could not stop them from doing it.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I just want to support the observations of the gentleman from Michigan.

As a matter of fact, I have in front of me a statement, made by a very well-known State school superintendent, who said with reference to the operations in his State:

> We're pushing voluntary busing when the climate and the distances are right.

Mr. Chairman, the man who made that statement, I may say to my friends on the other side of the aisle, was Dr. Max Rafferty, the superintendent of education for the State of California, a gentleman who is a rather conservative America spokesman in the field of education.

And, Mr. Chairman, secondly I wish to underscore what the gentleman from Michigan [Mr. O'HARA] has just said; namely, that in this area we are talking about local initiative.

Mr. Chairman, it is up to the local school system as to whether or not it decides that it wants to transport or bus the students.

Mr. Chairman, I would hope that those persons who like to run up the flag with reference to the question of Federal control, would not want to suggest an approach which would prevent, which would prohibit, a local school district from doing what in its local judgment was best in order to make its local operation more proficient.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. POWELL. Mr. Chairman, the gentleman from Michigan [Mr. O'HARA] has offered a very worthwhile amendment. And, Mr. Chairman, I was one who in 1954, initiated this program and it is now a part of the law of the land.

But, Mr. Chairman, never did I at any time intend that there should be any forceable Federal supervision or force of the Federal Government employed to force any local district to do that which was then contrary to the best principles of our democracy.

Mr. Chairman, I believe that this amendment which has been offered by the gentleman from Michigan [Mr. O'HARA] is a very salutary one, and I rise in support of the amendment.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Louisiana with whom I worked out these amendments.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman from Michigan for yielding. We did work these amendments out together.

And, Mr. Chairman, in order that we may further clarify this particular amendment, is this one of the amendments that the gentleman from Michigan [Mr. O'HARA] and I have worked out in lengthy discussions?

Mr. O'HARA of Michigan. That is correct.

Mr. WAGGONNER. Does it not have to do with imbalance?

Mr. O'HARA of Michigan. That is correct.

Mr. WAGGONNER. And, I can conclude that if this amendment is adopted, the prohibitions set forth therein, having to do with Federal control of education will then say—nothing contained in this section shall be construed to authorize any department, agency, officer or employee of the United States to exercise any direction, supervision or control over the curriculum, program of instruction, and administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system, or to require the assignment or transportation of students or teachers in order to overcome racial imbalance; is that not correct?

Mr. O'HARA of Michigan. The gentleman from Louisiana is correct.

Mr. WAGGONNER. And, Mr. Chairman, if the gentleman will yield further, does the gentleman feel that this would put in proper perspective the intent of the Congress with respect to the prohibition which would be made to apply to the Commissioner of Education, or anyone else in the Federal Government, as to what their authority is, and this, in removing their authority to withhold any funds which would be authorized and appropriated under this Act, should the Commissioner of Education attempt to continue his present effort to put into practice the revised guidelines which have to do—whether the gentleman agrees or not—to employing and assigning teachers, busing, or transporting students?

Mr. O'HARA of Michigan. I am not thoroughly familiar with all of that. Certainly the Commissioner of Education, before he distributes Federal school aid funds, must abide by the strictures of title VI of the Civil Rights Act with respect to segregation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'HARA of Michigan. I thank the gentleman.

Certainly we are not going to change that. I know the gentleman from Louisiana agrees that the amendment would not change the impact of title VI. However, we make it clear that title VI is all—that is to say, that title VI gave no warrant to any Federal office to go beyond eliminating racial discrimination and affirmatively requiring racial balance. Because where discrimination is absent, if we have racial imbalance that is not a result of racial discrimination, it is not covered by title VI, and it is not a proper area for the Commissioner to enter into. Of course, I am not going to get into a specific discussion on whether he has or he has not.

Mr. WAGGONNER. Mr. Chairman, would the gentleman yield further?

Mr. O'HARA of Michigan. Yes.

Mr. WAGGONNER. I would agree that this amendment would, of course, not amend title VI of the Civil Rights Act because to do so you would have to amend the bill to read in the prohibition section that nothing contained in this act or any other act would be allowed, but the gentleman would agree that as far as the administration of this proposed act we are now debating, that the authority of the Commissioner of Education, or any other individual employed by the Federal Government, or agency of the Federal Government, would be restricted by these prohibitions.

Mr. O'HARA of Michigan. That is correct.

Mr. WAGGONNER. I thank the gentleman. I think this does improve this act. Certainly I am going to support the amendment.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield.

Mr. POWELL. I would say to the gentleman that, following the remarks of the distinguished gentleman from Louisiana, I would like the House to know that news came to us about a task force, and about three that were going into districts, and telling them "You must," and "You shall." And as soon as this side of the aisle—and with all due deference to my friends on the other side of the aisle, because they were not around at the moment—we heard about it, we agreed to ask the Commissioner of Education to remove these three gentlemen from the task that had been assigned to them. Because there is nothing in this legislation, past or present, that gives a right to any individual to go into any district and say "You shall," or "You must."

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield ?

Mr. O'HARA of Michigan. I yield.

Mr. WAGGONNER. I thank the gentleman for yielding once again.

I realize the intent of this, and I accept in good faith the action of the committee in supporting this amendment that serves to further restrain the authority of the Federal Government to interfere with the administration of this act.

I personally would like to see it amended, at least to read in any other act, but I realize we have accomplished a great deal through this. You can rest assured I will keep trying.

Mr. O'HARA of Michigan. Mr. Chairman, I thank the gentleman.

I would just like to sum up what we propose to do.

While we provide by title VI of the Civil Rights Act—and I think the majority of us on the committee certainly support title VI of the Civil Rights Act—and are determined not to give funds to segregated activities, nor to support racial discrimination; that we do not mean by that to go beyond cases of racial discrimination, in an attempt to correct racial imbalance that is not the result of racial discrimination.

I hope the amendment will be agreed to. I believe it will clearly define the issues in this debate.

Mr. GOODELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GOODELL. Mr. Chairman, if the gentleman from Michigan is available, I would like to clarify if I can the import and the impact of his amendment.

As I understand it, the amendment is in the section prohibiting Federal control in the present law, and it will prohibit the requiring of assignment or transportation of students and teachers in order to overcome racial imbalance.

The question, and I agree with one of my colleagues who spoke earlier, revolves around what the word "require" means.

You are going to forbid any Federal official from requiring assignment or transportation of students or teachers.

Does this mean that the Commissioner would be barred from making the busing of students a condition for a grant?

Mr. O'HARA of Michigan. The Commissioner would be barred from requiring the busing of students to overcome a racial imbalance, as separate and distinct from the requirements of title VI with respect to racial discrimination.

Mr. GOODELL. That is to overcome racial imbalance?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. The Commissioner would not be able to say to a locality, "If you want this money, you must set up transportation of students to overcome racial imbalance, as distinguished from racial discrimination"?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. If I may ask the gentleman some further questions.

Under title I we have clearly defined in this bill the word "expenditures" to include pupil transportation and the cost of pupil transportation.

In other words, in title I we have made it clear that you can spend money for busing of pupils generally; is that not correct?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. If the Commissioner so desired, under your amendment could he say to a local district, "You will not receive title I money unless you take action to overcome racial imbalance in your school district"?

Mr. O'HARA of Michigan. As distinguished from racial discrimination?

Mr. GOODELL. Yes; as distinguished from racial discrimination.

Mr. O'HARA of Michigan. He could not.

Mr. GOODELL. The assumption in everything that we have said is that title VI does not apply. In other words, if title VI applies then we are in a different ball park?

Mr. O'HARA of Michigan. That is right.

Mr. GOODELL. Title VI I think, and it is the gentleman's assumption and mine, bars discrimination?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. But it does not bar de facto racial imbalance as such.

Mr. O'HARA of Michigan. It does not bar de facto racial imbalance when and if it results without any intention to discriminate on the basis of race—when it is not the result of discrimination.

Mr. GOODELL. That is, it does not bar de facto racial imbalance unless it results from discrimination?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. In other words, title VI does not bar de facto racial imbalance as such unless it is the result of racial discrimination.

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. There is one other aspect of this that bothers me, which I would like the gentleman, since he is the author, to discuss. It is in the bill now and is shown at the bottom of page 98 of the report in italics showing where it changes the law.

There is specific reference in that section to racial imbalance in schools and it is clear that some kind of special grants are authorized to local school districts with respect to a condition of racial imbalance.

Can the gentleman explain to me what kind of conditions and what kind of grants would be involved in this title because your amendment covers this title as well as title VI as I understand it?

Mr. O'HARA of Michigan. As the gentleman knows, the purpose of the amendment which appears at the bottom of page 98 and the top of page 99 of the committee report is to permit some construction of facilities, supplemental educational centers as authorized in title III, and to direct the attention of the commission, in reviewing such applications, to the particular needs of the school districts that have school facilities problems, for one reason or another, rather than those that are already all set in terms of basic facilities.

But since it is causing some confusion, in order to lay at rest the fears of the gentleman about this, I wish to inform the gentleman at this time that I will, as soon as the opportunity presents itself, offer an amendment to this new section which will clear up any confusion that may exist.

Mr. GOODELL. I do not know what the gentleman's amendment is, but the gentleman may mislead some of our colleagues who have not worked on title III as much as we have, if he implies that title III is simply construction and facilities money. As the gentleman knows, there is a long list of types of activities for which funds can be granted.

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. Construction is only one aspect, constructing a center. In most instances, as a practical matter, the money will go for personnel, remedial teachers, or certain types of equipment and things of that nature.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield for a moment at that point?

Mr. GOODELL. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. That is correct, but if you read the amendment in connection with the authorization for fiscal 1968 and in connection with the committee report explanation of the amendment, you will see that the primary thrust of the amendment is toward the construction of facilities.

Mr. GOODELL. I am still left with a question. I do not believe the gentleman answered it when he was describing earlier the impact and the general purport of title III grants. The O'Hara section that was added to this bill states in part:

> The Commissioner shall give special consideration to the application of any local agency to meet critical educational needs, including—

And then it lists preschool, obsolete classrooms or schools, unsafe schools, and racially imbalanced schools.

As a practical matter, I must say to the gentleman my concern is with this entire section, not with any single part of it. My concern is the authority given the Commissioner here. It is not just an authority, but a requirement upon the Commissioner to give special consideration where he judges they are making a reasonable tax effort locally, where he judges buildings are obsolete, where the Commissioner judges they are unsafe, or, in the Commissioner's judgment, and I quote: "because of any other condition that has imposed a substantial and continuing financial burden."

What do you have in mind here?

Mr. O'HARA of Michigan. I have in mind the offering of an amendment to that section which will change the language which the gentleman has been quoting, and when we get to it, I will be happy to do so. But that is not a part of my amendment which is now before the Committee of the Whole.

Mr. GOODELL. The only place I know of in this act that refers to racial imbalance is this section, and the gentleman has just offered an amendment that applies not only to this section but to the entire act. It is relevant what impact your amendment will have on this section with the words "racially imbalanced" in it. I would like to know.

At this stage I am not saying I will be for or against your amendment. I would be inclined to be for it, but I want to know what it would do.

Mr. O'HARA of Michigan. My amendment would apply in either case. Section 604 would apply to the entire Elementary and Secondary Education Act and it would affect the entire act, including the title III amendment which the gentleman has been discussing in the last few minutes.

Mr. GOODELL. Let me ask you another question. You had said that your amendment that you are now offering would make it impossible for the Commissioner, as a condition of making a grant under this act, to require busing or transportation of students. Suppose there is a racially imbalanced situation. Agreed, the Commissioner does not make it a condition of the grant that they bus, but he makes it a condition of the grant that they eliminate the imbalance. Would that be barred by your amendment?

Mr. O'HARA of Michigan. That situation would pertain to the other phase of my amendment. If the gentleman will read it, he will see that it states, "to require the assignment or transportation."

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] be allowed to proceed for an additional 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GOODELL. Let me put it so it is very clear. The Commissioner says to a school district, "As a condition of my making this grant, you must eliminate the racial imbalance in your schools." Is that barred by your amendment?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. How is it barred? You say assignment or transportation. He cannot require assignment or transportation.

Mr. O'HARA of Michigan. The Commissioner cannot make that requirement under present law.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield to me for a minute? I believe that I can clarify this matter.

Mr. GOODELL. The gentleman says he cannot do it under present law. I tend to agree with him. But there are statements made which indicate he might feel he has such authority.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield so that I can explain what the next amendment will be, to clarify this matter?

Mr. GOODELL. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. The gentleman will propose another amendment, in addition to the one now under consideration, which would have to do with the language appearing at the bottom of page 98 of the report. Subsection (c) would then read as is, down through the word "obsolete," and after the word "obsolete" two words would be added. Those two words would be "or unsafe." All the language contained further in the section, having to do with racial imbalance or because of any other condition that has imposed a substantial and continuing financial burden upon the agency, would be stricken from the language as it appears in the report or the bill for that matter. I have simply used the report in reference.

Mr. GOODELL. Would the gentleman repeat the two words? It would read "obsolete," and then what?

Mr. WAGGONNER. "Obsolete or unsafe," and all further language would be deleted.

Mr. GOODELL. In other words, the gentleman plans to offer an amendment that will strike "racially imbalanced" from the section?

Mr. WAGGONNER. Yes; and this further amendment will make the language we are now considering consistent with this proposed amendment we are discussing.

Mr. GOODELL. May I ask the gentleman from Michigan, is that his intention?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. Happily, I believe this clarifies the question from our viewpoint.

I believe I speak for the gentleman from Minnesota and myself. From the outset our concern about this section has been the tremendous authority given the Commissioner to make judgments in all of these other matters, not particularly on the racially imbalanced question.

The gentleman's amendment, if adopted, will let us debate that whole question and clearly focus on whether the Commissioner of Education should be given power to say whether a local school district is making a reasonable tax effort, judge overcrowded conditions, and so forth.

Mr. QUIE. Mr. Chairman, I move to strike the requisite number of words.

I should like to ask the gentleman from Michigan [Mr. O'HARA] a couple of questions.

I might say, before I do, I agree with the gentleman on the offering of the amendment, and also I feel very strongly that we ought to have integrated schools in the country. This is not in any way in opposition to the local school districts doing everything possible to bring about integrated schools.

My question comes with respect to the old language of section 604, which we will number section 605, which is:

> Nothing contained in this Act shall be construed to authorize any employee of the United States to exercise any direction, over personnel of any educational institution.

I have picked out the words I want to ask questions about.

I note such a thing has happened in Georgia, in Evans County, where the administrator has been told that and I quote "there shall be a full-time regular classroom teacher teaching in a school where a majority of the faculty is of the opposite race, in all three of the schools in the system, and there shall be two teams of at least two full-time regular classroom teachers each teaching where a majority of the faculty members are of the opposite race."

Does this in any way conform with the language of the act I just read that they shall have no control over or any direction of personnel?

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. It does not. When the Members of the majority were apprised of that instance to which the gentleman has referred, we immediately contacted the Office of Education and called this to their attention.

They agreed with us that whoever had issued any such instruction had gone beyond any authority he had in law. They have assured us they have taken steps to correct any misapprehension that may exist from the effort of this overzealous official. I am sorry that it occurred. I am sure we all are. However, it is quite clear that no administrative official acting under this act has any authority to tell a school district that they must do thus and so. They have no such authority.

Mr. QUIE. Getting back to the gentleman's amendment, the person employed by Commissioner Howe also went on to recommend transportation use and how they ought to operate it. I quote:

> A single economical bus system operating in the district where students living in a particular area will be picked up by one bus that will serve that area and be dropped off at the school they attend, whether it be Claxton or Evans County.

Would your amendment prohibit them from saying under title VI of the Civil Rights Act that they must provide a single bus transportation system, one bus that picks up all the students going to that school?

Mr. O'HARA of Michigan. Well, now, wait a minute. Again we get to the question of racial imbalance and racial discrimination. Are you talking about a situation where a bus goes down a road and picks up kids of one race and does not pick up kids of another race?

Mr. QUIE. That is right. This is really a question of desegregation. Your amendment does not in any way prohibit the enforcement of title VI of the Civil Rights Act?

Mr. O'HARA of Michigan. No. Not in any way.

Mr. QUIE. The use of a single bus for all students?

Mr. O'HARA of Michigan. It certainly does not prohibit in any way the enforcement of title VI, but it makes clear that we have given no authority in this act to go beyond title VI.

Mr. QUIE. That is right. So what we would prohibit here, then, is they would be prohibited from busing from one school to another in order to achieve racial balance in another school which is a neighborhood school.

Mr. O'HARA of Michigan. That is correct.

SUBSTITUTE AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

> Amendment offered by Mr. FINO as a substitute to the amendment offered by Mr. O'HARA of Michigan: On page 63, between lines 12 and 13, add the following:
>
> "Nothing in this act shall authorize the reimbursement of any expenses, howsoever defined, which shall be incurred, directly or indirectly, in transporting pupils, by bus or otherwise, for the following purposes:
>
> "1. to achieve racial balance in any school;
>
> "2. to transfer children to a new school district where such new district shall have been drawn to achieve racial balance in any school;
>
> "3. to attend educational parks or such other facilities as shall have been created or constructed for any reasons including racial balance or socio-economic integration;
>
> "4. to attend any other facility aided in whole or in part, directly or indirectly, by a grant under Title III of the Elementary and Secondary Education Act of 1965, which shall affect the racial composition of such facility. It is the intent of Congress to prohibit reimbursement of any expenses involving transportation of children for reasons directly or indirectly involving racial balance in any educational facility."

Mr. FINO. Mr. Chairman, for the last 25 or 30 minutes we have listened to arguments pro and con on the amendment offered by the gentleman from Michigan [Mr. O'HARA]. Apparently, from the discussion on both sides of the aisle, it is quite clear that there are questions as to whether we mean that there shall be no busing of schoolchildren to accomplish racial balances. My substitute amendment makes it clear so that there is no question in anyone's mind that it is strictly an antibusing amendment. If we adopt this substitute to the gentleman's amendment, I think we will clear the atmosphere and raise no questions as to what the legislative intent of this Congress is on the busing of our schoolchildren.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. FINO. Yes. I am glad to yield.

Mr. WAGGONNER. I interpret the gentleman's substitute amendment to have to do only with busing of students, and it has nothing whatever to do as a substitute with matters concerning employment. Am I correct?

Mr. FINO. That is right.

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. FINO. I shall be happy to yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I dislike for us to misunderstand each other, but if I understood the amendment which has been offered and, apparently, agreed to, we were endeavoring to make it positive that it was not to be considered the duty of the Commissioner of Education to force de facto desegregation by the busing of students, but nothing should be done to prohibit the expenditure of Federal money in order to do so, if a school district wanted to do it and needs to do it, for its own purposes, under the operations of their own school district?

Mr. Chairman, what you are attempting to do is to keep them from using Federal funds, funds properly given to them under the act, to overcome racial imbalance if they so desire.

And, Mr. Chairman, I do not believe that is a part of what we are trying to do in this section.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been going through a period of discussions with the Commissioner of Education for 2 pretty full days.

And, Mr. Chairman, I have been rather astonished in the differences which seem to exist between Members who are discussing this bill today and the Commissioner of Education.

Now, Mr. Chairman, you have got a provision in this amendment, the original amendment, which prohibits the Commissioner of Education from transferring teachers from schools of one race to schools of another, with a little provision on it for the purpose of correcting racial imbalance.

Mr. Chairman, I just ask what that means, because I asked that question of the Commissioner of Education as to whether or not he had authority, in the light of the civil rights statement, and my questions to the Commissioner were directed to the question as to whether or not he had authority to do certain things with reference to the complaints where he was so doing.

Mr. Chairman, I submit again that in the light of the provisions contained in title VI of the Civil Rights Act of 1964, which prohibits anyone who distributes these funds from interfering with the condition of employment between an employer and his employee.

Well, Mr. Chairman, he could not furnish the committee with the proper answer, but he called upon his lawyer from the Department of Justice and his lawyer undertook to explain whether or not he could do it, because the law says you cannot do it. The gentleman could not bring me to an understanding of his philosophy with regard thereto.

So, Mr. Chairman, the gentleman came back on Tuesday, on the second hearing, and brought me this brief or opinion or letter from the Acting Attorney General, which undertook to justify that action.

Now, Mr. Chairman, it is freely admitted that it is being done and it is being done under compulsion, and that the Commissioner of Education tells these school authorities locally that they must transfer Negro teachers to white schools and that they must transfer white teachers to Negro schools.

Even though the schools have been set up, and the contracts have been signed. Now, I want to know just what we are intending to do here on this subject. This amendment would probably prohibit them, playing with the words if possible, from doing anything other than the law already does. But I notice a little tail on the amendment of my friend from Michigan, "nor the reassignment or transportation of students and teachers," in order to overcome racial imbalance.

I would like the gentleman to tell me what he means. All I want to know is whether the Congress has given or will give under this act the Commissioner of Education the right to go down to the school and say "Here, you must put a Negro teacher over in this white school, and you must put a white teacher over in this Negro school."

Could you answer that question, because the Attorney General cannot, except he says he is authorized to do it.

Mr. O'HARA of Michigan. If the gentleman will yield, Mr. Chairman, I will attempt to answer the question as I understand it.

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. O'HARA of Michigan. The gentleman from Virginia knows better than I, or as well as anyone, certainly, that we cannot and will not affect any decision of the Federal courts or any Federal court orders with respect to discrimination under the 1954 or subsequent rules of the Supreme Court.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the gentleman be permitted an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Virginia. I yield.

Mr. O'HARA of Michigan. Neither do we attempt to affect any valid orders—I do not know whether we should call them "orders"—any valid requirements for school districts seeking Federal funds with respect to their compliance, as far as title VI of the Civil Rights Act, which prohibits racial discrimination in activities for which Federal funds are sought.

But what we are saying is that the Commissioner of Education has no authority to go beyond title VI of the Civil

Rights Act. And title VI of the Civil Rights Act gives him the authority to require as a condition to receipt of a Federal grant that the school seeking the grant not practice racial discrimination in the assignment of its students, or its teachers.

But it does not give him authority to require—affirmatively require a racial balance as distinguished from eliminating racial discrimination.

Mr. SMITH of Virginia. Mr. Chairman, I am sorry to say that the gentleman's answer reminds me of what I was reminded of in trying to find out about this in the Committee on Rules on the Commissioner's explanation. And it is like the old expression of trying to catch an eel in a barrel of lard.

So I have not been able to get a clear answer on that subject as yet.

Now, who is going to determine whether it is done to affect racial imbalance? Who is going to determine whether it is done for the sole purpose of integrating the races?

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Virginia. Yes, I yield.

Mr. O'HARA of Michigan. We make it clear what the Commissioner's authority is, and how it is limited. If he goes beyond his authority, presumably he will be accountable in the courts.

We are attempting to spell out the extent of the Commissioner's authority. And we cannot, and I know that the gentleman from Virginia cannot, either, stand by the shoulder of the Commissioner all the time, and say "Now, tut, tut, tut, that is not racial discrimination, that is racial imbalance produced by a nondiscriminatory pattern," and so forth.

I think in some of these areas you are going to reach a gray area where it is difficult to distinguish between a situation of racial imbalance and one of racial discrimination, or produced by racial discrimination.

We will have fights about that in the courts probably for years to come.

But anyway we will try to spell out what the authority is here.

Mr. SMITH of Virginia. I just wonder if somebody cannot write a law on this subject and get it passed through the Congress that will make it clear what powers this Commissioner has and what powers he does not have. How are you going to decide that question—if you take a teacher out of one school and put a teacher into another school?

In answering that question, I am referring the gentleman to the amendment which he is proposing and also to the provisions of title VI of the Civil Rights Act of 1964 which provides that they shall not interfere between employer and employees and set forth what they shall do and what they shall not do. There is a direct prohibition. Now which law are you going to follow? I have a brief here from the Acting Attorney General. Maybe you ought to read it. I have not had the time to read it.

Mr. O'HARA of Michigan. The distinguished gentleman from Virginia is probably a much better lawyer than I am and if he cannot figure it out, I doubt if I could. All I am trying to do is to explain what I am trying to do.

Mr. SMITH of Virginia. I used to be able to figure out what the law was when the Congress wrote them, but when the Federal courts write the laws, I am frank to say I cannot understand it. I do think this subject needs clarification as do a number of other subjects that have been acted upon by the Congress.

Mr. WAGGONNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in one last effort to clarify the intent of this amendment, I would like to ask one and at the most two questions of the gentleman from Michigan [Mr. O'Hara].

Is it not the intent of the present amendment now under consideration for which the gentleman from New York has offered a substitute amendment, to add language to the prohibition section which prohibits Federal control of education as related to this act—to add language which simply says to the Federal Government or to any agent of the Federal Government that in addition to the prohibitions which were originally written into this act that now the Federal Government or none of its agents can under the authority of this act—and I make no reference to other acts—require the assignment or transportation of students or teachers in order to overcome racial imbalance?

Mr. O'HARA of Michigan. That is absolutely right.

Mr. WAGGONNER. One further clarifying question. With reference to making the language of the entire bill consistent, did not the gentleman say that it was his further intention to make this language of this section and the entire bill consistent and to do so that he would strike that language of his amendment in title III which appeals at the bottom of page 98 and the top of page 99 of the committee report, which had to do with racial imbalance or other conditions?

Mr. O'HARA of Michigan. That is also correct.

Mr. WAGGONNER. I thank the gentleman.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I appreciate the valiant effort that the gentleman from Louisiana particularly has made to try to clarify the language and to interpret for the committee the language of the amendment offered by the gentleman from Michigan [Mr. O'Hara].

However, I think we ought not to ignore this fact—that you can still do by indirection things that may be directly prohibited.

That is why I would suggest that the more specific language in the substitute amendment offered by the gentleman from New York [Mr. Fino] is far preferable to the broad general language of the amendment offered by the gentleman from Michigan [Mr. O'Hara].

I say that for this reason. Some of you may have been on the floor last night when I referred to some of the remarks that the Commissioner of Education, Mr. Howe, had made in testimony before the Committee on Rules and also in some of the speeches he has made during the last year.

In one of those speeches he said this, and I quoted from it, I believe, in the remarks I made yesterday:

> Sure, the neighborhood schools are fine. It has been a very useful system and we want to try to preserve it. But the time has come—

Mr. Howe said—

> when we have to reappraise where the boundary lines will be drawn so far as the neighborhood is concerned.

Note again those words:

> But the time has come when we have to reappraise where the boundary lines will be drawn so far as the neighborhood is concerned.

Commissioner Howe then went on to lament the fact that we have de facto segregation, that we have racial imbalance in many of the school districts of our country which, he said, is not only unjust, but illegal and unconstitutional as well.

What I am afraid of is that even if we adopt the O'Hara amendment and express a positive prohibition against the Commissioner of Education requiring the assignment or the transportation of pupils or teachers to correct racial imbalance, that the Commissioner can, by indirection, accomplish the same purpose. He would do this by imposing a condition on the school district and telling them, "You must redraw the lines of that school district; you must enlarge the boundaries of that neighborhood school to take in other areas before you get this grant from the Federal Government." What will we have then? We will have a situation where, whether you like it or not, you are going to have to bus students from one area of the city to another, or from one area of the county to another.

As I understand the language of the amendment offered by the gentleman from New York [Mr. Fino] it would clear up that point completely. It would simply say that you cannot, directly or indirectly, either by way of assignment or by redrawing or tampering with neighborhood school boundary lines accomplish the end which is sought to be prohibited; namely, the busing of students to overcome racial imbalance.

Let me say this: I do not challenge for a moment the sincerity with which the amendment was offered, but still Mr. O'Hara spoke pretty much in an attitude of noblesse oblige when he offered his amendment and said:

> This is really not necessary, but to lay the ghost of this false, ridiculous charge that this bill would lead to school busing, I will offer this amendment.

Yet it was not 3 minutes later until we heard from the chairman of the committee himself, the gentleman from New York [Mr. Powell], giving a precise example of where this kind of intrusion on local authority had occurred.

So I do not think anyone here in the House ought to be misled about the importance of the action which we are taking, or how necessary it is to clearly spell out a legal prohibition. I would suggest again, in closing, that if you want to adopt an amendment that really accomplishes the purpose that all of us have in mind, the language offered by the gentleman from New York [Mr. Fino] is far superior.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I should like to direct a question to the gentleman from Michigan. At the present time we find instances in which the Office of Education has deferred action on a particular application until certain requirements have been complied with. Under the language of the amendment you have offered, would it still be possible for the Office of Education to defer action on an application until certain students attend another school, or until certain teachers or certain procedures have been followed?

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Michigan for reply.

Mr. O'HARA of Michigan. The only conditions under which it would be possible to defer action on an application is if the school district refuses to file an assurance of compliance with title VI of the Civil Rights Act, or files an assurance that is invalid on its face, or if there is a substantiated complaint that racial discrimination, in violation of title VI, is being practiced. Those are the only conditions where deferral would be possible.

Mr. ANDERSON of Illinois. Mr. Chairman, I would suggest again that we adopt the substitute amendment offered by the gentleman from New York.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment. I shall be very brief.

The entire thrust of everything that has been said by way of explaining the provisions of the Elementary and Secondary Education Act here this afternoon makes very clear that all applications for the programs authorized under the legislation are based on local initiative. This is especially true, as I said in my own remarks, with respect to title III applications.

As I listened to the amendment proposed by the gentleman from New York [Mr. Fino] which would forbid local school districts from undertaking to do certain things that they at the local level may wish to do, I can only say, Mr. Chairman, that in 8 years, as a member of the Committee on Education and Labor, I have never seen any proposal that would impose such unwarranted Federal dictation on local school districts as the Fino Federal control amendment would do.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Does the gentleman mean he rises in opposition to the Fino substitute rather than in opposition to the amendment of the gentleman from Michigan [Mr. O'Hara]?

Mr. BRADEMAS. That is correct.

Mr. WAGGONNER. I thank the gentleman.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York [Mr. Fino] to the amendment offered by the gentleman from Michigan [Mr. O'Hara].

The substitute amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Michigan [Mr. O'Hara].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. O'Hara of Michigan: On page 58, lines 1 through 4, strike out "racially imbalanced" and all that follows through the word "agency" on line 4, and insert "or unsafe".

Mr. O'HARA of Michigan. Mr. Chairman, this is the amendment which has been referred to several times in the debate on the amendment just agreed to.

On page 57 of the bill, we amend title III of the existing Elementary and Secondary Education Act to provide that when approving applications under that title of the act the Commissioner of Education must give special consideration to school districts which meet certain conditions and which have certain kinds of problems. One of the problems which we said would entitle an applicant to special consideration was a problem that the applicant wished to correct which dealt with racial imbalance.

Mr. Chairman, there has been a good deal of "flap" over this, which I believe to be entirely unwarranted, because if a school district has a serious problem of racial imbalance within its schools which it wants to correct because it believes doing so would improve its educational system, I think it might be entitled to a little special consideration. But since an effort has been made to take this simple provision and turn it into some sort of ogre I am offering to take it out.

The same is true with respect to the other language following the words "racial imbalance" with the exception of "or unsafe"—that is to say, "because of any other condition that has imposed a substantial and continuing financial burden upon the agency." Because people were seeing ghosts in that, too, and were dreaming up all kinds of different situations that this terrible man down at HEW might consider to be "any other condition that has imposed a substantial and continuing financial burden." In order to clear that up, Mr. Chairman, I offer this amendment.

If the amendment is adopted, that section would read:

> In approving applications under this title for grants for any fiscal year beginning after June 30, 1967, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four- and five-year-olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe.

Mr. Chairman, I ask that the amendment be adopted.

Mr. RYAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Chairman, I regret that the gentleman from Michigan has offered an amendment to eliminate the language "racially imbalanced." Section 134 of H.R. 13161 is designed to require the Commissioner to give special consideration to local educational agencies which have critical educational needs because, among other factors, of racial imbalance in some or all of their schools. It would help local school districts to deal with the urgent problems arising from de facto segregation. The urban ghettos of this Nation have been shortchanged far too long. The children of today must be prepared for tomorrow, and this means an educational foundation of excellence.

I am deeply concerned that the Committee feels it necessary to retreat. In explaining the purpose of section 134, which amends section 304 of the Elementary and Secondary Education Act, the committee report at page 24 says:

> Among the projects which shall receive special consideration are problems, in both the North and the South, arising out of efforts to overcome racial segregation and related conditions. Thus, projects under this title may be used to encourage imaginative approaches, designed by local school districts, to achieve the elimination of racial segregation or the alleviation of problems resulting from racial concentrations of students. These projects could include, for example, the construction of educational parks and other experimental or demonstration facilities under plans insuring desegregated student attendance, the conduct of teacher inservice training programs in community relations, support of curriculum development projects, and the support of joint academic programs by suburban and core-city school districts.
>
> The committee hopes that this amendment will be of significant importance in overcoming the difficulties confronting many school districts today. These difficulties have been evident in the applications already submitted for project approval. An analysis of the 991 planning projects submitted during the first 2 project periods shows that 234 of them would have culminated in the need for the construction of a center or other facility to house the program being planned. In addition, the Office of Education estimated that, of the 24,000 independent school districts, two-thirds are financially unable to afford viable programs, centralizing vitally needed services for the education program.
>
> Under the proposed amendment, it is possible that large cities, confronted with problems of obsolete core-city school buildings and de facto segregation, might attempt to utilize title III funds for the establishment of educational parks. The first two rounds of project approval resulted in the funding of planning projects for educational parks

> in Philadelphia, New York, Pittsburgh, and East Orange, N.J. In addition, proposals are currently before the Office of Education for the planning of educational parks in St. Paul, Chicago, Syracuse, and Cleveland. Denver, Baltimore, and Richmond have expressed interest, and are designing proposals for the development of educational parks. Moreover, it is apparent from data on school facilities in rural areas that many multigrade, one-room schools still exist simply because of a lack of local financial resources to provide consolidated facilities. The education park concept may well offer exciting possibilities in such areas. If such ideas are to be successful, this planning activity will result in an exceedingly large request for operational and construction funds. To support these additions, the committee recommends an authorization of $575 million in fiscal year 1968.

Mr. Chairman, the Senate bill has language similar to the new subsection (c) of section 304 of the act. This is a crucial provision, and I hope that it will be retained in conference.

On March 1, 1966, President Johnson submitted to Congress a special message on health and education in which he proposed that "$5 million be added to title III to help communities in planning school construction to encourage innovation and to deal with obsolescence, overcrowding, and special problems such as de facto segregation."

In response to the message and in recognition of the great need for further efforts to desegregate our schools the Committee on Education and Labor included this language which requires the Commissioner of Education to—

> Give special consideration to the application (for title III funds) of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, racially imbalanced, or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency.

This merely gives a preference to those applying for title III funds to aid in the eradication of racial imbalance in our schools. Under this amendment racial imbalance is only one of the factors to be considered for special preference.

If one looks at the pace of school desegregation in the United States since 1954, one cannot help being dismayed at the fact that there is still opposition to language such as that before us or the efforts of the Office of Education to come to grips with this problem.

As we all know, in 1954 the Supreme Court of the United States in the historic decision of Brown against Board of Education declared that the maintenance of separate schools for children of different races was unconstitutional.

Yet 12 years later the Office of Education estimates that only 7.5 percent of the Negro students in the 11 Deep South States are enrolled in school this year with white pupils. Estimates of civil rights organizations vary between 5 and 6 percent.

And in the North de facto segregation resulting from segregated housing patterns deprives our children of the opportunity to develop their full potential.

Mr. Chairman, for 100 years Negro children have suffered from inferior education in inferior schools. I deplore the temper of the House which would condemn little schoolchildren to continued cultural deprivation by refusing to give special consideration to local educational agencies which are trying to solve their own problems.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. O'HARA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GOODELL: On page 41, strike out lines 7 through 11 and insert in lieu thereof the following:
>
> "(c) For purposes of this section—
>
> "(1) the 'low-income factor' shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and $3,000 for the succeeding fiscal year, and
>
> "(2) the 'Federal percentage' for any local educational agency shall be 100 per centum less a percentage which bears the same ratio to 50 per centum as the median family income in the county in which the school district (or major portions thereof) of such agency is located bears to the median family income in the State, except that the Federal percentage shall in no case be more than 66⅔ per centum or less than 33⅓ per centum: *Provided, however,* that the Commissioner may adjust the Federal percentage within these limitations for any local educational agency which would be affected in a manner inconsistent with the purposes of this title."

Mr. GOODELL. Mr. Chairman, this is a very simple amendment. It is designed to provide more money in those districts within each State which are poorest and less money to those which are wealthiest. Under the act, the Federal payment for each child counted equals 50 percent of the State per pupil cost of education. Under the law, half of whatever you are spending per pupil in the State on an average will be paid to each school district or county in Federal money multiplied by the number of poor children. This amendment would provide a sliding scale for that Federal percentage of 50 percent. It would vary from one-third of the per pupil cost in wealthy districts to two-thirds in the poorest. Most districts would remain at about 50 percent, as they now are. The scale is arrived at by comparing the median family income of the county with the median family income of the State. In this way it would provide for a more equitable distribution of funds within the State without affecting the total amount of funds going into the State as a whole. Median family income is the best and fairest means of judging the wealth of an area. It is not subject to the distortions which affect per capita income, for example, such things as a few millionaires driving the figure up. The data are fully available from the census. By comparing county wealth with State wealth we would not subject the measurement to the distortion of regional differences in income across the nation. The only comparison made would be to other counties within the same State.

Mr. Chairman, it is time to convert this act from a Federal shotgun scattering money all over the landscape and rifle in on the areas of real and primary need. This amendment would not accomplish that purpose completely, but it would be a sensible step in the right direction.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. McCARTHY. Mr. Chairman, I rise in support of the gentleman's amendment—I regret people on this side of the aisle are not paying attention—because I do not see how we can justify this situation where Montgomery County in Maryland, where my children attend school, the wealthiest county in the United States, and the town I represent, the town of Amherst in western New York, receive a bonanza under this program when the money is needed in areas of Baltimore, in the case of Maryland, and in Harlem and in the ghettos of Buffalo and the other cities of New York State.

Mr. Chairman, there is an obvious inequity here, when these wealthy areas receive so much money.

Mr. Chairman, this program is designed to improve the quality of education where that improvement is needed most.

Mr. Chairman, how can we justify the fact that these large bonanzas go into areas like Montgomery County and into the town of Amherst, N.Y., which it is my honor to represent?

Mr. Chairman, I compliment the gentleman from New York [Mr. GOODELL] and I think this represents an improvement, if adopted, which will rectify this, what I consider, very inequitable situation.

Mr. Chairman, I certainly shall support the amendment which has been offered by the gentleman from New York and I thank the gentleman from New York for yielding.

Mr. GOODELL. I thank the gentleman from New York for his support.

Mr. Chairman, the language of the allocation formula is complicated.

The effect of this amendment is very simple. It would, if adopted, permit the money within a State to go to the poorer counties and would make more money available to the poorer counties within the State, and less money available to the richer counties.

Mr. Chairman, the adoption of this amendment would not affect the total amount going to any State, but within the State it would provide a simple and specific allocation formula designed to give the poorer counties more of the share of Federal moneys going into that State.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, for some time we have been operating title I of Public Law 89-10 under a continuing resolution. Since all the school districts that receive funds from title I money rely upon receiving a specific amount of funds to which they are entitled under the present formula, their programs have been worked up and adjusted accordingly.

Certainly, Mr. Chairman, we would do a grave injustice to many of the districts, if this amendment were adopted, to take away the funds from those districts at this late hour, when they have relied upon the funds and they have established programs dependent upon these funds. Now, shall we say that we are going to "give you some funds or so much money, but we will base it upon entirely new criteria and your program will have to be eliminated or cut in half"?

Mr. Chairman, this is the first notice we have ever given to them and it is inequitable to adopt such a formula at this time, and I would urge the members of the Committee to vote down this amendment.

Mr. Chairman, we have taken steps to do just what the gentleman indicates he wants to do; that is, direct more funds toward the poorer school districts. But the people will know, well in advance, what is contemplated. The fact of this change in fiscal year 1968 is being made known now.

So, therefore, Mr. Chairman, I ask the Committee to vote down the amendment, because if adopted, it would tear up thousands of programs in this country that have been set up in good faith by people who have been relying upon them.

Mr. WILLIAM D. FORD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WILLIAM D. FORD. If that school district happened to be located within a county that, by reason of some extremely wealthy adjoining school districts, had a relatively high level of income, I might point out, just as an example, that in Wayne County, Mich., or the city of Detroit, there are 45 or 46 school districts, and they vary in their ability to support school districts and support children by as much as 20 times. In other words, the wealthier school district has 20 times the wealth of the poorest. But all of the students in that county would be actually discriminated against because of the wealthier school districts, even though they attended schools within the county that were in fact the poorest of the districts.

In other words, the district with 20 times the wealth of the district in which they went to school would be used to measure the amount of support for them.

We must not lose sight of exactly what the gentleman from Minnesota [Mr. QUIE] was talking about a few moments ago, and that is that the focus of this bill is on the individual children who come from culturally deprived backgrounds, and are expected to be reached by the special programs that title I does contain, and these others. So it costs just as much, and perhaps in many instances more, for this special program for the child in Montgomery County as it does in the poorest county of Maryland.

And what you are actually saying is that although the program should be designed for the poverty child in Montgomery County, it should be supported at something less than the cost in Montgomery County.

I believe, to continue this a step further, an examination of the statistics would prove that counties like Montgomery County tend to run up the average per pupil expenditure for the State of Maryland, and that the poor counties tend to bring it down. And this would work against the impoverished child, and this is true within a county where the relative per capita income is high.

In closing, I would like to point out that the gentleman well knows, as a member of our committee that there is no place in this country—there is no State in this country—where the local effort for the support of education is dependent upon an income tax that raises the support for education directly to the income level of the parents of the children.

There is no equitable way that we can change the formula during the present fiscal year.

Mr. QUIE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as I mentioned earlier in the debate, some effort must be made to get this money into the school districts that really need it.

Now, it is true that practically every school district in the country can find some poor child; but if the school district is wealthy enough, as some school districts are, to provide an excellent education, such as we have talked about here many times—Montgomery County, and all of those poor children go to those same schools as the wealthy—surely they cannot be any more educationally deprived than the wealthier kids who go to those schools.

If there was plenty of money, and the Federal Government was going to assume the responsibility of aid to all schools, and that all schools would get so much per child, then I can see some reason for giving it also to the wealthier schools, because that is also their responsibility; but here we are giving aid to the educationally deprived children, and also the school districts, where the people do not have the per capita income to draw from, so that there is a greater need of assistance there.

There is a certain amount of money available here, and it would seem to me to be a wiser expenditure of the money if we would give it to the areas of greatest need.

I think the formula suggested by the gentleman from New York is satisfactory, and I do not see why there should be any objection to the amendment.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield.

Mr. PERKINS. I still do not understand how the gentleman from Minnesota can argue for a change in the formula in the middle of a fiscal year.

Do you not think that it would bring chaos where the programs have already been established, and where we are going to cut out so many programs in the State, which this change in the formula would bring about? I would believe that it is very inequitable to take that action in this fiscal year.

Mr. QUIE. I would say to the gentleman that he raises a valid point, and when he raised it I was going to ask my colleague if he would not make his amendment apply to 1968, because the gentleman is correct; we are in the midst of the school year, and I do not think we ought to be changing rules in the middle of the game.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. I expect from what the gentleman from Kentucky has said that when we amend this to make it effective after the 1st of July of next year, he will support the amendment. I think the gentleman's point has validity.

As I indicated in my remarks in general debate, one of the problems we have is that this is October of the present school year. Many programs are ongoing. The school districts have set their programs up and they are counting on this Federal money as a result of this law. It is unfortunate that we are not debating this in the spring of the year when we could make changes in the law that would be effective as of the first of the school year in September.

But in view of this situation that the amendment was prepared without that fact in mind and that it is October at this point, I ask unanimous consent, Mr. Chairman, to amend my amendment so as to insert after the words "shall be" the words "50 per centum, except that for any year beginning after June 30, 1967, it shall be * * *". Then continue "100 per centum less a percentage * * *" as the amendment now reads.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. GOODELL]?

There was no objection.

The CHAIRMAN. Without objection, the Clerk will read the amendment, as amended.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: Page 41, strike out lines 7 through 11 and insert in lieu thereof the following:

"(c) For purposes of this section—

"(1) the 'low-income factor' shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and $3,000 for the succeeding fiscal year, and

"(2) the 'Federal percentage' for any local educational agency shall be 50 per centum, except that for any year beginning after June 30, 1967, it shall be 100 per centum less a percentage which bears the same ratio to 50 per centum as the median family income in the county in which the school district (or major portions thereof) of such agency is located bears to the median family income in the State, except that the Federal percentage shall in no case be more than 66⅔ per centum or less than 33⅓ per centum: *Provided, however,* That the Commissioner may adjust the Federal percentage within these limitations for any local educational agency which would be affected in a manner inconsistent with the purposes of this title."

Mr. GOODELL. Mr. Chairman, will the gentleman from Minnesota yield further?

Mr. QUIE. I yield to the gentleman.

Mr. GOODELL. Mr. Chairman, this amendment would provide for a change in the allocation formula to give aid to the poor counties and more money within the State beginning the next school year after July 1 of next year. They will be warned. They will know how much they are going to get under the allocation formula and know what amount is going to the individual States.

It simply provides for a redistribution within the States to the poorer counties and the poorer areas, I might say in reply to the point raised by the gentleman from Michigan, by providing that it is to go to counties on the basis of the median family income. We will provide the money to the county and it can be allocated to the poorer school districts within that county so that your poorer school districts will end up getting their money.

The whole purpose of this is to see to it that not only within the State but within the county we allocate the money to the poor school districts that need it.

Mr. CAREY. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, the thing about this amendment that impresses me the most is that it should be offered in broad daylight at 3:30 in the afternoon of October 6 in this year 1966—yes, in this day and age.

This would distort and reverse the whole purpose of this bill. This would make it a system of State patronage to the counties within the State.

This is a reversal of the one-man one-vote accomplishments. It goes beyond the Dirksen amendment which attempted to upset the one-man, one-vote concept.

This would turn the money away from the city dweller up into the vineyards and farmlands and the uplands of New York State and every other State—and it would be a wonderful thing for Jamestown, but it would wreck the city of New York. I do not blame the gentleman for standing up for Jamestown. But it is only one little community in Greater New York. We would measure the per capita income of the great city of New York, which is one school district—I remind you that New York City is one school district—we would take the per capita income of the Wall Street people, the Fifth Avenue people, and we would apportion that throughout the great city of New York, and we would confer that per capita income on Harlem, Stuyvesant, south Bronx, and other disadvantaged communities. Then we would say, "If you really want to see good schools, we will get a bus and give you a ride to Jamestown to see what the children are doing up there."

That is what the amendment would do. This amendment would put Jamestown on the same level as the city of New York in apportionment. I do not know what they do about measuring per capita income in Jamestown. They may hide it beneath the haystacks. We do not know how they measure income up there.

We know how they measure it in New York City because we are paying enough income tax; we can tell you everything now. This amendment would divide the income and the Federal dollars.

Then in Albany or somewhere the incumbent Governor would decide whether it was time that Jamestown got a little more and New York City got a little less.

This amendment would wreck the whole participation of the urban communities in the benefits of aid to education.

My colleague knows I am right. In his heart he knows I am right. And he knows that if this amendment had any standing, he would have offered it in the subcommittee through one of his good colleagues, or he would have brought it up in the full committee. But it never saw the light of day until now, and I think now it deserves the light of day for one blinking instant, and then it should be put to bed forever.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

The purpose of the formula is to assure that the special needs of the educationally deprived child may be met wherever he may be. We have educationally disadvantaged children in every county in the country. There may be inequities in the formula, but to the best of our capacities we have taken steps to correct them. The gentleman from New York [Mr. GOODELL], took an active part and interest in these changes.

We will deny many needy children necessary education if we require elimination of allotments to school districts because they have greater wealth than others and say, "We are going to give it to some poorer district, or we are going to let someone at the State level make that determination."

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. Not just at this point. In opposing the amendment, it is grossly unfair to the children of any school district that has received program benefits, to say that "funds will not be available to continue your program because, although you are in great need, your district is too rich." The changes that have been made in committee, we believe, are equitable and are actually addressed to the concerns expressed. We do reach more positively to the needy child by including other categories—the orphan, the neglected, the child of the migratory farmworker—the Indian child. We provide for fund increases in the poorer districts, scheduled to take place next year, when their programs can better and more effectively assimilate additional funds.

In conclusion, trying to take funds from school districts that are now receiving a certain amount of funds, knowing what they are entitled to under the act, and reducing that amount or perhaps cutting them out completely, I say is completely unfair, and the gentleman's amendment should be defeated.

Mr. GURNEY. Mr. Chairman, I rise in support of the amendment.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. There must be some answer to the nuclear-like holocaust predicted by the gentleman from New York [Mr. CAREY], and for that answer I will yield to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. I appreciate the gentleman's yielding.

I appreciate the gentleman from Brooklyn attributing such good representation to the gentleman now standing, from the city of Jamestown, that I would fight for my area. I would.

But the gentleman has inferred a motive in the amendment which is not there.

In the first place, the gentleman is aware that the median family income for New York County is lower than the median family income for New York State. New York County is going to end up getting a little more money under this amendment than otherwise. I would suspect the gentleman might find some surprising switches.

The second point the gentleman made was that someone at the State level might use this for patronage. The gentleman must not have read the amendment. The distribution is to be based on census data. It will go to the counties with the lowest median per family incomes. This is clear. No one in Albany or in any other State capital will be able to revise this.

All it will do is put in a clear formula to say that the poorer counties, based on median family income, will get a higher percentage payment than the richer counties. It is that simple. It leaves it within the present law for State allocations but provides a redistribution for the counties.

There will be the same options as there are under the present law.

The gentleman raises a question about allocations, that this would disturb the whole bill. The gentleman knows that under the present law the allocation formula is written right down to the school district, if the census data is available for the school district, and to the county if there is no census data available for the school district within that county. This will keep it exactly the same. It will change the percentage formula by which they would allocate the money to the counties, with the poorer counties getting more and the richer counties getting less.

I believe the gentleman will find, when we talk about poorer counties getting more, that New York County would be below the average in New York State, and would end up getting somewhat more than under the present allocation formula.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from New York.

Mr. CAREY. I must agree, in this respect, that New York County may have a lower median income than the county the gentleman chose to compare with, upstate.

Mr. GOODELL. I chose the State median family income to compare with New York County.

Mr. CAREY. What the gentleman fails to realize is that New York County is only one of five counties under the jurisdiction of the one school district, under the New York City Board of Education. We have to take into consideration the median income of all counties of New York City. That is where the disadvantage would occur.

Without knowing and without studying the effect of this upon a large combined school system, which is a grouped school system, it would, in effect, change the whole relationship with the State. That is why the amendment is not constructed to take into consideration the intricacies of the New York State school system.

The gentleman cited New York County, but did not cite New York City.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from New York.

Mr. GOODELL. I would say to the gentleman that we would not change the relationship to the State at all. This is merely a matter of changing the allocation formula to the counties within a State. The relationship to the State will remain exactly the same.

The allocation is to be based upon census data. It would be a matter of arithmetic to determine how much each of the counties would get.

This is very clearly based upon need, upon which it should be based. That was the supposed philosophy of the original allocation formula. We had to have a rule of thumb, and we used the number of children who come from families with less than $2,000 income. It is a rule of thumb, and it does not automatically, we all agree, give the right amount of money to every county.

This would not disturb that, but it would point to the per family median income as a test of how rich or wealthy the county is and how much it is able to bear in taking care of its own problems.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from New York.

Mr. CAREY. I should like to point out that the rule of thumb really is a karate blow to New York City, because the census data the gentleman talks about are the 1960 census data, and things have changed since then.

Mr. GOODELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will simply state that I want to reclarify once again what this amendment will do, because the allegations made against it perhaps confused my colleagues. The present law distributes this money to school districts on the basis of the number of poor children in those school districts according to the census data. If census data is not available, it is distributed to the county. This does not change any of that. The present law, however, makes the distribution within the richer States higher than in the poorer States. This particular amendment does not change that. The richer States continue to get their allocation and the poorer States the same allocation now under the law. This goes to the distribution within the State. It would in effect put more money into your poor counties based upon median family income and less into your rich counties within the State. It would be automatic, based upon census data and the clear formula. There would be no discretion or patronage involved at the State level or any other level. It would be a direct allocation based on need within the State correcting many of the distortions which do occur today with rich school districts and rich counties getting so much money.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. MEEDS. I thank the gentleman for yielding.

I just have to say that the effect in my State of Washington would be the same effect that the gentleman from New York [Mr. CAREY,] cited for the State of New York. The fact is that while King County has a high per capita income, it also has some of the worst pockets of poverty in the State. That equalization formula which the gentleman from New York [Mr. GOODELL] is advocating would pull money away from these areas where it is needed worst.

Mr. GOODELL. You know, the interesting thing is that you people who advocate this meet yourselves coming right around a circle. You come back and say that the richest counties are the ones that need it the most. If that is so, then, my sakes alive, how are we ever going to set any priorities in an education bill? The richest counties are not the ones that need the money the most. It is rather the poor counties and the poor school districts that need it the most. That is where the money should be allocated. The gentleman from Kentucky makes an argument that come next July 1 the school districts around the country are going to find they are getting a different amount than they are getting this year, but if you follow that argument all the way through, you say that this Congress can never change the allocation formula to the various States and school districts; we have to go forever with the allocation that we now have or at least never reduce it in any school district or any county regardless of their need. I think this is a very unfortunate way to argue against the amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. WILLIAM D. FORD. The gentleman on the floor is a member of the subcommittee that considered this legislation. We had school people from every level, the local, county, State, and intermediate school officials. We had extensive hearings on this bill this year. I simply ask the gentleman if he ever at any time presented the question of his proposed change in this formula to any group of school people representative of a cross section of the local officials charged with the responsibility of carrying out the intent and purpose of this act in a way that would give them an opportunity to evaluate and comment on it. Until now I have heard no school person who has had an opportunity to measure this very drastic change in the formula and tell us or give us any advice at all as to how they view its effect.

Mr. GOODELL. If the gentleman will leave me some time to answer him, I will say to the gentleman that I have discussed this with school officials and it conforms to the comments that you have heard and that I have heard. They come from school officials and from the American taxpayers, that money is going into some of the richest school districts and the richest counties in this country when we do not have enough money for the poor school districts and the poor counties. This has been said by many school authorities as well as taxpayers. I did offer this amendment in the full committee, but it was turned down. I say to the gentleman from New York [Mr. CAREY] it is typical of the amount of consideration that we had on the amendments offered from our side of the aisle that he did not even know it was offered.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken; and the chairman announced that the noes appeared to have it.

Mr. GOODELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. PERKINS and Mr. GOODELL.

The Committee divided, and the tellers ers reported that there were—ayes 36, noes 62.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer three amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

Page 43, line 18, before "Providing" insert "Providing for Making Payments in Accordance with a State Plan, and", and after line 19 insert the following:

"SEC. 109. (a) Subsection (a) of section 205 of such Act of September 30, 1950, is amended by striking out everything which precedes paragraph (1) and inserting in lieu thereof the following: '(a) A State may receive grants under this title for any fiscal year upon the submission to, and approval by, the Commissioner of a State plan which provides for making payments to local educational agencies upon its determination (consistent with the State plan and with such basic criteria as the Commissioner may establish)—'".

Page 43, line 20, strike out "Sec. 109." and insert in lieu thereof "(b)", and after line 5 on page 44 insert the following:

"(c) Section 205(a) of such Act is further amended by inserting after paragraph (4) the following new paragraph:

"'(5) that the application is consistent with a system of priorities set forth in the State plan which ranks local educational agencies in order with respect to such factors as (A) the concentration of educationally deprived children, (B) incidence of school dropouts, juvenile delinquency, and families receiving public assistance, and (C) rapid growth of school population and adequacy of school facilities, and that the project described in the application is designed to meet the most urgent needs of educationally deprived children in the area served by the local educational agency;'."

Page 47, in line 12, before "Payments" insert "Allocation of Funds to States, and", and strike out lines 14 through 17, and insert in lieu thereof the following:

"Sec. 114. (a) Section 203(a)(2) of such Act of September 30, 1950, is amended by striking out the first two sentences and inserting in lieu thereof the following: 'The maximum grant a State shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage (established pursuant to subsection (c)) of the average per pupil expenditure in that State, or in all the States, as the case may be, multiplied by the number of children in such State who'."

Page 48, strike out lines 4 through 23 and insert in lieu thereof the following:

(b) Section 203 of such Act is amended by striking out subsection (b) thereof, and by redesignating subsections (c) and (d) as (b) and (c), respectively.

Page 48, line 24, strike out "(d)" the first time it appears and insert "(2)" and immediately before line 24, insert the following:

"(d)(1) Section 203(d) of such Act is amended by striking out the second sentence thereof, and by striking out, in the fourth sentence, 'each county or school district' and inserting in lieu thereof 'a State, or in all the States,'."

Page 51, line 13, strike out "(5), (6), and (7)" and insert "(3), (4), and (5)" and strike out everything after "amended" on line 14 through line 24 and insert in lieu thereof "by striking out paragraph (3)".

Mr. GOODELL (during reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read, and printed at this point in the Record.

They are amendments of some length. They involve State plans, as a substitute for the present system of distributing funds.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. Goodell]?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendments.

Mr. GOODELL. Mr. Chairman, these amendments offered en bloc would provide for the administration of title I through a State plan submitted by the State Education Agency, and approved by the Commissioner of Education.

Funds would be allocated to the States on exactly the same basis as they are allocated to counties and school districts under the present act.

In other words, every State would continue to get the same amount of total money. States would have to use their funds for the same purposes set forth in the act as it would be amended by this bill.

The advantages in this approach are as follows: First, the State could and would be required to concentrate funds in those schools most in need of this aid, and to do so on the basis of a set of priorities outlined in the amendment.

Second, the census data for an entire State are far more reliable and less subject to changed conditions than are the data for a single county. Thus we avoid the embarrassment of granting funds to a school district which in 1966 cannot find a single student who meets the family income requirements of the act.

I might say in this connection, Mr. Chairman, we are still proceeding basically on census data in most parts of the country of 1959. That is when the income data was collected by the Census Bureau. It is now 7 years old. We are all aware that one out of five Americans move every year. We are a mobile people. So we have a static formula for distribution in this bill. We objected to that formula in the original act.

By giving this money to the States, and letting them allocate it within a State plan that is approved by the Commissioner of Education, we would introduce a flexibility that is badly needed.

Another advantage of this approach is that a State could concentrate on major problems such as construction to eliminate inner city slum schools, that we have been hearing about. The slum school conditions are one of the problems of major magnitude which cannot be met with the limited funds now available to a single school district under the act.

Put another way, the present allocation formula is a scattergun approach, so that none of the school districts as a general rule receive enough money in the concentrated poverty areas to do the kinds of things that need to be done desperately.

Fourth, instead of reviewing thousands of local applications, many of very minor impact or importance, the States could devise a single plan to attack major problems in the education of the economically and educationally deprived children.

Finally, this is the established pattern of administering educational programs. It would require a State assessment of its own needs, which would have the effect of strengthening the entire school system. If this amendment were enacted it would go far toward correcting the difficulties that we have in the operation of the present act. And I urge its adoption.

I yield back the balance of my time.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not take the 5 minutes, but all I can say is the gentleman from New York continues to confound and amaze me. It has been my understanding that the gentleman from New York has always been in favor of local control of schools.

The amendment which the gentleman now proposes would raise the control to the State level and leave the local school districts at the mercy of the whim and caprice of the States.

I would like to point out, Mr. Chairman, presently the plans under title I are formulated by the local school agency at the local school level where those people know their problems best.

Certainly the State now has the authority to approve or disapprove those plans as does the Commissioner of Education.

So that we are getting in a sense the type of State control that the gentleman wants only we are allowing the State local school district to make the determination of their educational needs.

I would further point out that we had no witness before our committee nor did we have any request before our committee that this type of program be promulgated.

Another thing that I would point out is this, it would place a tremendous burden of responsibility on the State educational agency, for which there are not appropriate funds in this act or available by the State agency at the State level.

Mr. Chairman, I would strongly recommend that this amendment be voted down.

Mr. GURNEY. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, it seems we have heard frequently this afternoon arguments from the other side that we should encourage as much as we can local initiative in developing plans for the use of Federal aid to education. It occurs to me that in the amendment now pending, we have a very good and practical approach for initiating local plans at the State level. Indeed, it takes this whole area of Federal aid to education out from under the onus of Federal control and Federal direction and Federal dictation, which we have heard bandied about on the floor during the entire debate.

Certainly, there is much evidence before the committees and most certainly before the Committee on Rules that there is dictation in this area. The amendment offered by the gentleman from New York, it occurs to me, would alleviate this kind of criticism of the program.

I would hope that the House would support this amendment.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from New York.

Mr. GOODELL. I thank my colleague for yielding and I have asked him to yield simply to respond to the surprise expressed by my colleague on the position that I take. I do not understand why he would be surprised because since I came to the Congress of the United States I have fought for State and local control and State and local responsibility in education. I believe that we should not, except under very unusual circumstances, bypass the State educational agencies and go directly from the Office of Education to the local school system.

This has been a consistent position taken by me, and not only by me but virtually all of the Republicans on this side of the aisle. We believe that the

States should be involved. They should put out their own plans and there should be this kind of flexibility available under a program so that the problems of New York which are different can be solved with a New York approach and so that the problems of Washington that are different can be solved with a Washington approach, and likewise for Arkansas, Florida and other areas, of course.

My amendment leaves the overall unity that the gentleman I am sure would insist is necessary in a Federal program because the Commissioner of Education has to approve the various State plans. The State plans do not have to be uniform. They do not have to be identical. Each State will come forward with its own plan and submit it to the Commissioner of Education and the minimum guidelines and the minimum standards that the Commissioner of Education must enforce in this law would be enforced.

I would much prefer giving more State discretion and more State option because they are the creators of the local schools and the local municipal governments. These local schools and local municipal governments are the creatures of the State government—created by the State constitution and the laws of the State. And very properly, when we talk of local option, we have to funnel it through the creator—the State itself.

This is my view, Mr. Chairman, and I think the amendment that I am offering would implement effectively the State plans without the loss of flexibility nationally.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, the gentleman from New York is seeking in principle to do by this amendment just exactly what he failed to do by the amendment offered a few minutes ago which was voted down.

If the gentleman's amendment were agreed to, it would disrupt the disbursement of funds going into school districts in every State. According to the equalization plan he has in his amendment, which the States would be allowed to follow, an entirely new type of legislative program would be started with no assurance whatsoever that any school district could continue the programs so effectively launched last year.

Therefore, Mr. Chairman, the amendment should be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 16, noes 49.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GURNEY: On page 49, after line 25, insert:

"STATE REALLOCATION OF FUNDS

"SEC. 115. Section 206 of such Act is amended by redesignating subsection (b) as subsection (c) and inserting the following new subsection:

" '(b) An application submitted in accordance with the requirements of subsection (a) may, at the election of the State educational agency provide for the reallocation among eligible local educational agencies of such State of the amounts to which such agencies are entitled. Any application which provides for such reallocation shall include—

" '(1) A plan for concentrating reallocated funds in those local educational agencies having schools with a greater proportion of educationally deprived children, which also takes into account such factors as (i) overcrowded school facilities, (ii) the incidence of juvenile delinquency, unemployment, and families receiving public assistance, and (iii) school retention rates and similar indices of educational effectiveness;

" '(2) A statement of priorities of need among eligible local educational agencies based upon the factors set forth in paragraph (1) which assures that reallocated funds will be utilized for projects designed to overcome the most urgent educational problems; and

" '(3) Such other information as the Commissioner reasonably may require to assure that the purposes of this title are being carried out.' "

On page 50, line 3, strike out "SEC. 115." and insert "Sec. 116.".

Mrs. MAY. Mr. Chairman, I make the point or order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 342]

Abernethy
Albert
Arends
Ashbrook
Ashley
Aspinall
Ayres
Battin
Belcher
Bray
Brown, Calif.
Celler
Cooley
Corman
Daddario
Davis, Ga.
Denton
Diggs
Dorn
Dow
Dyal
Edmondson
Edwards, Ala.
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fisher
Flynt
Foley
Fulton, Tenn.
Grider
Griffiths
Gross
Haley
Harvey, Ind.
Hébert
Irwin
Jones, Ala.
Keogh
King, N.Y.
McEwen
McMillan
McVicker
Macdonald
Mackay
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Michel
Moeller
Morris
Morrison
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Patman
Pepper
Powell
Purcell
Reinecke
Rivers, Alaska
Robison
Rogers, Tex.
Roncalio
Roudebush
St Germain
Saylor
Schisler
Scott
Shriver
Smith, Calif.
Smith, Va.
Stephens
Sweeney
Teague, Calif.
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Vivian
Walker, Miss.
Walker, N. Mex.
Watkins
White, Idaho
Whitener
Wilson, Bob
Wilson, Charles H.
Younger

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PRICE) having assumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 13161, and finding itself without a quorum, he had directed the roll to be called, when 332 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the Clerk had reported the amendment of the gentleman from Florida. The gentleman from Florida is recognized for 5 minutes in support of his amendment.

Mr. GURNEY. Mr. Chairman, one of the troublesome things about this bill, and one of the real deficiencies, it seems to me, recognized even by many of its ardent supporters, has been the way that funds are distributed among the States to the school districts. In fact, almost all day today and a good deal of the time the bill was under debate yesterday I suppose this one fact was talked about as much as anything.

The bill gives a kind of shotgun approach to the scattering of Federal aid for the school districts. It is a good deal like a few pellets out of a shotgun charge, very little aid finds its mark. It seems to me that this approach wastes dollars, just as a shotgun charge is wasted. I might say that even the majority recognizes this deficiency, because if you will turn to page 11 of the report you will find that it recites, for example, that 56 States and territories are helped, or 3,200 counties and 24,000 school districts.

Then, it says, the formula generally tries to distribute assistance equitably. However, it goes on to say that the committee has become aware of some inequities in title I allocations to school districts. It explains that these inequities are generally caused by population shifts.

But the point I make is that even the majority in their own report recognizes that there is a deficiency in the way the funds are distributed in this bill. There have been attempts made to strengthen this. The last amendment offered was to that end.

My amendment seeks to do the same thing, but it seems to me that this amendment would do it in a way that not even the majority could object to, because what we propose here in this amendment is to give the States permission to develop school plans for various school districts so that a needy school district that needs the money a good deal more than another school district can put it in that needy school district like a rifle shot instead of a shotgun charge.

The plan is permissive. It does not say it has to be done. It does not force the State school superintendents to come up with a plan. It simply says that they can do this.

Moreover, it also provides if a plan is presented it must explain in detail how these moneys are put into needy schools.

The plan also must show priorities, which must be set out in the plan. Then, when this is all done, the plan can be presented to the Office of Education in Washington. It can be reviewed. If they believe it is a good idea, they can accept it. If they do not believe it is a good idea, they can also reject it.

I listened with interest here a short time ago when the gentleman from Indiana [Mr. BRADEMAS] was arguing in opposition to one of the amendments offered on this side, and this is what he said. I took down the essence of his remarks. He said that the entire thrust of this legislation is to encourage local initiative.

I hope he means that. I hope that will be the position of the majority. Because, if they truly mean that, then it seems to me this amendment can be accepted, because what we are trying to do here, indeed, is to encourage local initiative, to put the responsibilities in the local school boards and on the State educational systems, so that they can come up with the best plans possible.

No matter what view we take on Federal aid to education, no matter what the philosophy of any of us here is on government in general, I believe all of us would agree one of the great strengths of the kind of governmental system we have, this kind of Republic, this federal system, is the getting of ideas from down below, the governments at the local level, the generating of a whole lot of ideas from a whole lot of different people who live close to problems and can tailor their ideas to meet the needs.

As I said, there are 24,000 school districts in this country, and it occurs to me that the amendment will give the school districts the opportunity to develop plans which can help this legislation.

I hope the committee will support this amendment.

Mr. BRADEMAS. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Florida be re-reported, because we are not sure what is proposed.

The CHAIRMAN. Is there objection to the unanimous consent request of the gentleman from Indiana?

There was no objection.

The Clerk re-reported the amendment.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

The effect of this amendment would be to leave it up to the State educational authorities under plans to put the money into the States anywhere they wanted to place it.

The gentleman in the amendment makes some effort to set up some priorities for the distribution of the funds but this body would have no assurance that funds would be placed where they are needed. Moreover, this amendment is contrary to the principle in the bill of reaching the educationally deprived or handicapped child wherever that child may be located.

Therefore, Mr. Chairman, I ask the Committee to vote down the amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, an examination of the report will indicate that most of the factors that the gentleman from Florida [Mr. GURNEY] has advanced as those he would like to have taken into consideration in the allocation of funds are now provided for in the allocation of funds within a county. In a good many of our States, even within counties, there is a great disparity between school districts. However, this legislation attempts to direct the distribution of funds in title I down to the county level, leaving to the States the devising of a formula for distribution within the counties. I think it is at once apparent that it is unwise to follow any plan where you would pit one county against another county in seeking to set up a priority system for the division of the moneys that would otherwise go to county A, by dividing it among counties B, C, and D, we would immediately create a system, in each State, of competition among the counties for the allocation of funds that would make the present sweepstakes we have in many State legislatures with regard to the millage formula and its composition look like a Sunday school field day. Rather than an orderly distribution of these funds to the areas where they are most needed; I think it would introduce a new element of competition between the districts that would destroy the purpose of the act and fly right in the face of everything the gentleman from Minnesota [Mr. QUIE] and the gentleman from New York [Mr. GOODELL] have said they agree ought to be accomplished in the distribution of these funds.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, those who are striving to defend the bill as it comes to the floor without change are continually finding themselves going around in circles and coming back and meeting themselves again in their arguments. When I offered an amendment that would permit the direct allocation based on census figures to the areas in need, it was opposed because it was too inflexible. Now we have an alternative to that which is more flexible. It permits the States to take a reading and, with the permission of the Commissioner of Education, to concentrate and focus funds within the State in the areas of greatest need. We have heard the gentleman from Michigan [Mr. FORD] and others talk about the slum areas and the need to put more money there. This amendment would permit them to do that. Instead of sending the money automatically to the richer areas of the State, the State would have the option of submitting a plan to the Commissioner of Education which would say, "Here is the area of greatest need. Let us focus and concentrate on it and accomplish something there." It does exactly what the gentlemen on the other side of the aisle are constantly saying they want accomplished, those from the urban areas. It would appear, in putting all of the arguments together here from the other side of the aisle in opposing Republican amendments, that they simply do not want priorities. They want no priorities. They want the money spread as widely as they can. Get everybody in on the act and give everybody a little bit of this money. That is a very poor way to try to accomplish a simple objective of uplifting those areas and those schools and those pupils who have inefficient and inadequate schools. Spread it to the richest areas as well as the poorest areas. Give no one any discretion in the matter.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Florida.

Mr. GURNEY. Mr. Chairman and Members of the Committee, it seems to me that the only argument that has been made in opposition to this amendment is this one: It assumes that the State school boards will somehow be political log-rollers here and be entirely unfair in the presentation of their plans and in the distribution of the funds within the school districts within the State. First of all, Mr. Chairman, I do not think that that is a valid assumption at all.

But, even if it were—even if it were—I suppose you usually have a plan that was submitted to the Office of Education that was unfair to the school district in the State of Kentucky——

Mr. PERKINS. Mr. Chairman, that is not my contention.

Mr. GURNEY. Or, in the State of Florida or in the State of New York?

Mr. Chairman, what would happen in the practical politics of the situation?

Mr. Chairman, the school districts and their representatives in the Congress of the United States and their Members in the House of Representatives, would point out this inequity and this is unfair, and this is the manner in which it would be met, as indeed it always is, in legislation upon any vote where Federal funds are going to the States.

Mr. Chairman, I submit that this argument that the school board in the first instance would be unfair and completely political and partisan, as a practical matter 435 Members of the Congress representing districts from all over the Nation represent the effective balance to any local ruling such as this.

Mr. Chairman, we believe the amendment to be sound. It does provide flexibility and it does answer this argument which has been batted back and forth all day long here today and yesterday to the effect that there is an inequity in the distribution of these funds and that some of these funds go into areas where they should not go.

Mr. Chairman, we know that this represents an inequity as now contained in the bill, but this is the manner in which to correct it.

Mr. GOODELL. Mr. Chairman, the gentleman's amendment provides at the very end thereof that any reallocation must be approved by the Commissioner.

So, Mr. Chairman, you have a final guarantee, from the gentleman's viewpoint, that nothing untoward is going to take place in line with what has been stated in opposition to this amendment.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I would agree with the gentleman from

New York if we had originally adopted this formula which we have made and committed to all of these local educational agencies all over the country which are expecting one-half of the State average to be funded.

Now, we are proposing to take some of them—and we have a long way to go in order to correct any inequity—but the formula contained in this bill, the formula which the gentleman from New York [Mr. GOODELL] helped to write, effective in 1968, provided the additional money, by putting the floor under the poor districts, without making any funds available for the other districts with reference to the impoverished.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOODELL. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. The answer to the gentleman on this question is that, first of all, the Commissioner has to approve it; so that if there is any inequity in any school system that is proceeding now with programs, the Commissioner has it within his authority to protect them and to see that such program is implemented, if the gentleman is simply interested in protecting them.

Mr. Chairman, in the second place, the States are not interested themselves in disrupting programs that are now going on and into which money is now going in support thereof.

Mr. Chairman, I believe we can assume that the States will want to protect their programs too. This is within the discretion of what the gentleman from Kentucky is saying.

However, this is what troubles me so. Once we commence the program, we apparently cannot diminish the amount of money going into any single school district or into any single county, since it is the desire to keep any money flowing. Even though the money may be flowing into low-priority areas and wealthy areas, where they do not have the need demonstrated, it must continue to flow ad infinitum. Does the gentleman from Kentucky disagree with that appraisal of his position?

Mr. PERKINS. Mr. Chairman, if the gentleman from New York will yield further, permit me to state that it is the principle of this legislation to stress the impoverished children wherever they may be located, whether they be in a wealthy district or located within a poor district.

Mr. Chairman, I feel that poor educational districts should be given priorities and it may be necessary to take funds away from wealthier districts that have impoverished children, and where they are relying upon those funds.

Mr. GOODELL. The gentleman should not confuse this 1968 amendment with the Quie amendment allocating increased money to poorer States. In effect, we have recognized this principle partially for the States in the Quie amendment. This amendment is trying to recognize it within the States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GURNEY and Mr. PERKINS.

The Committee divided; and the tellers reported that there were—ayes 43, noes 85.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. QUIE: On page 41, strike out lines 9, 10, and 11 and insert in lieu thereof "shall be $2,000 for each of the three fiscal years ending prior to July 1, 1968."

Mr. QUIE. Mr. Chairman, during the course of the debate the gentleman from Michigan [Mr. WILLIAM D. FORD] asked me where the money was going to come from to pay for my amendment which was adopted in committee which would permit the poorer States to raise the money which they would receive under the formula to the national average. As I mentioned, I offered in committee an amendment to delete the increase in low income factor to $3,000.

So what this amendment does is to go back to the present act as it operated in 1966 and as it will operate in 1967, only counting the children of families with incomes of less than $2,000 and those on AFDC.

The result would be a saving of about $450 million.

I think in 1968 the expenditure of money that will be made under the formula will be sufficient and in order to stay within the recommendations of what the President has been talking about, and not getting expenditures way out of line, this is an amendment which should be adopted.

We have a problem in this title in that there is no dollar authorization, but actually we go by the formula and it would depend on what percentage of the formula the school receives, depending on the amount of money the Committee on Appropriations gives to the Office of Education.

So, Mr. Chairman, what this does is to prevent a change in the formula and count only the children from families of $2,000 and not those between $2,000 and $3,000 in 1968.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have worked diligently on this formula and we feel we have an equitable formula. With the raising of the low-income factor from $2,000 to $3,000 effective in 1968, we would not only make it possible for the program to more effectively cope with the special educational needs of youngsters but also in many districts make it possible to extend the program to many children who could benefit but are not now participating.

I certainly feel it would be an injustice to undertake to interfere with the present formula which governs allocations.

Therefore, Mr. Chairman, I ask that the Committee vote down the amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike out the last word and rise in favor of the amendment.

Mr. Chairman, in conversations I have had with my colleague, the gentleman from Minnesota [Mr. QUIE], previously I agreed with him on this amendment. It had been my plan to fight vigorously when this legislation was up for renewal to see that this change is made prior to the effective date of the changes in the proposed legislation.

For this reason I would support the amendment at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The question was taken; and on a division (demanded by Mr. QUIE), there were—ayes 29, noes 40.

Mr. GOODELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GOODELL and Mr. PERKINS.

The Committee again divided, and the tellers reported that there were—ayes 47, noes 71.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. QUIE: On page 46, after line 3, insert:
>
> "LIMITATION ON GRANTS
>
> "SEC. 112. Amend section 207(a)(1) of such Act by striking out the period in the first sentence and inserting: '; except that the aggregate amount of all such payments shall not exceed $1,070,410,000 in the year ending June 30, 1967.'"

Mr. QUIE. Mr. Chairman, what this amendment would do is to bring title I of the Elementary and Secondary School Act back to the the budget figure recommended by the President in his budget message.

The estimate I see here on title I at present is $1,363,962,696. The budget request which the President made was $1,070,410,000.

The amendment would bring it back to that level. I believe it would be a responsible act on our part, to have in the authorization bill for the present fiscal year, 1967, the exact budget request, and not go over what the President recommended.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. I seek to find out how the gentleman attempts to cut it back, whether in the elementary and secondary, or the impacted program, or across the board. What would be the approach?

Mr. QUIE. This amendment goes to title I of the Elementary and Secondary School Act, 89–10. The figure I have is that the bill before us would put into title I of the Elementary and Secondary School Act $1,363,962,696, but the President asked only $1,070,410,000.

Mr. PERKINS. I am sure the gentleman realizes that the only place we are above the recommended authorization figures in title I are attributable to the amendment concerning the current AFDC data, which will cost about $100 million to bring up to date. Is the gentleman proposing to cut out the AFDC?

Mr. QUIE. No. I do not propose to change the formula at all. As I saw the estimates, the administration would fund about 85 percent of the formula.

Mr. PERKINS. The gentleman is taking that approach? That is what I seek to find out.

Mr. QUIE. That is right. This would put it in a dollar figure. It would do the same thing as we would do if the Appropriations Committee sent us a supplemental appropriation bill of $1,070,410,000 for title I.

Mr. PERKINS. This is making an across-the-board cut.

Mr. QUIE. To title I only.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman's amendment would take an across-the-board approach, which the President apparently took in preparing the budget. This is about $300 million, to come from title I, that the President did not budget.

The gentleman talks about being $100 million over the President's budget. The figures in the President's budget, as I understand it, are $1,070 million for title I. In this bill there is $1,363 million for title I.

The President had in mind, apparently, as the gentleman in the well indicated, the application of an 85-percent formula in title I instead of 100 percent.

Whatever means is taken, it is precisely the means the President has recommended in stating his budget figure.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. I am sure the gentleman realizes we cannot afford to take the budget figures, but we have to take what the amounts add up to according to the administration recommendations and our recommendations. As I read the figures, the administration recommendations were for $1,230 million.

Mr. QUIE. That is not what the President requested in his budget message. Since then he has called the Members of the Appropriations Committee, and other colleagues, and has pleaded with them. He said that over the air, and said it to the American people. My constituents say to me, "How can you vote for anything over the President's budget? He has the responsibility to prevent the kind of inflation that will increase the costs of things schools have to purchase."

Mr. PERKINS. We voted to build schools all over the world, in the foreign aid program. It would seem to me that what we have authorized for our needy schools in title I would be a minimum figure.

We should authorize every penny of the $1,363 million. Therefore, Mr. Chairman, I oppose the amendment of the gentleman.

Mr. QUIE. It is a question, Mr. Chairman, of whether one wants to support educational legislation within the budget of the President or go beyond it. At this point, with the trouble we are having with fiscal integrity in this Government, we ought to stay within the President's budget.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I will not take the full time allotted me but simply state that the President has made a variety of appeals to the Congress to stay within the budget figures. He has indicated we are in a very serious economic situation and we must hold expenditures within reasonable levels. Your President and our President has appealed to the Congress to stay within these budget figures. The bill before us, in title I, is almost $300 million above what the President has budgeted. The President has requested that we try to meet our obligations here and control inflation by holding Federal expenditures within reasonable limits. The President obviously had in mind applying a percentage formula to the title I allocation, which can easily be done. The President was aware of how much this was going to cost when he sent his budget up here. He has specifically indicated he would hold it within that figure. Mr. QUIE's amendment would put the ceiling right there at the budget level.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. PERKINS. I am sure that the President of the United States does not want to cripple the school program in this country.

Mr. GOODELL. At that point I will say to the gentleman that he is saying that the amount that the President budgeted would cripple the school program in this country. I do not believe that. I think the President budgeted this keeping well in mind that this would keep the program moving at a reasonable level, uncrippled.

Mr. PERKINS. Let me say to the gentleman, that we must not lose sight of the fact that if it were not for the unswerving dedication of our great President to the cause of improving American educational opportunities we would not have had this law last year nor this bill on the floor today. At a minimum, all we are proposing to do here is to carry out the program of last year with some additions, such as, requiring the use of current AFDC data and adding certain categories I know the gentleman does not oppose, like the neglected and dependent children, the Indians, and the children of migratory workers. Therefore, I say again that I oppose the gentleman's amendment.

Mr. GOODELL. The gentleman from Minnesota [Mr. QUIE] indicated that his amendment would not affect those areas you are talking about but simply go on the basis of what the President recommended in the budget figures as what is necessary in title I. We will authorize that amount and we will not go the $300 million above that amount that the committee has recommended here.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I am glad to yield to the gentleman.

Mr. COLLIER. I might suggest that in looking at the last release that I received in my office, possibly some of the areas that might be cut would be projects recently approved for about $77,000 to establish a center for visual arts, music, and dancing. Another one that might be cut is one that deals with outdoor camping programs in Topeka, Kans. There are several that could be cut back without crippling the program, I suggest to the gentleman.

Mr. GOODELL. I would urge the adoption of the Quie amendment in support of the President.

Mr. PERKINS. Mr. Chairman, I rise to oppose the amendment and I urge that the Committee vote it down, because we cannot afford to finance school programs at 75 percent or 85 percent of the cost. We are reasonably near the administration's recommendations and the departures in my judgment have been dictated by needs disclosed in our committee's extensive study of this legislation. The gentleman's proposal is a meat ax approach in trying to reduce all of the local educational agencies back to 85 percent.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. GOODELL. I am interested in the gentleman's phraseology "reasonably within the President's figures." The committee increased the President's figures by about one-third, in the sum of almost $300 million for title I of the Elementary and Secondary Education Act alone. There has been no dispute about that. It certainly does not seem to me that it is reasonably within the President's budget figures.

Mr. PERKINS. The gentleman is high, but we did increase authorizations where the judgment of a majority of the committee felt it was necessary.

After we heard the evidence, we felt that we should use current data on aid to dependent children in the formula. This represented one of the areas into which we thought we should go and as a result the authorization was increased. So that represents one of the reasons why we increased the authorizations over those recommended by the President. The most substantial departures from the administration's recommendations were in the impacted areas legislation.

At this point I would like to insert a table of comparative authorizations:

Authorizations—Elementary and Secondary Education Amendments of 1966

[In millions]

Public Law 89-10	1966	1967	
		Administration recommendations	House committee
Title I	$1,190	$1,230	$1,363
Title II	100	105	105
Title III	100	150	150
Title V	25	22	30
Total	1,415	1,507	1,648
Impact aid:			
Public Law 874	388.0	183.4	450.5
Public Law 815	50.08	23.0	58.0
Total	438.08	206.4	508.5

Mr. MEEDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to get this back into the proper perspective.

Mr. Chairman, I agree with the chairman of the subcommittee, the gentleman from Kentucky [Mr. Perkins], when the gentleman talks about a meat-ax approach, because if this amendment is adopted that is certainly what its adoption would represent.

Mr. Chairman, I would like to bring out the fact that under this bill in 1966 we authorize in title I $1,190 million.

Under this amendment and the amendments which we are proposing, the total authorized would be $1,360 million. That money would go into programs which have been talked about here today, support for the Indian children in the amount of approximately $10 million, support for the migrant workers' children in the amount of approximately $40 million, support for the handicapped to the extent of anywhere from $30 million to $40 million, and then the big amount of about $96 million with reference to the AFDC figure.

Mr. Chairman, I do not know where the gentlemen on the other side of the aisle get their figures, but the proposal of the administration this year is for $1,230 million under title I.

Mr. Chairman, this bill, and the amendments thereto would carry $1,363 million, which is $123 million over the proposal of the Bureau of the Budget.

Mr. Chairman, the amendment of the gentleman from Minnesota, three-hundred-and-some-odd-million dollars, and the adoption of the proposed amendment would definitely represent a meat-ax approach.

Mr. Chairman, if the gentleman is looking at the entire bill, the gentleman is correct. This is about the amount by which it is over the total budget, but that comes in another section of the bill, the impacted areas section of the bill, which we shall be discussing later.

Mr. Chairman, I believe if the gentleman is saying, "Let us just knock out three-hundred-and-some-odd-million dollars from this section," it represents a meat-ax approach.

However, Mr. Chairman, if the gentleman is saying on the other hand, "Let us take away from these fine programs," it represents a poor approach and I suggest that we vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. Quie].

The question was taken; and on a division (demanded by Mr. Goodell) there were—ayes 29, noes 56.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Quie: On page 45, line 13, strike out "paragraph" and insert "paragraphs" and following line 19 insert:

"(11) that priority shall be given to those applications of local educational agencies which propose to establish or expand programs of preschool education."

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes in support of his amendment.

Mr. QUIE. Mr. Chairman, what this amendment would do is to require the Commissioner of Education, when he approves grant requests, or the State education department when they approve requests for the school districts, to give priority to those applications which propose to establish or expand programs of preschool education.

As you know, all the requests cannot be granted. Some of them will have to be turned down. In making that determination we are just giving this guide to the Federal Commissioner of Education, and the department of education commissioners of each State, on where the emphasis ought to be.

One of the problems, as I stated before, has been that many people have not been aware of the potential of preschool education, and the parents of the poor children who are educationally deprived, in making preschool education available, beginning at the age of 3, I would say. Also, poor people just do not have the political force in their local communities to bring about preschool educational programs.

As we know, in some of the wealthy areas they have had preschool programs for some time, nursery schools for their children. This amendment would give the kind of encouragement that I believe we ought to have in title I in the preschool programs.

As I said earlier, this will improve the other grades once the recognition is made of the potential in the preschool training.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I strongly support the gentleman's amendment.

Mr. Chairman, if I may I would like to take this time to answer the gentleman from Washington. I did not understand previously when he said we were not cutting almost $300 million out of title I, but he said that total cut was from the whole bill. The committee's own sheet, which I have in my hand, on title I shows $1,363,962,696. The President's budget is $1,070,460,000 for title I. I think the figures are clear—$293 million over the budget in title I alone.

Mr. QUIE. Mr. Chairman, I would say to the gentleman that I secured all my information from the Democratic side, and I would expect that the figures are accurate when I secured the information from that side.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment. I am sure the gentleman is aware that we on this side share his concern as to preschool programs. But I would have to object to the amendment for two reasons.

In the first place, in section 134 of title III of the committee bill, we give consideration to the problem to which the gentleman's amendment is addressed when we provide that "the Commissioner must give special consideration to the application of any local educational agency for a supplementary center project which is making a reasonable tax effort but is unable to meet critical educational needs," and at this point the bill says "including preschool education."

There is a second reason I would oppose the gentleman's amendment, and that is for the same reason that I have had to oppose a number of amendments on the other side, and that is that they would unduly restrict the local public school districts in determining for themselves what their own educational needs are.

My view is perhaps the reverse of what is commonly but erroneously thought to be the attitude of the two political parties in our country as to the role of the local public school agency.

In this connection it is interesting, I think, Mr. Chairman, that time after time we on this side have today voted to defend the autonomy of the local public school district and against efforts to weaken or destroy it. This is the reason I am very much opposed to the gentleman's amendment and I urge its defeat.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. Quie].

The question was taken; and on a division (demanded by Mr. Goodell), there were—ayes 23, noes 56.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gurney: On page 55, strike out line 23 and insert: "for the fiscal year ending June 30, 1968, such sums as the Congress may hereafter authorize by law."

Mr. GURNEY. Mr. Chairman and Members of the House, this amendment is certainly clear and I will not use the entire time.

What this amendment does is limit the authorization authority for the supplemental educational centers to 1 year, that is this coming fiscal year, instead of, as the bill now provides, for this coming year and also for the fiscal year 1968.

It seems to me this is a sensible thing to do. This is an experimental program and I would remind the House it is a brand new program that we started out in the past year with $100 million. This bill provides for upping the amount to $150 million this coming fiscal year which seems to be a very healthy increase. It does not seem wise at this time to go on and make the authorization for 1968, which raises the amount to $575 million.

As a matter of fact, that is an increase of $425 million—nearly a half billion dollars.

I would like now to turn to the committee report where it talks about the supplementary educational program and read a little bit from what it says.

It says for example that projects under this title may be used "to encourage imaginative approaches."

Then it goes on to say, "these projects could include, for example, construction of educational parks and other experimental demonstration facilities."

It goes on further in the page to say, "the educational park concept may well offer exciting possibilities in such areas."

Well, it may be that they are exciting and they are imaginative—let us hope that they are. Let us hope that they come up with ideas that assist us in this program.

But let us also not forget that one of the primary reasons we sit here in the House of Representatives and each year sit as authorization committees is to go over in careful detail what these programs are doing. In the year after we take a look at what we authorized, and see how it worked.

Here above all in this particular bill where we have a brand new experimental so-called exciting, imaginative program—it seems to me it is not too much to ask the House of Representatives or the Committee on Education and Labor to come back here next year and to see what we did with $150 million before we authorize another $575 million.

This amendment does not propose to cut a thing out of this bill. It does not propose to cut any program out of this bill. The only thing it asks us to do is to come back here as a House of Representatives next year and in a responsible way and in a way that I think our people sent us here to do, to take a look at this program and see if it is working well.

Mr. Chairman, I hope the amendment is adopted.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

The amendment offered by the gentleman from Florida tells a little more really about the gentleman's attitude toward this bill than it meant to tell. I note with some interest, if I understand his amendment correctly—and I hope he will tell me if I do not—that his amendment proposes to cut out the 1968 authorization for title III. Is that correct?

Mr. GURNEY. That is correct.

Mr. O'HARA of Michigan. Do you propose to cut out the second year authorization for title I?

Mr. GURNEY. No, the amendment provides only that the authorization for the supplementary education centers for 1968 be cut out. It does not disturb the bill at all in its present form for the next fiscal year.

Mr. O'HARA of Michigan. That is interesting because it is not only title III, of course, that has a 2-year authorization in the bill; it is title I, it is title II, it is title IV, and it is title V that have 2-year authorizations. The gentleman from Florida is not talking about making a 1-year bill; he is talking about making it a 2-year bill, except to cut the second year completely out of a title that he apparently does not favor.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Florida.

Mr. GURNEY. I do wish to correct the gentleman in his assertion that I propose to strike this out simply because I do not like the title. That is not the case at all. The difference, as I see it, is this. I can understand an argument that it is advisable to have a 2-year authorization for these school programs that affect every school district in the United States; that it is a good idea to permit school districts to make their plans for the future for 2 years instead of 1. I can understand that argument. But I do not think that that argument at all applies to a brand new experimental program as is proposed in this particular title and, as I see it, that is the difference.

Mr. O'HARA of Michigan. I think there is a difference all right, but it runs a little bit the other way. The fact is that in title III we started off approving only planning grants. We said that we are not going to approve the actual operating programs because we want first to start off small. First, we will give small grants to school agencies to develop their plans for their supplemental educational service centers. Then in the second year we are going to go on, and we are going to permit the initiation of some of these actual services that have been authorized under title III.

Incidentally, of the $150 million authorized for fiscal 1967, $125 million of the $150 million has already been committed in the planning period. There would be only $25 million in this current fiscal year for the approval of new plans.

Then, if you go on into 1968, when the program ought to be reaching its fruition, unless you authorize the appropriation of the additional amounts that are provided for in this bill, you would have to, in effect, cut back somewhat on the plans that have already been approved and which are being carried into effect.

One of the troubles we had with the poverty bill is that we tried to start off all at once. We started right off in the beginning with practically the full amount that we intended to devote to the program. We did not start off small and try to get our troops in order before we started funding any sizable programs. We have taken the sensible approach in title III, and the gentleman's amendment would in effect threaten the commonsense approach that we have taken.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Florida.

Mr. GURNEY. As I followed the gentleman's description of this particular program in relation to the supplementary education centers, it is that this past year we did planning, and this next fiscal year of 1967 we are going to fund some of the plans that were made.

As a matter of fact, I believe on page 23 of the report it is set out that we are funding approximately 1,000.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(On request of Mr. GURNEY, and by unanimous consent, Mr. O'HARA of Michigan was allowed to proceed for 2 additional minutes.)

Mr. GURNEY. Now I ask my question. Why would it not be a sensible thing, since we have gone only through the planning stage and in the next year will go through the first stage, to see how these things work? Why is it not sensible for the committee to come back next year, and for the Congress on the recommendation of the committee to see how these things have worked for the first time, because they have not been tried before? They won't get a chance to work until this coming year. Why is it not sensible to come back and take a look for the first time to see how they have worked, before we give them $425 million in addition?

Mr. O'HARA of Michigan. I assure the gentleman we are not going to give any money to any program that is not working.

The gentleman's amendment in effect would say that any school district which does not have a title III application already approved can forget about title III, because there will not be any room for any more title III applications. Of the $150 million authorized, $125 million has been committed to projects approved during the past fiscal year. There would be no room for new approvals. We would be shutting out any school district which might have a good title III plan, however good it might be.

I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GURNEY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. COLLIER

Mr. COLLIER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLLIER: On page 59 at end of line 16, insert the following: "Whenever a program or project requiring an aggregate funding of $50,000 or more is approved by the Commissioner under Part C entitled 'Supplemental Educational Centers and Services' of all proposed salaries and other expenses or such program or project shall be published in a newspaper of general circulation in the district in which it is to be carried out."

Mr. COLLIER. Mr. Chairman, I do not believe that this amendment needs any clarification. It simply provides the means by which the average citizen, who certainly has the right to know the cost of any tax-financed program, will be properly informed.

Particularly under the supplemental and educational centers title of this bill, which was title III of the original bill, there will be countless programs and projects of every conceivable nature scattered across the face of the country. Let me point out that many have already been approved for school districts with average income levels far above the national average. In fact, there are many that could only be classified as wealthy school districts by all national standards.

As some Members may or may not know, the number of $100 per day consultants in these programs runs from 3 to 10, for periods of 40 to 60 days.

It has been my experience that many knowledgeable people are not aware of the details of the programs for which school administrators apply for Federal money—much less an accounting of the manner in which these funds are to be expended. Let me say that the merit of any program is not the question as affected by this amendment. Instead, it is just a case of giving the people information in any area which it has been the right and even the responsibility to have. Furthermore, I think that this amendment will serve as a check and double check for each local community in addition to being informative to those who are vitally interested in their local school systems and their activities.

I cannot believe that there is a Member of this House who believes in the purpose of this program and in education in general who could question the good sense of such a provision in this bill.

In fact, I am sure if any of you were to ask any of your constituents if they favored this amendment, they would invariably say they would support it. Therefore, I urge its adoption, particularly since the multitude of applications and approvals in the future will demand a program of educating the citizenry with regard to the education of their children.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, aside from the fact that I think the gentleman's amendment discriminates against the great radio and television industry in our country and denies it the largesse that might be afforded if his amendment were adopted, I think there is another important reason why his amendment should be defeated. That is that nowhere does it suggest, nor does the gentleman suggest that this kind of an amendment ought to be applied to other Federal grant-in-aid programs such as the urban renewal program, the aid to airports program, water pollution, public works, college housing, agriculture, the entire gamut of Federal aid programs. It is only those programs the chief beneficiaries of which are the schools and schoolchildren of the country to which the gentleman addresses himself. I think, as the gentleman suggested, that the amendment is clear on the face of it. I think, on the face of it, it ought to be defeated.

Mr. WATSON. Mr. Chairman, I rise in support of the amendment.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. WATSON. I will be happy to yield to the gentleman.

Mr. COLLIER. Mr. Chairman, let me say I am sure the gentleman from Indiana who just spoke is quite aware of the fact that in many areas it is required by law that there be printed in newspapers of general circulation such information as I have provided would be supplied in that manner in my amendment. I know of nowhere in any of these compulsory legal notice laws where it is required that it also be shown on television or announced by radio. So I would think that his argument is rather facetious indeed.

Second, as far as publishing the figures on other types of programs is concerned, I can assure the gentleman that if he would join with me in such amendments I would be delighted to have this type of information published on any Federal program. I think I have illustrated the need for this provision because these are community programs. I am certain that the gentleman who just spoke cannot give me the type of breakdown of expenditures on any program in his district of the type covered by my amendment. Let me cite a personal experience as an example of the need for this provision in the law.

Recently I wrote to an assistant superintendent of schools in order to get a breakdown of this information on a project approved upon his application. I was advised only that he had complied with title III of the bill and received a formal "thank you for your interest." Subsequently I sent a member of my staff over to the Office of Education. She spent one and a half hours attempting to get the figures that were necessary to evaluate the funding of the program. When she finally returned to my office with figures, they did not jibe with those released. An hour and a half later I received a call from HEW in which they provided a revised set of figures—and, mind you, this was by telephone—which did correspond with the original figures on the application. Now, if that is not evidence of the need for this amendment, then I can only say that the majority of the Members of this House just do not care whether the people of this country are entitled to know how their tax moneys are being spent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. COLLIER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 55, strike out lines 22 and 23 and insert: "and for each of the two succeeding fiscal years."

Mr. GOODELL. Mr. Chairman, unless there are questions or comments, I shall not take the full time allotted to me in the offering of this amendment.

Mr. Chairman, this amendment would have a simple impact.

Title III would be held at its present level of $100 million for the next succeeding fiscal year. It would bar expansion of title III, as proposed, to $575 million in fiscal 1968, as well as to $150 million in fiscal 1967. I believe the amendment should be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 57, strike out everything following line 9.

Mr. GOODELL. Mr. Chairman, this amendment would strike the addition to present law, as offered in the committee bill by the gentleman from Michigan [Mr. O'HARA].

It strikes a section, if adopted, which would increase the powers of the Commissioner of Education with reference to title III projects.

Mr. Chairman, it proposes to strike the entire section which gives the Commissioner the authority to determine what overcrowding of schools is, or what unsafe schools are, or what obsolete schools are, and what a reasonable tax effort locally is.

Mr. Chairman, if adopted, my amendment strikes the authority and the obligation of the Commissioner to give special consideration to ratification for grants in areas of this nature.

Mr. Chairman, this is the section which the gentleman from Michigan [Mr. O'HARA] earlier amended down to eliminate the language about "racial imbalance."

Mr. Chairman, from the very outset many of us on this side were philosophically concerned, and in terms of the implementation of this act, primarily with the expansion of the authority granted to the Commissioner of Education in a broad field in title III.

And, of course, this is implementing the section by a boost in money to title III from $150 million this year to $575 million next year, a very sizable boost of 3½ times.

Mr. Chairman, obviously there are great plans for this particular section of the bill in fiscal 1968 that requires such a boost in the amount of money authorized.

Mr. Chairman, I would hope that we could strike the "O'Hara section" entirely and limit the Commissioner to the powers he now has, which powers are ample in themselves—in fact, excessive.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not use all of the time allotted to me, but I would call the attention of the Members to the existing act, Public Law 89-10, which is being amended further under the bill now pending before us.

Mr. Chairman, I would like to call the attention of the Members of the Committee of the Whole House on the State of the Union to page 57 of the bill now pending before us and, further, to call attention to the fact that the gentleman from New York [Mr. Goodell] has spoken several times on yesterday and today with reference to this section of the bill.

Mr. Chairman, the gentleman from New York [Mr. Goodell] has offered the amendment in several different ways, and it has been defeated upon each occasion. However, each time he has tried to leave the impression that this is a new section of the bill and one which stands all by itself.

This is not the situation.

Mr. Chairman, if the members of the Committee of the Whole House on the State of the Union will look at line 15, they will see set forth the general usage of Federal funds under title III which carries the increases in funds for title III that have heretofore been mentioned.

Mr. Chairman, we are directing the Commissioner, in the examination of applications for grants under title II, to give special consideration to those applications which come from local educational agencies which meet certain specifications and that he give special attention thereto.

If you read further, the bill says we are asking the Commissioner and directing him, as a matter of fact, that he must give special consideration to applications made by any local educational agency which is making a reasonable tax effort. That means a local educational agency which he finds to have already sought remedies to their problems by taxing their own constituents, but which is nevertheless unable to meet its critical educational needs, including preschool education.

We have hard Mr. Quie and Mr. Goodell both say that nothing could be holier than preschool education. And we are saying in this section that the kind of application that ought to get priority in a title III application is, first, the school district that has tried by local efforts to meet its needs and, second, in spite of that effort is unable to meet its needs, and third, is trying with this application to put a preschool program into effect.

In addition to that, we provide for a special consideration for a school district that is suffering from a lack of facilities, the facilities it has are obsolete and unsafe, and otherwise unsuitable for continued use as a school, and particularly for those school districts where we have overcrowded classrooms.

Now, every one of the purposes of this section have been advocated by both of the gentlemen who have been carrying on the minority side of this debate during the past 2 days.

What Mr. Goodell would do, would be to remove from this bill the principal improvements of the bill that would give special consideration to those districts without regard to the existence of poverty, or the nonexistence of poverty.

I yield to the gentleman from New York [Mr. Goodell].

Mr. GOODELL. I thank the gentleman for yielding.

In the first place, I would like to correct the record. This is the first amendment I have offered to this title. And none of the other amendments I have offered——

Mr. WILLIAM D. FORD. Let me apologize to the gentleman, because they have come so fast that I am not sure who offered them. But this is the fourth time that the same effect would have been accomplished by amendments offered by your side.

Mr. GOODELL. Will the gentleman yield?

Mr. WILLIAM D. FORD. I yield.

Mr. GOODELL. As far as I am aware, the only amendment that has been offered to the O'Hara section here are the two offered by Mr. O'Hara himself, one that changed this particular section, and the other that added the overall prohibiton against the use of funds for busing.

But let me say further to the gentleman that he raises the question of preschool and early school. Mr. Quie and I are obviously very much in favor of preschool and early school. We are not in favor of inserting it into every section and every law that comes to this House where it affects education or——

Mr. WILLIAM D. FORD. Mr. Chairman, I do not choose to yield further to the gentleman at this point if the gentleman's intention is to say that he is in favor of the preschool system only as a part of title I, and tied directly to the poverty children. I think the record should be abundantly clear that title I is not based on the same things as title III. The gentleman has spent all day here, and yesterday, trying to expand the preschool program in the poverty areas, and now the gentleman is speaking against a preschool program in a section of the bill that does not depend upon poverty as a condition precedent for eligibility.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GURNEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from New York [Mr. Goodell].

Mr. GOODELL. I thank the gentleman.

Mr. Chairman, the gentleman from Michigan who interrupted me, after yielding to me, prevented me from finishing my thought. I would just like to have the Record clear on this point.

We have a serious problem in implementing preschool and early school programs now, because you have them funded out of poverty money, and also out of education money. They are not properly coordinated.

We have ample evidence of the chaos and confusion that has been created by this administrative monstrosity.

With two different agencies in Washington spending funds entirely independently for different types of programs, with different standards for their preschool and early school programs, we tried in the poverty legislation to combine these two and we still want to combine them into a single program.

But when you are for preschool and early school programs, it does not mean that you want to put preschool and early school programs into every agency of the Government and have them all uncoordinated. What we would like to do is to put ample money into a single program, with single standards, that can be understood at the local level and administered effectively without waste and inefficiency in the process.

Second, if the gentleman is saying that we should spend money for Headstart preschool-type programs for youngsters who are not poor and for youngsters who are not deprived, when we have 1,100,000 youngsters who are deprived and who are poor reaching the age of 4 every year—I disagree absolutely.

I think the high priority should be for deprived youngsters. The high priority should be for the poor youngster and there are 1,100,000 of them reaching the age of 4 every single year.

The maximum we are going to reach under the poverty program and under this program as funded today is around 550,000 in a summer program. So that means you are going to reach, hopefully, about half of those in need for a short summer period.

We do want to give the first priority to the poor youngsters and to the deprived youngsters. I believe very much in the preschool programs for all youngsters but I do not believe that when we are appropriating Federal money we should give it to all the youngsters until we have taken care of the deprived youngsters.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Goodell].

The question was taken, and on a division (demanded by Mr. Goodell), there were—ayes 23, noes 52.

Mr. GOODELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. Goodell and Mr. Perkins as tellers.

The Committee again divided, and the tellers reported that there were—ayes 40, noes 89.

So the amendment was rejected.

Mr. POWELL. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. POWELL. I should like to ask the gentleman from Minnesota whether we can agree to close all debate at 7 o'clock.

Mr. QUIE. If the gentleman will yield——

Mr. POWELL. I yield to the gentleman from Minnesota.

Mr. QUIE. I would prefer that we finish consideration of the amendments that the gentleman from New York [Mr.

Goodell] and I are offering earlier than that, so that some of the Members who are not on the committee will have an opportunity to offer amendments. I feel embarrassed that the committee members should take all the time on amendments, not permitting time for others. I should like to confer with my colleague.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. GOODELL. Each of us has only one more quick amendment of this type.

Mr. POWELL. Did the gentleman say "fairly queek"?

Mr. GOODELL. "Fairly queek" and quick. In my own instance I doubt that I would take the full 5 minutes. We could dispose of those amendments and give an opportunity to those who are not on the committee to offer other amendments. I think we will probably finish before 7 o'clock.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Quie: On page 56, after line 22, insert:
>
> "REQUIREMENT FOR STATE PLAN
>
> "Sec. 133. Section 304 of such Act is amended by—
>
> "(a) striking out the sentence of subsection (a) beginning 'Such grants may be made' and inserting in lieu thereof 'Such grants may be made by the State educational agency in accordance with a State plan approved by the Commissioner for carrying out the purposes of this title.';
>
> "(b) striking out of subsection (a) 'Such applications shall—' and inserting in lieu thereof 'Such State plan shall—';
>
> "(c) striking out 'Commissioner' each time it appears in subsection (b) and inserting in lieu thereof 'State educational agency';
>
> "(d) striking out 'his' in paragraph (6) of subsection (a) and inserting in lieu thereof 'its';
>
> "(e) striking out 'applications', 'application', and 'an application' each time they appear in subsection (b), and by inserting in lieu thereof, respectively, 'State plans', 'State plan', and 'a State plan';
>
> "(f) striking out paragraph (4) of subsection (b).
>
> "Sec. 134. Section 305(a) is amended to read as follows:
>
> "'(a) From the amounts apportioned to each State under section 302 the Commissioner shall pay to the State educational agency of each State an amount equal to the total sums expended by applicants to carry out the purposes set forth in applications approved in accordance with the State plan.'"
>
> Renumber the remaining sections accordingly.

Mr. QUIE (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? Without objection, it is so ordered.

There was no objection.

Mr. QUIE. Mr. Chairman, the reason why I made the unanimous-consent request is that the remainder of the amendment is that it is just conforming. What my amendment would do is to provide for State plans in title III.

I have received recommendations, especially from State commissioners of education. They wish to have a voice in developing the projects in title III.

The way it is now, all the State can do is to recommend whether a proposal requested under title III meets with their approval. Some of those 27 in number that have been approved by the U.S. Commissioner have not been recommended by the State. For the most part they have been recommended by the State. Only 40 percent of those, however, recommended by the State have finally received approval by the Commissioner.

I believe the arguments for this amendment are compelling. It would permit the State education agency to exercise proper legal control over the operation of the public school system. It would plan effective use of the funds to coordinate the centers with the other educational programs of the State.

The only reason I can see for having the concentration of power in the U.S. Commissioner of Education, as presently is the case, is his attempt to coordinate the local supplemental centers with the federally established regional centers under title IV. I believe, if this is desired, it could easily be accomplished by the U.S. Commissioner of Education dealing with the State departments of education.

The desirable innovations in education I believe should be tested on a statewide basis. As a result, that would give the kind of strength to the State departments of education that we desire by the expenditure of money under title V of the act, which Republicans have supported.

We have heard from State administrators in various parts of the country. I cite as an example Superintendent Donovan of New York City and Superintendent Allen of New York State, who testified that the program would be administered better at the State level. As they both said, it is closer to Albany than to Washington. I know in Minnesota it is a lot closer to St. Paul than to Washington.

For this reason, I believe this would be an effective amendment and we ought to adopt it.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to my colleague from Minnesota.

Mr. MacGREGOR. I have been in communication both personally and by letter with some 20 school superintendents and assistants in my district. Four of them mentioned the subject matter of the gentleman's current amendment as the most pressing need in improving and revising Public Law 89-10.

I strongly support the amendment offered by the gentleman from Minnesota [Mr. Quie].

Mr. QUIE. In closing, Mr. Chairman, let me say we have suggested numerous amendments this afternoon. This is the last amendment I will offer to title I. I believe this is the most important amendment I have offered this afternoon, because it would enable the States to assume responsibility for title III which they must assume if title III is to be used effectively, especially since the House has decided to keep the O'Hara amendment.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman.

Mr. Chairman, on page 22 of House Report 1814, on H.R. 13161, there is criticism of section 118.11 of HEW regulations on title III, concerning participation of non-public-school children in supplementary centers and services. The regulation provides that subject to local determination by the local public educational agency:

> Supplementary education services * * * shall be provided on publicly controlled premises, but also such services may be provided on nonprofit private school premises if such action is indicated to assure the success of the projects or the effective participation in such services or activities by children enrolled in nonprofit private schools * * *.

The report erroneously indicates that the regulation is incompatible with congressional intention and inherently contradictory.

Both statements are in error. There is no contradiction. All the regulation provides in very simple English is that on the basis of local determinations, supplementary educational services may be provided on publicly controlled premises but also on those of nonprofit private schools if it will assure success of the project. What could be simpler—or clearer?

The regulation also is wholly consistent with the declaration of the Congress in 1965. Report No. 143 on the Elementary and Secondary Education Act of 1965, March 8, 1965, made clear the congressional intention when it stated on page 17:

> It is intended that the local public education agency through its preserved autonomy over local school matters will have wide latitude in fashioning programs of direct benefit and advantage to elementary and secondary school pupils regardless of whether they are enrolled in public schools.

These sentences are in context with other paragraphs which make clear opportunity to offer a diverse range of educational experience including making available special equipment or specially qualified personnel, such as artists or musicians on a temporary basis to public and other nonprofit schools, organizations, and institutions.

It goes on to say:

> Title III could provide for the establishment of instructional materials centers in our cities and states for the purpose of furnishing modern instructional equipment and materials to the schools in those areas * * *.

All this means is that the local public educational agency is free to determine the best method of bringing the supplementary services to the children regardless of their school enrollment.

If the regulations were altered to preclude sending an orchestra or other enriching element to the children in private schools, it would be widely at variance with declared congressional intention—and at the same time educationally awkward and restrictive.

These services are not contributions to institutions—but to children.

Mr. BRADEMAS. Mr. Chairman, I agree completely with the gentleman from Minnesota that it is important the States have a voice in the title III programs.

I would draw to the gentleman's attention page 98 of the report, in which the language of the present act is to be found. He will notice that one of the requirements for applications to be approved by the Commissioner is that the application has been submitted for review and recommendation to the State educational agency.

So, in point of fact, the States do participate in the shaping of these programs, and they are afforded a full opportunity to make their views known.

The gentleman from Minnesota knows, I believe, that he and I are in agreement on the importance of strengthening State departments of education. Indeed, I was the one in our committee, when this bill was first written, who offered an amendment to raise the authorization originally recommended in title V, because I felt so strongly about the importance of strong State departments of education.

There is another reason why the gentleman's amendment would be unwise and it is that all the State departments of education in our country are not as strong as is the State department of education in the State of New York.

The fact is that many of them are not as well staffed, let us say, as the department in New York State is to be able effectively to exercise a final veto of title III programs.

There is another reason why I oppose the gentleman's amendment. It is that this title III program is one that so far has worked very well indeed. There have been practically no complaints. The gentleman cited one, and I have agreed with him on it and expressed a judgment as to why I think it came from the State of New York. I think the gentleman would be interested to know that the Office of Education has funded only 27 projects which were not recommended by the States, which represent about 1 percent of the 2,700 title III applications in the United States.

Mr. QUIE. Mr. Chairman, will the gentleman yield there?

Mr. BRADEMAS. Yes. I yield to the gentleman.

Mr. QUIE. The gentleman's remarks may give the wrong impression. I think it amounts to 2.5 percent. Not that it makes a great deal of difference. It is 2.5 percent; that is, of the 1,030 centers approved.

Mr. BRADEMAS. I do not want to go to conference on the figures with the gentleman, but these are the figures that the Department of Health, Education, and Welfare has given me, and I can say that it is a modest percentage.

Mr. QUIE. Just run the arithmetic through your head once, if you will.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. Yes. I yield to the gentleman.

Mr. GOODELL. It is apparently the same department that gave Mr. O'Hara the erroneous information that none of the programs that had been disapproved by States had been funded. This I hope is the accurate figure, but at any rate it is the figure that I have.

Mr. BRADEMAS. The final point I would make in opposition to this amendment is a very simple one. It is the one that I have made in opposition to a number of amendments on the other side. Once again an effort is being made apparently to diminish and erode and weaken the initiative of the local school districts. That is another reason I urge defeat of the amendment.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

I just wanted to point out, Mr. Chairman, that some States I understand now have State laws prohibiting a local school system from complying with the antidiscrimination requirements associated with obtaining Federal grants under this act. To require State approval before a school district could have an application approved would be to permit such laws to operate so as to exclude all districts in that State from the benefits of the act.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. QUIE. I do not understand the gentleman's objection when title I already requires State approval. There seems to be no constitutional or statutory complication there in the State.

Mr. O'HARA of Michigan. I think if the State statutes to which I have referred had been enacted before we acted in committee on title I, we would have been wise to adopt some different provision on that. I certainly do not want to make all title III grants subject to State approval when I know that there are States that have specifically forbidden their school districts from qualifying for title III assistance. I do not want to see that kind of an action succeed, and I am sure the gentleman does not. Therefore, I hope the amendment will be defeated.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. QUIE. I would like to speak to the question of whether we are taking authority away from the local school districts, which has been their right, to determine the local educational system. One must understand the education systems in the States. Local school districts exist because the States permit them to exist. We have State systems of education in the country and the State legislature has the final say. The State can change the local school district, as we have seen. In some of the States, when they wanted to move from the small school districts to large ones, they went to the county system of school districts. Each county has a school district. To give the authority to the State strengthens the responsibility of the people in the local community, because they then can coordinate the effort from one school district to the other, and we see these efforts going on in many of the States. I know in my own State when we had large numbers of small districts we had to go through a consolidation and coordination program to bring them down to a consolidated area. The State was involved in bringing this about. This plays into the hands of more responsibility on the part of the States with this amendment. Either the State does it or the Commissioner of Education and I have more confidence in each State.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. Quie].

The question was taken; and on a division (demanded by Mr. Goodell) there were—ayes 29, noes 51.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Goodell: On page 57, after line 9, insert:

"APPROVAL BY STATE EDUCATIONAL AGENCY

"Sec. 134. Section 304(b) (4) of such Act is amended by striking out 'has been submitted for review and recommendations to the State educational agency' and inserting in lieu thereof 'has been approved by the State educational agency'."

Renumber the remaining section accordingly.

Mr. GOODELL. Mr. Chairman, the previous amendment which was offered by the gentleman from Minnesota [Mr. Quie] would have given the States considerable option in developing their own programs.

Mr. Chairman, this amendment is simpler than that. It requires, in title III with reference to supplementary centers, that the proposals be submitted to the State educational agency for review and recommendation.

Mr. Chairman, as has been indicated, in at least 27 of the cases that have been funded so far, the States having recommended against a program, the Commissioner has approved them.

This does not point up the other cases that are much greater in scope and frequency, cases where the State recommended programs that the Commissioner did not approve.

In any event, Mr. Chairman, the purpose of my amendment, if adopted, would simply require, under title III, that these programs be approved by the State educational agency and not just submitted to the State for recommendation.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Goodell].

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 20, noes 49.

So the amendment was rejected.

Mr. GOODELL. Mr. Chairman, I move to strike out the last word.

I just want to say we are not holding the Members here and offering an amendment several times. That was the first time that amendment has been offered, or anything similar to it. This is an act of earnestness and sincerity on our part. We believe this program should be redirected, and we are not offering repetitive amendments. We have not offered repetitive amendments.

Mr. Chairman, I yield back the balance of my time.

Mr. BUCHANAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to call to the attention of the Committee, the New York States Supreme Court ruling, in August, voiding the law requiring public schools to lend textbooks to non-public-school pupils, and ruling that financial help to a pupil is in fact the same as financial help to the school.

This casts a serious question on the child benefit theory which I think the Committee ought to take under advisement.

I understand in this bill there is no direct aid for any sectarian school. There is, however, provision, for example, for a public teacher to instruct a special class in such a private school, or for a library service such as "lending" textbooks to the library of a private school for the use of the students there, or other services not offered by the private school itself. For example, there could be a mobile science lab that goes to the private school.

I call, therefore, to the attention of the Committee the fact that a question has been raised about the validity of the child benefit theory by a State supreme court. And, second, that there have been questions raised about the implementation of this act to date by some of the very religious leaders who raised no objection to the passage of the act in the first place.

For example, in the colloquy last year the Baptist Joint Committee on Public Affairs' position was brought out by the chairman of the full committee, indicating from this that the Baptists of this country approved the act. I challenged that statement then, as I would now. But it is true that the Baptists' joint committee raised no clear objection to the act itself. They have, however, this year, raised a question about its implementation by the Commissioner. The record of that body's positions and actions in this connection to date is recounted in the following staff report:

A SUMMARY AND BACKGROUND REPORT TO THE BAPTIST JOINT COMMITTEE ON PUBLIC AFFAIRS ON ITS INVOLVEMENT IN THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

(Staff report from the office of the Baptist Joint Committee on Public Affairs, Washington, D.C., Sept. 21, 1966)

TESTIMONY, 1965 AND 1966

The Baptist Joint Committee was not totally unprepared for the educational whirlwind that hit the 89th Congress in its opening months. Following the 1964 elections it became clear that a major effort for education legislation would be made early in the next session of Congress. Dr. Carlson spent a large part of the month of December 1964 working up a Staff Report on "Education Prospects in the 89th Congress." A review of this Staff Report, issued January 4, 1965, reveals clear discernment about the prospects for education in the 89th Congress. All evidence pointed to the conclusion that an education bill would be enacted at this first session of the 89th Congress.

Realizing the emergency nature of the situation, a meeting of the Executive Committee of the Baptist Joint Committee was held on January 6, 1965. Dr. Walter Pope Binns was the chairman of the Committee. At this meeting the following principles were agreed upon for guidance of the staff:

1. Shared Time, or dual enrollment as it is now called, is a concept that needs to be experimented with, but it needs to be watched carefully.
2. The child benefit theory is valid, provided it is within limitations.
3. Community centers or educational institutes should provide resources for enrichment for the people of the whole community.

The minutes of the Executive Committee state: "It was also agreed that the staff should be authorized to express these positions as assistance to those drafting legislation, in testimony before congressional committees, and in releases to leaders among the Baptist constituency and other denominations."

The basic positions on the various provisions of the Elementary and Secondary Education Act of 1965 (ESEA) taken by the Baptist Joint Committee and its staff are seen in testimony by its executive director before the General Subcommittee on Education of the House Committee on Education and Labor on January 28, 1965. A few days later on February 2 he appeared before the Subcommittee on Education of the Senate Labor and Public Welfare Committee.

The approach to federal aid to education embodied in H.R. 2361, H.R. 2362, and S. 370 were so different from the traditional approaches, that Dr. Carlson urged upon both the House and the Senate "the importance of taking time enough so that communication, deliberation and understanding can take place." But Congress and the Administration were in such a hurry that the bill was introduced, hearings held, actions in both houses of Congress completed, and signed into law by the President on April 11, 1965, in less than three and one-half months.

In his testimony before the House Committee Dr. Carlson pointed out several church-state weaknesses in the Administration's bill, and made constructive suggestions for correction of these shortcomings.

He enunciated the principle of channeling public funds through public agencies for public purposes.

On dual enrollment (parochial children taking part of their instruction in public schools) Dr. Carlson said: "'Dual enrollment' can well be defended as the right of all children to the programs offered in the public schools, and, in this instance, to programs financed by Federal funds properly distributed through public channels to the public school districts and carried out in public facilities."

He warned against using a concept of "mobile educational services" that might be administered in such a way as to make the services of public personnel and materials "a part of the church program." Likewise, he warned against provisions in community action programs that would give private agencies veto power over public programs.

For the provision of textbooks and teaching aids for pupils in private schools, Dr. Carlson strongly urged the public library concept. Specifically he said, "If a State library system is needed, it would not be difficult to make it clearly a public library geared to the needs of the populations involved. Equitable policies of administration would be needed, but there need be no problems of 'allocation' if the materials are for the person and not for the institution. No religious institutions would acquire property at public expense, and no public funds would be used to meet institutional program needs. The State could keep complete control of the spending of the funds, the ownership of the property and the terms on which personal use is made of it. Furthermore, there would be no religious issues raised because the materials are public school materials. And, best of all, there would be no eroded confidence resulting from charges of evading the law."

Dr. Carlson further urged that the proposed supplementary educational centers and services "be under responsibile public guidance."

A year later (March 7–30 in the House and April 1–22 in the Senate) hearings were held involving the extension of, and amendments to, the Elementary and Secondary Education Act of 1966. Although the Baptist Joint Committee's executive director did not testify before the House General Subcommittee on Education, an exchange of telephone conversations and letters between Dr. Carlson and Congressman PERKINS, committee chairman, did take place.

Dr. Carlson made it clear that he was not satisfied with the manner in which the ESEA had been administered the first year as far as the practice of church-state relations was concerned. His view was that the Office of Education was not administering the Act according to the intent of Congress. Congressman PERKINS responded by asking for specific evidence that the charges were true.

At the time of the hearings it was too early for either the government or private agencies to have an adequate survey and report of the actual practice in the administration of the ESEA in the various states. However, the staff of the Baptist Joint Committee, along with other private agencies, undertook to make a limited survey and to report later their findings to the Congressional committees involved. The findings of the survey by the Baptist Joint Committee will be reviewed later in this Staff Report.

In a statement filed May 10, 1966 with the Subcommittee on Edvcation of the Senate Committee on Labor and Public Welfare, Dr. Carlson opposed a four-year extension of the ESEA and asked for an annual congressional review of the administration of the Act. He presented to the Senate committee the resolution on the ESEA approved by the Baptist Joint Committee in its March 1966 meeting along with the tentative report of the survey of practices in 15 states. (A summary of both of these items will be found later in this Staff Report.)

In his pleas for only a one-year extension of the ESEA Dr. Carlson said: "An additional year of development will serve to provide enough actual experience with the Act to make more thorough and representative local evaluations possible. The Act has been indicted at a number of important points. These cannot be evaluated until local practice is fully established and until regulations and guidelines have been improved on the basis of experience."

TENTATIVE RESULTS OF SURVEY

Following the hearings in the House and prior to the hearings in the Senate on the "Elementary and Secondary Amendments Act of 1966" the Baptist Joint Committee staff made a survey of 15 states, inquiring about the church-state practices in the administration of the ESEA. Dr. Walfred H. Peterson, director of research for the Committee, made a report of his findings in a paper entitled, "Some Data on the Elementary and Secondary Education Act."

In his introductory remarks Dr. Peterson said: "What follows is a statement of some tentative results of field studies and brief field reports on the operation of Title II, the library resources title, of the ESEA. 'Tentative' is underlined, because only 13 state studies and reports, which vary greatly in thoroughness, are in hand. . . . This provides enough material to yield only trial conclusions and impressions which must be further tested against additional and more complete state studies.".

Dr. Peterson then expressed five tentative impressions as a result, of his study.

First, there is much evidence that the purpose and pattern of Title II of the Elementary and Secondary Education Act is widely misunderstood. The purpose is to provide library resources for pupils and teachers of all schools. Some communities are using the funds for building up the libraries of private schools.

Second, there is some indication that administrative practices being developed do not operate to implement the public library pattern.

Third, three reports show that in some measure state administrative problems may relate to the inadequacy of Office of Education directives.

Fourth, there appears to be developing a practice of dividing up materials between pupils in public and private schools on a per capita basis.

Fifth, it is likely that non-circulating materials such as encyclopedias will be placed on the shelves of private school libraries.

Dr. Peterson concluded, "Unfortunately, the early indications are not encouraging to those who put a clear separation of church and state high on their list of values. The early indications seem to show that the Office of Education does not give decisive guidance to the states and localities, and the states and localities do not carefully review the church-state theory on which the Act passed. As a result some of the press and the public think of the Act as incorporating grants to church-controlled elementary and secondary schools."

ACTIONS OF BAPTIST JOINT COMMITTEE

At its March 1965 meeting the Baptist Joint Committee discussed at length the Elementary and Secondary Education Act that was currently before Congress. The minutes of the Executive Committee of January 6, including the positions of the Executive Committee and the activity of the staff on the ESEA were thoroughly reviewed. There was a consensus giving approval to both. When the Baptist Joint Committee met in October 1965 the ESEA had been enacted into law, but the administrative principles being worked out by the Office of Education had not yet crystallized.

However, by the time the Baptist Joint Committee met for its March 1966 session, the ESEA had been in operation almost a year and Congress was considering amendments to the Act and a proposed four-year extension. Dr. Carlson reported to the Committee that "some difficult problems had developed in the administrative regulation and guideline procedures." He asked for guidance from the Committee before presenting testimony at the hearings. He reported: "A look at the regulations and guidelines shows that the intent of Congress, as stated in the House and Senate reports and from our reading of the law, has been significantly violated." A nine-page Staff Report reviewed the "Church-State Issues Related to the Implementation of the Elementary and Secondary Education Act."

As a result of the report of the staff to the Baptist Joint Committee and the ensuing discussion, the Committee adopted the following resolution:

"RESOLUTION CONCERNING THE ELEMENTARY AND SECONDARY EDUCATION ACT AND ITS ADMINISTRATION

"While the Baptist Joint Committee on Public Affairs has never taken a stand on the 'child benefit' theory related to the First Amendment, the Joint Committee assumes that constitutional soundness of parts of the Elementary and Secondary Education Act is determined by the manner in which these parts of its provisions square with that theory. The Joint Committee noted the care used by the House and Senate 'Reports' in explaining several provisions of the Act in terms of that theory. In light of the floor debates on the Elementary and Secondary Education Act, we believe that the Congress passed the law because it believed the 'child benefit' theory had been properly regarded in the drafting process at critical points.

"The Baptist Joint Committee has been disappointed that the regulations and guidelines of the Office of Education do not show the same careful regard for implementing certain sections of the Act according to the limits of the 'child benefit' theory. We recognize that there is difficulty involved in properly administering this pioneering Act, and, therefore, we have exercised caution in the complaint just voiced. However, we note a pattern in the regulations and guidelines which defines the scope of some federal aids so that they become benefits to non-public schools. The effect is to violate the 'child benefit' theory as it has been developed by the courts and as it was expressed in the House and Senate 'Reports.'

"We cite some examples of problem areas:

"The definitions in regulations for Title I of 'special educational services and arrangements' and of 'mobile educational services and equipment' we feel differ from the explanation of these provisions in the 'Reports' and in floor debate. The difference would be toward aiding non-public schools.

"The impact of the Guidelines and of administrative practice for Title II would violate the public library ideal that inspired that title. We think the placing of materials for very extended periods of time in non-public school libraries when some of those materials do not circulate and when all of those materials are not catalogued for readily available public reference violates the intent of Congress and constitutes an improper aid to those schools.

"The definition of 'dual enrollment' in the regulations for Title III turns that term into 'shared use of public facilities.' We think the qualification 'under public auspices' will not be very meaningful in the actual experience of many localities. The Regulation, which is intended to describe the use of Title III services for public and non-public school students, is contradictory and offers no meaningful check on the use of those services on non-public school premises.

"In sum, the possible aids the Act provided for students and teachers in non-public schools are stretched at several points. The final effect is to do more than the 'child benefit' theory would reasonably allow.

"We do not think that administrative efficiency or convenience or financial economies warrant this violation of what we think is the meaning of the establishment clause.

"The Baptist Joint Committee on Public Affairs calls attention to these issues in the confidence that the General Subcommittee on Education will exercise strict legislative review of the rules and practices of the Office of Education in light of the original intent of Congress. Given the unsatisfactory nature of the administrative interpretation of the Act, we think that an annual Congressional review is still needed. We oppose a four-year extension of the authorizations for the Act until these administrative problems have been solved.

"We also urge the appropriate agencies of the Baptist Conventions to engage themselves in the local and state educational problems in an effort to achieve the needed extension of public education without violation of the Constitutional principle involved."

Another voice of caution raised this year was that of John J. Adams, associate director and legal counsel of Americans United, in testimony before the Senate Education Subcommittee of the Committee on Labor and Public Welfare this year. I include his statement herewith, noting that it was made before the New York State Supreme Court ruling to which I earlier referred:

STATEMENT ON S. 3046 OF JOHN ADAMS, ASSOCIATE DIRECTOR AND LEGAL COUNSEL OF AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE, BEFORE THE EDUCATION SUBCOMMITTEE OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

My name is John J. Adams. I am Associate Director and legal counsel of Americans United for Separation of Church and State, an organization which, under its charter, has as its only concern the preservation of separation of church and state as derived from the First Amendment to the Constitution of the United States and constitutions of the several states.

Because of serious church-state questions existing under Public Law 89–10, which S. 3046 seeks to extend for four years, this organization urges that (i) only a one year extension be recommended by this Subcommittee and (ii) an extensive investigation and study of Titles I, II and III of Public Law 89–10 be undertaken to ensure that in the administration of this law church-state violations are avoided.

With less than one year of administration of Public Law 89–10, widespread concern exists among many groups over the present implementation of the Elementary and Secondary Education Act of 1965. Central to the enactment of this Act was the "child benefit" theory. This concept avers that the state may extend certain welfare aids *to the students* attending church-related schools without violating the strictures of the First Amendment.

Reconciliation of this concept, however, with the United States Supreme Court's prohibition in the *Everson* case of 1947 against aid to "an institution which teaches the tenets and faith of any church" is not always easy.[1] The difficulty may be best illustrated by reference to one provision included within the Elementary and Secondary Education Act of 1965. Title II of this Act, provides for grants for the acquisition of "school library resources, textbooks, and other printed and published instructional materials" for the use of children and teachers in public and private elementary and secondary schools. Such use is to be on a loan basis.

The loan of textbooks to students in those private schools which are church-related is said by some to have constitutional precedent in *Cochran* v. *Louisiana State Board of Education*, 281 U.S. 370 (1930). There the Supreme Court upheld a Louisiana statute permitting the loan of texbooks to parochial school children. However, as the Court had not as yet applied to the states through the 14th Amendment the establishment clause of the First Amendment, the constitutionality of that texbook loan law was decided only on the narrow ground that it did not violate the 14th Amendment's protection against the taking of private property for private use. In short, *Cochran* was not a First Amendment case.

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[1] *Everson* v. *Board of Education,* 330 U.S. 1, 8–9, (1947).

Nevertheless, its rationale is illustrative of the severe limitations of the "child benefit" theory when tested against the *Everson* prohibition against aid to sectarian schools. In a three-page opinion, without any lengthy and scholarly discussion of the religious issue as was done 17 years later in *Everson*, the Supreme Court quoted from the Louisiana State Supreme Court opinion the following passage:

"The schools . . . are *not the beneficiaries* of these appropriations. They obtain *nothing* from them, nor are they *relieved* of a single obligation because of them." Id. at 374 (emphasis added).

The *Cochran* case mentions nothing about library resources, which are provided for along with textbooks in the 1965 federal education law. Clearly, stocking a parochial school library through books purportedly loaned to students would directly aid the institution. Contrary to the finding in the *Cochran* case, with respect to textbooks previously purchased by students, furnishing dictionaries, encyclopedias, reference books, maps, the complete works of William Shakespeare, as well as the works of Thoreau and Emerson, for the use of students in a parochial school library would, in the words of the *Cochran* case, "relieve" parochial schools of this present institutional obligation. Certainly no pupil has ever been required in a parochial school to provide his own library.

Hence, absent a strict adherence to the "loan" to students concept embodied in the 1965 educational Act, unconstitutional aid to religious institutions is certain to occur. With this in mind, the regulations of the Office of Education promulgated under this Act become crucial.

Section 117.5 of the regulations of the Office of Education incorporates language of the Act in an attempt to ensure that the funds appropriated will not inure to the benefit of any private institution, while at the same time making the materials purchased available for the use of children and teachers in all schools.

In this vein the regulations provide that (1) the library resources, textbooks, and other instructional materials are "to be made available to children and teachers and not to institutions"; (2) such materials are to be made available only on a "loan basis"; (3) title and administrative control over such materials must remain in public authorities; (4) all materials "must be that approved for use by public school authorities in the State"; and (5) the materials provided must not "supplant those being provided children but must supplement library resources, textbooks, and other instructional materials."

However, not mentioned anywhere in the regulations is the concept of a "central library system" stressed in the Report of this Committee.

In its report this Committee suggested that the State plans implementing this Title might seek "to utilize or establish a central public depository within a school district or within an area to serve more than one school district from which all elementary and secondary schoolchildren and teachers could 'check out' library resources, textbooks, and other instructional materials." Senate Report No. 146, p. 23. The Report further indicated that such procedures "would assure the state authority an appropriate accounting for the use of the material and its proper return for reassignment." *Ibid.*

The Committee Report further states, "with the strict conditions which have been imposed by the committee on the operation of Title II, in principle, its operation would not be different from the conduct of a public library program which makes available on a loan basis library materials, unrestricted as to content, to both public and private school students." *Id.* at 24.

Not only do the Office of Education regulations fail to mention this central or public library concept, they, in fact, seemingly attempt to discourage such a concept directly counter to the intent expressed in the Senate Report. Section 117.4(d) specifically provides, "The State plan shall contain an assurance that Federal funds made available to the State under Title II of the Act will not be used to supplant or duplicate functions of the public library system of the State."

Abandonment of the "central library concept" has, on the basis of present indications, resulted in library resources being placed in parochial schools on a "permanent loan" basis. Save for perfunctory inventory procedures, required by state agencies, such loaned library resources have for all intents and purposes become part of the library resources of parochial schools. The control over the use of the library resources is wholly subject to the rules and regulations of each parochial school, not public authorities as envisioned by the Act or the Regulations. For example, "the Official Policies and Guidelines Governing the Administration of Title II", prepared by the Texas Education Agency and approved in 1965 by the United States Office of Education, provides as follows:

"The procedure followed in making loans to pupils and teachers in non-public schools should permit the use of these materials on a comparable basis and under the same policies which are normally followed in their school building for materials purchased with private school funds." (Emphasis supplied.)

It is respectfully submitted that such abdication of public control over the use of library resources purchased with federal funds was not contemplated by this Subcommittee nor by the Congress when it enacted Public Law 89–10. Section 205 of the Act clearly states in respect to library resources that "the control and administration of their use, shall vest only in a public agency."

CONCLUSION

Similar church-state problems exist in the administration of Titles I and III of Public Law 89–10. As other witnesses before this Subcommittee either have or will testify to these problems, they need not be reiterated at this time. However, because of the concerns expressed, it is respectfully urged that before this Subcommittee extends the authorization of this Act for four more years, this Subcommittee should undertake a thorough examination of the law as presently administered to ensure that the First Amendment principles respecting church-state separation are being strictly observed.

Thank you.

Mr. Chairman, the committee ought to take under advisement the doubts raised concerning the validity of the child-benefit theory by the New York decision, and the questions raised concerning Commissioner Howe's implementation of the act, as to whether the Commissioner is staying within the guidelines provided him by the legislation as passed by the Congress, and within what the Congress has interpreted as the constitutional bounds of the child-benefit theory. The expansion of present programs in this area, without careful review and reconsideration seems extremely unwise. Their very continuation may well be halted by court rulings on first amendment grounds.

AMENDMENT OFFERED BY MR. FOUNTAIN

Mr. FOUNTAIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOUNTAIN: On page 63, after line 9, insert the following:

"PART G. COMPLIANCE WITH SECTION 602 OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

"SEC. 171. The Commissioner of Education shall not defer action or order action deferred on any application by local educational agencies for funds authorized to be appropriated by this Act or by any Act amended by this Act on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act of 1964 unless and until, as provided by section 602 of title VI, there has been an express finding on the record, after opportunity for a hearing, that such local educational agency has failed to comply with the provisions of title VI."

And on line 10, strike out "G" and insert "H", and on line 11, strike out "171" and insert "181".

Mr. FOUNTAIN. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Chairman and Members of the House, this amendment means simply what it says. It means that just as local and State school authorities are required to comply with title VI of the Civil Rights Act so must Commissioner Howe, the Commissioner of Education comply with title VI.

As we all know, programs authorized under the Elementary and Secondary Education Act are subject to the provisions of title VI of the Civil Rights Act of 1964.

Title VI forbids racial discrimination in programs for activities receiving Federal financial assistance.

I think it might be appropriate that I read the pertinent portion of section 602 of title VI so that there will be no misunderstanding as to just what it does require.

I read as follows:

> Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement.
>
> *Provided, however,* That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means.
>
> In the case of any action taken terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action.
>
> No such action shall become effective until thirty days have elapsed after the filing of such report.

That means action terminating or refusing to grant or to continue assistance. That is the action to which this provision has reference.

As I recall, when this act passed there were many Members of this body who opposed the enactment of title VI because they were sincerely and deeply concerned that administrative officials might misuse it to arbitrarily and unjustifiably deny Federal funds to local governmental units which were not engaging in discriminatory practices. Congress recognized this concern by including specific provisions in title VI to prevent denial of Federal funds without due process of the law. The provisions, which are contained in section 602 of title VI, allow a Federal agency to terminate or refuse to grant Federal financial assistance to local governmental units only after there has been an express finding, after opportunity for a hearing, of a failure to comply with the nondiscrimination requirements of title VI. Section 602 further provides that no action to terminate or refuse to grant Federal assistance shall become effective until 30 days after a full written report of the circumstances and ground for such action has been filed with the appropriate committees of the House and Senate.

The Supreme Court has ruled that schools must be desegregated. Whether they agree with that decision or not, the overwhelming majority of the school officials and citizens of the South are complying with it. In most cases, southern school districts have complied by adopting and carrying out a "free choice" plan under which each student—or his parents—decides for himself which school he will attend. The Federal courts have repeatedly held that such a plan, if carried out in good faith, fufills legal requirements for school desegregation. The courts have made it clear that, so long as a truly free choice is offered, the amount of actual integration resulting from the choices of students does not matter.

In theory, the Commissioner of Education purports to follow court rulings by recognizing free-choice plans as an acceptable method of desegregating previously segregated school systems. In practice, however, the Commissioner has not been willing to abide by court rulings. Instead, he has demonstrated by his conduct that he is unwilling to accept free-choice plans unless they result in the amount of actual integration he wants.

In any proper legal proceeding, in view of Federal court rulings, it is extremely unlikely that an otherwise valid free-choice plan would be found to violate the requirements of title VI simply because it did not result in a large enough amount of actual integration to satisfy the Commissioner of Education. But this has not deterred Commissioner Howe from demanding—under threat of refusing Federal funds—that free-choice plans produce a percentage of actual integration sufficient to satisfy him, without regard to the wishes of the students concerned.

At least 70 school districts which are carrying out free-choice plans have been told by Commissioner Howe that they will be denied Federal funds for new programs unless and until they somehow force the transfer of more Negro students to predominantly white schools. Congress specifically provided, in section 602 of title VI, that Federal funds are not to be refused to any local school district unless and until there has been "an express finding on the record, after opportunity for a hearing, of a failure to comply" with the requirements of title VI. To the best of my knowledge, however, not a single one of the 70 or more districts which are presently being denied funds for new programs has been found, through the procedures required by section 602, to be engaging in discriminatory practices. Moreover, so far as I am aware, none of these districts has even been given an opportunity to defend itself at a hearing, as required by section 602.

Commissioner Howe piously contends that he is not actually "refusing to grant" funds for new programs to the school districts involved, since that would admittedly violate section 602. Instead, he says, he is merely "deferring" action indefinitely on applications for funds submitted by these districts. From the standpoint of the schools and students affected, of course, an indefinite "deferral" of action on an application for funds has exactly the same effect as a refusal. And no one knows this better than Commissioner Howe. His "deferral" action is a transparent attempt to evade the procedural safeguards established by Congress in section 602. If Commissioner Howe is allowed to get away with it, he will have succeeded in setting himself up as prosecutor, judge and jury and in deciding the issues without even allowing the defendant an opportunity for a trial.

Let me make it very clear that the school districts affected by Commissioner Howe's "deferral" orders have not refused to comply with the law. Every one of these districts, so far as I am aware, has taken steps to comply with the law by carrying out a free choice desegregation plan. I am not, of course, familiar with the circumstances involving all the school districts which have received "deferral" notices. I am familiar, however, with the situation in a number of North Carolina school districts which have received such notices. As far as these districts are concerned, it is my understanding that the Office of Education has no evidence whatever that the school officials have not acted in good faith to insure that students were given a free choice of schools. It is my further understanding that the Office of Education has not even received any complaints that these school officials have engaged in discriminatory practices. Instead, the deferral notices appear to be based on an examination by the Office of Education of reports filed by the school districts which did not show a sufficient number of Negro students in predominantly white schools to satisfy the Office of Education.

In my judgment, the "deferral notices" sent out by the Commissioner of Education are not going to result in more integration. School officials are willing to do what the law requires. They have demonstrated their willingness to carry out a good faith free-choice plan. But they are not willing to force Negro students to transfer to predominantly white schools—against their own wishes and the wishes of their parents—in order to comply with the arbitrary and illegal personal demands of the Commissioner of Education.

Unauthorized "deferral" action by Commissioner Howe may, however—if he is allowed to get away with it—have the effect of depriving needy children of the special educational assistance and adequate diets which Congress intended them to have.

In enacting title VI of the Civil Rights Act of 1964, Congress made it very clear that no local school district should be refused Federal financial assistance without due process of the law—so clear that the amendment I am offering should never have become necessary. However, Commissioner Howe has already defied the procedural safeguards of title VI by serving summary notice on at least 70 school districts that they will be denied Federal funds for new programs.

At the moment, Commissioner Howe's deferral notices affect only southern school districts. I hope, however, that my colleagues from other sections of the country will not make the mistake of regarding this as a southern problem. If Commissioner Howe is allowed to disregard due process of the law and attempt to exert personal control over schools in the South today, what will prevent him from doing the same thing in other sections of the country tomorrow?

My amendment does not change title VI in any way. It simply reaffirms and reasserts the clearly expressed intention of Congress that the nondiscrimination requirements of title VI shall be enforced in accordance with due process of the law. And it makes it unmistakably clear that the Commissioner of Education, as well as local and State school authorities must obey the law.

I see no logical reason why anyone, favoring title VI, should oppose this amendment.

Mr. ABBITT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Chairman, I wholeheartedly support the amendment offered by the gentleman from North Carolina [Mr. FOUNTAIN].

Many of us are alarmed about the action of the Commissioner of Education in his all-out effort to desegregate the public schools. If something is not done immediately, he is well on his way to wrecking public education. I am convinced that many officials connected with the Office of Education have very little interest in educating the youth of America but are more interested in integrating the children and the faculty.

For some time, I have been cooperating and working with other Congressmen from our general area of the Nation in trying to prevail upon Commissioner Howe to stop his harassment of the dedicated public school servants in our area. Last May, I along with several other southern Congressmen had a conference with Commissioner Howe and urged him to consider the educational values of our schools and not dwell so much on his so-called guidelines. It was pointed out cogently to him that if his present practices were kept up he would not only disrupt our schools but he would set back public education if indeed he did not wreck the public school system of our area. We were given assurance that his whole idea was to educate our children and not wreck our public schools.

We have seen an arrogant display by the Office of Education in an attempt to coerce and blackmail public school officials into submitting to guidelines far more stringent and objectionable than was ever contemplated by the Congress when the law was enacted.

On more than one occasion, these so-called teams representing the Office of Education have set up certain guidelines and requests to the school officials. Then when accepted by the school officials before the week was out, these agents of the Office of Education would call back and demand further concessions.

Howe and his cohorts are going too far, too fast, and far beyond that authorized in the law. Apparently Howe has set up his own set of rules and intends to make himself czar and political ruler over the public schools of America.

I know of one instance in which these so-called agents complained because the people in the county were getting along too well, had too much harmony and cooperation.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, before we can appropriately vote on this amendment I believe we have to know just what is being done and what change would be effectuated if the amendment offered by the gentleman from North Carolina were to be adopted.

Under the existing procedures of enforcement of title VI of the Civil Rights Act of 1964, if a school district fails or refuses to file an assurance of compliance with title VI, or if it files an assurance that is invalid on its face, or if the Commissioner of Education has reasonable grounds to believe that the assurance is not being carried out, then and only then may the Commissioner of Education defer the approval of the application from that school agency, and then only with respect to applications for new programs under which that district has not previously been funded.

If it is an old program, they will keep on getting the money. If the Commissioner of Education decides that they are not in compliance, he must keep on approving their applications, anyway, and keep them under the old program until he has gone through the hearing and appeal procedure provided under the Administrative Procedure Act.

However, with respect to a new application by a school agency under a program under which they have not been previously receiving help, the Commissioner, in accordance with the suggestions of the Attorney General of the United States, has adopted the procedure of deferring approval of that application and not sending the money to the school district if no assurance of compliance was given; if the assurance of compliance was invalid on its face; or if he has reasonable cause to believe that the assurance is not being executed.

Mr. Chairman, I think this is an eminently reasonable procedure. The change proposed by the gentleman from North Carolina is an attempt to direct that if a school district refused to file an assurance or filed an assurance that was invalid on its face or just plain defied the provisions of title VI of the Civil Rights Act, if it was an otherwise valid application for funds, the funds they sought would have to be granted. It would be up to the Secretary to hurry up then and try to get a hearing and make a determination so that he could stop the payments to the school district. I do not agree with the gentleman's interpretation of the Civil Rights Act. I do not think that his amendment would necessarily have that effect. But, of course, that is his intention. I think that the procedure that has been adopted is correct.

If no assurance is forthcoming or if it is invalid on its face or if there is reasonable cause to believe it is not being carried out, then we should hold up the approval of that application at least until an effort has been made to work the problem out so that the application can be approved. An application should not be approved until the Commissioner is satisfied that title VI will be complied with. I think that is the proper procedure. That is the procedure that is being followed now.

Mr. Chairman, I hope that the amendment will be rejected.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment.

The **CHAIRMAN.** The gentleman from Washington is recognized for 5 minutes.

Mr. MEEDS. Mr. Chairman, I yield to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I hold no brief for or against Dr. Howe, but I do hold a brief for the integrity of title VI of the Civil Rights Act of 1964. I want to be sure that there is no attempt made to emasculate title VI of the act of 1964, but I think that this amendment would seriously affect the operation of that title. For that reason, despite my high regard and affection for the gentleman from North Carolina, I, perforce, must object to this amendment. In addition thereto, the Committee on the Judiciary has a subcommittee which is about to stage a hearing on so-called guidelines and operations under title VI of the 1964 act. It would be well, I believe, to wait until that inquiry is made and findings are developed by that subcommittee before we tinker with title VI.

The amendment, if adopted, would forbid the Commissioner of Education from deferring action or ordering any deferral of action in any application for funds authorized or to be appropriated by the bill now under consideration. This means that a local school district, submitting a new application for funding a new program under title I of the Elementary and Secondary Education Act of 1965, could deliberately refuse to furnish with its application an assurance of nondiscrimination, as is required by the regulations approved by the President, and would, nonetheless, be entitled to favorable action on the application and to the payment of funds for the program.

Title VI of the Civil Rights Act of 1964 requires that the Federal administrator of any Federal financial assistance to State-operated programs refuse such assistance under appropriate regulations to any applicant not complying with the nondiscrimination requirements of that title.

Obviously, the administrator cannot refuse funds after they have been paid. Accordingly, to make the provisions of the act of Congress effective, the Attorney General has instructed the heads of the various agencies administering programs of financial assistance that they may, for a limited period, delay the paying of funds under new programs until an administrative determination can be had on allegations that the recipients are not complying with the requirements of title VI.

Such delay, however, is permitted under the Attorney General's instructions only when the agency has clear reason to believe that there is noncompliance. The most obvious type of such noncompliance would, of course, be the failure to file the written assurance of nondiscrimination that is required by the regulations approved by the President. Even then, however, this delay, or deferral, in the payment of funds would apply only to new programs and would have no effect on the payment of funds in continuing programs already approved.

I would like to point out that under the administrative procedures that Congress has written into title VI, and the regulations of HEW approved by the President, it takes an absolute minimum of 110 days from notice of administrative hearing for noncompliance with title VI to final termination of funds. This means that an application for a grant which is to be paid in a lump sum could be made in utter disregard of the requirements of title VI, could show on its face that it was made in violation of title VI, and the administrator would, nonetheless, be obliged, were this amendment to be adopted, to pay out funds in violation of the clear mandate of this Congress contained in section 601 of the 1964 act.

I would also point out that the amendment would affect only one Federal program and would introduce a lack of uniformity in procedural rules which could itself lead to confusion in the administration of title VI.

Before this House adopts a proposal which would hastily change administrative procedures and would defeat the purpose of its 1964 enactment and could well result in the loss of rights of citizens who are entitled to the equal enjoyment of programs financed by Federal funds, I would urge that a careful study be made of whether any change in the present procedures is indeed desirable and, if so, what those changes should be. I do not believe we should indulge in legislating on this serious matter on a program-by-program basis, but should take the time and care to devise the best and most just system that could apply to all Federal programs.

And for that reason I hope the amendment does not prevail.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment; and this is a very difficult thing to do—to oppose the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], an individual for whom I have a very high regard and a tremendous amount of respect—respect and admiration for his ability, his fairness, and his liberal views; but in my opinion the pending amendment concerns an attempt by an agency to amend the Civil Rights Act and by regulation this is what has been done.

Mr. Chairman, insofar as deferring action, I have yet to find any person downtown in an agency, or here, who has found any provision in the Civil Rights Act which gives an individual or agency the right to defer action with reference to the expenditure of funds in this case without an opportunity for a hearing.

Now, Mr. Chairman, I submit that there is no difference between the deferral of action on application for funds and the withholding of funds.

Mr. Chairman, I cite to the Members of the Committee the situation in Chicago when funds were withheld.

Mr. Chairman, let us bear in mind the provisions of the Civil Rights Act.

I voted for the Civil Rights Act. I think it is a fair law. It is needed.

Today, I support the Civil Rights Act. But the Civil Rights Act says that an agency cannot withhold funds unless—and listen—"unless there has been an express finding on the record after opportunity for a hearing of a failure to comply with such requirement."

But what does the regulation say that has been issued downtown? It says that they can "defer action." In other words, they can withhold funds on a "substantiated complaint, the agency's own investigation, or otherwise."

Will you please tell me what "or otherwise" means? That you can withhold funds on a new application, you can defer action on it on just a "substantial complaint, the agency's own investigation, or otherwise."

That is not the Civil Rights Act that we passed in this House. This is an amendment to the Civil Rights Act by the agency downtown.

I want to suggest one other thing as to the kind of an investigation, and how they can defer action. They can defer it on a substantiated complaint, or the agency's own investigation.

Now, I have not intended to use this, but I think the debate requires it, because of sustained objection to what seems to me to be a reasonable amendment.

We have memorandums that are signed by an investigative team from the Office of Education. Three people are sent in to a certain area, and they stayed for a total of 2 days. And after they were there in the school district for a total of 2 days, they apparently knew all about the problems of the district, and they knew all the answers. And so they wrote the memorandum and signed it:

> All first-grade students shall attend X elementary school, and all second-grade students shall attend the Pearson Elementary School.
>
> These students could be switched, that is, the first grade in Pearson, and the second grade at X school or both grades could attend other schools. All eighth grade students shall attend such and such a training school.

Talk about Federal control of education at the local level! Let me read further on in the memorandum as signed by three employees of the Office of Education:

> There shall be at least one full-time regular classroom teacher at each school or there shall be at least two teachers at one school (full-time classroom teacher) and at least one full-time classroom teacher at each of two other schools. By full-time classroom teacher is meant a teacher teaching full-time at only one school. It is recommended that these teachers be in the schools with desegregated grades.

At another point in another memorandum signed by one member of the investigative team of the Office of Education the following language is found:

> Faculty: There shall be at least eleven (11) full-time classroom teachers teaching in schools where their race is in the minority for the school year including if possible one white librarian in the Emanuel County High School (full-time), one Negro librarian in the Swansboro Elementary School (full-time) and one Negro shop teacher in Swansboro High School (full-time). All the other teachers shall be full-time regular classroom teachers. At least seven (7) schools including the above mentioned three shall have at least one full-time faculty member whose race is of the minority race at that school.

Mr. Chairman, where in the Civil Rights Act or in any education act passed by this Congress do we give authority to a team from the Office of Education to go into a school district and give such directions as these?

Section 301 of the elementary and secondary education amendments reads as follows:

> In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system of any local or state educational agency.

If the memorandum which I just read and the other parts of the six memorandums which I hold in my hand are not in direct violation of this law then I am simply not able to understand the English language. This is a direct attempt to exercise "direction, supervision and control of the personnel" of a local educational agency.

Now, I suggest to you—if the Office of Education sent to Portland, Oreg., a team of three people who would come into Portland and stay 2 days, and after they were there for 2 days they wrote out a memorandum to the school board, and the superintendent of schools at Portland, Oreg., saying what they "shall" do—not what they might do or what they could do, but what they "shall" do—I would consider it very presumptuous. I suggest, also, that any Member of this House would share that same disgust and anger if "a team" came into that person's district for a total of 2 days and suddenly found out all the answers on what "must" be done. I also suggest it is in direct violation of the section I quoted, section 301 of the Education Act.

May I repeat, the Department regulation states application for funds "may be deferred" if the head of the Agency has reasonable grounds based on the "agency's own investigation." This kind of an investigation?

Mr. Chairman, I support the pending amendment because I do not think this House would want the Civil Rights Act amended by regulation. That is all we are saying. We are saying that before there is any deferment of application for funds that they shall have the complaints on the record, and the local district shall have an opportunity for a hearing as the Civil Rights Act provides.

What is wrong with that? What is wrong with any city in the United States having this opportunity before their funds are withheld or before action is deferred? What is wrong with holding a hearing and allowing the people there to express their views, and present their side of the case?

This seems to me very fair and reasonable.

If there is a proven violation of the Civil Rights Act—yes—cut off the funds. But I do not think that we want to go beyond the Civil Rights Act. If we do—let us amend the Civil Rights Act by congressional action, not by Department regulation. Therefore, I support this amendment, Mr. Chairman.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of this amendment. We did study this whole subject very carefully. I think the question here today is whether or not we are going to keep the pledge we made in 1964 when we passed the Civil Rights Act and pledged there would not be any Federal interference with local communities in administering the Federal school aid program. We said then that Federal aid did not mean Federal control or interference in local school districts. And I intend to keep that pledge.

This amendment gives us an opportunity to keep that pledge.

The Office of Education came into Chicago and tied up for some time $31 million of funds—funds needed most desperately in areas of greatest need—and they did not give us a single word as to why these funds were tied up. It was not until we vehemently protested this holding up of funds and after the press of Chicago blistered the Office of Education that the funds were released.

There is nothing in the school act that gives them that right. And there is nothing in the Civil Rights Act that provides such arbitrary powers, but the Office of Education still held up the funds.

The legislation before this Congress now would guarantee that a local community will be told why funds will be tied up if it fails to conform with existing law and given an opportunity to conform before funds are cut off.

They did not have such power in the Education Act, so they went to title VI of the Civil Rights Act and they used that as the excuse for tying up Chicago's funds. But title VI specifically, as the gentlewoman from Oregon said, precludes and bars the holding up of funds until there has been a hearing and it says further, "That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of a failure to comply with the requirements and has determined that compliance cannot be secured by voluntary means."

That was not done in Chicago.

The gentleman from New York, the distinguished chairman of the Committee on the Judiciary, spoke against this amendment. But I remember when the gentleman was managing the civil rights bill and when we discussed title VI—and I recall how he assured the House local communities would have all the opportunities spelled out in title VI to correct their shortcoming before any funds would be denied. It was on the strength of these assurances that we supported and enacted title IV.

This language was written into title VI to make sure that if a school district refused to comply, it was given a chance to comply before the funds were held back.

This procedure is not being followed.

So I submit to you, this is a reasonable amendment. It does not in any way interfere with the normal desegregation of America's schools.

I tell you, this is a reasonable amendment. It closes a loophole in the education act spelling out that before funds can be held up, there must be a hearing.

Somebody on the committee said, "Well, we might take this amendment if you put a limitation on it of 100 days or 120 days." I would have no objection to that. But it seems to me the Office of Education is going to control the time.

If, indeed, a school board is not complying with Federal law and the Office of Education wants to hold up funds, which they have the right to do under title VI, and which they should do if a district is not complying with the law—these funds should be held up—nothing in the amendment will preclude the Office from holding up such funds after a hearing.

It seems to me that in the amendment before us today, the Office of Education would have to give that school district a hearing. How soon that hearing will be held depends on the Office of Education. They can have it immediately. They can have it forthwith—they can have it with dispatch. Or if they want to, they can delay it and prolong it for a long time. But it will be the Office of Education that will decide on the speed with which it moves and not the school district which is under investigation.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. O'HARA of Michigan. Of course, with respect to the time that the hearing would take, that is covered by the Administrative Procedure Act.

Mr. PUCINSKI. That is correct.

Mr. O'HARA of Michigan. Certain time periods are fixed there.

Mr. PUCINSKI. That is correct.

Mr. O'HARA of Michigan. Did I understand the gentleman to say that he felt pending the determination, funds should be held up; or that pending the determination should the funds be granted?

Mr. PUCINSKI. The funds should be allowed and an investigation, where needed, should be conducted without delay. If a school district engages in dilatory tactics, then its funds should be held up pending completion of the investigation. But such holding up of funds should be for a short period only.

I do not mind telling you that we still to this day in Chicago do not know what their findings are. They have auditors crawling through all of Chicago in the school system doing various other things and I have had educators all over the country tell me that they have to answer piles and piles of questionnaires and fill out mountains of reports while funds are being held up.

I think the school board ought to know where it stands.

I say that right now all over this country school districts cannot plan with any kind of intelligent methods because they never know where they stand.

The Office of Education can cut you off tomorrow. All this amendment does is to say, if you are going to cut us off or if you are going to deny us the funds, get us to a hearing with dispatch and tell us what we are doing that is wrong.

The Civil Rights Act provides that the Office of Education should try to get compliance before any funds are tied up. This is not being done.

Now if the local community says, we refuse to comply and we refuse to abide by the law and we refuse to meet all of the requirements, then their funds should be held up.

But all this amendment does is to say, let us get to a hearing as quickly as possible and bring all the facts out in the open and then make the determination.

Mr. Chairman, I think this is a sound investment.

Mr. SISK. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I realize that the Members are anxious to vote and get this over with, and I hesitate to take the time of the House on a subject that I certainly am not expert on. But as I understand the amendment, all in the world it seeks to do is to make the Department of Health, Education, and Welfare comply with the Civil Rights Act of 1964. It is just that simple.

I want to assure some of you gentleman, if you have not spent some time with your school people in your school districts, they are becoming concerned about Federal domination. We have all pledged to our people at home, when we have passed various bills dealing with Federal aid to education, that we were going to make certain that control of those schools remained at the local level and they did not become dominated and run by the Federal Government.

I voted for every civil rights bill that has ever been proposed on the floor of the House. I voted for the bill we are talking about now—the Civil Rights Act of 1964. But, unfortunately, some people in the administration apparently have decided that they will twist, distort, or use whatever methods possible to put in effect their own peculiar philosophies against the intent, and the clear intent, of the Congress of the United States. That is the only issue involved in this situation.

So I would hope that the House would adopt this amendment. I had understood that a number of the members of the committee were favorable to acceptance of the amendment so we could proceed to vote on the issue, and I am surprised to hear opposition, when all in the world the amendment does is to ask that the Department of Health, Education, and Welfare comply with the Civil Rights Act of 1964 and require that a finding be made that actually there has been a violation.

So, Mr. Chairman, I hope that the amendment will be adopted.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment. I shall take but 30 seconds.

Under the proposed amendment, a Governor Wallace type could take Federal funds, thumb his nose at the Government of the United States, and keep stalling the hearings.

Mr. Chairman, no man in this Chamber, no Member of this body, knows more about the Civil Rights Act than does the distinguished chairman of the Committee on the Judiciary. I urge this Committee to follow his leadership and vote down the amendment.

Mr. RYAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and members of the Committee, the debate this afternoon has lost sight of one very simple proposition, and that is, that the Supreme Court desegregation decision of 1954, some 12 years later, has not been complied with. According to the latest statistics, only 7½ percent of the Negro students in the 11 Southern States are enrolled this year with white students—only 7½ percent.

In spite of the promulgation of the guidelines, in spite of all the hue and cry about the guidelines, the fact remains that the Commissioner of Education has certified 98 percent of all the southern school districts as qualified to receive Federal aid. On the one hand he certifies that 98 percent of the schools are in compliance, and yet on the other hand only 7½ percent of the Negro children are in integrated schools. So it seems clear that the Department of Health, Education, and Welfare has not fully effectuated the policy of the Supreme Court and has not carried out the policy of the Congress which we wrote into title VI.

Instead of adopting title VI, we should have adopted legislation which I repeatedly proposed to cut off funds from any Federal program in which there is segregation and discrimination. Title VI itself was a compromise included in the administration's bill in the spring of 1963. I, and others, had argued that there should be a complete ban on Federal funds for any program where there was discrimination and segregation.

I stated my position on this floor many times.

I offered antidiscrimination amendments. I supported other amendments. The chairman of this distinguished committee for years had an amendment, known as the Powell amendment, which would prevent funds from going into segregated school districts. Yet Federal funds are still going to segregated schools.

Here we talk about curtailing the little enforcement efforts now being made by the Commissioner of Education. It is dismaying that the Commissioner of Education should be under attack for trying to deal with this problem.

Mr. Chairman, the Civil Rights Commission reported that in 1964, a full 10 years after the decision:

> Only 2.25% of the Negro children in the 11 states of the Confederacy and 10.9% of the entire region encompassing the Southern and border states are attending school with white children, with 1,555 biracial school districts out of 3,031 still fully segregated, and with 3,101,043 Negro children in the region attending all Negro schools. (Civil Rights Commission Survey of School Desegregation in the Southern and Border States 1965–66, February, 1966, p. 1)

In 1964 Congress responded to the obvious fact that a shocking number of school districts refuse to comply with the Brown decision by enacting the Civil Rights Act of 1964. Section 601 of title VI declared:

> No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Section 602 of title VI directed each Federal department to issue regulations effectuating the nondiscrimination ban and empowered the departments to terminate Federal assistance in cases of noncompliance with the ban on discrimination.

There is no question that title VI applies to programs of Federal aid to education and in accordance with the clear statutory requirement the Office of Education, like other Federal agencies, promulgated regulations to enforce title VI. The first guidelines were issued on April 26, 1965. In spite of the intention of the Office of Education to implement title VI, it is clear that the Office was not stringent enough in its enforcement of the title. The Civil Rights Commission reports:

> A total of 4,823 districts had been certified as qualified to receive Federal financial assistance—98% of all the districts in the 17-State region." (Civil Rights Commission, Survey of School Desegregation in the Southern and Border States 1965–1966, February 1966, p. 26).

In March of this year the Office of Education issued new guidelines, and Commissioner Howe has taken a more active role in enforcing title VI. The record of desegregation in schools is still abysmally poor. The Office of Education estimates that only 7.5 percent of the Negro students in the 11 Deep South States are enrolled in school this year with white pupils. Estimates of civil rights organizations vary between 5 to 6 percent.

On August 31, 1966, speaking at the American Sociological Association in Miami Beach, Fla., Robin M. Williams, a Cornell professor, told his fellow experts just how effective the Office of Education and its guidelines have been.

He said, and I quote, that our public schools are "more segregated" in 1966 than they were in 1954 when the Supreme Court outlawed segregated schools.

Mr. Chairman, this Nation cannot tolerate racial injustice in our schools. The record of the past 12 years clearly shows that voluntary compliance with the Constitution and Federal statutes will not work. The Federal Government must use its power to desegregate the schools. One of the most effective means of achieving this end is to cut off funds to any school district which continues to run segregated schools. It is nothing less than hypocrisy for the Federal Government to urge voluntary compliance while at the same time being in the position of supporting segregated schools with Federal funds. The citizens of this country have a right to expect that Federal agencies will carry out the mandate of the Congress and that Congress will not pass legislation and then be indifferent or hostile to its execution.

Mr. Chairman, we are all aware of the great frustration felt by many of our citizens who supported civil rights legislation only to find later that it had not been implemented. What may happen, and what seems to be happening already, is a disillusionment with the legislative process among a substantial number of American citizens. It is time to end this disillusionment by carrying out the policy of this Congress as spelled out in title VI of the Civil Rights Act of 1964.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. FOUNTAIN].

The question was taken; and on a division (demanded by Mr. BRADEMAS) there were—ayes 103, noes 60.

Mr. BRADEMAS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FOUNTAIN and Mr. PERKINS.

The Committee again divided, and the tellers reported that there were—ayes 113, noes 63.

So the amendment was agreed to.

Mrs. GREEN of Oregon. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state it.

Mrs. GREEN of Oregon. Is title II open for amendment?

The CHAIRMAN. Not at this point.

AMENDMENT OFFERED BY MR. SCHEUER

Mr. SCHEUER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SCHEUER: On page 61, after line 22, insert the following:
>
> "SEC. 154. Section 503 of such Act is amended by striking out 'and' at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof '; and'; and by adding at the end thereof the following:
>
> " '(11) evaluation and demonstration projects to insure that benefits obtained by children in Headstart and other preschool programs are not lost during their early elementary school years, but are instead enhanced so as to provide continuity in and accelerated development of the child's learning, academic and other social achievements.' "

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I am happy to yield.

Mr. QUIE. Mr. Chairman, I would say I think this is an excellent amendment. I think this research and study is absolutely necessary and, therefore, I will be very happy to accept the gentleman's amendment.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I am glad to yield to my distinguished chairman of the subcommittee of the Committee on Education and Labor, the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I have had an opportunity to observe the amendment which has been offered by the gentleman from New York [Mr. SCHEUER] and I, too, feel that it is a good amendment and that we should accept it.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. Of course, I am delighted to yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, some of us do not have any idea what is contained in the proposed amendment which has been offered by the gentleman from New York [Mr. SCHEUER].

Mr. Chairman, I would ask that the gentleman from New York take 30 seconds during which to explain it.

Mr. SCHEUER. Mr. Chairman, this amendment simply permits and encourages State educational agencies to use a portion of the $25 million which is allocated to them for research, to engage in research and demonstration projects to determine what steps may be taken by local education agencies to improve the first three grades of the public education system, in an effort to assure that they enhance and complement Headstart and other preschool programs. In all too many cases children from deprived homes in substandard neighborhoods who have been enriched and stimulated in Headstart programs move on to public schools, only to lose their eager outreach and initiative, their excitement about learning, and their zest for knowledge. This withdrawal syndrome is sufficiently in evidence as to cause deep concern about the quality of public school programs, curriculums, and personnel in meeting the needs of disadvantaged children. This amendment would permit and encourage research, evaluation, and demonstration projects aimed at finding a solution to this critical "gut problem" of the slum school.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SCHEUER].

The amendment was agreed to.

Mr. DON H. CLAUSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have before us the Elementary and Secondary Education Amendments of 1966 for consideration and approval by the Congress. As most of the Members and my constituents know, I have had, over the years, many reservations about expanding Federal involvement in our educational system and, of course, my specific objections relate to a very strong concern over possible Federal control of education in America.

However, the question of providing general aid to elementary and secondary education was decided last year. Now we have before us legislation designed to improve that bill. So today, if certain amendments are accepted and written into the bill, I find myself inclined to support the legislation. This is a departure from my earlier position and, therefore, I believe I should express my reasons for this departure.

First of all, with a precedent having been established last year, many of the school districts and school boards in the country have set their budgets and are dependent upon the anticipated revenue provided under the previously passed legislation. If this legislation were not to pass and was rejected, only two alternatives would be available to local school administrators. They would have to cut back on the educational program for the children or shift the financial burden onto the shoulders of the local property taxpayers. Anyone familiar with school finance must understand the heavy burden already placed on local school district property taxpayers and realize that this is totally impossible at this time. While if I had my way, I would maintain a consistent position, which has been to suggest a major revision of our tax structure at all levels of government so as to provide independent tax sources to States and local school districts to meet the increasing demands for financing education.

Additionally, I have felt that the Federal Government could provide on a formula basis a return of a percentage of the Federal income tax to the States, thereby permitting the States to revise their revenue allocations and/or their tax structures to permit the local school districts to have more money or to provide relief to the property taxpayers.

Included in this bill are certain amendments relating to federally impacted areas. Inasmuch as I have military installations in my district, I have consistently supported the Federal assistance to local school districts in the form of payment in lieu of taxes, based on the impact of Federal installations located contiguous to school districts. Here again, I feel obliged to continue my support of this concept because this is definitely a Federal responsibility.

Certainly we all feel a strong obligation to see that our young people have the maximum opportunity to acquire an education in every section of the country. As a matter of fact, I am pleased to advise the Members of the House that as the lead author of the Montessori school bill, this legislation gained the approval of the Ways and Means Committee, and I will be asking for your support once it is presented on the House floor for action. Simply stated, this legislation is designed to enhance the early age, Headstart educational programs.

I do have one reservation regarding the bill before us today. I do not want to extend or expand the Commissioner of Education's powers that would permit him to force his decisions upon local educational political subdivisions through the withholding of funds. In other words, I will never support any legislation that would establish a trend toward the Commissioner of Education becoming the "education czar" of American schools.

This we must guard against with consistency, and maintain a continuing vigilance against this possibility. These decisions must be left to the discretion of the local parent organizations and the local school boards. Again, I reiterate my position. I am violently opposed to Federal control of our educational system. I am strongly in support of doing everything within my power to strengthen the State and local school systems.

Quite frankly, there are a number of recommendations that I have to carry out this objective. But, being the political realist that I am, I know that the Congress, at least this year, is not willing to accept the type of tax revision recommendations that I think would permit us to carry out the kind of finance program that would give America a better educational system in each State and community.

I have had correspondence from a number of the junior college educators in my district, and I certainly want to support their position to qualify for the same assistance that has been heretofore made available to the elementary and secondary schools. The junior college, both in California and hopefully throughout the country, is becoming recognized as a very vital and necessary extension of our educational system.

It is particularly needed for students coming from the rural areas and for students who "are beginning to mature" as they go through the transition from the high school to the college level education. Additionally, there are some adult education programs that are in need of assistance because of the rapidly changing circumstances surrounding the vocational capabilities of our citizens.

California has advanced over the years in providing an extensive increase in the number and types of junior colleges. Certainly, under Public Laws 815 and 874, it is vital that they be considered in the same category as the elementary and secondary schools.

While I am not in agreement with certain sections of the bill, I understand the federally affected or impacted areas authorization runs until June 30, 1968. Also, with the past experience of Congress position on impacted aid, I have every confidence this will continue to hold the support of a vast majority of the Members of Congress, myself included. So I am pleased to observe this program is not in jeopardy.

The President said today that a vote for an increase in legislative programs over the President's budget is a vote for a tax increase. Therefore, I will be voting for the motion to recommit that will cut back the amount of the authorization to conform with the President's budget request.

If this motion carries, I will support the bill even though I do not agree with some of its provisions. Repeating my earlier statement, I will support the bill because of the fiscal dilemma the local school boards would be faced with because of the delay in congressional action beyond the time when they set their budgets. I might add, those school boards should take heed and do everything within their power to further keep from "getting on the hook" by dependence on Federal money.

If the motion to recommit is not accepted, I will not support the legislation because the inflationary trends, the budget deficit, the Vietnam war costs, and the President's suggestion of a tax increase all weigh heavily on my decision to ask that the authorized amount be kept within the budget request limitations.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk concluded the reading of the bill, as follows:

TITLE II—FEDERALLY AFFECTED AREAS

Part A—Amendments to Public Law 874

Subpart 1—Major Amendments

SEC. 201. Section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended in the following respects:

Providing an Alternative Means of Meeting the Eligibility Requirement

(a) (1) Section 3(c) (2) (B) is amended by inserting after "amount to" the following: ", whichever is the lesser, one hundred such children, or a number of such children equal to".

(2) Section 3(c) (5) is amended by striking out "percentage requirements" and by inserting in lieu thereof "requirements".

Method of determining local contribution rate

(b) Subsection (d) of section 3, relating to the computation of the local contribution rate, is amended as follows:

(1) The first sentence of subsection (d) is amended by striking out "and the local educational agency".

(2) Clauses (1) and (2) of the first sentence of subsection (d) are amended to read:

"(1) he shall place each school district within the State into a group of generally comparable school districts; and

"(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which all of the local educational agencies within any such group of comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence of subsection (d) is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)" and substituting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)".

(4) The next to the last sentence of subsection (d) is amended by inserting after "as the case may be," the following: "plus any direct current expenditures by the States for the operation of such agencies", and by inserting "either of" after "funds from which".

Subpart 2—Minor and Technical Amendments

SEC. 211. Section 3 is further amended in the following respects:

Providing that children or servicemen shall be deemed to reside with a parent employed on Federal property

(a) (1) the first sentence of subsection (b) of section 3 is amended by—

(A) inserting "(1)" before "resided on Federal property",

(B) inserting "(2)" before "resided with a parent", and

(C) inserting before the period at the end thereof ", or (3) had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

(2) The second sentence of subsection (b) is repealed.

Providing that all Federal payments will be deducted from gross entitlements on the same basis

(b) subsection (e) of section 3 is amended to read as follows:

"(e) In determining the total amount which a local educational agency is entitled to receive under this section (other than subsection (c) (4) thereof) for a fiscal year, the Commissioner shall deduct (1) such amount as he determines that agency derived from other Federal payments (as defined in section 2(b) (1)) but only to the extent such payments are not deducted under the last sentence of section 2(a), and only to the extent the payments are made with respect to property on which children, counted for purposes of this section, live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal Government during such year. The Commissioner shall make no deduction under this subsection for any fiscal year in which the sum of the amounts determined under clauses (1) and (2) of the preceding sentence is less than $1,000."

Making the Appropriation for One Fiscal Year Available Through the Following Year To Meet Obligations of the Current Year

SEC. 212. Section 5(b) is amended by adding at the end thereof the following new sentence: "Sums appropriated pursuant to this title shall remain available for obligation as provided in this title until the close of the fiscal year next succeeding the fiscal year for which they were appropriated."

State Aid Reductions

SEC. 213. Section 5 is amended by adding at the end thereof the following new subsection:

"Adjustments for Reductions in State Aid

"(d) The amount which a local educational agency in any State is otherwise entitled to receive under section 2, 3, or 4 for any fiscal year shall be reduced in the same proportion (if any) that the State has reduced for that year its aggregate expenditures (from non-Federal sources) per pupil for current expenditure purposes for free public education (as determined pursuant to regulations of the Commissioner) below the level of such expenditures per pupil in the second preceding fiscal year. The Commissioner may waive or reduce this reduction whenever in his judgment exceptional circumstances exist which would make its application inequitable and would defeat the purpose of this title."

Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

SEC. 214. Section 6 is amended by redesignating subsection (f) as subsection (g), and by inserting immediately after subsection (e) the following new subsection:

"(f) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of sections 3 and 4 of this Act. If a local educational agency refuses for any other reason to provide in any fiscal year free public education for children who reside on Federal property which is within the school district of that agency or which, in the determination of the Commissioner, would be within that school district if it were not Federal property, there shall be deducted from any amount to which the local educational agency is otherwise entitled for that year under section 3 or 4 an amount equal to (1) the amount (if any) by which the cost to the Commissioner of providing free public education for that year for each such child exceeds the local contribution rate of that agency for that year, multiplied by (2) the number of such children."

SEC. 215. Section 303 is amended in the following respects:

Extending to all property the provision which permits Federal property used for housing to be counted as Federal property for one year after transfer by the United States

(a) Clause (B) of the next to last sentence of section 303(1) is amended by striking out "housing".

Repeal of exclusion of property used for provision of local benefits

(b) The last sentence of section 303(1) is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Eliminating eligibility of federally connected children in thirteenth and fourteenth grades

(c) (1) Subsection (4) of section 303, relating to the definition of "free public education", is amended by striking out "for the purposes of title II".

(2) Subsection (15) of that section, relating to the definitions of "elementary school" and "secondary school", is amended by striking out "For the purpose of title II, the" and inserting "The" in lieu thereof.

Authorizing the Commissioner to establish a method of counting children for the purpose of determining average daily attendance.

(d) Subsection (10) of section 303 is amended to read as follows:

"(10) Average daily attendance shall be determined in accordance with State law, except that (A) the average daily attendance of children with respect to whom payment is to be made under section 3 or 4 of this Act shall be determined in accordance with regulations of the Commissioner, and (B) notwithstanding any other provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the attendance of such child at such school shall be held and considered (i) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (ii) not to be attendance at a school of the local educational agency receiving such tuition payment or entitled to receive such payment under the contract."

Part B—Amendments to Public Law 815

Extending Temporary Provisions for One Year

SEC. 221. Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended by striking out "1966" and inserting "1967".

Reducing Percentage Increase Required for Eligibility and Lengthening Increase Period to Four Years

SEC. 222. (a) Section 5(c) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended, is amended by striking out "at least 5 per centum" and inserting in lieu thereof "at least 6 per centum".

(b) Section 15(15) is amended (1) by inserting "third or fourth" immediately before the phrase "regular school year" the first time that phrase occurs in the subsection, (2) by striking out "1963–1964" and inserting in lieu thereof "1962–1963", and (3) by striking out "or the regular school year preceding such school year".

(c) Section 15(16) is amended by striking out "two" and inserting "four" in lieu thereof.

(d) Section 5(f) of such Act is amended to read as follows:

"(f) In determining under this section the total of the payments which may be made to a local educational agency on the basis of any application, the total number of children counted for purposes of paragraph (1), (2), or (3), as the case may be, of subsection (a) may not exceed—

"(1) the number of children whose membership at the close of the increase period for the application is compared with membership in the base period for purposes of that paragraph, minus

"(2) the number of such children whose membership at the close of the increase period was compared with membership in the base year for purposes of such paragraph under the last previous application, if any, of the agency on the basis of which any payment has been or may be made to that agency."

Reduction in the Non-Federal Growth Requirement

SEC. 223. Section 5(d) of such Act is amended by striking out "107 per centum" and by inserting in lieu thereof "106 per centum".

Extending the Time for Determining the Number of Unhoused Children by Authorizing the Commissioner to Make the Estimate for a Period Extending Two Years Beyond the Increase Period

Sec. 224. Section 4 of such Act is amended by inserting "the second year following" immediately before the phrase "the increase period".

Making the Provisions Relating to Indians Living on Reservations Permanent

Sec. 225. (a) The first sentence of section 14(b) of such Act is amended by striking out "ending prior to July 1, 1966," and ", not to exceed $60,000,000 in the aggregate.".

(b) The third sentence of section 14(b) is amended by striking out ", except that after June 30, 1966, no agreement may be made to extend assistance under this section".

Providing That Children Who Have a Parent in the Uniformed Services Will Be Considered As Federally Connected

Sec. 226. (a) Section 5(a)(1) of such Act is amended by inserting ", (A) who so resided" immediately before the phrase "with a parent employed on Federal property" and by inserting immediately before the comma preceding the phrase "multiplied by 95 per centum" the following: ", or (B) who had a parent who was on active duty in the uniformed service (as defined in section 102 of the Career Compensation Act of 1949)".

(b)(1) The first sentence of section 5(a)(2) of such Act is amended by inserting "(A)" after "children", by inserting "(B)" immediately before "residing with a parent", and by inserting after "school district)," the following: "or (C) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949),".

(2) The second sentence of section 5(a)(2) of such Act is repealed.

Providing for Transfer of Title to Facilities to the Local Educational Agency Where It Is in the Federal Interest To Do So

Sec. 227. Section 10 of such Act is amended by inserting "(a)" immediately before the first word thereof, and by adding the following new subsection:

"(b) When the Commissioner determines it is in the interest of the Federal Government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or sections 204 or 310 of this Act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this Act."

Repeal of Exclusion of Property Used for Provision of Local Benefits

Sec. 228. The last sentence of section 15(1) of such Act is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Eliminating Eligibility of Federally Connected Children in Thirteenth and Fourteenth Grades

Sec. 229. Section 15(4) of such Act, relating to the definition of "free public education," is amended by inserting ", except that such term does not include any education provided beyond grade 12" immediately before the period at the end of the sentence.

Works of Art Included in "Minimum School Facilities"

Sec. 230. Section 15(10) of such Act, relating to the definition of "minimum school facilities", is amended by adding at the end thereof the following: "Such regulations shall require the local educational agency concerned to give due consideration to excellence of architecture and design, and provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans therefor if the cost of such works of art does not exceed 1 per centum of the cost of the project."

Including American Samoa in Definition of "State"

Sec. 231. Section 15(13) of such Act, relating to the definition of "State," is amended by inserting "American Samoa," immediately before "the Virgin Islands".

Part C—Effective date

Sec. 241. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1966, except that if the amendment made by section 214 would have reduced the payments under such Act to a local educational agency for the fiscal year ending June 30, 1966 (if it had been in effect for that year), the amendment shall not apply to that local educational agency for fiscal years ending prior to July 1, 1968, and except that the amendments made by section 215(c) and section 229 shall be effective for fiscal years beginning after June 30, 1967.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the primary purpose in my moving to strike the requisite number of words is in an effort to address a few questions to the committee with reference to certain language as now contained in the bill which I believe needs some clarification in order to avoid future complications.

Mr. Chairman, I have discussed this question with several members of the committee and I shall preface my remarks by saying that I join this committee in support of this bill and compliment the chairman of the Committee on Education and Labor, the gentleman from New York [Mr. Powell], and the members of the subcommittee headed by the gentleman from Kentucky [Mr. Perkins] for the splendid job they have done in behalf of this much-needed legislation.

Mr. Chairman, with respect to this particular section, under the grants that the Federal Government will make to the State educational agencies, there is provided in section 103 grants for migrant children and the fact that the Commissioner could conceivably contract with private agencies or with these private, nonprofit agencies or other public agencies, other than the State educational agency, which might be unable or unwilling to enter into such a contract.

What I want to know is, in the discussion on this section was it the intention to conceive of a separate, segregated type of program for the migrant children?

Mr. MEEDS. Mr. Chairman, if the gentleman will yield?

Mr. GONZALEZ. I yield.

Mr. MEEDS. I would say it was definitely not the intent of this committee or the intent of this legislation to provide segregated education for migrant workers' children. There may be circumstances in which special educational programs will have to be carried out because of the time of the year, and the place. But we definitely do not contemplate segregated education in this instance.

Mr. GONZALEZ. It is your opinion, then, that a reasonable construction of this language would not permit the Commissioner of Education to enter into the type of agreement that would create a seperate building, or the construction of a separate building for the exclusive, segregated use of migrant children?

Mr. WILLIAM D. FORD. Mr. Chairman, if the gentleman will yield to me?

Mr. GONZALEZ. Certainly; I yield to the gentleman.

Mr. WILLIAM D. FORD. In considering this legislation we had several groups, not only migrant workers' children, but several groups that heretofore had not been counted in computing the children for the purpose of distributing funds in the several titles. In doing so I think we made it very clear that we treat the migrant workers' children simply as an additional category of children to be counted for the purpose of distribution of funds.

It is entirely possible that a facility might be constructed that would not otherwise be constructed, because of the needs in a particular area for the migrant children. But it is difficult to conceive of how that could be done as a part of the regular program, without violating the other acts.

Mr. GONZALEZ. Mr. Chairman, that is what I had in mind. In other words, insofar as it is feasible, the local facilities will be used in carrying out the provisions of this act?

Mr. MEEDS. Mr. Chairman, if the gentleman will yield further?

Mr. GONZALEZ. I yield.

Mr. MEEDS. We would certainly hope that local and existing facilities would be used to the greatest extent possible. However, when other facilities are necessary to carry out the purposes of this act, which is to provide education for migrant workers' children in a non-segregated manner, then those funds can be so used under this act.

Mr. GONZALEZ. I thank the gentleman.

Mr. de la GARZA. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield.

Mr. de la GARZA. Mr. Chairman, I wonder if I might continue further on this subject with the gentleman from Washington?

When the gentleman was speaking of facilities, was he speaking merely of buildings, or all of the school facilities such as the teachers, and the educational capabilities, also?

Mr. GONZALEZ. I might say to the gentleman I was referring to both.

Mr. de la GARZA. Mr. Chairman, did the gentleman from Washington understand my question, and if so would the gentleman's answers to the questions of the gentleman in the well be restricted only to facilities such as buildings, or would it also include facilities such as the educational facilities, the teachers, and the other educational aspects?

Mr. MEEDS. I was saying that it includes all of the educational program and equipment, the buildings and facilities.

Mr. de la GARZA. I thank the gentleman.

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'Hara of Michigan: On page 69, after line 3, insert the following:

"Sec. 215. Section 301(a) of the Act of September 30, 1950 (Public Law 874; Eighty-first Congress) is amended by inserting the following at the end thereof and before the period: ', or require the assignment or transportation of students or teachers in order to overcome racial imbalance'." And renumber the sections which follow accordingly.

Mr. O'HARA of Michigan. Mr. Chairman, strictly after we started on the 5-minute rule I offered an amendment which was agreed to, which I said applied to all of the Elementary and Secondary Education Act of last year.

I am informed by counsel that through inadvertence the amendment I offered would apply to four of the titles of the 1965 bill but not to the fifth.

The amendment I offer now is the same amendment and would apply the same prohibition to the title of last year's Elementary and Secondary Education Act which was inadvertently missed.

Mr. Chairman, I hope the amendment will be approved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. O'Hara].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Quie: On page 63, after line 18, insert the following:

"GRADUAL APPLICATION OF ABSORPTION PROVISION

"(a)(1) Paragraphs (1) and (2) of section 3(c) are amended to read as follows:

" '(c)(1) The amount to which a local educational agency is entitled under this section for any fiscal year shall be—

" '(A) with respect to children determined under subsection (a), an amount equal to the local contribution rate (determined under subsection (d)) multiplied by the number of children determined under subsection (a) minus a number equal in the year ending June 30, 1967, to 1 per centum, and in the year ending June 30, 1968, to 2 per centum, and in each fiscal year thereafter to 3 per centum of the total number of children who were in average daily attendance during that year and for whom the agency provided free public education, and

" '(B) with respect to children determined under subsection (b), an amount equal to one-half the local contribution rate (determined under subsection (d)) multiplied by the number of children determined under subsection (b) minus a number equal in the year ending June 30, 1967, to 2 per centum, and in the year ending June 30, 1968, to 4 per centum, and in each fiscal year thereafter to 6 per centum of the total number of children who were in average daily attendance during that year and for whom the agency provided free public education.

" '(2) No local educational agency shall be entitled to receive any payment for a fiscal year unless the total number of children for whom the agency will receive such payments is ten or more. Notwithstanding the provisions of paragraph (1), whenever and to the extent that, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this Act, the Commissioner may waive or reduce the 1, 2, or 3 per centum deduction contained in clause (A) of paragraph (1), or the 2, 4, or 6 per centum deduction contained in clause (B) of paragraph (1).'

"(2) Subsection (c) is further amended by inserting immediately after paragraph (2) the following new paragraph:

" '(3) For the purposes of this subsection, a local educational agency may count as children determined under subsection (b) any number of children determined under subsection (a).' "

And in line 21 on page 63, strike out "(a)" and insert "(b)", and in line 5 on page 64, strike out "(b)" and insert "(c)".

The CHAIRMAN. The gentleman from Minnesota [Mr. Quie] is recognized.

Mr. QUIE. Mr. Chairman, before I explain the amendment, I will yield to my colleague, the gentleman from Minnesota [Mr. Nelsen] for a question to the chairman of the subcommittee.

Mr. NELSEN. Mr. Chairman, I thank my colleague for yielding.

The question I wish to pursue is this: One of the great voids in our educational system is, in my judgment, the neglect in the area of training for the mentally retarded.

We have legislated in that field through our Health and Safety Subcommittee, but we have not really reached the day care centers where there can be some training given to the mentally retarded. I think this is a field that needs attention.

I hope the chairman of the subcommittee and our Minnesota Representative could give me some light as to what we can do under this bill.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. PERKINS. Under title I, as the law is presently written, you can obtain the relief you are seeking. The local educational agency can make funds available for the mentally retarded or for the day care centers in their plan. There are no obstacles in your path. If the local educational agency wants to spend some of their funds in that manner and they feel that it is a matter of priority and the plan is approved, funds may be expended for those purposes. In several instances funds have been expended in this way.

Mr. NELSEN. Is there any provision so that several districts may be joined together in more centrally and conveniently located centers so that they can work cooperatively?

Mr. PERKINS. They could join together cooperatively, and the act so provides.

Mr. NELSEN. I thank the gentleman.

Mr. QUIE. I will say to the gentleman, this bill does provide for the joining together of school districts.

When you talk about educationally deprived children, there are three groups that we are talking about. As to two of these groups, we fairly well know who they are. One is the group who are poor and economically deprived and therefore they are considered to be educationally deprived.

The other group are the mentally and physically handicapped who are definitely deprived and educationally deprived. They are permitted to be included in a school district's program, as the gentleman from Kentucky just said.

Mr. NELSEN. I thank the gentleman.

Mr. QUIE. Mr. Chairman, I would very quickly like to explain this amendment.

I would call this President Johnson's amendment. The President asked that in the impacted aid program we keep down the cost. Federally impacted aid should be cut by providing for some absorption.

You know how people raise a cry for a Federal establishment in their area. They love to have them in there. They want to keep them. We hear from our colleagues when they are about to lose a Federal establishment. How terrible it would be if it were removed from their district. You would think that they could at least absorb some part of the cost of educating the children.

So rather than providing complete absorption the first year as President Johnson wanted, my amendment would provide for a 1-percent absorption the first year and an additional percent the next 2 years so it will take 3 years to accomplish what President Johnson wanted to accomplish in his recommendation for impacted aid in 1 year. I am for it and think that in this case we should support the President.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment. If the amendment were adopted, it is true that it would take about $220 million out of the bill, but it would eliminate more than 1,000 districts from eligibility over this Nation. The change of rate of payment by eliminating one-half the national average and one-half the State average would also reduce the amount of the bill by about $120 million.

These two provisions would drastically reduce the payments in about 65 percent of present impacted districts. The change in the rate of payment would mean that the wealthiest districts with the lowest State aid would receive the highest rate of payment and the poorer school districts with the highest State aid would receive the lowest payment.

This concept is contrary to the principles the gentleman has been espousing all afternoon. It would mean payments of as little as $45 a pupil in the South and 10 times that amount in the more wealthy districts in industrial States.

In view of the buildup of our military in this country and the impact existing, I know that the Committee does not want to go along with an amendment of this type, and I ask the Committee to vote it down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. Quie].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: Beginning with line 19 on page 63, strike out everything down through line 6 on page 64.

The CHAIRMAN. The gentleman from New York is recognized in support of this amendment.

Mr. GOODELL. Mr. Chairman, in reference to the impact program, the bill will add 1,000 new school districts by adding new eligibility requirements. At present the requirement is 3 percent of the schoolchildren federally affected. The amendment in the bill that is before us provides that if there are 100 schoolchildren, they will qualify. It is estimated that this will increase from the present 4,200. Another 1,000 school districts will be eligible. It will cost $35 million.

My amendment would simply strike the expansion of the impact program, making more areas eligible.

I yield back the balance of my time.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. GOODELL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. WATSON

Mr. WATSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WATSON: On page 76, line 15, after "1967" change the period to a semicolon and insert: "*Provided, however*, That no funds shall be expended hereunder so long as the present United States Commissioner of Education occupies that office."

Mr. PERKINS. Mr. Chairman, a point of order. The amendment is not germane and is subject to a point of order.

The CHAIRMAN. Does the gentleman from South Carolina wish to be heard on the point of order?

Mr. WATSON. Mr. Chairman, I could not think of anything that would be more germane to this piece of legislation than the one who occupies the Office of U.S. Commissioner of Education. The whole bill revolves around that particular Office. He is charged with the responsibility of the implementation of this legislation. This is a legislative bill; it is not an appropriation bill.

I submit, Mr. Chairman, that it is germane to this legislation. If it is not, then we have been engaged in an exercise in futility this afternoon.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. PERKINS. Yes, Mr. Chairman. The amendment is not germane, because we are undertaking to invade the authority of the executive branch of this Government. The executive branch of this Government has the appointive power, not the legislative branch. Therefore, this amendment or proposal contravenes the law and Constitution, and it is not germane.

Mr. WATSON. Mr. Chairman, may I be heard on that particular matter?

The CHAIRMAN. The Chair will hear the gentleman from South Carolina.

Mr. WATSON. Certainly it is not uncommon—in fact, it is the usual practice—for the Congress to restrict the executive in the administration or implementation of pieces of legislation. I am attempting to provide under this piece of legislation that no funds shall be expended hereunder until such time as this gentleman is removed. The President would do the removing. We are not attempting to remove the gentleman. It would be up to the President to determine whether to do so or not.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, to which a point of order has been made by the gentleman from Kentucky. The amendment provides:

However, that no funds shall be expended hereunder so long as the present U.S. Commissioner of Education occupies that office.

The Chair is of the opinion that the amendment is germane to the bill, and overrules the point of order.

The gentleman from South Carolina is recognized in support of his amendment.

Mr. PERKINS. Mr. Chairman, I move that the amendment be tabled.

The CHAIRMAN. That motion is not in order in the Committee of the Whole.

Mr. WATSON. Mr. Chairman, I shall not take 5 minutes. I am sure, as I present this amendment, perhaps some of my colleagues think it is presented in jest. This amendment, I assure you, is not presented in jest. It is presented with the same seriousness the other amendments have been presented to this particular bill.

I do not believe, during the course of the 4 years I have been honored to serve in this body, I have heard any man so maligned or so criticized as the present occupant of the Office of U.S. Commissioner of Education. That criticism has been totally justified in my judgment.

I am not for a moment questioning his loyalty to the country. I am not questioning his professional qualifications.

But I believe, as our colleague, the gentleman from California, mentioned just a moment ago, indeed he has some peculiar philosophies insofar as education is concerned.

He has done more to harass and disrupt local school systems than any man alive, and this harassment has not been restricted to the South. We have seen from the amendment we just adopted, as presented by my colleague from North Carolina, that there is widespread resentment over the highhanded manner in which this man has conducted the affairs of the Office of U.S. Commissioner of Education.

It is significant that educators and legislators on both sides of the aisle, from all sections of the country, have voiced strong criticism of this man.

I have met with him personally, with a number of my colleagues. We are unable to reason with him whatsoever or to get him to be reasonable in any manner whatsoever. He has an apparent idea that he is above and beyond the law or the intent of Congress.

This, I believe, is a good amendment. I hope that the Members will go along with it, because I believe that no man—indeed, no one—is doing a greater disservice to the cause of education today then the present Commissioner Howe.

He has placed sociological or personal ideas above the cause of education, even if our educational system is destroyed in the process.

I believe that if he should be removed, then the school districts throughout this country that are now working and spending more time trying to work out compliance forms will be able to get back to the main task of education. If you believe in some of the criticism that has been leveled here and if you want to follow through with the action we just took a few minutes ago in trying to restrict the hands of the U.S. Commissioner of Education, I urge you to go along with my amendment.

Mr. PERKINS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it will serve no useful purpose, in my judgment, to discuss this amendment. I think all of the Members of this body know and realize that we have three separate branches of Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. WATSON].

The amendment was rejected.

Mr. GOODELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise at this point to inform the House as to the nature of the motion to recommit that will be offered. As was developed during the debate, this bill as it comes before us is a total of $328,552,696 above the President's budget. It is $328 million above the President's budget. Motions offered on this side and amendments offered during debate were turned down. Their purpose was to hold this bill within the President's budget. The motion to recommit will include a cut of $293.5 million from title I in accordance with the amount of the President's budget. It is exactly the amount that the President's budget calls for for title I and will cut $50 million from title III by holding to existing authorization on supplementary centers. This will be a cut of $343.5 million from the bill this year. That will put it well within the President's budget.

For the subsequent year, fiscal year 1968, we will cut a total of $991.5 million or almost $1 billion—$416 million of this will be cut by holding title I to $1.8 billion, which is about $500 million above the present level and is the amount estimated at this point as to what will be needed to fund title I in 1968. It will save $575 million by restricting title III authorizations to a single year, giving us an opportunity next year to review this. The authorization of the program in title III will continue and we can reexamine it then.

In addition to cutting $343 million this year to put it within the President's budget and almost $1 billion next year, the motion to recommit will strike the section of the bill known as the O'Hara amendment, which was approved in the Committee of Education and Labor, which expands the powers of the Commissioner of Education.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from New York yield to me at this point?

Mr. GOODELL. Mr. Chairman, I yield to the gentleman from Michigan, the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, earlier today President Johnson held a press conference, and permit me to read for the benefit of the Members of the Committee of the Whole House on the State of the Union from a UPI story, and I quote:

> Johnson warned Congress today that a vote to increase Federal spending would be a vote to raise taxes.
>
> Johnson spoke as the lawmakers entered the home stretch of action on appropriation bills totalling more than $80 billion.
>
> To Congressmen and Senators eager to go home and campaign for reelection, the President said:
>
> "Each vote to increase the budget is likely a vote for increased revenues later."

In other words, Mr. Chairman, a vote for the motion to recommit, which will be within the budget, is a vote against an increase in taxes. A vote against this motion to recommit is a vote for an increase in taxes.

Mr. Chairman, I urge everyone who is against an increase in taxes to vote for the motion to recommit.

Mr. GOODELL. Mr. Chairman, the motion to recommit will represent an opportunity for all of our colleagues to vote to help the President stay within his budget. Just a few hours ago the President appealed to Congress to help him. Are the Democrats going to do so in the House?

Mr. MACGREGOR. Mr. Chairman, the formula which governs distribution of most of the money under the Elementary and Secondary Education Act is grossly unfair to the people I represent. While the school districts of Anoka County and suburban and rural Hennepin County receive 20 percent of Minnesota State aids to education, only 3 percent is our share of all money allocated to Minnesota under title I of Public Law 89–10.

My constituency of some 600,000 people makes more than its per capita contribution in taxes to the support of both State and Federal aids to education. The great majority of my constituents are happy to do so because of their dedication to excellence in our public schools and because we enjoy a higher per capita income than either the Minnesota or the national average. But when the disparity in assessment of need is almost 7 to 1 between the State and Federal programs, someone's distribution formula is seriously wrong.

State aids are determined by our State legislature. State senators and representatives are familiar with community means and with the relative needs of different school districts throughout Minnesota. They have determined that the schools in the Third Congressional District are deserving of one-fifth of the State money.

The powers that be in this Congress and in the Johnson administration have decided that less than one-thirtieth of the Federal money going to Minnesota should be spent in the same schools. I cannot agree that this is either justified or equitable.

Last week Minnesota's commissioner of education and the U.S. Office of Education supplied me with the actual figures for the school year 1965–66. They are as follows:

Total Minnesota State aids	$193,169,437
Third District distribution	$38,049,317
Share of State total, percent	20
Title I Federal aid to Minnesota	$19,738,265
Third District distribution	$662,166
Share of State total, percent	3

The extension of the Elementary and Secondary Education Act which we are now considering will do nothing to correct this injustice during the next 2 years.

But justice could have been done if an amendment which was offered earlier in this debate had been accepted. That amendment would have altered the inequitable pattern of Federal school aid by authorizing State education agencies to develop State plans for the use of Federal funds. Had this amendment been adopted, a State could redistribute its share of Federal funds according to State law and in order to concentrate them in the areas of greatest need. This is the traditional administrative device for the use of Federal funds, and it has the advantage of permitting statewide concentration upon the most urgent educational problems. It also encourages responsible State educational planning.

It is most unfortunate that this State distribution amendment was rejected. The present majority here talks a great deal about helping those who most need assistance, but it has failed in this bill to match its vocal concern with intelligent action.

Is the Minnesota case unique? Indeed it is not. A study of the situation in other States shows a pattern of inequitable treatment of suburbia which is nationwide.

Some will argue that suburbanites are affluent, that they can and should shoulder a disproportionately large share of the bill. This is as much myth as fact. While there is much wealth in suburbia, there are also widespread areas of low- and middle-income family concentrations. And there are schoolchildren who qualify as "economically disadvantaged" in every sizable suburb.

Notwithstanding this, those whom I represent would not protest the Federal distribution formula if it channeled needed funds exclusively into the most poverty-stricken areas of America's big cities and to the rural poor. But strangely, under this legislation the very rich get even richer. Distributions under title I of the Federal law last year prove that we are concentrating limited funds in the very wealthy school districts, with the richest getting twice as much Federal assistance per impoverished child as the very poor areas of the Nation. The following chart shows the precise data during the school year 1965–66, which would not be substantially altered by the present legislation for the 1966–67 school year:

Relationship of family income to Federal assistance under the Elementary and Secondary Education Act of 1965

County and State	Family income data			School-age children		Total fiscal year 1966 entitlements under the act
	Median income (1960)	Under $3,000 (1960) (percent)	$10,000 and over (1960) (percent)	Number of impoverished children for purposes of this act [1] (fiscal year 1966)	Percent of all school-age children	
United States	$5,660	21.4	15.1	5,344,363	11	$1,075,926,915
10 wealthiest counties:						
Montgomery, Md	9,317	5.5	44.6	2,305	2	556,726
Arlington, Va	8,670	6.0	38.6	1,001	4	179,279
Fairfax, Va	8,607	5.8	37.8	1,992	3	344,230
Du Page, Ill	8,570	5.9	36.0	2,375	2	631,013
Marin, Calif	8,110	8.8	33.4	1,592	4	402,250
Westchester, N.Y	8,052	8.0	36.3	7,692	3	2,812,502
Bergen, N.J	7,978	6.4	32.1	4,432	2	1,275,485
Union, N.J	7,746	7.8	30.5	4,739	3	1,363,836
Montgomery, Pa	7,632	7.4	30.7	2,919	3	692,941
Fairfield, Conn	7,371	9.3	29.1	7,209	4	1,831,518
Total eligible children				36,186		
Total funds						10,089,780
10 poorest counties:						
Grant, W. Va	2,437	64.0	3.0	733	35	116,957
Falls, Tex	2,287	60.6	4.0	2,757	41	542,246
Sunflower, Miss	1,790	68.1	3.9	9,543	42	1,156,611
Knox, Ky	1,722	70.5	1.7	4,347	39	676,697
Tensas, La	1,683	70.9	3.3	2,635	41	501,967
Williamsburg, S.C	1,631	68.3	2.5	10,070	41	1,339,108
Sumter, Ala	1,564	72.3	2.7	4,385	43	626,221
Holmes, Miss	1,453	72.0	2.8	6,418	52	777,861
Breathitt, Ky	1,432	76.0	2.0	3,270	39	509,040
Tunica, Miss	1,260	77.8	3.7	4,044	54	490,132
Total eligible children				48,202		
Total funds						6,736,840

[1] The number of children deemed "impoverished" is based on census tabulations for the year 1960 of children aged 5 to 17 in families with incomes less than $2,000, and from children in families receiving more than $2,000 income in 1960 but who received Federal aid to dependent children in 1962. Interestingly, in this latter category are 6,330 children in the 10 wealthiest counties but none in the 10 poorest counties since in none of the States represented by the poorest counties are ADC payments available to children in families with incomes above $2,000 per year.

Sources: (1) U.S. Department of Commerce, Bureau of the Census, County and City Data Book. (2) Committee on Education and Labor, U.S. House of Representatives, "Education Goals for 1965" (committee print), pp. 65–126. (3) Committee on Labor and Public Welfare, U.S. Senate, "Maximum Basic Grants, Elementary and Secondary Education Act of 1965" (committee print).

How can such a disposition of funds in a law supposedly designed to improve school programs for impoverished children be justified? While it is true that even wealthy areas have a small percentage of disadvantaged children, these youngsters are attending some of the best financed and most advanced public schools available anywhere. Since the Federal funds are limited, the money funneled into wealthy school districts necessarily reduces the amounts available for desperately underfinanced schools in areas of very high concentration of poverty such as city slums and economically depressed rural areas.

The greatest educational needs in the Minneapolis-St. Paul suburban area are for construction funds. The less prosperous but fast-growing school districts north and northwest of the city of Minneapolis are hard pressed to find new brick and mortar money. They are now heavily burdened by debts incurred as a result of previous necessary classroom construction programs. Many have already bonded beyond legal limits. It is commonplace to find relatively poor suburban school districts which are millions of dollars in debt for school construction beyond their total assessed valuation.

I had hoped that this legislation would ease that debt burden and would assist in financing new school building projects. Unfortunately, this is not the case. The majority of the Committee on Education and Labor has made it crystal clear that during the school year 1966-67 no help will be forthcoming to those schools in my district which need it most. The report accompanying this bill states on page 22:

> While the committee does not wish to see school districts attend to their less pressing problems at the expense of fundamental needs, it emphatically states that Title III is not intended as general support for the conduct of day-to-day school operations and ordinary school construction.

Last year title III money went to the more prosperous schools in Minnesota's Third Congressional District. No title III funds whatever were allocated to school districts in Anoka County, and only one district in north Hennepin received any benefit. Almost 90 percent of the Federal money under this section of the Elementary and Secondary Education Act went to schools in south and southwest Hennepin County.

The bill before us promises no remedy for this inequity during the 1966-67 school year. This is so because the majority continues to provide for direct submission of applications to the U.S. Office of Education instead of placing the decisionmaking authority in the Minnesota Department of Education. Washington bureaucrats cannot be expected to be as knowledgeable about relative needs in any given area as the people who live there.

The following chart graphically demonstrates the crazy patchwork which is the pattern of Federal aid to education in the principal school systems of Minnesota's Third Congressional District. These results flow from the many errors which I have discussed, and from the continuing insistence of Federal planners on categorical instead of general aids:

Distribution of State and Federal aids to education during school year 1965-66

Total State aids	State aids per pupil	Priority rank for State aids	District name	Priority rank for Federal aids	Federal aids per pupil, title I	Total Federal aids, titles I and III	Title I funds	Title III funds
$585,395	$390	1	St. Francis	2	$11.00	$16,545.00	$16,545.00	----------
1,178,766	386	2	Centennial	9	4.40	13,511.75	13,511.75	----------
685,131	289	3	Brooklyn Center	12	3.90	9,375.50	9,375.50	----------
1,051,913	284	4	Spring Lake Park	15	3.20	11,974.00	11,974.00	----------
399,488	275	5	Eden Prairie	----------	----------	----------	(1)	----------
5,251,754	268	6	Anoka-Hennepin No. 11	10	4.30	83,552.25	83,552.25	----------
4,968,693	267	7	Bloomington	7	5.20	125,521.25	97,891.25	$27,630
2,468,185	260	8	Osseo	6	5.30	50,186.50	50,186.50	----------
6,041,912	256	9	Robbinsdale	18	2.40	83,978.00	57,128.00	26,850
1,214,603	248	10	Fridley	13	3.40	16,545.00	16,545.00	----------
699,400	244	11	Mound	1	11.80	34,080.55	34,080.55	----------
1,717,142	242	12	Minnetonka	13	3.40	72,690.25	23,990.25	48,700
448,341	238	13	Orono	4	7.20	13,523.76	13,523.76	----------
1,148,721	238	13	Wayzata	3	8.30	39,983.75	39,983.75	----------
2,588,237	229	15	Richfield	15	3.20	36,674.75	36,674.75	----------
1,472,115	216	16	Columbia Heights	11	4.00	27,107.00	27,107.00	----------
2,232,530	202	17	St. Louis Park	8	4.90	55,823.40	54,996.40	827
1,839,835	196	18	Hopkins	4	7.20	112,629.00	68,900.00	43,729
1,655,177	174	19	Edina-Morningside	----------	----------	56,225.00	(1)	56,225
172,821	116	20	Golden Valley	17	2.60	4,000.00	4,000.00	----------
202,430	116	20	St. Anthony	----------	----------	----------	(1)	----------

[1] These school districts elected not to receive the funds to which they were entitled.

Source: Figures obtained during the period Sept. 29 through Oct. 4, 1966, from the U.S. Office of Education and the Minnesota State Department of Education.

One of the school district superintendents whom I represent wrote me last week:

> While much good has undoubtedly accrued to various school systems as a result of the Elementary and Secondary Education Act, my own position is one of strong opposition to federal aid of this type. I believe the law in general to be unfair, cumbersome, inefficient, insufficient and another unfortunate extension of federal control into the operation of local school districts. It helps solve problems of lesser importance by instituting special programs in prosperous areas while basic financial needs of a poorer school district may not be even met.

I would gladly support a general education bill which provided construction and other assistance to those schoolchildren and school districts truly in need. My efforts to reshape Public Law 89-10 to those ends have been brusquely turned aside. I cannot put my stamp of approval on the Robin-Hood-in-reverse results which will flow from this legislation.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, pursuant to House Resolution 1025, reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. O'HARA of Michigan. Mr. Speaker, I demand a separate vote on the Fountain amendment which appears on page 63 of the bill, after line 9.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. FINO. Mr. Speaker, I demand a separate vote on the O'Hara amendment, the antibusing amendment.

The SPEAKER. Will the gentleman from New York inform the Chair as to which amendment offered by the gentleman from Michigan [Mr. O'HARA], the gentleman from New York [Mr. FINO] has in mind?

Mr. FINO. Mr. Speaker, the antibusing amendment.

The SPEAKER. The Chair is not aware of that designation.

What amendment does the gentleman from New York have in mind? The gentleman's characterization does not give sufficient information to the Chair. The Chair is endeavoring to protect the rights of the gentleman from New York.

Mr. FINO. Mr. Speaker, the amendment which appears on page 57.

The SPEAKER. The Chair will state that the gentleman from New York [Mr. FINO] is acting in accordance with the rules and the Chair wants to cooperate with the gentleman. The Chair's inquiry was directed to the gentleman in order to ascertain the particular amendment which the gentleman has in mind.

Mr. FINO. Mr. Speaker, the amendment offered by the gentleman from Michigan [Mr. O'HARA] which appears on page 61 of the bill.

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Speaker, I believe it would be helpful and to the benefit of the Members of the House if the amendment of the gentleman from Michigan [Mr. O'HARA] were reread.

The SPEAKER. The gentleman from Michigan [Mr. O'HARA] offered several amendments that were adopted in the Committee of the Whole. The Chair is trying to ascertain the particular one that the gentleman from New York has in mind.

Mr. FINO. Mr. Speaker, if there is any question in the mind of the Speaker as to which ones they are then I will ask for a separate vote on all of the O'Hara amendments.

The SPEAKER. Does the gentleman demand a separate vote on all of the O'Hara amendments?

Mr. THOMPSON of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. THOMPSON of New Jersey. Mr. Speaker, we have two of our distinguished colleagues named O'HARA. Which Mr. O'HARA does the gentleman refer to?

Mr. FINO. Mr. Speaker, the gentleman from New Jersey was not paying attention. I said the gentleman, Mr. O'HARA, from Michigan.

Mr. THOMPSON of New Jersey. Thank you very much. You know that much, anyway.

The SPEAKER. The Chair is trying to ascertain the amendment the gentleman from New York has in mind.

Mr. GOODELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GOODELL. Mr. Speaker, the confusion involved in this is because the gentleman from Michigan [Mr. O'HARA] offered his first amendment and it was not drawn properly and did not do the job, and it was put in the wrong place in the bill. He subsequently came back at the end of the debate and offered a correcting amendment.

The parliamentary inquiry, Mr. Speaker, is, Can we have the vote on the second amendment offered by the gentleman from Michigan, and does the second correcting amendment offered by the gentleman from Michigan [Mr. O'HARA], include the first amendment with reference to busing?

The SPEAKER. It is the Chair's recollection that the gentleman from Michigan [Mr. O'HARA] offered one amendment covering four sections of the bill. Later he offered another, intended to cover the fifth section.

Will the gentleman from Michigan [Mr. O'HARA] let the Chair have his opinion, and can the gentleman ascertain that the first amendment was intended to cover five sections, or five provisions, but covered only four, and that the gentleman then offered his second amendment to carry out the intent that he had in mind?

Is the Chair's understanding correct?

Mr. O'HARA of Michigan. Mr. Speaker, the Speaker has correctly stated the matter. The first amendment applied to four of the five titles of the elementary and secondary education bill passed by this Congress in 1965.

The second amendment on that subject, the last amendment I offered, covered the first title of that bill that we enacted in 1965.

The SPEAKER. Is that the amendment the gentleman from New York has in mind?

Mr. FINO. Mr. Speaker, that is correct.

The SPEAKER. Does the gentleman from New York demand a separate vote on both of the amendments?

Mr. FINO. Mr. Speaker, I do, to eliminate any confusion.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent that the two amendments on which the gentleman from New York has asked for a separate vote be voted en bloc.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Page 63, after line 9, insert the following:

"PART G. COMPLIANCE WITH SECTION 602 OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

"SEC. 171. The Commissioner of Education shall not defer action or order action deferred on any application by local educational agencies for funds authorized to be appropriated by this Act or by any Act amended by this Act on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act of 1964 unless and until, as provided by section 602 of title VI, there has been an express finding on the record, after opportunity for a hearing, that such local educational agency has failed to comply with the provisions of title VI."

And on line 10, strike out "G" and insert "H", and on line 11, strike out "171" and insert "181".

Mr. BRADEMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRADEMAS. Mr. Speaker, is this the so-called Fountain amendment?

The SPEAKER. That is correct.

Mr. BRADEMAS. I thank the Speaker.

The SPEAKER. The question is on the amendment.

Mr. O'HARA of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 221, nays 116, not voting 95, as follows:

[Roll No. 343]

YEAS—221

Abbitt
Adair
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Ashmore
Ayres
Baring
Bates
Beckworth
Belcher
Bell
Bennett
Betts
Boggs
Bolton
Bow
Brock
Brooks
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cahill
Callan
Callaway
Cameron
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cramer
Culver
Cunningham
Curtin
Curtis
Davis, Wis.
de la Garza
Dent
Derwinski
Dickinson
Dole
Downing
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Ellsworth
Erlenborn
Everett
Evins, Tenn.
Fascell
Findley
Fino
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Gettys
Giaimo
Gibbons
Goodell
Grabowski
Gray
Green, Oreg.
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Halleck
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harsha
Hays
Hechler
Henderson
Herlong
Horton
Hosmer
Hull
Hungate
Hutchinson
Ichord
Jarman
Jennings
Johnsen, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karth
Kee
Keith
King, Utah
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
McClory
McCulloch
McDade
MacGregor
Machen
Mahon
Mailliard
Marsh
Matthews
May
Mills
Minshall
Mize
Monagan
Morse
Morton
Mosher
Natcher
Nelsen
O'Neal, Ga.
Passman
Patman
Pelly
Pickle
Pike
Pirnie
Poage
Poff
Pool
Pucinski
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rostenkowski
Roush
Rumsfeld
Satterfield
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stanton
Steed
Stratton
Stubblefield
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Trimble
Tunney
Tuten
Udall
Ullman
Utt
Vigorito
Waggonner
Waldie
Watson
Watts
Weltner
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wolff
Wright
Wyatt
Wydler
Young
Zablocki

NAYS—116

Adams
Addabbo
Annunzio
Ashley
Bandstra
Barrett
Bingham
Blatnik
Boland
Bolling
Brademas
Burke
Burton, Calif.
Byrne, Pa.
Carey
Celler
Clevenger
Cohelan
Conyers
Daddario
Daniels
Dawson
Delaney
Diggs
Dingell
Donohue
Dulski
Edwards, Calif.
Fallon
Farbstein
Farnsley
Farnum
Feighan
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Gallagher
Garmatz
Gilbert
Gonzalez
Green, Pa.
Halpern
Hathaway
Hawkins
Helstoski
Hicks
Holifield
Holland
Howard
Huot
Irwin
Jacobs
Joelson
Karsten
Kastenmeier
Kelly
King, Calif.
Kirwan
Kluczynski
Krebs
Kupferman
Love
McCarthy
McFall
McGrath
Mackie
Madden
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Moorhead
Morgan
Multer
Murphy, Ill.
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Ottinger
Patten
Pepper
Perkins
Philbin
Powell
Price
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schmidhauser
Sickles
Stalbaum
Sullivan
Tenzer
Thompson, N.J.
Todd
Van Deerlin
Vanik
Vivian
Wilson, Charles H.
Yates

NOT VOTING—95

Abernethy
Albert
Arends
Ashbrook
Aspinall
Battin
Berry
Bray
Brown, Calif.

Broyhill, Va.
Cabell
Clawson, Del
Cooley
Corman
Craley
Dague
Davis, Ga.
Denton
Devine
Dorn
Dow
Dowdy
Dyal
Edmondson
Edwards, Ala.
Edwards, La.
Evans, Colo.
Fisher
Flynt
Foley
Fulton, Tenn.
Fuqua
Gilligan
Greigg
Grider
Griffiths
Gross
Haley
Hall
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Jones, N.C.
Keogh
King, N.Y.
McDowell
McEwen
McMillan
McVicker
Macdonald
Mackay
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Michel
Moeller
Moore
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Purcell
Reinecke
Rivers, Alaska
Rivers, S.C.
Rogers, Tex.
Roncalio
Roudebush
Saylor
Schisler
Scott
Shriver
Smith, Calif.
Stephens
Sweeney
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Walker, Miss.
Walker, N. Mex.
Watkins
White, Idaho
Willis
Wilson, Bob
Younger

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Albert with Mr. Arends.
Mr. Hébert with Mr. Bray.
Mr. Keogh with Mr. Bob Wilson.
Mr. O'Neill of Massachusetts with Mr. Martin of Massachusetts.
Mr. Rivers of South Carolina with Mr. Broyhill of Virginia.
Mr. Foley with Mr. Battin.
Mr. Dow with Mr. Harvey of Indiana.
Mr. Hardy with Mr. Hall.
Mr. Fuqua with Mr. Watkins.
Mr. Grider with Mr. Roudebush.
Mr. Mackay with Mr. Walker of Mississippi.
Mr. Edmondson with Mr. Gross.
Mr. Edwards of Louisiana with Mr. Edwards of Alabama.
Mr. Denton with Mr. King of New York.
Mr. Walker of New Mexico with Mr. Shriver.
Mr. Morris with Mr. Tupper.
Mr. Morrison with Mr. Berry.
Mr. Murphy of New York with Mr. McEwen.
Mr. Sweeney with Mr. Saylor.
Mr. McVicker with Mr. Ashbrook.
Mr. Fulton of Tennessee with Mr. Moore.
Mr. Rivers of Alaska with Mr. Michel.
Mr. Nix with Mr. Greigg.
Mr. Moeller with Mr. Younger.
Mr. Olsen of Montana with Mr. Martin of Nebraska.
Mr. Brown of California with Mr. Harvey of Michigan.
Mr. Abernethy with Mr. Martin of Alabama.
Mr. Aspinall with Mr. O'Konski.
Mr. Cooley with Mr. Dague.
Mr. Corman with Mr. Reinecke.
Mr. Dyal with Mr. Smith of California.
Mr. Gilligan with Mr. Del Clawson.
Mr. Craley with Mr. Devine.
Mr. Haley with Mr. Schisler.
Mr. Rogers of Texas with Mr. McMillan.
Mr. White of Idaho with Mr. Thompson of Texas.
Mr. Tuck with Mrs. Thomas.
Mr. McDowell with Mr. Davis of Georgia.
Mr. Purcell with Mr. Olson of Minnesota.
Mr. Moss with Mr. Willis.
Mr. Teague of Texas with Mr. Scott.
Mr. Stephens with Mr. Roncalio.
Mr. Jones of North Carolina with Mr. Macdonald.
Mr. Fisher with Mr. Evans of Colorado.
Mr. Flynt with Mr. Dorn.
Mr. Cabell with Mr. OBrien.
Mr. Dowdy with Mr. Murray.

Mr. BROOKS changed his vote from "nay" to "yea."

Mr. MONAGAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the so-called O'Hara amendments on which a separate vote has been demanded.

The Clerk read as follows:

Amendments offered by Mr. O'HARA of Michigan: On page 63, between lines 12 and 13 insert:

"PART H—RACIAL IMBALANCE

"SEC. 181. Section 604 of the Elementary and Secondary Education Act of 1965 (containing a prohibition against Federal control of education) is amended by inserting the following at the end thereof and before the period: ', or to require the assignment or transportation of students or teachers in order to overcome racial imbalance'."

On page 69, after line 3, insert the following:

"SEC. 215. Section 301(a) of the Act of September 30, 1950 (Public Law 874; Eighty-first Congress) is amended by inserting the following at the end thereof before the period: ', or require the assignment or transportation of students or teachers in order to overcome racial imbalance'."

The SPEAKER. The question is on the amendments.

Mr. FINO. Mr. Speaker, on this vote I demand the yeas and nays.

The SPEAKER. Members in favor of taking this vote by the yeas and nays will rise and remain standing until counted. [After counting.] Fifty-six Members have arisen, not a sufficient number.

The yeas and nays were refused.

Mr. FINO. Mr. Speaker, I ask for tellers.

Tellers were ordered, and the Speaker appointed Mr. O'HARA of Michigan and Mr. FINO as tellers.

The House divided, and the tellers reported that there were—ayes 263, noes 5.

So the amendments were agreed to.

The SPEAKER. The question is on the amendment as amended.

The amendment, as amended, was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. COLLIER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. COLLIER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. COLLIER moves to recommit the bill, H.R. 13161, to the Committee on Education and Labor with instructions that it be reported back to the House forthwith with the following amendments:

(1) That payments under title I of Public Law 89–10 be limited to $1,070,410,000——

Mr. GOODELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. GOODELL. In view of the fact that the recommital motion has been explained, and it will cut $343 million——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GOODELL. I rise to save the House some time by asking unanimous consent—I withdraw my request.

The SPEAKER. The Clerk will continue the reading of the motion to recommit.

The Clerk read as follows:

(1) That payments under title I of Public Law 89–10 be limited to $1,070,410,000 for fiscal year 1967 and to $1,800,000,000 for fiscal year 1968.

(2) That the authorization for title III of such Act be limited to $100,000,000 for fiscal year 1967, and to such sums as may hereafter be authorized by law for any other fiscal year.

(3) That lines 10 through 22 on page 57 of the bill and lines 1 through 4 on page 58, known as the O'Hara amendment, be stricken from the bill.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. COLLIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 150, nays 185, not voting 97, as follows:

[Roll No. 344]

YEAS—150

Abbitt
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Ashmore
Ayres
Baring
Bates
Belcher
Bennett
Betts
Bolton
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Buchanan
Burleson
Byrnes, Wis.
Cahill
Callaway
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Collier
Colmer
Conable
Corbett
Cramer
Cunningham
Curtin
Curtis
Davis, Wis.
de la Garza
Derwinski
Dickinson
Dole
Downing
Duncan, Tenn.
Dwyer
Ellsworth
Erlenborn
Everett
Evins, Tenn.
Findley
Fino
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Gettys
Goodell
Grover
Gubser
Gurney
Hagan, Ga.
Halleck
Hansen, Idaho
Harsha
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Keith
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
MacGregor
Mahon
Mailliard
Marsh
Matthews
May
Mills
Minshall
Mize
Morton
Mosher
Nelsen
O'Neal, Ga.
Passman
Patman
Pelly
Pickle
Pirnie
Poage
Poff
Pool
Quie
Quillen
Race
Randall
Reid, Ill.
Reifel
Rhodes, Ariz.
Roberts
Robison
Rogers, Fla.
Rumsfeld
Satterfield
Schneebeli
Selden
Sikes
Skubitz
Smith, N.Y.
Smith, Va.
Springer
Stanton
Stubblefield
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tuten
Utt
Waggonner
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wright
Wyatt
Wydler
Young

NAYS—185

Adams
Addabbo
Anderson, Tenn.
Annunzio
Ashley
Bandstra
Barrett
Beckworth
Bell
Bingham
Blatnik

Boggs
Boland
Bolling
Brademas
Brooks
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Callan
Cameron
Carey
Celler
Chelf
Clark
Cleveland
Clevenger
Cohelan
Conte
Conyers
Culver
Daddario
Daniels
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dulski
Duncan, Oreg.
Edwards, Calif.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Fogarty
Ford,
William D.
Fraser
Friedel
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kupferman
Leggett
Long, Md.
Love
McCarthy
McDade
McFall
McGrath
Machen
Mackie
Madden
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Monagan
Moorhead
Morgan
Morse
Multer
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Ottinger
Patten
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Redlin
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Steed
Stratton
Sullivan
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Weltner
Wilson,
Charles H.
Wolff
Yates
Zablocki

NOT VOTING—97

Abernethy
Albert
Arends
Ashbrook
Aspinall
Battin
Berry
Bow
Bray
Brown, Calif.
Broyhill, Va.
Cabell
Clawson, Del
Cooley
Corman
Craley
Dague
Davis, Ga.
Denton
Devine
Dorn
Dow
Dowdy
Dyal
Edmondson
Edwards, Ala.
Edwards, La.
Evans, Colo.
Fisher
Flynt
Foley
Fulton, Tenn.
Fuqua
Gilligan
Greigg
Grider
Griffiths
Gross
Haley
Hall
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Jones, N.C.
Keogh
King, N.Y.
McDowell
McEwen
McMillan
McVicker
Macdonald
Mackay
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Michel
Moeller
Moore
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Purcell
Reinecke
Rivers, Alaska
Rivers, S.C.
Rogers, Tex.
Roncalio
Roudebush
Saylor
Schisler
Scott
Shriver
Smith, Calif.
Stephens
Sweeney
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Walker, Miss.
Walker, N. Mex.
Watkins
White, Idaho
Willis
Wilson, Bob
Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Roudebush for, with Mr. Keogh against.

Mr. Teague of Texas for, with Mr. O'Neill of Massachusetts against.

Mr. Fuqua for, with Mr. Foley against.

Mr. Hardy for, with Mr. Dow against.

Mr. Hébert for, with Mr. Murphy of New York against.

Mr. Bray for, with Mr. Denton against.

Mr. Jones of North Carolina for, with Mr. Gilligan against.

Mr. Scott for, with Mr. Moss against.

Mr. Rivers of South Carolina for, with Mr. Sweeney against.

Mr. Cooley for, with Mr. McDowell against.

Mr. Abernethy for, with Mr. Aspinall against.

Mr. Tuck for, with Mr. Albert against.

Mr. Dorn for, with Mrs. Thomas against.

Mr. Dowdy for, with Mr. Schisler against.

Mr. Fisher for, with Mr. McVicker against.

Mr. Battin for, with Mr. Mackay against.

Mr. Smith of California for, with Mr. Corman against.

Mr. Saylor for, with Mr. Brown of California against.

Mr. Younger for, with Mr. Evans of Colorado against.

Mr. Bob Wilson for, with Mr. Dyal against.

Mr. Berry for, with Mr. Edmondson against.

Mr. Del Clawson for, with Mr. Craley against.

Mr. Edwards of Alabama for, with Mr. Moeller against.

Mr. Hall for, with Mr. Morris against.

Mr. Broyhill of Virginia for, with Mr. Morrison against.

Mr. Bow for, with Mr. Nix against.

Mr. Devine for, with Mr. O'Brien against.

Mr. Martin of Nebraska for, with Mr. Toll against.

Mr. Rogers of Texas for, with Mr. Olsen of Montana against.

Mr. McMillan for, with Mr. White of Idaho against.

Mr. Edwards of Louisiana for, with Mr. Olson of Minnesota against.

Mr. Murray for, with Mr. Walker of New Mexico against.

Mr. Willis for, with Mrs. Griffiths against.

Mr. Reinecke for, with Mr. Fulton of Tennessee against.

Mr. Walker of Mississippi for, with Mr. Greigg against.

Mr. Shriver for, with Mr. Rivers of Alaska against.

Mr. Michel for, with Mr. Cabell against.

Mr. McEwen for, with Mr. Macdonald against.

Until further notice:

Mr. Davis of Georgia with Mr. O'Konski.

Mr. Stephens with Mr. Harvey of Indiana.

Mr. Flynt with Mr. Ashbrook.

Mr. Thompson of Texas with Mr. Tupper.

Mr. Purcell with Mr. Martin of Massachusetts.

Mr. Roncalio with Mr. Martin of Alabama.

Mr. Haley with Mr. Harvey of Michigan.

Mr. YOUNG changed his vote from "nay" to "yea."

Mr. FALLON changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The question was taken; and there were—yeas 237, nays 97, not voting 98, as follows:

[Roll No. 345]

YEAS—237

Adams
Addabbo
Anderson,
Tenn.
Andrews,
N. Dak.
Annunzio
Ashley
Ayres
Bandstra
Baring
Barrett
Bates
Beckworth
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Clar-
ence J., Jr.
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Callan
Cameron
Carey
Carter
Casey
Celler
Chelf
Clark
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Corbett
Culver
Curtin
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dulski
Duncan, Oreg.
Dwyer
Edwards, Calif.
Ellsworth
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Ford,
William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Grover
Gubser
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kupferman
Landrum
Leggett
Long, Md.
Love
McCarthy
McCulloch
McDade
McFall
McGrath
Machen
Mackie
Madden
Mailliard
Mathias
Matsunaga
May
Meeds
Miller
Mills
Minish
Mink
Mize
Monagan
Moorhead
Morgan
Morse
Multer
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Rees
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Stalbaum
Steed
Stratton
Stubblefield
Sullivan
Teague, Calif.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Watts
Weltner
White, Tex.
Widnall
Wilson,
Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—97

Abbitt
Adair
Anderson, Ill.
Andrews,
George W.
Andrews,
Glenn
Ashmore
Belcher
Bennett
Betts
Bolton
Brock
Broomfield
Broyhill, N.C.
Buchanan
Burleson
Byrnes, Wis.
Callaway
Cederberg
Chamberlain
Clancy
Clausen,
Don H.
Collier
Colmer
Cramer
Cunningham
Curtis
Davis, Wis.
Derwinski
Dickinson
Dole
Downing
Duncan, Tenn.
Erlenborn
Findley
Ford, Gerald R.
Fountain
Gathings
Gettys
Gurney
Hagan, Ga.
Halleck
Hansen, Idaho
Harsha
Henderson
Herlong
Hull
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
MacGregor
Mahon
Marsh
Matthews
Minshall
Morton
Mosher
Nelsen
O'Neal, Ga.
Passman
Poage
Poff
Pool
Quillen
Reid, Ill.
Rhodes, Ariz.
Roberts
Rogers, Fla.

Rumsfeld
Satterfield
Schneebeli
Selden
Sikes
Smith, Va.
Springer
Stanton
Talcott
Taylor
Thomson, Wis.
Tuten
Utt
Waggonner
Watson
Whalley
Whitener
Whitten
Williams

NOT VOTING—98

Abernethy
Albert
Arends
Ashbrook
Aspinall
Battin
Berry
Bow
Bray
Brown, Calif.
Broyhill, Va.
Cabell
Clawson, Del
Cooley
Corman
Craley
Dague
Davis, Ga.
Denton
Devine
Dorn
Dow
Dowdy
Dyal
Edmondson
Edwards, Ala.
Edwards, La.
Evans, Colo.
Fisher
Flynt
Foley
Fulton, Tenn.
Fuqua
Gilligan
Greigg
Grider
Griffiths
Gross
Haley
Hall
Hansen, Iowa
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Jones, N.C.
Keogh
King, N.Y.
McDowell
McEwen
McMillan
McVicker
Macdonald
Mackay
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Michel
Moeller
Moore
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Purcell
Reinecke
Rivers, Alaska
Rivers, S.C.
Rogers, Tex.
Roncalio
Roudebush
Saylor
Schisler
Scott
Shriver
Smith, Calif.
Stephens
Sweeney
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Walker, Miss.
Walker, N. Mex.
Watkins
White, Idaho
Willis
Wilson, Bob
Younger

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Roudebush against.

Mr. Denton for, with Mr. Bray against.

Mr. Hall for, with Mr. Fuqua against.

Mr. Albert for, with Mr. Flynt against.

Mr. Aspinall for, with Mr. Fisher against.

Mr. Mackay for, with Mr. Abernethy against.

Mr. White of Idaho for, with Mr. Dorn against.

Mr. Tupper for, with Mr. Dowdy against.

Mr. Dow for, with Mr. Edwards of Louisiana against.

Mr. Harvey of Michigan for, with Mr. Hardy against.

Mr. Moore for, with Mr. Hébert against.

Mr. Edmondson for, with Mr. Jones of North Carolina against.

Mr. Shriver for, with Mr. McMillan against.

Mr. Foley for, with Mr. Murray against.

Mr. Gilligan for, with Mr. Rivers of South Carolina against.

Mr. Grider for, with Mr. Rogers of Texas against.

Mr. O'Neill of Massachusetts for, with Mr. Scott against.

Mr. Morris for, with Mr. Teague of Texas against.

Mr. McVicker for, with Mr. Tuck against.

Mr. McDowell for, with Mr. Battin against.

Mr. Walker of New Mexico for, with Mr. Berry against.

Mr. Cabell for, with Mr. Bow against.

Mr. Brown of California for, with Mr. Broyhill of Virginia against.

Mr. Macdonald for, with Mr. Younger against.

Mr. Murphy of New York for, with Mr. Smith of California against.

Mr. Fulton of Tennessee for, with Mr. Reinecke against.

Mr. Corman for, with Mr. Michel against.

Mr. Moss for, with Mr. Devine against.

Mrs. Griffiths for, with Mr. Del Clawson against.

Mr. Nix for, with Mr. Harvey of Indiana against.

Mr. Rivers of Alaska for, with Mr. McEwen against.

Mr. Dyal for, with Mr. Martin of Nebraska against.

Mr. Evans of Colorado for, with Mr. Saylor against.

Mr. Olsen of Montana for, with Mr. Bob Wilson against.

Mr. Moeller for, with Mr. Edwards of Alabama against.

Mr. Schisler for, with Mr. Martin of Alabama against.

Mr. Hansen of Iowa for, with Mr. Walker of Mississippi against.

Until further notice:

Mrs. Thomas with Mr. Cooley.

Mr. Davis of Georgia with Mr. Roncalio.

Mr. Craley with Mr. Willis.

Mr. Olson of Minnesota with Mr. Haley.

Mr. Greigg with Mr. Thompson of Texas.

Mr. Stephens with Mr. Sweeney.

Mr. Purcell with Mr. Morrison.

Mr. O'Brien with Mr. Toll.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ENGROSSMENT OF BILL H.R. 13161

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that in the engrossing of the bill, H.R. 13161, the Clerk be authorized to make corrections in punctuation and section numbers.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 15098. An act to amend Public Law 89–284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3467) entitled "An act to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children."

The message also announced that the Senate further insists upon its amendments to the bill (H.R. 15941) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes," disagreed to by the House; agrees to a further conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Russell of Georgia, Mr. Hill, Mr. McClellan, Mr. Ellender, Mr. Stennis, Mr. Symington, Mr. Saltonstall, Mr. Young of North Dakota and Mrs. Smith to be the conferees on the part of the Senate.

LEGISLATIVE PROGRAM

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I take this time to announce that tomorrow, in addition to the bills to be taken up under unanimous consent which are listed on the whip notice from the Committee on Ways and Means, there will also be considered seven unanimous-consent bills reported by the Committee on Armed Services and I ask unanimous consent that the numbers of titles of these bills be printed at this point in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bills are as follows:

H.R. 13320. A bill to authorize the disposal of 1.8 million carats of industrial diamond stones from the national stockpile and the supplemental stockpile;

H.R. 13370. A bill to authorize the disposal of 130,000 short tons of fused crude aluminum oxide from the national stockpile;

H.R. 13661. A bill to authorize the disposal of approximately 14,572 short dry tons of battery-grade synthetic manganese dioxide held in the national stockpile;

H.R. 17376. A bill to authorize the disposal of 24,500 pounds of nickel from the national stockpile;

H.R. 16394. A bill for the relief of certain enlisted members of the military services who lost interest on amounts deposited under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, and for other purposes;

H.R. 16000. A bill to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes; and

H.R. 3500. A bill to authorize the President to advance Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general.

ADMINISTRATIVE MANAGEMENT SOCIETY SECOND ANNUAL FEDERAL PAPERWORK MANAGEMENT AWARDS GIVEN 21 GOVERNMENT OFFICIALS

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BOLAND. Mr. Speaker, I had the distinct privilege of presiding at the second annual Federal Government Paperwork Management Awards banquet, sponsored by the Administrative Management Society, at the Shoreham Hotel here in Washington on Tuesday evening, September 27.

The Administrative Management Society is a professional society of 15,000 administrative managers organized into 176 chapters in the United States, Canada, and Jamaica, West Indies. It has individual members throughout the free world. Its purposes are to promote improved management and administration in business, government, and other organizations through various educational processes. The society maintains world headquarters in Willow Grove, Pa. The officers of the society are:

International president: L. W. Lynett, IBM Corp., Armonk, N.Y.

First vice president: R. W. Ball, Rochester Gas & Electric Corp., Rochester, N.Y.

Vice president: T. C. Collins, Jr., Southern Life Insurance Co., Greensboro, N.C.

Vice president: H. W. Dean, Eastman Kodak Co., Rochester, N.Y.

Vice president: K. B. Smoyer, Micro Switch Division, Honeywell, Inc., Freeport, Ill.

Chairman, executive committee: J. B. Poole, Norton Abrasives, Ltd., Belfast, North Ireland.

Executive director: Robert C. Walter, Administrative Management Society, Willow Grove, Pa.

Mr. Speaker, everybody complains about the high cost of doing business, including the Government. But, the Administrative Management Society has honored those who have done something about it. To inspire Federal agencies to reduce the burden of paperwork they create, AMS has launched an award program to recognize Federal employees who are helping to cut paperwork.

Some 20 Federal agencies and the District of Columbia government are vying for the Paperwork Management Award. Each of these agencies has nominated one of its people, who during the last year, has been instrumental in bringing about major reduction in paperwork cost, either within the Government itself, or for businesses that must deal with the Government. These 21 persons were honored at this banquet.

To handle this paperwork explosion in the Government, the Congress was farsighted enough in 1950 to pass the Federal Records Act. Under the aegis of this law, the General Services Administration through the National Archives and Records Service, has tried to provide some leadership to our executive branch agencies. Under the Federal Records Act of 1950 they, too, have a mandate to keep their paperwork within bounds.

This awards banquet shows that although we have a tremendous paperwork problem everywhere, nevertheless we can agree with Robert Walter, executive director of the Administrative Management Society, who told me:

> The AMS Federal Paperwork Management Award is designed to tie in with President Johnson's War on Waste campaign, and his drive for paperwork simplification in the Federal Government. As administrative managers, we understand the problem on controlling paperwork costs, and we feel that every worthwhile government action in this direction should be recognized.

To that we all can agree.

Mr. Speaker, I think that the General Services Administration should be commended for the role it has played in controlling paperwork in our Government. Particular credit should go to Dr. Robert H. Bahmer, Archivist of the United States, and his staff at the National Archives and Records Service. At this time I would like to also commend the many departments and agencies of the Government that are doing so much to control the growing volume of paperwork. Also, I would like to offer my personal congratulations to the award winners and to extend to them the gratitude of the Congress of the United States for their dedication, efficiency, and efforts in saving an estimated $80 million in paperwork costs.

Mr. Speaker, Chairman John W. Macy, Jr., of the U.S. Civil Service Commission, read the following letter from President Johnson commending the awards winners:

> THE WHITE HOUSE,
> *Washington, September 27, 1966.*
>
> My perpetual interest in economy is well known in every office of the government.
>
> We need to conserve man hours wherever possible. We need to cut costs wherever we can. Certainly the improvement of paperwork management will help us to save both man hours and dollars.
>
> I have instructed management at every level to encourage the best efforts of all personnel to devise new ways of reducing paperwork and lowering other costs of their operations.
>
> Each innovation for economy in government merits our applause.
>
> I am delighted, therefore, to commend the Administrative Management Society for giving special recognition to the most exceptional of these achievements.
>
> LYNDON B. JOHNSON.

Mr. Speaker, the awards were presented to the winners by Mr. L. W. Lynett, International President of the Administrative Management Society. In making the presentations, Mr. Lynett said:

REMARKS OF L. W. LYNETT

> On behalf of the Officers, Directors, Members and Staff of the Administrative Management Society, it is my pleasure to extend our congratulations to the Nominees in the AMS Federal Government Paperwork Management Awards Program.
>
> We are proud to be able to recognize these Government Managers not only for their contribution toward more effective management, but the inspiration they provide to all government management for improved performance in all sectors. We were impressed by the professional administrative competence shown by the Nominees of the Administrative Management Society Award. We feel confident that this award has contributed substantially toward improved paperwork management within the Government.
>
> I wish to extend our appreciation to the President of the United States for the continuing leadership he has provided through his "War on Waste." Also, we thank the many officials of the Federal Government whose wholehearted interest and cooperation have made this a most successful professional endeavor. These include, among many others, Elmer B. Staats, Comptroller General of the United States, House Representative Edward P. Boland, the Heads of the Nominating Agencies, the Personnel Officers and other Officers of the Agencies, and also the Officials of the National Archives and Records Service of the General Services Administration.
>
> Finally, I wish to thank the Chairman and Members of the Special Awards Board convened by the Administrative Management Society to make the difficult professional judgments essential to a successful Federal Government Paperwork Management Awards program.
>
> L. W. LYNETT,
> *International President, Administrative Management Society.*

Mr. Speaker, I include at this point in the RECORD the names of the awards winners and a brief description of their personal contribution to paperwork costs savings:

ROBERT E. BEETS, CHIEF, RECORDS MANAGEMENT BRANCH, GENERAL SERVICES ADMINISTRATION, WASHINGTON, D.C.

Mr. Beets as Chief, Records Management Branch in the General Services Administration, has complete responsibility for the agency-wide internal records management program. This involves a systematic disposition of GSA inactive records and the effective management of current records, files, correspondence and mail. He has planned, directed and surveyed paperwork processing procedures, document flow, purchase and use of filing equipment and the overall records management program effectiveness of the operating and staff offices in the Central Office and regions.

Under his guidance and instruction, files and records in all services and staff offices were surveyed, disposal schedules established and filing methods simplified and systematized. Savings of over $277,000 were realized through filing cabinets and office space made available for reuse through records destruction or transfer to Federal Records Centers. In addition, a reduction of requisitions for new filing equipment resulted in a cost avoidance of over $33,000.

Mr. Beets has made a significant personal contribution to the agency in developing a new internal GSA standard for the disposal of bulky procurement records six years after contract settlement instead of having to retain them in Federal Records Centers. This will make thousands of cubic feet of Federal Supply Service procurement records eligible for disposal and provide immeasurable savings and benefits to the agency. As a result of Mr. Beets' contributions to date, such benefits will undoubtedly continue to accelerate.

MISS FRANCES T. BOURNE, SENIOR RECORDS MANAGEMENT SPECIALIST, OFFICE OF MANAGEMENT PLANNING, DEPARTMENT OF STATE, WASHINGTON, D.C.

Miss Frances T. Bourne, a Senior Records-Management Specialist in the Office of Management Planning of the State Department, has full technical responsibility for the design, complex preparation and production of an outstanding Correspondence Handbook for both domestic and overseas use. The Correspondence Handbook provides direct, first-hand and centralized guidance to secretaries and officer personnel in drafting and typing ten classes of correspondence, special documents, and all kinds of papers throughout the Department Offices and in over 278 posts overseas.

Miss Bourne has incorporated in the new Correspondence Handbook major changes in style practices which will streamline and modernize the Department's correspondence practices.

This new handbook has helped to increase productivity by five to ten per cent for a conservative annual world-wide savings of approximately $20,000. Through increased efficiency and improved operations added savings will result. It also has provided the basis for establishing a sound correspondence management program within the Department—an important element of a comprehensive paperwork management program.

RUFUS L. CARPENTER, CHIEF, RECORDS MANAGEMENT DIVISION, DEPARTMENT OF VETERANS BENEFITS, VETERANS ADMINISTRATION, WASHINGTON, D.C.

As Chief, Records Management Division, Mr. Carpenter is directly responsible for formulating and administering the Department's Records Management Program—a tremendous management responsibility, since this Department has one of the largest record-making and holding services in the Government. Holdings as of June 30, 1965 amounted to 690,785 cubic feet.

Under his outstanding leadership, the Department has saved the Government over 7 million dollars and has brought marked improvement in the paperwork activities of the Veterans Administration. During the period of almost 7 years, Mr. Carpenter has obtained outstanding results in reducing its records holdings in spite of the fact that thousands of new applications, creating all types of related paperwork, are processed daily. As a result of Mr. Carpenter's planning and direction, a file disposal program, a reorganization of filing systems and a record disposition system have reduced record holdings by 12,390 cubic feet over the previous fiscal year.

Also, Mr. Carpenter has undertaken profitable studies and projects which have resulted in significant savings in the creation, maintenance and disposition of records. Increased efficiency from the use of modern methods and equipment is given constant attention by Mr. Carpenter. In all, his recommendations have resulted in an annual savings of almost 1.5 million dollars annually in operating efficiencies. His distinctive performance will serve as an incentive to others in the Federal Government to increase the effectiveness of its paperwork management.

LOUIS G. CARRICO, CHIEF, RECORDS ADMINISTRATION STAFF, CENTRAL INTELLIGENCE AGENCY, WASHINGTON, D.C.

Mr. Carrico has served as the Central Intelligence Agency's Records Administration Officer since 1953 and has had a key role in developing highly effective Records and Paperwork Management Programs. In addition to his achievements in improving the world-wide record-keeping system of the Agency, he established uniform standards and procedures for the retention and disposal of Intelligence materials in other elements of the Intelligence community of the United States. He is particularly noted for the development of a Vital Materials Program, which has been a model for other Federal Agencies.

Under his leadership, the Agency has developed one of the most sophisticated Records and Paperwork Management Systems in the Federal Government. Through his professional experience in program promotion, he has gained the support of top management and the cooperation and participation of Officers at all levels of the Agency.

The program is comprehensive in scope. It covers all areas in the management of CIA directives, reports, forms, communication, files, and records from date of creation to final storage or destruction.

The importance and impact of Mr. Carrico's accomplishments are best summarized by the fact that he was commended by the Special Assistant to the President for National Security Affairs for his able and efficient direction of the Records Management Services rendered to the National Security Council. In addition, other agencies with unusually difficult security problems have drawn on his successful management techniques and procedures to improve their Paperwork Management Systems and the operations of their records centers.

Mr. Carrico's contributions to effective records and paperwork management within the Central Intelligence Agency have resulted in important savings in man-hours, equipment, and supplies.

ROBERT J. DRUMMOND, JR., DEPUTY DIRECTOR, CHICAGO REGION, U.S. CIVIL SERVICE COMMISSION, WASHINGTON, D.C.

As Deputy Director of the Chicago Region, Mr. Drummond has responsibility for the management and direction of the Commission's recruiting, examining, and inspection functions in several Central States. Among many of his accomplishments in paperwork management, Mr. Drummond redesigned Standard Form 85 so as to group in one location on the form the identifying items that are common to a number of related investigative forms used by the National Agency Check and Inquiry process. This arrangement permits preparation of a reproducing master by a photocopy process directly from Standard Form 85. The master, in turn, is used to print identifying information on various investigative forms.

Standard Form 85 is used in about 250,000 cases annually and its volume use can reach 500,000 in a year of heavy recruiting. These are typed by the appointee or the employing agency and submitted with other required forms to the Commission for initiation of a national agency check and inquiry investigation. The Commission utilizes from 2.5 to 5.0 million written inquiry forms annually. The revised Standard Form 85 eliminates the need for typing individual masters in each of the Commission's area NACI centers and substitutes a machine operation.

The revised system has been successfully tested. Projected on an annual volume of 250,000 cases, a savings of $27,500 would result. On a half million cases, $55,000 would be realized. Equally important as the cost considerations involved in the proposal made by Mr. Drummond is the fact that the revised system will permit prompt indexing of unanticipated increases in case receipts, permits economical scheduling of the workload, and allows for prompt handling of cases. By improving and simplifying forms within the U.S. Civil Service Commission, Mr. Drummond has made a substantial contribution to effective paperwork management in government.

JOSEPH F. GORMAN, ASSISTANT CHIEF, RECORDS MANAGEMENT BRANCH, U.S. ATOMIC ENERGY COMMISSION, WASHINGTON, D.C.

As Assistant Chief, Records Management Branch and Senior Principal Management Analyst, Mr. Gorman has contributed to the development and establishment of an active and progressive records and paperwork management program. Beginning with the Manhattan Engineer District, predecessor to the Atomic Energy Commission, Mr. Gorman inaugurated and developed a new file scheme for organizing current records which provided ready retrieval and full exploitation of the entirely new subject of atomic science.

Mr. Gorman has successfully conducted special studies and analyses of major projects. One such study led to the establishment of the first records center in the Manhattan Engineer District (MED) which resulted in the establishment of other low cost record storage areas within AEC offices and contract organizations. The savings resulting from the transfer of AEC and contractor operated record centers to the centralized National Federal Records are estimated to be approximately $500,000. Also, significant savings were realized when files were reduced to a minimum.

Mr. Gorman actively participated in the development of contract clauses regarding ownership, retention, disposal and access of records generated by contractors. His studies resulted in a 50% reduction in the retention period of records kept by contractors which reduced contractors' cost by $100,000 annually.

AEC records, forms and paperwork processes produce both tangible and intangible benefits to the government, its contractors and its licensees. Mr. Gorman has contributed significantly to the improvements made in the establishment of a highly efficient and effective paperwork system. With these improvements in quality, the costs for performing these services have been drastically curtailed.

REAR ADM. IRA FREDERICK HADDOCK, ASSISTANT CHIEF FOR SUPPLY MANAGEMENT, DEPARTMENT OF THE NAVY, WASHINGTON, D.C.

The Secretary of the Navy, recognizing the danger of the Navy becoming overcome by paperwork, initiated a project known as "SCRAP," a selective curtailment of reports and paperwork. Rear Admiral Haddock was chosen to head up the specialized Paperwork Reduction Program within the Bureau of Supplies and Accounts whose numerous operating field activities are scattered throughout the world and involve widely varied paperwork problems.

To carry out the objectives of Project SCRAP, Rear Admiral Haddock conducted a comprehensive review of the various paperwork used and generated in the Naval Supply System. His review of 13,571 field activity paperwork products resulted in the elimination of 1,411 reports and forms.

A second coordinated review of forms and reports prepared or required by the Navy Bureau of Supplies and Accounts Headquarters, again resulted in positive benefits. A total of 683 reports and forms were reviewed and of this number, 117 were eliminated and 46 simplified.

The elimination and/or simplification of 14 percent of all reports and forms generated savings of 207,939 man-hours which can now be devoted to more essential tasks in the Navy Supply system.

Rear Admiral Haddock's accomplishments in the field of paperwork management, have created a system-wide awareness of the potential benefits present in a systematic and searching review of paperwork needs. The impact of these benefits include intra-supply system dealings, intra-Navy Department business and government paperwork and affect logistics operations involving private industry and the public. Rear Admiral Haddock is now Commander, Defense Construction Supply Center, Columbus, Ohio.

MRS. PHYLLIS T. JENNESS, HEAD, OFFICE SERVICES, GEMINI PROGRAM OFFICE, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, HOUSTON, TEX.

In April, 1962, Mrs. Jenness transferred to the newly created Manned Spacecraft Center, located at Langley Air Force Base, Virginia. As Office Services Supervisor, Mrs. Jenness accepted a challenge in records and paperwork management not previously encountered in scope or intensity for a Government program.

Assigned to the Gemini program and the Manned Spacecraft Center, Mrs. Jenness developed a method of streamlining the existing documentation and correspondence operations of the Gemini program. Her action resulted in an estimated reduction of at least 40 percent of the total documentations distribution and a significant reduction in time, effort, and expense. Realizing that certain documents have wide-spread use throughout the Center, Mrs. Jenness set up a central information storage and retrieval system which resulted in an estimated $300,000 savings.

Also, Mrs. Jenness initiated an altogether new office documentation system which requires a minimum of time and effort for retirement of all permanent files at the termination point of the program. All documentation and records pertaining to a single Gemini mission are retired immediately and only single copies are held for reference. Her procedure is used effectively on current Space Programs.

Mrs. Jenness' accomplishments have resulted in improved programs for the National Aeronautics and Space Administration, and more effective documentation and correspondence operations.

HORACE H. KRAMER, CHIEF, RECORDS MANAGEMENT BRANCH, BUREAU OF PUBLIC ROADS, DEPARTMENT OF COMMERCE, WASHINGTON, D.C.

Mr. Kramer developed a Retention Schedule of Federal-aid Highway Records for State Highway Departments. His guideline schedule has application throughout the 50 state highway departments and serves as a valuable tool of management to assure that essential records on Federal-aid Highway Projects are filed in each of the State Highway Department offices. It provides for microfilming of records.

Mr. Kramer's accomplishment has important impact on both highway construction activities of each of the states as well as on the Federal Government. The Federal-aid highway program combines the efforts of the States and the Bureau of Public Roads to construct the best possible highway system for the American public and involves Federal-aid to the States approximating four billion dollars annually.

At present the State highway offices maintain approximately 650,000 cubic feet of records material at an approximate filing and maintenance cost of $45,500,000. The reduction in records holdings of the 50 State Highway Offices provides very sizable benefits in terms of dollar and manhour savings.

The Retention Schedule of Federal-aid Highway Records for state highway departments developed by Mr. Kramer effectively controls the paperwork relating to the Federal-aid Highway Program, and reduces the costs of administration overhead in each Highway Department.

HUBERT E. LA CROIX, DIRECTIVES MANAGEMENT BRANCH, MANAGEMENT ANALYSIS DIVISION, FEDERAL AVIATION AGENCY, WASHINGTON, D.C.

In his present position, Mr. LaCroix was responsible for installing a new audience-oriented directives checklist (cataloging) system for all Federal Aviation Agency directives issued at every agency level. Each field office of the Agency now receives, each quarter, a complete list of all directives issued by the Agency headquarters, regional and area offices which apply to that office, tailored to match the office's functional and organizational needs.

This accomplishment affects virtually every employee of the Agency in that the reliability of the direction he receives from every level of the Agency through the directives system is now verifiably accurate and readily located. The end result was achieved with a net reduction of nearly 2 million catalog pages a year and will achieve a 3.5 million page one-time cleanout of directives files. In addition, this will result in a cost reduction of more than $3,000 worth of files space and equipment. Further, files maintenance cost has been reduced by $580,000 annually in 1,750 field offices of the Agency.

Through the improved and simplified checklist that Mr. LaCroix has made available to Federal Aviation Agencies, a significant reduction in paper, directive files, and references has been accomplished.

OLLON D. M'COOL, CHIEF, OFFICE MANAGEMENT DIVISION, THE ADJUTANT GENERAL'S OFFICE, DEPARTMENT OF THE ARMY, WASHINGTON, D.C.

Mr. McCool has had a distinguished administrative career of 26 years with the Adjutant General's Office, steadily progressing to his present position of Chief, Office Management Division. During these years, he has meshed a wide variety of paperwork management tasks into an effective and efficient program—among the largest volume and broadest ranging paperwork activities in the Federal Government. Mr. McCool directed the development of tested techniques and standardized procedures for records management, files organization, documentation systems, utilization procedures, correspondence, mail management programs, and files disposition procedures. He has also expanded the Army Records Management Program into "new" areas of program emphasis, including records downgrading and declassification, as well as unofficial historical research access programs.

Mr. McCool's name is probably most intimately connected with the Army Functional Files System, a system for establishing and keeping files based on specific functions performed by organizational elements. Through his efforts, the Army was the first agency to successfully accomplish a unitary filing and disposition system developed for Federal records. The system eliminated many uneconomical and costly filing procedures, made possible the adoption of standardized file labeling data and, above all, reduced duplicate files.

A five-pronged program for the department increased correspondence quality and reduced costs. Mr. McCool developed and distributed manuals and guides on the composition and production of correspondence which brought important results in the standardization of correspondence preparation, an improvement in writing, the use of form and guide letters for repetitive writing, and a reduction in the volume of correspondence.

The Army Functional File System has become a pattern for functional filing systems in many government agencies and business organizations. Its manual on microfilm management has been widely used both within and outside of the government. Ollon D. McCool has been and remains a prime mover in the development of broad-based comprehensive Paperwork Management Programs.

WILLIAM J. MC LAUGHLIN, MANAGEMENT ANALYST, OFFICE OF ORGANIZATION AND MANAGEMENT, DEPARTMENT OF LABOR, WASHINGTON, D.C.

As Management Analyst, Mr. McLaughlin established on a firm and respected foundation, a Directives System that is formally used throughout the Department for communicating policy and procedures from the Offices of the Secretary and Assistant Secretaries. The system allows for quick and efficient communication with key groups of departmental supervisors and officials, as well as the broad spectrum of supervisors and employees.

Mr. McLaughlin's efforts have had their most direct influence on the internal operation of the Department. The impact of the contribution can best be described by comparing the previous system with that which has replaced it. The "old" system, lacking direction and substance, simply meant directives management by assignment of numbers. Directives lacked consistency in content, format, clearance and distribution. Material describing the organization of the Department was oriented almost exclusively to statute, executive order and regulations.

After five years of operation, the new system is found to be conceptually sound and operationally effective. It has become a smoothly functioning system capable of fulfilling a vital communications role for the Secretary and top management. It provides for coded directives, standardized format, periodic indexing, systematic distribution, with provisions for informal and informational type directives. Recent improvements by Mr. McLaughlin will result in reduced volume of published material by 20 per cent and provide more selective distribution closely tied to the need-to-know basis.

BRUCE M'NAIR, DIRECTOR, FACILITIES MANAGEMENT DIVISION, INTERNAL REVENUE SERVICE, WASHINGTON, D.C.

Mr. McNair came to the Internal Revenue Service in 1953 and was given the immediate responsibility to establish a formal records administration program within the Service. Since February, 1956, he has coordinated the wide varieties of the facilities management activities in the Service as Director, Facilities Management Division. The Records Administration Program under Mr. McNair's guidance over the past thirteen years has produced significant management improvements which have resulted in more effective use of Service manpower, reduced operating costs, and improved taxpayer relations.

Under his capable leadership, a program of standardizing forms was inaugurated which resulted in a reduction of over 22,000 forms. Mr. McNair has been equally effective in cutting down on paperwork cost through efficient correspondence management. The second Hoover Commission cited the work done by the Service to streamline its massive correspondence operation as one of the prime examples of how to do a better paperwork job at lower cost. The correspondence management system which has now been in use throughout the Service for more than ten years has resulted in a savings in excess of 5.5 million dollars.

Through the issuance of a Form Letter Handbook, a Correspondence Handbook, and a first in the Federal Government, an Envelop Handbook, the Internal Revenue Service has provided standards, guidelines, and a source of information which provide for the economic, efficient and prompt handling of millions of letters written by the Service each year.

The Internal Revenue Service accumulates a large mass of records each year. In 1953, approximately 93 million tax returns of all types were filed. Millions of records are created within the Service each year in processing and examination of the returns. Total records holdings at that time were in excess of 1.4 million cubic feet. In 1965, over 102 million tax returns were filed. In spite of the increase in tax returns filed each year, records holdings have been reduced to 578,000 cubic feet as a result of comprehensive records control schedules and minimum records retention periods. This program, coupled with a new system for handling tax returns has played an important part in streamlining and modernizing the operations of the Internal Revenue Service. The programs developed by Mr. McNair in his ten years of service with the I.R.S. has helped in a very significant way to increase productivity of personnel and in other ways reduce operating costs. His efforts have been indispensable also in the transition to automatic data processing which is now being installed Service-wide.

MRS. MILDRED C. PORTNER, SECRETARY OF THE LIBRARY, LIBRARY OF CONGRESS, WASHINGTON, D.C.

Mrs. Portner, appointed Secretary of the Library in 1947, has established, developed, and administered the Paperwork Management Program of the Library. Under her skillful direction the Library of Congress has achieved greater efficiency in all of its paperwork operations, in management of current records, and improved archival procedures. As secretary, Mrs. Portner, is the Records Officer of the Library, serving as liaison between the Library and the Congressional Offices on paperwork management and related problems. Her accomplishments in both the Library and the Congress which it serves, have resulted not only in dollar savings, but also in increased efficiency.

In March 1958, Mrs. Portner organized the Paperwork Management Activities in the office of then Majority Leader of the Senate, Lyndon Baines Johnson. She directed the reorganization of the Records and Correspondence procedures, practices and systems of the office; established a program for the development of an LBJ Historical Archive; and guided the training of the staff to operate both as current records manager and collector of the historical record.

Mrs. Portner continued directing the expansion and refinement of this program of assistance during the period of the Vice Presidency and has contributed significantly in the establishment, development, and orderly arrangement of this historical documentation during the Presidency of Mr. Johnson. Her foresight, imagination, dedication, and consistent efforts have made the Johnson Archive virtually unique in the history of Presidential Archives. For the first time, long-term advanced planning, systematic organization, and continuing attention has been given to the full preparation of Presidential records for ultimate deposit. These records, already arranged with appropriate finding media, will serve as the foundation of the collections of the Lyndon Baines Johnson Presidential Library to be established in Austin, Texas, now in the stage of architectural planning.

ROBERT D. RICE, RECORDS MANAGEMENTS OFFICER, DEFENSE INTELLIGENCE AGENCY, WASHINGTON, D.C.

As Records Management Officer since 1963, Mr. Rice has developed and implemented the Agency's world-wide Records Management Program. It provided for the control and improvement of all records, including substantive intelligence materials from their creation or receipt to their disposition, and formally established an Area Records Officer concept.

Working under conditions of extreme pressure, minimum personnel, and short deadlines, Mr. Rice completed an eighteen major element record control schedule, specifically tailored to hundreds of dissimilar items maintained in hundreds of smaller components. An Agency General Schedule governing the disposal of a major portion of more common administrative and housekeeping records of the Agency was also developed. He also formulated and published a complete Agency guide which provides standards, systems and procedures for the guidance of Agency personnel in handling files operations. As indication of Mr. Rice's professional ability, this guide has served the Agencies effectively for more than two years, and no major revisions have been required.

During 1966 a highly successful one-time project to reduce the Agency's TOP SECRET inventories was spearheaded by Mr. Rice. Under his guidance, a concentrated 60-day effort of Area Records Officers, files custodians, and others succeeded in reducing inventory by more than 45 per cent, from 32,306 documents to 14,556. This accomplishment will result in an annual cost avoidance of $110,000.00.

Under Mr. Rice's expert guidance and direction, files were fully centralized, files mechanized, indexes automated, and other improvements in files operations which resulted in equipment pay-out and net savings over a ten year period in excess of $67,000. All of Mr. Rice's accomplishments have had a direct Agency-wide impact. His efforts have brought the Agency greater effectiveness, efficiency and productivity which have direct bearing on and relationship to all of the Agency's dealings with other Government Agencies, other Governments and, in a more limited sense, the public.

JOHN M. RILEY, CHIEF, PUBLIC INQUIRIES BRANCH, SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, BALTIMORE, MD.

In his present position, Mr. Riley supervises a staff of 122 employees and plans, directs, and coordinates the preparation of replies to priority inquiries, and the development and revision of Administration-Wide Correspondence Processes, Policies and Procedures.

The Social Security Administration receives, processes, and replies to over 15 million direct inquiries each year. It also processes a massive amount of additional correspondence. The Social Security Administration is unique in that it has correlated its public information and public correspondence programs.

In the development of an Administration Program to improve the quality and expedite the handling of written public correspondence, Mr. Riley's knowledge and ingenuity has led him to pioneer many innovations and improvements in correspondence procedures. He planned, directed and coordinated a branch reorganization program which systematically aligns the multitude of branch duties with appropriate sections within the organization. Mr. Riley's efforts to increase production led to the purchase and use of automatic typewriters in the agency. Also, he established an electronic data processing control system for all correspondence receipts and installed a conveyer belt for faster internal processing of correspondence.

Mr. Riley's studies of correspondence resulted in a refinement of the handling processes and, in tangible results, he has saved the government thousands of dollars and man-hours yearly. Under his direction and leadership, the Social Security Administration has profited from his invaluable improvements in all activities and areas of the public correspondence field.

EVERETT E. SHEATS, CHIEF, FORMS & RECORDS MANAGEMENT BRANCH, POST OFFICE DEPARTMENT, WASHINGTON, D.C.

The Postal Service manually processes over two billion blank paper forms yearly, each containing an average of thirty items of data. The seventy largest post offices use the equivalent of 30,000 man-years annually in paperwork, or over $215 million in salary costs, exclusive of supplies, equipment and floor space. These post offices write over two million letters and memoranda annually. A 5 per cent and possibly 10 per cent reduction in these costs amounts to between $10 and $20 million annually.

By planning, developing and implementing a paperwork cost reduction and systems improvement program in the Postal Service, Mr. Sheats has provided economies in personnel, lowered costs, and has speeded the flow of work. The program provides for systems studies in depth to eliminate paperwork containing information and data not really essential to effective post office operations and management. It gives the department tighter control over the creation of new paperwork through a continuing review of all requests for new or revised forms, reports and directives, correspondence and over the office equipment used at all levels. It sets up teams of post office operating employees and GSA consultant personnel who train post office field personnel on-the-job. This provides a trained staff of local people able to perform self-evaluation studies to simplify and eliminate paperwork. When fully implemented, a staff will be fully trained in the systems approach to the paperwork problem in 15 regional offices, 34,000 post offices and other field units.

As an example of the savings and improvements resulting from this program, the daily work hour report prepared manually by 192 post offices was replaced with a bi-weekly report prepared by the computer as a payroll by-product. This resulted in savings of over 600,000 hours annually in preparation costs alone. Also, a Vital Records Program reduced storage areas by 50 per cent.

Mr. Sheats has made a significant contribution to the Post Office by developing a broad managerial program which provides the Post Office with a capacity to meet the challenge of growing paperwork loads and modern office needs.

MR. WILLIAM A. SNYDER, CHIEF, PLANS, PROGRAMS AND PROCEDURES BRANCH, DEFENSE CONSTRUCTION SUPPLY CENTER, COLUMBUS, OHIO

Mr. Snyder joined the Defense Supply Agency in 1961 as a Procurement Analyst and has been employed by the Defense Construction Supply Center since that time. In developing a new system for contract solicitation, he completely revised the manner in which bids and offers were being solicited from industry. Under the previous system used by the Defense Construction Supply Center, large numbers of bulky copies of terms, conditions, and provisions were reproduced for distribution to suppliers on each solicitation. The average package sent to each prospective bidder contained 104 pages.

Mr. Snyder's system consolidated all the terms, conditions of the solicitation, all instructions to the supplier and all contract provisions required by public law, directed by higher headquarters or originated by this center into a Defense Construction Supply Center Contract Clause Book. The book is published and distributed to all suppliers on the bidders list. Since suppliers now have a ready reference to all these items, it is possible to refer to applicable portions of the Clause Book in solicitations and contracts. This is accomplished by preparing reproducible mats which contain the identification number and title of each provision in the Clause Book. Buyers now prepare solicitations simply by checking the applicable provisions on the reproducible masters. Thus, only the cover sheet, item description and one-time provisions must be typed on each solicitation.

The new system eliminates 62 pages per solicitation. The average number of prospective bidders on each action is 34. Each mailing, therefore, has been reduced by 2,108 pages resulting in a $25 savings per solicitation. Based on an estimated 20,000 solicitations, total dollar saving could amount to $500,000 annually. If the system is standardized and implemented in all centers of the Defense Supply Agency, at all procurement offices of the Military Departments, and in other Federal Agencies, additional savings will result to the Federal Government, and many tangible and intangible benefits will accrue to vendors and industry.

Mr. Snyder has made a significant contribution by simplifying and improving paperwork practices in the Columbus, Ohio Defense Construction Supply Center.

FRANK X. THORNTON, DEPUTY CHIEF, PUBLISHING DIVISION, DIRECTORATE OF ADMINISTRATIVE SERVICES, DEPARTMENT OF THE AIR FORCE, WASHINGTON, D.C.

Mr. Thornton joined the Publishing Division of the U.S. Air Force in 1942 to help organize its expanding activity. He has been responsible for Air Force printing and publishing programs since that date. Exercising professional competence, Mr. Thornton has consistently improved the Air Force's written management communication program. In establishing the post of Director of Administrative Services, Publishing Division, Mr. Thornton developed a central organization to handle the major portion of Air Force paperwork management. This Division exercises economical management over the creation, design, production, distribution, and use of USAF printed materials.

Mr. Thornton was one of the prime movers in the planning, organizing, and budgeting of a revolutionary printing system, termed Lexical-Graphical Composer-Printer. It is scheduled to be operational in July, 1967 at Wright-Patterson Air Force Base, Ohio.

This management improvement program will reduce the number of printed pages by an estimated one billion—and a resultant savings of approximately $2-million annually. Mr. Thornton has also directed a massive reduction of expenditures within the Publishing Division which has achieved a reduction in savings of $1.1 million and a cost avoidance of $.5 million.

Mr. Thornton's contribution to Paperwork Management, governmentwide in impact and nationally significant in scope, can truly be held up as an example to inspire and encourage the efforts of others toward additional improvements and progress in paperwork management.

CHARLES E. WYLIE, CHIEF, PAPERWORK MANAGEMENT DIVISION, OFFICE OF THE SECRETARY, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.

Mr. Wylie, Management Officer for the Department of Agriculture, has provided Department-wide leadership in the broad field of paperwork management, as well as Department liaison with the National Archives and Records Service and other Federal Agencies. This is a challenging management responsibility. The department generates nearly a million cubic feet of current records, approximately 60,000 forms and 3,600 different reports and is a decentralized field organization employing more than 100,000 people with over 10,000 individual offices located in 3,000 counties in all 50 States.

Under Mr. Wylie's leadership, the Department has made significant progress in professionalizing and systematizing its approach to paperwork management. His guidance has provided standards and guidelines for each of the principal paperwork specialties. His effective leadership has brought measurable results from the programs Mr. Wylie has developed.

Through the issuance of a Handbook of policy and guidelines for the sound management of the Department's more than 3,600 reports and periodic review of these reports, an estimated $630,000 has been saved. The Department's first forms survey was undertaken under his direction. A comprehensive long-term correspondence improvement program, coupled with the development of a writer's handbook and a program of personnel training workshops, have produced gratifying results. Mr. Wylie also developed a cost reducing plan for improving mail operations which resulted in a reduction of mailrooms from 55 to 19 and other improvements which saved over $100,000.

Mr. Wylie has made a great number of major contributions to Paperwork Management in the Department of Agriculture, all characterized by resourcefulness and understanding of department needs, as well as thoroughness and technical excellence. As the Department Agencies put into practice the improved paperwork management practices sponsored by Mr. Wylie, the Department will realize a long-term saving.

WILLIAM F. ZIMMERMAN, SR., RECORDS MANAGEMENT OFFICER, EXECUTIVE OFFICE, GOVERNMENT OF THE DISTRICT OF COLUMBIA, WASHINGTON, D.C.

In his present position, Mr. Zimmerman, developed broad program objectives and plans for a new records management program bringing intangible and tangible benefits to the District. A permanent member of the Management Office Staff, Mr. Zimmerman surveyed and implemented the Records Management Program in the District of Columbia. Potential savings of over a half million dollars and documented savings of over a quarter million dollars during a year and a half period have been realized. The program envisioned by Mr. Zimmerman has potential savings of many times the initial economies achieved in record storage and disposition.

Under his outstanding leadership, retention and disposal standards were developed for over 300,000 cubic feet of records the District Government had in custody. An estimated 8,000 cubic feet of records were disposed of through his efforts. Individual departments and agencies in the district also received Mr. Zimmerman's attention. A completely new and comprehensive filing classification system was developed and installed in the Department of Vocational Rehabilitation. New forms were developed for the Public Service Commission Licensing function. The largest comprehensive records disposal schedule was developed for the Metropolitan Police Department where procedures were revised and more than 75 forms eliminated in the process.

Mr. Zimmerman's accomplishments have resulted in an on-going paperwork Management Program in the District Government. The program which he spearheaded has resulted in cost reductions and improved services to the public.

Mr. Speaker, I also include in the RECORD at this point the speech by the Honorable Elmer B. Staats, Comptroller General of the United States, entitled "Paperwork Management—Its Importance to Business and Government," which was delivered at the second annual Federal Government Paperwork Management Awards banquet:

PAPERWORK MANAGEMENT—ITS IMPORTANCE TO BUSINESS AND GOVERNMENT

(Address by Elmer B. Staats, Comptroller General of the United States, at the second annual Federal Government Paperwork Management Awards Banquet, sponsored by the Administrative Management Society, Sept. 27, 1966)

"Excellence is nowhere more necessary today than among those charged with the management of public affairs, and excellence cannot be sustained indefinitely without public recognition." This is a quotation from the report of the Canadian Royal Commission on Government Organization in 1962, but it aptly sets the theme for this occasion.

The Administrative Management Society is rendering an important public service in making this program possible. This contribution is particularly important because it serves a twofold objective. On this occasion the Society is recognizing the outstanding contribution of 21 career Federal employees. Equally important, it represents a significant and concrete demonstration of the interest of the business community in working with the Government in its important and continuing "war on waste"—a war in which all taxpayers, in and out of Government, have an obvious interest in winning. It is particularly apropos since President Johnson, only last week issued a new directive designed to dispose of unneeded records and which points to the very substantial savings resulting from the program initiated 2 years ago—graphically highlighted by a moratorium on the purchase of file cabinets.

Tonight we are focusing attention on the contribution which an effective paperwork management program can contribute to the orderly and efficient conduct of business and Government operations.

And that is why we are meeting—to recognize outstanding contributions and contributors to this objective. In presenting these awards, we are recognizing the efforts of many. Thereby we will increase the motivation and encourage initiative in hundreds of others.

Defined simply, paperwork is the recording and processing of information and the making of information available for use. Accurate and complete information, effectively communicated, is the lifeblood of any organization—the basis on which management decisions must be made. Conversely, too much information, inaccurate information, or poorly presented information confuses, or even paralyzes, an organization.

The importance of paperwork management to both business and Government has increased tremendously in recent years because of an expanding need for information and because of a tremendous growth in the volume of information already available. High on the list of contributing factors are:

The expanded use of automatic data processing equipment.

An increase in the size and complexity of business organizations and of governments at all levels.

Advances in science and technology creating new products, new knowledge, and new methods of production and communication.

An increase in research and development activities.

An increase in governmental responsibilities and programs.

It has been said that the Federal Government is the greatest paperwork mill in the world. I do not mean to be derogatory when I use the term "paperwork mill." The problem is not unique to the Federal Government. Surveys—not made or audited by the General Accounting Office—indicate that business produces even more pieces of paper per employee than the Federal Government. In round figures, the Federal Government created 4.8 million cubic feet of records during the past fiscal year. This quantity is equivalent to 10.5 billion sheets of paper, almost all of which passed through several hands.

The Federal Government owns or leases about 2,600 computers, 50,000 quick-copy machines, and almost a quarter of a million electric typewriters. We use about 3 million filing cabinets and almost 2,000 miles of shelving to hold the accumulation of 34 billion pieces of paper.

Figures on the size and complexity of our paperwork effort could be cited almost endlessly. We could deal with it from a point of view of reciting the 100,000 Government offices with which the public must communicate. We could deal with it from the point of view of the top 10 percent, or 250,000 employees, who must review the reports to make their managerial decisions. We could even deal with it from the standpoint of the 300,000 stenographers, typists, card-punch operators and teletypists, who actually punch the keys to write the documents, or the equally large number of clerks who compile and summarize data.

The sheer magnitude of the problem involved in handling such volumes presents problems to both business and Government. This has led to many innovations such as the application of microfilming and the development of accelerated records disposal programs. It has contributed to a search for ways and means to automate source data and to reduce or eliminate the creation of intermediate records. This has required us to become acquainted with such unfamiliar terms as "optical scanners" and "direct input methods."

And even more fantastic developments are predicted for the future.

Paperwork managers in business and Government must be alert to the present possibilities and to the continuing developments in this area.

My attention was recently drawn to a new type of paper that disintegrates and disappears when dropped into water. It is said to be good for enclosing various materials for measured use in water. Perhaps we can solve our records disposal problems by having the scientists develop a similar type of paper for use in preparing correspondence and forms which would automatically disintegrate and disappear upon expiration of the designated retention period.

Not only must we be concerned with the increase in the physical volume of paperwork, but we must be concerned also with the attendant increase in the number of clerical workers who must handle the paperwork. During the past 50 years, the ratio of clerical to nonclerical workers in the total labor force has risen from 1 out of 40 workers to 1 out of 6. It follows that we must increase productivity in order that costs and employment do not rise proportionately to the increase in data to be processed.

I have a special interest in the subject we are discussing this evening. An important part of the job of the General Accounting Office is to recommend to the Congress and Government agencies ways of achieving greater economy and efficiency. While we take pride in the improvements and savings that result from our own recommendations, we recognize that the primary responsibility and the principal contributions result from actions initiated within the agencies themselves.

The Federal Government has an impressive record in meeting this challenge. Working together, managers, management analysts, scientists, and engineers—both in and out of Government—have demonstrated what can be done. Let me cite just a few examples.

1. The Veterans Administration, through automation:

Performs accounting operations on 4½ million accounts annually at a unit cost of about $1.24 compared with preautomation costs of $3.34.

Converted 6 million insurance policies to an automated system with major economies.

Processes dividend payments at a lower cost and in a fraction of the time required by previous methods.

Supplies this data on magnetic tape for use by the Treasury Department which in turn uses checkwriting computers, not only speeding up the preparation of checks but also eliminating the need for maintaining voluminous files.

2. The Post Office Department, through the installation of print-punch machines, captures data in the form of punched holes in money orders; thereby it eliminates the need for separate key punching in later operations.

3. The Treasury Department, through the automation of checkwriting operations, has reduced the cost of preparing each check from 8.8 cents to 3.5 cents.

I could mention many other new applications being developed—for example, the control of dangerous drugs, abatement of malaria and tuberculosis, management of forest reserves, and analysis of American-flag shipping in the world trade routes. Some of the analysts studying the problem in the National Archives and Records Service of the General Services Administration estimate that between 80 and 90 percent of the work of Federal program activities is capable of being quantified and therefore automated.

The Government is not alone in applying what is known as "source data automation." The banking industry, for example, is capturing data in machine processable form at the earliest possible point in its check-processing procedures on the check which you and I use. The peculiar looking numbers on these checks represent a standard agreed upon by the banking industry. Magnetic ink is used for machine reading.

Other industries, such as the petroleum industry, have similarly turned to source data automation as a means of automatically identifying transactions at gasoline service stations. The plastic gasoline credit card is the well-known manifestation of this program.

I mention these achievements because they are illustrative of what can be accomplished in large-scale systems involving millions, hundreds of millions, or even billions of transactions. Profitable, but possibly less spectacular, techniques are available for application to situations of lesser scale.

Let us consider the growing scope and complexity of Government operations. In the last 2 years the Congress enacted legislation initiating many major programs. This legislation included such important new programs as the Public Works and Economic Development Act, the Economic Opportunity Act, the House and Urban Development Act, Medicare, the Elementary and Secondary Education Act, and the Higher Education Act. Vastly expanded research and development programs have extended the scope and complexity of Federal activities—weather observation, aviation, and space exploration are but a few. Not the least of our problems is the fact that many of our programs today require the coordinated efforts of two or more agencies.

To cope with increasing scope and complexity, we are learning to project into the future, to analyze and choose optimum courses of action, to make rational allocations of resources, to schedule work, and, finally, to compare actual performance with that planned so as to be able to take appropriate action.

There is one essential ingredient for the successful carrying out of any program—adequate information. We cannot make decisions in a vacuum. We need information to plan, information to analyze and to make choices, information to allocate resources and schedule, and information to compare actual with intended performance.

Information must be relevant, timely, and accurate. An official may be deluged with information but may not have nearly enough of the right kind. The electronic computers, we must admit, contribute in some cases to the executive's being flooded with irrelevant information.

In many areas savings to the Government also extend to the private citizen as well. For example, contractors with negotiated contracts are now required to maintain records for 3 years after final payment, which represents a cost to both the Government and the contractor. The General Accounting Office, in cooperation with the Department of Defense and the General Services Administration, is now studying the possibility of reducing this period.

Another instance relates to the requirements formerly imposed on dealers in tobacco materials. Some 2,300 dealers were required to file bonds and to maintain and make available to Government representatives detailed records of the receipt and disposition of tobacco materials, inventories, and statements of shipments or deliveries. Our review convinced us that these requirements were no longer necessary. We proposed, and the Congress enacted in 1965, legislation to eliminate these requirements.

It sometimes works the other way. In one study we found that excessive pension payments were made because the prescribed form which claimants had to submit did not require sufficient information.

In the passenger transportation field we have approved a test in one Government agency to simplify the purchasing, billing, and paying functions in its travel office. If successful, this system will reduce the number of purchase orders and carriers' bills handled by the agency and by the industry to one a month for each participating airline. The system involves issuing tickets through a teleticketing machine located in the Government office. We are also exploring with key Government agencies the feasibility of having Government travelers pay cash for authorized excess baggage on domestic airline trips, for which they will be reimbursed along with other expenses on their travel vouchers instead of separate billing which requires a substantial amount of paperwork processing for both parties.

We have heard much about the significance of the electronic computer in many aspects of American life and will undoubtedly hear much more. It would be difficult to disagree with the prediction that the computer revolution of the 20th century will be a more important development than the industrial revolution of the 19th century. We are made dramatically aware of its implications when we witness a 22-year-old sergeant responsible for operating a missile costing $25 million and having tremendous destructive power. We can see its implications as the Internal Revenue Service moves to rely on the computer more and more for taxpayer compliance.

But there are dangers in the use of the computer to the uninitiated and the uninformed. Those of us who grew up in an earlier period may well become overimpressed with the new magic that lights up and solves all sorts of problems quicker than you can repeat the subject of my speech. We must not become so overimpressed that we fail to seek the answers to key questions, such as "What do we seek to accomplish?" and "How will the computer solve the need that cannot be solved more cheaply?" In short, the computer must be the servant, not the master, in the management process.

Those dealing with the problems of paperwork management may well ask "What does the future hold for me?" "In what way will I be affected by the increase in volume of paperwork that can be expected, by the new forms of data transmission and processing already under way or envisioned, and by the growing need for the right type of information on which to base management decisions?" "What is the answer to the problems that are and will continue to confront us in increasing measure?"

One answer is to develop new skills and to increase capability. This applies to paperwork managers as well as to accountants, economists, budget officers, and others. Greater knowledge of the total picture will be required. The interrelationship of different kinds of knowledge and skills will assume increased importance. The need for additional training is apparent.

In his recent remarks at Princeton University's Woodrow Wilson School of Public and International Affairs, the President made a statement which is very apropos: "The public servant today moves along paths of adventure where he is helpless without the tools of advanced learning." I might add that this applies equally in the field of business.

If we wish to maintain our leadership in improved management and administrative concepts and methods, we must all be concerned with continuing education and training.

The Civil Service Commission recently established an Automatic Data Processing Management Training Center which conducts programs in such subjects as the management sciences, operations research, statistical science for management, management information theory, management reporting systems, and automatic data processing techniques. The Commission conducts many other programs for Federal employees ranging from those at entrance levels to middle- and executive-level managers. Training programs are conducted directly by many agencies. Many universities are employed to conduct specialized courses and advanced and middle management training programs which Government employees may attend.

The Congress recognized the need for training in authorizing payment for this purpose. The opportunities to improve ourselves are available. The challenge for equipping ourselves, however, has to be faced and met primarily by each of us as individuals. I think those who are being honored here tonight can well attest to that.

We must also make greater investments in research and development, and we must be prepared to take the risk that these investments will not yield immediate benefits. The Congress has given encouraging support for increased research and development in carrying out important programs such as those in the Post Office Department and the Internal Revenue Service.

But we must do more. It is estimated that 10 percent of the total Federal budget goes for gathering information, maintaining this information, and translating it into the form of reports, memoranda, and letters. Of the $15 billion being devoted to research and development by the Government, only $135 million is applied to the computer science and two thirds of this is in connection with weapon systems, space systems, and other computers requiring special design. Why can we not build into the National Bureau of Standards a great center of research for the development and application of the computer science to governmental use, to ensure maximum compatibility, and to enable private industries to cooperate more effectively with the Government?

And we must not be afraid to take risks. Every manager in business or Government must recognize that the time span between investment and realization upon that investment may be long and uncertain.

In 1888 or thereabouts, an old and perhaps apocryphal story goes, the great Thomas Edison, already a world figure, went to one of the big banks in New York for a loan on something he was working on. He had plenty of collateral and he was a great man; so all the vice presidents bowed and said "Certainly, Mr. Edison, how much do you need?" But one of them, out of idle curiosity, asked, "Tell me, Mr. Edison, how long will it be before you have this new product?" Edison looked him in the eye and said, "Son, judging from past experience, it will be about eighteen months before I even know whether I'll have a product or not." Whereupon the vice presidents collapsed in a body and, despite the collateral, turned down the loan application.

Above all, we must remain optimistic that we can find ways to manage an economy with a rapidly growing and more urban population, expanding governmental programs, and increasing complexities brought by research and development and technological changes. Recently a nuclear physicist with a wry sense of humor attempted to sum up the American state of mind by defining an optimist as someone who still believes the future is uncertain! While the future is undoubtedly uncertain, we must recognize that several generations before us have all faced an uncertain, if not impossible, outlook.

Our hope for the future will be affected in part by the quality of the career people who are encouraged to join and remain in the public service. If they are to do so, we must give them the respect to which they are entitled.

If we are to stimulate people who are educated and experienced in the sciences, the professions—accounting—and other basic fields to offer their services, we must provide fair inducements.

We must recognize the contribution of the public servant by providing him with adequate compensation. No one expects a Government career to offer wealth. It has its other valued compensations. It is a dedicated service. It can offer satisfaction in personal accomplishment and fulfillment for many of us for which there is no substitute.

A distinguished Philadelphian, in the earlier period of our life, made a statement which is appropriate for the occasion this evening in these words:

"We must not in the course of public life expect immediate approbation and immediate acknowledgment of our service. But let us persevere this abuse and even injury. The internal satisfaction of a good conscience is always present, and time will do us justice in the minds of the people, even of those at present, the most prejudiced against us."

The speaker on that occasion was Benjamin Franklin, patron saint of Philadelphia and, indeed, a fervent public servant of his time. He left his mark on his native city, on a new nation, and on the entire world. Yet he was, as one biographer described him, "the essence of practicality, the embodiment of common sense." These qualities of public service, idealism and practical good sense, are fitting qualities which an occasion of this kind so well symbolizes.

REPORT ON THE 89TH CONGRESS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, it has been my policy during the closing days of Congress to make a factual report to my constituents in the First Congressional District of Indiana concerning the major legislation enacted during the session. The 89th has been the most outstanding Congress in legislative accomplishments in the history of our Government.

The vast majority of our citizens are familiar with the recommendations I made on legislation pertaining to education, labor, health, agriculture, industry, social security, immigration, urban problems, employment, and numerous other issues. I have kept my promises to the people on these important problems.

EDUCATION

The 89th Congress will be known to future generations as the session that launched the long-neglected recognition of educational expansion on a course which will give unbounded opportunity to our American youth. Legislation enacted during this session extends to American youth an opportunity to complete a top-bracket school curriculum through kindergarten, grade, high school, and university, regardless of the financial condition of his or her parents. The 89th Congress legislated in behalf of college and university expansion in order to accommodate thousands of additional students.

The local taxes bear heaviest on the low-income brackets. It is no more than right for the Federal Government to lend a helping hand on educational cost through the use of its more progressive methods of taxation which are based on ability to pay.

MEDICARE AND HEALTH

As your Representative in Congress, I have sponsored and supported legislation for expanding the capacity and quality of medical schools for the education of doctors and nurses. In the late 1940's, many parents and returning veterans of World War II corresponded and contacted me complaining about the impossibility of getting favorable action on their applications to enter various medical schools in Indiana and throughout the Nation. I was astounded to learn from one of the trustees of Indiana University at that time that around 3,000 applications had been received in 1 year from potential medical students, and less than 200 were accepted because of limited instructors and building space or the necessary schooling apparatus to accommodate more medical students.

The 89th Congress has taken the first major steps in solving this inexcusable barrier to provide medical and hospital care for millions throughout our Nation. We also extended legislation up to June 30, 1968, for Federal assistance for mass immunization of preschool children against polio, diphtheria, whooping cough, tetanus, and measles. For the first time in history all our elderly population can enjoy medical and hospital care.

SOCIAL SECURITY

Leading the list of the progressive and humanitarian legislation passed during this session is the social security expansion legislation. Our First Congressional District, which has so successfully fought the unemployment problem, will greatly benefit as a result of the improved social security program. The residents of our district will receive an increase in benefits amounting to many millions of dollars on account of these expansions in social security. Increased benefits are needed to aid our older citizens in meeting higher living costs. I have advocated requirements for full benefits payable at age 60 years. Disabled workers should be eligible for benefits after 4 quarters of coverage rather than the present requirement of 16 quarters. Totally disabled workers and their families should receive the full benefit of both programs. Catastrophic illness also places a heavy burden on many families, and in that event provisions should be made for ample relief.

WATER AND AIR POLLUTION

During the last 15 years, I have sponsored, supported, and voted for water and air pollution control legislation. The 89th Congress has made successful steps to conquer the water and air pollution health menace. This session of Congress has appropriated money and outlined programs which will eventually result in curbing the inexcusable polluting of our lakes, rivers, and streams throughout the Nation.

Our Government has made fantastic strides in solving the pollution menace. Local communities cannot by themselves solve this modern-day problem. In a few years, water and air pollution will be as extinct as the kerosene lamp. Unfortunately, in some localities industry has been backward in cooperating with the Federal and local governments on this great modern protection for human health.

MENTAL HEALTH

President Kennedy and President Johnson have called for legislation to aid in conquering mental illness and retardation. Congress acted to meet this problem by passing our first mental health bill providing grants for mental health centers, emphasizing care and treatment for patients in their home communities. The 89th Congress has expanded and improved mental health by providing Federal grants to local health centers to pay the professional staffs and purchase equipment.

IMMIGRATION

This Congress passed the most modernized and progressive immigration law in the history of our Nation. It eliminated the 41-year-old national-origins provision of the immigration law. Back in the early 1920's, the Congress enacted immigration laws which were known primarily for special preference to certain nations and nationalities throughout the globe. Some nations were more favored for entry and citizenship than other nations with unreasonable restrictions and limited quotas. This legislation does not increase our migrant population. We provided for a fair and equitable distribution of quota allotments to all nations.

It places a limit on annual immigration of 170,000, exclusive of 10,000 refugees. A maximum of 20,000 can be allotted to any one country. To this number may be added the wives, children, and parents of a U.S. citizen. This bill will terminate the arbitrary separation and division of families. During the past 41 years, there have been hundreds of cases wherein families have remained divided for indefinite periods and occasionally during a lifetime. The State, Labor, and Justice Departments are authorized to exercise rigid control over immigration applications under this new bill. It restricts any adverse effect on working conditions or American labor in general.

CIVIL AND VOTING RIGHTS

Last year we enacted a bill aimed at enforcing civil, educational, and voting rights for all qualified American citizens. This legislation enabled all segments of our people to enjoy rights and privileges provided for in the Constitution of our United States. Millions of our American citizens have been arbitrarily denied all the rights of citizenship for generations by excluding them from exercising their voting franchise.

ONE MAN, ONE VOTE

I am opposed to legislation in Congress or State legislatures that will give political bosses and special-interest groups the right to overturn the one-man, one-vote rule of legislative apportionment. Fortunately, many of our States, including Indiana, have already taken steps to correct this injustice to American citizens. This practice has completely ignored population or people as the yardstick to determine legislative districts.

The Revolutionary War and the Civil War were fought for constitutional liberty and to preserve the Bill of Rights. These liberties were being threatened by those who would legislate inequality in the Congress and State legislative halls. The yardstick to determine a county, district or community's representation in our legislatures should not be measured by acres, geography, or livestock.

PUBLIC WORKS

The 89th Congress and its predecessor, the 88th, have accomplished the greatest public works road and highway construction program in the Nation's history. This program is in its infancy, but already freeways, toll roads, and modern arteries for traffic have been constructed and are serving our traveling public. Numerous other highways are under construction and many more interstate thoroughfares are in the blueprint stage. We have succeeded in actively installing mammoth public works projects that should have been taken up by our Nation years ago.

MINIMUM WAGE

This Congress has succeeded in passing effective minimum wage legislation for the benefit of millions of underpaid employees in various lines of work. Thirty years ago, the minimum wage in our Nation was as low as 35 cents per hour. Over the years, it has been raised in successive increases and the 89th Congress enacted legislation to elevate the minimum wage of the underpaid worker of the Nation until it reaches $1.60 per hour in 1968. This legislation will not only provide millions an opportunity to partake in more of this Nation's prosperity and abundance, but it will also add multimillions in buying power and indirectly benefit industry and prosperity throughout the land.

POVERTY

The 89th Congress, in order to rehabilitate and prepare millions for employment, enacted legislation to aid this great segment of our population to prepare for the task of full employment. Many will be taken from the relief rolls in various localities throughout the Nation. In the last 2 years, the war on poverty has passed the blueprint and drawing board stage and is gradually becoming effective in urban and rural slums from coast to coast. It has required great organization and detail of preparation for the Office of Economic Opportunity to become effective in the mammoth task of curtailing and conquering the poverty scourge.

The poverty program has already reached and aided more than 3 million impoverished American families with jobs, training, educational programs, and an amazing variety of other services. It has:

Contributed vitally to the emergence of 2.2 million Americans from poverty in 1965;

Created over three-quarters of a million part-time and full-time jobs filled exclusively by poor people;

Enrolled over a million and a half preschool—kindergarten—children in Headstart projects. This training has helped these children to improve their intellectual capacity, their average IQ, as well as vastly improving their health and personality development;

Provided useful jobs and earnings for more than one-half million disadvantaged teenagers through the Neighborhood Youth Corps;

Established over 150 Job Corps centers where approximately 30,000 of our most terribly disadvantaged teenagers are currently receiving remedial education, job training, counseling, and preparation for useful and productive lives;

Approved over 285 VISTA—volunteers—or Domestic Peace Corps projects in 47 States, in which almost 3,000 VISTA volunteers from 18 to 80 are serving and more are at present in training;

Brought forth an absolutely unprecedented outpouring of volunteer effort, including 250,000 Headstart volunteers, approximately 30,000 members of community action boards, 10,000 women members in community service, and countless doctors, dentists, lawyers, businessmen, religious leaders, and local government officials who are freely and enthusiastically devoting their efforts and skills to the success of the war on poverty, crime, and juvenile delinquency.

ELDER AND JUVENILE PEOPLE

All across the Nation, exciting and imaginative new programs to aid impoverished Americans to help themselves have taken hold and are already bearing fruit. This summer, 20,000 promising but economically disadvantaged high school students participated in Project Upward Bound on the campuses of 200 colleges and universities. The program provides a full year of intensive tutoring and special counseling which will enable them to break the cycle of poverty by qualifying for college. Thirty-five foster grandparents projects, which serve the economic needs of low-income elderly persons together with the emotional and psychological needs of the most unfortunate little children in public and private institutions, have won wide acclaim. One hundred and five legal services projects are, for the first time, bringing the majesty of the law into battle on the side of the poor. Sixty-three antipoverty projects for migrant agricultural workers are providing the first avenues of opportunity from the migratory labor streams to the mainstream of American life.

In addition, illiterate adults in 45 States are participating in adult basic education programs; work-experience projects are bringing jobs and income to over 100,000 family heads previously on relief; nearly 16,500 antipoverty loans have gone to combat poverty in rural areas. Small business development centers in 46 urban and rural communities have approved approximately $15,650,000 in economic incentive loans to struggling small businesses in poverty neighborhoods.

All this and more has been accomplished in a little over 2 years under a program that accounts for less than 1 cent in each tax dollar.

SECTION 14(b)

I congratulate the Indiana Legislature in the last session for repealing section 14(b) of the Taft-Hartley Act. That bill included the fine-print section known as 14(b) which permits antilabor States to nullify the Wagner National Labor Act and outlaw collective-bargaining and labor-management agreements.

Section 14(b) has made it possible for thousands of factories and industries to close their business operations in States requiring living wages and good working conditions, and move into so-called low-wage right-to-work or 14(b) States.

By reason of these runaway and newly established industries into 14(b) States, antilabor areas, millions of factory workers are underpaid and, in most cases, are submitting to the same working conditions as existed in the early part of this century. These workers today are not in the market for $3,000 to $4,000 automobiles or $200 to $300 refrigerators, or thousands of other products which are manufactured in living-wage States. Economists agree that the big depression in the early thirties was brought about by reason of lack of buying power for millions of workers and farmers in America.

In our platform I promised 2 years ago to cooperate in repealing section 14(b) during this session of Congress. As a member of the Rules Committee, I led the fight to get favorable action on this legislation, and it was reported to the floor of the House. I handled the rule and opened the 2-day debate on this bill. It passed the House by a majority of 19 votes. When it reached the other body, Senator EVERETT DIRKSEN, the Republican minority leader, led a filibuster over a number of days that eventually resulted in preventing a vote of this legislation. Had it not been for the filibuster, no doubt the other body would have enacted the repeal legislation and it would have been signed by the President. The defeat of 14(b) repeal cast a dark shadow over our future prosperity. In a few years thousands of additional industries will locate in cheap-wage States.

ECONOMY

When politicians criticize the Kennedy-Johnson administration during the last 5 years, they fail to mention the great increase in production, employment, and prosperity throughout our land. About a month ago, I requested from the U.S. Treasury a breakdown of our national debt as compared with our economy during the last 20 years. Our national production—economy—has increased over the rise in our national debt at a percentage of almost 9 to 1 in the last 20 years. As an example:

[In billions of dollars]

Gross national production: [1]	
1966	714
1946	202
Gross national debt: [1]	
1966	324
1946	270

[1] Approximately.

If the same rate of prosperity continues, economists have predicted our gross national product will be approximately $900 billion by 1970.

I mention these facts so when your neighbor talks about our national fiscal policy "going to the dogs" you might quote the above figures from our U.S. Treasury on the solid financial status of our Government.

SOUTH VIETNAM

Our commitment to South Vietnam began during President Eisenhower's administration with the Southeast Asia Treaty which was negotiated and signed after the Geneva agreements in 1954. Under this treaty the United States and other member nations not only undertook to guarantee their own security but also to come to the aid of certain treaty states and territories if they so requested. South Vietnam was included in this treaty. Following the Southeast Asia Treaty, President Eisenhower and Secretary of State John Foster Dulles offered to continue military and economic assistance to South Vietnam. The policy behind this assistance was stated in a letter from President Eisenhower to the President of Vietnam on October 1, 1954:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong state, capable of resisting attempted Communist subversion or aggression through military means.

The need for this assistance was obvious.

When the Indo-China war ended in 1954, Vietnam seemed to have little chance of resisting Communist enslavement. During the next 6 years, from 1954 through 1960, the United States made available $1.5 billion in economic assistance and $500 million in military assistance to South Vietnam. By 1960 the United States was able to begin planning substantial reductions in its aid. Unfortunately, however, Hanoi and the Chinese Communists had other plans.

In September 1960 the Communists began to step up their campaign of subversion by assassinating and kidnaping local civilian government officials of South Vietnam. These terroristic efforts on the part of the Communists increased in intensity and changed in character from internal subversion to the movement of organized troops of North Vietnamese armed forces into South Vietnam. Because of the intensified Communist efforts during these years, the United States has been forced to escalate its own efforts in support of South Vietnam which, under the Southeast Asia Treaty, requested our help.

In reviewing the history of events since 1954, I do not believe that any administration—Republican or Democratic—can be identified as responsible for the present U.S. involvement in Vietnam. When the Communists find, as they must, that they cannot win, there will be peace.

Because of the struggle in Vietnam, there is a decrease of Communist pressure elsewhere around the globe. Red China ceased to aggress in other areas of the world such as Latin America and Africa. In a House report published in the 89th Congress, 1st session, on communism in Latin America, it was found that there was a definite decrease in militant Communist activities in that area. The threat of Communist subversion and aggression in Latin America is not as great today as it was 2 years ago.

Due in large part to Hanoi's aggression in South Vietnam, the newly emerging nations are becoming increasingly aware of the threat that communism offers to their own freedom and self-government. Since 1960, 20 new nations have been born and not one has succumbed to the enslavement of communism. Quite the opposite effect has taken place. In Indonesia, Chinese Communist influence has all but been obliterated. In Africa, Chinese Communist representatives have been thrown out of Burundi and Ghana and several other emerging African states have outlawed Communist subversive activities.

Lenin, in his original Communist dogma a half century ago, outlined the strategy of world domination and enslavement by recommending slow systematic aggression of smaller nations. This Communist policy has been curbed by the United States as leader of the free world.

As your Congressman, I received numerous letters after World War II criticizing the heavy expenditures of aid to "bombed out" nations through President Truman's policy of aid to Greece, Turkey, Italy, and other nations in their battle to rebuild from wartime destruction.

General Eisenhower in 1951, 1 year before he became our President, testified before the House Foreign Affairs Committee and stated:

> Had it not been for the aid and leadership of the United States, all Europe would be under Communist enslavement today.

Many other leaders have made the same statement only in different words.

During the Korean war, much opposition, through letters and otherwise, came to my office opposing this conflict but in later years world statesmen agreed that if it had not been for President Truman's leadership the Philippine Islands, Japan, Australia, and all of Asia would today be under Communist domination. We all know of the Communist infiltration and agitation in South America a few years back, when experts predicted all South America would capitulate to communistic rule. Future generations will thank the great world leadership of our four Presidents since World War II—Truman, Eisenhower, Kennedy, and Johnson—for their global statesmanship in curbing and turning back communism.

History will record the international Communist conspiracy as the greatest threat to human liberty in the annals of civilization.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS, 1966

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. VIVIAN. Mr. Speaker, during the debate just concluded on H.R. 13161, the Elementary and Secondary Education Amendments of 1966, a motion was offered by the minority to recommit the bill for the purpose, in part, of reducing the funds authorized for expenditure, by several hundred million dollars.

Now several members of the minority claimed that any vote against that motion could be interpreted only as a vote against the President's budget, and that anyone who voted against it was voting for an extra increase in taxes. Apparently these same individuals conveniently have forgotten that several months ago they voted, with very few exceptions, to exceed his budget by a comparable amount when they rejected his request to reduce the unnecessarily high appropriations for the so-called federally impacted area school assistance program.

The education funds we authorized today are to be expended in very large part in school districts having large numbers of children of the poor. By comparison, the impacted area funds, in instance after instance, go to districts populated by families having very adequate financial resources.

Mr. Speaker, had the motion offered by the minority reduced the authorization for the impacted areas program, I would have supported it. But the reduction proposed in my opinion was not the appropriate one.

RICHARD C. PATTERSON, JR.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. RYAN. Mr. Speaker, last Friday New York City lost one of the city's most distinguished citizens. For 12 years, under Mayor Wagner, Richard Cunningham Patterson, Jr., was the city's official greeter of distinguished visitors. As commissioner of public events, he represented the people of New York to all of the nations of the world.

Former Ambassador to Yugoslavia, Guatemala, and Switzerland, he was one of our Nation's most able diplomats. He was a public spirited businessman who often responded to the call of public service, whether as New York City Commissioner of Correction, Under Secretary of Commerce, or U.S. Ambassador.

I came to know Richard C. Patterson, Jr., when I was president of the New York Young Democratic Club, Inc., for he was deeply concerned with the involvement of young people in politics. As a matter of fact, he had been one of the founders of the New York Young Democratic Club in the early years of its existence. He was always ready to offer advice and assistance to the club for which he had great personal attachment.

Mr. Speaker, I want to take this opportunity to extend my deepest sympathy to Mrs. Patterson, to his daughter, Mrs. Jarvis J. Slade, and three grandchildren.

Mr. Speaker, I include at this point in the RECORD the obituary which appeared in the New York Times of October 1, 1966:

RICHARD PATTERSON, JR., 80, DIES—EX-PUBLIC EVENTS COMMISSIONER—FORMER AMBASSADOR WAS THE CITY'S PROTOCOL CHIEF IN WAGNER YEARS

Richard Cunningham Patterson, Jr., former Commissioner of Public Events and chief of protocol of New York City and for 12 years its official greeter of distinguished visitors, died last night at New York Hospital. He was 80 years old and lived at the Waldorf Towers.

Mr. Patterson was a businessman who several times in his career left high positions in private enterprise to take administrative public offices.

In June, 1933, W. Kingsland Macy, then chairman of the Republican State Committee, offered Mr. Patterson the nomination as Fusion candidate for Mayor of New York. However, Mr. Patterson declined the offer. Subsequently, former Gov. Charles S. Whitman asserted that if Mr. Patterson had accepted the endorsement he would have been elected Mayor.

In 1944 President Franklin D. Roosevelt appointed him Ambassador to Yugoslavia and in the next two years he figured in the strained relations between the United States and the Yugoslav Government of Marshal Tito.

AIDE TO O'CONNOR

Mr. Patterson, who had also served as Ambassador to Guatemala and Switzerland, was appointed by Mayor Robert F. Wagner in 1954 to be chairman of the Mayor's Reception Committee. Subsequently, he became Commissioner of Public Events and chief of protocol for the city. He held those posts for 12 years.

Early this year, it was announced that Mr. Patterson would become a nonsalaried liaison and consultant on the business community of the city to City Council President Frank D. O'Connor, who is now campaigning as the Democratic party's candidate for Governor.

Mr. Patterson was born in Omaha on Jan. 31, 1886. He attended the University of Nebraska and received an engineering degree from Columbia University's School of Mines in 1912.

At Columbia, he was a member of the university's swimming team and, in 1909–10, was president of the Intercollegiate Swimming Association. As a young man he worked as a day laborer in the gold mines of South Dakota and for many years maintained his membership in the Western Federation of Miners Union.

In 1916, Mr. Patterson joined Gen. John J. Pershing's punitive expedition to Mexico as a cavalry private. Later, before the outbreak of World War I, he was secretary of the New York City Fire Department.

COMMISSIONER OF CORRECTION

In World War I he served with the American Expeditionary Force in Europe for 13 months as a captain and then as a major in the engineers. He later was promoted to colonel in the reserve. Before he returned home he helped to organize the American Legion in Paris.

After the war, Mr. Patterson became assistant to the president of the J. G. White Engineering Corporation. He then joined E. I. du Pont de Nemours & Co. as an engineer representing the company in China.

His first appointment in the public service was as Commissioner of Correction for New York City, an office he held from 1927 until 1932. During that time he also was Commissioner of the City Parole Board.

Mr. Patterson was executive vice president and a director of the National Broadcasting Company from 1932 to 1936. He was Assistant Secretary and Under Secretary of the Department of Commerce in 1938–39 and chairman of the board of Radio-Keith-Orpheum from 1940 to 1944 prior to his appointment as Ambassador to Yugoslavia.

Three years later, he was appointed Ambassador to Guatemala and in 1951 he became minister to Switzerland with the rank of Ambassador.

In the nineteen-thirties, Mr. Patterson had also served as board chairman of the Citizens Budget Commission here and as a trustee of the Export-Import Bank in Washington. From 1941 to 1943 he was New York State chairman of the War Savings Staff for the sale of war bonds by the Treasury Department. He also had been president of the Travelers Aid Society.

CITED BY 38 NATIONS

He was a director of the Salvation Army, director and first president of the Far East American Council of Commerce and Industry, a trustee of the University of Nebraska Foundation and the American University in Washington, and a director of the Prison Association of New York.

Mr. Patterson had been decorated by 38 nations. He was awarded the medal for "distinguished public service" by Columbia University in 1932 and by the University of Nebraska in 1940. In 1958 Wagner College awarded him an honorary degree of Doctor of Laws. The following year Pace College granted him the honorary degree of Doctor of Civil Law. In 1962 Dickinson College also awarded him an honorary degree.

Mr. Patterson's clubs included the University, the Downtown Association, the Recess, the Metropolitan, the Overseas Press and the Piping Rock.

Surviving are his widow, the former Shelley McCutchen Rodes; a daughter, Mrs. Jarvis James Slade, and three grandchildren.

CONSERVE FUR SEALS AND WILDLIFE ON PRIBILOF ISLANDS

Mr. LENNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2102) to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas, with amendments of the House thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. LENNON, HAGEN of California, DOWNING, PELLY, and KEITH.

FISH PROTEIN CONCENTRATE

Mr. LENNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, with amendments of the House thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. LENNON, HAGEN of California, DOWNING, PELLY, and KEITH.

CONSERVATION AND PROTECTION OF ENDANGERED SPECIES OF FISH AND WILDLIFE

Mr. LENNON submitted a conference report and statement on the bill (H.R. 9424) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge system; and for other purposes.

ACTION ON RECOMMENDATIONS OF THE JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS URGED

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, on numerous occasions during the 89th Congress I have expressed my strong support for the Joint Committee on the Organization of Congress and for its work. In 1965, I introduced a resolution in the House to establish the committee, and on June 2, 1965, I testified before the committee at length. I have carefully followed the committee's progress and I believe its final report—Senate Report No. 1414, House Report No. 1781—filed with the Congress on July 28, 1966, is a document worthy of the support of all Members of Congress, even though—to be sure—it does not deal with every major problem facing the Congress.

In compiling its report, the committee held 41 public hearings and received the views of 199 witnesses. This testimony is contained in 16 printed volumes which total 2,435 pages. Among the witnesses were 106 Members of Congress who either testified in person or submitted statements for the record. The committee and its staff met in over 50 executive sessions to consider the congressional reforms suggested, and subsequently the committee prepared an omnibus bill incorporating the recommendations contained in the final report.

Mr. Speaker, it is now time to act. If the recommendations of the Joint Committee on the Organization of Congress are to be implemented in the 90th Congress, we must act at once. The 89th Congress ought not to adjourn sine die without taking action on congressional reform, for a delay now will mean that any reforms to be adopted will have to wait until the 91st Congress to become truly effective. The need for reform was affirmed by both the Senate and the House in March of 1965 when both bodies voted unanimously to establish the committee. It does not seem to me to be right to ignore this strong expression of support. Further, it does not seem to me to be right to organize the 90th Congress under old forms and practices which a great majority of Members of Congress believe to be inadequate and outdated.

I urge the immediate consideration by the House of the omnibus bill on the organization of Congress. A delay in acting at this time will surely mean a setback for meaningful congressional reform.

SECURITY OF THIS NATION

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. MARTIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, I take the floor of the House at this time because I am deeply concerned with the security of this Nation. The safeguard of our freedoms for 190 glorious years has been the Constitution of the United States, a document described as "the greatest instrument of freedom ever produced by man." Our Founding Fathers, divinely inspired, brought forth an instrument which changed the course of history and established upon this earth a new concept of man's relationship to government. In their farseeing wisdom the framers of the Constitution adopted the basic principles of the separation of powers to make it impossible for a monarch, a dictator, or any small band of power-mad zealots to seize control of the Government established of, for, and by the people.

There have been contests during these 190 years between the executive branch and the Congress to upset this balance of power, but heretofore neither executive, nor Congress, nor the judiciary has been able to force its will upon the other bodies. Now this is not true.

Over the past several years the responsibilities and powers of Congress have been steadily eroded by a Supreme Court which far exceeded its constitutional functions, and by an executive branch which seems to hold in disdain both the Constitution and the Congress. This steady encroachment upon the powers of the Congress has reached a climax under the present administration through the manipulation of the Department of Health, Education, and Welfare and more particularly by Harold Howe II, the Commissioner of Education. Making no pretense that it is his determination to use the power of his office and the support of the President to force his social philosophy upon the people of this country, Harold Howe has pressed down upon the brow of the South a crown of thorns as cruel and as torturous as that pressed upon the head of the Prince of Peace when they crucified Him on the cross.

The school guidelines engineered and put into action by Harold Howe are wreaking havoc among the schools of my beloved State of Alabama and other States of the South. While we are his victims today, I warn my colleagues that should he succeed in his effort, the long dreaded federalization of schools in America will be consummated in every State in the Union. Harold Howe seeks to assume authority over every local school board in this country. It is a recognized fact that the high standard of education attained in America for more children of every race, color, and economic condition than in any other place has been the result of local control of the schools. Who knows better what is the best education for their children than the mothers, fathers, neighbors, and local officials of every city, town, and hamlet across the land? There is no more dedicated group of public officials at any level of government than members of local school boards. They serve in most instances without compensation, often at great personal sacrifices, with long hours of toil to raise money to build schools, hire the best teachers available, and approve curriculums which will best prepare the children of their community to go into the world.

I say, Mr. Speaker, I would rather trust the destiny of my children—and I have three, the oldest just starting in the first grade—to the dedicated service of local school board officials than to the social philosophy of Harold Howe.

You who do not live in the South and have not yet experienced his heavy-handed autocracy cannot appreciate the damage he is doing to education. In Alabama, our local school boards and our good people have been bending every possible effort to improve the standard of education for every boy and girl in our State. We have been endeavoring to build schools, to add new classrooms, to increase our teaching staffs, and although we are not as wealthy as some of our sister States, we have been making progress. Now comes Harold Howe with orders to realine our school boundaries, reassign students upon the basis of race even if it means closing badly needed schools and firing highly qualified teachers.

I say that is wrong, Mr. Speaker. I say that anything that hurts the education of a single boy or girl in Alabama or in any other State is a criminal act against the youth of the Nation.

Harold Howe was never given this authority by Congress. In fact, he has far exceeded the intent of Congress as expressed in the Civil Rights Act of 1964. In his ruthlessness to impose his will upon the States and the local school boards he has arrogantly ignored the will of Congress and instituted his own will over the people of the United States. By these acts he has forfeited the right to hold public office. He is a constant danger to the orderly process of government under the Constitution and a serious threat to the freedoms of the people.

Mr. Speaker, I have been trying to arouse the Congress and the Nation to the danger of Harold Howe's guidelines for many months. On April 5 of this year I wired to the superintendents of local school systems in my State through Alabama State Superintendent of Education, Dr. Austin Meadows, the following telegram:

> This is to offer my assistance to Alabama Superintendents of Education in their opposition to the Federal Guidelines. I would appreciate your sending me such information relative to the present school situation and how these guidelines will affect our system. This will be most helpful in our opposition to these unjust proposals. I think that the entire Alabama delegation should request a meeting with the Commissioner of Education and your presence at such a meeting

would add support to our cause. Please let me hear from you if you can be with us and let us know what date will fit in with your schedule.

Subsequent to sending this wire, I wrote to the President of the United States asking him to rescind these guidelines "because they are illegal and will destroy the sincere and orderly efforts which are being made by the officials and people of Alabama to comply with the law. The enforcement of such unreasonable and unfair demands threatens the education of all Alabama schoolchildren including the children of the poor."

At the same time my fellow Republican Members of Congress from Alabama and I met with Commissioner of Education Harold Howe II in an effort to reach a reasonable and fair compromise on the guidelines. We spent 2 hours with the Commissioner of Education and we were unable to shake his determination to demand unquestionable obedience to his edicts by Alabama State officials and local school boards. He threatened to withhold all school money from any Alabama school district which would not comply with the demands of his guidelines. In the entire 2 hours I spent in his office I saw nothing in the Office of Education which dealt with education. Even when I requested some evidence of activities in behalf of improved education, the Commissioner would not produce it. The entire effort of the Office of Education seemed to me at that time to be to enforce its own ideas of social reform.

I pointed out to the Commissioner of Education in April that the people of our State were making every reasonable and fair effort to comply with the law, and all we asked was that we be allowed to meet the requirements so as not to hurt our schools or result in a lowering of educational standards for our children, especially our poor children. His only reply seemed to be that total compliance with the guidelines must be brought about immediately even if it meant closing good schools and overcrowding existing facilities.

Through April, May, and June I urged this Congress to stop this power grab and disregard of Congress intent by the Commissioner of Education. In company with other Members of Congress from all the Southern States we met again with the Commissioner of Education to point out the recklessness of his actions. All to no avail. Harold Howe has set himself above Congress. He has assumed the position that he and he alone is the law, and that he and he alone is the sole interpreter of legislation passed by Congress.

Mr. Speaker, if this Republic is to be secure we dare not allow a hireling to exert such autocratic disdain for the elected representatives of the people of the United States. We must take action now to rescind these vicious, illegal, and unconstitutional school guidelines as well as the other guidelines imposed on the schools and hospitals of our country.

I have introduced a bill in conjunction with other Members of this body to prevent any agency or division of the executive from exceeding its authority. I urge every Member of this House who is concerned with the education of the children of America and with proper responsibilities of the Congress of the United States to pass this bill, H.R. 17764. This should and must be done before this Congress adjourns or we face the complete destruction of our public school system.

In the meantime this Congress should demand that the President remove from office immediately the present Commissioner of Education, Harold Howe II. To do less reflects upon the strength and determination of this legislative body. I hope I will have your full support of these vital moves in this critical hour for this Nation.

ELECTION CAMPAIGN EXPENSE REPORTING PROCEDURES

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GOODELL. Mr. Speaker, I am pleased to be able to report to the House that the Subcommittee on Elections of the House Administration Committee has taken significant steps toward accomplishing the first major overhaul of the election campaign expense reporting procedures in more than two decades.

It is especially important since this move is a solid bipartisan one. Bills embodying the proposals we recommend have been introduced by our subcommittee chairman, the gentleman from South Carolina, Representative ASHMORE—H.R. 18162—and by myself as the ranking minority member of the subcommittee—H.R. 18167. These proposals represent a consensus of what is needed in an area that has long cried out for reform.

I believe that the bill, as it now stands, is much stronger than any of those previously offered and contains important and necessary improvements over the ideas recommended by the President in his message on this subject.

We recognize that final action on this proposal is unlikely this session. However, introduction of the proposal now will open the door for speedy action in the 90th Congress.

The bill would strengthen existing Federal laws requiring candidates and political committees to report information regarding amounts and sources of political funds and items of expenditures. The measure would require periodic reports for both prenomination campaigns and campaigns for general election. Reports on primary election or convention spending for candidates for President, Vice President, Senators, and Congressmen are not now required by law, but would be under the bill reported. Moreover, committees raising or spending as much as $1,000 within a single State on behalf of Federal candidates would be required to report. At present, only committees operating in two or more States are so required.

In the bill, political committees would be responsible to register when formed to support Federal candidates, and to declare the candidates they will support. This is one of the many features in this bipartisan bill that go beyond the proposal of the President.

Another is that debts would have to be reported in meaningful ways at regular intervals and before and after elections, as would loans and the names of cosigners of loans.

Reports would be filed with a bipartisan Federal Elections Commission, having broad powers to receive, check, analyze, publicize, and preserve them and make them available to the public. The Commission could require compliance if the candidates or committees fail to report. The five-member Commission would have no more than three members from the same political party. It would have powers to audit reports, carry on investigations, issue subpenas and injunctions, and to act promptly upon complaints brought by a candidate for Federal office. At present, reports are filed with the Clerk of the House of Representatives and the Secretary of the Senate.

President Johnson's proposals would have continued the practice of reporting with the Clerk and the Secretary.

Duplicate copies of reports would be filed with the clerk of the Federal district court in the State of origin of the candidate and the political committee, thus insuring the availability of filed information to opposing candidates, the local media, and the public. This plan to keep the public better informed was not considered in President Johnson's message.

The Federal Elections Commission would be empowered to encourage State election authorities to develop uniform procedures that would help eliminate unnecessary duplication when State laws also require the filing of campaign fund data.

Reports and statements filed with both the Federal Elections Commission and with the clerk of the U.S. district court would be available for public inspection. Copying by duplicating machine at the expense of any person making a request would be permitted at both the offices of the Commission and the clerk.

The proposed measure abolishes limitations on amounts candidates for Congress can spend on campaigns, and on amounts political committees can spend. The present limitation on committee spending is $3 million. The bill retains the present $5,000 limitation on amounts that can be contributed by an individual to a candidate or committee. As at present, individuals can give to as many candidates or committees as they want, but the establishment of a Federal Elections Commission would insure that amounts contributed would be reported and the information disseminated to the media and the public in an expeditious manner.

Unlike present law, the new legislation would require reporting of financial data regarding national nominating conventions. Corporations would continue to be able to contribute to the support of conventions, and could buy advertising space in convention program books. However, in accordance with the so-called Williams amendment to the tax laws passed last March, corporations can no longer deduct as a business expense amounts spent on advertising in political publications. In connection with all other political activities, controls on corporations and labor unions and trade associations would be tightened. Corporations and labor unions would still be prohibited from contributing, as in present law, but the new bill adds a section forbidding corporations, labor unions, and trade associations with corporate funds or compulsory dues or assessments from financially supporting by direct or indirect contributions or expenditures any organizations that participate in political activities. Affiliated organizations could continue to operate but only with funds raised voluntarily from among members and supporters. Also, the bill would tighten a provision in existing law forbidding corporations or others from contributing if holding or negotiating contracts with the Federal Government. This improvement also goes beyond the President's recommendations.

In addition to campaign fund reporting, the bill requires disclosure by Senators, Congressmen, and candidates for Congress of gifts and honorariums. Members of Congress would file reports of gifts and honorariums of $100 or more each year, whether or not running for election.

The proposed law would permit the sale of political souvenirs if costing $25 or less, but would not permit the sale of advertising in political program books or journals. In a proposal that goes beyond the administration bill, contributions in the name of another person would be prohibited. The language of existing law was tightened with respect to the prohibition of a promise of a contract, appointment, or other employment or special consideration in return for a contribution.

The subcommittee action resulted from 4 days of hearings and many weeks of committee discussion. One of the witnesses at the hearings was Ramsey Clark, now Acting Attorney General, who testified in behalf of the administration recommendations, which were proposed by President Johnson on May 26. The Johnson proposals included a tax deduction for political contributions, but the House Administration Committee does not have jurisdiction over tax aspects of the President's recommendations.

Mr. Speaker, I invite the attention and the comments of the membership on this measure that affects all of us.

ADDRESS BY HIS EXCELLENCY AUGUST ZALESKI

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on October 1, 1966 at the Caxton Hall in London, the President of the Polish Republic in Exile, His Excellency August Zaleski, addressed the latest session of the Council of the Republic of Poland, a body which functions as a parliament in exile. I insert into the RECORD as part of my remarks, the speech he delivered.

[From the Polish Government-in-Exile, Ministry of Foreign Affairs, London, Oct. 1, 1966]

ADDRESS OF THE PRESIDENT OF THE POLISH REPUBLIC IN EXILE

News received from Poland still reports there has been absolutely no change for the better in the situation of the country since I last addressed this assembly. Poland remains under the dominant influence of Russia both in the political and the economic sense. The so-called "government of the Polish People's Republic" stays in power solely thanks to the Russian occupation, which stretches as far as the frontier of the German Federal Republic, leaves the Polish nation no possibility of declaring itself and forces it grimly to endure the onerous situation into which it has been plunged.

For, the situation of Poland is worse and more difficult than that of any of the countries which lost their independence after the last war as her territory lies across the way between Russia and western Europe whilst the westward expansion of Russia's power is still one of the principal aims of her policy.

In these circumstances, the Warsaw regime has sought to direct its attention towards the free Poles, who reveal Poland's deplorable political and economic situation to the public opinion of the free world and ceaselessly warn against the placing of excessive confidence in the autocratic rulers of Russia. With this in mind, the Warsaw regime resolved to use the so-called Union of Fighters for Freedom and Democracy /ZBoWiD/ whose task is to lull the vigilance of the free Poles by propagating the fraternity in arms of all the Polish ex-servicemen, disregarding the great difference between those who fought for the independence of the Polish Republic and those whose aim was to put Poland under the domination of Communist Russia.

For, present Russia is just as imperialistic as she was in Tsarist time. We cannot forget, after all, that in 1939 it was Communist Russia who first proposed and then carried out another partition of Poland in connivance with Nazi Germany.

Not only Poland fell victim to Russian imperialism, however. Eight Central European countries lost their independence, and part of Germany still remains under Russian occupation. Although this status has no legal basis in the absence of a peace treaty, it has already lasted more than twenty years. This is because Russia wishes to perpetuate the status in question on the strength of accomplished facts, not of international law. Moreover, she knows that a peace treaty concluded with a "Polish government" imposed by herself will not be accepted as valid by the Polish nation. On the other hand, the Western Powers fear to evoke a new war and are always ready to grant concessions to Russia particularly if these are at the cost of other people.

This state of affairs produces a situation which resembles that before the first World War, when only might and not the ideals of justice framed foreign policies. The simultaneous enfeeblement of Germany and Russia after the war enabled the United States under the leadership of Woodrow Wilson, that great American president, to apply her influence during the Versailles Conference to base peace on the most equitable principles possible.

Today, regrettably, we see no tendencies among Powers to base their policies upon these principles. Hence, it is with joy that we greet the encyclical of Pope Paul VI calling upon mankind to base foreign policies on justice and liberty. I am certain that, thanking the Successor of St. Peter with all my heart for this appeal of his, I am fulfilling the desire of the whole Polish nation.

The Holy Father's appeal was made during the period when the Polish nation, at home and abroad, is celebrating the great anniversary of Poland's Christian Millennium. Unfortunately, with the homeland under the sway of an atheistic Communist regime, this great anniversary cannot be celebrated as desired by the Polish nation—a nation which has through ten centuries earned the appellation of *Semper Fidelis*, always faithful, But, during the course of this great year, the Poles in the free world should enhance their efforts to secure justice and liberty for Poland as soon as possible.

I trust that all the free Poles will successfully unite in effort for the realization of these ideals, bearing in mind that whatsoever divides us is as nothing compared with the possibility of attaining the aims prescribed for mankind by the Holy Father.

I therefore reaffirm that for unity amongst the free Poles nothing more is necessary than due respect for the principles of the Constitution of 23rd April 1935 brought out from Poland in 1939 when our country was invaded by enemies.

Mr. Speaker, at a time when Communist aggression in Vietnam is increasing in intensity, it is absolutely essential that the administration drop its policy of coexistence with the Communist governments of Eastern Europe, and instead develop the cooperation of free world forces in a rejuvenated and coordinated program against world communism.

IRONY OF IRONIES

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, while thousands of American soldiers have lost their lives in Vietnam, and the number increases from day to day, recent headlines indicate that the Soviet Union has been more than just an innocent bystander in the conflict.

The New York Times of September 26, carried this headline: "Soviet's Exports to North Vietnam Up Sharply in 1965." Excerpts from the account stated:

> Most of the exports to North Vietnam besides military equipment, consisted of industrial machinery, power-generating equipment and road-building machines. * * * Details on Soviet military aid to Hanoi have not been made public but it is known that

such aid includes antiaircraft weapons, some jet planes and transportation equipment.

On September 27, of this year the Washington Post ran this headline: "Russia Doubles Mig Planes for North Vietnam Air Arm." An extract from the story detailed Soviet air aid to North Vietnam:

> According to the reports, Soviet aid has doubled North Vietnam's supply of Mig-21 supersonic jet fighters. This has been accompanied by the formation of an 800-man Soviet aid and training mission, whose job is to improve Hanoi's air defenses, the reports said.

On October 3, 1966, a caption on page 7 of the Washington Daily News read: "Soviet Troops Are in Vietnam." The lead paragraph explained:

> Russia has admitted for the first time that Soviet army rocket specialists have been sent to Hanoi to train North Vietnamese missile crews.

How does the United States respond to the Russian policy of actively helping to kill more American boys? Threaten severance of diplomatic relations with the U.S.S.R.? Cease cultural exchanges? Stop all trade with the U.S.S.R.? Heavens, no. To show that we really want peace and that we truly want to be friends we are going to help the Soviets develop their automobile industry by shipping either directly or indirectly U.S.-made machine tools.

Forbes magazine of October 1, 1966, outlined the proposed plan in which the Fiat Automobile Co., of Turin, Italy, agreed to construct an automobile plant in Russia with three-fourths of the machinery that Fiat installs for the Russians coming from the United States. In an article entitled, "To Russia—Without Love," Forbes commented in the subheading:

> Not many people want to talk about it, but the fact is that U.S. industry has a major role in the Soviet Union's plans for a vast new automobile industry.

The article concludes:

> A bad trend? Perhaps. But will the U.S. really gain by refusing to deal with the Russians in something that they are going to accomplish even without us?

There will, of course, be honest differences of opinion among sincere citizens regarding the advisability—and morality—of this policy. But of this I am certain: I would loathe to try to justify this policy to a mother and father who had received home from Vietnam their lifeless son in a cold, military coffin.

I include the extract from the New York Times article of May 5, 1966, and the article, "To Russia—Without Love," in the Record at this point:

[From the New York Times, May 5, 1966]

Fiat To Build Plant in Soviet To Produce 2,000 Autos a Day

Turin, Italy, May 4.—The Fiat Automobile Company signed an agreement tonight for the construction of an automobile factory in the Soviet Union with a daily capacity of 2,000 vehicles.

The signing of the accord by Fiat's honorary chairman, Prof. Vittorio Valletta, and the Soviet Minister for Automotive Production, Aleksandr M. Tarasov, came after 17 days of negotiations here.

* * * * *

[From Forbes Magazine, Oct. 1, 1966]

To Russia—Without Love: Not Many People Want To Talk About It, but the Fact Is That U.S. Industry Has a Major Role in the Soviet Union's Plans for a Vast New Automobile Industry

This is the story behind the story that appeared in the New York Times of May 5.

It's true, as the Times and other newspapers reported, that Italy's Fiat automobile company has made a deal with Aleksandr M. Tarasov, the Soviet Minister for Automotive Production, to help the Soviet Union build a modern automobile plant with a capacity of about 600,000 small and medium-sized cars a year.

What they didn't report was that Fiat will be serving as a middleman for the U.S. machine-tool industry.

Three-quarters of the machinery that Fiat installs for the Russians will come from the U.S., either directly or indirectly through European subsidiaries and licensees of American firms. It will really be the U.S. that puts the Russians on wheels.

Until now, the U.S. Government has refused to permit the export of U.S. machine tool technology to Iron Curtain countries on the grounds that it would help them build up their armed forces. However, this arrangement has the approval of both the State Department and the Department of Commerce. Prof. Dr. Vittorio Valletta, Fiat's 83-year-old former chairman and managing director, cleared the political roadblocks in advance in conferences with Secretary of State Dean Rusk and Secretary of Commerce John T. Connor in Washington early this year. The Office of Export Control stands ready to issue export licenses to U.S. machine-tool manufacturers who participate in the deal. About 30 are expected to eventually.

MILLIONS INVOLVED

The bait is tempting: big money, really big money. The plant is expected to cost $887 million. Of this, Fiat's share will be $322 million. How much of the $322 million the American manufacturers get cannot yet be estimated. It will depend on how much of the machinery Fiat buys directly from the U.S. and how much it buys indirectly. The only certainty is that it will run to a substantial amount.

Some U.S. machine-tool makers already have agreed to supply Fiat with machinery for Russia. Among them is Cleveland's TRW, Inc., which makes steering linkages and sodium-cooled valves. Says John Corson, TRW's sales director for international automotive equipment: "We're supplying them with steering linkages but I'm not sure about the sodium valves." Corson cleared TRW's participation in the deal with State and Commerce "even before we talked with Fiat." He says TRW's motive in supplying equipment for the Soviet plant is not so much the money it will make but fear that, unless it did go into the deal, it might lose Fiat's future business.

Another U.S. company already participating in the deal is U.S. Industries, Inc. Its Clearing division automated stamping machine presses are sold around the world under license by such companies as Innocenti of Italy and Vickers-Armstrong of England. Says Chairman Clarence J. Plisky: "We'll be supplying the major portion of the presses for the Soviet plant, but it's not clear yet whether it will be through Innocenti or some other licensee of ours in Europe."

Gleason Works of Rochester, N.Y., will supply gear cutting and heat treating equipment for the plant through Fiat. "This is just a pure business deal as far as we're concerned," says Irving W. Peachey, vice president in charge of sales. "It's just a straightforward business deal, that's all. We have competitors overseas. If we don't supply the Russians, they will."

New Britain Machine Co. will contribute automatic lathes. Says Chairman Julian C. Pease: "Most of the automotive machine tools, not only at Fiat but throughout Europe, are from this country either directly or indirectly through European subsidiaries. Fiat is heavily U.S.-tooled because U.S. equipment is just more productive. Now the USSR wants American machine-tool technology, too."

Says J. C. Danly, president of Chicago's Danly Machine Specialties, Inc., the nation's largest manufacturer of automotive presses: "We haven't yet been approached by Fiat to supply presses for the USSR facility, but we sure would—as long as the Office of Export Control said it was O.K." He added: "As far as presses are concerned, regardless of where they might actually be manufactured, I'm sure that at least 75% would have originated in this country. We have the technology."

DISSENTING OPINION

Not all U.S. machine-tool makers are this eager to get into the deal. Says John F. Herkenhoff, president and chairman of Minster Machine Co., of Minster, O.: "There's just too much intrigue in this deal for us. It's for the big boys in this business that have been after [the Soviet] market for years."

Russell A. Hedden, president and general manager of Sheffield Corp., which manufactures automotive gauging equipment, thinks that business is business and the subterfuge sheer stupidity. "I think we should be in this Fiat deal directly," he says. "If not, then it's just a case of letting our European subsidiaries have the business, using our technology. In other words, we'll let them pick our brains and then sell to the Russians, agreeing to settle for less for our technology. That's ridiculous."

State and Commerce Department officials have kept the U.S. role in the Fiat deal as hush-hush as possible. They were shocked when they heard Forbes had learned of Valletta's conversations with Rusk and Connor. They are frankly scared that, as the real story of the deal emerges, a clamor will arise to prevent U.S. firms from participating. The Department of Defense still could block the export of machine tools by declaring it against the national interest.

The Russians, in contrast, are quite talkative. Sergey A. Shevchenko, chief commercial counselor of the Soviet Embassy in Washington, frankly told Forbes that his government was perfectly aware of the fact that a great percentage of the machine tools would come "from sources other than Fiat."

STATE'S RATIONALE

In off-the-record conversations, State Department officials defend the decision to let the Soviet Union get the machine tools by saying that it will help make the Russians more consumer goods-minded. They reason in this fashion:

In years past, the Soviet Union has been able to devote an extraordinary amount of its gross national product to defense production by keeping consumer production to a minimum. Steel that might have gone into autos, for example, went into tanks and guns. The Soviets have been turning out a mere 201,000 cars a year at two antiquated plants in Moscow and Gorky. Only one Russian in every 250 owns a car. The figure in the U.S. is nearly one in every two.

By not producing automobiles, the government has been able to cut down on many other expenditures, diverting the money to defense. There are less miles of paved highway in the Soviet Union than in California and Illinois. Along one 1,000-mile stretch of road, there are only six motels. In Moscow, a city of nearly 7 million people, there are only eight garages. While the armed forces burn up gasoline, a Russian citizen has to stand in line at his city hall for a coupon book.

The State Department officials believe the Soviet Union is due for an "automobile explosion." It's clear the Kremlin, in a sharp reversal of policy, now wants its citizens to have cars, they say. Not only has it made the deal with Fiat, it also has asked Renault to help it expand and modernize the Moscow plant. By 1970, that plant will be turning out 600,000 cars a year, too. And there is reason to believe the Russians want the Ford Motor Co. to expand the Gorky plant, which was built by Ford in the Thirties. President Arjay R. Miller recently visited the Soviet Union. The company denies that he talked business there, but a Soviet source told Forbes that he spent a good deal of time with the Soviet Minister of Foreign Trade.

As the Soviet newspaper Izvestia editorialized recently. "The desire of the people for automobiles is as irresistible as technical progress." So the people are going to get them.

A State Department official said: "The psychological and economic impact of the decision to mass-produce automobiles is hard to overestimate. Look at what has happened in this country."

MORE TO COME?

The psychological and economic impact of the U.S. Government's decision to permit the export of machine tools to Russia is also hard to overestimate, for it could set a precedent that would throw wide open the gates to East-West trade. If U.S. machine-tool manufacturers can export to Russia through Fiat, why couldn't General Electric, for example, do the same with its computer technology, using Olivetti as its middleman? Olivetti has a joint-venture agreement with GE for European computer sales.

Commented one machine-tool manufacturer: "Throw the gates wide open? Hell, this might tear them off their hinges." A bad trend? Perhaps. But will the U.S. really gain by refusing to deal with the Russians in something that they are going to accomplish even without us?

FEDERAL AID

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Collier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. COLLIER. Mr. Speaker, it has always been interesting to me, frequently in a rather sad way, that those who seek to get the Federal Government farther and farther into every area of our national life merely to get their hands on Federal money have not only indulged in deception, but have also had the gall to deny the contention of those whose judgments have proven to be correct. This statement is made in direct reference to the proponents of Federal aid to education, and it is apropos that I remind every Member of this legislative body of the fact for whatever good it will do at this time.

During the first 6 years I was a Member of Congress, the proponents of Federal aid to education at the primary and secondary school levels insisted that the local school systems needed help because of inadequate and overcrowded school buildings and a shortage of qualified teachers in many areas. That this was factual, I did not doubt.

Yes, and I recall the first year a Federal aid to education bill was brought before this House, before it became tangled in a web of religion and politics, the proponents displayed pictures of dilapidated schools around the country. "This is why we need Federal money." they claimed. And then they went on to say that those of us who expressed a concern that the Federal aid could not be administered without Federal controls were creating a "straw man" to support our opposition.

I recall one teacher taking exception to my statement regarding Federal controls in primary and secondary school education at a meeting and how she insisted that this would not be the situation. I recall Members of this House saying, "Why, we have written provisions in the bill which would specifically ban Federal controls."

At this point and with our previous experience with Federal meddling in the field of both public and private education, I charge that anyone who would dare to make this statement at this time is just oblivious to the facts of life. The bill which is being considered here today is punctuated with Federal controls. No meaningless verbiage can alter the facts, and let me assure you that as this program is expanded, more and more control, including regulations and requirements of every nature, is inevitable.

Compliance with the requirements of the bureaucrats in Washington will be accomplished by the simple bludgeon of Federal dollars, which will be held over the head of each applicant seeking Federal funds.

Lest anyone believe that I am wrong, I shall quote from a letter I received from an educator on my district. I suggest others heed well, and I would hope that some of my colleagues would take inventory of his remarks. His letter in part follows:

> If the press reports have been accurate, it now appears that Commissioner Howe feels he is to be the designer rather than the executor of Federal laws in the field of education.
>
> Perhaps Mr. Howe should study more carefully the recent study that indicated how poor people in the inner city really feel about their neighborhood schools. From my own experience I could enlighten Mr. Howe as to what happened in my school community when the pupils were offered permissive transfers to outlying schools. Not one of the children left but a few of the parents of the children went out of their way to tell me that they wished the school authorities would stop trying to make their children go to schools away from their homes.
>
> Rather than concern himself with utopian ideas that the Congress did not enact, the Commissioner might better concern himself with the progress of the programs thus far enacted and with a review of the guidelines that he and his bureaucrats have inflicted upon us. Does he know, for instance, that the teacher shortage this year is more acute than ever because of the larger number of classroom teachers who have left the classrooms to become cogs in the growing machinery needed to administer these vast programs? Does he know that vast amounts of equipment are pouring into the schools before any provision is made to store and protect this equipment? Does he know that some individuals with very limited backgrounds are now employed as "authorities" in federal projects at salaries far greater than they were able to earn as teachers? Has he been asked to explain the justice or rationale of having television sets in the number of one for each 200 pupils in a school that qualifies under the guidelines while a school that does not qualify must struggle along with perhaps one set for 1,000 pupils?
>
> I am writing to you, not only as a member of your constituency, but as an educator apprehensive about the increasing shadow of federal control. If there must be federal control, you as a Congressman can help see that the law is clear and well defined as to its intent and distribution of powers.

FEDERAL AID TO EDUCATION

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. May] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mrs. MAY. Mr. Speaker, when our Nation, last year, went for the first time into a program of general aid to education through the Elementary and Secondary Education Act of 1965, I supported alternatives which I believed would prevent what has now become a real problem: Federal control over education. These efforts, as we all know, were not successful. And the Elementary and Secondary Education Act of 1965 is now the law of the land.

I might say, parenthetically, that I met with a great many school officials in my district last fall and many of them expressed to me their own very great concern over the problem of Federal control that immediately made itself apparent to them on enactment of the legislation and the promulgation of regulations by the Office of Education.

Nevertheless, Mr. Speaker, it must be recognized that the Congress made its decision in 1965, and this decision is now past history. The program is underway, and the primary and secondary schools of our Nation have programed for it and are now totally dependent upon this means of Federal funding.

In my State of Washington, as elsewhere in the Nation, our teachers and our school districts have budgeted for the coming year on the basis of funds expected to be received under this program. They have gone to considerable trouble to find and hire personnel to set up and run special programs in hundreds of schools. It is now October, many programs are already operating; and they still are waiting on the decision from Congress whether or not this legislation will be passed. Obviously, if it is not, then the financial burden will fall back to the local districts where it just cannot be met. I cannot in good conscience, or practical reality, vote not to continue these programs that the Federal Government encouraged our schools to undertake with the promise of Federal funds to run them.

Therefore, Mr. Speaker, I feel my strongest obligation is to the Nation's schools and the Nation's young people, who, without these funds at this time, will be the real losers, because the funding loss could do irreparable harm to basic programs as well as special programs.

It is also my intention to support deletion from the bill of the totally unacceptable provision allowing the Commissioner of Education broad, arbitrary, and unwarranted powers to force his decisions on local educational entities through withholding of funds. This has always been my main reason for being unwilling to support Federal aid to education to our secondary schools, and, it is most discouraging to see many of my fears realized as the program goes into operation for a second year. In the bill before us, the O'Hara amendment under title III gives the Commissioner authority to impose certain of his decisions on local community school districts concerning plans to correct racial imbalance, what is reasonable tax effort, what is overcrowded, and so forth.

This change in title III also might give the Commissioner of Education the authority to decide whether or not a school district qualifies at all to apply for title III funds. I know I would not be properly representing the convictions of the people of my district, the viewpoints of my school educators and administrators if I did not object to the creation of a Federal czar who had the power to completely bypass local community and school district decisions in this area. I have no quarrel with the ability, sincerity, or patriotism of the present Commissioner of Education, Mr. Howe. I do disagree with some of his educational philosophy as expressed in current hearings before the Committee on Rules. But that has nothing to do with the question that will be before us as we attempt to delete the objectionable language in title III that is under discussion. I object to any Commissioner of Education, whoever he may be, having placed in his hands the sole power of determining what constitutes educational need and desirable educational practices in thousands of communities throughout our Nation.

In summation, I will support this legislation for the reasons originally stated. But as long as I am a Member of this body, I pledge to continue my efforts to improve and change the program so that it goes in the right direction, provides intelligent priorities, and safeguards our schools from power direction from the Federal Government on matters where the local schools have obviously far more competence as well as legal responsibility.

A TRIBUTE TO A DEDICATED PUBLIC SERVANT—HENRY J. HOLTZCLAW

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE], is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, I am sure all of us in this Chamber share the desire that our Government will continue to be able to attract some of the most capable and dedicated young people in our society to careers in the Federal service. In spite of the criticisms that must be made from time to time over the seemingly clumsy, duplicative procedures that are an inherent part, it seems, of any bureaucratic establishment, we cannot deny that the present stature and greatness of this country is due in no small measure to the selfless, gifted activities of our civil servants.

These are the men and women through the decades who have maintained the pace of expansion within the confines of an organized code of law, who have seen to the Nation's needs in every aspect of our society and our economy, from agriculture to the national defense; from our health to our commerce; and from our natural resources to our monetary resources.

Their record of service is second to none anywhere in the world and anywhere in history. It is because of this tradition that a career in the Federal civil service enjoys more prestige, more stature, and more status in the United States than similar service in any other government in the world.

Those of us in this body who are privileged to serve on some of the committees whose job it is to associate with the Treasury Department have had occasion in recent years to come to know a man who, as much as any in our time, symbolizes the self-effacing dedication and the quiet skills of the career civil servant, the career public officer.

I speak of Mr. Henry J. Holtzclaw, Director of the Bureau of Engraving and Printing.

This agency constitutes our Nation's sole source of currency, and if its responsibilities were confined to that single operation, it would fulfill a function vital to our national interest. The Bureau, however, does a great deal more.

For the Post Office Department, the Bureau prints the single and multicolored postage stamps which are a source of great national pride.

For the Department of Agriculture, the Bureau prints food coupons, and for the Department of Defense, it prints military debentures.

In addition to these responsibilities, the Bureau manufactures Federal Reserve notes, savings bonds, and various other instruments of public debt.

Clearly, the Director of the Bureau of Printing and Engraving must preside over a wide range of activity, and in doing so, he must continually pursue quality of craftsmanship in all his products. As Director, however, his responsibilities go far beyond simply quality control. He must devote much of his energies and attention to the problems of the work force and staff relations. As a public servant, he must continually be conscious of deriving the maximum possible utility from the public's finances.

In sum, then, the Director of the Bureau must be quality conscious, cost conscious, and conscious of the problems and needs of the work force. This constitutes a formidable burden for any man, but Director Holtzclaw has performed his duties with distinction, and, in fact, has pioneered new methods in administration.

Director Holtzclaw began his distinguished career in the Bureau of Engraving and Printing on October 8, 1917. Originally a machinist's helper, he rose to become an engineering draftsman, an associate mechanical engineer, and a mechanical expert and designer. In 1938, he became the first chief of the office of research and development, where he remained until 1949, when he was promoted to the position of Assistant Director of the Bureau. He remained Assistant Director until 1951, when he was promoted to Associate Director. On December 3, 1954, Mr. Holtzclaw was appointed Director of the Bureau, and has rendered outstanding service in that position ever since.

Since Mr. Holtzclaw became Director of the Bureau, the United States has earned the reputation of having the most difficult currency in the world to counterfeit. According to Treasury Department figures, the yearly per capita loss to the general public from counterfeiting is only one quarter of 1 percent, or less than $50,000. This excellent record is certainly a reflection of the efforts of our law-enforcement agencies, but, more importantly, it is a reflection of the quality of craftsmanship at the Bureau of Engraving and Printing.

In addition to demanding high quality craftsmanship in the production of our currency, Director Holtzclaw has also consistently opposed any efforts to place our currency on a multicolored basis. His reason for doing so is the already established quality of our currency. The paper is distinctive, and the engravings are neither ostentatious nor trivial, but, rather, they suitably express the national heritage in which we take so much pride. Furthermore, since they have become familiar to the public, the change to a currency of different sizes and colors would only result in confusion and make counterfeiting much less difficult.

Mr. Holtzclaw's concentration is also apparent in the postage stamps printed by the Bureau, specifically the new multicolored stamp program which has drawn wide acclaim. An example of the characteristic quality of this program is the 4-cent Winslow Homer stamp which was first put on sale on December 15, 1962. This stamp is a reproduction of the original painting "Breezing Up" that hangs in the National Gallery.

A further example of quality in Bureau craftsmanship is the 4-cent Christmas stamp for 1963. This stamp was so popular that 862 million were sold, and the volume would certainly have exceeded 1 billion had the Bureau been able to meet the demand for that particular stamp.

One final example displays not only the quality of craftsmanship effected at the Bureau, but also the efficient administration practiced under Director Holtzclaw's guidance. I speak of the stamp put on sale throughout the country on February 20, 1962, in celebration of the first U.S. manned-orbital space flight. This stamp, which, incidentally, was placed on sale barely minutes after Colonel Glenn had successfully completed his flight, was designed and printed under maximum security conditions with only a dozen of the 150 employees involved knowing the full circumstances of the operation.

In conjunction with his emphasis on quality, Director Holtzclaw is installing in the bureau a nine-color, web-fed, intaglio printing press. It will be the only one of its kind anywhere in the world, and promises to further enhance the quality of our multicolored postage stamps.

As an administrator, Director Holtzclaw should be considered a pioneer in the field of labor relations. Modernization is a necessity for any industry or operation concerned with efficient production, but in many instances members of the work force have suffered as a result. Men too old to be retrained for other gainful employment becoming to their former skills and seniority are caught in the jaws of a society eager to modernize, yet reluctant to provide for the displaced.

Recognizing this unfortunate reality of modern society, as early as 1957 Director Holtzclaw extended to all employees of the Bureau his personal guarantee that none would be separated involuntarily, and that modernization would be geared to manpower availability and work force attrition. In 1951, the Bureau employed 6,528 persons. The estimated employed for fiscal year 1967 is 3,213, a difference of 3,315 employees. This remarkable reduction of the work force was accomplished without a single involuntary separation and was accompanied by a 370-percent increase in unit productivity. The far-sightedness of this guarantee of job security is a lesson from which all employers should benefit.

The guarantee of job security to all employees, however, is not the only wise and equitable labor policy practiced in Director Holtzclaw's administration. In 1951, Mr. Holtzclaw issued a policy statement which set forth the fact that the hiring and promotion of employees would be based solely on merit and would be without regard to race, color, or national origin. This policy preceded by 6 years any formal policy enunciated by the Civil Service Commission. Taken on his own initiative and completely without pressure, this policy represents only what Mr. Holtzclaw considered fair and equitable. That 66 percent of the Bureau's work force are Negroes bears witness to the fact that his policy has been adhered to.

Mr. Holtzclaw's nondiscrimination policy and his determination to gear modernization to manpower availability and work force attrition expresses a deep recognition and concern for human values. Most important of all, however, has been his ability to adhere to these policies, while attaining a high degree of modernization in production techniques.

Through modernization and progressive management, Director Holtzclaw has been consistently able to reduce unit costs in the face of ever-growing costs of labor and materials and increasing demands for production. From July 1, 1951, through the estimates for fiscal year 1967, the average annual salaries and wages of all Bureau positions will increase from $3,461 to $6,439, an increase of 86 percent. The average cost of materials during this same time period will increase 22 percent. These increased costs, coupled with additional responsibilities, have forced the Bureau to assume additional annual costs of $5,520,000.

During this same time period, however, the average cost of currency and Federal Reserve notes has decreased from $9.91 to $8.41 a thousand. The cost would actually have increased to $19 a thousand had it not been for an annual recurring savings of $17,875,000 realized through management and technological improvements implemented during this period.

This savings is largely the result of the addition of 12 new currency presses, 8 in 1957 and 4 in 1965. These high-speed presses allow printing by the dry intaglio process from 32-subject plates, instead of the old wet intaglio process from 18-subject plates. Not only has this meant savings from increased efficiency, but also implementation of the dry intaglio process has increased the average life of a dollar bill by 30 percent, thus realizing an annual savings of $1.2 million. These savings, coupled with products of the highest quality and progressive labor policies, constitute a remarkable contribution by Director Holtzclaw to the American public.

In recognition of his distinguished service, Director Holtzclaw received the National Civil Service League's Career Service Award in 1957. In July of 1964, the Secretary of the Treasury nominated Director Holtzclaw for the President's Award for Distinguished Federal Civilian Service, and in September of 1964, the Secretary presented to Mr. Holtzclaw the Treasury's highest award, the Exceptional Service Award, in recognition of his "unparalleled example of dedication to economy in Government and effective accomplishment of mission."

Mr. Speaker, Director Holtzclaw has accumulated an exceptional record in public service. He has been a pioneer in technological improvement and industrial relations. His Department's products are of unparalleled quality. He has achieved unprecedented savings in Government operations. He deserves our recognition and the recognition of the American public, for we are extremely fortunate to have as dedicated, capable, and resourceful a public servant as Mr. Henry J. Holtzclaw.

A CALL TO SANITY

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURTON of California. Mr. Speaker, on October 4, 1965, His Holiness Pope Paul VI visited this continent and, in the spirit of his venerable predecessor, Pope John XXIII who had inspired the world with his "Pacem in Terris," called upon the community of nations at the United Nations to heed his plea "no more war."

The first anniversary of that plea at the United Nations has now just passed, and Pope Paul has once again renewed his urgent appeal for peace. The Pope's appeal is a call to prayer but contains in it much which the secular world must contemplate. For that reason, I am placing in the RECORD excerpts of that encyclical:

> We are threatened by a more extensive and more disastrous calamity that endangers the human family, even as a bloody and difficult war is raging, particularly in areas of East Asia. So, we are urged to continue working even more intensely, to the extent of our power, for peace.
>
> Similarly, the souls of men are deeply disturbed by things which all know are taking place in other parts of the world. For instance there are the increasing race for nuclear weapons, the unscrupulous efforts for the expansion of one's nation, the excessive glorification of one's race, the obsession for revolution, the segregations enforced on citizens, the iniquitous plotting, the murder of the innocent. All of these are potential material for the greatest possible tragedy.
>
> It seems to us, as it seemed to our more recent predecessors, that a very provident God has committed to us a special task, namely that we labor with patient and persevering effort for the preservation and the strengthening of the peace. This task, as is evident, arises from the fact that we have been entrusted with the governing of the whole Church, which as a "sign raised to the nations" (Cfr. Is. 11:12) does not serve political ends but should convey to the human race the truth and grace of Jesus Christ, its divine author.
>
> Actually, from the very beginning of our apostolic ministry, we have neglected no opportunity to use our prayers, entreaties and exhortations for the cause of world peace. In fact, as you well remember, last year we flew to North America in order to speak about the need for peace in the presence of the General Assembly of the United Nations, before that selected body of representatives of almost all the nations. We then counselled all peoples that they should not tolerate some to remain inferior to others, that no one should attack others, but rather that all should unite their zeal and their efforts towards establishing peace.
>
> And after this, moved by a deep, apostolic concern for men, we did not cease to urge those who had the responsibility for such a momentous task to ward off from men the monstrous catastrophe which perhaps was about to overwhelm them.
>
> Now again, therefore, we lift up our voice "with piercing cry and with tears" (Heb. 5:7), very earnestly beseeching those who have charge of the public welfare to strive with every means available to prevent the further spread of the conflagration and even to extinguish it entirely. For we do not doubt that all men who sincerely seek what is right and what is just—no matter what their race, color, religion or social status may be—feel the same way we do.
>
> Therefore, let all those responsible strive to bring about those necessary conditions

which will lead men to lay down their arms at last, before it becomes too late to do so owing to the mounting pressure of events. Those in whose hands rests the safety of the human family should realize that at this critical moment their consciences are bound by the gravest obligation. With their own country, with the world, God and history before their minds, they should carefully examine their moral record and obligations, remembering that men will esteem their memory if they will have followed this exhortation with wisdom.

We cry to them in God's name to stop.

Men must come together and work out concrete plans and terms in all sincerity. A settlement should be reached now, even at the expense of some inconveniences or loss; for it may have to be made later in the train of bitter slaughter and involve great loss.

But this peace must rest on justice and the liberty of mankind, and take into account the rights of individuals and communities. Otherwise it will be shifting and unstable.

At the same time as we are moved to make this anxious declaration, our high responsibility as a pastor indicates to us that we must ask help from on high, since peace, whose "benefits are so great that even in earthly mortal affairs no more pleasing name is heard, nothing is desired with greater longing, nothing better can be found" (St. Aug., *De Civ. Dei*, 19, 11: P.L. 41, 637), must be asked from Him who is the Prince of Peace.

NOTHING TO FEAR BUT FEAR

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WOLFF. Mr. Speaker, I should like to call to the attention of the House an editorial that appeared in the October 5 issue of the Long Island Press. It should give pause to those who would mislead.

It is an excellent analysis of our current situation and I would hope that those guilty of resurrecting the philosophy of "gloom and doom" recant so that their political motivation does not cause serious harm to our Nation, its economy or the progress of peace.

NOTHING TO FEAR BUT FEAR

Many Americans do not see the war in Viet Nam in its true perspective because emotion overrules judgment.

Very definitely, we are not referring to the understandable reactions of families who have men in the service. The emotionalism we are discussing today is of another kind. It is a by-product of the congressional campaign. Its purpose is to spread fear among the American people.

This political exploitation is the work of two types. One is the avowed opponent of President Johnson who makes a career of saying that whatever the President is doing is wrong. Escalation will take us to World War III, he argues; peace offers, on the other hand, are simply signs that the administration is ready to sell out to the Reds.

The second type of fear-monger loudly insists that he backs the President every inch of the way because the situation is so terribly grave. Inflation and economic ruin are inevitable if the war goes on; recession and ruin are inevitable if the war stops. Either way, we are headed for the poor house!

This last falsehood is easily nailed down. Here are some facts:

Federal spending for goods and services of all types, including national defense, was about $63 billion in 1962 and climbed slowly to $67 billion by 1965. In the current year, however, it points towards $74 billion and is expected to reach $82 billion in 1967.

This does sound like rushing to the poor house, but it is only part of the story.

The gross national product (GNP) is the sum of all goods and services produced in a year. Federal spending from 1955 up to very recently fluctuated between 10 and 12 per cent of the GNP. For some of those years GNP was fairly static. Now it is forging higher and higher. The projected figure for 1967 is $781 billion.

How do the expected federal expenditures for the coming year, national defense included, compare with the expected GNP for the same period? They will be 10.8 per cent, which is no higher than they were 10 years ago. And what were they in the Korean War? Fifteen per cent!

No, we are not on the road to financial ruin. But political scare-mongering, based on distorted records and contrived estimates, can be more harmful to us than the Viet Cong.

REX WHITTON NAMED MAN OF THE YEAR BY INTERNATIONAL ROAD FEDERATION AT FIFTH WORLD MEETING IN LONDON

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. KLUCZYNSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, it was the honor and privilege of my good friend and colleague, the Honorable KENNETH J. GRAY, and myself, to represent the Congress of the United States at the fifth world meeting of the International Road Federation in London September 18 through 24, 1966.

Through the years I have watched, with pleasure, as the Federation has grown from its original 20 participating countries to its present worldwide representation of 80 nations. This 1966 IRF meeting continued the high standards of the Federation in providing a forum through which all countries, including the United States, advance our knowledge by the exchange of ideas and techniques in the development of highways.

There were many excellent discussions and seminars, and our U.S. representatives made outstanding contributions, but the highlight of the meeting, for me, came on the first day when, for the first time in the Federation's history, an American was named the IRF Man of the Year. That American, Federal Highway Administrator Rex M. Whitton, is truly an outstanding public servant, and it was a source of genuine pride, in him and in the achievements of our U.S. highway programs, to be present when Mr. Whitton was accorded this international recognition, perhaps the highest professional award made in the highway field.

The presentation on behalf of the Federation was made by the Right Honorable Barbara Castle, a very charming and capable Member of Parliament who is also Minister of Transport in the Labor Government. Mrs. Castle's presentation included the following comment:

> MRS. CASTLE. When I was called upon to help choose the Man of the Year I did not know what to do. Then it was explained to me that the choice was to result in an award to one who has contributed in an outstanding manner to the development of better and more efficient roadways.
>
> This is the first time in 16 years that an American has won this award, and it is indeed a great honor and privilege to present this silver tray as a symbol to Mr. Rex M. Whitton, Federal Highway Administrator of the United States of America.

STATEMENT ON NEW TECHNIQUE OF AIR-DROPPING SUPPLIES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HAMILTON. Mr. Speaker, last weekend I was briefed on a new method of air-dropping supplies to ground troops, a system with an efficiency and accuracy never before achieved by an Air Force system.

This new technique, called the slingshot power aerial delivery system—SPADS—was developed and tested by the 434th Troop Carrier Wing, Air Force Reserve, which is stationed at Bakalar Air Force Base, Columbus, Ind.

This unit, the Hoosier Wing, has distinguished itself with a number of achievements in its history. But despite such contributions to the national defense, the 434th is to be deactivated in October 1967.

Therefore, I think it is all the more significant that this unit has developed this new assault air drop technique under this demoralizing condition.

Brig. Gen. John W. Hoff, the unit commander, and the officers and the men of the 434th are to be commended highly for continuing to work for the greatest proficiency possible, knowing that the unit is to be deactivated.

The SPADS system has been developed to the point where one C-119 "Flying Boxcar"—considered obsolete by the Defense Department—can carry out in one flight over a drop zone a resupply mission which now requires several aircraft. As many as 52 containers of small arms, ammunition, food, and medical supplies can be dropped on a single flight over a drop zone with a predictable accuracy of less than 20 yards and in linear ground pattern, from first container to the last, of less than 250 yards.

Present Air Force paradrop methods would require at least two passes over a drop zone, stringing the cargo out over a 1,000-yard area.

As the name implies, the slingshot system ejects cargo in a single "shot" as compared to piece-by-piece ejection of cargo over a drop zone. The SPADS system utilizes existing power equipment in the C–119's by rigging the plane's cargo compartment with a cable and belt sling, powered by a monorail winch.

The system provides instantaneous cargo release of full or partial loads in just under 5 seconds. Conventional cargo-release methods have variables of from 2 to 8 seconds before cargo ejection causing errors up to 400 yards on the ground.

This system, which provides drop-zone accuracy needed in jungle warfare similar to the requirements in Vietnam, also can be utilized on forward landing areas. On landing on an unimproved airstrip, the full load of a C–119 can be ejected while the plane is taxiing on the ground.

Modifications also have been developed by the 434th to parachute riggings for quicker and more positive openings which make it possible to reduce the drop altitude by as much as 50 percent.

In summary, the SPADS system provides full use of the aircraft cargo space, a positive release-and-ejection mechanism, and a means of quicker parachute employment, all of which results in predictable accuracy and the smallest possible ground pattern of the supplies.

I have questioned the Defense Department's wisdom in the planned deactivation of this highly proficient troop carrier wing. It seems to me that to win any conflict it is advisable to have enough of everything that is needed to win.

The men of the 434th have demonstrated—and continue to demonstrate—their worth to our national defense. I believe it is essential that this outstanding unit and capability be retained in our defense inventory.

UNCLE SAM'S HIRING HALL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, yesterday, my friend, the gentleman from Florida [Mr. Gurney], a member of the subcommittee which I chair, inserted in the Record an editorial from the Wall Street Journal, commenting on the Manpower Services Act of 1966. That editorial, and the introductory remarks of my friend from Florida, both reiterated the contention advanced by the private employment agencies that the public employment service was only set up to help the unemployed.

To complete the record, I feel that the letter which I wrote the Wall Street Journal, and which they printed, should also be inserted at this point:

[From the Wall Street Journal, Aug. 31, 1966]

August 24, 1966.

The Editor,
The Wall Street Journal,
New York, N.Y.

To the Editor:

Your editorial of August 18th, entitled "Uncle Sam's Hiring Hall," painted a very dismal picture of "a centralized Federal hiring hall" which "ought to be equally repugnant to employees, union and nonunion alike." I am sure it is repugnant to employees. It is also repugnant to employers, and to most Members of the Congress, including the sponsors of this legislation. The fact is that the bills before Congress to improve the Wagner-Peyser Act have no provisions which could result in such an institution. "If the USES is empowered to move people about from one job to another," you ask rhetorically, "what is to prevent it from keeping them where they are if it so chooses?" Your question is logical but based on a false premise. There is nothing in these bills which empowers anyone to move anyone involuntarily from or to any job anywhere.

These bills list the functions which the Federal-State employment service now performs. The legitimacy of the "recruiting" function stems squarely from the 33-year-old language of the Wagner-Peyser Act, which makes the services of the public employment system available to all persons "legally qualified to engage in gainful employment." The legitimacy of this function has been reaffirmed as recently as 1964, in direct answer to a lobbying campaign staged by the private employment agencies in the same terms they are using today, by the Senate Appropriations Committee. That Committee pointed out that under the law, as it is now, the public employment service "cannot deny service to a certain portion of the public, such as employed workers, or those in professional and technical occupations."

The private agencies are lobbying to have the word "recruitment" stricken from the bill. I am surprised that the Journal has not recognized the basic impact this would have on all other businesses: that they, while still supporting the public employment service with their taxes, would be unable to call upon it to furnish needed workers. In short, the major group denied access to the public employment service by the private employment agency amendment would be the rest of the business community. As it stands now, as it would stand under these bills, the business community can call upon the public employment service or not, as it pleases. No one supports legislation to limit hiring to the public service, and it is, I think, a disservice to the business community for the private employment agencies to demand that hiring be carried on only through private firms.

Sincerely yours,

Elmer J. Holland,
Member of Congress, Chairman, Select Subcommittee on Labor, Committee on Education and Labor, U.S. House of Representatives.

THE ROLE OF COMMUNITY COLLEGES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, in the August 1966 issue of Michigan Challenge, the magazine published by the Michigan State Chamber of Commerce, there was a very interesting article entitled "The Role of Community Colleges." The author is Dr. Robert E. Turner, president of the Macomb County Community College, located in Warren, Mich.

In this fine article, Dr. Turner traces the growth of Macomb County Community College from its beginning as a veteran's institute established shortly after World War II to its present status of a community college serving the half million residents of Macomb County.

Dr. Turner is proud of the growth and accomplishments of Macomb County Community College—as indeed he should be. Macomb College serves its community well. It offers a vast variety of courses—from accounting to welding—to its 9,000 students. The college strives to keep abreast of the needs of Macomb County and adjusts its curriculum to meet those needs.

In summing up the role of community colleges, Dr. Turner states:

> The community colleges of Michigan are attempting to meet the needs of the local communities. They are doing it through the cooperation of lay advisory groups, dedicated staffs, understanding governing boards, informed administrators and adequate studies of the area needs. Money and imagination always are necessary, and, although there is never enough money, community colleges are revolutionizing higher education through imagination and innovation.

Mr. Speaker, under unanimous consent I insert the article "The Role of Community Colleges," at this point in the Record:

THE ROLE OF COMMUNITY COLLEGES

(By Robert E. Turner)

Community Colleges in Michigan have continued to expand their role in vocational, technical and semi-professional education. For a number of years, the junior college provided education which was primarily transfer in nature and which was designed to provide the first two years of a baccalaureate degree. As the community college concept began to evolve, the junior college became more comprehensive in nature and began to devote a greater portion of time to meeting the specific needs of the community.

Macomb County Community College is not unlike many of the community colleges in Michigan. Its actual beginnings can be traced to a Veteran's Institute which was established shortly after World War II by the Van Dyke Public School System in Warren. This was primarily vocational in nature and was designed to assist the returning veterans in skill development and job upgrading.

As a result of the success of the Veteran's Institute and a felt need for post-secondary education at the college level, the Van Dyke Public School System was granted permission by the Michigan State Department of Public Instruction to establish the South Macomb Community College. In the fall of 1954 the college started with 84 students, operating in the Lincoln High School after 4 p.m.

In 1962 the voters of the County of Macomb voted to establish a community college district, elected a six-member board of trustees and established a one-mill tax to provide local support for the college. An agreement was made with the Board of Education of the Van Dyke System and the Board of Trustees of the community college district to take over the operation of South Macomb Community College, and the college became known as the Macomb County Community College. July 1, 1963, the college began its operation under the new Board of Trustees, and the district was expanded to include the entire county.

From its early beginning with 84 students the college has grown to 7,183 in the fall of 1965, with 9,000 projected in the fall of 1966. Projections through 1985 indicate between 25,000 and 30,000 students with at least three campuses located strategically throughout the county.

Until the fall of 1965 the college operated primarily in the evening, using facilities wherever they could be obtained. Local high schools, industrial plants, Selfridge Air Force Base, churches and converted stores are among facilities which have been used.

Some facilities became available on the South Campus in the fall of 1965, and classes were conducted on a schedule running from 7 a.m. until 11 p.m. The college has continued to use leased facilities because the building program has not been able to keep up with the growth of the institution. The first phase of construction for the Center Campus will begin in the fall of 1966 while development of additional facilities is continued on the South Campus.

In July, ground was broken for the initial construction of a technical complex which will house the industrial technology offerings.

This complex will contain classrooms and laboratory facilities for instruction in auto body styling, climate control and metal fabrication, civil technology, commercial art and technical illustration, construction and pattern making, electronics, electricity, fluid power and pneumatics, industrial graphics, metals testing and metallurgy, metals machining, metrology, numerical control, plastics, welding and foundry and various drafting and design technologies.

At the present time, with the limitations of facilities, the college offers numerous programs which are occupationally oriented. Two-year programs which lead to the associate degree are: Accounting, Airline Hostess-Clerical, Auto Body Design, Electrical Technology, Executive Secretarial, Fluid Power, General Business, Marketing, Medical Secretarial, Metals Processing, Nursing, Secretarial-Clerical, Special Machine Design, Technical Illustration and Tool Fixture and Die Design.

One-year certificated programs are: Business Data Processing Clerical, Clerical, General Receptionist, Medical Assistant-Receptionist and Stenographic.

With the industrial technologies the college serves the industries of the area in providing related instruction for apprentices in numerous trades. Among the trades served are: Brick Laying, Core Making, Die Cast Diemaking, Die Designing. Die Making, Hardware Sample Making, Industrial Electricity, Industrial Hydraulics, Jig & Fixture Building, Machine Building, Machine Repairing, Machining, Mechanical Design, Metal Body Building, Metal Patternmaking, Millwright, Plastic Modelmaking, Plumber Pipefitting, Product Drafting, Tool & Die Making, Welding, Wood Modelmaking and Wood Patternmaking.

Programs which are being planned and which will be established as facilities and staff become available are: Advertising Art and Design, Business Data Processing, Food Preparation and Management, General Maintenance, Horticulture, Landscape Architecture, Merchandising, Motel-Hotel Management, Numerous programs in para-Medical and para-Dental Sciences, Nursery and Garden Center Operation, Police Science, Recreation Leadership and Retailing.

In addition to the regular occupational programs which provide a full curriculum of general education, supporting courses and specialized courses, Macomb, as other community colleges, provides adult and continuing education courses designed to meet specific needs. These courses are provided for any length of time required and do not fit into any regular semester or term schedule. Such courses may be taken for credit but are designed to provide the recipient with the required skill and/or knowledge which may be requested or ascertained through prior investigation.

The college has become deeply involved in programs funded through the Manpower Development Training Act and works closely with the Michigan Employment Security Commission and local industries.

There are many occasions in which local industries request specific training programs to be conducted by the college. In these cases the industry establishes its requirements in consultation with the college staff. An agreement is established between the college and the industry, and instructional personnel employed by the college conducts classes within the plant. This has proven very successful and provides a convenience to the industry and the employees of the firm.

Much developmental work is continually under way. With occupations changing as rapidly as they are, there must be constant up-dating of instructional materials, in-service training of staff and re-evaluation of facilities. The community colleges of Michigan are attemtping to meet the needs of the local communities. They are doing it through the cooperation of lay advisory groups, dedicated staffs, understanding governing boards, informed administrators and adequate studies of the area needs. Money and imagination always are necessary, and, although there is never enough money, community colleges are revolutionizing higher education through imagination and innovation.

We continue to use whatever resources are available and, as many of our Michigan community colleges, Macomb continues to use the community as its campus.

TRIBUTE TO THE LATE AUSTIN E. ANSON

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. de la Garza] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. de la GARZA. Mr. Speaker, permit me at this moment to pay final tribute to a gentleman who has been a good friend to the 15th District of Texas and to his country. I refer to Mr. Austin E. Anson who passed away last Sunday in the Harlingen, Tex., Valley Baptist Hospital.

Mr. Anson, for 18 years executive vice president of the Texas Citrus & Vegetable Growers & Shippers Association, was almost as well known during this time in the corridors of the Senate and the House Office Buildings as he was to those of us in south Texas who knew and loved him. In this capacity he appeared countless times in support of funds for agricultural research, for irrigation and reclamation projects, and for other goals aimed toward the progress and development of the Rio Grande Valley.

Many of you who have been here much longer than I will remember the south Texas onions which he presented the former Speaker Rayburn on the steps of the House Office Building and to all the Members of Congress. Many of you are familiar with the delicious Ruby red grapefruit and our south Texas oranges which his association likewise distributed numerous times throughout the House and Senate. Research on and improvement of these and other products of south Texas were matters near and dear to him.

Mr. Anson was a knowledgeable, courageous man, a fighter, one who worked tirelessly for what he thought was right. For the past 3 years he fought his last fight, with Parkinson's disease, and battled it with the same indomitable spirit with which he appeared before the Members of the House of Representatives and the Senate in support of those steps into the future he promoted for the area he loved and served so well.

Following his retirement Austin Anson, despite failing health, devoted much time to civic activities, particularly with the American Association of Retired Persons, and was an ardent proponent of legislative programs for our senior citizens.

In recognition of this outstanding American's many endeavors for the betterment of his fellowman and of his personal courage at that time every man must one time face, I stand before you today to pay him tribute.

Thank you.

TO RESCUE THE CITIES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Barrett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARRETT. Mr. Speaker, under unanimous consent I put into the Record an excellent editorial in support of the demonstration cities bill which appeared in today's New York Times. It is appropriately entitled "To Rescue the Cities." The Demonstration Cities and Metropolitan Development Act of 1966 will be before the House in a matter of days and in my judgment Mr. Speaker this great bill offers a wonderful ray of hope to our cities of all sizes in helping them cope with their oppressive problems of crime, poverty, and of slums and blight. I am most grateful for the splendid endorsement of our bill by this great newspaper:

[From the New York Times, Oct. 6, 1966]

To Rescue the Cities

The House of Representatives is soon to act upon the Administration's "demonstration cities" housing plan approved two months ago by the Senate. It is one of the ironies of the Congressional scene that the House vote on this bill promises to be another cliffhanger, with ten or fifteen doubtful members likely to decide the outcome.

A considered assessment of this proposal can only lead to the conclusion that it is long overdue, too small, and that in its essentials it amounts to little more than common-sense management. Yet most conservative members of the House seem determined to oppose it. They want to call off the struggle against slums in the name of fighting inflation. Representative Paul Fino, New York Republican, has added his own special touch of irresponsibility by contending, quite without factual foundation, that the bill's incentives for metropolitan planning are actually a plot to enforce racial balance in city schools.

It is imperative that the nation's cities, large and small, reverse their present downward spiral into blight and disorder. The urban-renewal program started by the Housing Act of 1949 was designed to help them do that. In the first seventeen years, Congress appropriated a total of $6.1 billion for urban renewal which averages out to roughly $350 million a year—or less than the Federal Government spends every month on the space program. Is it any wonder that the spread of slums and marginal neighborhoods has outstripped the effort to prevent them?

Under urban renewal the Federal Government pays up to two-thirds of a project's cost (and somewhat more in smaller communities). The pending bill simply provides that the Federal Government will also pay up to 80 per cent of the local government's one-third share, but only if the local community draws up a satisfactory comprehensive plan for the renewal of an entire section or neighborhood. The theory is that the additional Federal cash will enable the financially harassed cities—at least sixty or seventy of them around the country—to demonstrate what a concentrated attack can accomplish in a blighted neighborhood.

Urban renewal programs have for some time been subject to the justifiable criticism that in order to attract private developers and to widen the city's tax base projects have been concentrated in the more easily salvaged "gray areas." The demonstration cities program is in line with the judgment of Mayor Lindsay's housing task force because it would concentrate instead upon the hard-core urban slums such as Bedford-Stuyvesant.

Social welfare and antipoverty programs are to be part of each comprehensive plan, since experience has shown that urban renewal succeeds in reviving in area only if human as well as physical problems are solved. New bricks and fresh mortar cannot by themselves create a viable neighborhood.

Spent over two years, $900 million will not resolve the urban crisis, but this sum—which is the amount the bill authorizes—will at least get the cities moving a little faster in the right direction. Federal incentive money cannot save cities which have lethargic or incompetent leadership in city hall, but Congress has an obligation to help those cities that are willing to help themselves.

A BILL TO PERMIT SUMMER EMPLOYMENT OF SONS AND DAUGHTERS OF EMPLOYEES OF THE POSTAL FIELD SERVICE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HANLEY. Mr. Speaker, I have introduced a bill today to permit the son or daughter of a postal field service employee to be employed during the summer by the local post office.

The restriction on summer employment of sons and daughters of employees was established in 1964, in response to a growing number of complaints against the practice of nepotism, based on the fact that these children were being given preferential consideration because one of their parents was in some position of influence in the same agency.

The restriction was imposed by the Civil Service Commission largely as a result of information disclosed by the House Post Office and Civil Service Committee, to the effect that there actually was a widespread practice of summer jobs being treated as a private preserve for the children of agency employees. At that time it was not the practice for written competitive tests to be given for the summer jobs.

The restriction was renewed for the 1965 and 1966 summer hiring periods. However, for the 1966 summer jobs a written competitive test was given for each local post office. Similar written competitive tests are being planned for the 1967 summer positions in the local post offices.

The sole purpose prompting the criticism by our committee was to eliminate the nepotism and patronage factors insofar as any of the summer jobs were concerned.

Each of our young citizens in a community now has an equal opportunity to compete by written test for the summer jobs in his particular local post office. Consequently, the practice of nepotism and the patronage factors have been completely eliminated.

The restrictions, if permitted to continue, place an unjustified and inequitable discrimination on these sons and daughters who are fully qualified and successfully pass the written examination.

My bill will remove this restriction against the summer employment of the sons and daughters of postal field service employees. I am very optimistic that action can be taken by our committee in sufficient time to remove this restriction before the 1967 hiring season begins.

DADDARIO SPEECH AT TEHERAN

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, during the recent Conference of the Interparliamentary Union in Teheran our colleague, Representative EMILIO Q. DADDARIO, of Connecticut, delivered one of the principal speeches.

This speech covered the subject of cooperation between regional economic groups and systems and it was received with great interest and enthusiasm by the delegates to the Conference. In this speech Representative DADDARIO defined with precision the means of achieving the necessary collaboration between regional groups and in my judgment his remarks deserve broad circulation.

I therefore take this opportunity to compliment our colleague on this outstanding speech and to include it with these remarks for the information of my colleagues and of all who read the CONGRESSIONAL RECORD:

I am privileged to speak today on the subject of cooperation between regional economic groups and systems. One of the great lessons we can learn from the rapidly developing technological age in which we live is that mankind remains interdependent. Men must work together to control their destiny.

Supersonic aircraft are ready to spring from the drawing board—to further shorten the time of travel between nations. Communications, weather and navigation satellites compel us to set up cooperative systems—to the almost instantaneous advantage of us all. But science, having allowed the opportunity to use these forces for the benefit of us all, has also placed in the hands of man the ability to destroy himself. The nuclear Sword of Damocles hovers dangerously above us. Therefore, instability which induces dissatisfactions (for whatever reasons), among the masses of humanity as they struggle for a better economic and social life, does breed tensions, unrest, rivalry—all ingredients of conflict. Yet, to overcome these problems so that people may achieve their aspirations is such a gigantic task that no one nation can meet the challenge successfully alone. International cooperation then, becomes both a necessity and a virtue.

The United States, as a result of its experience, welcomes efforts by various regional groups to meet common needs by common effort. We vigorously participate, as a result, in a number of regional groupings—economic, political, and military. In many instances, the various objectives of these efforts overlap. NATO, for example, is not only a military alliance committed to a common defense, but it is also a political association within which its members discuss, as an example, ways and means to improve relations with members of the Warsaw Pact. Building bridges from West to East has become then, an important and immediate objective of what started off to be a defensive military organization.

We have only to look at the European Common Market or to the European Coal and Steel Community to note successful efforts in meeting common economic problems. The United States applauds this even though it recognizes that the economic production of this combination can equal its own, for we are of the belief that such competition can only be helpful in achieving world peace. We welcome and support such movements because we sincerely believe that healthy economies in all places throughout the world do contribute to universal well-being and to the common good. In our own hemisphere we are committed in a most intimate way to the Organization of American States. Here, recognizing that we have been endowed by nature more generously than most of the Americas, we have embarked on economic programs that will cost us billions of dollars. I do not say this with a spirit of self-satisfaction or pridefully for we know that all we do is by itself not enough—that there is more to be done, and that others must help. After all, our resources are great but they are not boundless and there are many demands on them.

One such comes from our obligation under the SEATO treaty. We have already had enough talk here about one aspect of that. But, it should be understood that we are also committed to a vast development in the Mekong from which benefits will come to many countries in that area and to the work of the Economic Commission for the Far East operating under the Economic and Social Committee of the U.N. This is work we would like to see developed in a peaceful atmosphere, where men's efforts are turned to constructive work for which there is so much need.

In some instances, we are not fully members of organizations and still are anxious to see them succeed. A good example is the Organization of African Unity. Here, interested in developing better roads, communications, and productive facilities, we have sent a team of top economists and fiscal experts to give a hand to that regional group. A preliminary report gives great hope for the future.

All these efforts are underscored by one outstanding declaration—that the state exists to serve man, not man to serve the state; and all efforts of governments should be directed toward the elevation of the dignity of man as the fundamental objective. We welcome, support, and encourage the further development of regional systems because they further that purpose. We can give sustenance to that through the draft resolution before us. Perhaps nothing sums up all our feelings about these objectives better than a quotation of Hafiz from the neighboring city of Shiraz, "Oh cup bearer, fill the goblet and hand it around to us all."

WHAT 4-H MEANS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SISK. Mr. Speaker, during 4-H Week, which was held September 24 to October 1, there were six outstanding 4-H reporters to the Nation in Washington. One of these young people, Morten Lee Johnson of Fowler, Calif., is a resident of my congressional district. I was extremely impressed with this young man, who is 17 years old, and the fine work he is doing. The following is an article entitled "What 4-H Means to Me," which he presented to me during his visit to my office. This article points out the wonderful work the 4-H clubs do and what effect it can have on the members. It is my feeling that this article might be an inspiration to some of our young people throughout the Nation.

The article follows:

WHAT 4-H MEANS TO ME

(By Morten Johnson, Fowler, Calif.)

To me 4-H is a way of life with opportunities unlimited! It has opened the door to a life that is full of challenges. It has given me a purpose. It has let me try my wings—succeed and fail—analyze and question—plan and do! It has been my "action" program filled with challenges to think, to plan, to make decisions, and to know what I believe and to know why these values and courses are important! 4-H project work has taught me to observe, to compare, and to experiment. It is a challenging learning experience in ownership and management of property, responsibility for upkeep, record-keeping, and a useful work experience. The judging and grading of all my projects has helped me to appreciate and realize the importance of high standards of performance. I have learned the value and dignity of work while doing my best—and also the hard facts of competition and the rewards for success.

4-H has helped me to open my eyes to my citizenship responsibilities. It has taught me to understand and appreciate people with different values and to respect them—looking for their good qualities. I had less difficulty adjusting as an exchange student in Germany and Brazil as my 4-H project work helped me to be useful in their way of life.

Junior leadership has been invaluable training. It has made me more tolerant and has given me an opportunity to assume responsibility in a very enjoyable way. The junior members are a bundle of energy—learning, doing, testing, expressing and making decisions that affect their tomorrow. Working with these ten year old boys is a challenge! They almost bring down the rafters at times, but my mother assures me I did the same thing, so I say to myself, "Patience, this was once you."

Before I became a junior leader, I took the back seat. But demonstrations, 4-H camp counseling and fairs have helped me overcome this. From conferences and workshops, we learn to live, work and play harmoniously with the group.

4-H has helped me to set my life's goals. Success does not depend upon how much money I earn or how many projects I complete. Instead it is the development of moral standards, understanding and helping others, and striving for world peace through creative living which clubwork has taught me.

Many of the old-fashioned and time-honored concepts such as honesty, loyalty, patriotism, courage, and thrift are considered by some to be outmoded and those who practice them are looked upon as "squares." 4-H has taught me a different way of life. It has provided me with a sense of values—mentally, physically, morally and spiritually that I can live a rich, full life and make my contribution to society.

What would I have done if there were not projects to keep me busy, activities to challenge me, conferences and workshops to meet new friends? What kind of person would I be if I was unaware and uninterested in better citizenship, community improvement and the growth of young people? Because of 4-H I won't have to answer these questions. 4-H has geared me to "Make my Best Better" and to "learn by doing" and thus make America and the World a better place to live.

As the saying goes, "We're not proud of what we've done—but we're awfully proud of what we've just begun!"

COLD WAR BILL OF RIGHTS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. RANDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RANDALL. Mr. Speaker, the supply of the blue sheet summaries of the cold war bill of rights printed by the Veterans' Affairs Committee is exhausted. For this reason, I asked the committee staff to approve a summary of the provisions of that bill which could be included in the RECORD as a guide for possible use by all Members in a reprint for distribution to constituents.

The major provisions of this legislation in which cold war veterans may benefit are:

EDUCATION

The bill provides a permanent program of educational assistance for individuals honorably discharged with more than 180 days of active service in the Armed Forces after January 31, 1955. One month of full-time education is granted for each month of active service for the veteran, not to exceed 36 months. This may be on college level including graduate and postgraduate or below college level and includes education in trades, vocational, and technical schools as well as through correspondence courses. Internships and residencies are considered educational programs and are permitted under the provision of the bill. The allowances provided for those taking advantage of the program are: $100 per month to a serviceman with no dependent; $125 to one with a single dependent, and $150 a month to veterans with two or more dependents.

GUARANTEED AND DIRECT HOME LOANS

Guaranteed and direct home loan programs as well as farm loan programs are extended to veterans, honorably discharged, after January 31, 1955, with 180 days active duty. The guarantee or a mortgage by a private lender in the amount of $7,500 is extended to the individuals who qualify and in direct-loan areas where guaranteed financing has not generally been available, a maximum direct loan of $17,500 is authorized. The benefit expires 10 years from the last active duty period. This benefit is also made available to active duty personnel after they have served continuously for at least 2 years.

NON-SERVICE-CONNECTED MEDICAL CARE

Prior to this law, veterans serving after January 31, 1955, were eligible for medical care in VA facilities only if they had a service-connected disability. Now, with this measure, all of our veterans are made eligible for treatment of non-service-connected disabilities on the same basis as for veterans of other periods of war. The treatment is contingent upon the availability of beds and making a statement of inability to pay for treatment elsewhere.

FEDERAL EMPLOYMENT PREFERENCE

Preference in employment in Federal service is extended to the group of veterans honorably discharged or released after January 31, 1955.

JOB COUNSELING AND JOB PLACEMENT ASSISTANCE

This act places cold war veterans on the same basis as now provided for veterans of other wars to obtain job counseling and placement through the Department of Labor.

THE SOLDIERS AND SAILORS CIVIL RELIEF

This is amended to enlarge the protection given individuals called to active duty as to rental premises on premises with a monthly rental rate of $80 to $150 per month. This provision took effect March 3, 1966, the date of final enactment.

THE NEED FOR ADDITIONAL RADIO FREQUENCIES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DINGELL. Mr. Speaker, on September 28, 1966, I addressed the House on the subject of the need for additional radio frequencies. I referred to a letter dated July 28, 1966, from Rosel H. Hyde, Chairman of the Federal Communications Commission. I then obtained unanimous consent for it to appear, together with other material, at the end of my remarks. Chairman Hyde's letter was inadvertently omitted from the RECORD at that time, and I now have

unanimous consent that it appear at this point in the Record:

Federal Communications Commission,
Washington, D.C., July 28, 1966.

Hon. John D. Dingell,
Chairman, Subcommittee on Regulatory Agencies, Select Committee on Small Business, House of Representatives, Washington, D.C.

Dear Congressman Dingell: I refer first to your letter of May 31, 1966 and the request of Subcommittee No. 6 on Activities of Regulatory and Enforcement Agencies for a specific program for allocation of additional spectrum space for the land mobile radio users. In my letter of June 7 I advised you that a report would be prepared as promptly as possible.

I also have your June 16 letter asking that testimony concerning the mobile communication problems of small business be given attention, and your letter of July 15 pointing out the Police and Public Safety communication problem as referred to by Inspector Soldan of the Detroit Police Department. Since all of these items are directly and specifically concerned with the same basic problem, I trust that this report will be sufficiently responsive to them all.

First, I would like to assure the Subcommittee that the Commission is fully aware of, and concerned about, the growing problem of congestion and the resulting interference in the various services in the land mobile category. I must agree that the problem outlined for your committee by the Business and Educational Radio Association is representative of a situation that exists in some degree in essentially all of them and, as has been suggested, the benefits which customers of the small businessmen receive from the business use of two-way radio is likewise representative of those which accrue to the general public by reason of a host of public safety and industrial uses of two-way radio. There is essentially no area of commerce and industry that is not passing on to the public, benefits derived from the use of two-way radio in their operations.

It is unfortunate that the extent of usage and the growth of the land mobile services were not fully envisaged at the time the present allocation of spectrum space took place. It is now much more difficult to make the dislocations required if additional space is to be allocated, than it would have been to make somewhat more liberal allowance for growth initially. I do not, however, cite this unfortunate circumstance as a reason for not taking corrective action.

Before proceeding with a discussion of some of the measures for relief that are under consideration, a brief review of some of the background of the problem may be helpful. It first should be noted that the greater port of of the frequency band 25 to 890 Mc/s, generally accepted as best suited for land mobile communications, is allocated to several other radio services for which this portion of the spectrum is also very desirable. The problem then is one of either reallocating space, which entails displacing established services, or of seeking more efficient use of existing land mobile service allocations, or both. The present allocation of frequencies among the various services stems from one of the most comprehensive and complicated proceedings ever held by the Commission. That proceeding, Docket No. 6651, began in early 1945 and involved extensive public hearings, during which the communication requirements of the nation were reviewed in detail. The resulting decisions were released beginning in August, 1946. They were a resolution and a compromise of many diverse and conflicting views and requirements. There have been a number of additional docket proceedings in more recent years, but the basic allocation structure in the part of the spectrum under discussion has been maintained since 1946 without substantial modification. Our experience to date does not support the statement sometimes made that the problem of reallocation is one to be solved by a simple pronouncement of the Commission making available the desired additional frequency space.

Although there were a few who felt that the frequency space allocated to the land mobile services as a result of the 1945 proceeding was insufficient to meet long-range requirements, the preponderance of expert opinion was to the contrary. In fact, it is only within the past few years that serious questions as to the sufficiency have been raised. The Commission's current concern with respect to these questions has been stated repeatedly and several measures have been instituted to explore publicly various possibilities for relief. Other possibilities are under study. To date, however, these do not, with the exception of an investigation into the feasibility of sharing television frequencies, include a publicly announced plan or program for the allocation of additional frequency space. The primary purpose of this letter is to explain why this is so and why, even now, the Commission feels that outright reallocation action must be approached cautiously.

First, the Commission agrees with the representations made before your committee by the National Association of Business and Educational Radio, Inc., regarding the value of the land mobile radio services and the extremely crowded conditions that exist in many of the areas where they are most needed. On the other hand, the association's apparent assumption that the allocation of additional frequency space is the only solution places the matter in a context which precludes consideration of other possible areas for relief. This may not be the most constructive approach. Admittedly, the assignment of additional space sufficient to meet all requirements is a desirable solution. This would have the added benefit of being the simplest of all possible solutions if it were not for the fact that any additional frequency space allocated to the land mobile services must be taken from another service or services. The two major occupants of the 25 to 890 Mc/s portion of the spectrum are government and broadcasting, and any substantial contribution would have to come principally, if not exclusively, from these two areas. For example, between 25 and 890 Mc/s, a total of 512 Mc/s is allocated for FM and TV broadcasting, and approximately 300 Mc/s is allocated for government use.

Access to government bands, either on a shared or exclusive basis sufficient to afford any substantial degree of relief, seems to us a most unlikely prospect until it can be shown that bands presently available for non-government use are being used fully. Certainly it is one which would require both consideration and action outside the jurisdiction of the Commission. This then leaves the other major occupant, broadcasting, as the principal target. You are aware, of course, of the concern which both the Commission and Congress have had with the development of TV broadcasting. Both have been in agreement that a fully competitive nationwide system with provision for both commercial and non-commercial educational facilities requires utilization of the ultra high frequencies. Congress enacted legislation in 1963 prohibiting shipment in interstate commerce of TV receivers not capable of receiving all TV channels. Unquestionably this action has, as was intended, stimulated development of both commercial and educational broadcasting facilities and a critical stage in this development is now being reached. An adverse action now could have serious repercussions and might defeat the whole program. As for the portion of the VHF spectrum allocated to television, it is now essentially saturated, with 40 to 50 stations on each of the 12 channels. I think you will agree that we cannot seriously consider making the displacements that would be required to make even one 6 Mc/s VHF TV channel available to the land mobile service on an exclusive basis.

The Committee may well ask at this point where this leaves us. I have already mentioned that the possibility of sharing TV channels is under active investigation. A status report on that matter is given below. First, however, I would like to mention a few points concerning certain other measures for relief which are being discounted to a great extent by the land mobile service proponents for additional spectrum. The House Committee has heard mentioned the Advisory Committee for the Land Mobile Radio Services. This is a concerted nationwide effort on the part of the land mobile users, instituted by and operating under the aegis of the Commission. Its purpose is to explore fully every possible avenue for improving operating efficiency and other aspects of frequency utilization. The Advisory Committee expects to complete its work and report to the Commission by March 1967, the close of its third year of existence. While it is recognized improved frequency utilization and increased efficiency of use cannot provide a complete solution to the problem, there are several areas where these techniques promise a significant contribution toward a solution. There has previously been much resistance to interservice sharing of frequencies and to reduction of channel widths in the 450 Mc/s range. Both of these possibilities are being investigated and their feasibility is being recognized largely by reason of the greater objectivity engendered by the Advisory Committee type of approach. Additionally, a number of peripheral benefits already have accrued, not the least of which is a previously absent recognition of common problems and of the necessity for cooperation among the various groups. Finally, the report of this committee will provide a better reference than is now available for a comparison of the needs and present resources of the land mobile service with those of the other services it must displace if there is to be a reallocation of spectrum space.

As mentioned above, the possibility of sharing television channels is being explored now in a proceeding which has evoked widely divergent views (Docket 15398). Land mobile service and broadcasting industry spokesmen respectively have presented cases for and against sharing. Test operations to supply detailed technical information to aid in resolution of these conflicting views have been recommended and the Commission is establishing a Committee which will prepare plans and oversee the tests. If sharing without any material adverse effect on television service proves feasible, a very substantial amount of additional frequency space will become available for assignment to stations in the land mobile service.

Summarizing, let me assure you and the Committee that all of the Commissioners are fully aware of the vital importance of the land mobile service and of the congestion that threatens its effectiveness in a number of areas. A substantial segment of the staff is occupied with the problem and is actively engaged in the work of the Advisory Committee, in investigating the practicability of sharing VHF TV channels and in a variety of other studies and projects designed to improve the status of the land mobile service. Efforts toward a solution will be continued along the lines of the program described above.

I will be glad to keep the Committee advised of our progress and to furnish any additional information you may require.

Sincerely yours,

ROSEL H. HYDE, *Chairman.*

THE HALF DOLLAR ENIGMA

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Florida [Mr. FASCELL] is recognized for 5 minutes.

Mr. FASCELL. Mr. Speaker, the mystery of why half dollars fail to circulate apparently has not yet been solved.

In the work that the Legal and Monetary Affairs Subcommittee of the Committee on Government Operations, of which I am chairman, has done with respect to assuring the country of a constantly adequate supply of all coin for all commercial needs, one fact was noteworthy—the U.S. half dollar does not flow in trade and commerce as do the penny, nickel, dime, and quarter; and this, regardless of the tremendous volume of halves that are outstanding and that are being produced.

Ever since the Kennedy half dollar was first minted, that coin has been treated as a memento of the martyred President. While the Kennedy half dollar was issued in honor of the late President, it is not a commemorative coin. It was fully intended to circulate just as any other U.S. coin circulates. Although more than one-half billion have been produced, instead of circulating as coin, they are worked into various decorative objects, or are held in large or small hoards by those lucky enough to come into their possession.

As the subcommittee found in its study of the situation, the shortage of half dollars is enigmatic. So many have been made that they have no real numismatic value, and their intrinsic value is no greater than that of any other coin of the same value.

Half dollars are not needed except for rather limited purposes, for relatively few devices require their use. For most purposes the quarter is the key coin of commerce, and, of course, two quarters can replace a half dollar. The law does not require half dollars to be minted and the minting of half dollars consumes large quantities of the Treasury's silver supply, which is already considerably depleted.

Because of these facts, the report which resulted from the subcommittee's latest study on coin and coinage, "House Report No. 1468, 89th Congress, 2d Session," recommended to the Treasury that it should:

> Determine whether it is necessary to continue minting half dollars as essential coins of commerce, and if so, whether the silver content of the half dollar should be maintained at its present level, in the light of the Treasury's diminishing silver stock.

The Wall Street Journal for October 5, 1966, contains an interesting article, entitled "Who's Got the Halves?" which bears further on the enigma of the half dollar shortage in the face of huge output. I believe the Members of Congress and the businessmen and other people who rarely—if ever—see a half dollar will find the article informative. I should like to read it to my colleagues:

WHO'S GOT THE HALVES?—50-CENT PIECES VANISH DESPITE HUGE OUTPUT—HOARDERS, COLLECTORS GRAB UP SOME; MANY ARE KEEPSAKES; A LEAK IN THE COIN PIPELINE?

(By Philip Hawkins)

Check your pockets. Got a half-dollar on you?

Probably not, and therein hangs a mystery.

The mints are making more half dollars than ever before, yet it's all but impossible to obtain one. Rarely, if ever, are they given as change. Even more rarely are they used for purchases.

"I used to get 15 to 20 half-dollars a day," says Anthony Risolo, owner of Tony's Barber Shop in New York. "But I haven't gotten hardly any for the past year." One big bank says it used to take in more than 20,000 halves a week in transactions with its customers. Now, it gets about 400.

The shortage is so acute that some persons are willing to pay premiums. Coin dealers regularly get $1,125 to $1,250 for $1,000 worth of uncirculated halves bearing the likeness of President Kennedy and minted in Denver. Persons are asking as much as 10% premium for the halves they sell to Las Vegas gambling casinos; some houses say they are paying 5% premiums.

"I know the mint is minting half dollars, but something is happening to them. They are very, very short—just none available," says an owner of Las Vegas' Four Queens Hotel.

SPEWING THEM OUT

Indeed, the mint is minting them, and at a record clip. Since March 24, 1964, the day the mint began putting the Kennedy likeness on the coins, more than 525 million of them have been struck. That's nearly a third of the 1.8 billion struck between 1794, when 50-cent pieces first were issued, and the end of August. The mint is spewing the halves out at the rate of 20 million a month, more than the annual production in most years before 1964.

But what happens to them? Nobody can say for sure. One theory is that somebody in the pipeline between the mint and the consumer is diverting many of them to coin dealers, who will pay a premium. Many of the ones that reach the consumers, it also is theorized are stashed away in bureau drawers as mementos of President Kennedy.

That could account for the Kennedy halves, but what of the older ones? "Most of the older half-dollars had started to disappear by the time we got into full production on the Kennedy type," says Robert A. Wallace, Assistant Secretary of the Treasury. Some coin authorities claim these halves are in the hands of hoarders and collectors. The hoarders are gambling on a rise in the price of silver, which would make the coins worth more melted down than in coin form. The collectors want the pieces for their numismatic value; some 1920 halves, for instance, are worth up to $400.

A commodities broker in New York says he has stashed away nearly 2,000 halves in the hope of a rise in silver's price. For the past four months, though, he hasn't been able to add to his collection. "It looks as though everybody is getting into the act," he says. (Hoarding repulses Mr. Risolo, the barber. "A guy would have to be plain unpatriotic to take advantage of his own country's money troubles," he says.)

HOARDING THE WRONG HALVES

The price of silver would have to rise to slightly above $1.38 an ounce—nine cents above the present price—before the metal content of the half-dollars would equal the monetary value. Whether it ever will rise that much is questionable. "We intend to keep the price" at $1.229 a troy ounce at least for two or three years, says the Treasury's Mr. Wallace. The Government controls the price of silver.

Some hoarders would do well to check their hoards, however. A coin expert at one big bank says many new halves are being hoarded by people who don't realize they contain only 40% silver—far less than the 90% used in all halves dated 1964 and earlier. The date is the only quick way to tell a new half from an old one; unlike the new silverless quarters and dimes, the new halves still have silver edges.

The shortage is causing a lot of headaches. The paymaster of a major insurance company, which pays its part-time workers in cash, says he is "plenty inconvenienced" by the lack of halves. "I make do with quarters, dimes and nickels, the same as everybody else these days," he says.

John Oakes, credit manager of the Sahara Hotel in Las Vegas, says that because of the shortage "we control the sale of half dollars and see that people who buy them use them solely for playing slot machines."

Most people say the shortage is bound to end—sometime. The half-dollar will "come back in fairly plentiful supply" by early 1967, predicts Mr. Wallace of the Treasury. "We expect to catch up once we get through the peak demand period around Christmas."

He may be right. E. Strauss, a New York coin dealer, heard of a similar situation. "You had a devil of a time getting your hands" on a new Philadelphia-minted Lincoln penny when they were introduced in 1909, he says. "But after two or three years, when the mint finally satisfied that initial surge of demand, why, they were just another one-cent piece."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATSUNAGA, indefinitely, on account of business.

Mr. FOLEY, for indefinite period, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CONTE, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. FASCELL (at the request of Mr. GONZALEZ), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. VANIK (at the request of Mr. GONZALEZ), for 30 minutes, October 7, 1966; to revise and extend his remarks and to include extraneous matter.

Mr. SIKES (at the request of Mr. GONZALEZ), for 60 minutes, October 12, 1966; to revise and extend his remarks and to include extraneous matter.

Mr. HALPERN (at the request of Mr. MORTON), for 30 minutes, October 7, 1966; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. KREBS.
Mr. CABELL.
Mr. HALL.
Mr. COLMER.

Mr. MacGregor to revise and extend his remarks made in Committee of the Whole today and to include certain tables, one contained in the report of the Committee on Education and Labor and one prepared from data collected by himself.

(The following Members (at the request of Mr. Morton) and to include extraneous matter:)

Mr. Utt.

Mr. Gubser.

Mr. Cunningham in three instances.

(The following Members (at the request of Mr. Gonzalez) and to include extraneous matter:)

Mr. O'Neill of Massachusetts in two instances.

Mr. Dulski.

Mr. St. Onge.

Mr. Resnick.

Mr. Carey.

Mr. Bandstra.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3247. An act to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8034. A act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes;

H.R. 8126. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; and

H.R. 10860. An act to amend the Connally Hot Oil Act by exempting States from certain provisions thereof.

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the Senate of the following titles:

S. 2218. An act to establish a contiguous fishery zone beyond the territorial sea of the United States;

S.J. Res. 108. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor; and

S.J. Res. 197. Joint resolution to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding thirty years, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On October 5, 1966:

H.R. 16559. An act to amend the Marine Resources and Engineering Development Act of 1966 to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education and research in the various fields relating to the development of marine resources, and for other purposes.

On October 6, 1966:

H.R. 5912. An act for the relief of the estates of certain former members of the U.S. Navy Band; and

H.R. 9916. An act to amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, Friday, October 7, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2790. Under clause 2 of rule XXIV, a letter from the Administrator, Federal Aviation Agency, transmitting a report of claims paid during the fiscal year 1966, pursuant to the provisions of section 404 of the Federal Tort Claims Act (28 U.S.C. 2673), was taken from the Speaker's table and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on Interstate and Foreign Commerce. H.R. 11089. A bill to amend the act approved March 18, 1950, providing for the construction of airports in or in close proximity to national parks, national monuments, and national recreation areas, and for other purposes; without amendment (Rept. No. 2195). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACDONALD: Committee on Interstate and Foreign Commerce. Report on world newsprint supply-demand (Rept. No. 2196). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY: Committee on Post Office and Civil Service. Report entitled "How To Cut Paperwork" (Rept. No. 2197). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY: Committee on Post Office and Civil Service. Report entitled "Postal Systems of the U.S. Armed Forces—Vietnam and Thailand" (Rept. 2198). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on House Administration. H.R. 17239. A bill to limit contests of elections of Members of the House of Representatives to contests brought by duly qualified candidates whose names appear on the official ballots; with amendments (Rept. No. 2199). Referred to the Committee of the Whole House on the State of the Union.

Mr. BECKWORTH: Committee on Post Office and Civil Service. H.R. 18217. A bill to provide home leave for Federal seafaring personnel, and for other purposes; without amendment (Rept. No. 2200). Referred to the Committee of the Whole House on the State of the Union.

Mr. DANIELS: Committee on Post Office and Civil Service. S. 699. An act to amend the Civil Service Retirement Act so as to provide for inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of their surviving spouses; with amendments (Rept. No. 2201). Referred to the Committee of the Whole House on the State of the Union.

Mr. BECKWORTH: Committee on Post Office and Civil Service. S. 1496. An act to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes; with amendments (Rept. No. 2202). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee of conference. H.R. 17788. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 2203). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. S. 3230. An act to authorize the Board of Regents of the Smithsonian Institution to negotiate cooperative agreements granting concessions at the National Zoological Park to certain nonprofit organizations and to accept voluntary services of such organizations or of individuals, and for other purposes; without amendment (Rept. No. 2204). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee of conference. H.R. 9424. An act to provide for the conservation, protection, and propagation of Native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes (Rept. No. 2205). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HALL:

H.R. 18224. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 18225. A bill to amend title XIX of the Social Security Act; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 18226. A bill to authorize the merger of two or more professional football leagues, and to protect football contests between secondary schools from professional football telecasts; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 18227. A bill to amend title 38 of the United States Code so as to increase to $25,000 the amount of servicemen's group life insurance which may be carried by members of the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Florida:

H.R. 18228. A bill to authorize a program of research, development, and demonstration of electrically powered vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 18229. A bill to amend the Public Health Service Act to authorize the provision of medical services to Federal employees on a reimbursable basis at remote locations where other medical treatment and care is not available; to the Committee on Interstate and Foreign Commerce.

By Mr. WATTS:

H.R. 18230. A bill to amend the Internal Revenue Code of 1954 to provide that the term "purchase" for purposes of section 334 (b)(2) is to include certain indirect purchases of stock through the purchase of the stock of another corporation; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 18231. A bill to amend section 314 of the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 18232. A bill to amend section 314 of the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FALLON:

H.R. 18233. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. BROYHILL of Virginia:

H.R. 18234. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. CALLAWAY:

H.R. 18235. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 18236. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 18237. A bill to modify the regulatory requirement that the son or daughter of an employees of the postal field service may be appointed to summer employment in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HUNGATE:

H.R. 18238. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, to bring within the purview thereof certain temporary and substitute employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. MINISH:

H.R. 18239. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. ST GERMAIN:

H.R. 18240. A bill to declare portions of Newport Harbor, R.I., nonnavigable waters of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 18241. A bill to amend the Consolidated Farmers Home Administration Act to provide an alternate method of making loans for the acquisition and improvement of farms, and for other purposes; to the Committee on Agriculture.

By Mr. WHALLEY:

H.R. 18242. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs for the reclamation, acquisition, and conservation of lands and water adversely affected by mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOW:

H.R. 18243. A bill for the relief of Saidi Parseghian de Malumian; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 18244. A bill to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Ike Ignac Klein against the Government of Hungary, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18245. A bill for the relief of Angelo Fullone; to the Committee on the Judiciary.

H.R. 18246. A bill for the relief of Pasquale Sansone; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 18247. A bill for the relief of Maria Silberman Gardos; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 18248. A bill for the relief of Young Hoon Park, his wife, Eurnhi Park, their minor daughters, Myong Ok Park and Nam Ok Park, and their minor son, Soo Jin Park; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 18249. A bill for the relief of Dr. Rafael F. Suarez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

435. The **SPEAKER** presented a petition of Congress of Micronesia, Trust Territory of the Pacific Island, relative to changing the designation of the government of the islands, which was referred to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

A Tribute to the Ukrainian Congress Committee of America, on the Occasion of Their 25th Anniversary

EXTENSION OF REMARKS

OF

HON. PAUL J. KREBS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. KREBS. Mr. Speaker, I would like at this time to praise the remarkable accomplishments of the Ukrainian Congress Committee of America, on the occasion of their 25th anniversary. As a leading force in the field of anti-Communist activity, the UCCA is entitled to the admiration of freedom-loving people everywhere.

Primarily concerned with American security, the UCCA is dedicated, in all its activities, to the decisive defeat of Soviet Russian imperio-colonialism. Of the several captive peoples in the Soviet empire, the Ukrainians must be regarded among the most unfortunate, having so recently experienced freedom with the blessings of Woodrow Wilson and the policy of "self-determination."

And yet there is nothing disconsolate about the people of the Ukraine. Weighed down by tyranny, for years, they nonetheless retain the optimistic spirit for which they are so well known. In keeping with this, the Ukrainian Congress Committee pursues a policy devoted to dismembering the Soviet Empire and setting free the captive nations.

Devoted also to the dream of establishing a kind of free world unity, the UCCA recommends the gradual federation of Europe and Asia. The formula presented satisfies the driving necessities of history and could create a framework preserving the national identities and diversities of each people. Disseminating information, on a worldwide scale, the UCCA has clearly established itself as a major force in the anti-Communist crusade. Soviet propaganda cannot withstand the pressure of the truth when forcefully presented. By setting forth the facts, for all the world to see, concerning the needs and the realities of life in the Ukraine, and the people of the region, the UCCA has performed a highly laudable service to all the people of the world.

Congratulations, UCCA, on this your 25th anniversary.

Ukrainian Congress Committee of America

EXTENSION OF REMARKS

OF

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. CUNNINGHAM. Mr. Speaker, the important role of the innumerable private organizations interested in international affairs is sometimes not well understood, nor is it always properly appreciated. Nevertheless, they play an important part in our communities at all levels and in many different fields of activity. The Ukrainian Congress Committee of America, as the coordinating body of some 100 Ukrainian-American organizations throughout the country, is one such organization whose useful service goes back to the early years of the last war.

It began in 1940 as the overall coordinating body for all Ukrainian-American groups. At the time its most serious task was that of informing the people of this country of the plight of the Ukrainian people in their native land, and of their struggle for a democratic state in the Ukraine. Its role was thus quasi-educational in that it disseminated valuable information about the Ukraine and its people.

Since the end of the war it has continued to work in this special field, and has performed its important task remarkably well. At the same time it has helped to preserve the rich Ukrainian cultural heritage among the Ukrainian-American communities in this country, thus enriching their lives. For these valuable and indispensable services the Ukrainian Congress Committee of America has earned a distinct place in communities throughout this country. I congratulate its leaders for its accomplishments on its 25th anniversary.

Newsletter

EXTENSION OF REMARKS

OF

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. UTT. Mr. Speaker, under unanimous consent to insert my remarks in the Congressional Record, I wish to include my newsletter to my constituents of even date:

"If I have my way, schools will be built for the primary purpose of economic and social integration."—Harold Howe, U.S. Commissioner of Education.

"Anyone who says he favors Federal funds without Federal control is either ignorant of how the Federal Government operates in these matters or else is not intellectually honest about what is involved."—U.S. Senator Willis Robertson.

Once upon a time, in those dark and reactionary days before the age of liberal enlightenment burst upon us, children were regarded as human creatures located somewhere between diapers and adulthood, and childhood was a time of preparation and learning. In those days, schools existed for the purpose of providing part of the preparation, and most of the learning.

In recent years, however, the more enlightened (and liberal) educators have managed to redefine the nature of children and childhood and to reorient the mission of the schools of the land. Children, it would seem, are now to be regarded as guinea pigs who exist solely for the purpose of experimentation at the hands of a motley crew of professional educationists, social scientists, bureaucrats and just plain politicians. And schools? Why, that's where they do the experimenting.

There is really nothing new about this. It has been going on in one degree or another ever since John Dewey decided to remake man in his own image and likeness. But there was always that bothersome obstacle to full achievement—the local school board. Even when the experimenters were able to overcome this obstacle, they immediately ran up against another bulwark—the state education agency. And so they had to limp along as best they could, getting at the children on the local level, and that involved ever so much trouble.

Then one day somebody got an absolutely wonderful idea. Why not run all the Nation's schools from one central place, like, say, Washington, D.C. Of course, this idea didn't suit most of the fifteen thousand or so school boards across the country, so the effort to effect this centralized control had to be disguised as being something else entirely. Thus, we come to Federal aid.

Today we have massive Federal aid. And today we are facing massive Federal control. The elementary and Secondary Education Bill passed by the Congress in 1965, when coupled with previously passed legislation, gives the Commissioner of Education what amounts to control over textbooks. The so-called "guidelines" laid down by the Department of Health, Education, and Welfare gives the Commissioner of Education life and death power—the power of the purse strings—over every school district in the Nation. All over America school districts are learning, for the first time, the high cost of Federal aid. But, in the words of the late Al Jolson, "You ain't seen nothin' yet."

On September 15th, my colleague, Rep. Paul Fino of New York, inserted in the Congressional Record the details of a bill he says the Administration will demand of the 90th Congress. He said, ". . . The proposed legislation would set up a multibillion dollar effort to force racial balance in the Nation's schools. The billions of dollars proposed to be spent would be used for programs such as the construction of schools to serve mixed communities, redrawing school district lines, school busing programs, pupil exchanges between suburbs and slums, revision of textbooks to stress the contribution of minority groups, and etc."

Now the U.S. Commissioner of Education has denied that his office, or its all-knowing and all-wise parent agency, the Department of Health, Education and Welfare, has any such idea. But then we have that quote of the Commissioner's about "If I have my way, etc." and the fact that through the device of Federal aid to education Commissioner Howe will have his way, and all of this is enough of a warning signal that Washington has some pretty unpleasant ideas of things to do to us as well as for us, in the near future.

Among them, according to Rep. William Brock of Tennessee, would be an Administration request to the Congress next year to implement the Metropolitan section of the now-pending Demonstration Cities Bill by enacting legislation to do the following:

1. Metropolitan-areawide rezoning of school attendance areas, without regard to existing State or county lines, to compel racial balance in public schools;
2. Busing of suburban school children into city schools, and busing of city pupils to suburban schools, at Federal insistence and expense . . .;
3. Complete obliteration of present school-district boundary lines, with free transfers between school districts;
4. Federal subsidies to underwrite the cost of rewriting history books so as to recast the history of racial and religious minorities.

Now, just what all this would do to the children involved, who would be spending the better part of their time taking Government-financed Cook's tours between home and the school-of-the-month as dictated by the Commissar of Education, doesn't seem to bother the Great Society planners one little bit.

For two thousand years Western Civilization has been more or less guided by Christ's injunction, "Suffer little children, and forbid them not, to come unto me: for of such is the kingdom of heaven." It took the Great Society planners to change it to what is now undoubtedly their motto—"Make the little children suffer, for theirs is a sorry lot indeed."

Crime, a GOP Issue

EXTENSION OF REMARKS

OF

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. CUNNINGHAM. Mr. Speaker, the following editorial appeared in the Washington Daily News Wednesday, October 5:

Crime, a GOP Issue

When elections are in the offing, the politicians go looking for issues and if there are none ready-made they try to make them.

But the Republicans, at a strategy conference in Washington, didn't have to look very far to seize on crime as a "major" issue for this fall's campaign. In the sense that it is a national problem, crime has been an issue for a long time, and is becoming more of an issue every year.

The real issue, tho, is not that crime exists, and is getting worse. Everybody knows that.

The issue is: What to do about it.

The Republicans say the people are "profoundly concerned." And so they are. They say while the population was increasing 8 per cent, crime increased 46 per cent. As the FBI has been saying.

The Republicans say the Johnson Administration has "accomplished nothing of substance to date to promote public safety." Well, crime goes on; more thieving, more murders, more rape, more assaults.

So what do the Republicans propose to do about it?

"The record demonstrates," says the Republican Co-ordinating Committee, "we have always stood for vigorous and impartial law enforcement and for fair but adequate criminal laws at all levels of government."

That doesn't make the Co-ordinating Committee different from almost everyone else, except criminals.

Finally, the Republicans get down to this: "We accept the challenge and will provide the leadership necessary to bring genuine protection to the individual as well as to society in general."

That isn't much to bite into. The GOP is against all this sinning, but so is President Johnson. He says so. What the "profoundly concerned" public is looking for is action, specifics which will make the streets and parks and highways and homes safe from marauders and killers and rapists. Whatever political group, or candidate, produces such specifics in a convincing fashion will have an issue—and it will make votes.

The GOP is talking the right line. But before it can make crime a real issue it will have to get down to cases—do more than deplore what everybody is deploring.

This is a nasty reflection upon the Republican position on crime and I am sorry that this respected newspaper would print such trivia. However, now that it has been printed, might I suggest to the newspaper just one way to answer the editorial question "What to do about it."

We can do much about it if the administration will support legislation in the field of obscenity and pornography which is at the root of much of the crime in this country and is the cancer that spreads crime among our people, particularly our youth. In the 88th Congress I sponsored a bill that would deal effectively with obscenity, which passed the House of Representatives overwhelmingly by a vote of 325 to 19. It moved to the Senate where it rested quietly in the Committee on Post Office and Civil Service, even though I pleaded with the chairman to take action upon it. A year and a half ago, at the beginning of the 89th Congress, I again sponsored and secured enactment by the House of Representatives of this bill, again by an overwhelming vote of 360 to 21, and since April 1965, it has been resting as before in the Senate Committee on Post Office and Civil Service, under the chairmanship of the gentleman from Oklahoma [Mr. MONRONEY].

This bill would be especially effective in combating crime and reducing crime because it would go a long way toward keeping this smut out of the reach of our young people. Passage of the bill was even indirectly encouraged by the Supreme Court's recent decision in the Ginzburg case. I thank the Members of the House of Representatives, and the House leadership who have overwhelmingly supported this legislation in the 88th and 89th Congresses, even though the administration has opposed this legislation.

So to you, Mr. Editorial Writer of the Washington Daily News, this is something that can be done about crime, and this is something you should have been aware of and been helpful in accomplishing.

Remarks by Postmaster General Lawrence F. O'Brien at the First Day Ceremony for Beautification of America Stamp

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. DULSKI. Mr. Speaker, this morning I had the privilege of attending the first day ceremony for the Beautification of America commemorative stamp which was held at the White House.

With permission, I include the remarks made by Postmaster General Lawrence F. O'Brien upon this impressive occasion:

REMARKS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN AT THE FIRST DAY CEREMONY FOR BEAUTIFICATION OF AMERICA STAMP, THE WHITE HOUSE, WASHINGTON, D.C., OCTOBER 5, 1966

It is with a great deal of pride that we place on sale today this Beautification of America Commemorative Stamp.

In his book, "Year of Decision," Bernard De Voto wrote: "Sometimes there are exceedingly brief periods which determine a long future. The affairs of nations are shaped by the actions of men, and sometimes, looking back, we can understand which actions were decisive."

For De Voto, the year of decision was 1846, and the decisions concerned our scope as a nation.

The national boundaries of our nation have long been set—but what goes on within those boundaries sweeps by with such force and power and speed, that we can well say that the 20th Century sees almost every year as a year of decision.

Certainly recent social advances in education, health, medical care, area development, toward the elimination of poverty, the revival of our cities—have made 1965 and 1966 outstanding years of decision in many important ways—ways that will mold America into a better land, ways that will be hailed by generations yet unborn.

One of the most important of these ways of remaking our land is that our President and Mrs. Johnson have together clearly seen the importance of beauty to the full flower of a democratic society. The President has reminded us that "Association with beauty can enlarge man's imagination and revive his spirit. Ugliness can demean the people who live among it." And he added, "What a citizen sees every day is his America. If it is attractive, it adds to the quality of his life. If it is ugly, it can degrade his existence."

And beauty is not something to be reserved for the rich alone. This was made clear by Mrs. Johnson, who has done so much to turn the nation's capital into an example of what can be done by those who see the problem and have the will to solve it.

The First Lady has stressed the importance of beauty as an essential part of our lives. "Beauty," she has told us, "cannot be set aside for vacations or special occasions. It cannot be the occasional privilege of those who come long distances to visit nature. It cannot be reserved for 'nice neighborhoods only'." :

For too long Americans have been content with singing about "America the Beautiful" . . . but not observing that much of that beauty was being eroded into stark gullies of ugliness . . . and not taking the effort to stop that erosion.

Now for the first time in history, the preservation and enhancement of America's natural beauty has been officially enunciated as part of our National policy. And as a result the American people are alerted, responsive and ready to act.

Thomas Jefferson, whose memorial appears on this stamp, once said that the disease of liberty is catching. I believe that the disease of beauty is also catching, and this stamp, which will be printed 120 million times, will serve as 120 million reminders that this is the year of decision for beauty.

Normally, it is the custom to give the first album of new postage stamps to the President, but I believe he will not complain if this first album goes to our First Lady, who is first in all our hearts for her concern that we leave the world to our children as God really made it, rather than as it looked when we got through with it.

Strengthening Regional Security

EXTENSION OF REMARKS

OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, October 6, 1966

Mr. SCOTT. Mr. President, while attending, as a member of the U.S. delegation, the 55th Interparliamentary Union Conference held at Teheran, Iran, I was asked to outline the U.S. position on item 7 of the agenda—methods of strengthening regional security in conformity with the United Nations Charter—on October 1, 1966. I was preceded by Mr. G. Zhukov of the Soviet delegation, who made the usual and expected remarks critical of alleged U.S. "aggression" in Vietnam.

Mr. Zhukov was followed by Mr. Z. Ahmad, a delegate from India, who spoke of his "American friends" and his "Russian friends" noting first the regard of Indians for their American friends, following which he launched an attack on our supposed aggression in Vietnam underscoring the Soviet position. Seemingly unaware of the inconsistency, Mr. Ahmad complained of the earlier Chinese invasion of India, but sought to put no blame on the Red Chinese or North Vietnamese for invasion of South Vietnam. Since the United States has contributed over $6 billion to India since World War II, and is currently coming to her assistance, I thought it not improper to set the record—and the delegate from India—straight.

I ask unanimous consent that my remarks to the Interparliamentary Union Conference be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

METHODS OF STRENGTHENING REGIONAL SECURITY IN CONFORMITY WITH THE UNITED NATIONS CHARTER

(Speech by Senator HUGH SCOTT, U.S. Delegate, 55th Conference, Interparliamentary Union, Tehran, October 1, 1966)

Mr. President and members of the IPU: I listened with great interest and much appreciation to the statements of the distinguished speaker from the friendly nation of India. I wish to express to him my appreciation for the generosity with which he spoke of his American friends, and express the hope or the wish, perhaps, that his generosity had extended throughout his entire statement. Because, as the gentleman has said, he comes from a country which has been subjected to invasion, as many countries have, therefore, I think that we are all sympathetic with the problems of invasion and counterinvasion, and with problems of security and protection and none here may with assumed piety or false hypocrisy, in my judgment, assume more sincerity than another. Since we all are equal in the consideration of these questions, representing as we do the parliaments of the world, my plea is for total sincerity and an absence of hypocrisy so that we cannot say that one country is right and another is automatically wrong.

Regional security and world security are interwoven threads in the fabric of international peace. A geographic region strengthens the prospects for world peace if the relationships among states in that area are friendly and cooperative, and if it has effective machinery to settle any local disputes which do arise by peaceful means. In contrast, a region jeopardizes world peace if hostile relations persist among the nations in the area or the countries lack either the will or the machinery to solve their disputes without resort to force.

Similarly, the security of every geographic region is enhanced or diminished according to the level of world-wide international tension. No region can be secure when there is a threat of world war. Thus our search for methods to strengthen regional security leads to the consideration of both regional and world-wide measures. The prospects of peace will be greater when we view regional and world efforts as complementary, each contributing to the other. I am sure all of us would agree with the words of United Nations Secretary-General U Thant, "The work of regional organizations and the United Nations should be concerted, not competitive." For that reason it is important, as our topic suggests, that all of the measures be in conformity with the United Nations Charter.

The resolution which has been submitted by the Committee on Political Questions, International Security, and Disarmament on this question wisely recognizes that the attainment of peace and security requires action at the national, regional, and world-wide level. It also recognizes that this action must be in many different areas, including economics, science, and culture, as well as in the political and military spheres.

The United States has long held that the development of regional organizations is one of the most direct paths to regional security. In the past the emphasis of regional organizations has frequently been on organizing for collective security. In the future one of the main avenues which regional organizations might profitably explore concerns the pacific settlement of disputes. If regional organizations would strengthen their capability to help in the settlement of local political problems, these problems might be prevented from growing into military crises threatening the whole world. Such action would be wholly in conformity with the United Nations Charter, which encourages nations to use regional machinery for the pacific settlement of local disputes before referring them to the Security Council.

Another area in which regions can make a contribution to peace is through local arms control arrangements. The resolution before us specifically recommends the establishment of zones free of nuclear and missile weapons where the countries of that particular area so desire. It is our belief that the establishment of nuclear free zones can be beneficial when the initiative comes from within the area and when such zones hold the promise of being effective because they include the participation of all necessary states and appropriate verification measures. Accordingly we have welcomed the progress toward such zones in both Africa and Latin America. However, we have been cautious toward proposals where nuclear weapons play a significant role in the security systems of the area, as in Central Europe, for then the establishment of nuclear-free zones might result in a dangerous imbalance.

In our view, a regional approach might also be helpful in curbing conventional arms races which consume too large a proportion of the resources in many of the less developed lands. I would like to read the seventh point in the arms control program which President Johnson sent to the Eighteen Nation Disarmament Committee on January 27, 1966. He wrote:

"Seventh, as we focus on nuclear arms, let us not forget that resources are being devoted to non-nuclear arms races all around the world. These resources might better be spent on feeding the hungry, healing the sick and teaching the uneducated . . . We suggest therefore that countries, on a regional basis, explore ways to limit competition among themselves for costly weapons often sought for reasons of illusory prestige. The initiative for arrangements of this kind should, of course, come from the regions concerned. The interested countries should undertake not to acquire from any source, including production of their own as well as importation from others, military equipment which they proscribe. If such arrangements can be worked out and assurance can be given that they will be observed, the United States stands ready to respect them."

Finally, our delegation is happy to have included in the resolution the appeal for an agreement on the non-dissemination of nuclear weapons. Few events could endanger regional security more than the spread of nuclear weapons to states which do not already possess them. Where regional security problems already exist, tensions would skyrocket if one of the nations in the area suddenly had nuclear weapons at its disposal. On the other hand, if both nuclear and non-nuclear nations would join in a non-proliferation agreement, we would take another great stride toward halting and reversing the upward arms spiral.

If we can succeed in taking measures such as these to strengthen regional security, we will find we have also strengthened the security of our own nations and the prospects for peace throughout the whole world.

"Hanky-Panky"

EXTENSION OF REMARKS
OF
HON. DURWARD G. HALL
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 6, 1966

Mr. HALL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

Congressman Durward G. Hall, Republican, Missouri, said today that the Ozarks Commission, the organization designed by law to develop plans for the economic development of the Ozarks Region, "was not consulted" or "even advised" about the proposal announced today for a five-year $681 million economic development program for the region.

Hall said a spokesman for the Federal Commission, created only a few weeks ago as a result of a joint three-state compact between Missouri, Arkansas and Oklahoma, "agreed that as far as he knows the dollar figures proposed for 12 large regional projects were "picked out of thin air."

"We were neither consulted or advised about them," he told Hall's office.

Hall said he thinks it highly unusual for a few Members of Congress to send their "draft" bill to the Executive Branch of Government for its approval instead of submitting the bill on its own merit, "whatever that may be."

"Furthermore," Hall said, "I find it strange for a bill that affects 20 counties of the 7th District of Missouri to be circularized among several Members of Congress, but not circularized among most Members of the Missouri delegation who represent a substantial number of the 125 counties involved. It's not even smart politics since a great many Democrats were also excluded in the Missouri delegation.

In view of the obviously preferential (Oklahoma) listing of projects, there is some question of whether I would have endorsed it, but it seems a little courtesy would have been in order on a bill that includes every county in Southwest Missouri. It certainly indicates little desire for future cooperation. In view of the fact that we already have enabling legislation as the law of the land, there are some general items that might have merit, provided we first have the necessary studies to determine their feasibility and capabilities.

Only yesterday, I met with the new Chairman of the Ozarks Commission in my office at his request, and personally advised him of my desire to cooperate and help formulate good programs that will be of benefit to our district. I specifically mentioned the need for expanded efforts toward soil and water conservation to Mr. William McCandless. But I don't believe in a scattergun approach which could not stand up under close scrutiny by the Bureau of the Budget.

When my office called Mr. McCandless and asked him what studies had been made to justify the figure, for example, of $21 million for the construction of health facilities . . . what and where they were . . . he said he hadn't the vaguest idea, and that the first time he heard of the proposal was when the news release was shown to him by a wire service reporter. I don't believe in picking figures out of thin air, not when we're going to experience a huge wartime budget deficit and end up several billion dollars in the red this year.

I think it's most unfortunate that such a hastily concocted hodge-podge of projects and figures would be offered even before the Ozarks Commission created under the law has had time to consider specific plans. I think it smacks of "politics" in its worst definition, and that somebody just decided it would make good timing a few weeks before election. It's a strange way to start a program without even consulting the $26,000 a year head "ramrod."

If I'm not even to be consulted on a program of such magnitude affecting every county of the district I represent, and if I must forsake re-election because of my unwillingness to endorse a program about which no one has even mentioned to me, so be it. This is one taxpayer who doesn't believe in that sort of "hanky-panky."

Pulaski Day

EXTENSION OF REMARKS
OF
HON. GLENN CUNNINGHAM
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 6, 1966

Mr. CUNNINGHAM. Mr. Speaker, Polish Americans' contributions to American life continue the great tradition established by a man who is revered as both a great Polish patriot and a great American patriot. Casimir Pulaski fought the Russian domination of Poland, and he fought the British domination of America. His memory and his achievement are recalled today, Pulaski Day.

He was born at Podolia, Poland, in 1748. As a young man, after acquiring military experience in the guard of Duke Charles of Courland, he joined his father, Count Joseph Pulaski, in active rebellion against Stanislaus II. Pulaski's military exploits were heroic, and for a time were successful, but his forces were eventually defeated and scattered, and his property confiscated.

He fled to Turkey where he tried in vain to persuade the Turkish Government to attack the Russians. He went to Paris where he met the representatives of revolutionary America, Benjamin Franklin and Silas Deane. In May of 1777, Franklin wrote to General Washington in Pulaski's behalf. When Pulaski arrived in Boston in July, Washington recommended him to the Continental Congress. It was Washington's suggestion that Pulaski be placed in command of the cavalry of the Continental Army.

Arriving in Philadelphia in the spring of 1777, he joined the Continental Army as a volunteer, and distinguished himself at the Battle of Brandywine. Four days after that battle, on September 19, he was appointed a brigadier general by the Continental Congress and given command of the cavalry. Next he participated in the Battle of Germantown on October 4, 1777. He then resigned his command, suggesting, in his letter to Congress in March of 1778, the formation of an independent corps, a suggestion that General Washington and the Continental Congress approved.

This corps, known as Pulaski's Legion, was officered by foreigners serving enthusiastically in the American cause. It rendered important service in the southern campaigns of the Revolutionary War.

Pulaski arrived at Charleston in May of 1779, where he was defeated by the superior forces of General Provost. He then joined General Lincoln and the French fleet in their attack on Savannah, bravely charging the enemy lines at the head of his cavalry, and falling gravely wounded. He was taken to one of the ships of the fleet, the *Wasp*, where he died on October 11, 1779.

Pulaski received his fatal wound as he led his cavalry charge against the enemy of a new country dedicated to the cause of freedom. Polish Americans have always made large contributions in life and suffering to American struggles against tyranny. In so doing, they are at one with the heroic example set by that great Pole and great American, Casimir Pulaski.

Community Development District Act (S. 2934)

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. O'NEILL of Massachusetts. Mr. Speaker, I join with my colleagues in calling to the attention of this Chamber a very important piece of legislation which has too long been delayed. I refer to the Community Development District Act S. 2934. This bill was introduced in the House and Senate on February 17, 1966. It has since passed the Senate and the House Committee on Agriculture. I recommend that it be brought before the House for debate and vote.

As you have heard this is a bill that would extend planning assistance to rural areas of the same type that has been available to urban areas since 1954. The Housing Act of 1954, as amended provides planning assistance for solving urban problems. The Community Development District Act would amend the Housing Act and authorize planning assistance to solve problems of predominately rural areas.

The Community Development District Act is a pilot bill. It is expected that about 20 to 25 districts would be established during the first year. Since this is an amendment to the Housing Act of 1954, as amended, it will not require a new authorization but will come within the present authorization for 701 planning. It has been estimated that $5 million would be needed to fund 20 to 25 districts over a 3-year period.

This pilot bill will give us experience in district planning that will be invaluable to other city and county governments as they move toward district or regional planning.

While this is only a small pilot bill, it is very important to the rural areas that are without local planning services.

One of the fundamental issues of our time is what should be done to stem the tide of poorly educated and impoverished people who are flocking to the big cities from economically deprived rural areas. A great deal can be done to slow down the flood of additional people from rural areas who are lacking in preparation for useful and productive lives in the cities. The way to do it is to raise the level of social and economic opportunity in rural areas. The Community Development District Act will assist local governments to plan for the solution of their problems.

While this legislation has received some opposition from the chamber of commerce, it has been strongly supported by numerous other organizations such as: The National Association of Counties, the National League of Cities, the National Association of Soil and Water Conservation Districts, the Grange, the Farmers Union, and others. The committee hearings contain strong affirmative statements by the States of Georgia and Michigan and area development associations in Georgia, North Carolina, and Tennessee. Governor Connally, of Texas, agreed to support S. 2934 provided certain amendments were made. The Committee on Agriculture made these amendments.

A great deal of interest has been expressed concerning the need for coordinating all the planning programs. This is a valid concern and should be answered.

At the annual Governors conference in Los Angeles last July, Governor Scranton, representing the Conference of Appalachian Governors, recommended that a concerted effort be made to secure much-needed coordination of all Federal-State planning efforts. We all recognize that such coordination is necessary to insure efficient and positive return from economic development planning.

The Community Development District Act, as reported out by the House Committee on Agriculture, specifically calls for not only preparing a comprehensive district plan but also to coordinate planning within the district. It should fulfill the stated need for coordination.

The district planning staff will be required to know about the planning being done in the district and to utilize those plans in drawing up the district comprehensive plan. For example, if the Soil Conservation Service has prepared soil and water plans the district staff would utilize their plans and not duplicate them. If a study group or consulting firm has made projections and growth plans for the school system these will be considered, and so on.

By pulling together all of the planning efforts in the district into a comprehensive plan, much duplication and waste can be spared.

This is a pilot bill but an important one. I urge the Congress to act on S. 2934 as soon as possible.

Speech by Congressman Joseph Y. Resnick, on the Ulster County Community Report Prepared by the Citizens Survey Committee of Ulster County, Inc.

EXTENSION OF REMARKS

OF

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. RESNICK. Mr. Speaker, I would like to take this opportunity to comment on the Ulster County community report, prepared by the Citizens Survey Committee of Ulster County and released recently by that committee.

Mr. Speaker, it is my opinion that this report is a really remarkable document and one which deserves the most careful attention, not only by those in Ulster County to whom it is addressed, but to those in hundreds of other counties throughout the land who take an interest in the many problems and opportunities for health, welfare, educational, and recreation facilities at county and local levels. On page 8 of the report its writers say:

> Much as we might like to think so, we are not particularly unique.

I suggest that, though they are not at all unique in the problems, past and future, which they face, they may well be unique and are wholly commendable in the way they have sought to attack these problems. My praise is no more lavish than it is deserved.

Significantly, the group which formed to make this survey and report was motivated strongly by the feeling that—

> Community social planning is not a subject which we can leave entirely to Government and then complain when Government seems to take over.

And later:

> A truly distinguishing feature of a democratic society is the voluntary participation of its citizens in civic affairs. Professionals can design programs but an effective plan must include a mechanism providing time, talent, and interest from all segments of the community.

This then is the praiseworthy assumption on which the group began. It was incorporated in early 1964 and made up of a wide cross-section of Ulster County leaders—including clergymen, bankers, government officials, educators, businessmen, housewives, lawyers, and physicians. With the cooperation of the Ulster County Community Chest and several local corporations, it hired a highly competent staff of consultants from other parts of the country, to meet with those task forces set up to examine the problems. After 2 years of detailed investigation and deliberation, the committee members came up with the excellent report now being considered.

I. GENERAL RECOMMENDATIONS

The basic premise of the survey committee is that, as the report states in its introduction:

> No volunteer organization or governmental department has a right to stand by itself if it shares in the community's volunteer or tax dollar but must find its place in a pattern developed and exercised by all the agencies to best serve community needs.

To this, Mr. Speaker, I say "bravo." For we have long since outlived the day when small volunteer services and local governments could exist side by side and yet work completely independently. For instance, if one township has a children's home, it makes very little sense to establish a charitable home for exactly the same purpose in the next township. Much more sensible would it be for the charitable funds to go to a home for the aged which would draw on residents from both communities.

The central agent which has been chosen to act as clearinghouse in this undertaking is the Ulster County Community Chest, henceforth reorganized as a new corporation known as the United Community Services of Ulster County. United Community Services, or UCS, would have responsibility for countywide planning, budgeting, financing, and public relations. Membership would include government agencies, members of welfare organizations, and interested private citizens, who would form a general assembly. From this would be elected the board of directors. Provisions would be made all along the line for close coordination with appropriate government officials on the policymaking level.

A key aspect of the report, it seems to me, is the fact that the county of Ulster and the city of Kingston are "to provide planning leadership and direction to such across-the-board programs as the Economic Opportunity Act, and to include shared financing." Thus it would be able to cooperate with State, local, and Federal Government not only in plans but in actual use of funds. As the report states:

> Increasingly we must think less about dividing the field as between governmental and voluntary, and more and more about joint planning, joint programming, and joint financing. When this really happens social welfare will have achieved its finest hour.

The report recommends as essential the employment of an executive director, an assistant director in charge of fundraising and campaigns, and a professional staff experienced in community organization.

The report recommends that the UCS prepare an annual analysis of social trends and that it "develop a long-range plan based on current and projected facts and conditions." Thus, having the great advantage of broader temporal and geographic viewpoint, it could take part in Kingston and Ulster County's budget deliberations. Even more crucial, it would authorize no capital fund campaigns until and unless they were in line with the long-range plan. Thus plans would be judged on the basis of function and worth in the total picture rather than that "we have always done it that way." The report states:

> There are many agencies that are either already involved in or actively advocating capital fund campaigns. The needs are quite obvious but the plans and ideas are by no means clear. Of most concern, however, is that the plans are wholly unrelated to each other.

This does not criticize the many selfless agencies who over the years have performed many invaluable services to those in need. It merely points to the fact that, given the opportunity to coordinate activities with other agencies, the same number of dollars and staff could be made to stretch a lot farther. To those who might fear this kind of broader planning could lead to the withering of the voluntary charitable agencies, the report outlines a very attractive prospect:

> The voluntary organization of the future will assert itself in ways which will give its particular role significance and meaning. It will constantly seek to improve its methods of helping people in trouble. It will explore promising leads with freedom of involvement and flexibility, risking "venture money" in the full exploration of such leads. It will mobilize the cooperation of other voluntary organizations and public bodies in attacking communitywide problems calling for collective effort. It will forge ahead of government to point out new ways to meet new situations. It will continuously evaluate its own program so that its emphasis and direction at any given time are in tune with current problems and conditions.

II. SPECIFIC RECOMMENDATIONS

The recommendations made by the committee indicate that the citizens survey committee had done a thorough study of the problems and needs of our county in the fields of health, welfare, recreation, and character building services.

One recommendation which seems to me to be admirable is the emphasis on utilizing those "people in our community who retire every year who have special talents." I strongly concur in the belief that many of our retired people have a tremendous amount of unused wisdom and energy which can and should be brought to bear on our community's needs.

The recommendation that a family centered casework service be developed also seems a good one, too. Only one small segment of a family's problems are examined and the good accomplished by one agency will be smothered by their problems.

Other proposals in the area of family and child welfare services include: First, a psychiatrist retained by the family court, second, a new plan for dealing with migrant workers, third, the possible incorporation of the Human Relations Commission within the UCS.

In the health and medical care area, the report generally praised the facilities which we already have; though it does recommend more mental health services as well as a mechanism for coordinating the overall health program for the country, both privately and with Government programs.

One recommendation which seems especially striking is the hope that by 1975 every residence in the county would be included in a public water supply and sewage disposal system, with fluoridated water.

Another interesting issue which is raised is the possibility of closing the Ulster County Tuberculosis Hospital and transferring its few TB patients to the Oneonta State Tuberculosis Hospital which, the report says, would result in a decrease in cost of $25 per day per patient to Ulster County. The hospital could then be used for more general care.

In the field of recreation the report calls for the establishment of a county park and recreation commission to develop a 4-year plan for new services and liaison with government and private agencies. It also calls for a City of Kingston Commission which was, in fact, established last spring; these, plus various specific proposals for the development of recreation facilities, seem like very forward-looking recommendations.

In the field of library services the report suggests the formation of a Kingston School District Library with the other four existing libraries as branches of it. This would bring more extensive, complete and integrated library service.

III. CONCLUSION

For the introduction to the report the survey committee says:

> We believe that the citizens of Ulster County wish to maintain and indeed strengthen the traditional American pattern of voluntary giving for charitable purposes. Although Americans are genuinely proud of this tradition, the very concept of voluntary support of community organizations and services is being challenged to an unprecedented degree by the advent of massive Federal aid and other tax-supported programs. This challenge to voluntarism varies from subtle to overt, but there is no question that an extensive involvement of Government in meeting the social, health and welfare needs of the citizens is underway. The limits of this involvement are as yet undefined. This survey by a group of volunteer citizens may be taken as an expression of the potential strength of "voluntarism" in Ulster County.

Again, let me say, "bravo." It is at the State and local level that many of our problems of today should be handled. The big thing that is needed is local involvement, leadership and initiative. This report, which was prepared and financed by private citizens, indicates that these ingredients are present in Ulster County.

I commend this fine committee and the excellent report it has produced. And I would urge everyone to secure a copy and read it as soon as possible. Inquiries should be directed to: Mr. Clifford A. Henze, President, the Citizens Survey Committee of Ulster County, UPO Box 3431, Kingston, N.Y. 12401.

Maine Sugar Project

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. O'NEILL of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C. September 29, 1966.

Hon. ED EDMONDSON,
Special Committee on Economic Development, Committee on Public Works, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed you will find my comments pertaining to Mr. HATHAWAY's statement before your Subcommittee at the time we both appeared.

I sincerely hope that through this action, all funds for Maine Sugar Industries, Inc. will be frozen until such time as a complete study with reference to the advisability of this project can be made by your Committee.

Thanking you for your consideration, I am,

Sincerely,
THOMAS P. O'NEILL, Jr.,
Member of Congress.

HON. THOMAS P. O'NEILL, JR.—RE MAINE SUGAR PROJECT

I have read with great interest the testimony of my good friend, Congressman WILLIAM D. HATHAWAY, before the Special Committee on Economic Development, Committee on Public Works, concerning the financial assistance given by the Economic Development Administration to Maine Sugar Industries, Inc. for the purpose of adding cane sugar refining capacity to a new beet sugar factory under constructon in Aroostook County.

I do not question Mr. HATHAWAY's eloquent recitation of the need for financial help to upgrade Aroostook County's economy. I have in the past questioned the wisdom of locating a beet sugar factory in this remote area for that purpose. I now object strongly to the use of EDA funds to purchase and install cane sugar refining equipment at the new factory. It is my belief that the latest loan is contrary to the express purpose of the Public Works and Economic Development Act, which is to provide financial assistance on the condition that it is preceded by and consistent wtih sound, long-range economic planning. It further appears that the loan is contrary to Section 702 of the Act which provides:

"No financial assistance under this chapter shall be extended to any project when the result would be to increase the production of goods, materials, or commodities or the availability of services or facilities when there is not sufficient demand for such goods, material, commodities, services, or facilities, to employ the efficient capacity of existing competitive commercial or industrial enterprises."

Nothing in Congressman HATHAWAY'S statement before the committee can, upon analysis, refute this position.

Mr. HATHAWAY first suggests that more sugar refining capacity is required in the New England area because it is "under supplied." This simply is not true. These are the facts concerning the level and the trend of sugar demand, supplies and refining capacity in the New England States.

Taking into account transportation costs and service factors, the basic and economic market for any sugar produced in Maine is the six-state area consisting of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut. Although the population of this area is growing slightly—at an annual rate well below the U.S. average—the demand for sugar in this area is actually shrinking due to declining trend in per capita consumption. The levels and trends of sugar consumption are indisputable. The U.S. Department of Agriculture regularly publishes statistics of sugar deliveries in each state and the record reveals the following concerning total deliveries in the New England region:

Total sugar deliveries in 6 New England States (hundredweight, refined basis)

Calendar year:	
1961	8,521,338
1962	8,438,393
1963	8,323,760
1964	8,255,329
1965	7,937,033

Apparently unaware of this disturbing fact affecting the New England area, Congressman HATHAWAY recites that the annual increase in total U.S. sugar consumption is growing by more than 100,000 tons per year. He ignores the fact that this represents the overall increased demand for the country as a whole, and that much of this increase is taking place in such areas as California, Arizona, the Northwest, Florida, and even the Mid-west. It cannot be supplied economically by a producing facility in the most northeasterly point of the nation.

The average annual decline in the New England sugar market amounts to more than 100,000 hundredweight, or the equivalent of about 5,000 short tons. Looked at in another way, since 1961—in only five years—annual sugar demand in this marketing area has shrunk almost 600,000 hundredweight or the equivalent of 30,000 tons. It is difficult, indeed impossible, to gloss over these hard facts by painting a picture of increasing demand as Mr. HATHAWAY has tried to do.

Secondly, Mr. HATHAWAY is obviously unfamiliar with the already existing cane sugar refining capacity now located in Boston. As a result he may not realize that the introduction of an additional supply of sugar from the Maine plant into this market will, contrary to Section 702 of the Act, make it difficult, if not impossible, for the existing plants to employ their efficient production capacity.

The New England market, which is the logical market for the Maine-produced sugar, is now for the most part supplied by the two Boston cane sugar refineries located in my Congressional District. Boston has been a refining center and the principal supplier of sugar for this region for more than 100 years. These two large, modern cane sugar refineries are capable of turning out more sugar than is currently needed in all the six New England states. The Domino plant of American Sugar Company has a daily production capacity just under 2,000,000 pounds of refined sugar and the Revere Sugar Refinery can turn out another 3,000,000 pounds per day. Together, the annual capacities of these two refineries exceed by a large margin the total New England requirement.

I have stated before my support for fair and equitable sugar legislation including the Sugar Act Amendments of 1962 under which the construction of additional beet sugar factories was authorized. I have had doubts, and so expressed them numerous times, concerning the wisdom of locating any such plant in Maine in view of its geographical position with respect to its logical market which already has unused production capacity.

I certainly agree with Mr. HATHAWAY that the firm undertaking this project is taking "great risks". It is not for me to criticize it provided these risks are taken by private enterprise. However, I cannot condone the use of federal funds for this project when such use is directly contrary to the terms of the statute under which they are made available.

I have no wish to encroach in any way upon the investigatory functions of your able committee. However, it would be helpful to your study if the appropriate agency could furnish you with information regarding the following:

1. Did the applicants for the initial ARA loan submit data on the marketing potential for refined sugar in Maine and in nearby New England states? If so, did these data indicate that Boston and environs, the location of two established cane sugar refineries—constituted the chief marketing potential?
2. In granting the initial ARA loan, did that agency give consideration to the possible impact on employment in the established refineries in Boston? If so, what were ARA's findings of fact and conclusions?
3. In the application by Maine Sugar Industries, Inc., for the EDA loan of $2,250,300.00, recently granted, how much additional employment did the applicants claim would be generated—over and above that claimed in the initial application for the ARA loan?
4. Was any consideration given by EDA, in approving a loan for the purchase of cane sugar refining machinery, of the impact on marketings of the two existing Boston refineries and hence on their employment? If so, what were the findings of fact by EDA and its conclusions?
5. Is Maine Sugar Industries, Inc., applying for still a third loan? If so, for what purpose and for what amount?

If I can be of any further assistance to you please let me know.

Mr. Edward Marcus Elected First President of the National Association of the Partners of the Alliance

EXTENSION OF REMARKS

OF

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. CABELL. Mr. Speaker, Texans have long been proud of the leadership they have contributed to the cause of greater understanding and cooperation in Inter-American affairs. We now note with deep pride the leading role taken by a fellow Texan in launching a new effort aimed at improving relations between the United States and Latin America.

I speak of the unanimous election of Mr. Edward Marcus, executive vice president of Neiman-Marcus of Dallas, as the first president of the National Association of the Partners of the Alliance. Delegates from 30 U.S. States and the District of Columbia met in Florida on September 17 to explore the formation of a national association prior to their departure for Rio de Janeiro, Brazil, to attend the Second Inter-American Conference of the Partners of the Alliance, September 19 to 22.

Upon the adoption of the articles of incorporation at the Miami Beach meeting, the delegates elected Mr. Marcus. Mr. Marcus also served as cochairman of the conference in Rio de Janeiro. For the past year he has acted as the chairman of the Inter-American Coordinating Committee of the Partners Programs and has been the chairman of the Texas Partners program with Peru since its formation over 2 years ago.

Mr. Marcus' acceptance to head the National Association of the Partners of the Alliance will bring great stature to the operation of the new association, which will give a national voice to the individual State partnerships in the United States. The Partners of the Alliance program, just 2½ years old, has developed 31 partnerships between individual States in the United States and a similar number of areas in 16 Latin American countries. The purpose of the program is to enlist the energies of all the peoples of the Americas to assist in the economic and social development of the hemisphere through self-help projects. It is the organization of private citizens at the grass roots level working in the spirit of the Alliance for Progress.

I would like at this point to read the text of the message sent to the Second Inter-American Conference of the Partners of the Alliance in Rio de Janeiro by the President of the United States:

> Five years ago, we of the Americas accepted a new challenge to increase the tempo and the magnitude of the change required to help our people live better through their own productive efforts. More than ever before, we are dedicated to meeting this continuing challenge through dedication and work in an environment of freedom, health and opportunity.
>
> The meeting of the Partners of the Alliance is evidence that the people of the hemisphere are working together—that they are determined to bring added knowledge, better health and an increased understanding of the value of shared responsibilities to the task of furthering the well-being of all of our people.
>
> Your partnerships have made a good beginning. They are fine examples of the heritage and ideals we commonly share. It is my hope that in the coming year your achievements will be even greater as this sense of partnership of the Americas continues to grow.

The director of the partners programs is another Texan, Mr. James H. Boren, who developed the idea for direct citizen participation when he served as deputy mission director for AID in Peru. The National Association of the Partners of the Alliance will help to service the needs of the various State programs in the United States in their programs with Latin America.

A nominating committee, named in Miami, announced in Rio de Janeiro the members of an executive committee to serve with Mr. Marcus in the new national association. Those chosen include:

Mr. Ogden Bigelow, chairman of the Connecticut Partners;

Mr. John B. Davenport, chairman of the Missouri Partners;

Mr. Warren M. Huff, of Michigan;

Mr. Edward R. Kingman, of Washington, D.C.;

Dr. Boyd A. Martin, of Idaho;

Mr. Edwin S. Melvin, of North Carolina;

Dr. Will P. Pirkey, newly elected U.S. cochairman of the next Inter-American Conference of the Partners of the Alliance and chairman of the Colorado Partners;

Mr. Joseph Rosener, Jr., chairman of the California Partners;

Mr. Clifford L. Whitehill, chairman of the Minnesota Partners; and

Mr. William B. Wright, of Vermont.

I know that Mr. Marcus will give outstanding leadership to the National Association of the Partners of the Alliance and I join his fellow Texans in wishing him well as he embarks on a new course of endeavor closely related to his growing experience in national and Latin American affairs.

Congressman St. Onge Reports to the People

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. ST. ONGE. Mr. Speaker, I am now completing my fourth year as a Member of Congress from the Second District of Connecticut. At the conclusion of each year I prepare a summary of my activities in Congress for the year so that the people of my district will be informed of these activities and my views on major legislation. I believe that the Biblical mandate "to render an account of thy stewardship" should be a moral obligation for every responsible public official. I am therefore pleased to present this report—my fourth annual report—in fulfillment of that obligation.

This time I have divided my report into two sections. One deals with the legislative achievements of the 89th Congress, covering the 2 years 1965 and 1966. It includes the major bills and programs enacted in such fields as education, health, conservation, social security, labor, business, and many others. It is a great record which compares most favorably with previous Congresses in our history. This report is being sent to my constituents separately.

The other is the report you are now reading. It deals with my own specific activities in behalf of my district, legislation I sponsored, my committees in Congress, and so forth. Obviously it is impossible to cover the entire record due to space limitations.

THE 89TH CONGRESS

It is widely recognized that the 89th Congress has been one of the most productive, as well as one of the most industrious and hard working, in our history. The sessions in both years, 1965 and 1966, lasted nearly 10 months each. Thus we were continuously in session for about 20 out of the 24 months, which in itself is a record. The job of being a Congressman is a full-time job. My record of attendance at the sessions is unusually high, yet I returned home to the second district each weekend to visit communities, meet constituents, and see my family.

As their Representative in Congress, I utilized every occasion to keep the people informed on my activities through the following means: biweekly television and radio programs, a bimonthly newsletter, personal appearances in as many towns as possible, my district offices in Putnam and Norwich—opened in February 1966—field representatives in several areas of the district, my annual reports, news releases to the press, addresses before groups and organizations, and personal contact at my office in Washington.

In addition, there was the constant stream of mail which averaged between 100 and 150 letters per day and often reached as many as 300 a day. My staff and I made every effort to answer all letters and to be helpful wherever possible. I had planned on visiting all towns in the district, but the long sessions of this Congress made it impossible to do so and this I very much regret. I am sure the people understand that the duties of the office to which they have elected me, requiring my presence in Washington, take priority over all other commitments.

THE INTERNATIONAL SCENE

The war in Vietnam overshadows all other developments on the international scene. Our country is faced with extremely difficult problems there. I have followed these developments with deep interest and anxiety. We must continue to explore every possibility that will lead toward peace negotiations whereby the people of South Vietnam may have the opportunity to determine for themselves what form of government they shall have and we can then bring our men home. I have supported every effort in that direction and shall continue to do so in the future in accordance with the security and defense of our Nation's interests.

Among the steps I have taken during the past year are the following: I was one of 74 Members of Congress to urge the President last January not to resume bombing of North Vietnam in the hope that the lull would lead to peace negotiations; I cosponsored a resolution to establish a permanent United Nations peacekeeping force to maintain peace in the world and prevent small "brush-fire" wars which have a way of developing into large-scale wars; I was one of 46 Members of Congress to protest against the proposal of Premier Ky for the United States to invade North Vietnam and become even more involved. I am in support of our Government's policy in Vietnam, but I would not like to see us become involved in an open-ended war sapping our men, our energy, and our resources.

As for legislation in the international field, I have supported the following: food-for-peace program, Peace Corps, foreign aid to nations friendly to us, test ban treaty to prohibit nuclear testing, U.S. defense appropriations, extension of the act to control exports to Communist countries, aid in the development of Latin American countries, and efforts to combat communism at home and abroad.

COMMITTEE WORK

In the 89th Congress I served on two major committees and five subcommittees. They are: House Judiciary Committee and its Subcommittee on Patents, Trademarks, and Copyrights; the House Merchant Marine and Fisheries Committee and its Subcommittees on Coast Guard, Coast and Geodetic Survey, Fisheries and Wildlife Conservation, and Maritime Education and Training. In addition, I am also a member of the Congressional Board of Visitors to the Coast Guard Academy, having been named to it by Speaker JOHN W. McCORMACK for the fourth consecutive year.

The two committees and nearly all of the subcommittees have been extremely busy over the past 2 years. We have held extensive hearings and subsequently reported a number of important measures which later became law. Among the more important measures enacted were: liberalization of the U.S. immigration laws—of which I was a cosponsor—revision of bail practices in U.S. courts, penalties for assassination of a President or Vice President, amendment to the Constitution on presidential continuity, improvement of crime prevention and law enforcement methods, appropriations for the Coast Guard and its Academy at New London, expansion of the Coast Guard and increase in the number of cadets at the Academy—my bill—establishment of a long-range national program in marine science, and others.

LEGISLATION SPONSORED

I have sponsored a total of 77 bills and resolutions in this Congress, 50 in 1965 and 27 this year. Of the total, 60 are public bills and 17 private bills, the latter being primarily claims or immigration problems to help unite families. I am extremely proud of this record of legislation, especially when a number of the bills of which I was the initial sponsor or cosponsor were enacted by Congress.

Among measures I sponsored which have been enacted are: establishment of the National Endowment for the Arts and Humanities, resolution to permit the public showing of the film on the late President Kennedy, the medicare bill, U.S. district court at New London, revision of the U.S. immigration laws, resolution protesting the persecution of Jews and other religious groups in Soviet Russia, resolution calling for restoration of freedom to the people of Lithuania, Latvia, and Estonia subjugated by Soviet Russia, official recognition to the Coast Guard Band, creation of a commission to study Federal laws limiting political activity by U.S. Government employees, pay raise for Federal and postal employees, recognition of World Law Day, study to determine the feasibility of establishing a Connecticut River National Recreation Area, Ground Transportation Act to develop high-speed railroad transportation, expansion and improvement of the Coast Guard, the new GI bill of rights providing educational and other benefits to veterans of the cold war period, National Traffic Safety Act to help reduce the traffic toll.

The above list of enacted measures is a source of great satisfaction to me. This is a record of achievement of which any Member of Congress, regardless of the length of service, could be justly proud. In addition, I have introduced a number of important bills, some of which came close to enactment, and I shall continue to press for their enactment in the new Congress next year. Among my more important bills are the following:

To declare October 12, Columbus Day, as a legal holiday; to provide interpreters for deaf defendants in Federal courts; revision of the U.S. copyright laws—these laws have not been revised since 1909 and my subcommittee has been working on this for 2 years; tax deduction for construction of facilities to control water and air pollution; establish a nationwide marketing order for eggs to help poultry farmers and consumers; aid to rural and semiurban areas suffering from drought, especially in New England; extend head-of-household benefits to single persons over 35, including widows and widowers; protect veterans against loss of pension as a result of social security changes; delivery of social security checks on first day of each month; set up a commission to develop a system of passenger transportation between Boston and Washington through Connecticut; preserve the Connecticut shoreline along Long Island Sound for public benefit; establishment of a permanent milk program for schoolchildren; exclusion from income of certain reimbursed moving expenses; reimburse elderly patients for costs of transportation to a hospital or rehabilitation center; provide city delivery of mail service to postal patrons who qualify for such service; tax deduction for teachers for expenses incurred for courses toward higher education; provide penalties for polluting navigable waters; medicare coverage for State and local employees; penalties for acts of violence or intimidation based on race, color, religion, or national origin.

OTHER IMPORTANT LEGISLATION

In addition to the many bills I have introduced or cosponsored, I have also supported every effort to curtail inflation and to prevent runaway prices in the cost of living. Inflation is a very serious problem to which the Congress has given much study in recent weeks. It is a national problem and must be dealt with on a national scale. Let me assure all my constituents that I shall support every measure that will effectively deal with this problem. It is not my intention to allow the economic gains and national prosperity, which we have worked so hard to attain, be frittered away.

I have also supported the various bills to help elementary and higher education, the antipoverty program, adequate housing, the school lunch program, an increase in social security benefits, minimum wage with extension of coverage to 8 million more workers, unemployment compensation benefits, elimination of water and air pollution, rural water systems, control of dangerous drugs, excise tax reduction, public works and economic development, water resources planning, Older Americans Act, establishment of health services and medical centers, highway beautification, various programs to help our farmers, aid to small business, stimulate homebuilding and mortgage market, Packaging and Labeling Act to protect consumers, flood control and improvement of river basins, pay increase for military personnel, increase in pensions for veterans and their widows.

SERVICES TO CONSTITUENTS

Besides legislative duties, there are many demands upon a Congressman for his services by constituents who are in need of help with personal problems. I have received hundreds of such requests over the past 2 years from individuals and families seeking help on servicemen's hardship or transfer cases, family allotments, welfare assistance, student aid, housing needs, employment, social security benefits, veterans pensions, immigration matters, complaints about postal service, and others. My office in Washington has also handled arrangements for tours of the Capitol by many visitors, including large numbers of schoolchildren, from the district.

Above all, I utilize every opportunity to help the towns in my district with special projects whereby the Federal Government can be helpful, such as public works, roads, sewers and water mains, streets, housing, urban renewal and redevelopment, post offices, manpower training for unemployed, funds for school districts and for colleges, aid under the antipoverty program for community action projects, special aid to farmers, contracts for industry, community planning, and others. I have helped obtain loans for small business firms, information and publications for students and others, attract industry to the area in order to provide employment for more people, and I have encouraged every effort toward continued economic growth and prosperity for eastern Connecticut.

As your Representative in Congress, you may contact me on any subject or problem you desire involving the Federal Government. I am always glad to have your opinion on vital legislation or on national issues. Every effort will be made to assist you with personal problems.

I deeply appreciate the support of the people of the Second District and shall be pleased to continue to serve you to the best of my ability. It is an honor and a privilege to serve the people and I shall cherish this honor in the years ahead.

On Capitol Hill

EXTENSION OF REMARKS
OF
HON. CHARLES S. GUBSER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 6, 1966

Mr. GUBSER. Mr. Speaker, I have recently compiled a résumé of the 89th Congress as of October 1, 1966, and will shortly follow my usual custom of mailing it to my constituents as a yearend summary. Under permission to revise and extend my remarks, I submit the summary for inclusion in the Congressional Record:

On Capitol Hill With "Charlie" Gubser

October 1, 1966.

Dear Friends: Another year has gone by—my fourteenth as your Congressman. Congress will soon adjourn and it is time for my traditional "End of Session Report."

Second session of the 89th Congress was noteworthy for what it didn't do while the first session was best known for the volume, if not quality, of laws passed. Failure to repeal Section 14b of Taft-Hartley and the Senate's defeat of Civil Rights were surprising. Fate of other major bills is uncertain.

Grand Canyon dams scuttled the Central Arizona Project. They are unsound economically; would spoil a great natural wonder. I opposed them.

Debt limit increased to $330 billion for the eighth time since 1960. Excessive government spending has fed inflation, raised living costs, diminished our gold supply, created a dangerous fiscal situation. Unless Administration spending policies are changed promptly a tax increase is certain. The present tight money policy has been carried too far; may trigger a recession.

Your Congressman voted for more training in health professions, narcotic addict rehabilitation, a Transportation Department, an agricultural minimum wage, vocational and higher education, humane treatment of animals, extension of GI benefits to cold war and Vietnam vets, increased funds for Small Business loans; supported mass transit, highway and auto safety, equal employment opportunities, food for freedom. I opposed rent subsidies, sales participation act, poverty program, foreign aid and, for the first time, civil rights for the reason that it extended government regulation to the sale of private housing. Extension of government power to private matters is dangerous.

Pacheco Tunnel: The inlet and first two miles are under construction as a result of my amendment to the San Luis Bill. When completed the 10.3 mile tunnel and the remainder of the $98 million project will provide northern Santa Clara County with 36% of its water requirements and 37% of the South's. This will satisfy our estimated water needs until the year 2020. The feasibility report authorized in my bill which passed a few years ago shows the project to be a sound investment and essential to our future growth. My bill H.R. 777 to authorize the full project was held up by a Budget Bureau policy of not approving new construction. It has now been cleared by the White House and will be considered next year.

Local matters: Stanford Accelerator received funds and will soon be fully operational. San Francisquito flood control study will be resumed by U.S. Army Engineers. Palo Alto and San Jose Airport development continues. I supported additional airline service for San Jose by PSA; followed through on grants and loans for Stanford, Santa Clara, West Valley, Gavilan, Foothill, and San Jose City Colleges; maintained liaison with government departments for the county and each city in my district. Federal preemption of the tax base is forcing cities and counties to increasing dependency upon federal handouts. I have introduced a bill to rebate federal taxes to local government for local use.

Five of my bills were signed into law by the President in the 89th Congress and another passed as an Administration bill. I was active in passage of bills to raise military pay, define retiree rights, continue social security to orphans still in school, broaden the National Defense Education Act, also in defeating a Senate amendment which would have called individual reservists from units.

Tenth District industry is much more sound than last year. Government contracts for non-defense procurement are among the highest in the nation and are increasing. Space, electronics, oceanography, rapid transit, atomic power, promise further utilization of Tenth District talents. I am supporting federal programs to encourage such progress—a sound economy cannot be based principally upon the military. My work on the Special Investigating Subcommittee involves the Armed Services Procurement Regulations (ASPR) and has helped me correct some cases of bidding discrimination.

War in Vietnam is a frustrating page in U.S. history. In February I made three specific suggestions designed to promote negotiations. One, a proposal for an Asian conference, has materialized; will convene in October in the Philippines. I favor any reasonable step toward negotiation. In the meantime, recognizing the plight of our GIs who are committed, not by their own choice, to a life-or-death struggle, I have supported legislation which gives our boys the best in equipment—the best in medical care—and the best chance for survival. Last fall my Investigating Subcommittee visited the combat area and made a comprehensive study of the overall supply situation. We found some shortages and made recommendations; many were adopted.

Special Tactical Air Subcommittee—Originally organized to study close-in air support for ground troops in Vietnam, has been reconstituted with broader jurisdiction. We have started a comprehensive study of the utilization of our national productive capacity for tactical aircraft. Under present policy only four major producers are in production, competition has narrowed, undoubtedly affecting prices. There is a Defense Department tendency to build all-purpose planes like the TFX and to overstandardize against sound military advice.

Special investigating subcommittee also conducted an extensive investigation into Secretary McNamara's cost reduction program. We found exaggerations and some cases where cost reductions have lowered military effectiveness. Subcommittee No. 1 on which I serve has jurisdiction over the national stockpile. We found evidence that strategic metals and raw material were sold to manipulate markets, control inflation, and provide revenue.

Foreign policy: Except for the Peace Corps, nothing new in foreign policy has developed recently. Foreign aid is failing, as reflected in my recent study, "Our Crumbling Foreign Policy". (Copies are available.) We should do a better job in fewer areas, not subsidize Communist countries, insist that democratic principles replace exploitation by entrenched aristocracies. "Islands of Freedom" like Japan, Berlin, Formosa, and Thailand, where free enterprise is making progress despite contrary propaganda, can encourage others to follow suit and strengthen the free world.

Education: Termination of federal payments to local school districts for the education of children whose parents work on tax-exempt federal property was urged by the Administration. I testified in favor of retaining present law; proved that repeal would impose a heavier financial burden on school districts. Duplication in educational functions is increasing. "Head Start," vocational training, rehabilitation programs could be more efficiently and economically operated by the school systems than through the Poverty Program. I supported the Elementary and Secondary Education Act. My office handled hundreds of letters from students and faculty for information to be used in debate projects and in the classroom.

Washington visitors: Despite the airline strike, Tenth District visitors set a new record this year and included two high school classes. If you are coming to Washington I'll gladly mail tickets for House and Senate sessions.

Individuals: This year we worked on more than 2,000 individual requests from constituents for assistance. Government has grown so large and impersonal that Congressmen are often needed to untangle redtape. Write if you need help.

Law and order, the essence of liberty: Civil disobedience, violence, mob rule and academic anarchy must not become a way of life. It is urgent that we draw a reasonable line between rights and responsibilities; between individual rights and rights of others. Reprints of my speech on this subject are available.

Post-adjournment plans: After November 8 I hope to take a vacation. In December our Special Tactical Air Committee will hold hearings. Then it will be Christmas and the start of another year. I will spend as much time as possible in my San Jose office and members of my staff will be there to assist you. In the meantime my Washington office will be open full time.

Yours sincerely,

Charles S. Gubser.

The Size of the Lie

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. CAREY. Mr. Speaker, I avail myself of a prerogative which I have not used during my service in the House. I submit for the Record a letter of personal correspondence I have directed to a good American, my brother, Dennis J. Carey, who lives in the Third District of New York:

Mr. Dennis J. Carey,
Long Island City, N.Y.

Dear Dennis: I write to you not as a fellow Democrat as I have no idea how you may be voting since North Shore affluence caught up with your philosophy as a defender of the little people. (By the way, how are J. D., Bobby, Greg, Geoff and Cynthia?)

Instead, I write you as a defender of the truth who flew missions over Germany to keep the Nazis off the back of my infantry soldiers. I can't forget either that you rose once more in defense of truth of freedom as well as freedom of truth when you served in Korea as an artillery officer to finish the job for that day.

Now I am asking you to elevate the importance of the truth in your own Congressional District. In that District I believe you improved your representation in a progressive way by electing my colleague, Lester Wolff to the 89th Congress.

I am distressed now to learn that the "Big Lie" is on the rise again to deprive you of that kind of representation. I speak of an editorial I have seen, a copy of which I am enclosing with this letter entitled, "The Size of the Lie."

I ask you as a resident of the Third District to consider the statements set forth in this editorial and use your own good judgment about what should be done in such a state of affairs. I know that you will do your best to repudiate not only the Big Lie where it exists but the deceitful inference and the devious distortions which are kindred to the Big Lie in the field of malevolent propaganda. If you think such tactics as these deserve the full force of the electorate's wrath expressed at the polls in order that the truth may be vindicated and honesty prevail I know that you will do what you have always done and speak out in your own way to secure these results.

Very truly yours,

HUGH L. CAREY,
Member of Congress.

[From the Locust Valley (N.J.) Leader, Sept. 29, 1966]

THE SIZE OF THE LIE

(Mein Kampf, by Adolph Hitler—ch. 10, p. 313)

Steven B. Derounian (R) tries the decency of men of honor and sends shivers up the spines of those who understand the ways of the demogague.

Last Friday he and his staff staged what they called an educational forum designed to warn citizens of a threat that local school districts soon will be faced with compulsory busing of students from city schools across suburban district lines. This bugaboo Derounian claims to be fighting, by his own admission does not yet exist. It is only an idea that might be considered some day. But this fact was so skillfully sluffed over that Friday's meeting became an alarming use of the half-truth to play on the fears of men.

Recently, when Congressman LESTER WOLFF (D), who replaced Derounian in 1964, issued a financial statement and asked for one from Derounian covering his 12 years in Congress, Derounian characteristically retorted, "Witch hunt". This is the kind of answer one expects from a man who consistently permits himself to be introduced as if he were the incumbent congressman seeking reelection, an impression also given in much of the official campaign literature issued by Derounian.

During his recent primary campaign against William Casey, Derounian permitted the widespread publication of an ad which purported to show that many high ranking Republicans backed him. Nearly all of them immediately denied Derounian and the ad was completely discredited. Derounian then issued a statement making it appear as if the ad were published without his knowledge, this in spite of the fact that during public appearances he frequently says that these same men endorse him.

In a similar act of attempting to defraud the public, Derounian has authorized listing himself in the 65–66 and 66–67 telephone books as "congressman" with his own number.

Through his continued unwillingness to admit his conservative leanings, Derounian publicly denies his own beliefs. But the Conservative party is not fooled. It understands Derounian so well and has such complete faith in him that he is the only Republican candidate in the 3rd congressional district not opposed by a Conservative candidate. Since the Conservative party admittedly would rather elect liberal Democrats than liberal Republicans, its failure to oppose Derounian is absolute proof that he satisfies them.

Judging from these facts and his past record, we can expect Derounian's current campaign to continue to be the mass of half truth and innuendo that have become his quickly recognizable trademark.

Because of all of this we are fortunate indeed to have a candidate with the fine record, honesty and integrity of LESTER WOLFF, who, no matter how Derounian tries to make it look otherwise, is the duly elected representative of the 3rd congressional district.

Editor's Note:

At press time the Leader received a copy of a telegram sent to Congressman LESTER WOLFF by Harold Howe, U.S. Commissioner of Education. "Thank you," Howe wrote WOLFF, "for calling to my attention an allegation that the U.S. Office of Education is planning to introduce legislation to require busing of students to achieve integration or for any other purpose.

"This is just not true."

The Need To Prohibit Packer Feeding

EXTENSION OF REMARKS
OF

HON. BERT BANDSTRA

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. BANDSTRA. Mr. Speaker, today the House Livestock and Feed Grains Subcommittee completed hearings on H.R. 12115, a bill which I introduced to prohibit large-scale feeding of livestock by meatpacking firms and retail chainstores engaged in meatpacking operations.

The Livestock and Feed Grains Subcommittee, of which I am a member, also held 2 days of field hearings on this legislation at Des Moines, Iowa, during late April.

On January 18, in introducing H.R. 12115, I stated that livestock feeding by large meatpacking firms is a potential threat to the income of family farmers and endangers a free and competitive livestock market.

Testimony presented to the subcommittee, both at Des Moines and here in Washington, confirms the fears expressed in my statement of last January.

I am now more convinced than ever that passage of this legislation is needed, and needed soon, to protect our family farm system and to avert destruction of an open, competitive livestock market.

The American farmer is concerned today about packer feeding of livestock. The farmers in Iowa are concerned. And they have good reason to be worried.

GROWTH OF PACKER FEEDING

The farmer is concerned, first of all, because within the last decade there has been a definite trend toward increased packer feeding. In the last 10 years, the number of cattle fed by packers has more than doubled.

Today, about 1 in every 10 cattle fed in the United States is fed either by a packer or by an interest closely associated with a packer.

In Iowa, the largest cattle-feeding State in the Union, packer feeding has been relatively limited. During 1964, for example, official reports show that only 15,800 head of cattle were fed by packers.

Just about a year ago, however, one meatpacking firm in Iowa announced plans to utilize packer feeding on a large scale. According to news reports of November 1965, the firm hoped to feed between 50,000 and 100,000 head of cattle annually within 2 years.

And these plans for large-scale packer feeding, an unprecedented step in Iowa agriculture, were described by officials of the firm as only a "pilot project."

From all available information, it seems certain that packer feeding in the United States and in Iowa will continue to grow unless it is checked by legislation. In my judgment, there is an urgent need for legislation.

TREND TOWARD VERTICAL INTEGRATION

The farmer is concerned about packer feeding, second, because it is a form of vertical integration which would lead to the destruction of a free and open livestock market.

For many years, the buying and selling of farm products for a price on an open market has been the mainstay of the American agricultural structure.

Our past history has shown that prices arrived at fairly, and made widely known, will serve as a sound basis for guiding both the production and marketing of agricultural commodities.

This is the free enterprise system at work. It is a system that has provided equity for all concerned, including the independent producing farmer.

But now there is a trend away from commodity pricing as the guiding mechanism for our farm economy. This time-proven system is being replaced, in some areas, by central direction through large integrated combines.

Already, the farmer has seen a free and open market disappear for certain other agricultural commodities. There was ample testimony on this point during the field hearings at Des Moines on H.R. 12115.

Today, the farmer no longer has free access to market outlets in the broiler industry, since about 95 percent of that industry is owned or controlled by nonfarm firms.

And about one-third of egg production and about 70 percent of turkey production are now vertically integrated. Increasingly, management decisions are being made by someone other than the farmer.

Experience has shown that vertical integration in any particular industry must be stopped in its early stages or it will not be stopped at all.

Harold Breimyer, the agricultural economist, pointed this out in his recent book "Individual Freedom and the Economic Organization of Agriculture," when he wrote:

> As integration, once begun, tends to be self-sustaining, any public policy to arrest it should be made early in the process. When integration has already gone far, it is difficult to influence it, let alone achieve a rollback to a status quo ante.

Fortunately, insofar as the livestock industry is concerned, it is not too late. Packer-feeding has yet to reach a point where livestock production is under the firm grip of verticle integration.

But the handwriting is on the wall. Unless legislation to curb packer feeding is enacted in the near future, vertical integration will prevail at the expense of the independent producing livestock farmer.

A LEVER FOR ADDED MARKET POWER

Finally, farmers fear packer feeding because it gives meatpacking firms the chance to use their own cattle as a lever to increase their power in the livestock market.

Here, the immediate danger to the family farmer is that packer feeding will result in depressed livestock prices. It is now apparent, after hearings on H.R. 12115, that this is a very real danger.

During the field hearings at Des Moines in April, testimony was presented warning that packers could send cattle under their control to slaughter at strategic times and thus depress terminal market prices.

The report of the National Commission on Food Marketing, issued in June, also expressed concern about the effect of packer feeding on a stable and fair livestock market. The commission's report stated:

> Packer ownership of cattle, whether in their own feedlots or custom fed for them, has caused concern about possible manipulation of cattle prices. The fear is that packers owning large numbers of cattle may draw unusually heavily upon their own feedlots at particular times, thus depressing markets and permitting the packers to buy cattle at reduced prices for later delivery. The larger the volume sold through terminal markets, the less the likelihood is that such a practice might be successful. Where packer feeding is high, careful scrutiny of procurement practices will be especially important to prevent price manipulation.

My own view is that more than "careful scrutiny" is required, and that the threat of price manipulation of the livestock market, endangering as it does farm income and our free enterprise system, should be removed by legislative action.

Yesterday, the U.S. Department of Agriculture presented evidence to the Livestock and Feed Grains Subcommittee showing that packer feeding can and has depressed livestock prices.

The USDA, in its legislative report supporting H.R. 12115, pointed out that packer feeding provides individual packers with a potential for reinforcing their market power. The report went on to say:

> In our studies, we have evidence of market power at work. At one of our important livestock markets, packer-fed transfers to slaughter by a large packer depressed the average weekly market price by as much as 25 to 50 cents per 100 pounds when compared with prices at other markets. During a period when this packer's transfers of his own cattle varied from zero to over 1,000 head per week, each additional 100 head of packer-fed cattle slaughtered per week lowered the price 5.8 cents per 100 pounds. The market leverage exerted here is dramatically demonstrated in the fact that an equivalent 100 head increase in salable cattle receipts at the public market had less than one-tenth the price effect of packer-fed transfers.

In short, at the current level of packer feeding, individual livestock feeders are already suffering adverse price effects. As packer feeding grows, it is a safe bet that the family farmer will suffer even more.

This is all the more reason, in my judgment, why passage of legislation to control packer feeding should not be delayed.

SUPPORT FOR H.R. 12115

The concern over packer feeding has been reflected in the widespread support H.R. 12115 has received from individual farmers, agricultural organizations, terminal market operators, and businessmen with close ties to farming.

Very frankly, I was pleasantly surprised last winter, shortly after introducing the bill, when I began receiving letters and telegrams favoring it not only from Iowa but from many other points around the Nation.

Three of the four major farm organizations have gone on record urging its enactment, either during the Des Moines hearings or in the testimony just completed here in Washington.

In addition, the U.S. Department of Agriculture has recommended passage of H.R. 12115 with certain technical revisions. The USDA report, filed with the House Agriculture Committee, says at one point:

> H.R. 12115, if enacted, would be landmark legislation. It would be the first action taken to arrest the trend towards removing the production and marketing of farm products from the hands of farmers as capital-investing, risk-bearing managerial entrepreneurs, and transferring them to the direct control of processing concerns.

Nevertheless, there is opposition to the bill. No meatpacking firms testified at the Des Moines hearings, but representatives of the meatpacking industry appeared in Washington this week to oppose H.R. 12115.

This was hardly a surprise. The meatpacking firms do not want to see this legislation pass for the very simple reason that they do not want to lose the opportunity for continued and increased packer feeding.

PRECEDENTS JUSTIFYING H.R. 12115

This is not a radical piece of legislation. Its overall purpose, in fact, is consistent with the language of previous legislation and with several important court decisions.

H.R. 12115, for example, is consistent with the packer consent decree of 1920, which undid some vertical integration that had taken place earlier in the livestock and meatpacking industry.

The packer consent decree, reaffirmed by a Federal court as late as 1960, required the five major packing firms to divest themselves of financial interests in a large number of areas affecting agriculture.

It required the firms to give up control of major stockyards and terminal markets, of terminal railroads adjacent to these stockyards, and of the principal market news media of that time.

In addition, the packer consent decree restrained the five packing firms from engaging in the retailing of meats and groceries.

The five packing firms agreed to the terms of the consent decree voluntarily. Even so, the decree was enforced only after the Government continued to bring court action against the packers. Finally, the decree was affirmed by the U.S. Supreme Court in 1931.

This is an important point, since one witness at the Des Moines hearings on H.R. 12115 agreed that packer feeding was undesirable but argued against the bill on grounds that packers should be allowed to voluntarily stop the practice.

Considering the history of the packer consent decree, it seems to me that the chances of a voluntary end to packer feeding are practically nonexistent.

The purpose of H.R. 12115 is also consistent with the Packers and Stockyards Act of 1921, which it would amend.

This act prohibits packers from engaging in all unfair or unjustly discriminatory practices, and also bans activities which are done for the purpose or with the effect of manipulating or controlling prices.

And, like the Federal antitrust laws, the Packers and Stockyards Act condemns monopolies or activities which restrain commerce.

H.R. 12115, consistent with the Government's well-established antitrust policies, is aimed at preserving the operation of a competitive economic system in the livestock industry.

At the same time, the bill recognizes that antitrust policies for agriculture must of necessity protect the small against the moderately large—not the moderately large against the giant, as with commerce and industry.

In short, the bill would permit the small livestock feeder to survive without having the market leverage of moderately large packing firms exerted against him.

PRESENT PROVISIONS OF THE BILL

In its present form, H.R. 12115 would curb large-scale packer feeding by means of three basic provisions.

First, it would ban livestock feeding by meatpacking firms, or by retail chain stores engaged in meatpacking operations, with more than $1 million in annual gross sales.

Second, it would bar any officer or director of such firms, or any owner of more than 5 percent of the stock in such a firm, from engaging in the livestock feeding business.

Third, it would prohibit such firms from purchasing livestock for slaughter by means of feeding contracts with individual farmers.

The third provision is not intended to prohibit a meatpacking firm from entering into a contract under which a farmer agrees to deliver livestock to the packer on a specified future date, provided the packer does not obtain control over feeding of the livestock by ownership or contract.

Nor is the bill intended to restrict so-called marketing agreements between a farm organization, acting on behalf of its members, and meatpacking firms.

SUGGESTED REVISIONS

The U.S. Department of Agriculture, while supporting the basic purpose of the bill, has recommended revisions that would utilize a different standard for controlling packer feeding.

The USDA proposal would limit meatpacking firms and retail chainstores engaged in meatpacking operations to slaughtering at any one location during any one week no more than 100 head of cattle, 300 head of hogs, and 300 head of lambs fed by such firms.

These slaughtering limitations would also apply to livestock fed by any officer or director of such firms, any person with more than 5 percent of the voting power or control of such firms, or any subsidiary or affiliate in which such firms have more than 5 percent of the voting power or control.

In addition, these limitations would cover livestock purchased for slaughter by means of feeding contracts with individual farmers.

The slaughtering limitations, USDA has explained, would still hold packer-feeding operations below a level where it could be used to exert leverage on livestock market prices.

However, within these limitations, packers could feed livestock on experimental farms and officers, directors, and owners of packing firms could continue to operate farms which they may have acquired as outside investments.

In addition, the bill as revised would allow individual farmers to retain up to a 5-percent ownership in a packing firm without any restrictions on their livestock marketing activities.

Personally, I have no pride of authorship in the language of H.R. 12115 as originally drafted, and I plan to give the revisions recommended by USDA close and careful study.

But it is my firm belief that legislation, no matter what its final technical form, is urgently needed to curb packer feeding and its threat to the family farmer and a free and competitive livestock market.

Headstart Full of Faults

EXTENSION OF REMARKS
OF
HON. WILLIAM M. COLMER
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, October 6, 1966

Mr. COLMER. Mr. Speaker, on several occasions I have called to the attention of the administrators of the Office of Economic Opportunity the mismanagement and waste occurring in the operation of the Project Headstart. When the bill, in the nature of amendments to OEO, was being considered in my Committee on Rules, for a rule to clear the bill to the floor of the House, I called to the attention of the committee and the proponents of the legislation some of this mismanagement. Also, I had at least one instance of this mismanagement up with Mr. Shriver, the Chief Administrator.

Among other things, I charged that the Headstart program in my State was being administered by people from outside of the State who were apparently more interested in integration than they were in education.

I cited an instance where a Negro woman, a college graduate and teacher in the public schools of Hattiesburg, Miss., was refused a position as a teacher because she had not been active in the civil rights movement.

I also related instances where those operating the program had purchased substantial quantities of high-grade choice steaks, cartons of cigarettes, and so forth, on weekends which were charged to the Headstart account. Of course, it is inconceivable that these children, 5 years of age, were being fed choice steaks and supplied with cigarettes for consumption over the weekend.

In substantiation of the mismanagement and the waste of the taxpayers' money, I now submit for the information of Congress and the administrators of OEO an editorial which appeared in the August 22, 1966, edition of the Mississippi Press and the Chronicle, a highly respected daily newspaper published in my hometown of Pascagoula, Miss.

The editorial follows:

HEADSTART FULL OF FAULTS

We have no quarrel with the theory behind Project Head Start. If any good has come out of President Johnson's War on Poverty, surely this is it.

But we do have somewhat against the inept and wasteful administration of the program. Evidently, jobs in the program have been out mostly as rewards to the more faithful in certain civil rights organizations, rather than on the basis of the individual applicants' abilities and training.

In the first place, administrators have shown an almost total disregard for education and experience in choosing teachers and teacher trainees for Head Start. The excuse is made that interest and willingness to serve are so important as to supersede every other qualification in the Head Start teacher. As a result, some teachers who have less than an eighth grade education have been hired over others with college degrees in elementary education.

We challenge the Head Start administrators and OEO to find any other educational institution in the world where such a philosophy prevails.

Mrs. H. B. Colle, a native Pascagoulan who has a masters degree in elementary education and special training as a speech therapist, applied for work in the Jackson County program, but later found that her application had not been forwarded to the proper office by the person taking the application.

Roy Dowlin, another native Jackson Countian whose chosen life's work is special elementary education, was discouraged from entering the program. Out of nearly 200 persons hired this summer to operate the program, only three were white. One of these quit after two weeks.

The recommended cost of administering Head Start programs as outlined by the Office of Economic Opportunity is $170 per enrollee. The cost in Mississippi so far has been $340 per enrollee.

A Washington, D.C., consultant, who worked in the Jackson County centers was loud and bitter in her protests concerning the inefficiency and lack of direction she encountered.

However, the consultant has apparently done a bit of backtracking after her employers called her in to question about her public statements. These statements carried in a news story Sunday were heard by several persons.

Local administrators of the program deny in one breath that they could do a better job, and in the next breath blame the social and economic status quo for their own inability to do as well as they should.

They say that criticism of their administration is "politically inspired" by other groups who want to take over the project. This is probably not true, but even if it were, it is no excuse for failure.

This newspaper calls on every concerned agency and individual, from Sargent Shriver and the OEO down, to stop the defensive and bureau-building tactics and buckle down to the task of giving the needed head start to the youngsters whose interests they have been hired to promote.

HOUSE OF REPRESENTATIVES

FRIDAY, OCTOBER 7, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

***The Lord taketh pleasure in them that fear Him, in those that hope in His mercy.*—Psalm 147: 11.**

God of life and light, by whose love we have the gift of a new day, we thank Thee for this moment of prayer when we may draw nigh unto Thee and let Thee draw nigh unto us—as we face the demanding duties of these hours.

From the noise of the outer world we would turn to the quiet of the inner world where in quietness and in confidence we may find strength in Thee for this day.

Help us to accept our privileges with thanksgiving, to carry our responsibilities with honor, to meet our difficulties with courage, and to discharge our duties with fidelity. Whatever good we do this day—may we do it with cheerfulness and with all sincerity of mind and heart, and to Thee shall be the praise world without end. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without

amendment a bill of the House of the following title:

H.R. 8664. An act to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1607. An act to amend the act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 9167. An act to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; and

H.R. 15183. An act to adjust the status of Cuban refugees to that of lawful permanent residents of the United States.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 985) entitled "An act to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Magnuson, Mr. Pastore, Mr. Hart, Mr. Cannon, Mr. Cotton, and Mr. Morton to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3112) entitled "An act to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Randolph, Mr. Muskie, Mr. Moss, Mr. Harris, Mr. Boggs, and Mr. Murphy to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3158) entitled "An act to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Robertson, Mr. Sparkman, Mr. Douglas, Mr. Proxmire, Mr. Williams of New Jersey, Mr. Muskie, Mr. Long of Missouri, Mr. Bennett, Mr. Tower, and Mr. Thurmond to be the conferees on the part of the Senate.

U.S. PARTICIPATION IN HEMISFAIR 1968, SAN ANTONIO, TEX.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15098) to amend Public Law 89-284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, line 1, strike out "$10,000,000" and insert "$7,500,000".

Page 7, after line 2, insert:

"Sec. 7. Said Act is further amended by inserting at the end thereof the following new section:

"'Sec. 9. (a) No funds made available under this Act shall be expended to provide for United States participation in the exposition, unless the Secretary of Commerce has received satisfactory assurances from the San Antonio Fair Incorporated, a nonprofit corporation of the State of Texas, that—

"'(1) there is and at all times will be full participation by all segments of the San Antonio community, as evidenced by the membership of the executive committee of such corporation, or any other body thereof which exercises general administrative control and direction with respect to the planning or operation of the exposition, and by such other criteria as the Secretary shall determine to be relevant, and

"'(2) the public shall be kept fully informed as to the activities of such corporation, and that the activities of such corporation shall at all times, to the maximum extent practicable, be conducted openly, including assurances that the meetings of the executive committee of such corporation, or any other body thereof which exercises general administrative control and direction with respect to the planning or operation of the exposition, will be held in open sessions at regularly scheduled times and places after public notice of the times and places for such meetings, and such other assurances as the Secretary of Commerce shall determine to be relevant, and

"'(3) no person shall be an officer, or member, or ex officio member of the executive committee of such corporation who shall have a substantial financial interest in any organization doing business with such corporation or in any personal business arrangement with such corporation or who shall be an elected officer of any political organization, and

"'(4) historic structures in the area encompassed by the exposition will be preserved to the maximum extent possible.

For the purposes of this subsection (A) the term "metropolitan area of San Antonio" includes the municipal limits of San Antonio and such surrounding areas as the Secretary of Commerce may determine to constitute, the metropolitan limits of San Antonio, and (B) the term "substantial financial interest in any organization" includes having a financial interest in any organization through serving as an officer, director, trustee, partner, or executive of such organization, or through negotiating with or having any arrangement concerning prospective employment with such organization, or through holding legal title to or any beneficial interest in or control over more than 5 per centum of the total of issued and subscribed share capital of such organization.

"'(b) Whenever the Secretary of Commerce, after reasonable notice and opportunity for hearing to the San Antonio Fair, Incorporated, finds that—

"'(1) such corporation will not or cannot make any of the assurances required by subsection (a); or

"'(2) any assurance given under subsection (a) is not being or cannot be complied with by such corporation,

the Secretary of Commerce shall forthwith notify such corporation that no funds will be made available under this Act to provide for United States participation in the exposition until satisfactory assurances are given as required by subsection (a), or if any construction or other activity has commenced to provide for or carry out United States participation in the exposition, that no further funds will be made available under this Act with respect to such United States participation until the assurances required to be given by subsection (a) are being complied with by such corporation. Until the Secretary of Commerce is given satisfactory assurances as required by subsection (a), or is satisfied that such corporation will comply with such assurances, as the case may be, no funds shall be made available under this Act to provide for United States participation in the exposition other than any funds previously expended for such purposes, and no construction, display, or other activity may be commenced or continued for such purpose.

"'(c) The action of the Secretary of Commerce or his designee in allowing or denying the expenditure of funds under this Act to provide for United States participation in the exposition shall be final and conclusive for all purposes, except as otherwise provided in subsection (b) and not subject to review by any court by mandamus or otherwise.'"

Page 7, after line 2, insert:

"Sec. 8. The Congress declares it to be the policy of the United States that, hereafter, United States participation shall not be authorized in any international fair, exposition, celebration or other international exhibition proposed to be held in the United States unless such exhibition is registered in the first category by an established international organization."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I do not intend to object, I would like to have the distinguished gentleman from Florida tell us a little bit more of what the Senate amendments do.

Mr. FASCELL. If the gentleman will yield, I will be very happy to.

Mr. GERALD R. FORD. I will be very glad to yield.

Mr. FASCELL. The principal and most substantive amendment was a reduction in the authorization from $10 to $7.5 million, since this was an authorization for U.S. participation. There were some other amendments, the most principal of those being a declaration by the committee in the other body that U.S. participation in these types of things in the future would be limited to category I fairs receiving the approval of the Bureau of International Expositions.

Mr. GERALD R. FORD. Is it accurate to say that the Senate action reduced the House authorization by $2.5 million?

Mr. FASCELL. That is absolutely accurate, and that is the principal amendment.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

A MORE RESPONSIBLE CONGRESS

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, the average American is worried about first, inflation; second, increasing Federal domestic spending—while our resources should be used to end the Vietnam war; third, our rising crime rate; fourth, civil rights riots; and fifth, the Vietnam war itself.

Therefore, I predict that there will be a net gain of about 30 Republican seats in the House of Representatives as a result of the November elections. This will still leave a substantial administration majority and will not mean that L.B.J. will be thwarted at every turn—for he should not be. It will result, however, in a more responsible Congress—one which can moderate, modify, and, on occasion, defeat unwise proposals. A 2-to-1 majority, such as now exists, is too large for either party to have. Our Founding Fathers, in providing for separation of powers, did not contemplate a subservient, rubberstamp Congress, which this one too often has proved to be.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1967

Mr. PASSMAN. Mr. Speaker, I call up the conference report on the bill (H.R. 17788) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2205)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17788) "making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 7, 8, and 11,

And agree to the same.

The committee of conference report in disagreement amendments numbered 5, 10, 12, and 13.

OTTO E. PASSMAN,
JOHN J. ROONEY,
WILLIAM H. NATCHER,
JULIA BUTLER HANSEN,
JEFFERY COHELAN,
CLARENCE D. LONG,
GEORGE MAHON,
SILVIO O. CONTE,
MARK ANDREWS,
FRANK T. BOW,
Managers on the Part of the House.

JOHN O. PASTORE,
RICHARD B. RUSSELL,
ALLEN J. ELLENDER,
JOHN L. MCCLELLAN,
SPESSARD L. HOLLAND,
A. S. MIKE MONRONEY,
LEVERETT SALTONSTALL,
MARGARET CHASE SMITH,
THOS. H. KUCHEL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17788) making appropriations for Foreign Assistance and related agencies for fiscal year ending June 30, 1967, and for other purposes submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—FOREIGN ASSISTANCE

Funds appropriated to the President

Economic Assistance

Amendment No. 1—Supporting assistance: Appropriates $690,000,000 as proposed by the House instead of $715,000,000 as proposed by the Senate.

Amendment No. 2—Contingency Fund: Appropriates $35,000,000 as proposed by the Senate instead of $70,000,000 as proposed by the House.

Amendment No. 3—Alliance for Progress Development loans: Appropriates $420,300,000 as proposed by the House instead of $395,300,000 as proposed by the Senate.

Amendment No. 4—Development loans: Appropriates $500,000,000 as proposed by the Senate instead of $590,000,000 as proposed by the House.

Amendment No. 5—Development loans: Reported in technical disagreement. The managers on the part of the House will offer a motion to permit the President to transfer up to not to exceed ten percent of the funds appropriated to the World Bank and its affiliates.

Amendment No. 6—Administrative expenses, AID: Appropriates $55,813,500 as proposed by the Senate instead of $54,240,000 as proposed by the House.

Amendment No. 7—Administrative expenses, State: Appropriates $3,255,000 as proposed by the Senate instead of $3,100,000 as proposed by the House.

Military Assistance

Amendment No. 8—Military assistance: Appropriates $792,000,000 as proposed by the Senate instead of $825,000,000 as proposed by the House.

General Provisions

Amendment No. 9—Section 118: Deletes language proposed by the Senate relating to assistance to Latin American governments.

Amendment No. 10—Section 119: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

Amendment No. 11—Deletes language proposed by the House limiting appropriations for Economic Assistance to $2,222,065,800.

Amendment No. 12—Cuban refugee program: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

Amendment No. 13—Section 404: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

OTTO E. PASSMAN,
JOHN J. ROONEY,
WILLIAM H. NATCHER,
JULIA BUTLER HANSEN,
JEFFERY COHELAN,
CLARENCE D. LONG,
GEORGE MAHON,
SILVIO O. CONTE,
MARK ANDREWS,
FRANK T. BOW,
Managers on the Part of the House.

Mr. PASSMAN (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, it would be a distinct act of dishonesty and deceit, and a disservice to the committee, to the Congress, and to the country to indicate in any way, shape, form, or fashion that the funds recommended in this conference report represent a reduction in foreign aid for calendar year 1966 or fiscal year 1967.

In fact, requests made in calendar year 1966 for foreign assistance and/or foreign aid funds are the highest since the inception of the foreign aid program. The total request has been so fragmentized that it is difficult to identify the many pieces.

In addition to the fragmentation, the bureaucrats have stumbled upon a clever scheme to obtain excessive foreign aid, and that is to sandwich in between the annual appropriation bills for 2 fiscal years fantastic amounts in supplemental appropriations which get lost in the shuffle. It is so confusing that even the average Member tends to lose sight of the amounts that are applicable to the closing fiscal year or to the ensuing fiscal year.

The money goes into the pipeline and the average Member or John Q. Public loses sight of it. What a mess.

Foreign assistance and related agencies appropriation bill, 1967

TITLE I—FOREIGN ASSISTANCE

Item	1966 appropriations	1967 budget estimate	House bill	Senate bill	Conference action	Conference action compared with—			
						1966 appropriation	1967 budget estimate	House bill	Senate bill
FUNDS APPROPRIATED TO THE PRESIDENT									
ECONOMIC ASSISTANCE									
Technical cooperation and development grants	$201, 333, 000	$231, 310, 000	$200, 000, 000	$200, 000, 000	$200, 000, 000	−$1, 333, 000	−$31, 310, 000		
American schools and hospitals abroad	7, 000, 000	10, 989, 000	10, 989, 000	10, 989, 000	10, 989, 000	+3, 989, 000			
Special foreign currency program			1, 000, 000	1, 000, 000	1, 000, 000	+1, 000, 000	+1, 000, 000		
International organizations and programs	144, 755, 000	140, 433, 000	140, 433, 000	140, 433, 000	140, 433, 000	−4, 322, 000			
Additional UNICEF			(1, 000, 000)	(1, 000, 000)	(1, 000, 000)	(+1, 000, 000)	(+1, 000, 000)		
Supporting assistance	684, 200, 000	747, 200, 000	690, 000, 000	715, 000, 000	690, 000, 000	+5, 800, 000	−57, 200, 000		−$25, 000, 000
Contingency fund, general	150, 000, 000	70, 000, 000	70, 000, 000	35, 000, 000	35, 000, 000	−115, 000, 000	−35, 000, 000	−$35, 000, 000	
Contingency fund, southeast Asia	89, 000, 000					−89, 000, 000			
Alliance for Progress:									
Technical cooperation and development grants	75, 000, 000	87, 700, 000	87, 700, 000	87, 700, 000	87, 700, 000	+12, 700, 000			
Development loans	435, 125, 000	455, 300, 000	420, 300, 000	395, 300, 000	420, 300, 000	−14, 825, 000	−35, 000, 000		+25, 000, 000
Development loans	618, 225, 000	665, 388, 000	590, 000, 000	500, 000, 000	500, 000, 000	−118, 225, 000	−165, 388, 000	−90, 000, 000	
Administrative expenses, AID	55, 220, 000	57, 387, 000	54, 240, 000	55, 813, 500	55, 813, 500	+593, 500	−1, 573, 500	+1, 573, 500	
Administrative expenses, State	3, 142, 000	3, 255, 000	3, 100, 000	3, 255, 000	3, 255, 000	+113, 000		+155, 000	
Subtotal, economic assistance	2, 463, 000, 000	2, 468, 962, 000	2, 267, 762, 000	2, 144, 490, 500	2, 144, 490, 500	−318, 509, 500	−324, 471, 500	−123, 271, 500	
General provisions (sec. 118)			−45, 696, 200					+45, 696, 200	
Total, economic assistance	2, 463, 000, 000	2, 468, 962, 000	2, 222, 065, 800	2, 144, 490, 500	2, 144, 490, 500	−318, 509, 500	−324, 471, 500	−77, 575, 300	
MILITARY ASSISTANCE									
Military assistance	1, 470, 000, 000	917, 000, 000	825, 000, 000	792, 000, 000	792, 000, 000	−678, 000, 000	−125, 000, 000	−33, 000, 000	
Limitation on administrative expenses	(23, 818, 000)	(23, 500, 000)	(23, 000, 000)	(23, 000, 000)	(23, 000, 000)	(−818, 000)	(−500, 000)		
Total, title I, foreign assistance	3, 933, 000, 000	3, 385, 962, 000	3, 047, 065, 800	2, 936, 490, 500	2, 936, 490, 500	−996, 509, 500	−449, 471, 500	−110, 575, 300	
TITLE II—FOREIGN ASSISTANCE (OTHER)									
FUNDS APPROPRIATED TO THE PRESIDENT									
Peace Corps	$102, 000, 000	$112, 150, 000	$110, 000, 000	$110, 000, 000	$110, 000, 000	+$8, 000, 000	−$2, 150, 000		
Limitation on administrative expenses	(24, 100, 000)	(25, 200, 000)	(24, 500, 000)	(24, 500, 000)	(24, 500, 000)	(+400, 000)	(−700, 000)		
DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS									
Ryukyu Islands, Army administration	14, 773, 000	14, 893, 000	14, 893, 000	14, 893, 000	14, 893, 000	+120, 000			
Pretreaty claims		21, 040, 000	21, 040, 000	21, 040, 000	21, 040, 000	+21, 040, 000			
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE									
Assistance to refugees in the United States	42, 600, 000	51, 000, 000	51, 000, 000	51, 000, 000	51, 000, 000	+8, 400, 000			
DEPARTMENT OF STATE									
Migration and refugee assistance	7, 575, 000	6, 050, 000	6, 050, 000	6, 050, 000	6, 050, 000	−1, 525, 000			
FUNDS APPROPRIATED TO THE PRESIDENT									
Investment in Inter-American Development Bank	455, 880, 000	250, 000, 000	250, 000, 000	250, 000, 000	250, 000, 000	−205, 880, 000			
Investment in Asian Development Bank	140, 000, 000					−140, 000, 000			
Subscription to the International Development Association	140, 000, 000	104, 000, 000	104, 000, 000	104, 000, 000	104, 000, 000				
Total, title II, foreign assistance (other)	866, 828, 000	559, 133, 000	556, 983, 000	556, 983, 000	556, 983, 000	−309, 845, 000	−2, 150, 000		
TITLE III—EXPORT-IMPORT BANK OF WASHINGTON									
Limitation on operating expenses	($1, 186, 120, 000)	($2, 108, 241, 000)	($2, 108, 241, 000)	($2, 108, 241, 000)	($2, 108, 241, 000)	(+$922, 121, 000)			
Limitation on administrative expenses	(4, 107, 000)	(4, 134, 000)	(4, 134, 000)	(4, 134, 000)	(4, 134, 000)	(+27, 000)			
Total, title III, Export-Import Bank	(1, 190, 227, 000)	(2, 112, 375, 000)	(2, 112, 375, 000)	(2, 112, 375, 000)	(2, 112, 375, 000)	(+922, 148, 000)			
Grand total, all titles	4, 799, 828, 000	3, 945, 095, 000	3, 604, 048, 800	3, 493, 473, 500	3, 493, 473, 500	−1, 306, 354, 500	−$451, 621, 500	−$110, 575, 300	

Now, Mr. Speaker, so that the Members may compare the funds included in the conference report with funds for previous years, and so that I may establish for the Record that the total request in all types of foreign assistance for calendar year 1966 and/or fiscal 1967 is the highest since the inception of the foreign aid program, I read into the Record the following from the record:

Funds contained in the conference report	$2,936,490,500
Supplemental approved by the House on March 15, 1966:	
Military assistance (sec. 510)	300,000,000
Supporting assistance	315,000,000
Contingency fund	100,000,000
Military assistance	203,000,000
Supplemental—Mar. 29, 1966:	
Asian Development Bank	140,000,000
July 20, 1966, Department of Defense appropriation bill:	
Military assistance	633,000,000
Total	1,691,000,000
Title I only—Mutual security program	4,627,490,500

What a different picture it makes when you put funds for title I activities together as I have just done. Now, add to this figure all other spigots of foreign aid, and the aggregate so far approved or pending before the Congress amounts to the staggering total of $10,016,437,500.

SEPTEMBER 15, 1966

To whom it may concern:

Gold holdings (free world countries)

[In millions]

U.S. gold holdings on Dec. 31, 1952	$23,252
U.S. gold outflow to foreign countries, 1952 through 1965	9,519
U.S. gold holding on Dec. 31, 1965, reduced to	13,733
Gold holdings other countries,[1] Dec. 31, 1952	13,028
Gold holdings increase other countries, 1952 through 1965	15,172
Gold holdings other countries, Dec. 31, 1965, increased to	23,200

[1] Does not include Sino-Soviet bloc.

U.S. short-term dollar claims held by foreign countries (free world)

Foreign dollar holdings on Dec. 31, 1952	$10,546,100,000
Increase in foreign dollar holdings, 1952 through 1965	18,525,700,000
Foreign dollar holdings on Dec. 31, 1965, increased to	29,071,800,000

U.S. balance-of-payments position

[In millions]

1950 net deficit	−$1,912
1951 net deficit	−578
1952 net deficit	−1,100
1953 net deficit	−2,100
1954 net deficit	−1,500
1955 net deficit	−1,100
1956 net deficit	−1,000
1957 (only credit in 15 years)	+500
1958 net deficit	−3,400
1959 net deficit	−3,700
1960 net deficit	−3,800
1961 net deficit	−$2,400
1962 net deficit	−2,200
1963 net deficit	−2,660
1964 net deficit	−3,006
1965 net deficit	−1,306
U.S. deficit, 1950 through 1965, inclusive	−31,262

Gross public debts

[In millions]

U.S. public debt on Dec. 31, 1965	$321,078
Other free world countries (latest available estimates)	227,155
U.S. debt exceeds debts of other free world countries by	93,923
U.S. debt exceeds all other countries of world by (estimate)	37,209

If you will take the time to analyze the above, then you may have a partial answer as to why we are now having inflation, deficit financing, continuing increase in the public debt, continuing balance-of-payment deficit, a continuing loss in our gold reserves and also the frightening upset in the intricate necessary competitive position in world markets.

Otto E. Passman,
Chairman, Foreign Operations Subcommittee on Appropriations.

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include tables and statistical charts.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I am delighted to yield.

Mr. CONTE. Mr. Speaker, I would like, first, to take this opportunity to extend my sincere congratulations for a job well done to our freshmen on this subcommittee. Serving on the Foreign Operations Appropriations Subcommittee for their first time during the 89th Congress were the gentlewoman from Washington [Mrs. Hansen], the gentleman from North Dakota [Mr. Andrews], the gentleman from California [Mr. Cohelan], the gentleman from Maryland [Mr. Long], and the gentleman from Kansas [Mr. Shriver].

I have seen a new spirit of cooperation, a probing, enthusiastic curiosity, and a desire to insure that our military and economic assistance best serve the interests of this country and of the recipient, developing countries around the world, in the committee room these past 2 years. It has been my privilege and a pleasure, indeed, to serve with these hard workers and I commend them to you, Mr. Speaker, and to their colleagues in this body.

Mr. Speaker, I believe that the extensive legislative process has produced a foreign assistance appropriations bill for this fiscal year which is a tight bill, a sound bill, a bill worthy of the unified support of every Member of this body. This has been possible, in large part, because of the unified, bipartisan approach of these new members of the subcommittee to these programs. They have not, nor have I—as my 8-year record of service will show—sought a majority or a minority approach to foreign assistance, but the best possible program of foreign assistance that could be offered to this body and for which we could ask, in good faith, your support.

The bill comes back to the House reduced in amount by $110,575,300 from the appropriation bill originally passed by this body. The total appropriation is equal in amount to that voted by the other body. However, there have been changes made in that bill and the total figures should not mislead anyone to think that the bill emerging from the conference is just the Senate bill. The changes are important ones.

A $25 million reduction in the Senate bill was made when the amount appropriated for supporting assistance was cut back to the figure originally voted by this body.

The Senate had cut back the recommended appropriation for development loans for the Alliance for Progress by this same amount—$25 million. This reduction was a critical one and I am happy to report it was restored in its full amount. The promise which Latin America holds for the entire Western Hemisphere calls out for our endorsement and our support of the commitments that have been made to the countries of Latin America in every phase of our economic assistance efforts. I believe a special concern for Latin America is shared by a majority of your subcommittee and the funds for the development loan program for the Alliance in the amount originally voted by this body have the bipartisan support of those members.

The estimated total contributions of the United States to the Alliance for this fiscal year would have amounted to a total of only $930 million—a substantial cutback from the contributions of the past fiscal year of $1,153 million. Coming during a year when, because of reduced availability of wheat, Public Law 480 sales have now been estimated to be less by almost half than the amount earlier anticipated, this could have done serious damage—if not spelled disaster—to many of the encouraging signs of progress that the Alliance has brought to our neighbors in Latin America.

Finally, there is an important change in language that came out of the conference. Section 205 of the authorization bill has heretofore authorized the transfer of funds to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation from funds available for development loans at the discretion of the President. This year, the authorization act provided that 10 percent should be available only for lending to these international organizations.

Section 205 has been restored to the exact language of the law of previous years, leaving the decision regarding the transfer of these funds at the discretion of the President.

Overall, Mr. Speaker, I would like to point out that the bill is $451,621,500 below the estimates sent up here by the administration. The bill may not completely reflect the views of Members of this body for this important appropriation; it is the product of compromise. We have all shared in that compromise—the chairman of your committee, its veterans of service, its freshmen, and all the Members of this body.

Mr. PASSMAN. Mr. Speaker, I want to thank the distinguished gentleman from Massachusetts for his very kind remarks. But I must say again that the total request made in calendar year 1966 for foreign aid is the greatest amount since the inception of the aid program.

I want to thank the gentleman for pointing out that we succeeded in increasing the amount of funds for development loans for the Alliance for Progress by $25 million. Some of us had good reasons for this action, thinking that if we were going to have to give money away it would be a little cheaper to ship it to Latin America than to ship it to the Far East, as we will save a little money because of a reduction in the freight rates. In addition, in my opinion, I think the Alliance is the most important program in the bill and I think it must succeed. Latin America is much more important to us than any other area in the world.

Mr. Speaker, again I say I do not think I am entitled to any commendations because, as far as I am concerned, I just do not feel that I am any longer doing a very creditable job, simply because the aid agencies request money far in excess of their actual needs, and one of the two branches has the wisdom to make some necessary reductions.

At one time we did our own work on this side, and we made substantial reductions, but apparently we have recommended excessive appropriations in recent years. Then the bill goes over to the other body, and they now do our work for us. In thanking the gentleman for his very gracious compliments, I must insist that the Members of the other body should also be complimented, but I hope that all the compliments are not premature because of the new policy of the aid agencies in submitting requests for supplemental appropriations, which I referred to earlier in my remarks.

But nevertheless I am very grateful to the distinguished gentleman for paying me a compliment that I do not actually deserve, because there is nothing about the bill that indicates to me that there is any saving effected, and there are a lot of requests coming down to be included in the supplemental bills.

Mrs. HANSEN of Washington. Mr. Speaker, I join with the chairman of our Subcommittee on Foreign Operations, the distinguished gentleman from Louisiana, and with the very distinguished gentleman from Massachusetts [Mr. CONTE] in asking that this House approve the conference report which has been so ably explained by Mr. CONTE. Our committee has substantially reduced the 1967 budget estimates and as you will note from the figures the total is sizably below the foreign assistance appropriations of prior years. If you will recall, the appropriations in 1966 were $3,933 million. The total of today's bill agreed upon in committee was $2,936,490,500.

Again, may I urge the Members of the House to take the opportunity to read the hearings of the subcommittee which has endeavored to secure the fullest possible understanding and knowledge of all spending in this program.

I again call to your attention the report of the Subcommittee on Appropriations which said:

> The Communists remain hard at work to dominate the less-developed nations of Africa, Asia, and Latin America. Already they dominate East Europe and parts of Asia. World domination, world slavery is their goal. It is hardly arguable that our past aid in defense of the free world has paid dividends by helping to thwart and frustrate the world Communist drive. Not only has it foiled aggression; it has brought stability to a number of countries. But no one seriously thinks that foreign aid is a panacea for all the ills at which it is directed. It is only one device, one tool. And, the President has redrawn the emphasis in this year's program to stress self-help—assistance to those with the determination to help themselves.
>
> Of course, tight, effective management is essential for a tight, effective aid program. Good administration is key consideration in most Federal programs—and especially so in the AID program. Despite the dedicated efforts of many, foreign aid over the years has been beset with innumerable mistakes in administration—with too much waste; too many ill-advised or premature project undertakings. Realizations have not always matched expectations and hopes. But the majority opinion is that these considerations standing alone ought not to obscure the objectives of the foreign aid programs and the purposes they have served and the good they have accomplished over the years. It is a maxim of governmental endeavor that few things are entirely good or entirely bad. Most undertakings are an inseparable mixture of good and bad—of one ratio or another; it is nearly always necessary to make judgments in consideration of which way the preponderance lies.
>
> Constant review, constant reevaluation, constant but constructive criticism of administration of the AID programs, both in the administrative and legislative branches, are needed.

AID ACTIVITIES IN FISCAL YEAR 1965

To give some idea of the magnitude of the AID program, Secretary Rusk testified before the committee that in fiscal year 1965 alone AID claimed the following results:

Nearly 15 million textbooks were distributed;

Over 40,000 classrooms were built;

Almost 600,000 students were enrolled in assisted colleges and universities;

Fifty-seven thousand teachers were provided inservice training;

Nearly 75,000 dwelling units were built;

More than 110 million people vaccinated against smallpox;

More than 90 million people benefited from water supply facilities;

Over 1 million new acres were irrigated;

More than 650,000 acres were reclaimed;

Almost 550,000 tons of fertilizer nutrient were provided;

More than 2.5 million people received agricultural credit loans;

Nearly 45,000 miles of roads were built or improved.

There is a great deal of discussion about fragmentation of U.S. programs and there has been some discussion made over the first supplemental bill to pass this House. It is not possible to consider all these programs under the context of Foreign aid per se. There are offshoots and outgrowths of our military action in Vietnam. For example, can you separate the importance of the Ryukyu Islands from present military operations in Vietnam? I do not think so.

If money spent on the Ryukyu Islands is to be considered foreign aid, would we not, in turn, say the entire cost of maintaining the U.S. Navy, also should be considered foreign aid?

Also, other governmental activities may have the incidental effect of helping underdeveloped countries, at the same time having another purpose. For example, the Import-Export Bank, a program existing primarily to promote U.S. export trade. Export-Import Bank loan activities have, in effect, boosted U.S. exports substantially and in addition have earned a substantial profit for the American taxpayer. Their loans are made at commercial rates of interest, and as you know, we do not vote new appropriations to finance Export-Import Bank activities.

It would be far more realistic to say that the total cost of foreign aid and all related programs is about $5 billion, money spent for hopeful assurance that this will be a better world in which to live.

In conclusion, I would like to say, Mr. Speaker, that if foreign aid were to be discontinued completely, the entire foreign policy of the United States would have to be revised. Our trade policies would need a new look and I would sincerely doubt that this Nation would want to retire behind its oceans knowing that our neighbors in poverty, ignorance, and sickness were moving closer and closer toward communism because no one in this Nation cared, or dared, to extend the arm of Christian decency through assistance.

Again, may I reiterate, all programs are not successful; all private businesses are not successful either, but I think it is unchallenged that many of the free nations which exist today could not have maintained their freedom if the United States had not provided them with AID to cope with their internal problems and external pressures.

Only if all the peoples of this world are able to achieve their legitimate goals of food, education, and health, are we in the United States going to live the kind of secure life we want to live.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The **SPEAKER.** The question is on agreeing to the conference report.

The question was taken.

Mr. FINDLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 189, nays 89, not voting 154, as follows:

[Roll No. 346]

YEAS—189

Adams
Anderson, Ill.
Anderson, Tenn.
Annunzio
Barrett
Bates
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Bolling
Bolton
Brademas
Brooks
Broomfield
Burke
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Callan
Cameron
Celler
Clark
Cleveland
Cohelan
Conable
Conte
Conyers
Corbett
Culver
Curtis
Daddario
Daniels
Delaney
Dent
Diggs
Downing
Dulski
Dwyer
Evins, Tenn.
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Flood
Fogarty
Ford, Gerald R.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Green, Oreg.
Green, Pa.
Gubser
Halleck
Halpern
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
King, Calif.
Kirwan
Kluczynski
Krebs
Kunkel
Laird
Leggett
Long, Md.
McCarthy
McDade
McFall
McGrath
Machen
Madden
Mahon
Mailliard
Mathias
Matthews
May
Meeds
Minish
Mink
Monagan
Moorhead
Morgan
Morse
Morton
Multer
Murphy, Ill.
Natcher
Nedzi
Nelsen
O'Hara, Mich.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Quie
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schweiker
Selden
Senner
Sickles
Sisk
Slack
Smith, N.Y.
Springer
Stafford
Stratton
Stubblefield
Sullivan
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Todd
Trimble
Udall
Ullman
Van Deerlin
Vanik
Vivian
Waldie
Watts
Weltner
White, Tex.
Widnall
Wilson, Charles H.
Wright
Wydler
Young
Zablocki

NAYS—89

Andrews, George W.
Andrews, N. Dak.
Ashbrook
Ashmore
Baring
Belcher
Betts
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Carter
Chelf
Clausen, Don H.
Collier
Colmer
Cramer
Cunningham
Curtin
Davis, Wis.
de la Garza
Derwinski
Dole
Dowdy
Duncan, Tenn.
Everett
Fountain
Gathings
Gettys
Goodell
Grover
Hansen, Idaho
Harsha
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Mo.
King, N.Y.
Landrum
Langen
Latta
Lennon
Long, La.
McClory
McCulloch
Marsh
Mills
Minshall
Mize
Mosher
Poage
Poff
Pool
Quillen
Race
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Rogers, Fla.
Rumsfeld
Satterfield
Schneebeli
Secrest
Shipley
Sikes
Skubitz
Smith, Va.
Stanton
Steed
Talcott
Taylor
Thomson, Wis.
Tuten
Utt
Waggonner
Watson
Whalley
Whitener
Whitten
Williams
Willis
Wyatt

NOT VOTING—154

Abbitt
Abernethy
Adair
Addabbo
Albert
Andrews, Glenn
Arends
Ashley
Aspinall
Ayres
Bandstra
Battin
Berry
Boland
Bow
Bray
Brock
Brown, Calif.
Burton, Utah
Cabell
Cahill
Callaway
Carey
Casey
Cederberg
Chamberlain
Clancy
Clawson, Del
Clevenger
Cooley
Corman
Craley
Dague
Davis, Ga.
Dawson
Denton
Devine
Dickinson
Dingell
Donohue
Dorn
Dow
Duncan, Oreg.
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Ellsworth
Erlenborn
Evans, Colo.
Fallon
Fino
Fisher
Flynt
Foley
Ford, William D.
Fulton, Tenn.
Fuqua
Gilligan
Gray
Greigg
Grider
Griffiths
Gross
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Hamilton
Hansen, Iowa
Harvey, Ind.
Harvey, Mich.
Hébert
Henderson
Herlong
Hungate
Huot
Jones, N.C.
Keith
Kelly
Keogh
King, Utah
Kornegay
Kupferman
Lipscomb
Love
McDowell
McEwen
McMillan
McVicker
Macdonald
MacGregor
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Michel
Miller
Moeller
Moore
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Hara, Ill.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Pucinski
Purcell
Randall
Reinecke
Resnick
Rivers, Alaska
Rogers, Tex.
Roncalio
Rooney, Pa.
Roudebush
Roush
Saylor
Schisler
Schmidhauser
Scott
Shriver
Smith, Calif.
Smith, Iowa
Staggers
Stalbaum
Stephens
Sweeney
Thomas
Thompson, Tex.
Toll
Tuck
Tunney
Tupper
Vigorito
Walker, Miss.
Walker, N. Mex.
Watkins
White, Idaho
Wilson, Bob
Wolff
Yates
Younger

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Tuck against.

Mr. O'Neill of Massachusetts for, with Mr. Abernethy against.

Mr. Murphy of New York for, with Mr. Abbitt against.

Mr. Sweeney for, with Mr. Henderson against.

Mrs. Kelly for, with Mr. Kornegay against.

Mr. Hébert for, with Mr. Scott against.

Mr. Albert for, with Mr. O'Neal of Georgia against.

Mr. Addabbo for, with Mr. Morris against.

Mr. Aspinall for, with Mr. Moeller against.

Mr. Denton for, with Mr. Murray against.

Mr. Edwards of California for, with Mr. Fuqua against.

Mr. Arends for, with Mr. Flynt against.

Mr. Ayres for, with Mr. Stephens against.

Mr. Cahill for, with Mr. Rogers of Texas against.

Mr. MacGregor for, with Mr. Hungate against.

Mr. Fallon for, with Mr. Casey against.

Mr. Miller for, with Mr. Dorn against.

Mr. Foley for, with Mr. McMillan against.

Mr. Moss for, with Mr. Fisher against.

Mr. Gilligan for, with Mr. Del Clawson against.

Mr. Rivers of Alaska for, with Mr. Davis of Georgia against.

Mr. Staggers for, with Mr. Fino against.

Mr. Boland for, with Mr. Randall against.

Mr. Donohue for, with Mr. Walker of New Mexico against.

Mr. Dow for, with Mr. Roush against.

Mr. Mackay for, with Mr. Hagan of Georgia against.

Mr. McDowell for, with Mr. Jones of North Carolina against.

Mr. Matsunaga for, with Mr. Younger against.

Mr. Evans of Colorado for, with Mr. Clancy against.

Mr. Edwards of Louisiana for, with Mr. Bray against.

Mr. Carey for, with Mr. Battin against.

Mr. Corman for, with Mr. Bob Wilson against.

Mr. Mackie for, with Mr. Smith of California against.

Mr. White of Idaho for, with Mr. Shriver against.

Mr. Wolff for, with Mr. Moore against.

Mr. Tupper for, with Mr. Callaway against.

Mr. Rooney of Pennsylvania for, with Mr. Walker of Mississippi against.

Mr. Clevenger for, with Mr. Saylor against.

Mr. Martin of Massachusetts for, with Mr. Roudebush against.

Mr. Keith for, with Mr. Reinecke against.

Mr. Kupferman for, with Mr. O'Konski against.

Mr. Cabell for, with Mr. Martin of Nebraska against.

Mr. Bandstra for, with Mr. Lipscomb against.

Mr. Erlenborn for, with Mr. Gurney against.

Mr. Dingell for, with Mr. Hall against.

Mr. McVicker for, with Mr. Devine against

Mr. Love for, with Mr. Dickinson against.

Mr. Dyal for, with Mr. Berry against.

Mr. Fulton of Tennessee for, with Mr. Bow against.

Mr. Grider for, with Mr. Cederberg against.

Mr. Hagen of California for, with Mr. Michel against.

Mr. Nix for, with Mr. Harvey of Indiana against.

Mr. Hansen of Iowa for, with Mr. Ellsworth against.

Mr. Pucinski for, with Mr. Adair against.

Mr. Olsen of Montana for, with Mr. Brock against.

Mr. Hamilton for, with Mr. Burton of Utah against.

Mr. Edmondson for, with Mr. Glenn Andrews against.

Mr. Schisler for, with Mr. Martin of Alabama against.

Mr. Schmidhauser for, with Mr. McEwen against.

Mr. Gray for, with Mr. Harvey of Michigan against.

Mr. O'Hara of Illinois for, with Mr. Edwards of Alabama against.

Mr. Resnick for, with Mr. Chamberlain against.

Mrs. Griffiths for, with Mr. Brown of California against.

Mr. Ashley for, with Mr. Herlong against.

Until further notice:

Mr. Vigorito with Mrs. Thomas.

Mr. Morrison with Mr. Macdonald.

Mr. Yates with Mr. William D. Ford.

Mr. Olson of Minnesota with Mr. O'Brien.

Mr. Stalbaum with Mr. Greigg.

Mr. King of Utah with Mr. Cooley.

Mr. Haley with Mr. Purcell.

Mr. Thompson of Texas with Mr. Duncan of Oregon.

Mr. Smith of Iowa with Mr. Dawson.

Mr. Craley with Mr. Huot.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: on page 3, line 17, strike out after the colon: "*Provided*, That no part of this appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 5 and concur therein with an amendment, as follows: In lieu of the language proposed by the House and stricken by the Senate, insert: "*Provided*, That this appropriation shall be available without regard to the provisions of section 205 of the Foreign Assistance Act of 1961, as amended, and the President, after consideration of the extent of additional participation by other countries, may make available, on such terms and conditions as he determines, not to exceed 10 per centum of this appropriation to the International Bank for Reconstruction and Development, the International Development Association, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without regard to section 201 or any other requirements of the Foreign Assistance Act of 1961, as amended."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10, page 13, line 6, insert:

"SEC. 119. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to finance the procurement of iron and steel products for use in Vietnam containing any component acquired by the producer of the commodity, in the form in which imported into the country of production, from sources other than the United States or a country designated as a limited free world country by code number 901 in the September 1964 Geographic Code Book compiled by the Agency for International Development, and at a total cost (delivered to the point of production) that amounts to more than 10 per centum of the lowest price (excluding the cost of ocean transportation and marine insurance) at which the supplier makes the commodity available for export sale (whether or not financed by the Agency for International Development)."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein with an amendment, as follows: Change the section number from "119" to "118".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12, page 16, line 23, insert: "or in otherwise providing aid to refugees within the United States".

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13, page 21, line 13, insert:

"SEC. 404. Effective October 1, 1966, the majority leader of the Senate is authorized to fix the gross compensation of the secretary for the majority at not to exceed $25,611.05 per annum so long as the position is held by the present incumbent."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the conference report just acted upon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REPORT ON H.R. 14323, COMMITTEE ON EDUCATION AND LABOR

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a report on the bill, H.R. 14323.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRICE ADJUSTMENTS IN CONTRACTS FOR PROCUREMENT OF MILK BY DEPARTMENT OF DEFENSE

Mr. PRICE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3834) to amend chapter 141 of title 10, United States Code, to provide for price adjustments in contracts for the procurement of milk by the Department of Defense, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3834

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 141 of title 10, United States Code, is amended—

(1) by inserting at the end thereof the following new section:

"§ 2389. Contracts for the procurement of milk; price adjustment

"Under regulations prescribed by the Secretary of Defense, any contract for the procurement of fluid milk for beverage purposes which was being performed on or after March 1, 1966, may be amended to provide a price adjustment for losses incurred by a contractor because of increased prices paid to the producers for such milk as a result of action by the Secretary of Agriculture on or after March 1, 1966, increasing the price of milk. A price adjustment shall not be made unless it has been determined by the Department that—

"(1) such amount is not included in the contract price;

"(2) the contract does not otherwise contain a provision providing for an adjustment in price; and

"(3) the contractor will suffer a loss, not merely a diminution of anticipated profit, under the contract because of such increases in producer prices."; and

(2) By inserting the following new item in the analysis thereof:

"2389. Contracts for the procurement of milk; price adjustment."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 17500, was laid on the table.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, Senate bill 3834 is an identical bill to H.R. 17500, which the Armed Services Committee approved previous to action in the Senate. The House bill was unanimously reported by the Armed Services Committee and has the support of both the General Accounting Office and the Department of Defense.

The bill would authorize contracts in existence with the Department of Defense on or after March 1 of this year to be amended to provide an equitable price adjustment for increased prices paid by a contractor for raw milk resulting from actions by the Secretary of Agriculture which caused increases in the producer price of such milk.

Certain dairies holding milk contracts with the Department of Defense are experiencing losses on their firm fixed-price contracts as a result of increased prices for raw milk due to actions by the Secretary of Agriculture since March 1. These actions reportedly have increased the average price of raw milk approximately 90 cents per hundredweight, which, I am told, is equivalent to about 8 cents per gallon.

The existing milk contracts with the Department of Defense do not include a clause authorizing an amendment to the contract for price adjustments, even though unforeseen increases in the price of raw milk result from actions by the Department of Agriculture. Because of this lack of authority of the Department of Defense to amend procurement contracts of this type, many of the dairies reportedly are faced with tremendous losses and even bankruptcy in certain cases if they attempt to fulfill their contracts.

The bill does not guarantee a profit to any contractor, but merely insures against his suffering a loss as a result of the unforeseen actions by the Secretary of Agriculture in adjusting the raw milk prices. The burden of proof lies with the contractor to furnish evidence that he will suffer a loss and not merely a diminution of anticipated profit because of those unforeseen increases.

The committee was advised that some 350 to 375 contracts could be affected by this legislation. However, the Department of Defense indicated that they were unable to provide an estimate of the cost involved in these price adjustments.

TAX-FREE WITHDRAWAL OF WINE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 6413) to provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use, and ask for its immediate consideration.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I do so only in order to yield to the chairman of the committee for a brief explanation—I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, I appreciate my friend from Wisconsin yielding.

H.R. 6413, introduced by our distinguished friend from California [Mr. SISK] and referred to the Committee on Ways and Means, was unanimously reported by that committee. It would permit the tax-free withdrawal from bonded wine cellars of wine and wine products when they are rendered unfit for beverage use. This bill will permit the use of wines withdrawn tax free in nonbeverage products—such as food flavoring—and will also alleviate economic problems, in some cases, by helping to dispose of fruit surpluses.

Under existing law, an excise tax is imposed on the withdrawal of wine from a bonded wine cellar irrespective of its ultimate use. The tax is imposed at rates varying with the alcohol content of the wine.

Present law permits a drawback of all but $1 of the tax per gallon in the case of distilled spirits where they are rendered unfit for beverage use, but there is no comparable provision under present law in the case of wines. Your committee sees no reason why a tax-free withdrawal privilege should not also be available in the case of wines.

To guard against evasion of the alcoholic beverage taxes, the bill provides that wines withdrawn tax free must be rendered unfit for beverage use before their withdrawal. "Unfit for beverage use" in this case means the same as when that term is used in the Internal Revenue Code in the case of drawbacks of tax on distilled spirits.

The bill excludes from coverage wines containing more than 21 percent alcohol. This is provided because it is believed that the inclusion of higher alcohol content wines might result in attempted diversion for beverage use and, additionally, because it is felt that a tax exemption of these higher alcohol content wines might, because of their resemblance to distilled spirits, place persons now using distilled spirits in nonbeverage products at a competitive disadvantage.

This bill has been reported unanimously by your committee and the Treasury Department has indicated no objection to it. It is expected that this bill will result in only a negligible revenue loss.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

Mr. SISK. Mr. Speaker, I appreciate this opportunity to speak on behalf of my bill, H.R. 6413, which would provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use. I would first of all like to express my appreciation to the members of the Ways and Means Committee, especially the chairman, for their fine work and cooperation. Our present laws do not contain any provision for use of wine for nonbeverage purposes. Provisions similar to those proposed in H.R. 6413 are now effective for industrial alcohol and distilled spirits. This bill proposes that wine that is denatured and rendered unfit for beverage use be permitted to be withdrawn tax-free. If this is allowed, it will open new markets for wine throughout the country in food, pharmaceuticals, livestock food, and other fields. Such a provision would not involve any loss of revenue.

Our entire grape industry is seriously in need of new markets. This is being gradually accomplished in the case of raisins and other grape products, through extensive research and market development in new fields. Such market development is seriously hampered, and I think unnecessarily and unreasonably so, in the case of wine grapes, because of the existing tax structure. I can see no reason either from the viewpoint of public policy in regulation and control, or from the tax revenue viewpoint, why this serious obstacle should not be eliminated under proper and careful regulations as are proposed in H.R. 6413.

Mr. Speaker, I respectfully solicit my colleagues' support for this legislation.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the bill, as follows:

H.R. 6413

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5362(c) of the Internal Revenue Code of 1954 (relating to withdrawals of wine from bonded wine cellars free of tax or without payment of tax), as amended, is further amended by adding at the end thereof, the following:

"(10) In the case of standard wine, heavy-bodied blending wine, Spanish-type blending sherry, or of wine products made from such wines and cellar treated in accordance with good commercial practice of the trade using such treated wines, without payment of tax when rendered unfit for beverage use by the proprietor of the bonded wine celler from which withdrawn. No wine or wine products so withdrawn shall be used in the compounding of distilled spirits or wine for beverage use. The phrase 'rendered unfit for beverage use' means the treatment of the wine, or wine products, with or without additives, to a degree commensurate with its intended nonbeverage use."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 5362 of the Internal Revenue Code of 1954 (relating to removals of wine from bonded wine cellars) is amended by adding at the end thereof the following new subsection:

" '(d) Withdrawal Free of Tax of Wine and Wine Products Unfit for Beverage Use.—Under such regulations as the Secretary or his delegates may deem necessary to protect the revenue, wine, or wine products made from wine, when rendered unfit for beverage use, on which the tax has not been paid or determined, may be withdrawn from bonded wine cellars free of tax. The wine or wine products to be so withdrawn may be treated with methods or materials which render such wine or wine products suitable for their intended use. No wine or wine products so withdrawn shall contain more than 21 percent of alcohol by volume, or be used in the compounding of distilled spirits or wine for beverage use or in the manufacture of any product intended to be used in such compounding.' "

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TAX TREATMENT OF CERTAIN DISTRIBUTIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 11257) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended, and ask for its immediate consideration.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, and I do so to yield to the chairman of the committee for a brief explanation.

Mr. MILLS. Mr. Speaker, in 1956, the Bank Holding Company Act of 1956 made certain corporations bank holding companies. In general, bank holding companies are corporations which own more than 25 percent of the stock of two or more banks. In 1956, these corporations were compelled by law to distribute either their banking properties or their nonbanking properties. Because they were required to make these distributions, Congress at that time permitted those distributions to be tax free to the shareholders. Accordingly, sections 1101 to 1103 of the Internal Revenue Code, inclusive, were then enacted, granting such tax-free treatment. The tax-free treatment applied only if the property distributed was acquired before May 15, 1955.

Under the 1956 act, a special exception was made for a corporation registered under the Investment Company Act of 1940 or affiliated with a corporation so registered. Under this exception, such a company was not considered a bank holding company even though it held 25 percent or more of the voting shares of two or more banks so long as it held these interests indirectly. This exception is removed by the 1966 amendments.

As a result, at least one corporation, Financial General Corp.—an affiliate of the Equity Corp., which is a registered investment company—now a bank holding company—must dispose of either its banking or nonbanking assets. However, a substantial part of Financial General's property was acquired after May 15, 1955, but before April 12, 1965, the date of the introduction of the bill which led to the 1966 amendments.

Your committee believed it was appropriate to extend essentially the same type of tax-free treatment to corporations which become bank holding companies by virtue of the 1966 legislation as was originally extended to corporations which became bank holding companies because of the 1956 legislation. The amendment applies to holdings acquired before April 12, 1965, the date when there first was an indication that holdings must be disposed of.

The relief granted is also consistent with the treatment Congress has provided elsewhere when a divestiture was compelled by law as, for instance, in the case of distributions required to affect the policies of the Federal Communications Commission or the Securities and Exchange Commission.

For the reasons I have just outlined, this bill extends the tax-free treatment originally provided with respect to distributions required by the 1956 act to distributions required for the first time by the 1966 amendments. The property to be distributed tax free must have been acquired before April 12, 1965. However, to be sure that no opportunity for tax manipulation is created, the tax-free treatment is made available only if all of the distributions made in kind—that is, other than in money—are made pro rata, as to all shareholders.

Our committee unanimously agreed that any corporation now first being brought under the control of the Federal Reserve Board should receive the same tax treatment as provided for corporations first brought under such control in 1956. For this reason, I urge the adoption of this bill.

Mr. Speaker, when this matter was passed by the Congress, reported from the Senate Committee on Banking and Currency and also from the House Committee on Banking and Currency, conversations were had with us about the tax consequences of the action of the Banking and Currency Committees of the House and the Senate.

The gentleman from New York [Mr. Multer] a member of the Committee on Banking and Currency of the House, introduced this bill in order that the Ways and Means Committee could consider it separate from the action of the Banking and Currency Committee, which had no jurisdiction over the tax consequences of that committee's action in the 1966 bill.

Mr. Speaker, the committee believed that this matter should be handled in this way and that it was equitable to extend the treatment here which was extended initially with respect to the 1956 action.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11257

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1102 of the Internal Revenue Code of 1954 (relating to special rules for income tax treatment of distributions pursuant to the Bank Holding Company Act of 1956) is amended by adding at the end thereof the following new subsection:

"(e) CERTAIN BANK HOLDING COMPANIES.—This part shall apply in respect of any company which becomes a bank holding company as a result of the enactment of the Act entitled "An Act to amend the Bank Holding Company Act of 1956" (H.R. 7371, 89th Cong.), with the following modifications:

"(1) Subsections (a)(3) and (b)(3) of section 1101 shall not apply.

"(2) Subsections (a) (1) and (2) and (b) (1) and (2) of section 1101 shall apply in respect of distributions to shareholders of the distributing bank holding corporation only if all distributions to each class of shareholders which are made—

"(A) after September 23, 1965, and

"(B) on or before the date on which the Board of Governors of the Federal Reserve System makes its final certification under section 1101(e),

are pro rata. For purposes of the preceding sentence, any redemption of stock made in whole or in part with property other than money shall be treated as a distribution.

"(3) In applying subsections (c) and (d) of section 1101 and subsection (b) of section 1103, the date "September 23, 1965" shall be substituted for the date "May 15, 1955".

"(4) In applying subsection (d)(3) of section 1101, the date of the enactment of this subsection shall be treated as being the date of the enactment of this part.

"(5) In applying subsection (b)(2)(A) of section 1103, the reference to the Bank Holding Company Act of 1956 shall be treated as referring to such Act as amended by H.R. 7371, Eighty-ninth Congress."

With the following committee amendments:

Page 2, line 2, strike out "(H.R. 7371, 89th Cong.)" and insert ", approved July 1, 1966 (Public Law 89–485),".

Page 2, line 11, strike out "September 23," and insert "April 12,".

Page 2, line 21, strike out "September 23," and insert "April 12,".

Page 3, line 6, strike out "H.R. 7371, Eighty-ninth Congress" and insert "Public Law 89–485".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTEREST ON INCOME TAX REFUNDS AND QUICK REFUNDS OF INVESTMENT CREDIT CARRYBACKS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 11660) relating to interest on income tax refunds made within 45 days after the filing of the tax return, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so in order to yield to the chairman for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, H.R. 11660 has two principal provisions. The first provides that interest will not be paid with respect to a tax refund resulting from an overpayment of tax unless the refund is made more than 45 days after the date the return is actually filed. The second provision extends the quick refund procedure now available to taxpayers with a net operating loss carryback to taxpayers with an investment credit carryback.

INCOME TAX REFUNDS MADE WITHIN 45 DAYS AFTER THE RETURN IS FILED

Under present law, interest is paid with respect to any overpayment of income tax that is not refunded within 45 days after the date prescribed for filing the tax return. This is true even though the return itself is filed late. This situation was called to the attention of the Congress by the Comptroller General, who pointed out in a report on May 25, 1965, that it leads to the payment of excessive interest charges by the Government.

H.R. 11660 would amend present law to provide that interest will not be paid on a refund of an overpayment of tax if the refund is made within 45 days of either the prescribed date for filing the return—which is present law—or, if the return is filed after the due date, within 45 days after the return is filed.

This amendment will be effective with respect to refunds paid more than 45 days after the date of enactment of this bill.

QUICK REFUNDS OF INCOME TAX ATTRIBUTABLE TO INVESTMENT CREDIT CARRYBACKS

Mr. Speaker, the other provision of H.R. 11660 relates to refunds involving investment credit carrybacks. Normally, a tax refund resulting from the carryback of a net operating loss or an unused investment credit is not made until the Internal Revenue Service has had an opportunity to make a thorough review of the return—a procedure which may take a long period of time. A special procedure exists, however, which enables the taxpayer with a net operating loss to apply for a quick refund based on a tentative adjustment.

A business firm with a substantial unused investment credit may have as urgent a need for a quick refund of tax as a firm with a net operating loss since unused investment credits are generated when investment in qualified property is large relative to net income. H.R. 11660 would therefore extend the quick refund procedure to taxpayers with unused investment credits.

The application for a refund based on a carryback must be filed within the year following the year in which unused credits arise. The application must be acted upon by the Internal Revenue Service within 90 days after it is filed and may only be refused if there are errors which cannot be corrected within the 90-day period or material omissions.

The provision will apply in taxable years ending after December 31, 1961. Applications for refunds must be filed after the date of enactment of this bill but if the period for filing an application for an earlier year would expire before December 31, 1966, the period for filing the application will be extended through December 31, 1966.

Mr. Speaker, extension of the quick refund procedure to investment credit carrybacks highlights a problem which exists under present law.

The Internal Revenue Service's authority to assess additional taxes where there is a deficiency is circumscribed by the general rule that a tax must be assessed within 3 years after the date the return is filed. This means that once refunded, taxes cannot be recovered when a deficiency is discovered if the statute of limitations has run. In light of this situation, H.R. 11660 would extend the period for assessing a deficiency in a case in which a quick refund has been made because of either a carryback of a net operating loss or a carryback of an unused investment credit up to 3 years after the return is filed for the taxable year in which the carryback arose. This provision will apply even though the deficiency is not attributable to the carryback. This amendment will apply with respect to any application for a quick refund made after the date of enactment of this bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 11660. This legislation remedies a defect in the tax laws brought to the attention of the Congress by a report of the Comptroller General dated May 25, 1965.

Present law requires the Internal Revenue Service to pay 6 percent interest on overpayments of taxes that it refunds to a taxpayer over 45 days after the due date of the return. If the Internal Revenue Service refunds the overpayment within 45 days after the due date of the return, no interest is paid.

Since the due date of the return, rather than the date it was actually filed, is the measuring point for the 45-day period during which the Internal Revenue Service can make refunds without being obligated to pay interest, taxpayers who file late or are granted an extension are treated more favorably than taxpayers who file on or before the due date of the return. A taxpayer who files 35 days late will receive interest of 6 percent unless the overpayment is refunded within 10 days. He suffers no corresponding damages, because civil penalties are not imposed unless there is a tax owing.

In the interests of sound tax administration and fairness among taxpayers, this discrepancy should be cured. The committee's bill does this by providing that no interest is to be paid with respect to the refund of an overpayment of income tax if the refund is made within 45 days after the date the return is actually filed.

The bill also amends the law to provide that the procedure for securing a quick refund with respect to a net operating loss carryback will also be available for refunds attributable to a carryback for an unused investment credit. This procedure requires the Internal Revenue Service to act on the refund claim within 90 days, unless the claim contains errors of computation that cannot be corrected within the 90 days, or there are material omissions. The committee felt that the need for a prompt refund was as compelling in the case of an investment credit carryback as when a net operating loss carryback is involved.

Recognizing that the 90-day refund period provided in these cases may sometimes result in larger refunds than would result if the Internal Revenue Service had more time to examine the issues involved, the committee's bill makes an adjustment in the statute of limitations insofar as the amount of the quick refund is concerned.

This legislation effects desirable changes in the tax law and I urge all Members to support.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11660

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 6611(e) of the Internal Revenue Code of 1954 (relating to income tax refunds within 45 days after due date of tax) is amended to read as follows:

"(e) Income Tax Refund Within 45 Days After Return Is Filed.—If any overpayment of tax imposed by subtitle A is refunded within 45 days after the last date prescribed for filing the return of such tax (determined without regard to any extension of time for filing the return) or, in case the return is filed after such last date, is refunded within 45 days after the date the return is filed, no interest shall be allowed under subsection (a) on such overpayment."

(b) The amendment made by this Act shall be effective with respect to refunds made more than 45 days after the date of the enactment of this Act.

With the following committee amendment:

Strike out all after the enacting clause, and insert:

"That (a) section 6611(e) of the Internal Revenue Code of 1954 (relating to income tax refunds within 45 days after due date of tax) is amended to read as follows:

" '(e) Income Tax Refund Within 45 Days After Return Is Filed.—If any overpayment of tax imposed by subtitle A is refunded within 45 days after the last date prescribed for filing the return of such tax (determined without regard to any extension of time for filing the return) or, in case the return is filed after such last date, is refunded within 45 days after the date the return is filed, no interest shall be allowed under subsection (a) on such overpayment.'

"(b) The amendment made by subsection (a) shall apply with respect to refunds made more than 45 days after the date of the enactment of this Act.

"Sec. 2. (a) The first two sentences of section 6411(a) of the Internal Revenue Code of 1954 (relating to quick refunds of income taxes attributable to a net operating loss carryback) are amended to read as follows: 'A taxpayer may file an application for a tentative carryback adjustment of the tax for the prior taxable year affected by a net operating loss carryback provided in section 172(b), or by an investment credit carryback provided in section 46(b), from any taxable year. The application shall be verified in the manner prescribed by section 6065 in the case of a return of such taxpayer, and shall be filed, on or after the date of filing of the return for the taxable year of the net operating loss or unused investment credit from which the carryback results and within a period of 12 months from the end of such taxable year, in the manner and form required by regulations prescribed by the Secretary or his delegate.'

"(b) Paragraph (1) of such section 6411(a) is amended by inserting after the words 'net operating loss' the following: 'or unused investment credit'.

"(c) Paragraph (5) of such section 6411 (a) is amended by striking out the words 'of such loss' and inserting in lieu thereof 'from which the carryback is made'.

"(d) Subsections (b) and (c) of section 6411 of such Code are amended by inserting the words 'or unused investment credit' after the words 'net operating loss' each time they appear in such subsections.

"(e) Subsection (c) of such section 6411 is amended by striking out the words 'such loss' and inserting in lieu thereof 'such loss or credit'.

"(f) Subsection (j) of section 6501 of such Code (relating to investment credit carrybacks) is amended by striking out 'investment credit carryback,' and inserting in lieu thereof 'investment credit carryback (including deficiencies which may be assessed pursuant to the provisions of section 6213 (b)(2)),'.

"(g) The amendments made by this section shall apply with respect to taxable years ending after December 31, 1961, but only in the case of applications filed after the date of the enactment of this Act. The period of 12 months referred to in the second sentence of section 6411(a) of the Internal Revenue Code of 1954 (as amended by this section) for filing an application for a tentative carryback adjustment of tax attributable to the carryback of any unused investment credit shall not expire before the close of December 31, 1966.

"Sec. 3. (a) Section 6501 of the Internal Revenue Code of 1954 (relating to limitations on assessment and collection) is amended by inserting after subsection (l) the following new subsection:

"'(m) TENTATIVE CARRYBACK ADJUSTMENT ASSESSMENT PERIOD.—In a case where an amount has been applied, credited, or refunded under section 6411 (relating to tentative carryback adjustments) by reason of a net operating loss carryback or an investment credit carryback to a prior taxable year, the period described in subsection (a) of this section for assessing a deficiency for such prior taxable year shall be extended to include the period described in subsection (h) or (j), whichever is applicable; except that the amount which may be assessed solely by reason of this subsection shall not exceed the amount so applied, credited, or refunded under section 6411, reduced by any amount which may be assessed solely by reason of subsection (h) or (j), as the case may be.'

"(b) The amendment made by subsection (a) shall apply in any case where the application under section 6411 of the Internal Revenue Code of 1954 is filed after the date of the enactment of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes."

A motion to reconsider was laid on the table.

RESERVE FOR CERTAIN GUARANTEED DEBT OBLIGATIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 11782) to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, I reserve the right to object. I do so in order to yield to the chairman of the committee for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, this bill amends the Internal Revenue Code to provide that a taxpayer who is a dealer in property may take an income tax deduction for reasonable additions to a reserve for bad debts which arise from his contingent liability for losses on account of his guarantee of customer debt obligations which he has sold with recourse.

The Internal Revenue Service contends that under existing law a taxpayer is not entitled to use a reserve for such losses. For example, if a car dealer sells an automobile under a conditional sales contract and then sells the contract with recourse to a bank, the Commissioner of Internal Revenue holds that an addition to a reserve for bad debts on account of the dealer's contingent liability to the bank cannot be deducted for income tax purposes. The Commissioner's position has been sustained in the Tax Court of the United States but three different circuit courts of appeal have held that the reserve method can be used under existing law. The Commissioner of Internal Revenue has announced that he will not follow the circuit court decisions. This bill will settle the existing controversy as to the proper treatment of such cases for both future and past years.

The bill provides that a dealer in property can deduct an addition to a reserve for losses of the kind just described. The debt obligations which the taxpayer guarantees must arise out of the sale of real property or tangible personal property in the ordinary course of his business. The bill provides that except for such customer debt obligations, no deduction is to be allowed for any other addition to a reserve for bad debts which arise out of a taxpayer's liability as guarantor of debt obligations.

If a taxpayer adopts the new method the bill requires, in order to prevent a doubling up of deductions during the transition period, that the opening balance of the reserve for the first year, instead of being zero, be an amount determined as if the taxpayer had maintained such a reserve for prior years. A deduction is not allowed for this opening balance, but the taxpayer will have a suspense account in an amount equal to the opening balance. The amount placed in the suspense account will be allowed as deductions in subsequent years to the extent the reserve for bad debts declines below the opening balance in the suspense account. This can occur, for example, if the taxpayer's business declines, or if he decides to hold customer debt obligations himself instead of discounting them to others.

The new provision applies generally to taxable years ending after October 21, 1965, the date of the introduction of the bill. In the case of a taxable year which began before August 2, 1966, the taxpayer may establish a reserve under the new provision without obtaining permission of the Commissioner of Internal Revenue to change his method of accounting.

In the case of taxpayers who have claimed in past years a deduction of the kind allowed by the bill, the bill provides that the deduction is to be allowed for all such past years where the statute of limitations is still open to make any adjustments which may be necessary. This provision of the bill will put to an end the existing litigation on this issue for past years.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I support this bill (H.R. 11782) because to do otherwise will be leaving this question open to further litigation by the Treasury Department, who notwithstanding adverse decisions by three different U.S. courts of appeals, are not satisfied with the result. I think that this litigation already has gone on for too long.

The bill (H.R. 11782) recognizes the right of the dealer to include in determining the reserve for bad debts those obligations which have been discounted or sold with recourse. The bill conforms what the courts have decided; namely, that a dealer should be permitted to set up a reserve for bad debts on customer paper which has been discounted or sold with recourse. Unfortunately, however, it penalizes the dealer who elects to set up this reserve.

For more than 10 years, there has been uncertainty—and litigation—in the accounting for tax purposes of installment sales obligations which have been refinanced by the dealer selling the article. The history of this litigation raises serious question in my mind, whether this bill is the best solution to the problem—but almost any solution is preferable to continued litigation. I would like briefly to review what has happened.

Under the customary installment sales procedure, the customer executes a form of loan agreement providing for periodic payments. The dealer may obtain additional funds from the financial institution by negotiating the obligation with recourse. Except in the case of a default, when the dealer is forced to take back the paper, the debtor-creditor relationship between the dealer and the customer may no longer exist. However, the dealer remains liable in case of default.

In addition, in the case of automobile financing, the financial institution may not pay over to the dealer the full amount to which the dealer would otherwise be entitled on account of negotiating the customer's obligation. A percentage is "held back" by the financial institution to protect itself against loss in the event that the customer fails to make payment.

Originally, the dealers contended that they should not be required to include the "hold back" in taxable income until it became available by payment of the obligation. The Treasury claimed otherwise. This issue was litigated and by court decision the dealers were compelled to include the amounts held back in income. As a result, in the Dealer Reserve Adjustment Act of 1960 the Congress provided for alternative methods whereby the dealer might pay the additional tax liability.

Dealers thereupon sought to include in their reserve for bad debts a provision to cover anticipated losses on customer paper which the dealer might be required to buy back from the financial institution, where such paper was sold or discounted with recourse. The Treasury Department claimed that such a reserve was not proper because there was no longer any debt owed to the dealer by the customer. The Treasury's position was rejected by the ninth circuit (*Wilkins Pontiac* v. *C.I.R.*, 398 F.2d 893 (9th Cir. 1961)), the tenth circuit (*Foster Frosty Foods, Inc.,* v. *C.I.R.*, 332 F.2d 230 (10th Cir. 1964)), by the District Court of the Southern District of Missouri, (*Family Budget Service,* 64-1

U.S.T.C. Par. 9151 (S.D. Mo. 1963)), and by the eighth circuit (*Bolling* v. *C.I.R.*, 66-1 U.S.T.C. Par. 9264 (8th Cir., 1966)).

If we accept the decisions in these cases, the bill—H.R. 11782—gives the dealers nothing that they do not already have. In fact, it limits the right to set up a reserve by requiring that the amount which has never been deducted, but should have been allowed as a deduction, be transferred to a suspense account.

No reserve would be accruable for bad debts, irrespective of the accounting method adopted by a taxpayer, without specific statutory authority. In other words, a bad debt loss is strictly a "contingency" on account of which tax law does not permit an accrual under any general rules of accounting. For many years, however, the Internal Revenue Code has provided that a taxpayer might elect to adopt a reserve method for bad debts in lieu of the accrual charge off of such debts as losses are incurred. There is thus an election already in the code dealing with the subject of bad debts. In the court decisions to which I have referred the right of a taxpayer to set up a reserve for bad debts was not an issue. The only question was whether upon discounting the obligation with recourse there remained a "debt" within the meaning of the statute for which the dealer might provide a reserve. The courts have uniformly held that there was such a debt.

Where a taxpayer elects to set up a reserve for bad debts, after having previously used a charge off method of accounting, the Internal Revenue Service must grant permission for the change. In granting permission for this change, the Internal Revenue Service may require the taxpayer to amortize the amount attributable to prior years over a 10-year period on the theory that to do otherwise would distort the taxpayer's income—or losses—in the year of change.

Accordingly, under existing law—that is without this bill—if we accept the court decisions, a taxpayer who has been setting up a reserve for discounted obligations would be permitted to continue that method of accounting. A taxpayer who has not set up such a reserve may be granted permission to do so by the Internal Revenue Service with the requirement that the resulting "bunching up" of deductions be amortized over a period of years. No legislation is needed to produce this result.

As a practical matter, therefore, the only thing added by H.R. 11782 is the concept of a "suspense account." That is an accounting hybrid which has no rational basis other than to indirectly nullify the decisions of the courts in the dealers' reserve cases. I think that this is a mistake. I support the bill only because without this legislation, dealers will be faced with continued litigation.

I am also concerned that this bill is just another example of cluttering up the Internal Revenue Code with complicated provisions, not generally understood by taxpayers, on the basis of expediency. At present, the combined code and regulations are so voluminous that no practitioner, taxpayer, accountant, or even members of the committee staffs, can be conversant with its many provisions. If we continue to add new and complex provisions, to meet every situation in which the Treasury loses a case, proper administration of the code will become impossible.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHNEEBELI] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, I strongly urge all of my colleagues to support my bill, H.R. 11782. This bill provides a workable solution to an involved tax problem that has been the subject of litigation for many years.

A little background will place the problem in context. Installment sales are an integral part of the business of retail dealers in personal property—businesses selling automobiles, televisions, household appliances, and similar items. In a typical installment sale, the purchaser makes a small down payment and executes a conditional sales contract for the balance of the purchase price. The dealer sells the conditional sales contract to a finance company or a bank, in order to acquire money to replenish his stock and acquire further inventory. The finance company purchases the contract with full recourse against the dealer, and also holds back a given percentage of the principal amount owed under the contract. The amounts withheld are called dealer reserves, and are retained by the finance company until the contracts have been completely paid for by the purchaser.

Originally, the dealers contended that the dealers reserves were not income until they actually received them, while the Internal Revenue Service took the position that they were immediately taxable to the dealers. After several years of litigation, the Supreme Court resolved the issue against the dealers.

Many dealers then began establishing a bad debt reserve account to cover their estimated liability for the percentage of contracts expected to end up as delinquent accounts. Under the reserve system, which is specifically provided for in the Internal Revenue Code, a taxpayer is permitted to currently deduct an amount equal to the losses he estimates he will experience from bad debts rather than waiting to deduct each loss as it is incurred. The deductions for these "additions to bad debt reserve" must be based on the taxpayers' experience with bad debts, and losses reduce the amount of the reserve when they are incurred.

The Treasury Department took the position that the obligations had been sold and no longer represented a debt owed the dealer, but constituted a debt owed to the finance company.

While the Internal Revenue Service may have been technically correct, the substance of the transaction left the dealers liable for failure of the purchaser to fulfill his contractual obligations. The Internal Revenue Service's position had now come full circle: it required the dealers to include the dealers reserve in income, while disallowing them any deduction for estimated losses on the contracts. Not unsurprising, further litigation resulted.

The courts, recognizing the equities involved, have consistently ruled in favor of the dealers on this issue. The dealers' position has been sustained by the ninth circuit (*Wilkins Pontiac* v. *C.I.R.*, 398 F. 2d 893 (9th Cir. 1961)), the tenth circuit (*Foster Frosty Foods, Inv.* v. *C.I.R.* 332 F. 2d 230 (10th Cir. 1964)), by the District Court of the Southern District of Missouri (*Family Budget Service*, 64-1 U.S.T.C. Par. 9151 (S.D. Mo. 1963), and by the eighth circuit (*Bolling* v. *C.I.R.*, 66-1 U.S.T.C. Par. 9264 (8th Cir., 1966))

Despite the defeats suffered in the courts, the Internal Revenue Service plans to litigate its position further. Unless my bill is passed, further litigation will be required in order for a taxpayer to establish bad debt reserves applicable to the contracts he has sold with full recourse.

This situation is intolerable. For more than a decade now, questions relating to the correct tax treatment of dealers reserves have provided a continued flow of litigation into the Federal courts. There are no winners, only losers, when litigation is interminable. The amount of time and money expended by the taxpayers often leave them with a pyrrhic victory. The Government has greater difficulties and incurs higher costs in administering this area of the law. More seriously, taxpayer confidence in the fairness of our self-assessment system is severely undermined.

My bill attempts to resolve the problem by providing a solution that is fair to the dealers while protecting the interests of the Government. While the mechanics of my bill are technically complex, the tax effect can be easily understood.

As to new business or as to any growth in a taxpayer's existing business, a deduction will be allowed for additions to a bad debt reserve to cover estimated losses. Losses attributable to contracts acquired in previous years will be written off as each loss occurs. Simply put, the controversy is resolved in favor of the taxpayer as to a new business or the growth in an existing business, but in favor of the Treasury up to the current level of the outstanding contracts of an existing business.

My bill has the approval of the Treasury Department and the support of the many dealers with whom I have discussed this subject. I urge every Member to support H.R. 11782.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11782

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 166 of the Internal Revenue Code of 1954 (relating to bad debts) is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) a new subsection (g) as follows:

"(g) Reserve for Certain Guaranteed Debt Obligations.—

"(1) Allowance of deduction.—In the case of a taxpayer who is a dealer in property, in lieu of any deduction under subsection (a), there shall be allowed (in the discretion of the Secretary or his delegate) for taxable years ending after October 21, 1965, a deduction—

"(A) for a reasonable addition to a reserve for bad debts which may arise out of his liability as a guarantor, endorser, or indemnitor of debt obligations which—

"(i) arise out of the sale by him of real property or tangible personal property (including related services) in the ordinary course of his trade or business, and

"(ii) are held by a financial institution; and

"(B) for the amount of the adjustment in the suspense account provided in paragraph (4) (B) (i).

"(2) Deduction disallowed in other cases.—Except as provided in paragraph (1), no deduction shall be allowed to a taxpayer for any addition to a reserve for bad debts which may arise out of his liability as guarantor, endorser, or indemnitor of debt obligations.

"(3) Opening balance.—The opening balance of a reserve described in paragraph (1) (A) for the first taxable year ending after October 21, 1965, for which a taxpayer maintains such reserve shall, under regulations prescribed by the Secretary or his delegate be determined as if the taxpayer had maintained such reserve for the preceding taxable years.

"(4) Suspense account.—

"(A) Initial suspense account. The amount of the initial suspense account shall be the amount of the opening balance described in paragraph (3).

"(B) Adjustments. At the close of each taxable year the suspense account shall be—

"(i) reduced by the excess of the suspense account at the beginning of the year over the reserve described in paragraph (1) (A) (after making the addition for such year provided in such paragraph), or

"(ii) increased (but not to an amount greater than the initial suspense account) by the excess of the reserve described in paragraph (1) (A) (after making the addition for such year provided in such paragraph) over the suspense account at the beginning of such year.

Clause (i) of this subparagraph shall not apply to the extent that the excess described therein is attributable to a transfer to which section 381(a) applies.

"(C) Limitations. This paragraph shall not apply in the case of the taxpayer who maintained for his last taxable year ending before October 21, 1965, a reserve for bad debts under subsection (c) which included debt obligations described in paragraph (1) (A)."

(b) (1) Part II of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically included in gross income) is amended by inserting after section 79 the following new section:

"Sec. 80. Adjustments Under Section 166(g)

"The amount of any adjustment in the suspense account provided in paragraph 4(B) (ii) of section 166(g) (relating to certain debt obligations guaranteed by dealers) shall be included in gross income for the taxable year for which the adjustment is made."

(2) The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end thereof the following:

"Sec. 80. Adjustments under section 166(g)."

Sec. 2. (a) The amendments made by the first section of this Act shall be applicable to taxable years ending after August 16, 1954.

(b) In the case of any taxable year ending before October 22, 1965, if a taxpayer in a return filed prior to such date claimed a deduction under section 166(c) of the Internal Revenue Code of 1954 for an addition to a reserve for bad debts on account of debt obligations described in section 166(g) (1) (A) of such Code (as amended by this Act), such deduction on account of such debt obligations shall be allowable for such year under section 166(c) to the extent the deduction would have been allowable under the provisions of such section 166(g) (1) (A) if such provisions had been applicable to such taxable year.

(c) The establishment of a reserve described in section 166(g) (1) of such Code (as amended by this Act) by a taxpayer for his first taxable year ending after October 21, 1965, shall not be considered as a change in method of accounting for purposes of section 446(e) of such Code.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) section 166 of the Internal Revenue Code of 1954 (relating to bad debts) is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) a new subsection (g) as follows:

" '(g) Reserve for Certain Guaranteed Debt Obligations.—

" '(1) Allowance of deduction.—In the case of a taxpayer who is a dealer in property, in lieu of any deduction under subsection (a), there shall be allowed (in the discretion of the Secretary or his delegate) for any taxable year ending after October 21, 1965, a deduction—

" '(A) for a reasonable addition to a reserve for bad debts which may arise out of his liability as a guarantor, endorser, or indemnitor of debt obligations arising out of the sale by him of real property or tangible personal property (including related services) in the ordinary course of his trade or business; and

" '(B) for the amount of any reduction in the suspense account required by paragraph (4) (B) (i).

" '(2) Deduction disallowed in other cases.—Except as provided in paragraph (1), no deduction shall be allowed to a taxpayer for any addition to a reserve for bad debts which may arise out of his liability as guarantor, endorser, or indemnitor of debt obligations.

" '(3) Opening balance.—The opening balance of a reserve described in paragraph (1) (A) for the first taxable year ending after October 21, 1965, for which a taxpayer maintains such reserve shall, under regulations prescribed by the Secretary or his delegate, be determined as if the taxpayer had maintained such reserve for the preceding taxable years.

" '(4) Suspense account.—

" '(A) Requirement.—Except as provided by subparagraph (C), each taxpayer who maintains a reserve described in paragraph (1) (A) shall, for purposes of this subsection and section 81, establish and maintain a suspense account. The initial balance of such account shall be equal to the opening balance described in paragraph (3).

" '(B) Adjustments.—At the close of each taxable year the suspense account shall be—

" '(i) reduced by the excess of the suspense account at the beginning of the year over the reserve described in paragraph (1) (A) (after making the addition for such year provided in such paragraph), or

" '(ii) increased (but not to an amount greater than the initial balance of the suspense account) by the excess of the reserve described in paragraph (1) (A) (after making the addition for such year provided in such paragraph) over the suspense account at the beginning of such year.

" '(C) Limitations.—Subparagraphs (A) and (B) shall not apply in the case of the taxpayer who maintained for his last taxable year ending before October 22, 1965, a reserve for bad debts under subsection (c) which included debt obligations described in paragraph (1) (A).

" '(D) Section 381 acquisitions.—The application of this paragraph in any acquisition to which section 381(a) applies shall be determined under regulations prescribed by the Secretary or his delegate.'

"(b) (1) Part II of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically included in gross income) is amended by inserting after section 80 the following new section:

" 'Sec. 81. Increases in Suspense Account Under Section 166(g).

" 'The amount of any increase in the suspense account required by paragraph (4) (B) (ii) of section 166(g) (relating to certain debt obligations guaranteed by dealers) shall be included in gross income for the taxable year for which such increase is required.'

"(2) The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end thereof the following:

" 'Sec. 81. Increases in suspense account under section 166(g).'

"(c) If the taxpayer establishes a reserve described in section 166(g) (1) of the Internal Revenue Code of 1954 (as amended by subsection (a) of this section) for a taxable year ending after October 21, 1965, and beginning before August 2, 1966, the establishment of such reserve shall not be considered as a change in method of accounting for purposes of section 446(e) of such Code.

"Sec. 2. (a) Except as provided in subsections (b) and (c), the amendments made by the first section of this Act shall apply to taxable years ending after October 21, 1965.

"(b) If—

"(1) the taxpayer before October 22, 1965, claimed a deduction, for a taxable year ending before such date, under section 166(c) of the Internal Revenue Code of 1954 for an addition to a reserve for bad debts on account of debt obligations described in section 166 (g) (1) (A) of such Code (as amended by the first section of this Act), and

"(2) the assessment of a deficiency of the tax imposed by chapter 1 of such Code for such taxable year and each subsequent taxable year ending before October 22, 1965, is not prevented on December 31, 1966, by the operation of any law or rule of law,

then such deduction on account of such debt obligations shall be allowed for each such taxable year under such section 166(c) to the extent that the deduction would have been allowable under the provisions of such section 166(g) (1) (A) if such provisions applied to such taxable years.

"(c) Section 166(g) (2) of the Internal Revenue Code of 1954 (as amended by the first section of this Act) shall apply to taxable years beginning after December 31, 1953, and ending after August 16, 1954."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCOME TAX SUPPORT TEST IN CASE OF CHILDREN OF DIVORCED PARENTS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 14363) to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction of personal exemptions with respect to the children of divorced parents and to make related amendments and ask for its immediate consideration.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I reserve the right to object, and I do so in order to yield to the chairman of the committee for a brief explanation.

Mr. **MILLS**. Mr. Speaker, H.R. 14363, as reported to the House by the Committee on Ways and Means, amends the provision of the Internal Revenue Code relating to the $600 deduction for dependents as it applies with respect to the children of divorced or separated parents. The determination, under present law, of which parent is entitled to the deduction in these cases has become a source of constant irritation to taxpayers and an acute administrative burden to the Internal Revenue Service.

Under present law, the parent who contributes more than one-half of the support of a child for a year is entitled to the deduction. The problem arises from the difficulties encountered in establishing which of the divorced or separated parents meets this requirement. In many cases, each parent honestly believes that he has contributed more than one-half of the support. The problem is compounded because of the ill will which sometimes exists between divorced or separated parents. In these cases the Internal Revenue Service finds itself in the position of an unwilling arbiter between the contending parents. In addition, the handling of these cases is hampered by the provisions of present law which prohibit disclosure to either parent by the Service of information as to the nature and amount of support the other claims to have furnished.

The frequency with which cases involving this issue arise each year is surprisingly great. The Internal Revenue Service has estimated that during a recent year 5 percent of all income tax cases handled at the informal conference level of the administrative process involved this issue as the principal issue.

H.R. 14363 provides rules under which this issue may be resolved on a more satisfactory basis.

Under the new rules the parent having custody of a child for the greater period of time during the year generally is entitled to the exemption for that year. The bill provides exceptions to this general rule, under which the parent not having custody—or having custody for the lesser period of time—becomes entitled to the exemption. Under these exceptions the noncustodial parent is entitled to the exemption—

First. If he contributes at least $600 toward the support of the child and the decree of divorce or separate maintenance, or a written agreement between the parents, provides that he is to receive the deduction; or

Second. If he provides more than $1,200 of child support and the parent having custody for the longer period does not clearly establish that he provided a greater amount of support.

In determining the amount of support provided by each parent for purposes of these exceptions, amounts expended for child support are to be considered as received from the parent not having custody to the extent he provides amounts for this purpose.

In cases where the parent not having custody contributes more than $1,200 of support and claims the deduction with respect to the child, or children, and the parent having custody claims that such support was not furnished or claims to have provided a greater amount of support, the bill provides that each parent is entitled to receive an itemized statement of the expenditures upon which the other bases his claim.

The bill is applicable with respect to taxable years beginning after December 31, 1965.

The committee is unanimous in recommending enactment of this legislation.

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 14363

A bill to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions with respect to the children of divorced parents and to make related amendments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. Amendment of 1954 Code

Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered a reference to a section or other provisions of the Internal Revenue Code of 1954.

Sec. 2. Allowance of Deductions for Personal Exemptions

(a) Additional Exemption for Dependents.—

(1) Section 151 (relating to allowance of deductions for personal exemptions) is amended by adding at the end thereof the following:

"(f) Additional Exemptions for Child of a Divorced or Legally Separated Spouse.—

"(1) In general. In the case of a taxpayer who is divorced or legally separated from his spouse under a decree of divorce or of separate maintenance, an exemption of $600 for a child (as defined in subsection (e)(3)) of such taxpayer and such spouse if such child—

"(A) is not a dependent (within the meaning of section 152) of any individual other than such taxpayer or such spouse,

"(B) is in the custody of such taxpayer or such spouse.

"(C) is not excluded from the term 'dependent' by reason of section 152(b)(3), and

"(D)(i) has gross income of less than $600 for the calendar year in which the taxable year of the spouse claiming the exemption under this subsection begins, or

"(ii) has not attained the age of 19 at the close of the calendar year in which the taxable year of the spouse claiming the exemption under this subsection begins, or

"(iii) is a student (as defined in subsection (e)(4)).

"(2) Allowance to spouse having custody.—Except as provided in paragraph (3) the exemption provided by this subsection shall be allowed to the spouse having custody of the child for more than one-half the calendar year in which the taxable year of such spouse begins.

"(3) Allowance to spouse not having custody.—The exemption provided by this subsection shall be allowed to the spouse not having custody of the child for more than one-half the calendar year in which the taxable year of the spouse having custody begins if—

"(A)(i) the decree of divorce, separation agreement, or other written agreement between the spouses provides that the spouse without custody of such child be allowed the exemption, and

"(ii) the spouse without custody of such child actually provides at least $600 of support (within the meaning of section 152) for such child for the calendar year in which the taxable year of the spouse having custody of such child begins, or

"(B)(i) the spouse without custody of such child provides more than $1,200 of support for such child (or if there is more than one such child, a total of more than $1,200 for all of such children) for the calendar year in which the taxable year of the spouse having custody of such child begins, and

"(ii) the spouse having custody of such child does not clearly establish that he provided more than one-half the support of such child during the same period.

"(4) Custody defined.—For purposes of this subsection, the term 'custody' means the legal right to control the actions of the child and to provide for his care and personal well-being.

"(5) Written agreement between the spouses.—In the case of a taxpayer claiming an exemption under paragraph (3)(A), the requirement of clause (i) of that paragraph is satisfied if the taxpayer attaches to his return an agreement signed by the spouse having custody of the child consenting to the taxpayer's claiming of the exemption and stating that the spouse having custody will not claim the exemption.

"(6) Itemized statement required.—If a taxpayer claims an exception for a child under paragraph (3)(B) and his spouse claims to have provided more than one half the support of such child, each spouse shall be entitled to receive, under regulations to be prescribed by the Secretary or his delegate, an itemized statement of the expenditures upon which the other spouse's claim of support is based.

"(7) Exemption denied in case of certain married children.—No exemption shall be allowed under this subsection for any child (as defined in subsection (e)(3)) who has made a joint return with his spouse under section 6013 for the taxable year beginning in the calendar year in which the taxable year of the taxpayer who would otherwise be entitled to the exemption under this subsection begins.

"(8) Exception for multiple support agreement.—The provisions of this subsection shall not apply in any case where over half the support of a child (as defined in subsection (e)(3)) is treated as having been received from a taxpayer under section 152(c).

"(9) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subsection.

"(g) Spouse Defined.—As used in section 151(e)(5) and (f), wherever appropriate to the meaning of such section, the term 'spouse' shall be read 'former spouse'."

(2) Section 151(e) (relating to additional exemption for dependents) is amended by adding after paragraph (4) thereof the following new paragraph:

"(5) Exemption denied for child of a divorced or legally separated spouse.—No exemption shall be allowed under this subsection to a taxpayer who is divorced or legally separated from his spouse under a decree of divorce or of separate maintenance for a child (as defined in paragraph (3)) of such taxpayer and such spouse for whom an exemption is allowable to such taxpayer or such spouse under subsection (f)."

(b) Related Amendments.

(1) Section 105 (relating to amounts received under accident and health plans) is amended by adding at the end thereof the following new subsection:

"(h) Child of a Divorced or Legally Separated Spouse Treated as a Dependent.—For purposes of this section, a child (as defined in section 151(c)(3)) with respect to whom a deduction for personal exemption is allowable under section 151(f) shall be treated as a dependent only of the taxpayer to whom such exemption is allowable."

(2) Section 152(e)(2) (relating to multiple support agreements) is amended to read as follows:

"(2) over half of such support was received from persons each of whom, but for the provisions of section 151(e)(5) or the fact that he did not contribute over half of such support, would have been entitled to claim such individual as a dependent for a taxable year beginning in such calendar year;".

(3) Section 213 (relating to medical, dental and related expenses) is amended by adding at the end thereof the following new subsection:

"(h) Child of Divorced Spouses Treated as Dependent.—For purposes of this section, a child (as defined in section 151(c)(3)) with respect to whom a deduction for personal exemption is allowable under section 151(f) shall be treated as a dependent only of the taxpayer to whom such exemption is allowable."

(4) Section 214(d)(1) (relating to expenses for care of certain dependents) is amended by inserting "or (f)" immediately following "section 151(e)(1)".

(5) Section 3402(f)(1)(E) (relating to withholding exemptions) is amended by inserting "or (f)" immediately following "section 151(e)".

Sec. 3. Effective Dates.

The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1965.

With the following committee amendments:

Strike out all after the enacting clause and insert the following:

"That (a) section 152 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

" '(e) Support Test in Case of Child of Divorced Parents, et cetera.—

" '(1) General rule.—If—

" '(A) a child (as defined in section 151 (e)(3) receives over half of his support during the calendar year from his parents who are divorced or legally separated under a decree of divorce or separate maintenance, or who are separated under a written separation agreement to which section 71(a)(2) applies, and

" '(B) such child is in the custody of one or both of his parents for more than one-half of the calendar year,

such child shall be treated, for purposes of subsection (a), as receiving over half of his support during the calendar year from the parent having custody for a greater portion of the calendar year unless he is treated, under the provisions of paragraph (2), as having received over half of his support for such year from the other parent (referred to in this subsection as the parent not having custody).

" '(2) Special rule.—The child of parents described in paragraph (1) shall be treated as having received over half of his support during the calendar year from the parent not having custody if—

" '(A)(i) the decree of divorce or of separate maintenance, or a written agreement between the parents applicable to the taxable year beginning in such calendar year, provides that the parent not having custody shall be entitled to any deduction allowable under section 151 for such child, and

" '(ii) such parent not having custody provides at least $600 for the support of such child during the calendar year, or

" '(B)(i) the parent not having custody provides $1,200 or more for the support of such child (or if there is more than one such child, $1,200 or more for all of such children) for the calendar year, and

" '(ii) the parent having custody of such child does not clearly establish that he provided more for the support of such child during the calendar year than the parent not having custody.

For purposes of this paragraph, amounts expended for the support of a child or children shall be treated as received from the parent not having custody to the extent that such parent provided amounts for such support.

" '(3) Itemized statement required.—If a taxpayer claims that paragraph (2)(B) applies with respect to a child for a calendar year and the other parent claims that paragraph (2)(B)(i) is not satisfied or claims to have provided more for the support of such child during such calendar year than the taxpayer, each parent shall be entitled to receive, under regulations to be prescribed by the Secretary or his delegate, an itemized statement of the expenditures upon which the other parent's claim of support is based.

" '(4) Exception for multiple-support agreement.—The provisions of this subsection shall not apply in any case where over half of the support of the child is treated as having been received from a taxpayer under the provisions of subsection (c).

" '(5) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subsection.'

"(b) Subsection (a) of such section 152 is amended by striking out 'subsection (c)' and inserting in lieu thereof 'subsection (c) or (e)'.

"Sec. 2. The amendments made by the first section of this Act shall apply with respect to taxable years beginning after December 31, 1965."

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated."

A motion to reconsider was laid on the table.

DEDUCTIBILITY OF ACCRUED VACATION PAY

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 16774) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, and I do so in order to yield to the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. Mills], for an explanation of the bill.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 16774 is to continue for 2 years the present provision which allows an employer—who reports his income on the accrual basis—to deduct accrued vacation pay payable to his employees, in those cases where the employer's liability to the employees is fixed in all respects except as to the identity of, or the amount owing to, each of his individual employees. In order for the employer to claim the deduction, the employees—for whom the vacation pay is accrued—must have performed the services necessary to entitle them to the pay under a plan—of which they were made aware—which provides for vacations with pay to qualifying employees.

In 1954, Congress enacted a provision which provided for the deduction of additions to reserves for certain estimated expenses. With this provision in the Internal Revenue Code, it was thought that reserves for vacation pay generally would be covered and, therefore, that it was no longer necessary to maintain the liberal administrative position which permitted these reserves. As a result, in Revenue Ruling 54–608, the Internal Revenue Service revised its position on the deductibility of vacation pay. It held that no accrual of vacation pay could occur until the fact of liability with respect to specific employees was clearly established and the amount of the liability to each individual employee was capable of computation with reasonable accuracy. It was thought that taxpayers accruing vacation pay under plans which did not meet the requirements of the strict accrual rule set forth in this ruling would utilize the new reserve provided by the code. This ruling was initially made applicable to taxable years ending on or after June 30, 1955.

Because the reserve provided for by the code was repealed, the Treasury Department in a series of actions postponed the effective date of Revenue Ruling 54-608 until January 1, 1959. Congress in four actions further postponed the effective date of Revenue Ruling 54–608, so that it has not applied to any taxable year ending before January 1, 1967.

This bill postpones for 2 more years the effective date of Revenue Ruling 54–608. As a result, deductions for accrued vacation pay, if computed by an accounting method consistently followed by the taxpayer, will not be denied for any taxable year ending before January 1, 1969, solely because the liability to a specific person for vacation pay has not been clearly established or because the amount of the liability to each individual cannot be computed with reasonable accuracy. This additional time is required so Congress will have further time to consider the problem of the deduction of accrued vacation pay and of other similar accrual-type deductions prior to the application of Revenue Ruling 54-608.

Mr. BYRNES of Wisconsin. Mr. Speaker, I rise in support of H.R. 16774, a bill to continue for a temporary period, certain existing rules relating to the deductibility of accrued vacation pay.

Under the Internal Revenue Code, an expense may not be accrued and deducted unless the events necessary to fix the liability of the taxpayer for the expense have been fixed. Prior to the enactment of the 1954 code, the Internal Revenue Service held that the liability of an employer for vacation pay was not contingent because an individual employee might sever his employment prior to actually taking his vacation. While the liability to a particular employee was contingent, the aggregate employer liability for vacations was, however, capable of reasonable estimates.

In 1954, Congress enacted provisions generally intended to deal with the problem of prepaid expenses and deferred income. However, the revenue losses from these provisions required the Congress to repeal them retroactively 1 year later. I should point out that in connection with this repeal, a commitment was made to study the general problems related to prepaid expenses and to adequate solutions.

In view of the fact that the accrual of vacation pay was intended to be covered by the 1954 Code provisions relating to prepaid expenses, the Service withdrew for taxable years ending after June 30, 1955, its ruling on vacation pay. When Congress repealed the prepaid expense provisions, the Internal Revenue Service extended the effect of its vacation pay accrual rules until 1959. In the Technical Amendments Act of 1958, Congress continued this treatment of accrued vacation pay for 2 more years.

Since then, Congress has extended this treatment on three different occasions. This bill is the fourth such extension, and Congress has now had 10 years in which to develop a more comprehensive and permanent solution.

I feel that it is time we focused on this problem. The continual extensions merely serve to preclude meaningful solutions.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. Mills]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 16774

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 97 of the Technical Amendments Act of 1958, as amended (26 U.S.C., sec. 162, note), is amended by striking out "January 1, 1967," and inserting in lieu thereof "January 1, 1969,".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

USE OF FOREIGN CURRENCIES

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (S. 801) to improve the balance-of-payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. Mills]?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so to yield to the chairman of the committee for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, the purpose of the pending bill is to provide authority, within certain limitations, for Federal agencies to use foreign currencies held by the United States which have been or may be reserved or set aside for specified programs or activities of any agency of the Government. The bill requires that reimbursement be made to the Treasury from applicable appropriations of the agency concerned, and that foreign currencies so used must be replaced when needed for the purposes for which originally reserved or set aside.

This legislation is designed to improve the balance-of-payments position of the United States, and provides on a permanent basis authority which has been provided on a temporary, annual basis for the fiscal years 1964, 1965 and 1966 by means of a provision included in the Public Works Appropriation Acts for each of those years. This temporary authority has made it possible for the Department of the Treasury to utilize for current expenditures foreign currencies formerly required to be held in segregated accounts for special purposes—thus unavailable for use in meeting current obligations abroad—thereby making it possible to defer or avoid the purchase for dollars of a considerable amount of foreign currencies.

The interested departments and agencies have reported favorably on S. 801, and the Committee on Ways and Means is unanimous in recommending its enactment.

Mr. BYRNES of Wisconsin. Mr. Speaker, I rise in support of S. 801, a bill to provide continuing authority for Federal agencies to use foreign currencies held by the United States which have been reserved or set aside for specified programs or activities. Under this bill, the use of foreign currency by an agency in these circumstances is subject to two conditions: The agency must reimburse the Treasury from its appropriations, and any foreign currencies so used must be replaced when needed for the original purposes that they were reserved.

This authority has been provided on a temporary basis for fiscal years 1964, 1965, and 1966. The Treasury Department has informed the committee that this authority has a salutary effect on our balance-of-payments problem. Based on the Treasury's experience, I believe this legislation is desirable.

The committee also received favorable reports from the Comptroller General, the Council of Economic Advisers, and the Departments of State, Commerce, and Agriculture. The bill was unanimously recommended by the Committee on Ways and Means. I urge the House to pass this measure.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. Mills]?

There was no objection.

The Clerk read the bill, as follows:

S. 801

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any foreign currencies held by the United States which have been or may be reserved or set aside for specified programs or activities of any agency of the Government may be used by Federal agencies for any authorized purpose, except (1) that reimbursement shall be made to the Treasury from applicable appropriations of the agency concerned, and (2) that any foreign currencies so used shall be replaced when needed for the purpose for which originally reserved or set aside.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H.R. 1035 AND H.R. 11765

Mr. MILLS. Mr. Speaker, there were two bills listed that we will not call up for immediate consideration, the bill H.R. 1035, and H.R. 11765. But if the Speaker would recognize me some time before Congress does adjourn, if it does, it would be my hope to call them up perhaps with an amendment in each case, and ask for unanimous consent for their consideration.

AUTHORIZING THE DISPOSAL OF INDUSTRIAL DIAMOND STONES FROM THE NATIONAL STOCKPILE AND THE SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 13320) to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BATES. Mr. Speaker, reserving the right to object, I do so only to receive an explanation of this bill.

Mr. PHILBIN. Mr. Speaker, I will be glad to give the distinguished gentleman from Massachusetts an explanation, and to the Members of the House also.

Mr. Speaker, this is another legislative proposal submitted by General Services Administration, and calls for the release of 1.8 million carats of industrial diamond stones from the national stockpile.

At the present time, we have 24,698,775 carats of industrial diamonds in our national and supplemental stockpiles and a stockpile objective of 16,500,000 carats. Thus, the total excess is 8,198,775 carats.

After extensive hearings on this matter, the committee reduced the quantity for disposal from 8.2 million carats to 1.8 million carats. At the present rate of consumption, this will provide a disposal program which would take place over approximately 20 years.

Industrial diamond stones are those that, because of structure, color, flaws or impurities, are unsuitable as gems. They are used principally in grinding wheels to shape and sharpen tungsten carbide cutting tools, and as the cutting edges of tools used for turning, grinding, and drilling hard metals.

Industrial diamond stones come from the Congo and from Holland.

The average acquisition cost was $11.62 per carat. The present market value is about $13.05 per carat, depending upon class.

In 1964, the U.S. consumption of industrial diamond stones amounted to 7.7 million carats.

Mr. BATES. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. PHILBIN]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 13320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately eight million and two hundred thousand carats of industrial diamond stones now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104 (b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 1, line 5, delete the words "eight million and two hundred thousand" and substitute therefor "one million and eight hundred thousand".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE DISPOSAL OF BATTERY GRADE SYNTHETIC MANGANESE DIOXIDE FROM THE NATIONAL STOCKPILES

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill (H.R. 13661) to authorize the disposal of battery grade synthetic manganese dioxide from the national stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BATES. Mr. Speaker, reserving the right to object, I yield to the gentleman from Massachusetts [Mr. PHILBIN] for an explanation of this bill.

Mr. PHILBIN. Mr. Speaker, this is another legislative proposal submitted by the General Services Administration.

The bill would provide for the release of approximately 14,572 short dry tons of battery-grade synthetic manganese dioxide now held in the national stockpile.

The current inventory of this material is 21,272 short dry tons in the national stockpile and 3,779 short dry tons in the DPA inventory or a total in all inventories of 25,051 short dry tons. The stockpile objective established March 13, 1964, is 6,700 short dry tons. Thus, we have an excess of 18,351 short dry tons.

The approximate cost per short dry ton of the battery-grade manganese in the national stockpile was $224.35. Acquisition cost of the synthetic dioxide was approximately $650 per short dry ton. The present market value is $490 per short dry ton.

This material is a black material usually passing a U.S. standard sieve No. 60. It is principally used in the manufacture of dry cells for batteries. For military use, it is usually mixed with natural grade to produce high-standard batteries. It is also used in special types of batteries for hearing aids and other small elements. The material is obtained in the United States.

Mr. BATES. Mr. Speaker, I thank my colleague and, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. PHILBIN]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 13661

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately fourteen thousand five hundred and seventy-two short dry tons of battery-grade synthetic manganese dioxide now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE DISPOSAL OF FUSED CRUDE ALUMINUM OXIDE FROM THE NATIONAL STOCKPILE AND THE SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill (H.R. 13370) to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BATES. Mr. Speaker, reserving the right to object, I yield to the gentleman from Massachusetts [Mr. PHILBIN] for an explanation of this bill.

Mr. PHILBIN. Mr. Speaker, the General Services Administration has forwarded a bill calling for the disposal of 130,000 short tons of fused crude aluminum oxide now held in the national stockpile.

Crude aluminum oxide abrasive is produced by fusing calcined abrasive bauxite, coke, iron, and titanium oxide under intense heat of an electric arc reduction for about 24 hours. After cooling, the produce is crushed to minus 6 inches for the stockpile.

Practically all of the fused aluminum oxide is used in the manufacture of grinding wheels, sharpening stones, coated abrasives, grinding and lapping compounds, and nonskid stair treads and walkways.

The current stockpile objective is 160,000 short tons.

The approximate acquisition cost of the stockpile inventories of crude aluminum oxide was about $117.57 per short ton. The present market value is approximately $144 per short ton.

Canada is the principal producer of this metal, and accounts for approximately 36 percent of world production. Canadian and United States production together averaged about 160,000 short tons per year with Canada producing about 148,000 short tons and the United States about 12,000 short tons per year. U.S. consumption in recent years is approximately 157,000 short tons per year.

Mr. BATES. Mr. Speaker, I thank my colleague and, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. PHILBIN]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 13370

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one hundred and thirty thousand short tons of fused crude aluminum oxide now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE DISPOSAL OF NICKEL FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill (H.R. 17376) to authorize the disposal of nickel from the national stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. PHILBIN]?

Mr. BATES. Mr. Speaker, reserving the right to object, I yield to the gentleman from Massachusetts [Mr. PHILBIN] for an explanation of this bill.

Mr. PHILBIN. Mr. Speaker, the administration has submitted a proposal for disposal of 24.5 million pounds of nickel now held in the national stockpile. A total of 660.7 million pounds of nickel has been sold or committed for sale from the stockpile to date.

At the present time, the current stockpile requirement for nickel is 50,000 short tons. The bill before us would authorize the disposal of all excess nickel above the stockpile objective.

The average acquisition cost of nickel was $1,247.58 per short ton. The average return to the Government, based on all sales made under the disposals, is $1,295.14 per short ton.

Nickel is obtained from Canada, the United States, New Caledonia, and Cuba.

Nickel is a hard, silver-white, ductile metal having high resistance to corrosion and abrasion. Its principal uses are as an alloy to strengthen and harden steel and other metals and to provide resistance against corrosion. Its major use is as an alloy in steel, especially in the production of stainless steels, high-temperature alloys, and monel metal. It is essential in the production of jet engines, aircraft frames, armor plate, magnets, and electroplating.

Mr. BATES. Mr. Speaker, I thank my colleague, the gentleman from Massachusetts, and, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. PHILBIN]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 17376

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately twenty-four million five hundred thousand pounds of nickel now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE MILITARY DEPARTMENTS TO ADJUST THE DEPOSIT ACCOUNTS OF CERTAIN ENLISTED MEMBERS WHO LOST INTEREST ON SAVINGS DEPOSITS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill (H.R. 16394) for the relief of certain enlisted members of the military services who lost interest on amounts deposited under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. PHILBIN]?

Mr. BATES. Mr. Speaker, reserving the right to object, I yield to my colleague, the gentleman from Massachusetts [Mr. PHILBIN] for an explanation of this bill.

Mr. PHILBIN. Mr. Speaker, this bill, a legislative proposal of the Department of Defense, was approved unanimously by the Armed Services Committee.

The purpose of the bill is to authorize the military departments to adjust the deposit accounts of certain enlisted members and former enlisted members who have lost interest on savings under the enlisted members' deposits program. This bill would provide for the payment of interest to members who were not paid because they did not withdraw their deposits upon discharge and immediate reenlistment or upon retirement and immediate recall to active duty. It will apply to any member who failed to receive interest after July 15, 1954, and before the date of enactment of this bill.

This legislation is necessary because of a misunderstanding between the military departments and the General Accounting Office. It merely provides for the payment of interest due on savings of enlisted personnel.

The cost to the Department of the Army under the proposed legislation is estimated at $70,000, and can be absorbed within existing appropriations.

I ask that the House approve the bill H.R. 16394.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

H.R. 16394

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of a military department or his designee, shall adjust the deposit account of any enlisted member or former enlisted members of the Army, Navy, Air Force, or Marine Corps, as the case may be, who, after July 14, 1954, and before the effective date of this Act, upon discharge and immediate reenlistment or retirement and immediate recall to active duty, continued, without withdrawal and redeposit, his account for deposits made under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, to show that his deposits and interest accrued thereon were withdrawn and redeposited on the date of such reenlistment or recall to active duty.

SEC. 2. The Secretary of the military department concerned, or his designee, shall pay to a former enlisted member described in section 1 of this Act any amount found due as a result of the adjustment prescribed by that section if he submits an application within two years following the date of enactment of this Act. If the member is currently serving on active duty and has an active deposit account, the amount due him will automatically be credited to such account. In the case of a deceased member, application under this section shall be made within two years following the date of enactment of this Act by the person determined to be eligible under section 2771 of title 10, United States Code.

SEC. 3. All payments heretofore made which would, but for the fact of such payment, be payable under this Act are validated. However, if such a payment has been repaid to the United States, the fact of payment shall not affect entitlement under this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROMOTION RESTRICTIONS—WOMEN IN ARMED FORCES

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 16000) to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BATES. Mr. Speaker, reserving the right to object, I yield to the gentleman from Massachusetts for an explanation of the bill.

Mr. PHILBIN. Mr. Speaker, H.R. 16000 would remove the arbitrary restrictions presently in the law which limit the promotion opportunity and career tenure of women officers. This would allow the military services to apply to women officers the standards generally applicable to male officers consistent with the needs of the service.

Present law limits the highest grade to which a woman officer can aspire, puts severe limits on the number of women officers who may serve in the more senior grades, and provides mandatory retirement or separation at a lower age than is required of male officers. The bill removes these arbitrary limitations so that a woman officer's advancement, like that of a male officer, would be governed by her individual capabilities and the legitimate requirements of the military forces.

This is not a promotion bill. It does not guarantee anyone a promotion. The committee received assurances from the Department of Defense that the bill would not be used as an excuse for arbitrary upgrading positions that have been senior women officer billets in the past. The bill seeks only to provide equality of treatment for women officers in regard to recognizing merit and performance.

The bill opens up flag and general rank to women officers for the first time. As explained in the committee's report, the bill contemplates that women promoted to flag rank would be advanced to fill specific billets for which they are uniquely qualified and would hold flag rank only while filling those billets.

The committee amended the bill to provide selective authority to retain military nurses beyond the normal retirement and separation points for periods of 5 years. In applying the standard officer promotion and attrition provisions to women officers, H.R. 16000 would result in nurses in various grades being forced off active duty earlier than is the case under present law. In view of the fact that there is presently a national shortage of nurses and the nursing requirements for the services have increased in connection with the present involvement in Vietnam, the Committee on Armed Services feels it is advisable to provide exceptions from the normal attrition laws to help assure the Armed Forces can meet their nursing needs.

There are also technical amendments.

Mr. Speaker, the women of the Armed Forces have proven their capability of making a significant contribution to the Armed Forces; therefore, I urge the House to approve this bill.

Mr. BATES. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SCHWEIKER].

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I rise in support of H.R. 16000, which will remove restrictions now placed on the careers of women officers in the armed services. I was cosponsor of a similar bill, H.R. 15176, which I introduced May 19.

Since World War II the contribution of women officers to all our armed services has increased and the number of women officers seeking long-term careers in uniform has grown. But the ceilings on advancement of women officers have remained built into our laws until now they seem highly unrealistic.

A woman Army officer may not rise higher today than the rank of colonel. If she is serving in the Navy, her advancement is limited to commander, and if in the Marine Corps, to lieutenant colonel. The numbers of woman officers who may serve at each rank are kept down by discriminatory formulas that resemble those applied to specialists like chaplains and judge advocates.

Women are also given an earlier age for mandatory retirement in some officer categories. The result of all these double standards, now that women are staying longer in the service and pulling their weight in many administrative positions along with men, can only be sagging morale in a still small but nevertheless important part of the Armed Forces.

The Defense Department, by its recommendation of this bill, is recognizing a problem of unequal treatment of women officers that has occupied numerous women's rights and veterans' groups for some years. Even if there were no hindrance to Armed Forces morale at stake by treating women officers unequally in their advancement opportunities, it would still be a necessary piece of legislation strictly because it eliminates one more pattern of discrimination against women in American government and national life. As a persistent cosponsor of the proposed constitutional amendment guaranteeing equal rights for women in both State and Federal law, I firmly believe in the merits of this legislation on moral grounds as well.

I would like to conclude by clearing up one more important point about this bill. Although it takes off the ceilings now holding down women officers, it does not automatically move up any woman officer to a higher rank. Some critics feel the bill will open the door, for example, to widespread upgrading of all existing WAC colonels to brigadier generals—upgrading in rank without any increase in responsibility. They argue this could deprive male officers doing a man's job in a man's army of higher rank. But this bill says nothing of the kind. This bill makes no guarantees of higher ranks, or higher officer numerical quotas, for women. Women officers, like male officers, will continue to get their promotions in the normal way. This bill merely removes limits on women's advancement that may have looked like reasonable long-range objectives in 1947 but act like shackles in 1966.

Mr. Speaker, I urge the adoption of this important legislation.

Mr. BATES. Mr. Speaker, I yield to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I rise in support of H.R. 16000, the bill now under consideration by the House which, if passed, will in effect grant greater equality of opportunity to women serving in our Armed Forces.

Since women acquired permanent status in the Armed Forces under the Women's Armed Services Integration Act of 1948—Public Law 80–625—there has been a limitation upon the grade to which a woman officer could rise regardless of her qualifications or excellence.

This bill will remove this limitation, and for the first time it will be possible for women to be advanced to the rank of flag or general officer.

At the present time, women can be advanced to the permanent grade of commander-lieutenant commander, but no higher. Each service has currently one colonel—captain in the Navy—who is head of the women's component and holds the grade only while serving in that position. When she completes her tour of duty, she reverts to her permanent grade.

Under the provisions of H.R. 16000, women will be advanced to permanent rank as colonels—and captains in the Navy—but promotion will be on the basis of recognized merit and performance.

The legislation also provides for the first time for women to hold the rank of flag or general officer. A woman holding the rank of admiral or general will hold that rank only when filling a particular position, and will revert to her permanent rank at the end of her tour of duty in that position.

The contribution of women in the WAVES, WACS, Air Force, and Marine Corps has been recognized from the formation of the women's branches of the services during World War II. Their record of achievement since they acquired permanent status has been outstanding.

H.R. 16000 is another step in achieving equality for women in a career field where they are capable of assuming great responsibility and have demonstrated high ability and qualifications.

I support this legislation.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

H.R. 16000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) Section 123 (a) is amended by striking out "3391".

(2) Section 510(c) is amended by striking out "for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, and Coast Guard Reserve".

(3) Section 591(c) is amended by striking out "as nurses or medical specialists".

(4) Section 1006(e) is amended by striking out "3847," and "8847,".

(5) Section 1164 is amended by striking out "male" in subsection (a), all of subsection (b), and "or (b)" in subsection (c).

(6) Chapter 63 is amended by repealing section 1255, striking out the corresponding item in the analysis, and by striking out "1255 or" in section 1263(a).

(7) Section 1405 is amended by striking out "6399(c) (2),".

(8) Chapter 307 is amended by—

(A) amending section 3069 to read as follows:

"§ 3069. Army Nurse Corps: composition; Chief and assistant chief; appointment

"(a) The Army Nurse Corps consists of the Chief and assistant chief of that corps and other officers in grades prescribed by the Secretary of the Army.

"(b) The Secretary of the Army shall appoint the Chief from the officers of the Regular Army in that corps whose regular grade is above major and who are recommended by the Surgeon General. The Chief serves during the pleasure of the Secretary, but not for more than four years, and may not be reappointed. While so serving the Chief ranks above all other officers in that corps.

"(c) The Surgeon General shall appoint the assistant chief from the officers of the Regular Army in that corps whose regular grade is above major. The assistant chief serves during the pleasure of the Surgeon General, but not for more than four years, and may not be reappointed to the same position. While so serving the assistant chief ranks above all other officers in that corps except the Chief.";

(B) amending the text of section 3070 to read as follows:

"(a) The Army Medical Specialist Corps consists of the Chief and assistant chiefs of that corps, other officers in grades prescribed by the Secretary of the Army, and the following sections—

"(1) the Dietitian Section;

"(2) the Physical Therapist Section; and

"(3) the Occupational Therapist Section.

"(b) The Secretary of the Army shall appoint the Chief from the officers of the Regular Army in that corps whose regular grade is above captain and who are recommended by the Surgeon General. The Chief serves during the pleasure of the Secretary, but not for more than four years, and may not be reappointed. While so serving the Chief ranks above all other officers in that corps.

"(c) The Surgeon General shall appoint three assistant chiefs from officers of the Regular Army in that corps whose regular grade is above captain. Each assistant chief is the chief of a section of that corps, and while so serving ranks above all other officers in that section. An assistant chief serves during the pleasure of the Surgeon General, but not for more than four years, and may not be reappointed to the same position.";

(C) amending the text of section 3071 to read as follows:

"(a) The Women's Army Corps consists of the Director and Deputy Director, other officers in grades prescribed by the Secretary of the Army, and enlisted members.

"(b) The Secretary of the Army shall appoint the Director from the officers of the Regular Army in that corps whose regular grade is above major. The Director is the adviser to the Secretary on Women's Army Corps matters and serves during his pleasure, but normally not for more than four years. While so serving she ranks above all other officers in that corps.

"(c) The Secretary of the Army shall appoint the Deputy Director from the officers of the Regular Army in that corps whose regular grade is above major. She serves during the pleasure of the Secretary, but normally not for more than four years. While so serving she ranks above all other officers in that corps except the Director.

"(d) The Secretary of the Army shall designate the positions that he finds necessary for the training and administration of the Women's Army Corps. He shall fill those positions from officers of that corps who are on active duty and whose regular or reserve grade is above captain. An officer holding such a position serves during the pleasure of the Secretary."; and

(D) amending the item in the analysis relating to section 3069 to read as follows:

"3069. Army Nurse Corps: composition; Chief and assistant chief; appointment."

(9) Chapter 331 is amended by—

(A) striking out the designation "(a)" and subsection (b) in sections 3206 and 3207;

(B) striking out the second sentence of section 3209(b); and

(C) striking out column 2 and footnote 3 of the table in section 3211(b) and redesignating column 3 as "Column 2";

(D) striking out "3304," in section 3212.

(E) striking out the second sentences of sections 3215(a) and 3215(b);

(10) Chapter 335 is amended by—

(A) striking out "Except for officers of the Army Nurse Corps and the Army Medical Specialist Corps, vacancies" in section 3298 (b) and inserting in place thereof "Vacancies";

(B) amending section 3299 by striking out ", except as provided in subsections (f) and (g)," in subsection (a), the last sentence of subsection (c), subsections (f) and (g), and the last sentence of subsection (h);

(C) repealing section 3304 and striking out the corresponding item in the analysis;

(D) striking out the last sentence of section 3305(a); and

(E) striking out "other than officers in Army Nurse Corps and Army Medical Specialist Corps" in the catchline of section 3305 and in the corresponding item in the analysis.

(11) Chapter 337 is amended by—

(A) striking out subsection (g) in section 3366;

(B) striking out subsection (d) in section 3367;

(C) striking out the dash and clauses (1)–(3) in section 3370(a) and inserting in place thereof "colonel,";

(D) striking out "field grade in certain cases" in the catchline of section 3370 and in the corresponding item in the analysis and inserting in place thereof in each case "grade of colonel to fill vacancies";

(E) striking out "in a reserve grade below colonel is one that" in the second sentence of section 3383(b); and

(F) repealing section 3391 and striking out the corresponding item in the analysis.

(12) Chapter 363 is amended by—

(A) repealing section 3847 and striking out the corresponding item in the analysis; and

(B) striking out "except as provided in section 3847 of this title," and ", and each officer in the reserve grade of major who is assigned to the Army Nurse Corps, Army Medical Specialist Corps, or the Women's Army Corps, who has been recommended for promotion to the reserve grade of lieutenant colonel who is not a member of the Retired Reserve, and who has remained in an active status since that recommendation," in section 3848(a).

(13) Chapter 367 is amended by repealing section 3915 and striking out the corresponding item in the analysis.

(14) Chapter 513 is amended by—

(A) striking out the last two sentences of section 5140(a) and inserting in place thereof the following:

"An officer of the Navy, while serving as Director of the Nurse Corps, has the rank of captain unless otherwise entitled to a higher rank or grade. An appointment as Director does not disturb an officer's permanent status as a commissioned officer in the Nurse Corps.";

(B) amending the second sentence of section 5143(a) to read as follows:

"While so serving, she has the rank of captain in the Navy unless otherwise entitled to a higher rank or grade."; and

(C) striking out subsections (b), (c), (e), and (f) in section 5143.

(15) Section 5206 is amended by—

(A) amending the second sentence of subsection (a) to read as follows:

"While so serving, she has the rank of colonel unless otherwise entitled to a higher rank or grade."; and

(B) striking out subsections (b), (c), (e), and (f).

(16) Chapter 531 is amended by repealing sections 5410 and 5411 and striking out the corresponding items in the analysis.

(17) Chapter 533 is amended by—

(A) striking out subsection (b) in section 5444;

(B) amending section 5444(c) to read as follows:

"(c) The Secretary of the Navy, whenever the needs of the service require but at least once annually, shall compute the number of rear admirals authorized under this section for each corps. The numbers so computed are the numbers of officers serving on active duty prescribed for the grade of rear admiral in the corps concerned. However, if the Secretary determines at the time of making any computation under this section that the number of officers required to meet the needs of the service in the grade of rear admiral in any of these corps is less than the prescribed number as computed, the lesser number becomes the prescribed number for the grade of rear admirals in the corps concerned.";

(C) striking out subsection (c) in section 5449;

(D) striking out the second sentence of section 5449(d);

(E) amending section 5452 to read as follows:

"§ 5452. Navy: women line officers on active duty; Marine Corps: women officers on active duty

"The Secretary of the Navy shall prescribe the number of women officers serving on active duty in the line of the Navy who may hold appointments in each grade above lieutenant (junior grade) and the number of women officers serving on active duty in the Marine Corps who may hold appointments in each grade above first lieutenant.";

(F) repealing section 5453 and striking out the corresponding item in the analysis;

(G) striking out "or 5453" in section 5455 and inserting in place thereof "or 5452"; and

(H) amending the item in the analysis relating to section 5452 to read as follows:

"5452. Navy: women line officers on active duty; Marine Corps: women officers on active duty."

(18) Chapter 543 is amended by—

(A) amending clause (1) of section 5702 (a) to read as follows:

"(1) A board for each corps, other than the Medical Service Corps, to recommend captains in each corps and commanders in the Nurse Corps for continuation on the active list or to recommend captains in each corps, other than the Medical Service Corps and the Nurse Corps, for promotion to the grade of rear admiral, each consisting of not less than three or more than nine officers serving in the grade of rear admiral or above.";

(B) striking out "and the Nurse Corps" in section 5702(a)(2);

(C) striking out "captain" in section 5702(a)(2) and inserting in place thereof "commander";

(D) striking out "and a board for the Nurse Corps to recommend captains and commanders for continuation on the active list, each" in section 5702(a)(3);

(E) striking out clauses (5) and (6) in section 5702(a);

(F) amending the first sentence of section 5702(b) to read as follows:

"Each board convened under this section to consider officers in the Medical Corps, the Supply Corps, the Chaplain Corps, the Civil Engineer Corps, the Dental Corps, or the Nurse Corps shall consist of officers in the corps concerned, and each board convened under this section to consider officers in the Medical Service Corps shall consist of officers in the corps indicated in subsection (a).";

(G) adding the following at the end of section 5702(c);

"However, in the case of boards considering officers in the Nurse Corps, the Secretary may complete the minimum required membership by appointing as members of the board officers on the active list of the Navy in the Medical Corps serving in the prescribed grades.";

(H) striking out the last sentence in section 5702(e);

(I) amending the first sentence of section 5704(a) to read as follows:

"At least once each year and at such times as he directs, the Secretary of the Navy shall convene selection boards to recommend women officers in the line of the Navy for promotion to the grades of captain, commander, lieutenant commander, and lieutenant.";

(J) amending the first sentence of section 5704(b) to read as follows:

"The Secretary shall convene selection boards, for each staff corps in which there are women officers appointed under section 5590 of this title, to recommend women officers for promotion to the grades of captain, commander, lieutenant commander, and lieutenant.";

(K) amending the first sentence of section 5704(c) to read as follows:

"At least once each year and at such times as he directs, the Secretary shall convene selection boards to recommend women officers in the Marine Corps for promotion to the grades of colonel, lieutenant colonel, major, and captain.";

(L) inserting "captain (Navy)," before "commander" and "colonel," before lieutenant colonel" in section 5707(a)(4); and

(M) striking out clause (1) in section 5711(c).

(19) Chapter 545 is amended by—

(A) striking out "Regular" in the catchline of section 5752 and in the corresponding item of the analysis;

(B) striking out "on the active list" wherever those words appear in section 5752(a);

(C) renumbering clauses (1), (2), and (3) in section 5752(a) as clauses "(2)", "(3)", and "(4)", respectively, and inserting the following new clause:

"(1) Four years in the grade of commander in the Navy or lieutenant colonel in the Marine Corps.";

(D) amending section 5753 by striking out "subsections (b) and (c)" in subsection (a) and inserting in place thereof "subsection (b)" and by striking out subsection (c);

(E) amending the first sentence of section 5760(a) to read as follows:

"The Secretary of the Navy shall furnish the appropriate selection board convened under chapter 543 of this title with the number of women officers in the line of the Navy that may be recommended for promotion to the grade of captain, commander, or lieutenant commander or the number of women officers of the Marine Corps that may be recommended for promotion to the grade of colonel, lieutenant colonel, or major.";

(F) striking out "on the active list" wherever those words appear in section 5760(b);

(G) striking out "or the Medical Service Corps" in section 5762(a) and inserting in place thereof "the Medical Service Corps, or the Nurse Corps";

(H) striking out subsection (e) in section 5762;

(I) amending the first two sentences of section 5763 to read as follows:

"The Secretary of the Navy shall furnish the appropriate selection board convened under chapter 543 of this title with the number of women officers of the Navy in a staff corps, other than officers of the Nurse Corps and women officers appointed under sections 5574, 5578, 5579, or 5581 of this title, that may be recommended for promotion to the grade of captain, commander, or lieutenant commander. This number is the product of—

"(1) the number of such women staff corps officers in the promotion zone for the grade and corps concerned; and

"(2) a fraction, of which the numerator is the number of women line officers who are placed on the promotion list pursuant to the report of the comparable board for the selection of women line officers convened in the same fiscal year, and the denominator is the number of women line officers in the promotion zone considered by that board.";

(J) amending the catchlines of sections 5764 and 5765 and the corresponding items in the analysis by striking out in each case "male";

(K) adding the following new subsection in section 5764:

"(d) The Secretary shall establish a promotion zone in each grade for women officers in the line of the Navy in the manner prescribed in this section for the establishment of promotion zones for male line officers.";

(L) adding the following new subsection in section 5765:

"(d) The Secretary shall establish a promotion zone in each grade for women officers of the Marine Corps in the manner prescribed by this section for the establishment of promotion zones for male officers.";

(M) amending section 5766(a) by striking out ", other than women officers appointed under section 5590 of this title," and inserting before the period at the end "or for women line officers, as the case may be";

(N) adding the following new subsection in section 5767:

"(c) Whenever the Secretary determines that there is a position of sufficient importance and responsibility to require an incumbent in the grade of rear admiral or brigadier general, and that there is a woman officer of the Navy or the Marine Corps who is best qualified to perform the duties of the position, he may designate that woman officer to hold that position. A woman officer so designated may be appointed by the President, by and with the advice and consent of the Senate, to the grade of rear admiral or brigadier general. Such an appointment is effective on the date the officer reports for the designated duty and terminates on the date she is detached.";

(O) striking out "Regular" in the catchline of section 5771 and in the corresponding item of the analysis;

(P) amending section 5771 by striking out "on the active list" wherever those words appear in subsections (a) and (c) and amending subsection (b) to read as follows:

"(b) Women officers in the line of the Navy and women officers of the Marine Corps who are on a promotion list for any grade above lieutenant (junior grade) in the Navy or first lieutenant in the Marine Corps are, in the order in which their names appear, eligible for promotion to the grade concerned as vacancies occur in that grade.";

(Q) striking out ", other than women officers appointed under section 5590 of this title," in section 5773(a);

(R) striking out "Except as provided in subsection (c), each" in section 5773(b) and inserting in place thereof "Each";

(S) striking out subsection (c) in section 5773;

(T) repealing section 5774 and striking out the corresponding item in the analysis;

(U) striking out "a male" wherever those words appear in section 5776(a) and inserting in place thereof "an";

(V) striking out "subject to subsections (d) and (e), an" in section 5776(c) and inserting in place thereof "An";

(W) striking out subsections (d) and (e) in section 5776;

(X) striking out "appointed under section 5590" in section 5778 and inserting in place thereof "selected by boards convened under section 5704";

(Y) striking out subsection (d) in section 5782; and

(Z) striking out clause (1) in section 5786 (a). (20) Chapter 549 is amended by—

(A) adding the following new subsection in section 5891:

"(g) For the purpose of this section, a woman officer who is eligible for consideration for promotion by a selection board convened under chapter 543 of this title shall be considered to be on a lineal list.";

(B) striking out "commander or lieutenant commander" and "lieutenant colonel or major" in section 5896(a)(7) and inserting in place thereof "captain, commander, or lieutenant commander" and "colonel, lieutenant colonel, or major", respectively;

(C) amending subsections (c) and (d) of section 5899 to read as follows:

"(c) A woman officer of the Naval Reserve, other than an officer in the Nurse Corps or an officer appointed under section 5581 of this title, is in the promotion zone and is eligible for consideration for promotion to the next higher grade by a selection board convened under this chapter when any woman officer of the Naval Reserve who is junior to her is in or above the promotion zone established for her grade under section 5764 of this title or when her running mate is in or above that zone.

"(d) A woman officer of the Marine Corps Reserve is in the promotion zone and is eligible for consideration for promotion to the next higher grade by a selection board convened under this chapter when any woman officer of the Marine Corps Reserve who is junior to her is in or above the promotion zone established for her grade under section 5765 of this title or when her running mate is in or above that zone."; and

(D) amending the text of section 5903 to read as follows:

"(a) An officer of the Naval Reserve or the Marine Corps Reserve is considered as having failed of selection for promotion if—

"(1) he is in a promotion zone established under this chapter;

"(2) his name is furnished to the appropriate selection board; and

"(3) he is not selected for promotion.

"(b) An officer of the Naval Reserve or the Marine Corps Reserve whose name is withheld by the Secretary of the Navy, under section 5899(g) of this title, from consideration by two selection boards for promotion to the same higher grade is considered as having twice failed of selection for promotion to that grade."

(21) Section 5945 is amended by striking out the second sentence.

(22) Chapter 555 is amended by repealing section 6030 and striking out the corresponding item in the analysis.

(23) Chapter 571 is amended by—

(A) amending section 6324 to read as follows:

"§ 6324. Officers: creditable service

"For the purpose of this chapter, service as a nurse in the armed forces before April 16, 1947, is considered as commissioned service."; and

(B) amending the item in the analysis relating to section 6324 to read as follows:

"6324. Officers: creditable service."

(24) Chapter 573 is amended by—

(A) amending section 6376 by inserting "(a)" at the beginning and adding the following new subsection:

"(b) This section does not apply to women officers appointed under section 5590 of this title.";

(B) amending the catchline of section 6377 and the corresponding item in the analysis by striking out in each case "or for age";

(C) amending section 6377 by striking out "except the Nurse Corps" in subsection (b), striking out subsection (c), and amending subsection (d) to read as follows:

"(d) If not on a promotion list and if not continued on the active list under section 6378 of this title, each officer serving in the grade of commander on the active list of the Navy in the Nurse Corps shall be retired on June 30 of the fiscal year in which she is considered as having twice failed of selection for promotion to the grade of captain and has completed at least 26 years of active commissioned service as computed under section 6388 of this title."

(D) inserting "women officers appointed under section 5590 of this title or" in section 6379(b) after "apply to";

(E) amending section 6396 to read as follows:

"§ 6396. Regular Navy, officers in Nurse Corps in grades below commander: retirement or discharge

"(a) An officer on the active list of the Navy serving in the grade of lieutenant commander in the Nurse Corps shall, subject to the provisions of section 5777 of this title, be retired on June 30 of the fiscal year in which—

"(1) she is not on a promotion list;

"(2) she is considered as having twice failed of selection for promotion to the grade of commander; and

"(3) she has completed at least twenty years of active commissioned service as computed under section 6388 of this title.

"(b) An officer retired under this section shall be retired—

"(1) in the highest grade satisfactorily held by her on active duty as determined by the Secretary, but not lower than her permanent grade; and

"(2) with retired pay at the rate of 2½ per centum of the basic pay of the grade in which retired multiplied by the number of years of service that may be credited to her under section 1405 of this title, but the retired pay may not be more than 75 per centum or less than 50 per centum of the basic pay upon which the computation of retired pay is based.

"(c) An officer on the active list of the Navy serving in the grade of lieutenant in the Nurse Corps shall be honorably discharged on June 30 of the fiscal year in which—

"(1) she is not on a promotion list; and

"(2) she has completed thirteen years of active commissioned service as computed under section 6388 of this title.

However, if she so requests she may be honorably discharged at any time during that fiscal year.

"(d) An officer on the active list of the Navy serving in the grade of lieutenant (junior grade) in the Nurse Corps shall be honorably discharged on June 30 of the fiscal year in which—

"(1) she is not on a promotion list; and

"(2) she has completed seven years of active commissioned service as computed under section 6388 of this title.

However, if she so requests, she may be honorably discharged at any time during that fiscal year.

"(e) Each officer discharged under this section is entitled to a lump-sum payment equal to two months' basic pay at the time of discharge multiplied by the number of years of active commissioned service as computed under section 6388 of this title, but the payment may not be more than two years' basic pay or more than $15,000.";

(F) amending section 6398 to read as follows:

"§ 6398. Regular Navy, women captains and commanders; Regular Marine Corps, women colonels and lieutenant colonels: retirement for length of service; retired grade and pay

"(a) Each woman officer on the active list of the Navy, appointed under section 5590 of this title, who holds a permanent appointment in the grade of captain and each woman officer on the active list of the Marine Corps who holds a permanent appointment in the grade of colonel shall be retired by the President on the first day of the month following the month in which she completes thirty years of active commissioned service in the Navy or the Marine Corps.

"(b) Each woman officer on the active list of the Navy, appointed under section 5590 of this title, who holds a permanent appointment in the grade of commander and is not on a promotion list for a higher permanent grade and each woman officer on the active list of the Marine Corps who holds a permanent apopintment in the grade of lieutenant colonel and is not on a promotion list for a higher permanent grade shall be retired by the President on the first day of the month following the month in which she completes twenty-six years of active commissioned service in the Navy or the Marine Corps.

"(c) Each officer retired under this section—

"(1) unless otherwise entitled to a higher grade shall be retired in the permanent grade held by her at the time of retirement; and

"(2) is entitled to retired pay at the rate of 2½ per centum of the basic pay of the grade in which retired multiplied by the number of years of service that may be credited to her under section 1405 of this title, but the retired pay may not be more than 75 per centum or less than 50 per centum of the basic pay upon which the computation of retired pay is based.";

(G) repealing section 6399 and striking out the corresponding item in the analysis; and

(H) amending the items in the analysis relating to sections 6396 and 6398 to read as follows:

"6396. Regular Navy; officers in Nurse Corps in grades below commander: retirement or discharge.

* * * * *

"6398. Regular Navy, women captains and commanders; Regular Marine Corps, women colonels and lieutenant colonels: retirement for length of service; retired grade and pay."

(25) Chapter 807 is amended by repealing section 8071 and striking out the corresponding item in the analysis.

(26) Chapter 831 is amended by—

(A) striking out subsection (b) in section 8206;

(B) striking out subsection (b) in section 8207;

(C) striking out all of section 8208 after the first sentence;

(D) striking out "Except for Air Force nurses and medical specialists, the" in section 8209 and inserting in place thereof "The";

(E) striking out all of section 8215 after the first sentence; and

(F) amending the catchline for section 8215 and the corresponding item in the analysis by striking out in each case "; female enlisted members on active duty".

(27) Chapter 835 is amended by—

(A) amending section 8299 by striking out ", except as provided in subsection (f) or (g)," wherever those words appear in subsection (a) and striking out the last sentence of subsection (c), subsections (f) and (g), and the last sentence of subsection (h);

(B) striking out subsection (d) in section 8300;

(C) striking out subsection (b) in section 8301;

(D) striking out subsection (f) in section 8303; and

(E) striking out subsections (g) and (h) in section 8305.

(28) Chapter 837 is amended by—

(A) striking out subsection (f) in section 8366;

(B) inserting a period after "major" in clause (2) of section 8368(a) and striking out the remainder of that clause; and

(C) repealing section 8370 and striking out the corresponding item in the analysis.

(29) Chapter 841 is amended by—

(A) striking out subsection (b) in section 8504;

(B) amending the catchline of section 8504 and the corresponding item in the analysis by striking out in each case ": limitations; grade".

(30) Chapter 845 is amended by repealing section 8580 and striking out the corresponding item in the analysis.

(31) Chapter 863 is amended by—

(A) repealing section 8847 and striking out the corresponding item in the analysis; and

(B) striking out ", except an officer covered by section 8847 of this title," in section 8848(a).

(32) Chapter 867 is amended by—

(A) amending section 8915 to read as follows:

"§ 8915. Twenty-eight years: deferred retirement of nurses and medical specialists in regular grade of major

"The Secretary of the Air Force may defer the retirement of any Air Force nurse or medical specialist in the regular grade of major until the thirtieth day after she completes twenty-eight years of service computed under section 8927(a) of this title.";

(B) amending section 8916(b) to read as follows:

"(b) The Secretary of the Air Force may defer the retirement under this section of any promotion list officer in the regular grade of lieutenant colonel who is a medical, dental, veterinary, or medical service officer, a medical specialist, or a chaplain, but not later than the date on which he becomes sixty years of age."

(C) amending the item in the analysis relating to section 8915 to read as follows:

"8915. Twenty-eight years: deferred retirement of nurses and medical specialists in regular grade of major."

SEC. 2. Title 32, United States Code, is amended as follows:

(1) Section 305 is amended by—

(A) striking out "Except as provided in subsection (b), only male persons selected from the" and inserting in place thereof "The" in subsection (a);

(B) striking out the first sentence of subsection (b); and

(C) striking out "However, to" and "woman" in the second sentence of subsection (b) and inserting in place thereof "To" and "person", respectively.

(2) Section 313(b) is amended by inserting "and" after the semicolon in clause (1), striking out "; and" at the end of clause (2) and inserting a period in place thereof, and striking out clause (3).

Sec. 3. Title 37, United States Code, is amended as follows:

(1) Section 202 is amended by adding the following new subsection at the end thereof:

"(k) While serving under an appointment under section 5767(c) of title 10, a woman officer of the Navy is entitled to the pay of a rear admiral of the lower half."

(2) Section 904 is amended—

(A) by striking out "5774" in subsections (a), (b), and (d) and inserting "5773" in place thereof;

(B) by amending clauses (5) and (10) of subsection (a) to read as follows:

"(5) women line officers of the Navy;

* * * * *

"(10) women officers of the Marine Corps;";

(C) by striking out subsections (c) and (e); and

(D) by striking out "Except as provided by subsection (e) of this section, a" in subsection (d) and inserting in place thereof "A".

Sec. 4. (a) For five years following the effective date of this Act, the Secretary of the Army may suspend the operation of any provision of law pertaining to the mandatory retirement, discharge, separation or transfer from an active status of an officer of the Army Nurse Corps, Army Medical Specialist Corps, or Women's Army Corps.

(b) The amendments made by this Act to section 6396 of title 10, United States Code, do not become effective with respect to officers of the Regular Navy in the Nurse Corps serving in the grade of lieutenant commander until June 30 of the second fiscal year following the fiscal year in which this Act is approved.

(c) Notwithstanding section 6396 of title 10, United States Code, as amended by this Act, an officer of the Regular Navy in the Nurse Corps who is serving in the grade of lieutenant (junior grade) on the effective date of this Act may not be discharged under that section until June 30 of the second fiscal year following the fiscal year in which this Act is approved.

(d) Notwithstanding any other provision of law, an officer of the Regular Navy in the Nurse Corps who is serving in the grade of lieutenant on the effective date of this Act and who on that date has completed more than thirteen years of active commissioned service may not be involuntarily discharged under section 6396 of title 10, United States Code, as amended by this Act but shall, unless sooner selected for promotion to the grade of lieutenant commander, be retired on June 30 of the fiscal year in which she completes at least twenty years of active commissioned service. Each officer retired under this subsection shall be retired with the retired grade and pay prescribed in section 6396(c) of title 10, United States Code, as it existed before the enactment of this Act.

(e) For five years following the effective date of this Act, the Secretary of the Air Force may suspend the operation of any provision of law pertaining to the mandatory retirement, discharge, separation, or transfer from an active status of an Air Force female officer, except an officer designated under section 8067, title 10, United States Code, to perform professional functions other than as an Air Force nurse or as an Air Force medical specialist.

With the following committee amendments:

On page 20, line 20, strike out "and".

On page 20, line 22, delete "(d)" and insert "(c)".

On page 21, line 5, change the semicolon to a comma and add "and redesignating subsection (e) as subsection (d);".

On page 31, following line 15, add a new subsection (f) as follows:

"(f) Until July 1, 1972, when the needs of the service require, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force may convene annually boards of officers to consider officers of the Army Nurse Corps, officers of the Navy Nurse Corps, or Air Force Nurses, respectively, who otherwise would be required to be retired or separated under this Act within the calendar or fiscal year in which the board is convened. Upon the recommendation of such a board, the Secretary concerned may defer the separation or retirement of such an officer for a term of not more than five years, unless recommended for further deferment by a subsequent board of officers, and in any case not beyond the month following her attaining age 60 or July 1, 1976, whichever may be earlier. Officers whose separation or retirement is so deferred shall be additional to the numbers of officers authorized by sections 3202, 3211, 8202, and 8211, title 10, United States Code."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORITY TO ADVANCE MAJ. GEN. ROBERT WESLEY COLGLAZIER, JR., TO THE GRADE OF LIEUTENANT GENERAL

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (S. 3500) to authorize the President to advance Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BATES. Mr. Speaker, reserving the right to object, I would like to have an explanation of this bill. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, S. 3500 would allow Maj. Gen. Robert W. Colglazier, Jr., to have the retired grade of lieutenant general. General Colglazier served for 7 years on active duty as a lieutenant general in important assignments. However, since he always held the commission as a Reserve officer, he is not allowed to receive retired pay in the lieutenant general grade as is normally permitted to an officer who served satisfactorily as a lieutenant general on active duty.

The only reason General Colglazier had been denied the merit of retired pay is because a law providing retirement in the lieutenant general grade specifically mentions Regular officers. General Colglazier was an outstanding officer and it would be manifestly unfair to deny him the retired pay of the grade in which he served so ably for such an extended period.

I urge the House to approve the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

S. 3500

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to advance Major General Robert Wesley Colglazier, Junior (O223635), to the grade of lieutenant general on the retired list, effective on the date of the enactment of this Act, and Major General Colglazier shall be entitled to all the benefits of retirement in the grade of lieutenant general.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks with respect to the various bills which have been presented from the Committee on Armed Services.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 1003 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1003

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1163) to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Judiciary, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.J. Res. 1163 it shall be in order in the House to take from the Speaker's table the bill S. 3488 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.J. Res. 1163 as passed by the House.

The SPEAKER. The gentleman from Virginia is recognized for 1 hour.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. Anderson], pending which I yield myself 5 minutes.

Mr. Speaker, this resolution will make in order the consideration of House Joint Resolution 1163. That measure is what is known as a compact. It is a little unusual procedure.

The background of this is that in 1959, after many years of consideration of the desperate condition with respect to traffic in the Nation's Capital, the Congress passed legislation authorizing a rapid transit system. In doing so it took into consideration the fact that nearby Maryland areas and nearby Virginia areas are, for all practical purposes, parts of the National Capital traffic problem. So it was determined that we would have a compact among Virginia, Maryland, and the District of Columbia, which would enable this eventually to extend out into the States under proper financial allocation for its construction, so as to have a metropolitan area for the transit system which would relieve our very heavy transit problem here in the Nation's Capital.

So that compact was prepared, agreeable to the District authorities and to the State authorities, and it went to the legislatures of the two States.

Under the constitutional provisions relative to agreements between States—and for that purpose, of course, the District of Columbia is a State—there must be a compact which must be approved by the legislatures of the States concerned.

It must be approved in the same form by the States involved and in this case by the District of Columbia. Now, all of those procedures have been gone through with. The Rapid Transit Commission has been set up and is operating in the District of Columbia, and the laws have been passed locally by Congress authorizing it and the appropriations have been made. The local transit commission is operating and making its plans and getting ready to go into actual construction sometime in the near future.

Now, this compact has been approved by Virginia. The compact has been approved by Maryland, also, and must be approved, in order to be effective, in the same form in which it has been agreed upon. Otherwise, if that form is changed, then it must go back to the other States to see if they will change it to conform. It would have to wait then on a meeting of the respective legislatures. It so happens in Virginia that it is going to be 1968 before our legislature has a session. Therefore it is very important that this compact should be approved by the Congress in the same form in which it has been approved by the participating States.

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself such additional time as I may consume.

Now, Mr. Speaker, the Committee on the Judiciary is the committee that handles all compacts between States. In that way it became the business of the Committee on the Judiciary to report out this resolution. They have done that, but in the process there was an amendment that changed the language and perhaps the substance. If that amendment is adopted, it means that this project will be stalled for at least 2 years. I do not think that is what the Congress wants to do and I do not think it is what the Nation wants to do. We hope that when the time comes to consider the bill in the Committee of the Whole that this amendment will not be adopted by the House.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the distinguished chairman of the Committee on the Judiciary.

Mr. CELLER. There are three committee amendments. The first and third amendments would not change the terms of the compact. The so-called first amendment corrects a typographical error and the so-called third amendment would simply be an auditing amendment, which does not alter the compact. It simply gives the authority to the Bureau of the Budget to pass upon the auditing and so forth. So it would not change the compact. There is only one amendment that would adversely affect the compact legislation, the so-called second committee amendment.

Mr. SMITH of Virginia. The chairman of the Committee on the Judiciary, of course, is the expert on this subject. He was handling compacts between the States before most of us were born, you know, and he is the one expert we have on that subject, and I defer to his opinion. However, the second amendment—and I think the only controversy on this subject is that second amendment, because otherwise the project has been approved and everything is set up to go—this one amendment is the one point in controversy. We have to have this compact before we can get the relief that the National Capital needs in order to deal with this terrific problem.

The following is the chronological order of the various steps that have been taken to bring this urgent project to its final step:

1. The Mass Transportation Survey, 1959, recommended an interstate compact as the best ultimate organization approach to transit development. (A 4 year's study costing $460,000.)

2. National Capital Transportation Act of 1960 (Title III): Declared in favor of an interstate compact and encouraged and authorized negotiation of one by Virginia, Maryland, District of Columbia, and a Federal representative.

3. NCTA Report of November, 1962, recommended an interstate compact as the ultimate solution.

4. 1961–1965 compact negotiations by Virginia, Maryland, District of Columbia and the Federal representative.

5. 1964–1965—Virginia and Maryland legislatures each created special transit districts to work with the interstate compact.

6. 1965—National Capital Transportation Act of 1965 authorized basic $431 million District of Columbia subway; provided partial financing to commence construction ($100 million Federal funds; $50 million from District of Columbia) envisioning remainder of funds to be raised through bond financing under interstate compact.

7. 1965—Maryland approved the H.J. Res. 1163 compact.

8. 1966—Virginia approved same compact, and the President forwarded it to Congress urging consent.

As a member of the Committee on the District of Columbia and the old Joint Committee on Washington Metropolitan Problems of the 85th and 86th Congresses, I have been very close to the transportation problems of Washington and its suburbs. We recognized long ago that mass transit is a regional problem, and that to solve it properly requires a regional approach—the creation of an interstate organization capable of planning and executing a mass transit development program throughout the tristate District of Columbia, Maryland, and Virginia metropolitan region.

The groundwork for House Joint Resolution 1163 was done here in the Congress. In title III of the National Capital Transportation Act of 1960, the Congress declared itself in favor of an interstate approach to this interstate problem. We authorized Virginia, Maryland, the District of Columbia, and a representative of the Federal Government to prepare a mutually acceptable compact creating a new agency capable of acting on a regional basis.

Encouraged by the 1960 act, representatives of the two States, the District, and a Federal representative have labored long and hard to produce the present compact. Maryland approved it in 1965 and Virginia did so earlier this year. This compact has the enthusiastic support of all of the local governments of the Washington metropolitan area. The President of the United States has urged the Congress to give its consent.

House Joint Resolution 1163 brings us full circle. It is now up to Congress to act, and turn the transit development problem over to local responsibility under the compact without further delay.

COMMITTEE AMENDMENT

As introduced, section 3(a) of House Joint Resolution 1163 would transfer the District of Columbia subway project to the compact authority on September 30, 1967. Two of the committee's amendments are technical; a third, however, would strike the date and could defer the transfer indefinitely.

I am opposed to this amendment. It injects an element of uncertainty into an otherwise clear situation, and we must not permit uncertainty to hamper this important work.

The administration's position is that the September 1967 date is realistic, and gives the compact organization adequate time to prepare itself to assume responsibility for the present program.

Also, the President has assured the Congress that if some unforeseen problem delays the new authority's work, the administration will take timely steps to prevent any delay in the basic District of Columbia program.

We decided a long time ago that this mass transit problem is regional and requires action on a regional basis. I see no point to be served by delaying a decision to transfer the basic program, and certainly no justification for permitting an element of uncertainty to cripple the several jurisdictions in their determination to go forward. The amendment would create confusion and raise questions as to just what Congress' intentions are respecting the transfer.

I am satisfied that the compact is the correct solution, and that the administration's recommendation for transfer of the present program next year is a sound one.

I say let us get on with the job. I urge the House to approve House Joint Resolution 1163 as it was sent here by the President.

Mr. Speaker, I reserve the balance of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as has been stated, this bill makes in order the consideration of House Joint Resolution 1163, a resolution dealing with the Washington Metropolitan Area Transit Authority.

Mr. Speaker, it was back in the 84th Congress, I believe, that the action was originally taken which set up a regulation compact between the District of Columbia, the State of Maryland, and the State of Virginia.

Mr. Speaker, the bill before us today would amend that compact by adding a title III.

Mr. Speaker, very briefly, the purpose of this legislation is, as I believe has been stated already, to provide for the consent that is required by the U.S. Constitution for States of the Union to enter into an interstate compact.

In addition to that, Mr. Speaker, the legislation would authorize and direct the Commissioners of the District of Columbia to actually enter into and execute the compact and to carry out its provisions.

Mr. Speaker, the committee amendment about which discussion has been had, provides for the transfer of the funds, the authority and the personnel, and so on, of the National Capital Transportation Agency to this new authority, the Washington Metropolitan Area Transit Authority.

But, Mr. Speaker, it would provide for that transfer only if the respective Judiciary Committees of the House of Representatives and of the other body were satisfied that a workable financial plan and that a sufficient program for the development of rapid transit had been achieved with respect to the metropolitan area.

Mr. Speaker, this is, of course, where the controversy exists, over whether or not there ought to be an automatic transfer of these programs to the Washington Metropolitan Area Transit Authority next year, or whether it ought to abide a decision of the House and Senate Judiciary Committees.

Mr. Speaker, I might also say very briefly that there are some additional reservations set forth in the report on this bill.

Mr. Speaker, the gentleman from California [Mr. CORMAN] has expressed some doubts in his additional views as to whether or not the compact sufficiently protects the Federal interest and whether it will not involve the Federal Government in a continuing subsidy insofar as the transportation problems of the States of Virginia and Maryland are concerned.

So, Mr. Speaker, there are some policy questions, I believe, as well as the legal questions that have been referred to by the gentleman from Virginia [Mr. SMITH].

Mr. Speaker, I support the granting of a rule on this bill. I support the legislation.

Further, Mr. Speaker, I believe, as has been stated already, the problem of providing for a coordinated plan of transportation for the metropolitan area is extremely important, and that the way to move forward is through the kind of compact which this legislation envisions, and I support its adoption.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in support of this rule and I strongly support House Joint Resolution 1163, as it was originally written. Let me make it clear that I support this resolution without amendment No. 2, recommended by the committee. Amendment No. 2 is wholly unnecessary and unjustified, and I urge that it be rejected. Amendments No. 1 and 3, recommended by the Committee on the Judiciary, are technical in character and completely acceptable. The Senate, in S. 3488, has passed legislation identical in every respect to my recommendation. Passage by the House without amendment No. 2 will mean that its immediate transmittal to the President for signature can be assured.

The proposed joint resolution, as originally drafted and before the imposition of amendment No. 2, gives the consent of Congress to an interstate compact which was produced by a long course of negotiations by representatives of Virginia, Maryland, and the District of Columbia, working in association with a Federal representative appointed by the President. Those negotiations were conducted in response to congressional action in 1960. When the Congress took the first tangible steps toward creating a rapid transit system in this region it did so because it recognized the urgency of the problem and the need for immediate action. At the same time, however, Congress indicated its wish that the affected States exert themselves to create an interstate compact for the purposes of carrying out this essentially local function to meet this problem. Congress had taken these initial steps in a desire to expedite the accomplishment of this tremendous and very important objective. Congress knew it was a local problem and a local responsibility when it acted, and nothing has happened since then to change that fact.

The States of Maryland and Virginia have gone forward in good faith under the 1960 legislation, and the legislation which rests before us today seeks our consent to the District of Columbia joining with Virginia and Maryland in the interstate compact, which we long ago realized should be drawn up.

The Legislatures of both Virginia and Maryland have already approved the interstate compact, negotiated in the fashion that I described. The terms of the compact were acceptable to the Federal representative, and to the representatives of the District of Columbia who took part in the negotiations. I believe it is incumbent upon the House of Representatives to act with clarity and dispatch. By such action, Congress would reiterate its support of improved transportation in this region; it would free itself of burdensome responsibilities in that connection, it would place responsibility on the local communities where it belongs; and it would give assurance to the local communities that they may be about their business.

This legislation is addressed to what is without question one of the most serious problems facing the National Capital region—its inadequate transportation system. Unless we move forward promptly with the development of an areawide system of rail rapid transit, the problem—serious enough today—will become impossible in the years ahead. Under the legislation we have before us today the system we have authorized in the city will be built and the interstate agency can press ahead at the same time on a regional basis.

I do not believe I need urge the need for transit on any of you who fight the traffic conditions of this city. But not alone is it necessary to press ahead, it is necessary that any effort be in the context which permits no confusion, no uncertainty as to responsibility and commitment, and a context in which there is need for only a minimal congressional involvement if any involvement at all.

As introduced, House Joint Resolution 1163 would transfer the functions and duties of the National Capital Transportation Agency to the Washington Metropolitan Transit Authority on a date certain—September 30, 1967. Amendment No. 2 destroys that certainty. The States of Maryland and Virginia have gone forward in good faith under the 1960 legislation, and the legislation which rests with us today seeks our consent to the District of Columbia joining with Virginia and Maryland in the interstate compact, which we long ago realized should be drawn up.

Amendment No. 2 would substitute equivocation for action. That amendment would transfer the functions and duties from the agency to the authority at some unspecified time after the authority had satisfied the Judiciary Committees of the House and Senate that the authority was indeed ready, competent, and prepared to take over. This would substitute uncertainty for a decision which can and should be made now.

Virginia and Maryland have established transit commissions in both jurisdictions, commissions which are essential to the accomplishment of this task, commissions which have been staffed and financed, and are active in the fields of their respective responsibilities. The urban governments of both Virginia and Maryland have provided funds to be transferred to the interstate authority to finance its activities. Testimony before the committee indicates that our neighbors have already banded together in the creation of a so-called shadow board of directors. This board has been operating informally. A general agreement of principles has been concluded with the National Capital Transportation Agency concerning procedures to be followed during the transition period between approval of this legislation and September 30, 1967.

I have not the slightest doubt that the authority will be ready on September 30, 1967, or before, to assume the responsibilities of the National Capital Transportation Agency, and to carry forward this tremendous effort throughout the entire region. Mind you, I say this in all confidence; but to those of less confidence I remind them that we have the administration's assurances that steps will be taken, if steps are needed, to obtain from the Congress a timely extension of the transfer date if unforeseen difficulties should prevent the authority from creating itself ready to assume this task. Further, if merely extending the transfer date should be inadequate to the problem, if problem there be, then the administration has given the Congress its assurance that an alternative method will be proposed to assure that the transit program in this central city, already approved by this Congress, and actively going forward, will continue without interruption—without delay.

I have long been associated with this complex course of study, effort, and legislation concerning the transportation problems of the region. There are many here who have been equally aware. You have expressed yourselves in favor when an appropriate step was proposed. You have rejected that which you thought inappropriate. I say now that House Joint Resolution 1163, as introduced, without amendment No. 2, is an appropriate step, and one which I urge you to take by voting for this legislation. I say to you with all the conviction at my command that amendment No. 2 is a most inappropriate, irresolute, and equivocal statement, and one which I urge you to reject.

In sum, let us unlock the last shackle, let us give the last needed boost. Give this community the encouragement and the organization which it needs to accomplish what you want done.

I urge passage of House Joint Resolution 1163 and the rule that makes its consideration in order.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MILITARY CONSTRUCTION AT THE WALTER REED ARMY MEDICAL CENTER

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 18019) to authorize the Secretary of the Army to construct an addition at the Walter Reed Army Medical Center, Washington, D.C., and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. Rivers]?

Mr. BATES. Mr. Speaker, reserving the right to object, I do so for the purpose of yielding to the gentleman from South Carolina for the purpose of receiving an explanation of the bill.

Mr. RIVERS of South Carolina. Mr. Speaker, H.R. 18019 would provide construction authority in the amount of $7,570,000 and would authorize the Secretary of the Army to construct an addition to the existing Armed Forces Institute of Pathology located at the Walter Reed Army Medical Center in Washington, D.C., for the purpose of providing a facility for housing those functions which are currently located in the annex to the Armed Forces Institute of Pathology at Seventh Street and Independence Avenue SW., Washington, D.C.

Simply stated, this bill would permit a replacement facility at Walter Reed so that the functions now performed at the annex may be transferred away from the Mall.

As all of you know, on May 7, 1966, President Johnson recommended legislation to enable the Smithsonian Institution to accept the gift of the Hirshhorn collection of contemporary art and sculpture.

The proposed legislation contemplates using a site on the Mall between Seventh and Ninth Streets, Independence Avenue and Madison Drive in Washington. On that site will be located a museum and sculpture garden.

In order to proceed with proper planning for this new museum, it is necessary to definitize the future location of the medical museum. It is not anticipated that funds will be requested until after advance planning and design have been accomplished and construction scheduled. Nevertheless, this will authorize the appropriation by Congress of $7,570,000 in support of the new facility to house the Institute of Pathology.

I urge the support of every Member of this House for this legislation because it will lay the groundwork for the Nation to accept this superlative collection of contemporary art which Mr. Hirshhorn has made available to the people of the United States.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. Rivers]?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 1163, to grant the consent of Congress for the States of Maryland, Virginia, and the District of Columbia to amend the Washington metropolitan area transit regulation compact to establish an organization empowered to provide transit facilities in the National Capital region.

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. Celler].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 1163, with Mr. Price in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. Celler] will be recognized for 1½ hours and the gentleman from Virginia [Mr. Poff] will be recognized for 1½ hours.

The Chair recognizes the gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Chairman, I yield myself 10 minutes.

NEED FOR LEGISLATION

Mr. Chairman, the transportation and commuting problems which today beset the Washington metropolitan area have approached crisis proportions. Travel in and around the Capital City is grinding to a standstill; ever more of our historic metropolis is being converted to concrete in a vain effort to appease the rising tide of motor traffic. To go from one place to another within the area assumes the proportions of a major exploit. Mounting commercial and residential construction renders the problem daily more acute.

The economic well-being of the entire region and the efficient functioning of the Government itself depend on finding a solution to this intolerable situation. All are agreed that the solution lies in the creation of adequate mass transportation facilities. No system of roads and freeways alone can meet the need without disrupting the central city and destroying the beauty of our historic Capital.

In recognition of the urgency of this problem, the present Congress last year took vitally important steps. It authorized a 25-mile, $431 million rapid transit system—the so-called core system—principally within the District of Columbia, for whose construction it authorized appropriation of $100 million in Federal and $50 million in District funds, and it appropriated $6.2 million to begin final engineering.

But even if the construction of the core system surmounts present appropriations difficulties and is completed, it alone cannot solve our transportation problems. This is so because the population density of our suburbs, beyond the reach of the core system, is expecting a mushroom growth. In 1950, nearly three-fourths of the residents of the area lived within the District of Columbia. By 1970 there will be approximately 1.7 million persons living in the Maryland and Virginia suburbs, comprising 67 percent of the area's population.

Already today, over a million cars enter and leave the city daily. That figure is expected to double by 1985, even if a full regional mass transit system is built. Construction of such a system is a minimal necessity if we are to avoid a complete breakdown.

WHAT DOES THE JOINT RESOLUTION DO?

The measure before the House is a major and necessary step toward the achievement of a regional system of rapid rail transit for the Washington metropolitan area. Recommended by the President, by the States of Maryland and Virginia, and by the Board of Commissioners of the District of Columbia, it would create the Washington Metropolitan Area Transit Authority, comprising two members from each of the three signatories, as a common agency of Maryland, Virginia, and the District of Columbia with power to plan, finance, construct and develop a regional mass transit system for the area. Essentially, the joint resolution does three things:

First. It grants the consent of Congress to a compact—already ratified by Maryland and Virginia and approved by the Board of Commissioners of the District—creating the Transit Authority;

Second. It ratifies and enacts the compact for the District of Columbia;

Third. It provides for the transfer of the functions of the National Capital Transportation Agency, the Federal instrumentality which has been responsible for the core system, to the Transit Authority created by the compact and charged with responsibility for the regional system.

The core system must be a harmonious part of this regional system.

The compact defines the Washington metropolitan transit zone as comprising the District of Columbia, Montgomery and Prince Georges Counties in Maryland, and Arlington and Fairfax Counties and the cities of Alexandria, Falls Church, and Fairfax, in Virginia.

Adoption of the joint resolution will not itself create a regional system, it will not construct a mile of tract, and it will not impose any financial obligation on the United States or the District of Columbia. It will, however, open the door to progress toward realization of the goal.

BACKGROUND

There is nothing new or startling in resorting to an interstate compact authority for the purpose of performing interstate or regional functions. Nor is the participation of the District of Columbia in interstate compact arrangements unique. Quite to the contrary, the very compact for which the consent of Congress is being sought today takes the form of an amendment—by addition of a title III—to the Washington Metropolitan Area Transit Regulation Compact, involving the same three signatories, for which Congress gave consent in 1960.

Actually, the legislation follows and effectuates the declarations of policy made by Congress in 1960 and 1965. In section 102 of the National Capital Transportation Act of 1960, the 86th Congress found that "an improved transportation system for the National Capital region (1) is essential for continued and effective performance of the functions of the Government of the United States, for the welfare of the District of Columbia, for the orderly growth and development of the National Capital region, and for the preservation of the beauty and dignity of the Nation's Capital." Further, in section 301(a) of that act, Congress stated its intention "to promote and encourage the solution of problems of a regional character in the National Capital region by means of an interstate compact entered into by the State of Maryland, the Commonwealth of Virginia, and the Board of Commissioners of the District of Columbia, with the consent of Congress." The 1960 act expressly authorized negotiation of such a compact.

I should mention that the 86th Congress also gave consideration to the alternative of using a Federal corporation instead of an interstate compact authority as the transit body and rejected that alternative. In its report, the distinguished Committee on the District of Columbia stated:

> The Committee believes strongly that an interstate compact is the best means of organizing for transportation in the national Capital region, and that negotiation of such a compact should begin promptly (H. Rept. No. 1962, 86th Cong., 2d sess., p. 19).

Instead of creating a Federal corporation, the 1960 act established by compact the National Capital Transportation Agency to begin work on the preparation of a transit development program. It also directed the President, as soon as practicable after the conclusion of an interstate compact by the signatories, to submit to Congress his recommendations for transfer to the interstate authority of the property and personnel of the NCTA. This the pending joint resolution does.

The policy and findings of the 86th Congress favoring an interstate authority over a Federal corporation were, in effect, reaffirmed by the present Congress in section 2 of the 1965 act which authorized the core system.

ADVANTAGES OF INTERSTATE AUTHORITY

There are several respects in which resort to an interstate compact authority is preferable to the establishment of a Federal or a District of Columbia corporation. The compact device spreads the costs of the project equitably among the local political subdivisions in Maryland and Virginia as well as the Federal and District of Columbia governments, and to that extent reduces the cost to the Federal and District governments—section 16. The compact authority, by its representative nature, is more directly responsible and responsive to the needs of the signatories and their subdivisions and is therefore preferred by the States. In this respect it avoids needless incursion into the rights of the States. It also affords a better basis for coordination of the Authority's plans with those of other planning agencies. The compact approach takes the Federal Government out of the business of operating the system. Also, the compact facilities coordination of the rail transit facilities with the operations of privately owned buslines which are now regulated by the Washington Metropolitan Area Transit Commission pursuant to interstate compact among the same three signatories, consented to by Congress.

But the most important advantage of a compact Authority over a Federal or District of Columbia Corporation is the time factor. When Congress, in 1965, approved the transit development program prepared by the NCTA and authorized appropriation of $150 million of Federal and District funds as grants toward construction of the core system, it did not grant NCTA authority to issue bonds, but left for later determination the method for raising the bulk of the money required for financing the authorized system. The Authority created by the compact would develop and negotiate an equitable plan for financing the entire regional system, including the core system already authorized. Alternatively, the creation of a Federal or District Corporation to raise money for the core system by sale of revenue bonds would defer construction of the regional system until after the core or basic system is completed. It seems clearly preferable to establish a compact Authority which would plan and develop the regional system while going forward with the construction of the core system. The NCTA will need more money by mid-1968. Enactment of the compact legislation now is needed if physical and financial plans are to be completed in time to market revenue bonds in the spring of 1968. I have stressed the superiority of a compact authority over a Federal or District corporation, not because the contrary has been widely argued, but because some of the objections that have been raised to the legislation seem so thin that I wonder whether they may, in fact, conceal an unspoken preference for a Federal rather than an interstate instrumentality.

SUPPORT FOR LEGISLATION

I will call the attention of the House to the distinguished support which the measure has received. The legislation is desired by the President of the United States; by the Governors and the Legislatures of the States of Maryland and Virginia; by the Board of Commissioners of the District of Columbia. It is supported by the Bureau of the Budget and the NCTA. In addition to witnesses presenting testimony at the hearing, its enactment was urged by the Leagues of Women Voters; by several citizens' associations, chambers of commerce or boards of trade; by the AFL–CIO and by numerous cities and towns within the region.

Despite the overwhelmingly favorable reception, however, the legislation has been subject to some criticism. I will cover that later in the event the criticism is levied against the compact.

We follow the constitutional admonition that compacts between States must be ratified by Congress. We ask that this particular compact be now ratified by this body.

I hope the joint resolution will be overwhelmingly passed by the House.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I am happy, indeed, to join with the distinguished chairman of the House Committee on the Judiciary in support of the District of Columbia area transit compact. I hasten to assure the Committee that I do not wish to consume time in general debate which rightfully belongs and necessarily should accrue to those Members of this body who have patiently worked for a number of years to bring this legislation and the regional transit plan to near fruition.

But, Mr. Chairman, I believe it would serve a useful purpose to put the legislation before us in historical perspective. I am not now speaking merely of the recent history of proposals for rail rapid transit for the Nation's Capital which date back to 1952. These will be treated by succeeding speakers.

I am speaking, rather, of the historical role of Congress as the planning, as well as the governing, body for the seat of National Government.

It is important to note that by our debate on this measure, we are continuing the great work of the Founding Fathers and of succeeding generations of statesmen, in advancing the design of the Nation's Capital. Whether it be regarded as the Federal City or whether it be styled—as it was in President Washington's time—"the only child of the Nation," it is a city which was set aside and reserved, not just for its residents, not just for departments and agencies of the Government which are located here, but for all the people of the Nation.

"What is past is prologue" is a familiar line chiseled in the marble on the Archives of the United States. I would add to that observation an incisive caveat by the great 19th century English novelist and commentator on his times, John Galsworthy who wrote:

> If you do not think about the future, you cannot have one.

The prolog to our action today—speaking in broad perspective—reaches back to the founders, and to the clause in section 8 of article I of the Constitution whereunder the Congress accepted cession of 10 square miles of ground from Maryland and Virginia. It is significant that these two original States not only ceded the land but at the same time contributed significant sums for the construction of public buildings in the new city.

The touchstone to development was prior planning. Maj. Pierre l'Enfant who formulated the original city design was to remark:

> No nation ever before had the opportunity offered them of deliberately deciding upon the spot where their capital city should be fixed.

L'Enfant devoted his life to assisting in the creation of a capital which would be "magnificent enough to grace a great nation."

I believe that over the years implementation and development of the original concept and plan for the Capital City has proceeded, in the main, to exemplify the progress and dignity of the growing nation. Thomas Jefferson looked to the architecture of the Capitol Building itself as influencing "with Athenian taste the course of a nation looking far beyond the range of Athenian destinies."

In 1851, Congress looked to the future in appropriating funds for the improvement of the Mall, to be undertaken under the plan of Architect Andrew Jackson Downing. Downing's report to the President in that year included these prophetic words:

> The public grounds at Washington, treated in the manner I have suggested, would undoubtedly become a public school of instruction in everything that relates to the tasteful arrangement of parks and grounds, in the growth and culture of trees, while they serve more than anything else that could be devised to embellish and give interest to the Capital.

History records that large public parks were still unknown in the young Nation at this time, and Downing, with his design for the Mall as executed by direction of the Congress, was among the leaders in establishing parks and open recreational space as an essential part of our urban culture.

I will not dwell on further examples. If I may be permitted to cite a few indications of the problems of Washington's future, which symbolize and pattern as well the pyramiding problems of urbanizing America, I can demonstrate how we will address them forthrightly by executing and consenting to the Washington metropolitan area transit regulation compact which is before us today.

First, as to urban population, by the year 1985, the population of the Washington area, which last year stood at 2.3 million, will have increased to 3.4 million. The number of the entire population of the country who will be living in urban areas of over 50,000 population will be equal to the total population of the whole country as of 1960.

In terms of land use, between 1965 and 1980, the area of land put to urban use in the Nation will have doubled. If you apply this figure to the rapidly expanding suburbs of Washington, you will appreciate the need to develop apace of this expansion the means of access to and movement within the District of Columbia for residents and visitors of the city and suburbs.

The soundness of a mix of transportation means within a regional system is no longer open to question. Other cities than Washington finding themselves choked with automobile commuter and visitor traffic have moved to incorporate rail systems with freeways. San Francisco has started construction of a 75-mile rail rapid transit system; Atlanta, Seattle, Los Angeles, and Houston, to name a few others, are moving in this direction. Spurring this progress along unquestionably, is an additional and sobering figure, that there presently is one operative highway motor vehicle in the United States for every two citizens. The threat to urban areas, if other transportation means are not found, should be obvious.

Two imperatives emerge from even a brief analysis of the history and predictable future of the growth and development of the Nation's Capital.

First. The maximum and most sophisticated planning should precede actual construction of so vital and integral a part of the Nation's Capital as the completed transit system will be. Such planning is already underway for the core system.

Second. The future, whose problems we hope to anticipate, is not so far away that we can afford a piecemeal approach to what is a truly regional problem. We cannot have a core system and only then turn to the problems of extending the system to the suburbs. We must have a unified, regional approach, and we must initiate it now.

Mr. Chairman, I believe the legislation as it was reported from the subcommittee will most effectively fulfill the two imperatives to an efficient transit system, worthy of the Nation's Capital. Those same two States which first ceded the land and gave money for the buildings in the 18th Century again stand ready to answer this 20th century necessity for further development of the Capital City.

Mr. Chairman, other members of the Committee and other Members of this body will outline the basic functions of this compact as a device for establishing a regional transportation system. I would like to close by pointing out some of the things that this legislation does not do:

It does not create a regional system nor does it build a mile of rapid transit, in and of itself.

It does not impose any obligations, financial or otherwise, on the United States or on the District of Columbia.

It contains neither a regional financial plan nor a physical plan for the rapid rail transit system.

But the compact does create the framework and foundation upon which can be built a solution to the transportation problems of the greater Washington area. I believe it provides every prospect that the transit system eventually perfected will be worthy of the Capital of our great country.

Mr. TENZER. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, as one who has long been interested in a rapid transit system for the District of Columbia, and as the author of the bill which provided for such a system for the District of Columbia, I want to say to some of my colleagues who have now joined us, "Welcome aboard; I wish it had been otherwise in other days."

Mr. Chairman, when we were getting bloodied up in an effort to get this bill passed, one of the North Carolina newspapers, after the 1963 vote, carried a cartoon showing me hanging upon a subway strap, and the title of the cartoon was "Lonesome Rider."

Apparently we have picked up some local riders now that the Federal money is about to be made available.

I have here a photostat of the record vote that we had back there when we were really fighting for a rapid transit system. It is a very interesting thing to look at.

So I say seriously and heartily that I welcome you. I am pleased that you now support a rapid transit system for the District of Columbia.

I am afraid, however, that in their zeal for the rapid transit system at this late date that they have not had an opportunity to have the full picture brought to their attention as to past history and as to what this compact would do, nor information as to the propriety of Congress taking a close look at this compact.

The Committee on the Judiciary customarily handles compacts. Under the Constitution compacts between States must be approved by the Congress before becoming effective.

This is an unusual compact, however. It is not the usual situation. Usually the compact is between two or three sovereign States, and they agree upon something, come to the Congress, and we approve it or disapprove it. In this case the Congress is one of the legislative branches involved in agreeing upon a compact.

The Maryland and Virginia Legislatures, as the chairman of the Committee on the Judiciary has said, have written a compact. The Congress is the legislative authority for the District of Columbia, and the Congress was not even asked to participate in the writing of the compact. Now the proponents of this compact say that the Congress, as the legislative authority for the District of Columbia, should abdicate completely its functions, and say that we are going to accept in a hoodwinked manner what the two legislatures in these two neighboring States have done.

I think Congress has a greater responsibility than that. I think we have a duty to write for the District of Columbia and the Federal interests the provisions of the compact in compliance with what we think is best for the area that we are supposed to represent specifically as legislators, and that is the District of Columbia.

There are some, of course, who are now saying that there is something unholy about amending this Maryland and Virginia written paper, who would argue with me, and have in the past, that the Congress has exclusive legislative authority over the seat of the government of the District of Columbia under the Constitution, but who say that if we do not abdicate in this instance, that in some way we have done some terrible wrong.

If the Maryland Legislature and the Virginia Legislature are not scheduled to meet as soon as you think they ought to there is nothing to keep them from meeting in special session if we amend the compact.

This compact should be amended. I will offer several amendments, and I will offer them as one who is interested in a rapid transit system.

I recall to your mind some history. Several years ago when we first commenced our committee hearings in the subcommittee of which I am chairman, there was submitted to us a rapid transit plan for the Washington metropolitan region. According to the estimates that we had, this plan would have involved an expenditure in excess of $800 million.

After going into this matter and thinking about it seriously, and talking about it, those on our committee who at that time were interested in a rapid transit system decided that we should reduce it to a core system which would serve the District of Columbia, and which would be an economical and feasible entity.

We further reduced the cost by these steps to $431 million and we came to the floor of the House and had only 76 votes for our side when the roll was called.

We came back in the 89th Congress with the same core system, with some amendments to the previous legislation, and the Members of the House and Senate unanimously adopted this legislation on a voice vote.

So whether we have a regional system or not, it seems to me we must be reasonable at this time as we have been in the past. I am firmly convinced that if you move into this regional program under the provisions of this compact—and I say this because of the conversations and conferences I have had with some key Members of this body—that you will never see in the District of Columbia in the foreseeable future a completion of the core system which the Congress has already approved.

You who say you are interested in a rapid transit system can best prove it by going along with the core system, which is something that the Congress has already approved and for which we have authorized the expenditure of $100 million of Federal money and $50 million of District of Columbia money. Then when that core and essential system is built, we can then look at the regional approach and make the extensions which at that time are necessary in order to meet the transportation needs of the whole area.

I say to you for whatever it may be worth, as one who has been genuinely interested in rapid transit and who because of his interest in helping this city and its environs to have a rapid transit system, I think you are on the wrong track by pushing this so-called compact at this time.

I do not say that because I am opposed to ultimately seeing a regional system. I think it would be foolish for anyone who believes in a rapid transit system not to hope that some day it could truly be a regional system.

Without going into detail now, I have some eight or more amendments which I have prepared. I believe in these amendments and I believe that these amendments are valid and should be adopted.

As some evidence of my belief that I am on solid ground, I can say to you as my colleagues in the House that some 8 or 10 days ago I furnished to the chairman of the Committee on the Judiciary, who is supporting this compact as it is written with the committee amendment, with a copy of each of the amendments. I also furnished him with a copy of the argument that I propose to make on each one of them. So I may find that I have put myself at a disadvantage by giving them this advance information in some detail.

May I point out again that this compact has never been reviewed by the House Committee on the District of Columbia. It has never been reviewed by the Congress, as the legislative authority for the District of Columbia.

I would further point out to you that if you adopt this resolution, you will have done more than approve a compact because this joint resolution is a compact plus legislation. This resolution authorizes the expenditure of funds in an unlimited amount by the District of Columbia government in connection with this compact. It has other language which is legislation and it is not merely the approval of a compact as we normally have in compact legislation.

I submit in all seriousness as a member of the Committee on the Judiciary and through the kindness and permission of the chairman of the subcommittee I had the opportunity to sit with that committee as it heard this matter, I believe that the House Committee on the District of Columbia should also have had an opportunity to consider any compact and to have obtained the approval of the Congress before you accept language that was written in Richmond and in Annapolis without Congress having the opportunity to pass judgment on it.

I say to you gentlemen in all earnestness that the proposed compact is about as devoid of any protection of the interests of the taxpayers and citizens of the District of Columbia and the taxpayers of the Federal Government as any minds could have created anywhere in this country. It could constitute a raid on the Federal Treasury and on the Treasury of the District of Columbia, for reasons that I shall point out as I offer amendments later.

I urge you to consider this matter seriously. I am not going to engage in a bunch of parliamentary shenanigans. I do hope to have the opportunity to present my arguments on several amendments. I have an interest in the development of a rapid transit system here. I am convinced, though, that if you blindly proceed with this proposition that we have before us now, the transit system will be in real jeopardy.

Mr. POFF. Mr. Chairman, I yield myself 10 minutes.

First, by way of preface, a word of good news: We on this side do not propose to consume the hour and a half which has been allotted to us for general debate. As the distinguished gentleman who preceded me indicated, the gravamen of the debate will proceed when the bill is read for amendment under the 5-minute rule.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from New York [Mr. TENZER].

Mr. TENZER. I say to the gentleman that we do not intend to use all the time allotted under the rule.

Mr. POFF. I thank my friend.

Parenthetically, however, I would underscore a comment made by the gentleman from North Carolina to the effect that he will offer some eight or more amendments. Accordingly, Members should govern themselves as to their future plans for the afternoon.

I was disappointed that the gentleman from North Carolina indicated it would not be appropriate to indulge in the customary amenities. I had intended to pay him the tribute which I think he is due, and his injunction notwithstanding, I shall do so. I believe all of his colleagues recognize the tremendous contribution that he has made to the concept of a regional transit system and to its inauguration. I believe eventually we will be able to count upon his great talents for the consummation of this wise concept. As the course of the debate proceeds to a logical conclusion, I feel certain that the gentleman will be inclined to support the passage of this bill.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. POFF. I am happy to yield to the distinguished gentleman from North Carolina.

Mr. WHITENER. I appreciate the gentleman's comment, but I think I would have to say to him that which Sir Winston Churchill said about Lord Atlee when Atlee walked by and Sir Winston Churchill said, "Mr. Atlee is a very modest man and with very good reason."

Mr. POFF. I do not know whether the gentleman intended to mean that by way of self-derogation of himself or by way of accusation. In any event I think it would be important in the brief time I have scheduled for myself in general debate to speak to one issue which perhaps is uppermost in the minds of many Members.

I would like to speak a word of caution to those who think that a negative vote on the bill will somehow be registered as an economy vote.

Mr. Chairman, on the contrary, a vote against the compact will be a vote to increase the total financial commitment of the Federal taxpayers. Such a broad statement, I think, deserves a little definitive explanation, and I will undertake that.

Mr. Chairman, as has been said, Congress has twice already decided and twice had embedded its decision in the law of the land that the transit system for the National Capital area should be a surface and subway mix, that it should be regional in concept, regional in service, and coordinated with other public and private transportation facilities serving the area.

Toward the implementation of that policy the Congress has already committed on behalf of the Federal Government $100 million and on behalf of the District of Columbia $50 million for a construction start on a core system. The core system, for the purposes of this debate, should be understood to mean the transit system primarily within the District of Columbia.

Upon completion of the core system, the Congress will make a determination as to how the additional $331 million of cost of that system should be financed. Obviously, unless this compact is adopted, the total burden, both direct and contingent, will fall upon the Federal Treasury. Said differently, the Congress either will have to make grants for the remainder of the $331 million or the Congress will have to establish a Federal corporation to float revenue bonds to raise the remaining $331 million, in which event, of course, the Federal Treasury would be contingently liable.

After this money has been spent and the core system has been constructed, the increased traffic demands and the requirements for additional revenues to service the bonds will demand an extension of the service into the outlying areas adjacent to the District of Columbia.

If the Federal Government pursues the Federal approach as distinguished from the interstate compact approach, then at that point it will be the burden of the Federal Government alone to undertake the financing of the extensions, either by way of grants or by way of revenue bonds issued by a Federal corporation.

Let us suppose, for example, that the Congress should decide in such an eventuality to proceed by financing through revenue bonds. It would be confronted first and foremost with the fact that $331 million in revenue bonds would be outstanding in the market, and that the assets of the core system and the revenues of the core system would be pledged to those bonds. Before the Federal Government could proceed to finance by revenue bonds any extensions into the suburbs, it would be necessary to redeem those outstanding bonds and take them off the market. Why? Simply because no investment house will accept a lien on a part of the assets or on a part of the revenues to finance a part of the system.

If we concede that the bonds would have to be redeemed, we must take into account the redemption penalty. Ordinarily the penalty is 5 percent; and 5 percent of $331 million is about $16½ million. That, I suggest, is an additional cost which must be taken into account.

Another additional cost occurs to me. If we pursue the Federal approach as distinguished from the interstate compact approach, we are bound to be faced with substantial delay. If we consider that we are currently experiencing an inflationary impact of approximately 3 percent a year, this is equivalent to saying that every year of delay on an $800 million project will cost an additional $24 million.

So, Mr. Chairman, I submit that the Federal approach, as opposed to the interstate authority approach, will cost the Federal Treasury more in money and contingent liability because it will result in an increased cost for the total regional project. Without compacting partners, the full burden will fall upon the Federal Government.

It seems to me, then, that we serve the interests of those we represent in congressional districts remote from the District of Columbia best by approving a system which will enable the participating political subdivisions in the area to participate equitably in the financial burden necessary to construct a facility which is essential to the proper functioning of the Capital of the greatest nation in the world.

Mr. TENZER. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Chairman and members of the Committee, I was interested in the comments of the gentleman from North Carolina [Mr. WHITENER] with respect to the method used in arriving at the document we have before us today. Rather than using this time, then, for the remarks I had prepared, I would like to explain for the benefit of the House just how this compact was negotiated. I do so because the impression has been created that the compact was negotiated in Richmond and in Annapolis and then brought here and now we are asked to approve this document blindly, not exercising our rights and prerogatives. Let me say as a member of the negotiating team—and I hasten to add I did not represent the Congress of the United States for purpose of negotiating, because at the time I first became a member of the negotiating commission I was a member of the State legislature in Maryland——

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. SICKLES. I yield to the gentleman.

Mr. WHITENER. Was there anyone representing the Congress of the United States in the so-called negotiations?

Mr. SICKLES. In the actual negotiations there were no representatives of Congress either from the Senate or the House of Representatives.

Mr. WHITENER. As far as the gentleman knows, no effort was ever made before the delegates acted in the State legislatures to get the views of either the House of Representatives or the Senate of the United States?

Mr. SICKLES. As far as I know, there were no direct negotiations by our commission asking that someone be designated to represent either House of the Congress of the United States.

I would like to point out that we had the problem described to me once by a Catholic priest assigned to a post in southern Maryland when he was a young man. He went to the monsignor in charge of travel and asked him which was the best way to go. The monsignor told him he could either go down to the port of Baltimore and take one of those boats that go and stop at every town along Chesapeake Bay, or else he could take a train to Washington and then take another train to North Beach and then take a fast horse and buggy the rest of the way, and he would eventually end up in southern Maryland. The young priest asked the monsignor, "But which is the best way to go?" The monsignor thought for a while and finally said, "I really could not say, but whichever way you go, about halfway through you will wish you went the other way."

Well, that was the trouble we had as negotiators of this compact. We had the problem of in effect trying to outguess each of the legislative bodies. This document was not negotiated in Richmond or in Annapolis, but it was pursuant to title III of Public Law 86-669, the National Capital Transportation Act of 1966. It is specifically stated in that law that there should be a compact negotiated and consent was given in advance for those negotiations. It specifically provided in paragraph (c) thereof that "the President shall appoint a person to participate in the compact negotiations and to represent the United States generally. The Federal representative shall report to the President either directly or through an agency or official of the Government as the President may specify." Our negotiations followed the pattern of the previous negotiations, and the previous negotiations had representatives from the District Commissioners, from the State of Maryland, and the State of Virginia. We decided if this was the proper way to negotiate the first compact which was adopted to establish the regulatory agency and since there was a Federal law which only added the Federal representative appointed by the President, that this indeed was the proper way to negotiate this compact.

After we had concluded our negotiations, we took the document to the State of Maryland where it was adopted.

Then, Mr. Chairman, in the following year we took it to the Commonwealth of Virginia where it was adopted, without amendment.

Mr. Chairman, the reason we suggest that it be adopted without amendment here today, is because we feel that the kind of decisions we have made in our negotiations are in the best interests of the entire community, and are in the best interests of all the governments involved, including the Federal Government.

And, Mr. Chairman, I will say this to the members of the Committee of the Whole House on the State of the Union that in the course of our negotiations there was not one decision made that did not represent the unanimous decision of all the negotiators, including the Federal negotiator, who was conversant with all of the views of the Federal agencies involved, including the Bureau of the Budget.

But, Mr. Chairman, there was nothing that was decided which was so unusual or which did not represent a reasonable point of view or which was unworkable so as to create any real concern for any individual even if he would have decided the issue in a different manner were he to decide it alone.

And, Mr. Chairman, we hope that this is the attitude that the House of Representatives will take today. I realize that upon many occasions there are two roads to travel.

Mr. Chairman, one has little difficulty deciding which road to travel. But, Mr. Chairman, we have traveled the roads which we believe can reasonably be supported.

Mr. Chairman, it is true that this is an unusual compact in that it is designed to provide the consent of the Congress, as provided in the Constitution but also adopts the compact for the District of Columbia. Question has been raised as to why this legislation was referred to the Judiciary Committee only and not to the District Committee.

Mr. Chairman, this comes about as a result of the rules which have been enacted by the House of Representatives, and not by any design on the part of any individual to bypass any Member of the House of Representatives.

Mr. Chairman, I believe the Committee on the Judiciary has acted well on this legislation. It conducted 3 days of hearings, hearings during which testimony, both pro and con, was taken. It came back with this legislation.

However, Mr. Chairman, I hope that at the appropriate time the Committee might be persuaded to change its position with respect to Committee amendment No. 2 and not support it at this time.

Mr. Chairman, in essence, I believe the Metropolitan Washington area does need a balanced system of transportation, and I further believe that it will not have a balanced system of transportation until such time as we have a rapid rail transit system.

And, Mr. Chairman, there is no reason to wait for the District of Columbia to complete the downtown system.

We need a rapid transit system, and unless we indorse this compact today, we shall delay the bringing about of a regional system of transportation for this entire area.

The best manner in which to institute this rapid transit system is through the compact where all areas will be represented in the decisions which are made with respect thereto.

Mr. Chairman, the Federal Government should not be allowed to determine alone where the extensions of the system will be in the suburbs of Maryland and Virginia.

This is a local problem. It affects the growth of the local areas involved. The genius, if there is any in this compact, is that it shall be used as an instrument of the local governments involved, while at the same time protecting the interests of the various States involved and the interests of the Federal Government.

Mr. Chairman, I strongly urge that this body approve this compact.

Mr. POFF. Mr. Chairman, I yield 2 minutes to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Chairman, I am impressed with the fact that the Congress has twice before registered its support for a regional transit compact, which creates an interstate authority for the operation of a rapid rail transit system in the Capital region. The concept embodied in this legislation is nearly universally accepted and agreed to.

I regard it as settled beyond question that the solution to the public transportation system of the District of Columbia will be found in a skillful blend of transportation means, freeway, bus, and rapid rail transit.

I might remind the membership of this body of a significant fact about the number of motor vehicles now operative in the country. If the entire population of the Nation was to evenly distribute itself in the vehicles available today, there would only be two persons in each vehicle. From this simple fact, it easily follows that some alternative to private transportation in the Nation's Capital will be essential in the very near future.

I am convinced that this State and local approach is far better than the alternative of a federally operated regional transit system. I for one welcome and appreciate the fine cooperation of those two great States who at the birth of the Nation, ceded the land upon which this great city now stands.

Mr. Chairman, I urge that House Joint Resolution 1163 be passed so that it might become law as soon as possible. It has already passed the other body, and awaits only our approval which I hope will be secured this afternoon.

Mr. POFF. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, if the question was asked as to what was the greatest, the most serious, the most complicated problem of a metropolitan nature, the answer would be that of movement of people and goods, or transportation and communications. In fact, the only solution to the problem of transportation and communications would have to be on an areawide basis.

I am not trying to minimize the problems of school and police and fire protection, and recreational areas, but those problems can actually better be solved within the local political subdivisions of the various States, but it would be ridiculous to try to solve the transportation and communication problem by separate action on the part of the individual States or separate communities. You cannot imagine building a subway system in each of these States and each of these communities, and stopping the subway lines right at the boundaries of each of the political subdivisions. This problem must be approached on an areawide and regional basis.

Congress has agreed to this. There is no controversy over the fact that we have to solve the problem of transportation on a regional basis.

This action we are taking today is the final step in obtaining a regional approach to this problem. We have had 12 years of work, negotiation and planning. This is not pork-barrel legislation where the local communities here are raiding the Federal Treasury—and I am not denying but what I have been guilty and probably will be guilty in the future of having my hands in the Federal cookie jar on behalf of my constituents—but this does not give the local communities an opportunity of getting additional Federal subsidies in solving transportation and communication problems. On the contrary, we cannot possibly do anything about solving this problem without getting ratification of this interstate compact by the Congress.

We have heard a lot about the various steps which have already been taken by the Congress in this regard. The report of the committee points out that we have been working on this for over a decade. Actually, the Congress first took a major step in this direction in the 83d Congress in 1954, 12 years ago, when both Houses approved the creation of a commission to study the Metropolitan Washington area problems with a view to solving the problems of transportation and communication.

That bill was vetoed by President Eisenhower because we had a regulatory authority attached to the legislation that had some technical problems involved.

But the President came back to the next Congress, the 84th Congress, and recommended the appropriation of $500,000 for the National Capital Planning Commission and the National Capital Regional Planning Council to enter into a study of the metropolitan area problems, directed mainly to the problem of the movement of people and goods.

In the meantime the State legislatures of Maryland and Virginia had created a joint transit commission to which there were members appointed to work with each other and with the District of Columbia to try to come up with some areawide solution to this particular problem.

That was not all that the Congress did.

In the 85th Congress we created a joint committee made up of three Members of the House and three Members of the Senate to study further this particular problem of metropolitan area transportation. It was this joint committee that received this $500,000 report which was authorized by the 84th Congress. In fact, it cost a great deal more than $500,000. After 3 years' work, this report was received by this joint committee which was created by the Congress. The main thrust of the recommendation of this 3-year study or 3-year survey was that there must be a balanced transportation system; that it must be planned and constructed on a regional basis and that it should be regulated and operated by an interstate compact.

So the joint committee approved legislation that created the National Capital Transportation Agency which was approved by the 86th Congress in 1960.

In that legislation the National Capital Transportation Agency was directed to proceed with the plans and specifications for an areawide transportation system and authorized in that legislation the creation of an interstate compact to construct and operate the system.

Then again the 89th Congress in 1965 in legislation that the gentleman from North Carolina [Mr. WHITENER] was talking about wherein we authorized the construction of a $431 million system here in the District of Columbia and we reconfirmed the interest of the Congress and the desire of the Congress for an interstate compact to be created to extend further the construction of the system and to issue revenue bonds.

So here over a period of 12 years, time and time again, the Congress has said that we must have a regional approach to this problem and that an interstate compact must be created in order to solve properly the problem.

Here we have had representatives of the States and representatives of the District of Columbia and representatives on the part of the President working together trying to create this compact at the request of the Congress.

As pointed out by the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER] and our minority leader, the problems are getting worse. Traffic is increasing. There are 1 million cars a day entering the Nation's Capital from the suburbs.

A subway system—a mass transit system for the city of Washington alone cannot survive. You have to have some way of getting the people who are in the suburbs into the city to use the system in order for it to be economically feasible.

A lot has been said about the protection of the Federal taxpayer. We have already authorized the expenditure of $150 million, which we agree will not do the job.

We recognized in the legislation that was passed last year that three hundred and some odd million dollars in bonds have to be issued. Yet, we held up authorizing the issuance of those bonds in the legislation passed last year recognizing that an interstate compact had to be created in order to issue the revenue bonds.

There is ample protection here for the $150 million authorized by the Congress because we have to go through the Committee on Appropriations to get this money. It is provided that the $150 million would only be spent for the construction of the system here in the District of Columbia.

This will be a partnership and it should be a partnership, with equal political participation for all the communities that will be involved.

The compact could protect the Federal Government from getting involved into any labor problems. We would not have the Federal Government being involved in labor negotiations and in the handling of the construction and operation of the transit system.

As the gentleman from Virginia [Mr. POFF] pointed out, a delay would be extremely costly. Even if we went ahead on Federal action for the core system and we issued bonds and then later on entered into a compact, it would be extremely costly in order to transfer those bonds and, of course, there would be delay in the construction of the regional system, and with inflation and increased cost of construction, it would probably cost several million dollars more.

So let us not renege on what the Congress has asked the communities, the States, and the District of Columbia to do, and let us not let 12 years' work and planning be in vain.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from Texas.

Mr. PICKLE. The gentleman made a statement that this ought to be a program that would allow for equal participation. I assume he means equal participation on the part of Maryland and Virginia along with the Federal Government.

Mr. BROYHILL of Virginia. Yes.

Mr. PICKLE. Are you speaking in terms of policy matters or in terms of dollars and cents?

Mr. BROYHILL of Virginia. In both.

Mr. PICKLE. What would be the overall cost of the project? Could you make an estimate?

Mr. BROYHILL of Virginia. When we studied the regional system in the Committee on the District of Columbia 3 or 4 years ago the estimate was approximately $800 million.

Mr. TENZER. Mr. Chairman, will the gentleman yield before the gentleman from Texas asks his next question?

Mr. PICKLE. Let me finish this thought.

Mr. TENZER. I want to straighten something out. The question was directed to the use of the word "equal." The term is "equitable."

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield to the genleman from New York [Mr. TENZER] such time as he cares to consume.

Mr. TENZER. Mr. Chairman, I rise in support of House Joint Resolution 1163. I had the pleasure of serving on the subcommittee of the Judiciary Committee which conducted the hearings on this matter.

House Joint Resolution 1163 is in a unique posture. There is, so far as I have been able to ascertain from my participation in the proceedings before the committee and on the floor during this debate, unanimous support for the objectives and the principal provisions of the compact. The objections which have been voiced are directed to insubstantial and peripheral matters, none of which taken individually or in the aggregate raise issues of significance justifying adverse action on the legislation. I find it reassuring that the dedicated opposition, after the most thorough gleaning, can find so little of consequence to which any possible objection, no matter how strained, can be made.

The failure of the opposition to attack the basic objectives and provisions of the compact is understandable. They are altogether meritorious. There can be no doubt—

First, that the movement of people within the Washington Metropolitan Area is a regional problem and can be solved only on a regional basis;

Second, that the problem is of vital concern not only to the Federal Government but to the District of Columbia and to the Maryland and Virginia counties and cities which are a part of the urban complex;

Third, that the provision of transit service in an urban area is and should be a function of local rather than Federal Government;

Fourth, that the local political subdivisions in the area are ready and willing to take the initiative and responsibility for providing the necessary transit facilities and to provide their equitable share of the cost; and

Fifth, that, accordingly, it is neither necessary nor appropriate for the Federal Government to make transit in the Washington Area a Federal project.

Although not directly attacking the inherent merits of the compact, the asserted objections, or any of them, if accepted, would defeat the compact. It must be understood that a compact is in effect a legislative contract and the compacting process requires that each legislative body enact substantially identical laws. Thus, any amendment to the compact would necessitate the resubmission of the compact for reenactment to the Maryland and Virginia Legislatures. This legislative process could be completed at the earliest in 1968, since the Virginia General Assembly meets biannually in even years.

But the compact is needed now—1968 will be too late. Thus, a vote for any amendment is, in reality, a vote for rejection of the compact.

One of the principal functions of the authority is to provide the funds for the completion of the basic system in excess of the $150 million of Federal and District of Columbia grants which Congress has already authorized. This money, according to present NCTA schedules, will be needed by mid-1968. Unless the authority is created at this session, it is doubtful that it could do the necessary public financing job.

Without the compact, the Congress will be faced with responsibility for financing the basic system and the inevitable enlargement to a regional system. The regional system cannot be financed or satisfactorily operated as separate jurisdictional segments. If the project begins as a Federal project, it will most certainly continue as one. This session is the point of no return. We must now decide whether we want transit to be a Federal or interstate project. If we reject the compact, we will have a Federal project. If we approve the compact, we preserve the option to go either the Federal or interstate route after we take a look at the physical and financial plans of the authority. I fail to perceive that any or all of the objections which have been urged have the significance or merit to justify that we now blindly reject the compact before we see what it can do.

During the hearings the critics—limited in number—explained that they were not opposed to the compact but felt that the compact should not be created until the basic system already authorized by the Congress is completed or well underway. This position ignores the fact that it is most unlikely that the authority would be able to finance the suburban extensions as long as the assets and revenues of the basic system are pledged to secure the public bond issue which will be required to finance the basic system. The bond market will not buy divisional liens on the regional system. One agency must do all the public financing. If the basic system is built and financed by a Federal entity, the authority, under the most optimistic view, would be faced with a prohibitively expensive redemption of the outstanding Federal securities or, what is more likely, would find that the bonds of the Federal agency would not be redeemable for a number of years. Thus, the recommendation that we proceed by separate stages is not realistic and in reality calls for a Federal project.

I am at a loss to understand how anyone can urge a course of action which in all likelihood will put the Federal Government in the transit business when the local governments propose an equitable arrangement which would relieve the Federal Government of that responsibility. He would now have Congress reverse a policy decision made in the National Capital Transportation Act of 1960. In section 102 of that act, Congress found that there should be a regional system cooperatively developed between the Federal, State, and local governments. In section 204(g) of that act, Congress laid down the policy that the cost of the regional system should be borne as far as possible by the fare box and that any remaining costs shall be equitably shared among the Federal, State, and local governments. Those policy provisions were reaffirmed in section 2(b) of the National Capital Transportation Act of 1965.

Mr. Philip S. Hughes, Deputy Director, Bureau of the Budget, testified before the committee that one of the basic principles which guided the administration in the negotiation and drafting of the compact was that major responsibility for planning, development, and operation of the transit system should be at the local level and shared by the participating local jurisdictions with, at the same time, effective protection of the Federal interest. Mr. Hughes expressed the view that the legislation meets the requirements of this principle. The compact keeps the Federal Government out of the day-to-day operation of a local transit system while affording adequate protection for the Federal interest.

This bill is no handout to the Congressmen from the nearby Maryland and Virginia areas. Actually, the reverse of this situation is true. Our colleagues whose districts lie in the National Capital region are urging a course of action which will require their constituencies to put up large sums of money in a cooperative effort with the District of Columbia and the Federal Government to deal with a regional problem. Without the compact, the regional transit system would be strictly a Federal party.

The committee adopted an amendment which, I am convinced, may well frustrate the interstate approach to the regional transit problem, even if we approve the compact. That amendment is committee amendment No. 2. I opposed that amendment in committee and I will oppose it again under the 5-minute rule.

It is obvious that the legislation must provide for an orderly transition from NCTA to the Authority. It would be utter chaos to leave both a Federal agency and an interstate agency in the field to do overlapping jobs. The period of transition should be as brief as possible to accomplish the orderly transaction. The legislation as submitted by the President, provided that the transition would occur on September 30, 1967. That is contained in section 3(a) of the bill on page 70. That date was carefully selected and provides time for the Authority to prepare its physical and financial plans and have them reviewed by the Federal Government prior to the takeover date. If those plans are unacceptable, Congress would still retain complete control of the situation. It could at that time repeal the consent or extend the time for takeover. The power of Congress to do so is expressly preserved in section 6(a) of the bill.

There are many advantages which flow from this takeover program:

First. Until the takeover, section 3(c) of the bill provides that the powers of the NCTA shall be unimpaired. This means that NCTA will continue to plan and develop the basic system to the extent of availability of funds. This arrangement, together with restrictions imposed by paragraph (b) of section 3 on the use of the $150 million of grants authorized by the Congress, is practical assurance that the basic system will be constructed as authorized by the Congress;

Second. The definite provision for the takeover eliminates any competition for survival between the NCTA and the Authority. Such a bureaucratic battle could produce only chaos;

Third. One of the principal transition provisions is that the NCTA is to serve as the planning and engineering arm of the Authority during the period of coexistence of the agencies. This arrangement is provided for in paragraphs (c) and (d) of section 3 of the bill. This arrangement will assure that the basic system and the regional system will be developed under a single planning and engineering concept and will avoid the necessity for creating duplicate professional staffs. Under this arrangement the personnel of NCTA will be able to transfer to the Authority at the time of takeover; and

Fourth. Most importantly, the Authority must assume full responsibility for the project by September 30, 1967, in order to meet the time schedule for public financing.

Committee amendment No. 2, however, would strike the definite takeover date of September 30, 1967, and substitute in lieu thereof an indefinite time to be determined later. The determination would be made at such time as the Committees on the Judiciary of both the Senate and House are satisfied with all of the details of the authority's financial and physical plans and the personnel structure of the authority. Neither the Judiciary Committees, nor any other committee of the Congress, are staffed to serve as a planning commission and should not be requested to do so. The details involved in the physical and financial planning involve the kind of complexities and expertise which normally are considered the function of administrative agencies. There is no basis for an exception in this case. If the plans for a regional system require further participation by the Federal Government, either on behalf of the United States or of the District of Columbia, the entire Congress—not just two committees—should determine whether and to what extent the Federal Government should participate. Even without committee amendment No. 2, Congress necessarily would be required to make this determination. The procedure involved in the proposed amendment adds nothing further to protect the Federal interest. It simply creates a Pandora's box of confusion, the probable consequence of which would be completely to frustrate the interstate approach.

I, therefore, urge you, my colleagues, to vote for the approval of the compact, oppose any amendments to the compact offered on the floor, and support the deletion of committee amendment No. 2.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. ST. ONGE].

Mr. ST. ONGE. Mr. Chairman, mass transit for the metropolitan area of Washington presents two factors which have primary influence on shaping the organizational structure to administer the regional transit system:

First. The area involved encompasses the District of Columbia, which is a Federal territory, and parts of the two States of Maryland and Virginia; and

Second. The responsibility for providing mass transit service is a function of local government.

In the National Capital Transportation Act of 1960—Public Law 86-669, 74 Stat. 537—Congress recognized these factors and authorized the States of Maryland and Virginia and the Board of Commissioners of the District of Columbia to negotiate a compact to create an organization empowered to provide the regional transportation facilities. That act also created the National Capital Transportation Agency, as an interim or temporary organization to keep the project moving while the States and the District of Columbia were negotiating the compact. The legislation under consideration is the product of those negotiations.

There are basically only two acceptable organizational alternatives: First, a Federal entity; or, second, an interstate authority.

While the involvement of a Federal territory and portions of two States affords the legal basis for a Federal agency, the local nature of the public service involved makes its inadvisable for the Federal Government to assume primary responsibility for an urban transit project.

Conversely, it is appropriate for the local governments directly concerned to assume the basic initiative and responsibility for providing the necessary transit facilities and service and the interstate authority affords a jurisdictional basis for such a cooperative effort.

It would seem that a mere statement of the problem, and the considerations bearing upon it, demonstrates that the interstate authority approach is greatly to be preferred.

It must be recognized, however, that there is a twofold Federal responsibility with respect to a transit system for the National Capital region which must be adequately protected:

First. The responsibility of Congress to grant or withhold its consent to compacts between States; and

Second. The responsibility of Congress to govern the District of Columbia.

I am convinced that the bill properly protects the Federal interest in both of these areas. If I may, I would like briefly to state the considerations upon which this conclusion is based.

From the standpoint of congressional responsibility for compacts generally, the bill contains the provisions considered essential for the protection of the Federal interest. In section 6(a), Congress reserves the right to alter, amend, or repeal the legislation. Section 6(b) requires the Authority to submit to Congress and to the President copies of all annual and special reports made to the Governors, the Commissioners of the District of Columbia and the legislatures of the compacting States. In section 6(c) the legislation reserves the right of the President and the Congress, or any committee thereof, to require the disclosure and furnishing of such information by the Authority as they may deem appropriate and grants to the President and to the Congress, or any of its committees, access to all books, records, and papers of the Authority as well as the right of inspection of any facility used, owned, leased, regulated, or under the control of the Authority.

The compact itself provides additional mechanics enabling full surveillance by the Federal Government of the Authority and its operations:

First. Article 8 requires the Authority annually to adopt separate capital and current expense budgets. It is required that certified copies of such budgets shall be transmitted to the principal budget officer of the Federal Government, the District of Columbia and the participating local governments at such time and in such manner as may be required. It is expressly provided that any financial participation proposed in such budgets shall be subject to such reviews and approval as may be required by the budgetary or other applicable procedures of the participating governments.

Second. Article 16, section 70(a) requires an annual audit of the financial accounts of the Authority to be made by independent certified public accountants. Copies of the audit report are to be distributed, among others, to the Congress. In addition to this audit by independent certified public accountants, section 70 (b) provides that the transactions of the Board of Directors shall be subject to audit by the U.S. General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. In committee amendment No. 3 this authorization in the compact is supported by a direct grant of the Congress of power to the General Accounting Office to perform the audit function. The amendment grants to the General Accounting Office substantially the same audit powers with respect to the Authority that it has with respect to Federal corporations.

The legislation provides adequate provisions to protect the congressional responsibility for governing the District of Columbia. These provisions may be highlighted as follows:

First. The District of Columbia is represented on the Board of Directors of the Authority by two of the three Commissioners of the District of Columbia—article 3, section 5(a). These officials are appointed by the President, by and with the advice and consent of the Senate, and are responsible to the President and to the Congress for the performance of their duties.

Second. The Federal Government will participate in the planning activities of the authority through the National Capital Planning Commission and the Fine Arts Commission. Section 14(c)(3) directs the Authority to cooperate with these agencies, as well as the agencies of the States concerned with planning, in the development of the transit plan. In order to provide a framework for such cooperation, that section of the compact authorizes the Authority to create technical committees composed of personnel appointed by the National Capital Planning Commission, the Fine Arts Commission, and the other specified planning agencies. After the transit plan is developed in this manner, it must, prior to adoption by the Authority, be submitted for comment to various political bodies and agencies, including the National Capital Planning Commission—article 6, section 15(a)(6).

Third. The Federal-aid highway acts provide that Federal aid for highways in metropolitan areas shall be withheld unless the metropolitan area has created a continuous, comprehensive transportation planning process cooperatively established by the highway agencies of the States involved and the local governments. Such a transportation planning process has been created for the National Capital region and the compact requires the Authority to cooperate with and participate with those agencies and governments in the continuous, comprehensive transportation planning process—article 6, section 14(c)(2).

Fourth. In the National Capital Transportation Act of 1965, Congress authorized the construction of the basic system, located primarily within the District of Columbia, proposed by the National Capital Transportation Authority and authorized the appropriation of $150 million, consisting of $100 million of Federal funds and $50 million of District of Columbia funds. The legislation contains provisions to assure that the facilities already authorized by the Congress will be constructed as authorized and that the funds will not be diverted to any other purpose. Initially, it must be observed that section 3(b) provides that all of the $150 million authorized shall be used only for the purposes for which the authorizations and appropriations were originally made. Moreover, any unappropriated portion of the $150 million of grants are required to be appropriated either to the Department of Housing and Urban Development or to the District of Columbia out of the general fund of the District of Columbia, for payment to the authority, depending upon the source of the grant. It should further be pointed out that paragraphs (c) and (d) provide in effect that National Capital Transportation Authority prior to the time its functions and duties are transferred to the Authority, shall serve as the planning and engineering arm of the Authority. This assures the continuity of the planning and engineering policies and principles which govern the development of the basic system.

Fifth. The compact also provides protection for the Federal interest in the expansion of the basic system into a regional system. As set forth above, there is Federal participation in the planning process through the representation of the District of Columbia on the Authority and by the participation of the National Capital Planning Commission and the Fine Arts Commission in the planning process. Beyond these provisions, the arrangements for financing the capital projects of the Authority assure adequate control to protect the Federal interest. Under sections 17 and 18 of article 7, the Authority cannot impose any commitment or obligation upon the District of Columbia, the Federal Government or any other participating government. Thus, any financial participation by the District of Columbia or the Federal Government in the development of the regional system will be subject to control of Congress through the appropriations process.

The composition of the Board of Directors of the Authority provides significant assurance of the political responsibility and responsiveness of the Authority to the participating governments. The six members comprising the Board of Directors of the Authority will be either members of the governing boards of the local governments or persons appointed by such bodies. In the case of the District of Columbia, the representatives will be members of the Board of Commissioners. This composition of the Board of Directors, which is novel among authorities created by interstate compact, assures that the plans of the Authority will be used as a tool to foster plans for the development of the communities located in the area and that all the policies and practices of the Authority will be amenable to the influence and control of the affected governments. This is a significant innovation in the law of compacts and one which makes that venerable political device an appropriate instrument for the handling of metropolitan area problems involving more than a single State.

Based on studies by the Congress and Federal agencies over the last 10 years there appears to be no doubt that a regional transit system is needed for the Washington metropolitan area. There is no reason why such a system should be a Federal project or even why the Federal Government should find it necessary to take the lead in the matter. The interstate authority created by the bill would relieve the Federal Government of this responsibility and the need for such leadership. The Authority before the Congress in House Joint Resolution 1163 is suitable for the purpose and provides a reasonable accommodation of the Federal and local interests and provides all necessary protection.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. MACHEN].

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. MACHEN. I am glad to yield to the gentleman from Texas.

Mr. PICKLE. I was asking a question of the gentleman from Virginia a few minutes ago as to what was meant in the joint resolution in the reference to equitable participation. I am trying to establish what part the States of Virginia and Maryland would play on a dollars and cents basis with respect to matching. Do they have percentages involved? On what level will they actually pay their part?

It is said that this measure will give the States the right to come into this picture and pay their part. I believe that is commendable.

I wish to make it plain to the gentleman that we must have a regional system. My purpose is not to try to shoot holes through the legislation, but to try to find out what percentage the States will be giving. Specifically, what amount of money has either the State of Virginia or the State of Maryland actually appropriated for this project?

Mr. MACHEN. I should like to yield, for an answer, to my colleague from Virginia. I could give the answer, but I am not on the committee. I am very interested in this subject, and I am speaking on the overall aspects of it.

I yield to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Chairman, I thank the gentleman.

The compact provides, as the gentleman knows, that all costs in excess of those which are repayable out of the fare box will be distributed among and allocated to the participating signatories equitably. There is, of course, some imprecision to the word "equitable," but we suggest that there is a built-in mechanism which guarantees that the distribution and allocation will, indeed, be equitable.

This is it: When the allocation is made, it will be submitted to the several signatories and their governing bodies. If the governing body does not regard the allocation as equitable, that governing body has a power equivalent to a veto, simply by withholding its contractual commitments, or, in the case of the District of Columbia, the Congress by withholding appropriations.

Mr. MACHEN. I thank the gentleman. I appreciate that remark.

If the gentleman does not mind, I have only a few minutes and I should like to give my statement.

Mr. PICKLE. I thank the gentleman for yielding. I will hold further questions until later.

Mr. MACHEN. Mr. Chairman, perhaps, since I am a Congressman from Maryland who has grown up in the shadow of the Nation's Capital and has seen its fantastic growth in the suburbs as well as in the District of Columbia, and who was a member of the Maryland Legislature from 1954 until election to Congress 2 years ago, I should, as I have, actively participated in the program of trying to find the answer to getting a balanced transportation system for the metropolitan area of Washington.

Mr. Chairman, the House of Representatives is faced today with a piece of legislation that is of great importance to its Members from Virginia and Maryland. However, I want to stress that this is not a bill of simply provincial interest. It affects everyone who visits or lives in the Capital of the Nation.

All those congressional Members who have been tied up in a traffic jam or who have attempted to hail a cab during rush hour must feel very sympathetic with the efforts of the District of Columbia to plan and construct a rapid rail system.

Last year we enacted the legislation to construct the portion contained within the District of Columbia. The States of Maryland and Virginia, in their respective legislatures, have passed laws authorizing their participation in a compact which would create the instrument to make possible the extension of the system into the suburbs.

This resolution, which is before Congress today, is, then, the capstone on the efforts to improve the public transportation system in the National Capital region.

Because of the Federal nature of Washington, D.C., the legislative branch of our National Government has been called upon to act in two capacities on this matter. First of all, by exercising the congressional jurisdiction over the "seat of the government," and secondly, by adhering to the constitutional requirement that a State must obtain the consent of Congress before entering into any agreement or compact with another State.

I had the pleasure of testifying before the Committee on the District of Columbia in support of the first measure and am a cosponsor of the second which was handled by the Committee on the Judiciary. Those of us representing areas surrounding Washington, D.C., are most appreciative of the time that the gentlemen of the appropriate committees devoted to this legislation. On behalf of my constituents I am very grateful and ask for the support of all my colleagues for enactment.

Our Nation's Capital in a very real way is capital of the free world. As such we have a responsibility to set an example of progress and harmony before the eyes of foreign observers. The enactment of this compact will demonstrate cooperation between jurisdictions in a manner that could well be imitated in other places.

I hope that no bar to this cooperation will develop in Congress.

As a candidate for Congress 2 years ago, I campaigned on the basis of saying I would try to make my colleagues in Congress aware of the fact that the Nation's Capital and its approaches are really the responsibility of Congress and that we, the greatest country in the world, had one of the potentially most attractive nation's capitals. With guidance and foresight and help not only from Congress but from the neighboring jurisdictions of Maryland and Virginia, we could bring this to fruition. We have started on that approach in many ways, and I am very, very happy at the bipartisan support that I received in connection with the Piscataway Park bill which preserves some parts of the Potomac River. I hope to be back here in the next session of Congress and get additional help along those lines.

I think I would be remiss if I did not pay tribute to one of our colleagues, the gentleman from Kentucky [Mr. NATCHER], and compliment him for bringing back into focus the need for a balanced transportation system of roads and rapid transit. We need that and we need to see that we do not become a city of just highways. Of course, we do need the highways, but we in Maryland and Virginia are ready to pay our share of this rapid transit system.

I would like to point out to my colleagues in order to make this financially solvent you are going to have to have people riding on the system. A bobtail system in the District of Columbia would soon be just another subsidy of the Federal Government.

Let me point out in closing that anyone not familiar with land and land values in the metropolitan area of Washington had better look into this, because any further delay will add untold millions of dollars of cost to land acquisition alone. I say we need it not because I am from Maryland and some of us are from Virginia but because all of us have a responsibility to see to it that we make this the greatest and most beautiful Capital in the world. We need the help of all of you and not just to think provincially of Maryland and Virginia, but we need you to think in terms of the metropolitan area of Washington, and that the Nation's Capital belongs to all of the people of the 50 States. Let us all work to make it one all of us are proud of.

I hope you will all support this resolution and reject the amendments so that we will not face the possibility of having to go back to the States of Maryland and Virginia in order to have them reaffirm their part of the compact. I say to you that this compact as drafted is written in the most equitable manner.

Mr. POFF. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I hardly need to remind this House that the transportation problems of the Metropolitan Washington area are acute. As this great National Capital region has expanded and grown, access to jobs, to schools, to commercial centers, and to recreation has become more difficult and slow. In the District of Columbia, L'Enfant's classic avenues, circles, and squares are choked with traffic; in the surrounding suburbs, mobility has lessened as population density has increased. Unless we act to meet this challenge now, within a few short years commuters, District residents, and visitors will find themselves slowly strangling in a vast, pollution-clouded, areawide traffic jam.

The Congress has already asserted the need to augment the basic street systems of this region with additional highways. Yet we have recognized, too, that there is a practical limit to the proportionate share of land which we can remove from the tax rolls and pave; there is a limit to the number of neighborhoods we can bulldoze away, to build more lanes; there is a limit to the number of vehicles we can park. In many sections of this city, we have already reached—and in some cases, gone beyond—those limits of solvency, safety, and good sense.

For more than a dozen years, Congress has recognized the need for a comprehensive mass transit system to complement our street and freeway network, relieve the pressure on the land, and provide economical alternative modes of travel in this area. The Congress and Presidents Eisenhower, Kennedy, and Johnson have accepted the basic premise that, because transportation is a regional problem, only a regional solution will be adequate.

In his message of September 2, 1954, President Eisenhower wrote:

> The regulation of public transportation in the greater Washington area must contend with the growth of an integral economic community spreading far beyond the boundaries of the District of Columbia to include Montgomery and Prince Georges Counties of Maryland and Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia. Within this community, the daily travel of persons back and forth across State lines has reached dimensions with which present facilities cannot cope. . . . The division of responsibility (among various jurisdictions) has contributed, as it could not help but do, to the development of an inadequate system of public transportation. The situation plainly requires unification of regulatory authorities over public transportation throughout the metropolitan area.

Mr. Chairman, since President Eisenhower wrote that statement, the metropolitan area has expanded still farther, the problem has grown worse, and existing public transportation has become far more inadequate. Yet Congress is still facing the question to which President Eisenhower then addressed himself: the question of determining not whether, but in what form a regional public transportation system should be established.

In my judgment, House Joint Resolution 1163 and the compact it would establish offer us, finally, the answer to this question. The interstate compact presented for House approval today is the product of more than a decade of planning and development. I feel that it is reasonable, progressive, and financially sound, and give it my wholehearted support.

Mr. Chairman, I would like to trace briefly the background and evolution of this compact, to demonstrate the degree to which it is consistent with previous Congressional action and with the policies and initiatives of the jurisdictions involved.

The words of President Eisenhower which I quoted above are part of the message justifying his withholding of approval from H.R. 2236, an act of the 83d Congress which would have created a Federal agency to regulate transit in Maryland and the District of Columbia. The President vetoed that bill because it did not include the entire metropolitan area, and because it did not give adequate recognition to the duties and responsibilities of the local governments and States involved. In vetoing this bill, Mr. Eisenhower declared that:

> It would appear desirable to explore the feasibility of utilizing an interstate compact or other cooperative arrangements in which the Federal government would participate and the Federal interest would be fully protected.

Following this message, the 84th Congress authorized the National Capital Planning Commission and the National Capital Regional Planning Council to undertake a study of the transportation problem in the National Capital Region. The 85th Congress established a Joint Committee on Washington Metropolitan Problems, composed of three members each from the Senate and House District Committees, who gave intensive study to transportation problems. Both the planning agencies and the joint committee recommended an interstate compact as the appropriate structure through which regional transportation systems should be administered.

In Public Law 86-794, approved on September 15, 1960, the 86th Congress gave its consent to a compact between the District of Columbia, Maryland, and Virginia which created the Washington Metropolitan Area Transit Commission to regulate the privately owned and operated bus carriers in the area. That same Congress also enacted the National Capital Transportation Act of 1960—Public Law 86-669—which created the National Capital Transportation Agency and authorized the States of Maryland and Virginia and the Board of Commissioners of the District of Columbia to negotiate a compact to create an organization empowered to provide transportation facilities for the region.

The National Capital Transportation Act of 1960 reaffirmed the cooperative, regional approach to transportation. In section 102, Congress found that the achievement of a regional transit system requires planning on a regional basis and cooperation among the Federal, State, and local governments involved in the development and administration of necessary facilities. In section 204(g) of the same act, the policy was adopted that the financing of regional facilities "shall provide as far as possible for the payment of all costs by persons using or benefiting from regional transportation facilities and services, and shall provide for the equitable sharing of any remaining costs among the Federal, State, and local governments."

The 89th Congress took significant action toward implementing these basic policies last year, by passing the National Capital Transportation Act of 1965. This act authorized the construction of specified transit facilities primarily within the District of Columbia, authorized and directed the National Capital Transportation Agency to proceed with the development of these facilities, and authorized the appropriation of a total of $150 million of Federal and District of Columbia funds for this purpose.

Section 2 of the 1965 act reaffirmed the regional policies stated in 1960. Section 3 established policies with respect to operation of transit facilities by private corporation, and with regard to labor standards. These provisions, which have congressional approval, have been incorporated into the compact before the House today. The planning provisions are set forth in article VI, the financial provisions in article VII, operation of facilities in article XI, and labor policy in article XIV.

The compact thus reflects established congressional intent. It also maintains a reasonable and workable balance between the Federal interest and the interests of the States and local governments involved, and is based both on the work of Congress in the last decade, and in the efforts which have been made by the legislatures of Maryland and Virginia.

It should be understood that the principal influence on the political structure of the compact has also come from the Federal sector. The Federal policy, clearly stated in section 301 of the 1965 act, is to encourage Maryland and Virginia and the District of Columbia to assume the initiative and responsibility for solving regional problems. In conformance with the policy, Phillip S. Hughes, Deputy Director of the Bureau of the Budget, informed the committee that one of the basic principles which guided the administration in its participation in the drafting of the compact and in recommending the consent legislation is that—

> Major responsibility for planning, and operation of the transit system should be at the local level and shared by the participating local jurisdictions with, at the same time, effective protection of the Federal interest.

In support of this principle he stated that—

> The Administration believes that the Federal Government should not involve itself in a permanent way with the planning, construction and day-to-day operation of a local rapid transit system.

The requisite local responsibility has been accomplished through the provisions of the compact dealing with the composition of the board of directors of the authority and the method of their appointment. Article III, section 5(a) of the compact provides for a board of six directors, two each from the District of Columbia, Maryland, and Virginia. Each of the directors for the District of Columbia and Virginia will be a member of the governing body of the political subdivisions and the directors for Maryland will be either members of the county council of Montgomery County and county commission of Prince Georges County or will be appointed by those bodies. This comes about in the following fashion: Section 5(a) provides that the two directors from Virginia shall be appointed by the Northern Virginia Transportation Commission; from Maryland by the Washington Suburban Transit Commission; and from the District of Columbia by the Board of Commissioners of the District of Columbia. The appointments are to be made in each instance by the appointing body from among its members.

The Virginia legislation creating the Northern Virginia Transportation Commission provides that the members of that commission shall be appointed by the governing bodies of the counties and cities embraced within the transit district from among their members. The Maryland legislation creating the Washington Suburban Transit Commission provides for three members each for Montgomery and Prince Georges Counties, and that at least one of such appointees from each county shall be a member of the governing body making the appointments.

This arrangement in effect makes the board of directors of the authority an extension of the Board of Commissioners of the District of Columbia and of the governing bodies of the counties and cities in Maryland and Virginia, thereby assuring that transit plans and service will foster, as they should, the needs and plans of each political subdivision. The construction, financing, and operation of the regional transit system will have an impact on practically all aspects and activities of each of the participating political subdivisions and it is, therefore, essential that the political mechanism used to administer the regional transit system must not dilute the executive responsibility of the governing bodies of the affected political jurisdictions. The compact rates a high score on this point.

This structuring of the compact has the additional significant advantage of providing the insulation from direct involvement in the transit project desired by the Federal Government while at the same time providing adequate Federal control to assure the full protection of the Federal interest.

Federal control and influence is assured by the following provisions and arrangements:

First. The Federal Government will be represented on the board of directors of the authority by two members of the Board of Commissioners of the District of Columbia. This is the agency to which Congress has delegated authority with respect to the affairs of the District of Columbia; and these Commissioners, who are appointed by the President by and with the advice and consent of the Senate, are responsible both to the President and to the Congress for the performance of their duties.

Second. The established planning agencies for the District of Columbia; namely, the National Capital Planning Commission and the Fine Arts Commission, will actively participate in the planning processes of the authority. As part of the process for the formulation of physical plans, the authority is required by article VI, section 14(c), to create technical committees composed of personnel appointed by the NCTC and the Fine Arts Commission and by the other planning agencies in the region. Moreover, the authority is required by section 15 to submit the plan to the National Capital Planning Commission for review and comment before adoption. The significance of this participation is underscored by the policy declaration in the third "whereas" clause of the bill indicating the congressional policy that the physical plans of the authority shall conform to the fullest extent practicable to the plans promulgated by the National Capital Planning Commission. In this connection it should be pointed out that the NCTA laws do not provide for participation by the National Capital Planning Commission through technical committees, or otherwise, in the planning process as does the compact.

Third. The Federal interest in a balanced transportation system for the Washington Metropolitan Area is served by the requirement of section 14 that the authority shall, in the preparation of transit plans, cooperate with and participate in the activities of the Transportation Planning Board which was created to meet the planning standards prescribed by the Federal-Aid Highway Act.

Fourth. Under the provisions of section 3 of the bill, Congress retains effective control over the $150 million of Federal and District of Columbia grants which have been authorized to be appropriated for the basic system. Paragraph (b) of section 3 provides that any of such funds transferred by NCTA to the authority shall be used only for the purpose for which such appropriations were originally made. With respect to the appropriation of such authorized sums after the functions and duties of NCTA are transferred to the authority, that paragraph requires that such appropriations be made to the Department of Housing and Urban Development and to the District of Columbia, out of the general funds of the District of Columbia, for payment to the authority. It is also required that any such appropriation shall be used only for the purposes for which such authorizations were originally made. It must be understood that these authorizations are for construction purposes and none of these funds may be used by the authority for administrative expenses.

Fifth. Article VII, section 17(b) of the compact provides that the authority cannot impose any commitments or obligations upon the United States or upon the District of Columbia. Section 18(c) of that article further provides that any commitments or obligations upon behalf of the United States or the District of Columbia shall be created by appropriation or in such other manner, or by such other legislation, as the Congress shall determine. It is clear, therefore, that if the plans of the authority propose Federal or District of Columbia financial participation that such plans would have to be presented to and approved by the Congress.

Virginia and Maryland are now prepared to assume their share of responsibility in this cooperative, interstate approach. All necessary legislation has already been enacted. At the 1966 session of the general assembly, the compact was enacted as a law of Virginia. Maryland had earlier enacted the compact in 1965.

Effective participation in the compact by the counties and cities in the northern Virginia area required additional legislative sanction. The necessary legislation has been enacted. The 1964 session of the Virginia General Assembly enacted the Transportation District Act of 1964 (ch. 631, Acts of General Assembly 1964) and, pursuant thereto, created the Northern Virginia Transportation District (ch. 630, Acts of General Assembly 1964), embracing the counties of Arlington and Fairfax and the cities of Alexandria, Falls Church, and Fairfax.

That legislation empowers the Northern Virginia Transportation District, first, to cooperate with the interstate authority in the planning of a regional transit system; second, to enter into contracts with the interstate authority to contribute to the capital required for developing the regional transit system and for meeting operating expenses; third, to enter into contracts with the counties and cities to provide or cause to be provided transportation facilities and services in consideration for payments by the counties and cities; and fourth, to receive contributions from the counties and cities for its administrative expenses.

That legislation also provides the necessary complementary authorizations for the counties and cities to enter into contracts with the Northern Virginia Transportation District, or with the interstate authority, and provides that the obligations arising from such contracts are deemed to be for a public purpose and may be paid for in the discretion of each county or city by appropriations from general revenues or from the proceeds of a bond issue or issues.

Similarly, Maryland has taken the legislative action necessary to participate in the interstate, cooperative arrangement. At the 1965 session of the Maryland General Assembly, the compact was enacted and by separate legislation the Washington Suburban Transit District was created as an organization comparable to the Northern Virginia Transportation Commission. Maryland law, as does the Virginia law, fully empowers the Washington Suburban Transit Commission and the counties of Montgomery and Prince Georges to cooperate with the interstate authority in the development of a regional plan and to provide financial support.

Thus, the transit districts in Maryland and Virginia are in being and are ready to perform their duties in the cooperative, interstate effort as soon as the compact is approved. In anticipation of the approval of the compact at this session of the Congress, the Virginia counties and cities have appropriated approximately $400,000 which is available for the Virginia share of the administrative expenses of the Interstate Authority for the 1967 fiscal year. The Maryland counties have appropriated approximately $300,000 for this purpose. I am advised that the Board of Commissioners of the District of Columbia has budgeted an amount to cover its share of the administrative expenses for the fiscal year 1967.

The compact approach already is part of the legal and political structure of Maryland and Virginia and initiation of the interstate, cooperative venture awaits only the approval by the Congress of the compact. The Senate already has done so and approval by the House is the sole remaining step to put into operation this interstate program, which Congress launched more than a decade ago.

Mr. Chairman, in evolving solutions to Metropolitan Washington's transportation problems, and in seeking remedies for the many other difficulties which confront our great and growing urban areas, we have learned that new agencies of cooperation are required. Where problems cross State and local jurisdictional lines, those boundaries must be bridged by new administrative structures, which combine adequate geographic scope with accountability to traditional governmental units and, through them, to the people involved. This compact fully meets those requirements.

Like many of my colleagues, I am concerned about recognition and responsiveness to the special Federal interest in the Nation's Capital and the vast metropolis of which it is the core. But it is my firm conviction that the Federal responsibility to the Nation is not to directly manage every detail of the Capital's public services. Rather, our obligation is to make Washington a model for the entire Nation and the world, by showing that we, here, can solve the city's many problems and fulfill its great promise. This compact, by providing the means for a regional attack on Washington's overwhelming transportation problems, is consistent with that goal.

I urge the prompt enactment of House Joint Resolution 1163.

Mr. POFF. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. I thank the gentleman for yielding me this time.

Since I have 2 minutes, I wonder if you could tell me more specifically what you mean by your contribution as far as your State is concerned. Actually how much has Virginia set aside or appropriated for this project?

Mr. POFF. I am sure the gentleman understands at this moment it would be premature to set aside anything for a capital investment. As of this moment the State of Virginia has appropriated $400,000 and the State of Maryland $300,000 for the purposes of administrative expense.

Mr. PICKLE. I am glad to have that information, because that makes a total of $700,000 either in actual dollars or in kind or in credit on an $800 million project that the gentleman mentioned. For the record I think it ought to be made clear percentagewise just how you are going to participate.

Let me say further to the gentleman that we passed a bill about a year ago in this House which established a high-speed ground transportation system. During the hearings on that legislation we tried to establish clearly if we were to enter into these demonstration projects that this would not be the beginning of a system of an interstate nature which would make the Federal Government feel committed for large sums of money to be expended all the way from Boston to Washington for these systems. The assertion was made then that this was not the case and it would not develop in that way. Since that time we have not only passed that measure but have added a mass transit bill and we have appropriated this core money for the District project. I notice that there is a northeast corridor compact measure also pending now.

Mr. Chairman, I am trying to establish what is going to be expected of the Federal Government with respect to all of these things, but we know that the Federal Government is going to have to pick up the tab for any new system which is established between here, Washington, D.C., and Boston, and back.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POFF. Mr. Chairman, in order to reply to the gentleman from Texas, I yield the gentleman 1 additional minute.

The CHAIRMAN. The gentleman from Texas is recognized for 1 additional minute.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Virginia and thank the gentleman for yielding to me this additional time.

Mr. POFF. Mr. Chairman, I hasten to assure the gentleman that the compact, as it expressly states in article VII, section 16, that insofar as possible the costs of construction and operation will be borne from revenues out of the fare box, that is "all costs shall be borne by the persons using or benefiting from the Authority's facilities and services" to the extent possible.

So, Mr. Chairman, we are not really talking about the $800 million expenditure.

However, Mr. Chairman, I cannot be responsive completely to the gentleman's specific question as it bears upon the system which is designed to be established between the District of Columbia and Boston.

I can only affirm what I said earlier; namely, that all expenses in excess of requirements as met by revenue from the fare box, will be allocated equitably. This is the language of section 16 of the compact, which sets forth the financing policy.

Of course, Mr. Chairman, it is impossible at this time to anticipate what will be equitable allocation.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, let me say, in all kindness to the gentleman from Virginia [Mr. POFF], that the statement which the gentleman just made with reference to the fare box paying out this indebtedness is totally inconsistent with what the studies reflected which our Committee on the District of Columbia has made.

Mr. Chairman, it is known that with reference to the "core" system which was provided for in specific legislation and which has already been approved by the Congress, it was contemplated that all over and above the $150 million of the Federal and District of Columbia grants, the fare box would be adequate to retire the balance of the debt.

But, for anyone to say that the fare box will pay out an unknown amount of cost for a regional system on which no studies have been made and on which no idea can be expressed now as to the ultimate cost of that regional system, it is unfair and unwise for the gentleman from Virginia to suggest that the fare box will pay it out.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Virginia.

Mr. POFF. I must state to the gentleman from North Carolina that the gentleman did not correctly understand my statement.

Mr. WHITENER. Mr. Chairman, I understood the gentleman from Virginia to say that it was contemplated that the fare box would pay out an amount over and above the Federal authorization.

Mr. POFF. Mr. Chairman, if the gentleman will yield further; no, sir, I did not say any such thing.

Mr. WHITENER. Well, Mr. Chairman, what did the gentleman from Virginia [Mr. POFF] say?

Mr. POFF. Mr. Chairman, if the gentleman will yield further, I said that the language in the compact expressly states that wherever possible the revenues from the fare box will be used to meet the cost, and that any expenses over and above those revenues——

Mr. WHITENER. Mr. Chairman, if the gentleman will yield further; no, sir——

Mr. POFF. And any additional costs would be allocated equitably among the three signatories.

Mr. WHITENER. When the gentleman uses the expression "the three signatories," does the gentleman mean the political subdivisions within the three signatories?

Mr. POFF. The gentleman from North Carolina is correct.

Mr. WHITENER. And, I shall ask the gentleman from Virginia if it is not true that we do not have a firm commitment as to a single one of those signatories as to their participation in the financial pattern of the discharge of this responsibility?

Mr. POFF. I cannot agree that what the gentleman says is true.

Mr. EDWARDS of California. Mr. Chairman, the problems of the metropolitan areas of the country have been one of the major concerns of the Congress in recent years. These problems seem to spring out of the growing urbanization of our society. Although the problems are varied, they generally seem to have at least two elements in common: First, the nonexistence of political instrumentalities capable of dealing with metropolitan problems on an areawide basis, and, second, the all-too-frequent lack of local initiative in devising programs or in carrying out those formulated by the Congress. These problems must be overcome if our legislative efforts are to bear fruit.

The compact is noteworthy for its contribution to the solution of these hard-core problems in the area of urban transit.

Although the compact is a political device which antedates the union, its structure has been modified in the legislation before us to create a political institution capable of administering a complex function in a politically complex metropolitan area. This has been accomplished without superimposing a new layer of government over existing institutions and without stifling local initiative. The authority has been structured to serve as a tool to be used by the local governments in a cooperative effort to deal with the regional problem which none of them could solve by separate action.

These objectives have been achieved through the composition of the board of directors of the authority. The six members of that board will be either members of the governing bodies of the participating local governments or appointees of those bodies. As a consequence, the executive responsibility for the transit project is placed in the hands of the local governing bodies. This arrangement assures that the plans and policies of the authority will be coordinated with and will foster the local development plans of each of the participating governments. This arrangement also assures the maximum degree of political responsibility and responsiveness of the authority.

This arrangement reflects one of the basic principles which guided the administration in the drafting of the compact and in recommending the consent legislation. The Honorable Phillip S. Hughes, Deputy Director, Bureau of the Budget, testified before the committee that the objective was to place major responsibility for planning, development, and operation of the transit system at the local level of government—committee report, page 91. Mr. Hughes further explained that the administration does not believe that the Federal Government should involve itself in a permanent way with the planning, construction, and day-to-day operation of a local rapid transit system.

I am concerned about committee amendment No. 2 because it is likely to cause a complete frustration of the interstate approach and result in transit being handled as a Federal project.

That amendment is based on the false premise that approval of the bill constitutes an irrevocable commitment to the interstate approach. Based on this premise the amendment provides that the transfer from NCTA to the authority should not be permitted until the Committees on the Judiciary of both the Senate and the House are entirely satisfied with all of the details of the physical, financial, and personnel plans of the authority.

Approval of the bill, however, does not constitute an irrevocable commitment to the interstate approach. In section 6(a) of the bill, Congress has reserved the right to alter, amend, or repeal the legislation.

One of the principal reasons for deferring the transfer of functions from NCTA to the authority until September 30, 1967, is to provide the authority with time to develop and present its plans to the Federal Government before the takeover occurs.

If those plans are unacceptable, Congress then—before the takeover occurs—can exercise its reserved power and create a Federal entity to proceed with the transit project.

Timing of the transition is critical upon the issue of whether the transit project in the Washington metropolitan area is to be a Federal or an interstate activity. The key to the timing problem is the time when NCTA will need the $331 million of money to be raised by sale of bonds to the public. Under NCTA's schedule, the additional funds will be needed by mid-1968. In order for the authority to provide such funds within that time schedule, it will be necessary for the authority to have full responsibility by September 30, 1967. The alternative to financing by the authority is the creation of a Federal or District of Columbia corporation to assume sole responsibility for providing the necessary money.

This result is contrary to the basic congressional policy for a regional agency. This policy was declared in the National Capital Transportation Act of 1960 in which Congress authorized the negotiation of the compact. This policy was reaffirmed in the National Capital Transportation Act of 1965, in which Congress authorized NCTA to proceed with the development of the basic system. The latter act limited the cost of the basic system to $431 million, exclusive of interest, but authorized the appropriation of a total of only $150 million of Federal and District of Columbia grants. The decision on how to raise the additional $281 million of capital costs was deferred in the expectation that the compact, which had at that time been enacted only by Maryland, would assume the responsibility for this financing.

Legislative action by the States has now been completed and only the approval of the Congress is needed to enable the authority to act as the financing agency.

The committee amendment No. 2, however, would very likely frustrate the approval and prejudice the efforts of the authority. If approval of the authority's plans is to be more than a mere formalism, the two committees would find it necessary to consider and appraise all the many and complex factors that go into the development of physical and financial plans for a regional transit system. They would have to find acceptable the design, routes and locations of all facilities, the estimates of costs, the services to be rendered, the fares to be charged, the terms of the bonds and bond indentures to be entered into, and the full personnel structures of the authority. There are no standards to be met, save only the acceptability of every detail to a majority of the members of each of the two committees. And neither the committees, nor their staffs, nor any other committees of the Congress, are organized or equipped with the necessary experts competently to perform the task assigned them by this amendment.

Under the circumstances, it is reasonable to expect that the deliberation of the committees will serve no useful or constructive purpose, and that the procedures required by the amendment will open a Pandora's box of confusion and frustration that would be likely to thwart completely the development of the regional transit system. Indeed, it is highly doubtful that it is appropriate for functions such as this to be assumed or undertaken by congressional committees.

The legislation is designed to provide the Congress an alternative to sole Federal responsibility for financing and operating the transit system. The objections which have been voiced to the legislation do not go to the merits but largely reflect a parochialism which is as outmoded in urban America as it is ineffectual.

I urge you, my colleagues, to support the enactment of the legislation and the deletion of committee amendment No. 2.

Mr. **SICKLES**. Mr. Chairman, I rise in support of House Joint Resolution 1163 to grant the consent of Congress to amend the Washington Metropolitan Area Transit Compact so as to create the Washington Metropolitan Area Transit Authority.

Since the compact is between Maryland, Virginia, and the District of Columbia, House Joint Resolution 1163 also enacts the amendment for the District of Columbia. Similar legislation was passed by the Maryland Legislature in 1965 and by Virginia in 1966.

This legislation is extremely important to the Washington metropolitan area, for without it we will never achieve a coherent and efficient transportation policy for this region. I have been deeply involved in Washington metropolitan area transit problems from the first day that the regional concept was undertaken. I have served as a representative of the State of Maryland on the Joint Transportation Commission, which has been responsible for drafting the compact, since its creation in 1954, and as its chairman since 1962. Consequently, I have a deep personal attachment to this legislation; it constitutes the last lap in the race to bring semblance and order to the transportation of this area.

The effort, for which this legislation is the capstone, began in 1954 when Congress appropriated $400,000 for a study to be made by the National Capital Planning Commission and the National Capital Regional Planning Council on the transportation problems of the area. This study was completed in 1959. Among other things, it found that the National Capital region required, as part of a balanced transportation system, a regional rail rapid transit system. It also found that there was no existing organization of government in the region which had the authority to develop such a system. To fill this gap it recommended creation of an authority by interstate compact between Maryland, Virginia, and the District of Columbia.

As a first step toward achieving a regional transit program, the States negotiated the Washington metropolitan area transit regulation compact to regulate the buses which served the area. That compact was consented to by Congress in 1960. Also in 1960 Congress, through the enactment of the National Capital Transportation Act, established the National Capital Transportation Agency, which was designed to carry out the planning responsibilities for the area until the full regional compact could be created.

NCTA was specifically charged with preparing a developmental program for the regional system. But the act also authorized Maryland, Virginia, and the District of Columbia to negotiate a compact for the establishment of an organization empowered to provide regional transportation facilities; that is, the organization that we are about to authorize today through enactment of this legislation. Maryland and Virginia have already moved ahead toward the objective of a regional transportation system by enacting legislation authorizing the compact, which was drawn up by the commission. It now remains for the Federal Government to give the final stamp of approval.

I would like to point out that the composition of the board of directors of the proposed authority is an extremely well-balanced one. It provides that each jurisdiction shall have an equal voice in the affairs of the compact, and furthermore that each jurisdiction shall have a veto power, in effect, over the actions of the compact.

Let me spell this out in more detail.

The compact creates the Washington Metropolitan Area Transit Zone, which embraces the District of Columbia, the Maryland counties of Montgomery and Prince Georges, and the following jurisdictions in Virginia: the counties of Arlington and Fairfax, and the independent cities of Alexandria, Falls Church, and Fairfax. The authority will be composed of six members, two each from Maryland, Virginia, and the District of Columbia. Each of these six directors will either be members of participating governing bodies, or appointees of these bodies.

For the District of Columbia the directors are appointed by the Board of Commissioners. For Virginia they will be appointed by the Northern Virginia Transportation Commission. For Maryland they will be appointed by the Washington Suburban Transit Commission. In each case the directors shall be appointed from among the members of the appointing body. The Northern Virginia Transportation Commission, consisting of 13 commissioners, is composed solely of members of the board of supervisors and city councils of the participating governments. In Maryland, Montgomery and Prince Georges Counties each appoint three members to the Washington Suburban Transit District, and at least one member from each county is required to be among the members of the governing body of that county.

Thus, the District of Columbia will have two representatives appointed by the Commissioners, the counties of Montgomery and Prince Georges will have one representative each, and the five political jurisdictions in Virginia will be represented through two members of the board of directors of the authority.

By placing the membership of the authority's board of directors in the hands of the governing bodies of the area, the authority has, for all practical purposes, been made a functional extension of those governing bodies. This in turn creates political responsibility and responsiveness.

Both Federal and local funds will be used to operate the transportation system that will serve the area. The contribution of local funds is entirely voluntary. A jurisdiction does not commit itself financially to a program until it enters into a contract with the authority itself. Therefore, it will be necessary for representatives of all three jurisdictions to be in agreement, because if a delegation from one of the jurisdictions does not agree with the plan, the governing body of the jurisdiction which it represents will not enter into a contract with the authority, thereby effectively thwarting the continuance of that program. In addition, because so much of any system will have to be within the District of Columbia itself, Congress will have control over the fiscal plans of the authority. Furthermore, section 19 of the compact, dealing with administrative expenses, makes it clear that there is no obligation on the part of the Federal Government to provide grants to the authority for administrative purposes. The $150 million that will be made available to the authority when it comes into being—that is, $100 million of authorized Federal grants and $50 million of authorized District of Columbia grants—is earmarked for construction of the basic system authorized in the 1965 act, these funds cannot be used for any other purpose.

Now, Mr. Chairman, I would like to proceed to discuss a crucial section of House Joint Resolution 1163. As originally introduced and proposed by the administration, House Joint Resolution 1163 provided for the transfer of the functions and duties of the National Capital Transit Authority to the new authority on September 30, 1967. This provision carried out the direction of Congress, as set forth in section 301(b) of the National Capital Transportation Act of 1960, that the transfer be made "as promptly as practical after the State of Maryland and the Commonwealth of Virginia have approved the compact." The September 30, 1967, date was deleted by the committee, which substituted therefor a provision that the transfer of the functions and duties of NCTA to the authority shall not take place automatically but shall take place only when the Judiciary Committees of the House and Senate are satisfied that the authority has demonstrated a readiness to institute a workable financial plan, a physical plan for a regional transit system, and a program for taking over the functions and duties of the agency, including procedures for orderly transfer of staff personnel. The provision further provides that these plans and programs shall be submitted to the Judiciary Committees by the authority at any time between the effective date of the legislation and July 1, 1968. If the plans are not submitted by July 1, 1968, this legislation which we are considering today becomes inapplicable and we must start all over again.

The selection of the September 30, 1967, date was not an arbitrary one but was geared to meeting the financial requirements of the basic system in excess of the $150 million of grants. As Mr.

Phillip S. Hughes, Deputy Director of the Budget Bureau, testified, NCTA will require additional funds during mid-1968. In the 1965 act, Congress did not authorize the NCTA, or any other agency, to issue bonds to the public to raise these funds but left the matter open to determine whether the authority would be in a position to handle this public financing.

In order to meet the NCTA time schedule, the authority must be created at this session of Congress. This would provide the lead time necessary for the authority to develop its physical and financial plans so that it would be ready to sell bonds in the spring of 1968 so as to provide the necessary funds to finance construction of the basic system. It is highly unlikely that the authority can be prepared to do so if it has not assumed full responsibility for the transit project by September 30, 1967.

If the authority is not in a position to provide the necessary bond financing, Congress then will be faced with the alternative of holding up further work until the authority is ready to handle the financing, or enacting legislation creating a Federal or District of Columbia corporation to issue the bonds. Such bonds, of course, would have to be underwritten entirely by the Federal and District of Columbia Governments, and they would have to be secured by the properties and revenues of the basic system. After the bonds are issued by such a corporation, the properties and revenues would not be available as security for the revenue bonds or the authority to be issued to finance the suburban extensions. If the authority does not come into being by September 30, 1967, it is more than likely that it will not be in a position to issue bonds by the spring of 1968.

It is neither necessary nor appropriate for the Federal Government to assume primary responsibility for the transit project. The compact would relieve the Federal Government of that responsibility. Committee amendment No. 2, however, poses a direct threat to the interstate approach to the Washington metropolitan area transit project. This risk is definitely inimical to the Federal interest.

Mr. CELLER. Mr. Chairman, I yield back the balance of my time.

Mr. POFF. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. There being no further requests for time, the Clerk will read the House joint resolution.

The Clerk read as follows:

H.J. Res. 1163

Joint resolution to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendments for the District of Columbia

Whereas Congress heretofore has declared in the National Capital Transportation Act of 1960 (Public Law 86–669, 74 Stat. 537) and in the National Capital Transportation Act of 1965 (Public Law 89–173, 79 Stat. 663) that a coordinated system of rail rapid transit, bus transportation service, and highways is essential in the National Capital Region for the satisfactory movement of people and goods, the alleviation of present and future traffic congestion, the economic welfare and vitality of all parts of the Region, the effective performance of the functions of the United States Government located within the Region, the orderly growth and development of the Region, the comfort and convenience of the residents and visitors to the Region, and the preservation of the beauty and dignity of the Nation's Capital and that such a system should be developed cooperatively by the Federal, State, and local governments of the National Capital Region, with the costs of the necessary facilities financed, as far as possible, by persons using or benefiting from such facilities and the remaining costs shared equitably among the Federal, State, and local governments;

Whereas in furtherance of this policy, Congress, in title III of the National Capital Transportation Act of 1960, authorized the District of Columbia, the Commonwealth of Virginia, and the State of Maryland to negotiate a Compact for the establishment of an organization, empowered, inter alia, to provide regional transportation facilities; and

Whereas, it is the sense of the Congress that the Mass Transit Plan authorized by the Compact and this Act shall conform to the fullest extent practicable with the Comprehensive Plan for the National Capital and the general plan for the development of the National Capital Region prepared pursuant to the National Capital Planning Act of 1952 (Public Law 82–592, 66 Stat. 781);

Whereas, the District of Columbia, the Commonwealth of Virginia and the State of Maryland, with a representative of the United States appointed by the President, have negotiated such a Compact, known as the Washington Metropolitan Area Transit Authority Compact, which amends the Washington Metropolitan Area Transit Regulation Compact, heretofore consented to by the Congress (Public Law 86–794, 73 Stat. 1031, as amended by Public Law 87–767, 76 Stat. 764), by adding thereto a title III and said Compact has been enacted by Maryland (Ch. 869, Acts of General Assembly 1965) and in substantially the same language by Virginia (Ch. 2, 1966 Acts of Assembly).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby consents to, adopts and enacts for the District of Columbia an amendment to the Washington Metropolitan Area Transit Regulation Compact, for which Congress heretofore has granted its consent (Public Law 86–794, 74 Stat. 1031, as amended by Public Law 87–767, 76 Stat. 764) by adding thereto title III, known as the Washington Metropolitan Area Transit Authority Compact (herein referred to as title III), substantially as follows:

"TITLE III

"Article I

"Definitions

"1. As used in this Title, the following words and terms shall have the following meanings, unless the context clearly requires a different meaning:

"(a) 'Board' means the Board of Directors of the Washington Metropolitan Area Transit Authority;

"(b) 'Director' means a member of the Board of Directors of the Washington Metropolitan Area Transit Authority;

"(c) 'Private transit companies' and 'private carriers' means corporations, persons, firms or associations rendering transit service within the Zone pursuant to a certificate of public convenience and necessity issued by the Washington Metropolitan Area Transit Commission or by a franchise granted by the United States or any signatory party to this Title;

"(d) 'Signatory' means the State of Maryland, the Commonwealth of Virginia and the District of Columbia;

"(e) 'State' includes District of Columbia;

"(f) 'Transit facilities' means all real and personal property located in the Zone, necessary or useful in rendering transit service between points within the Zone, by means of rail, bus, water or air and any other mode of travel, including without limitation, tracks, rights of way, bridges, tunnels, subways, rolling stock for rail, motor vehicle, marine and air transportation, stations, terminals and ports, areas for parking and all equipment, fixtures, buildings and structures and services incidental to or required in connection with the performance of transit services;

"(g) 'Transit services' means the transportation of persons and their packages and baggage by means of transit facilities between points within the Zone and includes the transportation of newspapers, express and mail between such points but does not include taxicab, sightseeing or charter service; and

"(h) 'WMATC' means Washington Metropolitan Area Transit Commission.

"Article II

"Purpose and Functions

"Purpose

"2. The purpose of this Title is to create a regional instrumentality, as a common agency of each signatory party, empowered, in the manner hereinafter set forth, (1) to plan, develop, finance and cause to be operated improved transit facilities, in coordination with transportation and general development planning for the Zone, as part of a balanced regional system of transportation, utilizing to their best advantage the various modes of transportation, (2) to coordinate the operation of the public and privately owned or controlled transit facilities, to the fullest extent practicable into a unified regional transit system without unnecessary duplicating service, and (3) to serve such other regional purposes and to perform such other regional functions as the signatories may authorize by appropriate legislation.

"Article III

"Organization and Area

"Washington Metropolitan Area Transit Zone

"3. There is hereby created the Washington Metropolitan Area Transit Zone which shall embrace the District of Columbia, the cities of Alexandria, Falls Church and Fairfax and the counties of Arlington and Fairfax and political subdivisions of the Commonwealth of Virginia located within those counties, and the counties of Montgomery and Prince George's in the State of Maryland and political subdivisions of the State of Maryland located in said counties.

"Washington Metropolitan Area Transit Authority

"4. There is hereby created, as an instrumentality and agency of each of the signatory parties hereto, the Washington Metropolitan Area Transit Authority which shall be a body corporate and politic, and which shall have the powers and duties granted herein and such additional powers as may hereafter be conferred upon it pursuant to law.

"Board membership

"5. (a) The Authority shall be governed by a Board of six Directors consisting of two Directors for each signatory. For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Commissioners of the District of Columbia;

and for Maryland, by the Washington Suburban Transit Commission. In each instance the Director shall be appointed from among the members of the appointing body and shall serve for a term coincident with his term on the body by which he was appointed. A Director may be removed or suspended from office only as provided by the law of the signatory from which he was appointed. The appointing authorities shall also appoint an alternate for each Director, who may act only in the absence of the Director for whom he has been appointed an alternate, and each alternate shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

"(b) Before entering upon the duties of his office each Director and alternate director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the Constitution or laws of the signatory he represents shall provide:

"'I, ----------, hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and Laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.'

"Compensation of Directors and alternates

"6. Members of the Board and alternates shall serve without compensation but may be reimbursed for necessary expenses incurred as an incident to the performance of their duties.

"Organization and procedure

"7. The Board shall provide for its own organization and procedure. It shall organize annually by the election of a Chairman and Vice-Chairman from among its members. Meetings of the Board shall be held as frequently as the Board deems that the proper performance of its duties requires and the Board shall keep minutes of its meetings. The Board shall adopt rules and regulations governings its meeting, minutes and transactions.

"Quorum and actions by the Board

"8. (a) Four Directors or alternates consisting of at least one Director or alternate appointed from each Signatory, shall constitute a quorum and no action by the Board shall be effective unless a majority of the Board, which majority shall include at least one Director or alternate from each Signatory, concur therein; provided, however, that a plan of financing may be adopted or a mass transit plan adopted, altered, revised or amended by the unanimous vote of the Directors representing any two Signatories.

"(b) The actions of the Board shall be expressed by motion or resolution. Actions dealing solely with internal management of the Authority shall become effective when directed by the Board, but no other action shall become effective prior to the expiration of thirty days following its adoption; provided, however, that the Board may provide for the acceleration of any action upon a finding that such acceleration is required for the proper and timely performance of its functions.

"Officers

"9. (a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller and a general counsel and such other officers as the Board may provide. Except for the office of general manager and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.

"(b) The general manager shall be the chief administrative officer of the Authority and, subject to policy direction by the Board, shall be responsible for all activities of the Authority.

"(c) The treasurer shall be the custodian of the funds of the Authority, shall keep an account of all receipts and disbursements and shall make payments only upon warrants duly and regularly signed by the Chairman or Vice-Chairman of the Board, or other person authorized by the Board to do so, and by the secretary or general manager; provided, however, that the Board may provide that warrants not exceeding such amounts or for such purposes as may from time to time be specified by the Board may be signed by the general manager or by persons designated by him.

"(d) An oath of office in the form set out in Section 5(b) of this Article shall be taken, subscribed and filed with the Board by all appointed officers.

"(e) Each Director, officer and employees specified by the Board shall give such bond in such form and amount as the Board may require, the premium for which shall be paid by the Authority.

"Conflict of interests

"10. (a) No Director, officer or employee shall:

"(1) be financially interested, either directly or indirectly, in any contract, sale, purchase, lease or transfer of real or personal property to which the Board or the Authority is a party;

"(2) in connection with services performed within the scope of his official duties, solicit or accept money or any other thing of value in addition to the compensation or expenses paid to him by the Authority;

"(3) offer money or any thing of value for or in consideration of obtaining an appointment, promotion or privilege in his employment with the Authority.

"(b) Any Director, officer or employee who shall willfully violate any provision of this section shall, in the discretion of the Board, forfeit his office or employment.

"(c) Any contract or agreement made in contravention of this section may be declared void by the Board.

"(d) Nothing in this section shall be construed to abrogate or limit the applicability of any federal or state law which may be violated by any action prescribed by this section.

"Article IV

"Pledge of Cooperation

"11. Each Signatory pledges to each other faithful cooperation in the achievement of the purposes and objects of this Title.

"Article V

"General Powers

"Enumeration

"12. In addition to the powers and duties elsewhere described in this Title, and except as limited in this Title, the Authority may:

"(a) Sue and be sued;

"(b) Adopt and use a corporate seal and alter the same at pleasure;

"(c) Adopt, amend, and repeal rules and regulations respecting the exercise of the powers conferred by this Title;

"(d) Construct, acquire, own, operate, maintain, control, sell and convey real and personal property and any interest therein by contract, purchase, condemnation, lease, license, mortgage or otherwise but all of said property shall be located in the Zone and shall be necessary or useful in rendering transit service or in activities incidental thereto;

"(e) Receive and accept such payments, appropriations, grants, gifts, loans, advances and other funds, properties and services as may be transferred or made available to it by any signatory party, any political subdivision or agency thereof, by the United States, or by any agency thereof, or by any other public or private corporation or individual, and enter into agreements to make reimbursement for all or any part thereof;

"(f) Enter into and perform contracts, leases and agreements with any person, firm or corporation or with any political subdivision or agency of any signatory party or with the federal government, or any agency thereof, including, but not limited to, contracts or agreements to furnish transit facilities and service;

"(g) Create and abolish offices, employments and positions (other than those specifically provided for herein) as it deems necessary for the purposes of the Authority, and fix and provide for the qualification, appointment, removal, term, tenure, compensation, pension and retirement rights of its officers and employees without regard to the laws of any of the signatories;

"(h) Establish, in its discretion, a personnel system based on merit and fitness and, subject to eligibility, participate in the pension and retirement plans of any signatory, or political subdivision or agency thereof, upon terms and conditions mutually acceptable;

"(i) Contract for or employ any professional services;

"(j) Control and regulate the use of facilities owned or controlled by the Authority, the service to be rendered and the fares and charges to be made therefor;

"(k) Hold public hearings and conduct investigations relating to any matter affecting transportation in the Zone with which the Authority is concerned and, in connection therewith subpena witnesses, papers, records and documents; or delegate such authority to any officer. Each director may administer oaths or affirmations in any proceeding or investigation;

"(l) Make or participate in studies of all phases and forms of transportation, including transportation vehicle research and development techniques and methods for determining traffic projections, demand motivations, and fiscal research and publicize and make available the results of such studies and other information relating to transportation; and

"(m) Exercise, subject to the limitations and restrictions herein imposed all powers reasonably necessary or essential to the declared objects and purposes of this Title.

"Article VI

"Planning

"Mass transit plan

"(13). (a) The Board shall develop and adopt, and may from time to time review and revise, a mass transit plan for the immediate and long-range needs of the Zone. The mass transit plan shall include one or more plans designating (1) the transit facilities to be provided by the Authority, including the locations of terminals, stations, platforms, parking facilities and the character and nature thereof; (2) the design and location of such facilities; (3) whether such facilities are to be constructed or acquired by lease, purchase or condemnation; (4) a timetable for the provision of such facilities; (5) the anticipated capital costs; (6) estimated operating expenses and revenues relating thereto; and (7) the various other factors and considerations, which, in the opinion of the Board, justify and require the projects therein proposed. Such plan shall specify the type of equipment to be utilized, the areas to be served, the routes and schedules of service expected to be provided and the probable fares and charges therefor.

"(b) In preparing the mass transit plan, and in any review of revision thereof, the Board shall make full utilization of all data, studies, reports and information available from the National Capital Transportation Agency and from any other agencies of the federal government, and from signatories and the political subdivisions thereof.

"Planning process

"14. (a) The mass transit plan, and any revisions, alterations or amendments thereof, shall be coordinated, through the procedures hereinafter set forth, with

"(1) other plans and programs affecting transportation in the Zone in order to achieve a balanced system of transportation, utilizing each mode to its best advantage;

"(2) the general plan or plans for the development of the Zone; and

"(3) the development plans of the various political subdivisions embraced within the Zone.

"(b) It shall be the duty and responsibility of each member of the Board to serve as liaison between the Board and the body which appointed him to the Board. To provide a framework for regional participation in the planning process, the Board shall create technical committees concerned with planning and collection and analyses of data relative to decision-making in the transportation planning process and the Commissioners of the District of Columbia, the component governments of the Northern Virginia Transportation District and the Washington Suburban Transit District shall appoint representatives to such technical committees and otherwise cooperate with the Board in the formulation of a mass transit plan, or in revisions, alterations or amendments thereof.

"(c) The Board, in the preparation, revision, alteration or amendment of a mass transit plan, shall

"(1) consider data with respect to current and prospective conditions in the Zone, including, without limitation, land use, population, economic factors affecting development plans, goals or objectives for the development of the Zone and the separate political subdivisions, transit demands to be generated by such development, travel patterns, existing and proposed transportation and transit facilities, impact of transit plans on the dislocation of families and businesses, preservation of the beauty and dignity of the Nation's Capital, factors affecting environmental amenities and aesthetics and financial resources;

"(2) cooperate with and participate in any continuous, comprehensive transportation planning process cooperatively established by the highway agencies of the signatories and the local political subdivisions in the Zone to meet the planning standards now or hereafter prescribed by the Federal-Aid Highway Acts; and

"(3) to the extent not inconsistent with or duplicative of the planning process specified in subparagraph (2) of this paragraph (c), cooperate with the National Capital Planning Commission, the National Capital Regional Planning Council, the Washington Metropolitan Council of Governments, the Washington Metropolitan Area Transit Commission, the highway agencies of the Signatories, the Maryland-National Capital Park and Planning Commission, the Northern Virginia Regional Planning and Economic Development Commission, the Maryland State Planning Department and the Commission of Fine Arts. Such cooperation shall include the creation, as necessary, of technical committees composed of personnel, appointed by such agencies, concerned with planning and collection and analysis of data relative to decisionmaking in the transportation planning process.

"Adoption of mass transit plan

"15. (a) Before a mass transit plan is adopted, altered, revised or amended, the Board shall transmit such proposed plan, alteration, revision or amendment for comment to the following and to such other agencies as the Board shall determine:

"(1) the Commissioners of the District of Columbia, the Northern Virginia Transportation Commission, and the Washington Suburban Transit Commission;

"(2) the governing bodies of the Counties and Cities embraced within the Zone;

"(3) the highway agencies of the Signatories;

"(4) the Washington Metropolitan Area Transit Commission;

"(5) the Washington Metropolitan Council of Governments;

"(6) the National Capital Planning Commission;

"(7) The National Capital Regional Planning Council;

"(8) the Maryland-National Capital Park and Planning Commission;

"(9) the Northern Virginia Regional Planning and Economic Development Commission;

"(10) the Maryland State Planning Department; and

"(11) the private transit companies operating in the Zone and the Labor Unions representing the employees of such companies and employees of contractors providing service under operating contracts.

"Information with respect thereto shall be released to the public. A copy of the proposed mass transit plan, amendment or revision, shall be kept at the office of the Board and shall be available for public inspection. After thirty days' notice published once a week for two successive weeks in one or more newspapers of general circulation within the Zone, a public hearing shall be held with respect to the proposed plan, alteration, revision or amendment. The thirty days' notice shall begin to run on the first day the notice appears in any such newspaper. The Board shall consider the evidence submitted and statements and comments made at such hearing and may make any changes in the proposed plan, amendment or revision which it deems appropriate and such changes may be made without further hearing.

"Article VII

"Financing

"Policy

"16. With due regard for the policy of Congress for financing a mass transit plan for the Zone set forth in Section 204(g) of the National Capital Transportation Act of 1960 (74 Stat. 537), it is hereby declared to be the policy of this Title that, as far as possible, the payment of all costs shall be borne by the persons using or benefiting from the Authority's facilities and services and any remaining costs shall be equitably shared among the federal, District of Columbia and participating local governments in the Zone. The allocation among such governments of such remaining costs shall be determined by agreement among them and shall be provided in the manner hereinafter specified.

"Plan of financing

"17. (a) The Authority, in conformance with said policy, shall prepare and adopt a plan for financing the construction, acquisition, and operation of facilities specified in a mass transit plan adopted pursuant to Article VI hereof, or in any alteration, revision or amendment thereof. Such plan of financing shall specify the facilities to be constructed or acquired, the cost thereof, the principal amount of revenue bonds, equipment trust certificates, and other evidences of debt proposed to be issued, the principal terms and provisions of all loans and underlying agreements and indentures, estimated operating expenses and revenues, and the proposed allocation among the federal, District of Columbia, and participating local governments of the remaining costs and deficits, if any, and such other information as the Commission may consider appropriate.

"(b) Such plan of financing shall constitute a proposal to the interested governments for financial participation and shall not impose any obligation on any government and such obligations shall be created only as provided in Section 18 of this Article VII.

"Commitments for financial participation

"18. (a) Commitments on behalf of the portion of the Zone located in Virginia shall be by contract or agreement by the Authority with the Northern Virginia Transportation District, or its component governments, as authorized in the Transportation District Act of 1964 (Ch. 631, 1964 Acts of Virginia Assembly), to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or any alteration, revision or amendment thereof, and for meeting expenses and obligations in the operation of such facilities. No such contract or agreement, however, shall be entered into by the Authority with the Northern Virginia Transportation District unless said District has entered into the contracts or agreements with its member governments, as contemplated by Section 1(b)(4) of Article 4 of said Act, which contracts or agreements expressly provide that such contracts or agreements shall inure to the benefit of the Authority and shall be enforceable by the Authority in accordance with the provisions of Section 2, Article 5 of said Act, and such contracts or agreements are acceptable to the Board. The General Assembly of Virginia hereby authorizes and designates the Authority as the agency to plan for and provide transit facilities and services for the area of Virginia encompassed within the Zone within the contemplation of Article 1, Section 3(c) of said Act.

"(b) Commitments on behalf of the portion of the Zone located in Maryland shall be by contract or agreement by the Authority with the Washington Suburban Transit District, pursuant to which the Authority undertakes to provide transit facilities and service in consideration for the agreement by said District to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or in any alteration, revision or amendment thereof, and for meeting expenses and obligations incurred in the operation of such facilities.

"(c) With respect to the District of Columbia and the federal government, the commitment or obligation to render financial assistance shall be created by appropriation or in such other manner, or by such other legislation, as the Congress shall determine. If prior to making such commitment by or on behalf of the District of Columbia, legislation is enacted by the Congress granting the governing body of the District of Columbia plenary power to create obligations and levy taxes, the commitment by the District of Columbia shall be by contract or agreement between the governing body of the District of Columbia and the Authority, pursuant to which the Authority undertakes, subject to the provisions of Section 20 hereof, to provide transit facilities and service in consideration for the undertaking by the District of Columbia to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or in any alteration, revision or amendment thereof, and for meeting expenses and obligations incurred in the operation of such facilities.

"Administrative expenses

"19. Prior to the time the Authority has receipts from appropriations and contracts or agreements as provided in Section 18 of this Article VII, the expenses of the Authority for administration and for preparation of a mass transit and financing plan, including all engineering, financial, legal and other services required in connection therewith, shall, to the extent funds for such expenses are not provided through grants by the federal government, be borne by the District of Columbia, by the Washington Suburban Transit District and the component governments of the Northern Virginia Transportation District. Such expenses shall be allocated among such governments on the basis of population as reflected by the latest available population statistics of the Bureau of the Census; provided, however, that upon the request of any Director the Board shall make the allocation upon estimates of population acceptable to the Board. The allocations shall be made by the Board and shall be included in the annual current expense budget prepared by the Board.

"Acquisition of facilities from Federal or other agencies

"20. (a) The Authority is authorized to acquire by purchase, lease or grant or in any manner other than condemnation from the federal government, or any agency thereof from the District of Columbia, Maryland or Virginia, or any political subdivision or agency thereof, any transit and related facilities, including real and personal property and all other assets, located within the Zone, whether in operation or under construction. Such acquisition shall be made upon such terms and conditions as may be agreed upon and subject to such authorization or approval by the Congress and the governing body of the District of Columbia, as may be required; provided, however, that if such acquisition imposes or may impose any further or additional obligation or liability upon the Washington Suburban Transit District, the Northern Virginia Transportation District, or any component government thereof, under any contract with the Authority, the Authority shall no make such acquisition until any such affected contract has been appropriately amended.

"(b) For such purpose, the Authority is authorized to assume all liabilities and contracts relating thereto, to assume responsibility as primary obligor, endorser or guarantor on any outstanding revenue bonds, equipment trust certificates or other form of indebtedness authorized in this Act issued by such predecessor agency or agencies and, in connection therewith, to become a party to, and assume the obligations of, any indenture or loan agreement underlying or issued in connection with any outstanding securities or debts.

"Temporary borrowing

"21. The Board may borrow, in anticipation of receipts, from any signatory, the Washington Suburban Transit District, the Northern Virginia Transportation District, or any component government thereof, or from any lending institution for any purposes of this Title, including administrative expenses. Such loans shall be for a term not to exceed two years and at a rate of interest not to exceed six percent per annum. The signatories and any such political subdivision or agency may, in its discretion, make such loans from any available money.

"Funding

"22. The Board shall not construct or acquire any of the transit facilities specified in a mass transit plan adopted pursuant to the provisions of Article VI of this Title, or in any alteration, revision or amendment thereof, nor make any commitments or incur any obligations with respect thereto until funds are available therefor.

"Article VIII

"Budget

"Capital budget

"23. The Board shall annually adopt a capital budget, including all capital projects it proposes to undertake or continue during the budget period, containing a statement of the estimated cost of each project and the method of financing thereof.

"Current expense budget

"24. The Board shall annually adopt a current expense budget for each fiscal year. Such budget shall include the Board's estimated expenditures for administration, operation, maintenance and repairs, debt service requirements and payments to be made into any funds required to be maintained. The total of such expenses shall be balanced by the Board's estimated revenues and receipts from all sources, excluding funds included in the capital budget or otherwise earmarked for other purposes.

"Adoption and distribution of budgets

"25. (a) Following the adoption by the Board of annual capital and current expense budgets, the general manager shall transmit certified copies of such budgets to the principal budget officer of the federal government, the District of Columbia, the Washington Suburban Transit District and of the component governments of the Northern Virginia Transportation Commission at such time and in such manner as may be required under their respective budgetary procedures.

"(b) Each budget shall indicate the amounts, if any, required from the federal government, the Government of the District of Columbia, the Washington Suburban Transit District and the component governments of the Northern Virginia Transportation District, determined in accordance with the commitments made pursuant to Article VII, Section 18 of this Title, to balance each of said budgets.

"Payments

"26. Subject to such review and approval as may be required by their budgetary or other applicable processes, the federal government, the Government of the District of Columbia, the Washington Suburban Transit District and the component governments of the Northern Virginia Transportation District shall include in their respective budgets next to be adopted and appropriate or otherwise provide the amounts certified to each of them as set forth in the budgets.

"Article IX

"Revenue Bonds

"Borrowing power

"27. The Authority may borrow money for any of the purposes of this Title, may issue its negotiable bonds and other evidences of indebtedness in respect thereto and may mortgage or pledge its properties, revenues and contracts as security therefor.

"All such bonds and evidences of indebtedness shall be payable solely out of the properties and revenues of the Authority. The bonds and other obligations of the Authority, except as may be otherwise provided in the indenture under which they were issued, shall be direct and general obligations of the Authority and the full faith and credit of the Authority are hereby pledged for the prompt payment of the debt service thereon and for the fulfillment of all other undertakings of the Authority assumed by it to or for the benefit of the holders thereof.

"Funds and expenses

"28. The purposes of this Title shall include, without limitation, all costs of any project or facility or any part thereof, including interest during a period of construction and for a period not to exceed two years thereafter and any incidental expenses (legal, engineering, fiscal, financial, consultant and other expenses) connected with issuing and disposing of the bonds; all amounts required for the creation of an operating fund, construction fund, reserve fund, sinking fund, or other special fund; all other expenses connected with administration, the planning, design, acquisition, construction, completion, improvement or reconstruction of any facility or any part thereof; and reimbursement of advances by the Board or by others for such purposes and for working capital.

"Credit excluded; officers, state, political subdivisions and agencies

"29. The Board shall have no power to pledge the credit of any signatory party, political subdivision or agency thereof, or to impose any obligation for payment of the bonds upon any signatory party, political subdivision or agency thereof, but may pledge the contracts of such governments and agencies; provided, however, that the bonds may be underwritten in whole or in part as to principal and interest by the United States, or by any political subdivision or agency of any signatory; provided, further, that any bonds underwritten in whole or in part as to principal and interest by the United States shall not be issued without approval of the Secretary of the Treasury. Neither the Directors nor any person executing the bonds shall be liable personally on the bonds of the Authority or be subject to any personal liability or accountability by reason of the issuance thereof.

"Funding and refunding

"30. Whenever the Board deems it expedient, it may fund and refund the bonds and other obligations of the Authority whether or not such bonds and obligations have matured. It may provide for the issuance, sale or exchange of refunding bonds for the purpose of redeeming or retiring any bonds (including the payment of any premium, duplicate interest or cash adjustment required in connection therewith) issued by the Authority or issued by any other issuing body, the proceeds of the sale of which have been applied to any facility acquired by the Authority or which are payable out of the revenues of any facility acquired by the Authority. Bonds may be issued partly to refund bonds and other obligations then outstanding, and partly for any other purpose of the Authority. All provisions of this Title applicable to the issuance of bonds are applicable to refunding bonds and to the issuance, sale or exchange thereof.

"Bonds: authorization generally

"31. Bonds and other indebtedness of the Authority shall be authorized by resolution of the Board. The validity of the authorization and issuance of any bonds by the Authority shall not be dependent upon nor affected in any way by: (i) the disposition of bond proceeds by the Board or by contract, commitment or action taken with respect to such proceeds; or (ii) the failure to complete any part of the project for which bonds are authorized to be issued. The Authority may issue bonds in one or more series and may provide for one or more consolidated bond issues, in such principal amounts and with such terms and provisions as the Board may deem necessary. The bonds may be secured by a pledge of all or any part of the property, revenues and franchises under its control. Bonds may be issued by the Authority in such amount, with such maturities and in such denominations and form or forms, whether coupon or registered, as to principal alone or as to both principal and interest, as may be determined by the Board. The Board may provide for redemption of bonds prior to maturity on such notice and at such time or times and with such redemption provisions, including premiums, as the Board may determine.

"Bonds; resolutions and indentures generally

"32. The Board may determine and enter into indentures or adopt resolutions providing for the principal amount, date or dates, maturities, interest rate, or rates, denominations, form, registration, transfer, interchange and other provisions of the bonds and coupons and the terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, funded and refunded. The resolution of the Board authorizing any bond or any indenture so authorized under which the bonds are issued may include all such covenants and other provisions not inconsistent with the provisions of this Title, other than any restriction on the regulatory powers vested in the Board by this Title, as the Board may deem necessary or desirable for the issue, payment, security, protection or marketing of the bonds, including without limitation covenants and other provisions as to the rates or amounts of fees, rents and other charges to be charged or made for use of the facilities; the use, pledge, custody, securing, application and disposition of such revenues, of the proceeds of the bonds, and of any other moneys or contracts of the Authority; the operation, maintenance, repair and reconstruction of the facilities and the amounts which may be expended therefor; the sale, lease or other disposition of the facilities; the insuring of the facilities and of the revenues derived therefrom; the construction or other acquisition of other facilities; the issuance of additional bonds or other indebtedness; the rights of the bondholders and of any trustee for the bondholders upon default by the Authority or otherwise; and the modification of the provisions of the indenture and of the bonds. Reference on the face of the bonds to such resolution or indenture by its date of adoption or the apparent date on the face thereof is sufficient to incorporate all of the provisions thereof and of this Title into the body of the bonds and their appurtenant coupons. Each taker and subsequent holders of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and of this Title and is bound thereby.

"Maximum maturity

"33. No bond or its terms shall mature in more than fifty years from its own date and in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

"Tax exemption

"34. All bonds and all other evidences of debt issued by the Authority under the provisions of this Title and the interest thereon shall at all times be free and exempt from all taxation by or under authority of any signatory parties, except for transfer, inheritance and estate taxes.

"Interest

"35. Bonds shall bear interest at a rate of not to exceed six per centum per annum, payable annually or semiannually.

"Place of payment

"36. The Board may provide for the payment of the principal and interest of bonds at any place or places within or without the signatory states, and in any specified lawful coin or currency of the United States of America.

"Execution

"37. The Board may provide for the execution and authentication of bonds by the manual, lithographed or printed facsimile signature of members of the Board, and by additional authentication by a trustee or fiscal agent appointed by the Board; provided, however, that one of such signatures shall be manual. If any of the members whose signatures or countersignatures appear upon the bonds or coupons cease to be members before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the members had remained in office until the delivery of the bonds and coupons.

"Holding own bonds

"38. The Board shall have power out of any funds available therefor to purchase its bonds and may hold, cancel or resell such bonds.

"Sale

"39. The Board may fix terms and conditions for the sale or other disposition of any authorized issue of bonds. The Board may sell bonds at less than their par or face value but no issue of bonds may be sold at an aggregate price below the par or face value thereof if such sale would result in a net interest cost to the Authority calculated upon the entire issue so sold of more than six per centum per annum payable semiannually, according to standard tables of bond values. All bonds issued and sold pursuant to this Title may be sold in such manner, either at public or private sale, as the Board shall determine.

"Negotiability

"40. All bonds issued under the provisions of this Title are negotiable instruments.

"Bonds eligible for investment and deposit

"41. Bonds issued under the provisions of this Title are hereby made securities in which all public officers and public agencies of the signatories and their political subdivisions and all banks, trust companies, savings and loan associations, investment companies and others carrying on a banking business, all insurance companies and insurance associations and others carrying on an insurance business, all administrators, executors, guardians, trustees and other fiduciaries, and all other persons may legally and properly invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any officer of any signatory, or of any agency or political subdivision of any signatory, for any purpose for which the deposit of bonds or other obligations of such signatory is now or may hereafter be authorized by law.

"Validation proceedings

"42. Prior to the issuance of any bonds, the Board may institute a special proceeding to determine the legality of proceedings to issue the bonds and their validity under the laws of any of the signatory parties. Such proceeding shall be instituted and prosecuted in rem and the final judgment rendered therein shall be conclusive against all persons whomsoever and against each of the signatory parties.

"Recording

"43. No indenture need be recorded or filed in any public office, other than the office of the Board. The pledge of revenues provided in any indenture shall take effect forthwith as provided therein and irrespective of the date of receipt of such revenues by the Board of the indenture trustee. Such pledge shall be effective as provided in the indenture without physical delivery of the revenues to the Board or to the indenture trustee.

"Pledge revenues

"44. Bond redemption and interest payments shall, to the extent provided in the resolution or indenture, constitute a first, direct and exclusive charge and lien on all revenues received from the use and operation of the facility, and on any sinking or other funds created therefrom. All such revenues, together with interest thereon, shall constitute a trust fund for the security and payment of such bonds and except as and to the extent provided in the indenture with respect to the payment therefrom of expenses for other purposes including administration, operation, maintenance, improvements or extensions of the facilities or other purposes shall not be used or pledged for any other purpose so long as such bonds, or any of them, are outstanding and unpaid.

"Remedies

"45. The holder of any bond may for the equal benefit and protection of all holders of bonds similarly situated: (1) by mandamus or other appropriate proceedings require and compel the performance of any of the duties imposed upon the Board or assumed by it, its officers, agents or employees under the provisions of any indenture, in connection with the acquisition, construction, operation, maintenance, repair, reconstruction or insurance of the facilities, or in connection with the collection, deposit, investment, application and disbursement of the revenues derived from the operation and use of the facilities, or in connection with the deposit, investment and disbursement of the proceeds received from the sale of bonds; or (2) by action or suit in a court of competent jurisdiction of any signatory party require the Authority to account as if it were the trustee of an express trust, or enjoin any acts or things which may be unlawful or in violation of the rights of the holders of the bonds. The enumeration of such rights and remedies does not, however, exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds.

"Article X

"Equipment Trust Certificates

"Power

"46. The Board shall have power to execute agreements, leases and equipment trust certificates with respect to the purchase of facilities or equipment such as cars, trolley buses and motor buses, or other craft, in the form customarily used in such cases and appropriate to effect such purchase, and may dispose of such equipment trust certificates in such manner as it may determine to be for the best interests of the Authority. Each vehicle covered by an equipment trust certificate shall have the name of the owner or lessor plainly marked upon both sides thereof, followed by the words "Owner and Lessor".

"Payments

"47. All monies required to be paid by the Authority under the provisions of such agreements, leases and equipment trust certificates shall be payable solely from the revenue to be derived from the operation of the transit system or from such grants, loans, appropriations or other revenues, as may be available to the Board under the provisions of this Title. Payment for such facilities or equipment, or rentals thereof, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates as aforesaid, and title to such facilities or equipment may not vest in the Authority until the equipment trust certificates are paid.

"Procedure

"48. The agreement to purchase facilities or equipment by the Board may direct the vendor to sell and assign the equipment to a bank or trust company, duly authorized to transact business in any of the signatory States, or to the Housing and Home Finance Administrator, as trustee, lessor or vendor, for the benefit and security of the equipment trust certificates and may direct the trustee to deliver the facilities and equipment to one or more designated officers of the Board and may authorize the trustee simultaneously therewith to execute and deliver a lease of the facilities or equipment to the Board.

"Agreements and leases

"49. The agreements and leases shall be duly acknowledged before some person authorized by law to take acknowledgements of deeds and in the form required for acknowledgement of deeds and such agreements, leases, and equipment trust certificates shall be authorized by resolution of the Board and shall contain such covenants, conditions and provisions as may be deemed necessary or appropriate to insure the payment of the equipment trust certificates from the revenues to be derived from the operation of the transit system and other funds.

"The covenants, conditions and provisions of the agreements, leases and equipment trust certificates shall not conflict with any of the provisions of any resolution or trust agreement securing the payment of bonds or other obligations of the Authority then outstanding or conflict with or be in derogation of the rights of the holders of any such bonds or other obligations.

"Law governing

"50. The equipment trust certificates issued hereunder shall be governed by Laws of the District of Columbia and for this purpose the chief place of business of the Authority shall be considered to be the District of Columbia. The filing of any documents required or permitted to be filed shall be governed by the Laws of the District of Columbia.

"Article XI

"Operation of Facilities

"Operation by contract or lease

"51. The Authority shall not perform transit service, nor any of the functions, such as maintenance of equipment and right of way normally associated with the providing of such service, with any transit facilities owned or controlled by it but shall provide for the performance of transit service with such facilities by contract or contracts with private transit companies, private railroads, or other persons. Any facilities and properties owned or controlled by the Authority, other than those utilized in performing transit service, may be operated by the Authority or by others pursuant to contract or lease as the Board may determine. All operations of such facilities and properties by the Authority and by its Contractor and lessees shall be within the Zone.

"The operating contract

"52. Without limitation upon the right of the Board to prescribe such additional terms and provisions as it may deem necessary and appropriate, the operating contract shall;

"(a) specify the services and functions to be performed by the Contractor;

"(b) provide that the Contractor shall hire, supervise and control all personnel required to perform the services and functions assumed by it under the operating contract and that all such personnel shall be employees of the Contractor and not of the Authority;

"(c) require the Contractor to assume the obligations of the labor contract or contracts of any transit company which may be acquired by the Authority and assume the pension obligations of any such transit company;

"(d) require the Contractor to comply in all respects with the labor policy set forth in Article XIV of this Title;

"(e) provide that no transfer of ownership of the capital stock, securities or interests in any Contractor, whose principal business is the operating contract, shall be made without written approval of the Board and the certificates or other instruments representing such stock, securities or interests shall contain a statement of this restriction;

"(f) provide that the Board shall have the sole authority to determine the rates or fares to be charged, the routes to be operated and the service to be furnished;

"(g) specify the obligations and liabilities which are to be assumed by the Contractor and those which are to be the responsibility of the Authority;

"(h) provide for an annual audit of the books and accounts of the Contractor by an independent certified public accountant to be selected by the Board and for such other audits, examinations and investigations of the books and records, procedures and affairs of the Contractor at such times and in such manner as the Board shall require, the cost of such audits, examinations and investigations to be borne as agreed by the parties in the operating contract; and

"(i) provide that no operating contract shall be entered into for a term in excess of five years; provided, that any such contract may be renewed for successive terms, each of which shall not exceed five years. Any such operating contract shall be subject to termination by the Board for cause only.

"Compensation for contractor

"53. Compensation to the Contractor under the operating contract may, in the discretion of the Board, be in the form of (1) a fee paid by the Board to the Contractor for services, (2) a payment by the Contractor to the Board for the right to operate the system, or (3) such other arrangement as the Board may prescribe; provided, however, that the compensation shall bear a reasonable relationship to the benefits to the Authority and to the estimated costs the Authority would incur in directly performing the functions and duties delegated under the operating contract; and provided, further, that no such contract shall create any right in the Contractor (1) to make or change any rate or fare or alter or change the service specified in the contract to be provided or (2) to seek judicial relief by any form of original action, review or other proceedings from any rate or fare or service prescribed by the Board. Any assertion, or attempted assertion, by the Contractor of the right to make or change any rate or fare or service prescribed by the Board shall constitute cause for termination of the operating contract. The operating contract may provide incentives for efficient and economical management.

"Selection of contractor

"54. The Board shall enter into an operating contract only after formal advertisement and negotiations with all interested and qualified parties, including private transit companies rendering transit service within the Zone; provided, however, that, if the Authority acquires transit facilities from any agency of the federal or District of Columbia governments, in accordance with the provisions of Article VII, Section 20 of this Title, the Authority shall assume the obligations of any operating contract which the transferor agency may have entered into.

"Article XII

"Coordination of Private and Public Facilities

"Declaration of policy

"55. It is hereby declared that the interest of the public in efficient and economical transit service and in the financial well-being of the Authority and of the private transit companies requires that the public and private segments of the regional transit system be operated, to the fullest extent possible, as a coordinated system without unnecessary duplicating service.

"Implementation of Policy

"56. In order to carry out the legislative policy set forth in Section 55 of this Article XII

"(a) The Authority—

"(1) except as herein provided, shall not, directly or through a Contractor, perform transit service by bus or similar motor vehicles;

"(2) shall, in cooperation with the private carriers and WMATC, coordinate to the fullest extent practicable, the schedules for service performed by its facilities with the schedules for service performed by private carriers; and

"(3) shall enter into agreements with the private carriers to establish and maintain, subject to approval by WMATC, through routes and joint fares and provide for the division thereof, or, in the absence of such agreements, establish and maintain through routes and joint fares in accordance with orders issued by WMATC directed to the private carriers when the terms and conditions for such through service and joint fares are acceptable to it.

"(b) The WMATC, upon application, complaint, or upon its own motion, shall—

"(1) direct private carriers to coordinate their schedules for service with the schedules for service performed by facilities owned or controlled by the Authority;

"(2) direct private carriers to improve or extend any existing services or provide additional service over additional routes;

"(3) authorize a private carrier, pursuant to agreement between said carrier and the Authority, to establish and maintain through routes and joint fares for transportation to be rendered with facilities owned or controlled by the Authority if, after hearing held upon reasonable notice, WMATC finds that such through routes and joint fares are required by the public interest; and

"(4) in the absence of such an agreement with the Authority, direct a private carrier to establish and maintain through routes and joint fares with the Authority, if, after hearing held upon reasonable notice, WMATC finds that such through service and joint fares are required by the public interest: provided, however, that no such order, rule or regulation of WMATC shall be construed to require the Authority to establish and maintain any through route and joint fare.

"(c) WMATC shall not authorize or require a private carrier to render any service, including the establishment or continuation of a joint fare for a through route service with the Authority which is based on a division thereof between the Authority and private carrier which does not provide a reasonable return to the private carrier, unless the carrier is currently earning a reasonable return on its operation as a whole in performing transportation subject to the jurisdiction of WMATC. In determining the issue of reasonable return, WMATC shall take into account any income attributable to the carrier, or to any corporation, firm or association owned in whole or in part by the carrier, from the Authority whether by way of payment for services or otherwise.

"(d) If the WMATC is unable, through the exercise of its regulatory powers over the private carriers granted in paragraph (b) hereof or otherwise, to bring about the requisite coordination of operations and service between the private carriers and the Authority, the Authority may in the situations specified in paragraph (b) hereof, cause such transit service to be rendered by its Contractor by bus or other motor vehicle, as it shall deem necessary to effectuate the policy set forth in Section 55 hereof. In any such situation, the Authority, in order to encourage private carriers to render bus service to the fullest extent practicable, may, pursuant to agreement, make reasonable subsidy payments to any private carrier.

"Rights of private carriers unaffected

"57. Nothing in this Title shall restrict or limit such rights and remedies, if any, that any private carrier may have against the Authority arising out of acts done or actions taken by the Authority hereunder. In the event any court of competent jurisdiction shall determine that the Authority has unlawfully infringed any rights of any private carrier or otherwise caused or permitted any private carrier to suffer legally cognizable injury, damages or harm and shall award a judgment therefor, such judgment shall constitute a lien against any and all of the assets and properties of the Authority.

"Financial assistance to private carriers

"58. (a) The Board may accept grants from and enter into loan agreements with the Housing and Home Finance Administrator, pursuant to the provisions of the Urban Mass Transportation Act of 1964 (78 Stat. 302), or with any successor agency or under any law of similar purport, for the purpose of rendering financial assistance to private carriers.

"(b) An application by the Board for any such grant or loan shall be based on and supported by a report from WMATC setting forth for each private carrier to be assisted (1) the equipment and facilities to be acquired. constructed, reconstructed, or improved, (2) the service proposed to be rendered by such equipment and facilities, (3) the improvement in service expected from such facilities and equipment, (4) how the use of such facilities and equipment will be coordinated with the transit facilities owned by the Authority, (5) the ability of the affected private carrier to repay any such loans or grants and (6) recommend terms for any such loans or grants.

"(c) Any equipment or facilities acquired, constructed, reconstructed or improved with the proceeds of such grants or loans shall be owned by the Authority and may be made available to private carriers only by lease or other agreement which contain provisions acceptable to the Housing and Home Finance Administrator assuring that the Authority will have satisfactory continuing control over the use of such facilities and equipment.

"Article XIII

"Jurisdiction; Rates and Service

"Washington Metropolitan Area Transit Commission

"59. Except as provided herein, this Title shall not affect the functions and jurisdiction of WMATC, as granted by Titles I and II of this Compact, over the transportation therein specified and the persons engaged therein and the Authority shall have no jurisdiction with respect thereto.

"Public facilities

"60. Service performed by transit facilities owned or controlled by the Authority, and the rates and fares to be charged for such service, shall be subject to the sole and exclusive jurisdiction of the Board and, notwithstanding any other provision in this Compact contained, WMATC shall have no authority with respect thereto, or with respect to any contractor in connection with the operation by it of transit facilities owned or controlled by the Authority. The determinations of the Board with respect to such matters shall not be subject to judicial review nor to the processes of any court.

"Standards

"61. Insofar as practicable, and consistent with the provision of adequate service at reasonable fares, the rates and fares and service shall be fixed by the Board so as to result in revenues which will:

"(a) pay the operating expenses and provide for repairs, maintenance and depreciation of the transit system owned or controlled by the Authority;

"(b) provide for payment of all principal and interest on outstanding revenue bonds and other obligations and for payment of all amounts to sinking funds and other funds as may be required by the terms of any indenture or loan agreement;

"(c) provide for the purchase, lease or acquisition of rolling stock, including provisions for interest, sinking funds, reserve funds, or other funds required for payment of any obligations incurred by the Authority for the acquisition of rolling stock; and

"(d) provide funds for any purpose the Board deems necessary and desirable to carry out the purposes of this Title.

"Hearings

"62. (a) The Board shall not make or change any fare or rate, nor establish or abandon any service except after holding a public hearing with respect thereto.

"(b) Any signatory, any political subdivision thereof, any agency of the federal government and any person, firm or association served by or using the transit facilities of the Authority and any private carrier may file a request with the Board for a hearing with respect to any rates or charges made by the Board or any service rendered with the facilities owned or controlled by the Authority. Such request shall be in writing, shall state the matter on which a hearing is requested and shall set forth clearly the matters and things on which the request relies. As promptly as possible after such a request is filed, the Board, or such officer or employee as it may designate, shall confer with the protestant with respect to the matters complained of. After such conference, the Board, if it deems the matter meritorious and of general significance, may call a hearing with respect to such request.

"(c) The Board shall give at least thirty days' notice for all hearings. The notice shall be given by publication in a newspaper of daily circulation throughout the Zone and such notice shall be published once a week for two successive weeks. The notice shall start with the day of first publication. In addition, the Board shall post notices of the hearing in its offices, all stations and terminals and in all of its vehicles and rolling stock in revenue service.

(d) Prior to calling a hearing on any matter specified in this section, the Board shall prepare and file at its main office and keep open for public inspection its report relating to the proposed action to be considered at such hearing. Upon receipt by the Board of any report submitted by WMATC, in connection with a matter set for hearing, pursuant to the provisions of Section 63 of this Article XIII, the Board shall file such report at its main office and make it available for public inspection. For hearings called by the Board pursuant to paragraph (b), above, the Board also shall cause to be lodged and kept open for public inspection the written request upon which the hearing is granted and all documents filed in support thereof.

"Reference of matters to WMATC

"63. To facilitate the attainment of the public policy objectives for operation of the publicly and privately owned or controlled transit facilities as stated in Article XII, Section 55, prior to the hearings provided for by Section 62 hereof—

"(a) The Board shall refer to WMATC for its consideration and recommendations, any matter which the Board considers may affect the operation of the publicly and privately owned or controlled transit facilities as a coordinated regional transit system and any matter for which the Board has called a hearing, pursuant to Section 62 of this Article XIII, except that temporary or emergency changes in matters affecting service shall not be referred; and

"(b) WMATC, upon such reference of any matter to it, shall give the referred matter preference over any other matters pending before it and shall, as expeditiously as practicable, prepare and transmit its report thereon to the Board. The Board may request WMATC to reconsider any part of its report or to make any supplemental reports it deems necessary. All such reports shall be advisory only.

"(c) Any report submitted by WMATC to the Board shall consider, without limitation, the probable effect of the matter or proposal upon the operation of the publicly and privately owned or controlled transit facilities as a coordinated regional system, passenger movements, fare structures, service and the impact on the revenues of both the public and private facilities.

"Article XIV

"Labor Policy

"Construction

"64. The Board shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating, of projects, buildings and works which are undertaken by the Authority or are financially assisted by it, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a-5), and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in any workweek, as the case may be. A provision stating the minimum wages thus determined and the requirement that overtime be paid as above provided shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project, which contract shall be deemed to be a contract of the character specified in Section 103 of the Contract Work Hours Standards Act (76 Stat. 357), as now or as may hereafter be in effect. The Secretary of Labor shall have, with respect to the administration and enforcement of the labor standards specified in this provision, the supervisory, investigatory and other authority and functions set forth in Reorganization Plan Number 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)). The requirements of this section shall also be applicable with respect to the employment of laborers and mechanics in the construction, alteration or repair, including painting and decorating, of the transit facilities owned or controlled by the Authority where such activities are performed by a Contractor pursuant to agreement with the operator of such facilities.

"Equipment and supplies

"65. Contracts for the manufacture or furnishing of materials, surplus, articles and equipment shall be subject to the provisions of the Walsh-Healy Public Contracts Act (41 U.S.C. 35 et seq.), as now or as may hereafter be in effect.

"Operations

"66. It shall be a condition of the operation of the transit facilities owned or controlled by the Authority that the provisions of section 10(c) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1609(c)) shall be applicable to any contract or other arrangement for the operation of such facilities.

"Article XV

"Relocation Assistance

"Relocation program and payments

"67. Section 7 of the Urban Mass Transportation Act of 1964, and as the same may from time to time be amended, and all regulations promulgated thereunder, are hereby made applicable to individuals, families, business concerns and nonprofit organizations displaced from real property by actions of the Authority without regard to whether financial assistance is sought by or extended to the Authority under any provision of that Act; provided, however, that in the event real property is acquired for the Authority by an agency of the federal government, or by a State or local agency or instrumentality, the Authority is authorized to reimburse the acquiring agency for relocation payments made by it.

"Relocation of public or public utility facilities

"68. Notwithstanding the provisions of Section 67 of this article XV, any highway or other public facility or any facilities of a public utility company which will be dislocated by reason of a project deemed necessary by the Board to effectuate the authorized purposes of this Title shall be relocated if such facilities are devoted to a public use, and the reasonable cost of relocation, if substitute facilities are necessary, shall be paid by the Board from any of its monies.

"Article XVI

"General Provisions

"Creation and administration of funds

"69. (a) The Board may provide for the creation and administration of such funds as may be required. The funds shall be disbursed in accordance with rules established by the Board and all payments from any fund shall be reported to the Board. Monies in such funds and other monies of the Authority shall be deposited, as directed by the Board, in any state or national bank located in the Zone having a total paid-in capital of at least one million dollars ($1,000,000). The trust department of any such state or national bank may be designated as a depositary to receive any securities acquired or owned by the Authority. The restriction with respect to paid-in capital may be waived for any such bank which agrees to pledge federal securities to protect the funds and securities of the Authority in such amounts and pursuant to such arrangements as may be acceptable to the Board.

"(b) Any monies of the Authority may, in the discretion of the Board and subject to any agreement or covenant between the Authority and the holders of any of its obligations limiting or restricting classes of investments, be invested in bonds or other obligations of, or guaranteed as to interest and principal by, the United States, Maryland, Virginia or the political subdivisions or agencies thereof.

"Annual independent audit

"70. (a) As soon as practical after the closing of the fiscal year, an audit shall be made of the financial accounts of the Authority. The audit shall be made by qualified certified public accountants selected by the Board, who shall have no personal interest direct or indirect in the financial affairs of the Authority or any of its officers or employees. The report of audit shall be prepared in accordance with generally accepted auditing principles and shall be filed with the Chairman and other officers as the Board shall direct. Copies of the report shall be distributed to each Director, to the Congress, to the Board of Commissioners of the District of Columbia, to the Governors of Virginia and Maryland, to the Washington Suburban Transit Commission, to the Northern Virginia Transportation Commission and to the governing bodies of the political subdivisions located within the Zone which are parties to commitments for participation in the financing of the Authority and shall be made available for public distribution.

"(b) The financial transactions of the Board shall be subject to audit by the United States General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the Board are kept.

"(c) Any Director, officer or employee who shall refuse to give all required assistance and information to the accountants selected by the Board or who shall refuse to submit to them for examination such books, documents, records, files, accounts, papers, things or property as may be requested shall, in the discretion of the Board, forfeit his office.

"Reports

"71. The Board shall make and publish an annual report on its programs, operations and finances, which shall be distributed in the same manner provided by Section 70 of this Article XVI for the report of annual audit. It may also prepare, publish and distribute such other public reports and informational materials as it may deem necessary or desirable.

"Insurance

"72. The Board may self-insure or purchase insurance and pay the premiums therefore against loss or damage to any of its properties; against liability for injury to persons or property; and against loss of revenue from any cause whatsoever. Such insurance coverage shall be in such form and amount as the Board may determine, subject to the requirements of any agreement arising out of issuance of bonds or other obligations by the Authority.

"Purchasing

"73. Contracts for the construction, reconstruction or improvement of any facility when the expenditure required exceeds ten thousand dollars ($10,000) and contracts for the purchase of supplies, equipment and materials when the expenditure required exceeds two thousand five hundred dollars ($2,500) shall be advertised and let upon sealed bids to the lowest responsible bidder. Notice requesting such bids shall be published in a manner reasonably likely to attract prospective bidders, which publication shall be made at least ten days before bids are received and in at least two newspapers of general circulation in the Zone. The Board may reject any and all bids and readvertise in its discretion. If after rejecting bids the Board detemines and resolves that, in its opinion, the supplies, equipment and materials may be purchased at a lower price in the open market, the Board may give each responsible bidder an opportunity to negotiate a price and may proceed to purchase the supplies, equipment and materials in the open market at a negotiated price which is lower than the lowest rejected bid of a responsible bidder, without further observance of the provisions requiring bids or notice. The Board shall adopt rules and regulations to provide for purchasing from the lowest responsible bidder when sealed bids, notice and publication are not required by this section. The Board may suspend and waive the provisions of this section requiring competitive bids whenever:

"(a) the purchase is to be made from or the contract is to be made with the federal or any State government or any agency or political subdivision thereof or pursuant to any open end bulk purchase contract of any of them;

"(b) the public exigency requires the immediate delivery of the articles;

"(c) only one source of supply is available; or

"(d) the equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts in the public interest.

"Rights of way

"74. The Board is authorized to locate, construct and maintain any of its transit and related facilities in, upon, over, under or across any streets, highways, freeways, bridges and any other vehicular facilities, subject to the applicable laws governing such use of such facilities by public agencies. In the absence of such laws, such use of such facilities by the Board shall be subject to such reasonable conditions as the highway department or other affected agency of a signatory party may require; provided, however, that the Board shall not construct or operate transit or related facilities upon, over, or across any parkways or park lands without the consent of, and except upon the terms and conditions required by, the agency having jurisdiction with respect to such parkways and park lands, but may construct or operate such facilities in a subway under such parkways or park lands upon such reasonable terms and conditions as may be specified by the agency having jurisdiction with respect thereto.

"Compliance with laws, regulations and ordinances

"75. The Board shall comply with all laws, ordinances and regulations of the signatories and political subdivisions and agencies thereof with respect to use of streets, highways and all other vehicular facilities, traffic control and regulation, zoning, signs and buildings.

"Police

"76. The Board is authorized to employ watchmen, guards and investigators as it may deem necessary for the protection of its properties, personnel and passengers and such employees, when authorized by any jurisdiction within the Zone, may serve as special police officers in any such jurisdiction. Nothing contained herein shall relieve any signatory or political subdivision or agency thereof from its duty to provide police service and protection or to limit, restrict or interfere with the jurisdiction of or performance of duties by the existing police and law enforcement agencies.

"Exemption from regulation

"77. Except as otherwise provided in this Title, any transit service rendered by transit facilities owned or controlled by the Authority and the Authority or any corporation, firm or association performing such transit service pursuant to an operating contract with the Authority, shall, in connection with the performance of such service, be exempt from all laws, rules, regulations and orders of the signatories and of the United States otherwise applicable to such transit service and persons, except that laws, rules, regulations and orders relating to inspection of equipment and facilities, safety and testing shall remain in force and effect; provided, however, that the Board may promulgate regulations for the safety of the public and employees not inconsistent with the applicable laws, rules, regulations or orders of the signatories and of the United States.

"Tax exemption

"78. It is hereby declared that the creation of the Authority and the carrying out of the corporate purposes of the Authority is in all respects for the benefit of the people of the signatory states and is for a public purpose and that the Authority and the Board will be performing an essential governmental function, including, without limitation, proprietary, governmental and other functions, in the exercise of the powers conferred by this Title. Accordingly, the Authority and the Board shall not be required to pay taxes or assessments upon any of the property acquired by it or under its jurisdiction, control, possession or supervision or upon its activities in the operation and maintenance of any transit facilities or upon any revenues therefrom and the property and income derived therefrom shall be exempt from all federal, State, District of Columbia, municipal and local taxation. This exemption shall include, without limitation, all motor vehicle license fees, sales taxes and motor fuel taxes.

"Free transportation and school fares

"79. All laws of the signatories with respect to free transportation and school fares shall be applicable to transit service rendered by facilities owned or controlled by the Authority.

"Liability for contracts and torts

"80. The Authority shall be liable for its contracts and for its torts and those of its Directors, officers, employees and agent committed in the conduct of any propriety function, in accordance with the law of the applicable signatory (including rules on conflict of laws), but shall not be liable for any torts occurring in the performance of a governmental function. The exclusive remedy for such breach of contracts and torts for which the Authority shall be liable, as herein provided, shall be by suit against the Authority. Nothing contained in this Title shall be construed as a waiver by the District of Columbia, Maryland, Virginia and the counties and cities within the Zone of any immunity from suit.

"Jurisdiction of Courts

"81. The United States District Courts shall have original jurisdiction, concurrent with the Courts of Maryland and Virginia, of all actions brought by or against the Authority and to enforce subpoenas issued under this Title. Any such action initiated in a State Court shall be removable to the appropriate United States District Court in the manner provided by Act of June 25, 1948, as amended (28 U.S.C. 1446).

"Condemnation

"82. (a) The Authority shall have the power to acquire by condemnation, whenever in its opinion it is necessary or advantageous to the Authority to do so, any real or personal property, or any interest therein, necessary or useful for the transit system authorized herein, except property owned by the United States, by a signatory, or any political subdivision thereof, or by a private transit company.

"(b) Proceedings for the condemnation of property in the District of Columbia shall be instituted and maintained under the Act of December 23, 1963 (77 Stat. 577–581, D.C. Code 1961, Supp. IV, Sections 1351–1368). Proceedings for the condemnation of property located elsewhere within the Zone shall be instituted and maintained, if applicable, pursuant to the provisions of the Act of August 1, 1888, as amended (25 Stat. 357, 40 U.S.C. 257) and the Act of June 25, 1948 (62 Stat. 935 and 937, 28 U.S.C. 1358 and 1403) or any other applicable Act; provided, however, that if there is no applicable Federal law, condemnation proceedings shall be in accordance with the provisions of the State law of the signatory in which the property is located governing condemnation by the highway agency of such state. Whenever the words "real property," "realty," "land," "easement," "right-of-way, or words of similar meaning are used in any applicable federal or state law relating to procedure, jurisdiction and venue, they shall be deemed, for the purposes of this Title, to include any personal property authorized to be acquired hereunder.

"(c) Any award or compensation for the taking of property pursuant to this Title shall be paid by the Authority, and none of the signatory parties nor any other agency, instrumentality or political subdivision thereof shall be liable for such award or compensation.

"Enlargement and Withdrawal; Duration

"83. (a) When advised in writing by the Northern Virginia Transportation Commission or the Washington Suburban Transit Commission that the geographical area embraced therein has been enlarged, the Board, upon such terms and conditions as it may deem appropriate, shall by resolution enlarge the Zone to embrace the additional area.

"(b) The duration of this Title shall be perpetual but any signatory thereto may withdraw therefrom upon two years written notice to the Board.

"(c) The withdrawal of any signatory shall not relieve such signatory, any transportation district, county or city or other political subdivision thereof from any obligation to the Authority, or inuring to the benefit of the Authority, created by contract or otherwise.

"Amendments and Supplements

"84. Amendments and supplements to this Title to implement the purposes thereof may be adopted by legislative action of any of the signatory parties concurred in by all of the others.

"Construction and severability

"85. The provisions of this Title and of the agreements thereunder shall be severable and if any phrase, clause, sentence or provision of this Title or any such agreement is declared to be unconstitutional or the applicability thereof to any signatory party, political subdivision or agency thereof is held invalid, the constitutionality of the remainder of this Title or any such agreement and the applicability thereof to any other signatory party, political subdivision or agency thereof or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this Title be reasonably and liberally construed.

"Effective date; execution

"86. This Title shall be adopted by the signatories in the manner provided by law therefor and shall be signed and sealed in four duplicate original copies. One such copy shall be filed with the Secretary of State of each of the signatory parties or in accordance with laws of the State in which the filing is made, and one copy shall be filed and retained in the archives of the Authority upon its organization. This Title shall become effective ninety days after the enactment of concurring legislation by or on behalf of the District of Columbia, Maryland and Virginia and consent thereto by the Congress and all other acts or actions have been taken, including the signing and execution of the Title by the Governors of Maryland and Virginia and the Commissioners of the District of Columbia.

"Section 2. The Commissioners of the District of Columbia are authorized and directed to enter into and execute an amendment to the Compact substantially as set forth above with the States of Virginia and Maryland and are further authorized and directed to carry out and effectuate the terms and provisions of said Title III, and there are hereby authorized to be appropriated out of District of Columbia funds such amounts as are necessary to carry out the obligations of the District of Columbia in accordance with the terms of the said Title III.

"Section 3. (a) To assure uninterrupted progress in the development of the facilities authorized by the National Capital Transportation Act of 1965, the transfer of the functions and duties of the National Capital Transportation Agency (herein referred to as the Agency) to the Washington Metropolitan Area Transit Authority (herein referred to as the Authority) as required by Section 301 (b) of the National Capital Transportation Act of 1960 shall take place on September 30, 1967.

"(b) Upon the effective date of the transfer of functions and duties authorized by subsection (a) of this section, the President is authorized to transfer to the Authority such real and personal property, studies, reports, records, and other assets and liabilities as are appropriate in order that the Authority may assume the functions and duties of the Agency and, further, the President shall make provision for the transfer to the Authority of the unexpended balance of the appropriations, and of other funds, of the Agency for use by the Authority but such unexpended balances so transferred shall be used only for the purpose for which such appropriations were originally made. Subsequent to said effective date, there is authorized to be appropriated to the Department of Housing and Urban Development, for payment to the Authority, any unappropriated portion of the authorization specified in Section 5(a)(1) of the National Capital Transportation Act of 1965. There is also authorized to be appropriated to the District of Columbia out of the general fund of the District of Columbia, for payment to the Authority, any unappropriated portion of the authorization specified in section 5(a)(2) of such Act. Any such appropriations shall be used only for the purposes for which such authorizations were originally made.

"(c) Pending the assumption by the Authority of the functions and duties of the Agency, the Agency is authorized and directed, in the manner herein set forth, fully to cooperate with and assist the Authority, the Northern Virginia Transportation Commission and the Washington Suburban Transit Commission in the development of plans for the extensions, new lines and related facilities required to expand the basic system authorized by the National Capital Transportation Act of 1965 into a regional system, but, pending such transfer of functions and duties, nothing in this Act shall be construed to impair the performance by the Agency of the functions and duties imposed by the National Capital Transportation Act of 1965.

"(d) In order to provide the cooperation and assistance specified in subsection (c) of this section, the Agency is authorized to perform, on a reimbursable basis, planning, engineering and such other services for the Authority, as the Authority may request, or to obtain such services by contract, but all such assistance and services shall be rendered in accordance with policy determinations made by the Authority and shall be advisory only.

"(e) Amounts received by the Agency from the Authority as provided in subsection (d) of this section shall be available for expenditure by the Agency in performing services for the Authority.

"Section 4. The United States District Courts shall have original jurisdiction, concurrent with the Courts of Maryland and Virginia, of all actions brought by or against the Authority and to enforce subpoenas issued pursuant to the provisions of Title III. Any such action initiated in a State court shall be removable to the appropriate United States District Court in the manner provided by the Act of June 25, 1948, as amended (28 U.S.C. 1446).

"Section 5. (a) All laws or parts of laws of the United States and of the District of Columbia inconsistent with the provisions of Title III of this Act are hereby amended for the purpose of this Act to the extent necessary to eliminate such inconsistencies and to carry out the provisions of this Act and Title III and all laws or parts of laws and all reorganization plans of the United States are hereby amended and made applicable for the purpose of this Act to the extent necessary to carry out the provisions of this Act and Title III.

"(b) Section 202 of the National Capital Transportation Act of 1960 (Public Law 86-669, 74 Stat. 537), as amended by Section 7 of the National Capital Transportation Act of 1965 (Public Law 89-173, 79 Stat. 666) is hereby repealed.

"Section 6. (a) The right to alter, amend or repeal this Act is hereby expressly reserved.

"(b) The Authority shall submit to Congress and the President copies of all annual and special reports made to the Governors, the Commissioners of the District of Columbia and/or the legislatures of the compacting States.

"(c) The President and the Congress or any committee thereof shall have the right to require the disclosure and furnishing of such information by the Authority as they may deem appropriate. Further, the President and Congress or any of its committees shall have access to all books, records and papers of the Authority as well as the right of inspection of any facility used, owned, leased, regulated or under the control of said Authority."

Mr. CELLER (during reading of the House joint resolution). Mr. Chairman, I ask unanimous consent that further reading of the House joint resolution be dispensed with, and that the same shall be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 19, line 17, strike out "operation" and insert in lieu thereof "operating".

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the second committee amendment.

The Clerk read as follows:

On page 70, strike line 11 and insert in lieu thereof the following: "whenever the Authority demonstrates to the satisfaction of the Committees on the Judiciary of the United States Senate and House of Representatives a readiness to set into operation a workable financial plan, a physical plan for a regional transit system, and a program for taking over the functions and duties of the Agency, said program to include procedures for orderly transfer of staff personnel from the Agency to the Authority. Financial and physical plans and the program for transition of the functions and duties of the Agency to the Authority may be submitted to the aforementioned Committees on the Judiciary by the Authority at any time between the effective date of this Act and July 1, 1968."

The CHAIRMAN. The question is on the committee amendment.

Mr. TENZER. Mr. Chairman, I rise in opposition to the committee amendment No. 2.

Mr. SMITH of Virginia. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Virginia. Mr. Chairman, I make the point of order that the amendment is not germane in that the amendment proposes duties on a committee of Congress that are legislative, and should be resolved by the Congress itself, and not left to the future for some committee to make decisions that would change vital functions.

In other words, this leaves it to the Committee on the Judiciary to determine something which should be determined by the Congress.

It is the same question we have had up here before time and time again, that you cannot delegate the duties of Congress to a committee of the Congress.

The CHAIRMAN. Does the gentleman from North Carolina desire to be heard?

Mr. WHITENER. Mr. Chairman, I would like to be heard on that.

With all due respect to the gentleman from Virginia, his position is contrary to the past consistent procedures in the Congress.

Prior to World War II it had been the practice for Congress to authorize individually Navy installations for public works projects. During the war the Congress established the practice of authorizing such projects under the Navy Construction Act of 1954, which contained the provision that the approval of the Committee on Naval Affairs in each House must be obtained for each project.

Another example of this would include the Watershed Flood Projects Act of 1954, which now requires or authorizes the Secretary of Agriculture to make grants for watershed projects, but it has a requirement that such plans must be approved by the Committees on Agriculture of the House and Senate before it is done.

Under the Small Projects Reclamation Act of 1956 it was provided that grants to local authorities be reported 60 days in advance to the Committees on the Interior of the Senate and the House, and authorize either committee to either approve or disapprove such grants.

There are other examples that I could give which weigh in favor of the language of the amendment, and which would make it perfectly proper and consistent with the long-standing practices of the House of Representatives and of the Senate.

The CHAIRMAN. Does the gentleman from New York desire to be heard on this point of order?

Mr. CELLER. Mr. Chairman, I do not desire to be heard on this point of order.

The CHAIRMAN (Mr. PRICE). The Chair is ready to rule.

The gentleman from Virginia [Mr. SMITH] raises a point of order against the amendment as to the constitutionality and the germaneness of the amendment. The Chair holds that the amendment is germane because it provides a different condition in the matter of agreement to the compact.

As to the question of constitutionality, the Chair holds that the Chair does not pass upon a constitutional question and this is in keeping with the ruling made by the gentleman from Virginia [Mr. SMITH] on March 11, 1958.

Therefore, the point of order is overruled.

Mr. TENZER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, separate and apart from the point of order raised by the distinguished chairman of the Committee on Rules, the gentleman from Virginia [Mr. SMITH], I rise to oppose the amendment on the merits.

Mr. Chairman, I opposed the adoption of that amendment before the committee and its elimination is so vital to the success of the interstate approach that I must vigorously oppose it here.

The legislation as transmitted by the President provided in section 3(a) of the bill—page 70—for the transfer of the functions and duties from NCTA to the Authority on September 30, 1967. Committee amendment No. 2 would strike the definite transition date of September 30, 1967, and substitute in lieu thereof an indefinite time to be determined later. The determination would be made at such time as the Committees on the Judiciary of both the Senate and House are satisfied with all of the details of the Authority's financial and physical plans and the personnel structure of the authority.

If chaos in the transit project is to be avoided, and if the Federal Government is to be relieved of primary responsibility for developing, financing, and operating the transit system, we must provide for an orderly transfer from NCTA to the authority. Amendment No. 2 does not provide for an orderly transfer. In fact, it provides for no transfer at all. It actually makes the transfer an open political issue. If we favor the compact, we must remove this political issue.

Deletion of amendment No. 2, does not, however, mean that Congress is making an irrevocable commitment to support the plans of the Authority. If further financial participation by the United States or the District of Columbia is proposed under the Authority's plans, the Congress will have to authorize the participation and make the supporting appropriations. If the Congress finds these plans unacceptable, we can then create a Federal or District of Columbia corporation and proceed with the transit project as a Federal activity.

Committee amendment No. 2 adds nothing for the protection of the Federal interest. Viewed realistically, it is inimical to the Federal interest. By making the transition from NCTA to the Authority a political decision—and one to be determined at an unspecified future date—we would render the approval of the compact a nullity.

Timing of the transition from NCTA to the Authority is the key to whether transit will be a Federal or interstate project. One of the principal functions of the Authority is to provide the $331 million of funds over and above the $150 million of Federal and District of Columbia grants to complete the basic system. The Authority can provide such funds when needed only if it assumes complete responsibility for the project by September 30, 1967. If the Authority cannot provide this financing, Congress will be forced to assume the responsibility for doing so by creating a Federal or District of Columbia corporation to sell bonds to the public. Once such bonds are outstanding, no other agency would be able to raise public funds for any part of the regional system.

Let us be clear on what our vote on committee amendment No. 2 means. If you favor the interstate approach, your objective will be realized only if you vote for the deletion of committee amendment No. 2. A vote for adoption of committee amendment No. 2 is, for all practical purposes, a vote against the interstate approach and a vote for a Federal system.

Mr. MATHIAS. Mr. Chairman, I rise in opposition to the amendment.

It seems to me that this is an unnecessary amendment and that it would very seriously jeopardize the whole schedule, the whole plan to bring the rapid mass transit system to the Nation's Capital. I am not going to dwell upon some of the points that could be raised as to constitutionality, although I think they are very pertinent. But I think there are some practical points that can and should be made.

It is alleged that the basic transit system which was authorized by the Congress in 1965 needs protection against modification by regional transit plans. We already provide in this bill that funds authorized for the basic system must be used for the purpose for which they are appropriated. Therefore, it is just commonsense, and it is common legislative interpretation, that no change in the basic system can be approved by the regional transit authority.

The legislation further provides that the transit system must conform to the plans for the Nation's Capital to the fullest extent possible. It authorizes the participation of the National Capital Planning Commission and the Fine Arts Commission in the planning procedure, so that over and above the annual review of the Appropriations Committee we have the protections which make this amendment unnecessary.

Second, it seems to me that this is an unworkable amendment. It goes really to the heart of our whole system of congressional organization. It violates our present concepts of congressional organization because it would impose upon the Judiciary Committee a responsibility and a duty in a legislative area in which, I say as a member of that committee, and without any derogation of my fellow members, we just have no expertise. I think it is an unworkable amendment; I think it should be opposed. I think it is unwise. I did oppose it in the committee. I oppose it here. I hope that this Committee will reject it.

Mr. WHITENER. Mr. Chairman, I rise in support of the amendment.

I am astounded to see that some of those who supported the amendment when I offered it in the committee have now been arm-twisted, or something, to the point that they have agreed to leave the path of wisdom and get back onto the road of folly. And I am surprised from what the gentleman from Maryland [Mr. MATHIAS] just said about this being in some strange way contrary to congressional practices.

As I pointed out awhile ago, there are myriad examples of congressional committees being given this authority, and one of them that the gentleman from Maryland has been so avidly supporting in recent years was title VI of the Civil Rights Act, which requires the Department of Health, Education, and Welfare to report to the Committee on Education and Labor certain things. I am sure the gentleman has supported these reorganization proposals which require that when the executive department is about to take a certain step, they have to come up for congressional action. I know that if the gentleman has ever dealt with watershed projects he knows that the way to open the door is to get the Agriculture Committee of the House and the Agriculture Committee of the Senate to approve it after the Secretary of Agriculture has sent it up here. The same thing may be said of other things.

But let us get around to the amendment that this gentleman would strike out and talk about what it would do.

The only thing this amendment will do is to require that the Regional Transit Authority demonstrate to the Committees of the Judiciary of the House and the Senate, first, that it has a workable financial plan, and, second, that it has a physical plan for a regional transit system, and a program for taking over the functions and duties of the Agency, the National Capital Transportation Agency, which program shall include procedures for the orderly transfer of the staff personnel from the Agency to the Authority. Financial and physical plans and the program for transition of the functions and duties of the Agency to the Authority may be submitted to the aforementioned Committees on the Judiciary by the Authority at any time between the effective date of this act and July 1, 1968.

The language we struck out was merely language which would have required a takeover by the Authority September 30, 1967.

This language, which the gentlemen now oppose, is even better, if we want to look at it from the standpoint of the Authority, than the language we struck.

The amendment which I offered in the committee, which was adopted, provides that if they can come in and show the Committees on the Judiciary of the House and the Senate that they are ready to move forward, that they have a financial plan, then, under this amendment—which the gentlemen now oppose—the Transit Authority could take over January 1, 1967. They would not have to wait until September 30.

I cannot understand this talk of my friends from Maryland that this is some delaying action. The only thing this will do is to speed it up, if they can show that they have a financial and physical operating plan which is feasible.

But I will tell what their problem is. They know that they cannot come up with a plan within any reasonable time which will satisfy reasonable minds that we ought to turn over $150 million of money already authorized from the Federal and District funds to this Authority.

I urge the Members to do what our committee did—what the chairman of our committee helped us to do in the committee—that is, to keep this amendment in the joint resolution.

Mr. MATHIAS. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I am glad to yield to the gentleman from Maryland.

Mr. MATHIAS. The gentleman over the years has illustrated often in the House that he appreciates the educational value of verse and metaphors in making points here. I would recall to the gentleman a tale which is current around the House of the fisherman.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

(By unanimous consent, Mr. WHITENER was allowed to proceed for 1 additional minute.)

Mr. MATHIAS. The fishermen had a fish dangling at the end of the line, and he said, "Come here, little fish, come here. I am not going to hurt you. I am just going to gut you."

The gentleman is very careful in his explanation and is very persuasive, but I fear this is a gutting amendment.

Mr. WHITENER. Let me say to the gentleman, since it is my time, I am appreciative of his mentioning the bait on the hook, because ever since this House approved $150 million, some of the folks in Maryland have been just like a fish after the bait. They just cannot stand it, and they want to get their hands on it so fast that they have been wriggling like a red worm on an old 10-cent fish hook.

Mr. MATHIAS. Mr. Chairman, will the gentleman yield further?

Mr. WHITENER. I yield.

Mr. MATHIAS. The gentleman referred a moment ago, I believe, to those who had stood with him. I wish to say I was very proud to stand with him when this matter was before the House in 1963. We were there cheek and jowl together. I am glad to be supporting this bill still.

Mr. WHITENER. The gentleman was correct at that time, but he has now strayed.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

As chairman of the Committee on the Judiciary, it is my duty, of course, to report this resolution to the House even though it contains this committee amendment No. 2. I want to let you in on a little secret. It may be that I suffered a bit of mental aberration in voting for that amendment. It may be charged against me that I am inconsistent—I voted for the amendment and now I am opposed to it. That is true, but I would rather be right than consistent. I feel I am right now although I may be a trifle inconsistent.

Mr. Chairman, this amendment is a very unusual amendment. It provides that that plan cannot be put in operation unless and until two committees of the Congress, one in the Senate and one in the House, acting in unison, mind you, approve the plan. It is a veto power that is given to committees—not to the Congress but to committees. Now, that is unheard of and unprecedented. The gentleman has sought to cite a precedent like the reporting back to the Committee on the Judiciary under title VI of the Civil Rights Act of 1964. However, that is just reporting. That is apprising the committee as to what the administrative agencies do or intend to do. But this goes much further than that. This puts not only a brake on and it is not only reporting to the committee, but the committee has the right to say "No." This plan that may have involved weeks and weeks of deliberation and the expenditure of vast sums of money can be destroyed, as it were, upon the political consideration, if I may put it that way, of two committees of the House and Senate. And they must act in unison. Remember that. Now let me tell you something about unison as between the Committees on the Judiciary of the Senate and the House. It is most difficult to get unison between those two committees. We are usually right and they are usually wrong, and I would have a mighty tough time of it trying to get unison with the Committee on the Judiciary of the Senate in this regard. Now, it would mean inordinate delay if that veto power could rest with each of the two Committees on the Judiciary.

You know, there is a very significant phrase in Don Quixote. Cervantes says, "By the street of by and by you come to the house of never." That is what is happening here. We are going along the streets of by and by and by and we are going to come to the house of never. We will never get anything done and we will have nothing but procrastination and delay.

For these reasons I regret that I must ask this Committee of the Whole to turn this amendment down which was adopted by the Committee on the Judiciary.

Mr. POFF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I could not hope to effectively enlarge upon the dissertation that the distinguished chairman, the gentleman from New York [Mr. Celler] has just made. I believe the gist of what the gentleman from New York has said can be stated simply in one sentence; namely, that the adoption of committee amendment No. 2, which, parenthetically, I opposed in the committee, would mean that the Congress and the participating political subdivisions would be faced with a fait accompli to which there would be no flexible alternative.

Mr. Chairman, we would be embarking upon a Federal approach from which there would be no retreat. It would mean the foreclosure of the interstate compact approach.

Mr. Chairman, the chairman of the Committee on the Judiciary has said—and the distinguished gentleman from Maryland [Mr. Mathias] has said—that the members of the Committee on the Judiciary have no special expertise or know-how in these very technical fields.

Yet, Mr. Chairman, if this amendment remains in the legislation, these committees would be required to consider such things as the design, the routes, the estimated costs, the fares, the services to be rendered, the operations in terms of bonds and the bond market and, of course, the entire personnel structure.

Mr. Chairman, our Committee on the Judiciary, as great as it is, simply is not equipped to deal with such matters.

Mr. Chairman, I ask this rhetorical question:

Suppose in our most valiant efforts to review these complicated physical plans and plants, these intricate fiscal matters, we should, indeed, try to come to a conclusion with respect to the construction of this system by July 1, 1968, but failed to come up to a conclusion?

What would be the result? Mr. Chairman, the result would be back to the Federal approach with no alternative available.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Now, Mr. Chairman, the problem of adequate transportation facilities in the District of Columbia is a problem that has been hanging around here for a long time.

Mr. Chairman, I have been a member of the Committee on the District of Columbia for some years. We have dealt with this problem and with this subject over the period of years with elaborate commissions and committees of our committee. But, after all these years, we are here with the proposition that if the House adopts it, we are on the way toward doing something about a problem with which we have not heretofore been able to deal adequately and properly.

Mr. Chairman, this represents a compact approach. A compact cannot be entered into by any one of the parties to the contract with approval of all parties. So after it is prepared and, then, the other two signatories have agreed to it—the Legislature of the State of Maryland and the Legislature of the State of Virginia—then it becomes necessary that the Federal Government participate in the same contract, a contract agreed to by the Congress on behalf of the District of Columbia.

So, Mr. Chairman, the simple problem which we are now approaching is this, whether after all this preliminary work and after the District plans on this subject have been set up and provided money with which to make their plans, and after having expended a great deal of money—and we have more authorized by the Committee on Appropriations in the District budget this year—if we do not adopt this contract, then we shall kill the entire subject, certainly for a period of several years.

This is the simple, commonsense proposition that we have to pass upon here this afternoon. Do you want to solve this problem, or do you want to sweep it under the rug again, as we have done each time when we have tried to do something that would be adequate to do it?

My friend from North Carolina offered this amendment in the committee and in the House, and made the statement, as I understood him, that here was a contract that we were asked to endorse in blank that had never been considered in its drafting by any representatives of the Federal Government.

I would like the House to understand that the Federal Government has been represented every step of the way.

I am going to read you the chronology of this proposed compact.

The Federal agency that has been working on this subject is known as the National Capital Transportation Act Authority. This is composed of members from the suburbs of the metropolitan area, members from the District authorities, and a representative of the Federal Government who has worked with these other governments, namely, the District of Columbia and the States of Virginia and Maryland.

So that this has been perfected and drawn and prepared, not by the State of Virginia and not by the State of Maryland and not by Maryland and Virginia alone, as the gentleman from North Carolina seems to think, but it was prepared by the National Capital Transportation Agency, with representatives on it duly authorized to draft this document by all four of the parties in interest.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent (at the request of Mr. Whitener) Mr. Smith of Virginia was given permission to proceed for 1 additional minute.)

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. WHITENER. Mr. Chairman, I want to say to the gentleman in all fairness that I think he has made a slip of the tongue when he indicates that it was the National Capital Transportation Agency that had done something about this. As I understand it, it was this so-called Joint Transportation Committee referred to by the gentleman from Maryland [Mr. Sickles]. I have been very close to the National Capital Transportation Agency, and I would say that the National Capital Transportation Agency did not write any compact.

Mr. SMITH of Virginia. Mr. Chairman, that was the information given to me by the people who have been involved in the job for the National Government, and the District of Columbia. Ever since 1961 those compact negotiations have been carried on by the States of Virginia and Maryland, the District of Columbia, and the Federal representative.

Now, if anybody wants to dispute that statement they may.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. Smith of Virginia was permitted to proceed for 2 additional minutes.)

Mr. SICKLES. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Maryland.

Mr. SICKLES. Mr. Chairman, I think the gentleman is in error in his terminology. The name of the group that was doing the negotiations was made up of representatives from the States of Maryland, Virginia, the District of Columbia, and a Federal negotiator, and this was called the Joint Transportation Commission.

Mr. SMITH of Virginia. They were the ones, I understand, who drew up the final compact, prepared it. It had the approval of all four representatives of the different jurisdictions.

Mr. SICKLES. That is exactly right.

Mr. SMITH of Virginia. It was in the form that it was presented to Congress, and in which we have it presented here today.

It brings us down to the question: Do you want to solve this problem, or do you want to push it under the rug again?

Mr. MACHEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Chairman, I rise in opposition to committee amendment No. 2.

It is essential for orderly progress toward development of a rapid transit system for this bill to be passed without this restrictive amendment. The States of Maryland and Virginia passed legislation based on the assumption that the timetable calling for the authority to assume its powers on September 30, 1967, and to be ready to issue bonds early in 1968 would be fulfilled.

This amendment jeopardizes this schedule without offering any firm alternative.

This amendment requires the approval of the Committees on the Judiciary of the Senate and the House before the authority can assume its full responsibilities. The fact that contingencies for this approval are not specified further confuses the issue. For any who are concerned that the authority, without this amendment, would be able to go its autonomous way, I would like to remind them that the District of Columbia, being a member of the compact, must receive its appropriations from Congress and as such a built-in review process by Congress is available.

Mr. PICKLE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time in order to ask members of the committee for further information with regard to the costs involved.

The amendment now under consideration, which is found on page 7, line 14, makes reference to "a workable financial plan."

This is the plan that the gentleman from North Carolina said the two committees, one in the House and one in the Senate, would have to approve.

I am asking—does this make reference to a financial plan; that is, the cost of this particular project? I am having a hard time finding out what this project is going to cost and who is going to pay what.

On pages 20 and 21 of the bill you talk about the financing and you make reference to the policy of the Congress, and you say it is the intent of the Congress that costs shall be borne by the persons using or benefiting from the authority's facilities and services and any remaining costs shall be equitably shared.

This has reference, I assume, to the operation of the project once it gets underway. I ask the committee what this costs now to put this project in operation and what part does the Federal Government pay and what part does the State of Virginia and the State of Maryland pay? I do not see any percentages here and I do not see any sums of money mentioned.

I would like to have it established as a matter of record if I can.

Mr. SICKLES. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman.

Mr. SICKLES. I am not a member of the committee, but perhaps I can answer some of the gentleman's questions.

I think you have to understand that we do not know the extent of the entire system at this time. So far the only legislation that has been adopted is for the so-called bobtail system, which is a system primarily for the District of Columbia.

As a matter of fact, once this compact agency is in being and as it progresses in its work, it will develop the physical plan and it will develop the financial plans. However, it does not have the authority to impose any tax nor does it have the authority to require any particular contributions from any subdivision or from the Federal Government. As a matter of fact, so far as the financing goes, its financing plan would be merely an offer to the governments affected. If the Federal Government decides that it does not want to make any further contribution at all, it will do so by merely not providing any further contribution in the way of an appropriation to help this system.

It may in its judgment decide at some point that it is necessary to do this. This we cannot tell because we do not know what the ultimate cost of the whole system is going to be. This is the kind of problem that we, as members of this negotiating team, have had for years. How can you determine what the cost of the entire system is going to be until you know the extent of the system?

Mr. PICKLE. I would say to the gentleman from Maryland, on that basis then the Congress would never put in an appropriation or any specific sum in any of these bills. It would just leave them as an open-end appropriations.

Is the gentleman from Maryland asking for open-end appropriation?

Mr. SICKLES. I am saying that we are not asking for anything or for an open-end appropriation in this bill. But if there is to be any further contribution, if that is necessary, it would take specific legislation passed by this Congress to provide any additional funds.

Mr. PICKLE. I thank the gentleman.

Another point that I want to make clear, when you make reference to this bobtail transit system, I assume you mean the system that we voted for the District of Columbia?

Mr. SICKLES. To answer your question, this is the system that was approved by the Congress.

Mr. PICKLE. That is what you call the bobtail system? As I recall, it cost somewhere around $150 million.

Mr. SICKLES. That was the amount appropriated.

Mr. PICKLE. One hundred and fifty million dollars is not exactly a bobtail proposition in my opinion. But anyway, if that is your description of it, at least we know what you are talking about. But I supported the subway system even though I live a long way off. It is important for this District. I think we must measure up to our responsibility and I want to make it plain with respect to the regional area that we ought to extend the lines past the boundaries. But somebody ought to make it plain as to who is going to pay for what—I do not see that at all anywhere.

Mr. ROBERTS. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman.

Mr. ROBERTS. I think that the gentleman has been asking these questions and he knows that he is getting the runaround. The whole situation is that the Federal Government is the guarantor of every bond. It does not make any difference what it is going to cost. Without the sole Federal Government guarantee on this, you could not sell one bond to save your life. Whatever the liability is the Federal Government has to pay it.

I think we have to have a subway system, but I think that is the answer to what the gentleman has been trying to get at.

Mr. PICKLE. I thank the gentleman and appreciate the observation the gentleman has made.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman.

Mr. TENZER. Mr. Chairman, during the course of the hearings before the subcommittee of the Committee on the Judiciary, there was testimony that the total cost of the regional system would be $800 million. The $150 million that was appropriated by the Congress would be available for the continuation of the operation of the development of the system.

Mr. PICKLE. But that was for the core system and not for the interstate operation.

Mr. TENZER. The gentleman is correct. The $150 million was for the core system. Let me inform the gentleman that the State of Virginia and the State of Maryland have appropriated, respectively, $400,000 and $300,000 for further administrative expenses in connection with the development of the financing program for the regional system. The regional system, and the authority created to carry it out, would make an application to financing agencies—not

Federal financing agencies—private financing agencies, for the issuance of bonds to be sold to the public for the financing of the entire regional system.

Mr. PICKLE. I thank the gentleman. In conclusion, let me say that, to my satisfaction at least, I have not gotten any sums or percentages of a definite nature yet that would state what States are going to pay what. If the system is going to cost upward of a billion dollars, then that ought to be outlined somewhere in the bill, because I do not want to see a measure defeated that is good for the country. But if you are saying that you now have only $700,000 out of $1 billion, it seems to me that is not enough, and I cannot see anything wrong with the committee amendments that have been offered.

Mr. BROYHILL of Virginia. Mr. Chairman, I move to strike out the last word.

I rise in opposition to the pending amendment. We are not dealing with hostile governments here or any foreign powers. These communities involved are neighbors and friends. They are made up of responsible local and State governments.

The gentleman from North Carolina indicated that there had been no commitments from these local governments. When hearings were being held on the core system before the Committee on the District of Columbia, representatives of every community in the metropolitan area appeared before the committee and said that they would be willing to appropriate money to finance their share of the cost of extending the system into the suburbs. We have already appropriated money for the administrative costs, but we do not know yet what the cost of the construction is going to be. But we have already agreed to meet our equitable share.

It was stated that this system would not finance its way out through the fare box. During the hearings that were held by the joint committee, a study group, for which we paid almost a million dollars to study and conduct research, stated that the metropolitan area system could finance its way out completely by the year 2000. However, the testimony was that a core system alone, the $431 million system that we authorized last year, would not finance its way out. We would have to have a $150 million subsidy.

Therefore, by extending this system into the suburbs, it makes it more economically feasible and more assured that the Federal Government will put up less money than they would if we failed to ratify the compact. We have asked for the compact on numerous occasions. The States have responded, the President has agreed, and the Commissioners have agreed. What are we going to do here today? Renege on our obligations to the area, and renege on what we said we would do if the States would go along?

Mr. Chairman, I ask that amendment No. 2, now pending, be voted down.

The CHAIRMAN. The question is on the committee amendment.

The question was taken; and on a division (demanded by Mr. WHITENER) there were—ayes 11; noes 55.

So the amendment was rejected.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 73, after line 20, add the following:

"(d) In carrying out the audits provided for in paragraph 70(b) of the Compact the representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Board and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, agents, and custodians."

The committee amendment was agreed to.

AMENDMENTS OFFERED BY MR. CELLER

Mr. CELLER. Mr. Chairman, I offer a number of amendments to correct clerical errors, and I ask unanimous consent that they may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. CELLER: On page 2, strike out "and" after the first complete "Whereas" clause.

On page 2, insert "and" after the second complete "Whereas" clause.

In the second line of page 3, strike out "73 Stat. 1031" and insert in lieu thereof "74 Stat. 1031".

At the end of the sixth line on page 3, change the period to a semicolon.

At the beginning of page 3, line 1, insert "Now, therefore be it".

From page 3, line 11, through page 69, line 4, insert opening quotation marks where appropriate.

At the end of page 69, line 17, insert closing quotation marks.

On page 74, lines 9 and 10, strike out "paragraph" and insert in lieu thereof "section".

The CHAIRMAN. The Chair will advise the gentleman from New York that the first four amendments offered en bloc are amendments to the preamble and should be considered in the House. The other amendments are in order.

The question is on agreeing to the amendments offered en bloc.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 64, strike lines 3 through 18, inclusive, and renumber the succeeding sections.

Mr. WHITENER. Mr. Chairman, this amendment would strike section 77 of article XVI of the compact in its entirety.

I want Members to listen to this rather remarkable language which was written into the compact, which my amendment would strike. I quote:

Exemption from Regulation

77. Except as otherwise provided in this Title, any transit service rendered by transit facilities owned or controlled by the Authority and the Authority or any corporation, firm or association performing such transit service pursuant to an operating contract with the Authority, shall, in connection with the performance of such service, be exempt from all laws, rules, regulations and orders of the signatories and of the United States otherwise applicable to such transit service and persons, except that laws, rules, regulations and orders relating to inspection of equipment and facilities, safety and testing shall remain in force and effect; provided, however, that the Board may promulgate regulations for the safety of the public and employees not inconsistent with the applicable laws, rules, regulations or orders of the signatories and of the United States.

In other words, gentlemen, whoever drafted this compact is saying that they are creating an agency or an authority which is exempt from all laws, rules, regulations, and orders not only of Maryland and the District of Columbia and Virginia, but of the United States of America. So I ask the chairman of the Committee on the Judiciary, Does he take the position that the workmen's compensation laws of these States should not apply? Does the Federal minimum wage law not apply to this agency? Is that what he wants? The civil rights law which he fought for will not apply to this authority because they do not relate to safety inspection. This is going to be the 51st State, but it is going to be a sort of special State they are creating. They are meddling in the business of all of the rest of us in the 50 States that we now have in this Union. Under this compact which the chairman of this Committee on the Judiciary and the chairman of the Committee on Rules say we should not touch because it is so holy, you are going to have a creature of this Congress and of the legislatures of Maryland and Virginia which has a sovereignty unknown to any State in the Union. It is exempt from every law of the United States under this resolution except those which relate to the inspection of railroads and those which relate to the safety of employees. So I say to you, as we go along and I bring several other amendments in here, I think you will begin to see why, as I said all along, this proposition will not work.

If those of you who are latecomers to the rapid transit cause are willing to give this superior authority to an agency which will consist of men and women and say they will be above the laws of the United States and of the several States and of the District of Columbia except as to safety and inspection, then I say to you go right along on your merry way. However, it is a poor argument that Members of Congress should blindly follow the action of two State legislatures who would put a provision like this into a compact and a statute adopted by the Congress.

Why, I can see the gentleman from New York [Mr. CELLER], just on yesterday when some of us thought that the people of the United States ought to have a right just to have a little hearing before they are deprived of some money by some Federal bureaucrat, rise up in righteous indignation and say you ought not to give these people a chance to be heard, but here on the next day he says you ought to give some agency that he wants to create the power to be superior to the laws of the United States and the several States. Does the gentleman from New York have any answer to that? I will be glad to yield to him for that purpose.

Mr. TENZER. I am not going to answer, but I am going to ask you a question which you raised.

Mr. WHITENER. I was sure the gentleman was not going to answer it, because he has no answer.

Mr. TENZER. The reason why I do not have an answer is I do not know the question.

I refer to you line 11 of section 77 which you seek to strike out by this amendment. What laws are you afraid of that will exempt this transit authority? Where it says laws applicable to transit services and persons, specifically what laws do you refer to?

Mr. WHITENER. I think I can answer that question by asking the gentleman a question. I am not trying to exempt them from any laws. The gentleman is. What laws is he afraid of and what laws do they have on the books now that they should be exempt from?

Mr. TENZER. We know of none, but evidently the gentleman does know of some if he wants to strike this.

Mr. WHITENER. Does the gentleman say that a railroad and its employees, operating in the States of Maryland and Virginia and the District of Columbia, and my own State, should be exempt from this?

Mr. TENZER. Maryland and the State of Virginia have laws looking to the protection of these people, and they are adequately protected.

Mr. WHITENER. Oh. So the gentleman now is becoming a States-righter and is willing to turn over railroad legislation to the several States. If so, I welcome the gentleman aboard.

Mr. TENZER. In connection with the operation of transit systems?

Mr. WHITENER. The argument of the gentleman from New York is that it will exempt them from those laws in the States of Virginia and Maryland?

Mr. TENZER. Mr. Chairman, if the gentleman will yield further, in the operation of subway systems I am a States-righter. I do not think the Federal Government should be engaged in that business.

Mr. CELLER. Mr. Chairman, I rise in opposition to the proposed amendment.

Mr. Chairman, it is rather an anomaly that the gentleman from North Carolina should plead for labor, when we have in the record a letter from the AFL–CIO approving this compact, approving this compact in no uncertain language.

Mr. Chairman, they have no fear that this compact might militate against the interests of labor. That is so because it does not militate against the interests of labor.

Now, Mr. Chairman, I must call the attention of the gentleman from North Carolina [Mr. WHITENER] to the fact that there is article XIV, on page 55, and the following pages, entitled "Article XIV, Labor Policy," and in that article there are guaranteed to labor the standards of the Davis-Bacon Act, the Contract Work Hours Act, the Walsh-Healy Act, the section 10(c) of the Urban Mass Transportation Act, all of which are made applicable to the construction, equipment, and operations of the transit system.

And, Mr. Chairman, I repeat, the AFL–CIO has wholeheartedly endorsed this legislation.

Mr. Chairman, the real significance of the exemptions contained in section 77, to which the gentleman from North Carolina objects, is that it releases and exempts from all laws, rules, regulations and orders of the signatories and of the United States otherwise applicable to such transit service and persons, except that laws, rules, regulations and orders relating to inspection of equipment and facilities, safety and testing shall remain in force and effect.

Mr. Chairman, this is quite essential if we are to avoid different standards with reference to regulations and is necessary also in order to make the revenue bonds which flow therefrom salable.

Mr. Chairman, if we were to have all of these agencies regulating all manner and devices and conditions we would burden the sale of the revenue bonds and make it difficult to sell these bonds.

Mr. Chairman, it is a practically universal requirement with reference to revenue bond financing that the authority which issues the bonds be entirely self-regulating with respect to fares, services, and other activities which affect revenues.

Mr. Chairman, for that reason I do hope that the amendment will not prevail.

Mr. WHITENER. Mr. Chairman, will the gentleman yield to me at that point?

Mr. CELLER. Oh, yes, I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, I wonder if the gentleman is willing, in the amendment that he has offered, on the basis of his comments earlier, if the gentleman has not confused one of the things that I had cited to him several days ago, because the gentleman is now talking about finance?

Mr. Chairman, the amendment which I have introduced relates to section 64, which says——

Mr. CELLER. Is the gentleman reading from section 64?

Mr. WHITENER. That is right—that is the one from which I am reading at the present time. It says, "performing such transit service pursuant to contracts."

I am not talking about the financial structure. I am talking about the operation of the transit service. They are exempt from all laws in the United States.

Mr. POFF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I say that I think the gentleman from North Carolina has performed a most useful function in offering this amendment. I believe he has brought into focus something which requires the making of legislative history. We are all concerned about the intent of this language.

I suggest, Mr. Chairman, that we can find the intent of the language of section 77 first by looking at the title of this section. Its title, as it appears on line 3 of page 64, says "Exemption from regulation."

I believe that any court, Mr. Chairman, construing the language of the compact that follows that title, and in light of what we are saying now on the floor of the House during the course of this debate, would be compelled to reach the conclusion that we intend the authority to be exempt from those laws which apply to transportation regulation. I do not see how any other reasonable interpretation could be placed on this section.

Mr. Chairman, in the absence of this exemption the compact authority would be subject to the regulatory powers of the State of Virginia, of the State of Maryland, of the District of Columbia; it would be subject to the regulatory law of any political subdivision of any of the signatories; and it would be subject to the Federal regulation of the Interstate Commerce Commission. Obviously that is functionally impossible.

That is the purpose of this exempting language. That is all that is involved.

I urge that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

The question was taken; and on a division (demanded by Mr. WHITENER) there were—ayes 12, noes 50.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WHITENER: On page 65, strike lines 12 through 15, inclusive, and renumber the succeeding sections.

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. WHITENER. This amendment, Mr. Chairman, would strike section 79 of the bill, which is found on page 65, which reads as follows:

> All laws of the signatories with respect to free transportation and school fares shall be applicable to transit service rendered by facilities owned or controlled by the Authority.

What does this provision in this compact do? It gives any one of these three jurisdictions a right to determine that any class of citizens—and I mean by "class" they can say, for example, that all plumbers in Virginia shall have free transportation; they can say that all schoolchildren in any of these jurisdictions shall have free transportation. And the transit authority will have no control over it whatever.

In the months and months of hearings that we had on rapid transit, one of the most troublesome things we had was to ascertain, or to try to ascertain, what a fair projection of the revenues at the fare box would be in the future on a given system.

We had experts come in and do it.

We came up with a system which the experts said, based upon their projections, would pay out the balance of the cost of the system, over and above the $150 million in grants, by receipts at the fare box.

But, my friends, they cannot make projections and they could not if they had known or if somebody told them that three different jurisdictions would have a right to exempt anyone that they wanted to exempt in their jurisdiction, including many schoolchildren, from paying any fare whatsoever.

Now, if you want to provide, at the expense of your taxpayers in your State, free transportation for all the schoolchildren who live along the route of the proposed regional system—if you want to give to Maryland and the State of Virginia and to the District of Columbia the right to exempt great blocks of citizens from paying fares to ride on this rapid transit system, then vote against my amendment.

I have no personal feeling about it. I just happen to be one who is interested in rapid transit and one who wants to see a feasible system.

This type of thing in this compact ought to be stricken because you cannot have any assurance that the fare box will pay the balance of the cost whatever grants we might have made in the past or will make in the future, if we cannot assume that the number of prospective passengers are going to be paying a certain fare.

Mr. Chairman, I ask for support for the amendment.

Mr. **BROYHILL** of Virginia. Mr. Chairman, it is quite true, as the gentleman from North Carolina asserts, that the laws of the signatories with respect to free transportation and school fares shall be applicable to transit service rendered by facilities owned or controlled by the authority. Under District of Columbia law there is a reduced rate for schoolchildren and each of the signatories have laws providing for free transportation for limited classes of the public. It is neither appropriate nor necessary for the compact to circumscribe the power of the States or local political subdivisions to determine the public policy they desire to follow with respect to reduced fares or free transportation for specified categories of the public.

It is not true, however, as the gentleman from North Carolina asserts, that this provision could put the authority in a situation where it would have no rate control over a very substantial portion of its traffic. Any loss of revenue by the authority due to reduced fares or free transportation, the compact has adecount in determining the obligation or commitment of that signatory to the authority and could be compensated for as an element of the service contract arrangement contemplated by section 18 of the compact or by separate and special agreement.

It is, therefore, clear that, with respect to the matter of school fares and free transportation, the Compact has adequate flexibility to enable each signatory to pursue its own public policy with respect to these matters without imposing any burden upon the authority or the other participating governments.

Mr. Chairman, the existing laws in the area regarding reduced fares are as follows:

Maryland has no statutes on the subject.

Under Virginia law, no motor carrier may give any free ticket, free pass, or free transportation for passengers. The only exception relevant for our purpose is that free carriage of homeless and destitute persons is permitted.

Section 44–214–a provides a reduced fare for schoolchildren under 18 years of age. The fare shall not be more than one-half the cash fare. At the present time the school fare is 10 cents and the cash fare is 21¼ cents. Under this statute the District of Columbia is required to make up the difference in the fares in the event any carrier fails to earn the rate of return established by the Regulatory Commission, after giving effect to any and all motor vehicle fuel tax and real estate tax exemptions. The District of Columbia has not been required to make any payments under this statute so far.

The reduced school fares apply to D.C. Transit and to WMA Transit in connection with their operations within the District of Columbia.

Under section 44–213 of the District of Columbia Code, the transit companies are required to transport free of charge all members of the metropolitan police, crossing police, park police, and fire department of the District of Columbia when in uniform and in the performance of their duties.

In addition to the above, the D.C. Transit tariff provides that children under 5, and certain postal carriers may ride free.

The WMA Transit has a reduced fare for schoolchildren in Maryland and the amount of the reduction varies from zone to zone and by the kind of equipment used. I do not have the details on this.

The A.B. & W. Transit permits children under 5 to ride free. Between the ages of 5 and 11, the children pay one-half the adult fare.

Mr. Chairman, I hope the amendment is rejected.

The **CHAIRMAN**. The question is on the amendment offered by the gentleman from North Carolina.

The question was taken; and on a division (demanded by Mr. WHITENER) there were—ayes 12, noes 51.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WHITENER

Mr. **WHITENER**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WHITENER: On page 8, line 21, after the word "therein" strike out the semicolon, insert in lieu thereof a period, and strike all that appears thereafter through line 24.

Mr. **WHITENER**. Mr. Chairman, I said earlier that I thought we had better give some attention to the Federal and District of Columbia interests as we considered this compact. The amendment that I have just offered would provide each of the signatories to the compact an equal voice in all actions of the proposed transportation authority.

If Members will look at page 8, line 16, you will see that in its present form the compact provides that the authority shall be governed by six directors: two from the District of Columbia, two from Maryland, and two from Virginia.

Section 8(a) provides:

> 8. (a) Four Directors or alternates consisting of at least one Director or alternate appointed from each Signatory, shall constitute a quorum and no action by the Board shall be effective unless a majority of the Board, which majority shall include at least one Director or alternate from each Signatory, concur—

In the action taken.

Now, that is a fine provision. If we look at section 8(a) a little further we see this proviso:

> *Provided, however*, that a plan of financing may be adopted or a mass transit plan adopted, altered, revised or amended by the unanimous vote of the Directors representing any two Signatories.

So we have here a possible situation of the directors from Maryland and Virginia ganging up on the District of Columbia, not only as to where the subway trains might run in the District of Columbia, but also as to financing.

Under this proviso, which my amendment would strike out, that could be the result. By adopting my amendment you will be protecting the interests of your taxpayers back home. You will be protecting the interests of the Federal Government and the District of Columbia. Contrary to what these gentlemen have been saying about our amending this compact, the amendment would not require going back to any legislature, because if we did not approve that part of it, it would just be stricken out, and it would not require action by any State legislature.

When a decision is made as to financing a mass transit plan for the District of Columbia, no people from any other jurisdiction ought to be able to bodily run over the District of Columbia, either as to financing or as to a mass transit plan. I ask support of my amendment.

Mr. **MATHIAS**. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment.

The amendment would provide each of the signatories to the compact an equal voice in all of the actions of the proposed Transportation Authority. I must confess that on the face of it this seems to be a proposition to which none of us ordinarily would object. But I believe a clear understanding of the factors involved here is very necessary in order really to comprehend what is involved in this amendment and to comprehend the mischief it would do and really to understand that if the compacting partners ever should fall out among themselves, this amendment would open up any two of them to duress at the hands of the third.

In the present form the compact would provide that the new Authority shall be governed by a board of six directors, two from each of the compacting parties. Section 8(a) provides:

> Four Directors or alternates consisting of at least one Director or alternate appointed from each Signatory, shall constitute a quorum and no action by the Board shall be effective unless a majority of the Board, which majority shall include at least one Director or alternate from each Signatory, concur therein.

I do not believe the gentleman from North Carolina has any objection up to that point. His amendment would make no change in that arrangement. But section 8(a) also contains the following proviso:

> *Provided, however,* That a plan of financing may be adopted or a mass transit plan adopted, altered, revised or amended by the unanimous vote of the Directors representing any two Signatories.

This is extremely important, because this means that the majority cannot be held up by any single State or any single compacting party with respect to a particular location or a particular facility or a particular piece of trackage or equipment. The majority of the board can exercise its broad discretion in this area.

The individual parties are not without protection from any action in which they do not wish to participate, because this deals only with physical or financial aspects of the operation. In that respect it is only a recommendation which would be made by the new authority to the compacting governments. The compacting governments would not necessarily accept this recommendation for physical or financial action if they did not wish to go forward with it.

So, as the bill is presently drawn, the District of Columbia, the Commonwealth of Virginia, and the State of Maryland each have a built-in veto.

I believe the amendment is completely unnecessary. I oppose it, and I hope the Committee will reject it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was rejected.

AMENDMENTS OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer a series of amendments and ask unanimous consent that they may be considered en bloc, so that at some later day, when historians look back on this, they will see one potter saw the vase as it cracked.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

Mr. WHITENER. Mr. Chairman, I ask unanimous consent that the amendments be considered as read, and printed in the RECORD, because I have no desire to detain my colleagues longer.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The amendments are as follows:

> At page 12 line 24 strike the words "or in activities incidental thereto."
>
> At page 13, line 12, after the word "including" strike the comma, and at line 13 strike all before the word "contracts".
>
> At page 20 line 14 after the number "16." strike all that appears through the citation "(74 Stat. 537)" on line 17 and capitalize the word "it" on line 17; strike the references to the "federal" government as follows: from page 20 line 21, from page 21 line 15, from page 23 lines 14–15, and from page 28 lines 2, 9, and 17–18.
>
> At page 57 strike lines 7 through 18 and in lieu thereof insert the following:
>
> "67. The Act of October 6, 1964 (78 Stat. 1004) authorizing the Commissioners of the District of Columbia to provide relocation services to individuals, families, business concerns, and nonprofit organizations which may be or have been displaced from real property by actions of the United States or of the District of Columbia, and all regulations made under the authority of such Act are hereby made applicable to individuals, families, business concerns and nonprofit organizations displaced from real property by actions of the Authority and the Authority shall pay the District of Columbia Relocation Office for the cost of such relocations: *Provided,* That in the case of any such displacements from real property located in the State of Maryland or the Commonwealth of Virginia the Authority is authorized to make relocation payments directly to the displaced individual, family, business concern, or nonprofit organization, as the case may be, in accordance with the schedule of payments contained in the said Act of October 6, 1964, and such rules and regulations as may be prescribed by the Authority. In the event real property is acquired for the Authority by any Federal agency or by any State or local agency or authority, the Authority is authorized to reimburse the acquiring agency for relocation payments made by it, up to the amounts specified in the aforesaid Act of October 6, 1964."
>
> At page 57 lines 21 and 22 strike the words "public facility or any facilities of a public utility company" and insert in lieu thereof the words "publicly owned facility".
>
> At page 72 after line 21 add a new subsection as follows:
>
> "(f) The consent and approval of Congress set forth in the first section of this Act is given on the express condition that any mass transit plan developed and adopted under sections 13, 14, and 15 of such compact shall, to the extent practicable, conform to the general plan for the development of the National Capital region and to the comprehensive plan for the National Capital within the meaning of sections 3, 4, and 5 of the National Capital Planning Act of 1952 (66 Stat. 781), except as may be determined by the President."

Mr. WHITENER. Mr. Chairman, I will say this briefly. Every single amendment which is on the Clerk's desk is a sound one and worthy of the support of all of the Members of the House. I hope they will do better than they have done on the other amendments I have offered.

The CHAIRMAN. The question is on the amendments offered by the gentleman from North Carolina [Mr. WHITENER.]

The amendments were rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the Chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.J. Res. 1163) to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington metropolitan area transit regulation compact to establish an organization empowered to provide transit facilities in the National Capital region, and for other purposes, and to enact said amendment for the District of Columbia, pursuant to House Resolution 1003, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed.

The SPEAKER. The question is on the preamble.

AMENDMENTS OFFERED BY MR. CELLER

Mr. CELLER. Mr. Speaker, I offer a number of amendments to the preamble and ask unanimous consent that they be considered en bloc.

The Clerk read the amendments as follows:

> On page 2, strike out "and" after the first complete "Whereas" clause.
>
> On page 2, insert "and" after the second complete "Whereas" clause.
>
> In the second line on page 3, strike out "73 Stat. 1031" and insert in lieu thereof "74 Stat. 1031".
>
> At the end of the sixth line on page 3, change the period to a semicolon.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The amendments were agreed to.

The preamble as amended was agreed to.

The SPEAKER. The question is on the third reading of the House joint resolution.

The House joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on passage.

The House joint resolution was passed.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, pursuant to House Resolution 1003 I call up from the Speaker's table for immediate consideration the bill S. 3488, to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia.

The Clerk read the title of the Senate bill.

AMENDMENT OFFERED BY MR. CELLER

Mr. CELLER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Strike out all after the enacting clause of S. 3488 and insert in lieu thereof the text of House Joint Resolution 1163, as passed.

The amendment was agreed to.

Mr. CELLER. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Strike out the preamble of S. 3488 and insert in lieu thereof the preamble of H.J. Res. 1163, as passed.

The amendment to the preamble was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 1163) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the joint resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PROGRAM FOR THE BALANCE OF THIS WEEK AND FOR NEXT WEEK

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, I take this time in order to ask the distinguished majority whip if the gentleman is in a position to announce the program for next week?

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I am glad to yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, in response to the inquiry of the gentleman from Arizona [Mr. RHODES], the program for next week is as follows:

MONDAY

Monday is District day. However, there are no bills scheduled for consideration under the District day rule. However, there is scheduled a bill for consideration, the bill S. 3035 providing for the preservation of historic properties under an open rule, with 1 hour of debate, making in order the consideration of the committee substitute.

Also on Monday there is scheduled for consideration S. 3423, legislation providing for the Wolf Trap Farm Park, Fairfax County, Va., under an open rule with 1 hour of debate.

TUESDAY AND THE BALANCE OF THE WEEK

For Tuesday and the balance of the week there will, first, be the call of the Private Calendar.

Also: H.R. 51: Indiana Dunes National Lakeshore—open rule, 2 hours' debate. H.R. 12047: Internal Security Act amendments—open rule, 2 hours' debate. House Resolution 1013: Creating a Permanent Select Committee on Standards and Conduct. H.R. 13447: Preservation of estuarine areas. S. 3708: Demonstration Cities and Metropolitan Development Act of 1966—open rule, 6 hours' debate, making in order to consider committee substitute for purpose of amendment.

ROLLCALL VOTES ON WEDNESDAY TO GO OVER UNTIL THURSDAY

Also, Mr. Speaker, if there are any rollcall votes on Wednesday, which is Columbus Day, and if any measure develops requiring a record vote, such votes will go over until the session on Thursday.

Mr. RHODES of Arizona. Mr. Speaker, may I ask the gentleman from Louisiana if there is any announcement to be made, however, for the balance of this week?

Mr. BOGGS. For this week?

Mr. Speaker, if the distinguished gentleman from Arizona will yield further, we propose to take up the one remaining bill, on which the gentleman from Virginia [Mr. SMITH] will call up the rule just as soon as we have completed the announcement of this program, and that will conclude the business for this week.

ADJOURNMENT OVER TO MONDAY OF NEXT WEEK

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next at 12 noon, October 10, 1966.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to dispense with business in order under the Calendar Wednesday rule on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ROLLCALL VOTES ON WEDNESDAY EXCEPT FOR PROCEDURAL VOTES AND QUORUM CALLS TO GO OVER UNTIL THURSDAY NEXT

Mr. BOGGS. Mr. Speaker, I now ask unanimous consent that any rollcall votes that may develop on Wednesday next, except rollcall votes on procedural matters and, of course, quorum calls, go over until the following day.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

TO AUTHORIZE THE ARCHITECT OF THE CAPITOL TO REMODEL THE EXISTING STRUCTURES OF THE U.S. BOTANIC GARDEN FOR USE AS A VISITORS' CENTER

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 979) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 979

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14604) to authorize the Architect of the Capitol to remodel the existing structures of the United States Botanic Garden for use as a visitors' center. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Virginia [Mr. SMITH], is recognized for 1 hour.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON], and I yield myself such time as I may consume.

The SPEAKER. The gentleman is recognized.

Mr. SMITH of Virginia. This rule, Mr. Speaker, provides for the consideration of a bill to study the location and type and desirability and necessity for what is known as the proposed Visitors' Center. The object of it is to provide for accommodations so that the thousands of visitors who come to Washington almost daily in the year may have some place where they may go and meet friends, have accommodations, or just to visit, and maybe to spend a little time in mapping out their program for their visit.

The bill as drafted originally provided that that should be done under the architect by converting the old Botanical Gardens at the bottom of the Capitol Hill into the Visitors' Center. The Committee on Public Works, after considering the matter, concluded that the better procedure and the wiser procedure was to have a commission of citizens who are familiar with this, and the necessity for it, who would select a site, the plans, and so forth, and this would be in the nature of a study commission.

That is the bill with the committee amendment, that will be presented. I think it is generally considered as a very desirable thing to do. I know of no objection to the rule or to the bill, and when the gentleman from Indiana gets through I will move the previous question.

The SPEAKER. The gentleman from Illinois [Mr. ANDERSON], is recognized for 30 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think the gentleman from Virginia, the distinguished chairman of the committee, has very adequately and fully explained the purpose of the resolution. This would make in order this bill to make in order a study of the visitor facilities.

I know of no objection to the rule.

I think all of us would agree, as the gentleman from Virginia said, that this would be a very desirable and forward step for the Capital to take. As to the matter of specifically doing any construction that might be involved, I would believe that the actual construction might wait a time when the budgetary situation of the Federal Government is more favorable than it is today, but inasmuch as this is a resolution authorizing funds purely for a study of $60,000, I certainly support the adoption of the rule.

The purpose of the bill is to authorize the creation of a study commission to make a full and complete investigation of possible sites and plans to provide facilities for visitors to the Nation's Capital.

The study is to consider what types of facilities are necessary, where they should be located, what services and information should be available, with special emphasis on foreign visitors and our young people.

The Study Commission will be composed of 21 members, including the Secretary of the Interior, the Administrator of the GSA, the Secretary of the Smithsonian Institution, the Chairman of the Council on the Arts and Humanities, the Chairman of the National Planning Commission, the Chairman of the Commission of Fine Arts, 6 Members of the Senate, 3 from each party, to be appointed by the President of the Senate, and 6 Members of the House, 3 from each party, to be appointed by the Speaker, and 3 additional members to be appointed by the President with the advice and consent of the Senate, at least 2 of whom shall not be officers of the Federal Government. The Chairman shall be the Secretary of the Interior. Staff will be provided by GSA. The Commission is to report to the Congress by March 15, 1967; $60,000 is authorized for the study.

There are no minority views, and no opposition from the administration.

Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

TO ADJUST THE STATUS OF CUBAN REFUGEES

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15183) to adjust the status of Cuban refugees to that of lawful permanent residents of the United States, with Senate amendments thereto, disagree to the amendments and ask for a conference with the Senate on the disagreeing votes of the two Houses.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. FEIGHAN]?

The Chair hears none, and appoints the following conferees: Messrs. CELLER, FEIGHAN, GILBERT, McCULLOCH, and MOORE.

AUTHORIZING A STUDY OF FACILITIES AND SERVICES FOR VISITORS TO THE NATION'S CAPITAL

Mr. GRAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H.R. 14604) to authorize the Architect of the Capitol to remodel the existing structures of the U.S. Botanic Garden for use as a visitors' center, in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlemen from Illinois [Mr. GRAY]?

Mr. PICKLE. Mr. Speaker, reserving the right to object, if I understand the measure that has been presented here and the changes that you now are offering to the House, the study pertains only to the remodeling of the Botanic Gardens as a possible site for a visitors' center; is that correct?

Mr. GRAY. No, that is in error. The bill we originally introduced called for the Architect of the Capitol to remodel the Botanic Garden as a visitors' center. However, after having extensive hearings, the committee felt with the number of proposals that were presented to it that the best thing to do was to select a 21-member Commission; 6 members to be appointed by the Speaker of the House of Representatives and 6 members to be appointed by the Vice President along with members appointed by the President and other distinguished citizens to study the matter and report back to the Congress no later than March 15, 1967.

All the language to which the gentleman refers has been stricken from the new bill, which I will be glad to explain and also the new language which is now before the House for our consideration.

Mr. PICKLE. The study then which is proposed would allow the Commission to consider possible sites other than the Botanic Garden.

Mr. GRAY. The gentleman is absolutely correct.

It will be up to the free judgment of the Commission as to the site or sites they would like to recommend. I use the word "sites" in the plural in the event that they should want to recommend more than one site.

Mr. PICKLE. A visitors' center would be in or near the vicinity of the Capitol; would it not?

Mr. GRAY. The Commission could so recommend.

Mr. PICKLE. I am glad to have that clarification because I introduced a bill last October which recommended a visitors' center either here or in or near the Capitol. It is greatly needed and it is something that the Congress perhaps has neglected for too long.

I do not know that I would disagree as to a center in the old Botanic Garden but I am not certain that that would be the ideal place.

I personally feel that right here in the Capitol we should make room for a visitors center because we have more to offer in Washington than in any place in the world so far as historic sites and scenery is concerned.

Yet we have not been caring for our visitors. So I am hoping that this will be done.

I would say to the Speaker of the House, I concur with his recommendation that he has made to the Architect of the Capitol and that the proposed work ought to proceed immediately on the construction and remodeling of the west front.

I am not at all frightened about the cost or the fears expressed by some of our historians about what might happen when some corner might be remodeled or changed a little.

I think the Speaker of the House is eminently correct in making the recommendations that he has made.

I hope in connection with the study that is going on in that regard and in this one that perhaps we will have a center right here in the Capitol where thousands and thousands of Americans can come to visit each day.

Mr. GRAY. I thank the gentleman, and before I explain the bill I would like to thank the distinguished gentleman from Texas for bringing this matter to our attention by introducing one of the first pieces of legislation on the subject of a visitors center for our great Nation's Capital. He made a valuable contribution to our hearings and to the subject in general. I also want to thank all Members of the House for their wonderful support of this matter.

Mr. Speaker, your Subcommittee on Public Buildings and Grounds of the House Committee on Public Works is pleased to present for your consideration H.R. 14604, a bill to authorize the appointment of a 21-member Commission to study the needs for a National and/or Capitol visitors center. The need is great—the hour is late.

Washington, D.C., has become not only the Capital of the United States of America but a world capital. Over the last 100 years from the end of the great Civil War to the present date the growth of the entire area, which encompasses the heart of the Federal Government's operation, has been a fantastic one. As this growth has come into being there has been a comparable increase in growth in the number of visitors from all over the United States and from all corners of the earth who come to Washington either for business or pleasure. These visitors, whatever the purpose of their visit to Washington, are anxious to get a glimpse of this great Government in action and to have an opportunity to visit the many historic sites within the area. In most cases this is their first visit to the Nation's Capital and its environs. They come to Washington to enjoy for a few hours or a few days the great historical city. In most cases when they arrive they have no knowledge nor do they have any real information on what to see, where to go, whom to meet, where to stay, and what is available in the form of facilities, food, and lodgings in the area. They enter a city which is strange to them and yet when they come to Washington to take in its treasures they find in the year 1966 no organized Government program which will provide them with the proper information to really see the Nation's Capital. To date no plan has been developed which will make a visitor's stay in Washington easier and which will enable a visitor to get all he can out of every minute of his stay in Washington. This situation has existed for many years. Over the past few years there have been many proposals advanced to alleviate this lack of proper facilities for our Capital visitors. The existing situation cannot be allowed to continue. Necessary action must be taken to remedy this condition so that the situation described by Vice President HUBERT H. HUMPHREY on March 25, 1966, will no longer exist. He said in part:

> No city in the world treats its visitors with such shabby indifferences than Washington, D.C. They cannot find parking space; there is no place to get a meal in the Capitol environs; they cannot get a drink of water in some of the congressional office buildings; and there is no official or designated place where they may get information on how to visit our most revered national shrines. What they do get very often are parking tickets, a feeling of being strangers and intruders, and, above all, shabby, cold indifference to their coming here on what truly is a pilgrimage for themselves and their children. The time passed generations ago for us in Washington to meet our common obligations to common courtesy.

To achieve the objective of proper treatment for visitors to the Nation's Capital, H.R. 14604, as amended, is our beginning.

Evidence was submitted during the hearings that in 1960 more than 15 million persons visited the Washington area, that an expected 24 million will come by 1970, and that by 1980 the figure will be least 35 million persons.

It was pointed out that not only Americans are coming to Washington in increasing numbers to visit historic shrines and see their own Government in operation, but so are nationals of other nations, particularly those from emerging nations studying the American political, educational, economic, and social systems to learn if the American way can be adapted to their own countries and people.

Because the Federal Government is the magnet drawing visitors and students, the obligation and the opportunity to foster patriotism, education, and inspiration afforded by the National Capital area are incumbent upon the Federal Government. There was repeated criticism that Washington is almost alone among other world and State capitals in not having a community program to assist visitors, students, and tourists.

Mr. Speaker, dozens of persons testified in favor of this legislation. None were opposed. Almost all the witnesses covered the need for providing facilities for our own American visitors. We must not forget our image overseas. The best way to bring peace and maintain it is to have a better person-to-person exchange between foreign citizens and people from our own country. I have received the following letter from the International Visitors Service headquartered here in Washington which I think explains again the urgency of this problem:

INTERNATIONAL VISITORS SERVICE,
COUNCIL OF GREATER WASHINGTON ORGANIZATIONS,
Washington, D.C., August 17, 1966.

HON. KENNETH J. GRAY,
U.S. House of Representatives,
Rayburn House Office Building,
Washington, D.C.

MY DEAR MR. GRAY: An estimated 500,000 overseas visitors come to Washington each year only to find that the capital of the United States offers fewer tourist facilities and less information in foreign languages than any other major city in the world today. It is our hope that a National Visitors Center will correct these serious omissions.

If there is any way the IVIS Council and/or its member organizations can help to promote the passage of legislation necessary to provide adequate facilities for visitors both international and domestic, I hope you will so instruct us.

Sincerely yours,
MRS. DEAN E. BROWN, Jr.,
Vice Chairman.

Mr. Speaker, in closing, I hope we can pass this bill without a dissenting vote and get on with the important job of providing the necessary tools that will result in the eventual establishment of a national visitors center of which we can all be proud. Thank you.

Mr. REUSS. Mr. Speaker, H.R. 14604 sets up a study commission to study, and make recommendations concerning, facilities, and services for visitors to the Nation's Capital, including displays for informing the visitors of the history of the Nation and the Nation's Capitol.

There has been much interest in the idea of a sound and light presentation at the Capitol. This new medium has done wonders for the Acropolis in Athens, the Forum in Rome, the Invalides and Versailles in France, and the U.S.S. *North Carolina* at Wilmington, N.C.

The idea of depicting by "sound and light" historic events which have taken place at the Capitol has been endorsed by Walter N. Tobriner, Chairman of the Board of Commissioners of the District of Columbia; Mrs. James H. Rowe, Jr., Chairman of the National Capital Planning Commission; Roger L. Stevens, Chairman of the National Endowment for the Arts; and the Washington Convention and Visitors Bureau.

I would have every hope that the study commission could include in its study of possible services for visitors at the Nation's Capital a feasibility study of sound and light. I am sure that the study commission could have the help in such a study of the organizations I have mentioned, and of additional foundations and individuals, including the National Trust for Historic Preservation.

I have discussed the inclusion of a study of a sound and light presentation at the Capitol as part of the study commission's activities with the gentleman from Illinois [Mr. GRAY], and I am delighted that he agrees that such a study would make a very valuable contribution, and that the study commission will give it proper consideration. With this recommendation of the gentleman from Illinois [Mr. GRAY], I am confident that the Congress can have placed before it for its consideration of feasibility study of sound and light.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. GRAY]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 14604

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol, under the direction jointly of the House Office Building Commission and the Senate Office Building Commission, and after consultation with the Administrator of General Services, and representatives of the American Institute of Architects designated by such institute, is authorized and directed to reconstruct, alter, and repair the existing structures of the Botanic Garden located on the site adjoining the United States Capitol Grounds and to do such other construction as may be necessary to make such structures suitable for use as a visitors' center. Such visitors' center shall include, but not be limited to facilities for information, parking, sales for educational books, prints, pamphlets, and films, restaurants, and an auditorium for visual and sound presentations describing the Nation's history, particularly with reference to the Nation's Capital, and terminal facilities necessary for the operation of a shuttle service from such center to points of historic national interest in the Washington metropolitan area.

SEC. 2. The structual and mechanical care of the visitors' center authorized by this Act and the care of the surrounding grounds shall be under the Architect of the Capitol.

The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That there is hereby created a Study Commission which shall make a full and complete investigation and study of sites and plans to provide facilities and services for visitors and students coming to the Nation's Capital. Such study may include provision for the following activities and services:

"(1) exhibits, lectures, films, and displays for informing, instructing, and orienting visitors respecting the history, growth, development of the Nation, the Nation's Capital, and the organization and operation of the Federal Government in all its branches;

"(2) exhibits and displays by the individual States and the District of Columbia with respect to their history, resources, scenic attractions, and other appropriate matters;

"(3) providing information and assistance to visitors to facilitate their enjoyment and appreciation of the Nation's Capital and its historic and cultural resources;

"(4) providing specialized information and assistance to foreign visitors to facilitate and encourage their travel throughout the United States;

"(5) providing special services to visiting student groups, including scheduling, registration, and coordination of tours; and

"(6) providing auxiliary services such as parking, local transportation, and information centers at strategic locations necessary for the convenience of visitors.

"Sec. 2. (a) The Study Commission shall be composed of the Secretary of the Interior, the Administrator of General Services, the Secretary of the Smithsonian Institution, the Chairman of the Council on the Arts and Humanities, the Chairman of the National Capital Planning Commission, the Chairman of the Commission of Fine Arts, six Members of the Senate, three from each party, to be appointed by the President of the Senate, and six Members of the House of Representatives, three from each party, to be appointed by the Speaker of the House of Representatives, and three additional members appointed by the President, by and with the advice and consent of the Senate, at least two of whom shall not be officers of the Federal Government. Non-Federal members shall serve at the pleasure of the President. The Secretary of the Interior shall be the Chairman of the Study Commission. The Study Commission shall meet at the call of the Chairman.

"(b) Members of the Study Commission who are not officers or employees of the Federal or District Government shall be entitled to receive compensation in accordance with section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–z) for persons in the Government service employed intermittently.

"(c) The Administrator of the General Services Administration shall provide from among the personnel and facilities of the General Services Administration necessary staff and facilities to assist the Commission in carrying out its duties under this Act.

"Sec. 3. The Commission shall report the results of its study and investigation to Congress not later than March 15, 1967. Such report shall include its recommendations as to a site or sites for the facilities to be provided together with preliminary plans, specifications, and architectural drawings for such facilities and the estimated cost of the recommended sites and facilities.

"Sec. 4. There is authorized to be appropriated not to exceed $60,000 to carry out this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize a study of facilities and services to be furnished visitors and students coming to the Nation's Capital."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

"THE PEACE WE SEEK"—SERMON BY ARCHBISHOP PATRICK A. O'BOYLE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record and include a sermon by Archbishop O'Boyle.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McCORMACK. Mr. Speaker, President and Mrs. Johnson were among those attending a Special Votive Mass for Peace at St. Matthew's Cathedral last Tuesday, in response to the recent worldwide appeal of Pope Paul VI. Today marks the anniversary of the Pontiff's historic plea for peace before the United Nations.

Archbishop Patrick A. O'Boyle celebrated the mass and delivered the sermon on world peace, which I include with my remarks. Archbishop Egidio Vagnozzi, Apostolic Delegate to the United States, presided. Before the mass, Auxiliary Bishop John S. Spence, of Washington, led the congregation in recitation of the rosary, a devotion particularly requested by Pope Paul VI during the month of October.

Both the recitation of the rosary and the Mass for Peace were duplicated in all Catholic churches of the Washington Archdiocese today.

In addition to the President and First Lady, and Mrs. McCormack and myself, those attending the cathedral mass included, Chief Justice Earl Warren, Under Secretary of State W. Averell Harriman, representing Secretary Dean Rusk, Under Secretary of Agriculture Schnittker, Under Secretary of Labor John W. Henning, Supreme Court Justice Tom Clark, Retired Justice Stanley Reed, Postmaster General Lawrence O'Brien, Bishop John Wesley Lord, Dr. David G. Colwell, Dr. George R. Davis, 36 Members of Congress, and representatives of 56 foreign countries, including 24 Ambassadors.

THE PEACE WE SEEK

(Sermon by Archbishop Patrick A. O'Boyle, St. Matthew's Cathedral, Oct. 4, 1966)

Mr. President, it is a pleasure to welcome you once again to this House of God. I welcome also our gracious First Lady and members of your family, the Honorable Speaker of the House and Mrs. McCormack, Honorable Chief Justice of the United States, Members of Congress, Members of the Supreme Court, distinguished representatives of the Federal Government and of the Diplomatic Corps.

My brother Archbishops and Bishops, my distinguished colleagues of other Christian faiths, Monsignori, Priests, Religious and beloved people of God:

We have met here together before—sometimes in joy, sometimes in sorrow, sometimes to ask the blessing of Almighty God on our labors. This time we meet in response to the anguished call of a spiritual leader, Pope Paul VI. Two weeks ago he issued an encyclical letter, addressed to the Catholic Bishops of the entire world, asking prayers during the month of October for a return of peace to mankind—prayers to Jesus Christ, the Prince of Peace, and to Mary, His Mother, the Queen of Peace. The Holy Father further requested that special religious services in the cause of peace be conducted on October 4, the first anniversary of the day when he flew across the ocean, as a white-robed messenger of peace, to address the representatives of the United Nations.

So today we meet in supplication. We meet, not as Jew or Gentile, not as black or white or yellow or brown, but as brothers.

The year that has passed since Pope Paul VI made his dramatic appearance before the U.N. has been one of bitter frustration. Again and again and again, both directly and through the United Nations, our country has tried every form of persuasion to get its adversaries around the conference table—and then tried again. But to no avail. We learned once more the built-in limitations of unilateral action—the cruel truth of the adage that it takes two to make peace, but only one can start—or prolong—a war.

When the Bishops of the world assembled in Rome last year, they pondered deeply the questions that have divided men of good will the world over—"Is war ever necessary? Is there such a thing as a 'just war?'"

While deploring in the strongest terms the existence of war anywhere, under any circumstances, the Bishops had this to say:

"As long as the danger of war remains and there is no competent and sufficiently powerful authority at the international level, governments cannot be denied the right to legitimate defense."

It should be noted, moreover, that, according to the consensus of Catholic theologians, a nation is morally justified in taking up arms not only in defense of its own legitimate rights, but also in defense of a weaker nation that is being unjustly oppressed. A war of defense is permitted only after "every means of peaceful settlement has been exhausted." In other words, discussion and arbitration should be attempted, if they offer any hope of settling the mutual disagreements.

Even in a just war we must recognize that certain tactical measures are contrary to the moral law. The Council vigorously condemned total war—that is, that form of combat which regards as permissible the direct and deliberate killing or wounding of all the people of a hostile nation, even the innocent and helpless. On this matter the Council said:

"Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man himself. It merits unequivocal and unhesitating condemnation."

From this it might seem to follow that it is wrong to manufacture and to accumulate such terrible weapons for mass destruction as nuclear bombs, which might easily lead a nation to indiscriminate attacks. But the Council did not go that far. On the contrary, the Bishops approved this statement:

"Scientific weapons, to be sure, are not amassed solely for use in war. The defensive strength of any nation is considered to be dependent on its capacity for immediate retaliation against an adversary. Hence, this accumulation of arms, which increases each year, also serves, in a way heretofore unknown, as as a deterrent to possible enemy attack."

Nevertheless, the Bishops of the Council deplored the arms race that is going on among the more powerful nations, declaring that "it is not a safe way to preserve a steady peace." They urged all nations to make a true beginning of disarmament—but added wisely the qualification, "not indeed a unilateral disarmament, but one proceeding at an equal pace according to agreement, and backed up by authentic and workable safeguards."

This same idea—that the peace we seek must be based on the equality of rights of all nations—was repeated by Pope Paul in his encyclical when he said:

"Peace must rest on justice and the liberty of mankind, and take into account the rights of individuals and communities. Otherwise, it will be shifting and unstable."

The Second Vatican Council paid generous tribute to those who fight for their country (or are prepared to fight) in a just war:

"Those who are pledged to the service of their country as members of its armed forces," the Council declared, "should regard themselves as agents of security and freedom on behalf of their people. As long as they fulfill this role properly, they are making a genuine contribution to the establishment of peace."

Although the peace we so ardently desire may seem only remotely possible at present, we must not lose hope. Perhaps the influence of so many men of good will throughout the world may succeed in breaking down the stubbornness of those who are now so strongly opposed to arbitration. Furthermore, we have the benefit of twentieth-century communications, with messages of peace and brotherhood being constantly beamed to the people in captive countries. Even more eloquent is the shining example of missionaries, doctors, nurses, scientists and other unselfish souls from the free world who come among them only to help.

But our chief hope is in the power of God, which will not fail us if we do our part. We must redouble our prayers in company with "the poor, the suffering and the disinherited," whose voices the Holy Father makes his own, that mankind will soon find the way to a true peace. We should pray also that the leaders of the United Nations may exercise the wisdom, the statesmanship and the love for their fellow men that they need to fulfill what Pope Paul has called their true vocation—"to make brothers, not only of some but of all men."

Let us pray, above all, for our President and all other officials who must carry the heavy burden of decision for our foreign policy. They have brought their heavy responsibilities here to the feet of Him who said, "Come to Me all you who labor and are burdened, and I will refresh you." May they resume them now with fresh vigor and confidence, knowing that, as they have believed, they will not walk alone.

God bless you and keep you.

NEED TO STIMULATE FLOW OF MORTGAGE CREDIT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I take this opportunity to call attention to a situation that demands the attention of all those who have a measure of responsibility for the state of the economy of our great Nation.

On August 15, the House, by a vote of 314 to 1, passed a bill to stimulate the flow of mortgage credit by expanding the purchasing authority of the Federal National Mortgage Association. Under this law, signed by the President, FNMA was authorized to purchase FHA and VA mortgages amounting to an additional $1 billion under its special assistance program, and an additional $3.76 billion under its secondary market operations.

Although the Congress approved this legislation over a month ago, there has been nothing done to implement this law. I take this opportunity to call upon J. Stanley Baughman, who is President of FNMA, to take immediate action to implement this legislation. The critical situation in our home construction industry, which this legislation was designed to remedy, still exists and the cure has not been applied.

Mortgage loan money for home purchases has become practically nonexistent at reasonable cost levels. In fact, there is considerable evidence the situation has deteriorated. Nationwide construction activity dropped in August to the lowest rate of the year. Single-family home building value declined 24 percent in August from a year earlier, and contracts for apartment construction dropped 28 percent.

There is evidence now that these declines are spreading to stores and other commercial buildings as well. They are down 4 percent.

In my own area, Metropolitan New Orleans, our otherwise bright economic picture is marred by the depressed homebuilding industry. We are enjoying a large measure of prosperity.

In April of this year, we led the Nation in a 26-percent increase in retail sales.

In the first 6 months our unemployment dropped from 4.2 percent to 3.2 percent, effective buying income rose 11 percent, and our port activity jumped 17.4 percent. Our construction activity, however, was down 42.5 percent, and it is obvious that the current high level of interest rates on mortgages is to blame.

I deplore these high interest rates because they are not only impeding growth, but they are depriving families of needed homes. We must do all in our power to create an economic climate in which money flows freely between our savings institutions and the people of our great Nation.

DISORDERLY CONDUCT CONVICTION OF ARTHUR KINOY

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, on September 27 I called the attention of the House to the opinion of Judge Harold H. Greene in the disorderly conduct conviction of Arthur Kinoy, an attorney, who was arrested in connection with the Pool bill hearings of the House Committee on Un-American Activities.

Today I am inserting in the RECORD for the edification of the membership Judge Greene's September 29 opinion in which he denied the motion in arrest of judgment made by Kinoy against this conviction.

Arthur Kinoy appealed this decision to the District of Columbia Court of Appeals. I include herewith Judge Greene's opinion:

[District of Columbia Court of General Sessions, Criminal Division]

DISTRICT OF COLUMBIA, PLAINTIFF, v. ARTHUR KINOY, DEFENDANT—CRIMINAL ACTION No. D.C. 23093-66

OPINION

This is a motion in arrest of judgment. The principal argument[1] being advanced is that defendant's conduct may be reached, if at all, only by contempt proceedings, not by a prosecution for disorderly conduct. The latter, it is said, has a "chilling effect" upon the Bar, and violates various statutory and constitutional provisions.

I

The rules of the House Committee on Un-American Activities limit counsel's role at hearings to advising the witness as to his legal rights. Counsel is precluded from cross examining other witnesses or from presenting oral argument.[2] Similar limitations have been upheld by the Supreme Court.[3]

On August 16, 1966, defendant's law partner sought to cross-examine a witness in contravention of the committee's rules but was not permitted to do so. The next day, defendant's partner made the same request on behalf of another client, who, he said, would be defamed by the testimony about to be elicited, but again the request was denied in accordance with the committee's rules. Defendant then stated that he was "also . . . an attorney" for the same client and pursued the same request which had just been denied. Defendant's effort was likewise rejected, but he persisted in his demand. The chairman a number of times ordered defendant to stop, he repeatedly rapped his gavel to keep order, and he told defendant again and again to be seated—all to no avail. Defendant's voice increased in volume as he attempted to drown out both the chairman's voice and the gavel, and he failed to take his seat. Ultimately, after defendant had disregarded a final order to sit down, he was ordered ejected and was removed from the hearing room. Throughout this episode defendant was loud and boisterous and he continued to be loud and boisterous while he was being removed.[4]

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[1] It is also contended that the information fails to charge an offense. D.C. Code § 22-1107 incorporates the common law concept of breach of the peace (see *Hill* v. *United States*, 22 App. D.C. 395, 402 (1903); *Masters* v. *United States*, 42 App. D.C. 350, 355 (1914); *Hamilton* v. *United States*, 26 App. D.C. 382, 385 (1905); *Tyner* v. *United States*, 23 App. D.C. 324, 358, 359 (1904); *United States* v. *Davis*, 71 F. Supp. 749, *rev'd*, 83 U.S. App. D.C. 99, *cert. denied*, 334 U.S. 849; see *Durham* v. *United States*, 94 U.S. App. D.C. 228, 240, note 45), which included such disorderly conduct as loud and boisterous talking (*Commonwealth* v. *Hoxey*, 16 Mass. 384 (1920); 24 Am. Jur. 2d Disturbing Meetings § 1 (1966); *State* v. *Watkins*, 123 Tenn. 502, 130 S.W. 839 (1910)). Even if it be assumed that the charge was laid under that portion of the statute which requires a showing that "any person" was assembled, it would make no difference, for this means only that the offense was committed in the presence of others (cf. *Morris* v. *District of Columbia*, 31 A. 2d 652 (1943). The offense was so committed here, and had this issue been raised at any time during the trial, the prosecution would have been permitted to amend the information to conform to the evidence. The Court would be reluctant to assume that this is a defect which cannot be rectified by amendment, for that would mean that the statute cannot conceivably be applied to an assembly of the kind here involved and that legislative meetings therefore cannot, under present law, be protected from disorderly persons. See pp. 10–11 *infra*. Such a construction should hardly be favored. It may be noted that the District of Columbia Court of Appeals has on a number of occasions upheld convictions under section 1107 on the basis of informations in all pertinent respects identical to that used here. Finally, D.C. Code § 22–3111 does not contain the element of assembly.

[2] Rule VII, Rules of Procedure, House Committee on Un-American Activities.

[3] *Hannah* v. *Larche*, 363 U.S. 420, at 443–445, 485 note 7.

Defendant argues that his conduct was protected because he was engaged in legal argument designed to secure for his client the right of cross-examination or to make a record that cross-examination was not being allowed. There are several difficulties with this position.

First. The committee's rules provide no role whatever for one who, as this defendant, represents someone other than the witness on the stand.[5] Since defendant thus had no standing to engage in legal argument in the first place, the contention that his argument was protected from interruption is "bootstrap" at best. Second. Even if it be assumed that defendant had somehow achieved the status of counsel within the meaning of Rule VII, he still was not entitled to present argument because, unlike court rules, the rules of the committee expressly prohibit the presentation of legal argument by counsel.[6] Third. It was perfectly obvious long before defendant was asked to sit down that the committee was not about to deviate from its rules by allowing just this particular lawyer to cross-examine just this particular committee witness. As for making a record, that, too, had been made long before the situation came to a head.[7] In short, prolongation of the argument served no conceivable legitimate purpose. Fourth. Even legal argument must be kept within bounds; it may not be offensive; and it may not deteriorate into a persistent effort to drown out the voice of the presiding officer.

Attorneys and defendants have many times been held in contempt of court under similar circumstances.[8] In *Jones* v. *United States*, 80 U.S. App. D.C. 109, 151, F. 2d 289 (1945), a case with striking factual parallels to the instant case, the U.S. Court of Appeals for this Circuit upheld a contempt conviction of a defendant acting as his own attorney who continued to press a particular legal point after it had repeatedly been overruled and he had several times been told to stop. Said the court (80 U.S. App. D.C. at 110):

"Whenever counsel or a defendant on trial or a witness oversteps the bounds of propriety and refuses to heed the admonitions of the court or to obey in the presence of the court a lawful order of the court, he commits an act of contempt. Appellant, in persisting to address the court in relation to a matter about which the court had already ruled, after being repeatedly warned, was guilty of conduct subversive to due and orderly procedure in the courtroom, and tending to obstruct the due administration of justice, and such an offender ought to be, and properly was, disciplined. Ex parte Terry, 128 U.S. 289, 9 S. Ct. 77, 32 L. Ed. 405."

II

Vigorous legal argument on behalf of a client is not only the privilege of an attorney; it is his duty. Courts will not be enlightened on the issues if the positions of the parties are not advocated with vigor and intelligence. More important, the protection of the rights of citizens—particularly when issues of great controversy and emotional content are involved—depend upon the steadfast determination and fearless performance of counsel. Yet this obviously does not mean that counsel can do as he pleases. There are limits; and in each individual case it is the duty of the trier of facts to determine whether or not the limits of the permissible were transgressed. From what has been related above concerning the defendant's actions, it is clear that his conduct exceeded the bounds of legitimate legal argument and representation, was therefore neither protected nor privileged, and (as in the *Jones* case) could have been punished as contempt. For that reason it is difficult to perceive what basis there is for the contention that the disorderly conduct conviction would have a "chilling effect" upon or would intimidate attorneys.

This conviction renders nothing illegal that would not have been illegal in any event. It does not extend by one iota the area of impermissible conduct. If it did, this Court would be the first to resist the extension. All it does is to uphold the propriety of one form of punishment proceeding (disorderly conduct) where another (contempt) has commonly been available.

Defendant argues that there is a great qualitative difference between a straight criminal charge and a criminal contempt charge,[9] and that the former is less proper and less legitimate than the latter. Quite the opposite is true.

Disorderly conduct is a "crime" within the meaning of the Constitution and a prosecution for disorderly conduct accordingly proceeds in accordance with the meticulous constitutional protections applicable to criminal prosecutions generally. Punishment for contempt of court, on the other hand, may be imposed summarily, without any procedural safeguards whatever. All the judge needs to do in a contempt matter is to make a finding that the defendant is in contempt, and, after giving him a chance to make an explanation, impose the punishment. Summary contempt (which this would be) dispenses with the usual criminal safeguards of notice or hearing, indictment or information, bill of particulars, jury trial, issuance of process, evidence, or argument. Moreover, the maximum sentence is normally not fixed by the legislature but is within the discretion of the judge.[10]

The use of the contempt power where the regular criminal process is available has frequently been criticized by thoughtful civil libertarians for just these reasons. Thus, Mr. Justice Black, dissenting in *Green* v. *United States*, 356 U.S. 165, 194 (1958), called the summary contempt power "perhaps, nearest akin to despotic power of any power existing under our form of government," and referred to the procedures used to punish contempts as "arbitrary" (356 U.S. at 196, note 5) and "dangerous" (356 U.S. at 200). In the same opinion, Justice Black characterized contempt as "the offense with the most ill-defined and elastic contours in our law [which] is now punished by the harshest procedures known to that law" (356 U.S. at 200). The American Civil Liberties Union in its amicus curiae brief in the *Barnett* case (*supra* note 9) criticized the summary contempt procedure as an "anomaly" (p. 1), in which the judge's power is "virtually limitless as to the scope of the offense, the means of punishment and the procedure employed" (p. 6).

It is illogical and contrary to human experience to suppose that the use of the complex, cumbersome, and carefully regulated criminal process instead of the swift and summary contempt process, to reach the same conduct, would inhibit or intimidate anyone.

Acceptance of defendant's broad position—that, because of the availability of contempt, disorderly conduct laws may not be employed to reach the misconduct of those appearing before courts or legislative bodies—would impose the use of a procedure (contempt) potentially far more oppressive and far more readily subject to abuse than the normal criminal process which defendant would discard. That approach would require in every case the invocation of a greater, more unbridled power, where a lesser, more circumscribed power might well be adequate to do the job. This is undesirable both from the point of view of the defendants who would be affected by this strange doctrine as well as from the larger perspective of the protection of civil liberties.

On the other hand, to the extent that defendant attacks the use of disorderly conduct laws more narrowly (that is, only in their congressional setting),[11] the argument is likewise unpersuasive, but for the opposite reason. For the fact is that—as will be shown *infra*—elimination of the disorderly conduct sanction to punish misconduct before a legislative committee would leave no sanction at all. In other words, defendant would have the Court construing [12] the disorderly conduct law as being inapplicable to the present situation on the theory that it would displace another remedy (contempt), when, as a practical matter, no such remedy exists.

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[4] It is, of course, a violation of the statute to be loud and boisterous while being removed from a committee hearing pursuant to the chairman's order. Inasmuch as defendant was not "counsel" within the meaning of Rules VII and VIII of the Rules of the House Committee on Un-American Activities, his ejection was governed by Rule 26(a) of the Rules of the House of Representatives. Cf. *United States* v. *Miller*, 152 F. Supp. 781, 788 (D.C. D.C., 1957), *rev'd on other grounds*, 104 U.S. App. D.C. 30.

[5] Rule VII, which delineates the function of counsel at committee hearings, provides that "the participation of counsel during the course of any hearing and *while the witness is testifying* shall be limited to advising *said witness* as to his legal rights" (emphasis added).

[6] Rule VII provides that "counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client." The Chief Justice, speaking for the Court in *Yellin* v. *United States*, 374 U.S. 109 (1963), stated that, after counsel for a witness before the House Committee on Un-American Activities had unsuccessfully attempted to bring a matter to the attention of the committee, he "would not have been justified in continuing, since Committee rules permit counsel only to advise a witness, not to engage in oral argument with the Committee. Rule VII(B)" (374 U.S. at 112). Compare the response of defendant here, who, when the chairman remonstrated with him for arguing in violation of the rules, replied, "Of course lawyers always argue questions, Mr. Chairman" (Tr. 197).

[7] Defendant had just stated that he wanted the record to show that he was taking "strenuous objection" to the failure to allow cross-examination; yet, after being told to be seated, instead of complying, he began once more to make a statement ostensibly for the record.

[8] See, *e.g.*, *Sacher* v. *United States*, 343 U.S. 1 (1952); *Halliman* v. *United States*, 182 F. 2d 880 (C.A. 9, 1950), *cert. denied*, 341 U.S. 952; *United States* v. *Galante*, 298 F. 2d 72 (C.A. 2, 1962); *United States* v. *Landes*, 97 F. 2d 378 (C.A. 2, 1938); *McInnis* v. *United States*, 191 F. 2d 157 (C.A. 9, 1951), *cert. denied*, 342 U.S. 953; *United States* v. *Hall*, 176 F. 2d 163 (C.A. 2, 1949), *cert. denied*, 338 U.S. 851.

[9] In its brief amicus curiae in *United States* v. *Barnett*, 376 U.S. 681 (1964), the American Civil Liberties Union contended that "in 'normal and ordinary', as distinguished from 'technical usage, there can be no difference' between criminal contempt and any other crime" (p. 15). It may be noted that in England contempts *are* misdemeanors. Halsbury, *Laws of England* 280.

[10] The relative simplicity of contempt is undoubtedly the reason why there are so few convictions for disorderly conduct for misbehavior before judicial or quasi-judicial tribunals. But see *State* v. *Sturges*, 48 Mo. App. 263 (1892); *State* v. *Smith*, 218 A. 2d 147 (N.J., 1966). Judges are not likely to bother with the more cumbersome criminal process when they have the power to proceed swiftly and summarily by contempt.

III

Defendant maintains that his conviction constitutes an invasion of legislative prerogatives by the court and a violation of the principle of the separation of powers.[13]

It is doubtful that defendant has standing to raise this issue. The privilege, if any, is that of the legislature, not that of defendant,[14] and the legislature has not asserted it.[15]

Moreover, these proceedings, far from being an interference with the legislature, are an essential aid to its orderly operation. If an exception with respect to congressional hearings were to be read into the disorderly conduct law (in spite of its all-inclusive language and in spite of a long-standing contrary assumption) [16] there would be no effective sanction whatever for disruptive conduct before the Congress.

The only contempt of Congress statute (2 U.S.C. § 192) applies solely to refusals to testify or to produce evidence—not to contumacious or disorderly behavior generally. The only conceivable non-judicial remedy is a trial before the entire House of Representatives—a procedure which was found to be so impractical that it has long been in disuse.

In other words, if the disorderly conduct charge is struck down on the theory that its use invades congressional prerogatives, Congress would be unprotected from disruptive and contumacious tactics. The day such a decision is announced, anyone appearing before a congressional committee, whether as a witness or as an attorney,[17] could be as disruptive as he pleased,[18] secure in the knowledge that no effective sanction was available.

Obviously a court could no more pick and choose among legislative committees, by deciding to protect the proceedings of only some of them from disorderly conduct, than the Executive could decide, with propriety, to enforce the orders of only some of the courts. Thus, to leave one congressional committee defenseless against disruption is to leave all committees at the mercy of unruly tactics. A number of House and Senate Committees deal with issues which arouse emotion and passion in many quarters; there must surely be some individuals who would not hesitate to interfere with the work of these bodies if they felt they could do so with impunity.

History teaches that, in a constitutional democracy such as ours, unpopular individuals or minorities depend far more heavily upon the protection of the processes and procedures of courts and legislative assemblies than does the majority (which in the last analysis has the strength to protect its interests without the intervention of an orderly legislative and judicial process). Civil liberties are not advanced when disruption of that process is encouraged by being permitted to go unpunished.

The motion is denied.

HAROLD H. GREENE,
Judge.

SEPTEMBER 29, 1966.

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[11] It is unclear how any logically consistent distinction can be drawn between disorderly conduct before a court and such conduct before a legislature committee. If, as shown *supra*, the criminal law is appropriate to misconduct in a judicial setting, it is equally appropriate to misconduct before a legislative committee.

[12] That statute itself contains none of the exceptions defendant would read into it, but covers disorderly conduct wherever it occurs in the District of Columbia. Moreover, as D.C. Code § 22–3111 shows, Congress intended to cover disorderly conduct within government buildings.

[13] Defendant also suggests that the matter must be decided by the tribunal which heard the misconduct or not at all. But it is to defendant's advantage to have the controversy heard by a different, and therefore presumably more impartial, tribunal. Cf. *Offutt* v. *United States*, 348 U.S. 11 (1954); *Cooke* v. *United States*, 267 U.S. 517, 539 (1925); *United States* v. *Bradt*, 294 F. 2d 879 (C.A. 6, 1961), *rev'd on other grounds*, 370 U.S. 230.

[14] Cf. *Ponzi* v. *Fessenden*, 258 U.S. 254 (1922); *Hebert* v. *Louisiana*, 272 U.S. 312 (1926).

[15] On the morning of the trial, the United States Attorney, at the request of counsel for the committee, moved to quash certain subpoenaes which had been issued in this case. The committee could have at the same time represented that it considered defendant's trial to be an invasion of its prerogatives. It did not do so. Moreover, a number of other persons had been charged the previous day with disorderly conduct upon their ejection from the hearing room, to the knowledge of the committee and without its objection. Cf. *Chapman* v. *United States*, 8 App. D.C. 302, 310–11 (1896).

[16] Thomas Jefferson's Manual of Parliamentary Practice, which still governs the proceedings of the House of Representatives, states that Congress may provide by law for an undisturbed exercise of their functions, e.g. for the punishment of contempts, of affrays or tumult in their presence, &c.; [but until it acts Congress is not unprotected] . . . the ordinary magistrates and courts of law being open and competent to punish all unjustifiable disturbances or defamations . . ." (p. 56) [presumably under the common law of crimes]. Ronald Goldfarb, in his excellent book "The Contempt Power" (1963), likewise assumes that "misconduct before Congress would be covered by some prevailing breach of the peace statute . . ." (p. 303).

[17] This immunity would actually extend to one whose relationship to the proceedings is much more tenuous. A mere *claim* of standing—such as this defendant asserted (see p. 3 *supra*)—would confer immunity from sanctions for disruptive conduct.

[18] Disorderly conduct is not confined to loud and boisterous talking but includes many other breaches of the peace. Moreover, defendant has provided no tenable distinction betwen immunity from criminal prosecution for disorderly conduct and immunity from other aspects of the criminal law (*e.g.*, intoxication, assault, or worse).

HARMON CREEK WATERSHED PROJECT

Mr. MOORE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MOORE. Mr. Speaker, I was privileged this morning to share in a very historic event in my congressional district with city, county, and State officials at the dedication of the first structure of the Harmon Creek Watershed. This was, indeed, an event of considerable importance to many families that have over the years suffered as a result of the unexpected floods that have occurred along the tributaries of this watershed.

I was pleased on this occasion to receive expressions of appreciation from Mayor Frank Rybka, State Conservationist Tom Evans and others who were in attendance at this groundbreaking ceremony for my efforts here in the Congress in behalf of this much-needed project.

Mr. Speaker, under unanimous consent I include the remarks I made during this dedication ceremony:

Friends, distinguished guests, Tom Evans, our State conservationist, it gives me great pleasure to be with you here today at the ground-breaking ceremonies of the Harmon Creek Watershed Project—an undertaking which is finally becoming a reality after many years of hardship and frustration on the part of the residents of this watershed basin—and much work and planning on the part of those of us who are charged with the responsibility of legislating and negotiating ways and means to protect our citizenry from Nature's disasters.

Ever since I have been your Congressman in Washington, this undertaking has been paramount among my duties. When I appeared before the Subcommittee of the House Committee on Agriculture a year ago last March, I realized that the first real step toward achieving our goal had finally been taken.

As all of you probably know, this dam is the first of six to be built in West Virginia. Pennsylvania will be the site of eight additional ones, completing the project; however, I am mighty pleased that we are initiating the project. Today's events will be a turning point for all who live in, near, or along Harmon Creek.

Much credit is due all the local citizens who ironed out the problems concerning easements and rights of way. I hasten to point out that some of the owners of land upon which the various dams are to be located, donated the land on a no cost basis to the project. This is the highest act of citizenship. It is characteristic of the All America attitude of the people of this area. These things take time—but I know that you all share my glow of satisfaction today that this was time well spent.

When the contract for the construction of this dam was let, I was pleased to see the White Construction Company of Weirton, West Virginia, named as the successful contractor. It is good to have native West Virginians doing work for their State. As a result, I know we will get the best darn job possible!

Looking back at the innumerable floods which this basin has experienced—the one in July of 1956, for instance, which caused damages in excess of $140,000, I feel that the $160,595 to be paid out to the White Construction Company for the construction of this one dam is a mighty good investment. In that flood, over 150 homes were directly affected and many businesses were forced to close or operate on a limited basis because of impassable roads which prevented employees from reaching work and hindered the shipment of products.

The average anual flood damage in this area has been estimated at $107,000—but as this area has grown steadily, I am sure this figure should be larger now. However, when this whole project is completed, it has been stated that the average annual flood damage will be reduced by $96,659. When you consider the annual flood damage and the hardships inflicted upon our people by these "natural disasters", it is high time man stepped in and took corrective steps! The estimated cost of the entire project—$2,104,100—is a mere pittance for us to pay to put an end to these difficulties.

Apart from eliminating problems, the Harmon Creek Watershed Project does other things which are beneficial to us all. While flood prevention is the dominant purpose, we can't forget other goals inherent to this construction. Included are land treatment measures, municipal water supply and fish and wildlife development. Many of you advocated these additional measures from the start and I have heartily agreed and have given my full support to them.

In speaking up for this project before our House Subcommittee, I remember pointing out strongly that I knew of no undertaking which the Federal government could afford which would have such direct results to the taxpayer—and which would affect future taxpayers for years to come than would this particular watershed. You here will now have the assurance of protection from flood damage by at least 90%—plus the other advantages of recreational development to make your valley a more habitable and better place in which to live and raise your families.

I feel that all of us here have a right to take pride in what we are about to see and develop on this site in the next few weeks, for all of us—Tom Evans, our State conservationist—all of you who planned and worked on easements and spent your spare time obtaining rights of way—and helped in terms of insuring your area's water supply—we should all feel pretty good about our accomplishment today for we have taken out some insurance for the future of this whole basin and for our State of West Virginia and Pennsylvania as well. Future generations will thank us for what we have done.

There are several similar projects pending in our State which now have my attention—among them Upper Buffalo Creek Watershed, in Marion County and Wheeling Creek Watersheds, Marshall and Ohio Counties in West Virginia, and Washington County, Pennsylvania; however, Harmon Creek Watershed will always be very important to me for it is the first of its kind in my personal experience, and coming so closely to it and to its proponents has proven to be a most rewarding and satisfying experience for me.

This is something that you and I have put together and I take much pride in our achievement.

MARK ANDREWS FOR NORTH DAKOTA IN WASHINGTON

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. Andrews] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, this month I have sent to my constituents in the east district of North Dakota a newsletter which I would like to have included in the Congressional Record for the benefit of all the Members of the House. Under unanimous consent I include it in the Record at this point:

Mark Andrews for North Dakota in Washington

Dear Friends: Congress, of course, is continuing beyond the date set for adjournment some time ago. Many Members are becoming anxious to return to campaign in their respective states. Some of us, however, are old-fashioned in that we feel that the only real campaign, after all, is simply doing the best job you can in the position to which you were elected. That means that most of us will stay here until the important business at hand is finished.

All Americans are interested in public opinion. This is why I think the "polls" are such popular reading in the newspapers today. These polls all indicate the concern about a lack of clear and consistent policy toward Asia to guide our nation through a turbulent period. Improvisation from crisis to crisis simply will not do. There are stormy seas ahead in Asia, and there are dangers in any policy the United States may pursue in that part of the world. But the greatest danger is to drift on without a policy. Certainly we can be heartened by indications that more and more consideration is being given by the Johnson Administration to a suggestion that a group of us in Congress made over a year ago. At that time we urged President Johnson to seek more participation and more fighting men from our allies in Southeast Asia. After all, their stake in preventing the takeover of their part of the world by the communists is as great or greater than ours.

More than 400,000 U. S. fighting men are in the Viet Nam area today, and predictions indicate that 750,000 men will eventually be sent over there. When I wrote the President one year ago, I urged him and the State Department to seek realistic and increased assistance from the Asian Nations. I later urged the President to take definite steps to set up an all-Asian peace conference that would give people in those far off lands an opportunity to work out their own peaceful solution. Editorial writers and columnists have recently indicated that there is a growing sentiment in this direction. I certainly hope all the persuasion the Administration can use will be directed toward this goal.

Good news for people who borrow money as well as all taxpayers came when the Treasury Department decided not to sell any more Participation Sales Certificates. You may recall that I opposed the bill that was forced through Congress by the Administration to permit this bit of budget gimmickry. It permitted big investors to buy loan certificates guaranteed by the government at a 5⅝% rate of interest while those of us who buy U. S. Savings Bonds receive only 4⅛%. The Participation Sales Act had two serious liabilities. 1. It helped boost interest rates to their highest level in 45 years. 2. It made it increasingly difficult for the borrower to find a bank or lending agency with money to loan because these certificates soaked up millions of investment dollars. By calling attention to these inequities in the law, we finally forced corrective action by the Treasury Department. Of course, when the Secretary of the Treasury announced that he was suspending sales of Participation Sales Certificates, much of the damage had already been done, but at least this factor will no longer be adding fuel to the fires of inflation.

Many Members of Congress from both sides of the aisle will be watching carefully to see how the Department of Agriculture uses the nearly $7 billion it received in its annual appropriation. President Johnson signed the appropriations bill but was quoted in the "Washington Star" on September 8 as saying he would "reduce expenditures for the programs covered by the bill". We are concerned that the President will choose to withhold funds for the school milk and hot lunch programs, Soil Conservation Service, REA, RTA, agricultural research, land grant college funds and many others of long standing that have proved to be so very valuable. He had originally requested cuts in these, but we were able to restore them in the appropriations bill. There is no justification for cuts in essential, accepted programs merely to provide more and more funds for new and questionable programs . . . many of which have already been proven to be replete with extravagant and unnecessary spending. Too many new programs, such as the Poverty Program, provide lush salaries for a chosen few with little benefit to those who genuinely need the help.

The appropriation of $2 million for actual work on the Garrison Diversion Project was a milestone in the history of our State. This means work will get started next year on early construction phases of this program which will be of tremendous value to our State and Nation. The bill cleared the House Floor on September 21, and it's a mighty nice feeling to know that Senator Young, by virtue of his seat on the Senate Appropriations Committee, will be looking out for this and other projects. Not many states have joint representation on the Appropriations Committees.

THE WASHINGTON METROPOLITAN AREA TRANSIT COMPACT, HOUSE JOINT RESOLUTION 1163

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Rhodes] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, at the October 6, 1966, meeting of the House Republican policy committee a policy statement regarding the Washington Metropolitan Area Transit Compact, House Joint Resolution 1163, was adopted. As chairman of the policy committee, I would like to include at this point in the Record the complete text of this statement.

Republican Policy Committee Statement on The Washington Metropolitan Area Transit Compact, House Joint Resolution 1163

Urban mass transportation is a national and local problem and of concern to all Republicans. H.J. Res. 1163, a bill which creates the Washington Metropolitan Area Transit Authority, offers a realistic solution to these urgent problems facing the national capital region. We support this interstate Compact, which has been adopted by the State of Maryland and the Commonwealth of Virginia, because it engages cooperative State and local solutions to State and local problems, and we oppose attempts to delay the creation of this Regional Authority.

H.J. Res. 1163 authorizes the participation of the District of Columbia and grants the consent of Congress for the States of Maryland and Virginia to enter into this interstate Compact. The Compact represents six years of negotiations by State, District of Columbia and Federal negotiators pursuant to the consent of Congress in the National Capital Transportation Act of 1960. The

Compact does not create a regional transportation system; it does not authorize the building of a rail rapid transit; it does not contain financial or physical plans for the system; nor does it impose any obligations on the Federal Government or the District of Columbia. Rather, it establishes a foundation upon which can be built a regional rapid rail transit system coordinated with all modes of public and private surface transportation.

We urge that all amendments to the language of the Compact be rejected. Any amendment of the Compact—which is a contract agreement among the three jurisdictions—would force the States into renegotiation and postpone creation of the Regional Authority until 1968 when the Virginia Assembly would next meet. The Judiciary Committee's Amendment number two must also be rejected because it would similarly indefinitely postpone the operational date of the Regional Authority. Transportation congestion solutions can no longer be postponed for the Washington Metropolitan Area.

MARY FREE BED GUILD

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, among the greatest stories in America are those that flow from Christian love and the desire of one human being to serve another.

That kind of story has been written over a period of 75 years in Grand Rapids, Mich., by the Mary Free Bed Guild. This is the story of a benevolent group which began its service to God and man by endowing one free bed at Blodgett Hospital in Grand Rapids in 1891, and today operates a hospital which cares for both children and adults, and is on the threshold of developing a complete rehabilitation complex.

Mr. Speaker, the people who direct the Mary Free Bed Hospital and Orthopedic Center, and all those who have contributed their time and energy to making it what it is today, deserve the highest commendation and the gratitude of the entire Grand Rapids area.

November will be Mary Free Bed Month in the Grand Rapids area, and the story of the Mary Free Bed Guild will be retold at that time. Before this year is out, the Mary Free Bed Hospital trustees expect to announce their specific building plans for the new rehabilitation complex.

A brief recounting of the Mary Free Bed story is appropriate here, as the Guild prepares to celebrate its diamond jubilee during Mary Free Bed Month.

The story begins in 1891, when the Mary Free Bed Guild endowed a free bed in Blodgett Hospital by seeking contributions from all women with the given name of "Mary."

After incorporating in 1911 as a benevolent association, the Guild in 1920 sponsored the first Crippled Children's Clinic in western Michigan at Blodgett Hospital. In 1921 the Guild was instrumental in bringing the first formally trained physical therapist to Grand Rapids, and in 1923 the group had a major role in establishing the Orthopedic school in Grand Rapids.

In 1927 the guild turned over its Crippled Children's Clinic to Blodgett Hospital and in 1930 opened the first children's convalescent unit of 12 beds.

The guild moved into the Blodgett Home for Children in 1934 and gradually assumed management and operation of the entire building as the Mary Free Bed Guild Convalescent Home. In 1935 this was designated the Orthopedic Center of Western Michigan by the Michigan Crippled Children Commission.

The guild continued to expand its activities, establishing the Mary Free Bed Brace Shop in 1938 and the dental clinic in 1942. In 1946 the Michigan Crippled Children Commission—MCCC—designated the guild home as a juvenile amputee training center.

The guild established State-approved outpatient and inpatient clinics for cerebral palsy in 1947, and opened a State-approved rheumatic fever ward in 1948.

In 1948 the heirs of Delos A. Blodgett presented the deed to the D. A. Blodgett Home for Children to the Mary Free Bed Guild. That same year the MCCC designated the home a juvenile paraplegic training center.

The guild established an MCCC-approved orthodontic clinic in 1951.

In 1953 the guild's institution was designated a hospital, with the official name of Mary Free Bed Guild Children's Hospital and Orthopedic Center.

By 1954 the guild's training program for affiliating occupational students from various colleges was well established. Affiliation with the University of Michigan for clinical training of their physical therapy students also had been arranged.

In 1956 a speech therapy program was established, and in 1957 the guild opened a State-approved unit for tracheotomy cases.

The guild opened its Mary Free Bed Outpatient Rehabilitation Center in 1960. In 1961 this center was designated by the community planning division as the site for the community's comprehensive rehabilitation facility. The following year the Association for the Blind and Sight Conservation, the Hearing and Speech Center of Grand Rapids, and the Grand Rapids Rehabilitation League moved onto the Mary Free Bed site as the initial step in providing more comprehensive rehabilitation care at one location.

In 1963 the Mary Free Bed Hospital was accredited by the Joint Commission on Accreditation of Hospitals and was approved as a "participating" hospital by the Michigan Hospital Service—Blue Cross.

This year the guild revised its bylaws to create a new board of trustees composed of 12 men and 12 women and changed the hospital's name to reflect its current role as the Mary Free Bed Hospital and Rehabilitation Complex.

Mr. Speaker, this is an account of a great humanitarian effort, an effort which is continuing in my hometown of Grand Rapids. It is an account of the kind of benevolent activity which has helped make America great.

I salute the Mary Free Bed Guild in this, its 75th year, and wish it every future success as its members mark their diamond jubilee.

PRESS CONFERENCE OF GENERAL EISENHOWER

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, on Monday last, October 3, former President Eisenhower, in a press conference following that morning's meeting of the Republican Coordinating Committee, expressed his opinions, on invitation by Chairman Ray C. Bliss and in response to press questions, on several subjects of public interest and importance.

Among these subjects was the extent to which the United States should be prepared to repel Communist aggression in southeast Asia, to end the fighting in Vietnam and to bring about the achievement of a just and honorable peace as soon as possible.

Because of the misunderstanding and misinterpretations of certain of General Eisenhower's remarks which have since developed in the press and in congressional and public comment, it seems both appropriate and fair to include at this point in the RECORD the full and accurate text of General Eisenhower's press conference statements. I therefore insert an exact copy of the transcript of General Eisenhower's press conference remarks in the RECORD at this point.

General Eisenhower's Press Conference Remarks as Taken From the Transcript of the Republican Coordinating Committee Press Conference on Monday, October 3, 1966

Question: You have been asked, before, Sir, if you would use nuclear weapons in Vietnam and I'm not certain that I know what your answer is. Would you tell us?

Mr. EISENHOWER: As a matter of fact, I've never been asked that specific question before. I've always been asked about my actions in Korea. I pointed out that the conditions are vastly different. It's very hard to give you a hypothetical question and give an answer in a military situation where you first of all have to look at the situation. When I was in the White House we had almost a monopoly in atomic power and in certain phases of it we did have a monopoly. So that there was a very great respect for what we might do. But I never threatened openly to use atomic weapons then. I said I would no longer be restricted by the sort of gentleman's agreement that there would be no fighting outside the Yalu River and whatever was needed to win that war or make them sign that armistice right now, I would do whatever was necessary and not make promises about restrictions of the weapons that were used. That's the question I've been asked and the way of an answer. Now I don't know how I would fight this war today. I would have to live with it just like anybody else would. The President has to make all the decisions.

I just say this. I would do anything that would bring the war to an honorable and successful conclusion as rapidly as I could so that we could get around to the business of establishing a viable economy and a stable government freely selected by the citizens themselves, and not imposed on them. That is what we're trying to do. It's as much a political war as a military one at the moment and it's a very difficult one. No one is minimizing the difficulties but I nor any other person outside the Administration and bearing the responsibility to all the American people can make any decision as to what should be done.

Question: You would not automatically preclude the use of nuclear weapons?

Mr. EISENHOWER. I wouldn't automatically preclude anything. I want to bring out again. When you appeal to force to carry out the policies of America abroad, when you once appeal to force, there is no court above you. The problem is you said we're going to do this and here we're going to impose our will. Our will here is to support the people who want to be free and not going to be dominated by Communism. All right, as long as we have to do that, let's do it in whatever way that is necessary.

Question: General, do you think the Johnson Administration has precluded the use of nuclear weapons?

Mr. EISENHOWER. I don't know. I'm not sure. There are always very broad political questions as well as military. But they have to make that decision themselves. On that particular point I don't think they've ever asked me my opinion.

Question: Mr. Eisenhower, you said you would do whatever is necessary to win in Vietnam. Should we interpret it that you don't think that everything is now being done?

Mr. EISENHOWER. No, you can't infer anything. I'm saying this. I'm not trying to set up myself as a competent authority to criticize the Administration. Let me point this out. Suppose I could get 55 percent of the population of America to agree with me in some program that was inimical to what the President is now trying to do. He still carries the responsibility, my friends, and I would be doing the greatest disservice to the United States that anyone could believe in or could imagine. So, I go and give my advice whenever it is requested and I just say what I would do if I had the responsibility. Just as soon as I could I would bring this to a conclusion. Because, as Senator DIRKSEN pointed out, there is the blood of a lot of young men that's involved and whenever we have had casualties, America has had casualties, in order to carry out the policies of America abroad, America as a whole has made it the first order of business to get that war done first. I don't care. You can bring up all the programs that have to do with welfare and space and all the rest. Everything must take a back seat to winning the war and that's what I believe in.

It seems equally appropriate and fair, because of General Eisenhower's repeated emphasis upon his support of President Johnson in his conduct of our foreign affairs, that the text of President Johnson's comments on this issue, as made yesterday in his press conference, also be included at this point in the RECORD:

POLICY ON VIETNAM

Mr. Lisagor.

Q: Former President Eisenhower has said we should use whatever is necessary, not excluding nuclear weapons, to end the fighting in Vietnam.

What do you think of such a proposal?

A: Without passing on the accuracy of your quotation of President Eisenhower, I would say it is the policy of this Government to exercise the best judgment of which we are capable in an attempt to provide the maximum deterrence with a minimum involvement. The easiest thing we could do is get in a larger war with other nations.

We are constantly concerned with the dangers of that. At the same time, we have no desire to capitulate or to retreat. So it has been the policy of your present Administration to provide the strength that General Westmoreland felt was necessary; to prevent the aggressor from succeeding without attempting to either conquer or to invade, or to destroy North Vietnam.

Our purpose is a limited one and that is to permit self-determination for the people of South Vietnam. We are going to be concerned with any effort that might take on more far-reaching objectives or implications.

Finally, because of its objective and helpful assessment of this question, an editorial from the Baltimore Sun, of October 5, deserves the attention and consideration of the press, the Congress, and the public. I therefore insert the full text of that editorial also in the RECORD at this point:

NUCLEAR STRATEGY

Against the background of his own earlier remarks about the Korean war of 1950–1953, former President Eisenhower's comments on the war in Vietnam are less startling than they seemed at first glance. In the first volume of his presidential memoirs, General Eisenhower reported on a talk he had with President Truman shortly after the start of the war in Korea. He wrote that he said to Mr. Truman:

"Our nation has appealed to the use of force. We must make sure of success. We should move quickly to the necessary level of mobilization and begin at once to concentrate and use whatever forces may be required. . . ."

If this sounds familiar it is because it is substantially what General Eisenhower said last week during a press conference in Chicago, and again on Monday in Washington, with respect to the war in Vietnam.

After he had become President himself, and the negotiations for an armistice in Korea were dragging inconclusively, General Eisenhower wrote in his book that he came to the conclusion that "definite measures" were needed to halt this intolerable condition.

"One possibility," he wrote, "was to let the Communist authorities understand that, in the absence of satisfactory progress, we intended to move decisively without inhibition in our use of weapons, and would no longer be responsible for confining hostilities to the Korean Peninsula. We would not be limited by any world-wide gentleman's agreement. In India and in the Formosa Straits area, and at the truce negotiations at Panmunjon, we dropped the word, discreetly, of our intentions. We felt quite sure it would reach Soviet and Chinese Communist ears. Soon the prospects for armistice negotiations seemed to improve. . . ."

In other words, this was intended to be a notice that the United States would not bar the use of nuclear weapons to bring the Korean war to an end. (The Soviet Union had tested its first atomic devices by that time: Red China, of course, had not.)

There is no conclusive evidence in the Western world that the warning in itself caused the Communist side to take a more amenable position toward an armistice. The late John Foster Dulles, who was then Secretary of State, let it be known in Washington that he thought the warning had reached the right persons and was a factor in the Communist action. General Eisenhower, in his book and in subsequent comments, showed his own agreement with the Dulles thesis.

General Eisenhower would seem to have somewhat the same thing in mind now with respect to Vietnam. He is saying that he would not "automatically preclude anything" necessary to bring the war to an end. He would not publicly promise that the United States would not use nuclear weapons under any circumstances in Vietnam.

Former Gov. Thomas E. Dewey of New York, a lawyer as well as a politician, made this comment on General Eisenhower's statement: "I don't believe he was really recommending the use of nuclear weapons. He was simply saying that you don't inform the enemy on what you intend to do."

President Johnson has shown by his actions thus far, as well as by his many statements, that he intends to bring the war in Vietnam to an honorable conclusion without using nuclear weapons. He has not threatened to use them but he has not publicly or "automatically" excluded them. Nor did President Truman during the Korean war.

Thus the present discussion of what General Eisenhower said about nuclear weapons, and what can be inferred from his words, has little real application to the facts in Vietnam. The discussion could be damaging to the United States position if it causes others to think there is any substantial sentiment in this country for the use of such weapons or for an expansion of the war.

G.G.

REPORT TO THE SIXTH DISTRICT OF OHIO

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HARSHA. Mr. Speaker, because of the great concern among the citizens of the Sixth District of Ohio, indicated by the mail to my office, I am discussing several topics of paramount interest to them in my report to the people.

MINIMUM WAGE

Because of the interest in the new minimum wage law I thought I would give you a brief synopsis. However, you must remember these are only the highlights—there are many additional changes upon which neither time nor space permits me to elaborate.

For the 30 million workers presently covered by the minimum wage law the new amendments will increase the present $1.25 an hour minimum wage to $1.40 per hour on February 1, 1967, and to $1.60 per hour on February 1, 1968.

For the newly covered nonfarm workers the minimum wage would start at $1 per hour on February 1, 1967, and reach $1.60 in 1971 through four 15-cent yearly stepups.

Newly covered agricultural workers, unless exempted, will start at $1 per hour on February 1, 1967, and be raised in two annual increases to $1.30 per hour on February 1, 1969.

In addition to raising the minimum wage, coverage will be extended to more than 8 million employees. Included are workers in retailing; construction workers; laundry and dry cleaning; transit; restaurant and food service workers; employees engaged in agriculture, agricultural processing, and logging; employees of motels, hotels, hospitals, and institutions of higher, secondary, and elementary education—but not teachers and academic administrative employees.

Previously there existed an annual sales test for $1 million for an "enterprise engaged in commerce or in the production of goods for commerce." Separate dollar tests for the construction industry—$350,000—and gasoline service establishments—$250,000—were provided. The new law reduces the million-dollars test to $500,000 annually for 2 years and then to $250,000. There would be no dollar test for enterprises engaged in laundering, cleaning, or repairing clothing or fabrics; construction; or the operation of hospitals and related institutions and institutions of education.

"Mom and Pop" stores—those establishments in which the only employees are the immediate families of the owner—continue to be excluded, and their sales are not to be used in determining the annual gross sales of any enterprise.

The definition of the term "wage" is amended by adding to the section a provision that the wages paid by an employer to a "tipped employee" are to include tips. There is a limitation that tips cannot exceed 50 percent of the applicable minimum wage. A "tipped employee" is defined as any employee engaged in an occupation in which he customarily and regularly receives more than $20 a month in tips.

The bill repeals the minimum wage and overtime exemption now provided for hotels, motels, restaurants, and hospitals and related institutions, but restores the overtime exemption for hotels, motels, and restaurants in a new section.

As amended, the exemption would be limited to any retail or service establishment: First, having more than 50 percent of its annual dollar volume of sales of goods or services being made within the State wherein it is located; and second, not within an enterprise described in section 3(s), or having an annual dollar volume of sales which is less than $250,000.

Expressly carved out from the exemption are establishments or employees engaged in laundering, cleaning, or repairing clothing or fabrics, or establishments engaged "in the operation of" hospitals and related institutions, elementary and secondary schools, and institutions of higher education which are within the new "enterprise" coverage.

The bill covers only agricultural workers on the largest farms—the so-called agribusiness enterprises—which used 500 man-days of agricultural labor in any calendar quarter of the preceding year.

A "man-day" is defined as meaning any day during which an employee performs agricultural labor for not less than 1 hour.

Certain employees are to be excluded from both the general man-day count and from the coverage of the act. These employees are not included in determining whether an individual farm exceeds the 500 man-day criteria, and are not covered even though employed by a farm which does not meet the criteria. The employees who are so excluded are:

First. The parent, spouse, child, or other member of an agricultural employer's immediate family;

Second. An employee who (a) is employed as a hand harvest laborer and is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece-rate basis in the region of employment; (b) commutes daily from his permanent resident to the farm on which he is so employed, and (c) has been employed in agriculture less than 13 weeks during the preceding calendar year.

The present minimum wage and overtime exemption for logging crews of 12 or less is amended to exempt crews of 8 or less beginning February 1, 1967.

Section 13(a)(19), exempting any employee of establishments engaged primarily in selling automobiles, trucks, or farm implements from the act's minimum wage and overtime requirements, is repealed, and an overtime exemption is provided for salesmen, partsmen, and mechanics, employed by nonmanufacturing establishments engaged primarily in selling automobiles, trucks, trailers, farm implements, or aircraft to ultimate purchasers.

These are the major changes in the minimum wage law; however, there are many others and if you have any questions concerning them I will be glad to furnish you with the necessary information.

PUTTING FARMERS OUT TO PASTURE

Some of the walnut-desk farmers in the Department of Agriculture seem to have adopted a new slogan, "Stamp out small farmers."

Recently, the press quoted the Under Secretary of Agriculture as saying that Federal farm policy now is aimed at achieving parity income for "adequate size commercial farms, but not necessarily for small farms."

By "adequate" the Under Secretary is said to mean farms grossing more than $10,000 a year in sales. He indicated that farms smaller than this would have to look first to departments other than the Agriculture Department for assistance.

This is a rather shocking posture for the Agriculture Department to assume. There are 3.2 million farms in this country—about 700,000 less than 6 years ago. Only 1 million meet his criteria. Said differently, two out of every three would be required to look for assistance to other Government agencies. One can only assume that the Under Secretary has reference to the Department of Health, Education, and Welfare and the poverty agency.

I thought the farmers of our Sixth District might like to know in which category the Under Secretary has placed them. According to the 1964 Census of Agriculture, our nine counties reflect these statistics:

County	Total farms	Farms grossing less than $10,000 per year	Percentage of farms "inadequate" by the administration
Adams	1,878	1,731	92
Brown	2,151	1,918	89
Clermont	1,694	1,589	94
Fayette	848	385	46
Highland	2,008	1,581	79
Pickaway	1,127	623	55
Pike	770	705	92
Ross	1,333	1,032	77
Scioto	1,046	950	91
Total	12,855	10,514	82

It would seem that the policy stated by the Under Secretary publicly is the policy which has been pursued privately for the last 6 years. Not only have the total number of farms been reduced—which signified consolidation and mergers of small units into large units—since 1960, over 3 million farmers have left the farms.

Clearly, a decision has been made that this country should depend upon the large corporation type farm for its food and fiber. If the Government clings to such a policy, the little family farmer, who already finds it next to impossible to compete with his giant, impersonal, highly mechanized competitor, will simply have to fold his tent and silently steal away to the big city.

Apropos of these statements is the recent allegation by Mr. Frank LeRoux who has served as General Sales Manager of the U.S. Department of Agriculture since February 1961, that "the period from 1961 to 1965 has been the farmers worst 5 years by almost every conceivable economic standard as compared to other administrative periods in modern agricultural history."

Mr. LeRoux, a Democrat and high ranking official of the Department of Agriculture, said:

> The facts do not concur with the Department of Agriculture statements that the farmer has never had it so good nor do they show that there has been anything but a slight improvement recently over what were and still are poverty returns for the farmer's time, efforts, and investments.

No wonder we have a credibility gap in Government. LeRoux told a news conference it was his "feeling that politically the farmer has been written off because of a lack of votes."

LeRoux called the conference to discuss his booklet entitled "The Farmers Worst 5 Years." He admitted to reporters that his statements would have political overtones but that he was "just trying to get the Democrats to keep their campaign promises." One of those promises, he said, "was that efforts would be made to raise farm income up to parity levels." Instead, he said, the Agriculture Department and the administration have followed a course of depressing farm prices to gain the consumer's vote and have made no effort to reach parity.

LeRoux said he once thought the farm policies of former Agriculture Secretary Benson were "the worst, but the record shows that the farmer did better under the Benson administration than during the last 5 years."

COST OF LIVING

The cost of living inched up another notch during August and purchasing power continued its decline during August, according to the monthly report of the Department of Labor. The Consumer Price Index was up 0.5 point from the previous month and 3.8 points from August 1965. Higher food prices were again included as a cause of the advance in the index, which ordinarily dips slightly in August. Food prices were up 5.2 percent over a year ago, services up 4.3 percent, hospital charges up 9 percent, and mortgage interest rates up 8 percent.

We hear a lot of promises these days about curtailing inflation but it is difficult to observe any action or results from these promises. You hear about the little things such as turning out the lights and other insignificant acts which do not count for more than a drop in the bucket. What you do not hear about is skyrocketing increases in Federal employment and other Government activities. Congressman GEORGE MAHON, Democrat, and chairman of the Committee on Appropriations, issued the following summary of Federal employment and costs during fiscal year 1966—ended June 30:

> The cost of civilian employment in the Executive Branch of the Federal government in fiscal year 1966, ended June 30, totaled $18,706,000,000. This was $1,467,000,000 higher than the preceding fiscal year 1965; and it was an all-time high. At the same time, average employment for the full 12 months of the fiscal year increased 338,526, compared with average employment in 1965.

During July and August of this year an additional 56,000 employees were placed on the Federal payrolls bringing the increase to the average annual payroll up to $1,800 million higher than the previous year.

The Pentagon has finally admitted that the costs of the controversial TFX war plane which Secretary of Defense McNamara gave to a Texas firm, despite the fact that a 235-man evaluation team had four times recommended otherwise, has skyrocketed by 160 percent. We will never know how many hundreds of millions of dollars this will add to your tax burden.

LAW AND ORDER

A "momentous criminal crisis" confronts the Nation today, the FBI Law Enforcement Bulletin of September 1966 reports, and FBI Director J. Edgar Hoover declared:

> I think the citizens of this country ought to be able to walk all the streets of our cities without being mugged, raped, or robbed. But we can't do that today. All through the country, almost without exception, this condition prevails.

There were 14 victims of serious crimes per 1,000 persons last year, an increase of 35 percent in 5 years and juvenile arrests have jumped 47 percent while the population in this age group increased only 17 percent. A retired Associate Justice of the Supreme Court, Charles E. Whittaker of Kansas City, Mo., warned this month:

> History shows that every society which became lawless soon succumbed, and the first evidences of each society's decay appeared in the toleration of disobedience of its laws . . . America needs a genuine revival of respect for law.

A forcible rape occurs every 26 minutes; a robbery every 5 minutes; an aggravated assault every 3 minutes; a car theft every minute; a burglary every 28 seconds. The cost of crime is estimated at almost $2.5 billion per month.

The American people are profoundly concerned with the widespread disrespect for law and order in our Nation today. They have witnessed increasing disregard for the rights of others, creeping cynicism toward corruption, and mounting outbreaks of crime violence and mob madness.

This deterioration can be traced directly to the spread of the false doctrine that every citizen possesses an inherent right to decide for himself which laws to disobey and when to disobey them. Thus civil disobedience and violence have assumed crisis proportions in our land and the time has come to call a halt.

Recent riots in many of our great cities are not just legitimate protests by civil rights advocates. They are not just spontaneous expressions of hopelessness or frustration on the part of the disadvantaged slum dwellers.

Rather, they are, too often, conscious planned attacks on the very fabric of our society perpetrated by lawless insurrectionists who thrive on turmoil and discord.

Furthermore, this disease of civil disobedience and its symptoms are manifest in more than just racial violence. They can be observed in the contempt some of our young hold for law and order and enforcing officials. They can be seen in the public destruction of draft cards, the blocking of troop trains, campus demonstrations, and a myriad of other outward manifestations of revolt and contempt of rights of others.

There was a time not so long ago when the aim of our laws was to protect the average law-abiding citizens, to make our city streets safe for him or her to walk in. Today our laws are being interpreted in such a way as to protect the criminal and to make our city streets a dangerous hazard for decent Americans. Some of the worst crimes are being excused, condoned and pardoned on petty legal technicalities. Meantime, sentences are often too lenient. The punishment that most often seems to fit even the grossest of felonies is a slap on the wrist. Here is how FBI Director J. Edgar Hoover sees it—and I quote:

> We mollycoddle youthful criminals and release unreformed hoodlums to prey anew on society. The bleeding hearts, particularly among the judiciary, are so concerned for criminals that they become indifferent to the rights of law-abiding citizens.

But the finger of blame cannot be pointed only at the judicial branch. When national leaders—men of prominence—encourage disobedience, what can we expect from those who look upon these men for guidance and leadership? When the Vice President of the United States makes such a statement as the following, what rewards can we expect to reap? Believe it or not, this is a direct quotation:

> I want to tell you if I were in those conditions and that should happen to have been my situation I think you'd have had a little more trouble than you've had already because I have got enough spark left in me to lead a mighty good revolt.

Now, that was not some irresponsible street corner shouter—no, that was to our deep shame, an irresponsible public official who occupies the second highest office in the land.

Violence is excused, rationalized, and defended as a result of the "failure of society." By comparable statements, other high ranking officials and even the Attorney General of the United States, have joined the courts in kindling the fires of lawlessness. Such statements are, in effect, little more than tacit invitations for agitators to whip up violence throughout the Nation.

Civilized society and its leaders have the right—yes, the obligation—to itself, and to generations yet unborn, to prevent the erosion of the rule of law and order. Unless the responsible citizens and leaders of our society become concerned to the extent that they will support the efforts of our law enforcement agencies—established for the very purpose of preserving the law and order which enables them to live secure, normal, civilized lives—and unless leaders begin to exhort individuals to assume personal responsibilities commensurate with the rights they expect, I see difficulty in reversing present trends.

No justification exists for lawlessness—including even deplorable conditions of grinding poverty and degrading ignorance. Alleged economic deprivation is often merely an excuse for, rather than a cause of, behavioral depravation. Society cannot countenance insurrection while it toils to eliminate ignorance, illness, or poverty. Society should not grant concessions to riot leaders and participants, lest the illusion be conveyed that violence and lawlessness are the most effective means of attaining desirable goals. Our leaders must exert leadership and urge compliance and respect for law and order rather than disobedience.

One earns, rather than demands, respect and acceptability. Goals, even worthy goals, obtained by force, fear, or hooliganism, are short lived and excessively expensive. We cannot obtain worthy goals by unworthy means. Time and energy spent on learning is more profitable than looting; reading is better than rioting; work is more satisfactory than welfare; building is more productive than bombing.

If our laws are archaic and unable to cope with the present situation, then they should be changed, modified, or reformed; but until such reforms occur our citizens should be urged by their leaders to comply with the law. To do otherwise will result only in disaster. Either the rule of law will prevail and sustain us or the primeval law of the jungle will envelop us. By their actions and their attitudes the responsible members of our society, the leaders of our Nation—including the judiciary—the great majority of our citizens must choose.

Certainly America needs not only "a genuine revival of respect for law" but a compliance with it as well.

ONLY THE GOVERNMENT CAN GENERATE INFLATION

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Dr. W. Allen Wallis, president of the University of Rochester, Rochester, N.Y., and former dean of the University of Chicago Graduate School of Business, addressed a symposium on business-Government relations sponsored by the American Bankers Association last April 1 and stated:

> Inflation can be generated only by the Government.

Stressing the secondary role of the private sector's responsibility for inflation, he continued:

> Business firms, labor unions, or consumers with excessive market power can do many objectionable things that are contrary to the public interest; but one thing they cannot do is to cause inflation—or, for that matter, prevent it.

This is, of course, the long-established thinking on the cause of inflation. The basic dictionary definition of "inflation" reads:

> An increase in the volume of money and credit relative to available goods resulting in a substantial and continuing rise in the general price level.

The regulator of the volume of money and credit is the Federal Government, whose spending programs generate the increase in money and credit, totally unconcerned about balancing the budget. The average housewife might be tempted to do the same thing if she faced no budget and possible persistent creditors. Most of those, who like Dr. Wallis are versed in the field of economics, know that Government cannot pass the buck to business, labor, or the consumer, while refusing to prune unnecessary domestic spending in the face of rising costs in Vietnam.

Two news items of recent date illustrate beautifully the pass-the-buck approach versus the time-honored policy of frugality in spending. On September 26 the New York Times carried a story entitled " 'Most Blighted' Rye Block Asks United States to Withhold Renewal Aid." The subheading read: "Residents Assert the $700,000 Can Be Better Used Elsewhere—Say They Can Clean Up Area Themselves."

This is, of course, the frugality case in which citizens are willing to do without these urban renewal funds, most of which would be supplied by the Federal Government.

The pass-the-buck pitch in which the actual big spender, the Federal Government, tries to place part of the responsibility for rising prices on the consumer, was well illustrated by this item which appeared in today's Baltimore Sun: "Cost-Cutting Hints Given Housewives—Shirk Meat, Potatoes, Try Gourmet Dishes, Shoppers Told."

Thus while the Government passes out the housewife's tax dollar with one hand, it effectively shakes its finger at said housewife with the other.

I place the two above-mentioned items in the Record at this point:

"Most Blighted" Rye Block Asks United States To Withhold Renewal Aid—Residents Assert the $700,000 Can Be Better Used Elsewhere—Say They Can Clean Up Area Themselves

(By Ralph Blumenthal)

Rye, N.Y., September 25.—Residents of this city's "most blighted block" have appealed to Washington to hold back more than $700,000 in urban renewal funds to improve their neighborhood. They said they would rather do it themselves.

The residents, who have formed a group called the Rye United Improvement Committee, appealed two weeks ago to Robert G. Weaver, secretary of the department of Housing and Urban Development, to reject Rye's request for the urban renewal funds.

"The funds are badly needed elsewhere," the group wrote, adding that "it is clear that the city of Rye is entirely capable of dealing with the minor problem facing it without outside assistance."

Solicitous as the group is over the state of the economy, it is also fear of Federal intervention in local affairs that has set the residents against the city fathers. Most of all, the residents are afraid that after the renewal effort is finished they would not be able to afford to live in their neighborhood any more.

CONVERTED BEACH COTTAGES

"Why should everyone in Rye be a millionaire?" asked Ernest G. Kissmann, the chairman of the small group.

Mr. Kissmann, a free-lance advertising salesman, lives in one of the 52 cottage-like houses on the block bounded by Beck Avenue, Wainwright Street, Roosevelt Avenue and Forest Avenue, a short walk from the Playland amusement park and the beach.

Most of the houses date from the early nineteen-hundreds and were built as beach cottages for summer tenants. Now most of them have been converted for year-round living.

While many of the cottages look somewhat dilapidated from the outside—walls need reshingling and repainting, clotheslines hang in narrow passageways and sidewalks are broken and strewn with leaves—Mr. Kissmann said that inside the houses are neatly furnished and generally clean.

The Rye Planning Commission, which considers the block the most blighted in the city, and Mayor Edmund C. Grainger, Jr., contend that the block is hopelessly overcrowded and exercises a blighting influence over surrounding areas. In an interview today, Mayor Grainger called it "a block of horror."

GARDEN OF EDEN

Rye's urban renewal plan for the area dates back several years. It calls for the elimination of Beck Avenue and the creation, once the block is joined to an adjacent parcel of open land, of what the opposition sarcastically calls a "Garden of Eden."

It would contain six of the existing houses, six new single-family units, 19 luxury garden apartments, 25 middle-income apartments and 12 rent-subsidized middle-income apartments. In the center of the area would be trees and a large pond.

The estimated cost of the project is $950,000, of which the Federal Government would pay three-quarters—plus relocation payments for residents—the state one-eighth and Rye one-eighth. The one-eighth share comes to $120,000.

Thus, says Mayor Grainger, it is a question of whether Washington will return to Rye some of the tax money of the city's residents or whether the city will have to spend all $950,000 itself.

The residents say that any city that can afford to buy a $1.8 million country club—as Rye did last year—does not need help to deal with this "minor problem."

Furthermore, they insist, the $950,000 figure is preposterous. To show that they can clean up their own area, the residents last month—at their own expense—bulldozed and burned eight uninhabited cottages.

All the area really needs, Mr. Kissmann said, is cooperation from the city in the form of enforcement of the existing housing code. Once owners knew they could not expect to reap fabulous profits through urban renewal purchases and once the city forced compliance with the code, the block would rapidly be improved, he added.

Mr. Kissmann charged that the city had not enforced the code because it wanted to keep the block in poor condition as an excuse for requesting urban renewal money.

Mayor Grainger retorted that the housing code makes no provision for reducing the block's density, and that enforcement would only insure, at best, "safe slums."

The Improvement Committee, which listed 44 members from all over the city in its letter to Secretary Weaver, contends that the new houses that would rise after renewal would be too expensive for residents who now pay an average rent of $100 a month. Unwilling to move into one of the apartments, they would be barred, in effect, from living in Rye.

The city insists that under urban renewal regulations residents who would be forced out of their old block would be provided with comparable housing in the same or another part of the city, with a rent subsidy if necessary.

Two public hearings on the issue of accepting Federal funds have already been held. The latest, on June 29, was attended by a mostly hostile audience of 800, said to have been the largest group at a town meeting in Rye's 306-year history. A third hearing has been scheduled for Nov. 9.

Cost-Cutting Hints Given Housewives—Shirk Meat, Potatoes, Try Gourmet Dishes, Shoppers Told

Washington, October 6.—Housewives struggling against rising food costs were told today to "get off the old meat and potatoes routine" and try cheaper European gourmet dishes.

One more thing, they were told, leave your husband home when you shop.

These, and more hints for beating the cash register, came at a news conference by grocer and Government spokesmen who plan nation-wide distribution of a pamphlet with food-saving ideas.

VARIETY AND PLANNING

As of August, food prices are up 5.3 per cent over last year. But the Bureau of Labor Statistics claims a housewife can still feed a family of four on $25 a week.

"Variety and planning," Mrs. Esther Peterson, the President's special assistant on consumer affairs, said, "is the key. Housewives want to buy and bake the most for a dollar. They need to get off the old meat and potatoes routine. It's expensive."

Clarence G. Adamy, president of the National Association of Food Chains, said the Europeans know how to do it. "Lots of prize gourmet dishes in Europe are really very cheap when you look what's in them.

"We're experiencing a general inflationary pressure," Adamy said. "Prices are higher. You just have to know how to do it."

The grocer suggestions:

1. Shop weekly special. Beef is plentiful now, pork is not. Buy beef. "And remember chicken is a delicacy in some countries." (Beef is up 2 per cent over last year, canned ham up 9 per cent, eggs up 22 per cent, bread up 10 per cent. Fresh vegetables are down in price).

2. Buy when supplies are plentiful. Lettuce, for instance, changes price 400 times a year. When the price is high, quality is low. If it's 39 cents, skip it.

3. Try lower priced brands and grades. House brands are generally good.

4. Make a list and stick to it. Grocers said impulse buyers definitely are profitable for them.

5. Substitute. Instead of bread & milk, try day-old bread and powdered milk. Instead of red meat, try poultry and fish. Instead of meat dishes, try bean, cheese and egg dishes.

6. Partially prepared items, and convenience foods, are often more costly. Figure the cost per ounce, per pound, per serving. Breakfast cereal in individual packs is nearly double the cost of a serving from a large box. Hot cereal is even cheaper.

FRUITS AND VEGETABLES

7. Whole fruits and vegetables in a can usually cost more. Fruits in light syrup cost less than fruits in heavy syrup.

"There's no limit to how much one can spend, and how much one can save," Mrs. Peterson said. Unfortunately, those who need most to know how to shop—brides, poor families—know least how to do it.

PORTRAIT OF THE HONORABLE FRANCIS THOMAS PRESENTED TO THE HOUSE JUDICIARY COMMITTEE BY THE STATE OF MARYLAND: BENJAMIN B. ROSENSTOCK, PRESIDENT, MARYLAND BAR ASSOCIATION, ACTS FOR GOVERNOR

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MATHIAS. Mr. Speaker, a ceremony in the House Judiciary Committee chamber today honored the memory of Francis Thomas, of Maryland, a Member of this body in nine Congresses and the only Member from Maryland ever to serve as chairman of the Committee on the Judiciary. A copy of the official portrait executed while Thomas was Governor of Maryland, and now in the statehouse at Annapolis, was presented to the committee by the State of Maryland. Gov. J. Millard Tawes was represented by Benjamin B. Rosenstock, president of the Maryland State Bar Association. The picture was accepted by the ranking minority member of the committee, William M. McCulloch of Ohio.

Witnesses to the ceremony included members of the committee; Justices Reed, Clark, and Douglas of the Supreme Court; Chief Judge Roszel C. Thomsen, of the U.S. District Court; Chief Judge Hall Hammond, of the Maryland Court of Appeals; former Chief Judge Frederick L. Brune, president of the Maryland Historical Society; and other judges. Also present were Attorney General of Maryland, Thomas Finan; the Acting Attorney General of the United States, Ramsey Clark; the presidents of the county bar associations throughout Maryland, and the members of the bar of Frederick County, where Francis Thomas began his career.

The chairman of the Committee on the Judiciary, the gentleman from New York [Mr. Celler], was unfortunately detained on the floor during these proceedings, but extended his thanks to Mr. Rosenstock.

This afternoon, in recognizing both Mr. Rosenstock and the memory of Francis Thomas, we give recognition to two durable and hallowed institutions, the Maryland bar and the Judiciary Committee of this House. Francis Thomas, throughout his eminent career, epitomized the highest qualities of character, diligence, and devotion to principle which have characterized the bar of the Free State since its inception, and which Mr. Rosenstock and his colleagues today have further advanced. In his service in this House, in his advocacy of the causes to which he adhered, and in his contributions to the national welfare, Francis Thomas also represented the best in the great committee which he led during the 24th and 25th Congresses. These traditions of excellence have been fulfilled in our own time by the present chairman and ranking minority member.

Mr. Speaker, Francis Thomas lived and worked in times as turbulent and demanding as our own. His own priorities, the causes he held foremost, and the spirit in which he persisted were apparent throughout his long career. It is especially noteworthy that, although he had won great admiration and high esteem as Governor of Maryland, as a Member of Congress, and as American Minister to Peru, he chose for his epitaph the simple and striking statement:

> Author of the measure which gave to Maryland the constitution of 1864, and thereby gave freedom to 90,000 human beings.

I include in the Record the following brief biographical sketch of Francis Thomas:

Thomas, Francis (Feb. 3, 1799–Jan. 22, 1876), congressman from Maryland and governor, was born at "Montevue" near Petersville, Frederick County, Md., the seventh child of John and Eleanor (McGill) Thomas, and the descendant of Hugh Thomas who emigrated from Wales to Pennsylvania about 1702. He matriculated at St. John's College, Annapolis, but turned directly to the study of law, when classes closed temporarily at that institution. Opening an office in Frederick after admission to the bar in 1820, he soon became one of the leading lawyers in western Maryland. His record before 1841 was a succession of triumphs. In 1822, as a stripling of twenty-three and a Democrat, he won election to the State assembly from a Federalist section on the issue of legislative reapportionment. He appeared as a successful candidate for the same position in 1827 and 1829, and even won the speakership of the house in his last term. The manner in which he handled the house led to his being made congressional candidate the next year. For ten years, 1831–41, he sat in Congress, where his eloquence and parliamentary skill made him an active participant in most of the important legislation. As chairman of the judiciary committee, he became a defender and friend of Jackson. For a brief period, 1839–40, he was president of the Chesapeake and Ohio Canal Company and also found time to lead a revolt for popular election of state senators in Maryland. Though temporarily unsuccessful, this ultimately brought reorganization of the legislative department. It was during his congressional campaign of 1840 that he became involved in a duel with William Price. His nomination and election for governor in 1841 ushered in the most tempestuous period of his life. His marriage to Sally Campbell McDowell, the daughter of Gov. James McDowell [*q.v.*] of Virginia on June 8, 1841, had united the forty-two-year old bachelor to a twenty-year old girl. Discord manifested itself in a few weeks. They were divorced after an unusually unsavory scandal during which he issued a pamphlet, *Statement of Francis Thomas* (1845), setting forth, entirely without reserve, the details of the courtship, marriage, and estrangement. Ten year later his wife married John Miller, 1819–1895 [*q.v.*], a Presbyterian clergyman. The quarrel and divorce involved Thomas in a libel suit and led him to wild charges against John Carroll Le Grand, whom he had just appointed judge. Ultimately, it cost him his possible opportunity of being president because of the bitterness of his father-in-law in the convention of 1844.

He did not allow his domestic difficulties to interfere with his duties as governor. His chief contribution was to save the state from repudiation, although it was heavily involved in debt for internal improvements. After his governership he led the life of a recluse until the Civil War, emerging only to fight, in the constitutional convention of 1850–51, the system of representation whereby the small slave-holding counties held power over the populous western counties, and to run unsuccessfully in 1853 as an independent candidate for Congress. At the outbreak of the Civil War he enlisted a volunteer regiment of 3,000, though he left the command to younger men, and inspired union sentiment in western Maryland with his eloquence. In 1861 he returned to Congress as a Unionist and served until 1869. During Reconstruction he whole-heartedly supported the extreme Radicals. Upon his retirement from Congress, he was appointed in 1870 internal revenue collector for Maryland. He resigned to accept the post of minister to Peru, where he served from 1872 to 1875. The remaining year of his life he occupied with law practice and with sheep-raising on a large tract of land near Frankville. He was killed by an engine of the Baltimore and Ohio railroad.

[M. P. Andrews, *Tercentenary Hist. of Md.* (1925), vol. I; E. S. Riley, *A Hist. of the General Assembly of Md.* (1905); C. W. Sams and E. S. Riley, *The Bench and Bar of Md.* (1904); J. W. Thomas and T. J. C. Williams, *Hist. of Allegany County, Md.* (1923), vol. I; T. J. C. Williams, *Hist. of Frederick County* (1900), vol. I; L. E. Blauch, "Education and the Md. Constit. Convention, 1850–51," *Md. Hist. Mag.*, June 1930; *N. Y. Herald*, Apr. 8, 1845; *Inquirer and National Gazette* (Philadelphia), Nov. 13, 1845; *Baltimore Amer. and Commercial Advertiser* and *Sun* (Baltimore), Jan. 24, 1876.] E. L.

ASIAN CONFERENCE

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINDLEY. Mr. Speaker, 14 House Republicans yesterday urged the President to delay the Asian Conference until after election in order to remove the Conference completely from the shadow of partisan politics.

Following is the text of the telegram:

October 6, 1966.

Hon. Lyndon B. Johnson,
President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: As stated in our joint telegram to you on September 28, we feel that your forthcoming meeting with the leaders of Asian nations which share our burdens in Vietnam presents an excellent opportunity to broaden support for the war at home and abroad.

In order to achieve the greatest potential for success, the conference of course must be carefully timed.

With that in mind, we respectfully urge that it be delayed until after the November 8 general election.

This would require a delay of only a few days from the announced date of October 24. In our view the delay would pay worthwhile dividends because it would remove the conference completely from the shadow of partisan politics.

If it is held as scheduled on the eve of election day, its potential impact will be seriously diminished. Your own stake as President in the outcome of the election will be constantly on the mind of those participating in the conference, those covering it for news media and the world-wide audience eager for every word. Reporters will inevitably interpret conference developments in relationship to partisan events. All this unnecessary encumbrance to success can be swept away simply by rescheduling the conference a few days later.

Regardless of the conference's form and timing, we wish you well.

Representative Paul Findley, Illinois; Representative Mark Andrews, North Dakota; Representative Clarence J. Brown, Jr., Ohio; Representative Laurence J. Burton, Utah; Representative Harold R. Collier, Illinois; Representative Barber B. Conable, Jr., New York; Representative John N. Erlenborn, Illinois; Representative James Harvey, Michigan; Representative Craig Hosmer, California; Representative Hastings Keith, Massachusetts; Representative Albert H. Quie, Minnesota; Representative Herman T. Schneebeli, Pennsylvania; Representative Joe Skubitz, Kansas; Represenative Vernon W. Thomson, Wisconsin.

REPRESENTATIVE SEYMOUR HALPERN REPORTS ON THE 89TH CONGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 30 minutes.

Mr. HALPERN. Mr. Speaker, as the 89th Congress draws to a close, it is appropriate to review the past 2 years of our congressional activity and report to my constituents of the Sixth District of New York in the borough of Queens.

The 1964 elections brought to the House a very decisive, topheavy majority of Democratic Members. This posed a challenge to both parties—the Democrats to act responsibly and not recklessly, the Republicans to pose a constructive opposition, offering bipartisan support where merited, and meaningful alternatives when real policy differences arose. Nonetheless, the lopsided party margin has been a key factor in the deliberations and activities of this Congress.

Whatever our political or ideological bent, one can scarcely deny that the 89th Congress has been historic in the sheer volume of substantive bills enacted into law. Many of these measures, in varying form, had been before Congress during previous administrations. Some were initiated under President Eisenhower, while many others represented remaining legislative goals of the Kennedy program. And of course there were fresh recommendations by President Johnson. Much of this legislation evoked broad bipartisan support. For myself, I am proud to have participated in the enactment of many proposals which I have advocated since first coming to Congress during the Eisenhower administration. It was encouraging that numerous domestic issues, heretofore unresolved, were finally accorded open and decisive debate.

In retrospect, I do not think the most partisan of critics could deny that the first session of this Congress will remain difficult to match, against any standard. The committee process functioned smoothly; key appropriation bills were acted upon without undue delays; and, most important, the President's legislative program was deliberated fully in committees and in the Chambers of both House and Senate. A good portion of it was accepted by a Congress determined to overcome old bottlenecks and restrictive congressional barriers which had previously blocked a great many recommendations.

We survey this record now in connection with two developments: the prolonged hostilities in Vietnam, and, at home, a worrisome inflationary price spiral. The latter problem is not new to the American economy. We have experienced stubborn, inflationary spurts before. The cause cannot be simplistically traced to any one factor. But I regret that the President did not act decisively and much earlier in response to the economic barometer. Soaring interest rates, and, above all, the rising cost of everyday consumer products, must be effectively halted if America's breadwinners, housewives, and retirees are to realize the true value of their income and savings.

Thus, measures should be taken to insure that the so-called economic boom does not end in either recession or an accelerating inflation which cuts deeply into purchasing power. The prevailing situation underscores the need for applying timely fiscal and monetary policies to correct imbalances and lapses which so often afflict the economic system and bring distress to large segments of the population. This is consistent with the Employment Act of 1946, which mandates Government monetary and fiscal authorities, under the President, "to promote maximum employment, production, and purchasing power."

The continuing conflict in Vietnam remains the Nation's most serious foreign policy question. Every effort must be extended in finding the basis for an honorable settlement at the conference table. Our basic commitment to peace must be made credible, if our offers to negotiate are to be seriously considered by the other side. I have stressed these points with the President and on the House floor, and have explored with U.N. Ambassador Goldberg the possibilities for fresh United Nations peace initiatives.

Regardless of the many accomplishments of the 89th Congress, it would be foolhardy to sit back serenely and say to the American people that we in Congress have already finished the important work of the 1960's. For much remains to be done. As a major world power, the United States will continue to be faced with responsibilities she can shirk only at her own great peril. The problems of constructing a partnership with our West European allies, of reaching an agreement on the control of nuclear weapons, of assisting the underdeveloped countries, and of course Vietnam, are issues which remain with us and are going to concern the 90th Congress.

Domestically, the 89th Congress, particularly during the 1st session, enacted landmark legislation in such important fields as health care, civil rights, education, immigration, and Government organization.

As a longtime sponsor of bills to provide health care for the aged, it was gratifying that Congress finally grasped this issue and approved a comprehensive, dual plan to protect the Nation's senior citizens against illness and disease. Years before the passage of this act, it had already become apparent that surging hospital and medical costs were placing health care far beyond the reach of those who needed it most, in a nation where the progress of the medical arts was unequaled. The basic plan of hospital insurance has been a matter of open, public discussion since the early post-World War II days.

We passed the 1965 Voting Rights Act, aimed at implementing the most basic of constitutional rights: the right to vote. Democracy cannot function unless all citizens are not only given the right to vote, but are protected in the exercise of that right. As elected officials, we bear a special responsibility in insuring that this prerogative is guaranteed by statute and in fact. Today, thousands of Negro Americans have been registered for the first time in the South, as a direct result of this enforcement legislation.

Immigration reform was a major achievement of the 1st session. Since first coming to Congress in 1958, I have sponsored proposals aimed at ridding our immigration laws of the anomalies, inequities, and racist ideology which has traditionally baffled the foreign immigrant. There was indeed something basically unworthy of the American tradition in clinging to the national-origins quota system which discriminated severely against certain countries and, it should be added, crippled our foreign policy. While additional measures are called for to correct some features of the new law, its intent is to offer permanent residence in this country on a fair first-come, first-served basis, with preferences granted to those with immediate relatives in the United States, refugees, and persons possessing exceptional artistic or professional skills.

The Congress finally enacted a bill, long overdue, establishing a Department of Housing and Urban Development. Approximately 70 percent of our population is now clustered in and around metropolises. The great majority of urgent domestic problems facing the country today are urban problems. These can only be attacked intelligently through consolidating and coordinating the Federal effort into one single-purpose instrumentality.

Bills, which I cosponsored and testified for, were enacted in the fields of water and air pollution. The water pollution measure provides Federal grants to the States for the construction of sewage treatment facilities, needed in New York and elsewhere. Amendments to the Clean Air Act were passed. One of these, which I sponsored early during the first session, requires that automobiles be equipped with exhaust control devices; this is a major facet of the clean air program, inasmuch as automobile fumes are a principal cause of city air pollution. This will supplement the programs already underway in the city and State of New York.

There can be no question that education in America is the key to opportunity. The Elementary and Secondary Education Act was approved in 1965, aimed at uplifting the education standards prevailing in poor neighborhoods across the country. Realistically, the Nation can never realize its full potential, in terms of employment and income, unless we make a real effort to broaden educational opportunity. Under the new law, grants are provided to assist school authorities in educating the poor, and can be allocated for textbooks, libraries, research, and consultative services.

By establishing the National Foundation on the Arts and Humanities, the Congress at last recognized the importance of these twin endeavors to the Nation's welfare. For many years, through outright grants and loans, and as a result of the Soviet sputniks, the Federal Government has exercised a strong bias in favor of the scientific studies, to the detriment of other scholastic or artistic pursuits. The imbalance has been rectified.

As a member of the Veterans' Affairs Committee, I am of course concerned that our laws affecting veterans' interests keep abreast of changing needs and conditions. We approved, and Congress enacted, Public Law 89-311, which increased compensation to service-connected disabled veterans. We passed important measures in the field of vocational rehabilitation.

And in 1966, at the very beginning of the new session, Congress enacted the peacetime, cold war GI bill, legislation I had long sponsored to extend veterans' benefits to thousands of young men who have, since the Korean conflict, spent important years of their lives in the Armed Forces. In effect, 8,500 Sixth District residents became eligible for educational, mortgage-insurance, and hospital benefits under the new law.

As a sponsor of proposed pension increases to certain veterans and their widows, I feel that it is of great importance that the Senate act affirmatively on the House-passed bill before the 89th Congress adjourns.

The Joint Committee on the Organization of Congress heard testimony throughout the first session on means to improve congressional rules and practices. In appearing before this panel, I recommended a host of substantive changes aimed at democratizing, reforming, and speeding up the legislative processes. The committee's recommendations have been reported, and action thereon represents an urgent priority of the next Congress.

The 2d session of the 89th Congress, while impressive, has clearly lacked the momentum of 1965. I am disappointed that action has been stalled on a number of vital questions, which I will outline after reviewing the major accomplishments.

A significant achievement during the second portion of this Congress was the enactment of legislation on highway and automobile safety. As a former chairman of New York State's Joint Legislative Committee on Motor Vehicle Safety while a State senator in Albany, I have long been concerned with reducing the high accident toll on the Nation's roads and highways, and one of my prime objectives has been Federal action in this field. There is a definite Federal responsibility, because the automobile is an interstate instrument. In testifying before Senate and House committees, I urged adoption of the strong legislation which ultimately passed, requiring the Government to issue automobile safety standards, providing for studies into highway traffic safety, and authorizing grants to the States for inspection systems and driver education.

The House passed an immensely important bill on narcotics, which is still pending in Congress. This step is particularly important to me, for it concerns a subject on which I have been identified for many years. In the New York Senate, I initiated the State's probe of narcotics abuses and sponsored sweeping revision of New York's laws. One of the early bills I introduced when I came to Congress called for civil commitment of addict offenders. I proposed a White House Conference on Narcotics and offered a series of bills calling for tougher enforcement and enlightened approaches for cure, treatment, and rehabilitation. I am pleased that the civil commitment legislation approved by the House provides rehabilitation, confinement, and treatment for addicts in lieu of mandatory imprisonment. Unfortunately, an amendment I cosponsored while the bill was before the House did not succeed.

This would have authorized funds toward the improvement and extension of existing State and local centers. This aspect of the problem is a serious one and the effort must continue. Narcotics control is unquestionably an urgent problem in New York—and Queens—and we must have stronger and more effective laws to launch an all-out, comprehensive attack to complement the State's own efforts.

The Urban Mass Transit Amendments of 1966 extended the program of assistance to urban transit systems. Because I believe New York and other heavily urban States are discriminated against in the allocation of funds, I authored a bill to correct this inequity. Finally, in concert with Senator JACOB K. JAVITS, I proposed a similar amendment which ultimately was embodied in the 1966 law; its effect will be to raise New York's Federal mass transit assistance considerably above its former allotment prescribed under the discriminatory formula.

During this second session, Congress moved to increase the minimum wage and broaden its coverage to labor categories heretofore unaffected. The President's proposal for creation of a new Federal Department of Transportation has been approved by both Houses.

The drive to institute effective consumer protection was highlighted by Senate and House passage of the Fair Packaging and Labeling Act. As the first House sponsor of this measure, I testified before the Commerce Committees of both bodies, pointing out that the bill will save the consumer on his grocery bill by providing unambiguous, comparative choice of merchandise at the supermarket. The object is to prohibit misleading labeling and packaging devices.

There are other measures in the consumer field which require action. For example, we need legislation which I have been cosponsoring to correct blatant abuses prevailing in the credit area which affect so many Americans. This bill, commonly referred to as truth-in-lending, requires that all lenders, such as banks, supply the borrower with a clear statement of all finance charges in dollar-and-cents language. Those who buy on installment plans must also be furnished with such an accurate accounting. Consumer credit rose to an alltime high of $90.7 billion in July, and the trend is upward. This is an economy which is increasingly dependent upon available sources of credit. Too often, installment buyers and borrowers of money have been misled by complicated statements of finance charges, and too many of our citizens are the innocent victims of loan sharks.

The current period of high interest rates and rising prices should point toward other necessary remedial action. Along with other members of the Banking and Currency Committee, I called upon the Government last July to appoint a factfinding committee on the homebuilding crisis, and to take other steps in the Government bond market to stem the tide of higher and higher interest rates, which ultimately hurt not only business investment but the individual borrower as well. I voted against the so-called Sales Participation Act, which, as we predicted, had the effect of tightening money still further. I supported the setting of ceilings on some interest rate categories. Finally, last July, I joined in recommending two measures which the administration later adopted: temporary suspension of the 7-percent investment credit and suspension of the Government participation sales to the public, both intended to ease money rates and dampen inflation.

The current economic ills, inflation, and the spiraling cost of living, are eroding pension and retirement income as well as the monthly paycheck. I demanded a thorough congressional investigation into consumer prices last May, when price indexes already indicated a radical upward trend.

Medical expenses have soared at twice the average consumer index, and for this reason I have proposed legislation to bring drugs under medicare and revise the patent system to permit modified competition among manufacturers, which would bring prices down.

Tax reform is an urgent priority and must be accorded early consideration in the next Congress. The necessity for this can hardly be overemphasized in view of the continuing rise in State and local taxation. In this regard, I have vigorously pressed for passage of my bill to slash the 27-percent oil depletion allowance, among other forms of blatant favoritism, which I predict could increase Government revenue by $1.5 billion annually.

Concomitantly, the Federal tax structure must ease the unequal burden now borne by homeowners, commuters, middle-income families, and the elderly. The former should be able to realize a deduction for home repair and improvement, a bill which I am sponsoring; and parents financing their children's college education should be aided through the tax structure. And why should not the straphangers—the subway and bus riders who spend a proportionally high percentage of their income traveling to and from work—be given tax consideration? This is especially relevant in view of the fare increases in New York and other cities, and I advocate a reasonable allowance for this purpose. Additionally, the next Congress should take up my proposal to exempt from taxation the first $3,000 of retirement income.

Existing economic conditions also make it imperative that the 90th Congress act to improve social security. I would like to see measures adopted to aline benefits realistically with cost-of-living increases. Congress should lift outside earnings limitations and consider lowering the qualified retirement age for both men and women.

To curb nonessential Government spending and thus dampen inflationary pressures, I have consistently sponsored legislation permitting the President to veto individual items—pork barrel—in appropriations bills, and additionally establish a Joint Committee on the Budget to scrutinize annual executive branch expenditures.

It is evident that inflation cannot be brought under control by monetary measures only. Fiscal policy also must be applied. The Federal Government, in periods of excessive inflationary push, must act to stem the tide of deficit spending. In this connection, I voted for cuts in departmental budget requests which, lamentably, the House as a whole rejected. All agencies of Government must cooperate in achieving the most prudent use of administrative funds.

It was disappointing that the Senate shelved this year's civil rights proposals without even the semblance of meaningful, substantive debate on the issues involved. Two of the bill's features, pertaining to nondiscriminatory jury selection and protection against assault, were scuttled because of the controversy over title IV, the fair housing provision. The House version of this section exempted more than 60 percent of the Nation's dwelling units. In any event, this title could not materially affect New York, where much broader laws are in effect.

In the field of foreign affairs, Congress passed legislation extending the life of the Arms Control and Disarmament Agency, which I originally helped to establish under the Kennedy administration. The United States can spare no effort in attempting to achieve treaties on nonproliferation of nuclear weapons, on atmospheric testing, and on the military use of outer space.

It is particularly discouraging, Mr. Speaker, that the Senate has failed once again to ratify the Genocide Convention and other international human rights covenants. And, as I speak here, the bill I authored to establish a U.S. Committee on Human Rights, to broaden our official role in this important field, is still pending before the House and Senate. We cannot allow the onrush of daily world crises to divert the Nation from taking steps now, however limited in scope, which can be vital in the building of international law and order.

I have continued to support the concept of selective foreign aid, earmarked toward those countries which are both willing and able to help themselves. But I strongly feel that waste and inefficiency in the program must be eliminated, and U.S. aid terminated when recipient nations use it to foment aggression or preserve dictatorship. I coauthored the antiaggressor clause in the Foreign Assistance Act and this year succeeded on the House floor in amending the bill aimed at cutting off further aid to Nasser's United Arab Republic. Nasser has repeatedly utilized our aid in order to divert Egypt's own resources toward arms procurement and subversion in the Middle East, and under these circumstances, the extension of additional aid is clearly unjustified and unwarranted.

In 1965, as ranking minority member of the International Trade Subcommittee, I insisted on hearings to discuss the notorious Arab boycott and, along with other colleagues, succeeded in amending the Export Control Act to protect American business against the influence of this onerous trade restriction.

A noteworthy trend is the development and strengthening of multilateral lending institutions which assist underdeveloped countries and to which other industrialized states, and not just the United States, contribute. As an official delegate to the charter meeting of the Asian Development Bank, to annual meetings of the Inter-American Development Bank, and to the recent International Monetary Fund-World Bank Conference in Washington, I can readily visualize the beneficial impact of these institutions through firsthand experience.

I was pleased to see that, after personally testifying before the committee and having attained the original authorization, the Congress approved appropriations for reclaiming Little Neck Bay in both 1965 and 1966.

These have been two particularly active years for me, as the range and import of legislation suggests. It was gratifying that on 23 occasions, I was invited by the President to attend White House bill-signing ceremonies, highlighting congressional passage of legislation to which I had contributed.

There can be no doubt that in America today, and with an eye to the immediate future, government on all levels must focus ever more sharply upon the complex urban problems. The major domestic challenge is the challenge of the sprawling metropolis and its pressing need for better housing, adequate schooling, employment opportunity, personal safety, and improved transportation. And this does not complete the list.

Queens must continue to share fully in the programing for a better urban environment. This objective is uppermost in my mind when I confer from day to day with departmental officials in Washington, or in my role as a member of the State's Congressional Steering Committee. The range of programs from which Queens benefits, from the Library Services Act to Project Headstart, from educational and hospital grants to urban highways, from manpower retraining to air pollution control, is directly traceable to key congressional legislation enacted during the past several years.

But more must be done to assist the cities in combating blight, congestion, and the multiplicity of problems which confront them: better and new forms of commuter transportation; a more equitable distribution of Federal water pollution funds to help New York City with sewage treatment and the like, as contained in amendments I am sponsoring; enactment of legislation to reduce jet aircraft noise through a massive research program and issuance of strict abatement regulations by a new, coordinated Federal authority. The residents of Queens' Sixth District, and I as their Representative in Congress, know that important work lies ahead.

FINAL REPORT, 89TH CONGRESS, 2D SESSION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 30 minutes.

Mr. VANIK. Mr. Speaker, as we conclude this 2d session of the 89th Congress, new records have been set in legislative achievement. In addition, this session will further be known for its review of established programs adjusting them to the expectations of Congress and the changing national needs. In pursuing a course of moderation and caution, this 2d session of the 89th Congress has assured the American people that the course of these new programs will be directed to assure their success. Americans affected by these programs will benefit directly from the results of this legislative session.

FOREIGN AFFAIRS

During this session of Congress, the burdens of the Vietnam conflict have increased substantially. Emphasis has been shifted from the singular military aspects of the hostility to the social and economic problems of the South Vietnamese people and all southeast Asians. This additional emphasis, so important toward progress in South Vietnam, has now been termed "the other war": the war against hunger, disease; the war for education and the right to self-determination. In this connection, this session of Congress approved over $415 million in economic and social assistance for Vietnam and other southeast Asian nations. The problems of this part of the world must be confronted where they exist—otherwise, they will move like a typhoon and strike wherever they are permitted to move.

In the President's speech at Johns Hopkins University in April and his later address in July 1966, at White Sulphur Springs, he echoed the desire of the American people to assist in the stabilization of political and social and economic life of the peoples of Vietnam and southeast Asia. The President foretold of the plans to establish the Asian Development Bank to which the United States has already subscribed over $200 million to assist in the construction of greatly needed electrification programs, water resources, and agricultural development programs. This "other war" must be increasingly emphasized, if we are to see a stable society in southeast Asia with its peoples free from the fear from hunger. If this "other war" is won, the end of Communist aggression and subjugation will be in sight. The pursuit of the military side of the war without victory in this "other war" would spell disaster for those who wish to see democracy firmly established in southeast Asia.

This session ratified the extension of the highly successful Peace Corps Act established in 1962 under the late President Kennedy. Thousands of Peace Corps volunteers currently serving throughout the world continue their mission of good will. Demand outstrips the supply of volunteers who are presently available for service in over 40 countries throughout the world.

Cleveland has benefited from the Peace Corps program. The Cleveland school system has hired over 150 volunteers who have returned from Peace Corps service to teach in our public school system. These highly motivated, talented young people are a welcome resource for teaching manpower so sorely needed by our Cleveland public schools.

UNITED NATIONS

The United Nations is currently under pressure, since its able Secretary General U Thant, of Burma, has announced his desire to retire after 5 strenuous years. It is my sincere hope that the fine speech delivered by American Ambassador Arthur J. Goldberg concerning proposed negotiations for peace in Vietnam can be fully developed within the United Nations. Ability to mediate hot conflicts like the Vietnamese war will signal the further strengthening of this important international organization.

DEFENSE AND NATIONAL SECURITY

Our commitment in Vietnam has continued to result in an increase in defense spending. While the total costs for this effort have not yet been tallied, it can be estimated that our expenditures will have been substantially increased this year. Within this appropriation is 2¼ billion dollars allocated to the Atomic Energy Commission for further development of peaceful uses of atomic energy. Five billion dollars will be spent for the National Aeronautics and Space Administration which this year plans the launching of the first mission of the Apollo phase of exploratory moon rockets.

As a part of my effort to inform the residents of the 21st Congressional District of the effects of Federal spending in the Cleveland area, I expect soon to announce a tabulation of defense spending in the city which substantially increased during the past year. It is my sincere hope that we can soon direct these funds in peaceful pursuits rather than those related to war efforts.

STATE OF THE UNION

The Nation and our Cleveland area are still feeling the tremendous effects of the economic development program which began under the administration of President Kennedy and continued under the administration of President Johnson. Large numbers of people have been affected by this unprecedented period of high employment and prosperity.

Increased demand caused prices to go up. Interest rates led the way in the general price increases. During most of this session of Congress, we have been fighting these attacks on the pocketbooks of the average consumer. This kind of fight is much more difficult than our efforts to move the economy in 1961. In this Congress, we have authorized over $3 billion in home loan money to ease the immediate crisis in the homebuilding industry. We have suspended the 7-percent investment credit and accelerated depreciation which helped to stimulate the boom in the first place. These measures were under the ju isdiction of the Committee on Ways and Means of which I am proud to be a member.

Our current problems cannot overshadow the astounding economic advances made in this country in the last 3 years. In 1960, the gross national product, the total of all products and income, profits, dividends, and all other earned moneys in the United States, totaled $500 billion. In 1966, the total has risen almost 50 percent to $733 billion. The money which the wage earner could take home and spend rose from $350 billion in 1960 to $500 billion in 1966, an increase of 43 percent. In the 1950's, the rate of growth of the economy of the United States was leveled at the low rate of 2.6 percent per year. At the present time, the economy is growing at the rate of over 8 percent a year while corporate profits have almost doubled during the last 6 years. During the same period, our employment has increased from 60 million to 72 million and our unemployment rate is down to its lowest percentage in 13 years, currently below 4 percent. However, I am still very concerned about the excessively high rate of unemployment among Cleveland's disadvantaged, which exceeds 10 percent.

These astounding advances in the American economy have contributed to develop the present inflationary problems from which we now suffer. The struggle against inflation is the "other war" we must win at home. Greed must not be permitted to overrun the marketplace. Prices must be competitively maintained, fully related to costs and reasonable profits. Restraint must be made the order of the day.

LABOR LEGISLATION

Another important part of my legislative activity as a member of the House Ways and Means Committee involved the first major overhaul of the unemployment compensation program. After extended legislative effort, coverage was extended to 2.3 million additional workers. It is hoped that the final draft of the act will fix standards throughout the Nation and will extend benefits for 13 additional weeks after the expiration of the normal compensation period.

Of equal interest to the workingman in Cleveland is the increase of the minimum wage to $1.60 per hour by 1968. The passage of this act is a milestone in the long struggle for better working standards. More important, this legislation is necessary to stop the flight of industry to the cheap labor States which lure our industries with their promise of low labor standards. The several States should not compete on the basis of cheap labor and an increase in the minimum wage provides for a greater degree of fairness on this issue.

CONSUMER AFFAIRS

This Congress has placed great emphasis upon protection of the consumer. Recently the Senate passed a strong truth-in-packaging bill which placed specific restrictions upon industries involved in packaging and marketing of consumer commodities. It is regrettable that the bill was weakened when it passed the House. The law must protect the American consumer with respect to the quality and quantity of his purchases.

I testified in support of the establishment of a Cabinet-level Department of Consumer Affairs. It was my hope to support the passage of this important legislation in order to bring together all Federal activities related to the protection and representation of the American consumers' interests. Today, over 40 different agencies and departments are responsible, in some way, for consumer interests. These functions should be unified under central authority.

From time to time I have spoken in the House on consumer problems. Recently I called attention to the price of bacon and its high fat and water content. By my calculations, the value of the lean meat in a pound of bacon cost the consumer nearly $14 a pound—America's most expensive food.

In the past I directed consumer attention to the unjustifiably high prices of orange juice, coffee, beef, bread, and milk. In the future I will use every resource to focus attention on special problems of price irresponsibility.

HEALTH AND WELFARE

A great deal of work has been done this year in the Committee on Ways and Means to improve and tighten up the Medicare Act which was passed late last year. I supported a bill in my committee for the extension of social security benefits to those people over 72 years of age who were not otherwise eligible for this valuable program and who were receiving no other pension funds. It passed the Congress and is now the law of the land. Over 5,000 Clevelanders benefit from this program.

In addition, our committee has worked over details of the Medicare Act which provide medicare assistance to the needy. Compared to States like New York, Michigan, Illinois, and California, our State is far behind the times in meeting its responsibility to people who need medical care and cannot afford to pay for it. Ohio's program is limited to those who are cash welfare beneficiaries. New York's program, under Federal law, is nearly five times as big as Ohio's and provides medical service to those who need it.

Cleveland hospitals will suffer a tremendous shortage of trained skilled health personnel to operate hospitals, nursing homes, and extended-care facilities. Nationally, the Secretary of Health, Education, and Welfare has already estimated that we will be short over 500,000 people in this critical skilled area. In an effort to help Cleveland meet the problems involved with starting medicare, my office sponsored a medicare conference last October, which resulted in an extensive health training program for over 1,300 Clevelanders who were interested in this area of employment.

I intend to see that further training programs of this type are extended in the coming months. By next February, when the medicare law is in full effect, Cleveland hospitals will experience tremendous demands from our senior citizens utilizing this important law. We must continue to do everything possible to meet the personnel and hospital space requirement which will undoubtedly result.

AUTO SAFETY

As a former Cleveland judge, I have always been concerned with automobile safety and the inherent danger of faulty automotive equipment. The recently passed Federal Safety Standards Act makes mandatory the installation of safety devices on all automobiles, buses, and trucks starting with the 1968 models. A special agency within the Department of Commerce was established under this law to receive complaints from automobile purchasers and to review and revise standards to assure continuing maximum safety for the public.

I have already directed the attention of the head of this agency to the need for requiring the standardization of bumper levels between trucks and automobiles. The intermix of trucks and automobiles on our highways places automobiles in constant jeopardy of telescoping behind high-platform trucks.

The Congress also passed a highway safety program to encourage State and local governments to develop uniform safety standards throughout the country. Last year, over 55,000 Americans died on our highways as a result of traffic accidents and many times that number were injured and maimed in auto accidents. It is my hope that Federal leadership in highway safety will move toward halting this slaughter of human resources.

WATER POLLUTION

With the help of increased participation by the Federal Government, great strides were made in our fight for better water and air. The Federal Water Pollution Control Administration, at my urging, held a series of conferences on the pollution of Lake Erie and the tributaries which flow into the lake, like the Cuyahoga River. The last conferences in Cleveland and in Buffalo resulted in requirements for industry and municipalities to meet the abatement and control of water pollution on a scheduled basis.

In addition, I have been exploring with major steel companies the suitability of various types of water pollution control procedures. One such program, developed by Armco Steel in Indiana, utilizes deep wells into which the chemical wastes are poured which would otherwise flow into the lake. I have transmitted reports on this approach to pollution control to steel plants in the Cleveland area to see if it could be applied to production methods in these plants.

Over 2 years ago, I protested the Army Corps of Engineers' dumping of silt and other dredged pollutants from the shipping channels into the lake. It was my opinion that this dumping activity contributed to the further pollution of the waters of Lake Erie. At my request, the Water Pollution Control Administration and the Public Health Service studied the effect of such activities on the quality of Lake Erie's water. Recently, these agencies reported that Army Corps of Engineers was polluting Lake Erie by dumping dredged material north of the Cleveland breakwall. They recommended that these activities be halted and agreed with my proposal that the material be dumped in a land-fill area near Burke Lakefront Airport. The Corps of Engineers last month advised me of their intention to cease dumping in the lake next year and to commence dumping dredged material at Burke Airport in 1968. After this program was announced, I withdrew my objection to further bidding on dredging activities with the guarantee that further contributions to pollution of the lake by the Corps of Engineers will terminate.

Notwithstanding this improvement, we in Cleveland have a long way to go before the pollution of the lake and its restoration as a useful recreation and commercial fishing area can come about.

During the Ways and Means Committee consideration of the suspension of the 7-percent investment tax credit, I was one of the leaders in the successful fight to continue investment credits for water pollution and air pollution control devices. Our efforts to clean up Lake Erie and clean up our air must never be suspended.

This Congress appropriated more funds than ever before for pollution control efforts. So far, the State of Ohio has done practically nothing but take credit for what is spent by local communities and industries. New York has committed itself to a billion dollar cleanup program. Ohio must become a partner in these efforts. The entire future of northern Ohio is dependent on our success. State expenditures will multiply Federal participation. Abatement of the pollution of Lake Erie and the air pollution of the Cuyahoga Valley require a crash program.

In the new Congress, I will strive for the enactment of legislation to provide rapid amortization—20 percent each year—of industry investment in air and water pollution. This kind of legislation would provide real stimulation for industrial pollution control programs. I do not believe industry will otherwise act in time to save our community.

MEETING URBAN NEEDS

This Congress has outdone its predecessors in facing up to the challenge of urban life. Seventy percent of all Americans will soon live in cities. Housing, health, transportation, education, job training, and public safety have become national concerns. Our goals are designed to provide the best kind of life in the cities of the future.

In the Cleveland area, these efforts must be directed toward preserving residential values in our neighborhoods. Public programs must be directed toward better homes, safer streets, and the creation of employment opportunities nearby or readily accessible to public transportation. We cannot afford the waste of Federal dollars to buy rundown slum properties from the land exploiters and then let the land fallow. Our programs must be directed toward making the land more productive, more usable for people.

Project Hope is typical of the kind of a program which can save the inner city. My office was involved in this community effort from its inception to its dedication by Vice President HUBERT HUMPHREY last September 18. This project was the first of its type approved in the United States. Father Albert Koklowsky and Rev. Walter Grevatt have joined their churches and their congregations to rebuild hope for a new neighborhood. The Federal housing authorities have insured the loan and will provide a modest rent subsidy to insure success for the project.

The new housing legislation will provide more tools for the preservation of our cities. However, these programs leave it up to the city to decide what should be done. It is the folly and irresponsibility of these local decisions which detract from the success of Federal spending. The program is designed at city hall. That is where it must be improved.

MASS TRANSPORTATION

We will soon be utilizing the new rapid transit extension to the airport which will make Cleveland the first large city joining jet air transportation to a rapid transit system. In addition, the thousands of jobs at NASA, the Ford foundry, and the Chevrolet transmission plant will be only minutes away from any point in Greater Cleveland. This will mean more leisure and a better life for workers who serve these vital industries. The rapid extension should also stimulate the development of new industries in the airport complex.

It is my hope that mass transit will now move toward the south and southeast to serve Parma, Garfield Heights, and Bedford. Federal help will be available as soon as Cleveland is ready. There is no substitute for a job close to home or reasonably accessible by public transportation.

PUBLIC IMPROVEMENT GRANTS

This Congress passed considerable legislation to encourage the building of adequate sewer systems and the development of open spaces in our cities.

I am currently working on applications for suburban areas, like Garfield Heights and Parma, to insure that the needs of these communities are recognized by these new programs.

HEALTH PROGRAMS

This could very well be termed the "health Congress." One quarter billion dollars has been set aside for the establishment of community mental health centers and almost as much for special teachers for the handicapped and the retarded.

We have also provided for cooperative research of the dreaded diseases. Most of today's medical research is carried on in Federal facilities or at Federal expense. The health of our people has become a grave Federal concern.

EDUCATION

In this Congress we have continued our commitment to better education. Last year's elementary and secondary schools act raised standards throughout America. In our community, this program has produced great gains, library services in every school, and new libraries in our suburban areas. Federal programs have produced better teaching facilities in the sciences, releasing local resources for other extended services.

The national school lunch program is now utilized by almost every school system, providing low-cost nutritious meals to all students. Earlier this year, I fought to preserve this essential and successful program. Nutrition is essential and directly related to the educational progress of our young people.

HIGHER EDUCATION

The Higher Education Facilities Act was sustained and extended for another 3 years. Over $160 million was provided for student scholarships. A move was made during this session to cut back the Federal participation in the student loan program. However, the Congress wisely refused to accept that plan and continued the present program under which millions of young people continue in college. Without the Federal program, student loans for education would be practically nonexistent. Bank interest rates for education are practically impossible. Ohio must provide State help to support the Federal college loan program. The average family has its "back to the wall" when it faces the challenge of college education.

In the new Congress, I shall endeavor to support legislation for tuition tax credits to help the families who invest in the future, increasing the skill and the capacity of the student to earn, defend America, and utimately share in its tax burdens.

JOB TRAINING

My staff and I have become deeply involved in the job training and development programs under the Economic Development Act, the Manpower Development and Training Act, and the Vocational Education Act. The operation of Project Headstart and the Neighborhood Youth Corps sustains the judgment of Congress on these programs.

Manpower development programs in Cleveland still fall short for those who suffer basic educational handicaps. It is my hope that the doors of this program may be swung open to meet the needs of this group who swell the rolls of the chronically unemployed of Cleveland. There is also a grave need to extend employment retraining of the older persons who suffer job displacement after many years of loyal service with industries which move elsewhere or close down. The man or woman without a job at age 50 is in a real dilemma, too young for social security, too old at the employment office. These people and the human resources they represent must be utilized.

VETERANS' AND SERVICEMEN'S AFFAIRS

A 10-percent increase in the basic pay for officers and enlisted men was passed by this Congress. With other benefits available to the Armed Forces, this pay raise brings the salaries of our military personnel men more realistically in line with private employment. Members of the Armed Forces on active duty have now been provided with a $10,000 life insurance policy under private insurance blanket coverage. The national service life insurance program has been extended. The GI bill of rights has also been provided for to cover 3 million cold war veterans who have served a minimum of 180 days of active service since January 31, 1955.

CONCLUSION

This 2d session of the 89th Congress has directed its efforts toward the refinement of Federal approaches toward full employment, education, training, and the development of better conditions in urban and rural life. Giant steps have been taken to preserve the physical resources of the country and to fully develop and utilize the human resources of the people.

While we strive toward peace in the world, we have also struggled for a better America as a showcase for our democratic system. We are improving our place in the world while we are at the same time substantially assisting to alleviate poverty throughout the world. We are exporting some of our wealth in these endeavors for humanity, but what we are doing is not out of proportion with either our capacity or our duty. Our giving must not always stem from purpose or for reward. At least in part, it should stem from charity.

Each day that I serve in Washington, I am stimulated by the visits of constituents to the Nation's Capital. Schoolchildren keep me alert to the challenges of the next generation. Senior citizens alert me to the obligations still unmet to our elderly.

In my Cleveland Federal Building office, I meet hundreds of constituents with questions and problems relating to the Government's functions as well as to its failures. From these discussions, I am rearmed for the legislative session ahead.

I expect to be in my Cleveland office during such periods as Congress is not in session this autumn. Please feel free to drop by my Cleveland office, room 105 Federal Building, Cherry 1-7900, extension 7378. Tell me how our Government can better serve the people who must pay for it.

THE IMPACT OF INFLATION: A REPORT

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS], is recognized for 15 minutes.

Mr. MATHIAS. Mr. Speaker, this year all of us have discussed the meaning, causes and consequences of the inflationary spiral which has gripped the Nation. As the cost of living has gone up and up, as the Consumer Price Index has soared to an August high of 113.8, and as the purchasing power of a 1957–59 dollar has shrunk to just under 88 cents, we have reviewed and analyzed these statistical reflections of the great economic problems we face. Month after month we have heard our friends and members of our own families complain that costs are continuing to rise, and that it is more and more difficult to stay within the household budget.

In an effort to get beyond the statistics and beyond my own personal experience with inflation, and to learn its impact on many people in differing circumstances, I held an inspection tour and "Home-and-hearth hearing" last week, Thursday, September 29, in the suburban Baltimore area. During the morning, I visited a number of retail stores—supermarkets, small family grocery stores, bakeries, drugstores, and others in Randallstown, Catonsville, and Ellicott City. During the afternoon, I met with a number of people in Catonsville to solicit their reactions to the present inflationary pressures on the cost of living, and to learn their particular problems and recommendations.

I would like now to share with the Congress what I learned.

1. THE PRICE IS NOT RIGHT

During my morning-long tour of shopping areas in Baltimore and Howard Counties, I purchased a number of grocery items at each store and checked their present prices against the national averages reported by the Labor Department in August 1966 and in November 1963, I found that prices in these Maryland retail outlets, were, with one exception, even higher than the Labor Department's latest averages. The one exception to this upward trend was carrots, which cost a bit less than they had in August, and I have been advised that this is an annual, seasonal variation in price. The fact that everything else I bought—bread, potatoes, meats, dairy products, fruits, and vegetables—cost far more than I had guessed, and even more than the Labor Department's figures warned, indicated that the tremendous price rise is continuing, and that Maryland consumers are feeling its full force.

Second, my shopping tour dramatized for me one fact which many of us to often forget: the fact that the Consumer Price Index is an average, and that the increases generally reported are average increases. Many individual products have risen far more than 13.8 percent since the 1957–59 base period, and many have gone up far more than the general index in the last 2 years, or 1 year, or 6 months. Although I had read about the example of bacon, whose sudden price increase last spring was widely noted and commented on, I was still startled to discover that the cost of bacon has risen nearly 50 percent since November of 1963. I was troubled, too, to learn that many of the products whose prices have risen most have been precisely those commodities which we tend to regard as staples: apples—up 80 percent since November 1963, potatoes—up 24 percent, onions—up 50 percent, celery—up 43 percent, cabbage—up 55 percent, and coffee—up 20 percent.

During the hearing I held that afternoon, I learned that significant price increases are not confined to the areas I had surveyed in the grocery stores. Many of those who met with me in the Woman's Club of Catonsville were especially disturbed by increases in the cost of medical services, an essential expense which is usually inflicted on families precisely when they are least able to bear extra financial burdens. Those in the older age categories were particularly concerned at this rise. Farmers noted that even the rates charged by veterinarians had gone up. Some businessmen in the group remarked on the increased prices of raw materials and the extra cost levied by excessively high interest rates when credit is available at all. These comments dramatized the pervasive impact of inflation on every aspect of American life, and the concern which more and more Americans are feeling as they try to make ends meet.

2. PUBLIC SHOCK AND BEWILDERMENT

In every store I visited, I asked customers and employees for their own comment on the cost of food. Everyone had an adverse reaction, even if it was simply a sad shake of one's head. Several housewives remarked that they were becoming too accustomed to finding every week that either some additional product had gone up in price, or that another already-inflated commodity had gone up again. Some noted that finding sales, bargains and substitute items was a growing challenge, and that the variety in their families' menus has had to be curtailed. Others, especially those whom I met at the checkout counters, simply expressed their shock and disbelief as they paid their astronomical bills.

During the tour I also spoke with several store managers, who had in general two points to make. First, they are as stunned as their customers at the continual price increases they have been forced to impose. Second, they were especially troubled because, when asked, they found themselves unable to explain the increases fully to their customers. Similar sentiments were expressed by the retailers who were able to attend my hearing, for they could offer only broad, general reasons for the price hikes they had had to accept.

3. PARTICULAR HARDSHIPS

Inflation of course touches every American family. It bears especially severely on those least able to protect themselves, the individuals and couples living on fixed incomes which, under even the best of circumstances, do not stretch too far. Comments at the hearing confirmed my impression that the rising cost of living has had particular impact on elderly men and women who have to expend large percentages of modest incomes for medical care and other services which have become especially expensive. One woman, for example, said that, while the ultimate benefits of medicare may be tremendous, the $3 monthly deduction from her social security checks right now was a very noticeable loss.

Another group of Americans severely hurt by inflation are the college and graduate students living on low incomes and on scholarships or loans which have not been increased enough to cover swiftly rising costs. The current shortage of new student loans has made this situation very serious, and has placed additional economic pressures on many families who are trying to support sons and daughters gaining a higher education.

Finally, small businesses, which generally have little profit margin anyway, have been seriously affected by increasing costs. Again, the shortage of small business loans has compounded their problems and made the acquisition of additional capital for expansion or modernization very difficult indeed.

4. THE FARMERS' CASE

Many people, quite naturally seeking a single, identifiable cause for inflation, have tried to attribute higher consumer prices to increased farm income. Testimony given at my hearing last week showed conclusively that this is not the case. Rather than rising at a rate equal to that of other sectors of the economy, farm income has badly lagged behind. In many cases, such as dairy products, the dollar price received by farmers for their production is lower than that of a decade ago. In other cases, prices have indeed risen somewhat, but still have lagged behind in percentage growth. Overall, the portion of the consumer's grocery dollar received by the American farmer has dropped from nearly 30 percent in 1946–49 to under 20 percent today. Thus, rather than being swelled by rising farmers' incomes, food prices to consumers have gone up despite the failure of agricultural income to increase proportionately. If the American farmer were to receive his full share of the consumer's dollar, commodity retail prices would be even higher than they are.

5. THE CAUSES

What, then, are the real causes of the presently steep rise of the cost of living? Store executives told me last week that they could not easily identify any single cause, because all of their expenses—rent, labor, other overhead, capital investment, raw materials—have gone up and are continuing to swell. Labor costs, they thought, showed the greatest single increase, both in their own operations and in those of their suppliers and servicers. One individual remarked in this connection that labor cost had grown significantly this month partly because summer student help was no longer available, and had to be replaced with adults who earn higher wages. Such seasonal influences, of course, are not the entire story, but have added to the most recent general jumps in the cost of doing business.

From the point of view of the retailer, his own increasing labor costs and other overhead appeared to be less inflationary than the costs and hence the prices of concerns with whom he has to deal: suppliers of equipment, commodity shippers and packagers, producers of the goods he wishes to sell. Surely the economic influence of "middlemen," wholesalers and service companies is growing all the time in our Nation, in ways and at rates which often are very hard to discern. The spreading gap between farmers' prices and consumer prices, for example, is dramatized by the fact that it now costs—half the total cost—over 15 cents to deliver an empty quart milk bottle to the kitchen door. This situation is repeated, often in far subtler shapes, in almost all consumer industries today.

Mr. Speaker, I do not in any way question the merits of the "middlemen" in our economic structure. I do, however, feel that their position, impact and importance should be far more widely understood. The recent hearings before the House Agriculture Committee were a step in this direction, and I sincerely hope that further and more extensive inquiries will be initiated in the near future.

Another central factor in the present inflation is, of course, the influence and policies of the Federal Government. Many of the individuals with whom I talked were not fully confident that they understood the present administration's economic policies, but most of them were convinced that Federal spending initiatives and the uneven application of wage-price guidelines had played a major, if not primary, role in fostering inflation. In addition several mentioned the administration's failure to protect farmers, small businessmen and consumers adequately against unforeseen crises, such as the long northeastern drought and the airlines strike, which have contributed to the disruption of normal business patterns and to rising costs.

6. WHAT TO DO?

From my own observations during my shopping tour and the hearing last week, and from the many comments I received, it was obvious that the current swift inflation has had a tremendous impact on individual families. Its economic effects have been compounded by the great uncertainty and public doubts which it has generated, and by the absence of any single, clearcut and decisive remedy.

Because the present inflationary trend cannot be traced to one isolated source, but seems to be the cumulative result of many separate policies, decisions and events, we need a broad range of reforms. These obviously include more fiscal prudence on the part of the administration, more self-restraint on the part of business and labor, and more selectivity by consumers in exercising the economic choices they do have. Because the administration waited until last month to recommend any curtailing of expenditures or Federal employment, it may well be too late for us to stop this disturbing and dangerous trend entirely. But it is not too late to try, and not too late to moderate the influences which are now working to push up prices, depress profits, and make living more difficult for all Americans.

HOPE IN ASIA

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware [Mr. McDOWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McDOWELL. Mr. Speaker, the struggle for liberty and freedom takes many forms and occurs in many strange and remote places. Under the protection of the defense policies of the United States, formulated and executed under President Eisenhower, President Kennedy, and President Johnson, the shattered economies and societies of the several nations of Europe and the hopes of millions of Europeans following World War II grew and prospered.

But the free world's adversaries have not abandoned their aggressive ambitions and subversive policies. The struggle against threats and attacks by force against free peoples and their institutions continues because Asian Communists still believe in violence and force to achieve their irrational "wars of liberation."

Asia is now the crucial area of man's striving for independence and order and for life itself. If enduring peace can ever come to Asia, all mankind will benefit. But if peace fails there, nowhere else can our achievements be secure.

The United States seeks a durable peace which recognizes Asia not as a rival but as a partner, capable of performing a greater role in the common defense—of responding more generously to the needs of poorer nations, of resolving problems, of commerce, famine, poverty, sanitation, health, and education—and in developing effective and coordinated policies in all economic, political, and diplomatic areas.

The emerging order of hope and progress in Asia is growing.

Indonesia and its more than 100 million people have already pulled back from the brink of communism and economic collapse.

Over 600 million people in India and Pakistan have ended a tragic conflict and returned to the immense task of peace.

Japan has become a dramatic example of economic progress through political and social freedom and now extends a helping hand to less fortunate nations of the Pacific and its peaceful neighbors in Asia.

Nine Pacific nations, allies and neutrals, came together recently on their own initiative to form an Asian and Pacific Council and new and constructive groupings for economic cooperation are under discussion in southeast Asia.

The billion-dollar Asian Development Bank is already moving forward in Manila with the participation of more than 31 nations.

These efforts by the free peoples and nations of Asia and the Pacific are mounting evidence that cooperation, not hostility, not coercion, is the way of the future and that programs and policies based on the will of free people are the best means of bringing prosperity and well-being to all people.

Having visited these seven Asian countries who will participate in the Manila Conference several times in my study missions to the Far East, I am confident that their capable leadership in seeking a peaceful solution to the conflict in South Vietnam will be a major step forward in developing a new era in American foreign policy in the Pacific and in Asia. While the several Asian nations gathering at this Conference are assuming the initiative and the leadership in this new movement, the U.S. Government, as a participant in the Conference, must give its full support and encouragement to the Asian countries to continue their drive for peace in Asia. It is to be hoped that other countries in Asia, not participants in the Manila Conference. will join later in other such meetings and provide the unity that will be needed to convince the Communist North Vietnamese and the Communists in China that their wars of aggression in Asia cannot succeed.

CONGRESSMAN CLAUDE PEPPER REAFFIRMS HIS SUPPORT FOR LEGISLATION TO PROVIDE FOR TEACHERS FAIR TREATMENT UNDER THE FEDERAL INCOME TAX FOR EDUCATIONAL EXPENSES THEY INCUR

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PEPPER. Mr. Speaker, for a long time I have been keenly aware of the necessity for teachers to keep abreast of current developments in their fields of specialization and in new techniques of teaching. I have always felt strongly that expenses incurred by teachers to further improve their professional competence should receive favorable treatment under our Federal income tax laws.

Teachers constitute a dedicated group of highly trained individuals who usually work long hours and are often underpaid. Through self-dedication to their profession and because of their desire to help others, however, many of them spend many long years in their profession.

Even though incomes of teachers are less than for any other profession requiring the same amount of academic preparation, the extent of participation in educational continuation programs by the teaching profession far outstrips any other group. For these and other compelling reasons the tax laws should be devised with a fair attitude toward allowing deductions for educational expenses incurred by teachers.

Apparently, however, the Treasury Department does not agree with these views which are otherwise held so widely by good citizens in and out of Government, including many Members of Congress. The Treasury Department has clearly demonstrated its negative attitude when it issued severely restrictive regulations in July of this year. Because of overwhelming objection to those preliminary regulations, the Treasury Department issued a new set of modified regulations. These too are grossly inadequate. While they provide some improvement over the earlier rules, they are still unacceptable.

The National Education Association has done a fine job in pointing out the deficiencies of the modified regulations that the Treasury Department proposed on October 1. The association has demonstrated these shortcomings by comparing the regulations with the pending bill H.R. 17172, which is identical to my bill, H.R. 17486. I am submitting a copy of the association's analysis of the deficiencies of the new rules for my colleagues' consideration.

It is clearly time for the Congress to take away from the Treasury Department the discretionary authority to determine how expenses incurred by teachers should be treated for Federal income tax purposes. In 1958 when corrective legislation was deemed necessary and was strongly supported, the Treasury Department issued regulations which provided fairer treatment for expenses of teachers. However, following the issuance of regulations, the teachers found it increasingly difficult to claim a deduction for these expenses. The 8-year period since 1958 has been beset with inconsistencies in interpretations of the rules by the courts, a restrictive policy by the Internal Revenue Service, and a severely limited success by teachers in obtaining deductions for legitimate expenses of furthering their education. During this period also, additional rulings were issued in order to iron out some inconsistencies in interpretations and to moderate certain restrictive policies. However, they were largely inadequate.

Most of us thought the Treasury Department, in its recent rewriting of the regulations that were issued this year, would reflect the widely held view that teachers should be able to deduct legitimate educational expenses. But after the regulations were issued, I was truly appalled at their restrictive nature. After studying the facts carefully, I introduced a bill that will make certain that fair treatment will be extended to teachers. Numerous similar bills are currently pending before the Congress.

The gravity of the problem can be illustrated by a recent survey conducted by the Associated Press. This survey disclosed that the country's classrooms are facing the most critical teacher shortage in a decade. Is this not evidence alone that compels us to enact corrective legislation that will treat teachers more fairly under our tax laws? Our great educational system depends on it.

In conclusion I must emphasize again that the Congress must not permit the Treasury Department to continue to be the controlling factor in determining the type of expenses by teachers that should be deducted. The Department has not demonstrated an understanding of the necessity for allowing teachers to further their education and receive a business expense deduction for the cost of their educational programs. Thus, I urge the Congress to take action in this matter by enacting my bill or a similar bill with the same sound objective.

MEMORANDUM FROM THE NATIONAL EDUCATION ASSOCIATION, LEGISLATIVE COMMISSION, OCT. 6, 1966

Re: Proposed regulations section 1.162–5 as printed in the Federal Register of October 1

To: Senators and Representatives who have introduced bills to provide for tax deduction of teachers' educational expenses

From: J. L. McCaskill, Executive Secretary, NEA Legislative Commission

As promised in my letter of October 3, 1966, here are the comments of our special legal counsel on the proposed IRS regulations concerning the deduction of educational expenses as printed in the Federal Register of October 1, 1966:

It has been suggested that the new proposed regulations are offered as an alternative to HR 17172, introduced in the House on August 22, 1966, and that the new proposed regulations will afford members of the teaching profession benefits similar or equivalent to the House bill. However, an examination of the new proposed regulations in contradistinction to HR 17172 exposes the following serious discrepancies in such proposed regulations which would deprive members of the teaching profession, as well as other taxpayers who pursue additional education in connection with their employment or profession, of the benefits of the House Bill:

1. The new proposed regulations amend regulations section 1.162–5 (26 CFR Part 1) to establish rules for the deductibility of educational expenses as a deduction against "taxable income." The House Bill would amend Section 62(2) of the Internal Revenue Code of 1954 (hereinafter "the Code") to add a new subsection (E), thereby enabling taxpayers to deduct allowable educational expenses from "gross income" for the purpose of determining "adjusted gross income."

The effect of the failure to permit taxpayers to deduct educational expenses from gross income for the purpose of determining "adjusted gross income" is to deprive teacher-taxpayers who elect the "standard deduction" (section 144 of the Code) of the beneficial value of the education expense deduction. Simply stated, the education expenses deduction will not be available to those teachers who do not elect to itemize their deductions because their deductions (including educational expenses) do not, in the aggregate, exceed the amount of the standard deduction. Although this result will most certainly avoid the loss of Federal revenues which would attend the enactment of H.R. 17172, it will deprive a substantial number of teachers who would otherwise benefit under the House Bill, of this important deduction, and concomitantly, it will not produce the salutary effect of encouraging private expenditure for education.

2. Another most serious deficiency of the new proposed regulations is the retention of a highly subjective standard for determining deductibility. Subsection (a) of the new proposed regulations proscribes deduction for expenses which are "personal or capital." Capital expenditures are generally defined as "any amount expended" to add to the value or substantially prolong the useful life of property owned by the taxpayer, such as plant or equipment, or "(ii) to adapt property to a new or different use." Regulations section 1.263(a)–1(b). Personal expenditures include personal, living or family expenses as contrasted with "business expenses." Regulations section 1.262–1.

The application of such highly subjective standards invites a broad application of administrative discretion in the allowance or disallowance of deductions and the continuation of the historical failure of the Internal Revenue Service to establish objective, definitive and meaningful guidelines or standards which would clearly establish the nature and degree of those educational expenses which are to be deductible.

3. The new proposed regulations will discriminate against the teacher, employed and engaged as an educator, who has not been awarded a Bachelor's Degree or such other "minimum level of education (in terms of college hours or degree)" which is "normally required of an individual initially being employed in such a position." Thus, a temporary emergency permit holder who has matriculated in an educational institution in pursuit of a Bachelor's Degree (which program is no less productive in improving the quality of that teacher's instruction), will not be afforded the education expense deduction. Similarly, teachers who have taken a leave of absence but who were employed in the profession during any of the four preceding taxable years may be denied the deduction which the House Bill would guarantee to them, should the Service choose to challenge their educational programs as personal or capital in nature and without relation to employment status.

4. The new proposed regulations subsection (b)(3) establishes as nondeductible a teacher's educational expenses "which will lead to qualifying him in a new trade, position, business or specialty." The new proposed regulations include a dangerous disqualifying criterion which will serve to deny the deduction to a teacher engaged in a program of study which satisfies "requirements for the retention of his teaching position" if that program "will lead to qualifying him to become a principal." Accordingly, a teacher who undertakes an educational program to retain "an established employment relationship, status, or rate of compensation" will not be able to deduct the expense of such an educational program if, coincidentally, the educational program is also a prerequisite to professional advancement to an administrative position. The clear inequity of the criterion is the discrimination which it will effect against those teachers who are either pursuing an administrative career or whose education would, independent of their career objectives, lead to administrative qualification.

5. While the new proposed regulations purport to establish the deductibility of educational expenditures for the maintenance or improvement of "skills required by the individual in his present employment," the text of such regulations suggests that "refresher courses or courses dealing with current developments" are the genre of maintenance or improvement education afforded such deductibility. The new proposed regulations state that the deduction "may also be allowable" for an "academic or vocational courses provided such expenditures are not within one of the categories of capital or personal expenses." The implication is quite strong that the maintenance or improvement of skills standard of deductibility will be applied to deny the deduction in cases where the teacher is pursuing substantial

and protracted education in the subject field and not in a refresher course or course dealing with current developments.

6. Similarly, a deduction will not be available to a teacher-taxpayer pursuing education in satisfaction of "express requirements of his employer, "if the requirements are not imposed "for a bona fide business purpose of the individual's employer." As a consequence of the introduction of the bona fide business purpose standard, the Internal Revenue Service may exercise liberal administrative discretion in determining whether or not it will recognize a school board or state department requirement as one imposed for a "bona fide business purpose."

7. In contrast to HR 17172, the new proposed regulations fail to provide a comprehensive guideline establishing the nature and extent of expenses which are to be deductible. The House Bill expressly includes tuition, fees, books, supplies, materials and traveling expenses. The clear and definitive statement of the nature of expenses which are deductible in the House resolution provides a readily understandable set of criteria for the taxpayer and the Service which is absent in the new proposed regulations.

8. The new proposed regulations categorize "travel as a form of education" as personal in nature and not deductible. The House Bill would, under carefully defined criteria, recognize as deductible expenses for educational travel. In consideration of the very substantial nature of the support of the Federal Government, by subsidy and otherwise, of foreign travel, exchange programs and similar forms of educational travel, the denial of the deduction for bona fide educational travel expenses would appear shortsighted and in contravention of established national policies.

The establishment, by subsection (e) of the new proposed regulations of a subjective standard of "primarily personal travel" and the emphasis upon "the relative amount of time devoted to personal activity as compared to the time devoted to educational pursuits" will jeopardize the availability of a deduction for travel expenses, including meals and lodging if the individual teacher engages in any personal activity. The Internal Revenue Service may be expected to take a very firm and adverse position against the deductibility of travel expenses armed as it would be with the highly subjective standard requiring a determination (with the service as the arbitrator) of whether such travel was primarily personal or primarily educational.

HR 17172, a carefully drawn and definitive amendment to the Internal Revenue Code of 1954, would clearly define the nature of the educational expense deduction with objective standards of application precluding taxpayer abuses and avoiding a repetition of the highly discretionary and confused administration of the educational expense deduction by the Internal Revenue Service which is a historical fact. The teacher and public school administrator are most normally unprotected by advice of either an attorney or an accountant and are at the "mercy" of the Internal Revenue Service. By retaining subjective standards of deductibility, the Treasury Department will secure an undue advantage in its administration and application of its own regulations and its enforcement procedures to the distinct disadvantage of the members of the teaching profession. The House Bill, however, by creating clear-cut standards, readily understandable by the teacher-taxpayer, would obviate the state of confusion which has prevailed and enable the teacher-taxpayer, in the first instance, legitimately to deduct appropriate educational expenses. The House Bill would further eliminate the administrative burden of interpretation and expansion of the subjective standards. Clearly, the new proposed regulations section 1.162-5 are not an adequate substitute for HR 17172 and are in no sense faithful to the legislative intent of that Bill.

JOHNS HOPKINS SCHOOL OF HYGIENE AND PUBLIC HEALTH

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, the name of the Johns Hopkins University stands for one of the proudest academic traditions in the United States and indeed in the world.

As is well known, the Johns Hopkins University and its equally celebrated hospital are in Baltimore city, which city has long been a landmark for learning the great and important science and art of healing. In Baltimore, the first college of dentistry in the world was established—the Baltimore College of Dental Surgery—now part of the University of Maryland. The Schools of Medicine, Pharmacy, and Nursing of the University of Maryland are all in Baltimore.

Fifty years ago, the world renowned School of Hygiene and Public Health of the Johns Hopkins University was organized. Because of that institution's great contributions toward the alleviation of human suffering in the world, its half-century of dedicated public service has been noted. In this connection, a very interesting article, written by Mr. John Dorsey, entitled "At the Hopkins School of Hygiene—'Best in the World,' " appeared in the Baltimore Sun on October 2, 1966.

Because of the importance of this outstanding center of preventive medicine, I ask unanimous consent that this article be reprinted in the pages of the CONGRESSIONAL RECORD in order that more people may know of its great and humanitarian work.

The article is as follows:

AT THE HOPKINS SCHOOL OF HYGIENE—"BEST IN THE WORLD"

(By John Dorsey)

In a society such as ours, which thrives on change and dotes on youth, the terms oldest and best are seldom applied to the same institution. The Johns Hopkins University School of Hygiene and Public Health is an exception. It is the oldest school of its kind in the United States, and one gets the feeling there are not many who would argue with Dean Ernst L. Stebbins when he says with quiet confidence, "Let's not call it one of the best. Let's just call it the best."

In this case the oldest is somewhat younger than might be supposed. The school was founded in 1916, with a grant from the Rockefeller Foundation, and this week will mark its fiftieth anniversary. From all corners of the United States and many foreign countries a group of scientists with a dazzling array of titles will gather at the Hopkins on Tuesday through Thursday to celebrate the occasion.

One of the names that is sure to be mentioned often is that of William H. Welch. A distinguished pathologist and one of the "big four" who gave the Hopkins its international reputation, Dr. Welch fought for a school of public health for 30 years before he succeeded in getting one at the Hopkins. As its first director, he brought together the top men of science—men like Frost, McCollum, Reed, Cort, Pearl—who made the school great.

Over the years the school has lost those men one by one, but their replacements have succeeded in sustaining its reputation. And in making the name Hopkins a familiar one throughout the world. In fact, it is the School of Hygiene, least known of the Hopkins institutions among Baltimoreans, that is best known in other parts of the world.

THE JUNGLES AND DESERTS

Since its establishment, the school has sent consultants in public health to almost every other country in the world, and has sent scores of teams of scientists to the jungles, the mountains and the deserts of the other four continents to seek new ways of understanding and conquering disease. It has also graduated students who have come to Baltimore from all 50 states and 88 foreign nations, many of whom have returned to their birthplaces to become high officials of their governments.

Dr. Marcolino G. Candau, a graduate of the school and the present director-general of the World Health Organization, who will be coming from Switzerland for the anniversary celebration, has perhaps best described the influence of the school.

"The name of Johns Hopkins stands for one of the proudest academic traditions in the United States and indeed in the world. . . . The leadership and influence of the School of Hygiene and Public Health, of which I am proud to be an alumnus, is demonstrated by the fact that many of the outstanding people working in international health are from the Hopkins and that large numbers of the W.H.O. fellows from many countries choose it for their studies. . . . From my own personal experience I can say that wherever I go in the world I meet Johns Hopkins men. . . ."

Nor has the school had less impact on its immediate vicinity. Through its long association with the Eastern Health District, through its continuing services to the city and State health departments, through the graduates who have gone on to work and live here, the school has added immeasurably to the quality of Maryland's health services.

DUAL PURPOSES

It is odd then that an institution whose star gleams brightly in the rest of the world should be overshadowed in its own home town. Perhaps it is because it is not as physically obvious as the hospital or university. Its about-to-be-enlarged building at Wolfe and Monument streets seems modest beside the maze of hospital and medical school buildings. Perhaps it is because though most people know through some sort of personal contact what goes on at a college or hospital, they may be confused even by the name School of Hygiene and Public Health. It refers to the dual purpose of such a school, which put in simplest terms has been expressed as: "to conquer diseases in the laboratory and to apply the knowledge gained to whole populations."

Thus public health refers to the application part of the definition: the school teaches its students the techniques of public health administration and through its researches tries to improve those techniques.

Hygiene refers to the conquering of disease: departments such as biochemistry and pathobiology not only teach students what man knows about disease, but try through scientific research to find new ways of conquering those diseases that still plague mankind.

It is a graduate school, of course. Most students seek doctor's or master's degrees in public health or science. Among students—last year there were 280 from 35 states and

37 foreign countries—the largest single group are physicians preparing for positions in public health at local, State or national levels. But there are an increasing number training in other areas, such as nursing, sanitary engineering, environmental medicine, microbiology, biostatistics, epidemiology and a number of other sciences.

RESPONSE TO CHANGES

The increasing diversity of the school's activities in the last few years, and the opening of new departments and divisions in such areas as international health and chronic diseases, reflects a thorough response to the changing needs in the fields of public health and hygiene.

"Fifty years ago," says Dean Stebbins, "public health programs were concerned with the infectious diseases, such as typhoid fever and cholera, which were a real problem in this country as well as elsewhere. Today most of those diseases have been conquered in this country, and more and more attention is being given to the chronic diseases, such as heart disease, cancer and stroke. But, at the same time, the infectious diseases are still major problems in other parts of the world.

"Over 30 per cent of the students at the school are from foreign countries, and, of course, we have international programs in many areas where infectious diseases have not been conquered. So we must keep trying to learn and teach more about those diseases. The scope of our activities has increased rather than just changed."

To accommodate increased programs and student body the school has embarked on a major building program. A new north wing was added in 1963, and construction has started on new south and east wings, to cost $4,500,000. The new wings, scheduled to be completed in 1968, will provide added research and teaching space, a new auditorium and offices, and space to house the World Schistosomiasis Research Center, to be discussed later.

The financing of the new wing demonstrates the increasing part Federal financing plays in scientific research and development. Two thirds of the money is expand was provided by the United States Public Health Service, the rest came from foundations and other private sources. Similarly, of the $6,000,000 annual budget of the school, over half each year comes from Federal Government sources.

SCOPE OF SCHOOL

Perhaps the best way to understand the scope of the school is to look at it department by department, touching upon only a few of the many activities of each. Though little will be said about teaching, it should be understood that all departments are teaching as well as research departments.

The biochemistry department has major projects in the basic sciences. Its first head, Dr. Elmer McCollum, is world famous for the discovery of vitamins A and D. The present chairman, Roger M. Herriott, who took over when Dr. McCollum retired, says, "Dr. McCollum more than anyone else was responsible for our present standard of nutrition. Not only because he made tremendous contributions to our scientific knowledge but because he was aware of the necessity of informing the public about them. It was he who sold the public on the importance of milk and green foods."

Appropriately, Dr. Herriott feels that the department's most exciting work right now is in the field of nutrition. "Dr. Bacon Chow is now conducting a study in Taiwan, and with the information we have now from it we believe that the amount and type of protein taken in by the mother during pregnancy has an important influence on the quality of the offspring. It's a complicated matter, and we have a lot of study before us, but we can say that if we are right our findings will have a profound effect upon methods of diet during pregnancy, both in the United States and elsewere."

POPULATION PREDICTION

It was while head of the department of biostatistics that Dr. Lowell Reed, with his friend and colleague Raymond Pearl, laid the groundwork for the present methods of predicting population levels, and it was from that department that Dr. Reed went on to head the School of Hygiene and later become president of the university.

Though the department is not directly connected with disease and its cures, it is important to those who are. One of its concerns is model building: constructing mathematical and probablistic theories of disease. Members of the department are constantly in consultation with others at the Hopkins and elsewhere in effecting the design and analysis of research investigations.

"For instance, suppose a doctor or group of doctors wants to test a new drug," says Dr. Alan Ross, chairman of the department. "We can give advice on the proper pattern of observations, the number of patients to be used and so on."

The department is closely connected with the statistics department at Homewood. "Our activities are not as dramatic as those of some of the other departments," says Dr. Ross, "but we like to think that they are important, nevertheless."

The Department of Chronic Diseases was formed four years ago from the old department of Venereal Disease Control in response to the growing importance of chronic diseases. Its director, Dr. Abraham Lilienfeld, famous for his researches on mental deficiency and epilepsy, has been staff director of the President's Commission for Heart Disease, Cancer and Stroke.

Recently the department opened a cerebrovascular disease epidemiology research center to study the history of and the factors behind cerebrovascular disease. A stroke registry is being developed to which cases of stroke will be reported by physicians and hospitals.

Another project at the center is the study of "little strokes" which may partially paralyze or disable a person for a few hours.

CANCER RESEARCH

Among studies in cancer research, is one in the evaluation of thermography, or X-ray diagnosis of breast cancer by means of measuring skin temperature variations.

In addition to that study, Dr. Lilienfeld is at work on a study of non-smoking lung cancer cases in New York City in an effort to evaluate other factors which produce lung cancer.

Internationally, the department is conducting a study of cervical cancer in Israel, and plans a study on breast cancer in the same country.

Dr. Lilienfeld emphasizes that aside from research, the department is interested in the public health aspects of chronic diseases: their administrative, epidemiologic and sociologic aspects. "I think it is worth noting that this is a multi-discipline department," he says. "Our staff includes people working in the fields of sociology, psychology, genetics and statistics."

The Environmental Health Department, until recently the department of Sanitary Engineering, is closely associated with the Department of Environmental Engineering Sciences at Homewood. Dr. Abel Wolman, one of the world's leading experts in sanitary engineering, was head of both departments until his recent retirement.

Particularly well-known as an expert on water supply, Dr. Wolman has been consulted by dozens of foreign countries, was recently one of a four-man panel to find solutions to New York City's water problem. By following his suggestions, officials have provided Baltimore with a water supply system that will be adequate until well into the Twenty-first Century.

It was Dr. William Welch, interested in so many facets of public health, including sanitary engineering, who was instrumental in getting Baltimore to install its first satisfactory sewerage system.

"We are now becoming increasingly interested in industrial environmental health," says Dr. Cornelius W. Kruse, head of the School of Hygiene's department. "We are working to increase methods of accident prevention. One of the principal services of the department has been and is giving a course in the essentials of environmental health to members of the Health Department."

STUDY OF TOXICOLOGY

Environmental Medicine is another department in which basic science is important. Aside from the department's physiological researches, particularly into cardiovascular and pulmonary diseases, toxicology is one of the principal areas of study. Dr. Anna Baetjer, one of the school's best-known names, has done a great deal of work in the area of industrial toxicology. "At present," says Dr. Richard Riley, head of the department, "we are trying to find out more about the toxicology of the chemicals with which we are constantly bombarded. We have too little knowledge of what those chemicals can do to the human system."

Dr. Riley, who has been a member of the Air Pollution Control Board, is principally interested in airborne diseases, and is credited with the discovery that tuberculosis is an airborne disease.

Also technically in the department is the Division of Audiology and Speech, whose head, Dr. John Bordley, has set up hearing clinics throughout the State.

Epidemiology is the study of the distribution and dynamics of disease in the population. Epidemiologists used to be primarily concerned with infectious diseases, but lately they too have concerned themselves with the chronic diseases. The Department of Epidemiology, one of the original departments of the school, had as its first head Dr. Wade Hampton Frost. "He was the father of epidemiology," says Dr. Philip E. Sartwell, the present chairman of the department. "He developed the methodology, or in other words he taught us how to make an investigation."

CONTROL OF POLIO

It was under Dr. Kenneth Maxcy's chairmanship of the department that Dr. Howard A. Howe and Dr. David Bodian, together with Dr. Isabel Morgan, laid much of the groundwork for the eventual control of polio. "Their discovery that there are three types of polio virus and that the body creates antibodies to combat them contributed mightily to the later work that resulted in Salk's and Sabin's discoveries," says Dr. Sartwell.

At present Dr. George Comstock heads a training center for public health research in Hagerstown which has as its field of study all of Washington county. It was established three years ago by Dr. Sartwell for field studies by students doing population-based research in any area of public health. There is no other center like it in the world.

The center to date has gathered health information on 92,000 residents of the county, and current studies there include ones on histoplasmosis, tuberculosis, carcinoma of the cervix and respiratory diseases.

Dr. Alfred A. Buck, of the Geographical Epidemiology Unit, established in 1964, is conducting the principal international study of the department. Dr. Buck also holds an appointment in the Division of International Health. The study is aimed at finding out the geographical distribution of infectious diseases in selected communities of developing countries. Communities where there are no health services have been chosen for the study, which requires a team of fifteen scientists who work from a tent community they take with them. A first survey has been conducted in Peru, and similar surveys are now under way in Chad and Afghanistan.

WORK AT HOME

At home, "the department," says Dr. Sartwell, "has always worked closely with the city and State. State epidemiologist John H. Janney, a graduate of the school, is a lecturer in the department, as was Dr. Robert E. Farber until he was made health commissioner of Baltimore. In the Thirties the Epidemiology Department was instrumental in setting up and working with the Eastern Health District, which became nationally known as a field area for teaching and research."

The Eastern Health District building, at Carrollton avenue and Monument street, houses the Department of Mental Hygiene. The department is headed by Dr. Paul V. Lemkau, who was a pioneer in the field of organized community health planning.

The department was the first to be established at any school of hygiene in the country, and it was largely through the efforts of Dr. Welch that the department was established. "For a long period," says Dr. Lemkau, "no one knew what to do with it." In the Twenties some teaching was done, and then in 1934 two surveys on mental illnesses, conducted throughout the Eastern Health District by Dr. Lemkau and five other doctors, were published and have since remained classic studies in the epidemiology of mental health.

Dr. Benjamin Pasamanick's study on threats to the nervous system which make development abnormal also became a classic in its field. Dr. Lemkau's current interest is in improving the administrative structures by which mental health services reach the population.

"We do not teach only specialists in the field of mental health," Dr. Lemkau emphasizes. "Our idea has always been that those in other fields, and particularly the general health officer, must know how to deal with mental illness as well as other illnesses."

The Department of Pathobiology has so many subdivisions that it seems almost a school in itself. Ecology and comparative behavior, entomology, leprology, parasite biochemistry, parasitology, tumors and virology are all within the scope of the department's activity. Formerly known as the department of parasitology, it was headed by Dr. William Cort, who was particularly famous for his researches on hookworm.

NEW PROGRAMS

Two major new programs have expanded the department's activities in the last few years. An international center for medical training and research has been established in India in conjunction with the Department of Medicine at the Hopkins Hospital and in cooperation with several scientific institutions in India. The Hopkins team works with Indian specialists on both basic science researches and clinical and field studies in biology and public health. Students studying with the department in Baltimore are sent to India to carry out research projects and staff members and students of the associated Indian institutions come to Baltimore for research and training.

When the Hygiene School's new wings are completed they will contain space for the World Schistosomiasis Research Center, the first laboratory equipped for multidisciplinary study of schistosomiasis.

That nearly unpronounceable disease, unknown in the United States, is man's most serious parasitic infection next to malaria. It is estimated that at least 150,000,000 people have schistosomiasis right now. An infectious disease caused by a parasitic worm, it is transmitted by certain fresh water snails living in the streams and waters of underdeveloped countries. It affects various parts of the human body, including the liver, the lungs and the central nervous system.

MANKIND'S GREATEST PROBLEM

The Division of Population Dynamics, which is in the Population and Family Health Department, was established to deal with what many believe to be the greatest problem facing mankind: the population explosion. "The problem has not been overstated," says Dr. Paul A. Harper, head of the division and the department. "World population at the present rate is doubling every 35 to 40 years. We cannot stop it from doubling between now and the year 2000. The question is whether we can find means of slowing the rate down enough so that it doesn't continue at the same rate after that."

Five years ago the division established a center in West Pakistan which has served the dual purpose of helping that country in its population control efforts and providing the division's faculty members a field area for research and evaluation.

"The emphasis," says Dr. Harper, "has been on use of the intrauterine device. In our study area 9 percent of the women aged 20 to 39 accepted the device. That does not mean the birth rate will be reduced by 9 per cent. It will be far less than that.

"Such results may seem discouraging to some, but I am encouraged for several reasons. Any introduction of something new is hard at first, particularly in areas where the people are for the most part illiterate. But once a few people accept it, then others soon follow. And in all cases, when we ask people what they want, they want smaller families than they have.

"The Pakistan Government program has good leadership, too. They hope to reduce their birth rate from a present of 50 (per 1,000 per year) to about 40 by 1970. A year ago I would have said it was highly improbable. Now I'm not so sure."

Interest in population dynamics is growing rapidly in this country. "There are now four or five schools of public health with divisions similar to ours," Dr. Harper notes. "More and more people are making careers in the field."

CHILD HEALTH

Also included in the department is the Division of Maternal and Child Health.

The Medical Care and Hospitals Division in the Department of Public Health Administration was organized under the leadership of Dr. Kerr White in 1965 to be concerned, as its chairman puts it, "with the medical center's problems of organizing personal health services, and making them more readily available to the public.

"This is a relatively new area of concern to schools of public health. There are divisions similar to ours at other public health schools, but perhaps ours is the most actively engaged in research.

"Our research is aimed at producing a variety of solutions to the problems of providing medical care. I am interested in a comparative study of the utilization of medical care in the United States, Britain and Yugoslavia.

"Then in Saskatchewan we are studying the continuity of patient-doctor relationships. We are also working to find out the content of primary medical care: that is, what problems patients bring to physicians. We know little about this right now.

"In addition, we are conducting studies with the Group Health Association of America on simplified record keeping, and are cooperating with Dr. Joseph Sadusk in planning health care facilities in the new city of Columbia.

UNIQUE DIVISION

Also in the Department of Public Health Administration is the Division of International Health. Opened in 1961, it was the first such division to be created. "To date," says Dr. Carl Taylor, head of the division, "most other schools of hygiene and public health have a person who coordinates international health activities, but as far as I know no other school yet has a division such as ours."

Created in response to the increasing need for trained works in international health, the division now has responsibility for a majority of the school's international health programs, which at present number fifteen.

Three of the division's major programs are in the field of population dynamics. In the Punjab, India, a project is under way to discover how acceptance of family planning among women is related to the assurance that the children they already have will live. Other family planning and population dynamics studies are going on in Lagos, Nigeria and Lima, Peru.

"I am not as pessimistic about the population explosion as some," says Dr. Taylor, "but the fact remains that as medical advances reduce the death rate in underdeveloped countries we must also reduce the birth rate by means of population control or it will be reduced by famine. That has been the traditional method of population reduction. It is happening now in India."

The division is conducting national health and manpower studies in Taiwan, Turkey, Nigeria and Peru, to try and find new ways to coordinate health service supply and demand. "Many of the findings are useful in this country," Dr. Taylor notes. "They are helping us find new ways of projecting demands for health services here as well as abroad."

In India, a project is under way to prepare doctors for practice in rural areas, where they are most needed, rather than in cities, where most of them have preferred to practice.

In cooperation with the World Health Organization, the division has developed a two-month course in health planning for senior personnel in ministries of health throughout the world.

Dr. Taylor feels that though international health is a fast-growing field, it would grow faster with more Federal aid. "There is no lack of competent and dedicated young people willing, even eager, to devote their lives to the improvement of health in remote areas of the world," he says, "but in many cases they can't because there are just not enough adequately financed or organized programs open to them."

The school's Department of Radiological Sciences was established about six years ago. As its chairman, Dr. Russell H. Morgan, also head of departments in the hospital and medical school, points out, research in the Hygiene School's department complements work being done in the hospital.

It can be divided roughly into three categories: radiation physics, in which men are studying the problem of diagnostic radiology; radiobiology, in which there are studies to improve knowledge about what radiation does to tissue, and radiochemistry, in which work is done on radioisotopes.

Recently developed are new devices for scanning the brain, spleen and lung, and an advance in the treatment of cancer may be indicated by the discovery of certain agents which presumably sensitize tumor cells in certain instances but do not affect normal cells.

Despite its ever-widening scope of activities, the school faces some challenges in the years ahead. "We must be prepared to meet the demand for persons to administer broad general programs of medical administration," says Dean Stebbins. "Recent Federal legislation setting up regional centers for the study and treatment of heart disease, cancer and stroke, for instance, means that more and more people will be needed to head such centers. In addition, I'm sure our work in chronic diseases will expand rapidly.

"In the international field, we will give increasing attention to assisting developing areas to conquer the problem of population growth. It is, as people say, the greatest problem in the world today."

NEW HONOR FOR ATLANTIC CITY MAYOR JOSEPH ALTMAN

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. McGrath] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McGRATH. Mr. Speaker, on October 23, a new and well-deserved honor is to be paid Atlantic City's distinguished mayor, Joseph Altman. On that date, Mayor Altman—now serving his 6th term as that famous resort's chief executive and his 26th year as a member of the city commission—will be presented the Israeli Prime Minister's Medal for his activities on behalf of that young nation. It is but one of many justly deserved awards Mayor Altman has received during more than 40 years of public service.

Mayor Altman, known to all 64,000 Atlantic Citians as "Joe," is deserving of even wider tribute, I feel, as he nears his 74th birthday. Born in Yonkers, N.Y., he became an Atlantic City resident at the age of 8 and, during his youth, sold newspapers, huckstered hot dogs, was a "soda jerk" and worked in the local post office.

He was a member of the varsity basketball team at Atlantic City High School and at the University of Pennsylvania before entering Dickinson College Law School, from which he obtained his law degree. He was admitted to the New Jersey bar in 1917, but his legal career was interrupted for Navy service in World War I. After the war, he returned to Atlantic City and legal practice and his public career began in 1923, when he was appointed journal clerk in the New Jersey State Senate. In 1924, he was elected to the New Jersey General Assembly representing Atlantic County and, in 1934, became speaker of the house.

Some of the legislation he sponsored were landmarks, and he showed a keen eye for discerning problems which lay in the future. The so-called Altman Act, which froze deposits in the closed banks of the State during the depression of the early 1930's, caused many angry howls from depositors but resulted eventually in saving many banks from failing and saved the deposits. He also sponsored a parimutuel act to permit horse racing in New Jersey, but it was not until many years later that such legislation was adopted.

While serving as assemblyman, Altman became Atlantic City's municipal judge—recorder, as the post was then called—and served in both positions until 1935, when he was appointed Atlantic County prosecutor and served for 5 years.

In Atlantic City's 1940 municipal elections, Joe was chosen one of the five commissioners and was director of parks and public properties and, as such, instituted a program of building parks and playgrounds which continues today. Four years later he was elected mayor for the first time and, although he is talking of resigning this year, he still holds that important post and is easily one of the most popular public officials in the resort.

Perhaps Joe's greatest achievement in the interests of Atlantic City was his devising, supporting, and eventually—after the 1944 hurricane caused tremendous damage—obtaining a 3-percent luxury tax which, since its adoption, has made possible almost all the improvements which have kept Atlantic City a modern, fine-looking resort. He added to the city's beautification through a 1954 ordinance he sponsored permitting the construction of motels within the city limits, and today, Atlantic City rivals any resort in the Nation which boasts rows of new, modern motor inns. His most recent action in support of modernization and beautification was the removal of the trolley tracks along the resort's principal thoroughfare and the substitution of a busline serving not only Atlantic City but the adjoining residential municipalities and mainland communities as well.

Mayor Altman rarely is absent from his city hall desk, despite the fact that, in recent years, he has been plagued by a series of medical setbacks. In 1943, he underwent an operation for removal of a cataract from one eye. In 1950, he injured a hip in an auto accident and spent 4 months in a hospital. In 1957, he suffered the loss of a lung in a successful bout with cancer.

This dedicated public servant has, throughout his lifetime, been closely associated with the religious and veterans' activities of his community and is a past exalted ruler of the Atlantic City lodge of Elks and prominent in Masonic circles. He has been honored by the Press Club of Atlantic City, numerous fraternal organizations and veterans' groups, and statewide and national organizations, with which he has come in contact as Atlantic City's official greeter at numberless thousands of conventions held there.

The tribute to be paid him by the state of Israel is just the latest in a lifelong series of honors, all deserved, which have been paid Joe Altman. Atlantic City has been fortunate having so fine a leader and, as Representative of the district in which that resort lies, I congratulate Joe Altman on his career of public service and congratulate Atlantic City for having recognized his talents more than 40 years ago.

NEW JERSEYAN PRAISES CHAIRMAN WRIGHT PATMAN

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Minish] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MINISH. Mr. Speaker, every Member of this body is aware of the dedication, perseverance, hard work, and long hours that the gentleman from Texas, the distinguished chairman of the Banking and Currency Committee, Wright Patman, expends in his service to his constituents and all the citizens of our country.

The gentleman's reputation is known around the country. Recently I received a copy of a letter from a friend of mine to Chairman Patman, praising the gentleman for all his great efforts on behalf of this Nation. We all know that it was the gentleman from Texas who first brought to the attention of Congress the serious effects of the present high interest, tight money situation.

Mr. Speaker, I would like to call to the attention of my colleagues the following letter from Mr. Louis Horwitz, president of the Mayflower Savings & Loan Association of Livingston, N.J., praising Chairman Patman's efforts:

Mayflower Savings &
Loan Association,
Livingston, N.J., September 20, 1966.

Hon. Wright Patman,
Chairman, Banking and Currency,
House Office Building,
Washington, D.C.

Honorable Sir: As the president of a Savings and Loan Institution in Livingston, New Jersey, representing 22 suburban savings institutions, I am taking this opportunity in behalf of myself and these institutions to thank you and your committee for the untiring efforts which you have directed towards a method in which to stabilize the economy of our country through the lowering of interest rates. You have been an outstanding advocate of bringing back the monetary system to the people who have been bearing the brunt of paying the interest on the tremendous costs of running our country. You have given an excellent acount of yourself through the medium of your work, your associates and your followers in your effortless fight to achieve this goal.

As far back as I can remember, you have been an outstanding individual, who fearlessly brought before the public at large and your constituents the deplorable situation which we find in the autonomous power wielded by the Federal Reserve backed by the A. B. A. It is my humble opinion that the A. B. A. has a stranglehold on our people, which in effect is attempting very strenuously to push aside all other types of financial institutions which are in effect serving the small man in helping to obtain home ownership. If permitted to continue in the same vein which presently operates, we will find ourselves powerless against a trust organization which dictates to the public, fearlessly wielding a tremendous power. I can only foresee in the very near future, if dividend and interest rates are not drastically cut back to normalcy, we will find ourselves in a situation where both smaller banks and savings and loan institutions will be gobbled up through the medium of the mergers, consolidated into a few larger institutions, thereby destroying the principle of competition, upon which our government has been established.

I particularly wish to call your attention to the fact that I have spent innumerable hours in person and on the telephone with a member of your committee, The Honorable Joseph G. Minish, who has agreed to talk with you upon a ceiling placed upon 4½% C. D.'s and bank bonds under $100,000. At no time has he ever been too busy to lend an ear to what I have had to say. You, more than anyone else, would know that the only time I could reach him would always be week-ends when he was supposedly to recuperate from his effortless work during session.

You have our plaudits as the champion of an outstanding fight for stabilization of dividend rate. It seems to me that if our Representatives throughout our nation would take the time to listen and learn what the existing condition has done to tighten the already tight money market and learn, from one, who has bent every effort to help alleviate the situation, we could at least begin to solve one of the greatest calamities facing our country presently. We, back home, hope and pray that your health will be such to give you strength to continue your fight.

Very truly yours,

Louis A. Horwitz,
President.

PULASKI DAY PARADE

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, on last Sunday afternoon in New York City we once again were privileged to take part in the annual salute to Gen. Casimir Pulaski, one of the greatest heroes of our war for independence. One hundred and eighty-seven years ago this coming Tuesday this young Polish nobleman died leading a cavalry charge before Savannah. His loss was a tragic blow to our Founding Fathers who had come to rely heavily on his brilliance as a leader and tactician. It was General Pulaski who organized the first American cavalry and left with it a tradition that made it one of the world's finest and proudest fighting units. It was General Pulaski, too, who in that dreadful winter at Valley Forge joined with "Mad" Anthony Wayne in scouting and foraging for food and supplies so important to our starving Army. Casimir Pulaski earned immortality in the annals of freedom long before he fell mortally wounded at Savannah.

The annual Pulaski Day parade in New York City is a colorful, delightful spectacle complete with native costumes, marching bands, and a host of imaginative floats. But it is more than that which lends the parade its color. It is, for instance, the small handful of aging veterans wearing their traditional Polish Army caps. It is other men stepping out proudly in British uniforms indicating World War II service in the Near and Far East and Italy. And it is, of course, the many thousands of Americans of Polish descent dressed in a variety of American uniforms adding to the proud tradition which has grown in this country over the centuries from the time of Pulaski.

The parade in New York City and the observance on Tuesday, does us all a service, Mr. Speaker, not just those Americans of Polish ancestry or descent. It is good for all of us to remember that men like Pulaski were flesh-and-blood realities and that they no more wanted to die than the young GI in Vietnam. It reminds us, too, that over the centuries we have many times had to send our young men to the battlefield to preserve what men like Pulaski died to give us.

Mr. Speaker, the parade on Sunday was more, too, than a salute to General Pulaski. It was at the same time a salute to the Polish millennium, her 1,000 years of Christianity. It is very fitting that these two events be tied together, since love of God and freedom are innate attributes of every Pole, no matter where he resides. Who needs to be told of the many, many contributions of the Poles and their descendants who have made their way to these shores? There is little in this country that has not been affected in some way by their industriousness and loyalty. It is fitting that in honoring General Pulaski we honor all Poles and all Americans of Polish lineage. As an admirer, Mr. Speaker, I would just like to add "Niech Wolna Polska."

BIAS KNOWS NO BOUNDS

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, someday the mass media may take steps to demand fair portrayal of the position of President Johnson and of our Government with reference to Vietnam.

This is not to say that all and sundry may not have different opinions and may express them fully and often. It is to say, however, that dialog means not only the right to speak but also the obligation to listen.

A typical example of a distorted view of the situation is the article by Mr. Arthur Schlesinger in the New York Times Magazine of September 18, 1966, entitled "The Middle Way Out of Vietnam." The article is full of misstatements and contradictions and I can best summarize it by quoting from it. His "ignorance is not confined to battle-order statistics."

My judgment may be a little harsh when we bear in mind the fact that his article was written and accepted for publication long before it appeared.

Obviously, therefore, it contains nothing of the events of the past 2 months and particularly the fact that by their free elections the South Vietnamese have indicated that we are pursuing the proper policy in that country in the effort to keep them free from Communist domination.

President Johnson does not want this war. He does not want war at any time or any place. He wants peace in Vietnam and everywhere else and will go to any extent to negotiate such a peace. The fact is that neither Moscow, Peking, nor Hanoi have shown any desire to sit down at the conference table to negotiate a peace. The Vietcong and the National Liberation Front in or out of South Vietnam are also unwilling to sit down and talk peace.

It should be obvious that steps toward peace would be easier to take if the efforts of our President were given fair treatment and better support by those clamoring for peace.

DID SOMEBODY SAY TOO OLD TO WORK?

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLLAND. Mr. Speaker, last session the Select Subcommittee on Labor held extensive hearings on "Employment Problems of the Older Worker." We discussed all of the reasons that have been advanced for restrictive hiring policies which, in effect, discriminate against workers over 45. We found most of them lacking in factual basis.

But in this month's Monthly Labor Review, there is a brief item which says in a few words, everything that our hearings tried to bring forth with respect to arbitrary age discrimination.

Let me quote:

> Four hundred beneficiaries on the Social Security Administration rolls are 100 years of age or older. More than 300 are getting benefits based on work they did after they were at least 75 years old. A dozen of these people are still employed or self-employed, and the oldest is 120. One of them retired last year as sling man on a longshore gang in Seattle—at age 105.
>
> Eleanor Fait.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McDowell (at the request of Mr. Friedel), for October 7, 10, 11, and 12, 1966, on account of official business.

Mr. Hansen of Iowa (at the request of Mr. Friedel), for October 7, 10, and 11, 1966, on account of official business.

Mr. Cooley (at the request of Mr. Friedel), for today, on account of official business.

Mr. Stalbaum (at the request of Mr. Friedel), for today, on account of official business.

Mr. Mackie (at the request of Mr. Sisk), for Friday, October 7, 1966, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Kee (at the request of Mr. Scheuer), for 15 minutes, on October 10; to revise and extend his remarks and to include extraneous matter.

Mr. Mathias (at the request of Mr. Smith of New York), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. PUCINSKI.

Mr. MILLS and all Members (at the request of Mr. MILLS) to extend their remarks immediately preceding the passage of the bills considered today by unanimous consent.

(The following Members (at the request of Mr. SMITH of New York) and to include extraneous matter:)

Mr. BUCHANAN.

Mrs. MAY.

(The following Members (at the request of Mr. SCHEUER) and to include extraneous matter:)

Mr. CALLAN.

Mr. WOLFF.

Mr. DADDARIO.

Mr. ROBERTS.

Mr. ASPINALL.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 15662. An act to amend the Federal Seed Act (53 Stat. 1275), as amended.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1607. An act to amend the act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes; and

S. 3467. An act to strengthen and expand food service programs for children.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 8034. An act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes;

H.R. 8126. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; and

H.R. 10860. An act to amend the Connally Hot Oil Act by exempting States from certain provisions thereof.

ADJOURNMENT

Mr. SCHEUER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until Monday, October 10, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2791. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report relating to the reapportionment of the appropriation to the Post Office Department for operations for the fiscal year 1967, pursuant to the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

2792. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of August 31, 1966, pursuant to section 5(e) of the Communications Act as amended July 16, 1952 by Public Law 554; to the Committee on Interstate and Foreign Commerce.

2793. A letter from the Chairman, Federal Power Commission, transmitting a copy of a document entitled "World Power Data, 1964"; to the Committee on Interstate and Foreign Commerce.

2794. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the report on the Bayou Bartholomew and tributaries, Arkansas and Louisiana, requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted February 26, 1959 and June 3, 1959 (H. Doc. No. 506); to the Committee on Public Works and ordered to be printed.

2795. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated August 19, 1966, submitting a report, together with accompanying papers and an illustration, on Mississippi River at Fort Madison, Iowa, requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 25, 1960 (H. Doc. No. 507); to the Committee on Public Works and ordered to be printed.

2796. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 23, 1966, submitting a report, together with accompanying papers and an illustration, on a review of the report on St. Lucie Inlet, Fla., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted July 18, 1957, and July 31, 1957 (H. Doc. No. 508); to the Committee on Public Works and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Report entitled "Market Promotion Activity of Foreign Agricultural Service" (second review) (Rept. No. 2206). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARDY: Committee on Armed Services. H.R. 17451. A bill to amend titles 10 and 37, United States Code, to authorize certain rank, pay, and retirement privileges for officers serving in certain positions, and for other purposes; with amendment (Rept. No. 2207). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. S. 2979. An act to extend coverage of the State Technical Services Act of 1965 to the territory of Guam; without amendment (Rept. No. 2208). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 13884. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act for the purpose of strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration and enforcement of that act and of State and local laws relating to food, drugs, devices, or cosmetics, and for other purposes; with amendment (Rept. No. 2209). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 7381. A bill to repeal the Naval Stores Act; without amendment (Rept. No. 2210). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 14323. A bill to amend the Vocational Rehabilitation Act to reduce the amount of matching funds required from the District of Columbia; with amendment (Rept. No. 2212). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H.R. 10876. A bill to authorize and direct the Administrator of the Farmers Home Administration to quitclaim certain property in Jackson County, Ala., to Skyline Churches Cemetery, a corporation; without amendment (Rept. No. 2211). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 18250. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 18251. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 18252. A bill to provide financial assistance to the States by returning to the States a portion of the Federal income taxes collected therein; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 18253. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission docket No. 138, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEPPER:

H.R. 18254. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 18255. A bill for the education and training of the handicapped; to the Committee on Education and Labor.

By Mr. ANDERSON of Illinois:

H.R. 18256. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. KEE:

H.R. 18257. A bill to provide for the restoration and rehabilitation of lands damaged by surface or strip mining; to the Committee on Agriculture.

By Mr. MOORE:

H.R. 18258. A bill to authorize the merger of two or more professional football leagues, and to protect football contests between secondary schools from professional football telecasts; to the Committee on the Judiciary.

By Mr. McDADE:

H. Con. Res. 1033. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H. Res. 1043. Resolution for investigation of European markets and for other purposes; to the Committee on Rules.

By Mr. POWELL:

H. Res. 1044. Resolution to authorize the General Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study of the operation of elementary and secondary schools by Federal agencies and of production of foreign-made goods competing with domestically produced goods; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KEITH:

H.R. 18259. A bill for the relief of Antonio Mano Pimentel; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 18260. A bill for the relief of Juan Peralta; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.R. 18261. A bill for the relief of Richard H. Marshall; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 18262. A bill for the relief of Paul Yin; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 18263. A bill for the relief of Pierr Boloe; to the Committee on the Judiciary.

H.R. 18264. A bill for the relief of Dr. Martha P. Vasques; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 18265. A bill for the relief of Mrs. Bertie P. Welborn; to the Committee on the Judiciary.

SENATE

FRIDAY, OCTOBER 7, 1966

The Senate met at 10 o'clock a.m., and was called to order by the Honorable Maurine B. Neuberger, a Senator from the State of Oregon.

Dr. Abraham Vereide, founder of the Senate Breakfast Group, Washington, D.C., offered the following prayer:

Eternal God, and Father, we thank Thee for Thy word to us, "Call unto Me and I will answer thee and I will show thee great and mighty things which thou knowest not." It is so amazing, O God, to come into Thy presence with full assurance that Thy words are authentic and absolutely true. Forgive us our sins, purify our minds and imaginations, and help us to be responsive to Thy gift and guidance.

We thank Thee, O God, for hearing us and accepting us afresh as we here and now commit ourselves to Thy care and keeping, and Thy guidance at home and abroad, hearing Thee say, "Fear not, for I am with thee." We affirm Thy promise, "It is God that girds us with strength and maketh our way perfect." Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., October 7, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Maurine B. Neuberger, a Senator from the State of Oregon, to perform the duties of the Chair during my absence.

Carl Hayden,
President pro tempore.

Mrs. NEUBERGER thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, October 6, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 8034. An act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes;

H.R. 8126. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; and

H.R. 10860. An act to amend the Connally Hot Oil Act by exempting States from certain provisions thereof.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Proposed Donation of Certain Surplus Property

A letter from the Under Secretary of the Navy, reporting, pursuant to law, on the proposed donation of certain surplus property to the U.S.S. *Massachusetts* Memorial Committee, Inc.; to the Committee on Armed Services.

Report on Increase of Working Estimate of Construction of Naval Air Station, Atlanta, Ga.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on an increase of the working estimate for construction of the Naval Air Station, Atlanta, Ga.; to the Committee on Armed Services.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of thrust vector control nozzles for the Minuteman missile program, Department of the Air Force, dated September 1966 (with an accompanying report); to the Committee on Government Operations.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Audit Report of Military Order of the Purple Heart of the United States of America, Inc.

A letter from the National Adjutant, Military Order of the Purple Heart of the United States of America, Inc., Daytona Beach, Fla., transmitting, pursuant to law, an audit report of that Order, for the fiscal year ended July 31, 1966 (with an accompanying report); to the Committee on the Judiciary.

Financial Statement of Legion of Valor

A letter from the National Corporation Agent, Legion of Valor of the United States of America, Inc., Washington, D.C., transmitting, pursuant to law, a financial statement of that organization, for the period August 1, 1965, to July 31, 1966 (with an accompanying report); to the Committee on the Judiciary.

Report of the Woodrow Wilson Memorial Commission

A letter from the Chairman, the Woodrow Wilson Memorial Commission, Washington, D.C., transmitting, pursuant to law, the final report of that Commission, dated September 1966 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution of the General Court of the Commonwealth of Massachusetts; to the Committee on Public Works:

"Resolutions Memorializing the Congress of the United States To Increase the Amount of Contribution Under the Federal Water Pollution Control Act by the Federal Government to Municipalities Construction Pollution Control Projects

"*Resolved*, That the General Court of Massachusetts respectfully urges the Congress of the United States to amend the Federal Water Pollution Control Act by providing that the contribution of the federal government to municipalities constructing water pollution control facilities be increased to an amount equal to forty per cent of the estimated reasonable cost of such facilities.

"House of Representatives, adopted August 31, 1966.

"William C. Maiers,
"*Clerk*.

"Senate, adopted in concurrence, September 1, 1966.

"Thomas A. Chadwick,
"*Clerk*.

"A true copy. Attest:

"Kevin H. White,
"*Secretary of the Commonwealth*."

A letter in the nature of a petition, signed by Pedro Juan Barbosa, Senator, San Juan, P.R., relating to the report on the status of Puerto Rico; to the Committee on Interior and Insular Affairs.

A letter in the nature of a petition from the Puerto Rico Free Federation of Labor, Santurce, P.R., signed by Nicolas Nogueras Rivera, president, expressing appreciation to the Senate for the approval of the bill amending the National Labor Standards Act applicable to Puerto Rico; to the Committee on Labor and Public Welfare.

A resolution adopted by the Alabama League of Aging Citizens, Montgomery, Ala., relating to the increased rate of inflation; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Appropriations, with amendments:

H.R. 17637. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 1695).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 2356. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands (Rept. No. 1701);

H.R. 3104. An act to authorize the Secretary of the Interior to convey certain lands in Plumas County, Calif., to C. A. Lundy, and for other purposes (Rept. No. 1698);

H.R. 9520. An act to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael (Rept. No. 1697);

H.R. 14754. An act to authorize the Secretary of the Interior to reinstate a certain oil and gas lease (Rept. No. 1700); and

H.R. 16813. An act to transfer to the Atomic Energy Commission complete administrative control of approximately 78 acres of public domain land located in the Otowi section near Los Alamos County (Rept. No. 1696).

By Mr. SIMPSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 84. A bill to provide for reimbursement to the State of Wyoming for improvements made on certain lands in Sweetwater County, Wyo., if and when such lands revert to the United States (Rept. No. 1699).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MONDALE (for himself, Mr. Burdick, Mr. Moss, and Mr. Yarborough):

S. 3888. A bill to establish a commission to investigate the efficiency and effectiveness of the organization and methods of operation of the executive branch of the Government, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 3889. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 3890. A bill for the relief of Dr. Mauro B. Velilla; to the Committee on the Judiciary.

By Mr. CLARK:

S. 3891. A bill for the relief of Dr. Carlos Victor De La Concepcion Garcia; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. Dominick) (by request):

S. 3892. A bill to permit a compact or agreement between the several States, for the uniform treatment of certain matters related to taxation; to the Committee on the Judiciary.

By Mr. CASE:

S. 3893. A bill for the relief of Benjamin De Kyin; to the Committee on the Judiciary.

By Mr. McCARTHY:

S. 3894. A bill to authorize the Commodity Credit Corporation to purchase hay and make it available for use in feeding livestock in disaster and other emergency areas, and to authorize the Secretary of Agriculture to make cost assistance payments to livestockmen on hay purchased to feed livestock in areas affected by catastrophies, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MONRONEY:

Address by Postmaster General Lawrence F. O'Brien at the dedication of the Wheeling, W. Va., Post Office Building, Saturday, October 1, 1966, together with a program of events of the dedication ceremonies.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

NARCOTIC ADDICT TREATMENT AND REHABILITATION

Mr. MANSFIELD. Madam President, yesterday the Senate passed the bill, H.R. 9167, which, if enacted, will establish the badly needed machinery to commence rehabilitation procedures for drug addiction. In his outstanding presentation of the measure the senior Senator from Arkansas [Mr. McClellan] pointed out that by combining the flexible tools of medicine and psychiatry, reeducation and job training, and family and neighborhood supervision, the measure will serve immensely to enable the addict to lead a normal and productive life, resisting the stresses which initially led him to drugs.

I wish to commend Senator McClellan highly for the splendid manner in which he, more than anyone, assured the success of this proposal. In doing so he has performed an outstanding public service and one which he can add to a long list of magnificent achievements.

Joining Senator McClellan to assure this great success yesterday was the senior Senator from New York [Mr. Javits] and his colleague [Mr. Kennedy] who, as we all know, represent a State which is leading the way in the field of treatment for the narcotic addict. Also to be commended for supporting this measure and for offering his own sincere and persuasive views is the senior Senator from Connecticut [Mr. Dodd]. All of us know how long and hard he worked in helping to bring this measure before the Senate.

Finally, the senior Senator from Maryland [Mr. Brewster] and the junior Senator from Massachusetts [Mr. Kennedy], are to be thanked for the support they offered on this proposal in such a typically strong and articulate manner.

EXECUTIVE ORGANIZATION REVIEW COMMISSION

Mr. MONDALE. Madam President, on behalf of myself and Senators Burdick, Moss, and Yarborough, I introduce, for appropriate reference, a bill to establish a periodic Executive Organization Review Commission.

There is a definite need today for a new Hoover Commission. In the 11 years since the second Hoover Commission presented its final report, the Federal budget has grown by almost $50 billion; Federal civilian employment has risen from 2,324,000 to 2,806,000; and we have undergone a continuing proliferation of departments, commissions, bureaus, boards, offices, independent establishments, and other executive agencies.

According to the annual report of the Government Operations Committee on "Organization of Federal Executive Departments and Agencies," there were at the beginning of this year some 53 so-called independent agencies in the executive branch, in addition to the 11 Cabinet departments. This represents an increase from 46 independent agencies 10 years ago. But the actual change has been much greater. We have seen within that 10 years the creation of at least 44 new agencies—some only temporary—and the abolition or transfer of a number only slightly smaller.

The creation of each of these agencies may have been justified in terms of its own individual mission. But when we step back and look at the whole Federal structure, we see numerous policy areas where program responsibility is scattered widely through the executive establishment. There is education, where according to an analysis submitted in support of the President's 1967 budget:

> Ten Cabinet departments and more than 15 other agencies support or conduct education, training, and related programs as an integral part of their agency's mission.

Or we can look at consumer protection, a field in which I have a special interest—here, according to one recent report, there are 33 Federal agencies engaged in 296 consumer protection activities. And the number of agencies that deal with urban affairs—even after the creation of a new Cabinet Department of Housing and Urban Development—is still enormous.

And as we all are aware, the magnificent work of this 89th Congress has contributed considerably to the complexity of our Federal Establishment. We have enacted vast new programs, like medicare. We have multiplied Federal support of education. We have taken bold new steps in civil rights, in fighting air and water pollution, in completely reshaping food for peace, in agriculture and rural development, in meeting the crisis of our cities, and in other fields too numerous and too widespread to recount here today.

But, inevitably, we have thought of each program mainly in terms of how it would meet a particular need, how it would relate to the duties of a particular agency. We have not given enough attention to how everything fits together. And we have not acted to insure that we have an overall Federal structure which can really do the job we have called on it to do, and do this job in as effective and economical a manner as possible.

A new Hoover-type commission can provide us with the fresh new look we need. It can help us chart a course toward a more efficient and effective Federal Establishment.

I need not elaborate on the accomplishments of the first and second Hoover Commissions. Two of our distinguished colleagues, Senators MCCLELLAN and AIKEN, sat on these Commissions. Many others among today's Senators were present in this body while these Commissions were active. They know the record of the first Commission's recommendations, 72 percent were adopted. For the second, the score was 64 percent.

Among the major accomplishments were creation of the Department of Health, Education, and Welfare, and the General Services Administration, major reorganizations in State and Defense, modernization of Federal budgeting, improvement of the Federal career service—and the saving of many billions of dollars.

Yet despite these achievements, we have let more than 11 years elapse since the second Hoover Commission submitted its report.

This is not to imply, of course, that these 11 years have seen no action on this vast problem.

In the Executive Office of the President, the Bureau of the Budget has a continuing responsibility for promoting organizational efficiency. The General Accounting Office oversees program operations for the Congress.

President Johnson has demonstrated a continuing concern for building a more efficient Federal structure. The new Department of Housing and Urban Development is living testimony to his work, and that of his predecessor. And the Senate has just approved the President's call for creation of a Department of Transportation.

Here in the Senate, my distinguished colleague from Connecticut [Mr. RIBICOFF] has been holding very important hearings in the Subcommittee on Executive Reorganization which he heads. The Ribicoff subcommittee has already made a breakthrough in the field of auto safety, and it has now turned its attention to a review of the range and adequacy of our programs to meet the crisis of urban areas.

I hope all of these efforts will continue. Yet there is still, I strongly feel, a need for a periodic, comprehensive review of the entire range of Federal organization, a review conducted by a bipartisan, high-level body independent of the executive and the Congress, a review to give us periodically a fresh new look, a review which a new Hoover Commission can best provide.

My bill would establish such a commission.

Unlike earlier such legislation, my bill would recognize that executive reorganization can no longer be treated as a one-shot affair. Our Government will continue to grow, just as our Nation is growing. If we do not take a periodic hard look at its overall operation, we may one day be confronted with a bureaucratic tangle that it is impossible to unravel. For in the words of Harry S. Truman:

> The improvement of the organization of government is a continuous and never-ending process.

To provide such a periodic look, my bill explicitly calls for the appointment of a new Commission every 10 years. Should the Congress feel that an organizational overhaul is urgently needed before that time, it could create a new Commission sooner. Thus the time period between studies would not be rigid, unable to be adapted to unanticipated future needs. But my proposal would guarantee that, barring future congressional action to the contrary, we would have an overall organizational review at least once a decade.

On each Commission would serve 12 distinguished citizens—2 from each House of Congress, 2 from the executive branch, and 6 from private life. To insure bipartisanship, no more than 6 of the 12 members could belong to the same political party.

The Commission would serve approximately 30 months, submitting its report not later than March 1 of the third year after its establishment. This would allow enough time for an organized, systematic, and thorough review.

The Commission would submit periodic reports on its findings and recommendations as it deems appropriate, and then a final report summarizing previous proposals and making final recommendations. Having submitted this report, it would cease to exist, until its successor was appointed 7½ years later.

In the interim between Commissions, this bill would provide for the Comptroller General to maintain records of the action by the Congress and the executive branch on the last Commission's recommendations. The records and papers of Commissions that had completed their work would, according to established procedures, be deposited in the National Archives, where they would, I am assured, be available to the public at large.

The Commission would have broad powers. It could hire a substantial staff, headed by an executive director. It could draw on experts from many walks of national life. It would hold hearings, have general access to Federal records, and make use of the most up-to-date data processing equipment. And it would serve long enough to contract out special studies to scholars and other independent investigators, and receive their reports in time for careful consideration.

And most important of all, the Commission would be given a broad mandate.

One major objective would be cost cutting. This is particularly important at a time when we have an economy under serious inflationary pressures. But the elimination of duplication and unnecessary expenses, the saving of every dollar we can possibly save, should always have the highest priority.

And if efficiency is vital, so also is program effectiveness. I have already pointed out, as have so many of my colleagues before me, that just to pass a law here on the Hill does not guarantee the type of program we want, directed toward the people we want it to benefit. The Nation will be shortchanged if programs become bogged down in unnecessary redtape. The Government must be organized so as to implement these programs, so as to put flesh on the skeleton of legislative intent.

So the Commission would consider questions involving the possible establishment of new departments and the elimination or the modification of present ones. It would examine the present organizational structure, and the principles upon which it is based. It would look closely at the record of recent organizational innovations—such as the Office of Economic Opportunity in the Executive Office of the President, or the new Department of Housing and Urban Development.

In other words, it would be expected to investigate, in the most comprehensive way possible, how the policies and programs set forth by this Congress can be most effectively and economically accomplished.

Here let me make one crucial point. A truly efficient and effective Government organization is not just one that can circulate paper rapidly—though we all know how much this would help—or coordinate its programs here at the Washington end. It also must be an organization which can be responsive, as never before, to the needs and requests and demands of communities and individual citizens throughout the United States.

Here, I am convinced, is one of the great unsolved problems of Government organization. How can a large bureaucracy, with its labyrinth of regulations and redtape, with employees numbering in the millions, operating increasingly through impersonal machines and processes—how can this Government be truly responsive in its program to the needs of the man at the local level?

To take one example, I have noticed time after time, in my brief service in this body, how local school boards, or community action councils in the poverty program, will spend months working their hearts out on a proposal for Federal grant assistance, to meet what they are convinced is an obvious community need, only to find that their proposal is out of tune with the guidelines or the priorities, or that no more money is available this year for that particular program. And during all this time, all too often, contact and communication between the local people and agency representatives here in Washington or in the field has been negligible.

Part of our job as Senators, of course, is to help to supply this vital human element, to serve as a bridge of communication between our constituents and the executive branch. I am not advocating that we relinquish this role. Every day Members of Congress receive hundreds of requests from citizens and communities to help them break through bureaucratic logjams. As elected representatives of the people, we shall continue to help them out in every way possible.

But this problem is too big to be dealt with on a case-by-case basis. It pervades the whole system we have established of Federal assistance to help meet local needs. This problem urgently needs the type of study this Commission could be expected to provide. For the executive agencies should be more responsive on their own to the needs of citizens, without so much prodding from Capitol Hill, and in all cases, not just those that come to the attention of Senators and Congressmen.

This must be one of the paramount objectives of our federal system. And so any executive organization review commission should not aim only to eliminate nonessential and duplicated services, and to reduce administrative costs, vital though this is. It should also study concrete ways to make Federal agencies more responsive to the needs of individuals and communities at the local level.

Madam President, I ask unanimous consent that the text of this bill be reprinted at this point in the Record, together with a short summary of its major provisions.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the Record.

The bill (S. 3888) to establish a commission to investigate the efficiency and effectiveness of the organization and methods of operation of the executive branch of the Government, and for other purposes, introduced by Mr. Mondale (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 3888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT OF COMMISSION

Section 1. (a) Not later than September 1 of the calendar year 1967, and of every tenth year thereafter (unless the Congress shall by law provide for establishment of a new commission before such ten years have expired), a bipartisan commission to be known as the Executive Organization Review Commission (hereinafter referred to as the "Commission") shall be established.

(b) Each such Commission shall be composed of twelve members as follows:

(1) Two appointed by the President of the United States, from the executive branch of Government;

(2) Two Members of the Senate, appointed by the President of the Senate;

(3) Two Members of the House of Representatives, appointed by the Speaker of the House of Representatives;

(4) Six persons from private life appointed by the President of the United States, the President of the Senate, and the Speaker of the House of Representatives, acting by common agreement.

(c) Not more than six members shall be from the same political party.

(d) Vacancies in each Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) Each Commission shall elect a Chairman and a Vice Chairman from among its members.

(f) Seven members of each Commission shall constitute a quorum.

COMPENSATION

Sec. 2. (a) Members of the Congress who are members of each Commission shall serve without compensation in addition to that received for their services as Members of Congress. Officers and employees of the executive branch of the Government who are members of each Commission shall serve without compensation in addition to that received for their services as officers or employees of the executive branch of the Government.

(b) Each member of each Commission appointed from private life shall receive compensation at the rate of $100 per diem for each day on which he is engaged in the performance of duties of the Commission.

(c) All members of each Commission shall be reimbursed by the Commission for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

Sec. 3. (a) Each Commission shall conduct a comprehensive study and investigation of the organization and methods of operation of all departments, agencies, and government corporations of the executive branch of the government (including ongoing reorganization powers and mechanisms) to determine the effectiveness and efficiency such organization and methods of operation provide in carrying out the policies of the Congress and the President. Such study and investigation shall include consideration of the following:

(1) reduction of expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions, through:

(a) adoption of more efficient methods of operation;

(b) elimination of nonessential services, activities, and functions; and

(c) elimination of duplication of services, activities, and functions; and

(d) elimination of services, activities, and functions which can better be performed by private enterprise;

(2) improvement of the effectiveness of the executive branch in carrying out the policies of the Congress and the President, through:

(a) consolidation and coordination of services, activities, and functions of a similar nature, or contributing to substantially the same policy, including the possible creation of new Cabinet departments and the elimination of existing departments or realinement of their responsibilities;

(b) recruiting of men and women of the highest caliber for Government service and making the most effective and complete use of their talents;

(c) applications of modern management techniques to the methods of operation of the Government; and

(d) improving communications within and between agencies of the executive branch, between the executive and legislative branches, and between the Federal Government and State and local governments; and

(3) improvement of the capability of the executive branch to respond to the needs, requests, and communications of private citizens, businesses, labor unions, and other groups and organizations at the local level, including, but not limited to, coordination of information available to such citizens relating to Federal assistance.

(b) Each Commission may transmit to the President and the Congress such interim reports as it deems advisable, and shall transmit its final report to the President and to the Congress not later than March 1 of the third year after the year in which it is appointed. Such final report shall contain a detailed statement of the findings and conclusions of the Commission together with recommendations for changes in existing organization, including such administration actions and legislative enactments as it deems appropriate. Sixty days after submission of its final report under this subsection, each Commission shall cease to exist.

POWERS OF THE COMMISSION

Sec. 4 (a) Each Commission, or any three members thereof as authorized by such Commission, may conduct hearings anywhere in the United States or otherwise secure data and expressions of opinions pertinent to the study. In connection therewith each Commission is authorized by majority vote—

(1) to require by subpena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties; (2) to administer oaths;

(3) in the case of disobedience to a subpena or order issued under this subsection to invoke the aid of any district court of the United States in requiring compliance with such subpena or order; and

(4) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(b) Any district court of the United States within the jurisdiction of which an inquiry is carried on may, in case of refusal to obey a subpena or order issued under subsection (a) of this section, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

(c) Each Commission is authorized to require directly from the head of any Federal department, agency, or Government corporation available information deemed useful in the discharge of its duties. Each Federal department, agency or Government corporation is authorized and directed to cooperate with each Commission and to furnish all information requested by each Commission to the extent permitted by law.

(d) Each Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

ADMINISTRATION

SEC. 5. (a) Each Commission is authorized, without regard to the civil service laws and regulations or the provisions of chapter 51 of title 5 of the United States Code, to appoint and fix the compensation of an executive director, and the executive director, with the approval of each Commission, may employ and fix the compensation of such additional personnel as may be necessary to carry out the functions of the Commission, but no individual so appointed shall receive compensation in excess of the rate prescribed for GS–18 in the General Schedule of section 5332 of title 5 of the United States Code.

(b) The executive director, with the approval of each Commission, is authorized to obtain services in accordance with the provisions of section 3109 of title 5 of the United States Code, but at rates for individuals not to exceed $100 per diem.

(c) The head of any Federal department, agency or government corporation is authorized to detail, on a reimbursable basis, any of its personnel to assist in carrying out the duties of each Commission under this Act.

(d) The General Services Administration shall provide administrative services for each Commission on a reimbursable basis.

INTERIM REVIEW: COMPTROLLER GENERAL

SEC. 6. After the submission of the final report as provided in section 2(b) and prior to the appointment of a succeeding commission, the Comptroller General of the United States shall (1) conduct a review of the recommendations of the preceding Commission to determine the extent to which such recommendations have been implemented; (2) maintain appropriate records relating to such recommendations; (3) furnish at the request of a Chairman of an appropriate Committee of the Congress information relating to such recommendations; and (4) report to the President and to the Congress at such times as he deems appropriate on his responsibilities under this section.

AUTHORIZATION

SEC. 7. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The summary presented by Mr. MONDALE is as follows:

A SHORT SUMMARY OF A BILL TO ESTABLISH AN EXECUTIVE ORGANIZATION REVIEW COMMISSION

1. Periodic Establishment of Commission—on or before September 1, 1967, and every tenth year thereafter, a 12-member Executive Organization Review Commission shall be established, composed of two Senators appointed by the President of the Senate, two Representatives appointed by the Speaker of the House, two members of the executive branch chosen by the President of the United States, and six members chosen by the President, Vice President, and Speaker acting in agreement. No more than six of the members shall belong to the same political party.

2. Functions—the Commission's role is similar to that of the earlier Hoover Commissions, to conduct a thorough review of executive branch organizations and make comprehensive recommendations for its improvement. It shall aim at: 1) reducing costs, through elimination of nonessential and duplicating services, and adoption of improved methods of operation; 2) improving effectiveness in carrying out Congressional and Presidential policies, through consolidation and coordination of programs in the same or related fields, modern management techniques, wise personnel policies, and improved interagency and inter-governmental communications; 3) making the government more responsive to the problems and needs of individual citizens and groups at the local level.

3. Powers—the Commission may hold hearings, subpoena witnesses, obtain information from federal agencies, contract out particular research projects, and hire staff without regard to civil service laws.

4. Report and Termination of Commission—the Commission shall make such interim reports as it deems appropriate, and shall transmit its final report to the Congress not later than March of the third year after its appointment. Sixty days after submitting this final report, it shall cease to exist, to be re-established with new membership ten years after its original appointment.

PAYMENT FOR OPTOMETRISTS' SERVICES UNDER PROGRAM OF SUPPLEMENTARY MEDICAL INSURANCE BENEFITS FOR THE AGED

Mr. RIBICOFF. Madam President, I introduce, for appropriate reference, a bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged.

The bill I am introducing today is a simple amendment to iron out a very small wrinkle in the historic Medicare Act passed by the 89th Congress. It would neither add to nor take away from the benefits provided by that act. Its sole purpose is to eliminate the requirement that a patient of an optometrist must first have certification from a medical doctor before obtaining those specific services of an optometrist which are made available under the provisions of title XVIII.

When the Senate passed the bill which is now Public Law 89–97, it was our clear intent that there would be no change in the form or organization of health practices as a result of this law. The doctors would not be changed; the patient's free choice of doctor or hospital would not alter. The only change was to be in who would pay the bills.

Section 1802 of the act itself stated:

> Any individual entitled to insurance benefits under this title may obtain health services from any institution, agency, or person qualified to participate under this title if such institution, agency, or person undertakes to provide him such services.

Under the law as it is being applied, however, a problem has arisen which discriminates against optometrists and those persons who depend upon optometrists for their eye care. Routine eye examinations and the cost of glasses are generally not covered by medicare. There are eye care services, however, which may properly, under appropriate State laws, be performed by optometrists. These services will be paid by medicare, however, only when countersigned by a medical doctor. This extra referral to a medical doctor is unfair both to the patient and to the optometric profession.

It is indeed unfortunate that this has occurred. I do not believe that it was the intent of Congress to require a beneficiary of title XVIII to secure the approval of a physician in order to obtain the services of an optometrist of his choice.

More than 60 million Americans turn to optometrists for eye care. The vast majority of our citizens over age 65 have vision problems. At least 75 percent of them rely on optometrists to determine if they have eye diseases which require medical treatment and to care for their visual impairments when drugs or surgery is not necessary.

Of course, medical doctors are by statute privileged to practice optometry, but that does not mean that optometric care and medical vision care are identical. Both are performed in a highly specialized and skillful manner and require the utmost in professional experience and expertise. Since one complements the other, and lends symmetry to the scope of professional eye care, it is inconceivable that either should be excluded from the medicare basic or supplemental health plan.

Dr. Philip R. Lee, Assistant HEW Secretary for Health and Scientific Affairs, in a recent letter to the Honorable HENRY HELSTOSKI of New Jersey said:

> The profession of optometry is accepted by the Department as a legitimate and essential health profession which is performing highly useful functions in promoting solutions to the eye health needs of this Nation.

He also wrote in the same letter:

> The Department agrees that the American public should continue to have freedom of choice in the selection of a practitioner to care for vision problems.

From this letter it appears certain to me that in this instance the administration is clearly in agreement with the intent of the Senate, and that is as it should be, but the administration is not carrying out this intent under title XVIII and, according to them, they cannot because of the way the law is drafted.

There is a new interest in the total quality of life rather than merely the length of life, and in the positive elements of good health, for all Americans over 65. Those who are in their golden years are more conscious of the need for good eyesight than those of fewer years. The optometrists of this country have singly and together contributed much to the good life through better vision for our senior citizens.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred.

The bill (S. 3889) to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged, introduced by Mr. Ribicoff, was received, read twice by its title, and referred to the Committee on Finance.

FEEDING OF LIVESTOCK IN AREAS AFFECTED BY CATASTROPHIES

Mr. McCARTHY. Madam President, I introduce, for appropriate reference, a bill to authorize the Commodity Credit Corporation to purchase hay and make it available for use in feeding livestock in disaster and other emergency areas, and to authorize the Secretary of Agriculture to make cost assistance payments to livestockmen on hay purchased to feed livestock in areas affected by catastrophies, and for other purposes.

This bill would give the Secretary of Agriculture more flexibility in providing assistance to farmers whose herds are threatened as a result of flood, drought, hurricane, earthquake, or other catastrophies.

Farming is a high-risk, low-return occupation. In addition to economic hazards and risks, farmers are vulnerable to natural disaster. The Congress has taken account of this by legislation authorizing donations of feed grains when there is a major disaster and also by sales of feed grains at reduced prices at times of less severe disaster. This bill does not change this commitment. Its principal purpose is to add hay to the feeds which may be made available through the programs.

Under some circumstances hay is the most effective feed that can be provided to avert further disaster to herds. In addition it is important at this time to include hay because the supply of feed grains held by the Commodity Credit Corporation—which at present can be utilized by the Secretary of Agriculture to provide disaster assistance—has been sharply reduced. It will be helpful to the operation of the farm program for the Secretary to be able to designate hay as well as feed grains to meet emergency situations.

Under present provisions of section 407 of the Agricultural Act of 1949 the Commodity Credit Corporation may make available any farm commodity it owns or controls to relieve distress, in accord with terms set by the Secretary, in connection with major disasters determined by the President to warrant assistance under Public Law 875, 81st Congress, and in areas declared by the President to be distress areas because of unemployment or other economic causes. Under the authority of this section feed grains have been donated to designated agencies for distribution in disaster area.

Section 407 also directs the Commodity Credit Corporation to make feed available at not less than 75 percent of the current basic support rate for assistance in preserving and maintaining foundation herds in areas of flood, drought, or other catastrophe, when the Secretary determines there is an emergency which warrants assistance.

In addition, under the act of 1959, as amended, the Commodity Credit Corporation is authorized to sell, at not less than the current county support rate, feed grains which it owns in order to provide feed for livestock in any area determined by the Secretary to be an emergency area, provided the Governor of the State has previously determined the need for such assistance.

Thus, under the authority of existing law, donations of feed grains can be and have been made for feeding livestock in disaster areas; also, sales of feed grains have been made at 75 percent of support price for assistance in maintaining foundation herds and sales have been made at the support price for feeding other livestock in emergency areas.

The problem is that assistance in providing feed under existing law is limited to the commodities owned or controlled by the Commodity Credit Corporation. Since there is no price support for hay, the CCC does not acquire hay and has none for distribution.

It is true that under Public Law 875, 81st Congress, the President may direct Federal agencies to provide assistance in major disaster areas by utilizing or lending, with or without compensation, their equipment, supplies, facilities, personnel, and other resources to States and local governments, if the President determines the disaster of sufficient severity and if the Governor of the State certifies the need for assistance and assures expenditures of a reasonable amount of local funds for the purpose. This authority has been delegated in general to the Office of Emergency Planning, which may direct the Commodity Credit Corporation to purchase hay to relieve distress in disaster areas. So while there is legal authority for the CCC to purchase hay under these circumstances, it is limited to directions by the Office of Emergency Planning and by funds made available for such purpose under Public Law 875.

Under terms of the bill I am introducing today the CCC would be authorized to purchase hay and make it available as it now makes feed available under section 407 and the act of 1959 for disaster and other emergency livestock feeding.

The proposed bill would also authorize the Secretary to make cost assistance payments with respect to hay purchased for use under conditions similar to those described in existing statutory authority with respect to disaster and emergency areas. The bill provides that such payments may not exceed one-fourth of the price determined by the Secretary to be the normal price for hay in such areas and such portion of the increased transportation costs necessary to bring supplies of hay from more distant areas outside the normal supply in the disaster area. The purpose of this provision, of course, is to avoid an undue increase in the price of hay in the local emergency area and to encourage transportation of hay from reasonably distant hay surplus areas. The penalty provisions under section 407 and the act of 1959 would also be applicable to distribution of hay as provided in the bill.

There was a severe drought in many sections of Minnesota in 1964. This year several Eastern and Southern States have experienced a similar drought. Other disasters occur from time to time. The Secretary should have the authority to move quickly in time of catastrophe and when the need arises to provide hay as well as feed grains to avert further disaster. This bill would greatly improve the disaster assistance program and provide needed procedures to prevent further losses in herds at a time of catastrophe.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred.

The bill (S. 3894) to authorize the Commodity Credit Corporation to purchase hay and make it available for use in feeding livestock in disaster and other emergency areas, and to authorize the Secretary of Agriculture to make cost assistance payments to livestockmen on hay purchased to feed livestock in areas affected by catastrophes, and for other purposes, introduced by Mr. McCarthy, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

HIGHER EDUCATION AMENDMENTS OF 1966—AMENDMENT

AMENDMENT NO. 956

Mr. BREWSTER (for himself, Mr. Gruening, Mr. Hart, Mr. Metcalf, Mr. Tydings, and Mr. Yarborough) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963 to extend it for 3 years, and other purposes; and to authorize assistance to developing institutions for an additional year, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 957

Mr. MORSE proposed amendments to House bill 14644, supra, which were ordered to be printed.

(See reference to the above amendment when proposed by Mr. Morse, which appears under a separate heading.)

AMENDMENT NO. 958

Mr. SCOTT submitted amendments, intended to be proposed by him, to House bill 14644, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. JORDAN of Idaho. Madam President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor to the bill (S. 3865) to amend the Tariff Schedules of the United

States with respect to the rates of duty on certain fabrics containing wool and silk.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARINGS ON CONTESTED POSTMASTER NOMINATIONS

Mr. MONRONEY. Madam President, I wish to announce that public hearings have been scheduled before the Subcommittee on Contested Nominations of the Committee on Post Office and Civil Service to hear testimony on postmaster nominations to be held in room 6202 of the New Senate Office Building at 10 a.m., Tuesday, October 11, 1966.

The subcommittee will hear testimony on postmaster nominations for the following post offices:

New Province, Pa.
Riverside, N.J.
Corfu, N.Y.
Ashland, Ky.
Riverton, Wyo.
Eagle Nest, N. Mex.
Oconto Falls, Wis.
Vermontville, Mich.

Any person wishing to testify on these nominations may arrange to do so by calling the committee office, telephone 225–5451.

RESCHEDULING OF HEARING ON NOMINATION OF JAMES E. NOLAND, OF INDIANA, TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF INDIANA

Mr. BAYH. Madam President, on behalf of the Committee on the Judiciary, I desire to give notice that the public hearing originally scheduled for Thursday, October 13, 1966, on the nomination of James E. Noland, of Indiana, to be U.S. district judge, southern district of Indiana, to fill a new position created by Public Law 89–372, approved March 18, 1966, has been rescheduled for Wednesday, October 12, 1966, at 10:30 a.m., in room 2228, New Senate Office Building.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. BAYH. Madam President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Edwin L. Miller, Jr., of California, to be U.S. attorney, southern district of California, term of 4 years, to fill a new position to become effective September 18, 1966, created by Public Law 89–372, approved March 18, 1966.

On behalf of the Committee of the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Friday, October 14, 1966, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Madam President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of Ellsworth Bunker, of Vermont, to be Ambassador at Large; Llewellyn E. Thompson, of Colorado, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics; and, Maj. Gen. John J. Davis, U.S. Army, of Kansas, to be an Assistant Director, U.S. Arms Control and Disarmament Agency, with the rank of lieutenant general.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

The same statement applies to the nomination of Sol M. Linowitz, of New York, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador, which was received by the Senate late on yesterday, October 6, 1966.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 7, 1966, he presented to the President of the United States the following enrolled bills:

S. 1607. An act to amend the act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes; and

S. 3467. An act to strengthen and expand food service programs for children.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

CENTRAL INTELLIGENCE AGENCY

The Chief Clerk read the nomination of Vice Adm. Rufus L. Taylor, U.S. Navy, to be Deputy Director of Central Intelligence.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. AIR FORCE

The Chief Clerk read the nomination of Gen. Hunter Harris, Jr., FR624—major general Regular Air Force—U.S. Air Force, to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code, to be a general.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

AMENDMENT OF TITLE III OF THE BANKHEAD-JONES FARM TENANT ACT

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1644, S. 688.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 688) to amend title III of the Bankhead-Jones Farm Tenant Act to provide for additional means and measures for land conservation and land utilization and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 9, after the word "inserting", to strike out " ", and" and insert " "and"; on page 2, line 1, after the word "after", to strike out "and other"; and, at the beginning of line 2, to insert "each place it occurs"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 31 of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010), is amended by inserting "developing and protecting recreational facilities," immediately after "protecting fish and wildlife,".

(b) Section 32(e) of title III of such Act is amended by—

(1) inserting "and local nonprofit organizations" immediately after "public agencies" each place it occurs in the first sentence thereof; and

(2) inserting "and to local nonprofit organizations" immediately after "local public agencies" in the second sentence thereof.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the amendments be considered en bloc.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered; and, without objection, they are agreed to en bloc.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Madam President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1676), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

This bill would amend title III of the Bankhead-Jones Farm Tenant Act to—

(1) permit the Secretary of Agriculture to cooperate with, and make rural renewal loans under that authority to, "local nonprofit organizations" (now restricted to public agencies); and

(2) include the development and protection of recreational facilities among the purposes of rural renewal programs.

NEED FOR LEGISLATION

At present section 32(e) of the Bankhead-Jones Farm Tenant Act provides for loans to State and local public agencies to carry out programs of land conservation and utilization. The area of jurisdiction of a public agency may not coincide with the area needing development. If the public agency's area is smaller, a comprehensive plan may not be worked out. If larger, the lack of interest in much of the political subdivision may defeat the needed development. In addition, the Department advises informally that some public agencies (as in Florida) have been held not to have the authority to purchase and sell land deemed needed to carry out projects successfully.

Section 32(e) sets out a number of objectives for which development projects may be financed, such as protecting fish and wildlife, mitigating floods, and conserving moisture. The development of recreational facilities may be the best possible use of some of the land needing development, and the bill would therefore add that to the list of objectives.

SECURITY

The committee considered a number of alternative provisions to insure that adequate security would be required on loans to nonprofit local organizations which do not have taxing power. The committee did not wish, however, to make any change in the law which would affect its application to public bodies, without providing adequate notice and an opportunity for hearings. Consequently the various amendments considered were found deficient either because they created an inference that security was not to be required of public bodies, or because they added a general statutory requirement not now applicable to public bodies.

Although the act does not at present contain any explicit requirement that security be obtained for loans thereunder, existing FHA regulations require that rural renewal loans be secured in such manner, depending on the nature of the project and the statutory authority of the local public agency, as will protect the interest of the Government. They further require that security will usually be contract liens on property, tax or assessment liens, or project revenues pledged for repayment of the loan.

In connection with loans presently being made by FHA to associations, including corporations not operated for profit and public bodies, under section 306 of the Consolidated Farmers Home Administration Act of 1961, FHA regulations similarly require security that will adequately protect the interest of the Government. This may be in the form of assignments of income or other assets, real or personal property mortgages, or pledges of taxes, assessments, or revenues derived from the operation of the project facility. Loans to nonprofit corporations which have been secured in the manner stated above have been highly successful. As of January 1, 1966, the FHA had advanced funds to 1,513 nonprofit corporations and public bodies in the total amount of $173 million. More than 1,200 of these loans, including all of the early loans made prior to 1962 and a majority made since that time, were made to nonprofit corporations. The losses in principal as of January 1, 1966, on all of these 1,513 loans have been only $9,188.

In view of this record the committee felt that application of the current rural renewal program regulations to nonprofit organizations not having the taxing power would provide adequate protection to the Government. The committee does not therefore recommend any amendment of the law in this respect, but it would expect that adequate security would be required of nonprofit organizations in the same manner as is now required of other eligible borrowers under the rural renewal program and as is required of nonprofit organizations for section 306 loans. It would further expect to be advised of any change in the regulations which might have the result of diminishing this protection.

The committee felt that wherever practicable loans to nonprofit organizations should be limited to cases where the borrower owns the land being developed. In this respect the committee had two objectives. First, the committee felt that this would help to provide adequate security and additional assurance of payment. Second, the committee wanted to avoid loans to nonprofit organizations that might result in windfall profits to the owners of the lands being developed. Section 31 of the Bankhead-Jones Farm Tenant Act, as amended by section 102 of Public Law 87-703, excludes private commercial enterprises from the objectives of the act. The nonprofit organization could not, therefore, obtain a loan to enable it to undertake an enterprise conducted for its own or a third party's profit.

The committee obtained the views of the Department of Agriculture on this matter in a letter from Howard Bertsch, Administrator of the Farmers Home Administration, which is attached hereto. The letter points out that while, as a general rule, the nonprofit organization should own the land, there may be a number of cases in which lesser interests would be satisfactory and would result in a savings in project funds. In the latter cases, and in all other cases where necessary to avoid windfall benefits, the committee felt that the loan should be conditioned upon contributions from the owners of any lands specially benefited, and that such contributions be commensurate with the special benefits accruing to the landowners. Contributions might be in the form of money, materials, services, reduced costs for use of the land during any period that the land is devoted to public use, or otherwise. It is expected that arrangements will vary from project to project but the objective should be to avoid the use of public funds to provide special benefits of a windfall nature.

COMMITTEE AMENDMENTS

The committee amendments are technical only, and make no change in the purpose of the bill. As introduced, the bill provided for insertion of "local nonprofit organizations" in (1) the enumeration of organizations eligible for planning assistance, and (2) the sentence providing for submission of plans to the appropriate State agency before a loan could be made. While the latter provided a clear inference that loans were to be made to local nonprofit organizations, the committee felt that that should be stated specifically. The committee amendments therefore provide for the insertion of "local nonprofit organizations" in the clause authorizing the Secretary to make loans. The committee amendments also omit a comma which is not deemed necessary.

DEPARTMENTAL VIEWS

The Department of Agriculture recommended enactment of the bill with modifications which did not go to the subject matter of the bill, but rather to the basic provisions of the act. The Department's suggested modifications would—

(1) change the interest rate on rural renewal loans from the average rate paid by the Treasury on obligations in excess of 15 years to not less than—

(i) a rate determined by the Secretary of the Treasury taking into consideration the average yield on U.S. obligations having maturities comparable to the average maturities of outstanding rural renewal loans, minus

(ii) not to exceed one per centum per annum; and

(2) strike out the third sentence of section 32(e) of the Bankhead-Jones Farm Tenant Act, which requires approval resolutions by the House and Senate Agriculture Committees for any loan in excess of $250,000.

Consistent with its feeling on proposed security amendments, the committee felt that no basic changes should be made in the program without notice and hearings, so that the committee and the Senate could be informed as to the views of interested parties and fully understand the effect of the changes. The committee did not therefore adopt the Department's proposals.

EDUCATIONAL, SCIENTIFIC, AND CULTURAL MATERIALS IMPORTATION ACT OF 1966

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1646, H.R. 8664.

The **ACTING PRESIDENT** pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8664) to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials opened for signature at Lake Success on November 22, 1950, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1678) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. PURPOSE

H.R. 8664 implements the Agreement on the Importation of Educational, Scientific, and Cultural Materials, commonly referred to as the Florence agreement.

The Florence agreement is an international agreement, sponsored by the United Nations Educational, Scientific and Cultural Organization (UNESCO), which was opened for signature on November 22, 1950. The agreement is designed to facilitate the free flow of educational, scientific, and cultural materials by the removal of barriers that impede the international movement of such materials.

The agreement provides for the accomplishment of its purposes through provision for the duty-free importation of educational, scientific, and cultural materials. H.R. 8664 would permit, with certain procedural safeguards, the duty-free treatment envisaged by the agreement to the extent that the materials provided for therein are not already free of duty under the existing provisions of the schedules.

II. GENERAL STATEMENT

A. Background

The Florence agreement is an international agreement sponsored by UNESCO. It was opened for signature on November 22, 1950, and entered into force on May 21, 1952. To date 50 countries have become parties thereto (see app. B).

The United States signed the agreement on June 24, 1959, and the Senate gave advice and consent to ratification on February 23, 1960. Deposit of the U.S. ratification, however, has been delayed pending enactment of the necessary implementing legislation, and, accordingly, the United States is presently not one of the 50 countries referred to above. H.R. 8664 provides the implementing legislation necessary to the United States becoming a party to the agreement.

B. Summary of the Florence agreement

The preamble of the Florence agreement states that "the free exchange of ideas and knowledge and, in general, the widest possible dissemination of the diverse forms of self-expression used by civilizations are vitally important both for intellectual progress and international understanding, and consequently for the maintenance of world peace," and that "these aims will be effectively furthered by an international agreement facilitating the free flow of books, publications, and educational, scientific, and cultural materials."

The principal substantive portions of the Florence agreement, the English text of which is reproduced in full in the appendix to this report, provide that the parties thereto shall accord to the products of the other parties duty-free treatment for those types of educational, scientific, and cultural materials which are described in articles I and III and in the five annexes to the agreement.

Article II contains some limitations upon the application of import restrictions and exchange controls imposed for balance-of-payments reasons to certain types of educational and cultural materials.

Article IV of the agreement, in general language, provides that the parties will, as far as possible, continue efforts "to promote by every means the free circulation of educational, scientific, and cultural materials," to abolish or reduce any restrictions thereto, and to "simplify administrative procedure" governing their importation.

The agreement permits the parties thereto to continue internal taxes which do not discriminate against imported articles (art. I:2(a)), and to take measures to prohibit or limit the importation or internal distribution of materials to which it relates on grounds of national security, public order, or public morals (art. V). It also provides that it shall not affect laws and regulations relating to copyright, trademarks, or patents (art. VI).

Subject to previous commitments between the parties, disputes regarding the interpretation or application of the agreement are to be settled by negotiation or conciliation (art. VII), and provision is made for referring disputes to the Director General of UNESCO for an advisory opinion (art. VIII).

Among its procedural provisions, the agreements provides that a country signing after the agreement entered into force, as the United States did, shall take the internal measures necesary to make the agreement effective within 3 months after the deposit of its instrument of ratification (art. XII:2).

The agreement also provides that soon after a country becomes a party it shall report to UNESCO on its implementation and that UNESCO will communicate such reports to the other parties (art. XII: 3 and 4). Your committee notes that the material now available through this channel on the implementation of the agreement by the parties does not appear in all cases to be current. It is understood that UNESCO may convene a meeting of the parties to the Florence agreement within the next year or so to consider the operation of the agreement. It would be desirable for the U.S. representatives at such meeting to seek an improvement of the reporting procedures to provide the parties with more up-to-date information on the implementation by other parties.

C. Need for the bill

In a letter of June 1, 1965, to the Speaker of the House, the President reiterated and emphasized the purpose of the agreement as being the enhancement "of international understanding by reducing trade barriers to the flow of knowledge in all directions across all frontiers." He further stated that enactment of implementing legislation would be of very material benefit to our schools and universities, science laboratories and research foundations, libraries, art galleries, and museums. The President requested expeditious action by the Congress to approve such legislation, stating that the "fullest freedom of access to the knowledge and culture of other nations is the hallmark of the open society."

On November 8, 1965, the President issued a statement pointing out the need for passage of the bill in the interest of "economy of effort." He had just signed 14 individual bills providing free entry for specific scientific instruments imported for use in universities through the country. He indicated that had the implementing legislation for the Florence agreement been enacted these separate bills would have been unnecessary.

More recently in his message to Congress urging passage of the International Education and Health Acts of 1966, the President stated:

"I recommend prompt passage of legislation to implement the Florence agreement that thus stimulate the movement of books and other educational material between nations. This agreement was signed by representatives of the U.S. Government in 1959 and ratified by the Senate in 1960. The necessary congressional action is long overdue to eliminate duties and remove barriers for the importation of educational materials."

H.R. 8664 would provide such duty-free treatment as is envisaged by the agreement to the extent that the materials provided therein are not already free of duty under existing law. In this connection, many of the articles for which duty-free treatment is provided in the agreement are presently duty free under the tariff schedules. Examples are books in foreign languages, most periodicals, original paintings, original sculpture, certain antiques, certain audiovisual materials imported by educational institutions, articles for the blind, and articles for specified exhibitions.

The aim of this legislation is the furtherance of the educational, scientific, and cultural purposes contemplated in the Florence agreement, as distinguished from the economic purposes for which the Congress has authorized the President to negotiate trade agreements. Enactment of H.R. 8664 would in no way be intended to replace, supplant, or enlarge upon the reciprocal trade agreements program. The objective and goal of this legislation, is as stated above, furtherance of arts and sciences, not tariff bargaining for economic ends. These two programs are separate and distinct. On the one hand is the very limited program of implementing the exchange of educational, scientific, and cultural materials contemplated by the Florence agreement, which would be provided for in H.R. 8664, as distinguished from the trade agreements program which is directed toward the negotiation of reciprocal reduction of duties to achieve economic objectives. The two programs are distinct both in purpose and in operation.

D. Trade effect

Although, as has been pointed out, the purposes of the Florence agreement and of H.R. 8664 are educational, scientific, and cultural rather than economic and commercial, your committee has given attention to the trade implications of the bill.

Assistant Secretary of State Frankel estimated that imports in 1965 of articles which are to be made duty free by the bill amounted to roughly $39 million, with revenue to the Treasury of about $1.75 million. The views were expressed by him that passage of the bill "will not result in any significant increase in the level of imports," and that, because of such minimal trade impact, it was not expected that the bill would "have any significant adverse effect on the U.S. balance of payments."

III. SUMMARY OF THE PROVISIONS OF THE BILL

A. Section 1. Short title, et cetera

The first section of H.R. 8664, provides a short title for this legislation, the "Educational, Scientific, and Cultural Materials Importation Act of 1966." It also states the purposes of the bill, which is the implementation of the Florence agreement with a view to contributing to world peace through the freer exchange of ideas and knowledge across national boundaries.

B. Section 2. Effective date

This section provides that the amendments made by the bill shall be effective on a date to be proclaimed by the President. This date is to be within 3 months after deposit of the instrument of ratification with the United Nations. This provision is designed to permit the President to correlate their effective date with the assumption by the United States of obligations under the Florence agreement.

C. Section 3. Books, pamphlets, and other printed and manuscript material

Section 3 would provide duty-free treatment for such books and pamphlets as are not duty free, except catalogs relating to the sale of U.S. products. The principal articles which would be made free of duty are books in the English language, picture books, toy books, current lithographic, and certain other periodicals, and printed matter suitable for the production of books which would themselves be duty free. Newspapers, many other periodicals, and most other books are already free of duty.

Maps, atlases, and charts would be made duty free, as would music regardless of its age. The present exemption from duty for tourist literature would be slightly broadened.

D. Section 4. Works of art; antiques

Section 4 would expand the present duty-free treatment of original paintings, pastels, drawings, and sketches executed by hand, to include such articles which are not originals. Certain original sculpture, and prints printed by hand, are currently afforded duty-free treatment.

This section would also change the test for determining antiques entitled to duty-free treatment from those made prior to 1830 (or earlier dates in the case of a few specified articles) to those made more than 100 years prior to their entry.

E. Section 5. Documents of foreign governments and international organizations

Section 5 would broaden slightly the present provision for the duty-free entry of publications of foreign governments and international organizations, most of which are presently aready duty free under item 840.00 of the tariff schedules.

F. Section 6. Certain articles imported by educational, scientific, and other specified institutions

Subsections (a) and (b) of section 6 would expand somewhat the present provisions for the duty-free importation by public and other nonprofit educational, scientific, and comparable institutions, of audiovisual materials, patterns, and models.

Subsection (c) of section 6 would provide for the duty-free entry of instruments and apparatus for use by public and other nonprofit educational or scientific institutions under specified circumstances. In order to be eligible for such treatment the instruments or apparatus must be otherwise classifiable under specified portions of the tariff schedules, must be for use by the institution for noncommercial purposes. Most importantly, duty-free entry would be dependent upon a finding by the Secretary of Commerce, which would be subject to judicial review, that no instrument or apparatus of equivalent scientific value for the purposes for which it is intended to be used is being manufactured in the United States. Provision is also made for duty-free entry for repair components for instruments and apparatus so admitted.

Section 6(c)(4) of the bill would repeal the present provision regarding electron microscopes and make the duty-free treatment of such microscopes subject to these tests.

G. Section 7. Scientific specimens

Section 7 would expand somewhat the present provisions for duty-free treatment of scientific specimens by specifying some additional fields to which specimens entitled to such treatment may relate and by making such specimens going to private collections for educational or scientific use eligible for duty-free treatment.

H. Section 8. Conforming amendments

Section 8 contains a number of conforming amendments.

I. Section 9. Tariff adjustment and other adjustment assistance

Section 9 of the bill provides that, in applying the adjustment assistance and tariff adjustment provisions of title III of the Trade Expansion Act of 1962, any duty-free treatment provided for by the bill is to be treated as a concession under a trade agreement.

APPOINTMENT OF AMBASSADOR LLEWELLYN E. THOMPSON, JR., LAUDED

Mr. MANSFIELD. Madam President, I was pleased and impressed with the announcement by the President yesterday that the gentleman from Colorado, Mr. Llewellyn Thompson, has been again designated as our Ambassador to the Soviet Union.

Ambassador Thompson, who is well known to all of us, has served his country in a diplomatic capacity for more than 37 years. Though he desired to retire as long ago as 1962, he kept on, at the personal request of President Kennedy, and remained at the personal request of President Lyndon B. Johnson.

I have known Mr. Thompson for many years. I am aware of the many contributions he has made to the welfare of our country and the development of a better understanding among nations in their relations with us. I know that he will do a good job in Moscow. There could not have been a better choice; because if ever there was an unselfish, public-spirited, modest, unassuming public servant, it is Ambassador Llewellyn Thompson. I wish him well in his new post.

I know that once again he will represent us with distinction, integrity, honor, and understanding. I am quite certain that as far as the Soviet Union is concerned, in their renewed relations with this Ambassador, they will have the same kind of confidence in him. Again, I commend the President for making this outstanding appointment.

I ask unanimous consent that an article which appeared in today's New York Times, by James Reston, entitled "Washington: The Gentleman from Colorado," be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

WASHINGTON: THE GENTLEMAN FROM COLORADO

(By James Reston)

WASHINGTON, October 6.—In the long catalogue of distinguished American public servants, none has earned more respect or affection in the major world capitals than Llewellyn E. Thompson Jr., the newly appointed U.S. Ambassador to the Soviet Union.

Mr. Thompson has had only one failure in his 37 years as a Foreign Service officer. He has tried and tried to retire, but somehow he never made it. Some President is always getting in his way. He was determined to head West for his native Colorado in 1962, but President Kennedy talked him into staying as Ambassador at Large. He was sure he was going to make it at the end of this year, but President Johnson called on him the other day for one more mission to Moscow, and as always he agreed.

THE QUALITY OF TRUST

In this noisy and cynical generation, when public servants are often the subject of bad jokes, the record of this quiet, spare, plain-dealing man needs to be remembered. He has served six Presidents, run the embassy in Moscow for nine years, longer than any other American, and had more success in negotiating with the Russians than any U.S. diplomat since the start of U.S.-Soviet diplomatic relations in 1933.

He would be the first to insist that personal qualities of personality and character are seldom decisive factors in bargaining with the Russians, but the record is clear enough. He has the quality of making men trust him, and of seeing the long perspective of U.S.-Soviet relationships, even in the ugliest periods of political crises.

Ambassador Thompson was one of five foreign diplomats in Moscow when it was under threat of siege in the blackest days of the last World War. At that time, he was in sole charge of the U.S. Embassy during the dark winter of 1941, when he also represented British interests there, and in his spare time he taught himself the case endings, the Cyrillic orthography and the complex grammar of the Russian language.

Thompson must be the only American official who has not been blamed by the Soviets for all the crimes of the human race. Even when Nikita Khrushchev was in a sputtering rage about the U.S. spy planes flying over the Soviet Union in 1960, the Soviet Premier publicly exonerated Thompson while blaming everyone else.

Again, during the Berlin crisis of 1961, Mr. Khrushchev took time out from his tirades against the U.S. Government to propose a toast publicly to Ambassador Thompson and the Ambassador's lovely and talented wife, Jane, who was one of the Soviet Premier's few trusted foreign acquaintances.

It is not surprising, therefore, that President Johnson turned to him at another tense moment in U.S.-Soviet relations. Thompson talked to the Soviets for ten years about an Austrian state or peace treaty before, at the 380th official meeting, an agreement was reached in 1955. For almost nine years he patiently talked to the Russians before he finally helped arrange a settlement over the city and port of Trieste.

President Johnson, too, no doubt has memories of Thompson's calm and sound advice during the Cuban missile crisis in 1962, when Thompson's confidence that a compromise could be reached by prudent military and diplomatic action proved to be correct.

Nevertheless, the human costs of this last assignment are rather severe. Tommy is 62 now. In a pinch, he could probably earn a living on a golf course, but he had planned to supplement his winnings there by taking one of several offers to preside over a private institute engaged in Soviet studies.

This plan now has to be abandoned, and by the time he comes back, unless the employment practices of opulent institutions change, he will not be precisely the age for new and hopeful commercial enterprises. Just the same, it is nevertheless a little late for Thompson to start saying "no" to Presidents now, though he doesn't even have the consolation of feeling that the chances for fruitful negotiations in Moscow are very good.

His first mission to the Soviet Union ran into the days when the Soviets needed American help. His second coincided with the detente under Khrushchev, and his third has run into Vietnam. No doubt this was why he was chosen. The President wanted somebody he trusted and the Russians wanted him on hand in the Soviet capital just in case a chance for settling the war turned up, so Tommy will go, leaving his golf sticks behind and taking his ulcers along.

POINT REYES NATIONAL SEASHORE, CALIFORNIA

Mr. KUCHEL. Mr. President, there is at the desk Senate bill 1607, which has passed the House of Representatives with an amendment. I ask unanimous consent that this bill be taken up.

Let the RECORD show that I have cleared this matter with the distinguished chairman of the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER (Mr. TYDINGS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1607) to amend the act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes, which was, on page 2, strike out lines 3 and 4, and insert:

(b) In section 8 strike out "$14,000,000" and substitute "$19,135,000".

Mr. KUCHEL. Mr. President, on August 29 the Senate passed S. 1607, as amended by the Senate Interior and Insular Affairs Committee.

The bill, as originally passed by the Senate, increased the amount authorized to be appropriated for land acquisition in connection with the Point Reyes National Seashore from $14 million to $18 million, and clarified a provision of the 1962 act with respect to the location of an access road into the seashore area.

The Senate version provided the additional $4 million authorization in order that the National Park Service might complete the acquisition of parcels already the subject of condemnation proceedings.

The owners and acreage involved were:

Bolema-Palisades, D. Hertz, judgment entered, 1,120.

Boyd Stewart, awaiting trial, 817.

Limantour Spit, Drake Beach Estates, awaiting trial, 200.

Peoples and Ross, awaiting trial, 1.

Menzie, awaiting trial, 3.

The House of Representatives amended S. 1607 to raise the authorization ceiling to $19,135,000. This provided for the additional acquisition of 1,566 acres of land for a price of $1,135,000. This additional land is covered by a favorable purchase option which will expire on December 31, 1966, if not exercised.

The House-passed version of S. 1607 authorizes the additional appropriation of $5,135,000 in order to complete the acquisition of a total of 3,707 acres of land.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on the motion to concur in the House amendment.

The motion was agreed to.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

CHINA'S MENTAL ILLNESS AND THE WAR IN VIETNAM

Mr. KUCHEL. Mr. President, the upheaval in Communist China in recent weeks may—perhaps, will—have momentous significance for the entire world. Communist China has been under a tight totalitarian unity since 1949. It is threatened for the first time with a major internal crisis.

A group of Communist youth, known as the Red Guard, have engaged in a spree of book burning and riots and have attacked traditional Communist apparatus and its leaders for their alleged "bourgeois" sympathies. The Red Guards have established a new mob rule menacing the supremacy of the Communist Party, its doctrines and its leaders. The movement exhibits a marked increase in the zenophobic nationalism that has characterized the Communist Chinese regime since it took control of the mainland.

Most significantly, the actions of the Red Guards have been directed against the Chinese intellectuals. This is an obvious effort to separate today's regime from China's great classical tradition. It cuts deep into the Chinese soul and will leave its mark on the mental health of modern China for many years. There are already reports of numerous suicides by Western-educated scientists, who apparently found themselves unable to coexist with the present madness. It is noteworthy that those seeking escape by death include scientists educated in the Soviet Union as well as in the free world. This is a great blow to China's development. Communist China possesses no mean scientific establishment. Its scientists have recently stolen a march on the entire world in the synthesis of insulin, unlocking one of the secrets of human life. And, as we are all unhappily aware, they have also developed nuclear weapons.

At this time it is not possible to analyze the drift of Chinese affairs. Although the regime's control has been challenged, there has been no breakdown of central power which has characterized political decline in earlier periods of Chinese history. But the portent of the change, apart from its shape, is readily apparent. In traditional Chinese life, there is no greater error than the suppression of thought. It is an ancient axiom that "From books one learns to eliminate faults." The Chinese "know-nothings" have sinned greatly. The atonement may require a process of reconstruction over many years.

China, with its hundreds of millions of people, has posed a major challenge to peace and stability in Asia. She is the source of the destruction doctrine of wars of national liberation. It might not be necessary to send American troops to fight communism in Vietnam today, were it not for the aggressive actions and policies of the Communist Chinese—all the supposed charisma and ingenuity of Ho Chi Minh notwithstanding.

Mr. President, the entire world is deeply concerned over the future course of China. This concern is shared by leaders in the free and in parts of the Communist world. The Soviet Union is critically aware of the threat to her supremacy among Communist countries which China poses. Equally, we are aware of the dangers of potential Chinese expansion and hostility. All nations recognize the threat to world peace which derives from hostile and irrational behavior by a large power.

Neither the Soviet Union nor the United States, nor any of our respective Allies, can do much to change the course of the history of 700 million people. We can continue to contain China and perhaps, where necessary, insulate her from world crises in which she might otherwise play an infectious role. China has, to a large extent, created her own isolation—her foreign policy has deen discredited, her political and economic systems are now shaken and unreliable.

At this point in the history of the 20th century, Communist China is disinterested in any agreement to settle the conflicts in southeast Asia. On September 29, the Albanian representative in the United Nations General Assembly, usually regarded as Communist China's voice in that body, flatly rejected any U.N. involvement in a southeast Asian peace settlement. His statement included a clear warning to the Soviet Union to stay away from efforts to bring peace to Asia. These words have since been reiterated by Chinese Communist Premier Chou En Lai.

Many observers would argue that it is folly to proceed toward negotiation for a settlement in Vietnam without Communist China. But in her present mental state the solemn commitments of those who hold power in China today are likely to be meaningless tomorrow. Communist China has shown no interest in mediating the problems of Asia short of utter destruction of Western influence and expulsion of non-Asian interests—whether capitalist, Communist, or otherwise.

The Communists and the free world must at this time view China in somewhat the same light. This is particularly true of the Communist Republic of North Vietnam. The Vietnamese people, whether Communist or free, have a longstanding fear of Chinese imperialism, and they know full well that the Chinese have staked their wager in Vietnam on utter defeat of the forces of the free world.

Mao's annointed successor, Lin Piao, said last month that Communist China is determined to support to the end the fight in Vietnam, "whatever sacrifices we have to make." He also said that his troops are waiting to be called and that behind them stands the Red Guard.

As the war progresses and allied military activity puts an increasing strain on the manpower reserves of North Vietnam, there will be an increasing need for importation of men and material from Communist China, if not, indeed, for outright Chinese intervention. Such an event would lead to the complete inundation of the national Communist movement in Vietnam by China and would place the entire world on the threshold of a third global war.

Mr. President, I have no illusions about the desire of the Soviet Union and other Communist nations to keep the United States heavily committed in Vietnam. But the Communist North Vietnamese, under constant American bombardment, are suffering a relatively much greater loss of men and resources. If the war goes on at its present rate, the eventuality which we all fear may well come to pass: the active intervention into the Indo-Chinese Peninsula of the Peoples Liberation Army of Communist China. The Soviet Union and the North Vietnamese may fear this as much or more than we do. Faced with the alternative of either a peaceful and honorable solution which would let America off the hook in Vietnam or a third world war, the Soviet Union, at least, will have to accept the lesser evil.

It is a great paradox in the modern world that hostile powers can most quickly agree to act against that which they mutually fear—a negative form of diplomacy, but at least an effective one.

I propose that the U.S. Government call upon the United Nations Security Council, of which both the Soviet Union and the United States are members. Our Government should ask the Council to establish a collective guarantee of the territorial integrity of the borders of Vietnam, both north and south, against external attack on either area. This proposal should be made before the opening of any negotiations on the future of Vietnam. Adoption of such a guarantee of territorial security would commit the great powers of the world to an eventual settlement of the Vietnam crisis geared strictly to the best interests of the Vietnamese and free from menacing external influences of their giant neighbor. Such a guarantee should help to allay the fears of the Communist Vietnamese regarding China. This action alone should bring closer North Vietnam's willingness to reach by negotiations what would otherwise require continued and intensified fighting by both sides. Under increased pressure, the North Vietnamese must realize that a successful military outcome to their actions in the south is increasingly out of the question.

This proposal should be made now, in this session of the General Assembly. If it is to have the desired effect, it must logically precede arrangements for negotiations on Vietnam. The insulation of Vietnam from the larger issue of the conflict between China and the rest of the world would insure that Vietnam's problems would be solved in light of the needs of the people of Vietnam, and not in terms of pressures from outside.

America has made it clear that the only acceptable solution to the Vietnam crisis is the one which the people of that country can agree on. The Communists, on their part, have at least paid lipservice to this notion. Insulating Vietnam from the irrationalism of today's Communist China, should permit the world to test these contentions. If there is in fact an area of agreement, the process of negotiating a settlement can go forward. If not, we will have to find other paths to explore, or face the madness of another major conflict which Communist China appears determined to visit upon this unhappy globe.

Mr. President, in recent weeks there have been many formulas proposed for a peace settlement within Vietnam. I, too, share the hope that the Vietnamese themselves can find an honorable and just solution to this conflict. But, realistically, we cannot expect this small nation to solve such a major crisis without help from the major powers. The least we can do is assure that the Communist Chinese nemesis is kept at bay. This is a prerequisite to any meaningful search for peace within Vietnam.

SHIPPING FEUD

Mr. LAUSCHE. Mr. President, in the mail this morning I received a front page clipping from the Columbus Dispatch in which there is published a story under the headline "Shipping Feud Causes Saigon Port Bottleneck."

Among other things the column states:

> A shipping backlog, cut to near zero only a few months ago, has again become so serious that more than 60 freighters are waiting to be unloaded at this key port, U.S. officials and shipping sources said Monday.

A few months ago there was no backlog. Now it is said that there are about 50 freighters moored off Vung Tau, near the mouth of the Saigon River, and another dozen are anchored and waiting in the river near Saigon. Other ships are being held as far away as Manila and Yokohama. It is contended that the backlog is the consequence of a dispute between the Army and the AID.

I do not know what the facts are, but it is a serious situation, if true, and should be remedied.

The article further states:

> While these 60 ships are waiting, crewmen on merchant ships draw double pay, nearly $800 a month.

Mr. President, if there is a sound reason for the backlog of 60 ships waiting to unload—and I cannot believe that there is—one could remain silent; but this matter is serious.

I believe that the Department of Defense and the division of AID which is involved had better get to work on solving the problem.

I ask unanimous consent to have part of the article to which I have referred printed in the RECORD.

There being no objection, the article was ordered to be printed in part in the RECORD, as follows:

SHIPPING FEUD CAUSES SAIGON PORT BOTTLENECK

(By Fred S. Hoffman)

SAIGON.—A shipping backlog, cut to near zero only a few months ago, has again become so serious that more than 60 freighters are waiting to be unloaded at this key port, U.S. officials and shipping sources said Monday.

These experts blamed the situation largely on feuding between the Army and the Agency for International Development (AID) and on mismanagement.

The situation can be cured only by firm action at a high level in Washington to make the Army and AID work together, said the sources, who asked to remain anonymous.

The shipping experts urged, among other things, that U.S. contractors with proven performance in the field be given the job of supervising the unloading of vessels bearing war goods and AID material.

Additional port facilities are being built along the river near Saigon, but the new berths may not be ready for months.

Other U.S. authorities acknowledge a bottleneck but attribute it chiefly to the South Vietnamese government's drastic economic reforms. They say this resulted in jammed warehouses.

The government and shipping sources said there was practically no backlog of ships in June.

Now, they said, there are about 50 freighters moored off Vung Tau, near the mouth of the Saigon river, and another dozen anchored and waiting in the river near Saigon. Other ships are being held as far away as Manila and Yokohama.

They estimated the average waiting period at about 30 days.

While waiting, crewmen of the merchant ships draw double pay, nearly $800 a month. . . .

OSCAR S. COX

Mr. MONRONEY. Mr. President, on Monday, one of Washington's most distinguished attorneys died. Oscar S. Cox, who had played a most important role in drafting many of the legislative acts of the Roosevelt administration, died suddenly of a cerebral hemorrhage.

Mr. Cox was best known for his drafting of the Lease-Lend Act that contributed greatly to the supplying of defense materials for our allies during World War II. He had been with the Roosevelt administration from 1933 to 1941 as assistant to the General Counsel of the Treasury Department.

Because of his bold approach to legislative ideas, particularly in the field of World War II defense supply interchanges, he was sought out as an adviser for many of the leaders who administered our supply programs. He served from 1941 to 1943 as General Counsel for both the Lease-Lend Administration and the Office of Emergency Management. He also was Assistant Solicitor General of the United States from 1942 to 1943. He became General Counsel of the Foreign Economic Administration in 1943 and was Deputy Administrator in 1945.

Mr. Cox, after leaving Government to become senior partner of Cox, Langford & Browne, was an adviser on foreign trade matters of many of the U.S. Government departments.

On behalf of Mrs. Monroney and myself, I extend our deepest sympathy to Mrs. Cox and to his two sons.

Mr. President, I ask unanimous consent that the excellent editorial from the Washington Post about the many outstanding achievements Mr. Cox has performed through his services as a public employee and as a leading attorney be incorporated at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OSCAR COX

Oscar Cox was an extraordinarily reflective and imaginative lawyer, profoundly interested in the law as a social institution, profoundly concerned to make the law an effective instrument of the public welfare. The earlier years of his professional life, tirelessly devoted to governmental service, came at a time of great historical significance and contributed dramatically to the defeat of the Nazi-Fascist Axis. The lend-lease concept—the idea of making American industrial might available to the Allies in the period prior to direct American involvement in World War II—originated in Oscar Cox's resourceful mind; and the drafting of the Lend-Lease Act in which he played a principal role exemplified his sure-handed legal craftsmanship. As counsellor-at-law in and out of government, he embodied the highest traditions of his calling. His legacy is an imperishable one.

Mr. MANSFIELD. Mr. President, I, too, noted with regret the passing of a dear friend, Oscar Cox, whom I have known during my 24 years in Congress. I knew him first when he was involved in lend-lease during the Second World War. It was at a time when the Senator from Oklahoma and I were both serving in the House of Representatives.

He was an outstanding lawyer, but even more, he was a fine man—a good man. We will miss him. I wish to extend, on behalf of the Mansfield family, my sincere regrets and deepest sympathy to his wife and family.

NUCLEAR ESCALATION

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "Nuclear Escalation Would Be Disastrous," published in the Providence Journal of Thursday, October 6, 1966. I commend this editorial to the reading of every Senator and every Member of the House of Representatives, and to all who read the Congressional Record. It is a well-reasoned editorial on a very important subject, and I feel happy and privileged to put it in the Record, because the views it expresses correspond exactly with my own.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Nuclear Escalation Would Be Disastrous

A columnist for *The New York Post* facetiously suggested the other day that a quick and cheap solution to the problem of Viet Nam would be simply to kill all the South Vietnamese.

When you come right down to it, this horrible jest isn't far removed from recent proposals made in deadly earnest by such "elder statesmen" as former President Eisenhower, who said he wouldn't "automatically preclude" the use of nuclear weapons to win a quick victory, or former Air Force Chiefs Nathan F. Twining and Curtis E. LeMay who have called for all-out airwar in Viet Nam.

What is America coming to when men who have held such high and responsible national positions can make such irresponsible recommendations?

Some will ask whether we haven't lost our moral bearings? That's a moot question. The war has already reached a stage of slaughter, on both sides, that affronts all conscience. Witness the Pope's recent anguished plea for peace and the mounting concern of the American clergy of all faiths.

A more practical question is whether we have taken leave of our senses.

Does General Eisenhower imagine we can toss nuclear weapons around in Southeast Asia without alienating the mass of mankind, including all our closest allies in Europe, and without bringing Russia or China into the war?

General LeMay says he is not worried about China because, he says, South Korea and Nationalist China—with U.S. air and naval support—"should provide more than enough force to bring an unstable Red China to her knees." Nine hundred million Chinese (that's the latest American estimate) on their knees? To what end? Who will keep them on their knees? The South Koreans? Chiang? American troops? How many and how long?

And who will keep the Russians out of Manchuria if China crumbles?

What about those Russians who are now stationed with some North Vietnamese anti-aircraft batteries, according to American authorities? Will the Soviet Union keep her nuclear powder dry if their men are blown to smithereens by an all-out American aerial assault such as the generals recommend?

Suppose we get away with it—this time? Does Mr. Eisenhower imagine that the United States can use nuclear weapons at will and not set an example that will some day be followed by others? Five nations already have the bomb. Fifteen more have the capability of becoming nuclear powers within a few years, the experts say. Can we get this genie back into the bottle once we ourselves have again released it?

The frustration that has given rise to these rash proposals from three old soldiers is perfectly understandable. We have increased the number of U.S. troops in Viet Nam from 20,000 to more than 300,000 in less than two years, and the end is nowhere in sight. We have tossed conventional bombs into tiny Viet Nam at a rate exceeding World War II rates of bombing without bringing peace perceptibly nearer.

But more bombs, or atom bombs, offer no solution to this essentially political problem. The only problem that nuclear weapons can solve is the population problem.

General LeMay said: "If we can't win without unacceptable risk, we have no business fighting in the first place."

That's just what the Pope, the Secretary General of the United Nations, the President of France and a lot of other people have been trying to tell us for a long time.

PRESS CONFERENCE REMARKS OF FORMER PRESIDENT EISENHOWER AND PRESIDENT JOHNSON ON U.S. POLICY IN VIETNAM

Mr. DIRKSEN. Mr. President, on Monday last, October 3, former President Eisenhower, in a press conference following that morning's meeting of the Republican coordinating committee, expressed his opinions, on invitation by Chairman Ray C. Bliss and in response to press questions, on several subjects of public interest and importance.

Among these subjects was the extent to which the United States should be prepared to repel Communist aggression in southeast Asia, to end the fighting in Vietnam, and to bring about the achievement of a just and honorable peace as soon as possible.

Because of the misunderstanding and misinterpretations of certain of General Eisenhower's remarks which have since developed in the press and in congressional and public comment, it seems both appropriate and fair to include at this point in the Record the full and accurate, text of General Eisenhower's press conference statements. I therefore ask unanimous consent that an exact copy of the transcript of General Eisenhower's press conference remarks be printed at this point in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

General Eisenhower's Press Conference Remarks as Taken From the Transcript of the Republican Coordinating Committee Press Conference on Monday, October 3, 1966

Question. You have been asked, before, Sir, if you would use nuclear weapons in Vietnam and I'm not certain that I know what your answer is. Would you tell us?

Mr. Eisenhower. As a matter of fact, I've never been asked that specific question before. I've always been asked about my actions in Korea. I pointed out that the conditions are vastly different. It's very hard to give you a hypothetical question and give an answer in a military situation where you first of all have to look at the situation. When I was in the White House we had almost a monopoly in atomic power and in certain phases of it we did have a monopoly. So that there was a very great respect for what we might do. But I never threatened openly to use atomic weapons then. I said I would no longer be restricted by the sort of gentleman's agreement that there would be no fighting outside the Yalu River and whatever was needed to win that war or make them sign that armistice right now, I would do whatever was necessary and not make promises about restrictions of the weapons that were used. That's the question I've been asked and the way of an answer. Now I don't know how I would fight this war today. I would have to live with it just like anybody else would. The President has to make all the decisions.

I just say this. I would do anything that would bring the war to an honorable and successful conclusion as rapidly as I could so that we could get around to the business of establishing a viable economy and a stable government freely selected by the citizens themselves, and not imposed on them. That is what we're trying to do. It's as much a political war as a military one at the moment and it's a very difficult one. No one is minimizing the difficulties but I nor any other person outside the Administration and bearing the responsibility to all the American people can make any decision as to what should be done.

Question. You would not automatically preclude the use of nuclear weapons?

Mr. Eisenhower. I wouldn't automatically preclude anything. I want to bring out again. When you appeal to force to carry out the policies of America abroad, when you once appeal to force, there is no court above you. The problem is you said we're going to do this and here we're going to impose our will. Our will here is to support the people who want to be free and not going to be dominated by Communism. All right, as long as we have to do that, let's do it in whatever way that is necessary.

Question. General, do you think the Johnson Administration has precluded the use of nuclear weapons?

Mr. Eisenhower. I don't know. I'm not sure. There are always very broad political questions as well as military. But they have to make that decision themselves. On that particular point I don't think they've ever asked me my opinion.

Question. Mr. Eisenhower, you said you would do whatever is necessary to win in Vietnam. Should we interpret it that you don't think that everything is now being done?

Mr. Eisenhower. No, you can't infer anything. I'm saying this. I'm not trying to set up myself as a competent authority to criticize the Administration. Let me point this out. Suppose I could get 55 percent of the population of America to agree with me in some program that was inimical to what the President is now trying to do. He still carries the responsibility, my friends, and I would be doing the greatest disservice to the United States that anyone could believe in or could imagine. So, I go and give my advice whenever it is requested and I just say what I would do if I had the responsibility. Just as soon as I could I would bring this to a conclusion. Because, as Senator Dirksen pointed out, there is the blood of a lot of young men that's involved and whenever we have had casualties. America has had casualties, in order to carry out the policies of America abroad, American as a whole has made it the first order of business to get that war done first. I don't care. You can bring up all the programs that have to do with welfare and space and all the rest. Everything must take a back seat to winning the war and that's what I believe in.

Mr. DIRKSEN. Mr. President, it seems equally appropriate and fair, because of General Eisenhower's repeated emphasis upon his support of President Johnson in his conduct of our foreign affairs, that I ask unanimous consent that the text of President Johnson's comments on this issue, as made yesterday in his press conference, also be printed at this point in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Oct. 7, 1966]

POLICY ON VIETNAM

(President Johnson's press conference remarks as taken from a transcript of his remarks on Thursday, Oct. 6, 1966)

Mr. Lisager (question). Former President Eisenhower has said we should use whatever is necessary not excluding nuclear weapons, to end the fighting in Vietnam.

What do you think of such a proposal?

Answer. Without passing on the accuracy of your quotation of President Eisenhower, I would say it is the policy of this Government to exercise the best judgment of which we are capable in an attempt to provide the maximum deterrence with a minimum involvement. The easiest thing we could do is get in a larger war with other nations.

We are constantly concerned with the dangers of that. At the same time, we have no desire to capitulate or to retreat. So it has been the policy of your present Administration to provide the strength that General Westmoreland felt was necessary: to prevent the aggressor from succeeding without attempting to either conquer or to invade, or to destroy North Vietnam.

Our purpose is a limited one and that is to permit self-determination for the people of South Vietnam. We are going to be concerned with any effort that might take on more far-reaching objectives or implications.

Mr. DIRKSEN. Mr. President, finally, because of its objective and helpful assessment of this question, an editorial from the Baltimore Sun of October 5 deserves the attention and consideration of the press, the Congress and the public. I therefore ask unanimous consent that the full text of that editorial also be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

NUCLEAR STRATEGY

Against the background of his own earlier remarks about the Korean war of 1950–1953, former President Eisenhower's comments on the war in Vietnam are less startling than they seemed at first glance. In the first volume of his presidential memoirs, General Eisenhower reported on a talk he had with President Truman shortly after the start of the war in Korea. He wrote that he said to Mr. Truman:

"Our nation has appealed to the use of force. We must make sure of success. We should move quickly to the necessary level of mobilization and begin at once to concentrate and use whatever forces may be required."

If this sounds familiar it is because it is substantially what General Eisenhower said last week during a press conference in Chicago, and again on Monday in Washington, with respect to the war in Vietnam.

After he had become President himself, and the negotiations for an armistice in Korea were dragging inconclusively, General Eisenhower wrote in his book that he came to the conclusion that "definite measures" were needed to halt this intolerable condition.

"One possibility," he wrote, "was to let the Communist authorities understand that, in the absence of satisfactory progress, we intended to move decisively without inhibition in our use of weapons, and would no longer be responsible for confining hostilities to the Korean Peninsula. We would not be limited by any world-wide gentleman's agreement. In India and in the Formosa Straits area, and at the truce negotiations at Panmunjon, we dropped the word, discreetly, of our intentions. We felt quite sure it would reach Soviet and Chinese Communist ears. Soon the prospects for armistice negotiations seemed to improve."

In other words, this was intended to be a notice that the United States would not bar the use of nuclear weapons to bring the Korean war to an end. (The Soviet Union had tested its first atomic devices by that time: Red China, of course, had not.)

There is no conclusive evidence in the Western world that the warning in itself caused the Communist side to take a more amenable position toward an armistice. The late John Foster Dulles, who was then Secretary of State, let it be known in Washington that he thought the warning had reached the right persons and was a factor in the Communist action. General Eisenhower, in his book and in subsequent comments, showed his own agreement with the Dulles thesis.

General Eisenhower would seem to have somewhat the same thing in mind now with respect to Vietnam. He is saying that he would not "automatically preclude anything" necessary to bring the war to an end. He would not publicly promise that the United States would not use nuclear weapons under any circumstances in Vietnam.

Former Gov. Thomas E. Dewey of New York, a lawyer as well as a politician, made this comment on General Eisenhower's statement: "I don't believe he was really recommending the use of nuclear weapons. He was simply saying that you don't inform the enemy on what you intend to do."

President Johnson has shown by his actions thus far, as well as by his many statements, that he intends to bring the war in Vietnam to an honorable conclusion without using nuclear weapons. He has not threatened to use them but he has not publicly or "automatically" excluded them. Nor did President Truman during the Korean war.

Thus the present discussion of what General Eisenhower said about nuclear weapons, and what can be inferred from his words, has little real application to the facts in Vietnam. The discussion could be damaging to the United States position if it causes others to think there is any substantial sentiment in this country for the use of such weapons or for an expansion of the war.

ARTICLE BY VICE PRESIDENT HUBERT H. HUMPHREY ON "THE SHIRT-SLEEVES WAR IN VIETNAM"

Mr. MONDALE. Mr. President, most of what we read, see, and hear as regards Vietnam concerns the battle of bullets and bombs, of armed combat in the jungles, mountains, and rice paddies.

But there is another "war" being waged in Vietnam. It is the fight to help the civilian population to attain a higher standard of living. It is part of mankind's oldest effort—against disease, illiteracy, and hunger. In this fight, almost all Americans see eye to eye. Few among our people are opposed to the humanitarian aid we are providing to a nation which, for more than 20 years, has been torn by war.

The American men and women who are engaged in this peaceful struggle deserve our highest praise. Their sacrifice, skill, and diligence are well described in an article by Vice President Hubert H. Humphrey in the April–June 1966 issue of the Civil Service Journal. The article is entitled "The Shirt-Sleeves War in Vietnam." It is based upon the Vice President's personal findings during his trip to Vietnam, in addition to subsequent information which he has compiled.

In an attached statement, the Vice President has specifically commended personnel of the Agency for International Development in that embattled land.

I ask unanimous consent that the text of the Vice President's article including his tribute to AID personnel be printed in the Record.

There being no objection, the article and tribute ordered to be printed in the Record are as follows:

SHIRT-SLEEVES WAR IN VIETNAM

(By Hon. Hubert H. Humphrey, Vice President of the United States)

When I went to Vietnam at the direction of the President last winter, a high official of the South Vietnamese government said to me on the plane from Honolulu to Saigon: "We are 12 years late . . . but it is not too late."

He was referring to the reforms needed to give his 15 million people a better life. He was looking beyond the war which has ravaged his country. What gave him hope were advances under the new development program, the agricultural advances, the 2,300 schools built, the 6,200,000 textbooks printed and distributed in the past 3 years.

He has reason for hope. Throughout Vietnam there are visible signs of progress—a new well dug, a clinic constructed, a school roofed, a fish pond stocked. In themselves they may not seem much, especially in relation to the needs. But they are steps in the right direction.

The United States is helping take those steps too. During fiscal year 1966 the Agency for International Development, which administers economic assistance, committed $729 million in aid, including agricultural products distributed through the Public Law 480 Food for Peace program.

AID maintains its largest mission in Vietnam. More than a thousand Americans are directly hired or under contract. They, and the 1,600 Vietnamese and 300 citizens of other Free World countries who are employed by AID, are fighting what has been called "the other war in Vietnam." I call it "the shirtsleeves war." Through personal observations and staff assistance I have pulled together some information on that war and the dedicated freedom-loving civilians who are fighting it. I know firsthand how vitally important their battle is—and I saw how doggedly they are waging it. Their efforts, their resourcefulness, their bravery, and their determination fill me with pride—which I want to share with others.

"THERE IS NO LIMIT . . ."

AID's headquarters are in Saigon, but most of the work is done in the provinces. AID has assigned a representative, and in most cases an assistant, to direct the AID program in each of the 43 provinces.

The "prov rep" is the American AID man who, more than any other, makes it possible to say, "we are not too late." An AID prov rep must be a little of everything. He knows how to fill out an invoice for a bulk shipment of steel bars and cement, and he knows how to build a makeshift wheelchair for an invalid child. He can compose and dispatch clear reports to Washington and he can teach tribal women how to cook bulgur wheat. He can live for days in a cave if he has to, and he can breathe underwater through a straw in a rice paddy.

There is no limit, it seems, on what an AID man must do in Vietnam. One moonlit night last year, Sanford (Sandy) Stone, of Cleveland, Ohio, a Deputy Regional Representative for AID, found himself sitting in a mortar pit, hoping the Viet Cong would agree with him that it was too beautiful—and too brilliant—a night to fight.

"I kept saying to myself," he said in telling about it later, "Stone, you spent 21 years in the army: What are you doing here as a civilian?"

The village of Song Be had been attacked the week before; the AID Provincial Representative had been sent back to Saigon with the body of his murdered Filipino assistant, and Sandy had been sent in to see what he could do to help the townspeople recover from the assault. Sandy saw to it that food was shipped in from Saigon, enlisted four volunteers to restring the electric power lines, recruited more people to lay enough water pipe to supply the hospital and provincial headquarters with water.

With the assistance of a Vietnamese officer he assembled work crews, offering wages of one AID can of cooking oil a day per man.

"We've got to do something to change the scenery around here," he told the people. The workers appeared—men, women and children—and within a couple of days shattered stores had been cleared away, and a bomb crater filled in. Roofing provided by AID covered the town market and the remaining damage was erased.

The work helped morale, Sandy said. "There's a psychological uplift," he said, "in people doing something for themselves like building a market. If they put their own effort into it, it means that much more."

Other problems arose. The hospital had no food, so Sandy arranged for rice and vegetables. Dead Viet Cong lying around the countryside were breeding grounds for diseases that could be spread by flying insects. Sandy requested DDT teams.

About 5 days after the attack, intelligence reports came to the defenders of Song Be that two Viet Cong battalions were returning to finish the job their companions had muffed earlier. Every man was called for guard duty, and Sandy, a veteran of World War II and Korea who had only retired from the Army in August 1963, found himself back in a set of fatigues in the mortar pit in the American military compound.

"Fortunately," he said, "it was a beautiful, moonlit night. If I had been in charge of the forces attacking, I would have called it off." The Viet Cong apparently felt the same way because they never came.

Sandy has expressed the situation well.

"In Vietnam," he said, "we are faced with a new kind of war where a purely military solution is impossible. Unless military action is combined with social, political, and economic improvements so the rural people are given a stake in their country worth defending, there can be no permanent victory here over communism."

It is the AID prov rep who brings home to the farmers and the fishermen of Vietnam the understanding that Americans are fighting for more than just military victories, that we are also fighting "the other war"—the war against poverty, ignorance, and disease. We are there not only with soldiers, sailors and airmen, but with nurses, teachers and farm experts.

Last year, AID medical personnel assisted the Vietnamese in administering 23 million inoculations for cholera, smallpox, the plague, and other diseases—enough for one and a half shots for every man, woman, and child in the entire country. AID has also helped build and stock 12,500 rural health clinics—an average of one for every hamlet. More than 9,000 elementary and secondary school classrooms have been added. To grow better crops and increase farm income, AID has helped distribute nearly 100,000 tons of fertilizer under the Vietnam Government's credit fertilizer program.

All of these statistics point in one direction: nation-building. The opportunity to help save and build a nation is the real challenge for the United States in Vietnam. It is a challenge of enormous proportions. Even without a war, the task would be an awesome one. The average Vietnamese has an income equivalent to $115 a year. Less than half the people can read and write. There are only 200 Vietnamese civilian doctors.

To relieve this situation, AID hires its own doctors when it can, gets help from the Public Health Service through doctors on loan, and finances a program started last summer called Project Vietnam. Under this program, American doctors can volunteer for 60 days' service in a Vietnamese provincial hospital. The dollar cost of AID's health programs this year will be about $45 million.

One of Project Vietnam's volunteers, Dr. Martin Funk of Park Ridge, Ill., reported to the 66-bed hospital in the city of Kontum in central Vietnam's remote highlands to find only one Vietnamese doctor available to treat the needs of the 74,000 citizens. There was no clinic for outpatient treatment.

"My primary concern in medicine is to keep people well," Dr. Funk said. "I am interested in controlling ailments in their early stages so people don't have to go to the hospital." That's why he decided to begin an out-patient clinic.

"I started with nothing," he said. "No interpreter, technicians, nurses, or medications." He got an extra room in the hospital for his clinic, painted it, and put in fluorescent lights and running water. A United States Army doctor stationed in Kontum volunteered to help with the clinic.

"We started with a couple of bottles of pills and 20 patients," he said.

News about the clinic began to spread. In less than 2 months Dr. Funk was handling as many as 121 patients in a single morning.

Weekends, Dr. Funk went to villages in the province with American soldiers to hold sick call. Some of the villagers had never seen an American before.

"Usually when we went into a village, they would seem apprehensive," he related. "But after 5 or 10 minutes, they would start to relax and by the time I left, they would be very amiable."

"We would always try to leave the message with the people that if they were ill, they should come to the clinic for care."

Many of them did come, including Viet Cong prisoners brought in by the police. Their diseases included pneumonia, arthritis, tapeworm, diarrhea, and tuberculosis.

"I think I have seen more TB here than in my entire practice at home," he said.

Why did a successful doctor with a comfortable practice in the heart of America volunteer to travel halfway around the world and put himself in the middle of a remote and primitive society, hundreds of years behind all that he was accustomed to? Dr. Funk says he went to Vietnam "because there was something to be done, and I wanted to help."

A MILLION REFUGEES

The battle to overcome the problems that beset the Vietnamese is made more difficult by the swelling numbers of refugees. The fighting has created almost 1 million refugees—mostly women and children who have been forced to flee from their homes. AID men and women help these refugees at first to maintain themselves, and then to find new homes. There are 235 refugee camps in the country, mostly in the coastal areas.

Through the Government of Vietnam, AID sees that foodstuffs are distributed, that tin roofing is put up over the new homes, that latrines are dug and clinics established. Already nearly 500,000 refugees have been resettled through AID's assistance.

Frank Wisner, 27, a native of Washington, D.C., is one of the AID employees helping the refugees. In a small camp 55 miles from Saigon, he works side by side with the Vietnamese.

"When I first came here, the people wouldn't talk to me," he said. "They didn't know what to think, being forced out of their homes and thinking they had nowhere to go. I speak Vietnamese, and now that they know I am here to help them, they talk to me all the time."

The farmers Wisner referred to were part of 25,000 refugees in Dinh Tuong Province, the scene of some of the fiercest fighting in the Delta south of Saigon. Wisner is assistant provincial representative, and he sees to it that the refugees get clothing, food, medical care, housing, and finally the means to earn a living. For one family he helped establish a small furniture-making operation so that they could earn their own living on the market.

To the north, in the port city of Danang, another provincial operations officer is equally successful in quite a different way. Roger Burgess of Holyoke, Mass., is a former vice president of the Amalgamated Transit Workers Union. He reported for duty in Vietnam last September. Vietnamese newcomers are not Burgess' major problem, but the sudden arrival of thousands of American military personnel has created heavy demands on the city's transportation, electricity, and garbage disposal systems. A community relations council has been established to help iron out differences, and Burgess has helped increase the cargo handling ability of the port.

At a recent livestock fair in Danang, Burgess says, American pigs were the biggest hit. Burgess plans to distribute another 300 of them around the farming outskirts of Danang before the end of spring. AID's so-called pig-corn program has been one of the Agency's outstanding success stories. It was started in 1963 by a former chairman of the Federal Farm Credit Board, Earl Brockman, poultry farmer from Idaho. The program is a joint effort of the National Federation of Agricultural Cooperation Associations of Vietnam, which distributes supplies and offers credit to buy the pigs. The AID Mission provides cement for the pigsties and surplus feed grains for the pigs. The program has put tens of thousands of Vietnamese farmers into the pig-raising business. The cost to AID is about $6 per family for the concrete. The feed comes from Food for Peace stocks.

Here is another example of the way AID's prov reps work:

In Kien Phong Province, which is an area along the meandering Mekong River, prov rep Robert M. Traister of Liverpool, N.Y., received a visit from a village elder named Nguyen Van Tram. A former chief, Van Tram had earlier been kidnapped by the communists who sliced off his index finger and sent it to his wife in a ransom demand. He was ransomed, but before he was released, the Viet Cong told him they would kill him if he "worked for the enemy."

This didn't stop Nguyen Van Tram. He decided to work even harder for his people. He took a 40-mile trip down the Mekong to the capital of Cao Lanh, and there he looked for AID's Bob Traister. He asked Traister for AID's help in building a school for 600 children. Van Tram said that if AID would furnish the building materials, he would donate the land. The property he gave was worth about 10 years' pay for an average Vietnamese.

Soon Van Tram and Traister were on a boat with a supply of cement, steel, and roofing. Back at the hamlet of Phu Loi where Van Tram owned his property, the people were told of the joint project and immediately pitched in. The combination of AID materials, the village elder's land, and the people's own labor built a 2-room schoolhouse. Today a new 3-room addition is under construction.

This may seem like a little bit—two rooms and another three rooms—for a country that is embroiled in a life-and-death struggle and that needs almost everything. But it is this spirit of cooperation, this sacrificing and this working together that will bring victory in this "other war" we are fighting.

A demonstration project I visited in Vietnam was staffed by teenagers from the Eighth District of Saigon—a badly rundown slum, the worst in the city. Under the leadership of those students, however, a group of refugee families had converted what had been an abandoned and water-filled graveyard into an attractive and orderly neighborhood of new homes. A community center and a new school were being built, and local officials had been elected by the people.

Sometimes success with needed projects can, instead of easing the burdens, actually make more work for the prov rep. One man who had a particularly large influx of refugees in his coastal province had to work night and day to help reestablish them in new homes nearby.

That same prov rep—Richard Kriegel of Arlington, Va.—once slept five nights alone in an abandoned hamlet to prove to the former inhabitants who had fled that the Viet Cong were not in control and that they, the owners of the homes, could return.

Americans like Kriegel are strengthening the Vietnamese people's faith in themselves and their will to resist communist domination.

AN ABUNDANCE OF COURAGE

This is hard and often dangerous work. For their Vietnamese counterparts, it can mean death. In 1965 alone, 354 of the Vietnamese engaged in rural development were assassinated; 500 were wounded. Since 1958, the Viet Cong have assassinated or kidnapped 61,000 village leaders and government representatives.

The Agency for International Development has not gone unscathed. Back in November 1960, a public safety advisor, Dolph Owens, on his way to conduct a class at Vung Tau on the cost was set upon by marauders about 7:30 a.m. and riddled with bullets. Another casualty was Joseph Grainger who, driving to a sugar cane experimental station 2 years ago, ran into a Viet Cong roadblock. As he tried to escape, his car was shot up and he was captured. Months later, he managed to elude his abductors only to be found by them days later hiding in a rice paddy. Once more trying to escape, he was murdered by the Viet Cong. Secretary of State Dean Rusk, in awarding Grainger's widow a posthumous decoration for bravery, paid high tribute to the deceased. "Peace has its heroes as well as war," said the Secretary. Grainger's body was recently recovered and given a military burial at Arlington Cemetery.

One particular aspect of the Grainger tragedy concerns the abortive attempt of the V.C. to exploit their captive. After the kidnapping, the V.C. tried parading Grainger, manacled, through the streets of the surrounding villages, telling the people: "Here is that imperialist American who was trying to exploit you." The V.C. soon were forced to give up their idea for propaganda and instead threw Grainger into solitary confinement. Instead of arousing anti-American sentiment among the villagers, he stimulated in return such statements as, "No, this is not a bad man. He has been our friend. He has been here before, and he helped us build this water well so we don't have to go all the way to the river for our water."

Half a year after Grainger was cut down in the rice paddy, Jack J. Wells was killed when the small plane in which he was riding was hit by Viet Cong ground fire and crashed.

When I was in Vietnam this past February I had the honor to accept the posthumous decoration bestowed by the Government of Vietnam on Peter Hunting, a young (24 years old) and dedicated worker with AID, a member of the International Voluntary Services, which under contract to AID, sends volunteers to underdeveloped countries around the world. Peter Hunting was killed by the V.C. last November in a province near the border of Cambodia. The Government of Vietnam wished to honor him in absentia for his efforts to help the people, and when I was there, I felt highly privileged to be able to accept the honor.

A year ago, a contract employee working for AID, John Cone, was cut down by the Viet Cong. Many AID men have had remarkably close calls. A prov rep, Travis King, escaped death during the V.C. attack on the provincial capital of Song Be by hiding out in another house just before they arrived. His assistant, a Filipino, who stayed behind to finish a letter to his wife, was killed.

Other men working for the AID Mission in Vietnam under contracts rather than as regular employees who have been killed by V.C. action include Max Lee Sinkler (April 1966), Jerry Rose (September 1965) and Clyde Summers (January 1962). In all, eight AID men have given their lives in this shirtsleeves war.

Two of AID's people now are in the hands of the Viet Cong. Gustav Hertz, who had headed the public administration division of the AID Mission to Vietnam, was captured in February 1965 while riding his motorbike just outside the city limits of Saigon. He has not been heard from since. The other, Douglas Ramsey, was one of AID's prov reps. Trying to deliver a truckload of rice far in the hinterland, he was halted by V.C. firing which wounded the driver of the truck. He was last seen in January being led away with his hands in the air.

Eleven have been wounded, some severely. The day after Christmas last year Tony Cistaro, an AID prov rep, suddenly found himself spread along a dirt road "with my legs in my lap." His jeep had struck a mine and was blown into the air. The U.S. Army major with him was killed instantly. A sergeant died on the way to the hospital. Tony survived, he is convinced, principally because the Viet Cong who had set off the mine thought he was already dead. Only half-conscious, he heard them rummaging around among the wreckage and then shortly one of them rolled him over, took his wallet and his watch, saying, "Cung chet" which means "also dead." Tony is in the U.S. Naval Hospital at Bethesda and will be there for many more months.

Despite his wounds, Tony wants to return. He says, "The greatest reward I've ever had is doing the work out there. No money they could pay me, no medals they could pin on me could ever match the satisfaction I got from the thanks of the Vietnamese people. They didn't have to say a word. I could see the appreciation in their eyes."

Vietnamese counterparts of Americans have been targets of the V.C. In the past 5 years, 13 malaria control workers have been killed and more than 150 others have been wounded or kidnapped. Still, the joint AID-Vietnam malaria control program is one of the most successful in that country. Begun in 1958 by AID technicians, it has now extended to include 83 percent of the population—people who are protected against the disease.

Vietnamese malaria teams have been trained and guided by people like Ray Collins, of Turners Falls, Mass., a malaria specialist with the AID Mission. Collins, who often travels into remote areas to observe the work of spray teams, has been fortunate. He has had no close calls with the Viet Cong in more than 4 years of service in Vietnam. His area of responsibility is the northern part of Vietnam from the demilitarized zone south past the port of Danang to the populous province of Quang Ngai. It includes rugged mountains along the Laotian border, where primitive mountain tribesmen live in villages near remote U.S. Army Special Forces camps, and the rich, rice-growing central lowlands.

The increasing intensity of the war has raised new problems for malaria control. Areas occupied by the Viet Cong cannot be sprayed, and people moving in and out of these areas spread the disease. The Viet Cong troops coming from North Vietnam also bring malaria with them.

One new program under consideration is to have the spray teams and malaria technicians work in areas that have been cleared by the U.S. military of Viet Cong control. This would enable the teams to become a useful part of assistance programs designed to regain the confidence of the people in their government, and to work as well in areas that may previously not have been sprayed. AID will provide the sprayers and supplies for the teams and part of Collins' responsibilities will be to see that they get there when needed.

A man who travels far and works out in the field with the people, Collins knows the advantages and the responsibilities of having to make decisions on his own. His kind of resourcefulness and initiative is what is needed in Vietnam, for much of the work is done in the provinces and programs must be organized from the bottom up.

FOR PEACE AND PROGRESS

One of the most impressive features of AID in Vietnam is its decentralization. It does not insist on a headquarters, either Washington or Saigon, which must plan every move and, in so doing, possibly delay needed reforms. AID has its own internal strengths—its employees and their resourcefulness heading the list.

Sam Wilson, one of the top men in the provincial operations in Vietnam, said to me that the AID program is like cement. It brings together and it holds together the Vietnamese people and their government; both of them put something into the program to make it work. The Declaration of Honolulu pledges to make it work. That document says that "we are dedicated to the eradication of social injustice," and I say that document is a blueprint for peace and progress under freedom.

But the job cannot be done without dedicated motivated Americans who are willing to help fight the shirtsleeves war in all kinds of ways. AID needs agricultural advisors, teacher education advisors, sanitary engineers, and controllers and auditors for Vietnam. AID also needs doctors, medical technicians, nurses, secretaries, business managers, personnel officers, and specialists in transportation logistics, labor industry, and administration. The need is great—and urgent.

Americans have always responded to the needs of others—a characteristic that has made us a great people, a great Nation. And, despite the dangers and hardships that go along with helping the people of Vietnam, American civilians are there with sleeves rolled up, doing battle just as surely as our military people are.

It's an unbeatable combination.

THE VICE PRESIDENT'S TRIBUTE TO AID PERSONNEL

During my visit to Vietnam, I was deeply impressed by the sacrifices brave Americans are making—both in the war of the battlefield and in the other war against human misery. I saw at firsthand what American courage and resourcefulness have achieved on both fronts.

Truly, our men in uniform have added to the laurels of our highest military tradition. But so, too, Americans in their shirtsleeves have accomplished near-miracles—helping Vietnamese civilians to build and rebuild their shattered society. AID personnel have gone wherever they are needed, enduring every conceivable hardship so as to get their vital job done. I have seen them serve side by side with the peasant and the laborer. They have proven themselves to be the friend of the refugee, the sick, the injured, and the orphaned. AID healing arts personnel have performed countless acts of mercy. AID supervisors have made possible innumerable acts of reconstruction—the digging of new wells, the building of new homes, schools, clinics.

Theirs are peaceful victories. Unfortunately, these triumphs tend to be obscured in the din of battle. Violence dominates the news. Most of what we read and hear from Vietnam still concerns the clash of arms. But what inspiring charters Americans have written in the quiet war against man's ancient enemies—against hunger, illiteracy, and disease.

Our gallant "warriors in shirtsleeves" deserve our people's thanks and the gratitude of men and women of good will throughout the world.

I salute AID personnel. They are upholding America's noblest humanitarian traditions—helping others to help themselves.

DELAWARE WINS NATIONAL SAFETY COUNCIL "FLAME OF LIFE" AWARD FOR SECOND TIME

Mr. BOGGS. Mr. President, the State of Delaware has again been selected to receive the "Flame of Life" Award from the National Safety Council. The presentation will be made on October 26, 1966, in Chicago.

This award is in recognition of Delaware having the best safety program with the best results of any State for the year 1965.

This award takes into consideration all aspects of Delaware's statewide accident safety program—on our streets and highways, on our farms, and in our schools, homes, and industrial concerns.

Delaware has now won this significant award twice. In 1962 it was given to our State for the 1961 activities year.

The Delaware Safety Council deserves special commendation for its outstanding efforts in promoting safety. James T. Ferri is the current president and the council's broad program is under the very able direction of J. James Ashton.

Delawareans have given the council their willing cooperation, and the combination of effort, skill, and dedication has resulted in a safety program and record of which the State can be proud.

I take this opportunity to salute the citizens of Delaware and the Delaware Safety Council. Delaware is known as the First State. I hope it continues to be the first State in safety.

THE "NEW LEFT"

Mr. DODD. Mr. President, a new phenomenon has arisen on the American political scene, and it is one which can no longer be ignored. No longer can we say that the "new left" is simply a vociferous, activist minority, nothing to be truly concerned about, something which will fade away if we only pretend it does not exist.

The "new left" may be a vociferous, activist minority. But such minorities often influence events in a manner far out of proportion to their numbers. Revolutions are not made by disorganized majorities, but by tightly organized and committed minorities. We forget this lesson of history at our peril.

The "new left" has in recent months made a formal entrance on the American political scene. "New Left" candidates have challenged the seats held by incumbent Congressmen in many States. Dorothy Healy, a well-known west coast Communist leader, polled more than 80,000 votes in Los Angeles, and Herbert Aptheker, leading Communist theoretician, is running on a "Peace and Freedom" ticket for a congressional seat in New York City.

The "new left" with which we are faced is many things. In order to place it in proper perspective it is essential that we understand its real nature. A significant aid in understanding it is an article by Dr. Milorad M. Drachkovitch entitled "The New Left in the United States: A Critical Appraisal," which appears in the spring 1966 issue of Western Politica, published at Stanford University.

One thing the "new left" has proven to be is the possessor of a moral double standard. Dr. Drachkovitch states:

> . . . by espousing the cause of Vietcong, they put themselves uncritically on the side, as Albert Camus used to say, of the "privileged executioners". They were ready to advance to excuse all the excesses of the revolutionary fury ("nuns will be raped and bureaucrats will be disemboweled", said Carl Oglesby in his Washington speech, and absolved these atrocities as a "letting loose of outrages pent up sometimes over centuries"), reserving moral opprobrium exclusively for the American side in the war.

Another important factor about the "new left" is its willingness to work with Communists and to accept Communists as members of its organizations. The original Port Huron Statement of the Students for a Democratic Society, for example, opposed communism. It said that—

> As democrats we are in basic opposition to the Communist system. The Soviet Union, as a system, rests on the total suppression of organized opposition, as well as a vision of the future in the name of which much human life has been sacrificed and numerous small and large denials of human dignity rationalized.

But the 1965 annual convention of the Students for a Democratic Society struck this antitotalitarian clause from its constitution. A policy of "nonexclusion" took its place, and full-fledged cooperation with Communists became possible.

David McReynolds, himself a radical, has expressed his view of the "new left" in these terms:

> The "new left" is nihilist, anti-American, courageous, anti-political, anti-ideological, oriented to spontaneity, given to substituting moral cliches for political analysis, deeply moral and, yet, capable of profound unconscious dishonesty.

Dr. Drachkovitch does not underestimate the morality and virtue of many of the young people who participate in various "new left" movements. Their rebellion, however, seems to be a rebellion "without a cause". They know that they want to change American society, but they do not know what they want to establish in its place. In this respect, the Communists stand ready with an answer.

Dr. Drachkovitch concludes his unusually thoughtful analysis as follows:

> A full spectrum of organized left-wing movements—from social democrats to "Maoists" is busy today trying to channel into politically and organizationally much more precise frameworks the energies of the elusive "new left". It would be futile to indulge in political forecasts. Shall we have, "in a year or two, everywhere" a new and powerful Communist party, heralded by the new draft-program of the CPUSA; shall a revigorated social democratic movement emerge; shall the "Maoists" capture the imagination of the young insurgents; can the current fragmentation of leftist groups continue indefinitely? Only the future will tell.

I wish to share this article with my colleagues and ask unanimous consent for its insertion in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE "NEW LEFT" IN THE UNITED STATES: A CRITICAL APPRAISAL

(By Milorad M. Drachkovitch)

"Much of left-wing thought is a kind of playing with fire by people who don't even know that fire is hot."

George Orwell.

"There are unhappy signs of a new populism of the left in which the old Narodnik illusions about the peasants are being applied to students and the poor."

Alasdair MacIntyre.

These last few years we have been witnessing a new phenomenon in American political and intellectual life which is usually termed the "new radicalism" or the emergence of a "New Left," and which, curiously enough, resembles the populist movement among the Russian "alienated" youth in the second part of the last century. In the 1860's and '70's, many among the educated people in Russia, belonging to the socially privileged classes, went "to the people" with consuming fervor and expectation that by making the peasants conscious of their abject material and moral situation, not only the feudal structure of Russian tsarist autocracy would break, but a new, qualitatively superior, communalist society would emerge. Today, in America, on a much smaller scale but with probably no less intensity, hundreds of American students belonging by their social background to the privileged strata of society, go "to the people"—the most economically backward Negro regions of the South, or the slum areas elsewhere in the nation.* Their idea is to organize the poor and underprivileged, to arouse their social consciousness, to build together with them the rudiments of a counter-society which by its justice and democracy will challenge the established order, ultimately destroy it and replace it by a morally and socially superior community.

Nineteenth century Russia with its prohibition of all public organization and public life and twentieth century America with its freedoms of assemblage, speech, organization, and dissent, are, of course, hardly comparable entities and the parallelism between the two populisms outlined in the preceding paragraph should not be pushed too far. The crucial point however, is that a sizable part of the politically most engaged American students feel today "alienated" from society and are rebelling against the "System" or the "Establishment" in all its basic institutional forms: political, educational, cultural. Moreover, the revolt of young American populists is characteristically spreading: from the "closed society" in Mississippi it engulfed the most open campus in California; from the limited field of civil rights in one part of the country, it passed to assail the basic tenets of the country's foreign policy and then, with a sort of self-righteous fury, ended by attacking, or more correctly indicting, the very foundations of American society.

It should be immediately added that the old, the conventional revolutionary force in this country, the organized and disciplined Communist movement, contributed little to the emergence of the "new radicalism," rather becoming in the process a sort of "fellow traveller." It still tries, as will be seen later, not so much to capture the movement as to channel it in a direction which at a later stage should allow the Party to assume leadership. In fact the ideological founding father of the new radicalism, the late C. Wright Mills, professor of Sociology at Columbia University, was a non-Communist (though a vigorous anti-anti-Communist), as is its most popular anti-Establishmentarian today, the crypto-Anarchist writer Paul Goodman. Moreover while the Communists are essentially political revolutionaries and ideological monochordists, the new radicals are, or pretend to be, more versatile and protean: their "revolution" is much broader, for their concept of liberation is both social and individual, their claims for freedom are unlimited (the concept of unrestrained sexual freedom or sexual "rights" being one of the fundamental tenets of their faith), their methods of raising Cain and their cursing of the social status quo particularly shrill. It is little wonder, then, that the new radicals are often more vituperative than the Communists, and that in many instances the Communists appear tactically moderate in comparison with these obstreperous newcomers in left politics. One could say that for many new radicals the Communists are old hat sort of ideological squares, dull, and by their own orthodoxy an inverted picture of the bourgeois world.

MULTIPLE ASPECTS OF THE "NEW LEFT"

The very character of the "New Left" is "elusive" as was obvious to any attentive listener at a conference on new radicalism organized recently at Stanford University. For the analytical purposes of this article, the phenomenon of the "New Left" will be illustrated by referring to its two most prominent and militant organizations: the Student Non-Violent Coordinating Committee (SNCC) and the Students for a Democratic Society (SDS). The first group has distinguished itself by its struggle for multiple Negro emancipation in the South; the other has been most involved in "community" work in the slums elsewhere in the country. Both groups, however, share a global interest in all the problems of the day, both nationally and internationally. It should be immediately added that since both of these organizations are not "monolithic" in the Communist sense of the term, and since—particularly in the SDS—there are members and groups with sharply divergent views on many questions, the analysis that follows cannot and does not pretend to cover all these shades of opinion. The attention, therefore, will be centered either on the official pronouncements of the organization, or on the statements and attitudes of its most prominent leaders.

In a similar vein, the purpose of this article is not to probe the motives, personal or social, which have prompted the participants in these organizations to commit themselves to the work they are doing. A high degree of idealism and a strong motivation characterize the new American radicals; without these qualities they would not have become a noticeable social and political force, and would not have created the new political atmosphere on American campuses which influences many more students than the actual membership of the SNCC or SDS.[1] Strong motives and personal idealism are, however, only one side of the coin. The other side consists of no less typical traits of the movement, which in the last analysis are or may be of greater significance. What we have in mind, and what is analyzed below, are the following three components of the professedly non-ideological activism of new radicals: (1) their negative and quasi-nihilist attitude towards the values and achievements of the American society and even of the Western civilization; (2) the utopianism of their goals and the extreme vagueness of their means; (3) their truly radical contempt for the political experience of the past, on both national and international levels. We will see, then, how the "old" Left tends to capitalize on a movement which knows better what it rejects than what it would like to create.

A SOCIAL ORDER TO BE DESTROYED

The attitude of total criticism and rejection of all the hard-won freedoms and values of present American society is constantly on the pen, or the tongue, of the leaders of the SDS. According to its angry founder, Thomas Hayden, "the most respected and enlightened Americans are among the most barbarous";[2] Hayden is echoed by Carl Oglesby, the president of the SDS, who states that "Given the culture of Pepsi Capitalism, anyone who does not feel *unheimlich* (not at home—Ed.) here is either a nut or a scoundrel."[3]

One may take these utterances for what they probably are: the oral bravadoes of young bourgeois who, after having discovered the "guilt" of their class, want to shock their ilk by writing preposterous aphorisms. To shrug one's shoulders after reading such prose does not advance much the understanding of what the leaders of the movement want to convey to their followers. It is therefore necessary to outline, in briefest form, the process and reasons (or rationalizations) of their emotional and intellectual estrangement from their milieu.

The first official statement of the SDS, drafted by Hayden, and adopted at the founding convention of the movement in Port Huron, Michigan, in June 1962, singled out two elements that had prompted a new generation of American students to pass "from silence to activism." One was "the permeating and victimizing fact of human degradation, symbolized by the Southern struggle against racial bigotry"; the other, the contradiction existing between the official peaceful intentions of the United States and "the economic and military investments in the Cold War status quo." The discovery, then, of the "hypocrisy of American ideals" came as a determinant of political alienation in a society found morally reprehensive.[4]

This critical mood became in subsequent years increasingly morose and the dissatisfaction with the societal order and values more pronounced. The rebellion at Berkeley in the fall of 1964 was its most spectacular expression. A year later, on November 27, 1965, before tens of thousands of peace marchers in Washington, D.C., Carl Oglesby made an impassioned speech linking casually "our anti-Communist corporate liberalism" and its guilty prosecution of the war in Vietnam.[5] The speech, which a reporter called "the electric moment of the afternoon"[6] and an American "Maoist" publication chose for special reprinting,[7] epitomized the entire phenomenon of the now head-on, frantic "insurgency" (Tom Hayden's word) of the new radicals against the American "system." The domestic struggle for liberation in the South, and the struggle against the American efforts to defend freedom in Vietnam and throughout Southeast Asia, were fused into one whole; the common roots of injustice in the South and "imperialism" in Asia were to be found in the American economic and political establishment; the Cold War villain, not only in the present phase but even from the outset, was the U.S. military-corporate order.

The war in Vietnam became indeed the catalyst of emotions and militancy of the

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*It is doubtful that Karl Marx would be pleased if he could learn that one aspect of his early teaching—the concept of alienation—has become today in the United States, the most industrialized country in the world, the battle cry not of the working class in whose name Marx was making his ideological pronouncements, but of the middle class students and intellectuals who never enjoyed his sympathy and for whom he had nothing but contempt.

[1] In an article entitled "New Left: Background of the Young Radicals," written by Michael Munk, several interesting data are given: "After more than 5 years of incubation, this movement of up to 200,000 young Americans is beginning to emerge. . . . It bursts upon the national scene through a spate of worried presentations in the mass-circulation establishment press immediately following its mobilization of 25,000 persons in Washington April 17 to protest the Vietnam war. . . . What strength it has already mustered makes the new left the most exciting and potentially powerful political phenomenon in U.S. radical history since the rapid growth of the Communist Party in the 1930's. . . . The organizational membership of the new left (including youth groups oriented toward the old left political parties) is no more than 12,000, with perhaps an equal amount of the active periphery. But its impact and influence on other members of its age group have led to estimates (Prof. Amitai Etzioni) that 4 percent (or 200,000) of all college students are committed in varying degrees to today's radicalism." *The National Guardian*, September 18, 1965.

[2] "The Politics of 'The Movement,'" essay published in *The Radical Papers*, Irving Howe ed., Garden City, N.Y.: Doubleday & Co., 1966, p. 350.

[3] *American Dialog*, New York, March–April, 1966, p. 12.

[4] cf. *The Port Huron Statement*, published by Students for a Democratic Society, New York, 1964, p. 3.

[5] The full text of Oglesby's speech was published in *Biweekly Information/Action Report*, issued at Ann Arbor, Michigan, n.d. The quotes of the speech in this article are taken from that source.

[6] Andrew Kopkind, "Radicals on the March," *The New Republic*, December 11, 1965, p. 19.

[7] *Monthly Review*, New York, January 1966.

"New Left." In distinction, however, from the usual critics of the Johnson administration's policy, who argued for its change from the standpoints of realism, anti-globalism, neo-isolationism, pacifism, international morality, and so on, but who were aware of the ferocity and the Communist-dominated character of Vietcong, and behind them the threat of Maoist China, the new radicals chose to see in the Vietcong the bearers of an authentic revolution. Moreover, by espousing the cause of Vietcong, they put themselves uncritically on the side, as Albert Camus used to say, of the "privileged executioners." They were ready in advance to excuse all the excesses of the revolutionary fury ("nuns will be raped and bureaucrats will be disemboweled," said Carl Oglesby in his Washington speech, and absolved these atrocities as a "letting loose of outrages pent up sometimes over centuries"), reserving moral opprobrium exclusively for the American side in the war. In the same vein, in its statement on Vietnam, made on January 6, 1966, SNCC found no difference in the death of civil rights workers in the South and "the murder of people in Vietnam," and indicted in strongest possible terms the U.S. policy: ". . . our country's cry of 'preserve freedom in the world' is a hypocritical mask behind which it squashed liberation movements which are not bound and refuse to be bound by the expediency of the United States cold war policy."[8] Likewise, in his Vietnam day speech on the Berkeley campus, on May 21, 1965, Mario Savio saw in the Vietnam's National Liberation Front a counterpart to the Berkeley "Free Speech" Movement,[9] while Yale Professor Staughton Lynd chose of all places, Hanoi (where he went, illegally, early in January of this year, in the company of Thomas Hayden and Herbert Aptheker, chief theoretician of the United States Communist party) to denounce U.S. barbarous aggression in Vietnam."[10]

It is only natural that when one works oneself into such a state of frenzy and dissatisfaction with one's own society, one rejects all the gradualist, reformist approaches to change it. Here, then, becomes manifest one of the most characteristic aspects of the "New Left": its fundamental critique of both liberalism and the "old" radicalism. For Thomas Hayden the welfare state is nothing but a "myth," for "the entire reformist trend has weakened the poor under the pretense of helping them and strengthened elite rule under the slogan of curbing private enterprise."[11] In a particularly bitter polemic with Bayard Rustin (a leading figure in the "old" radical movement who went to jail for his pacifism), Norm Fruchter, an editor of the *Studies on the Left*, most influential and quasi-official intellectual organ of the "New Left," attacked "this band of arrogant and comfortable radicals." Their major sin, in Fruchter's eyes, is their willingness to engage in coalition politics and to advocate slow, positive, piecemeal change of American society toward Socialism.[12] "To students and organizers in the new movement," wrote an editorial of the *Studies on the Left*, "these older radicals seem suspiciously accommodated to the society that must be destroyed."[13]

This sentence summarizes largely a consensus of the "New Left": the present form of American society has to be *destroyed*, and to this effect all the known and tested socio-political approaches to change—liberal, socio-democratic, not to mention conservative, or plain constitutional—must be rejected. But if the new radicals formulate with such heated conviction what they do not want, what positive alternatives do they offer?

AN AMERICAN UTOPIA

The picture that emerges here is not only ideologically and politically confused, but the authoritative speakers of the "movement" are extremely vague and less than sanguine concerning their chances of success.

The "Port Huron Statement," to start with one of the earliest declarations, hailed a new concept of "participatory democracy," and pledged for the SDS a struggle to "replace power rooted in possession, privilege, or circumstance, by power and uniqueness rooted in love, reflectiveness, reason, and creativity."[14] One does not have to be a "new radical" to subscribe to the nobility of such a vision. But it is hardly enough to serve as a guide to concrete political, and still less, revolutionary action. Aware of the necessity to give to the Movement a firmer programmatic as well as sociological base and a more effective organizational strategy, the leaders of the SNCC and SDS, have been busy trying to find new concepts and build new vehicles of change. One expression of these preoccupations was the creation of the Mississippi Freedom Democratic Party, which by its challenge to the regular Democratic Party delegation from Mississippi at the 1964 Democratic National Convention, acquired national prominence. The election of a SNCC field secretary, Julian Bond, to the Georgia state legislature in June 1965 was another example of an attempt to build new political bodies and to elect non-conventional political figures in opposition to all the existing channels of power, as well as to the organizations devoted to changing the status quo step by step. These include the older predominantly Negro civil rights movements, National Association for the Advancement of Colored People—NAACP, Congress of Racial Equality—CORE, etc.—indeed all the organizations which started the civil rights movement and have won the only real victories that have been won, gathered the only real mass force, and awakened the conscience of America on the race question.

In other parts of the country the SDS has developed, since the summer of 1964, several community projects, particularly in the urban North, with students providing the full-time staff. The importance of these projects, limited in scope and number, was that they were conceived, in Staughton Lynd's words, as parts of "the strategy of social change implicit in the concept of participatory democracy."[15] Lynd and Hayden gave the concept its most ambitious and far-reaching meaning. The idea was to create, through every day's effort of solving local economic and social problems, "a community of insurgents" (in Hayden's words). It should be achieved by combining the inflammable material of ghetto discontent (counting in particular on the "ghetto race consciousness" in the case of the Negroes, "intertwined with the consciousness of being both poor and powerless"), the activism of radical students coming from middle- to upper-middle class professional homes ("perhaps the first generation of young people both affluent and independent of mind"), and the help of "other middle-class insurgents . . . who are lodged uncomfortably in publishing houses, universities and labor bureaucracies."[16]

In distinction to the work of the Communist agitators who were also busy trying to capitalize politically on the racial and ghetto discontent, the SDS scheme had two specific features. One was the assumption, in Lynd's words, that "the poor, when they find voice, will produce a truer, sounder radicalism than any which alienated intellectuals might prescribe"—the meaning of which being that the poor, by virtue of some superior qualities, will give to the movement a genuine, mass, democratic character, preventing any danger of bossism by the "intellectuals" who profess to speak in their name. The second feature was the idea of "parallel structures" as a crowning achievement of the participatory democracy. The idea of "parallel structures" (Which Lynd compares with Trotsky's conception of Soviets as a "dual power" or with Gandhi's concern to preserve the Indian village community) is based on the rejection of any organic cooperation with the social projects of the liberal Establishment, i.e. the government and its agencies, so that the new type of community work had to distinguish itself by an absolute autonomy and undiluted originality: "Parallel institutions must survive and grow into an anti-Establishment network, a new society."[17]

The perspective of the future becomes, then, grandiose, and, by the same token, clearly utopian. It is nothing short of a total transformation of society, as Tom Hayden proudly announces: "Ultimately this Movement might lead to a Continental Congress called by all the people who feel excluded from the higher circles of decision making in the country. This Congress might even become a kind of second government, receiving taxes from its supporters, establishing contact with other nations, holding debates on American foreign and domestic policy, dramatizing the plight of all groups that suffer from the American system."[18] In short, it will revolutionize society behind society's back—a trait characteristic of all little and undemocratic utopias for which Marx and Engels had harsh words.

How this county would look if Hayden's "second government" succeeded in arrogating to itself the attributes of sovereignty is beyond the scope of this article. Intentions, however, grandiose as they may be, are very uncertain guarantors of success. Thus the abstract idea of "participatory democracy"—as opposed to the tested experience of representative democracy which it tends to supersede—evokes even in the minds of its protagonists objections, doubts, even despair.

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[8] The full text of the SNCC statement from which the excerpt was taken was published in the winter 1966 issue of *Freedomways*, a quarterly review of the Negro freedom movement, New York, p. 6–7.

[9] The text of Savio's Speech, together with speeches of other participants in the same 36-hour "Vietnam Day" protest, was published in *We Accuse*. Berkeley and San Francisco: Diablo Press, September 1965, p. 36.

[10] *The New York Times*, January 12, 1966.

[11] *The Radical Papers*, pp. 353 and 355.

[12] Cf. Norm Fruchter, "The New Radicalism: Round IV," *Partisan Review*, Winter 1966, pp. 34–43.

[13] *Studies on the Left*, vol. 5, No. 1, 1965, p. 20.

[14] *The Port Huron Statement*, p. 7.

[15] "The New Radicals and 'Participatory Democracy,'" *Dissent*, Summer 1965, p. 327.

[16] *The Radical Papers*, pp. 358–363.

[17] *Dissent*, Summer 1965, p. 328.

[18] *The Radical Papers*, p. 364. The same idea was discussed last year at a SNCC conference in Northern California. Bob Parris, a leader of the movement, developed the point: "We have to ask ourselves, what is the government and who sets it up? Do the people set it up? And if they do, we're people, why can't we set up our own government so that in say 1967 if we get organized enough we can set up our own government and declare the other one no good and say the federal government should recognize us." *The Movement*, a newspaper published by SNCC of California, January 1966. In the same vein Staughton Lynd expounded in his Berkeley teach-in speech, on May 21, 1965, "the idea of inviting to this country an international war crimes tribunal—composed of men such as Vinoba Bhave, Chief Lutuli, Pastor Niemoeller, Danilo Dolci, Michael Scott and, hopefully, Martin Luther King—which would meet in Washington, hear evidence, and attempt to assess the moral responsibility for the horror of Vietnam." *We Accuse*, p. 157.

One sharp observer of the "New Left" scene, having himself an organizing experience in community projects, sees "anti-intellectualism, propensity to react in moral rather than political terms, utopianisms, preoccupation with personal relationships" as obvious shortcomings of the movement's setup. He testifies also that all the professions of "pure" democracy notwithstanding, "only a tiny, vocal minority genuinely participate in decision-making."[19] Even a true believer like Tom Hayden, when he relates in his diary his personal field experiences in Newark, N.J., perceives the difference between the world of his abstract concepts, and the real world of people in the slums who aspire to improve their lot and not to serve as guinea pigs of a "counter-society" experiment. Hayden sees the danger of having the "fixed leaders" in the projects, because "they tend to monopolize knowledge, contacts and decisions." He is obviously torn between a realization of the necessity of "fixed leadership" if the movement is to be effectively led, and his rejection of its authoritarian potental, because of conflict with his democratic principles. He fears that electorial politics could sap the roots of the "movement," and he takes the dimmest view of the civil rights movement with its avowed objectives of gradual progress toward racial equality and fairer economic distribution; he does not hide his occasional hopelessness that the future may lie just in the direction of which he disapproves.[20]

Other participants in the movement admit even more bluntly that the hurdles on the road are formidable. "The new activists," writes Norm Fruchter, "and their current community alliances, probably amount to no more than 10,000 people across the country; their theoretical work is of such low calibre that established radicals delight in staging sideshows to demolish it; their political power is, at this writing, minuscle."[21] A similar conclusion is reached in an editorial of the *Studies on the Left*, which decries "the impotence, irrelevance, and despair attendant on the realization that what one feels, believes, and demands are neither shared nor acted on by the overwhelming majority of one's society."[22]

This realization that one is a spokesman of only a small, excited segment of a nonresponsive society, contributes to the feeling of frustration on the part of many new radicals, and it is pregnant with other potentially sinister developments. I have particularly in mind suggestions, followed by intelligent rebuttals, in the "New Left" press, that the movement could become effective only if it adds to its arsenal the threat of violence.[23] That the prospect of terror tactics hounds many souls may be seen from an introspective searching of Tom Hayden, who wonders whether the SNCC and SDS community organizers may not be too conservative in their views and operational methods. "Perhaps the only forms of action appropriate to the angry people are violent. Perhaps a small minority, by setting ablaze New York and Washington, could damage this country forever in the court of world public opinion."[24] ("Damage this country forever"—could alienation go farther?)

The feeling of impotence of an emotionally overstrained minority facing a hostile, disagreeing or simply indifferent majority (a phenomenon which pushed the frustrated Russian populists to the catastrophic phase of terrorist acts in the 1880's) explains, probably, the strange individual and collective reactions of hatred for one's own country which were manifested recently in the United States and which merit closer attention. In a literally hysterical speech delivered on October 15, 1965, at a Berkeley peace demonstration, M. S. Arnoni, editor of the tabloid *The Minority of One,* found a masochistic urge not only to "document" the existence of what he called an American "national conspiracy" to accomplish mischief around the world, but to reinterpret the entire history of America as an "aboriginal combination of sin and myth." "This here did not begin as the land of freedom, but the site of wanton massacres; not as a society of promise, but as perpetrator of genocide." According to Arnoni, in brief, the crux of the entire history of America is the story of genocide and robbery, a case worse even than that of the Nazis, for even the Germans, contrary to the Americans, came to examine their conscience.[25] At an earlier Berkeley Vietnam teach-in, in May, Arnoni was cheered by the audience when he urged young Americans to join up actively, as fighters, in the Vietcong.[26] This example of total personal irresponsibility and open incitement to sedition and civil war, is not entirely isolated, and may be considered as symptomatic of the mood of a new "hate America" lunatic fringe. It cannot be identified with the entire "New Left"; still, it is its absurd and dangerous outgrowth.

Vagueness, utopianism, and even self-criticism of the new radical movements and their leaders have prompted some of the militants of the "New Left" to assail an experience which on both ideological and organizational counts has proven its inability to challenge effectively the societal status quo. "If the activists are to break beyond slogans to a more basic analysis and a more effective politics," runs one practical conclusion, "they will require the assistance of those who can explain the source of the system's fragility, as well as its weakest points."[27] As an even more precise echo to this formulation, the editors of the *Studies on the Left* came with the following statement: "Both the new movements and the many individual radicals in the trade union and social protest and reform movements need, or are approaching the point where they will need, a radical center through which they can integrate with other activity, provide mutual support, train new cadres, and work out a vision of a better society and a strategy of transformation." And although they hastened to add that "none of the existing left sects or parties can play this role," their stressing of the necessity of a new "radical center" coincided with an identical, indeed a primordial preoccupation of the Communist Party of the United States. This must lead us to consider afresh the complex relationship between the "New Left" and the American Communists.

THE "NEW LEFT" AND THE OLD COMMUNISTS

The attitude of the "New Left"—and particularly of the SDS which wi'l again serve as an example—towards domestic and international Communist movements has undergone in the last several years a very noticeable and significant evolution. The Port Huron Statement was clearly anti-Communist: "As democrats we are in basic opposition to the Communist system. The Soviet Union, as a system, rests on the total suppression of organized opposition, as well as a vision of the future in the name of which much human life has been sacrificed, and numerous small and large denials of human dignity rationalized. The Communist Party has equated falsely the "triumph of true socialism" with centralized bureaucracy. The Soviet state lacks independent labor organizations and other liberties we consider basic. . . . Communist parties throughout the rest of the world are generally undemocratic in internal structure and mode of action. . . . The communist movement has failed, in every sense, to achieve its stated intentions of leading a worldwide movement for human emancipation."[28]

Besides this unequivocal condemnation of Communism (balanced by an even more harshly worded criticism of American "paranoiac" anticommunism) the Port Huron Statement was mute on the problem of domestic, and especially campus, cooperation with the Communists. It mentioned "liberals and socialists" as pillars of a new left, still at a budding stage at the time the Statement was issued. It hinted also that "from its schools and colleges across the nation, a militant left might awaken its allies"—but it was not specified who these allies should be. The constitution of the SDS, however, was more explicit on the same subject for it had a clause barring "advocates and apologists" of totalitarianism from membership and opposing "authoritarian movements both of Communism and the domestic right."[29] This was undoubtedly consonant with the tenets of the Port Huron Statement quoted above.

The general radicalization of student feelings on many campuses, which reached its most spectacular, and for the similarly-minded students elsewhere "heroic" aspect in the Berkeley rebellion, and was further sharpened by the subsequent nation-wide protest movement of a small but vocal minority against the war in Vietnam, had very tangible repercussions for the SDS. Not only were the SDS leaders now willing and eager to establish a common front with the radically leftist groups of avowed or barely hidden Communist orientation (the Maoist Progressive Labor Movement, the May 2nd Movement, the W.E.B. Du Bois Clubs) and to compete with them in denunciation of American foreign policy, but the 1965 annual convention of the SDS at Kewadin, Michigan, struck from its constitution the anti-totalitarian clauses referred to above.[30] Instead of anti-Communism of the Port Huron Statement, a new formulation of a-Communism (neither pro nor anti) was elaborated as a guiding line in practical action. A "policy of nonexclusion" became dominant as justification of a full-fledged cooperation with the Communists, something similar to the well-known French posture of "pas d'ennemi à gauche" (no enemy at the left).

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[19] Ronald Aronson, "The Movement and its Critics," in *Studies on the Left*, vol. 6, No. 1, 1966, pp. 9 and 15.

[20] *Partisan Review,* Winter 1966, pp. 49–53.

[21] *Ibid.*, p. 42.

[22] *Studies on the Left,* vol. 5, No. 1, Summer 1965, p. 20.

[23] Cf. Don. Waskey's article "A Violent Peace Movement" in the magazine *Realist,* October 1965 issue, and a sharp criticism of Waskey's "program of terror tactics," by Edward Richer in *Studies on the Left,* vol. 6, No. 1, 1966, pp. 58–61. Limits of space preclude a more extensive documentation of appeals to violence in magazine articles, some of them with mass circulation. In one of them, the playwright LeRoi Jones has the following vision (and desire) for the future: ". . . . North America is most vulnerable to guerilla warfare, which makes nuclear bombs *obsolete.* And the general staff, Defense Department, etc., all have realized this for some time. They also realize that North American armies can win almost no major war with conventional weapons. The Chinese or the Russians would run them back across the ice into those weird caves of their species' childhood." *Cavalier,* January, 1966, p. 24, italics in the text. In another article entitled "Violence Is Necessary," the author attacks "the sterility of traditional Negro political thought with reference to the functional necessity and beneficiality of Black violence." *Liberator,* New York, March 1966, p. 6.

[24] *Partisan Review,* Winter 1966, p. 54.

[25] *The Minority of One,* New York, December 1965, p. 25.

[26] *Ibid.*, September 1965, p. 15.

[27] Ronald Aronson, "The Movement and its Critics," *Studies on the Left,* vol. 6, No. 1, 1966, p. 19.

[28] *The Port Huron Statement,* p. 31.

[29] Cf. Steven Kelman, "SDS: Troubled Voice of the New Left," *The New Leader,* September 27, 1965, p. 11.

[30] *Ibid.*

In a recent joint statement in the Studies on the Left, Tom Hayden and Staughton Lynd have formulated that attitude very clearly: ". . . we refuse to be anti-communist. We insist that the term has lost all the specific content it once had. Instead it serves as the key category of abstract thought which Americans use to justify a foreign policy that often is no more sophisticated than rape. It also serves as a deterrent to building an open movement for change in this country, because organizations that refuse to be anti-communist must fight bitterly for funds and allies. Our feeling is that the anti-communist organizations, such as the trade unions, are far less democratic than the organizations, such as SNCC and SDS, which refuse to be anti-communist. We have confidence that movements can be built which are too strong to be 'used'; the anti-communists do not have that confidence." [31]

The a-Communist of the "New Left" is putting the entire movement in an awkward situation. On the one hand it still rejects the acceptance of a stern, systematic, and dogmatic ideology; it rejects also the organizational framework and discipline, the very trade marks of Communism. Moreover, the rank-and-file is far from being unanimous in following the Hayden-Lynd line of reasoning concerning Communism, or their unilateral blaming of the United States for the outbreak and conduct of the Cold War.[32]

On the other hand, there is much in the thinking and experience of the "New Left" that has made it leaders and members politically and psychologically vulnerable to the idea of a "united front" with the Communists: the anti-Vietnam militancy; the planning and execution of demonstrations; the emotional excitement which the teach-ins generate; the hatred of the "Establishment," and the frustrations of the community projects; the acceptance of Marxist explanations and phraseology concerning the guilt of the corporate system and the necessity of its destruction; the acceptance also of the thesis that the cause of the Cold War is "American imperialism"; the admiration of the "social engineering" practiced in Cuba and China, and the refusal to distinguish between Communism and nationalism in the countries of the "third world"; the refusal of coalitionism with anyone on its right—including the social-democrats; the yearning to build a powerful, mass movement, and the dreams of seizing power; the consciousness that one is too weak and that allies are necessary; the feeling of sympathy for the young Communist comrades who are there, shoulder-to-shoulder, in the peace battle, and who are disciplined and have a ready answer to every question; the self-imposed decision not to pay any attention to the political lessons and experiences of the past (such as the techniques of Leninist neo-Machiavelism; Communist uses of coalitions in order to destroy, disarm, or utilize the non-Communist political partners; Communist skill in promoting their own cause by putting nationalism in their service, etc.). The travel of the trio, Hayden-Lynd-Aptheker, to Hanoi and other Communist capitals is symbolic of how easily one slips from a-Communism to pro-Communism.

On their side the Communists, particularly the largest and most experienced group—the Moscow-oriented Communist Party of the United States—soon realized that for the Party, isolated and politically impotent for decades, the "New Left" represented the most effective ally in the struggle against the established social order, and (under the condition of being adroitly maneuvered) the most fertile potential ground for Party recruitment and growth in influence. An article entitled "The New Left" published in the December 1965 issue of the theoretical journal of the Party, *Political Affairs*, formulated the preceding points with remarkable clarity and frankness. "America is being set on fire by its younger generation," exults the first sentence of the article. "All over the nation, young people are on the move, in the forefront of the progressive struggles of our time. Their militancy and courage have captured the imagination of the country, and their activities are the catalyst which will help liberate the immense forces for social change that lie bubbling so very close to the surface. . . . These Americans are, in every sense of the word, the heroes of today; it is impossible to begin an article about them without a tribute and a salute. Generally speaking, they are called the 'New Left.' " After analyzing the composition and fluidity of the "New Left" the article examines the basic views of the SNCC and SDS, the rejection of compromises and coalitions with mainstream political forces, and the concept of counter-community. Sympathetic to the motives behind these attitudes and ideas, the article frowns on the "New Left's" "distrust of all leaders of any kind, and rejection of any organization that is structured in any way." It obviously disapproves the trend within the "New Left" which it calls "a kind of personal, existentialist, socialism," and is not happy about another "special kind of romantic and emotional black nationalism" prominent in "New Left" thinking. In the classical tradition of Lenin's 1920 arguments against the "left-wing Communists," those phrasemongers who did not grasp the essence of effective political warfare, the article reproaches the "New Left" for being reluctant to cooperate with the older civil rights groups, for withdrawing from the political life of the country, and for drawing abstractly the conclusion that *all* leadership is manipulative, and that *any* organization is in itself a negative thing. The main theoretical, Marxist, critical point of the article is that the "New Left," being primarily a movement of middle class students and intellectuals, is unable to grasp the question of class, and therefore does not realize that it is the working class, the wage-earners, which is a growing and the most-revolutionary class in the United States.

Despite these objections of the writer (who appears as a wise and self-confident teacher pulling gently the ears of his confused, rumbling and still promising pupils), the article predicts that an "even newer Left" will show the way to the present "New Left." He deals finally with the question of the relations between the Communist Party and the "New Left" in this transition period, and his optimistic frankness is worth quoting: "The New Left is potentially a great ally for the working class, and it is a duty of Communists to do everything possible to win that ally. Since the New Left and the Communists are both committed to action as a way of trying out ideas, there is no question but that the New Left will be won in struggle, in the front lines of the movements. . . . In order to be able to criticise the New Left effectively, and to teach it what we know, we must be accepted and admired by it. This can only happen when Communists are known to be on the picket lines and in the jails. . . . I think there is a surprisingly large section of the New Left ready to listen to Communists, and willing to see Communist ideas in action. Now is the time for an all-out effort to win for our class this courageous and militant section of youth." [33]

Article after article in the *Political Affairs*, written usually by Herbert Aptheker, sounds like a battle victory bulletin. For example, in two of his recent articles, "The Academic Rebellion in the United States," [34] and "Recent Ideological Developments in the United States," [35] Aptheker cites with undisguised delight facts, names, books, conferences which all indicate, in his words, "a colossal degree of indignation" of a new "beautiful" generation, against the established order, and its feeling of "the need for basic structural change in the United States." [36]

The new draft-program of the CPUSA, published early in February 1966, expresses also in cautious but unmistakable terms, the highest hopes of the Party with regard to the dismemberment and assimilation of the "New Left." This document is particularly interesting because it consists of two very uneven ingredients: an ideologically obtuse and dogmatic "analysis" of the present American Society (in which the use of the word "monopoly" as the source of all the evils, resembles the use of the word "Jews" in the Nazi designation of the source of all evils), and a clever and interesting outline of a new strategy to achieve the perennial Communist goal, the seizure of political power. Here are the rudiments of the new approach.

In a brief introduction the program outlines "the American way to Socialism," and declares that the Communists will respect "the democratic will of the American people." "Democracy," however, goes beyond its present, "bourgeois," phase and will only be achieved when the popular masses clash head-on with the "handful of financial-industrial monopolies." [37] The program is optimistic: "the 1960's have witnessed a resurgence of popular democratic movements in the United States, and with this a new upsurge of the Left" (p. 7); more precisely, the "most significant political phenomenon in the recent American past has been the emergence of a New Left" (p. 112). Realistically enough the program stresses the existence of "a wide gap between general Left sentiment and specific Left organization," and admits that major issues still separate the various Left currents. At the same time it insists that "what unites the Left is far more basic than which divides." The historical task is to draw together all the forces "arrayed against monopoly: the working class, the Negro people, independent farmers; intellectuals, professionals, small businessmen and other strata; youth and other groups" (p. 77). Such a labor-led movement, to which "the Communists and others of the Left add indispensable dimensions of pioneering vision, dedication, militancy" (p. 45), will oppose the present two-party system, which "places a premium upon corruption, cynicism, frustration of the popular will" (p. 77). A "new, popular, labor-based, anti-monopoly party" (p. 79) will thus be born.

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[31] Quoted in Hal Draper's article "In Defense of the 'New Radicals,' " *New Politics*, a journal of socialist thought, New York, Summer 1965, p. 23.

[32] For a particularly well informed article dealing with the internal policy disagreements within the SDS, see Paul Feldman, "New Winds on the Campus," *Dissent*, March–April 1966, pp. 183–189.

[33] *Cf.* John Proctor, "The New Left," *Political Affairs*, December 1965, pp. 32–43.

[34] *Political Affairs*, August 1965, pp. 34–41.

[35] *Ibid.*, December 1965, pp. 44–55.

[36] "The Academic Rebellion in the United States," *Political Affairs*, August 1965, p. 41.

[37] *New Program of the Communist Party U.S.A. (A Draft)*. New York: Political Affairs Publishers, 1966, p. 7. Further indication of the pages from which various quotations have been taken is in the text.

This new movement and party will have to pass through three phases on their road to power. The first in which the various popular movements still act separately, is the preparatory one, or more precisely the present phase of political pressure; the next phase, when the new party will emerge and act as a whole, will be "the contest for political power;" the third phase, the "direct conflict between monopoly and the coalition of its antagonists" will represent "the socialist reconstruction of society" (pp. 40–41). The program emphasizes that the new labor-led coalition government ought to have a majority of the people supporting it, but it foresees "the most intense and titanic battles of the working class and its allies with monopoly and it servitors," a revolutionary confrontation having only one outcome; "either it [a labor-led coalition government] destroys monopoly, or monopoly destroys it" (p. 90). What necessarily comes to mind when reading this sentence is how it reflects the fundamental Lenin's theme of "kto kovo"—"who [destroys] whom."

Before one comes to the last section of the program, one may wonder about the role of the Communist party in this new people's party. Will it dissolve itself as a separate authoritarian body, because the American Communists have learned something from their Stalinist past and intend genuinely to become democrats obeying the popular verdict at free elections? Any doubt on this score is dispelled when the program states that "the Communist party of the United States is a revolutionary party, whose aim is the fundamental transformation of society, the establishment of socialism. It is a party of the working class, for this is the revolutionary class in present-day society. Just as the class struggle is the necessary outcome of capitalist exploitation, so the necessary ultimate goal of that struggle is the accession of the working class and its allies to political power with the purpose of ending that exploitation and instituting a socialist society. And *the necessary means for securing such political power is a Marxist-Leninist working-class political party*" (p. 125; italics added).

This is indeed the key statement of the program, and its logic is obvious: there is in the United States today much inflammable political material, which should be approached and handled tactfully. The new, still uncertain and difficult, but potentially invaluable "allies"—the "New Left" being high on the list—should not be asked to enter the Communist party *now;* to allay their suspicions they would be invited to join in a new version of the American Popular Front—a new people's party. What is characteristic in this operation is its lack of originality. To anyone who has studied Lenin's writings in 1920–21, or Dimitrov's report to the Seventh congress of the Communist International in 1935, the source or model will be familiar: the "new people's party" which the program apparently so seriously and sincerely proposes is nothing but "a united front from below," an assemblage of various leftist elements, with the "Marxist-Leninist" Communist party as its hard core and sole political leader. The stratagem appears now because the constellation of political forces is new; the maneuver itself, however, is nearly half a century old. If many "new leftists" were not ignorant, or, in some cases, arrogant, in disregarding the record of the past, they would easily discover that they are designated to be the object of an operation which the French Communists graphically described many years ago as "plucking the chicken."

THE FUTURE OF THE "NEW LEFT"

The "New Left" is "nihilist, anti-American, courageous, anti-political, anti-ideological, oriented to spontaneity, given to substituting moral clichés for political analysis, deeply moral and, yet, capable of profound unconscious dishonesty." [38] This interesting definition written by a man who is himself a radical of a sort [39] introduces well the final consideration of this article, namely, that as it exists today, the "New Left" can hardly continue. Appearing recently on the same platform at a meeting at Stanford University with a representative of SNCC (clearly a non-Communist) and a young "Maoist" firebrand, Bettina Aptheker (a daughter who is not in generational rebellion against her father) declared rather gloomily that the "New Left" movement has today reached a critical turning point. According to her it was up to now only a protest, a defensive movement, able to hold its own but unable to challenge those who are in power. The FSM upsurge in 1964–65 at Berkeley had subsided ("the kids were exhausted"), and what should be done, "in a year or two, everywhere," is something different from the FSM.

This seems indeed a fair diagnosis. "In a year or two, everywhere," the "New Left" will necessarily lose its present protean and quasi-anarchic character. The poor will be interested more in Sargent Shriver's doings than in Tom Hayden's schemes, and the Communists themselves will force the rank and file, if not the leaders, of the new "movements" to make a choice between a commitment to totalitarianism or to democracy. For, essentially, the "New Left" is a little band of would-be generals without a real army. Those who gather around their soapboxes, join or watch their picket lines, are a mixed audience. Some are curious bystanders, some seekers for excitement wanting to be "where the action is," some good-naturedly letting off steam. Some are inexperienced young idealists who seek and may thoughtfully profit by their experiences and learn to respect democratic process, the rights of the majority, the need of persuading rather than coercing, insulting, rejecting and denouncing. It is the self-appointed leaders who are most likely to persist in their "alienation" and it is to be hoped that their frustrations will not lead them on the road to violence, as was the case with their Russian predecessors.

A full spectrum of organized left-wing movements—from social democrats to "Maoists"—is busy today trying to channel into politically and organizationally much more precise frameworks the energies of the elusive "New Left." It would be futile to indulge in political forecasts. Shall we have, "in a year or two, everywhere" a new and powerful Communist party, heralded by the new draft-program of the CPUSA; shall a revigorated social democratic movement emerge; [40] shall the "Maoists" capture the imagination of young insurgents; [41] can the present fragmentation of leftist groups continue indefinitely? Only the future will tell. My only prediction is that the present "rebellion without a cause" of the "New Left" will necessarily assume in the near future much more defined political contours. For better or for worse.

Finally, we at the universities, where the "New Left" was born, professors as well as students, will continue to face the metamorphoses and the challenge of the "alienated" in our midst. The minority of activists who have lost faith in the substance and form of our society and even civilization itself, are forcing the rest of us—to our benefit—to reexamine the values of that society and civilization, values many of us take for granted. It is to be hoped that the challenge of those who aspire to destroy this society will provoke an adequate response: the building of a coalition of people who, despite their variegated philosophical, social, and political beliefs, are ready to stand up and be counted in defense of an order and a civilization which, imperfect and in need of reform as they are, nevertheless represent the highest achievement of free men in history. This article is a modest contribution to this new commitment of the intellectuals.

BIG BROTHER

Mr. LONG of Missouri. Mr. President, the Bayonne, N.J., Times of May 24, 1966, asks a question which is often being asked today: "Big Brother, where are you?" The editorial expresses concern for the proposed Federal Data Center which could centralize the data collected by many of the Federal agencies. The Subcommittee on Administrative Practice and Procedure held an initial hearing on this subject with Dr. Edgar Dunn, consultant to the Bureau of the Budget, and intends to thoroughly explore proposals which might ultimately allow electronic computers to contain a record of every individual in our Nation, from the cradle to the grave.

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[38] David McReynolds, "Pacifists in Battle," *New Politics,* Summer 1965, p. 31.

[39] David McReynolds is the Field Secretary of the War Resister League and an associate editor of *Liberation.*

[40] For a social-democratic alternative to the "New Left," which advocates a coalition of Negroes, trade unionists, liberals, religious groups, socialists, students, radicals young and old, who would work together to "create a new sense of majority—a middle shifted to the left," but whose vehicle of political expression would be the Democratic Party (and who would "advance politically radical and democratic means of opposing Communism"), see Emanuel Geltman and Stanley R. Plastrik, "The Politics of Coalition." *The Radical Papers,* pp. 365–378. For a detailed criticism of the "New Left" from the position of democratic Socialism, see also Irving Howe's article "New Styles in 'Leftism,'" *Dissent,* Summer 1965, pp. 295–323. Professor Howe includes in his criticism the "New Left's" "unreflective belief in 'the decline of the West'" and its "crude, unqualified anti-Americanism." See also a very interesting article by Hal Draper, "In Defense of the 'New Radicals,'" (Draper was reputedly the only man above thirty at Berkeley to whom the leaders of the FSM were willing to listen), in which he sharply polemicizes against Irving Howe and what he calls the "enervating coalitionism of the liberal/social democrats," but is no less harsh against Hayden and Lynd, attacking "their anti-anti-Communism [which] is immoral because it asserts indifference to the fate of oppressed peoples in one third of the world." *New Politics,* Summer 1965, pp. 5–28.

[41] The relationship between the pro-Chinese wing of American Communism, the Progressive Labor Party, and its very recently dissolved youth offshoot, the May 2nd Movement, is so involved that it cannot be discussed here. (The PLP was established in April 1965, but had been active as the Progressive Labor Movement since 1962 when a militant minority was expelled or left the Communist Party.) It can be said in capsule form, however, that the militancy of American "Maoists" certainly attracts many "New Left" militants (that can be easily documented by surveying the red-hot issues of the May 2nd Movement's organ, *Free Student*). On the other hand, the editors of *Studies on the Left* are irritated with the "Maoists'" mimicry of Lenin's polemical style, accusing them for being "busy learning lessons of the Russian, Cuban and Chinese revolutions [while] profoundly ignorant of American socialist history and of recent American history in general." Printed in *PL/Progressive Labor/* magazine, March–April, 1966, p. 24. Likewise, the complex relationship between the "New Left" and the various Trotskyite groups in this country cannot be reviewed in this article.

I ask unanimous consent to insert, at this point in the RECORD, this article from the Times entitled "The Big Eye."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Bayonne (N.J.) Times, May 24, 1966]

THE BIG EYE

One of the most frightening things about the totalitarian society in George Orwell's classic "1984" was the utter destruction of individual privacy. Television monitors in every home and apartment insured that no one at any time was safe from the prying eyes of all-knowing, all-powerful Big Brother.

We are fortunately, still a long way from "1984"—yet:

"I must report to you that the right of privacy—the right to go into your home without the fear that someone is secretly watching your every move, the right to talk freely with your attorney, your banker or your wife without fear of a hidden recorder or transmitter—this right is today being dangerously and recklessly ignored and violated."

The alarm is sounded by Sen. EDWARD V. LONG, D-Mo., chairman of a subcommittee of the Senate Judiciary Committee which investigated "Big Brother tactics by federal agencies."

The senator is quoted in an article about a proposed Federal Data Center, into whose electronic computers could be fed "a record of every individual in the nation, from the cradle to the grave."

Such facts could include tax records, records of any brush with the law, school and armed services records, social security and census information, FBI fingerprints.

The government, of course, must of necessity compile information about its citizens. This need is recognized in the Constitution itself, which provides for a decennial census.

As the population has grown, so has the government's involvement with that population and its dependence upon statistics about it. A Federal Data Center, which would centralize the data collected by more than a score of federal agencies, appears to be a logical step in the interest of efficiency.

Too many cases of misuse of private information and infringements of individual rights, however, cause many to be alarmed over the prospect of some bureaucrat being able to produce the life history of any person at the press of a button.

The fact that legal safeguards would surround the functioning of the center does not allay their fears, for legal safeguards have been breached before.

Senator LONG cites such instances as the Internal Revenue Service "bugging" conference rooms used by attorneys and their clients, wiretapping by the Federal Narcotics Bureau, supposedly inviolate first-class mail turned over to the IRS by the Post Office.

If the present is bad enough, what of the future? Roger Revelle, director of Harvard's Center for Population Studies, wonders;

"What happens to the citizen when his identity and every detail of his life are coded and classified in the government's computing system? . . . Not only does it become impossible to cheat even in a piddling sort of way on your income tax, it becomes impossible to do almost anything without the government knowing about it, and knowledge is liable to lead inevitably to control."

Big Brother, where are you?

THE NORTHERN NEW JERSEY RAILROAD COMMUTER SITUATION

Mr. CASE. Mr. President, thousands of rail commuters in northern New Jersey have been inconvenienced by the recent curtailments in the Erie-Lackawanna Railroad's intrastate passenger service.

Now, at the State supreme court hearing on a petition to stay the cutbacks, the court indicated there is a serious question as to the justification for the service reductions permitted by the State public utility commission.

It was brought out at the high court hearing that the E-L's Morris and Essex Division is an apparent moneymaker which stands to lose revenue under the PUC-ordered cuts. As Chief Supreme Court Justice Joseph Weintraub put it:

> Why reduce the service, if the result is a loss in net revenue to the railroad? Why hurt the railroad? It doesn't make sense.

Indeed it does not.

The court decision gives the public a new opportunity to make its case against the discontinuances.

It also underscores once again how existing rail transportation law is weighted against the public. For years I have worked to change these discriminatory laws which, in the case of interstate rail passenger discontinuances, does not even afford the public the right of a hearing at the Federal level. In intrastate cutbacks, such as in the Erie-Lackawanna case, the right of a State-level hearing is given, but the public is severely hampered by the shortness of time—4 months—in which it must prepare and present its case.

Four months may seem like a long time, but it is hardly sufficient in the circumstances. The chief problem is that the railroad is the prime source of information about its operations and it can provide this information in the form, detail, and at the time that best suits its needs, not the public's.

For example, the Erie-Lackawanna filed its application for discontinuance with the State PUC last January 5. Yet it was not until March 12—only a few weeks before the agency ended hearings—that the railroad had supplied the last of the data on its operations. Even with a 7-day-a-week effort, the State's consultant found that his staff could examine only about half the documents provided by the E-L.

This is hardly a fair opportunity to prepare an adequate case for the public interest. It also places a severe handicap on the regulatory body which must evaluate a long and complicated record and arrive at a decision within the 4-month period.

In an effort to ease the problem facing the public, last April 14 I sponsored a bill to amend the Interstate Commerce Act to lengthen the time for public proceedings at the State level to from 4 to 6 months. My bill would provide the public with a more adequate opportunity to prepare and present its case.

The bill was referred to the Senate Commerce Committee which I regret to say has over the years shown little interest in the problems faced by the commuting public.

The recent action by the New Jersey Supreme Court contrasts with the attitude of the Senate committee and the court's decision could have far-reaching consequences as regards existing law and the rights of the commuting public.

ARTICLE ON THE MEANING OF SPORTS TO OUR COUNTRY BY VICE PRESIDENT HUBERT H. HUMPHREY

Mr. MONDALE. Mr. President, in the September 1966 issue of the magazine, Sport, Vice President HUBERT H. HUMPHREY writes on a subject of interest to millions of Americans: Sports and the American way of life.

The Vice President recalls his participation in sports during his younger years and then goes on to describe how significant athletics is to our freedom.

I believe this article will be of interest not only to my sports-minded colleagues, but to other public officials and citizens who share an interest in sports and in recreation.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT SPORTS MEANS TO ME AND MY COUNTRY

(By the Honorable HUBERT H. HUMPHREY, Vice President of the United States)

I grew up in a small town in South Dakota but it was a big town when it came to sports. Doland had a population of about 600—everyone a sports fan and many active participants in baseball, basketball, football, track, tennis and skating. Our high school was respected not only for its academic standing but for its competitive sports program. We weren't big and glamorous, but we were determined and competitive and we had first-class fighting spirits. At least, that's the way I recall my boyhood in that little town on the plains of Dakota.

Like most people, I suppose I romanticize these boyhood years, remembering the good and forgetting the bad. But, believe me, there was a lot to remember. We had a semipro baseball league, and Doland was one of the top teams. I was a self-appointed cheerleader, No. 1 fan, and batboy. Our abundance of enthusiasm made up for any lack of professional skill. In those days we didn't have a Little League, but we did have our own kids' baseball team. I used to get all the broken bats and the scuffed baseballs from our semipro team. We'd tape the bats, and the baseballs were better than anything we could afford. My dad's drugstore was the local sports equipment center. We sold baseballs, mitts, gloves and masks. And I wouldn't be a bit surprised but that my personal interest in baseball helped the sports equipment business.

I also enjoyed other sports. I did a good deal of boxing and went at it very seriously. I had my own set of punching bags, I did road work, skipped rope, and generally made myself believe that I was in training. I was a skinny fellow, and my dad encouraged me to know the art of self-defense.

I played tennis, too—not well, but with enthusiasm. The town put in some clay tennis courts, and I can remember those hot summer days when we'd be going at it on that court with hand-me-down tennis rackets and slightly used tennis balls.

I participated in all the sports activities that were available and, frankly, excelled in none. But I loved the competition and wanted desperately to be on the various high-school teams.

I was on the track team, running a half-mile, and on the relay team. I recall winning a third-place medal in the half-mile run in the regional track meet. What an exciting moment. I was literally aching from exhaustion—but who cared? I was in the winner's column.

I played football for four years on the local high school team, but it wasn't until my senior year that I was a regular. In my sophomore year, trying out as a reserve halfback, I broke my ankle early in the season. I'll never forget how happy I was to get that cast off and to be able to play in the last game of that season. It was 1927 and I weighed less than 100 pounds. By my senior year, I was up to 135 and playing first-string guard.

How well I recall playing the "big" towns like Watertown and Milbank. The Milbank team of that year had the Manders brothers, Pug and Jack, who both became outstanding college football stars. I shall never forget seeing first Pug and then Jack come through that line smack over right guard, sending me flying through the air like a leaf on a storm-tossed field. Our team was bruised and battered—yes, defeated, too—but we gave them a fight. The Manders boys knew they'd had a busy afternoon.

We Doland High School boys were proud of our teams. In my junior year, we won every game. The most important of them all was Homecoming, against our arch rival, Clark, South Dakota. Next year, though, Clark beat us. The trouble was we never really had enough reserves. Our high school had only about 30 boys. While most of them went out for the team, the talent surely wasn't very deep and we had to keep shifting our men around all the time.

But we did better in basketball. Our squad made the circuit in the surrounding areas, and we took the measure of the big and the little. I was on the team three years, not always as a regular but at least on the team. I played forward and in my junior year we won the district tournament. In my senior year we lost it in the last game. I remember the time we lost in the regional tournament against Aberdeen, South Dakota, by just one point. But, after all, Aberdeen was a city of 15,000 people and Doland was a town of 600. It was no disgrace to be beaten by a "metropolis."

Graduation from high school marked the end of most of my sports participation, unfortunately. The Depression left little opportunity for college, much less extra-curricular fun. I worked in Dad's store and at odd jobs for six years until I had earned enough to go to college. When I finally did get to the University of Minnesota, about all I could do in sports was to be one of the assistant managers of the varsity basketball team. This gave me free tickets to the games, and I got to know the players who were a great bunch of fellows.

In those days the University of Minnesota football teams, under Bernie Bierman, were the perennial national champs. I was an enthusiastic fan of the Golden Gophers. I had no doubt that they were the best teams that ever played college football.

But if I couldn't personally go out for other sports I could enjoy them through the newspapers and by listening to the radio. The New York Yankees were my great heroes in those days. I'll never forget their stars during my years of growing up—Lazzeri, Combs, Hoyt, Gehrig, Pennock, Dickey. Their batting averages were as familiar to me as some election returns later on.

To this day, I turn to the sports page just about as eagerly as to the news or editorial pages. I take baseball seriously. I remember one day not so many years ago, Mrs. Humphrey and I were driving through the Southwest and listening to a World Series game on the car radio. At a crucial moment, Casey Stengel yanked Tommy Byrne. I was so angry I stopped the car and told Mrs. Humphrey I wasn't going to drive another mile until the Yankees got out of the tight spot.

Sports has come naturally to the next Humphrey generation, too. My daughter and three sons take to water like porpoises. Mrs. Humphrey swims and water skis with us. I'm sure sports has a high place in many American households. Throughout America, there is a sport for every taste, every region, every climate, every season. Traveling as I do through the 50 states, I am constantly impressed by the variety of our interests and the unity of our spirit.

Sports reflects this variety and unity. Hardly a week goes by in which I don't have the pleasure of welcoming sports stars or working on some sports-related topic.

On baseball's Opening Day, 1966, I substituted for the President and threw out the first ball. Previously, I had met with the Baseball Commissioner, General Bill Eckert, on securing the services of more baseball stars at home and abroad to assist in public causes. The summer of 1966 saw "Operation Champ" begin in many of our big cities—with talented pros helping tens of thousands of deprived youngsters to improve their sports skills.

As Chairman of the President's Youth Opportunity Task Force, I know how much our nation's youngsters are attracted to athletes. I have recruited many to assist Uncle Sam's programs—such as encouraging potential school drop-outs to keep up their studies or giving a boost to the morale of Job Corps youths.

Our sports interests extend to the needy overseas, too.

Not long ago, I was out at DC Stadium on People-to-People Sports Day, saluting our fine program of assisting Developing Countries with sports equipment. On one of my visits to Venezuela while I was a United States Senator, I had seen a Little League baseball team with virtually no equipment. I joined in their game, using a stick for a bat. And then I went right down to a Sears' store and outfitted the whole team. That team went on to win the municipal title for Little Leaguers. I revisited the team two years later, and we had a rousing homecoming. Likewise in Greece, Mrs. Humphrey and I for several years sent athletic equipment to the Xenion Orphanage on the outskirts of Athens. Many Americans have joined in support of baseball, basketball and other sports in Emerging Countries. But we could use a lot more assistance.

I've had many other memorable sports experiences during these eventful months. Seeing the 1965 World Series opener in Minneapolis, addressing the Touchdown Club in Washington and the Football Writers' Association in Chicago, welcoming ex-champs Jack Dempsey, Gene Tunney and Rocky Marciano to the Capitol . . . You name the sports star, and sooner or later my official path may have happily crossed his.

Minnesota teams—the Twins and Vikings and the University of Minnesota's Golden Gophers—are naturally No. 1 in my heart. Manager Sam Mele would have won any popularity poll among us Minnesotans last year. And I must confess a special pride in the time I helped arrange the departure from Cuba of Camilo Pascual's family.

Amateur sports have always had my attention. As a Senator, I became concerned with our country's lack of interest in international athletic competition. Other countries, especially Communist lands, were and are systematically developing sports talent, often in ways which raise serious questions as to their "amateur" nature. The United States adheres—as it must—to strict amateur rules, but we have largely left to chance the training and facilities for our talented boys and girls. At my suggestion, President Kennedy issued an Executive Order setting up an Inter-Agency Committee on International Athletics. Its purpose is to foster Federal cooperation with amateur sports organizations.

A long-standing dispute between the Amateur Athletic Union and the National Collegiate Athletic Association has been my particular concern. When this "family quarrel" flared up and each group angrily banned participation in its rival's meets, the U.S. Senate acted. It passed a Resolution, empowering the Vice-President to set up a Sports Arbitration Committee to try to mediate the feud. I picked five of the best qualified Americans to serve on the Committee, which is still hard at work, but the problem of disunity, unfortunately, persists.

Free men have the right to differ or to agree. That is our strength. Sports mirror these qualities. Athletics reflect our vigor as a people, our courage, sense of honor—and yes, occasionally, our right to quarrel. Most of all, sports shows that the only aristocracy in our country is that of talent—natural and developed.

Sports are democracy in action. Merit does win out. It is a fact that poor youngsters still don't have as much athletic opportunity as we would like, but when they do, watch out. They're "hungry," some people say, for a chance to excel.

There are millions of poor American youngsters who—from birth—have had another "strike" called on them just because of the color of their skin. Two strikes—but not out. Give Negro youngsters a chance, and the phony talk about "race inferiority" collapses as the prizes are handed out. Give our Spanish-speaking Americans an equal opportunity and they come through magnificently.

What's more, even those Americans who tend to be unfair to minorities will cheer for a skilled athlete, whoever he is, whatever his church, his color or the land of his father's birth.

Call the roll of many of today's great baseball heroes and you have to be very good at pronouncing Spanish names. When you glance down Notre Dame's Fighting Irish lineup, you know not to expect only Hibernian names.

Sports are the great mixer, the great leveller, the great uniter and to some extent, a great divider. They erase economic, geographic, or other arbitrary differences, but they separate those with skill or potential from those who just don't have it.

Individualism is the essence of American sports. We go out for any sport we like; we stay in it as long as we like, we switch our affections as often as we like. Some of us like our sports gentlemanly; others don't mind seeing a few black and blue marks.

The more we have played a sport, the more we tend to identify with it. No one who has ever played on a team can forget what team spirit and teamwork mean—even to the most hide-bound individualist.

The lessons learned from sports crop up over and over again in our lifetime. They have cropped up on battlefields—from the Argonne to Iwo Jima to Inchon and now, Danang. An infantryman's prior years of vigorous sports have helped him physically, have tested his courage, skill and perseverance. Of course, we don't play in our youth to prepare for battle; that's the farthest thought from our minds. Some other lands do view sports in a military context, but we see it just the reverse. It's part of our *peaceful* way of life.

Certainly we have our blind spots when it comes to sports. Only about once every four years do we get excited over the Olympics—rather belatedly, in my opinion. Now and then, one of the Pan-American Games or dual nation meets will capture our fancy. But by and large, we don't give international amateur competition the sustained attention it deserves. We believe in contesting in sports for the individual fun. But, overall, we should not forget that the prestige of the United States is involved.

Many of the unsatisfactory results internationally are due to our tendency to concentrate on only a few Olympic Sports. In the 1964 Olympics, two-thirds of our gold medals were won in track and field and swimming. Only a handful of the over 30 Olympic sports have a substantial following in our country. That's one of the reasons I've proposed a new Sports Foundation—to help give our youngsters the chance to compete in many other Olympic-type sports. This would be run not by the government, but by private, volunteer groups.

Competition and participation. These things are as important as watching a sporting event.

Americans should participate more in sports. For maximum fitness, more of our people—young and old—ought to get out on the playing fields. More walking and bicycling will help tone all of us up.

But whatever we do—whether we participate or enjoy sports from a seat in the grandstand—we know that sports in America does go into the making of a good life. Sport, too, does tell us about our national spirit—our fairness and good will. Sandlot baseball or World Series baseball, semipro football or Rose Bowl football, high-school gym or international stadium—sports means so much to America.

WATER FROM ALASKA AND CANADA FOR THE ARID SOUTHWEST; SENATOR MOSS' VIEW

Mr. YARBOROUGH. Mr. President, there is considerable interest in Texas in the North American Water and Power Alliance—the so-called NAWAPA concept—which is a plan to redistribute on a continentwide basis surplus waters which are now running off unused to the sea from Alaska and northern Canada. The arid Southwest would be a great beneficiary.

Senator Frank E. Moss, of Utah, the principal Senate sponsor and spokesman for NAWAPA, has been in Texas several times to discuss it, and there is growing enthusiasm for the proposal. In Texas we like "big" thinking, and that is what NAWAPA is.

The Irrigation Age, a monthly magazine devoted to water which is published in Hereford, Tex., recently devoted its "Watching Washington" column in its September issue to Senator Moss and the speech he made recently on NAWAPA before the Royal Society of Canada at the University of Sherbrooke. I ask unanimous consent that the editorial from the Irrigation Age on NAWAPA be carried in the Congressional Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Watching Washington: In the Irrigation Age

Many folks like the far reaching water thinking that is becoming more and more frequent in Washington circles. Our government is quickening its steps toward all-party-interest water legislation—

The Water Resources Planning Act placing water resources programming on a river basin basis without unrealistic state, county or municipal boundaries.

A Water Research Program due to invest $100 million a year for 10 years in basic water research.

Continuance of the key program to find favorable economic answer to desalting water.

Establishment of a water pollution control administration . . . now under jurisdiction of the Interior Department where water and its problems are a constant and centralized area of study.

Trends toward non-governmental makeup of an all-states-considered water commission charged with studying the complexities of water and making long-range recommendations.

Trends toward centralization of water studies under a central body as opposed to diluting its ramifications with the uncoordinated attention of several agencies and bodies.

Perhaps one of the most "practically distinguished" representatives of water in Washington is Senator Frank E. Moss, a Utahan who says with due reverence: "In Utah we have an almost sacred respect for water which shares its indispensable life-giving role only with the air we breathe . . ."

Frank Moss speaks with assurity that America's water needs can be harnessed and wisely distributed from within and cooperatively and peaceably attained from without. In many minds that assurity is deep-rooted by Senator Moss' willingness to think BIG about water!

Of recent date Senator Moss was a special guest at University of Sherbrooke, Quebec, Canada, where he spoke to the Royal Society of Canada (that country's most distinguished body).

His topic was water and, of course, the proposed North American Water and Power Alliance (NAWAPA) . . . a privately conceived and financed, long-range water proposal—one hundred billion (and maybe plus) in scope—maybe the ultimate answer to man's resourceful use of resources in Canada, the United States and Mexico.

"Preliminary studies indicate that it is technically feasible and economically sound, to collect, store and redistribute unused run-off water from the northern reaches of the continent. Unlike oil and uranium, water can be marketed on a sustained yield basis. If the producing areas are properly managed, they will continue without depletion to produce a profitable 'crop' for export. But first, you must answer the basic question as to whether it is clearly to your advantage to export water. This question cannot be answered definitely until Canada's water-harvesting capabilities are fully and accurately measured."

Frank Moss sat on a powder keg in Quebec, for water export is a highly explosive subject. But the "suave practicality" of the man made him not a detonator but a bearer of hopeful understanding . . . drawing an almost indescribable balance between *have* and *need*.

A certain amount of Canadian skepticism is a normal reaction to the widespread discussion in the United States on continental water planning, and particularly to the great attention which has been given to the North American Water and Power Alliance—NAWAPA concept. Let me point out first of all that the concept relates to a continent-wide water system, and not to continental water."

"In one sentence, it (NAWAPA) is a continent-wide plan for collection, redistribution, and efficient utilization of waters now running off to the seas totally unused or only partially used."

"It would collect about 15 to 18 percent of the excess run-off from the high precipitation, medium elevation areas of Alaska and western and northern Canada. It is important to keep in mind that the concept deals with surplus water. By proper diversion and storage optimal flows can be maintained downstream and flood peaks leveled."

NAWAPA's maker, the Ralph M. Parsons Company of Los Angeles, has put the plan in public domain and that softens the initial hostility of *need* "infringing" on *have*. Hostility is also softened by *have's* proposed promise of power generation systems, internal transportation and irrigation, stabilization of flows, and removal of man's taint from existing water bodies rendered partially to gravely unusable.

"One undeniable value of the NAWAPA idea is that it stimulates resources study."

"America has no right to suggest nor to expect any water scheme which might provide water in the U.S. for the next thirty or forty years, but which would leave Canada too little to meet her own future requirements. I want to reemphasize this point because the engineers, administrators and parliamentarians who are scrutinizing the NAWAPA concept as a conceivable long-range answer to U.S. water supply problems are not conspiring to steal Canada's water. We are not devising a scheme to trick Canada. We are not even trying to arrive at minimum price at which we might cajole and persuade you into selling us some of your water. As a matter of fact, we are working with dedication to avoid the prospect of U.S. dependence on imported water."

"The United States is now embarking on every possible venture to stretch our own water, creatively and ingeniously, and to find out whether we might have enough of our own to see us through. We realize that only through an intensive effort can we find out just how much we can do on our own. After that we will know whether we must seek to import water, and if so, how? Where? At what cost?"

"Our labors have a strange quality. The things we must do to get ready to import water, in case it is offered, are, to a very large extent, the things we must do if the water is not offered. In my opinion, however, transportation of unused water from an area where usability is meager or impossible is all but inevitable. Population, economics and common sense demand it."

Senator Frank Moss seems the breed of man water needs to represent its cause . . . and perhaps that is why he was so well received among Canada's thinking greats.

There can be little doubt remaining that Senator Moss laid footing for greater understanding between Canada and the United States on the subject of water and its effective utilization.

For that maybe we cannot thank him enough as the big task of asking our to-the-north neighbors for more water seems inevitable.

VIETNAM HAS CHANGED THE FACE OF ASIA

Mr. DODD. Mr. President, a number of articles that have appeared in various publications indicate a growing realization of the fact that our commitment in Vietnam has changed the face of Asia, and dramatically reversed the pro-Communist trend of recent years.

In an essay captioned "America's Permanent Stake in Asia," Time magazine made this observation in its issue of September 21, 1966:

> The success of last week's national elections in South Vietnam showed in remarkable fashion that the U.S.'s determined moves there have accomplished far more than a military standoff of the Communists. They have not only stiffened the spirit of the

> South Vietnamese but—what is less noticed in the national preoccupation with the war—they have created a new atmosphere of hope and confidence throughout Asia's southern crescent of nations, shoring up and strengthening Red China's fearful neighbors from Pakistan and India to Japan and South Korea.

In his syndicated column, Richard Wilson noted that Japan has returned to southeast Asia not as an aggressor, but as an investor. Australia has begun to consider herself an integral part of Asia, and Indonesia has turned away from communism. Burma, he pointed out, has turned toward the West, and the Philippines, Korea, Taiwan and Japan are cooperating in plans for the future. Thailand, with U.S. help, is determined to resist any incursions upon her territory by the Chinese.

Comparing the Southeast Asia Treaty Organization with NATO, Wilson stated:

> Unlike NATO, the SEATO organization is expanding its activities in cooperative health, educational and cultural work, as well as in military cooperation. An imposing new SEATO headquarters is going up here (Bangkok). There are even projects going forward on the Mekong River for its ultimate development as an Asian TVA.

The reason for such cooperative growth, according to Wilson, is "probably attributable mostly to a single factor—the massive and growing American intervention in southeast Asia." He concludes that:

> The stand we are making in Vietnam has changed the whole outlook in this part of the world. It is not the wrong war in the wrong place, but it is a war at a time and place which can have a decisive effect on the future of 200 million people and our relation to them.

In another important column on this subject, Roscoe Drummond made it clear that our firm commitment against aggression in Vietnam was the real reason for the defeat of communism in Indonesia. He quotes Ferdinand E. Marcos, the President of the Philippines who recently visited in this country:

> It was only the American presence in Vietnam, I feel, which prevented the fall of the Indonesian government into communist hands. Not only Indonesia, but also other countries . . . When the American government decided to increase its aid to South Vietnam, that knocked out all previous assumptions . . . Many leaders who were wavering in Indonesia immediately realized that the communist coup was going to fail. Also, with large U.S. forces in Vietnam the Red Chinese would not have either the capability or the inclination to send any help whatsoever to the Indonesian Communists.

In its essay, Time concluded that—

> What is growing up in Asia with U.S. help is the beginning of a Pacific community.

Those in Asia who desire their freedom and independence know that they will not be abandoned to Communist aggression.

Our firm stand in Vietnam is proof to those in Thailand, Indonesia, India, Japan, and the Philippines that America's word will be redeemed if aggression is committed. All of our allies in Asia can turn themselves to the task of creating viable and stable societies, in the knowledge that Chinese expansion will not be permitted to take from them the freedom and self-determination which has been purchased at so high a price.

The tide has turned in Asia. I wish to share with my colleagues these three excellent articles to which I have referred: the essay from Time magazine, and the columns by Richard Wilson and Roscoe Drummond.

I ask unanimous consent for their insertion into the RECORD at this time.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE WAR AND THE PLUS FACTORS IN SOUTH ASIA

(By Richard Wilson)

BANGKOK.—Optimism is cheap here, and thus to be regarded with some suspicion.

It is hard to go along with the experienced and philosophical diplomat who says that we are on the verge of an enormous victory in South Asia, but these factors are at least well worth examining:

Japan is returning to South Asia as the beneficent provider of capital and know-how, and not as the would-be conqueror that she was during her drive to the south 20 years ago.

Australia has begun to consider herself a part of Asia and thus a participant in its general development.

Indonesia has turned away from Chinese Communist influence.

While the war in Viet Nam is yet far from won, the shape of a new independent order there at some date not in the distant future can be visualized.

Thailand has, with U.S. help created a western flank against the expansion of Chinese Communism.

Burma's attitude under Ne Win has faced toward the West after a decade of isolation.

The Philippines, Korea and Taiwan, with Japan, are cooperating in development plans and ideas yet to be translated into action but highly promising.

Unlike NATO, the Seato organization is expanding its activities in cooperative health, educational, and cultural work, as well as in military cooperation. An imposing new SEATO headquarters is going up here. There are even projects going forward on the Mekong River for its ultimate development as an Asian TVA.

These favorable factors do exist and they are probably attributable mostly to a single factor—the massive and growing American intervention in South Viet Nam. The most important factor in this intervention aside from the exercise of power itself is that it is generally understood to be for the purpose of creating stability, and when that stability is created the Americans will go home. "We know that you are not here forever," says a prominent Thai official.

Behind us, when we can go home, we will leave immense shipping, transportation, and military facilities costing many billions, as we left behind us many billions in Europe for the successful creation of stability there.

What is not commonly realized is that a year ago we faced possible collapse in South Viet Nam and if that had happened we could have bid goodbye to any vestige of influence in Asia. Today the military situation has vastly improved, although there is hard fighting ahead, and the whole political climate of Asia has improved with it.

The proposal for an Asian conference to devise a settlement for the problem in Viet Nam is important. While it is true that such a conference could bring to bear no more than moral weight, it would serve to illustrate that the nations of South Asia could agree on a settlement Peking would probably not accept. Thus the disparity of interest with the Peking government would be dramatized further.

It would be a wise man who, after a brief observation in South Asia, could weigh the validity of all the foregoing factors, but one conclusion comes out strong and clear: The stand we are making in Viet Nam has changed the whole outlook in this part of the world. It is not the wrong war in the wrong place, but it is a war at a time and place which can have a decisive effect on the future of 200 million people and our relation to them.

AMERICA'S PERMANENT STAKE IN ASIA

The success of last week's national elections in South Viet Nam showed in remarkable fashion that the U.S.'s determined moves there have accomplished far more than a military standoff of the Communists. They have not only stiffened the spirit of the South Vietnamese but—what is less noticed in the national preoccupation with the war—they have created a new atmosphere of hope and confidence throughout Asia's southern crescent of nations, shoring up and strengthening Red China's fearful neighbors from Pakistan and India to Japan and South Korea. In this new atmosphere, usually with little direct action by the U.S., a rather astonishing series of transformations has taken place.

The change consists of a quickening of national pride, a new solidity of national spirit, a sense of autonomy and freedom. Ever since the Communist siege of Pleiku in February 1965 galvanized the U.S. into action in the air and an ensuing buildup on the ground, the nations of the crescent have stood up and gone their own way with a new assurance that Chinese Communism need not be the battering wave of the future. There is no longer much talk of the "domino theory," which held that the fall of Viet Nam would be followed in quick succession by the fall of other nations in the area, precisely because no one any longer talks seriously of the fall of Viet Nam—or feels like a domino.

The Philippines and South Korea, though expectable American allies, have both shown their confidence in U.S. determination by sending troops to Viet Nam. Thailand has given the use of airbases to the U.S. while moving vigorously, with American help, to counter Communist insurgency in its troubled northeastern provinces. At the other extreme, Indonesia, not long ago Peking's most belligerent camp follower, has turned on its own Communist Party, ousted it from influence and well-nigh annihilated it. This, in turn, has led to the end of the Indonesia-Malaysian confrontation that for so long kept that part of Asia tense.

Burma's neutralist strongman Ne Win, whose nation shares 1,200 miles of border with Red China, feels secure enough to take a 2½-month trip abroad—including a visit to the U.S. that he hardly would have considered making a few months ago. Having bitterly broken away from Malaysia a year ago and first set out on a violently anti-American, pro-Peking trajectory, Singapore's Lee Kuan Yew, himself a Chinese, has lately warmed up to Malaysia and now openly praises America's role in Viet Nam. Faced by the xenophobic madness of the Red Guards, whose actions sent a cold shiver running through Asia, Japan is beginning to contemplate a future in which Tokyo rather than Peking may emerge as the most important Asian capital. Even Prince Sihanouk's Cambodia, which not so very long ago was trailing along after Peking, is now eyeing a safer seat on the fence. And it may not be too much to say that Red China's setbacks helped to encourage North Korea to proclaim its own path of independent Communism. Like others—and perhaps more than others—Asians favor the side of the winner and, says Thailand's National Development Minister Pote Sarasin, "Everyone is now convinced that the future does not lie with the Communists."

RIGHTS AND RESPONSIBILITIES

One measure of the success of the U.S. position in Asia is that there is already serious discussion about the nature, the size and the role of the U.S. presence there once the shooting stops in Viet Nam. No one predicts that the war in Viet Nam will end quickly or easily, but end it some day must—and it is not too early for the U.S. to begin thinking about the postwar period. Since it was the massive arrival of U.S. troops in Viet Nam that spelled the difference in the conflict, it is not surprising that discussions about both peace and postwar plans have begun to whirl around one word: withdrawal.

In the broadest sense of the word, the U.S. will never withdraw from Asia. The U.S. has been an Asian power ever since Commodore Matthew Perry's black ships opened up Japan in 1853–54. Five of its states border on the Pacific, and one is smack in the middle of it. The U.S. fought a major war against Japan to defend its interests in Asia, spilled American blood again in Korea to stop Communist aggression and last week saw the number of its dead in Viet Nam rise to 5,000. It is committed to the defense of Taiwan, has treaties with 18 Asian nations, supplies food and other foreign aid without which India and Pakistan could scarcely manage. The U.S. not only has rights in Asia but also responsibilities, and it could no more withdraw from Asia in any absolute sense than it could from Europe.

The question, then, is one of withdrawal of troops—not of influence, power, interest or aid. Hanoi, of course, has made immediate U.S. troop withdrawal the preposterous precondition for any peace negotiations, and Charles de Gaulle echoed the same line three weeks ago in a speech in Cambodia that called for the U.S. to begin a programmed troop withdrawal. But since such a pull-out would be tantamount to handing South Viet Nam over to the Communists right now, any genuine move toward withdrawal must await ironclad guarantees that the Communists will also withdraw. In his Labor Day speech, President Johnson succinctly stated the U.S. position: "If anyone will show me the time schedule when aggression and infiltration will be halted, then I will lay on the table the schedule for the withdrawal of all our forces from Viet Nam."

A SECOND CARD TO PLAY

The language could hardly be plainer, but a surprising number of people doubt that the U.S. will ever withdraw its troops from Asia under any circumstances. This is partly the Administration's own fault, the legacy of having been less than totally honest in the past about other aspects of the war. But a larger reason lies in the very magnitude of the U.S. commitment to the Asian mainland: the 330,000 troops and airmen now stationed in Viet Nam and Thailand, the dozen major airfields constructed or abuilding, the giant port complexes of Cam Ranh Bay in South Viet Nam and Sattahip in Thailand, the massive infusion of material and equipment. As others see it, these are the kind of Great Power investments that, once made, are extremely difficult, if not impossible, to relinquish.

Yet, as hard as it may be for Asians and allies to believe it, the U.S. is both willing and anxious to withdraw its troops completely from every part of the Asian mainland. Once peace is restored and guaranteed, it intends to begin a withdrawal that it hopes will leave not a single U.S. fighting soldier on Asian soil. Says one of the President's tops advisers: "Is it possible to say what sort of U.S. military presence we should like to have in Southeeast Asia after the Viet Nam fighting is over. The answer is: none."

Does this policy mean that the U.S. will leave the nations of the Asian perimeter once again to the mercy of the Chinese Goliath? Not at all. Far from abandoning its role as a Pacific power for aggressors to reckon with, the U.S. has a second card to play along with its intention to withdraw from Asia: its equally firm intention to go back in—fast—when its interests so dictate or the needs of its allies require. In place of the static physical presence of military garrison forces, the U.S. intends to substitute the mobility created by modern technology. Its means: bigger and ultimately faster aircraft that can move large numbers of troops quickly, the forward deployment of "floating depot" ships, pre-positioned supplies and equipment and the right to use the ports and bases left behind in such places as Thailand and Viet Nam.

The Pentagon has increased its airlift capability by 300 percent since 1961, will raise it by 1,000 percent by 1971. By then, the Lockheed C–5A transport, able to carry at least 600 men, will be in operation. A mere 25 of the big planes can airlift an average infantry division of 15,000 without their equipment—much of which will already be in Asia. Thailand, for example, is already stocked with enough combat equipment for an army brigade of 6,000 men, and Okinawa warehouses hold enough for a full division. Depot ships, such as those now stationed in Subic Bay in the Philippines, will sail to supply airlifted troops within a few days of their arrival. With such new mobility—and careful intelligence estimates of any brewing armed aggression—U.S. forces intend to arrive back on the mainland before any enemy can fully get in harness.

THE YO-YO STRATEGY

Even if the U.S.'s large investments in facilities in Southeast Asia are never again required for military purposes, they hardly constitute a compelling reason for a postwar U.S. presence. Says a top State Department officer: "This is a country with a gross national product of around $740 billion. No one should ever underestimate our ability to waste a few million dollars." In fact, as the officer well knows, the facilities will not be wasted: plans are already under way for their postwar use. The Stanford Research Institute is making an engineering study of civilian uses for Cam Ranh Bay, and another survey is plotting the peacetime uses of Viet Nam's airfields. The bulldozers, graders and other equipment now in use will not be repatriated, but given to the Vietnamese.

The U.S. ability to move back into Asia quickly should provide an adequate assurance to friends and a deterrent to troublemakers. And there are compelling reasons that make this kind of withdrawal strategy welcome to both the U.S. and the Asians. U.S. power, which must cope with responsibilities the world over, needs to be as flexible and mobile as possible. Washington learned a lesson from both World War II and the Korean War aftermaths: the longer a division remains committed in a foreign country such as West Germany or South Korea after the guns fall silent, the more difficult is it to redeploy it elsewhere in an emergency—often because U.S. troops become pawns in foreign politics.

From the point of view of the Asians, a withdrawal of American troops under the right circumstances would be even more welcome. Because of their comparative affluence and their massive backup needs, U.S. forces inevitably distort and disrupt local economics. Necessary as the U.S. military presence is in Asia now, few Asian leaders are very happy about it—or want it to continue indefinitely in the future. Their sentiments spring from pride and from fears that massive American garrisons will destroy traditional cultural values and unduly shape local political decisions. "There is a feeling among Asians," says Edwin Reischauer, former U.S. Ambassador to Japan, "that they should be running their own affairs without being led and pushed by us. They want to be sure they are deciding their own fate and that we, as outsiders, are only playing a supplementary role."

There are limits, in any case, to just what the U.S. can do in Asia. It cannot—and, in fact, does not want to—exert control over the political and social life of Asian nations. Despite the fact that both Indian and Pakistan largely depend on American aid for their viability, for example, Washington failed in its efforts to end last year's Indo-Pakistani war. But in the national life-or-death issue of survival in the face of Communist subversion in Asia, only the U.S. is powerful enough to check the Chinese export and exploitation of revolutions.

Despite their understandable desire to see U.S. troops leave once they have done their job, Asians may need some time to get accustomed to an American presence and protection based on mobility from afar—and hence largely invisible. Some Pentagon planners foresee a transition period in Asia that will be marked by a sort of Yo-Yo strategy. In times of tension, there would be U.S. maneuvers and training exercises that would dispatch men and planes to friendly Southeast Asian fields, pull the patrolling Seventh Fleet into allied ports. Then, as the tension subsided, the G.I.s would be pulled back to the U.S., the ships head back out into the Pacific.

Once it has healed the wounds of Viet Nam, the U.S. hopes for an Asian future that will be more and more mastered by Asians themselves. In Viet Nam, it has bought time for independent Asians to get on with the business of nation building; over the next decade, it will pour out at least $1 billion a year to provide economic thrust, including funds for a vast Mekong Delta project. Its goal is a community of non-Communist, though not necessarily aggressively anti-Communist, Asian nations that will act as a balance to Red China and create a pattern of practical meaningful cooperation.

PACIFIC COMMUNITY

Under the aegis of what the U.S. has already accomplished in Viet Nam, a new Asian cooperativeness is, in fact, already emerging. All told, the free nations of Asia have embarked upon more cooperative action in the past year than ever before in their thousands of years of history. Though often historically at odds, Cambodia, Laos, Thailand and Viet Nam are working together on joint development of the immense resources of the Mekong River. Malaysia, the Philippines and Thailand have set up the Association for Southeast Asia, an economic and social alliance aimed at ultimately achieving a Common Market.

A broader alliance of nine nations, ranging from New Zealand to Japan, recently formed the Asian and Pacific Council (ASPAC) for closer cooperation. Nineteen Asian and Pacific nations joined together in December 1965 to participate in the $1 billion Asian Development Bank. Japan and South Korea, ending more than half a century of hostility, last June signed an accord under which Japan will provide $800 million for Korean modernization. Indonesia's new regime last week returned to the United Nations Economic Commission for Asia and the Far East (ECAFE)—another form of Asian togetherness.

Given time, the free Asians should be able to act together to speed up their own development, aided by U.S. money, technical assistance and encouragement. The U.S. hopes that they will also create the resources necessary to cope with insurgency from within largely on their own—and some day even swing enough moral and military force to discourage Peking's more violent designs. What is growing up in Asia with U.S. help is the beginning of a Pacific Community, much as the free world is already linked in the Atlantic Community. Once the war in Viet Nam is ended, the U.S. sees no reason why it should not watch and cheer that community from its own shores, ready to act to protect its members against aggression, but willing to let Asia select its own path into the modern world.

Asian Ally's View—Vietnam Stand Saved Indonesia

(By Roscoe Drummond)

Washington.—Americans have in their midst a brave Asian ally and a superb spokesman for the growing will of more Asian nations to unite in defending themselves against communist aggression.

He has earned the esteem and respect of Asians and Americans alike.

He will address a joint session of Congress today and will speak to the United Nations a few days later. I believe he deserves to be heeded and, regardless of whether one is a supporter of critic of U.S. actions in Viet Nam, he deserves to be heard.

This Asian spokesman is the young President of the Philippines, Ferdinand E. Marcos.

In advance of his speeches in the United States I would like to cite some of his views and insights not widely known.

Question—How do you think Indonesia escaped the attempted communist coup?

President Marcos—It was only the American presence in Viet Nam, I feel, which prevented the fall of the Indonesian government into communist hands. Not only Indonesia, but also other countries.

Question—Why do you feel this is true?

Marcos—The Communists supposedly plotted an effort to prevent a takeover by the enemies of President Sukarno. But it actually was an open and outright coup to take over the government. It was planned a long, long time ago. The situation became such that the Communists were certain, were very certain, not only of internal support but of support from outside.

Question—What intervened?

Marcos—When the American government decided to increase its aid to South Viet Nam, that knocked out all previous assumptions. But by then the Communists had begun the initial moves of their operation and it was too late for them to pull back. And very few people know this. Many leaders who were wavering in Indonesia immediately realized that the communist coup was going to fail. Also, with large U.S. forces in Viet Nam, the Red Chinese would not have either the capability or the inclination to send any help whatsoever to the Indonesian Communists. And that is exactly what happened.

Question—Then you think the U.S. action in Viet Nam has been worthwhile?

Marcos—Of course it has been worthwhile. I was against sending Philippine combat troops to Viet Nam last year because I had serious doubts about the firmness of the U.S. presence. These doubts have been wholly removed. American determination to stay until the aggression is defeated is proved beyond any question. (Philippine combat forces will soon be helping South Viet Nam defend itself.) The American presence goes far beyond the effect on the North Vietnamese and the Viet Cong. The fight which the Communists refer to as the "fight for national liberation" is the single most important thing that will determine the state of affairs in Asia for the next century. You can hardly imagine what might have happened if there had been no demonstration of resolution on the part of the United States.

Question—Would it be helpful to have Red China in the U.N.?

Marcos—Unfortunately, as of now the leadership of Red China is not willing to renounce war as an instrument of international policy. To be eligible, she must be willing to live peacefully with her neighbors. When she is prepared to do so, let her leaders say so—and act so.

TAX DEDUCTIONS FOR EDUCATIONAL EXPENSES FOR TEACHERS

Mr. TALMADGE. Mr. President, in a day and age when, because of all too many distasteful past experiences, we are prone to criticize the Federal Government for running roughshod over the wishes of the people and to rebuke the executive branch of the Government for usurping the authority of the legislative branch, I am happy to see that in one small area, attention has been paid, though belatedly, by the Government to the wishes of the people and by the executive branch to the obvious will of the legislative branch.

I refer to the announcement last Friday by the Treasury Department that it had withdrawn its proposed regulations on the subject of tax deductions for educational expenses for teachers and had issued a revised proposal more in keeping with the needs and desires of the many persons who justifiably had attacked the previously offered regulations.

As one who took a prominent role in criticism of the proposed regulations and who introduced a bill to nullify the Treasury's proposed action insofar as it affected teachers, I congratulate the Treasury for having the courage to admit its mistake and for doing something constructive to correct that mistake.

I only wish that this action on the part of the Treasury Department would serve as an example to other agencies of the Federal Government that their directives and decisions can stand reappraisal and revision.

Particularly, I think the Department of Health, Education, and Welfare can benefit from Treasury's example and take action to conform to the intent of the law its policies and guidelines with regard to participation by hospitals and medical facilities in the medicare program and by schools in federally funded educational programs. If the executive branch does not act, it is surely inviting action by the legislative branch.

As to the October regulations proposed by the Treasury on deductions of educational expenses, they take the place of the previous regulations proposed by the Treasury last July which would have in effect prevented many teachers from pursuing necessary and valuable education because they would have received no tax deduction for the ordinary and necessary and quite expensive costs for such education. The regulations proposed by Treasury in July were in direct conflict with the national goal of doing everything possible to upgrade our educational system.

Teachers, already put upon by ever more demanding standards with no corresponding increment in benefits, forcefully voiced their indignation at the proposed regulations. Members of Congress quickly took up the cause.

I addressed the Senate on July 22 on the hazards of the July regulations. At the same time I introduced a bill, S. 3641, to put plainly in the law what I felt had always been the intention of Congress, that is, to allow teachers to deduct their expenses in pursuing additional education at colleges and universities. Since that time, I and members of my staff have been in almost daily contact with the Treasury Department and representatives of teacher organizations in an effort to obtain correction of this obviously unfair situation.

I prepared to push for the adoption of my bill as an amendment to an important tax bill currently before the Senate Finance Committee, of which I am a member.

I have every reason to believe that my amendment would have been adopted, and would have passed through Congress this year and been enacted into law. Now, it appears that such legislation may be unnecessary. It appears that the proper interpretation is being given by the Treasury Department to existing law, and teachers will be assured that they can deduct from their Federal income tax returns all the expenses they pay and incur in attending college in order to maintain and improve their skills as teachers or to meet the job and salary requirements of their superiors or of the local law.

The latest proposed regulations by Treasury would seem to give teachers this assurance. I therefore shall defer further action at this time on my bill. Of course, I reserve the right to seek legislative remedy again should it appear that that most valuable segment of our citizenry, our schoolteachers, is being shortchanged.

I ask unanimous consent that there be printed at this point in the Record the new regulations on educational expenses proposed on October 1 and a letter of explanation from the Treasury Department.

There being no objection, the proposed regulations and letter were ordered to be printed in the Record, as follows:

[From the Federal Register, Vol. 31, No. 191, Oct. 1, 1966]

Proposed Rulemaking

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

EXPENSES FOR EDUCATION

Notice of proposed rulemaking

Pursuant to the Administrative Procedure Act, approved June 11, 1946, regulations proposed to be prescribed as § 1.162–5 and § 1.262–1(b) (9) were published in tentative form with a notice of proposed rule making in the Federal Register for July 7, 1966 (31 F.R. 9276). Notice is hereby given that such proposed regulations are withdrawn.

Further, notice is hereby given, pursuant to the Administrative Procedure Act, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:IR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at the public hearing which will be held on these proposed regulations should submit his request in writing, to the Commissioner within the 30-day period. Notice of the time, place, and date of the public hearing is published simultaneously herewith. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

In order to provide more specific rules with respect to the treatment, for Federal income tax purposes, of expenditures for education, § 1.162-5 (relating to expenses for education) and § 1.262-1 (relating to personal, living, and family expenses) of the Income Tax Regulations (26 CFR Part 1) are amended as follows:

PARAGRAPH 1. Section 1.162-5 is amended to read as follows:

§ 1.162-5 Expenses for education.

(a) *General rule.* Expenditures made by an individual for education, including research undertaken as part of his educational program) which are personal or capital expenditures, or which have elements of both, are not deductible. Educational expenditures included within this category are described in paragraph (b) of this section. On the other hand, expenditures made by an individual for education (including research undertaken as part of his educational program) which are neither capital nor personal expenditures are deductible as ordinary and necessary business expenses (even though the education may lead to a degree) if the education—

(1) Maintains or improves skills required by the individual in his present employment or other trade or business, or

(2) Meets the express requirements of the individual's employer, or the requirements of applicable law or regulations, imposed as a condition to the retention by the individual of an established employment relationship, status, or rate of compensation.

(b) *Nondeductible educational expenditures*—(1) *In General.* Educational expenditures described in subparagraphs (2) and (3) of this paragraph are personal or capital expenditures, or have elements of both, and, therefore, are not deductible as ordinary and necessary business expenses even though they may maintain or improve skills required by the individual in his present employment or other trade or business or may meet the express requirements of the individual's employer or of applicable law or regulations.

(2) *Minimum educational requirements.* (i) The first category of nondeductible capital or personal educational expenses are expenditures made by an individual for education which is required of him in order to meet the minimum educational requirements for qualification in his present employment or other trade or business. The minimum education necessary to qualify for a position or other trade or business must be determined from a consideration of such factors as the requirements of the employer, the applicable law and regulations, and the standards of the profession, trade, or business involved. The fact that an individual is already performing service in an employment status does not establish that he has met the minimum educational requirements for qualification in that employment. Once an individual has met the minimum educational requirements for qualification in his present employment or other trade or business, he shall be treated as continuing to meet those requirements even though they are subsequently changed.

(ii) The minimum educational requirements for qualification of a particular individual in a position in an educational institution is the minimum level of education (in terms of college hours or degree) which under the applicable laws or regulations, in effect at the time this individual is first employed in such position, is normally required of an individual initially being employed in such a position. If there are no normal requirements as to the minimum level of education required for a position in an educational institution, then an individual in such a position shall be considered to have met the minimum educational requirements for qualification in that position when he becomes a member of the faculty of the educational institution. The determination of whether an individual is a member of the faculty of an educational institution must be made on the basis of the particular practices of the institution. However, an individual will ordinarily be considered to be a member of the faculty of an institution if (*a*) he has tenure or his years of service are being counted toward obtaining tenure; (*b*) the institution is making contributions to a retirement plan in respect of his employment; or (*c*) he has a vote in faculty affairs.

(iii) The application of this subparagraph may be illustrated by the following examples:

Example (1). General facts: State X requires a bachelor's degree for beginning secondary school teachers which must include 30 credit hours of professional education courses. In addition, in order to retain his position, a secondary school teacher must complete a fifth year of preparation within 10 years after beginning his employment. If an employing school official certifies to the State Department of Education that applicants having a bachelor's degree and the required courses in professional education cannot be found, he may hire individuals as secondary school teachers if they have completed a minimum of 90 semester hours of college work. However, to be retained in his position, such an individual must obtain his bachelor's degree and complete the required professional education courses within 3 years after his employment commences. Under these facts, a bachelor's degree is considered to be the minimum educational requirement for qualification as a secondary school teacher in State X. The following are examples of the application of these facts in particular situations:

Situation 1. A, at the time he is employed as a secondary school teacher in State X, has a bachelor's degree including 30 credit hours of professional education courses. After his employment, A completes a fifth college year of education and, as a result, is issued a standard certificate. The fifth college year of education undertaken by A is not education required to meet the minimum educational requirements for qualification as a secondary school teacher.

Situation 2. Because of a shortage of applicants meeting the stated requirements, B, who has a bachelor's degree, is employed as a secondary school teacher in State X even though he has only 20 credit hours of professional education courses. After his employment, B takes an additional 10 credit hours of professional educational courses. These courses do not constitute education required to meet the minimum educational requirements for qualification as a secondary school teacher.

Situation 3. Because of a shortage of applicants meeting the stated requirements, C is employed as a secondary school teacher in State X although he has only 90 semester hours of college work toward his bachelor's degree. After his employment, C undertakes courses leading to a bachelor's degree. These courses (including any courses in professional education) constitute education required to meet the minimum educational requirements for qualification as a secondary school teacher.

Situation 4. Subsequent to the employment of A, B, and C, but before they have completed a fifth college year of education, State X changes its requirements affecting secondary school teachers to provide that beginning teachers must have completed 5 college years of preparation. In the cases of A, B, and C, a fifth college year of education is not considered to be education undertaken to meet the minimum educational requirements for qualification as a secondary school teacher.

Example (2). D, who holds a bachelor's degree, obtains temporary employment as an instructor at University Y and undertakes graduate courses as a candidate for a graduate degree. D may become a faculty member only if he obtains a graduate degree and may continue to hold a position as instructor only so long as he shows satisfactory progress towards obtaining this graduate degree. The graduate courses taken by D constitute education required to meet the minimum educational requirements for qualification in D's intended trade or business and, thus, the expenditures for such courses are not deductible.

Example (3). E, who has completed 2 years of a normal 3-year law school course leading to a bachelor of laws degree (LL.B.), is hired by a law firm to do legal research and perform other functions on a full-time basis. As a condition to continued employment, E is required to obtain an LL.B. and pass the State bar examination. E completes his law school education by attending night law school, and he takes a bar review course in order to prepare for the State bar examination. The law courses and bar review course constitute education required to meet the minimum educational requirements for qualification in E's intended trade or business and, thus, the expenditures for such courses are not deductible.

(3) *Qualification for new trade or business, position, or specialty.* (i) The second category of nondeductible capital or personal educational expenses are expenditures made by an individual for education which is part of a program of study being pursued by him which will lead to qualifying him in a new trade or business, position, or specialty. A change of duties does not constitute a new position or specialty if the new duties involve the same general type work as is involved in the individual's present employment. For this purpose, all teaching and related duties shall be considered to involve the same general type of work. The following are examples of changes in duties which do not constitute new positions or specialties:

(*a*) Elementary to secondary school classroom teacher.

(*b*) Classroom teacher in one subject (such as mathematics) to classroom teacher in another subject (such as science).

(*c*) Classroom teacher to guidance counselor.

On the other hand, a change in duties from a classroom teacher to principal constitutes a new position. Thus, if a classroom teacher undertakes a program of study which will lead to qualifying him to become a principal, the expenditures for such education are nondeductible even though some or all of the courses in the program also satisfy requirements for the retention of his teaching position.

(ii) The application of this subparagraph to individuals other than teachers may be illustrated by the following examples:

Example (1). A, a general practitioner of medicine, takes a course of study which qualifies him as a specialist in pediatrics. A's expenses for such education are not deductible because this course of study qualifies him for a new specialty.

Example (2). B, a self-employed certified public accountant, attends law school at night and after completing his law school studies receives a bachelor of laws degree. The expenditures made by B in attending law school are nondeductible because this course of study qualifies him for a new trade or business.

Example (3). Assume the same facts as in example (2) except that B is employed by an accounting firm, rather than self-employed, and that his employer requires him to obtain a bachelor of laws degree. B intends to remain as an employee of the accounting firm. Nevertheless, the expenditures made by B in attending law school are not deductible since this course of study qualifies him for a new trade or business.

Example (4). C, a general practitioner of medicine, takes a 2-week course reviewing new developments in several specialized fields of medicine. C's expenses for the course are deductible because the course maintains or improves skills required by him in his trade or business and does not qualify him for a new specialty within his trade or business.

(c) *Deductible educational expenditures*—(1) *Maintaining or improving skills*. The deduction under the category of expenditures for education which maintains or improves skills required by the individual in his present employment or other trade or business includes refresher courses or courses dealing with current developments. In addition, a deduction may also be allowable under this category for expenditures for academic or vocational courses provided such expenditures are not within one of the categories of capital or personal expenditures described in paragraph (b) of this section.

(2) *Meeting requirements of employer*. An individual is considered to have undertaken education in order to meet the express requirements of his employer, or the requirements of applicable law or regulations, imposed as a condition to the retention by the taxpayer of his established employment relationship, status, or rate of compensation only if such requirements are imposed for a bona fide business purpose of the individual's employer. Only the minimum education necessary to the retention by the individual of his established employment relationship, status, or rate of compensation may be considered as undertaken to meet the express requirements of the taxpayer's employer. However, education in excess of such minimum education may qualify as education undertaken in order to maintain or improve the skills required by the taxpayer in his present employment or other present trade or business (see subparagraph (1) of this paragraph). In no event, however, is a deduction allowable for expenditures for education which, even though for education required by the employer or applicable law or regulations, are within one of the categories of capital or personal expenditures described in paragraph (b) of this section.

(d) *Travel as a form of education*. In general, an individual's expenditures for travel (including travel while on sabbatical leave which travel has no direct relationship to the conduct of the individual's trade or business) as a form of education are personal in nature and, therefore, not deductible.

(e) *Travel away from home*. (1) If an individual travels away from home primarily to obtain education the expenses of which are deductible under this section, his expenditures for travel, meals, and lodging while away from home are deductible. However, if as an incident of such trip the individual engages in some personal activity such as sightseeing, social visiting, or entertaining, or other recreation, the portion of the expenses attributable to such personal activity constitutes nondeductible personal or living expenses and is not allowable as a deduction. If the individual's travel away from home is primarily personal, the individual's expenditures for travel, meals and lodging (other than meals and lodging during the time spent in participating in deductible educational pursuits) are not deductible. Whether a particular trip is primarily personal or primarily to obtain education the expenses of which are deductible under this section depends upon all the facts and circumstances of each case. An important factor to be taken into consideration in making the determination is the relative amount of time devoted to personal activity as compared with the time devoted to educational pursuits. The rules set forth in this paragraph are subject to the provisions of section 162(a)(2), relating to deductibility of certain traveling expenses, and section 274 (c) and (d), relating to allocation of certain foreign travel expenses and substantiation required, respectively, and the regulations thereunder.

(2) *Examples*. The application of this subsection may be illustrated by the following examples:

Example (1). A, a self-employed tax consultant, decides to take a 1-week course in new developments in taxation, which is offered in City X, 500 miles away from his home. His primary purpose in going to X is to take the course, but he also takes a side trip to City Y (50 miles from X) for 1 day, takes a sightseeing trip while in X, and entertains some personal friends. A's transportation expenses to City X and return to his home are deductible but his transportation expenses to City Y are not deductible. A's expenses for meals and lodging while away from home will be allocated between his educational pursuits and his personal activities. Those expenses which are entirely personal, such as sightseeing and entertaining friends, are not deductible to any extent.

Example (2). The facts are the same as in example (1) except that A's primary purpose is going to City X is to take a vacation. This purpose is indicated by several factors, one of which is the fact that he spends only 1 week attending the tax course and devotes 5 weeks entirely to personal activities. None of A's transportation expenses are deductible and his expenses for meals and lodging while away from home are not deductible to the extent attributable to personal activities. His expenses for meals and lodging allocable to the week attending the tax course, are however, deductible.

Example (3). B, a high school mathematics teacher in New York City, in the summertime travels to a university in California in order to take a single 3-hour mathematics course the expense of which is deductible under this section. A full course of study for the summer session is 12 hours. Since B is pursuing only one-fourth of a full course of study and the remainder of her time is devoted to personal activities the expense of which is not deductible, absent other compelling circumstances, the trip is considered taken primarily for personal reasons and the cost of traveling from New York City to California and return would not be deductible. However, one-fourth of the cost of B's meals and lodging while attending the university in California may be considered properly allocable to deductible educational pursuits and, therefore, is deductible.

PAR. 2. Paragraph (b) of § 1.262-1 is amended by adding a subparagraph (9) at the end thereof which reads as follows:

§ 1.262-1 Personal, living, and family expenses.

* * * * *

(b) *Examples of personal, living, and family expenses.* * * *

(9) Expenditures made by a taxpayer in obtaining an education or in furthering his education are not deductible unless they qualify under section 162 and § 1.162-5 (relating to trade or business expenses.)

[F.R. Doc. 66-10800; Filed, Sept. 30, 1966; 12:51 p.m.]

[26 CFR Part 1]

EXPENSES FOR EDUCATION

Notice of hearing on proposed regulations

The proposed amendment to the regulations under section 162 of the Code relating to expenses for education appears in this issue of the FEDERAL REGISTER (supra).

A public hearing on the provisions of this proposed amendment to the regulations will be held starting on Tuesday, November 15, 1966, at 10 a.m. e.s.t., and continuing if necessary on November 16. The hearing will be held in the Auditorium of the Smithsonian Institution, Natural History Building, 10th and Constitution Avenue NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by November 10, 1966, telephone (Washington, D.C.—area code 202-964-3935).

Lester R. Uretz.
Chief Counsel.
BY: JAMES F. DRING,
Director, Legislation and
Regulations Division.

[F.R. Doc. 66-10801; Filed, Sept. 30, 1966; 12:51 p.m.]

TREASURY DEPARTMENT,
Washington, D.C., October 1, 1966.

Hon. RUSSELL B. LONG,
Chairman, Committee on Finance,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: In view of your interest in the educational expense deduction matter, I know you will be interested that the Treasury Department has withdrawn its proposed regulations in this area and has issued a revised proposal in its place. I am enclosing a memorandum which explains the new proposed rules in some detail.

I understand that the revised rules essentially meet the points that have been stressed by the National Education Association. Their publication should, therefore, quite readily make legislation unnecessary since this commits us administratively to the deductibility of the expenses as provided in the new proposal.

Sincerely yours,
STANLEY S. SURREY.

REVISED TREASURY PROPOSED REGULATIONS ON DEDUCTIBILITY OF EDUCATIONAL EXPENSES OF TEACHERS AND OTHER TAXPAYERS

BACKGROUND

On July 7, 1966, the Treasury Department issued proposed regulations regarding the tax deductibility of educational expenses incurred by employees and self-employed individuals. The purpose of these regulations was to set forth clear and concise rules for determining the tax status of these expenses and thereby eliminate the inconsistencies which have developed, both at the administrative and judicial level, under the existing regulations.

Comments were received on the proposed regulations to the effect that they were an unduly restrictive interpretation of present law. Particular stress was put on the point that the proposed rules did not give adequate recognition to the fact that continuing education is inherent for those in the teaching profession and, therefore, realistically the costs of the continuing education represent an ordinary and necessary business expense which should qualify for a tax deduction under present law.

As a result of a re-evaluation of the proposed regulations in light of the comments received, the Treasury Department has withdrawn these proposed regulations and issued a new set of proposed rules in their place. These new proposed regulations were published in the *Federal Register* for October 1, 1966, along with a notice that a public hearing on them has been scheduled beginning on November 15, 1966. This action was taken because it is believed that this matter can be materially expedited by making available, prior to the public hearings, the revised proposal reflecting the Treasury Department's consideration of the comments received.

SUMMARY OF REVISED PROPOSED REGULATIONS

Basically, the revised rules would permit an income tax deduction for an individual's education expenses where the education serves to maintain or improve skills required in his present position or is undertaken to fulfill additional educational requirements imposed on him by his employer.

Under this general provision, if a state requires its teachers to continue to take educational courses or to obtain a higher level of education, the costs of this education will ordinarily be completely deductible for income tax purposes. Similarly, the cost of specialized courses which a state may require its teachers to take will usually be deductible if the teacher otherwise meets the basic level of education required for her position. If a teacher or other taxpayer voluntarily undertakes additional education to improve his skills, the costs he incurs for this will also generally be deductible. Moreover, unlike the first set of proposed rules, the revised rules do not measure the tax deductibility of particular educational courses by whether or not they will lead to a degree. In this regard, the proposed regulations recognize that continuing education is, in many instances, an essential tool in an individual's trade or business.

Two qualifications are provided to this rule of deductibility, under which an individual will not be granted a tax deduction for the basic or minimum education necessary initially to qualify him for his job or for education which will qualify him for a new trade or business, position, or specialty. The following is a more detailed discussion of these two qualifications as well as of the application of the revised rules in different situations.

(1) Minimum Educational Requirements for the Individual's Present Employment. The first category of non-deductible expenses are those incurred for education which is required of an individual in order for him to meet the minimum educational requirements for qualification in his present position. In the case of teachers, the rule for non-deductibility extends to courses which she must take to bring herself up to the minimum level of education (in terms of college hours or a degree) which is normally required of an individual initially being employed in such a position. For example, if a state normally requires that beginning teachers have at least a bachelors degree, but because of a shortage of applicants, hires an individual with only three years of college on the condition that she obtain her fourth year, the expenses incurred by this teacher in obtaining her fourth year of college would not be deductible. On the other hand, once she has obtained her bachelors degree, the expenses for any additional education, such as fifth year of college, which she may be required to take by her employer in order to maintain her position or which maintains or improves her skills as a teacher would ordinarily be deductible. The one exception would be if this further education is part of a program of study which will lead to qualifying her for a new trade or business, position, or specialty, as explained below.

If an educational institution has prescribed no normal educational qualifications, then this non-deductible category covers the education which an individual is required to take in order to qualify as a member of the faculty of the institution. Once he has so qualified, expenses for any additional education which is required by the institution or which maintains or improves his teaching skills will also be deductible, unless the education is part of a program which will lead to qualifying him for a new trade or business, position, or specialty.

(2) Education Qualifying an Individual for a New Trade or Business, Position or Specialty. The second category of non-deductible educational expenses are those incurred by an individual for education which is part of a program of study being pursued by him which will lead to qualifying him for a new trade or business, position, or specialty. Thus, if a public school teacher should go to law school for a law degree, the expenses for this education would not be deductible. On the other hand, the mere fact that educational courses undertaken by a teacher may qualify her to teach a different subject or at a different grade level or will qualify her for a position related to teaching (such as a guidance counselor) will not disqualify the expenses for such education from a tax deduction.

In summary therefore, the revised proposed rules recognize that continuing education is an inherent and necessary aspect of many positions, especially those in the teaching profession. On the other hand, they would not extend the tax deduction to the basic or minimum education which an individual is taking in order to equip himself for his intended profession or to education which will qualify an individual for a new profession or specialty. These two instances represent types of education which all individuals must take to qualify themselves for their future profession or employment. If an individual takes such education before accepting employment, it is clear that he does not receive a tax deduction. It would appear to be an inequitable application of the tax laws if a tax deduction were allowed to an individual for this type of basic education merely because he accepts employment while still obtaining the basic education.

DEATH OF RILEY H. ALLEN, EDITOR OF HONOLULU STAR-BULLETIN

Mr. INOUYE. Mr. President, Riley H. Allen, one of America's great newspaper editors, was buried yesterday in Honolulu. Mr. Allen died October 3 at the age of 82. He was the editor of the Honolulu Star-Bulletin, Hawaii's largest daily newspaper, from its founding in 1912 until his retirement in 1960.

It was typical of Riley Allen that he was not only in his office on Sunday morning, December 7, 1941, when the Japanese attacked Pearl Harbor, but that he was able to put three extra editions on the street as the attacking planes swooped over the island of Oahu.

A major figure in the political, social, and economic development of Hawaii, Riley Allen was a man of great personal integrity, far-ranging vision, and a newspaperman dedicated to the highest ideals of his profession.

The present-day Honolulu Star-Bulletin is in a sense a personal monument to his devotion to duty.

I ask unanimous consent that an article and an editorial published in the October 3 and October 4 editions of the Honolulu Star-Bulletin, respectively, be printed in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

RILEY H. ALLEN, DEAD AT 82—BURIAL THURSDAY

Riley Harris Allen, an editor who was a vital force in shaping modern Hawaii, is dead today at the age of 82.

He was the editor of this newspaper from the time it was founded in 1912 until he retired in 1960. He retired then only in order to meet Circuit Court conditions for his appointment as a trustee of the Wallace R. Farrington Estate, which then owned controlling stock in the Star-Bulletin.

Nationally known and nationally honored in the field of journalism, Allen's span of 48 years as editor make him the most imposing figure in Hawaii's newspaper history.

Death came at 11:15 a.m. yesterday at the Queen's Hospital, just over four weeks after he had slipped into unconsciousness from a stroke on the night of September 3.

His tremendous vitality finally ebbed and life slipped away almost unnoticeably.

He had been active and kept regular hours at his downtown office in the Stangenwald Building on Merchant Street until August 31.

That morning while driving himself to work from his home on Pacific Heights, he felt a dizzy spell, stopped and called medical aid for what turned out to be a slight but not disabling stroke. The more serious stroke struck him in the hospital three days later.

Funeral arrangements are being handled by Williams Mortuary.

Services are planned at Kawaiahao Church at 3 p.m. Thursday with burial immediately afterward beside his wife in Diamond Head Memorial Park.

It is requested that friends desiring to send flowers or otherwise pay tribute to him accord with a wish he once expressed and contribute instead to a scholarship fund to be established in his memory at the University of Hawaii.

Pending further arrangements, gifts to the Riley H. Allen Scholarship Fund may be made in care of either the Star-Bulletin or the University of Hawaii.

It was on July 1, 1912, that two evening newspapers, the Hawaii Star, headed by Frank C. Atherton, and the Evening Bulletin, of Wallace R. Farrington, were merged into The Honolulu Star-Bulletin.

As their first editor, Atherton and Farrington chose 28-year-old Riley Allen, who previously had been with the Bulletin as city editor.

It turned out to be a happy choice.

When Allen stepped down 48 years later, the Star-Bulletin's circulation had climbed from 4,000 to 104,000 and the paper had been in the forefront of many battles—most notably the one for Statehood.

But there had been numerous others including an aggressive fight to keep out legalized gambling, and a gallant defense of the rights of Hawaii's Japanese citizens after December 7, 1941, as well as a campaign to rid Hawaii of military rule once the tide of battle in World War II had been turned at the Battle of Midway.

In the Statehood fight, Allen marched forward carrying the banner with the Star-Bulletin's successive publishers—Wallace Farrington, who served eight years as Governor of Hawaii in the 1920's; Wallace's son, Joseph R. Farrington, who was Delegate to Congress from 1942 until his death in 1954; and Joseph's widow, Elizabeth P. Farrington, who succeeded as both Delegate and publisher.

Mrs. Farrington continued as president of the Star-Bulletin until it was sold in 1962.

In the years that Allen edited the paper, Hawaii went from a remote Pacific outpost to a highly developed area linked by jet aircraft with its sister states.

Allen made the Star-Bulletin a metropolitan paper with a wide respect in the Islands and in the newspaper profession.

He constantly improved the paper by expanding its facilities and services to readers. When he became editor, Associated Press news from the Mainland cost 25 cents a word, and a quarter was worth more than a dollar today.

At those prices, news files had to be limited, but he steadily expanded them. By 1960, the paper was receiving hundreds of thousands of words a day by teletype, including the full New York Stock report, plus many supplemental mailed services.

Of the thousands of editions of the Star-Bulletin that he edited, none were more famous than the three extras published on Sunday, December 7, 1941, in the wake of the Pearl Harbor attack. The attack found him (as usual for a Sunday) at his desk and he immediately began calling in reporters and production people to get out a paper.

REMAINED ACTIVE FOLLOWING RETIREMENT

Since his retirement, he had maintained an office on the fourth floor of the Stangenwald Building, adjoining the former Star-Bulletin offices on Merchant Street, and still had a phone local connecting him with the Star-Bulletin switchboard in the News Building.

When he became trustee of the Farrington Estate in 1960, as part of the settlement of a long court fight among estate beneficiaries, its principal asset was the majority stock in this newspaper.

The trustees decided reluctantly in 1961 that it was in the best interest of the estate to sell the paper rather than spend millions on needed new facilities.

After receiving a number of Mainland and local offers, sale was made for $11.1 million in 1962 to a local group including Chinn Ho, president of Capital Investment Company, and Alexander Atherton, son of Frank Atherton, who had been president and publisher of the Hawaii Star, and whose family had always retained a minority ownership interest in the Star-Bulletin. The Farrington Estate received $5.7 million from the sale revenue.

Ho is now chairman of the board of the Star-Bulletin and Atherton is president. Allen expressed great satisfaction that the new owners represented both local ownership and a large degree of continuity of the old ownership and policies.

The Star-Bulletin has had two editors since Allen, both people who worked for many years under him in the newspaper business—William H. Ewing from 1960 through 1965, and A. A. Smyser, since the beginning of 1966.

LONGEST TENURE AND THE GREATEST IMPACT

Of the many editors who have served Hawaii, since the first newspaper (a religious journal) was printed here in 1834, Allen unquestionably had both the longest tenure and the greatest impact.

Journalists who worked with, under or even against him were apt to become maudlin in their sentimenality about him, and his accomplishments.

Except at testimonial affairs where he was a sort of captive audience, he usually shut off such demonstrations with a brusque switch to some other business of the day—but he was neither un-gracious nor unmoved by the displays of respect and affection.

His bustle and brusqueness were a part of the character that drove him to race upstairs several at a time even when he was in his 70's, and to seem to be everywhere at once—out at the scene of some newsbreak, in his office pounding out an editorial, down in the newsroom counseling with reporters, back in the composing room correcting proofs, or being among the first to call and offer help to some sick or bereaved friend.

His mind seemed to size up situations instantly and snapped to conclusions like a beartrap—a trait that might have seemed a weakness, except that the record usually proved him right.

Work weeks of seven days of 12 hours or more were something he imposed on himself with regularity. On a big story he managed to keep going and seem fresh with almost no sleep for days.

Men considerably younger than he couldn't match his pace. Within a few hours after he had his appendix removed in 1937, he had his secretary at his side taking dictation.

His doctor sent her away. He summoned her back.

HE DELIVERED A PAPER IN POURING RAIN

Also typical of his activity is a story told by one subscriber (Trude Akau) whose paper arrived soaking wet on one of the rainiest days in years. She called the Star-Bulletin to report that her youngsters were sick over missing the comics. Soon afterward, with the rain still driving down, a new paper was personally delivered by a puddle-hopping Riley H. Allen.

He always maintained a wide variety of both interests and friends.

As a college student he knew Amos Alonzo Stagg, the great football coach. In 1951 he still was interested enough in football to attend a football clinic at the University of Hawaii on modern science of the gridiron.

His whimsical "Editor at Large" columns were concerned with the problems of the preservation of barbershop quartet singing in America, the "clinophobes" who are addicted to staying up most of the night, the matter of park benches, and similar weighty subjects.

It was to his great amusement to try to enter a Hawaii toad in California's jumping frog contest and tout it so highly that he had to alibi equally hard that Federal agencies had prevented its ever getting to the race scene.

He wrote an estimated 125 letters a week and kept up a correspondence with perhaps 1,600 different people, all around the world.

Those behind the Iron Curtain found him exerting every effort to get needed food and gifts to them.

His philanthropies and kindnesses were numerous—and unrecorded.

Among them, were generous gifts to community and civic groups, aid to many in need, college support for a student he met in the Philippines.

His supply of stories and anecdotes was close to endless, reflecting both an active mind and an active life.

Golf and gardening were his principal recreation.

He was much in demand socially and as a speaker.

PURSUED AN INDEPENDENT POLITICAL LINE

A registered Republican, he still insisted on pursuing an independent political line and never, so far as is known, supported a "straight" party ticket.

He covered the national political conventions of both the Democrats and Republicans in 1940, 1944, 1948 and 1952, and got to know the machinery so well that he was regarded as an unofficial member of the delegations of both political faiths.

Where Statehood was concerned, the parties made common cause and he lent his hand toward fighting to get Statehood planks into the national platforms of the Democrats as well as the Republicans.

Counted among his close personal friends were men like Carlos P. Romulo of the Philippines, who recalls Riley Allen as the man who met him and befriended him when Romulo, then little known, arrived in Honolulu in 1942, after being evacuated from Corregidor.

Syngman Rhee, founder of the Republic of Korea, was a friend from the days when Rhee was in exile in Honolulu.

Allen traveled widely in days when travel was much more difficult and time-consuming than it is today.

In 1914, he traveled to Japan with a Hawaii tour party.

The end of World War I saw him in Siberia and undertaking a world cruise to repatriate 780 Russian children to their homes in Petrograd (now Leningrad).

He made frequent—sometimes annual—trips to the U.S. Mainland to report on political developments and cover the national political conventions.

He visited Samoa in 1948 to study the problems of that growing American community, and followed this up with trips to Japan in 1949, to the Philippines in 1950, to Samoa, Fiji, Guam and the Pacific Trust Territory in 1953 and to Alaska in 1953 for the Senate Statehood hearings there.

All of these trips he reported extensively, and ably, for Star-Bulletin readers.

CONSIDERABLY MORE THAN JUST AN EDITOR

Considerably more than just an editor, Allen from the start played an active role in the community his paper served.

He was much concerned with the problem of welding people from the Asiatic communities into the body of a harmonious community that was thoroughly American.

As a part of this, he took an active interest in school programs, encouraging school garden development, oratorical contests and awards for outstanding students in various fields of endeavor.

The Quill and Scroll Society for journalism students named its Farrington High School chapter the Riley H. Allen Chapter in his honor. The Hawaii Young Farmers Association and similar groups received his active encouragement.

He was president of the Honolulu Chamber of Commerce in 1929 and a leading figure in the formation of the Honolulu Junior Chamber of Commerce.

In 1940 and 1941 he was chairman of the Institute of Pacific Relations in Hawaii and its ardent defender later against charges in Congress of subversive activity.

For several years during and after World War II, he was chairman in Hawaii for the National Foundation for Infantile Paralysis.

He also served on the Hawaii Visitors Bureau, the Hawaii Equal Rights Commission which fought for Statehood, the first Pacific Memorial Foundation to select a World War II memorial and the board to form a convalescent nursing home.

During World War II, he was an air raid warden and chairman of the Hawaii Emergency Committee to save waste and scrap iron.

Other activities included service as a director of the Adventurers Club, an incorporator of the Maunalani Convalescent and Nursing Home, long-time membership in the Honolulu Automobile Club.

Allen's accomplishments and activity earned him many honors, literally too numerous to mention.

HONORED BY HAWAII BAR ASSOCIATION

Earlier this year, the Hawaii Bar Association singled him out for its 1966 Liberty Bell award for his service to the community and dedication to the precepts of democracy.

This year's Eagle Scout Class will be known as the Riley H. Allen Class and the November 17 dinner honoring them will be a tribute to him. It was planned that he would take part. Now the tribute will be paid posthumously.

In February, 1960, he received from the Aloha Council, Boy Scouts of America, the Silver Beaver award "for distinguished and outstanding service to boyhood." He was cited for 23 years of work with Island Boy Scouts, having served as a troop committeeman for 11 years, a Cub pack committeeman for three years, a pack committee chairman for three years and an elected member-at-large of the Aloha Council for the last six years.

The Veterans of Foreign Wars gave him its silver citizenship medal in 1950.

Even though he left the University of Washington to complete his education at the University of Chicago, Washington singled him out in 1958 to receive a plaque designating him Alumnus Summa Cum Laude Dignatus for that year.

As a student, he had written the lyrics to the Washington alma mater that is still sung today.

A year earlier, Allen had received from the University of Missouri its award to the Star-Bulletin for Distinguished Service in Journalism. The award mentioned the paper's service to Hawaii, exemplification of American ideals, and promotion of agriculture and industry in the islands.

His honors from Hawaii's diverse racial groups were many and a reflection of the active interest he showed in their development.

He was made an honorary member of the Hawaii Chinese Civic Association after being its only non-Chinese active member for many years; was an honorary member of the Korean University Club, and Puerto Rican Athletic Association; the first male honorary member of the Filipino Women's Civic Club.

AMERICAN-KOREAN FOUNDATION ACTIVITY

He served as an international director of the American-Korean Foundation and was cited in 1953 by the Filipino Community for "wise thinking, unbiased writings and sincere personal dealings" in helping to cement friendship between the Filipinos and the rest of the community.

In 1955, he was honored along with the late Ray S. Coll, editor of the Honolulu Advertiser, at a testimonial dinner sponsored by the Hawaii Public Relations Association in honor of the long service to the community of both editors.

Allen was born April 30, 1884 in Colorado City, Texas. His father died two months after his birth and his mother, the former Anvaline Beck, took her two daughters and baby boy back to her family home at Smith's Grove, Warren County, Kentucky.

After five years in Kentucky, Mrs. Allen moved her brood across the nation to Seattle, Washington, to join other members of the family. The children grew up there while their mother, a brilliant woman, taught school and entered real estate work to support them.

Allen began college at the University of Washington. He never graduated there, but went on to the University of Chicago where he did his first newspaper work as campus reporter for the University of Chicago Daily Mirror.

He was graduated from Chicago in 1905 and went back to Seattle to take his first newspaper job with the Seattle Post-Intelligencer.

Before 1905 was out, he had ventured to Hawaii and spent eight months here as a reporter for the Honolulu Evening Bulletin.

He returned to Seattle to be assistant sports editor for The Post-Intelligencer.

RETURNED TO HAWAII WITH WIFE IN 1910

On September 6, 1910 he married Suzanne McArdle, of Seattle. They came to Hawaii on their honeymoon and moved into the Courtland Hotel at Beretania and Punahou Streets, an area then considered well out on the outskirts of town.

Allen returned to the Evening Bulletin as city editory and remained until its merger less than two years later with the Star.

His editorial service was broken only once, during the period from 1918 until 1921 when he served with the American Red Cross in Siberia.

He went there at the urgent invitation of Major Alfred L. Castle of Honolulu, who was then serving in Siberia. Commissioned a major in the Red Cross, Allen first was in charge of publicity, then became financial secretary of the Red Cross Siberian Mission and a lieutenant colonel.

He worked under fire during fighting at Vladivostok to care for wounded, and in 1920 was in charge of the memorable assignment of transporting 780 Russian childern from Siberia by ship across the Pacific, through the Panama Canal, and back to homes in Petrograd from which they had fled during the revolution. The job of locating their parents took months.

With this mission completed, he left the Red Cross and returned to Hawaii on July 20, 1921.

For 36 years until his death, Allen lived at 3275 Pacific Heights Road in a Mediterranean-style home that he and his wife started in 1930. It was two stories of hollow tile construction with a tile roof.

MRS. ALLEN INTERESTED IN MUSIC

Mrs. Allen was active in community affairs and especially interested in music. She had an exceptionally good voice and made frequent public appearances.

Falls in 1941 and 1944 broke her health and she was an invalid before she died on July 6, 1950.

The Allens had no children.

Mr. Allen's only relative in Honolulu is a cousin, Mrs. Jack Altman. His eldest sister, Jessie, is the widow of Dr. Wallace Charters, a prominent educational psychologist. She lives in Michigan. His other sister, Ella, is Mrs. Quincy Scott, widow of a former cartoonist for the Portland Oregonian.

In addition to these relatives, he leaves a large number of nephews, nieces and cousins.

Strength of Character

Riley Harris Allen, now dead, was without doubt the greatest and most influential editor to appear on the Hawaii scene in the 132 years since the first newspaper was published in these islands.

Startingly, his tenure alone—48 years—spans more than one-third of this period.

It was the most dynamic third, a period that began just before the opening of the Panama Canal and ended just after the jet age cut travel times to small fractions of those with which his tenure began.

He always identified the Pearl Harbor attack and Statehood as the two most significant events of that era, both of them events that broke down the barriers separating Hawaii from the rest of the world and swept it closer to the mainstream of national and international affairs.

Hawaii 1966 still may be provincial in many ways.

But it is a far cry from the tiny, former mid-Pacific monarchy that in 1912 had an economy based primarily on sugar, one quarter of today's population, and a rigid social structure that had whites at the top, Oriental laborers at the bottom, and Hawaiians who were rapidly being displaced in their own land in varying degrees of dependence. As Allen wrote in some personal memoirs republished in connection with his death, both the annexation of Hawaii to the United States and his annexation to Hawaii were deliberately-planned events.

So was Hawaii's steady march to greater democracy and equal status within the Union of the States, and Allen was one of those who dedicated his life to seeing that the march would not be diverted, frustrated or foiled.

In company with men like Wallace R. Farrington and Frank C. Atherton, the far-seeing first owners of this newspaper, Allen marched steadfastly toward these goals, carried on beyond their deaths, and had the good fortune to see the campaign climaxed with the attainment of Statehood in 1959, a year before he ended his service as editor.

He could write these words, proudly and humbly, on August 21, 1959:

"Today we stand as a state before the world. As possibly no other state in history we are exposed to international gaze—for Hawaii is unique in that, for the first time, there is in the American Union a State, a majority of whose citizens trace their ancestry to the Far East.

"Can democracy truly exist in such a mixture of cultures and creeds? Can people so diverse in tradition be united in the concept of equality, justice, self-determination and rule by law which forms the heart of the American way of life?

"We stand proudly in the spotlight. We know that we already have met these challenges, answered these questions in nearly 60 years of constructive, progressive self-government.

"Just as we invited scrutiny as a Territory, we now invite the scrutiny of the world as a State, for we honestly believe that in these Islands freedom and democracy have found a home where they are forever welcome.

"We stand today freer than we have ever been. The last restraints of Territorial limitations have fallen from us. Our State is sovereign—and a fully accepted member of the Union of States.

"The future is ours to shape. The Nation's future ours to influence. The world's future, ours to lead by example.

"This is in truth a day for surging pride.

"It is also a day for humility. For as we emerge into the full light of Statehood, we bravely accept not only the obligations which the States before us have accepted, but the obligation to show all the world the proof that freedom and democracy can thrive in any climate, if these qualities live in the hearts of men."

These were the words of a man who had seen his dream of a half-century come true. They could have been boastful, but they weren't. Instead they looked, characteristically, to the future, to the responsibilities ahead, and to a national and world role for his beloved Islands.

Allen was first of all a good citizen, a compassionate, community-minded man who cared more about the welfare of others than about his own.

As an editor, he was a great competitor. He wanted his paper to have the news first and have it best. He battled constantly for "scoops" and news breaks, steadily added new services as the increasing business success of the venture made it possible to afford them.

As a voice within the community, his vision was far-sighted, his tenacity seemingly limitles while he battled for nearly half a century for Statehood or fought back bid after bid to bring legalized gambling to Hawaii.

Always he preached the importance of the law and of respect for it, and of the importance of the democratic process.

It would perhaps please him that these last tributes are being paid in an issue of his paper that also reports the election results because he reveled in the election process and found it fundamental to making Hawaii a modern, democratic society.

With others, he looked also to education as the great door to opportunity and equality, and fought for a strong public school system, open to all, and for a strong Hawai college, now the very strong University of Hawaii.

Driving this uncommonly able and energetic man was a strong personal sense of right and wrong, a vigorous Christian ethic even though he was not a regular churchgoer.

He was no zealot—yet he was uncompromisingly demanding of himself, while being indulgent and understanding of weakness in others.

He loved his fellow man and Hawaii uncommonly well, and served them devotedly.

He was one of the makers of the mould in which Hawaii 1966 was cast long ago. He labored well.

SOUTH DAKOTANS IN THE PEACE CORPS

Mr. McGOVERN. Mr. President, the Peace Corps has universally been accepted as one of the great success stories of the 1960's. Young people of high ideals and purpose from every State in the land have contributed to the great international image of the corps.

Becky Perry, of Sioux Falls, S. Dak., a student at the University of Minnesota, and her husband, John Kavanaugh, volunteered for a 2-year tour in the Peace Corps and were assigned to an urban development project in Bombay, India. Regrettably, they were recently called home to Sioux Falls for the funeral of her father, George Perry, a widely known and respected South Dakota attorney. The Sioux Falls Argus-Leader, on September 11, 1966, published a feature article on the accomplishments of these two young people, which I think commands the attention of other Members of this body. I ask unanimous consent that the article be printed in its entirety at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AREA YOUNG PEOPLE SERVE COUNTRY IN PEACE CORPS

(By Loila Hunking)

What prompts two well-educated young people to give up the comforts of home and family in exchange for two years of hard frustrating work under primitive, unbelievably over-crowded living conditions?

Becky and John Kavanaugh, Peace Corps volunteers in Bombay, India, paused midway in their tour of duty and tried to answer the question.

The former Becky Perry and her husband were called home last week by the death of Becky's father, George Perry. They were given two weeks emergency leave and will return to their duties next week.

"Joining the Peace Corps wasn't a sudden decision," said Becky. "It was something each of us had thought about separately for some time."

John Kavanaugh had already been accepted by the Peace Corps and received assignment to Africa when he and Becky decided to be married and apply for a tour of duty together.

Becky and John spent a three-month training period at Columbia University School of Social Work in New York, studying Indian culture and history, and learning Hindi. They also spent some time reviewing American history, and doing 10 weeks of field work in the Spanish Harlem area of New York City.

Though John is a graduate of the University of Minnesota with majors in history and political science, and Becky is only a semester from graduation with majors in English and sociology, neither had specific college training for the work they are now doing.

"We are part of a pilot project," said John, "one of the first Peace Corps groups to do work in urban development. The Peace Corps volunteers have been tremendously successful in rural areas, but similar efforts to reach people in South American cities were largely unsuccessful. We hope to have greater effect in Bombay."

The Kavanaughs are assigned to an area of 20 chawls, apartment buildings which house from 20 to 30 people in each single room. Sanitary facilities and health measures are virtually nonexistent.

They work from a community center in the heart of the area, and live in the same building.

The center houses a sewing room, library, Montessori class rooms, rooms for adult literacy classes, and a large all-purpose room, as well as the Kavanaugh's small apartment.

As part of their daily routine, Becky and John dispense milk to 200 needy women, those with children under three, and pregnant women. This program, however, reaches only a few of the 20,000 people in their assigned area.

Since their arrival in Bombay, the Kavanaugh's have initiated a literacy program for the women in their area, and aided a number of them to obtain medical examinations and family planning information.

Beck commented, "One of our biggest obstacles is getting these people to realize they can help themselves. Apathy and indifference keep them from learning new methods."

"The caste system also provides problems," added John, "because men feel that certain kinds of labor are beneath them, thus they don't work at all."

Despite the frustrations of language difficulties and bureaucratic red tape, John and Becky feel the Peace Corps is a "wonderful organization" that is serving a real need.

With 13 months left of their tour of duty, John and Becky are busy with plans to help the people in their chawls find hope and build new attitudes. Unlike some who pay lip service to the idea of helping others to help themselves, Becky and John Kavanaugh are investing two years of their lives.

UNITED STATES LOSES AIRCRAFT MARKET IN SOUTH AMERICA TO EUROPEANS

Mr. BREWSTER. Mr. President, I should like to bring to the attention of my colleagues a situation which I find very depressing. The situation is this: we are losing a very important market, the short-range turboprop transport market in South America. What is worse, we seem to be unwilling to do anything about it.

I maintain that the United States should begin now to realine its policies to conform with those of the European nations that are competing with us for the same markets. Failure to do this will weaken our position considerably.

The whole sad story of the loss of the South American short-range turboprop market is outlined in a very enlightening article that I read recently in the September 19, 1966, issue of Aviation Week & Space Technology magazine, and in a short column that appeared in the September 26 issue of the same publication.

Mr. President, I ask unanimous consent that the items I have cited be reprinted in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Aviation Week & Space Technology, Sept. 19, 1966]

EUROPEANS GAIN EDGE IN SOUTH AMERICA—MARKET FOR OVER 250 AIRCRAFT APPEARS LOST TO UNITED STATES DUE TO THE RESTRICTIONS OF POLITICAL AND FISCAL POLICIES

(By Cecil Brownlow)

WASHINGTON.—British and European manufacturers appear to be on the verge of sweeping the current South American jet fighter and short-range turboprop transport market unless there is a quick reversal of current restrictive U.S. political and fiscal policies. The number of aircraft involved is estimated at approximately 150 fighters and well over 100 short-range transports.

Peru, weary of fruitless negotiations in the U.S., is expected to lead the way on the military side with an order for 16 British Aircraft Corp. English Electric F2 Lightnings, including four two-place trainers. Final negotiations for the purchase were begun during the recent display of the Society of British Aerospace Companies at Farnborough (AW&ST Sept. 12, p. 26).

The purchase by Peru, which also may include some Hawker Hunter jet fighters to supplement the Lightnings, could touch off near-future orders in Venezuela for Sweden's J35 Saab Draken and in Chile for the French Dassault Mirage 3. The Lightning, Draken and Mirage 3 are all Mach 2-category aircraft.

The British already have broken into the short-range turboprop transport market in South America with sales of the Hawker Siddeley Avro 748 and the Handley Page Herald and probably will virtually take it over if present U.S. policies remain unchanged.

FACE U.S. ROADBLOCK

Major would-be U.S. entries in these fields are the Northrop F-5 light strike aircraft on the fighter side and the Fairchild Hiller F-27 and FH-227 on the short-range turboprop end.

So far as fighters are concerned, U.S. State and Defense Dept. officials have blocked permission for the sale of any supersonic jet aircraft to the Latin American countries and have urged, instead, that they use the funds now earmarked for this purpose to invest in programs that would directly benefit their often-poverty-stricken population.

The problem is that they have no intention of doing so, and U.S. industry officials working in this area regard the State and Defense Dept. policy as reflecting a wishful, head-in-the-sand attitude, one that the Peruvian order may reverse—but possibly too late. "The South Americans look at the U.S. stand as an attempt to kill off their air forces, and they don't have any intention of letting this happen," according to one industry representative working in Latin America.

On the short-range transport side, the major road block to sales is the matter of financing. The British are offering 10-year credits on the purchase of the Avro 748, while the U.S. Export-Import Bank continues to adhere strictly to the covenants of the Berne Union regulating such transactions, which stipulate that members of the pact may offer a maximum of five-years' financing on export sales of aircraft of this type (AW&ST May 30, p. 26). The bank, whose officials also are not overly enthusiastic about guaranteeing long-term loans to some of the countries involved because of the feared risk, contends that it will continue to adhere to the tenets of the pact unless it can be proved that other signatories are violating it.

Britain's counterpart to the Export-Import Bank, the government-owned Export Credits Guarantee Dept. (ECGD), is a signatory of the Berne agreement and, in response to queries from the U.S., maintains that it is not offering financing for the Avro 748 beyond the five-year time limit.

This is technically correct, according to U.S. industry officials, because ECGD is being formally bypassed in the agreements. The British government's implicit backing of the sales apparently is sufficient to obtain guarantees for the 10-year loans without the implied sanction of the ECGD.

Future of the F–27 and FH–227 in South America suffered a severe blow earlier this month when Brazil's Varig Airlines, a leading carrier in the area, announced an order for 10 748s. Shortly before the announcement, U.S. government officials attached to the embassy in Rio de Janeiro reported that Varig President Ruben M. Berta would prefer the larger F–27 but would go with the 748 if the five-year rule held for the former aircraft. It did, while the British transport reportedly was offered to the Brazilian airline on 10-year repayment terms, with a one-year grace period and 7.5% interest.

According to information available in the U.S. late last week, the terms were improved still further in order to meet a Varig demand for 10 years credit at 7.2% interest with a three-year grace period. This reportedly has been met by guaranteeing the loan with counterpart funds built up in West Germany, presumably through German contributions to the support of the British Army on the Rhine.

GERMAN UNDERWRITING

Under this arrangement, and, again, according to information received in the U.S., a 15-million loan for the Varig 748 purchase is being underwritten by the German government, the Deutsche Bank and Deutsche Lufthansa Airlines, with each accepting a third of the total. The German government is charging a minimum 2.5% interest rate, while the Deutsche Bank and Lufthansa will receive 9.5% each for an average of 7.166% for the full loan.

Had Varig gone through with an order for 10 F–27s, it would have represented a purchase of approximately $13.3 million, but the total Brazilian market is estimated at about 100 short-range turboprop transports, including 40 for the military. Brazil's Cruzeiro do Sul has expressed an interest in 10 FH–227s to replace the 15 Convair 240s, 340s and 440s it has on hand, and Viacao Aerea Sao Paulo wants 10 aircraft in the F–27 class. Other orders could be expected to follow if these were obtained, but, barring any Fairchild Hiller success, the 748 may have the market to itself. The Varig order represents a major step in this direction.

And, even if the carriers could afford to—or were willing to—finance the purchases on a five-year basis, they would not be allowed to do so by the Brazilian government. The country's state-owned Central Bank, which has agreed to an International Monetary Fund proposal that it restrict Brazil's short-term credits to a maximum of $80 million has determined that anything under eight years falls within the "short-term" category. In line with this, it has rescheduled all airline debts on a 10-year basis and has told the carriers that future equipment loans must be obtained on a similar basis. As a consequence, it disapproved an earlier Hawker Siddeley proposal to Varig for seven-year financing on the 748.

Barring any change in heart on the part of the Export-Import Bank, Fairchild Hiller's only hope appears to be a firm denial by the bank of any interest in such loans to Brazil beyond the present five-year limit. This possibly could open the way to loan guarantees from the State Dept.'s Agency for International Development should the Administration determine that it was important to the U.S. politically and from a gold-flow standpoint to capture this market for American equipment. AID, though generally shying away from aircraft loans, has made them on a limited basis in the past, notably in Bolivia and Guinea, in cases where the Export-Import Bank feared to tread.

Brazil also has been one of the nations anxious to obtain the F–5 and had purchased several T–38 trainer versions of the aircraft with this expectation. With Brazil's current money squeeze, however, the government has decided to postpone any action in this area, although its air force is down to a bare minimum of combat aircraft—about five flyable, aging British Gloster Meteors out of the 73 originally purchased at a time when State and Defense Dept. policy precluded any potential U.S. sales. The eventual market is estimated at about 60 aircraft.

Aside from Peru, Venezuela and Chile, Argentina is the other prime candidate for a fighter aircraft buy in the immediate future. It has been told by the Defense Dept., in a break with policy, that the F–5 can be sold to the country sometime around 1970. With the Peruvian Lightning buy, however, Argentina is not expected to be willing to wait. A similar assurance had been offered to Peru, with 18 obsolescing North American F–86s offered under grant-aid as interim aircraft, but the Peruvians decided against the proposal.

The Argentinians also have been permitted to meet a portion of their requirements through the purchase of 25 Douglas A–4B jet strike aircraft taken under protest from the inventory of the U.S. Navy reserve program. But, because of the demands of Vietnam on U.S. versions of the aircraft, the purchase of spares has been difficult, and some of the Argentinian A–4s are being flown at a rate of less than 20 hr./month.

And, even should the State and Defense Depts. make a radical shift in policy, it may be too late to permit any major dent in the move toward Europe from the price standpoint alone. The Swedes, as an example, reportedly are offering used Mach 2 Drakens from the air force inventory at a cost of $600,000–$700,000 per aircraft, including spares. On a price basis alone, this is severely competitive with the Mach 1–plus F–5.

[From Aviation Week & Space Technology, Sept. 26, 1966]

Chileans Eye HS 748

Linea Aerea Nacional de Chile is expected to follow the lead of Brazil's Varig Airlines with a matching order for Hawker Siddeley Avro 748 turboprop transports.

The formal contract probably will be signed in Santiago in the near future. The order follows speculation in the U.S. that the Varig lead plus continuing Export-Import Bank restrictions on available credit terms for export sales of the competing Fairchild Hiller F–27 will open the South American short-range turbo-prop transport market for a virtual 748 sweep (AW&ST Sept. 19, p. 26.)

Under terms of the Hawker Siddeley contract with Varig, the first aircraft will be delivered seven months after the formal signing of the order and five of the 10 will be in Varig's possession within 12 months after the signing. Delivery schedules for the remaining five will be established in early 1968.

Total cost, including spares and seven spare Rolls-Royce Dart R Da 7 Mk.531 powerplants, will be $15 million. Varig will pay 10% of the cost in cash, while 7.166% financing for the remainder has been arranged in West Germany. The 10-year loan stipulates an initial three-year grace period in which Varig payments will be waived.

A SUIT FOR FAIRNESS

Mr. MUNDT. Mr. President, earlier this week, I had occasion to invite the attention of the Senate to the unprecedented and epochal suit which has now been filed before the U.S. Supreme Court on behalf of the State of Delaware and 12 sister States. The editorial from the Washington News, which I ask unanimous consent to have printed at this point in my remarks, contains an interesting and informative commentary on that suit.

Mr. President, the totally unjust and inequitable procedures of selecting the members of our electoral college in a presidential election remains the greatest violation of civil rights which remains on our American scene. It should and must be corrected.

I believe that Senate Joint Resolution 12, which was once again introduced in this session of Congress by me and a dozen other Senators, is the optimum formula for correcting the deficiencies and the inequities of prevailing electoral college procedures. Earlier this session, extensive hearings were held on electoral college reform proposals—including Senate Joint Resolution 12—but no action has been forthcoming. It seems destined to remain among the growing list of items which will remain as "unfinished business" of the 89th Congress. If so, let us hope that an aroused public opinion or that the forthcoming verdict of our Supreme Court will cause this needed reform to rate high on the "must items" to be enacted by the 90th Congress next year.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Suit for Fairness

Delaware's Attorney General, David P. Buckson, acting for the state, has filed suit with the Supreme Court to have our obsolete Electoral College system declared unconstitutional.

It is an interesting suit, with merit.

Mr. Buckson believes the Electoral College, as we have it, is inconsistent with the Supreme Court's decisions in the legislative representation cases. In those cases the court held that any apportionment of seats in a state legislature must be done on a strict population basis.

We have disagreed with that decision, on the ground that the states—by vote of the people—ought to be able to work out their own systems, so long as they are equitable. The U.S. Senate is divided on a state basis, regardless of population, and the House districts are only theoretically apportioned by population. If this is sound for the Federal system, a similar method for the states hardly can be unconstitutional.

Nevertheless, the Supreme Court said state senates, as well as lower houses, must be elected strictly on a "one-man-one-vote" basis.

But the Electoral College, which chooses our Presidents and Vice Presidents is not chosen on this basis. The candidate who carries a state by as little as one vote gets all the electoral votes of that state. The election result is heavily weighted in favor of the bigger states, and especially by minority groups in the big states which might have just enough votes barely to swing the state.

This is the point of the Delaware suit. As Mr. Buckson says, each voter in Delaware in effect has only three electors representing him in the Electoral College, while a New York voter has 43. This assuredly is not in agreement with the "one-man-one-vote" principle.

If that principle is sound for legislative representation, as the Supreme Court says, it is the sounder when it comes to electing a President and a Vice President.

Kentucky now has joined Delaware in this suit.

If nothing else, the suit should provide a push for Congress to get on with a Constitutional amendment to correct the dangers and inequities in the present Electoral College system.

ARTICLE BY VICE PRESIDENT HUBERT H. HUMPHREY IN "MEDICAL WORLD NEWS"

Mr. MONDALE. Mr. President, one of the many encouraging U.S. health trends is the increasing cooperation between the health professions and Federal, State, and local governments. In place of bygone antagonism and misunderstanding, there is today, more than ever before, a desire to find a mutually satisfactory path for the health of all our people.

This was the theme of an article by Vice President HUBERT H. HUMPHREY in the September 2, 1966, issue of Medical World News.

This article is, I understand, the first time this important news publication has carried a byline statement.

Speaking from his broad background as both a registered pharmacist, and as a Senator with 16 years of experience on health bills, the Vice President has praised medical cooperation with the U.S. Government. He has emphasized that the goal of President Johnson and his administration is to work as a friend with the medical profession.

I ask unanimous consent that the text of this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOCTORS, LET US BE PARTNERS

(By HUBERT H. HUMPHREY)

Some of the most dynamic advances in the history of American medicine are now taking place. They result from medicine's reponse to needs as the profession feels them, and from the rising expectations of the American people for more and better health services.

As these advances are made, however, a key problem also results—how to expand and broaden health services without diluting their quality. More specifically, the problem is to overcome the formidable financial barriers that have separated many Americans from adequate health care, without restricting the freedom of the doctor. As the government launches an increasing number of health programs, the aim must be to provide maximum freedom for the practitioner while at the same time bringing higher quality of services to every element of our population.

This requires the fullest cooperation between a wide variety of private and official resources so that private initiative can flourish and the doctor-patient relationship can be maintained, strengthened, and unrestricted.

The challenge can be met. Excellence in the delivery of health services must follow attainments in medical research and education. More than ever, the great need is for teamwork. More than ever, we need a dialogue with the medical profession.

The backdrop for the federal government's new programs of assistance in health care, in cooperation with the medical profession, is a changing, growing, aspiring America. Consider:

The over-all population is rising. Soon it will be 200 million; by 1970, 210 million; by 1985, 250 million.

General standards of living are rising. A record-breaking continuity of prosperity has given our people faith in themselves and a desire to enjoy in good health still more of the good things of life.

More Americans are living to advanced years, thanks to medicine's impressive progress. The 19 million Americans over 65 today will increase to 25 million in 1985.

More Americans are being rescued from the dreary cycle of poverty, ignorance, illiteracy, and disease.

The result is an unprecedented demand on the medical and allied health professions. Before the demand can be filled, serious shortages of manpower must be overcome. But sheer expansion of numbers is not enough. Continued high quality is crucial, as is improved organization in the delivery of health and related services. Better services to the one fifth of American families caught in the cycle of poverty is a special challenge.

The goal is to serve the whole patient, fulfilling his needs with a degree of continuity and integration which has often been lacking. This was a theme of the recent report by the National Commission on Community Health Services, sponsored by the American Public Health Association and the National Health Council. And this report emphasized that the physician should be the central point for all medical and related services to his patient.

In community after community, medical leadership is re-examining how available personnel, institutions, and equipment can voluntarily serve to better advantage. Imaginative demonstration projects are being undertaken in many places. Civic, business, labor, and other leaders are joining with the medical profession to attempt new and improved forms of health care. Group practice is increasing, including prepayment health care plans. The pluralism which is America's distinctive strength is rapidly evolving.

This change, encouraged by the government, is being brought about not for its own sake, but to meet the emerging needs of our time. The adjustment often is difficult. But what a mistake to insist on rigid adherence to the status quo, when there is a chance to break through to higher ground of human service!

American medicine already is the beacon of the world—a fact that has personally been brought home to me in my travels. No country can match ours in the depth and breadth of our high-caliber personnel and institutions. From the ends of the earth, foreign professionals now come to learn from our clinics, medical schools, researchers, and other life scientists. All over the world, high rank is accorded our medical journals, textbooks, films, drugs, medical devices, equipment.

How ironic then, that with all these advances there are segments of our own people who do not benefit. "In this country," President Johnson has said, "medical scientists have done much to improve human health and prolong human life. Yet as these advances come, vital segments of our populace are being left behind—behind barriers of age, economics, geography, or community resources."

Our task today, the President said, is "to help all our people surmount these needless barriers to the enjoyment of the promise and reality of better health."

To bring the fruits of medical advances to all the people, government officials have been meeting, fruitfully, around the conference table with a vast variety of interested groups. They are talking and working with representatives of the American Medical Association, the Association of American Medical Colleges, specialist organizations, the Pharmaceutical Manufacturers Association, insurance carriers.

In the new era of partnership, the role of the federal government is limited but significant. As required by law, government seeks to assist medicine, not to dominate or control or interfere unnecessarily. This role is neither new, nor untried. For over two decades, the federal government has been a supporter and catalyst for progress in research through the National Institutes of Health and in aid to hospitals through the Hill-Burton Act. These and other programs have proved overwhelmingly successful.

The practicing physician is well represented in the Department of Health, Education, and Welfare, as well as in the wide variety of panels and councils whose advice on administration is proving so valuable. Our outstanding HEW Secretary, John W. Gardner, is fortunate to have Dr. Philip R. Lee as Assistant Secretary for Health and Scientific Affairs and Dr. William H. Stewart as Surgeon General of the Public Health Service.

Carrying out the new health programs is not government's job alone. It is the job of everyone who can contribute to the success of these laws.

I invite American medicine to come forth with its constructive suggestions. Let the executive and legislative branches hear your expert views. Let us improve whatever needs improving. Let us be genuine working partners. Frank and friendly dialogue can illuminate our problems and light the path ahead. "'Come let us reason together.'" President Johnson has often said, quoting the Biblical admonition. Medicine is reason in action. Medicine is science and art, dedicated to the service of man. Medicine deserves the respect of every layman.

To underscore the need for more teamwork, let us consider the new programs the federal government has enacted in recent years to help bring medical care to Americans in need:

A gap had developed between the findings of research and day-to-day application. Only in a handful of great metropolitan centers were discoveries being put to work. To help meet this problem, Congress enacted legislation setting up a network of regional heart disease, cancer, and stroke centers.

Alarming shortages in health personnel had developed, and even more serious shortages loomed. Congress enacted the Health Professions Educational Assistance Act of 1963 to construct and expand teaching facilities and to operate student loan funds. Last year, amendments were added to provide basic and special improvement grants for school training as well as a new program of scholarships. In 1964, Congress passed the Nurses Training Act to assist students of nursing and schools of nursing.

Millions of elderly persons with only fragmentary protection from private insurance could not afford rising hospital and medical costs. Congress last year extended the Social Security system to cover hospital costs by payroll contributions, in addition to making it possible to cover most medical costs by optional enrollment.

Mental disease, the most widespread illness of modern society, filled half our hospital beds and exacted a staggering toll in disability and misery. Congress enacted the Community Mental Health Center Law and then broadened it to provide staffing.

Mental retardation blighted 5.4 million lives directly and millions more indirectly. New programs were authorized by Congress to deal with the medical, educational, and vocational needs of the retarded.

One fifth of American families eked out a drab existence in urban and rural slums. Their children were virtually condemned to disease, ignorance, and destitution. The War on Poverty was launched with a variety of bold experiments, like Project Head Start, with crucial health components.

Our environment has become increasingly contaminated, our air and water polluted. Congress has taken action on these fronts. It also has acted to reduce the staggering toll taken by highway accidents.

Despite the controversy that surrounded their progress through Congress, these new programs have been widely accepted. Medicare, of course, continues to be the focus of debate, but to a dwindling degree, and more on procedures than fundamental principles. Whatever the medical profession's misgivings, it is responding constructively. It is cooperating and giving of its expert advice to make the law work. That's what counts.

With mutual respect, with a mutual desire to serve, there is no problem that cannot be solved.

The new laws do not heal. They merely provide the resources whereby skilled men and women of science can heal. There is so much yet to be done that we cannot afford to bicker. We are just beginning to construct the administrative foundations upon which medicine can be assisted to fulfill the needs of our people.

Consider not the past of medicine, but the future. Think of what great vistas still lie before us. Excellence and teamwork should be our creed—the excellence of the healing arts, the teamwork of neighborhood, city, state, and nation. Every element of our private economy should work with government and medicine in striving for the highest standards and the finest results.

This can truly be the golden era of health. Medicine can enjoy its finest hour of service. It can further fulfill its highest ideals, and all of us will be its further beneficiaries.

DEATH OF ARTHUR G. McDOWELL

Mr. DODD. Mr. President, this morning I received the sad news that Mr. Arthur G. McDowell, director of international affairs in the Upholsterers Union and secretary of the Council Against Communist Aggression, was killed in an automobile accident yesterday afternoon near York, Pa.

Mr. McDowell will be sadly missed by his many friends in Congress and by the many thousands of people who knew him from one end of the country to the other.

Art McDowell was a champion of every good cause, a foe of social injustice, an implacable enemy of political tyranny, whether Nazi or Fascist or Communist.

He was the driving force behind the Council Against Communist Aggression, an organization which he helped to found in 1951 and which has since functioned as an effective coalition of labor, liberal, and conservative anti-Communists.

He fought a desperate one-man battle to save Povl Bang-Jensen, the Danish diplomat who refused to turn over to the U.N. Secretariat the list of secret witnesses on the Hungarian revolution.

He played a key role in mobilizing congressional and public support for the establishment of a freedom academy where American citizens and other citizens of the free world could be trained in the techniques of freedom and in the tactics and strategy necessary to defeat communism.

Art McDowell was a man of many parts.

He was a scholar who could quote at length from Shakespeare and deTocqueville and Demosthenes and all the great classics.

He was a man of action who could not remain supine when he felt that errors or injustices were being committed.

He was the nearest thing I have ever encountered to a walking encyclopedia on communism and the cold war.

But he was, above all, a dedicated and warmhearted human being, who gave unstintingly of himself in the service of those he knew and those he did not know.

America as a whole is much poorer for the loss of Art McDowell. I want to take advantage of this opportunity to salute his memory and express my sympathy to his bereaved family.

VICE PRESIDENT HUMPHREY, IN SEATTLE, PROJECTS OCEAN RESOURCE EXPANSION

Mr. JACKSON. Mr. President, Vice President HUMPHREY, on September 28, outlined goals of the new Cabinet-level National Council on Marine Resources and Engineering at a banquet of Washington State civic and maritime leaders in Seattle, where he was guest of honor.

The Vice President is Chairman of the new Cabinet-level National Council on Marine Resources and Engineering.

The banquet was sponsored by the Seattle Area Industrial Council and Puget Sound Oceanographic Study Committee. A capacity audience attended, including State and city executives.

Mr. HUMPHREY praised Seattle and his hosts for the imaginative way they have brought business, government, and universities together to plan expanded development and utilization of the ocean's treasures.

The Vice President also extolled the leadership of the distinguished senior Senator from Washington [Mr. MAGNUSON] in legislation which has greatly spurred the Government's role in all scientific fields including ocean research and the eradication of cancers and other diseases which afflict mankind.

Prior to the banquet, the Vice President, accompanied by Mr. William Allen. president of the Boeing Co., inspected the mockup of the new 747 at the Boeing plant in Renton, Wash., and of the supersonic transport which Boeing is constructing in Seattle.

The Vice President is Chairman also of the National Aeronautics and Space Council. Senator MAGNUSON, who initiated the new Marine Resources and Engineering Development Act of 1966, also participated in drafting the National Aeronautics and Space Act of 1958, and patterned the Oceanographic Act closely on that which created the Space Council.

Mr. President, I ask unanimous consent that Vice President HUMPHREY's address of September 28, before the Seattle Area Industrial Council, Pacific Oceanographic Study Committee, and guests, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

As chairman of the newly-created National Marine Resources and Engineering Development Council. I have been visiting our regional oceanographic institutions and centers.

I am especially encouraged by the imaginative way you in Seattle have brought business, government and universities together to identify the talent and capabilities, draw up the plans and to meet this new challenge in using the ancient seas.

Our new federal Marine Sciences Council looks forward to setting new national goals and policies in the use of the sea:

To promote international understanding and cooperation;

To expand domestic fisheries and to help acquire fish protein for the undernourished;

To supplement continental reserves of fossil fuel and minerals;

To use oceanic data to improve weather forecasting;

To diminish hazards of pollution of bays and seashore recreation areas;

To use the oceans as an immense laboratory for scientific research.

It is fitting that we are launching this great venture here in Seattle. For Seattle is not only a city concerned with oceanography. It is the home of the man who made this broad new effort possible.

If Senator MAGNUSON were here, he might be embarrassed by my praise. In the 1930's, Senator MAGNUSON introduced the basic legislation for the National Cancer Institute, which has grown into the National Institutes of Health.

In the late 1940's he was responsible for the National Science Foundation, which has been so successful in stimulating basic scientific research and providing trained manpower that earned scientific leadership for this nation.

Since 1959, he has been the driving force behind the Congressional efforts in oceanography.

In this 89th Congress his leadership was instrumental in the passage of the Marine Resources and Engineering Development Act of 1966 that will give thrust and direction to our growing marine science activities.

The last historic time that western man went down to the sea in ships to "do business in the great waters" was during the Renaissance in the last half of the Fifteenth Century.

Then, the seas were used as broad highways to explore the 29 percent of the earth's surface that is land.

Now, we stand at the threshold of a period in which we will explore and exploit the seas themselves—what is, in fact, the underdeveloped 71 percent of our planet.

The President and the Congress have agreed that as a national policy, we shall "develop a long-range national program in marine science for the benefit of mankind, including the enhancement of commerce, transportation, and national security and rehabilitation of our commercial fisheries."

The time is technologically ripe. New structural materials, miniaturized electronics, computers, nuclear power and underwater vehicles are available. The pioneering work of industries (such as your great Boeing Corporation) in systems management have already begun to be translated to the marine environment.

Internationally, the "resource gap" between the rich and the poor nations, the well-fed and the starving draws attention to the great untapped oceans as a natural arena to increase international cooperation.

The intellectual climate is receptive to new and bold challenges of exloring the universe, for man's intellectual curiosity is such that where man can explore—he will.

Economically, there is promise of great wealth in oil, minerals, and fish. Ratification of the Continental Shelf Treaty of 1964 resolved some of the uncertainty concerning resources ownership and stimulated imaginative and adventuresome businessmen and industrialists (in the tradition of old merchant-adventurers) to develop capabilities for deep oceanic operations.

Thus it is apparent that the time is uniquely right to finally open up the oceanic world to Twentieth Century mankind.

This must be a joint task of government, business, and the academic world—a cooperative and creative partnership.

For none of us has the resources or the manpower to do it alone.

To give you an example of what oceanic research can mean to us, consider the implications of weather forecasting, modification, and control.

Every field of human endeavor—agriculture, shipping, travel, health, recreation—is affected by the weather.

In the system of heat energy coming to the earth from the sun, the Ocean is the great regulator that significantly influences weather and climate. Virtually all moisture found in the clouds originates through evaporation from the ocean. It is only by understanding the oceans that we can hope to make long-range weather and climate predictions.

By stationing a network of buoys throughout the oceans and analyzing the data they transmit to computers ashore, we may improve substantially the preparation of long-range forecasts.

A few years ago you had quite a storm here along the Pacific coast and I understand that prior to that storm ocean temperatures had been running seven degrees above normal.

Obviously we need to understand more clearly what happened in order to predict and ultimately control the weather.

To American manufacturers, this means a whole new field of opportunity: To design and manufacture buoys, sensors, electronic data storage and retrieval systems. Many opportunities will be available for small business. I predict ocean jobs will be exciting and plentiful.

There are other national problems that can be aided by oceanic research.

Why should many of our bays and sounds become polluted, destroying recreation and shellfish alike?

Why should waves and storms unnecessarily erode and undermine our seashore property values?

Supplies of fresh water need augmentation, and we are vigorously pushing a saline water conversion program. When Lewis and Clark reached the Pacific coast, they built a salt cairn to get salt from the ocean.

Now we are trying to get fresh water from the briny sea.

Here in Seattle and the Puget Sound area the benefits can be very direct.

There is the chance through new techniques to cleanse polluted waters.

There is the opportunity to develop oyster and shellfish industries based on scientific development and not solely dependent on nature.

And Puget Sound—if properly employed—could become a harvest sea far more productive and wealthy than it is today. It could be a unique laboratory for all fields of marine sciences.

Internationally the challenge is perhaps greatest. The seas that separate nations also provide a community of interests to bind all nations together.

The sheer magnitude of the task of understanding an area consisting of 71 percent of our planet indicates that no one nation can undertake the task itself. Mapping the ocean floor and establishing a world weather watch, must be done internationally or not at all. Cooperation is not merely convenient here, it is indispensable.

Cooperative effort in research and development in the great ocean can be especially valuable to developing nations.

The population explosion is already threatening to exceed the world's food production and the problem is bound to get worse in the years ahead.

Protein malnutrition is one of the most serious problems in the world.

It is a primary source of infant mortality.

It limits the productive capacity of adults.

Half of the world's population is estimated to suffer from some form of protein deficiency.

It is obvious that we cannot wait for theoretical solutions to this problem. This crisis demands immediate and radical improvement of our fisheries technology if we hope to save the millions of people who will sicken and die unnecessarily between now and 1970.

Reliable estimates indicate that ocean fishing in presently known areas, by presently available methods, can increase fish production on a worldwide basis many times. A sharp increase in production of fish protein would be enough to eradicate all protein deficiency among the present world population. The basic problem is how to get this protein from the ocean depths to hungry and starving people at a price they can afford and in a form they will accept.

In these next decades we are planning to use the "Oceans for Peace." And we would like other ocean-minded nations, including the Soviet Union, to join us in this peaceful task.

President Marcos of the Philippines recently said that our nation has become civilization's trustee.

It is true that we have converted dreams of human dignity to practical reality.

Our dreams for the oceans are not those of poets and prophets but those of practical men, convinced by our oceanic tradition that we can develop the bountiful resources of the sea—as we have those on land—to solve man's pressing needs for food, water, minerals and energy.

It is a privilege for me to serve as Chairman of the Marine Sciences Council which will lead this effort. I intend to carry out the broad mandate of the President and Congress.

I am sure that, as the explorers of the 15th Century knew little of the riches they would find on new continents, so we today can only dimly know the riches that still lie untapped within the seas. Let us begin.

DEATH OF MRS. MARK W. CLARK, WIFE OF GEN. MARK W. CLARK, OCTOBER 6, 1966

Mr. THURMOND. Mr. President, South Carolina recently suffered the loss of an outstanding citizen in the person of Mrs. Mark W. Clark, wife of Gen. Mark W. Clark, who is one of the most distinguished military commanders in the history of our Nation.

Mrs. Clark achieved a position of affection and esteem in Charleston as the wife of the president of The Citadel during the time when General Clark was the head of this historic educational institution. She was an ambassador of good will and a gracious hostess. We are all saddened by her passing and join General Clark in his grief.

I ask unanimous consent that an editorial and newspaper article published in the Charleston News & Courier of Thursday, October 6, be printed in the RECORD.

There being no objection, the article, and editorial were ordered to be printed in the RECORD, as follows:

[From the Charleston News & Courier, Oct. 6, 1966]

MRS. MARK CLARK DIES ON BIRTHDAY

Mrs. Maurine Doran Clark, wife of Gen. Mark Wayne Clark (USA-Ret.), president emeritus of The Citadel, died yesterday on her birthday at the Clarks' country home, "Mark Time Lodge," near Pinopolis.

Gen. Clark and Gordon H. Oosting, who was married to the Clarks' daughter, the late Ann Clark Oosting, were with her when she died.

Funeral services will take place today at 2 p.m. in the Summerall Chapel, The Citadel, with Col. Sidney R. Crumpton (USA-Ret.), chaplain to the corps of cadets, officiating. Mrs. Clark will lie in state in the Summerall Chapel between 1 and 2 p.m. prior to the service, Stuhr's announced.

She was born Oct. 5, 1892, in Milwaukee, Wis., a daughter of the late Milford A. Doran and Mrs. Belle Dresbach Doran.

She attended schools in Muncie, Ind., and was graduated from Northwestern University in 1923. She went to work in Washington, D.C., the same year for the Army Welfare Department, where she met her husband, then a captain stationed at Army Headquarters. They were married in the Washington Cathedral May 17, 1924.

While Gen. Clark was overseas during the Second World War, Mrs. Clark was active in the war effort at home. She took part in American Red Cross work and traveled through the country selling war bonds.

Gen. and Mrs. Clark moved to Charleston in 1954 when he, then retired from the Army, became president of The Citadel.

Mrs. Clark recorded her experiences as an Army wife in a biography, "Captain's Bride, General's Lady," published in 1956 by McGraw-Hill.

She won a citation as "writer of the year" at Indiana University for the book in 1956. The occasion was the annual Indiana Author's Day exercise.

For 11 years, Mrs. Clark was the "first lady" of The Citadel. The cadets affectionately referred to her as "Renie" and dedicated the 1959–1960 Citadel annual to her with the citation: "Renie, your warmth, sincerity and bubbling enthusiasm have manifested themselves to everyone you have come in contact with, and through your endeavor we of the Corps have come to find a home away from home. Through your efforts, too, a much needed 'woman's touch' has been evidenced in the beautification of our campus . . . to you, Renie, with love and gratitude, we proudly dedicate this book."

Mrs. Clark was a member of St. Michael's Protestant Episcopal Church.

Surviving in addition to her husband is a son, Maj. William Doran Clark (USA-ret.) of Washington, D.C.

[From the Charleston News & Courier, Oct. 6, 1966]

MRS. MARK W. CLARK

During the dozen years she dwelt among us, Mrs. Mark W. Clark achieved a position of affection and esteem in Charleston unequaled in our memory. As the wife of the president of The Citadel, she was beloved by the cadet corps. In addition, she was an ambassador of good will for The Citadel, and a gracious representative of the community to the outside world.

As the wife of one of the foremost soldiers of his time, Mrs. Clark was accustomed to meeting the great and the distinguished. She never lost the natural warmth, however, that prompted her to take a genuine interest in the ordinary as well as the prominent persons she encountered. The fact is that she really liked people. They responded readily, with the result that her admirers were counted in the thousands.

Valiant was the word for Renie Clark. She bore with Christian fortitude the death of a beloved daughter. Beset herself by illness, she would bob up from a bout that would have brought despair to many a more robust person and resume a busy life under the shadow of death. When the end came on her 74th birthday at the lakeside lodge where she and Gen. Clark were wont to retreat in leisure, it was mercifully quick.

She enriched our state by her presence and adorned Charleston with her gift for hospitality. Her chatty book, "Captain's Bride, General's Lady", recounted her life in the army. We share in the grief that has come to Gen. Clark in the loss of his brave lady. Like many others fortunate enough to enjoy her acquaintance, we shall cherish her memory.

WATER POLLUTION

Mr. KENNEDY of Massachusetts. Mr. President, the problem of water pollution, which has grown increasingly more serious through years of neglect, is now arousing concern throughout the Nation. I know that in my own State of Massachusetts, State and local officials are determined to do everything they can to mount an effective attack against pollution, and the people are strongly behind them.

One of the reasons that pollution abatement is finally receiving public support is the fine job that some newspapers have done in outlining the problem. One paper in my State, the Worcester Gazette, has done especially fine work in this regard. The Gazette is running a continuing series on water pollution. The series is a public service, and since it concerns a problem which exists in many States besides Massachusetts I would like unanimous consent to have printed in the RECORD the installments which have appeared so far.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Worcester (Mass.) Evening Gazette, Aug. 18, 1966]

THE POLLUTION FIGHT: IT'S "AGITATION, LEGISLATION AND FRUSTRATION"—RIVERS OF NEGLECT RUNNING TO A SEA OF INDIFFERENCE

(By Geraldine A. Collier and Robert Z. Nemeth)

A man who used to swim in a river as a child and grew attached to its sparkling beauty can no longer stand its odor.

Picnic areas along gently flowing streams, once bustling with activity and joy, now are abandoned, slowly rotting away.

Residents who have enjoyed living near a lake or river can no longer keep their windows open.

A conservationist places a duck on the surface of a once delighted stretch of water. The bird sinks and dies.

Fishery experts have given up stocking some rivers. In others they no longer count fish kills. There is nothing left to be killed.

Areas that once offered beauty, enjoyment, and recreation, now yield nothing but decay and destruction.

ANTICIPATION

An executive of the state Division of Fisheries and Game describes the course of the antipollution movement as "agitation, legislation, and frustration." Then he adds: "For the first time in decades we now have anticipation."

How can we prevent our waterways from becoming sewers and cesspools?

How and why have conditions deteriorated to the point of grave national concern? Who is responsible? How far is the road toward improvement? How fast are we going to travel on it?

These are some of the questions these articles seek to answer.

Massachusetts is the leader on the list of the worst river polluters in the nation, says Murray Stein, chief officer of the new Federal Water Pollution Control Administration.

DEADLINE

The Bay State, along with other states, has less than a year to establish water quality standards under the 1965 Water Quality Act. Deadline is June 30, 1967.

If Massachusetts fails to establish standards and a timetable for sewer treatment works construction, Stein warned, the federal government will do so at "probably a greater cost to the state."

Estimated cost of the treatment project for the state is $300 million. Cleaning up the Merrimack River would cost about $100 million alone, the Public Health Service says.

In the federal government's 1967 budget of over-all social benefits, Massachusetts is earmarked for $3,539,550 for waste treatment construction and $729,606 to fight water pollution.

Under the pending Federal Water Pollution Control amendments and Clean Rivers Restoration Act of 1966, sponsored by Sen. EDMOND S. MUSKIE of Maine, Massachusetts could be eligible over the next six years for about $160 million in federal assistance.

MAIN OFFENDER

According to state health and conservation officials, Worcester is one of the main offenders in polluting waterways. The condition of the Blackstone River and Lake Quinsigamond, both chalked up to the city's neglect, speaks for itself, officials say.

But the rest of the state is not far behind. Emerson Chandler, district manager of the state Division of Fisheries and Game, says there are few rivers or lakes free from pollution in the state.

He described the Nashua River, the Blackstone River, and part of the Millers River with its branch, the Otter River, as the top three contenders for the "open sewer award."

Chandler said they are followed by the French River (which is in relatively good condition from Rochdale to Webster; the Quinebaug River especially below Southbridge); the Quaboag River below West Brookfield; Assabet River, Ware River, Swift River below Bondsville, and the Mumford River below East Douglas. There are also others on the pollution list.

FISH KILLS

In 1965 seven major fish kills were reported in these rivers, resulting in thousands of casualties. Two were attributed to faulty municipal sewer systems, the rest to industrial waste.

On the national scale, more than 18 million fish were killed by pollution last year, the U.S. Public Health Laboratories, Corvallis, Oreg., reported.

Similar casualties were reported recently in the immediate Worcester area, some in lakes and ponds. Large numbers of dead fish were found in University Pond. A sewage drain was blamed.

A massive fish kill occurred in Leesville Pond in April. Accidentally discharged cyanide caused the disaster.

Many fish were killed in Marlboro's Hager Pond. The cause: sewage-polluted water.

A massive fish kill occurred recently in Quaboag Pond in Brookfield due to the use of weed killer. Said Mario M. Boschetti of the state Department of Public Health: "I've seen larger fish kills from natural causes."

Public health officials, in general, seem to "credit" municipalities with much of the pollution. Few are willing to blame industry.

INDUSTRY BLAMED

But Chandler has different views. "Nobody can compete with industry when it comes to ruining a river," he says.

There seems to be a basic difference between the philosophies of health officials and conservationists. Prof. Max Katz of the University of Washington blames the lack of progress in cleaning up pollution on this "philosophy gap."

He says sanitary engineers are "oriented primarily by their training to discover methods of getting as much waste as possible into a stream before the fish turn belly up."

Health experts, on the other hand, seem to think that conservationists aim to eliminate industry from the shores of waterways and turn the land over to fish and game.

Sanitary engineers are quick to point to the efforts industry makes to fight pollution and treat industrial waste.

Conservationists call this attitude "the old song and dance."

"The only good cleanup over the years resulted from natural disasters, floods and hurricane," Chandler said.

NASHUA RIVER PETITION FILED—"PROJECT PUREWATER"

BOSTON.—Nashua River area residents expressed their opinion of the river and what public officials are doing about it yesterday when they demanded immediate action to end pollution in the river.

They presented Gov. Volpe with petitions bearing 6,287 names and a bottle of dirty gray river water topped with a thick covering of green scum.

The citizen petitions originated in Hollis, N.H., where 600 signatures were presented to Gov. John W. King. "Project Purewater" was taken up on the Massachusetts part of the river by Mrs. Hugh F. Stoddart of Groton.

Residents called the river a "viscous, stinking, putrid, nauseous open sewer" and expressed criticism of the failure of officials to move against the pollution.

Gov. Volpe reminded the municipal officials and legislators from the Nashua River communities that he filed a $100 million antipollution plan four months ago and the legislature did nothing with it.

He added, however, that legislators themselves have been working on the problem and this week came up with a $200 million plan. He said he hoped to have a bill on his desk by the end of September.

To the officials and later to his press conference, the Governor said he would not be opposed to the $200 million plan if the state can finance it and if it can be administered.

Communities represented at the meeting in the Governor's office were Fitchburg, Leominster, Harvard, Groton, Ayer, Dunstable, Lunenburg, Pepperell, Shirley, and Hollis, N.H.

[From the Worcester (Mass.) Evening Gazette, Aug. 19, 1966]

The Pollution Fight: Pollution, Yes—Prosecution, No

(By Geraldine A. Collier and Robert Z. Nemeth)

Pollution of Massachusetts' waters has increased in the past decade. In the same time span, prosecution of water polluters has stopped.

Worthen H. Taylor, head of the Division of Sanitary Engineering of the state Public Health Department, said that from 1945 to 1954 the DPH referred many cases to the attorney general's office for prosecution, and prosecution was carried out.

He added he couldn't recall a case that went to court since 1954, although, he said, the DPH is still referring cases to the attorney general's office.

Taylor said he didn't know, in specific instances, why prosecution had not been carried out. He thought it could be a "general lack of interest" in pollution matters by the attorney general's office during the past 12 years.

Cases prosecuted by previous attorney generals are not filed by subject matter in the Massachusetts archives. Therefore they are not readily available for checking.

The files of Atty. Gen. Edward Brooke's office show, however, that in the three and one-half years of Brooke's administration, the DPH has referred only four cases of water pollution to that office for prosecution.

FIRST CASE

The first case was referred to the attorney general's office by the DPH in early 1963. It involved the pollution of one area by four different polluters.

The polluters were notified by Brooke's office that legal action would be taken unless they moved to clean up the pollution. A short time later the DPH notified the attorney general's office that, after discussions with the polluters, the DPH was satisfied that pollution would stop and recommended the case be dropped. It was dropped.

The last of the four cases was referred to the attorney general's office three weeks ago. It involved two of the same 1963 polluters. The referral was made because the DPH said they had not complied with the law.

The two other referrals came into the attorney general's office in April from the DPH.

"According to Massachusetts law," said a spokesman for the attorney general's office, "we can only prosecute a case of water pollution if there is a referral from the DPH and evidence supplied by that department. We cannot go ahead without this."

The DPH said several weeks ago that it had decided to refer a case involving Romar Tissue Mills, Inc. of Wheelwright to the attorney general's office. A referral letter had been written and approved, but the DPH said it had been mistaken earlier in saying the letter had been mailed. It has not been.

YEAR 1945 LEGISLATION

Until 1945 there were no regulations governing pollution in Massachusetts. Legislation that year gave the DPH the right to draw up regulations and enforce them.

What's been done since?

"Since that time much of the energy of the DPH had been spent in surveys of our streams and industries to learn their needs in the field of pollution . . ." reported Taylor at a federal conference on water pollution.

John B. Casazza, a DPH sanitary engineer who works with Worcester area problems, says "in earlier days we tried persuasion and advice to get municipalities and industries to go along. Now that they are aware of the consequences of discharge, some show a marked difference in attitude."

There are complaints that the DPH does not follow up on pollution complaints.

"We have six sanitary engineers on the staff," said Casazza, "and two work full-time on federal government paperwork. We could use 40 working on water pollution.

"With a limited staff, we have to work on major problems," he said. "Frankly, if we got a complaint, unless it involved a serious health hazard, we wouldn't do much about it. We might investigate the situation, but we wouldn't develop a program.

"We would be running around like a chicken with his head cut off if we did follow up on all complaints," said Casazza. "We tried this once and it was quite difficult to effect any program in this manner."

"NOT HOLDING OUR OWN"

"And, there's a lot to be done," he said. "In many cases we are not holding our own. We're putting in more (pollution) than we are taking out as industries and cities expand.

"In most cases, industries have not built treatment plants," he said. "Many municipalities haven't, either, and even where they have, some need to be expanded or rebuilt."

Conservationists claim that the DPH is only concerned with pollution affecting public health, not with that which destroys recreation or causes other nuisances.

"If there is a danger to public health because of pollution," said one conservationist, "The DPH will move swiftly to stop it.

"If the pollution is killing off fish or stinking up an area, but not harmful to health, the DPH is not concerned.

"It is a public health department, and that is what they are concerned with," he added.

On the other hand, pollution abatement can be expensive. The DPH says it's much harder to get municipalities and industries to spend money to clean up recreation-destroying pollution than pollution which is dangerous to health.

"No one will argue about a case of typhoid," said one sanitary engineer.

"And everyone says we should clean up pollution to help recreation, but you ask them to put their money where their mouth is and watch what happens.

"Everyone wants to clean up pollution, as long as the other guy foots the bill for it."

[From the Worcester (Mass.) Evening Gazette, Aug. 29, 1966]

The Pollution Fight: Otter and Millers Rivers—Stream Killers Get Away Scot Free

(By Geraldine A. Collier and Robert Z. Nemeth)

The story of the Millers River and its branch, the Otter River, is a classic example of how industry and homeowners can kill two sparkling streams—and get away with it.

Years ago the Millers was one of the region's most beautiful and richest trout fishing waters, with sportsmen traveling hundreds of miles to fish along its shores.

Today it is to the eye and nose a sewer.

Years ago conservationists wanted to turn the Bears Den, a scenic stretch along the Millers, into a state park where Worcester area residents and others could fish and swim, camp and picnic, or maybe just loaf away a summer weekend.

The state Division of Fisheries and Game long ago stopped stocking the slimy mess with fish.

Years ago the Metropolitan District Commission planned to divert some of the river's lusty waters into the Quabbin Reservoir to keep Boston's water supply adequate.

The idea is still being studied, but the MDC admits it won't work unless river pollution is abated first.

The wastes from two Templeton paper mills, the Seaman Paper Co. and Baldwinville Products, Inc., with the help of raw sewage from towns along the rivers, have turned this area into a cesspool with gagging odors.

ABOVE THE MILLS

What is the situation in the communities above the mills?

"Gardner does have a treatment plant," said Postmaster Martin H. Walsh, who, when a state representative, introduced several bills to curb pollution, "perhaps not the best in the world but it helps keep the Otter relatively clean here." At times, however, raw sewage goes into the river because of the inadequacies of the sewer system.

Winchendon, on the upper Millers, has a sewage treatment plant. It also has a plan to spend $188,000 on more sewer lines. But this won't solve the problem caused by some householders in the area who are not connected to the system and dump waste directly into the river.

How about the communities below the mills?

Raw waste runs from, and outside of, sewer systems of Templeton, South Royalston, Athol, Orange, Erving, and Millers Falls into the Millers River, joining the industrial wastes.

The communities have discussed building treatment plants, even, in the case of Athol, have had an engineering study made—but no cleanup plans have been carried out.

"No town below these mills has done anything for years to clean up pollution," said Walsh. "But can you blame them?"

In general, industry spokesmen and sometimes even health officials tend to blame river pollution on the absence of inadequacy of municipal sewer systems.

RESPONSIBILITY

Certainly the towns below the mills must bear their share of responsibility for pollution after the river reaches them. But what happens before the river reaches the towns?

Before the river reaches Templeton, where the paper mills are located, its color appears natural, the water has no smell, and, according to conservationists, it's not below Grade C, meaning the water is clean enough to support fish and other aquatic life.

A half mile below the Templeton bridge, after the Seaman and Baldwinville mills get through with it, the Otter River turns into a pale gray, thick substance freckled with black streaks of sewage. Its surface is strewn with broken bottles, pots and pans, and automobile hubcaps.

The New England Interstate water Pollution Control Commission gave its lowest rating—Grade E, or unsatisfactory—to this section of the Otter River in 1961.

The commission—unlike the fishermen—expressed no interest at that time in making the river sparkle again. The highest standard it aimed for on that section of the river was Grade D—"suitable for transportation of sewage and industrial wastes without nuisance, and for power, navigation, and certain industrial uses."

The condemning of any river to that status permanently does not please conservationists, or those who live within sniffing distance.

IN SEPTIC SHAPE

"This thing is in septic shape," a conservationist remarked.

"It's a disgrace," a resident said.

This again points up the continuing debate between those who feel all rivers should be clean, and those who feel that, for economic reasons, some streams have to be used to dispose of industrial wastes and municipal sewage.

The Birch Hill Reservoir, a federal flood control area, is a picturesque 4,000 acres of wilderness dotted with picnic areas and nature trails. There is pleasant bathing in clean Lake Dennison, provided the wind doesn't blow foul odors from the nearby Otter River. On hot and humid days the smell is unbearable, those who go there say.

The Otter joins the Millers in this area. Their mating resembles the pouring of chicken gravy into a clear glass of water. After the unhappy union with her ruined step-sister, the Millers also becomes monster-gray and gravy thick.

Driving through South Royalston, one wonders how people can stand the odor. A distressed resident remarked: "We have given up hope. A town of this size has very little political pull."

At Birch Hill Dam, above South Royalston, two to five feet of this murky slime has been backed into a huge basin blasted out of a mountain of rock. When the water is let out, it flushes like a sewer down through South Royalston and into the natural beauty of the Bears Den.

USED TO FISH

Arthur Lovely Jr. of Orange, a retired conservationist, used to come to fish the Millers River where it flows through the Bears Den.

"You could hardly get near the place on a weekend," he said. "The cars used to line the access road clear back to the main road and then a half mile down that on both sides.

"Nobody comes here any more," he said.

It wasn't difficult to see why.

The scummy rocks are covered with thick layers of what looks like papier mache. On the surface of the filthy stream, strange piles of unidentifiable mess float downstream. A sickly two-inch fish is desperately gasping for air. "It will die before it grows any longer," a fishery expert remarks.

The shores of the dying river are covered with thick vegetation. "This wasn't here before they murdered the Millers," Lovely remarked. "The land is dirt cheap around here now. But who wants to buy?"

The tiny bones of a long-dead bird lie on one of the rocks near the edge of the stream. "Maybe he tried to drink the water," someone remarked.

Half buried under the bushes lies an old sign. The time-worn letters say: "Public Fishing Area. The date: "1933."

Above the river, on the only access road, in a small cottage live Mr. and Mrs. Kenneth Knowlton of East Providence, R.I. They built the place 18 years ago for a vacation and retirement retreat.

"IT'S THE SMELL"

"We can't even go outdoors any more," said Mrs. Knowlton. "We built a barbecue pit and can't use it. We have a front porch but we can't sit on it. It's the smell. We even have to keep the windows closed."

A young waitress in a small Baldwinville restaurant turned to a conservationist who accompanied reporters on a fact-finding tour: "Are you going to do something about the river?" she asked. "They build all those fancy buildings in Boston but nobody cares if we rot away here."

Seaman Paper Co. has been in operation in Templeton at its present plant since 1946. It moved into a mill once occupied by Statler Tissue Co. of Somerville. It employs about 50 persons. Last year, it paid the town of Templeton $4,630.47 in taxes.

Baldwinville Products Co. has been in operation at its mill since 1910. The mill was previously occupied by the Al Adams Paper Co. The mill employs about 60 persons. Last year, it paid the town of Templeton $12,478.20 in real estate taxes.

Together the mills employ about 110 persons, most of whom live in the Templeton area. Together, last year, they paid out $17,109.67 in real estate taxes. The town collected a total of $529,324.97 in real estate taxes last year.

Looking down at the murky waters of the Millers in the Bears Den, at the beautiful wilderness ruined for potential recreation development, a state conservationist, shook his head: "Look at that," he said, "Is this so-called industrial growth and progress really worth this?"

[From the Worcester (Mass.) Evening Gazette, Aug. 30, 1966]

THE POLLUTION FIGHT: "HIGH COST FOR DEATH OF A RIVER"—INDUSTRIES MOVE SLOWLY IN CLEANING UP THEIR WASTES

(By Geraldine A. Collier and Robert Z. Nemeth)

If there is a "high cost of dying" for a person, there may be an even higher cost for the death of a river—lost valuable tax property, lost potential recreation areas, lost water resources.

Thus, the towns along the Otter and the Millers Rivers are paying for the wastes they have pumped into the waters. In the same sense, they are picking up the tab for wastes from two Templeton mills—Seaman Paper Co. and Baldwinville Products Co., a subsidiary of Erving Paper Co.

FIVE-YEAR DIALOGUE

There began in February, 1961, a long correspondence between the state Department of Public Health and Seaman Paper Co.

According to a record of the correspondence, compiled by the DPH the PDW wanted to know, right then, what the company was going to do about pollution abatement.

Several weeks later, the DPH, having received no reply, threatened to refer the matter to the attorney general's office. The list shows a reply from Seaman Paper the next day.

There followed about two years of discussions and letters. By November, 1963, the matter had progressed to the point where the DPH sent another note to Seaman, reminding the company of river conditions below the plant, and setting a meeting to discuss waste disposal problems.

At the meeting it was agreed that Seaman would submit data on pollution from its plant by April 1, 1964. A short time later the DPH gave the company until June 1, 1964, to do its work.

In July, 1964, the Seaman Paper Co. sent the DPH a report on the data collected.

More than a year later, in September, 1965, the DPH wrote to Seaman, according to the correspondence list, reminding the company that wastes were being discharged into the Otter River, reminding the company that a report on abatement was to have been prepared for the DPH and ordering the report submitted by Nov. 15, 1965.

An October, 1965, letter back to the DPH said the company hoped to eliminate wastes.

In March, 1966, the DPH looked at a study of waste disposal being conducted at Seaman and noted in a report that "the waste study at this plant is to be completed in July, 1966."

SEAMAN REPORT DUE

According to the DPH, the company asked for a brief extension for "technical reasons." The DPH expects a report on the study within a couple of weeks.

Albert R. Yraola, technical director at the plant, says he does not know when the report will be completed.

"I'm not sure when we will be finished," he said, "but we are working steadily along to determine the quantities and types of waste disposal here."

Asked if the company is polluting the river, Yraola said:

"Well, I wouldn't use the word 'pollution'. This is not the type of waste, like sewage, which carries disease-causing bacteria," said Yraola.

"It is true that sometimes some amount of wastes does get into the river, yes. But it's not poisonous.

"The wastes can discolor the river; add clay to it, making it look milky. And, if you get too much paper fiber into the water, this can decompose, eating up oxygen and killing fish life."

Yraola said part of the waste study being conducted at the plant involves technical changes in the internal processes to reduce the amount of water used. "When you reduce the amount of water used, you naturally reduce the amount of waste which goes back into the stream.

"We're working very closely with the DPH," he said, "and in the course of time we expect this work to bear fruit."

The DPH says Seaman is "on schedule" and "doing a good job."

The waters of the Otter River, after being used by Seaman, flow on down to Baldwinville Products Co.—which has built a settling basin to clean up the water before it is used in the plant.

After the water is cleaned, it is used in the Baldwinville plant, then piped out, back into the Otter River to flow downstream.

BALDWINVILLE PRODUCTS CASE

Then there is the case of Baldwinville Products and the DPH.

On Nov. 27, 1956, the DPH sent a letter to the company. The letter said an inspection showed the company was discharging wastes from its paper-making processes directly into the Otter River; they were polluting the river.

DPH officials suggested that the company retain the services of a consulting engineer to "supervise treatment and construction of adequate treatment facilities" to prevent further pollution of the river.

Progress must have been slow, because nine years later—October, 1965—the company notified the DPH that it had hired an engineering firm. The engineers would make a survey and prepare a report on water pollution.

The DPH answered with an order: Complete the engineering report by April 15, 1966, prepare construction drawings by Dec. 15, 1966, start building by the summer of 1967, begin operating by May 1, 1968.

"The department requires that you move with all possible speed, so that the nuisance conditions in the Otter and Millers rivers, caused by the waste discharged from your plant are eliminated," the DPH told Baldwinville at that time.

NEW DEADLINE UNAVAILABLE

Evidently speed was not possible, because the DPH has now extended the deadline for the engineering report—which was April 15. The DPH does not have the new date available.

Morris Rubin, head of research for the Erving Paper Co., the parent of Baldwinville Products, says the company has been conducting tests for the past several months on the Otter River and now has "a most complete set of data."

Rubin said the data was necessary in order to give consulting engineers background information they will need in order to recommend types of pollution abatement equipment.

Asked when the report of the engineers will be ready, Rubin said: "I couldn't really say, but probably later this fall. He said the report had to be given to the DPH, "but I don't remember just when that date is."

ERVING PAPER QUIZZED

Asked if the parent plant, Erving Paper Co. on the Millers, and the subsidiary plant, Baldwinville Products Co. on the Otter River, were discharging industrial wastes into the river, Rubin replied: "Of course, we are discharging wastes into the rivers."

Asked if this is causing pollution of the rivers, Rubin said: "Every time you spit in a river, you are polluting it."

Asked to what degree industrial wastes from the plants are polluting these rivers, Rubin said: "To what degree? I have no comment on that. But let me just say we want to do our share to clean up the rivers."

Recently the pipe that leads from the back of the Baldwinville plant was observed pumping gallons of papier-mache colored liquid into the Otter River.

Downstream it went, joining the Millers River. Just beyond the meeting place is the Birch Hill Dam, where two to five feet of it is stored by the Army Corps of Engineers. The storage was started because of a request by officials of Royalston, Athol, and Orange to the division engineer, Col. Remi O. Renier. It was thought that this water could be used to flush the Millers to reduce pollution conditions downstream.

STINKING LAGOON

Behind the dam, the color of the water changes from putty to a sickening green, the texture changes from a flowing liquid to a thick, nauseating soup, and the pollution problem changes from a smelly river to a stinking lagoon.

"What happened," said a spokesman for the Army Corps of Engineers, "is that we are creating a settling basin for pollution coming from upstream paper companies. We are now in the process of emptying the basin."

There's nothing at South Royalston to stop the pollution, until it reaches the once-magnificent area of the Bears Den, a beautiful, curving valley, which is being used as "a natural cesspool to clean up the river before it reaches Athol and Orange," according to one conservationist.

"The state allows the Bears Den area to act as a natural cleaner for the mills," he added, "to clean up their dirty water as much as possible before it gets to Athol, so Athol won't complain too much.

"You know, that just is not right."

[From the Worcester (Mass.) Evening Gazette, Sept. 1, 1966]

The Pollution Fight: United States Tightens the Controls

(By Geraldine A. Collier and Robert Z. Nemeth)

Water polluters can't run and they can't hide.

"The existence of a nationwide policy of water pollution control is now a fact of life which will have to be faced," says Walter Newman, chief of water resources for the northeastern regional office of the Federal Water Pollution Control Commission.

"There is no place in the country where an industry can move and get away with pollution; there is no place where a city or town can ignore its responsibilities any longer," he added.

Eight times, between 1912 and 1964, the U.S. Congress adopted water pollution control legislation.

Each of the eight times, the federal government was given the responsibility to advise and cooperate with the state governments, but all initiative and authority for pollution control continued to remain with the states.

If states did not want to do anything to clean up their waters, no one could force them to. The laws had no teeth.

LAW WITH TEETH

In 1965, Congress passed the Water Quality Act, providing at last a sharp set of molars with which to bite down on pollution problems.

In a speeded-up national attack on pollution, the 1965 Act provides that all states must establish standards of water quality for all interstate rivers by July 1, 1967.

After the water quality standards are set, the states must see that the standards are met.

Any state which fails to accomplish this will have the job done for it by the federal government.

"There's hardly a stream anywhere," said Newman, "that isn't either itself an interstate stream or isn't a tributary to an interstate stream."

Consequently, the 1965 Act covers practically every river in Massachusetts.

Besides the warning to clean up pollution, the 1965 Act also provides encouragement for municipalities to act. The act provides a maximum of $1.2 million or 30 percent (which is smaller) to a community building sewage treatment works or a maximum of $4.8 million or 30 percent (again, which is smaller) for a project involving several communities. The money factor itself was not new—previous legislation provided same aid—but the amounts were increased.

There was also in the 1965 Act a provision for $20 million a year for grants and contracts to help develop or demonstrate new or improved methods for controlling discharges of untreated or inadequately treated sewage or other waste from sewers. These grants would pay up to 50 percent of the project cost.

GRANTS INADEQUATE

There are many people who feel that the grants are not adequate, particularly for large cities.

Worcester, for example, has been told it would cost an estimated $14 million to modernize the city's sewer system. The federal government would allow the city $1.2 million towards the project, leaving the city with a bill of $12.8 million.

Sen. Edmund S. Muskie, D. of Maine, this year introduced a bill to amend the 1965 Act by taking off the dollar ceiling on grants for individual and joint sewage treatment construction projects and provide a 30-percent grant for every approved project regardless of the total cost.

In presenting his legislation before the U.S. Senate, Muskie commented, "In the early days of our work, I sometimes despaired of progress in this field. But in the last year we have seen a remarkable shift in opinion and support."

The legislation has passed both branches of Congress but with different total appropriation figures. These are now being ironed out in a House-Senate conference committee.

INCREASED AID NEEDED

The need for some kind of increase in financial assistance can be plainly seen. While Worcester's suggested project would cost $14 million by itself, the entire New England region in 1966 was allotted $9.5 million by the federal government for this work. Massachusetts' share of the regional allotment was $2.96 million.

Neither the 1965 Act nor Muskie's present bill would do anything for industrial pollution abatement costs.

There are several bills in Congress, including one sponsored by U.S. Rep. Silvio Conte, R-Pittsfield, which would provide tax concessions for industries for their expenditures for antipollution facilities.

Similar bills have been introduced in Congress in past years and all have died.

CENTRAL CONTROL

A significant section of the 1965 Act was the establishment of the Federal Water Pollution Control Administration to gather under one roof all pollution problems previously scattered in several federal departments and agencies.

A later executive order by President Johnson transferred this new administration to the Department of the Interior.

"The whole history of pollution control has been directed towards public health," said Newman.

"In the past, potential menace of public health was the only reason for pollution control," he added.

"But now, other factors, such as the destruction of recreation by pollution, are being taken into consideration by the federal government," he said.

Despite the federal authority set up in the bill, Newman believes that the "philosophy" behind the Act "makes pollution control still the primary responsibility of the states."

In signing the Water Quality Act of 1965, President Johnson stated:

"The ultimate victory of reclaiming this portion of our national heritage really rests in the hands of all the people of America, not just the government here in Washington. Much of the money, and some of the imagination, much of the effort must be generated at the local level. Then, and really only then, will this blueprint for victory become victory in fact."

Fight Against Pollution Erupts on Several Fronts

With local and state officials expressing a growing concern about the condition of Massachusetts' waterways, the fight against pollution—a forgotten battle for many years—has erupted on several fronts.

In Leominster, the Sewer Commission has been called on the carpet by Councillor Angelo Picucci last night after the Board of Health disclosed that 300,000 gallons of raw sewerage are being dumped daily into the Nashua River.

"As far as the rest of us (the council) knew, all the city's waste was being treated properly. It now appears that it hasn't been. I want some fast talking as to why this has been allowed to persist for so long," Picucci said.

Arthur Simard, superintendent of the treatment plant, claimed that the city has ample facilities to treat the waste being dumped into the river but is not utilizing it.

In Athol, selectmen are determined to get the ball rolling again for the construction of a $1.4 million sewage treatment plant on the Millers River.

"The Millers River is polluted," Chairman John F. Casella said, "Why wait for anyone else to clean up their portion? We should do ours because it is right to do it. We could be the leaders along the river. Once we get our plant done, the other towns will have to follow."

The sewage plant project was shelved at the March town meeting after voters could not find a money source for the $63,000 needed for engineering plans and specifications.

In Boston, a $150 million bond issue to finance state aid to communities that undertake anti-pollution projects was passed by the House last night. It is a compromise between the $100 million recommended by Gov. Volpe and $200 million urged by a legislative committee headed by Sen. Joseph Ward, D-Fitchburg.

The measure now goes to the Senate. The Senate is scheduled to adopt a resolution asking the Congress to increase the amount of federal assistance to anti-pollution and sewage disposal programs.

The Massachusetts Port Authority says a drive is on to decrease water pollution in Boston Harbor.

Authority Chairman Thomas P. Callaghan said the Boston Harbor Pollution Committee has found sources of pollution and has begun action to eliminate them.

Callaghan said petroleum companies have agreed to try to control spillage from tankers. Cargo terminal operators have agreed to remove rubbish from piers.

[From the Worcester (Mass.) Evening Gazette, Sept. 2, 1966]

The Pollution Fight: River, River Stay Away From My Door—Bay State Is Ranked Among Nation's Worst Offenders

(By Geraldine A. Collier and Robert Z. Nemeth)

"In the West, if someone becomes affluent, he builds his home alongside a river or lake. In Massachusetts, people move as far as possible from a river."

That remark, according to State Sen. Joseph D. Ward, D-Fitchburg, came from Murray Stein, the federal government's water pollution enforcement director, at a recent meeting of federal and state officials in Washington.

Stein repeatedly named the Bay State among the nation's worst polluters, he said.

Under the Federal Water Quality Act of 1965, all states must set water quality standards for all interstate streams by next July. They are also required to draw up a comprehensive program of pollution abatement with specific dates for completion.

Responsibility for classifying the streams falls upon the state Department of Public Health. It will be entirely up to them to determine the classification for each part of each stream.

Conservationists have expressed skepticism about this arrangement. They say the Health Department's classification may result in little more than a "license to pollute." They also doubt that classification itself would do much to eliminate pollution unless it is followed by drastic abatement measures.

The federal Water Pollution Control Commission is standing by to lend technical assistance with the classification—if the state asks for it.

No such request for federal help has been made, according to Walter P. Newman, chief of water resources activities at the commission's Boston office.

Richard M. Power, the state's water pollution control chief, and all basic technical work for classification has been done already. Hearings on the classification will be started in the fall.

There are now no uniform federal water quality standards. Newman said they vary in different parts of the country.

The New England Interstate Water Pollution Control Commission regulates the states' water quality classifications in this part of the country.

Under its classification system, completed in 1961, water is rated from Class A to Class E.

—A Class A stream is suitable for any use, including drinking and swimming. Its character is "uniformly excellent."

—A Class B stream differs from Class A mainly because it may require treatment before being drunk.

—Class C means that the stream may be used for boating and irrigation of crops that will be cooked before they are eaten. Its waters are clean enough for fish and game and are suitable for most industrial use.

—Class D water is suitable for carrying off sewage and industrial wastes in moderation, certain industrial uses, and navigation when necessary.

—Class E streams contain either no dissolved oxygen or too little to sustain underwater life. They may contain oil and grease, scum, debris, sludge, potentially toxic or foul-tasting substances, free acids or alkalies, and dangerous amount of bacteria from human waste. These are streams whose waters are tinted and smell. They are considered "unsatisfactory."

The Nashua River, from the point where it crosses the Westminster line into Fitchburg and from Fitchburg northward to New Hampshire and the sea, is rated Class E.

Among others, parts of the Millers and Otter rivers are also classified E.

Sen. Edward M. Kennedy has noted that the Merrimack, Connecticut, and Blackstone rivers in Massachusetts are Class D streams, "suitable only for transportation of sewage and industrial waste."

Gov. Volpe says that practically all rivers in the state are polluted to some degree.

The sentiment of most conservationists and sportsmen was expressed by Emerson Chandler, wildlife manager for Central Massachusetts of the state Division of Fisheries and Game.

Chandler said a certain phase of a river may be classified by the Health Department as Class D—not fit for recreation but suitable for some industrial use. Pollution, therefore, in that stream would be controlled to the point that it fits Class D and no attempt would be made to upgrade it to Class C or higher, he said.

Public hearings must be held on the classifications, however, and the classifications must be submitted to the federal government which could veto them.

John B. Casazza, a state sanitary engineer responsible for the Worcester area, said "We decide on the classification of certain phases of a stream after we decide what the best uses of the stream are. Then we will hold hearings. The classification could be changed by strong testimony at these hearings. But we assume that our proposal will be followed."

"The trouble is," says Power, "that if every single source of pollution was shut off today, it would be 18 months before anyone noticed any difference. The contamination is pretty well ingrained."

The Interior Department's Newman, himself a sanitary engineer, estimated the cost of a modern pollution control project for a manufacturing company could cost up to 25 per cent of the company's total capital outlay.

At present there are no federal or state provisions to aid the companies with their pollution problem. "There is simply no incentive for industry to clean up pollution," Newman contended.

[From the Worcester (Mass.) Evening Gazette, Sept. 7, 1966]

Revolution To End Pollution of Rivers Stressed by Udall

(By Geraldine A. Collier and Robert Z. Nemeth)

"It's clear all across the land that the people are ahead of their leaders in wanting pollution stopped. And if the leaders don't do something, I suspect people will select new leaders," Secretary of the Interior Stewart L. Udall said on his tour of polluted rivers here yesterday.

He spoke of a "new American revolution" aimed to clean up the nation's waterways and restore its rivers to their natural beauty.

And the audience—local and state leaders, health and conservation officials and industry representatives—nodded their approval.

INSPECT FIVE RIVERS

Udall and Sen. Edward M. Kennedy conducted an all-day inspection of five streams termed by the senator "the most seriously polluted rivers in the state,": the Charles, Merrimack, Nashua, Blackstone and Connecticut.

They were accompanied by Gov. Volpe, Lt. Governor Elliot L. Richardson and scores of legislators of the river valley areas.

On hand were the nation's top anti-pollution authorities, people like Murray Stein, the government's chief water pollution control enforcement officer; James M. Quigley, commissioner of the Federal Water Pollution Control Administration; Lester Klashman, the administration's regional director and their staffs. These experts came along to answer questions and hold workshops on pollution control.

STATEWIDE EMPHASIS

Purpose of the journey was to put a statewide emphasis on solving water pollution problems; give local and state officials the opportunity to become acquainted with federal anti-pollution programs, and give federal officials a realistic view of the extent of pollution in Massachusets.

Praising new-found interest in pollution problems, Kennedy cited the work of citizen's organizations and the Worcester Telegram and Evening Gazette for their contribution to the anti-pollution movement. The Evening Gazette is currently running a series of articles on the various aspects of the pollution fight.

The senator and the secretary held meeting and press conferences in Haverhill, Fitchburg, Worcester, Amherst and Boston.

The prevailing theme of these meetings was that pollution is no longer a state problem—it's a national concern. "Twenty to thirty years from today the blighted regions of this country, the Appalachias of the future, will be the river valleys that failed to clean up their waters," Udall warned.

He denounced the "fictions of pollution": the once popular belief that pollution is the price we have to pay for progress; the view that pollution control is an expensive luxury that practical people can do without, and that fading opinion that pollution control is nobody's business.

Both Kennedy and Udall stressed that the blame for past neglect has to be shared by the federal government, the state communities and industry alike. "We made some big and costly mistakes. You have been slow to act," Udall told his audience, "but so was the country."

WARNS POLITICIANS

He warned, however: "The number of conservationists, bird watchers and nature lovers is rapidly growing in this country, and they may trample on politicians."

And to industry he had this to say: "The traditional American practice of using the clean water, polluting it, and then let the other fellow downstream worry about it is over. This is bad stewardship, poor citizenship and something the American people will no longer tolerate."

Both Kennedy and Udall emphasized that neither municipalities nor industry are expected to fully bear the cost of pollution control. They said 30 per cent of the cost should be assumed by the federal government, 30 per cent by the state, and the remaining 40 per cent by the communities.

"But with a comprehensive river basin program involving all neighboring states, the government's share could be as high as 50 per cent," Kennedy contended.

SIX BILLION DOLLARS BILL

Kennedy repeatedly spoke of the $6 million federal water pollution control bill, now before the House, and said the state's share from that appropriation would be about $160 million. He noted, however, that some changes in the bill may be expected.

Both Kennedy and Udall stressed that success is possible only through the full cooperation of federal, state and local authorities and industry, "If we all accept responsibility, then we have a brand new ball game," Udall remarked.

The senator and the secretary praised the Massachusetts legislature for passing a $150 million water pollution abatement bill and allowing tax incentive for industries that spend money on pollution control.

STRESSES COOPERATION

They urged other states to follow suit. "There will be no victory over pollution in New England until all states of the region get together and work together. Pollution cannot be controlled by putting up 'no trespassing' signs on state lines," Udall contended.

Said Udall: "We came here to search for the right pattern of cooperation we need to make the country fresh and clean again. I'm heartened by the response of community and industry representatives. We now have new legislation, new hope and new opportunity."

INFLATION, HIGH INTEREST RATES, AND SMALL BUSINESS

Mr. CASE. Mr. President, inflation and the record high interest rates it has fostered are placing a severe strain on the limited economic resources of the many small businesses of this country.

And once again, the Congress is belatedly seeking to meet the problems of the small businessman in legislation which did not recognize his problems when it was originally drafted.

It is important, I believe, that we soften for the little man the impact of the President's proposed tax credit suspension and I, therefore, will support an exemption for the small businessman.

First and foremost to the small businessman at this time is the problem of offsetting high interest rates. If the administration had not tried to wait until after the November election even to admit that wartime spending is overheating the economy, we would not now have interest rates at their highest level in 40 years.

Now the administration has been forced into half-way admission of the situation. But it has yet to present a comprehensive and realistic program.

So it is up to Congress to act without the help of the administration. And this situation has emphasized once again the need for a Senate committee with legislative power to deal with the problems of the small businessman in this country.

The problems of small business are particularly important to the economy of my own State of New Jersey, which ranks eighth among the States in the number of these enterprises with more than 169,000.

The problems of small business, it seems to me, will receive full and prompt consideration only if these problems are dealt with consistently and logically by a single committee that has not only factfinding responsibilities but the authority to consider and report legislation to the full Senate.

This is in no sense a criticism of the work done by the Senate's Select Committee on Small Business.

The select committee, and its predecessor committees going back to the opening days of World War II, has done an invaluable job, in cooperation with the National Federation of Independent Business, of providing information about small business and its problems.

Repeatedly the select committee has expressed concern about the plight of the small businessman in this country in light of higher interest rates, in the face of increasing concentration of our industrial giants and in many other areas.

The committee has been actively engaged in publicizing the various kinds of unfair competition, such as dual distribution, which have handicapped small business.

The committee has been a consistent advocate of greater participation by small business in the various Government procurement programs. It has prodded the various Government agencies, particularly those in the Department of Defense, to increase the share of small business in their purchasing programs. This has been a long and hard struggle and the results are still far from satisfactory.

And the committee has been a prime watchdog over the Small Business Administration to see that this agency performs the duties which Congress intended for it.

But the committee lacks the vital authority to propose legislative solutions. If there is any finding that SBA is not functioning properly, or if changes in the law could improve the situation, our Senate Small Business Committee is powerless to recommend legislation to make the necessary changes.

If a small businessman suggests, as one of my constituents recently did, that the Government should spend more time educating the small businessman in the intricacies of the law, the committee is powerless to develop legislation to meet this valid criticism.

Instead, concern is all the present Small Business Committee can express. It is unable to translate its concern into viable legislative proposals.

The full effectiveness of the committee is hampered in a very real sense by a provision in the resolution establishing the committee. That provision says:

> No proposed legislation shall be referred to such committee and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

Almost 4 years ago, Senator PROUTY and I, among others, sponsored a resolution which sought to give the Small Business Committee the powers denied to it by this provision.

When no action was taken on the resolution in the past Congress, we again introduced it at the beginning of the current Congress.

It was encouraging when the chairman of the Senate Committee on Rules and Administration promised at the end of the past Congress that hearings would be held in this Congress. Nonetheless, there have been no hearings and at this stage of the session it is apparent that none will be held.

I want to serve notice now that I intend to press this matter again in the next Congress.

I am aware of the argument that creation of a standing Committee on Small Business would lead to a demand for other standing committees in the Senate. I do not think this is valid. I believe there is a need not only for this standing Small Business Committee but also for several other proposed committees, including a standing Committee on Veterans' Affairs and a Joint Committee on the Budget.

The Budget Committee is also of particular interest to small businessmen because it would reduce Government waste.

We in the Senate and our counterparts in the House have accomplished a great deal in the interest of the people in this Congress. The problems of small business have been neglected, however. I hope in the next Congress we will be able to mount an attack on these problems by creating a committee which will have the legislative authority to deal effectively with them.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

SOME REFLECTIONS ON THE FOREIGN AID DEBATE OF 1966 AND A FEW PROPOSALS FOR THE FOREIGN AID DEBATE OF 1967

Mr. DODD. Mr. President, I note with sorrow that the Senate on Wednesday of this week voted to lop off another $100 million from the foreign aid appropriation requested by the administration. Because I had not anticipated that the vote would come up so early and because I was unavoidably called out of town on Wednesday, I was unable to take part in the debate as I had planned to do. I did, however, ask that I be recorded against the proposed reduction.

To be realistic, I do not think that my presence on the floor could have made much difference. The fact is that this has been a bad year for foreign aid.

The major setbacks suffered by the foreign aid program in this year's debate are due to a combination of factors.

There is the understandable concern over the balance of payments and the cost of the Vietnam war. There is the growing feeling that our program over the years has not been administered to the best possible advantage. There are important survivals of the old isolationism. But much more damaging than all of these factors was the full-fledged emergence in this year's debate of a neo-isolationism which threatens the entire structure of our foreign policy and indeed the cause of freedom itself.

The debate on our foreign aid program is completed for the year. But it will be reopened again next year. Over the intervening period I take it for granted that every Member of Congress will continue to give his careful attention to the many problems involved in our foreign aid program. And it is my hope that, among other things, they will carefully weigh the consequences of this year's drastic reductions, in terms of their impact on the conduct of our foreign policy, on our national security, and on our economic well-being.

Since the close of World War II, the United States has spent some $116 billion on foreign aid programs in various parts of the world. There is no precedent in the history of relations between nations for generosity on such a scale. On this point, Sir Winston Churchill said:

> There is no other case of a nation arriving at the summit of world power seeking no territorial gains, but resolved to use her strength and wealth in the cause of progress and freedom.

THE OLD ISOLATIONISTS

There have always been critics of our foreign aid program.

In the first category there are those who feel that our foreign aid program has been a mistake from the beginning, that it has been a vast international boondoggle which has sapped our economic vitality and discouraged the spirit of independent enterprise in the recipient nations.

It is distressing that there are people who still hold to this position because I believe that the record contradicts it on every point.

There have been serious abuses and weaknesses in our foreign aid program and I do not wish to minimize them. But these are outweighed a thousandfold by the record of accomplishment.

To those who clamor for massive reductions in our foreign aid program or who charge that the American taxpayers' money has been wasted, I would like to point out a few of the more important accomplishments of American foreign aid—accomplishments which have not only contributed to the welfare and security of other peoples, but which have made contributions of at least equal dimension to the prosperity and security of our own country.

Under the Marshall plan, $12 billion was pumped into war-torn Europe in an effort to restore its economy and expedite the process of rebuilding. In retrospect, I do not believe it an exaggeration to say that no comparable sum of money has ever accomplished so much in so brief a time. The economies of the European countries have been completely revitalized. Giant steps have been made, through the European Common Market, in the direction of economic unification. And the enhanced prosperity of Europe has also enhanced our own prosperity and wellbeing through the growing volume of trade in both directions.

Our foreign aid program saved Greece and Turkey in the postwar period.

It has rehabilitated Japan so that she has today become the most prosperous and most highly industrialized nation in Asia.

It has enabled India to double her industrial output over the past 10 years and to increase her food production by 50 percent.

It has helped the Republic of China achieve a degree of economic and social progress which has today made her a dispenser of technical assistance rather than a recipient of foreign aid.

It has wrought miracles, as well, in countries like Korea and Thailand and now Iran, all of which have made giant strides over the past several years in terms of their economic and social progress.

And it has thus far made it possible for nations like Vietnam and Laos to defend their freedom against Communist aggression.

In the modern world, especially, it is impossible for any nation to isolate itself in a foreign policy vacuum. Our prosperity and our rate of progress are intimately related to the prosperity and progress of the world around us.

No one, to my knowledge, has ever attempted to calculate the benefits that have accrued to our own people as a direct consequence of our aid program. But it is my conviction that the direct costs to us in terms of dollars have over the years been far outweighed by the benefits that have accrued to us in the form of increased markets for our exports, increased industrial and agricultural production, increased outlets for American investment, and the remarkably rapid year-by-year advance registered by the American standard of living.

American export sales to western Europe have more than doubled since the Marshall plan. To Japan our sales have more than quadrupled in conquence of the postwar aid program and the rapid expansion of the Japanese economy. Looking toward the future, it is imperative that we take measures today which will help to open up for us the great potential markets of the developing countries. And our aid program is fulfilling precisely this function by introducing American products and equipment and technology in all those countries that are recipients of our assistance.

Moreover, the burden of foreign aid, stated as a percentage of our gross national product, has certainly not been as onerous as the critics would make it appear—and the figures here have improved from year to year.

For example, in 1949 foreign aid totaled $4,533 million, or 1.7 percent of our gross national product. Over the next 5 years, the average was about 1.4 percent. Since then, the percentage has gone down progressively, so that the average for 1965, 1966, and 1967 will probably be somewhat less than one-half of 1 percent of our gross national product.

Mr. President, I have had the Library of Congress prepare for me a table listing our annual output for foreign aid, both in dollars and as a percentage of our GNP; and I ask unanimous consent to insert the full text of this table into the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, it is not commonly realized that our gross national product has increased by 94.8 percent since 1946, and that our exports have climbed 90 percent over the same period.

In the light of these facts is it too much to suggest that the one-half of 1 percent of our gross national product devoted to our foreign aid program in recent years has been more than repaid by the many indirect benefits that have accrued to us?

THE NEW ISOLATIONISTS

The old isolationists are now no longer a serious force to contend with. But the new isolationists have grown in strength and boldness until they are now able to exercise a controlling or conditioning influence over major aspects of our aid program—especially when they combine forces with the old isolationists.

The new isolationists are difficult to understand. The majority of them were, until recently, supporters of our aid program who used to join in excoriating the blindness and indifference of the old isolationists.

They were not merely pro-foreign aid, but they were opposed to any effort to restrict foreign aid to Communist countries and to leftwing dictators like Nasser, Sukarno, and Nkrumah.

But now they have apparently forgotten all their arguments of yesteryear, and have become the arch restrictionists in all matters relating to foreign aid.

They have cut back on the total of our foreign aid programs until it stands at its lowest level of the postwar period.

They have frustrated the administration's effort to authorize foreign aid programs for 2 years instead of 1, in the face of overwhelming evidence that the inability to make long-term commitments was undercutting the objectives of our aid program.

They have proposed that we artificially limit the number of aid recipients to 40 nations, and this at a time when each year witnesses the emergence of another half dozen newly independent nations, most of them in need of some assistance.

The principal argument advanced by the new isolationists is the Vietnam war. Apparently they believe that our foreign aid commitment in Vietnam in the fifties and early sixties was somehow responsible for our military commitment in Vietnam today. Whatever their motivations, from everything that has been said during the course of the debate it is difficult to escape the impression that they are using the foreign aid program as a political football or, to be more precise, that they are using it as an instrument of pressure in an effort to compel the administration to revise its Vietnam policy.

Although I have from the beginning been a wholehearted supporter of our foreign aid program, I have never pretended that it is perfect.

Mistakes have been made, but these mistakes must not be exaggerated or permitted to nullify the very great accomplishments of our foreign air program since its inception. Moreover, I believe that we cannot seriously reduce the scope of our foreign aid program without abdicating our leadership in the concert of free nations.

No one has stated the moral and political justification for our foreign aid program more eloquently than President Kennedy in his message to Congress on March 22, 1961. Let me quote what President Kennedy said on that occasion:

> There is no escaping our obligations: Our moral obligations as a wise leader and good neighbor in the interdependent community

of free nations—our economic obligations as the wealthiest people in a world of largely poor people, as a nation no longer dependent upon the loans from abroad that once helped us develop our own economy—and our political obligations as the single largest counter to the adversaries of freedom.

Some of our neo-isolationists invoke our balance-of-payments problem as a justification for cutting back on foreign aid. But I believe that the impact of our aid program on our balance of payments has been greatly overestimated. Our economic assistance to other countries is tightly tied to the procurement of American goods and services. The goods and services go overseas—but the dollars stay here to pay for them. In fact, in fiscal year 1965, over 80 percent of AID dollars was committed for the purchase of American goods and services. Rather than our AID program, the factors responsible for our balance-of-payments deficit are our heavy military expenditures overseas, tourism, and the high rate of American investment in Europe and other countries.

TOWARD A NEW LOOK AT FOREIGN AID

I would like to propose a new look at our foreign aid program—but one that has nothing to do with the new look now being advocated by our internationalists turned isolationists.

I have in recent years developed a growing conviction that our foreign aid is not governed by any consistent philosophy, that it is not administered as efficiently as it should be, and that, if it is conducted according to a table of priorities, these priorities are in certain cases woefully misbegotten.

It is not enough to know that our motives are laudable or to have the approbation of the leaders of other countries of the free world. It is essential that a program so vast be governed by some consistent philosophy, that it be managed with wisdom and economy, and that, recognizing the limitations of our resources, it be guided by a carefully assessed table of humanitarian, economic, and political priorities.

The quest for a consistent philosophy demands that we seek an answer to certain basic questions.

Should we give foreign aid simply because it is the humanitarian thing to do?

Or should we give foreign aid according to a strict interpretation of the national interest?

Or should we plan our foreign aid program more broadly, in a manner designed to bolster the free world and extend the frontiers of freedom?

Should we give foreign aid with no strings attached?

Or should we make it clear that we are prepared to deal far more generously with those nations that support our objectives than we will with those so-called neutralist nations that refuse their cooperation or consistently oppose us?

These are the questions that must be answered.

It is my belief that in our foreign aid program we must endeavor to blend, or balance, humanitarianism with self-interest. But above all, the extension of freedom should be the governing principle of our foreign aid program. If we accept this central principle, it will lead us without too much difficulty to a meaningful table of priorities.

Even if we bankrupted ourselves, we could not begin to solve the problems of hunger and economic backwardness in every country of the world We can, at the best, extend help to some people in some countries, hopefully a substantial number of countries. The simple fact that our resources are limited obliges us to make certain choices, to give more aid to some countries, and less aid to other countries, and no aid at all to still other countries. Since this is so, is it not simple commonsense to allocate our foreign aid in the manner best designed to serve the interests of America and of the free community of nations?

It required Castro's rise to power in Cuba to make us realize that we had been neglecting Latin America. We are now committed to an alliance for progress program that may total close to $1 billion a year over a period of 10 years.

But during the 1950's, while we were doing relatively little for Latin America, we invested roughly $3 billion in aid to Yugoslavia, both military and economic, and another $1 billion in aid to Poland. Even if a case could be made for aid to the Yugoslav Communist Government, I would still hold that it violates every rational priority—humanitarian, economic and political—to accord one supposedly dissident Communist country with a population of 15 million people, virtually as much foreign aid as was allocated for the whole of Latin America during the same period.

Having said this much, I want to make it clear that I am not opposed under all circumstances to aid to Communist countries that have broken, or appear to have broken, from Soviet control. Aid to Tito, for example, might have been considered a justifiable risk at least through the period of the first several years, when popular discontent and the absence of Soviet control produced a trend toward liberalization. I believe that this program might even have paid off in the long run had we somehow geared the size of our aid program to the degree of freedom permitted by the Tito government—increasing our aid whenever this government made further concessions to internal freedom, constricting it whenever they cut back on the liberties enjoyed by their people.

Such a foreign aid program would, I believe, have been understood and appreciated by the people of Yugoslavia.

But instead of gearing our aid program to the degree of internal freedom enjoyed by the Yugoslav people, we extended our aid unconditionally. The result has been that this aid helped the Tito government to achieve greater stability; and, as it achieved more stability, it cut back progressively on the limited concessions which it had been compelled to make to its own people. Since we did not make the relaxation of the Communist dictatorship a condition of our assistance, our assistance has, in fact, helped the tyrants forge the bonds of dictatorship more strongly on their subjects, and has encouraged them to seek strengthened relations with the Soviet Union.

In the light of Tito's record in recent years, I believe that Congress acted wisely in placing restrictions on further aid to Yugoslavia. In the United Nations Tito has, with the exception of a few minor abstentions, invariably voted with the Kremlin against the West. He has spearheaded the antiwestern neutralist movement in Asia, Africa, and Latin America. He has denounced the Balkan Alliance with Greece and Turkey. He has publicly assailed economic liberalism in Yugoslavia and has called for the Communist Party to again assume its dominant role. He has put an end to whatever intellectual freedom might have existed, as demonstrated by the reimprisonment of Milovan Djilas and the recent imprisonment of Mihailo Mihailov.

In the light of this record I fail to see how continued aid to Yugoslavia even in the limited form of Public Law 480 food shipments, can serve the interest of the Yugoslav people or the interest of the free world.

The case of Poland is somewhat more complex. There, because of the stout resistance of the Polish people, the freedoms won after the Poznan Revolt of 1956 have, by and large, been retained and even extended. Ninety-six percent of the peasants are independent of the hated collectives. The churches enjoy far greater freedom, including freedom of religious instruction, than they do in any other Communist country. The intellectuals speak and write more freely and the press of the world can apparently be obtained without difficulty on the newsstand.

Moreover, I have been impressed by the fact that the great majority of the Polish people from Cardinal Wyczinski down, know all about the American foreign aid program and believe that, at least at the present juncture, it serves to help maintain the limited but precious degree of freedom they now enjoy.

The degree of internal freedom in a country, while it is an important consideration, is not the only one. One must watch for tendencies; and it is impossible not to be worried by recent reports that the Gomulka government is again tightening the screws on the churches and on the intellectuals. Nor can we ignore the fact that the Polish representative on the Neutral Nations Commission in Laos has consistently sabotaged the work of his Indian and Canadian colleagues, and that he refused to join them on the Plain des Jarres in an effort to forestall Communist attacks. Nor can we ignore the fact that the Polish Communist government has become increasingly shrill and vociferous in opposing our Vietnam policy.

I hope it is clear from what I have already said that I do not propose to limit aid only to those countries that maintain unadulterated private enterprise systems, that vote with us on every point at the United Nations, and that are parliamentary democracies in the Anglo-American sense.

In many of the recipient countries there is a mixture of private enterprise and state enterprise—and I think we must accept this as a fact of life.

In many of them there are undemocratic or authoritarian governments that rule with a strong hand—and I believe that we must accept a strong inmixture of authoritarianism as perhaps inevitable in most developing countries.

Obviously, we cannot and should not demand total submission in every issue from every recipient of American foreign aid. But I think there is nothing wrong in proposing that, in allocating our limited foreign aid, we deal more generously with those countries that frequently support us and less generously with those countries that frequently oppose us.

This, unfortunately, has not been our policy.

While political criteria have not received the importance they deserve, they are obviously not the only criteria in selecting candidates for American foreign aid, or in deciding on the scale of these programs. It is clear that there is no point in giving a backward country more foreign aid than it can properly absorb; it is clear that there must be some corelationship between the supply of trained personnel and the degree of economic development, on the one hand, and, on the other hand, the scale of our aid program.

It is also clear that there are some backward countries so lacking in natural resources and organization and competence, that large scale foreign aid projects can accomplish little for them. As Prof. Hans Morgenthau has put it:

> Just as there are bums and beggars, there are bum and beggar nations.

I note in this connection that Chester Bowles has recommended that in the case of such nations, foreign aid should be denied them and that the United States should, instead, help them to train technicians and administrators so that they might perhaps prepare the ground for the effective use of foreign aid at some future date. I agree with this evaluation.

There are some who believe that foreign aid in the former colonial countries will be most effective if it is supplied and administered by the European countries which previously governed these countries. This, indeed, is already the general pattern in much of Africa. There are others who believe that bilateral aid arrangements lead to inefficiency and overlapping, and that the free world nations, in concert, should develop and administer a unified international aid program. This is an issue on which we shall soon have to pass judgment. But I consider the problem of efficiency to be altogether secondary to the problem of purpose and the problem of priorities.

Our foreign aid program has had a humanitarian purpose, and this is as it ought to be. Through the Hoover Famine Relief Commission in revolutionary Russia and through a hundred other actions, the American people have demonstrated that they will always respond when people are starving.

But humanitarianism by itself is not enough. We are also concerned, or at least I take it for granted that we are concerned, with human freedom, with the security of the free world, with the preservation of the cultural heritage and moral values of which Western civilization is the prime custodian.

Let us therefore strive to modify our foreign aid program so that it conforms to both of these purposes. Let us set up a scale of priorities that helps the recipient nations to develop into more prosperous, more progressive, more independent societies, and which, at the same time, fortifies our national security and strengthens the cause of freedom. Let us not be embarrassed to reward our friends, to restrict our aid to those who frequently oppose us, and to eliminate aid to those who consistently oppose us.

If we can find a formula which so balances our foreign aid program, the many problems of management will, I feel, soon take care of themselves.

But above all let us stop using our foreign aid program as a political football or as an instrument of pressure on the administration.

Let us weigh realistically the many economic benefits that have accrued to the American people in the process of helping other peoples to higher levels of prosperity.

Let us weigh the benefits to our national security and to the cause of freedom.

And let us not, like so many ostriches, bury our heads in the sand and ignore the entire subversive record of Peiping and Moscow and Hanava, and pretend that the cold war will go away if we simply show ourselves a bit more flexible and open minded.

Those things that are wrong with the foreign aid program cannot be improved by further restrictions or by artificial limitations. They can only be improved if we address ourselves to the policy weaknesses which I have sought to discuss in a preliminary way in my remarks of today.

I submit these thoughts for the consideration of my colleagues, in anticipation of the next round of debate on our foreign aid program.

EXHIBIT 1

U.S. foreign aid, totals and as percentage of gross national product, fiscal years 1949-67

[In billions of dollars]

Fiscal year	Gross national product	Total foreign aid		Economic foreign aid			Military foreign aid		
		Amount	As percent of gross national product	Amount	As percent of total foreign aid	As percent of gross national product	Amount	As percent of total foreign aid	As percent of gross national product
1949	260.0	4.533	1.74	4.533	100.0	1.74	----------	0	0
1950	263.3	3.666	1.39	3.536	96.5	1.34	0.130	3.5	.05
1951	310.5	3.901	1.26	2.910	74.6	.94	.991	25.4	.32
1952	337.2	4.398	1.30	1.956	44.5	.58	2.442	55.5	.72
1953	358.9	5.656	1.58	1.702	30.1	.47	3.954	69.9	1.11
1954	362.1	4.882	1.35	1.253	25.7	.35	3.629	74.3	1.00
1955	378.6	4.220	1.11	1.928	45.7	.51	2.292	54.3	.60
1956	409.4	4.438	1.08	1.827	41.2	.45	2.611	58.8	.63
1957	431.4	3.950	.92	1.598	40.5	.37	2.352	59.5	.55
1958	440.3	3.611	.82	1.424	39.4	.32	2.187	60.6	.50
1959	469.1	3.864	.82	1.524	39.4	.32	2.340	60.6	.50
1960	495.2	3.222	.65	1.613	50.1	.33	1.609	49.9	.32
1961	506.5	3.254	.64	1.805	55.5	.36	1.449	44.5	.28
1962	542.1	3.216	.59	1.826	56.8	.34	1.390	43.2	.25
1963	572.4	3.715	.65	1.994	53.7	.35	1.721	46.3	.30
1964	609.6	3.417	.56	1.932	56.5	.32	1.485	43.5	.24
1965	648.7	3.203	.49	1.974	61.6	.30	1.229	38.4	.19
1966	711.0	3.933	.55	2.463	62.6	.34	1.470	37.3	.20
1967 estimate	760.0	2.937	.39	2.145	73.0	.28	7.792	27.0	.10

PUBLIC WORKS ADMINISTRATION, 1967

Mr. BIBLE. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill, H.R. 17787, making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

The Senate resumed the consideration of the bill H.R. 17787.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield to me, without losing his right to the floor?

Mr. ELLENDER. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, the Senate will consider today a very, very important bill. It is the so-called public works bill, to provide funds to protect and preserve one of our most important natural resources—water.

Few people appreciate the benefits resulting from the preservation of water until a time comes when they are deprived of it. I can well remember, around 14 years ago, when I first became chairman of the Public Works Appropriations Subcommittee, that a certain area of our country, namely, the Northeastern part, had been neglected to a large extent, not because Congress did not desire to provide funds to assist in protecting the great resources of that area of the country, but because the people in that area were not conscious of what would happen to them in the event that a calamity were to strike them.

As a matter of fact, Mr. President, it required a real calamity for the people of Rhode Island, Connecticut, Massachusetts, Maine, and New York to realize the damaging effect of the hurricane storms, which had never struck them in the past, and the effect they would have on their water supply.

Few industries are willing to locate in an area unless it has an adequate supply of water.

During my entire adult life I have always felt that we should do all in our power to protect and preserve this great resource, together with the second most important, and that is the land itself.

Mr. President, as chairman of the subcommittee, I was instrumental in providing many unbudgeted items in order to start construction or planning on worthy projects all over the country which are needed to preserve our water resources. It was my belief then, as it is now, that we should make it possible for water to serve us, through navigation and reclamation, and protect us from floods. Through the years we have been able to harness the waters of many of our great rivers by retaining them behind dams constructed for that purpose.

Through the Department of Interior and the Reclamation engineers we have made great progress. I wonder what would have happened in this country if Congress had failed to provide the greatly needed works that have been constructed in the last 16 or 18 years in the 17 Western States. The Army Corps of Engineers have constructed projects all over the country with funds provided by the Congress.

I am very proud of the part that I played in making it possible for many of these great structures to be constructed in every part of our great country. I took the position from the beginning that the problem was not one to serve the Republicans or the Democrats. The problem of water control and utilization was an American problem. It simply affected all of the people of our country.

I can well remember, Mr. President, about 14 years ago, when the committee started to provide funds for the modernization of a system of locks and dams on the Ohio River.

Forty-five years ago the Corps of Engineers built, in the Ohio River, a system of small locks. With the tremendous increase in tonnage carried on the river those locks were inadequate for modern-size tows or even medium-size tows; as a result these tows had to break up before they were able to pass through the locks, resulting in multiple lockages for a single tow.

By the construction of larger locks along the Ohio River, it was possible for huge tows of barges to pass through without having to break the tows and lose the extra time required for the multiple lockage. What the Engineers have actually done, over the years, has been to replace the 49 smaller locks with 19 modern structures, and they are now in the process of planning the construction of the last few locks along that great river system.

Mr. President, in addition to providing for adequate navigation on the Ohio River by the construction of larger locks, they were able to produce huge pools of water, which are held back behind the locks and dams. Those pools of water form a source of water supply that has attracted, in the last 14 years, over $20 billion of investments by industry along the Ohio River.

UNANIMOUS-CONSENT REQUEST—COMMITTEE AMENDMENTS AGREED TO

Mr. SCOTT. Mr. President, will the Senator yield briefly for the purpose of a unanimous-consent request?

Mr. ELLENDER. I yield.

Mr. SCOTT. Mr. President, I thank the Senator, and ask unanimous consent that I may, at this time, offer an amendment which I may call up later.

Mr. MANSFIELD. Mr. President, if the Senator will yield further, I should like to ask his approval that on the amendment offered by the distinguished Senator from Pennsylvania [Mr. SCOTT]——

Mr. SCOTT. In behalf of Senator CLARK, the Senator from Ohio [Mr. LAUSCHE], and myself.

Mr. MANSFIELD. That time on this amendment be limited to 1 hour, half the time to be under the control of the distinguished manager of the bill, the Senator from Louisiana [Mr. ELLENDER], and the other half of the time to be under the control of the distinguished Senator from Pennsylvania [Mr. SCOTT].

Mr. ELLENDER. I have no objection. However, Mr. President, before the Senator offers his amendment, I ask unanimous consent that the committee amendments be agreed to en bloc; that the bill, as thus amended, be regarded for the purpose of further amendment as original text; and that no point of order shall be considered to have been waived by reason of agreement to this request.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc, are as follows:

On page 2, line 32, after the word "cemeteries", to strike out "$15,098,000," and insert "$15,348,000", and on page 3, line 11, after the word "appropriation", to insert a colon and the following additional proviso: "*Provided further*, That $250,000 of this appropriation shall be available only for the acquisition of additional land for national cemeteries, as follows: Beverly National Cemetery, Beverly, New Jersey, $125,000; Golden Gate National Cemetery, San Bruno, California, $50,000; Fort Rosecrans National Cemetery, San Diego, California, $50,000; Fort Harrison National Cemetery, Richmond, Virginia, $12,500; and Camp Nelson National Cemetery, Nicholasville, Kentucky, $12,500."

On page 4, line 8, after the word "construction", to strike out "$31,730,000" and insert "$32,575,000".

On page 4, line 25, after the word "construction", to strike out "$953,715,000" and insert "$971,358,000", and on page 5, line 5, after the word "appropriated", to insert a colon and the following additional provisos: "*Provided further*, That the Chief of Engineers shall, in lieu of altering the existing obsolescent bridge, provide a new four-lane high-level bridge as a replacement for the United States Highway Numbered 64 bridge immediately west of Fort Smith, Arkansas: *Provided further*, That at the discretion of the Chief of Engineers, funds appropriated for the Robert S. Kerr Lock and Dam, Oklahoma, may be used to provide appropriate navigational clearances for bridges crossing the Sans Bois Creek which are to be relocated under the existing project: *Provided further*, That the Lost Creek Project in Oregon and the Wynoochee Project in Washington shall not be operated for irrigation purposes until such time as the Secretary of the Interior makes the necessary arrangements with non-Federal interests to recover the costs, in accordance with Federal Reclamation Law, which are allocated to the irrigation purpose."

On page 6, line 11, after the word "navigation", to insert a colon and "financing the United States share of the cost of pumping water from Lake Okeechobee to the Everglades National Park".

On page 7, line 14, after "(33 U.S.C. 702a, 702g–1)", to strike out "$84,950,000" and insert "$87,350,000".

On page 8, line 10, after the word "exceed", to strike out "$147,000,000" and insert "$151,000,000".

On page 9, line 6, after the word "transfusions", to strike out "$33,300,000" and insert "$33,404,000".

On page 11, after line 6, to insert:

"Funds appropriated for operating expenses of the Canal Zone Government may be apportioned notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law which are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable position."

On page 12, line 5, after the word "expended", to strike out "$14,270,000" and insert "$15,325,000"; in line 6, after the word "which", to strike out "$12,668,000" and insert "$13,723,000", and in line 11, after the word "interest", to insert a colon and "*Provided further*, That not to exceed $35,000 of this appropriation shall be available for payment to the Salt River Pima-Maricopa and Ft. McDowell Indian tribes for economic studies in connection with the potential construction of Orme Dam on the Salt River in Arizona".

On page 13, line 5, after the word "expended", to strike out "$187,055,000" and insert "$192,475,000".

On page 16, line 1, after the word "expended", to strike out "$48,948,000" and insert "$50,198,000", and in line 2, after the word "which", to strike out "$45,148,000" and insert "$46,398,000".

On page 21, after line 4, to insert:

"Any appropriations made heretofore or hereafter to the Bureau of Reclamation which are expended in connection with national disaster relief under Public Law 81–875 as administered by the Office of Emergency Planning shall be reimbursed in full by that Office to the account for which the funds were originally appropriated."

On page 23, at the beginning of line 4, to strike out "$4,500,000" and insert "$3,910,000".

On page 30, line 24, after the word "and", to strike out "forty" and insert "eighty-five", and on page 31, at the beginning of line 1, to strike out "$63,700,000" and insert "$63,635,000".

On page 32, line 3, after "$1,950", to insert a colon and "*Provided*, That such amounts may be exceeded by the net extra cost of acquiring and installing air conditioning equipment where, under regulations prescribed by the Administrator of General Services defining particular geographical areas, the head of the department or agency finds and determines that such acquisition and installation is in the best interest of the Government."

Mr. SCOTT. Mr. President, I now offer my amendment, with the understanding that I may call it up at a later time.

The PRESIDING OFFICER. The amendment will be stated.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendment lie at the desk until called up later.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection to the request of the Senator from Montana as to time limitation on the amendment of the Senator from Pennsylvania? The Chair hears none, and it is so ordered.

The Senator from Louisiana may proceed.

Mr. ELLENDER. Mr. President, I could go on, as I have in the past, indicating to Senators the great good that has come about throughout the country as a result of the construction of the many public works projects that have been built with funds appropriated in the public works appropriation bills. I shall not do so. I do hope that no effort will be made by the President to curtail this great program, because I believe there is no other course the Senate can follow than to continue its efforts to promote and preserve the two greatest resources we have—land and water. If ever we lose control of those resources, Mr. President, I fear for my country's future. But as long as a nation is able to produce all the food and fiber necessary to feed and clothe its people, it need not fear communism.

Mr. President, I shall not go into further details. I have served on the committee for a long time, in fact since 1948. I have been a member of the subcommittee since that time, and have been its chairman for more than 14 years. I have devoted much of my time to it.

This subcommittee is not as glamorous as some other committees of the Senate are, but it is one in which we must take a great deal of interest, and one to which we must devote a great deal of time, to consider and evaluate the many problems presented to us by the Engineers, and the arguments made by outside witnesses as to why we should do thus and so in their respective communities, in order to protect and preserve water and land. I am very glad, Mr. President, that over the years it has been my privilege to have before the subcommittee many, many witnesses. This last year, as I shall state more fully later, we had before the committee almost a thousand witnesses who appeared and testified or sent in their statements.

There is great interest in all of these problems, Mr. President. And if our great country is to progress and remain strong, it is up to us to continue to protect and preserve our land and water resources.

Mr. AIKEN. Mr. President, will the Senator yield to me for the purpose of letting me make about a 3-minute statement and then ask him one or two clarifying questions?

Mr. ELLENDER. If I may do so without losing my right to the floor; yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Mr. President, there are disturbing signs that the Army Corps of Engineers is planning to stretch out, otherwise delay, and possibly divert to other purposes some of the money included in the pending bill for the study of recreation and tourism that is an integral part of the Connecticut River Basin study.

As first envisioned by the Engineers, the study was based upon the unrealistic assumption that the economic resource development aspect of this undertaking could be accomplished without more than passing notice of the impact of recreation and tourism on the Connecticut River Basin.

I noted this oversight. So did the Governor of Vermont and the other members of the Vermont delegation in Congress.

In May of 1964, I called a meeting in my office, attended by the above-mentioned officials of the State of Vermont, representatives of the Bureau of Outdoor Recreation and of the Army Engineers, and Mr. Kenneth Bousquet, the able staff expert of the distinguished and able Senator from Louisiana [Mr. ELLENDER].

We agreed that no economic appraisal would be complete and dependable unless it included a detailed analysis of the recreation "potential" which is so important a source of income for the States bordering on the river.

Last year I requested funds to initiate the study. The Appropriations Committee approved $51,000 for this purpose, and it was duly appropriated. This was a fair and reasonable amount with which to start this work.

This year I requested the full capability for fiscal 1967, or $100,000. This is what the Appropriations Committee has included in the bill.

Moreover, on page 1454 of the hearings, the Army Engineers clearly testified in reply to questioning by Senator ELLENDER and precisely declared:

> . . . $100,000 is included in the amount requested for Fiscal Year 1967 for the Connecticut comprehensive to continue this special study and to develop guidelines for use of the study results as an input to the recreation aspects of the comprehensive study.

In checking on this amount when the bill was reported to the full Senate, I was assured by both Mr. Bousquet and by the Engineers' office here that $100,000 was specifically earmarked for this purpose.

I also asked the Washington office of the Engineers to confirm this by telephoning the regional office in Waltham, Mass.

This was done, and I was notified that the amount of $100,000 was earmarked for recreation and tourism, but that some of this might be diverted to other uses so as not to rush the study too fast. However, according to the officials of the Engineer Corps, they would complete the study during fiscal 1968.

I have had experience over the last 30 years with the Engineers stretching out studies until it seems that some of them will go on forever.

I am somewhat disturbed in this case because it is my understanding that the Engineers have either made arrangements with, or are planning to make arrangements with, a purely industrial surveying concern to carry out the study of research in the Connecticut Valley.

For the purpose of making the record clear that this $100,000 item is being appropriated for recreation and tourism research, according to the agreement we have previously reached, I ask two questions of the chairman of the committee.

During the public hearings on this bill, the Senator from Louisiana asked Col. Crawford Young, Assistant Director of Civil Works for Atlantic Divisions, Army Corps of Engineers, about the status of the recreation-tourism study requested by Senator AIKEN, the senior Senator from Vermont. Colonel Young assured the chairman of the subcommittee that $100,000 was included in the fiscal 1967 budget for this purpose.

I ask the Senator whether this was his understanding as the result of his questioning.

Mr. ELLENDER. It was.

Mr. AIKEN. I have had a check made with the Army Engineers this week. The Washington office assured him that $100,000 was earmarked for the recreation-tourism study. I then requested an additional check with the regional office in Waltham, Mass. The reply from Waltham was that $100,000 is for the purpose of the study in question but some of this money may be diverted to other purposes so as not to rush the study too fast.

I ask the Senator whether the committee would approve of such shifting of funds?

Mr. ELLENDER. It would not. I can tell my good friend, the senior Senator from Vermont, that as chairman of the subcommittee I will see to it that this money is used for the purposes appropriated.

Mr. AIKEN. I certainly cannot ask any more from the senior Senator from Louisiana. I cannot thank him enough.

Mr. ELLENDER. We will follow through on the matter.

Mr. President, before the Senate for consideration is the bill that appropriates moneys for the civil functions of the Department of Defense, the Atomic Energy Commission, the TVA, certain agencies of the Department of the Interior, including the Bureau of Reclamation, the Delaware River Basin Commission, the Atlantic-Pacific Interoceanic Canal

Study Commission, the Saint Lawrence Seaway Development Corporation, and the Water Resources Council. I am hopeful that the consideration of the bill can be concluded this afternoon so that, as soon as possible, we may go to conference with the House on the disagreeing amendments.

The bill passed the House on September 21 and was referred to the Committee on Appropriations on September 22. The bill was reported to the Senate on October 3.

I do not believe it is necessary for me to give a lengthy explanation of the bill. The report is on the desks of Senators, and I believe it quite clearly sets forth the action of the committee.

The amount of the bill as passed by the House aggregates $4,110,932,000. The Senate made a net increase in the sum adopted by the House of $28,312,000. Therefore, the total in the bill as reported to the Senate is $4,139,244,000.

The amount of the budget estimates considered by the Senate for fiscal year 1967 is $4,167,073,000.

So the bill as reported to the Senate is $27,829,000 under the budget estimate. It is $186,248,800 under the appropriation for 1966.

Except for one item, I believe the bill is noncontroversial. I understand that amendments may be offered to decrease amounts recommended for a few public works projects. Mr. President, as is customary, the Subcommittee on Public Works divided itself into three subcommittees for the consideration of the pending bill. The portion of the public works appropriation bill dealing with the Bureau of Reclamation and the power marketing agencies of the Department of the Interior was handled by my good and able friend, the distinguished senior Senator from Nevada [Mr. BIBLE]. The portion of the bill covering the Atomic Energy Commission and the Tennessee Valley Authority was handled by my good friend, the distinguished senior Senator from Alabama [Mr. HILL]. I handled the portion dealing with the civil functions of the Department of the Army, the Interoceanic Canal Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, and the Water Resources Council.

The hearings on the bill started on March 9 and continued through September 27, 1966. The committee held 38 sessions for the purpose of taking testimony and 4 executive sessions for the purpose of marking up the bill. The subcommittee heard 819 witnesses, who included representatives of various organizations. Of the witnesses, 697 appeared before the subcommittee dealing with the civil functions of the Department of the Army; 95 of the witnesses appeared before the subcommittee headed by the senior Senator from Nevada [Mr. BIBLE]. The remaining 27 witnesses appeared before the subcommittee headed by the senior Senator from Alabama [Mr. HILL]. The hearings comprise four volumes, which contain 4,529 pages of testimony. Senators have a complete set of them on their desks. They constitute the basic information upon which the subcommittee based its recommendation to the full committee.

Mr. President, with respect to title I, the committee recommended an appropriation of $250,000 over the budget estimate for the acquisition of additional land at five national cemeteries, named on the amendment, which are expected to be phased out during the next 12 months because of a lack of burial sites. In this connection, I should point out that a number of years ago the executive branch decided not to enlarge existing cemeteries or to establish new cemeteries. This action has been discussed in the hearings and reports of our committee over the past few years. More than 60 bills relating to national cemeteries have been introduced and are pending in the House, and 5 or more bills are pending before committees of the Senate. Extensive hearings were held in June of this year before the Committee on Veterans' Affairs of the House of Representatives. Included in those hearings is a letter from the Secretary of the Army to the national commander of the American Legion which contains the following paragraph:

> I cannot conceive of any arguments in favor of a piecemeal expansion, which would necessarily preserve the inequities inherent in the present system.

I certainly agree that this is not the desirable way of handling this problem. The committee action is intended only to meet the current emergency with respect to the aforementioned cemeteries. I hope that in the next session the legislative committees having jurisdiction will go into this entire problem and submit appropriate recommendations to their respective Houses for consideration, so that Congress can decide what the future policy will be with respect to national cemeteries.

With respect to the civil functions of the Corps of Engineers, before marking up this portion of the bill, we reviewed every project that was presented to the subcommittee, budgeted or unbudgeted. We examined into every single request made of the subcommittee for planning or construction. After all the requests were made, the Engineers were called back to obtain their views on the projects presented to the subcommittee. The purpose of this recall was to find out whether the engineers could economically and efficiently utilize the additional funds requested by the local witnesses, and whether the Corps of Engineers had the capability to undertake the unbudgeted new starts requested.

As in the past, the subcommittee heard all the witnesses who desired to present testimony on unbudgeted projects, and also on budgeted items for which more funds were asked than were included in the budget. The same is true of surveys and new planning starts. As in the past, there is not a single project that has been recommended by the subcommittee or by the committee as a whole for which there is not justification in the hearings before the Senate.

I am proud to say that the subcommittee has not added, either in this instance or in the past, any projects that were not completely justified by the Corps of Engineers, and as to which their capability was not clearly shown.

I saw to it that all outside witnesses had an opportunity to be heard.

As to the projects that were requested and that were not budgeted, the subcommittee spent considerable time reviewing them with the Engineers. Many of the projects submitted were not budgeted. Some projects were submitted which were not authorized. In such cases the committee had to deny the requests.

The Senate has before it a complete justification for all planning and construction projects that were included in the bill by the Senate committee, and all projects that were recommended by the House as well.

In order to balance the bill, and in order to take care of worthy areas not previously included in the bill, I recommended to the subcommittee the inclusion of a number of projects that had been requested by witnesses from all over the country, and by Members of both the Senate and House of Representatives. I hope that the Senate will agree to the recommendations of the Committee on Appropriations and that it will be possible to retain the majority of the projects in the conference with the House.

At this point I wish to point out that all the new starts, both in construction and in advance engineering and design, which were recommended by the House were adopted by the Senate Appropriations Committee. So I am hopeful that, in conference, the House will agree to the few projects the Senate committee put in the bill. I believe that never since the year I became chairman of the subcommittee has the House and Senate been so close, both moneywise and in the number of new construction starts recommended by both Houses. So I do not anticipate much trouble in conference with the House.

The House committee added 24 unbudgeted construction projects and 33 unbudgeted planning items. The House reduced the budget on 10 items under construction, general, by $44,833,000; of which $32 million was an increase in the item reduction for savings and slippage.

As we all know, many projects are delayed because the Engineers or the local people may have difficulty in obtaining sufficient land on which to build projects, or rights-of-way to construct roads.

The Senate committee recommended $1,167,000 for 15 unbudgeted planning items and $6,588,000 for 14 unbudgeted construction projects.

Mr. President, the budget estimates provided for 25 new construction starts. I commend the administration for taking such action. The projects recommended are all necessary, and it is essential that each year an adequate number of new construction projects be added to the program if the national needs for the development of our water resources are to be met in an orderly and efficient manner.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table explaining the committee action on title I.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TITLE I.—*Civil functions, Department of the Army, fiscal year 1967*

Cemeterial expenses (the budget estimate, and the amount allowed by the House)	$15,348,000
Corps of Engineers:	
General investigations	32,575,000
Above the budget	497,000
Above the House	845,000
Above 1966	7,110,000
Construction, general	[1] 971,358,000
Restoration of House cut	2,090,000
14 new construction starts	[2] 6,588,000
4 increases in planning	445,000
7 increases in construction	6,107,000
15 unbudgeted planning items	1,167,000
Increase in lump sum appropriation for small navigation projects (4 items)	1,246,000
Total	17,643,000
Above the budget	$8,122,000
Above the House	17,643,000
Under 1966	22,821,000
House compared with the budget:	
33 new planning starts	3,654,000
24 new construction starts	[3] 23,633,000
9 increases in budget planning items	1,640,000
7 increases in budget construction items	6,385,000
10 budget items reduced	−44,833,000
House bill below budget	−9,521,000
Operation and maintenance (the budget estimate and the amount allowed by the House)	179,000,000
Flood control and coastal emergencies (the budget estimate, and the amount allowed by the House)	7,000,000
General expenses (the amount allowed by the House, and $348,000 below the budget estimate)	17,550,000
Flood control, Mississippi River and tributaries	87,350,000
Above the budget	10,250,000
Above the House	2,400,000
Above 1966	2,407,500
Canal Zone Government:	
Operating expenses ($104,000 above the House and $358,000 below the budget estimate)	33,404,000
Capital outlay (the amount allowed by the House and $2,186,000 below the budget estimate)	2,000,000
Total, title I	1,345,585,000
Above the budget	12,069,000
Above the House	21,242,000
Below 1966	32,891,500

[1] New future commitment on 25 new starts in budget, $235,459,000.

[2] New future commitment on 14 new starts added by the Senate, $238,742,000.

[3] New future commitment on 24 new starts added by the House, $311,188,000.

Mr. ELLENDER. Mr. President, title II deals with reclamation projects and the power-marketing agencies of the Department of the Interior. It was handled for the committee by the able senior Senator from Nevada [Mr. BIBLE].

The committee considered budget estimates for the Department of the Interior agencies amounting to $441,252,000.

The committee recommends an appropriation for the Bureau of Reclamation and three other power-marketing agencies of the Department of the Interior of $466,359,000 which is $7,135,000 over the House allowance, and $25,107,000 over the budget estimates. The largest of the increases is for the construction and rehabilitation program of the Bureau of Reclamation which amounts to $5,420,000, of which $5,200,000 is for a decrease in the item for reduction for anticipated delays. In this connection it should be noted that actual contractors' earnings of $4,800,000 for June payment had to be paid out of the 1967 appropriation.

Another large increase of $1,250,000 for the upper Colorado River fund was required to replace fiscal year 1967 funds used to meet June 1966 obligations. The remaining increase of $1,055,000 was for general investigations.

In connection with the program of the Southwestern Power Administration, the committee deleted $590,000 for power lines and substations on the basis that the construction funds were not required for the current year.

Mr. President, title III deals with the Atomic Energy Commission. I shall not discuss in detail the Atomic Energy proposal, but hearings were held, and my good friend from Rhode Island [Mr. PASTORE], who is an ex officio member of the subcommittee, was present. Our committee followed his recommendations, and I am sure that the committee has provided a sufficient sum for the Atomic Energy Commission.

The committee recommended $1,923,000,000 for the operating expenses of the Atomic Energy Commission. The committee recommendation is the amount allowed by the House; $62,000,000 below the budget; and $196,900,000 below the appropriation for 1966.

For plan and capital equipment, the committee recommended $276,030,000, the amount allowed by the House which is $2,170,000 below the budget.

Mr. President, title IV covers several independent agencies.

For the Tennessee Valley Authority, the committee recommends $63,635,000, the budget estimate, and a reduction of $65,000 below the amount allowed by the House.

The committee deleted the increase of $3 million for the Tims Ford project provided in the House bill, and disagreed to the reduction for slippage of $2,370,000 contained in the House bill.

The committee recommendation approves the budget estimate and the amount allowed by the House as a limitation on the administrative expenses of the St. Lawrence Seaway Development Corporation.

The bill provides for the Federal participation in the Delaware River Basin Commission. The workload of this commission undoubtedly will be increased as a result of the prolonged drought being experienced in the northeast region.

The bill provides $4 million for salaries and expenses of the Atlantic-Pacific Interoceanic Canal Study Commission, which is $3 million below the appropriation for fiscal year 1966, and $310,000 below the budget estimate. The work of the commission is behind schedule due to delays in working out satisfactory agreements with host countries for on-the-ground surveys and investigations.

Mr. President, included in the bill this year are appropriations for the Water Resources Council. The committee recommends $600,000, of which $250,000 is for the salaries and expenses of the Council and $350,000 is to finance the U.S. share of river basin commissions.

Mr. President, that concludes my statement. I shall be glad to answer any questions that Senators may wish to ask.

Mr. MANSFIELD. Mr. President, I call up an amendment that I have at the desk.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk read as follows:

On page 5, line 21 after the word "purpose" insert "*Provided further*, That appropriations under this head shall be available to the Chief of Engineers for the purposes authorized by Section 6 of the Flood Control Act of 1946; *Provided further*, That the authority contained therein is extended to include the Libby Dam and Reservoir Project in Montana."

Mr. MANSFIELD. Mr. President, it would be my hope that the distinguished chairman of the committee would accept the amendment, because it does not call for additional funds. It calls for transferability.

We do face a very serious school situation with the Libby project in Montana. It is getting worse by the week. This authority proposed by this amendment is necessary at this time so that the schoolchildren will be cared for.

Mr. ELLENDER. Mr. President, we followed the same procedure in connection with some of the large projects in the Columbia and Missouri River basins where the dams required a long period of time to construct. This procedure was followed in North and South Dakota as I recall.

The Libby Dam, I understand, will probably require 4, 5, or 6 years to complete. I am sure that the procedure to be followed here is that which has been followed in similar situations in the past; to provide adequate schools for the children of workers on the project.

I would have no objection to agreeing to the amendment.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Montana. [Putting the question.]

The amendment was agreed to.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I wish to pose several questions concerning the Lake Erie-Ohio River Canal that is proposed to be built through Ohio and Pennsylvania.

Am I correct in my understanding that the authorization for the building of a canal in the general area now contemplated was adopted on August 30, 1935?

Mr. ELLENDER. The Senator is correct. I wish to add that studies have been made since that time, and that particularly there has been a study made recently dealing with the economic aspects of this project.

Mr. LAUSCHE. I am reading from the resolution of the River and Harbor Authorization Act of 1935, which says:

> Beaver and Mahoning Rivers, Pennsylvania and Ohio; of the width and depth provided in House Document Numbered 277, Seventy-third Congress, as a Federal project and to continue to Lake Erie at or near Ashtabula, Ohio, subject to the final approval of the whole project from the Ohio River to Lake Erie by the Board of Engineers for Rivers and Harbors;

In other words, the final approval in 1935 was placed in the Corps of Engineers.

Mr. ELLENDER. That was the procedure which the Congress followed in this case.

Mr. LAUSCHE. Yes, but since 1935, except for this attention that has been given by the Senate to the action proposed in the bill, the Congress has had no contact with this matter. The contact has been entirely by the Corps of Army Engineers.

Mr. ELLENDER. Again, I wish to say to my good friend from Ohio, that projects are not presented to us unless a request is made to implement what Congress previously authorized. It happened that this project was presented in connection with the request for funds for the restudy for the past few years in some way or other. I know it was presented before the House committee this year and the committee recommended on several occasions, but it was turned down, funds for planning, and the House itself rejected an amendment to delete the planning funds.

The Corps of Engineers always continues its study of all of these projects. As I have said, the recent economic study formed the basis upon which the House committee decided to place this project before the House. The purpose of that study was, as I understand it, to determine the current benefit-to-cost ratio. It is my understanding that the benefit-to-cost ratio on this project is 1.3 to 1.

Mr. LAUSCHE. But 31 years have passed since the authorization was adopted, and in those 31 years the Senate has had no direct contact with it except to the extent that the Corps of Army Engineers has been attending to the problem.

Mr. ELLENDER. The Senator is correct. That is true. I might say to my good friend from Ohio [Mr. LAUSCHE] that this situation is not peculiar to the canal that he is talking about. I can well remember that when I first came to this committee I considered some projects that had been dormant since 1928, or over a period from 25 to 30 years. It does not mean to say that they are not eligible. Projects, as the Senator knows, must be approved by the Corps of Engineers. They must be approved by Congress, at least, or at least meet the conditions established by Congress, for authorization before they are presented to the committees of the respective Houses for money, either for planning or for construction.

Mr. LAUSCHE. Am I to assume that the development of the Senator's defense implies that, on the face of it, it does not look good, in 31 years of inaction, without further study, to approve a program of this magnitude; namely, practically $1 billion?

Mr. ELLENDER. I would not say that at all. I do not see how my good friend from Ohio can construe what I have said to mean that. I just said that probably there are other projects in the bill that were authorized 15 or more years ago and they have remained dormant. They simply were not reached.

Mr. LAUSCHE. Is it not a fact that the local and State officials in Pennsylvania and Ohio are not in accord with what is proposed to be done?

Mr. ELLENDER. That I do not know, I thought the majority of the Representatives from Ohio supported the project on the House floor.

Mr. SCOTT. Mr. President, will the Senator from Louisiana yield?

Mr. LAUSCHE. If I may conclude first, please——

Mr. ELLENDER. I wish to say that I heard through the Senator from Ohio that there was some opposition to this project. I heard also from the Senator from Ohio that the chances are that the local authorities—that is, the State, the counties, the municipalities, through which this canal will go—will not comply with the authorizing bill—that is, to provide for their share of construction. On the other hand I have heard that several counties in Ohio have approved the project.

Although the project will cost 900 and some odd million dollars, $95 million will have to be furnished by the local people, and unless they comply, by furnishing their share of the cost, the project will not be built.

Mr. LAUSCHE. Mr. President, I should like to make my position clear. My statement to the committee was that until now there has been no indication of general approval of the project either in Ohio or Pennsylvania, or that they want it ardently. Other places along Lake Erie are against it, and the State of Ohio has not expressed its judgment, and the State of Pennsylvania has not done so.

I do not know what the eventual judgment will be, but right now there is a serious cleavage of judgment as to the advisability of building this $1 billion project. The Senator from Louisiana has stated that he has heard of no local opposition.

I hold in my hand the Department of Defense report issued at the time the Board of Engineers finally approved the project. The Board said:

> The Board notes that responsible local interests have not at this time expressed their willingness or ability to furnish the local cooperation required for accomplishment of the work proposed. It notes especially the intense opposition to the suggested improvement by local interests who form the political entities that would be expected to furnish the items of local cooperation for the southern segment of the proposed waterway. An expression by appropriate local interests of their willingness and ability to provide the required construction would be necessary prior to construction.

Mr. ELLENDER. That is correct. That is what I have just said.

Mr. LAUSCHE. I submit that the Corps of Engineers pointed out that there is vigorous opposition by the local political entites to the project.

Mr. ELLENDER. Yes. Let me point out, notwithstanding that vigorous opposition, that the Corps of Engineers has recommended it. As is the case in all projects, before a project is presented to Congress for authorization, hearings are held and all of the local people are heard.

Why, I can well remember many Senators here objected to quite a few projects which were finally constructed, particularly in the State of Kansas—the Tuttle Creek project is one. I well remember the distinguished Senator from Kansas getting up and making all sorts of speeches against the project. But finally it was constructed and today, I suppose, the happiest people in Kansas are those who are benefiting from the construction of the Tuttle Creek project.

Mr. LAUSCHE. Yes, but would it not be——

Mr. ELLENDER. But the statement in the document from which the Senator is reading is nothing unusual. I do not know of too many projects of the size and nature of the one we are now discussing to which some people are not opposed. I know, of course, without having heard it, that the railroads are against this project——

Mr. LAUSCHE. Surely. They are.

Mr. ELLENDER. They are. I know that. They were against the projects that we constructed along the Ohio River, but now they see the benefits which have come to them from their construction. The railroads have learned that the projects constructed along the Ohio River have made it possible for manufacturing plants to be built there, where the pools of water formed because of construction of the locks, and today the railroads are carrying tons of finished products which provides a higher revenue to them, and they are making more profits out of it than they would have by hauling bulk products.

Mr. LAUSCHE. I am now reading further from the report——

Mr. ELLENDER. Is that the report of 1932?

Mr. LAUSCHE. No, this is the last one.

Mr. ELLENDER. What is the date of it?

Mr. LAUSCHE. The date is on here somewhere.

Mr. HOLLAND. Yes, there is a date on it. September 7.

Mr. LAUSCHE. It is the last one—about a month ago—September 7.

This report accompanied the final decision of the reviewing board approving the project, so it is the most recent one.

My next question is: The reviewing board said that in—

> * * * prior to construction, local interests must furnish assurances satisfactory to the Secretary of the Army that they will: a, provide without cost to the United States all lands, easements, and rights of way * * *

That has not been done, I assume, we will agree?

Mr. ELLENDER. Not yet, because construction is not contemplated now.

Mr. LAUSCHE. That they will, B, hold and save the United States free from damages due to its construction. The answer is the same, I assume?

Mr. ELLENDER Correct.

Mr. LAUSCHE. C, that they will bear a proportionate share of the cost of bridge alterations over existing channels. The answer is the same?

Mr. ELLENDER. Right. The same.

Mr. LAUSCHE. D, that they will assume all obligation of owning, including operating, maintaining, and replacing all railway and highway bridges. The same answer?

Mr. ELLENDER. That is right. That is in conformity with the intent of the authorizing legislation. The requirements of local cooperation in that report have the force of law.

Mr. LAUSCHE. Maintain at local expense terminal and transfer facilities. F, accomplish all utility relocations and alterations from the mouth of the Beaver River to the beginning of the Divide. G, not withdraw water for consumptive use, nor divert water around the locks. Same answer?

Mr. ELLENDER. Same manner. That is in conformity with the intent of the authorization.

Mr. LAUSCHE. H, the Federal Water Project Recreation Act agreed to do these things—one, to administer the project land and water areas for recreation. I do not think there will be any trouble about that.

But the answer is the same?

Mr. ELLENDER. Yes. Those are the required conditions of local cooperation.

Mr. LAUSCHE. "2. Pay, contribute in kind or repay with interest one-half of separable costs."

The answer is the same?

Mr. ELLENDER. The same answer.

Mr. LAUSCHE. Finally, "bear all costs of maintenance and operation."

Mr. ELLENDER. The same answer.

Mr. LAUSCHE. Does the Senator from Louisiana—I assume speaking for the committee—take the position that approval of $500,000 for plans will constitute a declaration that this project will go forward?

Mr. ELLENDER. I would not say that, because it has been my experience that in two or three cases we have provided moneys for planning, and as the planning developed it turned out that the project was unfeasible, or local cooperation was not forthcoming. We had a project in Arkansas, for example, for which construction of a big dam was authorized. Later on, instead of building one dam, we built 4 or 5 smaller dams.

May I say to the Senator from Ohio that the money we are providing is simply to undertake the preconstruction planning on that project. After further study is made of the actual route of the canal, it may possibly turn out to be unfeasible, or local cooperation will not be provided. So because we are providing $500,000 now does not mean that the project will necessarily be constructed.

A while ago the Senator read a number of conditions that must be fulfilled by the local people. Among them is a provision that the local people will have to provide local cooperation estimated to cost $95 million before the project can proceed.

Mr. LAUSCHE. Where in the law anywhere is it written that $95 million must be provided by the local people? The only condition is in the writing of the Corps of Engineers, but where in the law is it written?

Mr. ELLENDER. The Senator read the conditions. The Engineers estimated what the cost will be and they laid down the conditions of local cooperation.

Mr. LAUSCHE. The Engineers say these conditions shall be followed, but is it in the law?

Mr. ELLENDER. May I say to my good friend that this project is no different from any other project. It is handled in the same manner. The requirements of local cooperation in the project report have the force of law, so rights-of-way and all the other conditions you cited must be paid for by the local people. The local people must pay for that. The Engineers do not know what the costs will be. With land values escalating as they are, it may be that the costs to be contributed by the local people will be far in excess of estimated $95 million cited in the report.

Mr. LAUSCHE. Let me put it this way: Where in the law is it written that, regardless of these conditions, they will have to be carried by the local governments?

Mr. ELLENDER. I cannot tell the Senator anything other than that the Engineers will have to comply with the authorization requirements, and the conditions set forth in the project report.

Mr. LAUSCHE. There are no such conditions. Are there any such conditions in the authorization other than those laid down by the Corps of Army Engineers?

Mr. ELLENDER. The Senator read them.

Mr. LAUSCHE. I read from the report of the Army Engineers, but it is not written into any law.

Mr. ELLENDER. The law gives that authority. In levee building, for example, the local people must pay for the land necessary to rebuild a piece of land. The exact amount is not stated in the law. It is difficult to estimate what the amount will be for a project.

Mr. LAUSCHE. What is there to prevent a change between now and when the work is to be done in a manner so it will be declared by Congress that they will be relieved of this obligation? This is different from the ordinary project. I will not get into detail now, but it is distinctly different.

Mr. ELLENDER. I do not know how it is different.

Mr. LAUSCHE. I think the Senator from Louisiana knows it is different.

Mr. ELLENDER. I wish the Senator would tell me. If the Senator has any secrets, we ought to know about them and the public ought to know of any secrets. I know it is a good project. It has been studied and restudied by the Corps of Engineers. This is a project that would connect the St. Lawrence Seaway, the Great Lakes, the Ohio River, and the Mississippi River, down to the gulf. Insofar as navigation is concerned, it will be a great boon to the whole country.

Let me say to my good friends from Ohio and Pennsylvania that this project contemplates the construction of a chain of locks and dams. There will be pools of water behind these locks, the same as there are along the Ohio River. As I pointed out a while ago, in the last 14 years in the neighborhood of $20 billion worth of industries have located along the Ohio River because of the supply of fresh water in the pools. The same thing will happen here.

The unfortunate thing is that in estimating the benefit-to-cost ratio, the Engineers cannot tell in advance what that industrial expansion will be. In other words, if the Corps of Engineers were able to estimate the benefits that would be derived by virtue of industry locating in that area, instead of the benefit-to-cost ratio being 1.3 to 1, it might be 2 to 1 or more.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SCOTT. Mr. President, I am well aware of the conviction of my distinguished friend and very much more experienced Senator on the importance of these matters. I can only speak of my own experience in Pennsylvania and adjoining Ohio.

It is not unusual for Senators to rise, including this junior Senator from Pennsylvania, and to ask the chairman of the Subcommittee on Public Works to include projects. We argue cogently and effectively when we urge that we need these projects for our people and State. We do our best. The chairman is most accommodating.

But here we have a unique situation, wherein the junior Senator from Pennsylvania, the senior Senator from Pennsylvania [Mr. CLARK], who is in reserve in support of what we are saying, the Senator from Ohio [Mr. LAUSCHE], who has just spoken, all Members of Congress of whom I am aware from the State of Ohio and the Commonwealth of Pennsylvania, except one, are opposed to the project. Nobody wants it. Nobody wants to spend the half million dollars. Nobody wants it at any time.

I question whether the authorization is valid. It was estimated back in about 1935 that the Federal cost would be $37 million. We are planning to spend $1 billion, which, as we all know, in the semantics of the Senate, means $2 or $3 billion. It usually means double or more. The estimate is usually one-third or one-fourth of the actual cost.

This enormous boondoggle, this wasteful project, this unwanted orphan child, this abortion of the legislative process, this lonely and abject depository on the steps of the Senate, this lost and unlovely orphan, is presented to us without convincing justification.

One thing we can do here is save a half million dollars for the President of the United States, to help finance his trip abroad. [Laughter.]

So I would say, if the Senator will permit—and I realize that he and I differ in this—I have the greatest respect for him, and he knows I will be asking his help in some other place on some other occasion, and I shall be humble, I shall be modest, and I shall be abject—but I would like my moment in the sun at this point, where I can shout for an economy, and a big one, in a circumstance where I can be both noble and accurate; and I would appreciate it if the Senator would, at this time, permit me to call up my amendment, and in that way we can save the time of the Senate, because time will then begin to run, if the Senator has no objection.

Mr. ELLENDER. I yield to the Senator from Pennsylvania for that purpose.

Mr. SCOTT. I call up my amendment, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 4, line 25, in lieu of "$971,358,000" insert "$970,758,000".

On page 6, line 3, before the period insert a colon and the following: "*Provided further*, That none of the funds in this appropriation shall be available for the Lake Erie-Ohio River Canal, Ohio and Pennsylvania".

Mr. ELLENDER. Mr. President, I yield 4 minutes to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I rise to support the position of the chairman of the Committee on Public Works and of the committee itself. It is not easy to oppose a distinguished Senator who comes from the particular area which would be primarily served by the project, especially my good friend from Ohio, Mr. LAUSCHE. But we had this same sort of opposition to the St. Lawrence Seaway years ago. It was opposed by almost every railroad in the United States, including those in my own State. It was opposed by civic groups and chambers of commerce everywhere. But it finally went through, and has been a great boon, not only to its local area, but all over the United States. We have cheaper freight rates as a result; but the railroads did not lose business because of it. They have finally acquired sense enough to ship wheat, for example, in trainload lots with new jumbo cars from Minneapolis, Duluth, and other areas to the eastern seaboard. They have not lost business. This project now under consideration will be of vast benefit not only to its immediate area but for the entire Nation.

This, of course, is a big project; but it will be of tremendous benefit to the entire United States. I see no better way to stimulate our economy than by getting lower freight rates. I believe that is essential to the advancement of our economy.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield 2 minutes to the Senator from Alaska.

Mr. BARTLETT. Mr. President, I likewise rise, as did the Senator from North Dakota, to support the action of the committee in approving this item. I do so for two reasons.

One is that I know that the senior Senator from Louisiana would never have given his approval to any project which he had not investigated with the greatest of care and the utmost thoroughness.

In the second place, the Senate is not being asked today to approve all the money for the project. The item before us is comparatively small. It provides only for preconstruction planning. When that is accomplished, the Senate and the House of Representatives will be in a much better position than now to pass upon the merits of this proposition, which obviously is the subject of some dispute. In fact, I daresay that until such studies are completed, none of us can be fully informed.

I believe, at the very minimum, we ought now to provide the money so that the studies may be undertaken.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield 4 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, from the vehemence of the opposition of the distinguished Senators from Pennsylvania and the senior Senator from Ohio, I am beginning to think that they may fear that out of this advance planning will come such information that even the local areas will change their minds and decide that here is a good project, which they will wish to support by putting up their required part of the lands, the rights-of-way, the guarantees, and the funds required.

As far as the Senator from Florida is concerned, I do not believe I have ever heard anybody so vehemently oppose the furnishing of facts, which is what will be done when advance planning takes place.

The fact of the matter is that whenever a project is authorized, as has been true in this case, it is authorized by reference to a document by number, a Senate or House document which presents a plan of the engineers and a recommendation of the engineers in great detail. One must go to that document to get the conditions which are laid down. Those conditions have been recited here by the distinguished senior Senator from Ohio. Unless those conditions are met, the project cannot go forward to construction.

But having in mind the age of the authorization, and having in mind the fact that there are such different views as to what the cost will be, what the effect will be, and what the benefits will be, I think that this advance planning, even if it costs a half million dollars, will be well worth while, to show everybody concerned, not only the Senate and the House of Representatives, and not only the Corps of Engineers, but particularly the local area, what the exact cost will be and what the proposed benefits may be, as measured against present conditions.

As far as I am concerned, I am not inclined to feel that this is the time to object strenuously, as our distinguished friends are objecting, to a little advance planning, which will give us facts not now available.

That is the situation. Therefore, I stand by the distinguished chairman. The committee stood by him. I propose to maintain that position because it seems to me that when we are talking about spending a billion dollars—and that is what our distinguished friends say will be the cost—it certainly ought to be worth while to spend half a million dollars to ascertain some of the facts not now known. I think it would be well worth that investment to get those facts. Unless the facts are such as to justify, in the opinions of the Governors of the States and in the opinions of the communities of the States and of the public units of the States, that the project will be good for them and good enough so that they can come forward with their part, the project will not be built.

That is the answer. Is it worth while to spend a little money to get some facts? I think it is.

Mr. LAUSCHE. Mr. President, will the Senator from Pennsylvania yield me 1 minute?

Mr. SCOTT. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. I wish to reply to the Senator from Florida. A study declaring the feasibility of the project from a financial and an engineering standpoint is already completed. The proposed $500,000 will be used to prepare plans and specifications. In my judgment, that will put the project beyond the realm of recall.

Mr. CLARK. Mr. President, will my colleague from Pennsylvania yield me 5 minutes?

Mr. SCOTT. I yield 5 minutes to my colleague from Pennsylvania.

Mr. CLARK. Mr. President, I support the amendment which my colleague from Pennsylvania and I have offered.

The Lake Erie-Ohio River Canal would be a 120-mile-long waterway from Ashtabula, Ohio, on the lake, to a point near Pittsburgh on the Ohio River. While the money provided in this bill is only for initial planning, I want to make it very clear to my colleagues that both Senators from Pennsylvania and almost all the congressional delegation as well as the Governor of Pennsylvania are opposed to this project. We are joined by the vast majority of citizens, government officials, business firms, and labor unions in Pennsylvania. I ask unanimous consent to insert in the RECORD the letters of opposition from the hearings on the public works appropriation bill.

These letters are from Senator Scott and myself; Representative Morgan; Governor Scranton; Joseph M. Barr, mayor of Pittsburgh; the Board of Beaver County Commissioners, through which county the proposed canal would run; the distinguished labor leader, William J. Hart, of the United Steelworkers of America; the directors of the Transport-Workers Union, AFL–CIO; and Mr. Irving Hand, the executive director of the Pennsylvania State Planning Board. The letters appear on pages 3035, 3036, 3037, 3038, 3039, and 3040 of the Senate hearings.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., May 12, 1966.
Hon. Allen J. Ellender,
Chairman, Subcommittee on Public Works, Senate Committee on Appropriations, U.S. Senate, Washington, D.C.

Dear Allen: On the last day of open hearings, the House Appropriations Subcommittee on Public Works took testimony on the Lake Erie-Ohio River Canal. The possibility exists that an appropriation could be recommended by the House Appropriations Committee. For this reason, we would like to reiterate our opposition to the canal and place a cross-section of opposition views before the Senate Appropriations Committee.

We would be grateful if the attached documents could be placed in the printed record of the hearings of the Senate Appropriations Subcommittee on Public Works. They are an exchange of correspondence between Congressman Morgan, Chairman of the steering committee of the Pennsylvania delegation, and Governor Scranton; statements from Mayor Joseph Barr of Pittsburgh, the Beaver County, Pennsylvania Commissioners, and the Allegheny County Labor Council; a resolution of the Transport Workers Union Local 2004; and an analysis of the project prepared by the Upper Ohio Valley Association.

Sincerely yours,
Joseph S. Clark.
Hugh Scott.

December 29, 1965.
Hon. William W. Scranton,
Governor of Pennsylvania
Harrisburg, Pennsylvania.

Dear Governor Scranton: As you know, I have openly opposed the proposal of the Corps of Engineers that a canal be constructed between Lake Erie and the Ohio River. As you also know, both of the United States Senators from Pennsylvania and the bipartisan steering committee of the Pennsylvania delegation to Congress, of which I am chairman, have publicly opposed this project.

In October 1964 you were quoted in the newspapers as having stated that the cost of the canal would be "fantastic"; that the canal would cause serious economic harm to northwestern Pennsylvania communities and to this part of Lake Erie; and that you had instructed the Department of Commerce to express the Commonwealth's opposition to the project. Such a statement was in fact filed with the Board of Engineers.

It has now been rumored that you may withdraw your opposition to the canal. I cannot believe that this is true, but I would greatly appreciate it if you would put to rest our concern in this respect.

With kind regards,
Sincerely yours,
Thomas E. Morgan.

Commonwealth of Pennsylvania,
Harrisburg, December 30, 1965.
Hon. Thomas E. Morgan,
House Office Building,
Washington, D.C.

Dear Doc: I have read with some amazement your letter of December 29, 1965, with respect to my position concerning the proposed Lake Erie-Ohio River Canal. I did make the statement in October 1964 to which you referred. I have always felt, and I continue to feel most emphatically, that this project would not only be utterly worthless from the point of view of the nation as a whole, but that it would be harmful to the Commonwealth of Pennsylvania. Under the circumstances, I certainly am against this project.

I have continued to give thought to this project, and I have been advised of nothing which would lead me to change my mind or my determination to oppose the project to the fullest extent possible when the appropriate time comes. That time will, of course, come when pursuant to law the project will be referred to the governors of the two states involved for their comments. Until that time, unless some compelling reason to the contrary should appear, I propose to make no further detailed public statement on the subject. I am quite willing, however, to have you show this letter to any interested persons.

Sincerely yours,
William W. Scranton, *Governor.*

City of Pittsburgh,
Pittsburgh, Pa., May 10, 1966.
To the Public Works Subcommittee, Committee on Appropriations, U.S. Senate, Washington, D.C.

Gentlemen: As Mayor of the City of Pittsburgh, I wish to go on record in firm opposition to the proposed Lake Erie-Ohio River Canal.

In fact, I have consistently opposed this project; most recently at the hearings before the District Army Engineer in Pittsburgh on October 20, 1964. Since that time, I have found no evidence nor heard any argument which would cause me to alter my position.

If anything, I am more convinced than ever before that this canal would be detrimental not only to the City of Pittsburgh, but to surrounding municipalities and counties, and to the Commonwealth of Pennsylvania.

As you know, I have not been alone in my opposition. I know of no Pennsylvania Congressman, Senator or Governor—Republican or Democrat—who is in favor of the canal.

I have heard proponents of this plan attempt to justify this expenditure of more than $1 billion by arguing that Pittsburgh and Youngstown are dying cities, dependent upon the canal to give them new life blood.

In the case of Pittsburgh, nothing could be further from the truth.

Anyone who has read a Pittsburgh newspaper recently will realize that Pittsburgh is anything but a dying city.

Our already well-known renewal program has spread into almost every section of Pittsburgh. Millions of dollars in private and public funds are committed for construction during the next several months.

Just last week, plans were unveiled for the largest single downtown renewal project proposed anywhere to date—a project which will be six times the size of our famous Gateway Center.

However, I fail to see how this canal could possibly contribute to our economic resurgence. In fact, it would have just the opposite effect.

It would jeopardize the success of all our efforts to date.

It would handicap Pittsburgh and other steel-producing centers along the Allegheny, Monongahela and Ohio River Valleys.

It would divert millions of dollars worth of freight from our railroads and other land carriers.

I am more than convinced that the proposed canal will never be a necessary project. However, I think it is particularly undesirable at the present time when President Johnson has urged corporations and local government officials to cut down on the spending of money for projects which are not clearly necessary. I believe the proposed canal falls into this category.

In conclusion, it is the opinion of most knowledgeable people of this community that the proposed canal would not provide any substantial benefits whatever to the Pittsburgh region.

Therefore, I join with every Pennsylvania Congressman and Senator in stating that the proposed Lake Erie-Ohio River Canal is not needed and that it will have a detrimental effect on the economy of the Pittsburgh area.

Very truly yours,
Joseph M. Barr, *Mayor.*

Beaver County,
Beaver, Pa., May 5, 1966.
To the Subcommittee on Public Works of the Appropriations Committee, the U.S. Senate, Washington, D.C.

Gentlemen: We, the Board of Beaver County Commissioners of the County of Beaver, desire to go on record as opposing any appropriation for the proposed Lake Erie-Ohio River Canal.

Approximately 12.15 miles of the canal would be located in Beaver County. Montgomery Island Lock and Dam in the Ohio River would provide the initial pool extending up the Beaver River to a point four miles above Rochester. At this point, the Beaver Falls Lock and Dam would create a navigation pool extending upstream twelve miles, or 3.85 miles above the Beaver-Lawrence County Line.

Those of us who live in Beaver County are quite familiar with the proposal. We understand that it has been represented as being a boon for the whole area. In our opinion it is nothing of the kind, and especially so far as Beaver County is concerned. On the other hand, the project could put Beaver County to enormous expense, which we are not in the least interested in underwriting.

The District Engineer has estimated that right of way costs for the Montgomery Island and Beaver Falls pools, which would be borne by local interests, at $265,700, with the lion's share relating to Beaver County. A qualified independent real estate consultant estimates that these right of way costs will actually be $360,000, not including improvements on the affected land that would also have to be paid for.

The Pittsburgh District Engineer estimates that 2,805,000 cubic yards of soil and rock will be excavated in connection with the Montgomery Pool and 8,071,000 cubic yards for the Beaver Falls Pool. It is a local responsibility to provide spoil disposal areas. Assuming that spoil would be piled 20 feet high on the land acquired for this purpose, 87 acres would be required for the Montgomery pool waste and 250 acres for the Beaver Falls pool. The Pittsburgh District Engineer has estimated the Montgomery pool spoil area as costing $109 per acre and the Beaver Falls pool at $12.40 per acre.

The same qualified independent real estate expert has determined that these costs are grossly understated. It is his professional judgment that the net cost of spoil land for the Montgomery pool would be around $800,000—a figure *ninety* times the District Engineer's estimate. He feels the spoil area for the Beaver Falls pool would cost $120 per acre, rather than $12.40, *or ten times* the Engineer's figure.

Another example of the under estimation of the local costs is the case of the Beaver Falls Municipal Authority. This authority operates water filtration plants at New Brighton and Eastvale, both of which take their raw water from the Beaver River. The Pittsburgh District Engineer estimates that canal construction would necessitate changes in the Authority's facilities costing $383,705. This is a sizeable figure in itself, but the Authority's consulting engineers, Michael Baker, Jr., Inc., found that the required changes would actually cost $764,300, almost double the District Engineer's estimate.

There is another matter that hits close to home insofar as Beaver County is concerned. With its necessity for slack water operation, there is no question but that the canal would increase the pollution presently existing in the Mahoning and Beaver rivers. In commenting on the canal proposal, the U.S. Public Health Service concluded that the canal's lock and dam structures would reduce the flow of those rivers to such an extent that the pollution problem would be worsened. They have stated that this project would result in damage to water quality in the Mahoning and Beaver rivers equivalent to $1¼ million per year over the entire life of the project, or a total of $62½ million over the projected 50-year life of the canal. This is an intolerable situation indeed, in a period of our history when we are starting to pay the price of our past disregard and abuse of our most essential resource—water.

The District Engineer has estimated that there will be a non-federal cost of $288,171 in Beaver County for changes necessary to sewer, water supply and drainage facilities, and a cost of $369,053 for changes in utility pipe lines, cables, power lines, etc. These, too, are costs that must be borne locally.

It would be bad enough if taxes in Beaver County had to be raised sufficiently to pay the $657,224 required for these two items alone, but we can be fairly certain that this sum represents only a fraction of the amount that will actually be required. For example, the District Engineer states that a modification costing $53,372 will have to be made to a gas pipeline within Beaver County at Mile 8.0 on the canal route about a mile south of the turnpike bridge. The utility company owning this line has advised the District Engineer that its own estimate of the relocation cost is $450,000, or almost ten times the estimate contained in the Engineer's report.

When the utility company inquired of the District Engineer as to what local interests would pay for this part of the project, the advice was that it would be the responsibility of the *political entity* which has the authority and the financial means to accomplish the work. Who is that? It could be the municipality, the county or the state—but one or the other, it can't help but be reflected in our tax rates.

Then we have the old contention that the canal would bring new industry to Beaver County. It could do exactly the opposite. For example, Moltrup Steel Products Company here in Beaver Falls is greatly concerned, and its board of directors has gone on record opposing construction of the canal.

The main working portions of Moltrup's plant would be within a few feet of the proposed pool level of the canal. Even at the present river elevation, they now experience trouble in pouring foundations or excavating pits, due to the ground water level. They feel that raising the river elevation as contemplated for the canal would render their plant and property unsuitable for future use or expansion. The District Engineer's report apparently recognizes the problem, for there is included a local interest cost of $200,000 for raising Moltrups' floors, altering pumps, etc. The company feels they could not raise the base of their plant, to be above the influence of the water in the canal, for anything like $200,000. Rather, it would mean either going out of business or moving elsewhere, and the erection of comparable facilities would cost well over a million dollars.

In addition, Moltrup feels it is in no position to absorb any increase in taxes that would be brought about as a result of the local community being required to absorb certain costs incident to construction of the canal.

The Moltrup story is just one that has come to my attention. There may be other industries adversely affected. Beaver County cannot afford to lose any manufacturing facilities because of canal changes, such as in river elevation, or because of increased taxes to pay for the so-called "local interest" costs that will not be borne by the federal government.

I do not know much about the procedure that governs these things, but as a public official in an area that is expected to contribute large sums toward this project, I cannot understand why there was no public hearing in our area before the report was released to explain these costs and see whether local interests were willing to pay them. We certainly are not. No doubt other areas feel the same way.

Very truly yours,

JAMES E. ROSS,
ELI G. CORAK,
ARTHUR W. PETERBER,
Board of Beaver County Commissioners.

ALLEGHENY COUNTY LABOR COUNCIL,
Pittsburgh, Pa., May 6, 1966.

STATEMENT OF WILLIAM J. HART

To the Public Works Subcommittee, Committee on Appropriations, U.S. Senate, Washington, D.C.

GENTLEMEN: My name is William J. Hart and I am Director of District 19, United Steelworkers of America, and President of the Allegheny County Labor Council, AFL-CIO. In these capacities I speak for 300,000 men and women of labor who work and live in the Pittsburgh area.

I request you to give a very close look at the plan to build a canal from the Ohio River to Lake Erie. I am not asking you to do anything which I have not done myself, or have members of my staff do. The examination of the project that has been made in the interest of labor in the Pittsburgh area leaves me cold. It leaves me cold because I see economic disruption and an attendant loss of jobs for the Pittsburgh area if the canal were built. My responsibility is economic stability and full employment for trade union members in my area, therefore, I cannot morally have a position other than of opposition to the canal.

I realize that the proposed canal is more of a political issue than an economic issue, and I am also sure that not one of you men present are unaware of the fact that only strong political pressure through the years has brought up this project time and time again. But I cannot, in good conscience, as the elected representative of labor in my district, endorse a plan, any plan, that would merely take jobs away from my area to create new jobs in another area. In this respect, I would like to cite but one concrete example. The Corps of Engineers' report on the canal claims that if the canal is built about three quarter of a million tons of steel pipe would move down the canal to the Ohio River. Gentlemen, that is more pipe than the total amount of pipe now moving on the Ohio River. As I have said many times before, if one steel mill produces more pipe as a result of this canal, some other steel mill will produce less.

In conclusion, Gentlemen, let's not rob Peter to pay Paul. Please heed the need for economic stability in the Pittsburgh area.

WM. J. HART,
Director, United Steelworkers of America, District 19.

RESOLUTION NO. 34 OPPOSING LAKE ERIE/OHIO RIVER CANAL

Whereas, the proposed Lake Erie-Ohio River Canal would be constructed and maintained entirely at public expense, with no tolls charged, and

Whereas, commerce for the proposed Lake Erie-Ohio River Canal would not be new business, but business taken away from the railroad and trucking industries and existing Great Lakes and coastal ports, with consequent unemployment, and

Whereas, canal-induced unemployment among railroad and dock workers alone in Pennsylvania is estimated at 2,700 jobs, causing an annual loss of $8.6 in payrolls and a community economic loss of more than $17 million annually, and

Whereas, the proposed Lake Erie-Ohio River Canal would adversely affect employment in the transportation supply industry by the harm done the existing transportation industry, and

Whereas, the proposed Lake Erie-Ohio River Canal would divert steel production from Pennsylvania mills to the Youngstown, Ohio area by giving those mills a superior access to the basic raw materials used in the manufacture of steel, and

Whereas, the proposed Lake Erie-Ohio River Canal would harm Pennsylvania coal mines by encouraging southern coal to flow into established Great Lakes markets for Pennsylvania fuels, and

Whereas, for the reasons above noted, the proposed Lake Erie-Ohio River Canal has been vigorously opposed by the political leaders of both parties at all levels of government in the Commonwealth, and by virtually the whole Pennsylvania Congressional delegation, therefore be it

Resolved, That the Pennsylvania State AFL-CIO go on a record as opposing construction of the proposed Lake Erie-Ohio River Canal.

Submitted by:
[SEAL] TWU-AFL-CIO, Local 2044.
Referred to: Resolutions Committee.
Convention Action Adopted April 29, 1966.

COMMONWEALTH
OF PENNSYLVANIA,
STATE PLANNING BOARD,
Harrisburg, April 29, 1966.

To the Public Works Subcommittee, Committee on Appropriations, U.S. Senate, Washington, D.C.

GENTLEMEN: It has been reported that an appropriation might be requested at the present session for further study and preliminary engineering, or for some similar purpose, in connection with the proposed Lake Erie-Ohio River Canal. In that regard, the following activities of the State Planning Board over the last several years may be of particular interest.

The Pennsylvania State Planning Board is charged by law with the responsibility for planning for the physical, social and economic development of the Commonwealth of Pennsylvania. In meeting this responsibility, the State Planning Board has continuously sought to collect data, engage in research and analyze major proposals within the Commonwealth. This resulted in the Board's engaging the firm of Ford, Bacon & Davis in 1957 to evaluate the feasibility of a canal from the Ohio River to Lake Erie. The result of their analysis was clear cut; the proposal was not practical because over-all savings in transportation costs fail to equal debt charges.

The Board has kept in close touch with the proposed project over the years. Recently, the Board decided to again review the feasibility of the proposal and contracted for a new appraisal by Ford, Bacon & Davis. This study was completed during 1965 and once again the consultants found serious questions concerning the justification for this project.

The project in the form now proposed is still under study by the Board of Engineers for Rivers and Harbors, and we have been informed that the problems presented have been so serious that it may be some time before the Board comes to a conclusion. In the end, the Board may fail to approve the proposal or, if it does approve it, it may do so in substantially modified form. Under the circumstances, it seems premature to make an appropriation of any sort on behalf of the project.

Very truly yours,

Irving Hand,
Executive Director.

Mr. CLARK. Mr. President, in my judgment, the cost is out of proportion to any benefits that the people of the region, would receive from it. This canal will cost at least a billion dollars. The proponents have attempted to justify its construction with some projected barge traffic. Half of this projected tonnage, they say, would be iron ore and limestone for making steel. It is questionable whether any iron ore or limestone would be shipped through the canal. No steel company has even expressed any interest in the project.

There is very little chance that the projected tonnage of coal traffic would ever be realized. It is true that the bituminous coal fields have almost unlimited supplies of coal. But only a small amount of this is close enough to rivers to be transported economically by barge. There is an existing and well-established market for this coal. A billion-dollar canal is not needed to market it. In fact, the supply of "river coal" will be exhausted by the year 2000.

While there is and will continue to be a considerable amount of freight shipped by inland waterways, the day of the barge canal has long since passed. This canal would be narrow and winding. It would not be attractive even to existing users of water transportation, much less attract new users.

The history of the evaluations of this project by the Corps of Engineers indicates how questionable the traffic projections are. The district engineer's projected benefit-to-cost ratio was 2.2 to 1. The division engineer cut it to 1.8 to 1. The Board of Engineers reduced it further to 1.3 to 1. Even this vastly reduced figure is far too optimistic. Any increase in cost or decrease in traffic would push this canal toward the point where it would cost more than benefit the country.

I am also concerned that this canal would aggravate pollution problems on the Mahoning River and Lake Erie. The area of Pennsylvania through which this canal would flow is very short of water and the U.S. Public Health Service has said that the canal would greatly intensify the pollution problem. I am convinced that this canal would require vast amounts of water from Lake Erie during droughts and thus intensify one of the most serious pollution problems in the United States.

I do not think the proponents of this canal realize how much local money must be provided to pay for this project. It will not be paid for entirely with Federal funds. The initial cost to be borne by local interests will be at least $100 million. This does not include the cost of building terminals and relocating utilities and roads, and building bridges. There has been no assurance of local cooperation for this project.

While I am opposed to any appropriation for this project, I want to thank the Senate Appropriations Committee for dealing with this problem of local support in the committee report on the bill. The committee's statement on the project reads:

> In this connection, the committee desires to point out that one of the purposes of the planning for which funds are included in this bill, will be the development of detailed plans and cost estimates for the items which will be financed out of non-Federal funds. Unless local interests agree to meet the conditions of local cooperation on this project, no construction can be undertaken in subsequent years since, under existing law, no major construction feature of the plan can be undertaken until required assurances of local cooperation have been approved by the Secretary of the Army.

For all these reasons, Mr. President, I believe the Lake Erie-Ohio River Canal is not a feasible project. There is substantial doubt about its worth. It, furthermore, has not been adequately authorized, although the idea has been discussed since the 1920's. In light of all this adverse evidence of the canal's worth and the lack of congressional authorization, I believe it would be a mistake for Congress to appropriate funds for further investigations of the project.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that there be printed at this point in the Record the conditions mentioned in the report that will have to be met before final construction will be permitted. I read part of them earlier this morning.

There being no objection, the statement of conditions was ordered to be printed in the Record, as follows:

Department of the Army,
Board of Engineers
for Rivers and Harbors,
Washington, D.C.

Public Announcement—Lake Erie-Ohio River Canal, Pennsylvania and Ohio

The Board of Engineers for Rivers and Harbors has considered the report of the District Engineer, U.S. Army Engineer District, Pittsburgh, Pennsylvania, and the Division Engineer, U.S. Army Engineer Division, Ohio River, Cincinnati, Ohio, for construction of Lake Erie-Ohio River Canal, Pennsylvania and Ohio.

The Board has carefully considered the great volume of testimony presented at the several public hearings held by the District Engineer, and the voluminous information furnished to the Board by those opposing as well as by those supporting the recommendations in the report. Particular attention has been given to all questions which might materially affect the engineering feasibility or the economic justification of the project, and adjustments have been made where appropriate. Review of the estimates of construction costs for the project, as presented by the District Engineer, has resulted in adjustments amounting to about $21,000,000 in additional first costs and $600,000 in additional annual charges. These increases result primarily from the addition of four highway crossings currently under construction or in the planning stage, reevaluation of railroad bridges and relocations, increase in the estimated cost of pumping equipment, increase in estimated excavation costs, and the addition of a cutoff wall at the Beaver Falls locks.

The Board finds that estimates of future steel production in the United States prepared by others generally exceed that projected by the reporting officers. Based on the latest available information, the Board estimates the total United States steel production in 2025 at 320 million tons as compared with 249 million tons given in the District Engineer's report. However, the Board also took into account the Pittsburgh-Youngstown area's relative share of the total future steel production. These considerations are reflected in the Board's analysis.

The Board believes that the proposed depths are greater than required by the vessels expected to use the canal. Depths of 15 feet over lock sills and 12 feet in channels, with 15 feet in restricted reaches, are considered to be adequate and consistent with depths in connecting waterways. Upon review, the reporting officers concur. This modification results in a reduction in annual charges of $1,500,000.

Certain areas adjacent to the proposed route of the canal were designated as redevelopment areas at the time the District Engineer submitted his report. Subsequently, reduction in unemployment rates and improved economic conditions in these areas resulted in termination of their redevelopment designation. The southern portion of the canal route is within the geographical area designated in the Appalachian Regional Development Act of 1965. However, because the areas contiguous to the route are not presently designated as redevelopment areas, the Board considers that benefits estimated by the District Engineer for area redevelopment are no longer applicable.

The report was completed prior to approval of the Federal Water Project Recreation Act, Public Law 89–72, and consequently the proposed local cost-sharing for recreation and fish and wildlife enhancement is not in accordance with the Act. Under standards in use by the Corps of Engineers at the time the report was prepared, local cost-sharing for recreation and fish and wildlife enhancement was estimated at $23,203,000. The Recreation Act includes provision for adoption of plans to reflect the intentions of non-Federal interests with respect to levels of participation at various stages of project planning and implementation. Application of the cost-sharing standards of the Recreation Act would result in non-Federal contribution or reimbursement, as presently estimated, of about $31,900,000 for recreation and fish and wildlife facilities and about $5,600,000 annually for their operation, maintenance, and future replacement. The report, as submitted, does not contain a statement of intent by non-Federal interests. In the absence of non-Federal participation in the recreation features, the Act stipulates that the scope of recreational development would be limited to acquisition of lands for preservation of the recreational potential of the project and that only those facilities required for public health and safety would be provided. The lands would be surplus to the initial project needs but would be acquired to permit full recreational development should local interests subsequently decide to share in the full development.

The cost of the lands for recreation and fish and wildlife purposes for full development is estimated at $7,900,000. The cost of minimum initial facilities only is estimated at $200,000, and the corresponding average annual benefits at $600,000. The Board notes that, regardless of the degree of development of the recreational facilities, the estimated annual benefits therefrom would exceed the estimated annual cost.

Concern has been expressed by certain interests that operation of the proposed project may adversely affect water surface levels in Lake Erie and reduce flows at Niagara Falls for hydroelectric-power generation. The Board notes that any diversion would be governed by the Boundary Waters Treaty of 1909, as amended.

The Board finds that, in conjunction with the proposed pumping of water for lockages, provision of pump and generator units between the Grand River Reservoir and Lake Erie would permit generation of electric power by using the Grand River Reservoir for temporary storage. Marginal economic justification for such units is indicated at this time. Therefore, the Board believes that inclusion of facilities for a pumped-storage complex as a project purpose, to be constructed by either Federal or non-Federal interests, should be considered during the advanced engineering and design stage.

The District Engineer, in estimating the effects of the proposed project on water quality, used data on streamflow requirements furnished by the United States Public Health Service in its report included in Appendix V of the District Engineer's report. He concluded that additional flows under canalized conditions would result in temperature reduction in the Mahoning River the value of which would slightly exceed the adverse effect resulting from the reduction in the assimilation ability of the river under pool conditions. A restatement of the United States Public Health Service's position subsequently furnished the Division Engineer concludes that if the storage in Grand River Reservoir is used to increase the average minimum flow in the Mahoning River at Youngstown by approximately 200 cubic feet per second, the proposed waterway would not have an adverse effect on water quality. The Division Engineer believes that this condition can be met. Therefore, the analysis concerning water quality contained in the District Engineer's report is considered to be acceptable.

The Board notes that responsible local interests have not at this time expressed their willingness or ability to furnish the local cooperation required for accomplishment of the work proposed. It notes especially the intense opposition to the suggested improvements by local interests who form the political entities that would be expected to furnish the items of local cooperation for the southern segment of the proposed waterway. An expression by appropriate local interests of their willingness and ability to provide the required cooperation would be necessary prior to construction.

Although the reporting officers estimated the transportation savings on the basis of both current rates and projected rates, they used the latter in arriving at their final estimate of the navigation benefits. This was in accordance with criteria in effect at the time. The Board has analyzed the project using current rates. In its analysis, the Board took into account the adjustments resulting from information received from local interests, those resulting from more recent information on transportation charges and rates, and the reduction in project depth. The Board finds that for a substantial volume of the coal traffic, trainload movement would be more economical than movement via the canal. For certain other commodities alternative means of moving the traffic were found that were less costly than alternatives used by the reporting officers. Differences in handling charges also account for part of the difference in the two estimates of benefits. The Board estimates that traffic on the waterway during the first year of operation would be about 10 million tons, increasing to 48 million tons and 62 million tons during the tenth and fiftieth year after project completion. The estimated transportation savings are $46,100,000. The results of the Board analyses are summarized and compared with the Division Engineer's estimate in the following tabulation:

Item	Division engineer's analysis	Board analysis
1st costs (November 1964):		
Federal	$939,900,000	[1] $917,200,000
Non-Federal	85,300,000	95,000,000
Total	1,025,200,000	1,012,200,000
Annual charges:		
Federal	51,300,000	44,600,000
Non-Federal	4,500,000	10,300,000
Total	55,800,000	54,900,000
Total, future recreation features discounted to present worth	54,200,000	52,400,000
Operation, maintenance, and replacement component:		
Federal	(8,800,000)	[2] (3,200,000)
Non-Federal	(400,000)	(5,900,000)
Annual benefits:		
Navigation	108,100,000	46,100,000
Recreation	22,800,000	17,000,000
Flood control	2,800,000	2,800,000
Total	133,700,000	65,900,000
Benefit-cost ratio	2.5:1.0	1.3:1.0

[1] Includes $1,100,000 for navigation aids.

[2] Includes $100,000 for navigation aids.

The Board concludes that the whole project from the Ohio River to Lake Erie is economically justified and accordingly recommends it for construction substantially in accordance with the plan of the District Engineer, with channel depths of 12 feet, except in the restricted reaches through Youngstown and Warren, Ohio, where a depth of 15 feet would be provided, and with such further modifications as in the discretion of the Chief of Engineers may be advisable, at an estimated first cost to the United States of $948,000,000 for construction, excluding aids to navigation, and $3,100,000 annually for operation, maintenance, and major replacements, subject to the condition that, prior to construction, local interests furnish assurances satisfactory to the Secretary of the Army that they will:

(e) Provide without cost to the United States all lands, easements, and rights-of-way required for construction and subsequent maintenance of the navigation features of the project, except in the Grand River Reservoir and the divide cut, and for aids to navigation upon the request of the Chief of Engineers, including suitable areas determined by the Chief of Engineers to be required in the general public interest for initial and subsequent disposal of spoil, and also necessary retaining dikes, bulkheads, and embankments therefor or the costs of such retaining works;

(b) Hold and save the United States free from damages due to the construction, operation, and maintenance of the navigation features including, but not limited to, those resulting from wave action and changes in ground-water levels;

(c) Bear a proportionate share of the cost of bridge alterations over the existing channels of the Beaver, Mahoning, and Grand Rivers in accordance with the principles of Section 6 of Public Law 647, Seventy-sixth Congress (Truman-Hobbs Act), as amended;

(d) Assume all obligations of owning, including operating, maintaining, and replacing, all railway and highway bridges altered or constructed as part of the multipurpose project, including any additional costs of maintenance or operation which may be required because of the project, with such obligations for each bridge being assumed upon completion of the alteration or construction of that bridge;

(e) Provide and maintain, at local expense, terminal and transfer facilities along the waterway and at a Lake Erie terminus adequate to handle the commerce which will use the waterway, with depths in berthing areas and local access channels serving the navigation channel commensurate with the depths provided in related project areas; with terminal facilities at Lake Erie open to all on equal terms;

(f) Accomplish all utility relocations and alterations from the mouth of the Beaver River to the beginning of the divide cut north of Warren, Ohio, and from the northern dam of the Grand River Reservoir to the terminus at Lake Erie;

(g) Not withdraw water for consumptive use, nor divert water around the locks, from the water supply provided by the project works; and

(h) In accordance with the Federal Water Project Recreation Act agree to:

(1) Administer project land and water areas for recreation and fish and wildlife enhancement;

(2) Pay, contribute in kind, or repay (which may be through user fees) with interest, one-half of the separable costs allocated to recreation and fish and wildlife enhancement, an amount presently estimated at $31,900,000 based on full development of these facilities; and

(3) Bear all costs of operation, maintenance, and replacement of recreation and fish and wildlife lands and facilities, an amount presently estimated at $5,600,000 on an average annual basis; provided, that the sizing and responsibility for development, operation, maintenance, and replacement of recreation and fish and wildlife enhancement features of the project may be modified in accordance with the alternatives provided in the Act cited above, dependent upon the intentions of non-Federal interests regarding participation in the costs of these features at the time of construction and subsequent thereto. The net cost to the United States after repayment by local interests of their share of costs allocated to recreation and fish and wildlife enhancement, assuming full development of these features, is estimated at $916,100,000 for construction and $3,100,000 annually for operation, maintenance, and replacements.

The Board further recommends that:

(a) At the time of preparation of plans for construction, consideration be given to inclusion of pumped-storage facilities for electric power generation and, if found, justified, such facilities be included in the proposed plan at a first cost estimated at about $58,000,000 and an annual cost estimated at about $8,000,000, provided that the power features may be constructed by either Federal or non-Federal interests;

(b) The location of the Lake Erie terminus be determined at the time of preparation of plans for construction; and

(c) Following approval of the plan, detailed site investigation and design be made for the purpose of accurately defining the project lands required; that subsequently, advance acquisition be made of such title to such lands as may be required to preserve the sites against incompatible developments; and that the Chief of Engineers be authorized to participate in the construction or reconstruction of transportation and utility facilities in advance of project construction, as required to preserve such areas from encroachments and avoid increased costs for relocations.

The Board report is being processed to the Chief of Engineers, who in turn will transmit his proposed report, together with the reports of the Board and the reporting officers, to the Governors of the affected States and to interested Federal agencies for their views and comments. These comments will accompany the complete report to Congress with the recommendations of the Chief of Engineers.

Mr. SCOTT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SCOTT. Mr. President, I am pleased to join my senior colleagues from the Commonwealth of Pennsylvania and Ohio in sponsoring the pending amendment which would prohibit the expenditure of any funds on the proposed Lake Erie-Ohio River Canal. Five hundred thousand dollars may seem like a piddling sum in this era of annual Federal budgets exceeding $100 billion. However, it is merely the first downpayment for a billion-dollar ditch designed to bury 20,000 Pennsylvania jobs.

Moreover, this is a typical example of an unnecessary and wasteful Federal expenditure of the kind that contributes to the inflationary pressures in the Nation today. The American housewife is paying 5.2 percent more for food today than she did a year ago. I do not know how much this expenditure will increase the price of bread and milk, but you can be certain it will have its damaging effect—especially when you realize that the proposed expenditure of a half-million dollars is but the harbinger of a planned expenditure of at least another $1 billion—none of which is in the President's budget.

It is claimed that this project was authorized by the River and Harbors Act of 1935. This is a dubious assertion, Mr. President. That act authorized construction of, relatively speaking, a creek in Ohio, not a big ditch extending from Lake Erie to the Ohio River. The estimated first Federal cost of that little body of water was less than one-twentieth of that of the project whose initial financing we are asked to approve here today.

Moreover, Attorney General Robert H. Jackson in a letter of May 25, 1940, to President Franklin Delano Roosevelt made it clear beyond any doubt that the 1935 act did not authorize construction of a bistate canal. I ask unanimous consent that Attorney General Jackson's letter be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Office of the Attorney General,
Washington, D.C., May 25, 1940.

The President,
The White House.

My Dear Mr. President: I have the honor to refer to your memorandum of May 20, requesting my advice as to whether the project for improvement of the Beaver and Mahoning Rivers in Pennsylvania and Ohio, commonly known as the "stub-end" canal to Youngstown, may be constructed without further authorization from the Congress.

The above project was adopted and authorized by the Congress in the act of August 30, 1935, c. 831, 49 Stat. 1028, 1035, in the following language:

"Beaver and Mahoning Rivers, Pennsylvania and Ohio; of the width and depth provided in House Document Numbered 277, Seventy-third Congress, as a Federal project and to continue to Lake Erie at or near Ashtabula, Ohio, subject to the final approval of the whole project from the Ohio River to Lake Erie by the Board of Engineers for Rivers and Harbors;"

The Board of Engineers for Rivers and Harbors in its report on the above project (House Doc. 277, 73d Cong.) recommended improvement by canalization of the Beaver and Mahoning Rivers, Pennsylvania and Ohio, from the mouth of the Beaver River to Struthers, Ohio, at a total estimated cost of $37,000,000 with $640,000 annually for operation and maintenance. It was provided that local interests should pay the cost of necessary changes to railroad bridges, tracks, etc., estimated at approximately $5,642,000. In this connection the report states (pp. 14–15):

* * * Where new bridges are required over cut-offs the cost must evidently be borne by the United States, but the Beaver and Mahoning Rivers are considered navigable waters of the United States to a point above the limits of the proposed improvements, and, therefore, the necessary changes in existing structures can be secured under existing law by appropriate orders from the Secretary of War. In the case of the railroad bridges this procedure will necessarily have to be followed, * * *."

Thereafter, on December 20, 1938, the Board of Engineers by report appearing in House Document 178, 76th Congress, recommended step by step construction of the waterway extending from the Ohio River through the Beaver, Mahoning, and Grand River Valleys to Lake Erie, the first step to consist of the improvement of the Beaver-Mahoning Rivers, with certain modifications of the plans proposed in House Document No. 277, 73d Congress. The report states (pp. 17–18):

"* * * Because of the large expenditure required for the project and in order that advantage may be taken of changes in economic conditions and of adjustments in transportation charges, the Board believes that construction should be undertaken in several steps as found advisable by the Chief of Engineers; that somewhat unusual requirements for local cooperation are justified; and that the Federal Government should pay for the reconstruction of existing railroad company bridges spanning the Beaver and Mahoning Rivers. To carry out the work in accordance with these conditions it is necessary to secure additional authority from Congress.

"The Board further recommends that in view of the extraordinary enlargement of the river channels, required to provide a suitable through waterway, the Federal Government pay the cost, as determined by the Chief of Engineers, that is finally involved in making necessary changes in existing railroad company crossings, and track adjustments in connection therewith."

Chairman Mansfield of the Rivers and Harbors Committee of the House in letter of April 15, 1939, to General Schley, concludes that the approval by the Congress in the Rivers and Harbors Act of August 30, 1935, of the Beaver and Mahoning Rivers project constitutes ample authority for the Engineer Corps to proceed with the improvement on the basis of including alterations to railroad bridges as part of the Federal cost.

I find myself unable to agree with this conclusion. Such provisional approval of the Beaver and Mahoning Rivers project as was given by the Congress in the act of August 30, 1935, was conditioned upon local interests bearing the costs of altering railroad bridges. The Board of Engineers subsequently proposed modifications of this plan, including the recommendation that the Federal Government pay the cost of altering the bridges. This is obviously a matter for the Congress to determine. The discretion vested in the Chief of Engineers to make such modifications as may be advisable (House Doc. 277, 73d Cong., p. 4, para. 9) would not, in my opinion, empower him under the circumstances to bind the Federal Government to bear the above-mentioned cost of alterations to railroad bridges.

It is my opinion, therefore, that the War Department would not be authorized without further approval by the Congress to construct the "stub-end" canal to Youngstown.

Respectfully,

Robert H. Jackson,
Attorney General.

Mr. SCOTT. Mr. President, I make one passing reference to the conclusion of Attorney General Jackson's letter in which he says:

> It is my opinion, therefore, that the War Department would not be authorized without further approval by the Congress to construct the "stub-end" canal to Youngstown.

If this project has already been authorized, why is the Army Corps of Engineers still in the act? Only 1 month has passed since the Board of Engineers for Rivers and Harbors recommended construction of the billion-dollar ditch. The Board's report has been submitted to the Chief of Engineers who must prepare his own report on the project. Then the Chief must submit his report, together with the report of the Board and the reports of the district engineer in Pittsburgh and the division engineer in Cincinnati, to the Governors of Pennsylvania and Ohio and to the following Federal agencies: Department of Interior; Department of Agriculture; Department of Commerce; Department of Health, Education, and Welfare; Federal Power Commission; and the Appalachian Regional Commission. A period of 90 days is usually allowed for comments. Upon receipt of these comments, the Chief of Engineers still must prepare his final report and must submit it, along with the Board's report and all accompanying papers, to the Secretary of the Army for transmittal to the Bureau of the Budget, and finally, for transmittal to Congress where it is referred to the Committees on Public Works of the Senate and the House of Representatives.

Now, Mr. President, if this project has been authorized already, why must the Chief of Army Engineers go through all these channels over an extended period of time? The answer is that this project has not been authorized and, for this reason, if for none other, Congress should not appropriate a single penny for it.

Despite this fact, the other body approved an appropriation of $500,000 for initiation of planning, and this action was sustained by the Senate Committee on Appropriations.

While approving this appropriation, the committee, on page 23 of its report, made some very significant comments. After pointing out that "very substantial local cooperation is required in this project," the committee declared:

> Unless local interests agree to meet the conditions of local cooperation on this project, no construction can be undertaken in subsequent years since, under existing law, no major construction feature of the plan can be undertaken until required assurances of local cooperation have been approved by the Secretary of the Army.

Mr. President, granted that a number of authorities must request the implementation of this project and granted that the State of Ohio and the Commonwealth of Pennsylvania, under their presently prudent administrations, have no intention whatever—I am informed—of asking for this money, nevertheless it lies there as a temptation, as unused and available money is always a temptation to any governmental unit.

Mr. President, I seriously doubt whether such assurances will be forthcoming in view of the tremendous burden which the localities in question are asked to assume. We hear much talk about the plight of State and local governments in trying to obtain revenue to finance essential public services. Recognizing this plight, several experts on this serious problem, including my able colleague, the gentleman from New York, Senator JAVITS, whose bill I am proud to cosponsor, have proposed a mechanism for sharing excess Federal revenues with the States and municipalities. However, many localities in Pennsylvania and Ohio are being asked to strain their resources to the breaking point to pay the local share of the cost of constructing a ditch whose commercial and recreational benefits remain to be proven.

I suspect that the staggering costs and questionable benefits of this project are the reasons why there has been no public clamor for the ditch in the areas through which it would pass. Indeed, of the three Congressmen—two from Ohio and one from my Commonwealth—whose districts are directly affected by this project, only one expressed support of the project when this bill was considered by the other body last month. If the voice of the people had spoken loudly and clearly for this project, you can bet that these three distinguished gentlemen would have heard it and acted accordingly.

In short, this project has not been authorized; it is not wanted by the residents of a substantial part of the region affected; and it is a wasteful and totally uncalled-for expenditure of public funds. The appropriation which the Senate is asked to approve today represents a foot in the door. Let us slam that door by approving the pending amendment which my senior colleague and I have offered, with the support of the distinguished Senator from Ohio [Mr. LAUSCHE].

Mr. President, I modify my amendment in order to correct an error of calculation so that the sum total reads: "$970,858,000."

The PRESIDING OFFICER. The amendment is accordingly modified.

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a memorandum on this subject entitled "Summary of Arguments in Support of Opposition to Any Appropriation for the Project at the Present Time"; an editorial entitled "Again, Who Needs the Canal?" published in the Pittsburgh Press on September 17, 1966; and an editorial entitled "The Why of Canal Projects," published in the Pittsburgh Press of September 18, 1966.

There being no objection, the material was ordered to be published in the RECORD, as follows:

Lake Erie-Ohio River Canal: Summary of Arguments in Support of Opposition to Any Appropriation for the Project at the Present Time

THE PROJECT IS OF DOUBTFUL VALUE ON ITS FACE

This project has been kicking around for years. A proposal made in the 20's to build substantially the same canal was defeated in Congress.

Another major effort made by its proponents during the period 1934–1939 had to be abandoned because after a detailed study of the project by the Interstate Commerce Commission at the request of the White House indicated that the project was without value and would on the other hand, for the benefit of "a relatively small number of larger shippers" severely damage the railroads, "an agency of transportation whose services are available the year around."

The project was revived immediately after the conclusion of World War II, but the effort collapsed after hearings held before the Board of Engineers (the only public hearings which have ever been held on this project) and the Board was forced to conclude that the project was wholly without merit.

The project was revived again at the beginning of the current decade pursuant to a resolution directing the Corps to review all its prior reports and to bring them up to date. This study resulted in the report of the Pittsburgh District Engineer issued in January, 1965.

It is significant that substantial opposition immediately developed from the very areas supposed to benefit from the canal. The project was publicly opposed by the Republican governor of Pennsylvania and by his Democratic predecessor; by the City of Pittsburgh and by numerous other public bodies in Western Pennsylvania; by the Allegheny County Labor Council; by the Pittsburgh District of the United Steel Workers; by the Pennsylvania State AFL–CIO; by the railroad labor unions; by the railroads and by their competitors, the Pennsylvania Motor Truck Association, which might be severely hurt if the canal were to be built; and by scores of others.

Nevertheless, the District Engineer found the canal to be economically feasible. It is significant, however, that upon review his estimate of benefits was cut to ribbons by the Division Engineer and that his estimate was further drastically cut by the Board of Engineers. These estimates were as follows:

District Engineer: 2.2 to 1.
Division Engineer: 1.8 to 1.
Board of Engineers: 1.3 to 1.

These sharp cuts, combined with the dismal record of the project over the years, throw great doubt on the merits of the project.

Whereas the District Engineer estimated that over 60 million tons of traffic would move over the canal in its first year of operation, this estimate has been cut by the Board to 10 million tons; and the Board indicated that the full volume of traffic estimated by the District Engineer would not be reached for some 50 years. In the face of rapidly developing technology, particularly in the steel industry, in the iron mining industry and in rail transportation, an investment for so low a benefit is doubtful indeed.

It must be noted also that the margin of benefit ratio at 1.3 to 1 is so narrow as to allow for no margin of error. Any underestimate of cost, overestimate of traffic or other adverse development would mean that the cost of the canal would actually exceed any benefit to be derived from it. Moreover, this important point must be raised: The estimated benefit-to-cost ratio rests in large measure on the assumption that the entire vast sum required to build this canal can be borrowed by the Federal, State and local governments involved at an interest rate of 3⅛%. Under present conditions, this is an absurd assumption. We all know what rates of interest even the Federal government must pay for borrowed money today, and the home builder must now pay 5½% on F.H.A. loans. Use of a realistic interest rate would in itself make the canal uneconomic.

In the face of these uncertainties the Congress should take a closer look at this project before appropriating any money in its behalf.

IT IS LATE IN THE DAY TO BUILD A BARGE CANAL

In the face of the technology of the mid-20th century, construction of this canal would be absurd. The value of the proposed canal should be clearly distinguished from the value of our great waterways, such as the Ohio and Mississippi Rivers. On these large reaches large tows can operate and barges and tows can moor and unload in the channel. These conditions are a far cry from those of the proposed canal. By reason of the topography its channel will be winding and narrow. Through Youngstown the width will be limited to 200 feet; but because of local conditions no greater width is possible. This means that tows will barely be able to pass in opposite directions. It will greatly limit speed and maneuverability on the canal particularly in times of bad weather. More importantly, it will completely preclude the possibility of unloading barges in the channel. Thus they cannot be moored and unloaded at the plants of the steel mills. It will be necessary to build turnouts and mooring basins and to provide expensive and elaborate handling equipment. Due to the topography these unloading points can only be at some distance from the steel mills. Accordingly transshipment of cargoes from these unloading points into rail cars or trucks, and overland transportation to the mills, will be required. This will impose great expense in operation, which the Board seems not to have considered.

IT IS DOUBTFUL THAT ANY IRON ORE TRAFFIC WILL MATERIALIZE FOR THE CANAL

Nearly one-half of the tonnage which the proponents claim for the canal consists of iron ore and limestone. There is a real question whether any iron ore or limestone would be shipped by this canal. Not a single steel plant along the whole length of the proposed canal has given any indication whatever that it would expect to take any iron ore or limestone from the canal. Since the steel industry in Pittsburgh and Youngstown is supposed to be the chief beneficiary of this project, it would seem extraordinary that not one of the companies has expressed any interest in the project. But consideration of the facts will indicate why this is so.

All of the river plants have been planned, built and operated on the basis of taking delivery of this tonnage from rail. Even assuming that the plants could be rearranged to take delivery from barges, this would involve an enormously expensive effort in the case of every one of the plants. In fact, in almost all cases the river sites are so narrow and congested that there may be no scope for such rearrangement. It is significant in this connection that a representative of the six steel plants in the Youngstown District testified at a hearing held on July 26, 1966 before the Ohio Water Pollution Control Board that these plants did not even have space on their sites to permit the construction of cooling towers.

At present ore and limestone destined for the Youngstown and Pittsburgh mills is unloaded from vessels at Lake Erie ports. It is then placed in rail cars and delivered directly to the plant, where it is unloaded directly into separate bins or stock piles within the plant. If the canal were to be built, the same tonnage would at the Lake Erie port be first loaded into barges and these would then have to be unloaded near the point of consumption into rail cars or trucks for delivery to the plant. This extra handling would undoubtedly be sufficiently costly to overcome any economy that might be achieved from barge transportation.

In the face of the foregoing, it is difficult to see how the prospect of a limited reduction in the transportation cost of ore and limestone could present an inducement to the investment of great sums for plant conversion.

THE CLAIM THAT THE STEEL COMPANIES IN THE PITTSBURGH AND YOUNGSTOWN AREAS NEED THE CANAL TO SURVIVE IS NONSENSE

The chief claim made for the canal by its proponents is that unless the canal is built the steel industries in Pittsburgh and in Youngstown will wither away. Such a claim is nonsense in the face of the announcement made on Friday, September 16, 1966, by U.S. Steel Corporation that it will build a new cold rolling mill in the Pittsburgh district which will almost double its Irwin works capacity to produce steel for the big-volume auto, appliance, furniture and related industries. This project is described by U.S. Steel President Leslie B. Worthington as "one of the largest facility expansion programs in the recent economic history of Western Pennsylvania." Mr. Worthington further stated that this new plant expansion ". . . represents a whooping investment in our faith in this country's economy and in what we believe to be Western Pennsylvania's role in the nation's economic picture."

Mr. Worthington added: "We intend to keep the Mon Valley competitive in a way that will help it to retain its position as a keystone in the nation's economic structure. United States Steel is not walking away from its investment here."

This a far cry from the dire predictions of the proponents of the canal.

THE CLAIMED COAL TRAFFIC WILL NOT MATERIALIZE

There is no substantial prospect that the coal tonnage claimed for the canal will materialize.

There is, of course, an almost unlimited tonnage of coal in the ground in the great Pennsylvania, West Virginia and Kentucky coal mining areas. However, only a limited part of this coal lies sufficiently close to navigable water to be economically transported by barge. Such coal is known as "river coal." Since river coal was the first to be exploited, it has now been largely consumed; unimpeachable industry statistics indicate that all river coal in the area will be wholly exhausted by about the year 2000. In the meantime, nearly all of this river coal is either captive to steel mills in the Pittsburgh area or is committed by contract to great electric power plants already built or under construction or in the planning stage along the Ohio River and its tributaries. None of this coal will move to the canal under any circumstances. This means that at best only a trickle of the coal which the Engineers claim as potential tonnage for the canal will in fact be carried by it.

THE CANAL WOULD GREATLY INTENSIFY POLLUTION IN THE MAHONING RIVER

The extreme pollution of the Mahoning River is as notorious as is the desperate water shortage in the whole area. The plans for the proposed canal were reviewed by the U.S. Public Health Service, and in their report filed with the District Engineer it was shown that canalization of the Mahoning River would greatly intensify pollution in the Mahoning River, because construction of the locks would create slack pools which would slow the normal flow of water. The report also pointed out the use of already scarce water for operation of the canal would withdraw from use for industrial and domestic purposes what little additional water might possibly be made available. The District Engineer simply overrode these objections.

It is very probably that in the years to come availability of reasonably pure water will be vastly more important to industrial and domestic development in the Mahoning and Beaver valleys than would the construction of this canal.

THIS IS AN INAPPROPRIATE TIME TO SPEND PUBLIC MONEY IN BEHALF OF A CIVILIAN PROJECT OF DOUBTFUL VALUE

A time when the greatest domestic threat is that of inflation is certainly not the moment to embark upon a program of vast government expenditure in behalf of a civilian project whose merit has not been demonstrated.

ADVERSE EFFECT OF THE CANAL ON THE PORTS AND RAILROADS OF THE AREA

If the canal should be built and if the traffic claimed for it should develop, all of it must be diverted from the railroads and from the Lake Erie Ports which are now handling it. The adverse effect upon the railroads and the existing ports and upon their employees would be serious.

The railroads and dock companies have estimated that such diversion would eliminate some 8,000 jobs in communities as far away from the canal as New York, Buffalo, Philadelphia, Baltimore, Roanoke, and Detroit. The effect on some of the railroads in the canal area might well be disastrous. It is hard to believe that it is in the national interest to bring about such a result.

EFFECT ON LOCAL COMMUNITIES

The cost of the proposed project to the States of Ohio and Pennsylvania and to the municipalities, public utilities and railroads in the area of the canal will be enormous. Until the full report of the Board of Engineers with respect to the project becomes available, it is not possible to estimate this precisely; but it is indicated from the Board's public announcement that the aggregate of local costs will be increased rather than decreased from those in the Division Engineer's report. These estimates are as follows:

	Division engineer	Board
Local 1st costs	$85,300,000	$95,000,000
Local annual charges (each year for 50 years)	4,500,000	10,300,000

These figures are large enough. But they do not include the large cost of building and maintaining the canal terminals. These costs will increase the total costs which will have to be borne by the "local interests" in Ohio to more than a quarter billion dollars.

Local municipalities in both Ohio and Pennsylvania will have to spend millions to relocate water intakes and outflows and sewer, water supply and drainage facilities. Similar sums will have to be spent by public utilities, railroads and steel mills for the relocation of bridges and the like. Very large operating expenses will also fall upon the local communities for years to come. How will they provide these funds?

It is therefore little wonder that, aside from the City of Youngstown, the proposed canal has no local support. The canal has been openly opposed by the governor of Pennsylvania; the Mayor of Pittsburgh; the County Commissioners of Beaver County, Pennsylvania, through which the canal will run; official local planning boards and others. Both Pennsylvania senators and virtually all representatives in Congress from Pennsylvania are opposed. Virtually the only voice from Ohio which has favored the project is that of Representative KIRWAN from Youngstown. No support for the project has yet been heard from either of the two Senators from Ohio. On the other hand the City of Cleveland, the largest city in Ohio and an alleged beneficiary of the canal, and numerous other Ohio interests have opposed the project.

Such great newspapers in the State of Ohio as the Cincinnati Enquirer, the Toledo Blade, the Cleveland Press and the Columbus Citizen-Journal have editorially condemned the project in no uncertain terms. Editorial opposition by the press in Pennsylvania is unanimous.

Since those who are supposed to be the prime beneficiaries of the project do not favor it, it is difficult to see why this project should be foisted upon them at enormous expense to the whole nation.

[From the Pittsburgh (Pa.) Press, Sept. 17, 1966]

AGAIN, WHO NEEDS THE CANAL?

Like that bad penny, the Ohio Canal has turned up again. This time the highest review board of the Army Engineers approved the 120-mile waterway linking the Ohio River to Lake Erie.

Unlike the bad penny, however, the Ohio Canal isn't cheap. The Engineers Review Board figures the Federal price at $917,200,000 and the local cost at $95,000,000 for a grand total of $1,012,200,000.

Is such a project really worth more than one billion dollars of taxpayers' money? Is there such a transportation shortage in Eastern Ohio and Western Pennsylvania to warrant this vast expenditure?

Cong. MICHAEL KIRWAN of Youngstown thinks so and has thought so for lo these many years. The canal will bring great material blessings to his constituents in Eastern Ohio, he believes. And the idea of the Kirwan Canal as a lasting monument is attractive to him, too.

When this grandiose boondoggle was last pondered by Army Engineers in March, 1965, The Press asked, "Who needs the canal?"

KIRWAN, obviously. But does Ohio need a new transportation artery? If anything, the superhighways are improved over March, 1965. And the railroads are still very much in the freight business, even if they don't like to carry passengers.

Does Cleveland need the waterway? The city has all it can do to develop its own port potential. The canal would compete. The city plays an important railroad role, employing thousands. Should this business and these jobs be sacrificed to the glory of MIKE KIRWAN?

Unless some potent politicians in Washington can match KIRWAN's power, this harmful boondoggle will come to pass. For up to now the magic words in Congress have been, "MIKE wants it," and anything MIKE wants he has gotten.

[From the Pittsburgh (Pa.) Press, Sept. 18, 1966]

THE WHY OF CANAL PROJECTS

A reader writes in with a suggestion concerning the proposed one-billion-dollar—or is it two billions, or more?—canal to link the Ohio River and Lake Erie via Youngstown, Ohio.

"If we must have a canal," he asks, "what is the matter with the Allegheny River project which has completed dams and navigable water to East Brady, Pa., about one-half the distance to the lakes?"

The U.S. Army Engineers (the same ones who approved the Youngstown canal) came up with the answer to that question many years ago. They decided that the prospective river traffic past East Brady would not be sufficient to justify further improvement of the river past that point.

But when it comes to the Youngstown canal, the Engineers see—or profess to see—a huge volume of traffic, big enough to justify the fantastic cost of building a canal along waterways which admittedly lack enough water to float the traffic.

True, they don't agree on their traffic estimates. The district engineer at Pittsburgh arrived at a benefit-to-cost ratio of 2.1 to 1, meaning that every dollar invested would confer benefits of $2.10. The division engineer at Cincinnati wasn't so optimistic. He estimated a benefit-to-cost ratio of 1.7 to 1.

The Board of Engineers at Washington, which approved the project the other day, was less optimistic. It arrived at a figure of 1.3 to 1, which is about rock-bottom for such projects.

Why are the Engineers who can't see much traffic moving on the upper Allegheny River so willing to believe that many millions of tons will move over the Youngstown canal? Among congressmen who are acquainted with the project, it is accepted as a fact that the purpose of the canal project is to drive down the rail freight rates, and predictions are freely made that if that happened, freight would continue to move by rail.

In that event, how would the huge investment in the canal pay off for anybody but the private shippers? And that, at the expense of the railroads!

There is one good reason why this canal, which few people outside the Youngstown area want, continues to be a threat to the Federal budget and the U.S. Treasury. That reason is Rep. Michael J. Kirwan, Youngstown Democrat.

Mr. Kirwan has been in Congress for 28 years and his seniority has placed him in the powerful position of chairman of the Public Works subcommittee of the House Appropriations Committee. As such he has almost absolute power over what has been known for generations as the "pork barrel"—the appropriations for rivers and harbors projects.

Every congressman who has a pet project for his district, whether needed or not, must get it through Representative Kirwan's committee. And the Corps of Engineers must go to the same subcommittee for the funds for its various projects.

Mr. Kirwan has another string to his bow. He is chairman of the Democratic congressional campaign committee and in that capacity doles out campaign money.

Obviously, the Engineers must stay on good terms with the man who controls the appropriations. So do all too many congressmen who are beholden to Mr. Kirwan for past, present or future favors. The combination which Mr. Kirwan has thus put together can wreck any plans to institute economy in the Federal establishment.

Make no mistake about it: The Youngstown canal is a real and present threat. Mr. Kirwan already has committee approval for the first $500,000—for planning. Unless someone along the line has the courage to act sensibly, the taxpayers will be forced to dump millions of dollars into a ruinous boondoggle.

Mr. SCOTT. Mr. President, I yield 2 minutes to the distinguished senior Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I do not want to get into an argument concerning the merits of the particular proposal. This appropriation should be eliminated for another reason.

I point out that we are overlooking the fact that we have a war going on and that our Government already has a sizable deficit.

In the Committee on Finance there are recommendations for a tax increase, with a strong hint from the administration that after the election there will be another sizable tax increase to cover the existing deficits and the accelerated cost of the war. Therefore, I think that the least we can do is to suspend action on projects such as this, projects which can very easily be postponed until after we have won the war and have balanced our budget.

This $500,000 is but the beginning. While only a half million dollars may be involved here today nevertheless it is a commitment for what may well develop into a billion-dollar expenditure. I do not think we have the money at this time for these new projects.

I ask for the yeas and nays on the amendment.

Mr. LAUSCHE. Will the Senator withhold that request?

Mr. WILLIAMS of Delaware. I withhold the request.

Mr. SCOTT. Mr. President, if I have the time remaining, I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I think it is rather clear that the position of the Senators from Pennsylvania [Mr. Scott and Mr. Clark] and myself is rather anomalous.

Arguments are made of the great good that is desired to be accomplished for our States; and we are unwilling to accept this goodness, coming from the bountiful hearts of the Members of the Senate, and especially the members of the committee.

My position in this matter is rather difficult today, Mr. President. My most intimate friend in the Youngstown area favors the projects. He has been a great help to me through the years in my political campaigns. The project definitely would be an aid in the Youngstown area. But except for the Youngstown area and the Painesville area and perhaps the Ashtabula area, there is no unity of opinion in Ohio about the desirability of the canal.

No legislation that has come before this body has lain more heavily upon me than this. Expediency sort of demands that I approve the canal. My honest judgment, however, tells me that at this time it ought not to go forward.

I was in Youngstown 3 weeks ago, at a breakfast meeting, and the query was, "What about the canal?" I told them that I had not concluded what I would do, that I would study the merits and demerits and then declare my position as I honestly saw it. And that is what I am attempting to do today.

I cannot understand how Senators can disregard the position of Senator Scott and Senator Clark and lay great credit to the request of the Mississippi Development Association desiring this canal. Whey are we disregarded? Why are those interested down the Mississippi River listened to?

Now I have some collateral matters which I should like to discuss, because I think they are pertinent to this subject.

We built the St. Lawrence Seaway at a cost of $124 million. The St. Lawrence Seaway is now deficient in its income, in its inability to meet interest and principal payments. What will happen to the St. Lawrence Seaway if we begin diverting traffic down the Ohio River? What will the industrialists along the Great Lakes say if we continue charging tolls on the St. Lawrence Seaway and do not charge tolls on the Lake Erie-Ohio River Canal?

The authorization is 31 years old. The impact that it will have on the seaway has not been studied. No study has been made as to the advisability of charging tolls on the canal. Suddenly, we are plunging ourselves into this billion-dollar expenditure, and doing it before there is any commitment from Pennsylvania or Ohio or any of the local governments through which the canal will run.

Perhaps in the end, this canal will prove justifiable; but the facts that have thus far been submitted do not warrant the initiation of its construction at this time.

I yield the floor.

Mr. BIBLE. Mr. President, will the Senator yield me 2 or 3 minutes?

Mr. ELLENDER. I yield 3 minutes to the Senator from Nevada.

Mr. BIBLE. Mr. President, I rise to associate myself with the report of the Committee on Appropriations.

I fully support the action taken in approving the advanced planning money for the Lake Erie-Ohio River Canal in the sum of $500,000.

I realize full well that there are strong differences of opinion relative to this project, and some of those differences have been voiced very vehemently on the floor this morning. However, after reading the debate in the House, which went into this matter very thoroughly when the bill was being considered in that body, and having heard the able presentation of the Senator from Louisiana, I am convinced that the Corps of Engineers should proceed with their study and planning of this project.

It seems to me that the distinguished senior Senator from Florida [Mr. Holland] placed this matter in proper perspective and stated it very well—that it is not unusual for Congress to approve planning money for projects concerning which there are strong differences of opinion at the local level.

We have done this many times in the past. In many cases, as local people became more familiar with the particular project, those who were originally opponents became supporters.

I have an excellent example in mind—it antedates my service in the Senate. One of the most bitterly fought projects in the history of our country was the Boulder Dam project. That project was fought year after year by local interests and by the States and political subdivisions involved. Yet, I am convinced that today Boulder Dam stands as one of the great monuments in the world. But in the early days it received tremendous opposition. As time went on, and as the project became a reality, the benefits that accrued from this great project were apparent for all to see.

I realize that it has been stated that local contributions toward the construction of this canal might not be forthcoming. If this proves to be the case, then, under the procedure historically followed in projects of this kind, and under the law, no construction funds shall be forthcoming until such local contributions are assured. This point is made very clear on page 23 of the committee report, which is before the Senate at this time.

I think that a strong case has been made for this amount of $500,000 for advance planning, and I support it wholeheartedly; and I associate myself with the splendid remarks of the senior Senator from Florida and with those of the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I yield 10 minutes to the Senator from Ohio [Mr. Young].

The PRESIDING OFFICER (Mr. Bartlett in the chair). The Senator from Ohio [Mr. Young] is recognized.

Mr. YOUNG of Ohio. Mr. President, at the outset, may I say that I concur in every statement just made by the distinguished senior Senator from Nevada [Mr. Bible].

The bill we are now considering, H.R. 17787, was passed in the other body on a rollcall vote. The vote was 354 to 25. In looking over the rollcall vote in the other body, as far as I observe, Mr. President, not one Member of the House of Representatives from the State of Pennsylvania is recorded as having voted against this proposal.

Mr. President, regarding the amendment of the distinguished junior Senator from Pennsylvania [Mr. Scott], proposing to strike from the bill planning money for the Lake Erie-Ohio River canal in the sum of $500,000, the fact is that in the other body, every Member of the majority party from my State of Ohio, except one Member who was temporarily absent, but who favored the bill, and every Member of the minority party in the other body from my State of Ohio voted in support of this appropriation for planning.

Mr. President, over the years I have advocated from the start the construction of the St. Lawrence Seaway that has been adverted to this morning. Almost invariably I have given my support to the construction of roads, highways, and canals. It is my belief that future generations will benefit from the waterway to be constructed from Lake Erie to the Ohio River, if the planning shows it should be constructed.

I support the public works appropriations bill for fiscal 1967, including the sum of $500,000 for preconstruction planning for the Lake Erie-Ohio River Waterway. I oppose the amendment of the junior Senator from Pennsylvania [Mr. Scott] to delete such funds from the pending bill.

The Lake Erie-Ohio River project has been subjected to a painstaking 5-year study and to repeated review, culminating in a favorable report of September 7, by the Board of Engineers for Rivers and Harbors. For our growing national economy, the Lake Erie-Ohio River Waterway promises to be a vital asset. The Bureau of the Census projects for this country in the year 2000 a population of 350 million persons. Our gross national product will then exceed $2 trillion.

It is difficult for me to comprehend such a sum. All modes of transportation will have to be expanded and modernized to serve a national economy of such dimensions. The severe and persistent shortage of railway freight cars, which already plagues our industries and farm communities, is one symptom of the mounting pressures on transportation. We cannot afford to delay. Therefore, we should go ahead with this planning.

Waterway transportation has emerged as a low cost and an ultramodern technology for those bulk freight movements most essential to our basic industries. These industries are especially concentrated in the service area of the proposed waterway—the area embracing Buffalo, Pittsburgh, Charleston, Ashland, Cincinnati, Cleveland, Lorain and reaching westward to Detroit.

It is not intended that this proposed waterway connecting Lake Erie and the Ohio River will be constructed during the present period of inflation. It is intended that at least 4 or 5 years will be required to provide definite plans for the construction of the waterway and that the construction itself, if it is determined from the preliminary planning that this canal or waterway should be constructed, will be spread over a period of from 8 to 10 years. It is hoped that the larger public works expenditures contemplated would then be warranted in the best interest of the economy of our country.

The facts are that for 142 years the Corps of Engineers has had the responsibility for waterway development in the Nation, and economic restudy of the Lake Erie-Ohio River Canal proposal was authorized and financed by Congress in 1961. The Corps of Engineers has conducted exhaustive reanalysis of the project. This bill includes $500,000 to go ahead with the planning. Presently, it seems to be the astonishing fact that there is a distance of 2,200 waterway miles from Cleveland to Pittsburgh. If this proposed canal were to be completed connecting Lake Erie to the Ohio River near Pittsburgh, that distance would be reduced to approximately 120 miles. The first time a recommendation from the Army Engineers was made for the construction of a canal from Lake Erie to the Ohio River was in 1825. The operators of railroads have, through the years, opposed every effort to build this project and they are now opposed to it.

It appears to me that at the present time there is and certainly in the future there will be sufficient commerce for all—railroads, truckers using our highways and shippers moving our products including coal and ore. In years to come, use of this canal, in my opinion, will be highly beneficial to industry and will result in increased work for workers laboring in the steel mills in Lorain, Cleveland, Youngstown and elsewhere, and in the coal mines in Pennsylvania, West Virginia, Ohio, and other States.

The proposed Lake Erie terminus of this proposed canal, according to present planning, would be about 30 miles east of Cleveland and the Ohio River terminus about 20 miles below Pittsburgh.

It appears to me that working men and women throughout that entire area and the public generally would benefit.

I hope the amendment will be defeated and that the bill as reported from the Appropriations Committee of the Senate will be passed.

The industrial interchange within this region is now obstructed by the barrier of extremely high overland freight rates between the lake and river systems. The Lake Erie-Ohio River Waterway will serve as a gateway, fusing the Mississippi-Ohio River communities into the economy of the eastern Great Lakes and the St. Lawrence Seaway.

Provision is appropriately made in the pending bill for preconstruction planning for the Tennessee-Tombigbee Waterway. Eighty percent of the inland waterway connections between Mobile, Ala., and Lake Erie is already in existence. The Lake Erie-Ohio River Waterway will join with the Tennessee-Tombigbee in breaching the last two barriers to this transcontinental connection.

The question of local cooperation should not delay action. The advancement of planning is essential to define the precise extent of such cooperation. In this connection, the Senate Appropriations Committee report on the pending bill points out:

> One of the purposes of the planning for which funds are included in this bill, will be the development of detailed plans and cost estimates for the items which will be financed out of non-Federal funds.

The committee also calls attention to the fact:

> Unless local interests agree to meet the conditions of local cooperation on this project, no construction can be undertaken in subsequent years.

Furthermore, under existing provisions of Federal law, costs of railway and highway bridge alterations would be proportionately shared. The 50-percent local share of recreational development costs would be funded by the Federal Government to be reimbursed solely from fees and charges for use of the facilities. Costs of alteration or reconstruction of local governmental facilities would, under normal circumstances, also be borne by the United States. Thus, the burden of local interests should not be exaggerated.

The Ohio counties on the south slope of the waterway, from which the bulk of local cooperation would be required, have already registered their approval of the project.

The stimulus of this waterway to industrial growth in Cleveland, Lorain, and neighboring communities is of the highest promise. Ohio River traffic has multiplied fourfold since the end of World War II. The new waterway would communicate the growth forces of the Ohio Valley right into the Cleveland area. It would mean new competitive strength to steel manufacture in the Cleveland-Lorain district. Lower cost electric energy throughout northeast Ohio—a consequence of waterborne coal—would greatly spur industrial development of the area. Cleveland—my home city—would be matched only by Chicago as a Great Lakes port joined by an inland waterway to the Mississippi River system and the Gulf of Mexico.

Soundly based industrial development is rich in human values. New access to markets afforded by the new waterway would generate jobs by the tens of thousands in the steel mills, in the coal mines of Appalachia, and, as well, in the iron mines of Minnesota and Michigan. We must look to the enhancement of community welfare as a dominant consideration.

President Johnson has proposed establishment of waterway user charges in the form of a tax of 2 cents per gallon on all fuel used in vessels of 15 feet or less draft. Whatever the merits of waterway user charges, there is no basis for singling out any particular domestic waterway for such discriminatory treatment. To do so would set a precedent applicable to all federally improved domestic waterways, thus prejudging without adequate consideration a difficult and complex issue involving reversal of long-established national free waterways policy. That issue should receive careful consideration in an orderly manner by the appropriate legislative committees and the Congress. If tools or user charges are imposed at all, all federally improved rivers and harbors must be treated equitably.

Tolls on the St. Lawrence Seaway and Panama Canal, being international waterways and used in large part by foreign ships, constitute no precedent for such imposition on entirely domestic waterways which, under the law, may be used only by American-flag vessels. The House Committee on Public Works in its report recommending passage of the St. Lawrence Seaway bill stated:

> In approving the imposition of tolls as part of this project, the Committee wants it understood that by such action it is not digressing from the firm and long standing, toll-free policy established with respect to inland waterways. The approval herein given is not intended to be interpreted as a precedent varying the toll-free policy since this project being international is clearly distinguishable from purely inland waterway facilities in the United States. (House Report No. 1215(1954), 83d Cong., 2d sess.).

Mr. President, many years ago, Ohio emerged from her frontier status into greatness on the basis of her waterways between Lake Erie and the river that bears her name. It was in 1824 that Congress first assigned to the Army Corps of Engineers the task of improving and maintaining the Nation's rivers and harbors. In that very year—1824—a Board of Engineers listed various possible waterways "in order of their importance in relation to the defense of the country and to commerce." Of the 27 projects listed, that between the Ohio River and Lake Erie was rated first in its relative importance to interior commerce. The subsequent opening and operation of such a canal wrote a vital chapter in the history of the settlement and development of the region.

Changing technologies reduced the role of the inland waterways in the latter part of the 19th century. But, in the mid-20th century, revolutionary advances in navigation technology have restored the waterways to a vital and expanding role in the Nation's continued growth. In 1965, inland waterway commerce was one-sixth of the Nation's intercity freight traffic, and a much larger portion of the bulk carriage essential to our basic industries.

This waterway, knitting into a unified industrial complex the upper Ohio, lake, and seaway region, will immensely reinforce the future contribution of this region to the Nation's growth and economic strength.

Denial of funds to initiate planning of this project, as proposed in the amendment before us, would further retard an essential step in the Nation's progress, already long overdue. I urge that the amendment be defeated.

Mr. HARRIS. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. Mr. President, I yield 2 minutes to the distinguished Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 2 minutes.

Mr. HARRIS. Mr. President, I support the position taken by the Senator from Ohio [Mr. Young] in opposition to the pending amendment.

I support the bill as reported by the committee, and also the subcommittee headed by the distinguished Senator from Louisiana [Mr. Ellender], who, to my mind, has done more than any other Member of this body, during the 14 years he has served as chairman of the subcommittee, to develop the great water resources of this country.

In opposition to the pending amendment, I would make three brief points.

One, that there are no construction funds in the bill for the project, only $500,000 for preconstruction planning.

Two, as has been emphasized, even by those who support the amendment, the safeguards in the bill and in the committee report are that the project cannot be built and no construction funds can be appropriated unless the local people are willing, and so signify, to do their share and make their contribution.

Three, in response to the comments which have been made about the time which has expired since the project was conceived, let me say that in Oklahoma, only last week, we dedicated a project which was first authorized in 1936. The people continued to press for construction of the project. Although there was local opposition, I am proud to report to the Senate now that when we dedicated the project, a great crowd of proud and happy people were present. Those who had first opposed the project had seen the light, and opposition had long since melted away.

Mr. President, water, with its multiple uses, including navigation, is one of our great national resources which should be fully developed for the public. The Senator from Louisiana [Mr. Ellender] believes this is a great national policy. I agree with him. It is sound and proper national policy. I hope that the amendment will be rejected.

Mr. LAUSCHE. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. SCOTT. Mr. President, I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. I will need more time than that. The Senator has 15 minutes left, does he not?

Mr. SCOTT. Mr. President, I yield 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, we have been discussing conditions contained in the Corps of Engineers' final report. It has been stated that construction cannot be started until those conditions have been fulfilled.

I want to read what the committee wrote into the report, and subsequently will also have printed in the Record the conditions which the Corps of Engineers set up.

The report reads:

> The committee, in approving the House allowance for initiation of planning on the Lake Erie-Ohio River Canal, desires to point out that very substantial local cooperation is required on this project. The committee notes that the opposition to this project has emphasized the lack of definite assurances of local cooperation. In this connection, the committee desires to point out that one of the purposes of the planning for which funds are included in this bill, will be the development of detailed plans and cost estimates for the items which will be financed out of non-Federal funds.

Mr. President, at this point, I ask unanimous consent——

Mr. ELLENDER. Read the rest of it.

Mr. LAUSCHE. Mr. President, at the suggestion of the Senator in charge of the bill, I will read the remainder of the report:

> Unless local interests agree to meet the conditions of local cooperation on this project, no construction can be undertaken in subsequent years since, under existing law no major construction feature of the plan can be undertaken until required assurances of local cooperation have been approved by the Secretary of the Army.

Mr. President, in the report of September 7, 1966, there are set forth certain conditions that local governments must meet before construction can begin. I now ask unanimous consent to have printed in the Record the verbatim transcript of the conditions which the Corps of Engineers has set forth.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

> The Board concludes that the whole project from the Ohio River to Lake Erie is economically justified and accordingly recommends it for construction substantially in accordance with the plan of the District

Engineer, with channel depths of 12 feet, except in the restricted reaches through Youngstown and Warren, Ohio, where a depth of 15 feet would be provided, and with such further modifications as in the discretion of the Chief of Engineers may be advisable, at an estimated first cost to the United States of $948,000,000 for construction, excluding aids to navigation, and $3,100,000 annually for operation, maintenance, and major replacements, subject to the condition that, prior to construction, local interests furnish assurances satisfactory to the Secretary of the Army that they will:

(a) Provide without cost to the United States all lands, easements, and rights-of-way required for construction and subsequent maintenance of the navigation features of the project, except in the Grand River Reservoir and the divide cut, and for aids to navigation upon the request of the Chief of Engineers, including suitable areas determined by the Chief of Engineers to be required in the general public interest for initial and subsequent disposal of spoil, and also necessary retaining dikes, bulkheads, and embankments therefor or the costs of such retaining works;

(b) Hold and save the United States free from damages due to the construction, operation, and maintenance of the navigation features including, but not limited to, those resulting from wave action and changes in ground-water levels;

(c) Bear a proportionate share of the cost of bridge alterations over the existing channels of the Beaver, Mahoning, and Grand Rivers in accordance with the principles of Section 6 of Public Law 647, Seventy-sixth Congress (Truman-Hobbs Act), as amended;

(d) Assume all obligations of owning, including operating, maintaining, and replacing, all railway and highway bridges altered or constructed as part of the multipurpose project, including any additional costs of maintenance or operation which may be required because of the project, with such obligations for each bridge being assumed upon completion of the alteration or construction of that bridge;

(e) Provide and maintain, at local expense, terminal and transfer facilities along the waterway and at a Lake Erie terminus adequate to handle the commerce which will use the waterway, with depths in berthing areas and local access channels serving the navigation channel commensurate with the depths provided in related project areas; with terminal facilities at Lake Erie open to all on equal terms;

(f) Accomplish all utility relocations and alterations from the mouth of the Beaver River to the beginning of the divide cut north of Warren, Ohio, and from the northern dam of the Grand River Reservoir to the terminus at Lake Erie;

(g) Not withdraw water for consumptive use, nor divert water around the locks, from the water supply provided by the project works; and

(h) In accordance with the Federal Water Project Recreation Act agree to:

(1) Administer project land and water areas for recreation and fish and wildlife enhancement;

(2) Pay, contribute in kind, or repay which may be through user fees) with interest, one-half of the separable costs allocated to recreation and fish and wildlife enhancement, an amount presently estimated at $31,900,000 based on full development of these facilities; and

(3) Bear all costs of operation, maintenance, and replacement of recreation and fish and wildlife lands and facilities, an amount presently estimated at $5,600,000 on an average annual basis: Provided that the sizing and responsibility for development, operation, maintenance, and replacement of recreation and fish and wildlife enhancement features of the project may be modified in accordance with the alternatives provided in the Act cited above, dependent upon the intentions of non-Federal interests regarding participation in the costs of these features at the time of construction and subsequent thereto. The net cost to the United States after repayment by local interests of their share of costs allocated to recreation and fish and wildlife enhancement, assuming full development of these features, is estimated at $916,100,000 for construction and $3,100,000 annually for operation, maintenance, and replacements.

The Board further recommends that:

(a) At the time of preparation of plans for construction, consideration be given to inclusion of pumped-storage facilities for electric power generation and, if found justified, such facilities be included in the proposed plan at a first cost estimated at about $58,000,000 and an annual cost estimated at about $8,000,000, provided that the power features may be constructed by either Federal or non-Federal interests;

(b) The location of the Lake Erie terminus be determined at the time of preparation of plans for construction; and

(c) Following approval of the plan, detailed site investigation and design be made for the purpose of accurately defining the project lands required; that subsequently, advance acquisition be made of such title to such lands as may be required to preserve the sites against incompatible developments; and that the Chief of Engineers be authorized to participate in the construction or reconstruction of transportation and utility facilities in advance of project construction, as required to preserve such areas from encroachments and avoid increased costs for relocations.

The Board report is being processed to the Chief of Engineers, who in turn will transmit his proposed report, together with the reports of the Board and the reporting officers, to the Governors of the affected States and to interested Federal agencies for their views and comments. These comments will accompany the complete report to Congress with the recommendations of the Chief of Engineers.

Mr. SCOTT. Mr. President, I yield back the remainder of my time.

Mr. ELLENDER. Mr. President, I ask unanimous consent to print in the RECORD at this point a statement prepared in justification of the Lake Erie-Ohio River Canal.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

LAKE ERIE-OHIO RIVER CANAL

Total estimated Federal cost	$917,000,000
Non-Federal cost	95,000,000

Benefit-cost ratio, 1.3 to 1.

1. Would provide a 120 mile canal with a minimum depth of 12 feet from the Ohio River to Lake Erie, providing a continuous navigation system between the Great Lakes and the Ohio and Mississippi Rivers; with construction of the Tennessee-Tombigbee Waterway, navigation would also be possible from the Great Lakes to the Gulf at Mobile.

2. Project includes construction of 10 dams with dual locks—utilizes the Beaver and Mahoning Rivers to a point just north of Warren, Ohio; crosses the divide between the Ohio River and Lake Erie drainage basins; and utilizes the upper Grand River Valley as a summit reservoir and extend therefrom to Lake Erie.

3. Annual Benefits:

Navigation	$46,100,000
Recreation	17,000,000
Flood control	2,800,000
Total annual benefits	65,900,000

4. Tonnage: Estimated traffic is expected to increase from 10 million tons the first year to 62 million tons in the fiftieth year.

5. Flood Control: Project would eliminate or reduce flood damages along the Beaver-Mahoning Rivers and along the Ohio River from Montgomery Dam to Paducah, Kentucky.

6. Authority: *The 1935 River and Harbor Act* authorized the improvement of the Beaver and Mahoning Rivers to provide a canal to Struthers, Ohio, and authorized its further extension to Lake Erie subject to the final approval of the whole project by the Board of Engineers for Rivers and Harbors.

The Board of Engineers gave its approval to "the whole project from the Ohio River to Lake Erie" in its report of December 20, 1938.

Confirmation of the authorization was given by Congressman Joseph J. Mansfield of Texas, Chairman of the House River and Harbor Committee, in a letter dated April 15, 1939, to the Chief of Engineers, as follows:

"It is obvious, likewise, that the Board did approve the whole project from the Ohio River to Lake Erie via the Beaver and Mahoning Rivers, and consequently the authorization enacted by Congress in the 1935 River and Harbor Act has been fully met, and the approval and authorization by Congress are complete."

7. Current Economy Restudy: A thorough current economic reevaluation, conducted over the last 5 years, of the Lake Erie-Ohio River Project has recently been completed by the Board of Engineers for Rivers and Harbors. It has again concluded that the project is fully justified. The Board's recommendations in its report dated September 7, 1966, are as follows:

"The Board concludes that the whole project from the Ohio River to Lake Erie is economically justified and accordingly recommends it for construction substantially in accordance with the plan of the District Engineer, with channel depths of 12 feet, except in the restricted reaches through Youngstown and Warren, Ohio, where a depth of 15 feet would be provided, and with such further modifications as in the discretion of the Chief of Engineers may be advisable, * * *."

The U.S. Board of Engineers for Rivers and Harbors also stated:

"In arriving at its decision, the Board had before it the favorable recommendations of the Corps' Pittsburgh District and Ohio River Division, both of which had extensively studied the proposal and compiled a voluminous record of testimony. The Board not only studied this record and additional information furnished by interested parties during the period of review, but also sent its own staff members to the field for on-the-spot investigations, and thoroughly scrutinized and rechecked all engineering and economic calculations."

"Particular attention has been given to all questions which might materially affect the engineering feasibility or the economic justification of the project, and adjustments have been made where appropriate."

The Division Report consists of five volumes and over 700 pages.

The engineering record of the Corps of Engineers speaks for itself. Since 1824 they have had the responsibility for waterway development in the nation. There are now over 19,000 miles of waterways carrying commercial traffic and the benefits have exceeded the cost by over 3 to 1.

Opponents have claimed that the project should be reauthorized before being eligible for funding. There is no precedent for requiring a project, once authorized, to be reauthorized. The long established practice on projects which have been inactive for a period of years is to require a detailed current economic restudy by the Corps of Engigeers and if the final report is favorable to proceed with appropriations to initiate planning. This course has been followed on many occasions and in the 1967 Bill over 30 projects are being funded which were authorized prior to 1940.

Mr. ELLENDER. Mr. President, this project is a good project; it is needed and has been needed for a long time. It will benefit the entire country and in particular the great central portion of the country comprising the Great Lakes and Mississippi River drainage basins. The funds in the bill are for planning and to develop the cost of local cooperation in more detail. I ask that the amendment be defeated.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield me 1 minute?

Mr. ELLENDER. I yield 1 minute to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana is recognized for 1 minute.

Mr. MANSFIELD. Mr. President, I hope that the Senate will defeat the pending amendment. I think the sum called for is reasonable in view of the project contemplated. Envisaged, if the local authorities—as has been emphasized here so often—contribute their share, is a waterway extending from Lake Erie to the Gulf of Mexico, which will be of great benefit to the United States of America in the years ahead.

As I recall, this measure was reported unanimously by the Appropriations Committee, by Members on both sides. I would say that, by and large, that committee is as diligent and as tough as any in the Senate.

I hope that the $500,000 requested by this proposal for a feasibility study—keeping in mind, also, what the Senator from Ohio has said in the way of applications to the domestic areas—will be granted. It will represent money well spent.

Mr. SCOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Do Senators yield back the time on the amendment?

Mr. SCOTT. I yield back my time.

Mr. ELLENDER. I yield back my time.

Mr. SCOTT. Mr. President, I ask for a division on the amendment.

The PRESIDING OFFICER. A division is requested.

On a division, the amendment was rejected.

Mr. MANSFIELD. Mr. President, will the Senator yield to me so that I may ask him some questions?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. As the Senator from Louisiana knows, this appropriation bill provides an appropriation of $32 million to continue the construction of Libby Reservoir on the Kootenai River in Montana, on which construction was very recently initiated. The project as presently planned will initially provide 420,000 kilowatts of installed capacity and will ultimately provide 840,000 kilowatts of power. To my knowledge, there is a provision in the debate on the Columbia Basin Treaty under the authorization for this project which would provide for the residents of the State of Montana some preferential claim upon the power benefits to derive from this project's construction. I would like to call your attention to a colloquy I had with the junior Senator from Alabama [Mr. SPARKMAN] with respect to a power allocation from Libby Dam for the use of the State of Montana.

I read now an extract from the CONGRESSIONAL RECORD of March 16, 1961:

> Senator MANSFIELD: * * * Mr. President, I should like to ask the distinguished acting chairman of the Foreign Relations Committee a question, if I may. On page 6 of the report covering the hearings on the Columbia River Treaty, my distinguished colleague, the Senator from Montana [Mr. METCALF], makes the following statement:
>
> "I have very little to add to what my colleagues have said, except Senator MANSFIELD and I insist on an at-site power allocation for Montana similar to the Hungry Horse formula."
>
> It is the understanding of the senior Senator from Montana that, insofar as Libby Dam is concerned, if it is built, every effort will be made to see to it that, as in the Hungry Horse project, we will achieve a proportionate share of power from that dam to Montana for the use of the State of Montana.

May I ask the chairman of the subcommittee if that is correct?

Mr. ELLENDER. That statement is correct.

Mr. MANSFIELD [reading]:

> * * * I consider it only right and proper that the residents of the State of Montana be given a first claim to a reasonable portion of these benefits. Now, I know of a number of precedents in the authorization of other projects which give such rights to the citizens of the State where projects of this type were to be located.

Is that correct?

Mr. ELLENDER. The Senator has, in the course of his remarks, cited a few precedents for the provision for preferential consideration for the State where the project is located. Such precedents certainly exist in this case.

Mr. MANSFIELD. In connection with the authorization for Hungry Horse?

Mr. ELLENDER. Yes, and there are other precedents, in both the Columbia and Missouri Rivers.

Mr. MANSFIELD. This is one of the precedents to which I refer. There is also a precedent for preferential use of power for certain projects in the Missouri River Basin. This was provided under the authorization for development of the Missouri River Basin in the 1958 Flood Control Act. It is pertinent to state that a somewhat similar sense of Congress was expressed, though on a broader scale, in the passage of Public Law 88–552 approved August 31, 1964, which was an act primarily designed to guarantee electric consumers in the Pacific Northwest area first call on the electric energy generated at hydroelectric plants in that region.

Is that correct?

Mr. ELLENDER. That is correct.

Mr. MANSFIELD. As far as additional specific references and information on the particular legislation being discussed are concerned, Public Law 88–552, which was enacted just prior to the authorization of the Pacific Northwest-Pacific Southwest Intertie, had as its principal purpose the prevention of the sale of power to the Southwest as long as there was a demand for such power by users in the Northwest. By way of further explanation, the 1944 Flood Control Act carries a provision which gives preference in the sale of power and energy to public bodies and cooperatives. Public Law 88–552 was designed to prevent this type customer in one region from having a preference over the nonpreference users in the area where the power was to be generated—in those instances where there was a demand by nonpreference users in the area of origin.

The act which authorized the Hungry Horse project gave recognition to the rights of the State in which this project was to be located by giving preferential allocation of the benefits which were to result from its construction. The Hungry Horse Dam was authorized by the act of June 5, 1944, and section 1 thereunder reads as follows:

> That for the purpose of irrigation and reclamation of arid lands, for controlling floods, improving navigation, regulating the flow of the South Fork of the Flathead River, for the generation of electric energy, and for other beneficial uses primarily in the State of Montana but also in downstream areas, the Secretary of the Interior is authorized and directed to proceed as soon as practicable with the construction, operation, and maintenance of the proposed Hungry Horse Dam (including facilities for generating electric energy) on the South Fork of the Flathead River, Flathead County, Montana, to such a height as may be necessary to impound not less than one million acre-feet of water.

Also, the Flood Control Act approved July 3, 1958, included a special provision which protected the interests of the States in which projects were located by authorizing reasonable amounts of the power to be generated by such projects to be reserved for use within such States. The authorization to which I refer reads as follows:

> In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $200,000,000 for the prosecution of the comprehensive plan for the Missouri River Basin, approved in the Act of June 28, 1938, as amended and supplemented by subsequent Acts of Congress: *Provided*, That with respect to any power attributable to any dam in such plan to be constructed by the Corps of Engineers, the construction of which has not been started, a reasonable amount of such power as may be determined by the Secretary of Interior, or such portions thereof as may be required from time to time to meet loads under contract made within this reservation, shall be made available for use in the State where such dam is constructed: *Provided*, That the distribution and sale of such reserved power within the State shall be made first to preference users in keeping with the provisions of section 5 of the Flood Control Act of 1944; and *provided further*, that the power so reserved for

use within the State shall be not to exceed 50 per centum of the output of such dam.

Does the Senator care to make any comment on that?

Mr. ELLENDER. I can see, Senator, the precedent in prior legislation and I would agree that it is only proper that the immediate area and the State where these water resource developments are located, as in the case of Hungry Horse, should be given a right to place a reasonable degree of first call upon the benefits of these projects. I believe Montana is entitled to it. Since the dam is located in that State it will be more economical to dispose of the power near the source of production and I do not see how the Bonneville Power Authority can fail to provide at least a fair share of the electricity generated to your State.

That has occurred in the Northwest and the Southwest.

Mr. MANSFIELD. And even in the Missouri River Basin.

Mr. ELLENDER. And even in the Missouri River Basin. It is my belief that Montana is entitled to have priority in the distribution of electricity generated by the falling water in that locality. The nearer the electricity is to the place where it is generated, the cheaper it will be.

Mr. MANSFIELD. And it resulted in Anaconda Aluminum being located at Columbia Falls near Hungry Horse.

Mr. ELLENDER. Montana would be entitled to electricity produced because of its proximity to the facility that produced the electricity.

Mr. MANSFIELD. In other words, we should be given first priority on our own resource. That was the committee's intent and the way the committee wants it carried out?

Mr. ELLENDER. That is correct.

Mr. MANSFIELD. Mr. President, I am delighted with the remarks made by the distinguished Senator from Louisiana, which fit in with the thoughts of the people of Montana and the full congressional delegation from that State. I am happy to have this statement in the RECORD. I express my deep appreciation to the chairman not only for his statement but for the fine work he has done on the committee through the years, not only on this bill but on other bills; and it has been no easy job, I assure the Senate.

Mr. ELLENDER. I thank the Senator.

Mr. PROXMIRE. Mr. President, first I wish to pay tribute to the senior Senator from Ohio, who did something that is most unusual in the Senate. In the years I have been here, I have rarely seen it done. He asked the Senate to vote against a project in his own State, and he did so, I thought, in a very effective, convincing, and persuasive way.

It is not a popular thing to have to do, and certainly not an easy thing to do, but it was completely consistent with the integrity of the distinguished senior Senator from Ohio [Mr. LAUSCHE], and consistent with his principles and what he believes in. I think that kind of unusual behavior deserves the highest kind of respect and commendation.

PROXMIRE JUSTIFIES OPPOSING PUBLIC WORKS BILL ON FINAL PASSAGE

Mr. President, for the first time in the 9 years I have been in the Senate, I will vote against the entire public works appropriations bill this year.

I do this for two reasons. This is an inflationary, war period. In fact, prices have risen more rapidly this year than at any time in the past 15 years. Public works are highly inflationary. They often compete for scarce manpower and material resources with the defense effort.

The swiftest and most effective way to slow the pressure on prices is to stop this kind of Government spending now.

The second reason I oppose this year's public works proposals is because they are full of the old pork barrel. The discussion on the last amendment is a good example of that.

Of course, there are some sound and desirable projects in the bill. But in this time of war and inflation, every public works project in this nondefense bill should be postponed in the national interest.

Furthermore, many of these projects are strictly pork. They may serve to reelect Members of Congress; but at a high cost to the taxpayer.

In selecting projects for inclusion in this bill, benefits have been grievously exaggerated and costs shamefully understated.

An accurate and honest appraisal of these projects would show that much of the $4 billion the bill provides should never be spent.

While I have often worked and voted to cut public works bills in the past, this is the first time in the 9 years I have served in the Senate that I have voted against the bill on final passage.

Deferral of public works now would serve a double purpose. It would slow inflation far more rapidly and decisively than the administration's proposal to end investment tax incentives. And it would provide a pent-up source of jobs and growth if the boom ends and recession threatens.

There are two other benefits from postponing Federal public works now:

First. It will release scarce resources for the badly depressed home-building industry.

Second. It will tend to bring down interest rates. The Government must borrow every penny required to fund this huge public works program. In doing so, the Government helps bid up the demand for money, and the price of that money, or interest. By stopping the public works, the demand for money would be reduced, interest rates would tend to fall.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, I send to the desk an amendment. Prior to having the amendment read by the clerk—and I shall ask that it be read in full—I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. On page 31 of the bill, there appears title V, with the caption "General Provisions." There are quite a number of sections in the bill that are definitely and indisputably legislative in character. May I inquire, since those provisions were written in the bill in the House of Representatives, whether they are in order, because as a general proposition, an appropriation bill cannot carry legislative provisions?

The PRESIDING OFFICER. The Chair informs the Senator that under established procedure in the Senate, any legislation passed by the House of Representatives in an appropriation bill, as this bill is, is not subject to a point of order, but is amendable by additional legislation. The only question is as to the germaneness of the proposed amendment or amendments to the legislation in the bill.

Mr. DIRKSEN. Mr. President, I shall offer this amendment as an addition to section 510 on page 36 of the bill. That is the last section, which provides that no part of any appropriation contained in this act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

The amendment which I shall offer deals with the impoundment of funds in any appropriation bill by the President of the United States, to the extent of not to exceed 20 percent of the funds for domestic programs.

In that connection, they would remain available for obligation and, therefore, it is distinctly germane to the provisions of section 510.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, I call the attention of the distinguished minority leader to the fact that the Libby Dam was provided for in the Columbia Basin Treaty. Under that treaty, construction has to be completed within a 5-year period. If it is not, that particular portion of the treaty is null and void.

I would hope that what the Senator is endeavoring to do would not apply to a project such as the Libby Dam on the Kootenai River in the northwestern part of Montana, which has a peculiar status because of the treaty arrangement between the United States and Canada. On this project, water will be backed up 40 miles into British Columbia to form a reservoir.

Would that project be disturbed by the Senator's proposal?

Mr. DIRKSEN. The President operates on an entirely discretionary basis, and obviously he could leave that project alone.

The PRESIDING OFFICER. The amendment of the Senator from Illinois will be stated.

The legislative clerk read as follows:

On page 36 after line 5 insert the following:

"GENERAL PROVISIONS

"SEC. —. In view of the requirements for funds to support the operations being carried on in Vietnam by the armed forces of the United States and other nations to effectuate their determination that the people of

South Vietnam shall not be deprived of their right of self-determination of their form of government, and in view of the unpredictability of the time when the necessity for such operations will be terminated either by victory of such armed forces or by negotiations resulting from the realization by North Vietnam that it cannot impose its will upon the people of South Vietnam, it is hereby declared to be the policy of the Congress to provide the President with the necessary authority to maintain the fiscal strength of the United States and to minimize the dangers of inflation by authorizing him to defer from the fiscal year ending June 30, 1967 to the fiscal year ending June 30, 1968 the obligation of any funds available for obligation for domestic programs. In view of such policy, the President is hereby authorized to impound not to exceed 20% of any funds available for obligation during the fiscal year ending June 30, 1967 for the carrying out of any domestic program whenever he determines that such action is in the public interest. Any funds so impounded shall be available for obligation during the fiscal year ending June 30, 1968 for the same purposes for which they were available for obligation during the fiscal year ending June 30, 1967, if the President, within 10 days after impounding such funds, advises the Senate and the House of Representatives that he has determined that such funds should be available for obligation during the fiscal year ending June 30, 1968."

Mr. DIRKSEN. Mr. President, if a point of order is to be lodged, I should like to have it done now, and then submit it to the Senate for a determination. I think this is clearly germane to the section to which it is added, and it is clearly in order, because there are legislative provisions in the House bill, and they have been reported to the Senate by the Senate committee.

The PRESIDING OFFICER. If the question of germaneness is raised, it will be submitted to the Senate and determined by the Senate without debate.

Mr. DIRKSEN. It requires no record vote?

The PRESIDING OFFICER. No record vote would be required; the Senator is correct.

Mr. ELLENDER. Mr. President, I make the point of order that the amendment is legislation on a general appropriation bill.

Mr. DIRKSEN. Mr. President, I wish to put the Senate on notice that if for any reason this is not voted as germane, with so few Senators here, I propose to have a record vote on it.

Mr. ELLENDER. Well, let us get it and get through with it.

Mr. MORSE. Mr. President, I think it is very important that we have a record vote, and that we have a discussion of what I think the clear implications of the amendment are.

The PRESIDING OFFICER. Has the Senator from Illinois raised a question of germaneness at this time?

Mr. DIRKSEN. I intend to raise it.

Mr. MORSE. I thought the Senator from Louisiana had already raised it.

The PRESIDING OFFICER. The Senator from Louisiana made a point of order that the language is legislation on a general appropriation bill.

If the Senator from Illinois raises a question of germaneness, that will be submitted to the Senate for determination without debate.

Mr. MORSE. Mr. President, I shall wait for the disposal of the point of order raised by the Senator from Louisiana before I make further comment.

The PRESIDING OFFICER. Does the Senator from Illinois desire to raise the question of germaneness before the Chair rules on the point of order raised by the Senator from Louisiana?

Mr. DIRKSEN. I could raise it now or later.

The PRESIDING OFFICER. The Chair will have to rule on the point of order if the Senator from Illinois does not raise it now.

Mr. DIRKSEN. The Chair may rule on the point of order, but it is not necessary to submit it immediately to the Senate.

The PRESIDING OFFICER. The Parliamentarian advises the Chair that the Chair is obliged to rule on the point of order unless the Senator from Illinois now raises the question of germaneness.

Mr. DIRKSEN. I insist that it is germane.

The PRESIDING OFFICER. The question of germaneness has been raised, and the Chair now submits it to the Senate for decision.

Does the Senate feel that the amendment is germane to title V of the bill?

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. Will the Senator defer momentarily? The question before the Senate is, Is the amendment offered by the Senator from Illinois germane to the House-passed provisions of title V of the bill (H.R. 17787)?

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, notwithstanding the rule, 30 minutes be devoted to a discussion of this matter, the time to be equally divided.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, if we can have order——

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. Mr. President, I may say, almost categorically, that if this amendment is not germane to the section to which it is offered, then I have never seen a germane amendment since I have been a Member of this body.

Incidentally, Mr. President, I did not contrive all this on my own responsibility, and I am not so sure that I have initiated all of it.

Mr. HOLLAND. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will please be in order.

The Senator may proceed.

Mr. DIRKSEN. Mr. President, when we were considering sundry matters before the Committee on Finance, we had the Budget Director, Mr. Schultze, before us; and, among other things, he indicated to the committee that one of his real responsibilities at the moment was to somehow find a place where they could cut $3 billion out of the 1967 budget, and he was not at all sure that he would find the money or where he would find it.

The President of the United States has manifested an interest in the matter. As a follow-up, the Secretary of the Treasury has been in my office on at least three occasions, and on those occasions he brought language that they fashioned, not I. The language that I have fashioned, I have done with the help of those on the Committee on Appropriations who are quite familiar with this matter.

It seems to me that since the last section of this bill deals with the obligation of funds, that is precisely what the amendment deals with. It is very simple. One can probably ignore, as surplusage, what might otherwise be regarded as a preamble. But the essence of the amendment is that it authorizes the President to impound not to exceed 20 percent of the appropriations for domestic programs, and that applies to all domestic programs in all bills.

The President has to do that in the public interest, and he has to make that determination. If it is not in the public interest, in his judgment, he does not have to impound.

I was careful, also, to make sure that the money would not last; because if the President impounded and held it to the end of the fiscal year, it would lapse and go back to the Treasury. I wanted to be sure that if money was held for very desirable projects, it would carry over into the next fiscal year. And that is exactly what this amendment provides.

So, the amendment deals with the obligation of funds and, of course, with the impounding of funds, so that the President does not have to obligate them. The matter is discretionary with him, and he can, of course, exclude any item of appropriation in any appropriation bill. This is desirable, in my judgment, and certainly it has the support of the Secretary of the Treasury, for otherwise he would not have come to my office and brought language that was designed to do precisely the same thing.

There is a need for it, for the moment, with reference to a rather uncertain fiscal future. I thought that Vietnamese funds would be included in the supplemental appropriation bill before it finished its journey through the House. My understanding is that, as of now, the bill does not include funds for Vietnam. If it did, it would be a world-shaker; it would knock somebody's hat off.

With that uncertain future, the President has to be mindful, first, of the revenues that will be available for expenditure. Sometimes we ignore revenues in our desire to have projects—and I am no exception to the rule. The President, therefore, has to give attention to the question of spending for nonessential or nonmilitary uses when we are engulfed in a war and have in excess of 317,000 young Americans fighting a guerrilla war 12,000 miles from home. The President has to be mindful of what the possibilities are of getting out of that struggle, and when. It was only yesterday that he indicated that all this was very uncertain.

Knowing something about the daily cost of the struggle, the additional funds will add to the fiscal uncertainties that will face us from now on and will be gathering momentum as the 90th Congress meets in January.

So here is a real fiscal problem. What are the alternatives that face the President, and that face the Congress, no doubt? There is the question of spending. What if Congress has balked a little on the President's budget? That was the case in connection with the poverty bill, and the education bill yesterday, and the case in other bills.

I wish to compliment the distinguished Senator from Louisiana [Mr. ELLENDER] for bringing in a bill that matches very favorably with expenditures for this purpose in 1966, and does not depart very far from the budget figure. I think he is to be commended for it, knowing the pressure he is under in dealing with 50 States of the Union, and those projects that are so delightful to the hearts of people who go before his committee. I have appeared before his committee. He has been extremely gracious and helpful. I compliment him.

Here we are dealing with the larger problem of the fiscal alternatives that face us. We are going to be up against the problem of whether to tax or not to tax. We will be like Hamlet: To be or not to be; to tax or not to tax. I am preparing the case so that there will be an escape hatch when the time comes, for, in my considered judgment, this will not be a corporate tax. If it comes it will be a corporate tax and probably a surtax, and also a tax on personal individual incomes. The country is smarting now as a result of taxes. They will smart a good deal more. Then, of course, you are going to get the rebellious sentiment. They will express it.

There is another alternative: Control or no control; whether to put our country in a straitjacket as it was in the days of the OPA.

One distinguished Senator made a statement to the press last week. He thought something included in one of the bills from his committee was a proposal to give the President standby authority. Why, almost at once, the press made a beeline to my door. What about this? Was it a matter that had been discussed?

Of course, controls are undesirable because they completely distort the economy of a free country. We have had long experience in that field, and we know full well what it does to the freedom of choice, freedom of action, freedom of motion, and the freedom and free interplay of those forces that have made of this a great economy.

There is one other choice and that, of course, is to call up the printing department at the other end of the Avenue and say, "Turn on the presses. Get out the green and gold ink. Let's print bonds, and bonds, and bonds and make fiduciaries, trust officers, insurance companies, banks, and individuals buy them so that we may have the money."

In the doing we escalate the debt, and when the debt is escalated you escalate the interest cost also because I would like to see the Government now go into the open market with $10 billion or $15 billion worth of new bonds and find out what kind of interest rate it would offer to get people to buy those bonds when you have a high interest rate for nearly all manner of money in every corner of the country and every activity today.

That is going to be a problem for the Treasury Department. I would not like to see us have to go down that course. There is another easier way to do it, and if the President determines it is in the public interest, and certainly being in command of the sources of information and intelligence, he will know better than most anybody else whether he should impound a portion of what we appropriate.

That is the story, Mr. President. It is not complicated. It is not confusing. I just propose to give him the impounding authority up to 20 percent of the domestic appropriation. It would be entirely discretionary with him whether he does it or not, but in every case he must do it and determine that it is being done in the public interest. Then, of course, to save projects or the money in projects that are so dear to hearts of Members in both bodies, there is a provision that the appropriation does not last. It would go into 1968 and be available for the same purpose for which appropriated.

I think that is a good savings clause that takes care of a lot of projects if the money were impounded and held to the end of the fiscal year.

That is the story, Mr. President, and coming as it does on this bill, which I regard as the appropriate place, it seems to me that it is germane, and it is certainly germane to section 510 of the bill. It is for the Senate to determine, but I can assure you now, Mr. President, and I can assure the Senate that there are quite a number of appropriations bills that have not yet been processed. This amendment or something like it will be offered to every appropriation bill that we will consider before Congress adjourns sine die. I think it has got to be done and I want to do this much at least because I think I do it for the country.

Mr. ELLENDER obtained the floor.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). How much time does the Senator yield to himself?

Mr. ELLENDER. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 5 minutes.

Mr. ELLENDER. Mr. President, I raise the point of germaneness to the amendment sent to the desk by the distinguished Senator from Illinois.

As the Senator from Illinois [Mr. DIRKSEN] has just stated, his amendment does not affect the pending measure alone, but it affects or will affect every appropriation which has already been enacted, as well as those that will be enacted in the future except, of course, foreign aid. Foreign aid would be free from the amendment. Anything we give abroad is not included in the amendment of the Senator from Illinois.

Mr. President, I am wondering if the distinguished Senator from Illinois [Mr. DIRKSEN] is attempting to limit the right of the President to impound moneys appropriated by Congress. He has that right now. He has done it in the past. As many of us recall, quite a few hundred million dollars were appropriated for the purpose of building ships and airplanes, and the President saw fit in many instances to impound those moneys. I do not know what prevents him from impounding any amount that we appropriate, either in this bill or any bill that has already been enacted by Congress.

It would seem to me that the effect of the amendment of the Senator is to limit the authority of the President to impound only up to 20 percent of the amount we appropriate. That, in my judgment, would be the effect of the amendment of the Senator from Illinois [Mr. DIRKSEN].

But, Mr. President, to go back to the question of germaneness, the Senator seeks to attach his amendment to section 510.

Now section 510 reads in part as follows:

> No part of any appropriation contained in this act—

That is the act we are considering now, whereas his amendment would make it apply to all appropriation bills already enacted and those which may be enacted in the future. It is my hope that the Senate will sustain the motion I made that it is not germane to the bill at hand.

If the Senator from Illinois, as he states, has received instructions from somewhere—I think the Secretary of the Treasury—to put such language in the bill, I am wondering why it is not done in the ordinary manner by way of submitting the language to the committees for consideration and permitting both Houses to act upon it.

That, in my opinion, would be the way to do it and not slap it on this very important public works bill.

With that, Mr. President, I have nothing further to say or to add, except to hope that the Senate will sustain my motion that the amendment offered by the Senator from Illinois is not germane to the bill.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. ELLENDER. I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

AMENDMENT OF THE HIGHER EDUCATION FACILITIES ACT OF 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the pending legislation is concluded, the Senate proceed to the consideration of Calendar No. 1645, H.R. 14644.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

PUBLIC WORKS APPROPRIATIONS, 1967

The Senate resumed the consideration of the bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

The **PRESIDING OFFICER.** The question before the Senate is, Is the amendment offered by the Senator from Illinois germane to the House-passed provisions of title V of the bill, H.R. 17787?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Illinois, [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from North Carolina [Mr. Jordan], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from South Carolina [Mr. Russell], the Senator from Alabama [Mr. Sparkman] and the Senator from Missouri [Mr. Symington] are necessarily absent.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Indiana [Mr. Hartke], the Senator from Minnesota [Mr. McCarthy] and the Senator from New Mexico [Mr. Montoya] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Byrd] is absent because of a death in the family.

I further announce that, if present and voting, the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening] and the Senator from West Virginia [Mr. Randolph] would each vote "nay."

Mr. KUCHEL. I announce that the Senators from Vermont [Mr. Aiken and Mr. Prouty], the Senators from Kansas [Mr. Carlson and Mr. Pearson], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from New Hampshire [Mr. Cotton], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Colorado [Mr. Dominick], the Senator from Michigan [Mr. Griffin], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Kansas [Mr. Pearson], the Senator from Colorado [Mr. Dominick], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy] and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 17, nays 50, as follows:

[No. 290 Leg.]

YEAS—17

Bennett
Boggs
Dirksen
Fannin
Fong
Hickenlooper
Jordan, Idaho
Kuchel
Lausche
Long, La.
Mundt
Proxmire
Saltonstall
Scott
Simpson
Thurmond
Williams, Del.

NAYS—50

Allott
Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Cannon
Case
Clark
Dodd
Ellender
Ervin
Fulbright
Harris
Hart
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
Mansfield
McClellan
McGee
McGovern
Mondale
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Ribicoff
Robertson
Russell, Ga.
Smathers
Smith
Stennis
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—33

Aiken
Anderson
Byrd, W. Va.
Carlson
Church
Cooper
Cotton
Curtis
Dominick
Douglas
Eastland
Gore
Griffin
Gruening
Hartke
Hayden
Hruska
Jordan, N.C.
McCarthy
McIntyre
Metcalf
Miller
Montoya
Morton
Murphy
Pearson
Pell
Prouty
Randolph
Russell, S.C.
Sparkman
Symington
Tower

The **PRESIDING OFFICER.** On this vote there are 17 yeas and 50 nays. The question of germaneness having been determined in the negative, the amendment obviously being legislation, against which a point of order has been raised, the Chair rules that the amendment is not in order.

Mr. DIRKSEN. Mr. President, there were probably no more than 6 Senators in the Chamber when this subject was discussed. I am as confident as I can be that this amendment is germane, that it is in order, and that it is proper. It should have been accepted by the committee.

I suggest to Members of the Senate that they read the discussion which took place on the amendment. It took no more than 10 or 15 minutes.

I said earlier that I propose to offer this amendment to every appropriation bill that comes to the floor which has in it a legislative provision.

We shall have the Senate test out the germaneness question.

I said before, and I say now, that I do not always initiate these things. The Secretary of the Treasury was in my office three times with comparable language, in an effort to get this done. The President of the United States has called me about it several times. The Director of the Budget came before the Committee on Finance, almost with folded hands, and wondered where he could find $3 billion in the budget.

Yet the Senate this afternoon has refused to give to the President a limited authority. It is said that he has authority; but a few guidelines are required, and they were contained in the amendment. The amendment provided for impounding, if that had been determined to be in the national interest, only up to 20 percent of the appropriations for domestic programs. The amendment did not touch the military.

Neither would the money have lapsed if it had been impounded and held until the end of the fiscal year. If, for instance, the President had impounded half of the school lunch money and kept it until the end of the fiscal year, it would have been returned to the Treasury.

I understand the interest of the House and Senate in this matter. That was the reason for including the nonlapsing provision. The money would have been available for expenditure for the very purpose for which it had been appropriated and could have gone into the fiscal year 1968.

That is all I have to say. But to the next appropriation bill to come before the Senate, this proposal will be offered.

The **PRESIDING OFFICER.** The bill is open to further amendment.

Mr. MONDALE. Mr. President, on behalf of the Senator from North Dakota [Mr. Burdick] and myself, I send to the desk an amendment.

The **PRESIDING OFFICER.** The amendment will be stated.

Mr. MONDALE. I ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The amendment proposed by Mr. Mondale and Mr. Burdick is as follows:

On page 11, after line 16, insert the following:

"FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

"For a comprehensive pilot program to develop and improve means for the prevention, removal, and control of natural or manmade pollution in community lakes, which are publicly owned and available for use by the general public, $5,000,000 which the Secretary may expend through grants or contracts with any Sate, county, municipality, or intermunicipal agency. The Secretary may pay not to exceed 90 per centum of the costs of any such program out of this appropriation, but no expenditures shall be made without satisfactory assurances that reasonable action will be taken by the appropriate State and local governments in order that the lake or lakes involved in such program will be maintained at the maximum water purity levels possible after termination of payments."

Mr. MONDALE. Mr. President, this amendment to the pending appropriation bill is the same as that embodied in the Clean Waters Act of 1966, introduced by myself, the Senator from North Dakota [Mr. BURDICK], the Senator from Wisconsin [Mr. NELSON], and the Senator from Illinois [Mr. DOUGLAS], to provide for a comprehensive pilot program and appropriate some $5 million to try to do something about the growing problem of our fresh water community lakes, which are slowly dying from algae, from reed growth, and from the accumulation of pollution and siltation.

I have discussed this proposed amendment with the floor manager of today's appropriation bill, the distinguished senior Senator from Louisiana, and it is his view that, since this money has not been authorized through the authorization process, it should not be accepted as an amendment to the pending appropriation bill.

I agree with the chairman's view on the matter, but I felt it was still wise to propose the amendment, as a further effort to dramatize the need for long overdue measures by Congress to deal with the growing problem of pollution of our community lakes.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. MONDALE. I am delighted to yield to the Senator from North Dakota.

Mr. BURDICK. Mr. President, I am happy to join with the Senator from Minnesota in proposing this amendment.

The deterioration taking place in the fresh water lakes of this country is indeed appalling. In the North and Northwest part of the United States, we have a fine natural recreation area. That area is approximately 100 years old. The deterioration that has taken place during the past few years is proceeding at a rapid rate.

Not so long ago, we passed an outdoor recreation bill. We have passed other recreation bills, and the Nation is becoming increasingly recreation conscious. We are providing funds for swimming pools, golf courses, and other recreation facilities, but here we have a great natural asset, in the form of fresh water lakes which are now threatened with destruction.

Many areas of this country which formerly had fresh water lakes no longer have them.

So I hope that Congress will, during the next session, do something about preserving this great natural resource, our fresh water lakes. It is a resource we must have for the wholesome development of this country and its people, and I certainly hope that Congress will look favorably upon this proposed legislation in the coming session.

Mr. ELLENDER. Mr. President, the distinguished Senator from Minnesota did discuss this amendment with me, and I told him it was not in order, for the reason that the project he proposes has not been authorized. We had quite a few projects suggested before the committee which were not authorized, and, of course, under the rules we had to turn them down. I am sorry that we have to take that action now, for I am very sympathetic with the program the Senator has outlined; and if, as, and when Congress does authorize the project, I shall be happy to cooperate with him.

Mr. MONDALE. Mr. President, I agree with the position of the floor manager of the bill. I am grateful to him for his thoughtfulness and his kind comments about the proposal.

At this time, I withdraw the amendment.

Mr. MAGNUSON. Mr. President, in reviewing the House Appropriations Committee report on this bill, I note that it contains a specific directive to officials of the Panama Canal Company-Government against payment to civilian employees in the zone of any salary differential exceeding 15 percent.

No similar prohibition appears in the bill itself or in the report of the Senate Appropriations Committee. I am pleased that the Senate Committee did not address itself to the matter.

In October 1964, the Secretary of Army issued a regulation reducing from 25 to 15 percent the differential applicable in the zone. Employees on the rolls of the Company-Government in 1964 are protected to the extent that they retain the 25 percent applicable before the regulation was changed. However, it will not be applied to future wage and salary increases.

The employees in question have challenged the decision to reduce the differential. There is pending in the U.S. Circuit Court of Appeals in New Orleans an appeal from the decision of the U.S. District Court for the District of the Canal Zone. The initial decision supported the employee's contentions opposing discontinuance of the 25-percent differential.

In view of the division of authority and responsibility among the three branches of our Government, I do not believe it would be wise for the Senate to act on this issue while it is pending before the judiciary.

I am pleased that the Senate Appropriations Committee has not dealt with this matter for another reason.

The basic authority for fixing the differential is found in section 7 of Public Law 85–550 of July 25, 1958. That legislation was considered and approved by the Senate Post Office and Civil Service Committee before it was enacted.

The Senate Committee on Commerce, of which I serve as chairman, has for many years maintained legislative jurisdiction over operation of the Panama Canal.

Mr. President, both of the aforementioned committees have a legitimate interest in the pay differential applicable to our Federal employees who serve in the Canal Zone.

Before any legislative action is taken on a matter of this kind, these committees should have an opportunity to consider all aspects of the problem to the extent they deem advisable.

The PRESIDING OFFICER. The bill is open to further amendment If there be no further amendment to be proposed, the question in on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 17787) was read the third time.

Mr. MORSE. Mr. President, before we come to the final vote, I desire the attention of the Senator from Louisiana to a statement that I wish to make in behalf of myself and, I am sure, all of my colleagues in the Oregon delegation and the people of my State.

Mr. PROXMIRE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Wisconsin, with the understanding that I may do so without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

PUBLIC WORKS APPROPRIATIONS FOR OREGON

Mr. MORSE. Mr. President, on behalf of the people of Oregon and myself, I wish to express deep appreciation to the chairman of the Public Works Subcommittee of the Senate Appropriations Committee [Mr. ELLENDER] for the fine help and cooperation he rendered in connection with our requests for Oregon public works projects under the jurisdiction of the Corps of Engineers.

In particular, I wish to pay tribute to the Senator from Louisiana for his willingness to recommend funds for two "new starts" of the highest importance to the State of Oregon—Lost Creek Reservoir in southwest Oregon and Siuslaw Harbor modification on the coast of Oregon.

The Senator from Louisiana will recall that I conferred with him at length on these projects on several occasions after I presented to the subcommittee my statement of May 4 on behalf of a number of Oregon projects. The Senator was most attentive to the merits of the cases I presented and especially the merits of the two "new starts." I was deeply pleased to receive his indication of support which is so tangibly evidenced by the Subcommittee's and full Committee's recommendations of $500,000 each, for Lost Creek Reservoir and Siuslaw Harbor modification.

LOST CREEK RESERVOIR

In my conferences with the Senator from Louisiana, I pointed out that this dam would constitute an integral part of a multipurpose dam system of flood control for the entire Rogue River Basin area in Oregon. Lost Creek Dam would provide not only flood control but additional features such as electric power, generation, irrigation, water supply, fishery, wildlife and recreational benefits.

Great emphasis should be placed upon the flood control features of Lost Creek. The North Pacific division engineer estimated that if Lost Creek, and its companion dam, Elk Creek, had been in operation at the time of the December 1964 disastrous flood, these dams would have reduced flood damage by about $9,400,000.

It would not take many major floods in the Rogue River Basin area to reflect flood loss-savings in excess of the cost of Lost Creek Dam. This shows the wisdom of the Senator from Louisiana and the entire Senate Appropriations Committee in recommending funds for this new start on public works construction.

As I have said, the project is urgently needed for flood control and is fully justified, even without irrigation benefits. According to the Corps of Engineers, the average annual benefits of Lost Creek Dam would be these:

Flood control	$1,984,000
Water supply	190,000
Fishery and wildlife enhancement	768,000
Power	1,184,000
Recreation	805,000
Total	4,931,000

The estimated flood control benefits noted above are based upon a recomputation in light of the effects of the 1964–65 floods. The total benefits without any irrigations features show an impressive cost-benefit ratio of 1.4 to 1. Even if the flood control benefits had been computed without the 1964–65 floods, the cost-benefit ratio would have been 1.2 to 1. And that is without irrigation benefits.

It is my opinion that this project should proceed now in order that the flood control and other benefits can be realized in the relatively near future and that devastating flood damages such as were experienced in December 1964 can be eliminated. I express my thanks to the committee for providing funds in the sum of $500,000 to enable this project to go forward now. We simply cannot afford to forgo flood control and other benefits which can be realized by Lost Creek Dam when we recognize that the project is fully justified on the basis of benefits exclusive of irrigation.

SIUSLAW HARBOR

In the 85th Congress, the authorization legislation for Siuslaw Harbor was modified to provide for a north jetty extension of about 600 feet, increasing the channel entrance depth from 12 to 18 feet. All preconstruction planning has been completed with respect to the channel deepening aspects of the project and stands ready for construction work for increased harbor and channel depths.

Although the President's budget request for the harbor modification project for fiscal 1967 was zero, the Corps of Engineers informed me that the corps could use, effectively and efficiently, the sum of $700,000 for the coming fiscal year with which to complete the channel deepening work. No work is proposed for the north jetty, pending observations of the scouring action to result from the increased channel and harbor-mouth depths.

Siuslaw Harbor is an important artery of commerce and navigation and its excellent facilities should be completed at the earliest possible date. Other ports on the coast have greater authorized and actual depths. Siuslaw is entitled to its full 18-foot, harbor-mouth depth. I thank the committee for taking favorable action on our request for funds for harbor and channel deepening work for the coming fiscal year at Siuslaw. The $500,000 recommended will be of enormous help.

This amount will substantially complete the dredging of this river mouth and will provide an answer to the problem of the jetty at this harbor.

The action taken by the Senate Appropriations Committee on our Oregon public works projects, and especially Lost Creek and Siuslaw, reflects again the friendship of the Senator from Louisiana for my home State of Oregon. Again and again, in every area of Oregon, I have pointed out that one of the State's greatest friends is Senator ELLENDER. The help he rendered this year on our Oregon public works projects is convincing proof of what I have just said.

All the Senator from Louisiana asks when we present a project to him are the facts, including the cost-benefit ratio. The Senator from Louisiana has always been very fair to us in recommending our projects after weighing them in the balance and determining their various benefits.

To the Senator from Louisiana and to all members of the Senate Appropriations Committee, I extend again my profound thanks on behalf of the people of my State.

Mr. MOSS. Mr. President, I am gratified that the public works appropriation bill for the fiscal year 1967, as passed by the House of Representatives and reported by the Senate Appropriations Committee, contains $7,500,000 for beginning construction work on the central Utah project.

Although this is $4,900,000 above the budget request, the Bureau of Reclamation says that it can be used to good advantage in the present fiscal year. I would point out that it is the very minimum which should be spent.

The central Utah project is indispensable to the development of Utah's resources for the next 100 years. Without it, Utah soon will be faced with a water shortage which will cut productivity and the standard of living in an area which contains 60 percent of the State's population. Construction of the central Utah project must be paced at a gallop for the rest of the sixties and into the seventies if Utah is not to be stymied in performance in the eighties and the nineties.

I trust that this body will subscribe to the action taken by the Senate Appropriations Committee, and that the Bureau of Reclamation will keep faith by spending in Utah the funds as Congress intends them to be spent.

Mr. President, I am not going to pull any punches in discussing the shameful treatment which has been accorded the central Utah project, and particularly the Bonneville unit which is its keystone.

Central Utah was authorized in 1956—10 long years ago—as one of the participating projects of the Colorado River storage project. Yet, not one blast of dynamite has been set off on the Bonneville unit, not one "bigger-digger" has been put to work, not one shovelful of dirt has been turned.

A year ago the Congress recognized the worth of the Bonneville unit, and the "rush" tag which it bears, and wrote into the budget for the fiscal year 1966 the sum of $3.5 million for a "construction start."

What happened? The construction funds were diverted by the Bureau of Reclamation to other projects in the Colorado River Basin, and there was not enough money left to fund a small contract for a construction camp in Duchesne, Utah, which had to be built before the actual construction work on the Bonneville unit could be started.

Well, the construction camp is being built, but not because the Federal Government had any change of heart. It has been started because the Central Utah Water Conservancy District—that is, the residents of the counties affected by this project—advanced the funds to the Bureau to begin the work.

The people of Utah suffered an equally stunning blow when they learned that only $2.7 million had been requested in the fiscal year 1967 budget for construction work on the Bonneville unit. The Bureau of Reclamation's definite plan report on the Bonneville unit calls for an appropriation of $18,764,000 for the second construction year, which would be fiscal year 1967, since the unit was a "new construction start" in fiscal year 1966. The $2.7 million request was therefore less than one-sixth of the amount which the Bureau had originally programed for the Bonneville unit. At a $3 million a year construction pace, it would take 100 years to build Bonneville.

Governor Rampton, the members of the Utah congressional delegation, officials of the Utah Water and Power Board, representatives of the Central Utah Conservancy District and many others appeared before both the House and Senate Appropriations Committees to plead that the budget request for the appropriation be increased. We were received with sympathy and understanding and we will always be grateful to the members of the Appropriations Committees for the consideration they gave us.

Both committees have now indicated their support of the Bonneville unit by more than doubling the amount of construction funds for the present fiscal year, and by writing into both the House and Senate reports on the bill language which insists that the funds be spent for the purposes for which they were appropriated.

The House report states:

> Central Utah Project, Bonneville Unit: The Committee is concerned that the Bureau in meeting certain emergencies and requirements of other projects allocated considerably less to this project during the past fiscal year then was provided by the Committee resulting in seriously retarding the construction progress. The Committee has again this year provided an increase over the budget for the project and expects that it will receve its full proportionate fund allocation.

The Senate report was equally firm:

> Central Utah Participating Project—The Committee agrees with the House of Representatives' approval of an additional $4,800,000 for the Bonneville Unit of the Central Utah Participating Project. Because of circumstances which arose, an increased amount provided last year for this project

was not utilized for the project. The Committee expects that all of the funds provided in this bill for the Bonneville Unit will be applied to this project in the fiscal year 1967.

Mr. President, I am naturally concerned about the tardy construction schedules for the central Utah project because this project is crucial for Utah—it is the tap which will turn on more water and better times for us.

I am equally alarmed by the slow cadence of water resource development in reclamation projects generally. In the past few years we have not materially stepped up our rate of authorizations and in the last 2 years we have actually regressed on our rate of appropriations for reclamation projects. The appropriation for the fiscal year 1967 continues the declining trend. We are achieving neither the sustained speed or the solid footing on water development we must have.

As we all know, the supply of water on this planet is fixed, but our population is not. The number of inhabitants is increasing at an alarming rate, but our water supplies remain constant. We learned through the report of the Senate National Water Resources Committee in January of 1961 that if we are to sustain our present standard of living in 1980, we will have to double our usable water supply by then, and we will have to triple it by the year 2000. While we are using an average of 280 million gallons of water each day now for irrigation, industry, and homes, we will be using about 600 million gallons in 1980 and a billion gallons a day in the year 2000.

Five years have passed since that report shook us out of our lethargy and we have moved with considerable boldness and decision on many of our water problems. We have greatly increased our attack on water pollution, enlarged and enhanced our base for water research, and established some competent machinery to plan water development on a basinwide basis. But we have not correspondingly increased our pace in authorizing and constructing reclamation projects which will better manage and distribute the supplies of water in our rivers and streams. We are still allowing far too much water to run wasted and unused to the sea.

No one will dispute the fact that the first 5 years of the 1960's will go down in history as highly creative years in the water field. We have passed more constructive water legislation than in any other period in history. In pollution control alone, we have built a monument.

We have learned much about how to bridle unreasonable use, how to impose disciplinary measures to control waste, how to make rain fall where we want it—all revolutionary techniques—all part of the bold new attack on problems of water care and water shortages which we must pursue even more fiercely if we are to win the water war.

But we have failed to keep our schedules high in building dams and aqueducts and levees and other water works which will put our water to work for us. These are bedrock for water development. We have been building dams and aqueducts and levees since the days of the ancient Persians in the Tigris and Euphrates Valley 6,000 years ago. There is no point in spending millions on research to control water-consuming vegetation in a stream or river if we are not also constructing the necessary water works on that stream or river which will allow us to turn the water which has been saved from greedy, water-wasting plants to our thirsty acres to produce more food for our growing population, or to provide more water for our cities and towns and industry.

There is little point in cleaning up our western rivers if we are not storing their flows in high water runoff periods so we will have the water when the flow is low. We must combine our new techniques with the tried and true old ones—or we are doomed to failure.

I well recognize that in the reclamation field, many of the "easy" projects have been built, and that it is taking more time and more engineering skills to investigate and develop projects now which are feasible. But, since reclaiming arid areas of the West by making water available for irrigation and industrial and domestic use is the key to the future of our part of the country, we have no choice but to continue to develop all possible water projects and to put to beneficial use every drop of water we have.

I am, therefore, disappointed that in this era of noisy concern about our water supplies, in a time when we are marching with seven league boots on water pollution, we are dawdling on water shortages. I have in my hand a tabulation which shows authorizations and appropriations for major Federal programs in water resource development projects in the past 10 years. I ask unanimous consent that it be placed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Trend in total annual appropriations for water resources development program

[In millions]

Fiscal year	Bureau of Reclamation	Corps of Engineers, civil	Soil Conservation Service	Public Health Service
1954	143.7	424.2	75.4	0.9
1955	162.3	442.4	74.9	1.1
1956	180.1	610.3	84.9	1.5
1957	197.9	639.2	96.9	54.2
1958	203.7	638.7	124.1	51.4
1959	270.0	816.1	134.7	52.4
1960	260.3	872.6	133.1	53.8
1961	285.5	935.8	155.7	56.0
1962	277.9	975.1	178.6	100.9
1963	346.3	1,046.4	193.0	114.7
1954	358.3	1,096.7	201.9	119.0
1965 (estimated)	327.7	1,226.5	213.9	125.0
1966 (proposed)	314.4	1,280.8	241.6	140.6

Mr. MOSS. Mr. President, this chart shows for the period 1954 through 1966, the annual appropriations to the four principal Federal agencies involved in water resource development programs: the Corps of Engineers, the Bureau of Reclamation, the Soil Conservation Service of the Department of Agriculture, and the U.S. Public Health Service. Since 1954, the total appropriation to these four agencies has increased from about $700 million to approximately $2 billion.

While the increases in the programs of the four agencies were steady and quite comparable in the first part of this period, appropriations for the reclamation program since fiscal 1964 have declined considerably while all the others have continued to increase. Since 1964, the program of the Corps of Engineers has increased by 17 percent, that of the Soil Conservation Service by 20 percent and that of the Public Health Service by 15 percent, while that of the Bureau of Reclamation has decreased by 12 percent. And even though the Bureau of Reclamation appropriation is proposed to be 15 percent higher in 1966 than in 1959, the appropriations for the Corps of Engineers jumps 50 percent, the Soil Conservation Service 80 percent and the Public Health Service rises 150 percent.

In short, this chart shows that while we are accelerating appropriations for the U.S. Corps of Army Engineers, the Soil Conservation Service and the pollution control programs of the U.S. Public Health Service—now the Pollution Control Administration of the Department of the Interior—we are actually slipping backward on our reclamation programs. One year we get several reclamation authorizations through Congress, and may even increase appropriations, and the next year we pull down the appropriation level and come through a full session with almost no projects authorized. One year reclamation takes the high road, and the next year it is relegated again to the low road.

This year we are taking the low road again. The bill before us today contains only $324,293,000 for the Bureau of Reclamation and the House figure was $10 million below this, so the declining trend in the reclamation program will continue for at least another year. This means that we are again setting limits on the ultimate growth and well-being of the West.

I realize that there are many demands on the Federal budget at this particular juncture in history. No one can forget for a moment the budget demands of the war in Vietnam. I understand and approve also of the efforts of the adminstration to cut expenditures to bring the budget more nearly in balance, and to reduce inflationary pressures.

But I also know the dimensions of the water crisis this country faces, and I cannot remain quiet while water resource development is being denied—particularly in a field which is so important to our already water-short West.

Mr. President, we cannot afford declines in funds for water resource development. We cannot countenance retrenchment anywhere on water conservation. We must move full speed ahead on every front—harnessing our rivers and streams, stretching the frontiers of science, using to the hilt all present engineering and technical knowledge, if we are to have enough water to serve our people in the years ahead.

I deplore the declining trend in funds for reclamation projects already authorized, and the delays in authorizing new projects, and I am determined that 1967 will be a better year than 1966 and that 1968 will be still better. We must act more swiftly and more surely in reclamation development in this country.

Mr. HARRIS. Mr. President, I would like to take this opportunity to commend the Senate Appropriations Committee for the excellent job it has done on the fiscal 1967 public works appropriations bill. The distinguished Senator from Louisiana [Mr. ELLENDER] and his subcommittee have done an excellent job and have demonstrated a great deal of foresight through providing in this bill sufficient funds to enable us to continue to move forward in the development of our Nation's water resources in years ahead. I am extremely happy, Mr. President, to see that all the projects affecting our State, which were approved for additional appropriations while the bill was under consideration by the House Appropriations Committee, have been maintained by the Senate. Also, Mr. President, I am happy that the Senate Appropriations Committee has included some items in this bill that were not in the bill as it passed the House nor included in the administration's budget request.

During the public hearings that were conducted by the Senate Appropriations Committee on public works appropriations matters, I appeared and requested increased appropriations for a number of projects in Oklahoma, which I felt were extremely necessary for the continued development of the water resources of our State. Some of the projects for which I requested additional appropriations were included in the bill as it passed the House. Among these was the Shidler Reservoir which is located in the northern part of Oklahoma on Salt Creek, a tributary to the Arkansas River. The House appropriated $50,000 to begin advanced engineering and design on the Shidler Reservoir, and I am happy that the Senate committee has maintained this item in the bill we are considering here today. Also, the House appropriated $721,000 to begin construction of the Hugo Reservoir in Choctaw County, Okla. I am happy to see that the Senate Appropriations Committee has kept this item in the bill. These two projects, Mr. President, are vitally important to the State of Oklahoma because they will provide needed municipal and industrial water supplies, as well as flood control and recreational features.

I am even more pleased to see that the Senate Appropriations Committee has included funds for three projects in Oklahoma which were neither in the administration's budget request nor in the public works appropriations bill as it passed the House. The Senate committee has increased the appropriation on the Waurika Reservoir from $75,000 to the $185,000, which is the full capability of the Corps of Engineers for preconstruction engineering and design for fiscal year 1967. This reservoir is one of the most needed multiple-purpose reservoirs in our State. Each year the southwestern region of Oklahoma suffers from devastating floods and severe droughts. This is not a contradictory statement, Mr. President, because in southwestern Oklahoma, all the rains seem to come in the spring of the year with resulting floods that cost millions of dollars in damages. However, during the remainder of the summer and fall, this part of our State is relatively arid, and in recent years, has been suffering from extreme shortages of municipal and industrial water supply. The Waurika Dam and Reservoir will impound water on the Beaver and Cow creeks, which are two of the principal basins in this part of the State. When the reservoir is completed, it will provide flood protection for Waurika and Ryan and a number of smaller communities below the dam and will also provide much-needed municipal and industrial water supply for the cities of Lawton, Duncan, Walters, Waurika, and numerous other towns in the reservoir area. I am, therefore, very appreciative of the judgment of the committee in providing the necessary funds to continue the work on this project on schedule.

Also, I was extremely pleased to see that the Senate Committee on Appropriations has included $50,000 in this bill for the purpose of advanced engineering and design on Crutcho Creek near Oklahoma City. This project is a flood control project on a creek that runs through Del City, Midwest City, and Oklahoma City, and its completion will provide much needed flood protection for this metropolitan area and will result in great savings through the prevention of devastating floods.

I am grateful, also, that the Senate committee saw fit to include a new item in the amount of $25,000 for the much needed reconnaissance study of the Cache Creek project near Lawton, Okla.

Mr. President, perhaps no State has had a more outstanding program of water resources development than has Oklahoma. The advances Oklahoma has made in water resources development can be attributed largely to the foresight and dedication of the late Senator Robert S. Kerr. In about 3 years, we will have completed the Arkansas River navigation project, which will provide navigation from New Orleans to Tulsa, Okla. I am happy to see that the Senate Appropriations Committee has approved the funds necessary to keep the Arkansas Basin navigation project on schedule for completion in 1970. The Arkansas Basin navigation project, coupled with the now-organized Ozarks Regional Development Commission, will certainly prove to be the economic stimulant which has so long been needed to enable eastern Oklahoma to grow and develop and catch up with the mainstream of the American economy.

The nearly $70 million included in this bill for Oklahoma projects will provide necessary funds to continue work on some 27 water resources development projects in Oklahoma. Among the projects receiving funds in the fiscal 1967 bill are:

[In thousands of dollars]

Broken Bow Reservoir, McCurtain County	9,000
Hugo Reservoir, Choctaw County	850
Kaw Reservoir, near Ponca City	2,000
Keystone Reservoir, near Tulsa	5,000
Oologah Reservoir, near Nowata	550
Optima Reservoir, near Guymon	1,500
Pine Creek Reservoir	2,900
Robert S. Kerr, Sequoyah County	25,600
Webbers Falls lock and dam	19,300
Fort Gibson	50
Hulah Reservoir	20
Tenkiller Ferry Reservoir	40
Copan Reservoir, Verdigris tributary	201
Crutcho Creek, near Oklahoma City	50
Lukfata Reservoir	100
Shidler Reservoir	50
Skiatook Reservoir (Verdigris Tributary)	160
Waurika Reservoir, near Waurika	185
Navigation locks and dams (Arkansas and Oklahoma construction)	85,000
Oklahoma-Texas-Denison recreation facilities	40
Red River below Denison Dam (Oklahoma, Texas, Arkansas, Louisiana)	417
Arkansas River and tributaries, Tulsa to Great Bend, Kans	100
Cimarron River (New Mexico, Colorado, Kansas, Oklahoma)	100
Spring River (Oklahoma, Kansas, Missouri)	78
Arbuckle project, near Sulphur, Davis, Wynnewood	1,550
Washita Basin, drainage and irrigation, Anadarko-Verden area	30
Study of Cache Creek project (municipal and industrial water supply)	25
University of Oklahoma river basin study	20
RETROP, irrigation study, near Blair	10
Chickaskia River study (Oklahoma-Kansas)	5
Red River below Denison (Oklahoma-Texas)	37
Eufaula	1,100

I can assure you, Mr. President, that I speak for all of Oklahoma when I say that we are extremely grateful for the cooperation and assistance which we have received over the past years from both the Senate Committee on Appropriations and from the entire Senate. And, as a result of the cooperation by the local, State, and Federal public and private agencies, we have one of the most outstanding water resource development programs in the Nation. We think this is not only important to Oklahoma. We are confident that this program to assist in developing one of the economic frontiers of our country is a matter of very proper and well-founded national policy as well.

Mr. ALLOTT. Mr. President, I should first like to congratulate the senior Senator from Louisiana, the distinguished chairman of this committee, on what I believe is one of the longest and most involved appropriation bills that we have had. The high stack of hearings which we have before us on our desks testifies fully to the amount of work that the distinguished chairman and his staff have done in getting this bill together. I would be remiss if I did not thank him for his courtesy and if I did not congratulate him on the job he has done—

and that he does every year—on this very long and complicated bill.

I should like to call attention to one or two items. First, Mr. President, included in this bill—and it should be clear—are the studies for the Arkansas River, both above and below John Martin Dam, in southeastern Colorado, and also the studies for the South Platte River. It has seemed to me—and I discussed this earlier this year on the floor—that for many years the flood control studies of the Army Corps of Engineers were going on, but there seemed to be very little advancement. I am pleased to note that in the last few months the Army Engineers have moved forward greatly in this respect.

One item of particular interest to the people of Colorado, and particularly the Denver area, is the Chatfield Dam. The $6 million appropriated will enable us to start the engineering planning, construction, and the acquisition of lands for the Chatfield Dam. The Chatfield Dam was originally authorized in 1950 as a flood control project. Later, in 1956, a restudy was authorized. But for many years—not attributable to any one group, either to the engineers or to Members of Congress or to anyone else; perhaps because of lack of interest—the project languished. However, the floods of June, 1965, suddenly awakened the people of that area to the fact that something had to be done to control the river. The total damage to that area, and to the rest of the State, was in the neighborhood of $400 million. While the loss of life was comparatively light, the economic loss to the State of Colorado, and particularly to the Denver area, was great. With this $6 million we will be able to get this project going, which will afford a great deal of flood protection to the Denver area when completed. With the completion of the Chatfield Dam about 70 percent of the drainage area will be controlled. Another area that has experienced considerable difficulty in our State is in southeast Colorado—about 35 miles from my own home—at Las Animas. Here we have had a situation of the river filling in, the sand shifting, the tamarack growing in, causing the river to meander, and creating a highly restricted channel, so that even in a minor flood situation it constituted a great hazard to the city of Las Animas. Protective measures have been commenced by an appropriation of $75,000.

The Trinidad Reservoir does not have a capital construction item of any consequence, although there is a $200,000 item. It is my sincere hope that negotiations now going on will enable us to proceed with the Trinidad Reservoir, which has been authorized for so many years.

In the area of reclamation, I think it is well to note that the full amount $18 million under the scheduled appropriations for construction of the Fryingpan-Arkansas project has been allowed, and upon amendment by the Senator from Colorado an additional $800,000 has been added, which I hope the committee will be able to keep in conference. This $800,000 will permit the acquisition of right-of-way for railroad relocation and some of the damsite itself for the Pueblo Dam, which is a part of the Fryingpan-Arkansas project. By accelerating this acquisition we will be able to avoid high severance damages, which will undoubtedly have to be paid, unless this amount is retained in the bill.

I refer now only to those upper Colorado participating projects—the Bostwick Park project, which has $1,180,000; the San Juan-Chama, which has $14,200,000; and the Silt project of $1,140,000. Of course, all these projects are tied in to the preservation of the water which arises in Colorado, which furnishes 70 percent of the water in the Colorado River Basin and which is so necessary if we in Colorado are to retain and be able to beneficially use the water which arises within our State. As Senators know, water is the lifeblood of the economics of the Western States.

Again, I wish to express my appreciation to the distinguished chairman and to the staff for what I consider a very fine job on a very long bill.

TEXAS PROJECTS IN PUBLIC WORKS BILL

Mr. YARBOROUGH. Mr. President, I am very gratified that the bill before us will continue a sound program of progress on water projects. The chairman of the subcommittee, the senior Senator from Louisiana, is again to be commended for his painstaking work in reviewing these projects and bringing this bill before the Senate.

Although the bill as reported to the Senate is below the budget estimates, a high level of activity in construction of these needed projects is continued.

The great importance of this bill to my State is illustrated by the fact that the bill contains over $49 million for construction and planning of public works projects in Texas. I have endorsed these projects in testimony to the Public Works Appropriations Subcommittee.

Largest of the amounts for Texas in the bill is $14,215,000 for the Bureau of Reclamation's Canadian River project—Sanford Dam.

New Army Corps of Engineers starts provided for in the bill include:

El Paso flood control	$150,000
Lavon Reservoir (near Dallas)	800,000
Highland Bayou (Galveston County), flood control	150,000
Lake Kemp Reservoir (Wichita Falls)	1,000,000
San Gabriel flood control	418,000
Taylor's Bayou (Beaumont)	100,000
A restudy of the Trinity River	200,000
Abilene Channel improvement	150,000

Also to be initiated by a $250,000 appropriation is the salt cedar eradication program on the Pecos River in New Mexico and Texas.

I request unanimous consent to insert at this point in the RECORD an extract from the committee report showing the Texas projects included in this bill.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

Army Corps of Engineers

	Project	Recommendation	
		Construction	Planning
	Texas:		
(FC)	Abilene Channel improvement		$150,000
	Aquatic plant control. (See Louisiana.)		
(R)	Brazos Island Harbor (jetties)		
(FC)	Buffalo Bayou and tributaries	$4,200,000	
(FC)	Cooper Reservoir and channels (Sulphur River)		
(FC)	El Paso		150,000
(FC)	Fort Worth Floodway, Clear Fork extension	600,000	
(FC)	Fort Worth Floodway, West Fork extension	1,114,000	
(FC)	Freeport and vicinity	1,700,000	
(N)	Galveston Harbor and Channel, 36-foot project	250,000	
(FC)	Highland Bayou		150,000
(N)	Houston ship channel (Green Bayou)	485,000	
(FC)	Lake Kemp Reservoir	1,000,000	
(FC)	Lavon Reservoir modification and channel improvement	800,000	
(FC)	Pat Mayse Reservoir	2,175,000	
(R)	Port Aransas-Corpus Christi Waterway (jetties)	1,195,000	
(FC)	Port Arthur and vicinity (hurricane flood protection)	4,100,000	
	Red River levees and bank stabilization, below Denison Dam, Ark., La., and Tex. (See Arkansas.)		
(N)	Sabine-Neches Waterway 40 feet and channel to Echo	2,000,000	
(FC)	San Antonio Channel	1,350,000	
(FC)	San Gabriel River tributary to Brazos River		418,000
(FC)	Somerville Reservoir	2,342,000	
(FC)	Stillhouse Hollow Dam	3,500,000	
(FC)	Taylors Bayou		100,000
(FC)	Texas City, hurricane protection	3,500,000	
(N)	Texas City Channel 40-foot project	725,000	
(N)	Trinity River (restudy)		200,000
(FC)	Vince and Little Vince Bayous	1,600,000	
(N)	Wallisville Reservoir, Trinity River	1,000,000	

Bureau of Reclamation

Project	Budget estimate	House allowance	Committee recommendation
Pecos River Basin water salvage project, New Mexico-Texas			$250,000
Canadian River project, Texas	$14,215,000	$14,215,000	14,215,000
Lower Rio Grande rehabilitation project, Mercedes division, Texas	630,000	630,000	630,000

Mr. BARTLETT. Mr. President, I desire to express my especial appreciation to the senior Senator from Arizona [Mr. HAYDEN], the chairman, and of course, particularly in this instance, to the senior Senator from Louisiana [Mr. ELLENDER], subcommittee chairman, and the other members of the Committee on Appropriations for the continuing and effective interest shown in the navigation, power, and flood control problems of Alaska.

Once more they have demonstrated their understanding of those problems, which in many ways are unique. The people of southeastern Alaska, especially those in the Greater Juneau borough, which includes Douglas and Alaska's capital city of Juneau, are grateful for the action taken in approving $1 million to start construction on the authorized Snettisham hydroelectric project to furnish this area with much-needed power. They hope, as I do, that this sum will be sustained in conference.

It has been 4 years since Congress authorized this project to be located about 38 miles south of Juneau in an area rich in timber and mineral resources. Since that time, $2,005,000 has been made available for preconstruction planning. In the completed project, power would be developed by the fall of water through tunnels drilled from sea level to Crater Lake and to Long Lake, 1,022 and 815 feet above the Speel River. From the powerplant at tidewater, a 38.7-mile transmission line would carry the power to the area where it is needed most. The plans call for construction with an eventual 60,900 kilowatts, the project to be constructed in stages, each geared to the future demands for power in the area.

It is estimated that investment costs associated with each stage of development would be repaid with interest from the net revenues of power and energy sales at an effective rate of 7.47 mills per kilowatt-hour for firm energy and 5 mills per kilowatt-hour for nonfirm energy.

Average annual benefits would exceed annual costs in the ratio of 2.18 to 1 for a 50-year period, which I am advised is a very conservative estimate. Annual benefits would exceed annual costs in the ratio of 2.94 to 1 over a 100-year period.

The provision of 40,600 kilowatt capacity is estimated at a $41½ million Federal cost, with the provision of 60,900-kilowatt capacity established at $56,600,000.

Last year, after a decision was apparently made not to include Snettisham funds in the budget, the Forest Service entered into a contract for the sale of over 8 billion board feet of timber from the Tongass National Forest in southeastern Alaska to St. Regis Paper Co. The contract calls for a pulp mill and the sale of timber over a 50-year period.

Without Snettisham, the development of the timber resource and of the economy of the entire northern part of the Alaska Panhandle might well be retarded.

The power situation is reaching a critical stage. By 1970 there will be a power shortage in the area which Snettisham would serve. Demands are increasing at an accelerated pace because of population increases and growth of industry resulting in added per capita consumption of power. Construction must be started this year.

A mere fraction of Alaska's estimated hydroelectric potential output of upward of 18 million kilowatts of prime power is being utilized today. The only Federal hydroelectric project in all of Alaska's 586,000 square miles is the 30,000-kilowatt Eklutna project authorized by Congress in 1950 and serving the Anchorage area. The law provided that the capital investment allocable to each unit of the project would be amortized over a period of not to exceed 50 years from the time such unit was first put into service. Prior to the earthquake studies indicated that the project investment would be paid off in 40 years. Rehabilitation work and reconstruction following that 1964 disaster, now chargeable against the project revenues, would require 47 years to repay at current rates.

I mention this project because it has been from all viewpoints a highly successful venture and of very measurable assistance.

There is no reason to believe that the Snettisham project would be otherwise.

I want also to thank Mayor Lauris S. Parker of Juneau, Mayor Guy Russo of Douglas, and Franz D. Nagel, vice president and manager of the Alaska Electric Power & Light Co. of Juneau, for appearing in Washington in behalf of the project. My thanks, too, for the continuing support from the American Public Power Association and the Northwest Public Power Association.

My distinguished colleague from Alaska [Mr. GRUENING] appeared before the Appropriations Committee in support of the Snettisham project. He is necessarily absent, but I ask unanimous consent that a statement prepared by him be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GRUENING

It is with gratification that I applaud the action of the Committee on Appropriations, of which my colleague from Alaska [Mr. BARTLETT] is a member, in recommending the appropriation, in the Public Works Appropriation, of $1 million for the beginning of construction on the Snettisham power project in Alaska. While all of the projects in Alaska for which funds will be appropriated by this measure are important, the Snettisham project if of the greatest possible importance to the development of the State of Alaska, particularly Southeastern Alaska. Unaccountably and despite the acute necessity for Snettisham, no funds whatever were budgeted for it by the Administration, despite the appropriation in previous years of approximately $2 million for study and preconstruction planning of the project. I cannot urge too strongly that this grave and disastrous omission of the Executive Branch be corrected by Congress, as the Appropriations Committee now recommends.

The Snettisham project provides for construction of facilities for production of 60,900 kilowatts of hydroelectric power by diversion of water from Crater Lake and Long Lake near Juneau, Alaska, at a cost which is, for Alaska, extraordinarily inexpensive—an estimated 7.47 mills per kilowatt hour for firm energy and 5 mills per kilowatt hour for nonfirm energy.

The need for Snettisham has long been apparent and its construction long overdue. No question can be raised as to the desirability—indeed, the absolute necessity—of this project.

In September, 1960, I conducted, on behalf of the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs, hearings in Alaska on hydroelectric power requirements and resources. At that time—six years ago—it was clear that the greater Juneau area, which includes the City of Douglas and indeed the whole Gastineau Channel area, was facing a critical shortage of electric power. Brown-outs have occurred when I have been in Juneau.

The Federal Power Commission then estimated that normal growth of the Juneau community would result in an increased need for power in a magnitude of approximately 30,000,000 kilowatt hours by 1970 as compared with needs of 1960, and that by 1980 normal growth would require an increment of 94,590,000 kilowatt hours above 1960 requirements. The industrial development of forest resources then contemplated indicated that industrial uses would require the addition of another 230 million kilowatt hours of power.

In 1960 we found that the cost of power at Juneau, half of which is now supplied by the Alaska-Juneau Gold Mining Company, was too high by any standard—approximately 16 mills per kilowatt hour.

It was clear then, as it is now, that Snettisham could produce power in the quantity required and at a reasonable cost.

Now six years have passed since the hearings I conducted at Juneau.

The predictions of the Federal Power Commission of increased needs for electricity for Juneau have been more than borne out. Witness to this is the fact that more than a year ago city officials of Juneau urged a speed up of construction of the Snettisham project to meet critical needs of the community for power becoming apparent then.

Special and additional urgency for construction of this project is given not only by the normal growth requirements of the greater Juneau-Douglas area but by the award, by the United States Forest Service, last December, of the largest sale of timber ever made in the United States. This sale had not taken place when the 1967 budget was prepared by the Executive Branch. The budget-makers who omitted funds for the Snettisham project were not aware of it. This was a sale of 8.75 billion board feet of timber in the Juneau area of the Tongass National Forest to the St. Regis Paper Company of New York. A condition of that sale, holding enormous potential for development of a stable economy in Southeast Alaska, is that the purchaser must construct a pulp plant within or adjacent to the sale area by July 1, 1971. At the time of the sale, the Forest Service estimated that when the plant is operating, more than $30 million of end product value would be added to Alaska's economy and that the project would provide more than a thousand badly needed new jobs in the mill and woods combined. It will provide not only jobs but tax revenue, revenue to both the Federal government and the State of Alaska; tax revenue for the operation of the enterprise; tax revenues from the wages received.

Of course, unless the Snettisham project is not fully funded and allowed to proceed, this great prospect of resource development will be impossible. Snettisham is necessary to provide the resource of electric power essential to the construction of the pulp mill and to its operation, as well as to supply increased requirements resulting from the settlement at Juneau of many new families in connection with the mill to be constructed. It is the indispensable key to this and other natural resources development in the region.

Since the Snettisham project was authorized by Public Law 87-874, in October, 1962, Colonel Clare Farley, District Engineer of the Corps of Engineers, has assembled an extraordinarily fine team of engineering experts to supervise its construction. These specialists in hydraulics and tunnel construction are unusually well qualified and are enthusiastic over the opportunity to build the Snettisham project. But without funds for the project, these highly skilled professionals cannot be retained. Their services will be lost, and the Federal Government will have wasted funds—$2,000,000—already spent in assembling the group for this particular task and in the planning studies they have conducted.

This is a project that cannot be put off without disastrous economic consequences. It cannot be delayed without incurring these consequences. The serious need for the power is self-evident, and the beneficial results of construction are crystal-clear.

Approximately two million dollars have been expended on preconstruction planning of the project, a phase of work which has now led to the construction itself. The threatened interruption resulting from failure to fund the project for the next fiscal year would halt the momentum gained from the work of previous years and make the swift progress necessary for construction more difficult than ever to achieve.

Every reason exists to appropriate adequate funds for the Snettisham project. Its costs will be repaid many fold by taxes into both Federal and State treasuries. Congress now has an opportunity to do what the Administration should have done in its budget—restore the funds necessary for the Snettisham project.

The Corps of Engineers estimated that the next fiscal year's requirement for Snettisham was $2,500,000. It requires and can use, for Snettisham, in fiscal 1967, at the very least $1,500,000. Certainly the $1,000,000 the Senate Committee on Appropriations recommends is the minimum amount that must be appropriated. No project is more deserving and none will make a greater contribution to the economic welfare of an important area of the Nation, and to the Nation as a whole.

IT IS THE INTENT OF CONGRESS THAT CENTRAL UTAH PROJECT FUNDS BE SPENT IN UTAH DURING FISCAL YEAR 1967

Mr. BENNETT. Mr. President, I would like to add my voice in support of the fiscal year 1967 public works appropriations bill which contains the funds for the Bureau of Reclamation projects in the West. This bill before us today includes a total $7.5 million for the start of construction of the Bonneville unit of the central Utah project. The total figure is up $4.8 million above the President's request for the fiscal year.

I realize that there is a great deal of pressure on us to cut Federal spending in these days of runaway inflation; however, I think that the circumstances surrounding the central Utah project should be called to the attention of the Senate.

Last year the Senate and House Appropriations Committee granted the Bureau of Reclamation a total $3.5 million for the start of construction of the central Utah project's Bonneville unit. This is the unit which will bring water to the parched lands and water taps of the Bonneville Basin; it also is the unit which will mean the most to Utah's economic and industrial future.

About the time the Bureau was ready to award its first construction contract Utah's Congressman LAURENCE J. BURTON discovered that the funds which Congress had appropriated a year ago had been impounded by the Bureau of Reclamation and had been diverted to other projects in the reclamation States.

Consequently, not a shovelful of dirt was turned on the Bonneville unit and the people of Utah were very dismayed with this fiscal folly undertaken by the Bureau. The citizens of the State, however, felt so strongly about the project that they personally borrowed funds to award some favorable bids on preconstruction projects which would allow us to save considerable amounts of money.

I thought that this was ironical: a few citizens in the State of Utah bailing out the Federal Government because some bureaucrat somewhere decided to spend elsewhere the project funds which rightfully belonged in Utah.

The upper Colorado River storage project was approved by Congress and signed by President Eisenhower in 1956. Yet 10 full years after the authorization we continue the battle for appropriations for one of the participating projects. I wish the administration would come to the appropriation hearings with the same zeal that it brings to the authorization hearings, but that is another story, although it is involved here.

A case in point is that even though the Bureau of Reclamation diverted our $3.5 million last year it would figure that the Bureau would at least make an attempt to get it back this year. No, it decided to ask for only $2.7 million which was not even up to the figure requested last year, let alone a new 1967 figure plus the sum diverted.

Mr. President, for this reason the Appropriations Committees in both the Senate and House have sympathized with Utah's efforts and have recognized the shabby treatment the State has received regarding this project.

The Senate Appropriations Committee in its report on this bill has said:

> Central Utah Participating Project—The Committee agrees with the House of Representatives approval of an additional $4,800,000 for the Bonneville Unit of the Central Utah participating project. Because of circumstances which arose, an increased amount provided last year for this project was not utilized for the project. The Committee expects that all of the funds provided in this bill for the Bonneville Unit will be applied to this project in fiscal year 1967.

Mr. President, I would like to make it perfectly clear to the Bureau of Reclamation that it is the intent of Congress that the funds appropriated for the central Utah project's Bonneville unit will be spent on the central Utah project's Bonneville unit. The State has shown its good faith in raising funds from private citizens so that the preconstruction contracts could be awarded. The House has asked the Bureau to spend the money in Utah. The Senate has approved similar language. Maybe the Bureau of Reclamation will get the message this year. I hope so and so do the citizens of my State.

Mr. MUSKIE. Mr. President, I wish to compliment the Appropriations Committee on their excellent work in the consideration of this legislation.

I am particularly pleased with the committee's decision to approve the total budget request of $1.2 million in planning funds for the Dickey-Lincoln School project. This will enable the project planning to proceed in an orderly fashion and eliminate the question of delays. I trust that the members of the Senate Appropriations Committee will maintain this position in the joint Senate-House conference.

It is encouraging that preliminary design studies conducted by the Corps of Engineers indicate that the power potential of the Dickey project will be increased by 10 percent over initial estimates. This makes the project even more desirable from a cost-benefits ratio standpoint. It further serves to emphasize the urgent need for the orderly development of the project through approval of the $1.2 million Senate appropriation.

Mr. BIBLE. Mr. President, I wish to commend the chairman of the Senate Public Works Appropriation Subcommittee [Mr. ELLENDER] and my fellow members on that committee for the outstanding job they did in giving rapid but careful consideration to this bill. It was an honor for me to be associated with them in this endeavor.

In particular, I wish to thank them for their understanding of urgent water problems in my own State that necessitated the $1 million addition for the southern Nevada water supply project.

The southern Nevada water supply project is essentially a single-purpose water resource development to convey waters stored in Lake Mead for use by communities in Clark County, Nev., through a system of pipelines and related facilities. Construction of the project would provide municipal and industrial water supplies to the cities of Las Vegas, North Las Vegas, Henderson, and Boulder City, and to the Nellis Air Force Base. It would also provide municipal and industrial water to the potential Eldorado Valley development.

Principal features of the project include seven pumping plants with a first-stage capacity of 298 cubic feet per second; associated forebay reservoirs; the River Mountain regulatory reservoir; 44 miles of aqueduct and lateral pipelines, including a 4-mile tunnel; and accessory electric equipment and transmission lines.

The Las Vegas Valley area has experienced a rapid increase in population and wealth since the early 1950's and for most of the past decade its growth has been and continues to be phenomenal. A favorable climate, availability of large areas of undeveloped land, its strategic location in relation to Lake Mead National Recreation Area and the Nevada Atomic Test Site, plus the established reputation of the city of Las Vegas as an entertainment and convention center have all contributed to this development. Foreseeable demands for water greatly exceed the supplies available from existing ground water sources and through limited existing conveyance facilities for water from the Colorado River.

The project will be constructed in three stages with progressively large capacities. The first stage of development will provide up to 132,000 acre-feet of water annually, which is the estimated annual delivery requirements for the year 1990. The ultimate development will provide for an annual delivery requirement of 312,000 acre-feet, which is estimated will occur about the year 2020. The estimated total construction cost of the first stage of the project is $45 million and the estimated cost of the ultimate project will be $81 million.

The funds provided will be used to complete the definite plan report; to collect preconstruction design data; and start preparation of specifications on the tunnel, pumping plants 1 and 2, and the main aqueduct. Construction of the project may not be commenced until a contract has been executed with the Colorado River Commission of Nevada, or other duly authorized State agency, for the delivery of water and for repayment. The Senate amount will also provide funds to proceed with negotiations on such a contract.

It is urgent that this project get underway in order to meet the critical municipal and industrial water supply shortage in the Las Vegas area.

Mr. CANNON. Mr. President, I wish to commend the Appropriations Committee for its generally outstanding performance in connection with the reporting of the public works appropriations bill.

I was particularly gratified to note that the committee included $1 million for the desperately needed southern Nevada water supply project, an installation essential to the continued growth and prosperity of southern Nevada.

The action of the committee demonstrated wisdom and foresight, which I hope will prevail in the conference to be scheduled with the representatives of the other body.

Inclusion of the southern Nevada bill is a step by the Senate which will have the everlasting gratitude of the people of my State.

FLOOD CONTROL—PUBLIC WORKS IMPORTANT TO GROWTH AND PROGRESS OF INDIANA

Mr. HARTKE. Mr. President, I urge that the Senate pass unanimously H.R. 17787, the public works appropriations bill.

The Senate Subcommittee on Public Works Appropriations, under the able chairmanship of the Senator from Louisiana, Senator ELLENDER, has given us a good bill. It is no easy task to weigh such a variety of individual projects sponsored by good people across the United States and determine which we are able to fund for fiscal 1967.

For my own State of Indiana, this bill includes funds for almost all of the Army Corps of Engineers' expressed capability for our reservoirs in planning, construction, and maintenance needs. The Senate committee has concurred with the House in adding $100,000 in planning funds for Clifty Creek Reservoir, which provides flood control, recreation, and water for the future to the people of our Ninth Congressional District. It has also allocated full corps capability of $325,000 for planning on the Patoka Reservoir in the Eighth District, as provided by House action.

The people of the Big Pine area—Fountain and Warren Counties—who have been working for more than 30 years on a flood control measure, this fiscal year will see the Army Corps begin preconstruction planning. The Senate committee added the $150,000 in funds for work on the Big Pine Reservoir.

By passing this appropriation bill, Mr. President, we show the people of my State of Indiana and others across the Nation that we, the Congress, are concerned for their welfare. These appropriations enable the Army Corps of Engineers to save lives and property from flood damage, promote industry and commerce with navigation measures, and help the States plan the conservation of their natural resources for us and future generations.

ERIE-OHIO CANAL IMPORTANT TO TRANSPORTATION FUTURE OF UNITED STATES

Mr. President, I also support the proposed Lake Erie-Ohio River Waterway. The Senate and House Appropriations Committees have done well to allocate the $500,000 necessary for initial planning on this project.

The distinguished Representative from Ohio, MIKE KIRWAN, has worked long and hard for this project. He sees the future growth and prosperity of the Midwest and the Nation advanced by providing waterways such as this one.

The planning funds are a necessity for this fiscal year so that the Army Corps of Engineers can get us started on the Lake Erie-Ohio River Waterway—120 miles of locks and dams to link the Great Lakes to the mighty Ohio River. This project was authorized over 30 years ago. That is a long time for the people to wait for funds. In 30 years the United States has experienced growth of spectacular proportions. A navigation route such as the Ohio-Erie Canal would assure us of an even better record for the next 30 years.

The legacy of the canal dates back to George Washington. These plans fit his vision for the vast inland navigation of the United States. With commerce increasing by the day on the St. Lawrence Seaway, the time for the canal is now. We must begin in fiscal 1967 to work toward completion of this important project.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MUSKIE. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. JORDAN], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Indiana [Mr. HARTKE], the Senator from Hawaii [Mr. INOUYE], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from New Mexico [Mr. MONTOYA] are absent on official business.

I also announce that the Senator from West Virginia [Mr. BYRD] is absent because of a death in the family.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Montana [Mr. METCALF], the Senator from New Mexico [Mr. MONTOYA], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON] and the Senator from Idaho [Mr. CHURCH] would each vote "yea."

Mr. KUCHEL. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senators from Kansas [Mr. CARLSON and Mr. PEARSON], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senators from Kansas [Mr. CARLSON and Mr. PEARSON], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 61, nays 4, as follows:

[No. 291 Leg.]

YEAS—61

Allott
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Cannon
Case
Clark
Dirksen
Dodd
Ellender
Ervin
Fannin
Fong
Fulbright
Harris
Hart
Hickenlooper
Hill
Holland
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
Mondale
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smith
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—4

Lausche
Proxmire
Scott
Williams, Del.

NOT VOTING—35

Aiken
Anderson
Byrd, W. Va.
Carlson
Church
Cooper
Cotton
Curtis
Dominick
Douglas
Eastland
Gore
Griffin
Gruening
Hartke
Hayden
Hruska
Inouye
Jordan, N.C.
McCarthy
McClellan
McIntyre
Metcalf
Miller
Montoya
Morton
Murphy
Pearson
Pell
Prouty
Randolph
Smathers
Sparkman
Symington
Tower

So the bill (H.R. 17787) was passed.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. RUSSELL of Georgia, Mr. McCLELLAN, Mr. HILL, Mr. MAGNUSON, Mr. HOLLAND, Mr. STENNIS, Mr. BIBLE, Mr. PASTORE, Mr. RANDOLPH, Mr. HRUSKA, Mr. YOUNG of North Dakota, Mr. MUNDT, and Mrs. SMITH conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, the efficiency and order which accompanied the Senate's overwhelming approval of the public works appropriations measure this afternoon may be attributed to the senior Senator from Louisiana [Mr. ELLENDER]. Senator ELLENDER has an outstanding reputation for careful diligence and keen judgment and for deeply appreciating sound fiscal practices. All of these qualities were witnessed by the Senate today. His strong and most articulate handling of the measure made its swift acceptance a certainty.

Joining to support this appropriation proposal were the junior Senator from Utah [Mr. MOSS], the junior Senator from Ohio [Mr. YOUNG], and the senior Senator from Oklahoma [Mr. MONRONEY], whose articulate abilities are always welcome.

Other Senators also deserve high praise for cooperating so graciously to assure the successful disposition of this measure today. Particularly noteworthy were the outstandingly cooperative efforts of the distinguished minority leader [Mr. DIRKSEN] who, once again, selflessly joined to assure final action. Also, the junior Senator from Pennsylvania [Mr. SCOTT] along with the junior Senator from Minnesota [Mr. MONDALE] and many others are to be thanked for similarly outstanding cooperative efforts.

Again, the entire Senate has obtained another outstanding achievement which brings us one step closer to the completion of business this session.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 2102) to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LENNON, Mr. HAGEN of California, Mr. DOWNING, Mr. PELLY, and Mr. KEITH were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LENNON, Mr. HAGEN of California, Mr. DOWNING, Mr. PELLY, and Mr. KEITH were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 15098) to amend Public Law 89-284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17788) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 12 and 13 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 5 and 10 to the bill, and concurred therein, each with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 1607. An act to amend the act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes; and

S. 3467. An act to strengthen and expand food service programs for children.

AMENDMENT OF THE HIGHER EDUCATION FACILITIES ACT OF 1963

The PRESIDING OFFICER. The Chair lays before the Senate the pending business pursuant to a previous unanimous-consent agreement. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963, to extend it for 3 years, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Higher Education Amendments of 1966".

TITLE I—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT OF 1963, HIGHER EDUCATION ACT OF 1965, AND NATIONAL DEFENSE EDUCATION ACT OF 1958

Extension of grants for construction of undergraduate academic facilities

SEC. 101. (a) 101(a) of the Higher Education Facilities Act of 1963 is amended by striking out "four succeeding fiscal years" and inserting in lieu thereof "seven succeeding fiscal years".

(b) Section 101(b) of such Act is amended to read as follows:

"(b)(1) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $230,000,000 for the fiscal year ending June 30, 1964, and for the succeeding fiscal year, and $460,000,000 for the fiscal year ending June 30, 1966.

"(2) For the purpose of making grants under this title from allotments pursuant to section 103 for use in providing academic facilities for public community colleges and public technical institutes there is hereby authorized to be appropriated the sum of $140,000,000 for the fiscal year ending June 30, 1967, $182,000,000 for the fiscal year ending June 30, 1968, and $234,000,000 for the fiscal year ending June 30, 1969; but for the fiscal year ending June 30, 1970, and the succeeding fiscal year, only such sums may be appropriated as Congress may hereafter authorize by law.

"(3) For the purpose of making grants under this title from allotments pursuant to section 104 for use in providing academic facilties for institutions of higher education other than public community college and public technical institutes there is hereby authorized to be appropriated the sum of $420,000,000 for the fiscal year ending June 30, 1967, $546,000,000 for the fiscal year ending June 30, 1968, and $702,000,000 for the fiscal year ending June 30, 1969; but for the fiscal year ending June 30 1970, and the succeeding fiscal year only such sums may be appropriated as Congress may hereafter authorize by law.

"(4) In addition to the sums authorized to be appropriated for each fiscal year pursuant to this subsection for any purpose there is hereby authorized to be appropriated for that fiscal year for making grants for such purpose the difference (if any) between any sum authorized to be appropriated under this subsection for such purpose for the preceding fiscal year and the sums which were appropriated for such purpose for such preceding year under this subsection."

(c) Section 102 of such Act is amended by inserting after "for any fiscal year" the following: "ending prior to July 1, 1966".

(d) Sections 103(c) and 104(c) of such Act (relating to the reallotment of appropriations) are each amended by striking out "for the fiscal year ending June 30, 1965, and the succeeding fiscal year," and inserting in lieu thereof "for any fiscal year".

Payments for administrative expenses and for planning

SEC. 102. (a) Subsection (b) of section 105 of the Higher Education Facilities Act of 1963 is amended to read as follows:

"(b) The Commissioner is authorized to expend not exceeding $3,000,000 during the fiscal years ending June 30, 1965, and June 30, 1966, and not exceeding $7,000,000 for the fiscal year ending June 30, 1967, and each of the two succeeding fiscal years, in such amounts as he may consider necessary (1) for the proper and efficient administration of the State plans approved under this title, and under part A of title VI of the Higher Education Act of 1965, including expenses which he determines were necessary for the preparation of such plans, and (2) for grants, upon such terms and conditions as the Commissioner determines will best further the purposes of this Act, to State commissions for conducting, either directly or through other appropriate agencies and institutions, comprehensive planning to determine the construction needs of institutions (and particularly combinations and regional groupings of institutions) of higher education. Not more than $3,000,000 may be expended in any fiscal year for the purposes set forth in clause (1). For the fiscal year ending June 30, 1970, and the succeeding fiscal year, the Commissioner may expend for purposes of this subsection only such sums as Congress may hereafter authorize by law."

(b) Section 601 of the Higher Education Act of 1965 is amended (1) by striking out subsection (d) thereof and by redesignating subsection (e) as subsection (d), and (2) by striking out "subsections (b), (c), and (d)" in the subsection redesignated as subsection (d) and inserting in lieu thereof "subsections (b) and (c)".

Extension of grants for construction of graduate academic facilities; extending availability of appropriations

SEC. 103. Section 201 of the Higher Education Facilities Act of 1963 is amended to read as follows:

"Appropriations authorized

"SEC. 201. In order to increase the supply of highly qualified personnel critically needed by the community, industry, government, research, and teaching, the Commissioner shall, during the fiscal year ending June 30, 1964, and each of the seven succeeding fiscal years, make construction grants to assist institutions of higher education to improve existing graduate schools and cooperative graduate centers, and to assist in the establishment of graduate schools and cooperative graduate centers of excellence. For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1964, the sum of $60,000,000 for the fiscal year ending June 30, 1965, and the sum of $120,000,000 for the fiscal year ending June 30, 1966, and for each of the three succeeding fiscal years; but for the fiscal year ending June 30, 1970, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. In addition to the sums authorized to be appropriated for each fiscal year for which an appropriation is authorized by the preceding sentence, there is hereby authorized to be appropriated for that fiscal year for making such grants the difference (if any) between any specific sums authorized to be appropriated under the preceding sentence for the preceding fiscal year and the sums which were appropriated for such preceding year under such sentence. Sums appropriated pursuant to this title for any fiscal year shall remain available for grants under this title until expended."

Change in federal shares

SEC. 104. (a) The second sentence of section 107(b) of the Higher Education Facilities Act of 1963 is amended to read as follows: "In the case of project for an institution of higher education other than a public community college or public technical institute, the Federal share shall be not less than 33⅓ per centum and not more than 50 per centum of its development cost; and in the case of a project for a public community college or public technical institute the Federal share shall be not less than 40 per centum and not more than 60 per centum of its development cost, except that upon application by a State commission the Commissioner may provide that such 33⅓ per centum minimum, or such 40 per centum minimum, or both, shall not apply with respect to projects in such State".

(b) Section 202(b) of such Act is amended by striking out "33⅓ per centum" and inserting in lieu thereof "50 per centum".

(c) Sections 103(b) and 104(b) of such Act are each amended by striking out "sections 108(b)(3) and 401(d)" and inserting in lieu thereof "sections 107(b) and 108(b)(3)".

(d) Section 401(d) of such Act is repealed.

(e) The amendments made by this section shall be effective for fiscal years beginning after June 30, 1966.

Extension of loans for construction of academic facilities

SEC. 105. Section 303(c) of the Higher Education Facilities Act of 1963 is amended—

(1) by striking out "four" in the first sentence and inserting "seven";

(2) by striking out in the second sentence "; but for the fiscal year ending June 30, 1967," and inserting in lieu thereof ", the sum of $400,000,000 for the fiscal year ending June 30, 1967, and for each of the two succeeding fiscal years; but for the fiscal year ending June 30, 1970,"; and

(3) by amending the third and fourth sentences to read as follows: "In addition to the sums authorized to be appropirated for each fiscal year for which an appropriation is authorized by the preceding sentence, there is hereby authorized to be appropriated for that fiscal year, for making such loans, the difference (if any) between any specific sums authorized to be appropriated under the preceding sentence for the preceding fiscal year and the sums which were appropriated for such preceding year under such sentence. Sums appropriated pursuant to this subsection for any fiscal year shall be available without fiscal-year limitations for loans under this title."

Amendments to definition of development cost

SEC. 106. (a) Subsection (c) of section 401 of the Higher Education Facilities Act of 1963 is amended (1) by inserting "(1)" immediately after "(c)", (2) by redesignating clauses (1) and (2) as clauses (A) and (B), respectively, (3) by redesignating subclauses (A) and (B) as subclauses (i) and (ii), respectively, and (4) by adding at the end thereof the following new paragraph:

"(2) In determining the development cost with respect to an academic facility, the Commissioner may include expenditures for works of art for the facility of not to exceed 1 per centum of the total cost (including such expenditures) to the applicant of construction of, and land acquisition and site improvements for, such facility."

(b) Such subsection (c) is further amended (1) by striking out in the first sentence the following: ", but excluding any cost incurred before, or under a contract entered into before, the enactment of this Act", and (2) by inserting after such sentence a new sentence as follows: "There shall be excluded from the development cost any cost incurred before, or under a contract entered into before, the enactment of this Act, except that in the case of a facility included in an application approved after June 30, 1966, the development cost may include the cost of architectural and engineering services performed after the enactment of this Act whether or not the cost was incurred under a contract entered into before such enactment."

Repeal of authority to prescribe a schedule of fees for certain inspections and related activities

SEC. 107. The Higher Education Facilities Act of 1963 is amended by striking out subsection (b) of section 304 and by redesignating subsection (c) and references thereto as subsection (b).

Providing that academic facilities will be usable by handicapped persons

SEC. 108. Section 401(a)(1) of the Higher Education Facilities Act of 1963 is amended by inserting after the period at the end thereof the following: "Plans for such facilities shall be in compliance with such standards as the Secretary of Health, Education, and Welfare may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons.".

Revision of maintenance of effort requirement for college library assistance

SEC. 109. Effective for fiscal years beginning after June 30, 1966, clauses (a) and (b) of section 202 of the Higher Education Act of 1965 are each amended by inserting after "June 30, 1965" the following: ", or during the two fiscal years preceding the fiscal year for which the grant is requested, whichever is the lesser".

Three-year extension of assistance to developing institutions

SEC. 110. Paragraph (1) of section 301(b) of the Higher Education Act of 1965 is amended by inserting after "June 30, 1966," the following: "and the sum of $55,000,000 for the fiscal year ending June 30, 1967, and for each of the two succeeding fiscal years".

Increase in minimum advances for reserve funds for insured loan program

SEC. 111. The second sentence of section 422(b) of the Higher Education Act of 1965 is amended to read as follows: "The amount available, however, for advances to any State for each fiscal year ending prior to July 1, 1968, shall not be less than $25,000, and any additional funds needed to meet this requirement shall be derived by proportionately reducing (but below $25,000 per year) the amount available for advances to each of the remaining States."

Amendment to Higher Education Act of 1965 to authorize the District of Columbia to establish a loan insurance program for the purposes of such act and the National Vocational Student Loan Insurance Act of 1965

SEC. 112. The Higher Education Act of 1965 is further amended by inserting after section 435 a new section as folows:

"District of Columbia student loan insurance program

"SEC. 436. (a) The Board of Commissioners of the District of Columbia is authorized (1) to establish a student loan insurance program which meets the requirements of this title and the National Vocational Student Loan Insurance Act of 1965 for a State loan insurance program in order to enter into agreements with the Commissioner for the purposes of this title and such Act, (2) to enter into such agreements with the Commissioner (3) to use amounts appropriated to such Board for the purposes of this section and for expenses in connection therewith, and (4) to accept and use donations for the purposes of this section.

"(b) Notwithstanding the provisions of any applicable law, if the borrower, on any loan insured under the program established pursuant to this section, is a minor, any note or other written agreement executed by him for the purposes of such loan shall create a binding obligation.

"(c) There are authorized to be appropriated to such Board such amounts as may be necessary for the purposes of this section."

Revision of maintenance of effort requirement for college equipment program

SEC. 113. Effective with respect to applications filed after December 30, 1966, section

604(b) of the Higher Education Act of 1965 is amended by striking out the second sentence and inserting in lieu thereof the following: "An institution of higher education shall be eligible for a grant for a project pursuant to this part in any fiscal year only if such institution will expend from current funds for instructional and library purposes, other than personnel costs, during such fiscal year an amount not less than the amount expended by such institution from current funds for such purposes during the previous fiscal year."

Increase in authorization for Federal capital contributions for national defense student loans

SEC. 114. Section 201 of the National Defense Education Act of 1958 is amended by striking out "$190,000,000 for the fiscal year ending June 30, 1967, and $195,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof $220,000,000 for the fiscal year ending June 30, 1967, and $225,000,000 for the fiscal year ending June 30, 1968".

Loan cancellation for teaching handicapped children, and for teaching in the Trust Territory of the Pacific Islands

SEC. 115. (a) Section 205(b)(3) of the National Defense Education Act of 1958 is amended by striking out "and (B) for the purposes of any cancellation pursuant to clause (A)" and inserting in lieu thereof the following: "(B) such rate shall be 15 per centum for each complete academic year or its equivalent (as so determined by regulations) of service as a full-time teacher of handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed or other health impaired children who by reason thereof require special education) in a public or other nonprofit elementary or secondary school system, and (C) for the purposes of any cancellation pursuant to clause (A) or (B)".

(b) Section 103(a) of such Act is amended by inserting after "except that" the following: "(1) as used in section 205(b)(3) such term includes the Trust Territory of the Pacific Islands, and (2)".

(c) The amendments made by this section shall apply with respect to teaching service performed during academic years beginning after the date of enactment of this Act, whether the loan was made before or after such enactment.

Assistance in industrial arts added to title III of National Defense Education Act of 1958

SEC. 116. (a) Effective for fiscal years beginning after June 30, 1966, clauses (1) and (5) of section 303(a) of the National Defense Education Act of 1958 are each amended by inserting "industrial arts," after "economics,".

(b) Section 301 of such Act is amended by striking out "and $100,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years" and inserting in lieu thereof "$100,000,000 for the fiscal year ending June 30, 1966, and $110,000,000 for the fiscal year ending June 30, 1967, and for the succeeding fiscal year".

TITLE II—ENCOURAGING THE AVAILABILITY OF NON-FEDERAL CAPITAL FOR NATIONAL DEFENSE STUDENT LOANS

Purpose

SEC. 201. The purpose of this title is to increase the amount of capital available for student loan funds pursuant to title II of the National Defense Education Act of 1958 by stimulating non-Federal investment in the capitalization of these funds, and at the same time to reduce the amount of institutional capital required for student loan funds.

Establishing a revolving fund from which institutions may obtain loans to capitalize student loan funds

SEC. 202. (a) Section 207 of the National Defense Education Act of 1958 (relating to loans to institutions) is amended to read as follows:

"Loans to institutions: revolving fund

"Loans to Institutions

"SEC. 207. (a)(1) During fiscal years ending June 30, 1967, and June 30, 1968, the Commissioner may make loans, from the fund established by subsection (d), to institutions of higher education to provide all or part of the capital needed by any such institution for making loans to students under this section (other than capital needed to make the institutional contribution required by section 204(2)(B)). Loans to students from such borrowed sums shall be subject to the terms, conditions, and limitations set forth in section 205. The requirement in section 204(2)(B) with respect to institutional contributions to student loan funds shall not apply to loans made to institutions under this section.

"(2) A loan to an institution under this section may be upon such terms and conditions, consistent with applicable provisions of section 204, as the Commissioner deems appropriate. If the Commissioner deems it to be necessary in order to assure that the purposes of this section will be achieved, these terms and conditions may include provisions making the institution's obligation to the Commissioner on such a loan payable solely from such revenues or other assets or security (including collections on loans to students) as the Commissioner may approve. Such a loan shall bear interest at a rate which the Commissioner determines to be adequate to cover (A) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Commissioner under this section, and (B) probable losses.

"Payments to Institutions To Cover Certain Costs Incurred in Making Student Loans From Borrowed Funds

"(b) If an institution of higher education borrows funds from the Commissioner from the fund established under subsection (d), the Commissioner shall agree to pay to the institution (1) an amount equal to 90 per centum of the loss to the institution from defaults on student loans made from such funds, (2) the amount by which the interest payable by the institution on such funds exceeds the interest received by it on student loans made from such funds, (3) an amount equal to the amount of expenses authorized by clause (3) of section 204 to be paid out of a student loan fund with respect to such funds, and (4) the amount of principal which is canceled pursuant to section 205(b)(3) with respect to student loans made from such funds. There are authorized to be appropriated without fiscal-year limitation such sums as may be necessary to carry out the purposes of this subsection.

"Limitation on Loans From Revolving Fund

"(c) The total of the loans made in any fiscal year from the funds established by subsection (d) shall not exceed the lesser of (1) such limitations as may be specified in appropriation Acts, and (2) the difference between $270,000,000 and the amount of Federal capital contributions paid under this title for that year.

"Revolving Fund

"(d)(1) There is hereby created within the Treasury a National Defense Education Loan Fund (hereafter in this section called 'the fund') which shall be available to the Commissioner without fiscal-year limitation as a revolving fund for the purposes of this section. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act, 31 U.S.C. 847–849) for wholly owned Government corporations.

"(2) The fund shall consist of appropriations paid into the fund pursuant to section 201, appropriations made pursuant to this subsection, all amounts received by the Commissioner as interest payments or repayments of principal on loans, and any other moneys, property, or assets derived by him from his operations in connection with this section (other than subsection (b)), including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund.

"(3) All loans, expenses (other than normal administrative expenses), and payments pursuant to operations of the Commissioner under this section (other than subsection (b)) shall be paid from the fund, including (but not limited to) expenses and payments of the Commissioner in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this section. From time to tme, and at least at the close of each fiscal year, the Commissioner shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this section, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Commissioner determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury.

"(4) In addition to the sums authorized to be appropriated by section 201, there are authorized to be appropriated to the fund established by this subsection $30,000,000 for the fiscal year ending June 30, 1967."

(b) Section 201 of the National Defense Education Act of 1958 is amended by striking out the last sentence and substituting therefor the following: "Sums appropriated under this section for the fiscal year ending June 30, 1967, or any subsequent fiscal year shall be available to the Commissioner (1) for payments into the loan fund established by section 207(d), and (2) in accordance with agreements between the Commissioner and institutions of higher education, for payment of Federal capital contributions which, together with contributions from the institutions, shall be used for establishment and maintenance of student loan funds."

(c) Section 208 of such Act is amended by substituting "title" for "subsection" in the parenthetical phrase.

(d) Section 302(c)(2)(B) of the Federal National Mortgage Association Charter Act is amended by adding at the end thereof and before the period: ", and loans to help finance student loan programs".

Allotment among States of funds for Federal capital contributions and loans to institutions

SEC. 203. (a) Section 202 of the National Defense Education Act of 1958 (relating to allotments of appropriations among States) is amended by inserting "(for payment as Federal capital contributions or as loans to institutions under section 207)" after "the Commissioner shall allot to each State" in the first sentence of subsection (a), and by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following new subsection:

"(b) Funds available in any fiscal year for payment to institutions under this title (whether as Federal capital contributions or as loans to institutions under section 207) which are in excess of the amount appropriated pursuant to section 201 for that year shall be allotted among the States in such manner as the Commissioner determines will best carry out the purpose of this Act."

(b) Section 203 of such Act (relating to the payment of Federal capital contributions to institutions) and the title thereto are amended to read as follows:

"Distribution among institutions of Federal capital contributions and institutional loans

"Sec. 203. (a) The Commissioner shall from time to time set dates by which institutions of higher education in a State must file applications for Federal capital contributions, and for loans pursuant to section 207, from the allotment of such State under section 202(a). In the event the total requested in such applications (which meet the requirements established in regulations of the Commissioner) exceeds the amount of such allotment of such State available for such purpose, the total of the Federal capital contributions and loans from such allotment to each such institution shall bear the same ratio to the amount requested in its application as the amount of such allotment available for such purpose bears to the total requested in all such applications. In the event the total requested in such applications which are made by institutions in a State is less than the amount of the allotment of such State available for such purpose, the Commissioner may reallot the remaining amount from time to time, on such date or dates as the Commissioner may fix, to other States in proportion to the original allotments to such States under section 202 for such year.

"(b) Sums allotted among States pursuant to section 202(b) shall be allocated among institutions within States in such manner as the Commissioner determines will best carry out the purposes of this Act.

"(c) The Federal capital contribution to an institution shall be paid to it from time to time in such installments as the Commissioner determines will not result in unnecessary accumulations in the student loan fund established under its agreement under this title."

(c) (1) So much of section 206(a) of such Act as precedes paragraph (1) is amended by striking out "this title" and inserting in lieu thereof "an agreement pursuant to section 204".

(2) Paragraph (1) of such section 206(a) is amended by striking out "the balance" and inserting in lieu thereof "such balance".

(3) Subsection (b) of such section 206 is amended by inserting at the end of the parenthetical clause thereof (and before the close parenthesis) "and without regard to loans pursuant to section 207".

Effective date

Sec. 204. (a) The amendments made by this title shall be effective in the case of payments to student loan funds made after the enactment of this Act, except in the case of payments pursuant to commitments (made prior to enactment of this Act) to make loans under section 207 of the National Defense Education Act of 1958 as in effect prior to the enactment of this Act.

(b) The Commissioner of Education is authorized, at the request of any institution, to take such steps as are necessary to convert a Federal capital contribution to a student loan fund of such institution, made under title II of the National Defense Education Act of 1958 from funds appropriated pursuant thereto for the fiscal year ending June 30, 1967, to a loan under section 207 of such Act as amended by this Act.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I would like to ask the distinguished majority leader what the program will be for the remainder of the day, and the week; and, insofar as he knows, what may be calendared for the early part of next week.

Mr. MANSFIELD. Mr. President, the pending business now is the higher education bill. We will not finish that bill today, incidentally.

That bill will be followed next week by the military construction appropriation bill.

I would assume that shortly thereafter a bill having to do with the International Education Act of the Committee on Labor and Public Welfare would follow.

There will be a bill or two having to do with investment credit and accelerated depreciation from the Committee on Finance.

The distinguished Senator from Arkansas [Mr. McClellan] is doing his best to conclude hearings on the State, Justice, and Commerce bill; and the distinguished Senator from West Virginia [Mr. Byrd] is doing the same on District of Columbia appropriations.

There are several conference reports. The Senator from Rhode Island [Mr. Pastore] is in the Chamber now ready to take up one. The Senator from Alaska [Mr. Bartlett] has another.

Mr. RUSSELL of Georgia. Mr. President, when was the bill to amend the Higher Education Act made the unfinished business?

Mr. MANSFIELD. Early this afternoon I asked unanimous consent that at conclusion of debate and disposal of the public works appropriation bill, it be laid down and made the pending business. I said that without asking for a quorum call, I must admit.

Mr. RUSSELL of Georgia. I have no objection, but that is rather unusual procedure, is it not?

Mr. MANSFIELD. It is unusual.

Mr. RUSSELL of Georgia. It is unusual to fix the pending business when one bill is under consideration without displacing it.

Mr. MANSFIELD. It is unusual. It has been done two or three times. That is no excuse, but if the Senator will indulge me, when I made that proposal I had something in mind inherent in the responsibility of the leadership.

Mr. RUSSELL of Georgia. I should like to support the distinguished leader in his responsibility, but has there been any other unanimous-consent agreement with respect to the bill?

Mr. MANSFIELD. No, sir.

Mr. RUSSELL of Georgia. I thank the Senator.

Mr. MANSFIELD. Before there will be one, there will be at least a call of a quorum.

Mr. DIRKSEN. I should like to ask the distinguished majority leader further, whether he anticipates any record votes this afternoon.

Mr. MANSFIELD. I would doubt it very much but, at the same time, I would urge Senators not to leave the Chamber or their office buildings because something may come up in which they may have a vital interest.

FOREIGN ASSISTANCE APPROPRIATION BILL, 1967—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17788) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17788) "making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 7, 8, and 11,

And agree to the same.

The committee of conference report in disagreement amendments numbered 5, 10, 12, and 13.

John O. Pastore,
Richard B. Russell,
Allen J. Ellender,
John L. McClellan,
Spessard L. Holland,
A. S. Mike Monroney,
Leverett Saltonstall,
Margaret Chase Smith,
Thos. H. Kuchel,
Managers on the Part of the Senate.
Otto E. Passman,
John J. Rooney,
William H. Natcher,
Julia Butler Hansen,
Jeffery Cohelan,
Clarence D. Long,
George Mahon,
Silvio O. Conte,
Mark Andrews,
Frank T. Bow,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PASTORE. Mr. President, the managers on the part of the two Houses completed action in this conference yesterday. The amount agreed to for the foreign assistance program, title I of the bill, is $2,936,490,500. This is the exact amount as passed the Senate on October 5. The only change made in the figures from the way the bill passed the Senate was to reduce the sum for supporting assistance by $25 million and to increase the sum for Alliance for Progress development loans, by $25 million.

With reference to section 205 of the authorization act, the House bill forbade the transfer of any funds from development loans to the World Bank or any of its affiliates, and in view of a provision in the authorization act, this limitation had the effect of freezing 10 percent of the development loan funds. The Senate had removed this House provision from the appropriation bill, and in conference the managers from the two Houses agreed upon compromise language which makes it permissive for the President to transfer funds if he so determines.

Mr. SALTONSTALL. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. SALTONSTALL. Mr. President, the report of the conference was unanimous, resulting, as the Senator has said, in the exact amount which had been appropriated by the Senate.

The main problem was section 205, which I think the Senator from Arkansas [Mr. FULBRIGHT] wishes to discuss in a moment. Agreement was reached by inserting the same language that was in the bill—the authorization bill—a year ago. It is slightly different from the language in the authorization bill this year. It leaves to the President discretion as to whether to transfer the money to international agencies.

As the House was adamant on the provision, I personally believe that this is as good a compromise as we could get.

Mr. FULBRIGHT. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. FULBRIGHT. I want to congratulate the manager of the bill, the Senator from Rhode Island [Mr. PASTORE], for the result that he has achieved. I am particularly pleased with regard to section 205 of the authorizing act. The other body has heretofore prohibited the use of development funds in multilateral operations. Now, however, such use is left to the discretion of the President which, as the Senator from Massachusetts has stated, is exactly what I had proposed in past years.

I think that the Senator from Rhode Island deserves a great deal of credit for bringing this about.

While I am about it, I also think it is most remarkable that the Senator was able to have the exact amount left in which the Senate passed, and I congratulate him again on that score.

The Senator from Louisiana [Mr. ELLENDER] also deserves great credit, because he had much to do with determining that amount in the first place. Thus, on the whole, in a very difficult bill, I think that the Senate committee did a very fine job indeed, and I am most grateful.

Mr. PASTORE. Mr. President, let me say at this juncture that the amendment accepted on the floor and which met with my approval especially, as offered by the Senator from New York [Mr. JAVITS], was deleted in conference, not so much that there was objection to the tone or the spirit of the amendment, as much as it was the fear of what impact it might have.

I am very happy that it came to our conference, because I know that the Senator from New York is going to be persistent in its introduction, and I would welcome its introduction at a future date, at which time we would understand it much better.

When it was under consideration on the floor of the Senate, I took it upon myself to discuss it with the chairman of the Committee on Foreign Relations, because while the committee had agreed with the spirit and tone of the amendment, it had misgivings as to what its impact might be. He looked at it not askance, but with favor.

Mr. JAVITS. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. JAVITS. I appreciate the Senator's statement. I think that as this is a matter of policy with which we are dealing on the antimilitary junta amendments, I think it is important to impress the people of Central and South America with the fact that there is considerable sentiment in this country which frowns upon military juntas taking over democratic governments in ways outside their constitutions, and that Latin America by now should be growing more mature in that regard, that the days of the "caudillos" are over, just as the days of sending in the Marines are over. It may take a little time to get those facts sold to both Houses, but then I think a declaration by both Houses would be very advantageous.

The amendment the Senator from Rhode Island was kind enough to accept was prospective in its operations, thereby avoiding the problem which had concerned the Department of State regarding Argentina.

I shall continue my efforts along this line, but I am very grateful that the Senator from Rhode Island has made his intentions clear to me.

I shall persevere so that the Senate will come to look upon my amendment favorably, because it will be supporting a good thing and, in my judgment, if the urgency continues—and my information from Latin America is that it will, and there are dangers elsewhere—ultimately, not before too long, my suggestions will be accepted by both Houses in some bill in some form.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. I associate myself with the Senator from New York in that expression. I did discuss it with the Senator. There are some difficulties because of the Argentine case, but I certainly associate myself with the statement in regard to military juntas. They do not seem to have a chance in the future. Whenever there is an overthrow of constitutional governments, the juntas do not seem to last long.

I call attention to section 251 of the Authorizing Act, which gives authority to transfer up to 15 percent from the Alliance for Progress to the Inter-American Bank. I wish to urge the administration to do this. Unless our efforts can be directed to multilateral aid in our aid programs, I am not going to be able to vote for such bills. Now we have made a breakthrough and have given the administration authority to do it. If the administration refuses to do it, the door will be closed, and I shall oppose bilateral aid bills in the future.

Mr. JAVITS. Mr. President, interestingly enough, just as the Senator from Arkansas [Mr. FULBRIGHT] is with me with respect to the subject of military juntas, I am on his side of his proposition that aid should go through international agencies. The most distinguished record of international aid is that of the World Bank. The Inter-American Bank has built up a great record under the direction of Felipe Herrera.

We are now getting specific. It is no longer a question of the World Bank or the Inter-American Development Bank making a loan which is not identified with the United States. If anyone gets anything in the way of aid, it is identified with the United States, and we get the credit for what is done. That is critically important.

Mr. PASTORE. Mr. President, the Bayh amendment was retained in conference.

I yield now to the Senator from Indiana.

Mr. BAYH. Mr. President, I wish to thank the distinguished Senator from Rhode Island, as well as the members of the conference, for their indulgence in pursuing this matter. As I said when we discussed the subject briefly a few days ago, it is the third time we have asked the Senate for consideration. We belabored the Senator from Arkansas on two occasions. He was patient with us. The Senator from Rhode Island took the matter to conference. We were successful in getting it in the bill.

I understand the senior Senator from Arkansas [Mr. MCCLELLAN] is investigating some of the improprieties which have taken place with regard to procurement in South Vietnam. Representative Moss, of California, has also been looking into it. In the area of steel purchases in Vietnam, we have struck a blow for cleaning up corruption in purchasing practices in this one small area. I am very grateful to the Senator from Rhode Island and the members of the committee. It is going to help procurement practices in South Vietnam.

Mr. PASTORE. I thank the Senator.

Mr. President, I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 17788, which was read as follows:

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 12 and 13 to the bill

(H.R. 17788) entitled "An Act making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment, as follows: In lieu of the language proposed by the House and stricken by the Senate, insert:

"*Provided,* That this appropriation shall be available without regard to the provisions of section 205 of the Foreign Assistance Act of 1961, as amended, and the President, after consideration of the extent of additional participation by other countries, may make available, on such terms and conditions as he determines, not to exceed 10 per centum of this appropriation to the International Bank for Reconstruction and Development, the International Development Association, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without regard to section 201 or any other requirements of the Foreign Assistance Act of 1961, as amended."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows:

In the matter proposed by the Senate, change the Section number from "119" to "118".

Mr. PASTORE. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments Nos. 5 and 10.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent to include in the RECORD at this point a statement of appropriations reflecting by individual item the amount for fiscal year 1966, the budget estimate for fiscal year 1967, the House bill, the Senate bill, and the final amount agreed to in conference.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Foreign assistance appropriation bill, 1967 (H.R. 17788)—Comparative statement of the appropriations for 1966, the budget estimates for 1967, and the amounts recommended in the bill

TITLE I—FOREIGN ASSISTANCE

Item	Appropriations, 1966	Budget estimates, 1967	House bill, 1967	Senate bill, 1967	Conference action
FUNDS APPROPRIATED TO THE PRESIDENT					
Mutual defense and development:					
Economic assistance:					
Technical cooperation and development grants	$201,333,000	$231,310,000	$200,000,000	$200,000,000	$200,000,000
American schools and hospitals abroad	7,000,000	10,989,000	10,989,000	10,989,000	10,989,000
Special foreign currency program			1,000,000	1,000,000	1,000,000
Surveys of investment opportunities					
International organizations and programs	144,755,000	140,433,000	140,433,000	140,433,000	140,433,000
Additional U.N. Children's Fund			(1,000,000)	(1,000,000)	(1,000,000)
Supporting assistance	684,200,000	747,200,000	690,000,000	715,000,000	690,000,000
Contingency fund, general	150,000,000	70,000,000	70,000,000	35,000,000	35,000,000
Contingency fund, southeast Asia	89,000,000				
Alliance for Progress:					
Technical cooperation and development grants	75,000,000	87,700,000	87,700,000	87,700,000	87,700,000
Development loans	435,125,000	455,300,000	420,300,000	395,300,000	420,300,000
Development loans	618,225,000	665,388,000	590,000,000	500,000,000	500,000,000
Administrative expenses, AID	55,220,000	57,387,000	54,240,000	55,813,500	55,813,500
Administrative expenses, State Department	3,142,000	3,255,000	3,100,000	3,255,000	3,255,000
Subtotal, economic assistance	2,463,000,000	2,468,962,000	2,267,762,000	2,144,490,500	2,144,490,500
General provisions (sec. 118) reduction—not allocated by House			−45,696,200		
Total, economic assistance	2,463,000,000	2,468,962,000	2,222,065,800	2,144,490,500	2,190,500,000
Military assistance:					
Military assistance	[1] 1,470,000,000	[2] 917,000,000	825,000,000	792,000,000	792,000,000
Limitation on administrative expenses	(23,818,000)	[3] (23,500,000)	(23,000,000)	(23,000,000)	(23,000,000)
Total, title I, foreign assistance	[4] 3,933,000,000	[5] 3,385,962,000	[6] 3,047,065,800	[6] 2,936,490,500	[6] 2,936,490,500

TITLE II—FOREIGN ASSISTANCE (OTHER)

Item	Appropriations, 1966	Budget estimates, 1967	House bill, 1967	Senate bill, 1967	Conference action
FUNDS APPROPRIATED TO THE PRESIDENT					
Peace Corps	[7] $102,000,000	[8] $112,150,000	$110,000,000	$110,000,000	$110,000,000
Limitation on administrative expenses	(24,100,000)	[9] (25,200,000)	(24,500,000)	(24,500,000)	(24,500,000)
DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS					
Ryukyu Islands, Army, administration	14,773,000	14,893,000	14,893,000	14,893,000	14,893,000
Pretreaty claims		[10] 21,040,000	21,040,000	21,040,000	21,040,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
Assistance to refugees in the United States	42,600,000	[11] 51,000,000	[12] 51,000,000	[12] 51,000,000	[12] 51,000,000
DEPARTMENT OF STATE					
Migration and refugee assistance	[13] 7,575,000	6,050,000	6,050,000	6,050,000	6,050,000
FUNDS APPROPRIATED TO THE PRESIDENT					
Investment in Inter-American Development Bank	455,880,000	250,000,000	250,000,000	250,000,000	250,000,000
Investment in Asian Development Bank	140,000,000				
Subscription to the International Development Association	104,000,000	104,000,000	104,000,000	104,000,000	104,000,000
Total, title II, foreign assistance (other)	866,828,000	559,133,000	556,983,000	556,983,000	556,983,000

TITLE III—EXPORT-IMPORT BANK OF WASHINGTON

Item	Appropriations, 1966	Budget estimates, 1967	House bill, 1967	Senate bill, 1967	Conference action
Limitation on operating expenses	($1,186,120,000)	($2,108,241,000)	($2,108,241,000)	($2,108,241,000)	($2,108,241,000)
Limitation on administrative expenses	(4,107,000)	(4,134,000)	(4,134,000)	(4,134,000)	(4,134,000)
Total, title III, Export-Import Bank	(1,190,227,000)	(2,112,375,000)	(2,112,375,000)	(2,112,375,000)	(2,112,375,000)
Grand total, all titles	4,799,828,000	3,945,095,000	3,604,048,800	3,493,473,500	3,493,473,500

[1] Includes $230,000,000 for South Vietnam contained in the fiscal year 1966 military assistance appropriation and $300,000,000 appropriated in 2d Supplemental Appropriation Act, 1966, for South Vietnam as a result of the use of sec. 510 special authority.

[2] Does not include funds for South Vietnam military assistance program. Such funds are now included in Department of Defense appropriations.

[3] Budget did not propose any limitation.

[4] Unobligated balances, as of June 30, 1965, reappropriated.

[5] Unobligated balances, as of June 30, 1966, requested to be reappropriated.

[6] Unobligated balances, as of June 30, 1966, reappropriated.

[7] In addition, $12,100,000 of unobligated funds reappropriated.

[8] Includes $1,650,000 contained in H. Doc. 448.

[9] Includes $700,000 contained in H. Doc. 448.

[10] Contained in H. Doc. 383.

[11] In addition, $1,032,997 of prior year funds reappropriated.

[12] In addition, $1,032,997 of prior year funds reappropriated.

[13] In addition, $371,000 of prior year funds reappropriated.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, without losing my right to the floor.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs may be allowed to meet during the session of the Senate today. This request has been cleared with the other side.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business may be laid aside temporarily so that certain unobjected to items on the Calendar may be considered expeditiously.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate consider measures on the calendar beginning with Calendar No. 1648 (S. 1101) and proceed in sequence to the end.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

CONVEYANCE OF CERTAIN MINERAL INTERESTS OF THE UNITED STATES OF CERTAIN PROPERTY NEAR ORANGEBURG, S.C., TO ALLEN E. DOMINICK

The Senate proceeded to consider the bill (S. 1101) to provide for the conveyance of certain mineral interests of the United States of certain property near Orangeburg, S.C., to Allen F. Dominick, the owner of such property, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 6, after the word "the", to strike out "Secretary." and insert "Secretary, as of the time the conveyance is made and the administrative costs of making the conveyance. No conveyance shall be made unless such payment is made within one year after the Secretary notifies him of the total amount to be paid."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall convey to Allen E. Dominick, of Orangeburg, South Carolina, all right, title, and interest reserved to the United States in and to seventy-nine and one-hundred-and-eighty-four one-thousandths acres located near Orangeburg, South Carolina, and more particularly described in a deed, dated January 30, 1964, and recorded in the office of the clerk of the court of common pleas and general sessions of Orangeburg County, South Carolina, in deed book 260, page 500, upon payment to the United States by or on behalf of the said Allen E. Dominick of the fair market value thereof, if any, as determined by the Secretary, as of the time the conveyance is made and the administrative costs of making the conveyance. No conveyance shall be made unless such payment is made within one year after the Secretary notifies him of the total amount to be paid.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1680), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF MEASURE

S. 1101 would authorize and direct the Secretary to sell, for fair market value plus the administrative cost of conveyancing, the mineral rights reserved by the United States in a tract of some 79.184 acres of land located in Orangeburg, S.C., to Allen E. Dominick, the surface owner.

Officers of the Department of the Interior testified at the hearings that there were no Federal mineral leases or lease applications pending on the tract, and that the U.S. Geological Survey did not believe the lands to have any mineral values. There is no record of mineral activity in the vicinity.

The subject lands had been owned by the Farm Security Administration (now the Farmers Home Administration) and were conveyed to the predecessors in title of Allen E. Dominick on November 5, 1945, with a reservation of 75 percent of the minerals in them. In 1950, Congress enacted general legislation authorizing surface owners of lands the status of which was similar to the subject lands to purchase the reserved mineral rights if application therefor was filed within 7 years from the effective date of the law or from the date of acquisition of the minerals estate by the United States, whichever is later. In areas where the Secretary of Agriculture determined, after consultation with the Department of the Interior and competent local authorities that there was no active mineral developments or leasing, the mineral interests covered by a single application would be sold for $1. In other areas, the mineral interests were to be sold at their fair market value. Any mineral estates not conveyed to the surface owners under the act of September 6, 1950, were transferred to the Secretary of the Interior after the expiration of the cutoff periods specified in the statute (act of Sept. 6, 1950; found in 7 U.S.C. 1033–1039).

While enactment of the statute and publication of implementing regulations were public acts and personal notice given owners in most instances, it appears that in some cases successor surface owners did not have actual knowledge of their rights. The time for exercise of those rights now has expired, and hence special legislation for specific, individual cases such as the instant one is necessary.

Mr. Dominick came into possession of the property in 1964, after the cutoff period provided by law, and now the Federal Government's reservation of 75 percent of the mineral rights constitutes a cloud on the title of the surface owner so that he is unable to obtain the financing necessary to develop his property.

PICTURED ROCKS NATIONAL LAKESHORE, MICH.

The Senate proceeded to consider the bill (H.R. 8678) to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 3, after the word "Map", to strike out "NL-PR-7001A, July 1966" and insert "NL-PR-7100A, July 1966".

Mr. DIRKSEN. Mr. President, I ask unanimous consent that a statement prepared by the Senator from Michigan [Mr. Griffin] on the bill be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR GRIFFIN

The Pictured Rocks area, in the Upper Peninsula of Michigan, is a magnificent example of the kind of land that should be acquired and developed for public use and enjoyment. It is estimated that Pictured Rocks will attract more than one million visitors during the next decade, and it is essential that our visitors enjoy this natural wonder of sandstone cliffs and rich forests and beautiful lakes in a properly-maintained parkland setting.

We have overcome many obstacles in reaching what I believe is a very satisfactory final version. Earlier objections by homeowners in the Munising area have been settled equitably and amiably. The bill excludes from the lakeshore, certain land near Munising on which there are a number of homes.

I would also like to note the fine spirit of cooperation on the part of industry in resolving other problems. We have settled the grievances of homeowners and commerce alike—while creating a magnificent lakeshore for the enjoyment of all Americans. This constitutes a job well done.

I would also like to point out that proper preservation of the Pictured Rocks area could only have been possible through a Federal effort. The State of Michigan, as Governor Romney has pointed out, simply does not have the resources to adequately exploit this recreational opportunity. It would require more than the State's total state parks budget for the next three or four years for Michigan to duplicate the proposed Federal acquisition and development plan. Hence, there are fundamental reasons for a Federal effort in the Pictured Rocks area, for only by such a cooperative effort can we develop and maintain the kind of lakeshore that will help build tourism in the Upper Peninsula and provide for all Americans a great national recreational area.

The Pictured Rocks National Lakeshore will preserve for our citizens some of the most splendid scenery our continent can offer. And because this preservation is clearly in the national interest—and is just as clearly of national significance—I wholeheartedly support this measure.

Mr. HART. Mr. President, in 1961 I introduced, on behalf of myself and our beloved former colleague, Senator Pat McNamara, S. 2152, to establish a national lakeshore in the magnificent stretch of the south shore of Lake Superior in Michigan's Upper Peninsula. This action was taken following the 1959 report by the Department of Interior recommending the preservation and development for recreation purposes of this sweep of virtually untouched beauty. In retrospect the time between 1961 and this moment seems long. But anyone who observes the evolution of these shoreline proposals appreciates that many interests and concerns must be identified and resolved before the Congress can be in position finally to act.

Over the intervening 5 years I have met on many, many occasions with those whose interests were involved and who had voiced concern about this proposal. These meetings have occurred here in Washington and in the area of the proposed park. The principal property owner in the proposed park area is the Cleveland Cliffs Iron Co. Throughout these 5 years this company has demonstrated an extraordinary appreciation of the long-term public interest involved and has worked diligently to help develop something unusual in proposals of this sort.

Together with representatives of the Department of Interior, the Department of Agriculture, and the Michigan Department of Conservation, we have devised a bill which divides the Lakeshore in two zones—a shoreline zone of 27,500 acres to be devoted primarily to the preservation of scenery and to outdoor recreation activities, and an inland buffer zone of 39,500 acres within which selected harvesting of timber may be carried on but which will be so managed as to protect the shoreline.

Throughout these years of effort the Parks and Recreation Subcommittee of the Senate Interior Committee and its able chairman, the senior Senator from Nevada, have maintained constant interest. The first field hearing was held in Escanaba in 1964 under the chairmanship of Senator GAYLORD NELSON, of Wisconsin, at which time the bill pending was S. 1143. It was at this hearing that RAYMOND F. CLEVENGER, then an attorney in practice at Sault Ste. Marie, Mich., testified and strongly endorsed the establishment of the park. RAYMOND F. CLEVENGER now is the Representative in Congress from Michigan's 11th District, the district which includes the Pictured Rocks Lakeshore. With his entrance into the other body in 1965, efforts to create this unit of the national park system were enhanced enormously. The Senate now has the opportunity, after 5 years of careful, responsible study, to establish a national lakeshore along Lake Superior's south shore. I urge my colleagues to support this proposal. I have every confidence that history's verdict will be approving and that time will confirm the wisdom of such action.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1681) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 8678, and a companion measure, S. 2057, introduced by Senators HART and McNamara, proposes the establishment of the Pictured Rocks National Lakeshore in the State of Michigan and its administration as a unit of the national park system.

BACKGROUND

The U.S. portion of the Great Lakes has a shoreline of 5,480 miles—4,000 on the mainland and 1,480 around the islands in the lakes. As of 1960, the Federal Government owned about 4.5 percent (243 miles) of this shoreline, the States about 6.8 percent, and local governments about 1.5 percent. The remaining 87 percent was privately owned.

This is an example of the nationwide picture that the Outdoor Recreation Resources Review Commission spoke of a few years ago in its report entitled "Outdoor Recreation for America":

"Historically, the shoreline has been relatively neglected by the Nation as a public resource. It has been left for acquisition and use by whoever wanted to. It is estimated that some 90 percent of this limited, highly desirable resource is under private control, about 5–7 percent is in public recreation areas, and about 3 percent is in restricted military areas. The central problem is to secure adequate access to shorelines for public recreation. In the light of the prevailing pattern of ownership, this means public acquisition of shoreline areas and other governmental action to guarantee rights of access to the general public."

The Pictured Rocks area is a prime example of the type of land that can and should be acquired for public use and enjoyment. It was recommended for consideration as additions to the national park system by the Advisory Board on National Parks, Historic Sites, Buildings and Monuments 7 years ago. A somewhat larger Pictured Rocks area than is covered by H.R. 8678 was recommended in the 1959 report of the National Park Service entitled "Great Lakes Shoreline Recreation Area Survey." This report characterized the area as displaying "some of the most varied and picturesque scenery to be found on the Great Lakes" and recommended that because of "its unique and spectacular scenery—unmatched elsewhere on the Great Lakes— * * * [it] be given further study to determine the best plan for preservation."

This study has now been completed and the committee (including particularly its members who visited the area last fall and held public hearings there) is fully satisfied that the proposed new national lakeshore should become a reality. It is one of three such areas located on the Great Lakes—the other two being Sleeping Bear Dunes and Indiana Dunes—on which the committee has acted favorably during the present Congress.

LOCATION AND SIZE

The lands to be included in the Pictured Rocks National Lakeshore lie in Alger County between Munising and Grand Marais on the Lake Superior side of the Upper Peninsula of Michigan. By road the area is 450 miles from Detroit, 425 miles from Lansing and Grand Rapids, 400 miles from Chicago, 325 miles from Duluth, 125 miles from Sault Ste. Marie, and 80 miles from Escanaba. The estimate is that the area will attract 1 million visitor-days or more by the time it is 10 years old.

The national lakeshore will border Lake Superior for 39 miles, more or less, and will vary in depth from 2 to 5 miles. Its boundaries will embrace 67,000 acres of land and 6,320 acres of water surface.

The proposal includes two distinct zones—a shoreline zone of 27,500 acres which will be devoted primarily to the preservation of its scenery and outstanding natural features and to outdoor recreation activities and a buffer zone of 39,500 acres within which normal timber harvesting activities will be carried on but which will, in part at least, be available for recreation use and will be so managed that protection is afforded to the shoreline against unsightly and incompatible intrusions.

NATURAL FEATURES

The area within the boundaries of the Pictured Rocks National Lakeshore is nearly all forest land. The "pictured rocks" themselves are its most outstanding feature. These are varihued sandstone cliffs with a height of 50 to 200 feet that border Lake Superior for a distance of 15 miles along the western end of the new national lakeshore. Immediately to the east of the pictured rocks is Beaver Basin, a natural wilderness area, extending 3 miles inland with 6½ miles of beach on the shore of Lake Superior. To the east of Beaver Basin is Pine Bluff Beach which extends for 5 miles, and east of it for another 5 miles are the Grand Sable Dunes, some of which have a 200-foot height.

In addition to these lakefront features, the area contains a half dozen waterfalls, many miles of stream, quiet in spots and turbulent elsewhere, and 20 or more lakes and ponds. The largest of the latter are Beaver and Au Sable Lakes, each of which is 2 miles long.

The area abounds in wildlife. There are many whitetail deer, plus bears, moose, bobcats, beaver, snowshoe hares, and otters. Brook trout and steelhead make this their habitat. Loons, black ducks, grouse, bald eagles, goshawk, thrush, northern warblers, and other varieties of northwood birds are well known in the area. The forests include both hardwoods and conifers. Pine, hemlock, spruce, fir, beech, ash, basswood, yellow birch, white cedar, quaking aspen, and other species are all to be found here.

LAND OWNERSHIP, USE AND ACQUISITION

About one-third of the land within the overall Pictured Rocks National Lakeshore is owned by the United States or the State of Michigan. The other two-thirds is in private hands. In the shoreline zone, these figures are 21 percent and 79 percent, respectively, and in the buffer zone they are 44 percent and 56 percent. The bill, as amended, provides for acquisition of the State-owned lands by donation only.

As noted above, the great bulk of the land is in forests. This is true in both zones. The area contains at most only 45 or so year-round residences, most of which are in the buffer zone, and about 100 seasonal cottages, 40 percent of which are in this same zone.

The bill directs the Secretary of the Interior to "make every reasonable effort to acquire property through negotiation and purchase" rather than by condemnation. It also directs him to give immediate consideration to any effort to sell and, in doing so, to take into consideration any hardship which delay in acquiring the property might cause its owner.

In the buffer zone, one-family dwellings on which construction began before December 31, 1964, land which is being managed for timber production under a scientific program of selective cutting, and land which continues to be used for a commercial purpose to which it was devoted on December 31, 1964, will not be subject to condemnation, except when necessary to clear title, as long as the continued private use of the property "would further the purpose of this Act and * * * does not impair the usefulness and attractiveness of the lakeshore." The bill also provides that the owner of improved property which is acquired for the national seashore—that is, of a one-family dwelling on which construction began before December 31, 1964, within either the shoreline or the buffer zone—may, if he wishes to do so, retain a right of residential use and occupancy for life or for a term of 25 years or less, as he may elect, the fair market value of the retained right being deducted from the acquisition price. Lessees of cottages and hunting lodges are also protected during the term of their leases, and the Secretary is authorized to enter into further leases with them for a period of as much as 25 years or for a term ending with the death of the lessee.

DEVELOPMENT PLANS

Most potential uses of the Pictured Rocks National Lakeshore will require little development, since it is the scenery, above all, that makes this an attractive area. The largest development item will be the construction of a scenic drive within the shoreline zone from near Munising to Grand Marais. As presently projected, much of the drive will follow high ground in order both to avoid impairing the view of the lakeshore from Lake Michigan and to provide the best sites for scenic overlooks. Possible sites for the latter that are being considered are at, among others, Sand Point, Miners Castle Point, Miners Basin, Painted Cove, Chapel Basin, Spray Falls, Beaver Basin, Pine Bluff, Au Sable Point, and Grand Sable Lake. Major campgrounds are planned near Miners Castle Point, Pine Bluff Beach, and Grand Sable Lake. Plans also call for a hiking trail the full length of the national lakeshore with small campgrounds at intervals along it. Other shorter trails, some of them adapted for self-guided tours, will also be provided. A visitor center will probably be needed near Munising and a visitor contact station at the Grand Marais end of the lakeshore.

Hunting and fishing will be permitted within the boundaries of the national lakeshore in accordance with State and, in the case of migratory birds, Federal law. The Secretary is authorized, however, after consultation with the Michigan Department of Conservation, to designate times and places where hunting will not be allowed.

Section 4 of the bill establishes a five-man advisory commission with which the Secretary of the Interior will consult on matters relating to the development of the lakeshore. The commission will have a 10-year life. Two of its members will be nominated by Alger County and two by the Governor of Michigan. Members of the commission will receive no salary but will be paid for their necessary expenses.

In accordance with the understanding of the committee at the hearing on H.R. 8678, the following language has been approved by the committee for inclusion in the official report on the bill.

"Section 8(e) of H.R. 8678 provides that nothing in this act shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances. Elsewhere in the bill there are specific prohibitions against condemnation of certain properties, and the committee does not intend that section 8(e) be read as superseding these prohibitions. The committee understands that section 8(e) will permit condemnation only where the title is in question and encumbrances must be removed through action of a court. It applies to a so-called friendly condemnation.

Section 10 prohibits the Secretary from acquiring by condemnation certain properties in the inland buffer zone. Among these are any property within the inland buffer zone during all times when, in his judgment, such property is being used for the growing and harvesting of timber under a scientific program of selective cutting and forest management (sec. 10(a)). The committee understands the phrase "in his judgment" to refer to the administrative decision to be made by the Secretary of the Interior to proceed with condemnation proceedings, and it is not to be construed as prima facie evidence of noncompliance with section 10(a). It is not intended to limit the jurisdiction of the court in any way to determine de novo the question of whether or not the property sought to be condemned meets the requirements of section 10(a)."

COST

The estimated capital costs involved in the Pictured Rocks National Lakeshore are, at present price levels, $13,223,000. Annual operating costs will be about $422,000 assuming a continuation of present wage scales and the like. The national lakeshore will be subject to the entrance and user fee provisions of the Land and Water Conservation Fund Act.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

GUADALUPE MOUNTAINS NATIONAL PARK, TEX.

The Senate proceeded to consider the bill (H.R. 698) to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 3, line 6, after the word "accept", to strike out "case" and insert "cash"; in line 18, after the word "donated", to strike out "or sold"; in line 19, after the word "donate", to strike out "or sell"; on page 4, after line 6, to strike out:

(b) In the event said lands or any part thereof are abandoned and/or cease to be used for national park purposes by the United States on or before the expiration of twenty years from the date of acquisition, the person or persons owning the respective rights and interests in minerals underlying the lands within the boundaries of the park from whom title to such rights and interests were acquired by the United States shall be given written notice, mailed to such person's last known address and in such other manner (which may include publication) as the Secretary by regulation may prescribe, of such abandonment and/or cessation of use of said lands or part thereof as a national park. Such person shall have the preferential right to purchase the respective rights and interests in minerals and the minerals underlying the identical land which was originally acquired from such person by the United States at private sale at any time during the period of one hundred and eighty days following the mailing date of such notice: *Provided,* That such period shall be extended in any case when such preferential right to purchase has been exercised by such person and such extension is necessary or appropriate to consummate the sale and conveyance to such person of such rights and interests in such minerals under this subsection. The price to be paid by such person having such preferential right to purchase for the rights and interests in minerals in the identical land which was so acquired from such person by the United States shall be a price not greater than that for which same was acquired by the United States from such person plus interest at the rate of 5 per centum per annum. The preferential right to purchase such property shall inure to the benefit of the successors, heirs, devisees or assigns of such persons having or holding such preferential right to purchase.

And, in lieu thereof, to insert:

(b) In the event said lands or any part thereof cease to be used for national park purposes, the persons (including the State of Texas) who donated to the United States rights and interests in minerals in the lands within the park shall be given notice, in accordance with regulations to be prescribed by the Secretary, of their preferential right to a reconveyance, without consideration, of the respective rights and interests in minerals which they donated to the United States. Such notice shall be in a form reasonably calculated to give actual notice to those entitled to such preferential right, and shall provide for a period of not less than one hundred and eighty days within which to exercise such preferential right. The preferential right to such reconveyance shall inure to the benefit of the successors, heirs, devisees, or assigns of such persons having such preferential right to a reconveyance, and such successors, heirs, devisees, or assigns shall be given the notice provided for in this subsection.

On page 6, line 21, after the word "to", to strike out "purchase" an insert "a reconveyance"; in line 22, after the word "to", where it appears the second time, to strike out "purchase" and insert "a reconveyance": on page 7, line 1, after the word "to", where it appears the second time, to strike out "purchase" and insert "a reconveyance"; after line 3, to insert:

(d) If at any time in the future an Act of Congress provides that the national welfare or an emergency requires the development and production of the minerals underlying the lands within the boundaries of the national park, or any portion thereof, and such Act of Congress, notwithstanding the provisions of subsection (c) of this section or any other Act, authorizes the Secretary to lease said land for the purpose of drilling, mining, developing, and producing said minerals, the Secretary shall give the persons (including the State of Texas) who donated such minerals to the United States notice of their preferential right to lease, without consideration, all or any part of the respective rights and interests in minerals which they donated to the United States, subject to such terms and conditions as the Secretary may prescribe. Such preferential right shall inure to the benefit of the successors or assigns, and of the heirs or devisees of such persons having such preferential right in the premises. The persons entitled to a preferential right under this subsection shall be given the same notice thereof as persons entitled to preferential rights under subsection (b) of this section. If such person having such preferential right fails or refuses to exercise such right within the time specified in the above notice, the Secretary may thereafter lease the minerals involved to any other person under such terms and conditions as he may prescribe.

(e) If at any time oil, gas, or other minerals should be discovered and produced in commercial quantities from lands outside of the boundaries of the park, thereby causing drainage of oil, gas, or other minerals from lands within the boundaries of the park, and if the Secretary participates in a communitization agreement or takes other action to protect the rights of the United States, the proceeds, if any, derived from such agreement or action shall inure to the benefit of the donors of the oil, gas, or other minerals, or their successors, heirs, devisees, or assigns.

And, on page 9, line 1, after "Sec. 6.", to strike out "There are hereby authorized to be appropriated such sums, but not more than $12,162,000 in all, as may be necessary for the acquisition of lands and interests in land pursuant to the provisions of this Act, and for the development of, the Guadalupe Mountains

National Park." and insert "There are hereby authorized to be appropriated such sums, but not more than $1,800,000 in all, as may be necessary for the acquisition of lands and interest in lands, and not more than $10,362,000, as may be necessary for the development of the Guadalupe Mountains National Park."

Mr. YARBOROUGH. Mr. President, passage of the Guadalupe Mountains National Park bill represents the culmination of a long effort by myself and many other people to secure adequate protection and conservation for this unique natural area in Texas.

I have had a bill to establish this park before the Congress since October 1963. The Advisory Board on National Parks, Historic Sites, and Monuments inspected the area during its November 1963 meeting and recommended the inclusion of the Guadalupe Mountains in the national park system. The National Parks Subcommittee of the Interior and Insular Affairs Committee under the very able guidance of the senior Senator from Nevada [Mr. BIBLE] has held two hearings on the proposal and has inspected the site, and their recommendation for favorable action is before the Senate today.

The bill before the Senate is H.R. 698, sponsored by the very able Congressman from El Paso, Tex., the Honorable RICHARD WHITE. As passed by the House, the bill differed in some respects from the administration-recommended bill which I had introduced, S. 295, but was acceptable to me and other proponents of the park. The bill recommended by the Senate committee makes further changes, but it too is an acceptable vehicle for accomplishing the purpose of creating this very desirable national park.

Over 77,000 acres of the highest, ruggedest mountains in Texas would be set aside for the enjoyment of future generations under this proposal.

Lying 95 miles east of El Paso, Tex., and 35 miles southwest of Carlsbad Caverns, N. Mex., the Guadalupe Mountains are visible above the arid lands of west Texas for scores of miles as one approaches them. The mountain range from the north culminates in the massive bluff of El Capitan and the height of Guadalupe Peak, the highest point in my State. The sudden rise in elevation of nearly a mile brings one from a near-desert to mountain forests and shaded canyon streams. The Guadalupe Mountains abound in wildlife, including mule deer, antelope, bear, mountain lion, elk, and wild turkey. It includes areas of grassland and shrubs as well as forests of pine, maple, fir, oak, and pecan, and is watered by springs and wells.

I am very gratified and pleased at this Senate action approving the Guadalupe Mountains National Park. My bill creating the Padre Island National Seashore was enacted in 1962; the proposals for the Fort Davis National Historic Site and the Alibates Flint Quarries National Monument have been enacted, and now the Guadalupe Mountains National Park can take its place among the unique areas of Texas receiving national recognition.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement by the distinguished Senator from Texas [Mr. TOWER] be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TOWER

The Guadalupe Mountains area of my state is truly one of the most beautiful and unique spots in the whole Southwest. Arising out of the desert as an oasis of rugged and awe-inspiring beauty green with trees and cooled by numerous mountain streams, Guadalupe provides an excellent site for the creation of a national park.

It is not only an area of great scenic beauty, but it is also one of geological, archeological, historical, and botanical significance, with a wide variety of recreational possibilities.

In addition, its location with respect to other areas of interest and its accessibility are important reasons for its favorable consideration as a national park. Not to be overlooked also is the favorable effect the creation of such a park would have upon the development of the surrounding area.

Located in the area proposed for the Guadalupe Mountains National Park are three outstanding geological attractions: Guadalupe Peak, El Capitan, and McKittrick Canyon.

Guadalupe Peak, towering 8,751 feet above sea-level, has the distinction of being the highest peak in the State of Texas and has served as a landmark for Western travelers for centuries.

El Capitan, 8,078 feet high and lying to the south of Guadalupe Peak, is also a spectacular sight. The exposed Captain Barrier Reef was built up over the millions of years when the whole of Central North America was a shallow ocean and is therefore one of the most interesting and extensive fossil organic reefs known. And, of archeological significance are the ruins of a pre-Indian civilization which existed in the mountains at least 6,000 years ago.

McKittrick Canyon is located in the upper portion of the 77,000-acre wilderness and contains vegetation ranging in kind from eastern hardwoods to desert cactus. The canyon abounds with ponderosa pine, douglas fir, Texas walnut, madrone, blackberry, gray oak, gamble oak, juniper, limber pine, maple, quaking aspen, wild cherry, ash, and a variety of cacti. Vegetation and wild life from the North, South, East and West can be enjoyed and studied at Guadalupe, for there is also an abundance of wild life: rainbow trout, Rocky Mountain elk, deer, turkey, mountain sheep, black bears, mountain lions and small game.

And while beauty alone could serve as just cause for preservation as a national park, the Guadalupe Mountains are at the same time of great historical interest to students of the Old West.

Coronado and his men wondered at the rugged beauty of Guadalupe as they searched for the Seven Cities of Cibola.

Guadalupe and El Capitan served as landmarks for the early settlers in their westward movement. Also of historical importance are the remains of one of the stations of the Butterfield Trail, which was established through the area in 1858.

For the lover of outdoor life, there is a wide variety of recreational possibilities. Camping, hiking, horseback riding and "roughing it" in general add their appeal, for parts of the area are still untraveled. When combined with an interest in geology, archeology, history, botany, or wildlife, the opportunities for enjoyment are unequalled.

The national park established by this bill in the Guadalupe Mountains will provide an important link for travelers in the Southwest since it is near Carlsbad Caverns, Fort Davis National Historic Site, and the Big Bend National Park. And since it is only four miles as the crow flies from the southern boundary of Carlsbad Caverns, a park here would result in the creation of nearly 20 miles of permanently preserved wilderness and scenic wonder for future generations to enjoy.

Not only will this national park at Guadalupe accelerate the development of this section of Texas, but it would have a profound effect upon the State of New Mexico, where it is looked upon favorably. The park would be located along the same major route as Carlsbad Caverns, U.S. 180, and its northern boundary would be the New Mexico State line.

The Texas Legislature, Governor John Connally, the Texas State Parks and Wildlife Commission and the West Texas Chamber of Commerce have all endorsed the national park and will cooperate with the National Park Service to the fullest extent.

And since the National Park Service already owns approximately 6,000 acres in the Guadalupe Mountains, the proposal is even more feasible.

Altogether, the amazing beauty and the unique natural educational and recreational benefits, combined with the fine location and easy accessibility of the Guadalupe Mountains, present an excellent case for the creation of this proposed national park.

I urge prompt passage of this bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1682), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 698, and a companion measure, S. 295, introduced by Senator YARBOROUGH, is to authorize the creation of a new unit of the national park system to be known as the Guadalupe Mountains National Park.

Hearings were held on these bills on July 21, 1965, and August 9, 1966. An inspection of the area was made by members of the Subcommittee on National Parks and Recreation on April 13, 1966.

SIZE AND LOCATION

The proposed Guadalupe Mountains National Park will embrace 77,582 acres. Of these 60,574 are in Culbertson County and 16,944 in Hudspeth County, Tex. The park's greatest dimensions are approximately 13 miles from north to south and 12 miles from east to west.

The northern boundary of the park is the Texas-New Mexico border. From the park to Carlsbad, N. Mex., is 55 miles and to El Paso, 110 miles. The park is accessible from both these places via U.S. Highway 62–180. Abutting the park on the north is Lincoln National Forest and adjacent to the latter—that is, 28 miles from the Guadalupe National Park—is the Carlsbad Caverns National Park which attracts about 600,000 visitors each year.

NATURAL FEATURES

For scientist and layman alike, the area proposed to be included in the new national park has great interest. Its chief attraction to the former will be the fact that here, at elevations ranging between 3,650 and 8,750 feet above sea level, are exposed the results of processes of nature that took place below the surface of a 10,000-square-mile inland ocean some 200 million years ago, processes similar to those that are taking place beneath the surface of oceans in other parts of the world today. "The Guadalupe Mountains in their entirety," Mr. Wallace A. Pratt, a noted geologist and former vice president of the Humble Oil Co., testified before the committee, "are no more than a profoundly uplifted segment of Capitan barrier reef—a wall or ridge of rock built by lowly marine organisms in warm, shallow, clear waters on the floor of a long-vanished sea." As such, he went on, these mountains—"an exhumed sea floor"—are a constant source of information to students of the earth sciences from all parts of the world and, quoting a fellow geologist, "a great outdoor laboratory of unique significance for research on earth history and on the origin and distribution of essential mineral resources, including, among others, petroleum and potash."

While preservation of the whole area would be justified for its scientific significance alone, it has other attractions as well. Three natural features within the boundaries of the proposed park are outstanding for the layman who visits it. The first is Guadalupe Peak which rises to an elevation of 8,751 feet above sea level of approximately 5,100 feet above the surrounding countryside. This is the highest point in the State of Texas. Close neighborhoods to Guadalupe Peak are Lost Peak (7,834 feet) to the north, Pine Top Mountain (8,362 feet) to the northeast, and Shumard Peak (8,626 feet), Bartlett Peak (8,513 feet), and Bush Mountain (8,676 feet) to the northwest, all of which are within the park boundaries.

A second outstanding natural feature within the proposed park is El Capitan (8,076 feet) just south of Guadalupe Peak. El Capitan is at the apex of the wedge-shaped geological formation of which the other peaks heretofore mentioned are parts. The sheer 1,000-foot limestone cliffs of El Capitan and the equally imposing glacis below the cliffs give it a fortresslike appearance. Visible for 50 miles or more, it has been a landmark ever since man first appeared in this part of the world and has been well known to white travelers since 1858 when the Butterfield Trail was hacked out of the wilderness.

A third natural feature of note is McKittrick Canyon in the northeastern corner of the proposed park. This canyon, the floor of which is at elevation 5,400 feet, is a small ecological paradise. It has been maintained since the early twenties virtually as a wildlife refuge by its owners. While McKittrick Canyon originates within the proposed park area, it extends into Lincoln National Forest. The committee recommends, in this connection, that there be very close cooperation between the Forest Service and the National Park Service in preserving it as nearly as possible in its natural condition so that students of geology, botany, and zoology as well as other visitors to the area may have the full benefit of this bit of wilderness. Indeed, it would be highly desirable for the two agencies to provide a unified administration for this canyon area.

As these illustrations indicate, the primary interest in the Guadalupe Mountains National Park Area is likely to be its rugged terrain and its geology. For some visitors, however, its botanical and zoological aspects will also be of importance. The botanical types found here range from Chihuahuan Desert to Lower Sonoran. Walkingstick cholla, lechuguilla, creosote bush, century plant, acacia, mimosa, Texas walnut and madrone, hackberry, ponderosa pine, alligator-bark and Rocky Mountain juniper, chinquapin oak, yucca, Douglas-fir, quaking aspen, and a host of other species of flora are to be found here. As for fauna, there are to be found deer, elk, wild turkey, mule deer, and occasional bighorn, pronghorn, black bear, and mountain lion, not to mention the only rainbow trout in Texas. Finally, there are incompletely explored archeological remains within the boundaries of the park. Man's residence in the area 6,000, and perhaps as much as 12,000 years ago, is shown by a large number of pictographs and by pottery remnants, mescal-roasting pits, and other indicia of his presence.

It is the committee's conclusion, based on its appraisal of the values of all these features of the area that the Guadalupe Mountains National Park will be a worthy addition to the national park system.

LAND USE AND OWNERSHIP

The land within the boundaries of the proposed park has, in the past, been used almost exclusively for grazing and has very few improvements on it.

Somewhat over 5,600 acres in the McKittrick Canyon area were donated to the United States by Mr. Wallace Pratt in 1961. All except about 5,000 acres of the remaining 72,000 acres are owned by Mr. J. C. Hunter, Jr., who has indicated, the committee is advised, his hope that the land will be preserved in public ownership and his willingness to sell to the Government for park purposes. The other 5,000 acres are held in a number of individual ownerships.

Subsurface mineral rights are held principally by the State of Texas (45,000 acres) and Texaco (25,000 acres). The Department of the Interior is of the opinion that the value is nominal, at most. This is disputed by others. In view of this unsettled question and of the committee's firm belief that mining activity, or even a prospect of mining activity, is inconsistent with national park status, the committee has adopted and recommends to the House an amendment to the bill providing that the area shall not be established as a park until all outstanding mineral rights have been acquired by the Government. The State-owned mineral interests will, under the terms of the amendment, have to be donated; the others may be acquired by donation or otherwise.

Because of these provisions and of the undesirability of expending any considerable amount of money for acquisition of the surface until the mineral rights question is closer to solution than it now is, the committee's amendment also authorizes the Secretary of the Interior to negotiate for and acquire options for the purchase of the land and to enter into purchase contracts containing a contingent-on-appropriations clause. These provisions do not preclude outright purchase if an unusually favorable opportunity presents itself or if necessity dictates this course of action, but it is expected that such authority will be used very sparingly until satisfactory arrangements for acquisition of the mineral rights is in sight.

COMMITTEE AMENDMENTS

S. 698, as it passed the House of Representatives, provided that before the park can be established, the State of Texas shall donate or agree to donate whatever rights and interests in minerals underlying the lands within the boundaries of the park it may have.

The Senate Interior and Insular Affairs Committee agrees with this premise, but is of the opinion that such provision should be extended to all owners of subsurface rights within the proposed taking area. The bill has been amended accordingly. However, should the rights be donated and at a later date it is deemed advisable to either abandon the park or open it to mineral development, then the donors would be permitted to apply for and receive without cost the rights originally donated.

COST

Land acquisition costs for the Guadalupe Mountains National Park are expected to be about $1,500,000. Development costs, given present-day prices, will run to about $6 million during the first 5 years after its establishment and to about $4,662,000 thereafter. At present wage and salary scales, the annual operating costs after the park is fully established will be about $240,000.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE OMAHA TRIBE OF NEBRASKA

The Senate proceeded to consider the bill (H.R. 8917) to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 3, after line 2, to strike out:

> SEC. 4. No part of any of the funds which may be so distributed shall be subject to any lien, debt, or claim of any nature whatsoever against the tribe or individual Indians except delinquent debts owed by the Tribe to the United States or owed by individual Indians to the Tribe or to the United States.

And, at the beginning of line 9, to change the section number from "5" to "4."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1683), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 8917, as amended and passed by the House, is to authorize the disposition of judgment funds now on deposit in the U.S. Treasury to the credit of the Omaha Tribe of Nebraska.

NEED

The Omaha Tribe of Nebraska was awarded $1,750,000 by the Indian Claims Commission in its suit against the United States (docket No. 138). The award was for inadequate compensation originally paid for lands in western Iowa and northwestern Missouri. Funds to pay the judgment were appropriated by the act of June 9, 1964. This sum is on deposit in the Treasury and is drawing interest at the rate of 4 percent per annum. Enactment of H.R. 8917 is needed in order to permit the tribe to make use of the funds.

H.R. 8917 provides that the Secretary of the Interior, after the deduction of attorney fees, litigation expenses, and distribution expenses, shall make a per capita distribution of not more than $270 to each person whose name appears on the tribal roll prepared pursuant to the act of September 14, 1961, (75 Stat. 508), and to each living child born after September 14, 1961, who possesses Omaha blood of the degree of one-fourth or more unless said child is enrolled with any other tribe of Indians. The balance of the judgment plus interest thereon may be expended for purposes authorized by the tribal governing body and approved by the Secretary of the Interior.

Section 1 of the bill further provides that the sum of $150,000 plus interest shall be withheld from disbursement pending settlement of a claim of the Yankton Sioux Tribe presently before the Indian Claims Commission. Section 2 provides for payments to others on behalf of minors and persons under legal disability. It also provides that payments of less than $5 shall escheat to the tribe. Section 3 provides that per capital distributions will not be subject to Federal or State income tax. Section 4 authorizes the Secretary of the Interior to prescribe rules and regulations to implement the act.

AMENDMENT

The committee has deleted language from the bill providing that no part of the funds distributed would be subject to any lien, debt, or claim of any nature whatsoever against the tribe, or individuals, except delinquent debts owed to the United States or to the band. This language has not been included in other bills providing for the distribution of judgment funds, and the Department of the Interior was unable to furnish the committee with a justification for its inclusion in H.R. 8917.

DISPOSITION OF JUDGMENT FUNDS ON DEPOSIT TO THE CREDIT OF THE SKOKOMISH TRIBE OF INDIANS

The bill (H.R. 3596) to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1684), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 3596 is to authorize the disposition of a judgment fund now on deposit in the Treasury to the credit of the Skokomish Tribe of Indians.

NEED

The Skokomish Tribe was awarded $373,577 by the Indian Claims Commission in its suit against the United States (docket 296). Funds to pay the judgment were appropriated by the act of January 6, 1964 (77 Stat. 857). Payment of $37,357.70 in attorney fees and $17,559.15 in additional expenses reduced the original sum to $318,660.15. This amount is on deposit in the U.S. Treasury and is drawing interest at the rate of 4 percent per annum. Enactment of H.R. 3596 is needed in order to permit the tribe to make use of this money.

The Skokomish Tribe has very few resources—16 acres of tribal land and 2,910 acres of allotted lands. It has no approved roll. Fewer than 150 of the estimated 350 tribal members live on the reservation. The tribal council has several developmental programs in mind which will be recommended for approval of the Secretary of the Interior. Money that is distributed per capita-wise will not be subject to Federal or State income tax.

DISPOSITION OF FUNDS APPROPRIATED TO PAY JUDGMENTS IN FAVOR OF THE MIAMI INDIANS OF INDIANA AND OKLAHOMA

The bill (H.R. 7466) to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes, was announced as next in order.

Mr. BAYH. Mr. President, although I reluctantly add my support to the passage of H.R. 7466, there are two or three points which should be called to the attention of the Senate. The distribution of these funds, resulting from a court judgment against the United States in behalf of the Miami Indians of Indiana and Oklahoma, is long overdue. The judgment was awarded nearly 4 years ago, in November 1962. Since then, these funds have remained in the Treasury, resulting in many additional thousands of dollars of cost to the taxpayer.

The bill, which has already been passed by the House of Representatives, would provide for a reasonably quick distribution of the funds. My hesitation to support it stems from the distribution formula which would be provided. The bill would direct distribution on a equal basis to any and all persons who can prove their Miami Indian heritage. This means that each Miami Indian, regardless of the percentage of Indian blood he may have, will receive the same amount.

The Miami Indians who live in Indiana have maintained that distribution of these funds should be limited to those Miamis who have at least one-sixteenth Indian blood, and that special provision should be made for those who are either full- or half-blooded Indians. This would mean that those who are most directly related to the Indians who were on the rolls in 1895 would receive proportionately higher payments.

I am particularly concerned that the bill, if passed, would not set a precedent for future distribution of funds to these people. Several additional claims which have been made by the Miamis will be determined by the courts in the future. If further legislation is considered by Congress in connection with future judgments, there should be full opportunity to completely review the question of the most equitable way to apportion the funds.

The bill does not take into consideration another factor which, it seems to me, would have merit. The Miami Indians who were on the rolls compiled in 1895 are now attaining rather advanced ages, the youngest being 71 years old. In view of this, it would seem only fair that these individuals should have an immediate payment of not less than $1,000. These older members of the tribe should have an opportunity to enjoy the fruits of litigation which they have prosecuted for such a long period of time.

Despite its imperfections, I hope the Senate will pass the measure because of the long delay which has occurred in making this distribution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1685), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 7466 is to authorize the disposition of judgment funds now on deposit in the U.S. Treasury to the credit of the Miami Indians of Oklahoma and Indiana. A similar bill, S. 2050, was also considered by the committee.

NEED

Moneys have been appropriated to satisfy the judgments of the Indiana Claims Commission in favor of the Miami Tribe of Oklahoma and the Miami Tribe of Indiana, jointly, in docket Nos. 67 and 124; the Miami Tribe of Oklahoma, singly, in docket No. 251; and the Miami Tribe of Indiana, singly, in docket No. No. 124–A. The amounts appropriated were, respectively, approximately $4,647,500, $349,200, and $64,700. A portion of these sums has been paid out for attorneys' fees and expenses. The remaining amounts are on deposit in the Treasury where they earn interest at the rate of 4 percent per annum. Detailed figures are given in the tabulations attached to the report of the Interior Department which is reprinted herewith.

In order to make the moneys now in the Treasury available for use by the beneficiaries of the judgment, enactment of legislation along the lines of H.R. 7466 is required. Under this bill, distribution of the funds appropriated to satisfy the judgments in docket Nos. 67 and 124 will be made to those Indians, living on the date the bill becomes law, whose names appear on a roll to be prepared by the Secretary of the Interior on the basis of four earlier rolls, identified in the bill, which were prepared between 1888 and 1895. The funds appropriated in satisfaction of the judgment in docket No. 251 will be made available to carry out plans formulated by the Miami Tribe of Oklahoma and approved by the Secretary of the Interior. If, as expected, a per capita distribution is made of these funds, it will be made to those who are enrolled members of the tribe. The moneys appropriated to satisfy the judgment in docket No. 124–A will be distributed to individuals whose names appear on a roll of living Indians to be prepared by the Secretary of the Interior on the basis of three earlier rolls prepared between 1888 and 1895 excluding, however, any person who is now enrolled in the Miami Tribe of Oklahoma.

Provision is also made in the bill for the reservation of funds sufficient to meet the expenses of litigation in other cases which the Miamis have pending before the Indian Claims Commission; for the exemption from Federal and State income taxes of any moneys which are distributed per capita; and for the protection of payments which are to be made to persons who are under age or under legal disability.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 7466) was considered, ordered to a third reading, read the third time, and passed.

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE QUILEUTE TRIBE OF INDIANS, INCLUDING THE HOH TRIBE

The bill (H.R. 10633) to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1686), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 10633 is to authorize the disposition of judgment funds now on deposit in the Treasury to the credit of the Quileute and Hoh Tribes of Indians.

NEED

Funds were appropriated in 1964 to satisfy a judgment of the Indian Claims Commission in favor of the Quileute Tribe, including the Hoh Tribe, in docket 155. The judgment was for $112,152.60. From the award the sum of $11,215.26 has been paid for attorney fees. The remainder is on deposit in the Federal Treasury where is it drawing interest at the rate of 4 percent per annum. Detailed figures are presented in the tabulation attached to the Interior Department communication which is reprinted herewith.

Enactment of legislation along the lines of H.R. 10633 is required in order to make the moneys now in the Treasury available for use by the beneficiaries of the judgment. Under this bill, the judgment fund and accumulated interest will become available for expenditure for any purpose authorized by the respective tribal bodies with the approval of the Secretary of the Interior. It is provided, however, that until the Hoh Indians establish a formal tribal organization their funds may be expended by the Secretary for the benefit of the Hoh Reservation and the Hoh tribal members upon his approval of plans adopted by a majority of the adult Hoh Indians voting at a general meeting called by him.

The Quileute tribal roll will be based on the 1938 Quileute census and the 1934, 1937, and 1940 Quinaielt tribal census. Persons born after December 31, 1940, will not be eligible for membership on the Quileute roll.

The Hoh tribal roll will include only the names of Indians whose name or names of whose lineal ancestors appear on the June 30, 1894, census of the Hoh Indians of Neah Bay Agency.

Per capita payments that may be made from the judgment will be exempt from Federal and State income taxes.

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE OTOE AND MISSOURIA TRIBES OF INDIANS

The bill (H.R. 10674) to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribes of Indians, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1687), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 10674 is to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians pursuant to an award by the Indian Claims Commission. A similar bill, S. 2408, was also considered.

NEED

The Indian Claims Commission awarded $1,750,000 to the Otoe and Missouria Tribe on April 4, 1964, in docket No. 11–A, in recognition of the fact that the Otoe and Missouria Indians were inadequately compensated for the lands in western Iowa and northwestern Missouri which they ceded to the United States by the treaties of October 15, 1836 (7 Stat. 524) and March 15, 1854 (10 Stat. 1038). Funds to satisfy this judgment were appropriated by the act of June 9, 1964, and are on deposit in the U.S. Treasury to the credit of the Otoe and Missouria Tribe of Oklahoma, drawing interest at the rate of 4 percent per annum.

The Otoe and Missouria Reservation is located in northeastern Oklahoma and contains 1,400 acres of tribal and 33,437 acres of allotted land. Nearly 550 members of the tribe reside on or near the reservation. The total enrollment of the tribe is approximately 1,300.

H.R. 10674 will permit the Otoe and Missouria tribal governing body, with the approval of the Secretary of the Interior, to determine how the judgment fund will be used. The amount appropriated to satisfy the judgment, however, is subject to deductions for attorneys' fees and expenses and, under the terms of the bill, $150,000 is to be withheld pending decision in Indian Claims Commission docket No. 332–A which involves a conflicting claim of the Yankton Sioux Tribe. The Otoe and Missouria Tribe has not yet come forward with any formal proposals for use of its funds but it is anticipated that it will want all or most of the judgment moneys distributed on a per capita basis.

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE DUWAMISH TRIBE OF INDIANS

The bill (H.R. 10747) to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians was considered, ordered to a third reading, read a third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1688), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 10747 is to authorize the disposition of judgment funds now on deposit in the Treasury of the United States to the credit of the Duwamish Tribe of Indians of the State of Washington among eligible tribal members.

NEED

Funds were appropriated in 1964 to satisfy a judgment of the Indian Claims Commission in favor of the Duwamish Tribe in docket 109. The judgment was for $62,000. From the award, the sum of $7,765.77 has been paid for attorney fees and expenses. The remainder is in the Federal Treasury where it is drawing interest at the rate of 4 percent per annum. Detailed figures are presented in the tabulation attached to the Interior Department communication which is reprinted herewith.

Enactment of legislation along the lines of H.R. 10747 is required in order to make the moneys now in the Treasury available for use by the beneficiaries of the judgment. Under this bill, the judgment fund and accumulated interest will be distributed on a per capita basis among eligible Duwamish tribal members inasmuch as the tribe has no reservation or tribal holdings.

The Secretary of the Interior will be authorized to prepare a roll of all descendants of members of the Duwamish Tribe as it existed in 1855, the date of the treaty under which the tribe ceded the lands in question to the United States. Rolls on file in the Bureau of Indian Affairs, including "Roblin's 1919 Schedule of Unenrolled Indians" and agency allotment and census records, will serve as the base for the new roll.

Proportional shares of heirs and legatees amounting to $5 or less will escheat to the United States. Per capita payments will be exempt from Federal and State income taxes.

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE NOOKSACK TRIBE OF INDIANS

The bill (H.R. 12437) to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1689), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 12437 is to authorize the distribution of judgment funds now on deposit in the Treasury of the United States to the credit of the Nooksack Tribe of Indians among eligible tribal members.

NEED

Funds were appropriated in 1965 to satisfy a judgment of the Indian Claims Commission in favor of the Nooksack Tribe in its docket 46. The judgment was for $52,383.50, less offsets amounting to $3,000. From the award, the sum of $6,313.43 has been paid for attorney fees and expenses. The remaining $43,070.07 is in the Federal Treasury where it is drawing interest at the rate of 4 percent per annum.

Enactment of legislation along the lines of H.R. 12437 is required in order to make the funds now in the Treasury available for use by the beneficiaries of the judgment. Under this bill, the judgment fund and accumulated interest will be distributed on a per capita basis among eligible Nooksack tribal members inasmuch as the tribe has no reservation, tribal land, or tribal assets.

There is not now in existence a list of living Nooksacks. The Secretary of the Interior, therefore, is directed by H.R. 12437 to prepare a roll of all descendants of members of the Nooksack Tribe as it existed January 22, 1855, the date of the Point Elliott Treaty under which the tribe lost to the United States the lands for which compensation was ordered in docket 46. Rolls on file in the Bureau of Indian Affairs, including "Roblin's 1919 Schedule of Unenrolled Indians" and agency allotment and census records, will serve as the base for the new roll.

Proportional shares of heirs and legatees amounting to $5 or less will not be distributed but will remain to the credit of the Nooksack Tribe. Such sums as are not distributed to members of the Nooksack Tribe within 3 years after the date of enactment will escheat to the United States. Per capita payments will be exempt from Federal and State income taxes.

PERMISSION FOR CERTAIN PERSONS TO ATTEND U.S. SERVICE ACADEMIES

The bill (S. 3887) to amend title 10, United States Code, to permit persons from countries friendly to the United

States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes was considered, ordered engrossed for a third reading, read the third time, and passed, as follows:

S. 3887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 403 of title 10, United States Code, is amended as follows:

(1) by inserting the following section after section 4345:

"§ 4345a. Selection of persons from other friendly countries

"(a) Upon designation by the President, the Secretary of the Army may permit not more than 4 persons at any one time from countries friendly to the United States (other than Canada, the American Republics, and the Republic of the Philippines) to receive instruction at the Academy.

"(b) A person receiving instruction under this section is entitled to the pay, allowances, and emoluments of a cadet appointed from the United States, and from the same appropriations.

"(c) Except as the Secretary determines, a person receiving instruction under this section is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as a cadet at the Academy appointed from the United States. However, a person receiving instruction under this section is not entitled to an appointment in the United States Army by reason of his graduation from the Academy.

"(d) A person receiving instruction under this section is not subject to section 4346(d) of this title."

(3) the following item is inserted in the analysis:

"4345a. Selection of persons from other friendly countries."

SEC. 2. Section 6957 of title 10, United States Code, is amended:

(1) by inserting the following clause immediately after clause (2) of subsection (b):

"(3) Not more than 4 at a time from other countries friendly to the United States."

SEC. 3. Chapter 903 of title 10, United States Code, is amended as follows:

(1) by inserting the following section after section 9345:

"§ 934a. Selection of persons from other friendly countries

"(a) Upon designation by the President, the Secretary of the Air Force may permit not more than 4 persons at any one time from countries friendly to the United States (other than Canada, the American Republics, and the Republic of the Philippines) to receive instruction at the Academy.

"(b) A person receiving instruction under this section is entitled to the pay, allowances, and emoluments of a cadet appointed from the United States, and from the same appropriations.

"(c) Except as the Secretary determines, a person receiving instruction under this section is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as a cadet at the Academy appointed from the United States. However, a person receiving instruction under this section is not entitled to appointment in the Air Force by reason of his graduation from the Academy."

(3) the following item is inserted in the analysis:

"9345a. Selection of persons from other friendly countries."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1690), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to permit not more than four persons at any one time from countries friendly to the United States (other than Canada, the American Republics, and the Republic of the Philippines) to receive instruction at each of the U.S. Military, Naval, and Air Force Academies.

PRESENT LAW

Present law (10 U.S.C. 4344, 4345, 6957, 9344, and 9345) provides permanent authorization for each Academy to admit 20 students from the American Republics, including Canada, and 4 additional students each from the Republic of the Philippines.

There is, however, no provision of permanent law permitting the appointment of students from countries other than those from the American Republics including Canada and the Republic of the Philippines.

NEED FOR LEGISLATION

Students from other foreign countries have been admitted from time to time by virtue of special legislation enacted by the Congress. The most recent enactments were two such measures approved in 1962 authorizing a citizen of the kingdom of Thailand to receive instruction at the Air Force Academy and a special measure authorizing the appointment of two citizens of the kingdom of Belgium to receive instruction at the Naval Academy. General authority in the form of permanent legislation is much more preferable than special bills since the permanent authority provides an orderly means for dealing with this matter.

This bill would provide permanent authority which will permit up to four persons at any one time to receive instruction at each of the three service academies. The persons eligible to receive instruction would be persons from any friendly countries other than those already covered under existing law.

It is considered that the admission of citizens of friendly foreign nations to the service academies is a very sound measure to pursue in the national interests of the United States. The goodwill and the fellowship created among all the cadets and midshipmen is deep and abiding and, although difficult to measure, undoubtedly is cumulative, favorable, and enduring. The military expertise instilled in foreign cadets and midshipmen, coupled with their exposure to American ideals and principles, provides a much needed asset, particularly in those less developed countries where the United States is seeking to encourage stability, meaningful progress, and responsible leadership. The U.S. alliance system, and the military assistance programs underscore the extent to which U.S. politicomilitary relations are conducted in an allied environment. Academy educations for selected foreign cadets and midshipmen from Europe, the Middle East, Asia, and Africa, could contribute to a better understanding of military concepts, standardized procedures, logistics, strategy and tactics, and even democratic ideals and goals. Given the influence of military officers in the domestic and foreign affairs of many countries, it is felt that a U.S. service academy education for a potential leadership group would redound to the U.S. benefit.

COST AND BUDGET DATA

At such time as the proposed legislation would be fully implemented with four persons at each of the three military academies as authorized by the bill, it could be anticipated that the total additional cost for all three academies would be approximately $25,000 per year.

DEPARTMENTAL POSITION

This legislation is supported by the Department of Defense as indicated by the attached letter which is hereby made a part of this report. It should be observed that the departmental proposal recommended that not more than 12 students be permitted to receive instruction at any one time at each of the 3 academies. The committee, however, felt that an authorization of four for each academy should be sufficient to meet this problem.

BILL PASSED OVER

The bill (H.R. 15748) to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

TRAVEL AND TRANSPORTATION ALLOWANCES OF CERTAIN MEMBERS WHO LEAVE THE UNIFORMED SERVICES

The bill (H.R. 266) to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1692), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would (1) authorize members of the uniformed services who are retired, discharged, or released to inactive duty to wait longer than 1 year before selecting the home to which they are entitled to transportation for themselves and their dependents and the shipment of their baggage and household effects, and (2) authorize the storage of the baggage and household effects of such members for longer than 1 year, but the members would be required to pay the cost of storage for the period that exceeds 1 year.

EXPLANATION

Upon retirement members of the uniformed services are entitled to travel and transportation allowances for themselves and their dependents and to shipment of baggage and household effects to homes selected by them. The law prescribes no time limit within which this selection must be made, but the Comptroller General of the United States considers that 1 year is a reasonable time within which to make the decision unless the travel is prevented by circumstances beyond the control of the member.

Many members of the uniformed services are retiring at ages when they desire to undertake another career or to supplement their income. To do so they frequently need additional educational or further training to qualify for civilian employment. Many former members of the uniformed services are well qualified as teachers except for the required periods of formal schooling. When such schooling requires more than 1 year, retiring members of the uniformed services are at a disadvantage if they must select their home and travel to it within 1 year following their retirement. The objective of this bill is to authorize the Secretary of the service concerned to make reasonable extensions of the 1-year period for those persons who undergo schooling or training before selecting their retirement home.

Complementary to this provision is a provision permitting an extension of the 1-year period in which the baggage and household effects of a person retiring may be stored at Government expense. Under current law, this 1-year period is extended for a person who is hospitalized or undergoing medical treatment at the time of his discharge. This bill would exclude from the 1-year period any time within that year that a member is hospitalized or undergoing out-patient medical treatment. It also would permit the Secretary concerned to store for longer than 1 year the baggage and household effects of a retiring member who is to undergo schooling or training before selecting his retirement home, but the member would be required to pay the cost of storage for the period that exceeds 1 year.

COST

The only additional cost that should result from enactment of this bill is that attributable to the time during which a retiring person is hospitalized or undergoing outpatient treatment within the 1 year following his retirement. This cost is impractical to predict, for obvious reasons, but the Department of Defense considers that it is not significant.

LIMIT REVOCATION OF RETIRED PAY OF MEMBERS OF THE ARMED FORCES

The bill (H.R. 5297) to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1693), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would require that a Reservist who completes 20 years of satisfactory Federal service be furnished a notification in writing that he had completed such service. Payment of retired pay based on such notification could not be denied or revoked unless it were shown that an error resulted from fraud or misrepresentation.

EXPLANATION

Public Law 810 of the 80th Congress established a system of retirement with pay for officers and enlisted members of the Reserve components of the Armed Forces. Those reservists who completed a total of 20 years of satisfactory Federal service are entitled to retired pay upon their application at age 60.

The point system of crediting Reserve activity in one of several different ways has made it difficult for reservists and the services to avoid errors in determining when 20 years of satisfactory Federal service have been completed. There have been several troublesome cases where reservists have received erroneous information that they had completed the required years of service or where the reservist has miscomputed these years himself. In these cases the reservists have ceased participation in the Reserve program but upon their application for retired pay at age 60 the error has been discovered. Because of age or other reasons it often is impractical for the reservists then to renew their Reserve participation to acquire the necessary service. Consequently they are ineligible for retired pay.

Under this bill the service Secretary would be required to notify in writing each reservist who has completed 20 years of satisfactory Federal service. This notification must be made within 1 year after the reservist has completed the required service. Once the retirement pay had started or the Secretary had notified the person he had completed the required service, eligibility for retired pay could not be denied or revoked because of error unless the error resulted from the fraud or misrepresentation by the person concerned. If an error not resulting from fraud were discovered later, the number of years of creditable service could be adjusted to correct the error but payments of retired pay on the basis of the service actually performed would continue.

COST

The committee was informed that the initial cost of establishing an administrative system to permit implementation of the notification procedure is $1,756,716. The cost in subsequent years is estimated at $143,000 for fiscal year 1968, $140,000 for fiscal year 1969, and $101,000 for fiscal year 1970.

PERMIT MEMBERS OF THE ARMED FORCES TO BE ASSIGNED OR DETAILED TO ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION, DEPARTMENT OF COMMERCE

The bill (H.R. 17119) to amend title 10, United States Code, to permit members of the Armed Forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1694), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

This bill would permit members of the Armed Forces who are qualified meteorologists to be detailed to the Environmental Science Services Administration of the Department of Commerce for duty with the Office of the Federal Coordinator for Meteorological Services and Supporting Research, or with the Weather Bureau.

EXPLANATION OF THE BILL

The Office of the Federal Coordinator for Meteorological Services and Supporting Research was recently established in the Department of Commerce to implement Bureau of the Budget Circular No. A-62, November 13, 1963, entitled "Policies and Procedures for the Coordination of Federal Meteorological Services."

The operative portions of the circular assign the following responsibilities to the Department of Commerce:

(*a*) The Department of Commerce, with the advice and assistance of other agencies concerned, will establish procedures designed to facilitate a systematic and continuing review of basic and specialized meteorological requirements, services, and closely related supporting research. The Department will undertake such reviews with the objectives of (1) establishing and reviewing, as appropriate, needed basic services, and (2) advising other agencies on the need for and organization of specialized services.

(*b*) The Department of Commerce will prepare and keep current a plan, and obtain periodic information on its implementation for the efficient utilization of meteorological services and supporting research. The purpose of such planning is to achieve the maximum integration of current and future services and research consistent with the effective and economical accomplishment of mission requirements.

Recognizing the importance of obtaining staff personnel with extensive knowledge and experience in major user areas such as civil aviation and the military services, the Department of Commerce requested the primary agencies concerned with meteorological support to designate senior personnel to work on detail in one or more of the staff positions under the direction of the Federal Coordinator as a part of the permanent staff. Accordingly, since early 1964, both the Air Force and the Navy have each had one officer detailed to the Office of the Federal Coordinator virtually continuously. Originally, these were senior officers who were utilized at the policy and management level. These officers have since been replaced by less senior members whose primary function is to assist the work of the various committees and subcommittees. Also, almost continuously since August 1963, the Air Force has had an additional senior officer assigned to the Department of Commerce initially as military adviser to the Chief of the Weather Bureau and, more recently, as military adviser to the Administrator of ESSA.

Section 3544(b) of title 10, United States Code, provides that a Regular Army officer vacates his appointment if he exercises the functions of any civil office. This provision of law has caused a question whether the assignment of military officers to the Department of Commerce is legal. This bill would make such assignment legal.

Three military officers are now assigned to the Environmental Science Services Administration of the Department of Commerce. If this number is increased the committee has requested the Department of Defense to furnish the Congress an annual report of the number of officers so assigned.

COST

The bill provides that the Department of Commerce will reimburse the military departments for the assignment or detail of members of the Armed Forces to duty in the Environmental Science Services Administration. Consequently the bill will not increase the budget of the Department of Defense.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 15662) to amend the Federal Seed Act (53 Stat. 1275), as amended.

CONSERVATION AND PROTECTION OF ENDANGERED SPECIES OF FISH AND WILDLIFE—CONFERENCE REPORT

Mr. BARTLETT. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9424) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 6, 1966, pp. 25600–25601, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BARTLETT. Mr. President, a summary of the recommendations agreed upon by the conferees is as follows:

First. That the Senate agree to the House-proposed amendments to section 2(c). The amendments are that the Secretary of the Interior shall not use more than $750,000 to acquire lands, waters, or interests therein for any one area for the protection, conservation and propagation of endangered species, unless authorized by an act of Congress. The bill as passed by the Senate had set a limit of $200,000, but it was agreed by the conferees that, considering today's land costs, this sum was too restrictive.

Second. That the Senate recede from its amendment to section 4(d)(1). The effect of this amendment would be to leave the existing law, section 4(b) of the Migratory Bird Hunting Stamp Act—as amended 16 United States Code, section 718(d)—in effect, thereby preventing not more than 40 percent of any migratory bird refuge from being open to the hunting of resident or migratory game birds.

Third. That the Senate agree to the House-proposed amendments to section 10.

The House recommended that immediately after the words "federally owned property" there be added the words "in the State of Florida." This amendment would provide that the Secretary of Interior, in the exercise of his exchange authority, would be restricted to lands in the State of Florida.

As passed by the Senate there was no limitation on funds to acquire needed lands or interests in townships 65 and 66 south, ranges 28, 29, and 30 east, Monroe County, Fla. The House amendment increases from $35,000, the present limitation, to $2,035,000. This House, after having held hearings May 3, 4, and 5, 1966, recommended the above sum as necessary to acquire sufficient land to accommodate the present, and proposed, key deer herd.

This land is costly as is indicated by the recent purchase of 613.2 acres purchased by the National Audubon Society. The exact purchase price was $968,500. This land will be leased on a long-term basis to the Department of the Interior as an addition to the Key Deer National Wildlife Refuge.

It is the belief of the conferees that the bill, as it is before us today, is worthy of our approval.

The State wildlife agencies want this bill. Virtually all private conservation organizations want it. This proposal has the endorsement of Government leaders on both sides of the aisle.

Mr. SALTONSTALL. Mr. President, I understand that this is a unanimous report.

Mr. BARTLETT. The report is unanimous. I might add that the Senator from Colorado [Mr. DOMINICK] conducted hearings and was present for the conference.

Mr. SALTONSTALL. I thank the Senator.

Mr. BARTLETT. Mr. President, I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

HIGHER EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963, to extend it for 3 years and for other purposes.

Mr. MORSE. Mr. President——

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. MORSE. I was going to suggest the absence of a quorum so I could get ready.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I am correct, am I not, that the pending business is H.R. 14644, the higher education bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. Mr. President, as manager of the bill, I shall proceed to make the opening statement on the bill, and then I wish to let the Senate know what the plans are thereafter.

After I finish the opening statement on the bill, by agreement with the majority leader, I shall lay down the District of Columbia home rule amendment to the bill. I shall discuss the amendment. I have no doubt that others will be discussing the amendment, on both sides.

The majority leader assures me that he will seek to have a vote on what will then be the pending amendment before the Senate on Monday, and after the Senate decides, in its wisdom, what the disposition of the amendment will be—which I hope will be an overwhelming adoption of the amendment—we will proceed to other amendments to the higher education bill, but it is not the plan of the manager of the bill to have any votes on the bill or on any amendments thereto this afternoon.

Some of the members of my committee cannot be here today. The Senator from Vermont [Mr. PROUTY], the ranking Republican member of my subcommittee, and the Senator from New York [Mr. JAVITS], the ranking Republican member of the full committee, will not be able to be present for the debate today. Senator PROUTY is ill, and Senator JAVITS has a very important official commitment that makes it impossible for him to be here most of the afternoon. He will have to leave very shortly.

Those members of the minority will make the statement on the bill on behalf of the minority on Monday; and Senator JAVITS will make such statement as he is planning to make on the home rule amendment on Monday. But let me state, so that the record will be clear, that it is not the contemplation of the manager of the bill that the debate on Monday on the home rule amendment will be a debate of any great length, as far as the manager is concerned. I intend to make my case in support of the home rule amendment this afternoon. I am as anxious as other Senators to come to an early disposition of the bill itself, consonant with adequate consideration on the floor of the Senate, depending on what may develop in the course of debate on the bill.

I wish to say at the very outset that the majority leader and I have had a series of conferences with regard to the policy to be followed in handling the bill on the floor. I could not have had greater understanding nor finer cooperation from the majority leader, nor more acceptable assurances from him as to the position that he plans to take procedurally, in the handling of the bill.

I know that the home rule amendment is a highly controversial amendment, and I shall give my reasons later as to why I feel it is imperative that it be considered in connection with the pending bill.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. RUSSELL of Georgia. Mr. President, the Senator, with his usual frankness, has apprised the Senate of exactly what he proposes to do, with one exception. As I understand, the Senator states it is not his intention to seek any votes whatever on the higher education bill this afternoon. Is that correct?

Mr. MORSE. That is correct.

Mr. RUSSELL of Georgia. There will be no amendment voted on today?

Mr. MORSE. Not as far as I am concerned. As the Senator from Georgia knows, I never like to speak for others, even though, after conferences with others, I know what their view is.

As I have stated, I have been in conference with the majority leader. He will have to speak for himself, but I think it is only fair to tell the Senator that it is my understanding that the majority leader is not contemplating any votes this afternoon. However, I think he is the one who ought officially to answer the Senator's question.

Mr. RUSSELL of Georgia. The Senator is in charge of the bill. I am sure the majority leader would find any request of the Senator from Oregon quite persuasive on that score.

Mr. MORSE. I have made the request, and all I can say is that I do not expect any vote this afternoon. I am confident that the majority leader shares that view, but still, I do not wish to speak for the majority leader. I think he will be here very shortly.

Mr. RUSSELL of Georgia. Very well. Now another question: Is it the purpose of the Senator in charge of the bill, or the majority leader, to seek any limitation of debate on the bill this afternoon?

Mr. MORSE. It is not my intention. I want the Senator from Georgia to know that I have told the majority leader that I shall be willing at any time to enter into a unanimous-consent agreement to limit debate on the bill.

Mr. RUSSELL of Georgia. The Senator has arranged for all of those who favor this rather unusual procedure to speak and has outlined when Senators would speak and the reasons why they were not speaking today. They apparently did not take into consideration the fact that there might be somebody opposed to this very unusual procedure.

Mr. MORSE. It might appear that way, but it is not that way, let me tell the Senator.

I agreed to take up the bill this afternoon in my conference with the majority leader so that the debate on my amendment, pro and con, could start this afternoon to accommodate the majority leader in his plea that he wanted to speed along the calendar as fast as possible and wanted to have as much done as possible.

If the Senator will confer with the majority leader, he will find that the majority leader is aware of the fact that later this afternoon the probabilities are that it will be difficult to have a quorum.

I am not going to call for any quorum. I am going to make my statement. I am going to make the RECORD so that the Senators can read what I have to say over the weekend rather than take the position that the whole bill should go over until Monday.

There is never anything that I know about the parliamentary situation involved in any bill that I am connected with that I am not willing to say in public.

There are proponents of the home rule amendment who not only pleaded with me, but I think the more appropriate word would be "insisted" that I do everything within my ability to have the whole thing go over until Monday.

I said, "No, I think the majority leader is entitled to every bit of cooperation that I can extend to him. He wants me to bring it up this afternoon. He wants me to complete my major statement on the bill and on the amendment and have the whole bill in a situation come Monday so that we can proceed to vote if, as, and when the Senate is ready to vote on the amendment or any part of the bill."

That is my position, and I want the Senate to know that there are those who would have preferred that I not take that position. But I am satisfied that I am right in that position, and that is why I am here now, to proceed with the discussion.

Mr. RUSSELL of Georgia. Whether the distinguished Senator is right or wrong, he is a formidable champion of any position he assumes.

I was greatly interested to know whether there would be any unanimous-consent agreement as to limitation of debate this afternoon. Until recent years, it was always a custom to have a quorum call and put everybody on notice before we had a limitation on debate.

We have abandoned that practice here in the last several years, and Senators who might wish to speak come in and find themselves excluded from an opportunity to do so due to a unanimous-consent agreement.

I have seen the distinguished Senator from Oregon caught in that predicament. I have seen him take the position that he was going to object to any unanimous-consent request.

Mr. MORSE. Mr. President, I give the Senator assurance that I not only will not offer any unanimous-consent request to limit debate, but also that I will object to a request on the part of anybody for a unanimous-consent agreement.

Mr. RUSSELL of Georgia. I am entirely satisfied with that statement.

I thank the Senator.

PRIVILEGE OF THE FLOOR

Mr. MORSE. Mr. President, during the Senate consideration of Calendar No. 1645, H.R. 14644, the Higher Education Amendments of 1966, I ask unanimous consent that the staff members of both the majority and minority be permitted on the floor to assist Senators on the committee during the course of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, in opening Senate debate on the Higher Education Amendments of 1966, we turn our attention to the discussion of physical plant and equipment needs of institutions of higher education and student financial problems primarily.

The Subcommittee on Education, of which I have the honor to be chairman, has reviewed with great care and in detail the administration requests for certain modifications of Public Law 88-204—the Higher Education Act of 1963—and of Public Law 89-329—the Higher Education Act of 1965—as well as the provisions of two titles of the National Defense Education Act, Public Law 85-864.

As was the case yesterday, I know that there will be those in the Senate who will attack the authorizations in the bill on the grounds that they exceed the budget which was submitted to the Congress 10 months ago. To such critics I would respectfully point out that there have been changes in the interim which were taken into account by the committee and therefore the attack, if based on the budget estimates, is unsound in the judgment of the overwhelming majority of the committee.

To illustrate the point, I need only tell the Senate that with respect to the loan provisions for the construction of academic facilities, in January the administration expected to receive $100 million from the sales participation program. We all know that that program is now in a state of suspended animation and that no surety exists that it will generate funds of the magnitude estimated by the Bureau of the Budget almost a year ago.

Mr. President, the needs of our college students and the institutions which exist to service them through the provision of undergraduate and graduate education cannot be sacrificed on the basis of the contingency which in the nature of things may never arise. It is for that reason, for example, that $100 million additional was added by the committee to replace the sales participation expected funds.

Expected funds from the sales participation program were part of the administration estimate. Its budget was submitted on the basis of that expectation. That $100 million asset in reality is no longer available. The committee had to consider the need of the higher education services to which that $100 million would go. That is why we have added $100 million to the bill, to replace the loss that will be suffered by the institutions of higher learning as a result of a suspension of the $100 million participation sales program. We further added an additional $100 million because we felt that the request understated the need for this investment capital.

Another instance of the same type can be cited with respect to the funding of the National Defense Education Act title II direct student loan program.

Here, the administration hoped to generate about $30 million through a variation of sales participation which could be used to supplement the directly appropriated funds of title II of NDEA presently authorized at $190 million. Since the hard minimum student loan needs were estimated by the Office of Education, under present standards of eligibility for student loans, to be at the least $215 million, the Senate Committee on Labor and Public Welfare, while acceding to the administration request for the adoption of an amendment which at some vague time in the future might generate the desired amounts through sales participation, nevertheless backstopped that proposal through the authorization of an increase from $190 million to $220 million for the direct student loan fund this fiscal year.

We are unalterable on the committee in our intent that the provisions of title II of NDEA which have proved so helpful to so many young American citizens will be maintained in a strong financial position.

Mr. President, I believe that the student loan program is of vital importance to meet the needs of students who otherwise could not go on to college without the help of loans. I intend to have a colloquy dealing with this matter later with the senior Senator from Massachusetts [Mr. SALTONSTALL], although we will probably have it on Monday.

Mr. President, the senior Senator from Massachusetts has just entered the Chamber. I think he would be appreciative if I were to tell him that I just mentioned the fact that I expected later to have a colloquy with him on the student loan matter and that it might not occur until Monday.

I have just read a paragraph from the student loan program that I wanted to call to his attention.

Any time the Senator wishes to raise a series of questions, I will be glad to answer them. Should he wish to submit the questions to me in written form so that I can set forth the intentions of the committee, later in the debate, I would be glad to do it in that manner.

Mr. SALTONSTALL. Mr. President, I appreciate what the Senator from Oregon has said.

My question is this: As I understand, at the present time 90 percent of the student loan is paid by the Government and 10 percent by the college or institution.

Mr. MORSE. The Senator is correct. The student borrows from the college loan fund. The money in that fund derives from a Federation contribution of 90 percent and a 10 percent contribution from college funds.

Mr. SALTONSTALL. And for 1967 and 1968, I think the Government takes over the whole 100 percent.

Mr. MORSE. The Senator is correct in part. Under the new administration proposal, matching is not required. It is still required under the direct student loan program.

Mr. SALTONSTALL. My question is this: If the Government takes over the entire 100 percent, are we not weakening, in the student's mind, the desire to repay his loan, because it is entirely a Government matter? In the end, we may weaken the whole principle of loans to students.

Mr. MORSE. I think the Senator has been misadvised with regard to that matter, but I shall explain it to him in just a moment.

The attention of the Senator should be called to differences between the two loan programs in the bill. The title II National Defense Education Act direct loan program will still require the 10 percent college share to match the 90 percent Federal share. But this bill under the administration's latest amendment which the committee accepted provides for an institutional loan program in which the colleges will borrow the money from the Government and the colleges will receive the money. They will decide which students are to receive the money. They will handle the administrative problems for the Federal Government. The Federal Government through the sales of the notes the colleges sign will obtain further funds to re-lend to institutions.

Mr. SALTONSTALL. In other words, the institution—the college, we will say—will have an interest in seeing that the loan is collected?

Mr. MORSE. They certainly will.

Mr. SALTONSTALL. Otherwise, the Government could refuse to lend further money?

Mr. MORSE. The Senator is correct.

Mr. SALTONSTALL. The Senator knows that I am interested in Harvard. Suppose Harvard is allowed so many dollars—say, $1,000—for loans to students. Will that money go into a bank, say, in Cambridge or in Boston, and then will the college draw on that?

Mr. MORSE. A letter of credit is established for the college to draw upon.

The college is responsible for collecting the money advanced to the student. If it fails to do so, it must pay 10 percent of the defaulted loan to the Government as a penalty. It is to the interest of the college, therefore, to give careful attention to collection procedures.

I am aware of the Senator's interest in the Harvard loan program. May I say further, I have served on faculty loan committees, and I do not know of any group that can be more exacting in passing judgment upon the security risk of the individual than a faculty committee. Of course, there is always some risk that the money may be lost. But my experience has been that the loans to students have a remarkably good record of repayment. It is as good or better than the loans that banks make in many instances to individuals or to businesses. In almost all instances the banks do receive full payment, and that is also true of student loans.

Mr. SALTONSTALL. I agree with what the Senator has said about the student loans.

I know of one fund in connection with Harvard where the repayments have been extremely good over the years. On the other hand, I know of a small fund, in which I was also interested, where there were not the same opportunities for following up, and so on, where the payments were very poor.

Mr. MORSE. Let me say this, for legislative history, in terms of a hypothetical situation. Let us take institution A, and let us assume that, having been given this money, it does a very poor job in the selecting of students, and does a very poor job in carrying through for collections. Nothing could be more detrimental to the interest of the college so far as expecting future funds is concerned. In other years through amendments to this title II of NDEA, we have given an opportunity to the college to increase the business effectiveness of its operation. I was pleased to learn that in the first year under the changes the so-called rate of delinquency showed a slight decrease.

I think we are fortunate to have these two loan funds based to the degree that they are upon college and university administration. I would rather have the funds administered by the university—and I speak respectfully about it—than by a Federal bureau in Washington.

Mr. SALTONSTALL. I agree.

Mr. MORSE. So far as the participation of the banking institutions in this program is concerned, as the Senator knows, I have been one of the most ardent advocates on the Senate committee to bring in the banks in the insured student loan program of title II of the Higher Education Act of 1965. But I also opposed the elimination of the National Defense Education Act loans when it was supported earlier in the year.

I wish to make legislative history as to that. I think that a good place to make legislative history on that matter is at this time, in this debate.

I did not go along with the proposal to eliminate the direct National Defense Education Act lending program nor did the members of my subcommittee. The first position of the administration last January was to eliminate the present National Defense Education Act title II program. That was the first recommendation that came to us from the administration, particularly from the Bureau of the Budget and from the Department of Health, Education, and Welfare. I want the Senator to know that it ran into adamant opposition in the Senate committee.

We had many conferences about the matter. We had a conference in the Senate dining room one morning with the Director of the Bureau of the Budget, in which we expressed our complete disagreement with the position of the Bureau of the Budget.

During that conference I said:

> I think you ought to know that if the administration continues this position, you are going to have great difficulty with my committee. I shall never approve of it, as chairman of the subcommittee.

I am sure that the Director would point out to the Senator that we brought to the Director's attention some phases of this problem. The Senator from Pennsylvania [Mr. CLARK] was on the subcommittee, and he is aware of this.

I am talking about why we expressed our opposition in the very beginning to the elimination of all National Defense Education Act student loans, which was proposed originally by the administration.

Returning to the subject of the conference with the Director of the Bureau of the Budget, I am sure that he would say that we gave him information in that conference of which he was not aware.

Then we talked to the people in the Department of Health, Education, and Welfare. We said:

> You are running into trouble in the committee, for we are not going to go along with this administration in its original proposal to eliminate title II NDEA student loans.

Now I wish to tell the Senator from Massachusetts of the various reasons that caused us not to do so. This was paramount. We pointed out to them that banking institutions have a great obligation to their stockholders, and that banking institutions could not be expected to make certain loans to certain students from certain types of economic homes, and then answer, by way of an accounting at the next meeting of the board of directors of the bank, as to whether or not there were some very great risks in those loans.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. The Senator has accurately described the thinking of the Subcommittee on Education, which is identical with the thinking of the Subcommittee on Manpower, Employment, and Poverty.

These National Defense Education Act loans are most important, too, in the war on poverty, where one finds an able youngster—boy or girl—who cannot possibly finance a college education by getting a loan from a commercial bank. They come from the ghetto. They are not a good risk.

Mr. SALTONSTALL. Perhaps the Senator from Pennsylvania did not hear my question. My question was not about that. My question related to the fact that if the Government made a hundred percent loan, the student may not have the same desire to repay it as he would have if it were a 90 percent loan, with 10 percent made available by the institution. As the Senator knows, the goal fund at Harvard has been successful in obtaining repayment.

Mr. CLARK. The Senator is correct.

Mr. MORSE. Mr. President, I wish to say to the Senator from Massachusetts [Mr. SALTONSTALL] that I was about to make the point that the Senator from Pennsylvania [Mr. CLARK] made as to the students that the National Defense Education Act loans go to.

One of the hypotheticals that we kept talking about was the case of the boy or girl from the home of the sharecropper in areas of this country where we are trying to get the young people in the South, or the ghettoes of the North, or poverty-stricken areas anywhere in the country, who have the mental capacity and desire to go to college, to go to college.

We pointed out to the administration that it is not fair to expect the banks to say they are going to make a loan to the boy or the girl from the home of the sharecropper when there is no security behind him or her at all. The only security you have is the security manifested in the judgment of the college authorities. They say, "We talked to his or her high school teacher, and we talked to their neighbors. We are satisfied that this boy or girl is a good gamble." The loaners say "good risk," but I say "good gamble."

We had before us testimony that showed college boards have been doing that for years, and they have been justified in taking the gamble, and that the longrun rate of student repayment is to the everlasting credit of the boys and girls.

We think one of the purposes of this bill is to serve those students so that they can develop their intellectual potential and become the high-tax-paying citizens that they will become if they get college degrees.

Mr. SALTONSTALL. I agree with the Senator entirely.

Mr. MORSE. I yield to the Senator from Alaska [Mr. BARTLETT] for a conference report, with the understanding that it will appear in the RECORD after my remarks.

The **PRESIDING OFFICER.** The Senator from Alaska [Mr. BARTLETT] is recognized.

Mr. MORSE. Mr. President, another of the more shortsighted recommendations of the Bureau of the Budget through the President to the Congress, was a reduction in authorizations for graduate construction from the amount authorized in 1963 for the current fiscal year of $120 million, to half that sum or $60 million. The testimony elicited by vigorous questioning by the committee members, which may be found on page 56 of the hearings, show that last year some $30.5 million in requests from 35 institutions were unfunded, and carried over to the present fiscal year.

In addition to the carryover, between July 1 and July 19, thirteen additional applications were filed with an additional total value of $11.5 million.

Senators will note the table on page 6 of the committee report shows now that there are a total of 74 applications in the amount of almost $70 million to be received within the month, and the year is but a third gone. The conclusion was inescapable that for reasons of budgetary expediency, the needs of American higher education have been grossly underestimated by the administration.

Here I may add a word of personal testimony to the Senate. On a recent visit to a small college in Ohio, I was shocked to find applications were being discouraged on the basis that funds were not available. That is not the function of the administration. That is not the function of the people in the Department of Health, Education, and Welfare, and I have told them so. As a Senator serving on this committee having legislative oversight of the Department of Health, Education, and Welfare and the Office of Education, I strongly suggest that decisions in this area are properly decisions of the college administrators and the State commissions as to need for grants and loans under the Higher Education Facilities Act of 1963, and not within the proper determination of the Department itself whether an application should be filed.

Administrative practices designed to present a pretty budget picture completely render void the efforts of the Congress to obtain a clear picture of what the national need is, and I call to the attention of the Commissioner of Education the language in the committee report on page 6, which states:

> In view of these estimated requirements for funding of higher education academic facilities construction, the committee feels that the amounts proposed over the administration requests are modest. Since an authorization bill should, however, be an estimate of the cost of meeting a social need as opposed to an appropriations bill which allocates scarce resources in order of policy priority, it is the feeling of the committee that the authorizations contained in this bill, as introduced, were an understatement of the need.

I, therefore, serve notice that as floor manager of this bill, I intend with all the vigor that I possess to defend the recommendations of the committee as contained in the Senate committee amended version of H.R. 14644.

With this brief preamble, Mr. President, I turn now, as is my duty, to the fuller explanation of the bill being considered today, and in so doing, I ask unanimous consent, with respect to our actions in recommending changes in titles I and II of the Higher Education Facilities Act of 1963, which provides grants for the undergraduate construction, that pages 3–19 of the committee report, including all tables, be printed at this point in my remarks, together with the paragraph on page 19 under the heading, "Graduate Facilities Construction Grants."

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

TITLE I—GRANTS FOR UNDERGRADUATE CONSTRUCTION

Title I of Public Law 88–204 provides that 22 percent of the funds appropriated under the title shall be used to provide the Federal share of construction costs of academic facilities to be used in meeting the enrollment needs of students attending public junior and community colleges and public technical institutes. The balance of the appropriations under title I, amounting to 78 percent, in a similar fashion are used to finance a part of the costs of facilities needed to meet the anticipated expanded enrollment capacity of 4-year institutions of higher education.

For fiscal year 1966, $460 million was authorized for these purposes. The committee reported bill in title I has made the following changes:

(a) A total of $560 million is authorized for the current fiscal year; $728 million for fiscal year 1968; and, $936 million is provided for fiscal year 1969.

(b) Instead of the 22-percent reservation, the language of the bill provides separate authorizations for the funding of the 2-year institutions and the 4-year institutions.

(c) For public junior and community colleges and public technical institutes $140 million is authorized for fiscal year 1967, $182 million is authorized for fiscal year 1968, and $234 million is authorized for fiscal year 1969.

(d) The authorizations for the 4-year institutions are $420 million for fiscal year 1967, $546 million for fiscal year 1968, and $702 million for fiscal year 1969.

Sufficient authorizations have been provided to assure that neither 2-year institutions nor 4-year institutions should receive less for construction than in fiscal year 1966.

In addition to these grants, the committee also adopted an administration recommendation that $7 million a year, for each of the 3 fiscal years, be authorized for making payments to the broadly representative State commissions who administer the State plan provisions of the act. These funds are to be used for the proper and efficient administration of the State plans and for grants to the State commissions for conducting comprehensive planning to determine the construction needs of institutions, either singly or in consortia.

Thus, for the 3-year provisions of title I an estimated $2.245 billion is authorized to be appropriated.

A further change by the committee in the reported bill relates to the Federal share of construction costs. The present act provides that for 2-year institutions, up to 40 percent of the cost may be met by grant and for 4-year institutions up to 33⅓ percent of the cost may be met by grants.

Under the reported bill, for 2-year institutions, flexibility would be provided to the broadly representative State commissions who administer the programs in each State to recommend as the Federal share grants between 40 and 60 percent of construction costs and for 4-year institutions the Federal share grant could vary between one-third and one-half of such costs. This would be permissive authority, however, since language was also provided to enable the State commissions to fund construction projects at less than the proposed minimums.

In the hearings record, on page 314, may be found an analysis of probable future developments in higher education in the period 1965–70. The material was excerpted from a publication issued by the college entrance examination board.

The following excerpt from that publication is herewith made a part of the report:

"* * * Changes of degree and kind will occur that present interesting challenges for the economics of college attendance.

"1. In 1970, students will, on the average, remain in higher education 2 years longer than they did in 1960. Families will send a higher percentage of their children to college in 1970 than in 1960.

"2. In 1970, the typical student will have to gain access to some level of higher education twice, and many will have to gain access three times.

"3. By 1970, because of the continuing demands for trained manpower and growing efforts to put talented women as well as men into college, the number of women in higher education will be equal to the number of men, instead of the 70–30 ratio that existed in 1960.

* * * * *

"8. More students will be attending college on a part-time basis in 1970—perhaps 40 percent, rather than the 30 percent who attended part time in 1960. Administrative procedures and educational philosophies will require modification to deal with this trend.

"This is a large compound, and complex question. The amount the American public can afford to spend on higher education 5 years from now can be estimated by making a number of additional assumptions, some readily accepted, some hypothesized, about the future of higher education. By relating the estimate to the projected cost of higher education to families in 1970, it is possible to produce what may be called the *national family dollar deficit for undergraduate higher education*. More simply stated, this is the total amount of money American families presumably will find it impossible or extremely difficult to pay out of their individual pockets for their children's college education. For 1970, this deficit is projected as $3,339,578,924. If as a Nation we wish to reduce this deficit through the use of student aid to at least the same relative point as in 1960, our total 1970 national student aid expenditure will need to be $1,903,560,000—a sum more than four times the amount spent in 1960.

"Where can the money come from? One possible supposition is that the various resources that existed in 1960 could be increased by a factor of four. For State, Federal, corporate, and various private sources this increase would not be unrealistic. Colleges, which provided nearly half the total aid support in 1960 from their own funds, were able to increase aid nearly 50 percent in the 1955–60 period. If they could retain this challenging trend of a 50-percent increase each 5 years, there would still be an aid deficit in 1970 of at least $500 million. Seemingly this sum would have to come from outside the college community, either from new programs or from greater efforts on the part of the existing programs."

The foregoing analysis of student financial needs in the view of the committee, clearly indicates the importance of adequate financing for physical plant required to provide these young citizens with educational opportunities.

A communication from the American Council on Education, which may be found on page 271 of the hearings record states:

"The level of Federal support for construction proposed by the administration, and supported in our testimony, will probably just about meet this figure for the coming year. We say this because it is our impression that, at present, Federal funds represent not 33⅓ percent but closer to 20 percent of the funding of approved projects. If this is the case, $453 million for title I and $60 million for title II will stimulate funds to start $2.565 billion in facilities construction during the next fiscal year.

"However, we believe that this is a starvation diet that cannot forever sustain life. If we assume that we must provide space for a 500,000 enrollment increase per year and that a more realistic cost factor is $35 per square foot, then the annual construction needs will total $4.375 billion per year. Staggering though this sum may be, we do think it may be realistic.

"It is at this point, that a determination of the Federal matching percentage becomes essential. Quite clearly States and private sources cannot meet 80 percent of these figures. Matching money at that rate has been available largely because so far Federal appropriations have been relatively small. If these appropriations are stepped up to meet real need, the Federal matching share will have to be stepped up commensurately.

"We recognize apologetically that our figures have a wide spread. It appears to us, however, that there will be a need for new construction starts each year for the next 10 years of somewhere between $3 and $4 billion. We have no way of estimating what the capacity for providing non-Federal matching money may be, but we are certain that it is closer to 50 percent than it is to the current 80 percent level.

In view of these estimated requirements for funding of higher education academic facilities construction, the committee feels that the amounts proposed over the administration requests are modest. Since an authorization bill should, however, be an estimate of the cost of meeting a social need as opposed to an appropriations bill which allocates scarce resources in order of policy priority, it is the feeling of the committee that the authorizations contained in this bill as introduced were an understatement of the need.

One measure of the extent of this need is to be found on the following table prepared at the request of the committee on the backlog of applications. The committee also took into consideration the reluctance of colleges to go to the trouble and expense of preparing applications when authorizations to the fund the requests are held at relatively low levels.

Higher Education Facilities Act

	Number	Total amount
Title I:		
Applications on hand July through September 1966	89	$30,741,947
Estimated increase October through early November 1966	300	125,000,000
Total	389	155,741,947
Title II:		
Applications on hand July through September 1966	67	59,874,000
Estimated increase October through early November 1966	7	10,000,000
Total	74	69,874,000
Title III:		
Applications on hand July through September 1966	191	194,859,000
Estimated increase October through early November 1966	25	28,000,000
Total	216	222,859,000

The committee recommendations for funding are presented, however, in the hope that more adequate data can be prepared before the further expiration of this act, which will enable the Congress to come to grips with this problem in a more comprehensive manner when the act is further revised and extended.

JUNIOR AND COMMUNITY COLLEGES

In changing the authorization language in the bill, thus providing separate authorizations for the 2-year and the 4-year institutions of higher education, the committee did so, in part, because of the impression made upon it by the testimony and correspondence it had received reflecting the growth of such institutions and the climate of public acceptance as evidenced through the support given to these institutions in the several States. This development, in the committee view, should continue to receive Federal encouragement where appropriate.

As an aid to the committee in its future review of legislation affecting this segment of higher education, the committee suggests to the Office of Education that it review its present practices for the collection and array of statistical information on enrollment so that a clear picture may be given to it in the next session on the first-year enrollments and relative rates of growth of the 2-year institutions, the 4-year institutions, and the 4-year institutions with partial graduate offerings, and finally the university with full graduate complements, and the geographical variations, if any, of such factors. It is the belief of the committee that the Office of Education could perform a most useful service in the compilation of this and related statistical material such as the per-pupil costs of construction of academic facilities and related student services, buildings, including housing, in each of the types of institution. Because of the interest in the program which has been evinced, it is the further hope of the committee that the Office of Education will give serious thought to the strengthening of the service it can provide to the junior and community college field through the addition of specialists knowledgeable in the field.

Architect's fees

The original definition of eligible development cost for Higher Education Facilities Act projects excluded from eligibility for Federal participation "any cost incurred before or under a contract entered into before the enactment of this Act" (December 16, 1963). This provision works an unintended hardship with regard to architectural fees for those institutions which entered into long-term architectural agreements for the orderly and coordinated planning of structures as a part of long-range campus development plans. To remedy this situation the committee bill includes an amendment of the definition of development cost, to provide that in the case of a facility included in an application approved after June 30, 1966, the development cost may include the cost of the architectural and engineering services performed after the enactment of the Higher Education Facilities Act, whether or not the cost was incurred under a contract entered into before such enactment.

Multipurpose construction comments

Information was presented to the committee which indicated that funds appropriated under title I had been considered by the Office of Education as being available for the construction of facilities to meet either undergraduate or graduate needs and the extent to which title I funds were requested and used for each of these needs was not required to be disclosed by the applicants. As a result, there are indications that some facilities constructed with title I funds were designed primarily for graduate use, but the extent of such use of title I funds is not known.

The Office of Education has now issued instructions which provide, in effect, that not over 20 percent of the space in multipurpose-building projects constructed in part with title I funds can be planned for graduate use. As it appears that at some institutions facilities planned for joint undergraduate and graduate use would be desirable and in some cases necessary in the interest of economy, the committee believes that the instructions which have now been issued by the Office of Education are consistent with the original intent of the Congress for implementing title I of the act.

However, it is the committee's view that the Commissioner of Education should identify graduate facilities constructed with the aid of title I funds and furnish information in this regard to the Advisory Committee on Graduate Education for its use in carrying out its responsibilities under title II of the act.

Development cost—parking facilities

Another problem area in administration of the Higher Education Facilities Act has been the eligibility of parking facilities. In administering the act the Office of Education has interpreted the definition of development cost as permitting participation in the cost of parking facilities or space necessary in connection with the direct occupancy of the academic facilities for which assistance is requested. However, general student parking facilities per se (either by themselves or as a part of an academic facility) have not been considered to qualify under the definition of an academic facility. The committee understands that the Office of Education has agreed that, where specified amounts of parking space in a structure are required by municipal ordinance or regulation, such amounts of parking space will be considered eligible under the act. The committee concurs in this interpretation of the definition of academic facilities contained in the act.

The following tables set forth the State-by-State distribution of grants under the committee authorizations recommendation.

TABLE I.—*Estimated distribution of legislative authorization, Higher Education Facilities Act of 1963, title I, as amended by H.R. 14644, fiscal year 1967 (as reported by the Senate committee)*

	Total estimated amounts	For public community college and public technical institutes	For other undergraduate institutions
Total	$560,000,000	$140,000,000	$420,000,000
Total, 50 States and District of Columbia	554,438,427	138,292,764	416,145,663
Alabama	9,729,181	3,367,084	6,362,097
Alaska	440,221	103,524	336,697
Arizona	5,424,170	1,256,834	4,167,336
Arkansas	5,717,770	1,884,794	3,832,976
California	55,886,390	9,768,000	46,118,390
Colorado	6,606,633	1,527,543	5,079,090
Connecticut	7,093,704	1,443,951	5,649,753
Delaware	1,203,299	233,489	969,810
Florida	14,368,039	3,840,977	10,527,062
Georgia	11,333,747	3,581,861	7,751,886
Hawaii	2,121,193	577,926	1,543,267
Idaho	2,384,469	719,687	1,664,782
Illinois	27,238,982	5,728,822	21,510,160
Indiana	14,442,159	3,676,538	10,765,621
Iowa	9,303,611	2,459,059	6,844,552
Kansas	7,362,435	1,719,440	5,642,995
Kentucky	8,931,444	2,681,667	6,249,777
Louisiana	10,448,901	3,115,290	7,333,611
Maine	2,933,561	968,736	1,964,825
Maryland	9,096,430	2,200,248	6,896,182
Massachusetts	16,660,825	3,434,100	13,226,725
Michigan	24,939,176	5,701,873	19,237,303
Minnesota	12,207,695	3,281,966	8,925,729
Mississippi	6,688,575	2,010,182	4,678,393
Missouri	12,888,681	3,092,103	9,796,578
Montana	2,317,248	648,502	1,668,746
Nebraska	$4,741,739	$1,212,292	$3,529,447
Nevada	871,270	176,337	694,933
New Hampshire	2,115,294	573,045	1,542,249
New Jersey	14,645,479	3,945,722	10,699,757
New Mexico	3,281,793	949,821	2,331,972
New York	45,432,193	9,149,702	36,282,491
North Carolina	14,393,108	4,550,597	9,842,421
North Dakota	2,320,900	617,892	1,703,008
Ohio	29,184,026	7,314,737	21,869,289
Oklahoma	8,363,672	2,220,180	6,143,492
Oregon	6,635,565	1,687,101	4,948,464
Pennsylvania	31,821,839	8,987,398	22,834,441
Rhode Island	2,698,877	661,315	2,037,562
South Carolina	6,891,600	2,368,552	4,523,048
South Dakota	2,399,172	646,264	1,752,908
Tennessee	11,130,518	3,316,135	7,814,383
Texas	29,635,511	7,932,325	21,703,186
Utah	4,565,532	1,024,871	3,540,661
Vermont	1,422,369	360,098	1,062,271
Virginia	10,759,865	3,109,595	7,650,270
Washington	10,127,905	2,437,602	7,690,303
West Virginia	5,926,095	1,968,081	3,958,014
Wisconsin	13,383,932	3,539,963	9,843,969
Wyoming	1,087,321	284,844	802,477
District of Columbia	2,834,403	234,099	2,600,304
American Samoa	62,000	29,796	32,204
Canal Zone	------	------	------
Guam	191,455	57,457	133,998
Puerto Rico	5,232,180	1,597,509	3,634,671
Virgin Islands	75,938	22,474	53,464

TABLE II.—*Estimated distribution of legislative authorization, Higher Education Facilities Act of 1963, as amended by H.R. 14644, fiscal year 1968 (as reported by the Senate committee)*

	Total estimated amounts	For public community colleges and technical institutes	For other undergraduate institutions
Total	$728,000,000	$182,000,000	$546,000,000
50 States and District of Columbia	720,769,956	179,780,593	540,989,363
Alabama	12,647,935	4,377,209	8,270,726
Alaska	572,288	134,582	437,706
Arizona	7,051,422	1,633,885	5,417,537
Arkansas	7,433,101	2,450,232	4,982,869
California	72,652,308	12,698,400	59,953,908
Colorado	8,588,623	1,985,806	6,602,817
Connecticut	9,221,815	1,877,136	7,344,679
Delaware	1,564,289	303,536	1,260,753
Florida	18,678,451	4,993,270	13,685,181
Georgia	14,733,871	4,656,419	10,077,452
Hawaii	2,757,551	751,304	2,006,247
Idaho	3,099,811	935,594	2,164,217
Illinois	35,410,677	7,447,469	27,963,208
Indiana	18,774,806	4,779,499	13,995,307
Iowa	12,094,695	3,196,777	8,897,918
Kansas	9,571,166	2,235,272	7,335,894
Kentucky	11,610,877	3,486,167	8,124,710
Louisiana	13,583,570	4,049,876	9,533,694
Maine	3,813,628	1,259,356	2,554,272
Maryland	11,825,360	2,860,323	8,965,037
Massachusetts	21,659,072	4,464,330	17,194,742
Michigan	32,420,929	7,412,435	25,008,494
Minnesota	15,870,004	4,266,556	11,603,448
Mississippi	8,695,148	2,613,237	6,081,911
Missouri	16,755,285	4,019,734	12,735,551
Montana	3,012,422	843,052	2,169,370
Nebraska	$6,164,261	$1,575,980	$4,588,281
Nevada	1,132,651	229,238	903,413
New Hampshire	2,749,882	744,958	2,004,924
New Jersey	19,039,122	5,129,438	13,909,684
New Mexico	4,266,331	1,234,767	3,031,564
New York	59,061,850	11,894,612	47,167,238
North Carolina	18,710,923	5,915,776	12,795,147
North Dakota	3,017,169	803,259	2,213,910
Ohio	37,939,235	9,509,159	28,430,076
Oklahoma	10,872,774	2,886,234	7,986,540
Oregon	8,626,234	2,193,231	6,433,003
Pennsylvania	41,368,391	11,683,618	29,684,773
Rhode Island	3,508,541	859,710	2,648,831
South Carolina	8,959,079	3,079,117	5,879,962
South Dakota	3,118,924	840,144	2,278,780
Tennessee	14,469,673	4,310,975	10,158,698
Texas	38,526,164	10,312,022	28,214,142
Utah	5,935,191	1,332,332	4,602,859
Vermont	1,849,079	468,127	1,380,952
Virginia	13,987,824	4,042,473	9,945,351
Washington	13,166,276	3,168,882	9,997,394
West Virginia	7,703,924	2,558,506	5,145,418
Wisconsin	17,399,112	4,601,952	12,797,160
Wyoming	1,413,518	370,298	1,043,220
District of Columbia	3,684,724	304,329	3,380,395
American Samoa	80,600	38,735	41,865
Canal Zone	------	------	------
Guam	248,891	74,694	174,197
Puerto Rico	6,801,833	2,076,761	4,725,072
Virgin Islands	98,720	29,217	69,503

TABLE III.—*Estimated distribution of legislative authorization, Higher Education Facilities Act of 1963, title I, as amended by H.R. 14644, fiscal year 1969 (as reported by the Senate committee)*

	Total estimated amounts	For public community college and public technical institutes	For other undergraduate institutions
Total	$936,000,000	$234,000,000	$702,000,000
50 States and District of Columbia	926,704,228	231,146,477	695,557,751
Alabama	16,261,631	5,627,840	10,633,791
Alaska	735,799	173,034	562,765
Arizona	9,066,113	2,100,709	6,965,404
Arkansas	9,556,844	3,150,298	6,406,546
California	93,410,109	16,326,515	77,083,594
Colorado	11,042,516	2,553,180	8,489,336
Connecticut	11,856,620	2,413,461	9,443,159
Delaware	2,011,228	390,260	1,620,968
Florida	24,015,151	6,419,919	17,595,232
Georgia	18,943,549	5,986,825	12,956,724
Hawaii	3,545,423	965,962	2,579,461
Idaho	3,985,470	1,202,906	2,782,564
Illinois	45,528,012	9,575,316	35,952,696
Indiana	24,139,037	6,145,071	17,993,966
Iowa	15,550,322	4,110,142	11,440,180
Kansas	12,305,784	2,873,921	9,431,863
Kentucky	14,928,271	4,482,215	10,446,056
Louisiana	17,464,591	5,206,984	12,257,607
Maine	4,903,237	1,619,172	3,284,065
Maryland	15,204,034	3,677,558	11,526,476
Massachusetts	27,847,379	5,739,853	22,107,526
Michigan	41,684,050	9,530,273	32,153,777
Minnesota	20,404,289	5,485,571	14,918,718
Mississippi	11,179,476	3,359,876	7,819,600
Missouri	21,542,510	5,168,230	16,374,280
Montana	3,873,114	1,083,924	2,789,190
Nebraska	$7,925,479	$2,026,260	$5,899,219
Nevada	1,456,266	294,735	1,161,531
New Hampshire	3,535,563	957,804	2,577,759
New Jersey	24,478,872	6,594,992	17,883,880
New Mexico	5,485,282	1,587,557	3,897,725
New York	75,936,664	15,293,072	60,643,592
North Carolina	24,056,901	7,605,997	16,450,904
North Dakota	3,879,218	1,032,762	2,846,456
Ohio	48,779,015	12,226,061	36,552,954
Oklahoma	13,979,281	3,710,873	10,268,408
Oregon	11,090,873	2,819,869	8,271,004
Pennsylvania	53,187,931	15,021,794	38,166,137
Rhode Island	4,510,980	1,105,341	3,405,639
South Carolina	11,518,817	3,958,865	7,559,952
South Dakota	4,010,046	1,080,185	2,929,861
Tennessee	18,603,866	5,542,683	13,061,183
Texas	49,533,638	13,256,313	36,275,325
Utah	7,630,960	1,712,998	5,917,962
Vermont	2,377,388	601,878	1,775,510
Virginia	17,984,346	5,197,466	12,786,880
Washington	16,928,069	4,074,277	12,853,792
West Virginia	9,905,045	3,289,507	6,615,538
Wisconsin	22,370,287	5,916,796	16,453,491
Wyoming	1,817,380	476,097	1,341,283
District of Columbia	4,737,502	391,280	4,346,222
American Samoa	103,629	49,802	53,827
Canal Zone			
Guam	320,003	96,035	223,968
Puerto Rico	8,745,215	2,670,122	6,075,093
Virgin Islands	126,925	37,564	89,361

Tables, reflecting the House bill follow:

TABLE IV.—*Estimated distribution of legislation authorization, Higher Education Facilities Act of 1963, title I, as proposed to be amended by H.R. 14644, fiscal year 1967*

HOUSE-PASSED BILL

	Total estimated amounts	For public community college and public technical institutes	For other undergraduate institutions
Grand total, 50 States, District of Columbia, and Territories	$453,000,000	$99,660,000	$353,340,000
Total, 50 States and District of Columbia	448,567,702	98,440,595	350,127,107
Alabama	7,438,984	2,173,591	5,265,393
Alaska	341,485	70,063	271,422
Arizona	4,250,554	812,246	3,438,308
Arkansas	4,538,426	1,355,470	3,182,956
California	46,466,535	7,678,149	38,788,386
Colorado	5,195,847	999,713	4,196,134
Connecticut	5,776,242	1,048,611	4,727,631
Delaware	986,067	167,166	818,901
Florida	11,471,782	2,790,161	8,681,621
Georgia	8,847,606	2,450,732	6,396,874
Hawaii	1,667,257	432,040	1,235,217
Idaho	1,883,319	490,094	1,393,225
Illinois	22,524,663	4,167,489	18,357,174
Indiana	11,759,773	2,590,944	9,168,829
Iowa	7,448,867	1,742,242	5,706,625
Kansas	6,095,816	1,367,651	4,728,165
Kentucky	7,114,630	1,945,432	5,169,198
Louisiana	8,527,508	2,269,571	6,257,937
Maine	2,231,064	618,126	1,612,938
Maryland	7,252,885	1,507,173	5,745,712
Massachusetts	13,709,518	2,503,517	11,206,001
Michigan	20,071,095	4,248,524	15,822,571
Minnesota	9,897,108	2,374,968	7,522,140
Mississippi	5,336,965	1,416,635	3,920,330
Missouri	10,292,502	2,128,927	8,163,575
Montana	$1,848,584	$439,988	$1,408,596
Nebraska	3,786,445	841,877	2,944,568
Nevada	669,896	111,876	558,020
New Hampshire	1,656,340	385,389	1,270,951
New Jersey	12,031,745	2,796,381	9,235,364
New Mexico	2,527,967	602,230	1,925,737
New York	38,002,961	6,882,318	31,120,643
North Carolina	11,441,062	2,980,394	8,460,668
North Dakota	1,924,242	492,600	1,431,642
Ohio	23,345,230	5,224,826	18,120,404
Oklahoma	6,746,210	1,583,801	5,162,409
Oregon	5,250,447	1,111,417	4,139,030
Pennsylvania	26,449,497	6,686,989	19,762,508
Rhode Island	2,121,386	459,425	1,661,961
South Carolina	5,491,257	1,647,126	3,844,131
South Dakota	1,925,388	503,140	1,449,248
Tennessee	8,848,030	2,352,419	6,495,611
Texas	23,114,291	5,054,549	18,059,742
Utah	3,580,299	641,192	2,939,107
Vermont	1,166,097	256,926	909,171
Virginia	8,583,149	2,142,662	6,440,487
Washington	8,212,676	1,719,176	6,493,500
West Virginia	4,606,773	1,312,448	3,294,325
Wisconsin	10,748,928	2,523,732	8,225,196
Wyoming	853,546	173,041	680,505
District of Columbia	2,481,756	165,438	2,316,320
American Samoa	38,674	13,650	25,024
Canal Zone			
Guam	146,378	41,640	104,738
Puerto Rico	4,195,714	1,147,183	3,048,531
Virgin Islands	51,532	16,932	34,600

NOTE.—Distribution based on fiscal year 1966 data.

TABLE V.—*Estimated distribution of legislative authorization, Higher Education Facilities Act of 1963, title I, as proposed to be amended by H.R. 14644, fiscal year 1968*

HOUSE-PASSED BILL

	Total estimated amounts	For public community colleges and technical institutes	For other undergraduate institutions
Total, States, District of Columbia, and territories	$700,000,000	$154,000,000	$546,000,000
Total, 50 States and District of Columbia	693,150,974	152,115,710	541,035,264
Alabama	11,495,119	3,358,750	8,136,369
Alaska	527,680	108,265	419,415
Arizona	6,568,185	1,255,126	5,313,059
Arkansas	7,013,020	2,094,545	4,918,475
California	71,802,592	11,864,690	50,937,902
Colorado	8,028,903	1,544,811	6,484,092
Connecticut	8,925,795	1,620,370	7,305,389
Delaware	1,523,725	258,314	1,265,411
Florida	17,726,815	43,115,070	13,415,308
Georgia	13,671,798	3,787,003	9,884,795
Hawaii	2,576,336	667,612	1,908,724
Idaho	2,910,207	757,320	2,152,887
Illinois	34,806,322	6,439,828	28,366,494
Indiana	18,171,835	4,003,666	14,168,169
Iowa	11,510,389	2,692,205	8,818,184
Kansas	9,419,585	2,113,369	7,306,216
Kentucky	10,993,910	3,006,187	7,987,723
Louisiana	13,177,165	3,507,063	9,670,102
Maine	3,447,559	955,161	2,492,398
Maryland	11,207,548	2,328,965	8,878,583
Massachusetts	21,184,686	3,868,569	17,316,117
Michigan	31,014,938	6,565,048	24,449,890
Minnesota	15,293,545	3,669,928	11,623,617
Mississippi	8,246,965	2,189,061	6,057,904
Missouri	15,904,528	3,289,732	12,614,796
Montana	2,856,532	679,894	2,176,638
Nebraska	$5,851,020	$1,300,914	$4,550,106
Nevada	1,035,159	172,877	862,282
New Hampshire	2,559,466	595,524	1,963,942
New Jersey	18,592,101	4,321,119	14,270,982
New Mexico	3,906,350	930,598	2,975,752
New York	58,724,222	10,634,929	48,089,293
North Carolina	17,679,344	4,606,465	13,073,879
North Dakota	2,973,442	761,192	2,212,250
Ohio	36,074,305	8,073,682	28,000,623
Oklahoma	10,424,607	2,447,374	7,977,233
Oregon	8,113,273	1,717,421	6,395,852
Pennsylvania	40,871,187	10,333,096	30,538,091
Rhode Island	3,278,081	709,929	2,568,152
South Carolina	8,485,386	2,545,227	5,940,159
South Dakota	3,016,935	777,479	2,239,456
Tennessee	13,672,452	3,635,085	10,037,367
Texas	35,717,448	7,810,562	27,906,886
Utah	5,532,471	990,805	4,541,666
Vermont	1,801,915	397,015	1,404,900
Virginia	13,263,144	3,310,957	9,952,187
Washington	12,690,669	2,656,563	10,034,106
West Virginia	7,118,634	2,028,065	5,090,569
Wisconsin	16,609,824	3,899,807	12,710,017
Wyoming	1,318,946	267,392	1,051,554
District of Columbia	3,834,947	255,644	3,579,303
American Samoa	59,761	21,092	38,669
Canal Zone			
Guam	226,192	64,345	161,847
Puerto Rico	6,483,442	1,772,688	4,710,754
Virgin Islands	79,631	26,165	53,466

NOTE.—Distribution based on fiscal year 1966 data.

TABLE VI.—*Estimated distribution of legislative authorization, Higher Education Facilities Act of 1963, title I, as proposed to be amended by H.R. 14644, fiscal year 1969*

HOUSE-PASSED BILL

	Total estimated amounts	For public community colleges and technical institutes	For other undergraduate institutions
Total: States, District of Columbia, and territories	$900,000,000	$198,000,000	$702,000,000
Total, 50 States and the District of Columbia	891,194,109	195,577,341	695,616,768
Alabama	14,779,438	4,318,392	10,461,046
Alaska	678,446	139,198	539,248
Arizona	8,444,810	1,613,734	6,831,076
Arkansas	9,016,740	2,692,987	6,323,753
California	92,317,620	15,254,602	77,063,018
Colorado	10,322,874	1,986,185	8,336,689
Connecticut	11,475,976	2,083,332	9,392,644
Delaware	1,959,074	332,118	1,626,956
Florida	22,791,619	5,543,366	17,248,253
Georgia	17,578,026	4,869,004	12,709,022
Hawaii	3,312,432	858,358	2,454,074
Idaho	3,741,696	973,698	2,767,998
Illinois	44,750,985	8,279,779	36,471,206
Indiana	23,363,788	5,147,571	18,216,217
Iowa	14,799,072	3,461,407	11,337,665
Kansas	12,110,894	2,717,188	9,393,706
Kentucky	14,135,028	3,865,098	10,269,930
Louisiana	16,942,069	4,509,081	12,432,988
Maine	4,432,576	1,228,064	3,204,512
Maryland	14,409,704	2,994,383	11,415,321
Massachusetts	27,237,454	4,973,875	22,263,579
Michigan	39,876,347	8,440,775	31,435,572
Minnesota	19,663,129	4,718,479	14,944,650
Mississippi	10,603,240	2,814,506	7,788,734
Missouri	20,448,680	4,229,656	16,219,024
Montana	3,672,683	874,149	2,798,534
Nebraska	$7,522,740	$1,672,604	$5,850,136
Nevada	1,330,918	222,270	1,108,648
New Hampshire	3,290,742	765,674	2,525,068
New Jersey	23,904,131	5,555,725	18,348,406
New Mexico	5,022,450	1,196,483	3,825,967
New York	75,502,572	13,673,480	61,829,092
North Carolina	22,730,586	5,921,312	16,809,274
North Dakota	3,822,997	978,676	2,844,321
Ohio	46,381,249	10,380,448	36,000,801
Oklahoma	13,403,066	3,146,624	10,256,442
Oregon	10,431,351	2,208,113	8,223,238
Pennsylvania	52,548,669	13,285,408	39,263,261
Rhode Island	4,214,675	912,766	3,301,099
South Carolina	10,909,782	3,212,435	7,637,347
South Dakota	3,878,917	999,616	2,879,301
Tennessee	17,578,867	4,673,681	12,905,186
Texas	45,922,433	10,042,151	35,880,282
Utah	7,113,177	1,273,892	5,839,285
Vermont	2,316,748	510,448	1,806,300
Virginia	17,052,614	4,256,945	12,795,669
Washington	16,316,575	3,415,581	12,900,994
West Virginia	9,152,529	2,607,512	6,545,017
Wisconsin	21,355,488	5,014,038	16,341,450
Wyoming	1,695,787	343,789	1,351,998
District of Columbia	4,930,646	328,685	4,601,961
American Samoa	76,835	27,118	49,717
Canal Zone			
Guam	290,818	82,729	208,089
Puerto Rico	8,335,855	2,279,171	6,056,684
Virgin Islands	102,383	33,641	68,742

NOTE.—Distribution based on fiscal year 1966 data.

The following table is a 3-year comparison of the total title I authorization of the administration recommendation, the House-passed bill, and the Senate reported bill.

TABLE VII.—*Higher Education Facilities Act, total title I authorizations*

	Administration bill 1967 [1]	Senate bill			House bill		
		1967	1968	1969	1967	1968	1969
United States and outlying areas	$453,000,000	$560,000,000	$728,000,000	$936,000,000	$453,000,000	$700,000,000	$900,000,000
50 States and the District of Columbia	448,561,491	554,438,427	720,760,956	926 704,228	448,561,491	693,150,974	891,194,109
Alabama	7,687,016	9,729,181	12,647,935	16,261,631	7,687,016	11,495,119	14,779,438
Alaska	355,212	440,221	572,288	735,799	355,212	527,680	678,446
Arizona	4,337,575	5,424,170	7,051,422	9,066,113	4,337,575	6,568,185	8,444,810
Arkansas	4,526,373	5,717,770	7,433,101	9,556,844	4,526,373	7,013,020	9,016,740
California	45,967,763	55,886,390	72,652,308	93,410,109	45,967,763	71,802;592	92,317,620
Colorado	5,318,536	6,606,633	8,588,623	11,042,516	5,318,536	8,028,903	10,322,874
Connecticut	5,786,285	7,093,704	9,221,815	11,856,620	5,786,285	8,925,759	11,475,976
Delaware	986,795	1,203,299	1,564,289	2,011,228	986,795	1,523,725	1,959,074
Florida	11,556,393	14,368,039	18,678,451	24,015,151	11,556,393	17,726,815	22,791,619
Georgia	9,031,172	11,333,747	14,733,871	18,945,543	9,031,172	13,671,798	17,578,026
Hawaii	1,702,750	2,121,193	2,757,551	3,545,423	1,702,750	2,576,336	3,312,432
Idaho	1,923,231	2,384,469	3,099,811	3,985,470	1,923,231	2,910,207	3,741,696
Illinois	22,305,020	27,238,982	35,410,677	45,528,012	22,305,020	34,806,322	44,750,985
Indiana	11,754,921	14,442,159	18,774,806	24,139,037	11,754,921	18,171,835	23,363,788
Iowa	7,548,459	9,303,611	12,094,695	15,550,322	7,548,459	11,510,389	14,799,072
Kansas	5,965,569	7,362,435	9,571,166	12,305,784	5,965,569	9,419,585	12,110,894
Kentucky	7,155,939	8,931,444	11,610,877	14,928,271	7,155,939	10,939,910	14,135,028
Louisiana	8,324,527	10,448,901	13,583,570	17,464,591	8,324,527	13,177,165	16,942,069
Maine	2,315,520	2,933,561	3,813,628	4,903,237	2,315,520	3,447,559	4,432,576
Maryland	7,344,771	9,096,430	11,825,360	15,204,034	7,344,771	11,207,548	14,409,704
Massachusetts	13,636,029	16,660,825	21,659,072	27,647,379	13,636,029	21,184,686	27,237,454
Michigan	20,370,683	24,939,176	32,420,929	41,684,050	20,370,683	31,014,938	39,876,347
Minnesota	9,884,901	12,207,695	15,870,004	20,404,289	9,884,901	15,293,545	19,663,129
Mississippi	5,311,059	6,688,575	8,695,148	11,179,476	5,311,059	8,246,965	10,603,240
Missouri	10,428,673	12,888,681	16,755,285	21,542,510	10,428,673	15,904,528	20,448,680
Montana	1,844,963	2,317,248	3,012,422	3,873,114	1,844,963	2,856,532	3,672,663
Nebraska	3,854,780	4,741,739	6,164,261	7,925,479	3,854,780	5,851,020	7,522,740
Nevada	714,169	871,270	1,182,651	1,456,266	714,169	1,635,159	1,330,918
New Hampshire	1,701,519	2,115,294	2,749,882	3,535,563	1,701,519	2,559,466	3,290,742
New Jersey	11,784,552	14,645,479	19,039,122	24,478,872	11,784,552	18,592,101	23,904,131
New Mexico	2,602,555	3,281,793	4,266,331	3,485,282	2,602,555	3,906,350	5,022,450
New York	36,839,093	45,432,193	59,061,850	75,936,664	36,839,093	58,724,[illegible]	7,502,572
North Carolina	11,516,400	14,393,018	18,710,925	24,056,901	11,516,400	17,679,344	22,730,586
North Dakota	1,878,723	2,320,900	3,017,169	3,879,218	1,878,723	2,973,442	3,822,997
Ohio	23,761,920	29,184,026	37,939,235	48,779,015	23,761,920	36,074,305	46,381,249
Oklahoma	6,792,546	8,363,672	10,872,774	13,979,281	6,792,546	10,424,607	13,403,066
Oregon	5,331,905	6,635,565	8,626,234	11,090,873	5,331,905	8,113,273	10,431,351
Pennsylvania	25,648,779	31,821,839	41,368,391	53,187,931	25,648,779	40,871,187	52,548,669
Rhode Island	2,153,672	2,698,877	3,508,541	4,510,980	2,153,672	3,278,081	4,214,675
South Carolina	5,495,709	6,891,600	8,959,079	11,518,817	5,495,709	8,485,386	10,909,782
South Dakota	1,949,424	2,399,172	3,118,924	4,010,046	1,949,424	3,016,935	3,878,917
Tennessee	8,923,462	11,130,518	14,469,673	18,603,866	8,923,462	13,672,452	17,578,867
Texas	23,699,371	29,635,511	38,526,164	49,533,638	23,699,371	35,717,448	45,922,433
Utah	3,703,404	4,565,532	5,935,191	7,630,960	3,703,404	5,532,471	7,113,177
Vermont	1,149,998	1,422,369	1,849,079	2,377,388	1,149,988	1,801,915	2,316,748
Virginia	8,695,492	10,759,865	13,987,824	17,984,346	8,695,492	13,263,144	17,052,614
Washington	8,258,184	10,127,903	13,166,276	16,928,069	8,258,184	12,690,669	16,316,575
West Virginia	4,635,829	5,926,095	7,703,924	9,905,045	4,635,829	7,118,634	9,152,529
Wisconsin	10,878,947	13,383,932	17,399,112	22,370,287	10,878,947	16,609,824	21,355,488
Wyoming	873,920	1,087,321	1,413,518	1,817,380	873,920	1,318,946	1,695,787
District of Columbia	2,347,063	2,834,403	3,684,724	4,737,502	2,347,063	3,834,947	4,930,646
American Samoa	47,512	62,000	80,600	103,629	47,512	59,762	76,835
Canal Zone	--------	--------	--------	--------	--------	--------	--------
Guam	153,570	191,455	248,891	320,003	153,570	226,191	290,818
Puerto Rico	4,176,068	5,252,180	6,801,833	8,745,215	4,176,068	6,483,442	8,335,855
Virgin Islands	61,359	75,936	98,720	126,925	61,359	79,631	102,385

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[1] The administration bill had no specific authorizations for fiscal years 1968–71.

For comparison purposes, an analysis of grants made in fiscal year 1966 for 2- and 4-year institutions is presented in the following tables:

TABLE 7A.—*Analysis of grants approved to grants requested, fiscal year 1966*

[Sec. 103—For public community college and public technical institutes]

	Number of requests	Number of approved grants	Amount of grants requested	Amount of grants approved
Total	357	[1] 241	$190,687,503	[2] $104,971,841
Alabama	21	7	7,468,916	2,197,582
Alaska	0	0	0	0
Arizona	3	3	821,000	821,00
Arkansas	3	3	827,970	827,970
California	41	20	15,710,700	7,762,896
Colorado	5	4	1,600,102	1,010,748
Connecticut	4	4	1,097,431	1,060,185
Delaware	0	0	0	0
District of Columbia	0	0	0	0
Florida	8	8	2,820,958	2,820,958
Georgia	8	8	3,387,715	3,387,715
Hawaii	1	1	436,809	436,809
Idaho	3	3	514,803	495,504
Illinois	6	6	4,259,667	4,213,488
Indiana	6	6	4,544,136	4,544,136
Iowa	4	4	1,503,661	1,503,661
Kansas	8	8	2,777,465	2,777,465
Kentucky	8	4	3,938,432	2,020,221
Louisiana	5	5	2,141,225	2,141,225
Maine	0	0	0	0
Maryland	5	3	8,042,800	3,596,375
Massachusetts	1	1	3,428,153	2,531,150
Michigan	22	8	12,112,887	4,977,689
Minnesota	6	6	2,487,579	2,401,181
Mississippi	16	12	2,242,769	1,623,204
Missouri	6	3	2,684,998	2,152,425
Montana	4	4	$737,193	$517,669
Nebraska	0	0	0	0
Nevada	0	0	0	0
New Hampshire	1	1	265,926	265,926
New Jersey	7	3	3,450,823	2,827,247
New Mexico	3	2	1,374,707	915,370
New York	12	8	10,729,558	6,958,281
North Carolina	20	10	4,963,987	3,013,290
North Dakota	2	2	521,322	521,322
Ohio	14	3	14,796,647	5,282,494
Oklahoma	9	6	2,389,574	1,413,489
Oregon	8	4	3,505,453	1,154,461
Pennsylvania	12	12	7,874,982	7,874,982
Rhode Island	2	2	573,543	464,497
South Carolina	10	10	2,113,270	1,665,306
South Dakota	0	0	0	0
Tennessee	3	3	2,626,696	2,626,696
Texas	28	20	6,964,202	5,155,703
Utah	7	4	1,164,897	623,697
Vermont	5	3	397,702	259,762
Virginia	4	4	2,107,136	2,107,136
Washington	5	2	4,349,791	1,788,215
West Virginia	1	1	1,141,458	1,141,458
Wisconsin	7	7	3,036,290	2,551,588
Wyoming	1	1	174,951	174,951
Guam	--------	0	--------	0
Puerto Rico	1	1	207,943	207,943
Virgin Islands	1	1	279,276	66,771

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[1] 67.5 percent.

[2] 65.3 percent.

TABLE 713.—*Analysis of grants approved to grants requested, fiscal year 1966*

[Sec. 104—For other undergraduate institutions]

	Number of requests	Number of approved grants	Total amount of grants requests	Total amount of approved grants
Total	[1] 1,000	819	$456,114,801	[2] $362,067,676
Alabama	27	11	11,625,529	5,532,271
Alaska	1	1	75,530	75,530
Arizona	10	8	5,243,285	3,476,258
Arkansas	13	13	4,275,762	4,275,762
California	62	61	40,358,250	40,025,238
Colorado	10	7	6,545,964	4,393,683
Connecticut	17	13	6,855,598	4,847,442
Delaware	3	3	1,599,175	1,080,531
District of Columbia	7	7	2,598,771	2,598,771
Florida	26	26	8,840,070	8,840,070
Georgia	10	16	5,821,041	5,750,263
Hawaii	3	2	2,055,603	1,248,851
Idaho	5	5	2,121,092	1,858,259
Illinois	46	39	20,030,942	18,704,652
Indiana	20	20	7,326,292	7,326,292
Iowa	28	24	7,191,738	5,987,281
Kansas	11	11	3,485,760	3,485,760
Kentucky	21	10	10,589,896	5,226,254
Louisiana	15	15	6,517,308	6,517,308
Maine	13	13	2,583,193	2,583,193
Maryland	10	10	3,736,563	3,736,563
Massachusetts	23	21	12,527,140	11,329,688
Michigan	25	25	16,203,315	16,203,315
Minnesota	20	14	10,877,785	7,608,916
Mississippi	18	18	4,216,698	4,216,698
Missouri	21	16	11,053,699	8,708,455
Montana	10	10	2,010,421	2,008,059
Nebraska	6	6	$4,500,787	$4,059,805
Nevada	2	2	999,901	999,901
New Hampshire	4	4	1,408,696	1,408,696
New Jersey	21	19	10,073,134	9,491,591
New Mexico	8	7	2,244,305	1,946,991
New York	53	41	41,395,255	31,464,137
North Carolina	46	30	12,358,661	8,554,052
North Dakota	2	2	853,860	853,860
Ohio	81	38	45,463,385	18,437,109
Oklahoma	18	14	6,787,474	6,034,874
Oregon	16	16	4,237,738	4,237,738
Pennsylvania	48	48	18,812,218	18,812,218
Rhode Island	9	9	1,727,461	1,680,683
South Carolina	14	14	4,498,460	4,498,460
South Dakota	8	8	2,246,438	2,246,438
Tennessee	19	19	6,369.038	6,369,038
Texas	59	36	28,736,846	18,445,973
Utah	5	2	5,374,464	3,017,799
Vermont	9	6	1,603,033	919,206
Virginia	23	23	7,461,149	7,279,718
Washington	23	16	10,360,556	6,565,172
West Virginia	18	14	5,350,041	3,516,162
Wisconsin	17	15	9,662,340	8,367,962
Wyoming	1	1	2,446,034	1,030,649
U.S. service schools	0	0	0	0
Canal Zone	0	0	0	0
Guam	1	1	150,000	150,000
Puerto Rico	9	9	4,627,107	4,034,081
Virgin Islands	0	0	0	0

[1] 81.9 percent.

[2] 79.4 percent.

Repeal of fee schedule

The committee also considered the request that language in section 107 of the bill authorizing the repeal of authority to prescribe a schedule of fees for certain inspections and related activities be stricken from the reported bill. In the considered judgment of the committee, based on the principle that academic facilities, which cannot be amortized from earned income, as can housing facilities, and which are erected, in part, upon the basis of financing supplied by the Federal Government through grant or low-cost loans should not be burdened by extra costs.

To hold otherwise, in the committee view, would be to encourage the raising of tuition charges to students, or in lieu of that expedient, the delay or indefinite deferral of needed construction.

Graduate facilities construction grants

Title II of the Higher Education Facilities Act provides for grants of construction of graduate academic facilities. For fiscal year 1966, this title has carried an authorization of $120 million a year. The bill as introduced recommended that this program be reduced to an authorization of $60 million a year. However, the testimony developed that at the time of the hearings in July of 1966, there existed a backlog of $30.5 million in unprocessed applications for graduate construction grants.

Mr. MORSE. Mr. President, the committee made modifications in the Higher Education Act of 1965 through adapting the insured loan program of title IV so as to enable fuller participation by the District of Columbia and to increase the State minimum for the program in section 111.

Title III of the Higher Education Act, which provides for assistance to developing institutions were modified to provide a 3-year extension of the program with the previous authorization for the current fiscal year of $55 million, for each of the fiscal years 1967, 1968, 1969.

The maintenance of effort requirement for title II and title VI were each clarified.

Lastly, in this bill are modifications in the direct student loan program of title II, which I have touched upon earlier, and as set forth in the committee report starting on page 21 through the middle of page 27. Mr. President, I ask unanimous consent that these pages of the report to be printed at this point in my remarks.

There being no objection, the pages were ordered to be printed in the RECORD, as follows:

TITLE II—NATIONAL DEFENSE EDUCATION ACT CHANGES

Institutional loan proposal

The administration requested and the committee recommends that an additional revolving fund be created to meet in part student loan needs. The following statement, made by the Commissioner of Education in testimony before the Education Subcommittee, which can be found on pages 79–82 of the hearings record, develops the operational mechanism of the proposal:

Amendments to the national defense student loan program

In his message on health and education of March 1, 1966, President Johnson asked the Congress to consider with him the objective of encouraging private capital to participate in the funding of the national defense student loan program. Title II of the bill you are now considering, S. 3047, was developed to carry out that objective. It is essential to stress the administration's commitment to insure that every needy student requiring an NDEA loan will receive it. In fact, our goal has been to increase, rather than to diminish, the availability of federally supported student loans.

As you know, the proposal we presented to the Congress in March has not been well received by the higher education community. It was argued that our proposal was subject to vagaries and uncertainties which might conceivably work a hardship on certain needy students. Consequently, the House Committee on Education and Labor, in considering the administration's proposal, voted to defer consideration of our NDEA conversion plan to a future date. Following the Education Committee's recommendation, the House of Representatives as a whole voted, in the appropriations act for the fiscal year 1967 (H.R. 14745), to continue the NDEA student loan program with an appropriation of $190 million for the current fiscal year.

In view of the House's action, and recognizing that we had a great deal of work to do in order to assure the higher education community that the NDEA program would operate without detriment to either institutions or students, and would, in fact, benefit both, the administration undertook a quite extended restudy of the entire problem. Over a period of 3 months, we have had extensive discussions with student financial aid officers, representatives of major higher education associations, and financial experts in and out of the Federal Government. As a result, I am pleased to report, we have now developed a new title II for your consideration in connection with S. 3047—a proposal which I am fully confident can enjoy the support of the higher education community and the Congress as well.

The members of the committee will recall that the NDEA program involves a fixed authorization and a State allotment formula for the distribution of the funds appropriated by the Congress. Several months ago it became evident that the total of $190 million likely to be appropriated by the Congress would not be sufficient to meet all of the approved institutional requests of America's colleges and universities. In the first place, the total approved requests aggregated some $213.5 million, as detailed on the accompanying table. In the second place, because of the operation of the State allotment formula, institutions of higher learning in certain States would receive only 53 or 54 percent of their approved requests and, consequently, many needy students would be adversely affected by the unavailability of Federal capital contributions. Rather than seek expanded appropriations for the NDEA program, we have been discussing a course of action more nearly in keeping with the administration's desire to transfer credit programs out of the administrative budget of the Federal Government and into the private commercial credit market wherever possible.

Bearing in mind that our objective is to provide an NDEA loan to every needy student who requires it, the new proposal before you would work as follows:

Colleges and universities would continue to offer national defense student loans in exactly the same manner in which they are now making loans to students, and additional Federal funds would be made available to institutions for making these loans.

National defense student loan program—Fiscal 1967

	State allotment	Approved request	Estimated proposed allocation	Percent of approved request
Total	$190,000,000	$213,588,463	$190,000,000	----------
Alabama	2,691,695	3,448,530	2,959,952	85.8
Alaska	81,061	105,351	89,162	84.6
Arizona	2,137,150	1,593,503	1,593,503	100.0
Arkansas	1,800,482	2,689,546	1,979,920	73.6
California	19,057,903	15,567,186	15,567,186	100.0
Colorado	2,776,517	3,364,795	3,047,730	90.6
Connecticut	2,363,160	2,881,808	2,598,675	90.2
Delaware	361,210	202,941	202,941	100.0
District of Columbia	1,603,080	2,463,638	1,762,844	71.6
Florida	4,496,921	4,760,836	4,760,836	100.0
Georgia	3,023,014	2,713,163	2,714,163	100.0
Hawaii	668,833	226,827	226,827	100.0
Idaho	788,301	651,296	651,296	100.0
Illinois	9,350,501	9,944,672	9,944,672	100.0
Indiana	5,265,085	7,507,705	5,789,809	77.1
Iowa	3,679,867	6,538,130	4,046,607	61.9
Kansas	3,219,036	4,746,197	3,589,848	74.6
Kentucky	2,951,299	4,225,953	3,245,428	76.8
Louisiana	3,546,361	3,132,605	3,132,605	100.0
Maine	762,936	1,097,147	838,971	76.5
Maryland	2,803,272	2,184,070	2,184,070	100.0
Massachusetts	6,967,245	9,647,239	7,683,602	79.7
Michigan	8,589,792	8,460,349	8,460,349	100.0
Minnesota	4,496,146	6,094,433	4,944,237	81.1
Mississippi	2,271,333	4,048,656	2,497,696	61.7
Missouri	4,845,061	6,073,690	5,327,925	87.8
Montana	854,231	943,128	939,365	99.6
Nebraska	$1,825,266	$1,736,015	$1,736,015	100.0
Nevada	221,315	172,755	172,755	100.0
New Hampshire	790,431	1,209,086	869,206	71.9
New Jersey	3,352,251	3,560,846	3,560,846	100.0
New Mexico	1,013,633	1,252,410	1,114,653	89.0
New York	14,948,284	18,647,373	16,438,045	88.2
North Carolina	4,494,404	5,447,714	4,942,321	90.7
North Dakota	932,504	1,874,527	1,025,438	54.7
Ohio	9,208,069	9,137,221	9,137,221	100.0
Oklahoma	3,237,721	4,192,807	3,560,395	84.9
Oregon	2,502,571	2,650,958	2,650,958	100.0
Pennsylvania	9,532,800	12,196,953	10,482,850	86.0
Rhode Island	1,075,448	1,459,083	1,182,628	81.1
South Carolina	1,796,706	1,718,693	1,718,693	100.0
South Dakota	911,495	1,866,130	1,002,336	53.7
Tennessee	3,878,140	4,581,813	4,364,640	93.1
Texas	10,439,746	8,007,724	8,007,724	100.0
Utah	2,283,095	1,097,086	1,097,086	100.0
Vermont	601,597	889,038	661,553	74.4
Virginia	3,082,384	2,815,661	2,815,661	100.0
Washington	3,949,394	4,312,764	4,312,764	100.0
West Virginia	1,799,272	2,046,734	1,978,589	96.7
Wisconsin	4,751,878	6,085,690	5,225,455	85.9
Wyoming	405,114	354,248	354,248	100.0
U.S. service schools	0	0	0	0
Canal Zone	29,576	0	0	0
Guam	28,705	3,114	3,114	100.0
Puerto Rico	1,257,748	950,273	950,273	100.0
Virgin Islands	3,921	7,353	4,314	58.7

Under the present program, the Commissioner aids colleges by using appropriated funds to make Federal capital contributions to their student loan funds. Our new proposal would leave this authority untouched, but it would authorize the Commissioner in addition to make loans of Federal funds to institutions for use in their student loan programs. To provide capital for these loans, our proposal would authorize the appropriation of $30 million—in addition to the $190 million now voted by the House of Representatives for Federal capital contributions—and it would permit all or part of the sums appropriated under the present authorization to be paid to colleges in the form of loans. The chart which follows describes the flow of funds under this new proposal.

This proposal would provide substantial benefits to institutions of higher education, to the students attending institutions of higher learning, and to the Federal Government. In brief, for needy college students, the proposal would authorize the appropriation of an additional $30 million for student loans. Institutions electing to receive Federal money for student loan funds in the form of loans rather than Federal capital contributions would be relieved of their present obligation to contribute at least 10 percent of the capital of any federally assisted student loan fund. (They would not be relieved of their obligation to assume 10 percent of any defaulted notes.) For the United States, the proposal would permit it to reduce its net expenditures by enabling the Commissioner, through the Federal National Mortgage Association, to sell to private investors participations in the obligations given by institutions which elect to borrow from him for their student loan needs. The proceeds from these sales would then be deposited in a revolving fund from which additional loans could be made to institutions.

Submitted with my statement is a complete text of the new title II proposal as well as a detailed summary of the operation of this title.

Let me stress once again that my colleagues and I assure you that the present NDEA program will be maintained at its currently authorized level through direct appropriations of the Congress and that, with the help of the participation sales method, we shall be able to support additional lending. No college need borrow from the Commissioner of Education; Federal contributions will be available as usual in the event that a college does not borrow all or a portion of its NDEA student loan needs from the Commissioner of Education.

On the other hand, the new proposal holds out the hope that we shall be able to reduce budgetary expenditures under the NDEA program and at the same time give to every institution of higher learning its full approved institutional request for NDEA funds.

It should further be stressed that our new proposal does not involve banks or financial institutions in any way in student financial aid affairs. It does not alter in the slightest the terms affecting student borrowing. Loan forgiveness, interest rates, and the like remain as at present. Neither are institutions affected other than positively, since they will now be able to free up their matching funds for NDEA purposes and direct them at their discretion to the host of financial needs afflicting every institution of higher learning.

In sum, we believe that this approach will expand student aid opportunities while at the same time it will reduce the fiscal impact on the budget by substituting private capital for the growing pressures for direct Federal appropriations.

We urge the committee to give this new NDEA proposal the same careful consideration it has always accorded to the administration's requests, and we assure you of our sincere desire to work together with you in the development of the best possible program for the advancement of full educational opportunity.

Thank you, Mr. Chairman and members of the subcommittee for the opportunity to present the administration's proposals in the field of higher education. My colleagues and I are now available to try to answer any questions you may have.

Summary of NDEA amendments to encourage the availability of non-Federal capital for national defense student loans

1. There would be no change in the terms of NDEA student loans, and the Commissioner of Education would continue to offer 90 percent Federal capital contributions to student loan funds of institutions of higher education.

2. To provide additional loan funds, and to increase the flow of private capital into the student loan funds of institutions, the Commissioner would be authorized during fiscal 1967 and 1968 to make loans to institutions under a revised section 207 loan program (new NDEA sec. 207(a), pp. 1–2). The 10-percent institutional contribution required by section 204(2)(B) would not apply to student loan fund capital obtained from the Commissioner in the form of a loan (new NDEA sec. 207(a)(1), p. 1). Where necessary to enable an institution to obtain the benefits of the new financing provisions, the Commissioner could permit the institution to make its obligation on a loan from the Commissioner payable solely from particular assets or security (including collections on loans to students) approved by the Commissioner (new NDEA sec. 207(a)(2), p. 1).

3. For any institution which takes its student loan fund capital from the Commissioner in the form of a loan, the Commisioner would agree to pay to the institution (1) 90 percent of its loss from defaults on student loans made from the borrowed funds, (2) the net amount of interest paid by the institution on the borrowed funds, (3) administrative and collection costs equivalent to those authorized by section 204 (3), and (4) the amount of loans canceled for service as a teacher (new NDEA sec. 207(b), p. 2).

4. The maximum amount of loans to institutions for each year would be specified in appropriation acts, with an overall limitation of $240 million minus the amount of Federal capital contributions paid to institutions for that year (new NDEA sec. 207(c), p. 3). Proceeds from the sale of participations in loans made to institutions (see para. 5) would be used to augment appropriations to the extent necessary to reach the amount of this overall limitation.

5. The Commissioner would be authorized to arrange for the sale to private investors, through the Federal National Mortgage Association, of participations in loans made under the revised NDEA section 207 (sec. 202(d) of the bill, p. 5). For the purpose of making the proceeds from the sale of participations in these loans more readily available for student loan funds, the bill would establish a revolving fund similar to the fund which was established for academic facilities constructions loans by the Participation Sales Act of 1966 (new NDEA sec. 207(d), p. 3). In addition to the appropriations now authorized by section 201 of the act, the bill would authorize the appropriation of $30 million to the revolving funds in fiscal 1967 (new NDEA sec. 207(d)(4), p. 4), and it would also permit funds appropriated under the existing section 201 to be paid into the revolving fund (sec. 203(b) of the bill, p. 4).

6. Sums appropriated under the existing section 201 of the NDEA would be allocated among States and institutions in the same manner as at present, but an institution

could take the amount allocated to it in the form of either a Federal capital contribution or a loan. Any remaining funds available either for Federal capital contributions or for loans to institutions would be allocated on such basis as the Commissioner determines would best carry out the purposes of the NDEA loan program. (Sec. 203 of the bill, p. 5-6.)

Committee comment

Although certain changes have been made in the financing of the national defense student loan program, the committee intends no diminution in the quality of this program. The committee urges the Office of Education and American colleges and universities to search constantly for ways to make this program more valuable and more useful to the student.

After each of the 2 years during which this bill authorizes expenditures for the national defense student loan program, the committee requests that the Office of Education submit a comparison of the cost to the Government of financing the program under the participation sales procedure with the cost which the Government would have undergone in financing the program under the method which has been used until now. The committee points out that the proper comparison will include, under the old method, the cost of financing just that percentage of the budget deficit if any that would have been attributable to this program.

The committee also took note of the suspension of the participation sales program. Since it wished to assure that to the maximum extent possible students eligible for the direct loan program of title II, NDEA would have access to sufficient funds to meet their needs, the committee increased the student loan authorization from $190 million for fiscal year 1967 to $220 million and from $195 to $225 million for fiscal year 1968.

Adopted also was a provision extending the forgiveness feature of existing law for certain teachers employed in some schools receiving title I, Public Law 89-10 grants to teachers of handicapped children.

Mr. MORSE. Mr. President, in committee, following the persuasive argument presented by the ranking minority member of the Education Subcommittee [Mr. PROUTY], the decision was taken to broaden title III of the National Defense Education Act, which is the title which provides for 50 percent matching grants to public elementary and secondary schools and low-cost loans to private schools to purchase equipment, by adding to the subject matter disciplines now set forth, the discipline of the industrial arts.

For many years the committee has received testimony as to the value of this activity and the need for its support. The need previously was partially recognized in the last year amendments to the act by including the industrial arts discipline under the teacher training institutes of title XI. Since we have tried to follow the practice of including within title III those subject matter areas now contained in title XI, the amendment was adopted unanimously. The acceptance of the discipline, however, necessitated a raise in the authorization of title III. Therefore, the authorization for title III was increased from $100 to $110 million.

All in all, Mr. President, it is my judgment that the committee has brought forth a defensible bill containing urgently needed modifications of existing statute which should receive approval of the Senate. If we are each to meet our obligations to those who will follow us in the next 50 years and after, we have an imperative duty as statesmen and men of vision to look carefully to the national interest. We do this when we consider the investment we are making in education as one of the truly productive acts of our generation. We do this when we rise above the narrow accountant's view which considers only the balance sheets of a limited period.

We fulfill our obligation to the American people and the trust that has been reposed in us by our election to this Chamber, when we keep our eyes forever fixed upon the goal we seek to attain, which, simply stated, is that every American child shall have an opportunity through education to bring into being the fullest expression the native talents and abilities with which he was endowed by the Creator.

Mr. President, I ask unanimous consent that at the conclusion of this opening statement there be printed the section-by-section analysis of the bill, which may be found on pages 27-35 of the committee report.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 1. Short titles

This section provides that this act may be cited as the "Higher Education Amendments of 1966."

TITLE I—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT OF 1963, HIGHER EDUCATION ACT OF 1965, AND NATIONAL DEFENSE EDUCATION ACT OF 1958

Section 101. Extension of grants for construction of undergraduate academic facilities

This section amends the program of grants to institutions of higher education for the construction of (primarily) undergraduate facilities under title I of the Higher Education Facilities Act (referred to in the analysis of secs. 101-108 of this bill as "the act").

The present act (sec. 101) provides for a program expiring on June 30, 1968, but the appropriation authorization specified in the act (sec. 101) expired on June 30, 1966; for the remaining 2 years amendment of the act, specifying appropriation ceilings for these years, is contemplated. Present law (sec. 102), moreover, requires that 22 percent of the total appropriation for any fiscal year be allotted among the States for use in providing academic facilities for public community colleges and public technical institutes, and the remainder for use in providing academic facilities for other institutions of higher education; except that (under a 1965 amendment to secs. 103(b)(2) and 104(b)(2)) a State commission may require the transfer of any part of its State's allotment for a fiscal year under either of these categories to the other category, to the extent that the Commission has not, by January 1 of the fiscal year, received from qualified institutions applications for grants chargeable to such allotment.

Section 101 of the bill would—

(1) extend the duration of the program for 3 fiscal years;

(2) terminate, beginning with the fiscal year 1967, the requirement that 22 percent of the total appropriation under title I of the act for any fiscal year be allotted for academic facilities for public community colleges and public technical institutions;

(3) authorize, for construction of academic facilities for public community colleges and public technical institutions, appropriations of $140 million for the fiscal year 1967, $182 million for the fiscal year 1968, and $234 million for the fiscal year 1969;

(4) authorized, for academic facilities for other institutions of higher education, appropriations of $420 million for fiscal year 1967, $546 million for fiscal year 1968, and $702 million for fiscal year 1969;

(5) make applicable to any fiscal year (instead of terminating with fiscal year 1966) a carryover provision in present law relating to carryover of unused appropriation authorizations; and

(6) make applicable to allotments made for *any* fiscal year the provisions of present law (§§ 103(c), 104(c)) authorizing reallotment of the unused portion of allotments, which at present applies only to allotments made for the fiscal years 1965 and 1966.

Section 102. Payments for administrative expenses and for planning

This section amends section 105(b) of the act, which at present authorizes the Commissioner to expend not more than $3 million yearly for the administration of State plans under title I for the first 2 fiscal years of the title I program. The amendment made by this section authorizes an expenditure, for the fiscal years ending in 1967, 1968, and 1969, of $7 million yearly, of which not more than $3 million may be expended yearly for the administration of State plans under title I of the Higher Education Facilities Act of 1963 and under part A of title VI of the Higher Education Act of 1965 (equipment for undergraduate instruction). The remainder is to be available for grants, to the State commissions which submit the State plans under title I, for comprehensive planning to determine construction needs of institutions of higher education (and combinations thereof). This section also makes a conforming amendment to section 601 of the Higher Education Act of 1965 so as to eliminate a separate appropriation authorization under that section for grants for administration of State plans under part A of title VI of that act.

Section 103. Extension of grants for construction of graduate academic facilities; extending availability of appropriations

This section amends section 201 of the act, which established the title II program of grants to institutions of higher education for the construction of graduate academic facilities. This program, under present law, expires on June 30, 1968, subject to the enactment of appropriation authorizations for the last 2 fiscal years of the program to carry it out. The amendment made by this section of the bill would extend the program through the fiscal year ending in 1971, and would authorize appropriations of $120 million for each of the 3 fiscal years ending in 1967, 1968, and 1969, respectively, which is the same level as was authorized to be appropriated for the fiscal year 1966.

This section also makes two technical changes in section 201. First, any excess of (a) a specific authorization for title II for a fiscal year over (b) the actual appropriation pursuant to such authorization may be carried over and added to the authorization for the next fiscal year. Second, appropriations for a fiscal year for title II would remain available until expended, instead of remaining available through the second succeeding fiscal year as under present law.

Section 104. Change in Federal shares

Under present law (as amended in 1965), the maximum Federal share of the cost of any construction project for an academic facility under title I of the act is 40 percent of such cost in the case of a facility for the use of a public community college or public technical institute and 33⅓ percent in the case of a facility for any other institution of higher education. Effective for the fiscal year 1967 and thereafter, section 104 of the bill would change this, so that in the case of a project for a public community college or public technical institute the Federal share would be a minimum of 40 percent and a maximum of 60 percent of such cost (as determined under the State plan), and in the case of a project for any other institution of higher education a minimum of 33⅓ percent and a maximum of 50 percent of such cost; except that upon application by a State commission under title I of the act the Commissioner of Education would be authorized to provide that the 40 percent or 33⅓ percent minimum, or both such minimums, shall not apply with respect to projects in the State involved.

Section 105. Extension of loans for construction of academic facilities

This section amends section 303(c) of the act which contains provisions applicable to the title III program of loans to institutions of higher education for the construction of academic facilities. Section 303(c) at present provides that the title III loan program will expire on June 30, 1968, but does not provide an authorization of appropriations for the last 2 years of the program. The amendments made by this section of the bill would extend the program through the fiscal year ending in 1971, and would authorize $400 million yearly for the fiscal years ending in 1967, 1968, and 1969 for carrying out the program. In addition, this section of the bill makes technical changes in the provisions of section 303(c) of the act relating to carryover of unused authorizations and of unexpended appropriations to conform these provisions to the comparable provisions added to section 201 (described in the analysis of sec. 103 of the bill).

Section 106. Amendments to definition of development cost

Subsection (a) of this section amends the definition of "development cost" in section 401(c) of the act. Development cost, as at present defined, encompasses the cost to the institution of construction of an academic facility (including necessary site acquisition and improvement) less the amount of Federal assistance made available, and certain non-Federal contributions required, under other Federal programs. The amendment would include in development cost the cost of acquisition of works of art for the facility, to the extent that such cost does not exceed 1 percent of the cost of construction and site acquisition and improvement (computed without any deduction on account of Federal assistance made available, or of non-Federal contributions required, under other Federal programs).

Subsection (b) of this section of the bill further amends the definition of "development cost" by modifying the present requirement of the act that there be excluded from such cost any cost incurred before, or under a contract entered into before, the enactment of the Higher Education Facilities Act of 1963. Under the bill, notwithstanding this general exclusionary requirement, the development cost in which the Federal Government could share through a grant could, in the case of a facility included in a grant application after June 30, 1966, include the cost of architectural and engineering services performed after the enactment of the Higher Education Facilities Act even if such cost was incurred under a contract entered into before such enactment.

Section 107. Repeal of authority to prescribe a schedule of fees for certain inspections and related activities

This section of the bill repeals section 304 (b) of the act which permitted the Commissioner to condition loan agreements under title III upon the payment of fees (for which the Commissioner could prescribe a schedule) covering the costs of inspections at the site of projects being constructed with title III loans. The section also permitted the Commissioner to utilize other agencies on a reimbursable basis for making such inspections.

Section 108. Requirement that academic facilities be usable by handicapped persons

This section would add to section 401(a) (1) of the act, which defines the term "academic facilities," a requirement that plans for such facilities comply with such standards as the Secretary may prescribe or approve to insure that facilities constructed with Federal aid under the act be accessible to and usable by handicapped persons to the extent appropriate in view of the uses to be made of the facilities.

Section 109. Revision of maintenance-of-effort requirement for college library assistance

This section modifies the maintenance-of-effort requirements for eligibility for basic grants under part A of title II of the Higher Education Act of 1965 (relating to grants for college library resources). Under present law (sec. 202 (a) and (b)), an institution or combination of institutions, in order to be eligible for basic grants for books and other library resources and materials, must provide satisfactory assurance that the applicant will, during the fiscal year for which the grant is requested expend from funds other than those received under part A, (1) for all library purposes (exclusive of construction) and (2) for books and other library materials, respectively, amounts not less than the average amounts it respectively expended for such purposes during the 2-year period ending June 30, 1965. (These requirements are in addition to a matching requirement in the act.) Section 109 of the bill would, as an alternative to the use of the average annual amount expended during the 2-year period ending June 30, 1965, as a measure of the required effort, substitute the average annual amount expended by the applicant during the 2 fiscal years preceding the fiscal year for which the grant is requested if that amount is less.

Section 110. 3-year extension of assistance to developing institutions

Title III of the Higher Education Act of 1965 established a 1-year program (expiring on June 30, 1966) designed to encourage cooperative arrangements for assistance to certain financially handicapped colleges ("developing institutions"), and to provide fellowships to encourage outstanding graduate students and junior faculty members to teach at such colleges. This section amends section 301(b) (1) of that title to extend the program for 3 years by authorizing annual appropriations of $55 million for the fiscal years 1967, 1968, and 1969.

Section 111. Increase in minimum advances for reserve funds for insured loan programs.

Part V of title IV of the Higher Education Act of 1965 provides—in addition to a standby Federal student loan insurance program—for making advances, from Federal appropriations, for the reserve funds of State and nonprofit private student loan insurance programs.[2]

Section 421(b) of that act authorizes aggregate appropriations of $17,500,000 for making such advances, such appropriations to remain available for advances through the fiscal year 1968. Section 422(b) requires that the total of such advances may not exceed an amount which bears the same ratio to $17½ million as the population of the State aged 18 to 22 bears to the total population of all the States in this age group, but that if the amount so determined for any State is less than $25,000 it shall be increased to $25,000, with proportionate reduction (but not below $25,000) in the amount determined for each of the remaining States.

The bill would amend the provision for a minimum advance to each State, so that the minimum advance to a State would be an annual minimum of $25,000 for each fiscal year (prior to the fiscal year 1969) rather than a minimum of $25,000 in the aggregate.

Section 112. Authorizing District of Columbia to establish a federally assisted student loan insurance program

Section 112 would amend part B of title IV of the Higher Education Act of 1965 adding thereto a section 436 authorizing the Board of Commissioners of the District of Columbia (1) to establish a student loan insurance program meeting the requirements of such part B and the requirement of the National Vocational Student Insurance Act of 1965 for a State loan insurance program and to enter into agreements with the Commissioner of Education for the purposes of these Federal programs. This section further provides that a minor obtaining a student loan insured under the program established by the Board of Commissioners pursuant to this section shall be legally bound by any note or other written agreement executed by him for the purposes of such loan, regardless of whether under other applicable law a binding obligation would otherwise be created.

Section 113. Revision of maintenance-of-effort requirement for college equipment program

Under part A of title VI of the Higher Education Act of 1965, providing for grants to institutions of higher education for equipment for undergraduate instruction, an institution of higher education is eligible for a grant for a project in any fiscal year only if it will expend during such year, "for the same purposes as, but not pursuant to" such part A, an amount at least equal to the amount expended by such institution in the previous fiscal year. Under section 113 of the bill, this provision (sec. 604(b) of the Higher Education Act of 1965) will be amended effective with respect to applications filed after December 30, 1966, so that the institution will be eligible if during the fiscal year involved it will expend "from current funds for instructional and library purposes, other than personnel costs," an amount not less than that expended by the institution from current funds for such purpose during the previous fiscal year.

Section 114. Increase in appropriation authorization for Federal capital contributions for national defense student loans

This section would amend the first sentence of section 201 of the National Defense Education Act of 1958 so as to increase from $190 million to $220 million for the fiscal year 1967, and from $195 million to $225 million for the fiscal year 1968, the authorization for appropriations under that section of the national defense student loan program. (For amendment of section 201 NDEA so as to make appropriations under this authorization also available for payment into a Federal revolving fund for loans to institutions, for which fund additional appropriations are also authorized, see title II of this bill.)

Section 115. NDEA loan cancellation for teaching handicapped children, and for teaching in the trust territory of the Pacific Islands

Subsection (a) of this section would amend section 205(b) (3) of the NDEA to provide up to 100 percent cancellation of a student loan at the rate of 15 percent for each year of service by the debtor as a full-time teacher of handicapped children in a public or other nonprofit elementary or secondary school system. Under existing law, this particular loan cancellation provision applies only to those who teach in elementary or secondary schools with high concentrations of children from low-income families.

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[2] Students obtaining loans under such insurance programs or under the Federal insurance program would be entitled to have the Federal Government pay the interest on such loans while pursuing their program of study and a part of such interest thereafter.

Subsection (b) of this section would close a gap in existing law by extending the benefit of the loan cancellation provisions of the NDEA to borrowers teaching full time in public or nonprofit private elementary or secondary schools in the trust territory of the Pacific Islands.

Section 116. Assistance in industrial arts added to title III of National Defense Education Act of 1958

Subsection (a) of this section would add industrial arts to the list of critical subjects in which the quality of instruction may be improved through financial assistance under title III of the NDEA.

Subsection (b) would authorize an appropriation, for the purposes of title III of the NDEA, of $110 million for the fiscal year 1967 and an equal amount for fiscal year 1968.

TITLE II—ENCOURAGING THE AVAILABILITY OF NON-FEDERAL CAPITAL FOR NATIONAL DEFENSE STUDENT LOANS

Section 201. Purpose

This section states that the purpose of this title is to increase the capital available for National Defense Education Act of 1958 (NDEA) student loan funds by stimulating private and other non-Federal investment in these funds and at the same time to reduce the capital contribution which institutions are required to make to student loan funds. For effective date of amendments made by this title, see analysis of section 204 of the bill, below.

Section 202. Establishing a revolving fund from which institutions may obtain loans to capitalize student loan funds

Subsection (a) of this section of the bill would insert in title II of the NDEA a new section 207 which supersedes the present section 207 of the NDEA.[1] The new section 207 of the National Defense Education Act would authorize the Commissioner of Education, during the fiscal years ending in 1967 and 1968, to make loans, from the revolving fund established by subsection (d) of this section, to institutions of higher education to provide all or part of the capital needed for their student loan funds. To the extent that student loan fund capital is obtained from the Commissioner in the form of loans from the revolving fund, the institution would not be required to make the institutional contribution required under section 204(2)(B) of $1 for every $9 in Federal capital contribution, i.e., an institution's student loan fund could, under the bill, be financed 100 percent by loans from the Commissioner under this section. Such loans may be upon such terms and conditions as the Commissioner deems appropriate, bearing interest at a rate based on the going Federal rate on comparable U.S. obligations plus probable losses. (But see analysis of subsection (b) as to Commissioner's reimbursement obligation to institution.) If the Commissioner finds it necessary, he may agree to provisions making the institution's obligation to the Commissioner on such a loan payable solely from particular revenues or other assets or security such as collections on loans to students.

Subsection (b) of the new section 207 would provide that if an institution borrows funds from the revolving fund, the Commissioner shall agree to reimburse the institution for (1) 90 percent of the loss to the institution from defaults on student loans; (2) the excess of the interest which the institution must pay on loans borrowed from the revolving fund over the interest received by the institution's student loan fund from student borrowers to whom loans were made from proceeds of the Federal loan made to the institution; (3) administrative expenses as authorized in the existing section 204(3); and (4) the amount of principal canceled under the teacher forgiveness provisions (sec. 205(b)(3)).

Subsection (c) of the new section 207 would limit the total of the loans which could be made from the revolving fund in any fiscal year to an amount equal to the lesser of the following: (1) Any specific limitations contained in appropriation acts. (2) The excess of $270 million and the amount of Federal capital contributions paid into institutional student loan funds for that year under section 203 of the act.

Subsection (d) of the proposed new section 207 would establish on the books of the Treasury a revolving fund designated as the national defense education loan fund, to be available to the Commissioner without fiscal year limitation as a revolving fund for the purposes of the new section 207. This revolving fund would consist of appropriations paid into the fund under section 201 (under an amendment to that section explained below) as well as the additional appropriation of $30 million (see below) authorized to be appropriated under this new subsection in fiscal year 1967; and the revolving fund would also receive any interest payments and principal repayments received by the Commissioner on loans made to institutions, and any other property or assets received in connection with the Commissioner's operations under this section, including receipts from the sale of participations in institutional loan notes held in the fund (see below). The total amount of appropriations deposited in the revolving fund which have been paid out as loans to institutions for their student loan funds would bear interest at the going Federal rate, payable into the Treasury annually. In addition to the appropriations authorized by section 201 of the act, the bill would authorize the appropriation of $30 million to the revolving fund in fiscal year 1967.

Subsection (b) of the proposed new section 202 of the bill would amend section 201 of NDEA to provide that sums appropriated pursuant to this section shall be available to the Commissioner, not only for Federal capital contributions in accordance with agreements between the Commissioner and institutions of higher education (as in the present law), but also for payments into the revolving loan fund. Subsection (c) makes a conforming amendment to section 208 of the NDEA.

This section of the bill would also amend the provision in section 302(c)(2) of the Federal National Mortgage Association Charter Act (added by the Participation Sales Act of 1966 (Public Law 89–429)) which authorized FNMA to establish trusts for, among other agencies, the Office of Education "but only with respect to loans for construction of academic facilities." As amended, this provision would also authorize such trusts for "loans to help finance student loan programs" so that FNMA may sell participations in such loans when authorized by the Commissioner.

Section 203. Allotment among States of funds for Federal capital contributions and loans to institutions

This section amends sections 202 (allotments among States) and 203 (suballotments to institutions within States) so that, as a first step, an amount equal to the amount appropriated under section 201 of the NDEA will be allocated according to the existing distribution formulas specified in sections 202 and 203 of NDEA, thus assuring each participating institution of a minimum amount of Federal assistance for its student loan fund (either in the form of Federal loans or, if it desires, Federal capital contributions) equal to the amount of Federal assistance available under the present distribution formulas specified in these sections. To the extent that an excess over the amount appropriated under section 201 of NDEA is available for assistance under title II of NDEA, e.g., as the result of appropriations directly to the revolving fund, an amount equal to that excess is to be allocated by the Commissioner among States and institutions within States in such manner as will best carry out the purposes of the program. In no event, of course, could the aggregate of loans to institutions for any fiscal year exceed the applicable ceilings for loans from the revolving fund (see analysis of sec. 202 of the bill).

Subsection (d) of section 203 of the bill would make conforming amendments to section 206 of the NDEA (relating to capital distributions from student loan funds to which the Commissioner has made a Federal capital distribution).

Section 204. Effective date of title II of bill—Conversion of capital contributions to loans

Subsection (a) of this section of the bill makes the amendments effected by this title applicable in the case of payments to student loan funds made after the enactment of the bill, except as to payments honoring loan commitments made prior to enactment of the bill under the superseded section 207 of the NDEA.

Subsection (b) of this section of the bill authorizes the Commissioner, if so requested by a participating institution, to convert a Federal capital contribution, made to an institution's student loan fund from funds appropriated under title II of the NDEA for the fiscal year 1967, to a loan under the new section 207 of the NDEA enacted by the bill.

Mr. MORSE. Mr. President, I turn now to the first amendment which I am offering to the bill which is the amendment dealing with District of Columbia home rule. I send the amendment to the desk. I ask that it not only be printed in the RECORD at this point, but that it be printed so that it will be available to Senators on Monday, and that it be made the pending amendment on the bill.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk proceeded to state the amendment.

Mr. MORSE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

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[1] The superseded section 207 authorized appropriations aggregating $25 million for loans by the Commissioner to institutions of higher education to help finance an institution's capital contributions (usually one-ninth of the Federal capital contributions) to a student loan fund of the institution established pursuant to an agreement under sec. 204 of title II. Since the new program of loans to institutions would be more advantageous to institutions and would be available to finance institutional student loans funds entirely, as explained below, loans for the purposes specified in the superseded section would no longer be available.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 7, between lines 21 and 22, insert the following:

"CHAPTER 1"

On page 7, line 22, strike out "Act" and insert in lieu thereof "chapter".

At the end of the bill, add the following:

"CHAPTER 2

"SECTION 1. Subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation.

"TABLE OF CONTENTS

"TITLE I—DEFINITIONS
"Sec. 101. Definitions.
"TITLE II—STATUS OF THE DISTRICT
"Sec. 201. Status of the District.
"TITLE III—THE DISTRICT COUNCIL
"Part 1—Creation of the District Council
"Sec. 301. Creation and membership.
"Sec. 302. Qualifications for holding office.
"Sec. 303. Compensation.
"Sec. 304. Procedure for changes.
"Part 2—Principal functions of the District Council
"Sec. 321. Board of Commissioners abolished and functions transferred to District Council
"Sec. 322. Functions relating to zoning and other agencies.
"Sec. 323. Certain delegated functions.
"Sec. 324. Powers of and limitations upon District Council.
"Part 3—Organization and procedure of the District Council
"Sec. 331. The Chairman.
"Sec. 332. Secretary of the District Council; records and documents.
"Sec. 333. Meetings.
"Sec. 334. Committees.
"Sec. 335. Acts and resolutions.
"Sec. 336. Passage of acts.
"Sec. 337. Procedure for zoning acts.
"Sec. 338. Investigations by District Council.
"TITLE IV—MAYOR
"Sec. 401. Election, qualifications, and salary.
"Sec. 402. Powers and duties.
"TITLE V—THE DISTRICT BUDGET
"Sec. 501. Fiscal year.
"Sec. 502. Budgetary details fixed by District Council.
"Sec. 503. Adoption of budget.
"Sec. 504. Five year capital program.
"Sec. 505. Budget establishes appropriations.
"Sec. 506. Supplemental appropriations.
"TITLE VI—BORROWING
"Part 1—Borrowing for capital improvements
"Sec. 601. Borrowing power; debt limitations.
"Sec. 602. Contents of borrowing legislation; referendum on bond issue.
"Sec. 603. Publications of borrowing legislation.
"Sec. 604. Short period of limitation.
"Sec. 605. Acts for issuance of bonds.
"Sec. 606. Public sale.
"Part 2—Short term borrowing
"Sec. 621. Borrowing to meet supplemental appropriations.
"Sec. 622. Borrowing in anticipation of revenues.
"Sec. 623. Notes redeemable prior to maturity.
"Sec. 624. Sale of notes.
"Part 3—Payment of bonds and notes
"Sec. 631. Payment of bonds and notes.
"Part 4—Tax exemption—Legal investment
"Sec. 641. Tax exemption.
"Sec. 642. Legal investment.
"TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT
"Part 1—Financial administration
"Sec. 701. Surety bonds.
"Sec. 702. Financial duties of the Mayor.
"Sec. 703. Control of appropriations.
"Sec. 704. Accounting supervision and control.
"Sec. 705. General fund.
"Sec. 706. Contracts extending beyond one year.
"Part 2—Annual post audit by General Accounting Office
"Sec. 721. Independent annual post audit.
"Sec. 722. Amendment of Budget and Accounting Act.
"Part 3—Adjustment of Federal and District expenses
"Sec. 731. Adjustment of Federal and District expenses.
"Part 4—Federal contribution
"Sec. 741. Authorization of appropriations.
"Sec. 742. Mayor to compute amount of Federal payment.
"Sec. 743. Repeals.
"Sec. 744. Initial Federal payment.
"TITLE VIII—ELECTIONS IN THE DISTRICT
"Sec. 801. Board of Elections.
"Sec. 802. Elections to be held.
"Sec. 803. Elective offices; terms of office.
"Sec. 804. Vacancies.
"Sec. 805. Election of candidates.
"Sec. 806. Rollcall.
"Sec. 807. Qualifications of voters.
"Sec. 808. Registration.
"Sec. 809. Nominations
"Sec. 810. Nonpartisan elections.
"Sec. 811. Method of voting.
"Sec. 812. Recounts and contests.
"Sec. 813. Interference with registration or voting.
"Sec. 814. Voting hours.
"Sec. 815. Prohibition of the sale of alcoholic beverages on election days.
"Sec. 816. Violations.
"TITLE IX—MISCELLANEOUS
"Sec. 901. Agreements with United States.
"Sec. 902. Personal interest in contracts or transactions.
"Sec. 903. Compensation from more than one source.
"Sec. 904. Assistance of United States Civil Service Commission in development of District Merit System.
"Sec. 905. Authority of President to assume command of police force.
"TITLE X—SUCCESSION IN GOVERNMENT
"Sec. 1001. Transfer of personnel, property, and funds.
"Sec. 1002. Existing statutes, regulations, and other actions.
"Sec. 1003. Pending actions and proceedings.
"Sec. 1004. Vacancies resulting from abolition of Board of Commissioners.
"TITLE XI—SEPARABILITY OF PROVISIONS
"Sec. 1101. Separability of provisions.
"TITLE XII—TEMPORARY PROVISIONS
"Sec. 1201. Powers of the President during transition period.
"Sec. 1202. Reimbursable appropriation for the District.
"TITLE XIII—EFFECTIVE DATES
"Sec. 1301. Effective dates.
"TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM
"Sec. 1401. Charter referendum.
"Sec. 1402. Board of Elections.
"Sec. 1403. Registration.
"Sec. 1404. Charter referendum ballot; notice of voting.
"Sec. 1405. Method of voting.
"Sec. 1406. Acceptance or nonacceptance of charter.
"TITLE XV—DELEGATE
"Sec. 1501. District Delegate.
"TITLE XVI—DISTRICT OF COLUMBIA INDEPENDENT SCHOOL BOARD
"Sec. 1601. Creation of School Board.
"Sec. 1602. Transfer of personnel, funds, and property.
"Sec. 1603. Qualifications.
"Sec. 1604. Pending proceedings, existing status.
"Sec. 1605. Repeal of laws.
"Sec. 1606. General powers.
"Sec. 1607. Superintendent of Schools.
"Sec. 1608. Personnel.
"Sec. 1609. Meetings, officers.
"Sec. 1610. Expenses.
"Sec. 1611. Liability of Members.
"Sec. 1612. Fiscal year.
"Sec. 1613. Budget.
"Sec. 1614. General account.
"Sec. 1615. Capital construction account.
"Sec. 1616. Revenues for operating expenses.
"Sec. 1617. Statutes repealed.
"Sec. 1618. Technical amendment.
"Sec. 1619. Definitions.
"TITLE XVII—INITIATIVE
"Sec. 1701. Power to propose and enact legislation.
"TITLE XVIII—TITLE OF ACT
"Sec. 1801. Title of Act.

"TITLE I—DEFINITIONS

"Definitions

"SEC. 101. For the purposes of this chapter—

"(1) The term 'District' means the District of Columbia.

"(2) The terms 'District Council' and 'Council' means the Council of the District of Columbia provided for by title III of this chapter.

"(3) The term 'Chairman' means the Chairman of the District Council provided for by title III.

"(4) The term 'Mayor' means the Mayor provided for by title IV.

"(5) The term 'qualified voter' means a qualified voter of the District as specified in section 807, except as otherwise specifically provided.

"(6) The term 'act' includes any legislation adopted by the District Council, except where the term 'Act' is used to refer to this Act or other Acts of Congress herein specified.

"(7) The term 'District Election Act of 1955' means the Act of August 12, 1955 (69 Stat. 699), as amended.

"(8) The term 'person' includes an individual, partnership, association, joint-stock company, trust, or corporation.

"(9) The term 'capital project', or 'project', means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

"(10) The term 'pending', when applied to any capital project, means authorized but not yet completed.

"(11) The term 'Board of Elections' means the Board of Elections created by section 3 of the District Election Act of 1955.

"(12) The term 'election', unless the context otherwise indicates, means an election held pursuant to the provisions of this chapter.

"(13) The term 'domicile' means that place where a person has his true, fixed, and permanent home and to which, when he is absent, he has the intention of returning.

"(14) The terms 'publish' and 'publication', unless otherwise specifically provided herein, mean publication in a newspaper of general circulation in the District.

"(15) The term 'municipal courts of the District of Columbia' means the District of Columbia Court of General Sessions, the District of Columbia Court of Appeals, the District of Columbia Tax Court, the juvenile court of the District of Columbia, and such other municipal courts as the District Council may hereafter establish by act.

"(16) The terms 'Delegate' and 'District Delegate' mean the Delegate from the District of Columbia provided for by title XV.

"TITLE II—STATUS OF THE DISTRICT

"Status of the District

"SEC. 201. (a) All of the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia shall remain and continue a body corporate, as provided in section 2 of the Revised Statutes relating to said District. Said Corporation shall continue to be charged with all the duties, obligations, responsibilities, and liabilities, and to be vested with all the powers, rights, privileges, immunities, and assets, respectively, imposed upon and vested in said Corporation, the Board of Commissioners of the District of Columbia, any person appointed from civil life as a member of the Board of Commissioners of the District or the Engineer Commissioner of the District of Columbia.

"(b) No law or regulation which is in force on the effective date of part 2, title III, of this chapter shall be deemed amended or repealed by this chapter except to the extent that such law or regulation is inconsistent with this chapter: *Provided*, That any such law or regulation may be amended or repealed by legislation or regulation as authorized in this chapter, or by Act of Congress.

"(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the Act of October 31, 1945 (59 Stat. 552).

"TITLE III—THE DISTRICT COUNCIL

"Part I—Creation of the District Council

"Creation and Membership

"SEC. 301. There is hereby created a Council of the District of Columbia consisting of nineteen members, one elected from each of fourteen wards and five elected at-large, all as provided in title VIII.

"Qualifications for Holding Office

"SEC. 302. No person shall hold the office of member of the District Council unless he (1) is a qualified voter, (2) is domiciled in the District and, if he is nominated from a particular ward, resides in the ward from which he is nominated, (3) has, during the three years next preceding his nomination, resided and been domiciled in the District, (4) if he is nominated from a particular ward, has, for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (5) holds no other elective public office, (6) holds no position as an officer or employee of the municipal government of the District of Columbia or any appointive office, for which compensation is provided out of District funds, and (7) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section.

"Compensation

"SEC. 303. Each member of the District Council, except the Chairman, shall receive compensation at a rate of $9,000 per annum, payable in periodic installments. The Chairman shall receive compensation at a rate of $10,000 per annum, payable in periodic installments. All members shall receive such additional allowances for expenses as may be approved by the Council to be paid out of funds duly appropriated therefor.

"Changes in Membership and Compensation of District Council Members

"SEC. 304. The number of members constituting the District Council, the qualifications for holding office, and the compensation of such members may be changed by act passed by the Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified voters of the District voting at an election on the proposition set forth in any such act.

"Part 2—Principal functions of the District Council

"Board of Commissioners Abolished and Functions Transferred to District Council

"SEC. 321. (a) The Board of Commissioners of the District, the offices of Commissioner, Engineer Commissioner, and Assistants to the Engineer Commissioner of the District, are hereby abolished.

"(b) Except as otherwise provided in this chapter, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council except those powers hereinafter specifically conferred on the Mayor.

"Functions Relating to Certain Agencies

"SEC. 322. (a) Subject to the provisions of subsection (b) of this section—

"(1) The Zoning Commission created by the first section of the Act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D.C. Code, 1951 ed., sec. 5-412), is hereby abolished, and its functions are transferred to the District Council.

"(2) The first sentence of section 2 of the Act of June 4, 1948 (62 Stat. 339), is hereby amended to read as follows: 'There is hereby established an Armory Board, to be composed of three members who shall be appointed by the Mayor, by and with the advice and consent of the Council, and who shall serve at the pleasure of the Mayor.'

"(3) All functions and authority vested in the President by the Act of June 12, 1934 (48 Stat. 930), as amended, are hereby transferred to and vested in the Mayor.

"(4) The District of Columbia Redevelopment Land Agency, a body corporate of perpetual duration, established by the District of Columbia Redevelopment Act of 1945 (60 Stat. 790), as amended, is hereby transferred to and continued in, the municipal government of the District of Columbia. Section 4(a) of said Act is hereby amended to read as follows: 'The District of Columbia Redevelopment Land Agency is hereby established and shall be composed of five members who shall be appointed by the Mayor by and with the advice and consent of the Council. Each appointee shall be a resident of the District of Columbia and at least three members shall be engaged or employed during tenure of office in private business or industry or the private practice of a profession therein. Appointees shall serve at the pleasure of the Mayor. The members shall receive no salary as such, but those members who hold no other salaried public position shall be paid a per diem of $20 for each day of service at meetings or on the work of the Agency and may be reimbursed for any expenses legitimately incurred in the performance of such service or work; except that the amount authorized as per diem may be changed by act passed by the Council.'

"(5) The Public Service Commission of the District of Columbia; the Recreation Board; the Board of Zoning Adjustment; and the Zoning Advisory Council are hereby abolished and their functions transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

"(b) Notwithstanding the provisions of subsection (a) of this section, the agencies referred to therein shall, for a period of one hundred and eighty days from the effective date of this section, unless within such period the District Council shall otherwise direct, continue to exercise the functions imposed on them by the laws in effect on the effective date of this section, except that insofar as such laws refer to a Commissioner or Commissioners of the District of Columbia the terms shall mean, after the effective date of this section, the Mayor or such other District officer or officers as he may designate.

"Certain Delegated Functions

"SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Council by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Mayor or Council, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

"Power of and Limitations Upon District Council and the Qualified Voters of the District of Columbia

"SEC. 324. (a) (1) The legislative power granted to the District by this chapter shall be vested in the Council, and in the qualified voters of the District of Columbia (as provided in section 1701 of title XVII of this chapter).

"(2) Except as provided in subsection (b) of this section, the legislative power of the District shall extend to all rightful subjects of legislation within the District, consistent with the Constitution of the United States and the provisions of this chapter, subject, nevertheless, to all the restrictions and limitations imposed upon States by the tenth section of the first article of the Constitution of the United States; but all acts of the Council and the qualified voters of the District of Columbia shall at all times be subject to repeal or modification by the Congress of the United States, and nothing herein shall be construed to deprive Congress of the power of legislation over said District in as ample manner as if this chapter had not been enacted: *Provided*, That nothing in this section shall be construed as vesting in the District government any greater authority over the Washington Aqueduct, the Commission on Mental Health, the National Zoological Park, the National Guard of the District of Columbia, or, except as otherwise specifically provided in this chapter, over any Federal agency than was vested in the Board of Commissioners of the District prior to the effective date of part 2, title III, of this chapter.

"(b) Neither the Council nor the qualified voters of the District of Columbia may pass any act contrary to the provisions of this chapter, or—

"(1) impose any tax on property of the United States;

"(2) lend the public credit for support of any private undertaking;

"(3) authorize the issuance of bonds except in compliance with the provisions of title VI;

"(4) authorize the use of public money in support of any sectarian, denominational, or private school except as now or hereafter authorized by Congress;

"(5) enact any act to amend or repeal any Act of Congress which concerns the functions or property of the United States or which is not restricted in its application exclusively in or to the District;

"(6) pass any act inconsistent with or contrary to the Act of June 6, 1924 (43 Stat. 463), as amended by the Act of April 30, 1926 (44 Stat. 374), by the Act of July 19, 1952 (66 Stat. 781), and the Act of May 29, 1930 (46 Stat. 482), as amended, and the Council shall not pass any act inconsistent with or contrary to any provision of any Act of Congress as it specifically pertains to any duty, authority, and responsibility of the National Capital Planning Commission; except insofar as the above-cited or other referred to Acts refer to the Engineer Commissioner of the District of Columbia or the Board of Commissioners of the District, the former of which terms, after the effective date of this part, shall mean the Mayor or some District government official deemed by the Mayor to be best qualified, and designated by him to sit in lieu of the Mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the Council.

"(c) Every act shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act shall be published within seven days after its passage, as the Council may direct.

"(d) An act passed by the Council shall be presented by the Chairman of the Council to the Mayor, who shall, within ten calendar days after the act is presented to him, either approve or disapprove such act. If the Mayor shall approve such act (which he shall do by affixing his signature thereto), he shall present the act to the President. If the Mayor shall disapprove such act, he shall, within ten calendar days after it is presented to him, return such act to the Council setting forth his reasons for such disapproval. If any act so passed shall not be returned to the Council by the Mayor within ten calendar days after it shall have been presented to him, the Mayor shall be deemed to have approved such act and he shall present the same to the President. If, within thirty calendar days after an act has been returned by the Mayor to the Council with his disapproval, two-thirds of the members of the Council vote to pass such act, the Chairman of the Council shall again present the act to the Mayor, who shall, within five calendar days, present the same to the President.

"(e) Any act which has been passed by the Council, and which, in accordance with subsection (d), has been presented to the President, shall become law unless, within ten calendar days after it is so presented to the President, he shall, in accordance with this subsection, disapprove the same. The President may, if he is satisfied that any such act adversely affects a Federal interest, disapprove such act, in which event he shall return the act to the Mayor with his objections and, notwithstanding any other provision of this chapter, such act shall not become law. The Mayor shall inform the Council of any such disapproval.

"(f) The Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the District Council and the qualified voters of the District of Columbia by this chapter, including without limitation, legislation to amend or repeal any law in force in the District prior to or after enactment of this chapter and any act passed by the Council or by the qualified voters of the District of Columbia.

"(g) Upon the effective date of this title, jurisdiction over the municipal courts of the District of Columbia shall vest with the District Council in all matters pertaining to the organization and composition of such courts, and to the appointment or selection, qualification, tenure, and compensation of the judges thereof: *Provided*, That the Council shall not transfer or modify any function performed by the United States marshal or the United States attorney for the District on the effective date of this section. Nothing in this chapter shall be construed to change the tenure of any persons occupying positions as judges of the municipal courts of the District of Columbia on the effective date of this part, except that their compensation may be increased.

"(h) On or after the effective date of this part, any person appointed or elected to serve as judge of one of the municipal courts of the District of Columbia shall not (1) be appointed or elected to serve for a term of less than ten years, or (2) receive as compensation for such service an amount less than the amount payable to an associate judge of the District of Columbia Court of General Sessions on the effective date of this part.

"(i) Nothing in this section shall be construed to curtail the jurisdiction of the United States District Court for the District of Columbia or any other United States court other than the municipal courts of the District of Columbia.

"(j) Nothing in this section shall be construed as prohibiting the Council from enacting legislation conferring upon the District of Columbia Court of Appeals exclusive jurisdiction to review orders and decisions of administrative agencies of the District denying, revoking, suspending, or refusing to renew or restore any license or registration to engage in any profession, vocation, trade, calling, or business, which under law is now or hereafter required to be licensed or registered.

"*Part 3—Organization and Procedure of the District Council*

"The Chairman

"SEC. 331. The District Council shall elect from among its members a Chairman who shall be the presiding officer of the Council and a Vice Chairman, who shall preside in the absence of the Chairman. When the Mayor is absent or unable to act, or when the office is vacant, the Chairman shall act in his stead. The term of the Chairman shall be for the remainder of his term as a member of the Council.

"Secretary of the District Council; Records and Documents

"SEC. 332. (a) The Council shall appoint a secretary as its chief administrative officer and such assistants and clerical personnel as may be necessary. Notwithstanding any other provision of this chapter, the compensation and other terms of employment of such secretary, assistants, and clerical personnel shall be prescribed by the Council.

"(b) The secretary shall (1) keep a record of the proceedings of the Council, (2) keep a record showing the text of all acts introduced and the ayes and noes of each vote, (3) authenticate by his signature and record in full in a continuing record kept for that purpose all acts passed by the Council and by the qualified voters of the District of Columbia, and (4) perform such other duties as the Council may from time to time prescribe.

"Meetings

"SEC. 333. (a) The first meeting of the Council after this part takes effect shall be called by the member who receives the highest vote in the election provided in title VIII. He shall preside until a Chairman is elected. Following each such election, but not later than December 15 of the year of the election, the secretary of the Council shall call the first meeting of the Council elected in such election for a date not later than January 7 of the next year.

"(b) The Council shall provide for the time and place of its regular meetings. The Council shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least two regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Mayor, the Chairman, or any three members of the Council.

"(c) Meetings of the Council shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records of the Council provided for in section 332(b) shall be open to public inspection and available for copying during all regular office hours of the Council secretary. Any citizen shall have the right to petition and be heard by the Council at any of its meetings within reasonable limits as set by the Council Chairman, the Council concurring.

"Committees

"SEC. 334. The Council Chairman, with the advice and consent of the Council, shall determine the standing and special committees which may be expedient for the conduct of the Council's business. The Chairman shall appoint members to such committees. All committee meetings shall be open to the public except when ordered closed by the committee chairman, with the approval of a majority of the members of the committee.

"Acts and Resolutions

"SEC. 335. (a) The Council, to discharge the powers and duties imposed herein, shall pass acts and adopt resolutions, upon a vote of a majority of the members of the Council, unless otherwise provided herein. Acts shall be used for all legislative purposes. Resolutions shall be used to express simple determinations, decisions, or directions of the Council of a special or temporary character.

"(b)(1) The enacting clause of all acts passed by the Council shall be, 'Be it enacted by the Council of the District of Columbia:'.

"(2) The resolving clause of all resolutions passed by the Council shall be, 'The Council of the District of Columbia hereby resolves,'.

"(c) A special election may be called by resolution of the Council to present for referendum vote of the people any proposition upon which the Council desires to take such action.

"Passage of Acts

"SEC. 336. The Council shall not pass any act before the thirteenth day following the day on which it is introduced. Subject to the other limitations of this chapter, this requirement may be waived by the unanimous vote of the members present: *Provided*, That the members present constitute a majority of the Council.

"Procedure for Zoning Acts

"SEC. 337. (a) Before any zoning act for the District is passed by the Council—

"(1) the Council shall deposit the act in its introduced form, with the National Capital Planning Commission. Such Commission shall, within thirty days after the day of such deposit, submit its comments to the Council, including advice as to whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The Council may not pass the act unless it has received such comments or the

Commission has failed to comment within the thirty-day period above specified; and

"(2) the Council (or an appropriate committee thereof) shall hold a public hearing on the act. At least thirty days' notice of the hearing shall be published as the Council may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the act. The Council (or committee thereof holding a hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

"(b) The Council shall deposit with the National Capital Planning Commission each zoning act passed by it.

"Investigations by District Council

"SEC. 338. (a) The Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the Council (if the Council is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpenas and may administer oaths.

"(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Council, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such court.

"TITLE IV—MAYOR

"Election, Qualifications, and Salary

"SEC. 401. (a) There is hereby created the office of Mayor of the District of Columbia. The Mayor shall be elected as provided in title VIII.

"(b) No person shall hold the office of Mayor unless he (1) is a qualified voter, (2) is domiciled and resides in the District, (3) has, during the three years next preceding his nomination, been resident in and domiciled in the District, (4) holds no other elective public office, (5) holds no position as an officer or employee of the municipal government of the District of Columbia or any appointive office, for which compensation is provided out of District funds, and (6) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this section.

"(c) The Mayor shall receive an annual salary of $27,500, and an allowance for official reception and representation expenses, which he shall certify in reasonable detail to the District Council, of not more than $2,500 annually. Such salary shall be payable in periodic installments.

"(d) Notwithstanding any other provision of this chapter, the method of election, the qualifications for office, the compensation and the allowance for official expenses pertaining to the office of Mayor may be changed by acts passed by the Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified voters of the District voting at an election on the proposition set forth in any such act.

"Powers and Duties

"SEC. 402. The executive power of the District shall be vested in the Mayor, who shall be the chief executive officer of the District government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

"(1) He shall designate the officer or officers of the executive department of the District who shall, during periods of disability or absence from the District of the Mayor, the Chairman, and the Vice Chairman of the Council, execute and perform all the powers and duties of the Mayor.

"(2) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

"(3) He shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Mayor, personnel in executive departments of the District, and members of boards, commissions, and other agencies, who, under laws in effect on the effective date of this section, are subject to appointment and removal by the Commissioners. All actions affecting such personnel and such members shall, until such time as legislation is enacted by the Council superseding such laws and establishing a permanent District government merit system or systems, pursuant to section 402(4), continue to be subject to the provisions of Acts of Congress relating to the appointment, promotion, discipline, separation, and other conditions of employment applicable to officers and employees of the District government, to section 1001(d) of this chapter, and where applicable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign persons to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners of the District and shall have power to remove such persons from such positions. The officers and employees of each agency with respect to which legislative power is delegated by this chapter and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commissioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent District government merit system or systems pursuant to section 402(4).

"(4) He shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices, and agencies, except as otherwise provided by this Chapter. Personal legislation enacted by Congress, prior to or after the effective date of this section, including, without limitation, legislation relating to appointments, promotions, discipline, separations, pay, unemployment compensation, health, disability and death benefits, leave, retirement, insurance, and veterans' preference, applicable to employees of the District government, as set forth in section 1002(c), shall continue to be applicable until such time as the Council shall, pursuant to this section, provide equal or equivalent coverage under a District government merit system or systems. The District government merit system or systems shall be established by legislation of the Council. The system or systems may provide for continued participation in all or part of the Federal Civil Service system and shall provide for persons employed by the District government immediately preceding the effective date of such system or systems personnel benefits, including but not limited to, pay, tenure, leave, residence, retirement, health and life insurance, and employee disability and death benefits, all at least equal to those provided by legislation enacted by Congress, or regulation adopted pursuant thereto, and applicable to such officers and employees immediately prior to the effective date of the system or systems established pursuant to this Chapter. The District government merit system or systems shall take effect not earlier than one year nor later than five years after the effective date of this section.

"(5) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

"(6) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Mayor and the executive departments of the District. He shall submit such reports to the Council within ninety days after the close of the fiscal year.

"(7) He shall keep the Council advised of the financial condition and future needs of the District and make such recommendations to the Council as may seem to him desirable.

"(8) He may submit drafts of acts to the Council.

"(9) He shall perform such other duties as the Council, consistent with the provisions of this chapter, may direct.

"(10) He may delegate any of his functions (other than the function of approving or disapproving acts passed by the Council or the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department who may, with the approval of the Mayor, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

"(11) There shall be a City Administrator, who shall be appointed by the Mayor and who may be removed by the Mayor. The City Administrator shall be the principal managerial aide to the Mayor, and he shall perform such duties as may be assigned to him by the Mayor.

"(12) The Mayor or the Council may propose to the executive or legislative branches of the United States Government legislation or other action dealing with any subject not falling within the authority of the District government, as defined in this chapter.

"(13) As custodian he shall use and authenticate the corporate seal of the District in accordance with law.

"(14) He shall have the right, under the rules to be adopted by the Council, to be heard by the Council or any of its committees.

"(15) He is authorized to issue and enforce such administrative orders, not inconsistent with any Act of the Congress or any act of the Council or of the qualified voters of the District of Columbia, as are necessary to carry out his functions and duties.

"TITLE V—THE DISTRICT BUDGET

"Fiscal Year

"SEC. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

"Budgetary Details Fixed by District Council

"SEC. 502. (a) The Mayor shall prepare and submit, not later than April 1, to the District Council, in such form as the Council shall approve, the annual budget estimates of the District and the budget message.

"(b) The Mayor shall, in consultation with the Council, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs as shown by the accounts.

"Adoption of Budget

"SEC. 503. The Council shall by act adopt a budegt for each fiscal year not later than May 15, except that the Council may, by resolution, extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

"Five-Year Capital Program

"SEC. 504. (a) Prior to the adoption of the annual budget, the Council shall adopt a five-year capital program and a capital budget.

"(b) The Mayor shall prepare the five-year capital program and shall submit said program and the capital budget message to the Council, not later than February 1.

"(c) The capital program shall include:

"(1) a clear general summary of its contents;

"(2) a list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;

"(3) cost estimates, methods of financing and recommended time schedules for each such improvement; and

"(4) the estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

"(d) The capital program shall be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

"(e) Actual capital expenditures shall be carried each year as the capital outlay section of the current budget. These expenditures shall be in the form of direct capital outlays from current revenues or debt service payments.

"Budget Establishes Appropriations

"SEC. 505. The adoption of the budget by the Council shall operate to appropriate and to make available for expenditure, for the purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

"Supplemental Appropriations

"SEC. 506. The Council may at any time adopt an act by vote of a majority of its members rescinding previously appropriated funds which are then available for expenditure, or appropriating funds in addition to those theretofore appropriated to the extent unappropriated funds are available; and for such purpose unappropriated funds may include those borrowed in accordance with the provisions of section 621.

"TITLE VI—BORROWING

"Part 1—Borrowing for capital improvements

"Borrowing Power; Debt Limitations

"SEC. 601. The District may incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget: *Provided*, That no bonds or other evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued in an amount which, together with indebtedness of the District to the Treasury of the United States pursuant to existing law, shall cause the aggregate of indebtedness of the District to exceed 12 per centum of the average of the aggregate of the assessed values (as of the first day of July of the ten most recent fiscal years for which such assessed values are available) of the taxable real and tangible personal property located in the District, nor shall such bonds or other evidences of indebtedness issued for purposes other than the construction or acquisition of capital projects connected with mass transit, highway, water and sanitary sewage works purposes, or any revenue-producing capital projects which are determined by the Council to be self-liquidating exceed 6 per centum of such average assessed value. Bonds or other evidences of indebtedness may be issued by the District pursuant to an act of the Council from time to time in amounts in the aggregate at any time outstanding not exceeding 2 per centum of said assessed value, exclusive of indebtedness owing to the United States on the effective date of this title. All other bonds or evidence of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued only with the assent of a majority of the qualified voters of said District voting at an election on the proposition of issuing such bonds. In determining the amount of indedbtedness within all of the aforesaid limitation at any time outstanding there shall be deducted from the aggregate of such indebtedness the amount of the then current tax levy for the payment of the principal of the outstanding bonded indebtedness of the District and any other moneys set aside into any sinking fund and irrevocably dedicated to the payment of such bonded indebtedness. The Council shall make provision for the payment of any bonds issued pursuant to this title, in the manner provided in section 631 hereof.

"Contents of Borrowing Legislation; Referendum on Bond Issue

"SEC. 602. (a) An Act authorizing the issuance of bonds may be enacted by a majority of the Council members at any meeting of the Council subsequent to the meeting at which such act was introduced, and shall contain at least the following provisions:

"(1) A brief description of each purpose for which indebtedness is proposed to be incurred;

"(2) The maximum amount of the principal of the indebtedness which may be incurred for each such purpose;

"(3) The maximum rate of interest to be paid on such indebtedness; and

"(4) In the event the Council is required by this part, or it is determined by the Council in its discretion, to submit the question of issuing such bonds to a vote of the qualified voters of the District, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election. The ballot shall be in such form as to permit the voters to vote separately for or against the incurring of indebtedness for each of the purposes for which indebtedness is proposed to be incurred.

"(b) The Council shall cause the proposition of issuing such bonds to be submitted by the Board of Elections to the qualified voters at the first general election to be held in the District not less than forty days after the date of enactment of the act authorizing such bonds, or upon a vote of at least two-thirds of the members of the Council, the Council may call a special election for the purpose of voting upon the issuance of said bonds, such election to be held by the Board of Elections at any date set by the Council not less than forty days after the enactment of such act.

"(c) The Board of Elections is authorized and directed to prescribe the manner of registration and the polling places and to name the judges and clerks of election and to make such other rules and regulations for the conduct of such elections as are not specifically provided by the Council as may be necessary or appropriate to carry out the provisions of this section, including provisions for the publication of a notice of such election stating briefly the proposition or propositions to be voted on and the designated polling places in the various precincts and wards in the District. The said notice shall be published at least once a week for four consecutive calendar weeks on any day of the week, the first publication thereof to be not less than thirty nor more than forty days prior to the date fixed by the Council for the election. The Board of Elections shall canvass the votes cast at such election and certify the results thereof to the Council in the manner prescribed for the canvass and certification of the results of general elections. The certification of the result of the election shall be published once by the Board of Elections within three days following the date of the election.

"Publication of Borrowing Legislation

"SEC. 603. The Mayor shall publish any act authorizing the issuance of bonds at least once within five days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

" 'Notice

" 'The following act authorizing the issuance of bonds published herewith has become effective, and the time within which a suit, action, or proceeding questioning the validity of such bonds can be commenced as provided in the District of Columbia Charter Act will expire twenty days from the date of the first publication of this notice (or in the event the proposition of issuing the proposed bonds is to be submitted to the qualified voters, twenty days after the date of publication of the promulgation of the results of the election ordered by said act to be held).

" '————,

" 'Mayor'

"Short Period of Limitation

"SEC. 604. Upon the expiration of twenty days from and after the date of publication of the notice of the enactment of an act authorizing the issuance of bonds without the submission of the proposition for the issuance thereof to the qualified voters, or upon the expiration of twenty days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be, all as provided in section 603—

"(1) any recitals or statements of fact contained in such act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others interested shall thereafter be estopped from denying same;

"(2) such act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this chapter and of all laws applicable thereto;

"(3) the validity of such act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such twenty days.

"Acts for Issuance of Bonds

"Sec. 605. After the expiration of the twenty-day limitation period provided for in section 604 of this part, the Council may by act establish an issue of bonds as authorized pursuant to the provisions of sections 601 to 604, inclusive, hereof. An issue of bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to said sections, but no indebtedness shall be deemed to have been incurred within the meaning of this chapter until the bonds shall have been sold, delivered, and paid for, and then only to the extent of the principal amount of bonds so sold and delivered. The bonds of any authorized issue may be issued all at one time, or from time to time in series and in such amounts as the Council shall deem advisable. The act authorizing the issuance of any series of bonds shall fix the date of the bonds of such series, and the bonds of each such series shall be payable in annual installments beginning and more than three years after the date of the bonds and ending not more than thirty years from such date. The amount of said series to be payable in each year shall be so fixed that when the annual interest is added to the principal amount payable in each year the total amount payable in each year in which part of the principal is payable shall be substantially equal. It shall be an immaterial variance if the difference between the largest and the smallest amounts of principal and interest payable annually during the term of the bonds does not exceed 3 per centum of the total authorized amount of such series. Such acts shall also prescribe the form of the bonds to be issued thereunder, and of the interest coupons appertaining thereto, and the manner in which said bonds and coupons shall be executed. The bonds and coupons may be executed by the facsimile signatures of the officer or officers designated by the act authorizing the bonds, to sign the bonds, with the exception that at least one signature shall be manual. Such bonds may be issued in coupon form in the denomination of $1,000, registerable as to principal only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of $1,000. Such bonds and the interest thereon may be payable at such place or places within or without the District as the Council may determine.

"Public Sale

"Sec. 606. All bonds issued under this part shall be sold at public sale upon sealed proposals at such price or prices as shall be approved by the Council after publication of a notice of such sale at least once not less than ten days prior to the date fixed for sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, New York, and in a newspaper of general circulation published in the District. Such notice shall state, among other things, that no proposal shall be considered unless there is deposited with the District as a downpayment a certified check or cashier's check for an amount equal to at least 2 per centum of the par amount of bonds bid for, and the Council shall reserve the right to reject any and all bids.

"Part 2—Short-term borrowing

"Borrowing To Meet Supplemental Appropriations

"Sec. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the Council may by act authorize the issuance of negotiable notes, in a total amount not to exceed 5 per centum of the total appropriations for the current fiscal year, each of which shall be designated 'supplemental' and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

"Borrowing in Anticipation of Revenues

"Sec. 622. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the Council may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed in the aggregate at any time outstanding 20 per centum of the total anticipated revenue, each of which shall be designated 'Revenue Note for the Fiscal Year 19 '. Such notes may be renewed from time to time, but all such notes, together with renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

"Notes Redeemable Prior to Maturity

"Sec. 623. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

"Sale of Notes

"Sec. 624. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

"Part 3—Payment of bonds and notes

"Sec. 631. (a) The act of the Council authorizing the issuance of bonds pursuant to this title, shall, where necessary, provide for the levy annually of a special tax without limitation as to rate or amount upon all the taxable real and personal tangible property within the District in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on said bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected shall be set aside for the purpose of paying such principal, interest, and premium.

"(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title whether or not such pledge be stated in the bonds or notes or in the act authorizing the issuance thereof.

"Part 4—Tax exemption—Legal investment

"Tax Exemption

"Sec. 641. Bonds and notes issued by the Council pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

"Legal Investment

"Sec. 642. Notwithstanding any restriction on the investment of funds by fiduciaries contained in any other law, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension, and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the District Council to the same extent as national banking associations are authorized by paragraph seven of section 5136 of the Revised Statutes (title 12 U.S.C. sec. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District of Columbia, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title: *Provided,* That nothing contained in this section shall be construed as relieving any person, firm, association or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

"TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

"Part 1—Financial administration

"Surety Bonds

"Sec. 701. Each officer and employee of the District required to do so by the District Council shall provide a bond with such surety and in such amount as the Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

"Financial Duties of the Mayor

"Sec. 702. The Mayor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

"(1) prepare and submit in the form and manner prescribed by the Council under section 502 the annual budget estimates and a budget message;

"(2) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

"(3) maintain systems of accounting and internal control designed to provide—

"(A) full disclosure of the financial results of the District government's activities,

"(B) adequate financial information needed by the District government for management purposes,

"(C) effective control over and accountability for all funds, property and other assets;

"(4) submit to the Council a monthly financial statement, by appropriation and department, and in any further detail the Council may specify;

"(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

"(6) supervise and be responsible for the assessment of all property subject to assessment within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

"(7) supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any court, or from any agency of the District;

"(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the Council;

"(9) have custody of all investments and invested funds of the District government, or in posession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipts and delivery of District bonds and notes for transfer, registration, or exchange.

"Control of Appropriations

"Sec. 703. The Council may provide for (1) the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and (2) the allocation to new items of funds appropriated for contingent expenditure.

"Accounting Supervision and Control

"Sec. 704. The Mayor, through his duly authorized subordinates, shall—

"(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

"(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

"(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

"(4) perform internal audits of central accounting and department and agency records of the District government, including the examination of any accounts or records of finanical transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

"General Fund

"Sec. 705. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Mayor, or his duly authorized subordinates, for deposit in the appropriate funds.

"Contracts Extending Beyond One Year

"Sec. 706. No contract involving expenditure out of an appropriation which is available for more than one year shall be made for a period of more than five years; nor shall any such contract be valid unless made pursuant to criteria established by act of the Council.

"Part 2—Audit by General Accounting Office

"Independent Audit

"Sec. 721. (a) The financial transactions shall be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to generally accepted principles of auditing, including consideration of the effectiveness of the accounting organizations and systems, internal audit and control, and related administrative practices. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. The District of Columbia shall reimburse the General Accounting Office for expenses of such audit in such amounts as may be agreed upon by the Mayor and the Comptroller General, and the amounts so reimbursed shall be deposited into the Treasury of the United States as miscellaneous receipts.

"(b)(1) The Comptroller General shall submit his audit reports to the Congress, the Mayor, and the Council. The reports shall set forth the scope of the audits and shall include such comments and information as may be deemed necessary to keep the Mayor and the Council informed of the operations to which the reports relate, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The reports shall show specifically every program, expenditure, and other financial transaction or undertaking which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

"(2) After the Mayor and his duly authorized subordinates have had an opportunity to be heard, the Council shall make such report, together with such other material as it deems pertinent thereto, available for public inspection and shall transmit copies thereof to the Congress.

"(3) The Mayor, within ninety days after the report has been made to him and the Council, shall state in writing to the Council, with a copy to the Congress, what has been done to comply with the recommendations made by the Comptroller General in the report.

"Amendment of Budget and Accounting Act

"Sec. 722. Section 2 of the Budget and Accounting Act, 1921 (31 U.S.C. 2), is hereby amended by striking out 'and the municipal government of the District of Columbia'.

"Part 3—Adjustment of Federal and District expenses

"Adjustment of Federal and District Expenses

"Sec. 731. Subject to section 901 and other provisions of law, the Mayor, with the approval of the Council, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

"Part 4—Federal contribution

"Authorization of Appropriations

"Sec. 741. In recognition of the unique character of the District of Columbia as the Nation's Capital City, regular annual payments are hereby authorized to be appropriated from revenues of the United States to cover the proper Federal share of the expenses of the government of the District, and such annual payments, when appropriated, shall be paid into the general fund of the District. The annual payment authorized shall be an amount equal to 25 per centum of the sum of all tax revenues, including that portion of the motor vehicle registration fees but excluding fees from licenses and other charges, which the Mayor estimates will be credited during each fiscal year to the general fund of the District of Columbia, including, by way of illustration and not as a limitation, revenues estimated to be derived from those categories of taxes (including penalties and interest thereon) of which the following are representative: property taxes, both realty and personal tangible; sales and gross receipts taxes; income taxes—individual, corporation franchise, and unincorporated business franchise; the real estate deed recordation tax; inheritance and estate taxes; and so much of the motor vehicle registration fees as the Mayor from time to time determines shall be credited to the general fund.

"Mayor To Compute Amount of Federal Payment

"Sec. 742. The Mayor shall annually compute the amount of the Federal payment authorized to be appropriated under this part, and the amount of such authorization so computed, as approved by the Director of the Bureau of the Budget, shall be submitted to the Congress together with any request for the appropriation of such payment. Each such computation shall be determined on the basis of estimates of the tax revenues referred to in section 501 of this part which are expected to be credited to the general fund during the fiscal year for which the annual payment is being computed: *Provided*, That the amount so determined shall be subject to review after such fiscal year, and if the Federal payment appropriated on the basis of the amount so determined is in excess of the amount determined on the basis of revenues actually received and credited to the general fund, such excess shall be refunded to the United States by the District of Columbia.

"Repeals

"Sec. 743. Article VI of the District of Columbia Revenue Act of 1947 (61 Stat. 361), as amended (secs. 47-2501a and 47-2501b, D.C. Code), and title I of the District of Columbia Revenue Act of 1939 (53 Stat. 1085; sec. 47-134, D.C. Code), are repealed.

"Initial Federal Payment

"Sec. 744. For the first fiscal year in which this part is effective, the amount of the annual Federal payment may be computed on the basis of preliminary estimates: *Provided*, That such amount shall be subject to later adjustment in accordance with the provisions of this part.

"TITLE VIII—ELECTIONS IN THE DISTRICT

"Board of Elections

"Sec. 801. (a) The members of the Board of Elections in office on the date when the Mayor first elected takes office shall continue in office for the remainder of the terms for which they were appointed. Their successors shall be appointed by the Mayor by and with the advice and consent of the Council. The term of each successor (except in the case of an appointment to fill an unexpired term) shall be three years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified. Section 3 of the District Election Act of 1955 is hereby modified to the extent that it is inconsistent herewith.

"(b) In addition to its other duties, the Board of Elections shall also, for the purposes of this Act—

"(1) maintain a permanent registry;

"(2) conduct registrations and elections;

"(3) in addition to determining appeals with respect to matters referred to in sections 808 and 811, determine appeals with respect to any other matters which (under regulations prescribed by it under the subsection (c)) may be appealed to it;

"(4) provide for recording and counting votes by means of ballots or machines or both and, not less than five days before each election held pursuant to this chapter, publish a copy of the official ballot to be used in any such election;

"(5) divide the District into fourteen wards as nearly equal as possible in population and of geographic proportions as nearly regular, contiguous, and compact as possible, and establish voting precincts therein, each such voting precinct to contain at least three hundred and fifty registered voters, and thereafter, within six months after the publication by the United States Census Bureau of the population of the District at each decennial census or any more recent official census of the population of the District, redivide the District into fourteen wards in accordance with the criteria in this paragraph;

"(6) operate polling places;

"(7) certify nominees and the results of elections; and

"(8) perform such other functions as are imposed upon it by this chapter.

"(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this chapter as may be necessary or appropriate for the purposes of this title, of title XIV, and of section 602, including, without limitation, regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 808 and 811), and for determination by it of appeals, and regulations permitting qualified voters, for the purpose of voting in any election held pursuant to this chapter, to register at times when such persons are temporarily absent from the District, or, in the case of persons not absent from the District, but who are physically unable to appear personally at an official registration place, to register in the manner prescribed in such regulations: *Provided*, That the Board of Elections shall accept as evidence of registration any Federal post card application for an absentee ballot prescribed in section 204 of the Federal Voting Assistance Act of 1955 (69 Stat. 584) when such application is duly executed and filed with the Board by any person included within one of the categories referred to in clauses (1), (2), (3), or (4) of section 101 of such Act.

"(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions. Subject to the approval of the Council, privately owned space, facilities, and equipment may be rented, or donations of such space, facilities, and equipment may be accepted for registration, polling, and other functions of the Board.

"(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any nonjudicial officer of the District.

"(f) The Board of Elections, each member of such Board, and persons authorized by it, may administer oaths to persons executing affidavits pursuant to sections 801 and 808. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

"(g) The Board of Elections is authorized to employ such permanent and temporary personnel as may be necessary within the limit of funds therefor. The appointment, compensation, and other terms of employment may be set by the Board of Elections without regard to the provisions of section 402 of this chapter: *Provided*, That the Council may set maximum rates of compensation for various classes of employees of the Board of Elections.

"(h) In lieu of the compensation provided by section 4(b) of the District Election Act of 1955, each member of the Board of Elections shall be paid at the rate of $1,500 per annum in periodic installments, provided that the rate of compensation may be changed by act passed by the Council.

"(i) Notwithstanding the provisions of the District Election Act of 1955 providing (1) that qualified voters shall register during the calendar year in which a Presidential election is held, (2) that the Board of Elections shall keep the registry open only during such calendar year, and (3) that the Board of Elections shall keep the registry closed during certain periods immediately preceding elections held under the District Election Act of 1955, the Board of Elections is authorized and directed, for the purposes of this chapter, and of the District Election Act of 1955, to provide for permanent registration of voters, to keep the registry open as provided in this chapter, and to permit qualified voters to register in accordance with applicable laws and regulations, at any time when the registry is open.

"(j) No member of the Board of Elections may be a candidate at an election held under this chapter.

"Elections To Be Held

"SEC. 802. (a) The Board of Elections, in addition to elections conducted by it pursuant to the District Election Act of 1955, shall conduct the following elections:

"(1) A primary election to be held on the first Tuesday in May of calendar year 1967, and thereafter a primary election to be held on the first Tuesday in May of each even-numbered calendar year commencing after this title takes effect.

"(2) A general election to be held on the first Tuesday following the first Monday in November of the calendar year 1967, and thereafter a general election to be held on the first Tuesday following the first Monday in November in each even-numbered calendar year commencing after this title takes effect.

"(3) Special elections and referendum elections held pursuant to sections 335(c), 602, 806, 812(b), 812(c), or 1701(b).

"Elective Offices; Terms of Office

"SEC. 803. (a) The offices of the District to be filled by election under this chapter shall be the members of the Council, the Mayor, the Board of Education, and the District Delegate.

"(b) The terms of an elective office on the District Council shall be four years beginning on January 2 of the odd-numbered calendar year following such election; except that of the members of the District Council first elected pursuant to the election held in calendar year 1967 under paragraph (2) of section 802 of this chapter, nine shall serve for terms of one year and ten for terms of three years, such terms to begin on January 2, 1968. The members who shall serve for terms of one year shall be determined by lot.

"(c) The term of office of the Mayor shall be four years, beginning on January 2 of the odd-numbered calendar year next following his election; except that, the term of office of the Mayor first elected pursuant to the election held in calendar year 1967 under paragraph (2) of section 802 of this chapter shall be three years beginning on January 2, 1968.

"(d) The term of office of the District Delegate shall be two years beginning at noon on January 3 of the odd-numbered calendar year following such election; except that, the term of office of the District Delegate first elected pursuant to the election held in calendar year 1967 under paragraph (2) of section 802 of this chapter shall be one year beginning at noon on January 3, 1968.

"(e) The term of an elective office on the School Board shall be four years beginning on January 2 of the odd-numbered calendar year following such election; except that of the members of the School Board first elected pursuant to the election held in calendar year 1967 under paragraph (2) of section 802 of this chapter, seven shall serve for terms of one year and seven for terms of three years, such terms to begin on January 2, 1968. The members who shall serve for terms of one year shall be determined by lot.

"Vacancies

"SEC. 804. (a) If the office of Delegate becomes vacant, the Mayor, by and with the advice and consent of the Council, shall appoint a Delegate to fill the unexpired term.

"(b) A vacancy in the office of Mayor shall be filled at the next general election held pursuant to this title for which it is possible for candidates to be nominated, under any procedure provided for in section 809 following the occurrence of such vacancy. A person elected to fill any such vacany shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such a term. Until a vacancy in the office of Mayor can be filled at a general election, as prescribed in this subsection, such vacancy shall be filled by appointment by the District Council.

"(c)(1) A vacancy in the District Council shall be filled by appointment by the Mayor, by and with the advice and consent of the Council.

"(2) A vacancy in the School Board shall be filled by the Mayor, by and with the advice and consent of the Council.

"(d) No person shall be appointed to any office under this section unless he is a registered voter and meets the residence and other qualifications required on the date of his appointment of a person filling such office. A person appointed to fill a vacancy under this section shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

"Election of Candidates

"SEC. 805. (a) The two candidates receiving the highest number of votes validly cast for each office in each of the several primary elections shall be declared the winners, and their names shall be placed on the ballot in the next general election.

"SEC. 805. (a) In the general election, the candidate receiving the highest number of votes validly cast for each office shall be declared elected.

"(b) In the event two or more candidates receive the same number of votes validly cast for the same office, the winner shall be determined by lot.

"(c) Subject to the provisions of section 812, the Board of Elections shall promptly announce to the public the results of every election and shall certify all such results to the Mayor and the Secretary of the Council. It shall also certify the results of all elections for the office of the District Delegate to the secretary of the House of Representatives of the United States.

"Recall

"SEC. 806. (a) Any elective officer of the District of Columbia shall be subject to recall by the qualified voters of the District. Any petition filed demanding the recall by the qualified voters of the District of any such elective officer shall be signed by not less than 25 per centum of the number of qualified voters of the District voting at the last preceding general election. Such petition shall set forth the reasons for the demand and shall be filed with the Secretary of the District Council. If any such officer with respect to whom such a petition is filed shall offer his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as provided by law for filling a vacancy in that office arising from any other cause. If he shall not resign within five days after the petition is filed, a special election shall be called by the Council to be held within twenty days thereafter to determine whether the qualified voters of the District will recall such officer.

"(b) There shall be printed on the ballot at such election, in not more than two hundred words, the reason or reasons for demanding the recall of any such officer, and in not more than two hundred words, the officer's justification or answer to such demands. Any officer with respect to whom a petition demanding his recall has been filed shall continue to perform the duties of his office until the result of such special election is officially declared by the Board of Elections. No petition demanding the recall of any officer filed pursuant to this section shall be circulated against any officer of the District until he has held his office six months.

"(c) If a majority of the qualified voters voting on any petition filed pursuant to this section vote to recall any officer, his recall shall be effective on the day on which the Board of Elections certifies the results of the special election, and the vacancy created thereby shall be filled immediately in a manner provided by law for filling a vacancy in that office arising from any other cause.

"(d) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of a petition for recall filed pursuant to this section, and (2) with respect to the conduct of any special election held pursuant to this section.

"Qualification of Voters

"SEC. 807. No person shall vote in an election held under this chapter unless he meets the qualifications of a voter specified in this section and has registered pursuant to section 808 of this chapter or section 7 of the District Election Act of 1955. A qualified voter of the District and a qualified elector of the District for the purposes of the District Election Act of 1955 shall be any person (1) who has resided in the District continuously during the one-year period ending on the day of the election, (2) who is a citizen of the United States, (3) who is on the day of the election at least twenty-one years old, (4) who has never been convicted of a felony in the United States, or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that he has not, within six months immediately preceding the election, claimed the right to vote or voted in any election in any State or territory of the United States (other than in the District).

"Registration

"SEC. 808. (a) No person shall be registered under this chapter unless—

"(1) he shall be able to qualify otherwise as a voter on the day of the next election; and

"(2) he executes a registration affidavit by signature or mark (unless prevented by physical disability) on a form provided by the Board of Elections showing that he meets each of the requirements of section 807 of this chapter for a qualified voter: *Provided*, That the Board shall accept as evidence of registration any Federal post card application for an absentee ballot prescribed in section 204 of the Federal Voting Assistance Act of 1955 (69 Stat. 584) when such application is duly executed and filed with the Board by any person included within one of the categories referred to in clause (1), (2), (3), or (4) of section 101 of such Act.

"(b) If a person is not permitted to register, such person or any qualified candidate may appeal to the Board of Elections, but not later than three days after the registry is closed for the next election. The Board shall decide within seven days after the appeal is perfected whether the challenged voter is entitled to register. If the appeal is denied the appellant may, within three days after such denial, appeal to the District of Columbia Court of General Sessions. The court shall decide the issue not later than eighteen days before the day of the election. The decision of such court shall be final and not appealable. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending on election day, the challenged voter may cast a ballot marked 'Challenged', as provided in section 811.

"(c) For the purposes of this chapter and of the District Election Act of 1955, the Board of Elections shall keep open, during normal hours of business, as determined by the Council, a central registry office and shall conduct registration at such other times and places as the Board of Elections shall deem appropriate. The Board of Elections may suspend the registration of voters, or the acceptance of changes in registrations for such period not exceeding thirty days next preceding any elections under this chapter or under the District Election Act of 1955.

"Nominations

"SEC. 809. (a) Nomination of a candidate to be included on the ballot for a primary election shall take place when the Board of Elections receives a declaration of candidacy, accompanied by the filing fee in the amount required in subsection (d).

"(b) No person shall be a candidate for more than one office in any election. If a person files a declaration of candidacy for more than one office he shall within three days after the last day on which such declarations may be made notify the Board of Elections, in writing, for which office he elects to run.

"(c) A candidate may withdraw his candidacy in writing if his withdrawal is received by the Board not more than three days after the last day on which declarations may be made.

"(d) Filing fees to accompany a declaration of candidacy of a candidate for inclusion on the ballot in a primary election shall be $200 for a candidate for District Delegate or Mayor and $50 for a member of the District Council or a member of the School Board. No fee shall be refunded unless a candidacy is withdrawn as provided in subsection (b) or (c).

"Nonpartisan Elections

"SEC. 810. (a) Ballots and voting machines shall show no party affiliations, emblems, or slogans.

"(b) The form of ballot to be used in any election under this chapter shall be determined by the Board of Elections: *Provided*, That in any such election, the position on the ballot of the candidates for each office shall be determined by lot.

"Method of Voting

"SEC. 811. (a) Voting in all elections shall be secret.

"(b) Each voter shall be entitled to vote for one candidate for the Council from the ward in which the voter is a resident and for five Councilmen-at-large, for one candidate for the School Board from the ward in which the voter is a resident, for one candidate for Mayor and for one candidate for District Delegate. The ballot shall, where applicable, show the wards from which each candidate for office as a member of the Council or of the School Board has been nominated.

"(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

"(d) Absentee voting under this chapter shall be permitted to the same extent and subject to the same rules and regulations, including penalties, as absentee voting is permitted under the District Election Act of 1955.

"(e) At least ten days prior to the date of any referendum or other election, any group of citizens or individual candidates interested in the outcome of the election may petition the Board of Elections for credentials authorizing watchers at any and all polling places during the voting hours and until the count has been completed. The Board of Elections shall formulate rules and regulations, not inconsistent with provisions of this title, to prescribe the form of watchers' credentials, to govern their conduct, and to limit the number of watchers so that the conduct of the election will not be unreasonably obstructed.

"(f) If the official in charge of the polling place, after hearing both parties to any challenge or acting on his own with respect to a prospective voter, reasonably believes the prospective voter is not qualified to vote, he shall allow the voter to cast a paper ballot marked "challenged". Ballots so cast shall be set aside, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

"(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within three days, after election day. The Board shall decide within seven days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot and the ballot shall be treated as if it had not been challenged.

"(h) If a voter is physically unable to mark his ballot or to operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

"(i) A voter shall vote only once with respect to each office to be filled.

"(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

"(k) Before being allowed to vote the voter shall sign a certificate, on a form to be prescribed by the Board of Elections, that he has duly registered under the election laws of the District and that, to his best knowledge and belief, he has not since such registration done any act which might disqualify him as a voter.

"Recounts and Contests

"SEC. 812. (a) The provisions of section 11 of the District Election Act of 1955 with respect to recounts and contests shall be applicable to any election or referendum held under this chapter, except that in the case of any referendum, any qualified voter who has voted in any such election may petition the Board of Elections for a recount of the votes cast in one or more precincts under the same conditions required for a candidate for office under section 11(a) of the District Election Act of 1955.

"(b) If, pursuant to this section, the court voids all or part of an election, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

"(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the day following the date on which the Board of Elections certifies the results of the election.

"(d) Vacancies resulting from voiding all or part of an election shall be filled as prescribed in section 804 unless filled by a special election held pursuant to subsections (b) and (c) of this section.

"Interference With Registration or Voting

"SEC. 813. (a) No one shall interfere with the registration or voting of another person, except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

"(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, except in time of war or public danger, or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for treason, a felony, or for a breach of the peace then committed.

"Voting Hours

"SEC. 814. Polling places shall be open from 8 o'clock antemeridian to 8 o'clock postmeridian on each day when elections are held pursuant to this chapter.

"Prohibition of the Sale of Alcoholic Beverages on Election Days

"SEC. 815. The second sentence in the second paragraph of section 7 of the District of Columbia Alcoholic Beverage Control Act, as amended (sec. 25–107, D.C. Code, 1961 ed.), is amended to read as follows: 'Notwithstanding any other provision of this Act, neither the District Council nor the Commissioners shall authorize the sale by any licensee, other than the holder of a retailer's license, class E, of any beverages on the day of the presidential election or of any election in the District of Columbia held under the District of Columbia Charter Act during the hours when the polls are open, and any such sales are hereby prohibited.'

"Violations

"SEC. 816. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this chapter, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than $500 or imprisoned for not more than six months, or both.

"TITLE IX—MISCELLANEOUS

"Agreements With United States

"SEC. 901. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to an agreement (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Bureau of the Budget and by the Mayor, with the approval of the District Council. Each such agreement shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

"(b) For the purpose of carrying out any agreement negotiated and approved pursuant to subsection (a), any District officer or agency may in the agreement delegate any of his or its functions to any Federal officer or agency, and any Federal officer or agency may in the agreement delegate any of his or its functions to any District officer or agency. Any functions so delegated may be exercised in accordance with the terms of the delegation.

"(c) The cost of each Federal officer and agency in furnishing services to the District pursuant to any such agreement shall be paid, in accordance with the terms of the agreement, out of appropriations made by the Council to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such agreement shall be paid, in accordance with the terms of the agreement, out of appropriations made by the Congress or other funds available to the Federal officers and agencies to which such services are furnished.

"Personal Interest in Contracts or Transactions

"SEC. 902. Any officer or employee of the District who is convicted of a violation of section 208 of title 18, United States Code, shall forfeit his office or position.

"Compensation From More Than One Source

"SEC. 903. (a) Except as provided in this chapter, no person shall be ineligible to serve or to receive compensation as a member of the Council, or the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

"(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the Council or such Board, if such service does not interfere with the discharge of his duties in such other office or position.

"Assistance of the United States Civil Service Commission in Development of District Merit System.

"SEC. 904. The United States Civil Service Commission is hereby authorized to advise and assist the Mayor and the Council in the further development of the merit system required by section 402(3) and the said Commission is authorized to enter into agreements with the District government to make available its registers of eligibles as a recruiting source to fill District positions as needed. The costs of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 901 of this chapter.

"Authority of President To Assume Command of Police Force

"SEC. 905. (a) Whenever the President deems it necessary or appropriate in order adequately to protect the Federal interest in the maintenance of public order in the District of Columbia, he may, through such official or agency as he may designate and until he otherwise directs, assume command of the police force of the District of Columbia. Such action shall not affect the status of the members of the police force as employees of the District of Columbia or the authority vested in them by law.

"(b) Whenever the President deems it necessary or appropriate in order adequately to maintain public order in the District of Columbia, he may designate such persons as he may deem appropriate, including members of the Armed Forces of the United States, as special policemen in the District of Columbia. Such special policemen shall serve under the command of such official or agency as the President may designate and shall have the same powers as members of the police force of the District of Columbia and the United States Park Police.

"TITLE X—SUCCESSION IN GOVERNMENT

"Transfer of Personnel, Property, and Funds

"SEC. 1001. (a) In each case of the transfer, by any provision of this chapter, of functions to the Council, to the Mayor, or to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to the Council, to the Mayor, to such agency, or to the agency of which such officer is the head, for use in the administration of the functions of the Council or such agency or officer, the personnel (except the members of Boards or Commissions abolished by this Act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

"(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

"(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of the Budget; and

"(2) in the case of other functions (A) by the Council, or in such manner as the Council shall provide, if such functions are transferred to the Council, and (B) by the Mayor if such functions are transferred to him or to any other officer or agency.

"(c) Any of the personnel transferred to the Council, the Mayor, or any agency by this section which the Council or the head of such agency shall find to be in excess of the personnel necessary for the administration of its or his functions shall, in accordance with law, be retransferred to other positions in the District or Federal Government or be separated from the service.

"(d) No officer or employee shall, by reason of his transfer by this chapter or his separation from service under this chapter, be deprived of a civil service status held by him prior to such transfer or any right of appeal or review he may have by reason of his separation from service.

"Existing Statutes, Regulations, and Other Actions

"SEC. 1002. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this chapter shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer, references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this chapter shall be held and considered to refer to the officer or agency to which the transfer is made.

"(b) As used in subsection (a), the term 'other action' includes, without limitation, any rule, order, contract, compact, policy, determination, directive, grant, authorization, permit, requirement, or designation.

"(c) Unless otherwise specifically provided, nothing contained in this chapter shall be construed as affecting the applicability to the District of Columbia government of personnel legislation relating to the District government until such time as the Council may otherwise elect to provide equal or equivalent coverage as provided in section 402(4).

"Pending Actions and Proceedings

"SEC. 1003. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this chapter; but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

"(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this chapter, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

"Vacancies Resulting From Abolition of Board of Commissioners

"SEC. 1004. Until the first day of July next after the first Mayor takes office under this chapter, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions; but such agency may take action only if a majority of the members holding office vote in favor of it.

"TITLE XI—SEPARABILITY OF PROVISIONS

"Separability of Provisions

"SEC. 1101. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of the chapter and the application of such provision to other persons or circumstances shall not be affected thereby.

"TITLE XII—TEMPORARY PROVISIONS

"Powers of the President During Transition Period

"SEC. 1201. The President of the United States is hereby authorized and requested to take such action during the period following the date of the enactment of this chapter and ending on the date of the first meeting of the District Council, by Executive order or otherwise, with respect to the administration of the functions of the District of Columbia government, as he deems necessary to enable the Board of Elections properly to perform its functions under this chapter.

"Reimbursable Appropriations for the District

"SEC. 1202. (a) The Secretary of the Treasury is authorized and directed to advance to the District of Columbia the sum of $750,000, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this chapter.

"(b) The full amount expended out of the money advanced pursuant to this section shall be reimbursed to the United States, without interest, during the second fiscal year which begins after the effective date of title V, from the general fund of the District of Columbia.

"TITLE XIII—EFFECTIVE DATES

"Effective Dates

"SEC. 1301. (a) As used in this title and title XIV of this chapter the term 'charter' means titles I to XI, both inclusive, and titles XV, XVI, and XVII, of this chapter.

"(b) The charter shall take effect only if accepted pursuant to title XIV of this chapter. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1406) except that—

"(1) part 2 of title III, title V, title VII (except part 4), and title XVII, of this chapter, shall take effect on the day upon which the Council members first elected take office;

"(2) section 402 shall take effect on the day upon which the Mayor first elected takes office;

"(3) part 4 of title VII of this chapter shall take effect with respect to the first fiscal year beginning next after the Mayor first elected takes office and with respect to subsequent fiscal years; and

"(4) title XVI of this chapter shall take effect on the date on which the eighth member of the first School Board takes the oath of office; except that section 1609 shall take effect on the effective date of the charter.

"(c) Titles XII, XIII, and XIV of this chapter shall take effect on the day following the date on which this chapter is enacted.

"TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

"Charter Referendum

"SEC. 1401. (a) On a date to be fixed by the Board of Elections, not more than four months after the enactment of this chapter, a referendum (in this title referred to as the 'charter referendum') shall be conducted to determine whether the registered qualified voters of the District of Columbia accept the charter.

"(b) As used in this title, a 'qualified voter' means a person who meets the requirements of section 807 on the day of the charter referendum.

"Board of Elections

"SEC. 1402. (a) In addition to its other duties, the Board of Elections established under the District Election Act of 1955 shall conduct the charter referendum and certify the results thereof as provided in this title.

"(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 801 of this chapter shall govern the Board of Elections in the performance of its duties.

"Registration

"SEC. 1403. (a) All registrations which were valid for the election held in the District of Columbia on November 3, 1964, shall be valid and sufficient for the charter referendum, subject to compliance by registrants with requirements prescribed by the Board of Elections sufficient to satisfy the Board that no such registrant shall, between November 3, 1964, and the date of the charter referendum, have become disqualified for registration or to vote under this chapter.

"(b) The Board of Elections shall conduct within the District of Columbia for a period of thirty days a further registration of the qualified voters commencing not more than sixty days after the enactment of this chapter and ending not more than thirty days nor less than fifteen days prior to the date set for the charter referendum as provided in section 1401 of this title.

"(c) Prior to the commencement of such further registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

"(d) The applicable provisions of section 808, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted, shall govern the further registration of voters for this charter referendum.

"Charter Referendum Ballot: Notice of Voting

"SEC. 1404. (a) The charter referendum ballot shall contain the following, with a blank space appropriately filled:

" 'The District of Columbia Charter Act, enacted   , proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified voters of the District in this referendum.

" 'By marking a cross (X) in one of the squares provided below, show whether you are for or against the charter.

" '☐ For the charter

" '☐ Against the charter'.

"(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

"(c) Not less than three days before the date of charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

"(d) Not less than one day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

"Method of Voting

"SEC. 1405. Notwithstanding the fact such sections do not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 811, 812, 813, 814, 815, and 816 of this chapter shall govern the method of voting, recounts and contests, interference with registration or voting, and violations connected with this charter referendum.

"Acceptance or Nonacceptance of Charter

"SEC. 1406. (a) If a majority of the registered qualified voters voting in the charter referendum vote for the charter the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

"(b) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the result of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

"TITLE XV—DELEGATE

"District Delegate

"SEC. 1501. (a) Until a constitutional amendment and subsequent congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the 'Delegate from the District of Columbia', who shall be elected as provided in this chapter. The Delegate shall have a seat in the House of Representatives, with the right to debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as he has in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for two years.

"(b) No person shall hold the office of District Delegate unless he (1) is a qualified voter, (2) is at least twenty-five years old, (3) holds no other public office, and (4) is domiciled and resides in the District and during the three years next preceding his nomination (A) has been resident in and domiciled in the District, and (B) has not voted in any election (other than in the District) for any candidate for public office. He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

"(c)(1) subsection (a) of section 601 of the Legislative Reorganization Act of 1946, as amended, is hereby amended by striking out 'from the Territories'.

"(2) Clause (b) of section 1 of the Civil Service Retirement Act of May 29, 1930, as amended (70 Stat. 743), is hereby amended by striking out 'from a Territory'.

"(3) The second paragraph under the heading 'House of Representatives' in the Act of July 16, 1914 (2 U.S.C. 37), is hereby amended by striking out 'from Territories'.

"(4) Paragraph (1) of section 302 of the Federal Corrupt Practices Act, 1939, as amended (2 U.S.C. 241), is hereby amended by inserting after 'United States' the following: 'and the District of Columbia'.

"(5) Section 591 of title 18, United States Code, is hereby amended by inserting 'and the District of Columbia' before the period at the end thereof. Section 594 of such title is hereby amended by inserting after 'Territories and Possessions' the following: 'or the District of Columbia'. The first paragraph of section 595 of such title is hereby amended by inserting after 'from any Territory or possession' the following: 'or the District of Columbia'.

"TITLE XVI—DISTRICT OF COLUMBIA INDEPENDENT SCHOOL BOARD

"Creation of School Board

"SEC. 1601. (a) There is hereby established the District of Columbia Independent School Board, which shall have control of the public school system of the District. Such Board shall consist of fourteen members, one elected from each ward, as provided in title VIII. The School Board shall be an independent agency of the government of the District.

"(b) On the effective date of this title the control of the public school system of the District and the functions of the Board of Education shall vest in the School Board and the Board of Education shall be abolished.

"Transfer of Personnel, Funds, and Property

"SEC. 1602. (a) The vesting of such functions referred to in subsection (b) of section 1601 shall be deemed to be a transfer of the personnel necessary for the administration of such functions and of the records and unexpended balances of appropriations and other funds which relate primarily to the functions so transferred.

"(b) All the right, title, and interest in and to the personal property and real property (including any buildings thereon) which is under the control of the Board of Education immediately prior to the effective date of this title shall, on and after such effective date be held by the School Board. The Director of the Bureau of the Budget shall decide any question arising out of this section.

"Qualifications

"SEC. 1603. No person shall hold the office of member of the School Board unless he (1) is a qualified voter, (2) is domiciled in the District and resides in the ward from which he is nominated, (3) has, during the three years next preceding his nomination resided and been domiciled in the District, (4) has, for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (5) holds no other elective public office, (6) holds no position as an officer or employee of the government of the District or any appointive office, for which compensation is provided out of District funds, and (7) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. A member shall forfeit his office upon failure to maintain the qualifications required by this section.

"Pending Proceedings, Existing Statutes

"SEC. 1604. (a) No suit, action, or other judicial proceeding nor any administrative proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this title. Such proceeding shall be continued with such substitutions as to parties and officers or agencies as the court or agency deems appropriate.

"(b) Any statute concerning, or administrative action concerning or taken by, any officer or agency from which any function is transferred under this title shall, except to the extent made inapplicable by or under authority of law, continue in effect as if such transfer had not been made. After such transfer references in a statute or administrative action to an officer or agency from which a transfer is made shall be deemed to refer to the officer or agency to which the transfer is made.

"(c) As used in subsection (b), the term 'administrative action' includes any rule, regulation, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

"Repeal of Laws

"SEC. 1605. To the extent that any provision of law is inconsistent with any provision of this title such provision of law is repealed.

"General Powers

"SEC. 1606. (a) The School Board shall manage and control the public school system of the District. In carrying out its responsibility for the management and control of the public school system of the District, the School Board shall have power to sue and be sued, complain, and defend in its own name in any court of competent jurisdiction and to take such action as it determines is necessary to carry out such responsibility.

"(b) (1) The School Board may take any action (including the disposition of any real or personal property which the School Board determines is excess to its needs) with respect to (A) any real and personal property transferred to the School Board under this title, and (B) any other real or personal property acquired by the School Board under this title, as the School Board determines is necessary for the purpose of carrying out the powers and duties granted or transferred to it by this title.

"(2) The School Board may acquire by condemnation or otherwise real property in the District which the School Board determines is necessary for the purpose of carrying out the powers and duties granted or transferred to it by this title. Condemnation proceedings for the acquisition of real property for such purposes shall be conducted in accordance with the procedural provisions of the Act entitled 'An Act to provide for the acquisition of land in the District of Columbia for the use of the United States', approved March 1, 1929 (D.C. Code, secs. 16-619-644). The title to properties acquired under this title shall be taken by and in the name of the School Board and proceedings for condemnation or other acquisition of property shall be brought by and in the name of the School Board.

"(c) The School Board is authorized to make such rules and regulations as may be necessary for it to carry out its responsibility for the management and control of the public school system of the District.

"Superintendent of Schools

"SEC. 1607. (a) The School Board shall appoint a Superintendent of Schools who shall have a term of office of three years.

"(b) The School Board shall have power to remove the Superintendent at any time for adequate cause affecting his character and efficiency as Superintendent.

"(c) The members of the School Board shall hold a meeting to appoint a Superintendent on the date the office of Superintendent becomes vacant after the effective date of this title. Subsequent meetings of the School Board, at which a Superintendent shall be newly appointed or reappointed, shall be held on the date of expiration of the term of office of the individual holding the office of Superintendent on such date.

"(d) The Superintendent may attend all meetings of the School Board (except those meetings held to consider the appointment of a Superintendent), and shall have the right to speak on all matters before the School Board, but he shall not be a member of the Board or have the right to vote.

"(e) The Superintendent shall, subject to direction by the School Board, administer the school system of the District. In administering such school system, the Superintendent shall—

"(1) have the direction and supervision of all matters pertaining to instruction in all the schools under the School Board,

"(2) recommend in writing to the School Board the appointments of, and all other personnel actions affecting, all officers, teachers, and others subordinate to him, and

"(3) perform all such other duties as the School Board may prescribe.

"Personnel

"SEC. 1608. (a) The School Board shall have the power on the written recommendation of the Superintendent to appoint, and take other personnel actions affecting, the employees of the School Board. The School Board may take such other action in accordance with the provisions of this section with respect to the employees of the School Board as it determines is necessary to carry out its responsibility for the management and control of the public school system of the District.

"(b)(1) The provisions of the District of Columbia Teacher's Salary Act of 1955 and any other law relating to the appointment, salary, assignment, and position classification, advancement and promotion, tenure, status, seniority, dismissal, and other personnel matters pertaining to teachers, school officers, and other employees of the School Board applicable to such employees immediately prior to the date of their transfer under section 1603 to the School Board shall remain applicable to such employees after their transfer until the School Board adopts by resolution a substantially equivalent personnel employment system, covering salary and other items set forth in this sentence.

"(2) The Act of January 20, 1920 (relating to retirement of District public school teachers before July 1, 1946) and the Act of August 7, 1946 (relating to retirement of District public school teachers after June 30, 1946), shall continue to be applicable until such time as the School Board may by resolution provide a substantially equivalent retirement system for the employees covered by such Act, and the funds created by such Acts shall at the time such retirement system is provided by the School Board be transferred to the jurisdiction of the School Board.

"(3) Nothing in this title shall be held or considered to effect any reduction in salary, or any reduction in employment rights or benefits pertaining to appointment, assignment and position classification, advancement and promotion, tenure, status, seniority, retirement, dismissal, and other personnel matters pertaining to any employee in a position under the Board of Education immediately prior to the date of his transfer to the School Board under section 1603, until—

"(1) he leaves such position, or

"(2) he is entitled to receive salary at a higher rate or increased or additional employment rights and benefits pertaining to the items referred to above, by reason of the operation of this title or other applicable law,

but, when such position becomes vacant, the salary and employment rights and benefits applicable thereto shall be fixed in accordance with this title.

"(c) Contracts with teachers shall be in writing, and shall state the length of time the school is to be taught, the compensation per week or month, and such other matters as may be agreed upon, including payment by the calendar or school month. The contract shall be signed by an officer of the School Board and the teacher, and shall be filed with the Secretary of the School Board before the teacher enters upon performance of the contract.

"(d) On the written recommendation of the Superintendent the School Board may discharge any teacher for incompetency, inattention to duty, partiality, or any other good cause. A teacher may be discharged only after a full and fair investigation made at a meeting of the School Board held for that purpose. A teacher shall be permitted to be present at such meeting and to make a defense, and he shall be allowed a reasonable time to prepare his defense.

"Meetings; Officers

"Sec. 1609. (a) The members first elected to the School Board shall hold a meeting on the second Monday in January 1968, at which time they shall take the oath of office and elect officers. Thereafter the School Board shall annually hold a meeting on the second Monday in January of each succeeding year at which time new members shall take the oath of office and officers shall be elected. The officers of the School Board shall consist of a President and Secretary chosen from the members of the School Board. The School Board shall also hold meetings every month on a date set at the previous meeting. Special meetings may at any time be called by any officer upon notice to members, by registered or certified mail, mailed not less than five days before the meeting.

"(b) Meetings of the School Board shall be open to the public, except that the School Board may close to the public those meetings dealing with the appointment or the termination of contracts of employees of the School Board, plans for the acquisition of real property, or the licensing of institutions to grant degrees. Voting at any meeting open to the public shall not be by secret ballot. A quorum shall consist of eight members. If a quorum is present, a majority of the members present may decide any question, except those questions requiring, by reason of any provision of this title, more than a majority vote of those present and voting.

"Expenses

"Sec. 1610. The members of the School Board shall receive no salary as such, but shall be paid a per diem of $20 for each day of service at meetings or while on the work of the Board and may be reimbursed for any expenses legitimately incurred in the performance of such service or work.

"Liability of Members

"Sec. 1611. The members of the School Board shall not be personally liable in damages for any official action of the School Board performed in good faith in which the members participate, nor shall any member of the School Board be liable for any costs that may be taxed against them or the School Board on account of any such official action by them as members of the School Board; but such costs shall be charged to the District and paid as other costs are paid in suits brought against the municipality; nor shall the School Board or any of its members be required to give any supersedeas bond or security for costs or damages on any appeal whatever.

"Fiscal Year

"Sec. 1612. The fiscal year of the School Board shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year.

"Budget

"Sec. 1613. The School Board shall annually on the first day of October transmit to the Mayor of the District of Columbia an estimate in detail of the amount of money required for the public school for the ensuing year and the Mayor shall transmit such estimate to the District Council.

"General Account

"Sec. 1614. The School Board's general account shall consist of all the Board's funds except those in the capital construction account. Funds in the general account shall be used for the operating expenses of the School Board, except that the School Board may by resolution transfer funds from the general account to the capital construction account.

"Capital Construction Account

"Sec. 1615. (a) The capital construction account shall consist of funds appropriated to the capital construction account by the Council, and funds transferred by resolution from the general account to the capital construction account.

"(b) Funds in the capital construction account may be expended for acquisition of land, construction of buildings and improvements, and purchases of school equipment.

"Revenues for Operating Expenses

"Sec. 1616. The operating expenses of the School Board (including expenses incurred with respect to the general administration of the District public school system, supervision of School Board employees, and instruction of pupils in such system, the District of Columbia Teachers College, vocational education, operation of buildings and grounds and maintenance of equipment, repair and maintenance of buildings and grounds, and contributions to the teachers' retirement and annuity fund) for the first fiscal year beginning after the members first elected to the School Board take office shall be financed in the same manner as such expenses of the Board of Education for the prior fiscal year were financed.

"Statutes Repealed

"Sec. 1617. The following Acts are hereby repealed:

"(1) The Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906 (D.C. Code, sec. 31–101).

"(2) The Act entitled 'An Act to authorize the appointment of public school employees between meetings of the Board of Education', approved April 22, 1932 (D.C. Code, sec. 31–106).

"Technical Amendment

"Sec. 1618. The first section of the Act of March 1, 1929 (D.C. Code, sec. 16–619), is amended by inserting after the words 'any board or commission of the United States' a comma and the following: 'including the District of Columbia Independent School Board,'.

"Definitions

"Sec. 1619. As used in this title, the term—

"(1) 'School Board' means the District of Columbia Independent School Board created by section 1601 of this title.

"(2) 'Board of Education' means the Board of Education of the District, created by section 2 of the Act of June 20, 1906 (D.C. Code, sec. 31–101).

"(3) 'Superintendent' means Superintendent of Schools appointed by the School Board under section 1607 of this title.

"(4) 'School election' means any regular election for members of the School Board.

"(5) 'Employees of the School Board' includes teachers, school officers, and other employees of the School Board.

"TITLE XVII—INITIATIVE

"Power to Propose and Enact Legislation

"Sec. 1701. (a) Subject to the provisions of section 324 of this chapter, the qualified voters of the District shall have the power, independent of the Mayor and Council, to propose and enact legislation relating to the District with respect to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this chapter.

"(b) In exercising the power of initiative conferred upon the qualified voters by subsection (a) of this section, not less than 10 per centum of the number of qualified voters voting in the last preceding general election shall be required to propose any measure by an initiative petition. Every such petition shall include the full text of the measure so proposed and shall be filed with the Secretary of the District Council to be submitted to a vote of the qualified voters. Any such petition which has been filed with the Secretary, and certified by him as sufficient, shall be submitted to the qualified voters of the District at the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of sufficiency. The Council shall, if no general election is to be held within such period, provide for a special election for the purpose of considering the petition.

"(c) Upon receiving the certification of the Board of Elections (as provided in section 805(d) of this chapter) of the results of any election held with respect to any measure proposed by an initiative petition, the Secretary of the Council, if such measure was approved by a majority of the qualified voters of the District voting hereon, shall, within five calendar days thereafter, present the petition containing such measure so approved, which was filed with him pursuant to subsection (b) of this section, to the President of the United States. Such measure shall become law unless, within ten calendar days after it is so presented to the President, he shall, in accordance with this subsection, disapprove the same. The President may, if he is satisfied that such measure adversely affects a Federal interest, disapprove it, in which event he shall return it, with his objections, to the Secretary and, notwithstanding any other provision of this chapter, such measure shall not become law.

"(d) If conflicting measures proposed at the same election become law, the measure receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

"(e) If, within thirty days after the filing of a petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed certified as sufficient for purposes of this section.

"(f) The style of all measures proposed by initiative petition shall be as follows: 'Be it enacted by the People of the District of Columbia'.

"(g) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of initiative petitions, and (2) with respect to the conduct of any election during which any such petition is considered.

"(h) If any organization or group request it for the purpose of circulating descriptive matter relating to the measures proposed to be voted on, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

"TITLE XVIII—TITLE OF CHAPTER

"Sec. 1801. This chapter, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such chapter, may be cited as the 'District of Columbia Charter Act'."

In lieu of the committee amendment to the title, amend the title so as to read: "An Act to amend the Higher Education Facilities Act of 1963, the Higher Education Act of 1965, and the National Defense Education Act of 1958; and to provide for the District of Columbia an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives; and for other purposes."

CLOTURE MOTION

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. Mr. President, the leadership has been giving a good deal of consideration to the home rule amendment to the bill on higher education.

The Senate—in the 11th hour of the session—pressing to adjourn—is faced with the promise of a filibuster on the amendment of the senior Senator from Oregon [Mr. MORSE]. Such a filibuster would most assuredly snuff the last flicker of hope for an October adjournment sine die, which now remains in the realm of the possible. I think this dilemma and the nature of the issue justify the unusual action I shall propose to the Senate. The alternatives are limited.

The pending amendment of the Senator from Oregon was already considered fully by this body during this, the 89th Congress. We overwhelmingly passed home rule for the District in July of 1965 by a vote of 63 to 29. The controversy in the Senate at that time was precipitated primarily by the automatic Federal payment and partisan election features. Those two features have been removed from the pending amendment. The pending amendment therefore should be even more acceptable to the Senate than that which passed overwhelmingly last year.

All the arguments, both for and against home rule, have been made—not only in this Congress but in five previous Congresses. The proposal is not new. All Members are well versed and thoroughly familiar with the issue involved. There is scarce chance that a filibuster, however prolonged, could change one single vote.

Thus with this peculiar background—the documented familiarity of each Senator with the terms and specifics of this issue—the scarcity of time this late in the session—the inability to bring this issue to a vote—I shall send to the desk shortly, a motion for cloture on the pending amendment.

Under these circumstances, I believe this action both justified and desirable. It will afford each Member of the Senate an opportunity to express himself affirmatively on this issue. It will permit the Senate to decide whether this issue should be decided at this time in this manner.

As the Senator from Montana I favor home rule for the District of Columbia. I believe deeply that the people of Washington, just as the people of every other American city, should have the right to be governed by officials of their own choosing. That is the issue. It is not complex. It does not require a protracted debate. The case has already been made. It was made in 1949, in 1952, in 1955, in 1958, in 1959, and again last session. In each case the Senate resolved it favorably and overwhelmingly.

The issue then is clear and simple. A vote for cloture next Monday will be a vote to permit the Senate to vote again on an issue it has overwhelmingly favored six times in the past.

The choices available to the leadership under these circumstances are not easy. In view of the expressed opposition, the leadership has the choice to either table the amendment or attempt to limit debate under our rules. I think in this case with an issue as well traveled as home rule for the District an immediate cloture motion is fully justified.

Mr. President, I sent to the desk a cloture motion and ask for its immediate reading.

The PRESIDING OFFICER. The clerk will report the cloture motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the pending amendment of the senior Senator from Oregon [Mr. MORSE]—the so-called home rule amendment—to H.R. 14644, an act to amend the Higher Education Facilities Act of 1963, to extend it for 3 years and for other purposes:

MIKE MANSFIELD, PHILIP A. HART, E. L. BARTLETT, WALTER F. MONDALE, WARREN G. MAGNUSON, BIRCH BAYH, JOHN O. PASTORE, HENRY M. JACKSON, JOSEPH S. CLARK, JOSEPH D. TYDINGS, EUGENE MCCARTHY, EDWARD V. LONG, DANIEL K. INOUYE, JACOB K. JAVITS, EVERETT M. DIRKSEN, GEORGE MCGOVERN, THOMAS J. DODD, EDWARD KENNEDY, WILLIAM PROXMIRE, ROBERT KENNEDY, THOMAS H. KUCHEL, WAYNE MORSE.

ORDER FOR PRO FORMA SESSION TOMORROW MORNING AT 9 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes it business today, it stand in adjournment for a pro forma session only until 9 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is the Senator asking that no business be transacted?

Mr. MANSFIELD. Yes, Mr. President; that no business be transacted. It will be an in-and-out session merely to comply with the rule having to do with cloture so that the vote will come 1 hour after we convene on Monday next.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

HIGHER EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963, to extend it for 3 years and for other purposes.

Mr. HICKENLOOPER. Mr. President, what is this?

Mr. MANSFIELD. This is a cloture motion which I have just filed. The Senator from Illinois [Mr. DIRKSEN] has signed it. There will be a pro forma meeting tomorrow morning.

Mr. HICKENLOOPER. This is the first I heard about it. This is the first anyone I have talked to heard about it. What kind of "shuffle" is this?

Mr. MANSFIELD. It is no "shuffle," I can assure the Senator from Iowa. It has to do with the District of Columbia home rule amendment. We are faced with the possibility of extended debate, and the leadership was faced with the choice of either allowing debate to go on on an unlimited basis, tabling the motion, or filing a motion for cloture. It was thought that the best procedure to follow, after giving important consideration to this matter, was to file a motion for cloture—which has been done.

Mr. HICKENLOOPER. Further, although I do not know whether I have a right to speak—whether I can raise objection—I do not know whether unanimous consent was asked.

Mr. MANSFIELD. I asked unanimous consent.

Mr. HICKENLOOPER. Then, Mr. President, reserving the right to object, it seems to me that this is a rather precipitate course to follow. The question of home rule for the District of Columbia is certainly something which merits at least some decent debate, rather than a gag session debate such as we would have under a cloture motion.

Mr. MANSFIELD. The Senator, of course, has a point, but as I tried to point out in my remarks, the Senate has debated the home rule issue on six different occasions and overwhelmingly passed it after such debate. The issue should certainly be clear. There are certain provisions having to do with Federal payments and partisan elections which were controversial when the Senate considered District of Columbia home rule last year, and those provisions have been deleted from the Morse amendment which is now the pending business.

Mr. HICKENLOOPER. I might suggest to the Senator, with respect, that that same argument would apply to every appropriation bill that comes up. We have had appropriation bills on which hearings have been held, year after year after year. But now, it seems, there is no need for any debate when they come up, we might just as well put them through without any kind of debate, or put them through on a cloture rule.

Personally, I do not like this procedure.

The Senator can go ahead and get this done. I realize that. I do not care to be an undue obstructionist on these things—

Mr. MANSFIELD. I understand that.

Mr. HICKENLOOPER. But I think it is bad procedure. I think it is not in the best interest of parliamentary operations to file a cloture motion immediately. Such a motion should be filed after lengthy debate has been had and there is no opportunity to bring the subject to a vote.

Mr. MANSFIELD. I understand the Senator's viewpoint, but the leadership had to exercise a judgment on how best to proceed with this amendment in face of the realities that exist. It may not be the best procedure, but it was the best that we could come up with under the circumstances at this time. So I would appreciate it if the Senator would understand the position that the Senator from Montana is in, and realize that he has not attempted an "end run" or a "sneak play," or anything of that sort; that he is acting entirely within the rules; and I would ask him if he would be considerate of our position.

Mr. HICKENLOOPER. Let me say that it is clear to me that the Senator from Montana is never sneaky and would never do anything——

Mr. MANSFIELD. At least, not intentionally.

Mr. HICKENLOOPER. He would never try to conceal anything. I have never known him to do anything intentionally or unintentionally along that line, so I am not raising that question in this regard but merely saying that this is precipitate action.

Mr. MANSFIELD. It is, but I think under the circumstances it is justified.

Mr. HICKENLOOPER. I do not like it. It seems to me that there are certain elements of unfairness in this, unless everyone else in the Senate, except myself, knew about it. It seems to me that no one knew about this particular tactic, and I am a little bit surprised at the action of the leadership on both sides in agreeing to it.

Mr. MANSFIELD. Well, I must say that the initiative for this action rests on my shoulders and not on the minority leaders. I approached the minority leader today about my intentions and offered the cloture petition to him and he signed without hesitation.

Mr. HICKENLOOPER. I understand that the minority leader signed the cloture motion.

Mr. MANSFIELD. As a matter of courtesy, I kept him informed of my intention with respect to the cloture motion. I was prepared to assume full responsibility.

May I say that this has not been an easy choice. Personally, I wish home rule could have passed the Congress long ago; the Senate acted and passed a good bill, but the House and Senate could not get together in conference. But here we are, getting down toward the end of the session; controversial features have been eliminated which should satisfy the objections raised. For example, the objection raised by the distinguished senior Senator from Massachusetts last year having to do with elections and Federal payments of various kinds has been satisfied in this amendment.

I will repeat. The responsibility for doing this is mine. I thought it through. I do not enjoy filing cloture motions. I do not enjoy making tabling motions, but someone has got to take the responsibility. That is where it lies.

Mr. HICKENLOOPER. One more question, because I do not want to delay the Senator, but I do not quite understand the procedure. Has a cloture motion on the District of Columbia home rule amendment been filed and brought up yet?

Mr. MANSFIELD. Yes, sir.

Mr. HICKENLOOPER. The Senator has a right to file a cloture motion.

Mr. MANSFIELD. Yes.

Mr. HICKENLOOPER. At any time he wants to?

Mr. MANSFIELD. Yes.

Mr. HICKENLOOPER. He is within his rights, if he can get 15 other Senators to sign the motion with him?

Mr. MANSFIELD. Yes.

Mr. HICKENLOOPER. What is the unanimous-consent request? As I understand it, it would delay it only 1 day if I object.

Mr. MANSFIELD. It would not delay it. The purpose was to come in tomorrow to comply with the rule that applies to cloture. There must be an intervening calendar day.

Mr. HICKENLOOPER. I do not see that there is any reason to object one way or the other on this request. I do not believe it would accomplish anything as far as applying the cloture procedure is concerned.

Mr. MANSFIELD. The Senator is correct.

Mr. HICKENLOOPER. I am not going to do that.

Mr. MANSFIELD. I appreciate that.

Mr. HICKENLOOPER. But I do not like it. I will have to make the record clear on it. I think it is a bad procedure, whether it is at the tail end or the beginning of a session. I think cloture should be invoked only when debate gets to the point where there is a substantial opinion that further progress will not be made through further debate.

Mr. MANSFIELD. I will not argue with the Senator from Iowa. I think he has made his point, with great validity. It is a question of judgment. Unfortunately, somebody has to make that judgment. That somebody usually gets more blame than he gets credit.

Mr. HICKENLOOPER. The Senator from Montana gets much credit, and little blame.

Mr. MANSFIELD. Much of the credit undeserved, but greatly appreciated.

Mr. HICKENLOOPER. I would object if I thought it would accomplish anything.

The PRESIDING OFFICER. Is there objection to the request?

Mr. MORSE. Mr. President, reserving the right to object, let me say that I have called for the Senator from Georgia [Mr. Russell]——

Mr. MANSFIELD. I informed the Senator from Georgia of my intention shortly before he left.

Mr. MORSE. I do not want anyone reading the Record to misconstrue what I say and feel that I have not kept the commitment that I made when the Senator from Montana was off the floor and the Senator from Georgia was questioning me with regard to what my plans were. I want the Record to show, and the Senator from Montana to know, what I said to the Senator from Georgia.

He asked me if there was any intention on my part to ask for a time limitation on the bill. I told him there was not. The point was raised that some Senator might do that. I told the Senator from Georgia that if any Senator did, I would object. I told the Senator from Georgia it was my plan to offer the amendment this afternoon, to lay it down; that I did not speak for the Senator from Montana. In fact, I wanted him to address any questions with regard to the business of the Senate and the procedures to be followed to the Senator from Montana, and not to me; but I thought if he talked with the Senator from Montana he would ascertain that the Senator from Montana did not have any intention to have any votes on the floor of the Senate this afternoon.

I think he might think that I was under some commitment not to agree to any unanimous-consent request because that might be construed as a transaction of business by way of taking a vote. I had said to him it was my understanding that no votes would be taken this afternoon.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I would like to finish. I would not want him to think that I am permitting a unanimous-consent agreement to go through here for a pro forma meeting tomorrow, when if he were here, he might object to it, or if he might feel I am under some obligation to object to it.

The Record will speak for itself. I only want the Record to show I did not know the majority leader was going to file a cloture motion. There is no reason why I should have known. It was his right. That is one reason he is recognized as a great leader. I did not know it until recently. I ask only, if it is to be filed, that I might have the privilege of signing it, because I feel it is my duty to bring the debate to a close after we have made our case—and it will not be lengthy—in our debate on home rule. I know the Senator will verify the fact that we did not talk about a cloture motion.

Mr. MANSFIELD. That is correct.

Mr. MORSE. I did not know the majority leader was going to file one. The only thing we talked about was a motion to lay on the table. When the Senator asked me to lay down my amendment, I said, in consultation with others working with me on this amendment, I hesitated to do so because a motion to lay on the table might be made and I would not have a chance to make my argument.

The majority leader said he did not think it would happen. He would urge that it not happen.

I talked to the Parliamentarian. The Parliamentarian said I could offer my amendment, or lay it down, or introduce it again as an amendment.

I said to the majority leader that I could lay down my amendment and make my speech on it, so it will be printed in the Record and be on the desks of Senators on Monday.

I want the Record to show that that is the framework within which any conversation between the majority leader and me took place.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. The Senator is correct. As a matter of fact, it was not until the last hour that the Senator from Montana, as majority leader, made up his mind as to what he was going to do, whether he would seek to get a unanimous-consent agreement limiting time, whether he would move to table the Morse amendment, or whether he would file a cloture motion.

The first was very appealing to me. The last two were, and are, obnoxious. But there are times when it has to be used.

Before the senior Senator from Georgia [Mr. RUSSELL] left the floor, I told him of my intention. He was fully aware. It would be my belief he would not object to the unanimous-consent request pending, because, being the best parliamentarian in this body, he is aware of the fact that a regular motion could be made to come in at 9 o'clock, which would be nondebatable, and which, I assume, would pass. Therefore, I believe we are treating the senior Senator from Georgia [Mr. RUSSELL] with the respect due him and on the basis of good faith.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. Let me make one comment, still reserving my right to object, on the basis of my relating my recollection of the colloquy with the Senator from Georgia on the floor of the Senate.

If I do not object to the unanimous-consent request of the majority leader, would it be his judgment that would not in any way be violating any understanding or commitment with the Senator from Georgia?

Mr. MANSFIELD. Not in the least.

Mr. MORSE. With that statement, at least for the moment, I withdraw the reservation.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, and I have no intention of objecting, I associate myself with Senators who are opposed to the home rule bill. I shall join in opposition to it, but I may say, speaking as a Senator, and not as the assistant majority leader, that any Senator has a right to file a cloture motion. It is within the right of any Senator to do that, if he can get 16 Senators to sign it, if he wants it filed so as to get an expeditious end of the debate, it being understood that there will be time for debate to make both sides clear.

As I understand it, the rule requires that there shall be 1 hour of debate prior to the vote on the cloture motion.

I hope that the pro forma session will be in such a form that I can get a committee report filed, if I can get it drafted.

Mr. MANSFIELD. I shall amend the unanimous-consent request to that effect, so the Senator will be protected in that respect.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I do recall one other item I discussed with the Senator from Georgia. He raised specifically the point that the opponents of the amendment would want time to present their objections to the amendment.

I have before me a portion of the transcript of today's proceedings, which reads as follows:

> Mr. RUSSELL of Georgia. Whether the distinguished Senator is right or wrong, he is a formidable champion of any position he assumes.
>
> I was greatly interested to know whether there would be any unanimous-consent agreement as to limitation of debate this afternoon. Until recent years, it was always a custom to have a quorum call and put everybody on notice before we had a limitation on debate.
>
> We have abandoned that practice here in the last several years, and Senators who might wish to speak come in and find themselves excluded from an opportunity to do so due to a unanimous-consent agreement.
>
> I have seen the distinguished Senator from Oregon when he was caught in that predicament. I have seen him take the position that he was going to object to any unanimous-consent request.
>
> Mr. MORSE. Mr. President, I give the Senator assurance that I not only will not offer any unanimous-consent request to limit debate, but also that I will object to a request on the part of anybody for a unanimous-consent agreement.
>
> Mr. RUSSELL of Georgia. I am entirely satisfied with that statement.
>
> I thank the Senator.

What concerns me is whether or not he would consider that I should object to a unanimous-consent agreement for a pro forma meeting tomorrow, although, as the Senator said, it could be held anyway.

Could we have an understanding that any Senator who wishes to speak against my amendment can speak against my amendment tonight or tomorrow? The session could be pro forma to the extent that we could have speeches on the amendment, and then have time on Monday, to meet the assurance that the Senator from Georgia asked for, that there would be time available for those who wish to speak against the amendment.

Mr. MANSFIELD. Mr. President, I know of no one who has expressed an interest in speaking tomorrow.

I should like to restate my unanimous-consent request. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9 o'clock a.m. tomorrow, and, immediately upon convening and without the transaction of any business, the Senate then stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Now I ask unanimous consent that the time limitation of 1 hour on the amendment on Monday next be equally divided between the senior Senator from Oregon, the proponent of the amendment and manager of the bill, and the Senator from Georgia [Mr. RUSSELL].

The PRESIDING OFFICER. Is the time limitation to begin immediately following the prayer?

Mr. MANSFIELD. That is correct. There will be no morning hour, and the time will be divided between the senior Senator from Georgia and the senior Senator from Oregon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Any Senator who wishes to speak this afternoon may speak. There will be no unanimous-consent request seeking to bring about votes, and the time may be used as Senators see fit.

I thank the Senator from Oregon for yielding to me.

Mr. MORSE. I thank the majority leader. I think he knows that, while I do not seek unduly to prolong the matter, I do not wish to violate any agreement that I may have made.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 801. An act to improve the balance-of-payments position of the United States by permitting the use of reserve foreign currencies in lieu of dollars for current expenditures;

S. 3500. An act to authorize the President to advance Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general; and

S. 3834. An act to amend chapter 141 of title 10, United States Code, to provide for price adjustments in contracts for the procurement of milk by the Department of Defense.

The message also announced that the House had passed a bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, in which it requested the concurrence of the Senate.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

Mr. MORSE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the immediate consideration of H.R. 13161 on which the message was just received from the House of Representatives.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 13161) to strengthen and improve programs of assistance to elementary and secondary schools.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was read twice by its title.

Mr. MORSE. Mr. President, I move to strike out all after the enacting clause, and substitute in lieu thereof the language of S. 3046, as passed by the Senate yesterday.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 13161) was ordered to a third reading, was read the third time, and passed.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the bill (H.R. 13161) was passed.

Mr. CLARK. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent that the title to H.R. 13161 be appropriately amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I ask unanimous consent to reconsider the vote by which S. 3046 was passed yesterday, and that S. 3046 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I move that the bill (H.R. 13161) be printed as passed; that the Senate insist on its amendment and request a conference with the House of Representatives thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Senators MORSE, YARBOROUGH, CLARK, RANDOLPH, KENNEDY of New York, WILLIAMS of New Jersey, PROUTY, JAVITS, and DOMINICK conferees on the part of the Senate.

HIGHER EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963, to extend it for 3 years and for other purposes.

Mr. CLARK. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I congratulate the majority leader on the initiative he has taken in filing the motion for cloture. I am happy indeed to be one of the Senators who signed the cloture motion.

Home rule for the District of Columbia is many years, if not many decades, overdue. The Senate, as has been pointed out, has passed home rule bills time after time. When I first came to the Senate 10 years ago, for my sin of having been mayor of Philadelphia, I was placed on the District of Columbia Committee, where, working under the inspired leadership of the Senator from Oregon [Mr. MORSE] we brought several home rule bills to the floor of the Senate and saw them passed. Here we are, back again where we started.

Let no Senator be under any illusion as to why the home rule amendment is being attached to this higher education bill. The purpose is clear indeed. It is that if we attach the home rule amendment to the higher education bill, and we go to conference, the conferees on the part of the House are likely to be members of the House Education and Labor Committee, and to take a far more tolerant view toward home rule than the House Committee on the District of Columbia has traditionally taken.

This is the kind of parliamentary maneuver which one would wish were not necessary, but it is necessary because of the obsolete, archaic rules, customs, and manners under which we operate in this body—rules, customs, and manners to which I have continuously called attention throughout the last 10 years, without having much luck in getting any of them changed.

Senators will recall that this procedure has been resorted to twice this year, first in connection with the effort to engraft on an inoffensive little private bill a constitutional amendment which would have destroyed the one-man, one-vote decision of the Supreme Court of the United States, and second, in connection with the so-called prayer amendment, where another innocuous and relatively unimportant bill was used as a vehicle for attaching a constitutional amendment which was not germane, and which could never have been reported out favorably from a committee. We did the same thing in connection with the Stella School District some years ago, on the civil rights bill.

Mr. President, it is a bad procedure. It should not be done. But until we can change our rules, it is the only way in which we can respond to what I believe to be the overwhelming desire, not only of the people of the District of Columbia, but of the people of the United States, to give Washington some form of home rule. Therefore, I am happy to join in this expedient for bringing the matter to a vote next Monday.

I point out, particularly to our friends in the Press Gallery, that this is nc gag procedure. Under the cloture rule, rule XXII, every Senator who wishes is entitled to have 1 hour on the subject matter of the cloture motion, which is home rule for the District. I cannot believe that in this day and age, objections to home rule for the District of Columbia cannot be fully explored and debated by those Senators who oppose it, each one using 1 hour for that purpose. Limitations on debate have frequently been put on in this body which allowed far less time than 1 hour for Senators to deal with debate on subjects far more important than home rule for the District of Columbia.

Accordingly, I am delighted that the cloture motion has been filed. I fervently hope that it will be productive with a vote of two-thirds of the Senators present and voting on Monday and that we may then proceed to an orderly debate on this amendment, during the course of which debate there will be plenty of time for the opponents of the amendment to express their views.

Mr. MORSE. Mr. President, I associate myself with the remarks of the Senator from Pennsylvania. I commend the majority leader for recommending the procedural action that he has taken. As I have pointed out, I was not aware he had the slightest intention of following this course of action.

I fully expected that the parliamentary obstacle that I would have to face would be a proposal to lay my amendment on the table.

I may still have to face it, depending on what course of action is taken next week. I am ready to face it, but I agree with the majority leader.

The record of the Senate is certainly voluminous in connection with the debates on District of Columbia home rule.

I think that my responsibility in this instance is to limit myself for the most part to simply an explanation of the amendment and a pointing out of the differences between this amendment and the bill which the Senate passed earlier this year.

In essence, this amendment is modified in accordance with the changes necessary to meet the primary objections to the Senate bill raised on the House side.

Mr. President, because I did not know of the plans of the majority leader to offer a cloture motion, I did not have an opportunity to sign the motion in advance of the announcement. But the majority leader very kindly gave me the opportunity to ask to have it returned to my desk to sign after he had sent it to the clerk's desk for public reading.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. Mr. President, while I realize that it is perfectly in order for a Senator to offer on the floor of the Senate an amendment that is not germane and not within the jurisdiction of the committee, the amendment can be offered to any ordinary piece of legislation or even to an appropriation bill if one has the two-thirds vote to suspend the rules, and if he could not muster a two-thirds vote, he could not invoke cloture anyway.

Is the Senator aware of the fact that in the House of Representatives such an amendment would be subject to a point of order because the Education Committee would not have jurisdiction over the subject matter?

I would assume that that would put the bill in the Rules Committee, and in due course I should imagine that the committee having jurisdiction over the matter would be the committee that would confer on the matter.

Mr. MORSE. Mr. President, my reply is that it is always true whenever we have legislation in the Senate by way of a rider. There are many precedents for having done that.

Let me say, as the Senator from Pennsylvania has pointed out—and I am not at all happy about it—that we find ourselves in a parliamentary situation in which this course of action seemed to be the only course of action we could follow. It is necessary, to do what I think is sorely needed to be done, for the reasons I shall shortly set forth in my speech to give to some 850,000 and more fellow Americans in the District of Columbia the rights of first-class citizenship, the right to vote, and the right to self-govern themselves in connection with their municipal affairs.

I wish that we would not have to try to do it this way, but I know of no other procedural avenue open to us that offers any hope at all.

Therefore, after pondering it at great length over a considerable period of time, as the proponents of this procedure could testify if I called them to the witness stand, I agreed to offer the home rule rider.

I hope that we can get home rule established once and for all so that we will not have to follow this course again.

Mr. President, the District of Columbia home rule amendment that I have submitted is an old friend of the Senate. The Senate on six separate occasions, in the 81st, 82d, 84th, 85th, 86th, and 89th Congresses, enacted self-government legislation for the District of Columbia in substantially the same form as the amendment that I have introduced today.

Because the Senate has passed home rule legislation very similar to the home rule amendment I am offering today, I am certain that the amendment should not require any substantial discussion. The amendment I shall offer is substantially the same as the bill passed by the Senate last year, S. 1118. That bill was supported by unanimous vote of every member of the Senate Committee on the District of Columbia.

In order to meet objections of some Members of the House and Senate, I have made three or four changes in S. 1118. I have done this in the spirit of compromise in order that people of the District of Columbia may have an opportunity to have true home rule legislation enacted this year.

I realize that there are Members of both the House and the Senate who are opposed to the home-rule concept. My amendment will not satisfy those Members. However, I hope that the Senate will adopt the home rule amendment overwhelmingly so that the bill may go to conference with the House of Representatives in order that the House may have an opportunity to vote on it.

Because the rumor has been spread that my home rule amendment may kill the higher education bill, I wish to say at the outset that, in my judgment, there is no substance to such a rumor. Should the Senate adopt my home rule amendment to the higher education bill this afternoon, or next week, the higher education bill would then go to conference. Should the conferees agree to keep the home rule amendment in the higher education bill, both Houses of Congress will then have an opportunity to approve or modify the conference report.

The higher education bill has widespread support in both the House and the Senate, and it is not conceivable that such an amendment could possibly kill the higher education bill.

President Johnson, in transmitting the home rule proposal to the Congress last year, stated:

> The restoration of home rule to the citizens of the District of Columbia must no longer be delayed.

I completely agree with my President on this issue.

My amendment will provide the District of Columbia with an elected mayor, 19-member city council, 14-member school board, and nonvoting delegate to the House of Representatives. In short, it will return home rule to the residents of the District.

The city council would have local legislative power, including taxing and borrowing authority subject to certain restrictions and reserve the power of Congress to repeal, amend, or initiate local legislation and to modify or revoke the charter itself.

The amendment provides legislative power to the qualified voters by initiative and authorizes the President of the United States to veto legislation enacted through the initiative which adversely affects the Federal interest.

As I mentioned earlier, my amendment is identical in most respects to S. 1118 which was passed by the Senate last year. It differs from S. 1118 in only four significant respects: First, automatic appropriation of a Federal payment to the District provided by S. 1118 has been eliminated, and automatic authorization of a Federal payment has been substituted; second, all elections in the District will be nonpartisan, and the voting age will be 21 instead of 18; third, the powers of the President have been increased to protect further the interests of the Federal Government in the maintenance of public order in the District; fourth, the autonomy of the School Board has been increased.

FEDERAL PAYMENT

The amendment increases the annual Federal payment authorization for the general fund of the District of Columbia government. Under my amendment, the Federal payment method to be adopted establishes the level of the annual Federal payment authorization at 25 percent of the District local tax revenues, including the revenues obtained through the motor vehicle registration. Such an amendment was advocated by the Bureau of the Budget during hearings on the District of Columbia revenue bill. The amendment was contained in the revenue bill when it passed the Senate this year.

The following tax revenues would be included in the base of the proposal for determining the Federal payment authorization: property tax, income and franchise taxes, sales and gross receipts taxes, inheritance and estate taxes, deed recordation tax, and general fund portion of the motor vehicle registration revenue.

S. 1118 both authorized and appropriated an annual payment to the District from the revenues of the United States. Also, S. 1118 measured the amount of the annual Federal payment by means of a formula based primarily on the estimated amount of revenue that the District would obtain in taxes from the Federal Government if the functions and property of the Federal Government were subject to taxation. The amendment makes it clear that the Federal Government is not permitting itself to be taxed by the District of Columbia.

In summary, the effect of the change is twofold: any Federal payment to the District must still be appropriated each year by the Committees on Appropriations of both the Senate and the House of Representatives; and the amount of Federal payment authorized by the amendment is a percentage, 25 percent, of the tax revenues raised by the District for its own account.

ELECTIONS

Several changes have been made in the method of voting. The most significant is that all elections will be nonpartisan. This means that ballots and voting machines may show no party affiliations, emblems, or slogans. Under S. 1118, all elections were partisan except elections for the School Board, which were to be conducted on a nonpartisan basis.

Mr. BIBLE. Mr President, will the Senator yield?

Mr. MORSE. I am happy to yield to the Senator from Nevada.

Mr. BIBLE. I know of the Senator's longtime friendship and fights and battles for home rule. We have marched up and down the Hill about as often on this subject as any subject that has ever been trotted out in the Nation's Capital. It is one that we have worked on many times. I think the Senate has passed it on six separate occasions.

I realize that this is a somewhat unusual procedure. I believe that in this particular instance the Senator from Oregon is justified in making this attempt because of the situation in which we find ourselves.

The record will show that when the Senate passed its home rule bill and the House passed its bill in another form that the Senate immediately appointed conferees. The appointment of Senate conferees occurred on the 5th of April of this year. Since that date and in the intervening months there has been no meeting of House and Senate conferees to resolve differences in the bills for the reason that the House has never acted to appoint conferees.

The bill that we hammered out last year and sent to the House was a complete home rule bill. In my view it is an excellent home rule bill. As is true with any legislation, I think it can be improved, and I have no doubt that the amendment which the Senator from Oregon is proposing today contains a number of improvements.

I recognize that the House-passed and the Senate-passed home rule bills have many major differences. They were far apart. Yet, I felt convinced then, and I feel convinced now, that conferees could sit down around a table and hammer out some type of legislation to move the cause of home rule either forward or to final fruition—preferably the latter.

But when we have no conferees with whom we can meet, we can hardly move that cause forward or to final fruition.

The Senator from Oregon has been the No. 1 fighter for home rule for many years. I do not know for how many years, but it has been a good 20 years. I have been in the Senate 11 years, and I know that he has been active during all of those years to bring home rule to the District.

As an aside, it is significant that within the last 2 days, the Committee on Interior and Insular Affairs voted to give an elected Governor to Guam. They have a self-elected legislature there now. The Committee on Interior and Insular Affairs has favorably reported out of committee a bill to give Guam, in 1970, its first elected Governor. It is rather ironic that we would give Guam the full right of self-government, and fail to do so in the Nation's Capital, where there are over 850,000 people.

I commend the Senator from Oregon for his efforts and his fight in this field.

A number of changes have been made, which I think improve the bill. I do not know whether the Senator has commented on the changes.

Mr. MORSE. I have started.

Mr. BIBLE. I thought that the change as to automatic Federal payment was completely justified, and I still think so. It caused problems in the Senate, where we had a record vote on that particular section of the bill, and it carried. However, it did not pass by a great majority, because it was felt that this was an attempt to bypass the Committee on Appropriations. I think that correction in this regard is realization of good legislative ability to get things done. I share the view that it will be easier to pass a home rule bill with the automatic appropriation provision removed. I commend him for taking it out. It was used by some in the past as a reason for not supporting home rule, and I am glad that particular obstacle has been removed.

I believe another area of controversy was the question of the elections being either partisan or nonpartisan. I think the Senator from Oregon has been very consistent with respect to this matter, as the earlier home rule bills acted upon by our committee did not contain authority for partisan elections. Thus, in my view another area of controversy has been removed from the home rule bill.

I think that the other changes he makes are equally worthwhile. Another change, increasing the powers of the President to protect the interests of the Federal Government, is wise. Likewise, I can find no fault with increasing the autonomy of the school board. All these changes are improvements. I think it is a better bill now than when it passed the Senate last year.

I hope that somewhere along the way, with whatever parliamentary problems we might have in the early part of next week, home rule will finally come to the Nation's Capital. The method used, though unusual, and possibly unorthodox, might be subject to certain points of order. Nevertheless it seems to me to be justified, in the posture in which we find ourselves today.

Mr. MORSE. Mr. President, the Senate has listened, in my opinion, to the most influential and powerful source of support for home rule that exists in Congress or in the District of Columbia. The Senator from Nevada [Mr. Bible], the chairman of the Senate Committee on the District of Columbia, is my leader. That does not mean that he is my leader in following the procedure that I am following in this instance. I assume sole and complete responsibility for that procedure. However, he is my leader in connection with seeking to attain home rule for the people of the District of Columbia.

It is true that starting in 1946, after I had been in the Senate but a year, then a member of the Committee on the District of Columbia, I was urging home rule. It is true that I have been either a cosponsor or an author of every home rule bill since that time.

However, Mr. President, it takes the chairman of the committee, in the person of the Senator from Nevada, to give to home rule in the District of Columbia the life and the strength that it needs; and Senator Bible has done just that.

All that I am seeking to do this afternoon, in the presentation of the amendment that I have presented, is really to follow the leadership of Senator Bible so far as his home rule objective is concerned.

I wish to say to the Senate that when Senator Bible speaks this afternoon and gives his support to this amendment, every Member of Congress should take a very long and hard and favorable look at the amendment that the Senator from Oregon has offered, as the Senator from Nevada has said, in somewhat unorthodox parliamentary form. I do not think that it is going to surprise anybody to find the Senator from Oregon a bit unorthodox when in his judgment lack of orthodoxy can serve the public interest.

Mr. President, for reasons I shall now set forth, I think we are serving the public interest, and I am delighted to stand shoulder to shoulder again with the chairman of my committee in support of home rule for more than 800,000 fellow Americans in the District of Columbia.

Mr. President, prior to the excellent and eloquent speech of the Senator from Nevada [Mr. Bible], in support of my amendment, I was discussing the matter of nonpartisan elections.

As the Senator from Nevada pointed out in his speech, I proposed nonpartisan elections in the bill that the Senate passed last year. I was voted down in committee, but after the majority worked its will, I, of course, supported the bill with the partisan election in it.

As the Senator from Nevada [Mr. Bible] pointed out, that proposal raised serious opposition in the House of Representatives, and it seemed to me that commonsense warranted my eliminating it from the amendment I have offered today.

The change to nonpartisan elections has automatically resulted in two other changes. First, the guarantee of minority party representation on the District council as contained in S. 1118 is eliminated. The concept of party representation is, of course, incompatible with nonpartisan elections. Second, the party primaries have been replaced by a nonpartisan primary in which the two candidates receiving the highest number of votes for each office are declared the winners. The winners of the primary then face each other in the general election.

I wish to point out that the important thing is to get a city government set up with the powers of self-government vested in the people, and at a later time they can follow such course of action as they may wish to follow in modifying such matters as the form of elections to be held in the District.

Although the amendment contemplates that elections be held in the District of Columbia in each even numbered year, as did S. 1118, there is a special provision providing that the first election be held in 1967. The mechanics of providing this first election are relatively simple. Each person elected will serve a term 1 year shorter than his term would have been had the first election been delayed until 1968. For example, the mayor's first term will be 3 years instead of the normal four.

The final change made in the election procedure is that the minimum age for voting has been raised to 21 years. S. 1118 would have permitted 18-year-old men and women to vote.

PRESIDENTIAL POWER

Mr. President, as to the Presidential power referred to by the Senator from Nevada [Mr. Bible], the amendment gives the President of the United States the authority to insure that the interest of the Federal Government in the District is adequately protected. Whenever the President deems it necessary or appropriate in order to adequately protect the Federal interest in the maintenance of public order in the District, he may assume command of the Metropolitan Police Department. Further, whenever the President deems it necessary or appropriate in order to maintain public order in the District, he may designate such persons as he deems appropriate—including members of the Armed Forces—as special policemen in the District. These special policemen shall have the same powers as members of the Metropolitan Police Department and the U.S. Park Service.

Of course, it is necessary to have that residual power vested in the President as far as maintaining law and order in the District of Columbia, in case violations of the law get to the point that law and order cannot be maintained, because the mayor of the city would not be in the position to call upon the Governor of the State to order out the National Guard in order to maintain law and order. In this instance, it is necessary, I think, to assure that the President of the United States, because of the Federal interest involved, will have the authority to proceed to intervene to the degree that is set forth in the amendment.

INDEPENDENT SCHOOL BOARD

Mr. President, with regard to the independent School Board, the School Board established by the amendment has more autonomy than the School Board under S. 1118. Under the amendment, title to the property now controlled by the Board of Education will vest in the new School Board; the School Board will have the power to sue and to be sued in its own name; and the School Board will have the power to acquire and dispose of property and the power of condemnation.

The school board will not have independent financing authority. As was the case under S. 1118, its budget must be approved by the District Council. However, the mayor may not make recommendations to the council with respect to the school board's request to the council for funds, as he was empowered to do under S. 1118.

Mr. President, in my judgment, this is a very modest amendment. Though I know home rule for the District of Columbia will not solve many of the problems facing it, it will give the people of the Nation's Capital an opportunity to govern themselves—an opportunity which I am certain they will execute responsibly and wisely.

Mr. President, up to this point I have confined my remarks to an explanation of the amendment. I owed it to the thousands of people in the District of Columbia who stand behind me in my attempt to obtain a vote on home rule before adjournment. I owe it to the committees with whom I have worked very closely, and in conferences with them agreed to follow the course of action I am following today from a parliamentary standpoint, to at least spread in the RECORD tonight in broad brushstrokes the main contentions why I think the people of the United States, through their elected representatives in the Congress, cannot justify denying to the people of the District of Columbia the right to municipal self-government.

I think there is no doubt that home rule will eventually be achieved in the District of Columbia and, according to the old advertising slogan: If eventually, why not now? I think that now is the time. I do not think we can run the risk—and I repeat the word "risk"—of denying to more than 800,000 people in the District of Columbia the guarantee of first-class citizenship. We should not forget that history is on our side. The District of Columbia had home rule in the past and I am sure it will have it again. In my judgment, the hour is late and in the days immediately ahead I shall continue the fight I first undertook in the Senate some 20 years ago to bring to the city of Washington an effective and meaningful home rule charter. I am continuing my efforts to gain home rule by offering the amendment to the higher education bill which has passed the House of Representatives.

Mr. President, in the early days I stood shoulder to shoulder on the home rule issue, following the leadership of another great chairman of the Senate District of Columbia Committee, the late Matt Neely, of West Virginia, one of the soundest and liberal statesmen with whom I have worked in my years in the Senate. His bill was referred to on many occasions as the Neely home rule bill, of which I was one of the cosponsors along with many other Senators.

After Senator Neely died, I started introducing home rule bills as the author of them, based upon the Neely bill, and I have always referred to them as the Morse-Neely bills. In fact, in a memorial honoring him at this moment, I would refer to this amendment as the Morse-Neely amendment because the substantive content of the amendment is completely in line with the home rule philosophy of that great liberal, the Senator from West Virginia who served in this body for so many years—Matt Neely.

I think it is well that we give some thought to those who have walked across the carpet of this Chamber in years gone by, working and fighting for first-class citizenship by way of self-government for the inhabitants of the District of Columbia—and Matt Neely was a giant among them.

In my judgment, the citizens of the Nation's Capital have demonstrated great patience throughout their long fight to attain home rule. I believe that action must now be taken by the 89th Congress to bring to fruition the efforts that many thousands of District of Columbia citizens have undertaken in support of home rule legislation over the past many years.

We cannot on any ground whatsoever—and I have yet to hear the first sensible argument that would justify it—deny to the 850,000 people in the District of Columbia the same rights of citizenship that citizens of other States receive.

The home rule issue, in my judgment, overshadows almost every other issue in the District of Columbia. Until home rule is attained, Washington, D.C., will be a source of shame to the country.

Millions of people throughout the world do not and cannot understand our boasts about democracy and freedom, and our denial of it in the Capital City of the Republic. Until Washington, D.C., attains home rule, it will remain a colonial dependency of the Federal Government. Its 850,000 residents have all the obligations of citizenship, but are denied any effective voice in the conduct of their local affairs.

In my judgment, there is not the slightest justification for denying self-government to the citizens of the Capital City of the United States any more than there is to deny self-government rights to the citizens of the capital cities of the 50 States in the Union.

We never hear it argued that State legislatures should administer the State capitals of the Union. We never hear it argued that the citizens of State capitals should have to "enjoy" a discrimination—if we want to call it an "enjoyment"—in the right to govern themselves. But Mr. President, I think we should stop denying home rule to the more than 800,000 citizens in the District. Surely the overwhelming majority of the American people do not want to deny it to them on the basis of any concealed motivation that they should be denied it because more than 50 percent of them are Negroes.

However, that happens to be one of the ugly realities of the situation.

That happens to be one of the "under the rug" reasons for denial to more than 800,000 fellow Americans of the right to govern themselves in municipal affairs.

Mr. President, I have said so many times that in my years of service on the District of Columbia Committee, I have come to learn that one of the reasons for the powerful opposition to home rule in the District over the years has been the concern on the part of some of the opponents that if the people of the District of Columbia were given the right to elect a mayor, they might elect a colored person mayor.

My reply to that has always been that if free men and women decide in their judgment the best qualified person to serve as mayor of the District of Columbia is a colored person, man or woman, they should be guaranteed the precious right of freedom to elect such a person as mayor.

Mr. President, we came face to face with this issue at a time when Senator Matt Neely was still in the Senate. We were having home rule hearings and I dropped into the legislative hopper an amendment calling for the election of a mayor in the District of Columbia. That was in 1953. At that time, I had been put back on the District of Columbia Commitee by the Senate, after I had had taken away from me all my committee assignments in this body because I had exercised honest independence of judgment in 1952 and had resigned from the Republican Party.

At that time, a majority of the Senate decided that I should be disciplined, and the discipline took the form of taking away from me all my committee assignments and assigning me to new committees. After a rather prolonged period of time before the Senate could make up its mind just where they were going to put me—I think it was 6 weeks—they decided to put me on the District of Columbia Committee and the Public Works Committee.

They could not have put me on two more important committees so far as performing service in the public interest was concerned.

Putting me on the Public Works Committee placed me in the position that I could oppose, from a committee position, the President Eisenhower giveaway program in the field of public utilities, known as the partnership scheme, which would have resulted in giving away the power of the resources of multiple-purpose dams at a return far below their value to the private utilities of the country.

Placing me on the Public Works Committee, I started my drive against the Eisenhower partnership giveaway scheme and succeeded, as the record will show, in obtaining appropriations for dam after dam which the Eisenhower administration was not recommending because they were not to be built on the basis of a partnership scheme.

Thus, today, there stands in my State, in all its economic majesty a series of multiple-purpose dams, the power resources belonging to all the people of the United States rather than to private utilities, and the returns from those dams from the electric power generated belonging to the taxpayers of the United States, and proceeding to pay for themselves over and over again.

I am sure that the people of my State will always be greatly indebted to the Senate for disciplining me in 1953 by putting me on the Public Works Committee.

I also want to say that I owe thanks to the Senate for putting me on the District of Columbia Committee. There have been forces both in Congress and in the District which would like to get me off; but now, with my seniority rights, I can stay on, and I intend to stay on as long as I serve the people of my country in the Senate.

In 1953, I offered a home rule amendment for the election of a mayor and I asked for public hearings on it. My own interpretation is that by this time my colleagues on the District of Columbia Committee might have had some second thoughts as to their consciences in regard to the action they had taken against me. Perhaps they felt a little sorry for me, and they granted me a public hearing. I well remember those public hearings.

I went fishing, so to speak, in my examination of witnesses in those hearings. It did not take me long to dredge up the ugly racist fact that some witnesses were opposed to the election of a mayor because a colored person might be elected mayor.

That created in me a dedicated determination to see to it that we would do what we could to stamp out that ugly racist attitude that prevailed among some of the opponents of home rule in the District of Columbia.

I remember that when we came to a final vote in committee, I asked for a rollcall vote. As my colleagues in the Senate know, sometimes when we get a rollcall vote we get a vote that is different than on a voice vote, because that puts Senators on record. I received consent to have a rollcall vote.

One of my close friends on the committee said, "WAYNE, if you get this amendment to the floor of the Senate, I will vote for it. It is a good amendment. I have got to vote against it here because I am committed against it, but that commitment does not go to my vote on the floor." I said, "What do you mean, you are committed against it? You mean that my amendment is a good one, but you will not vote for it?"

He said, "You know how it works."

I said, "No, I don't know how it works. If it is a good amendment, you should vote for it."

I always said that I had 2½ votes against me, because three votes were registered against me, and one who voted against me voted for it when it got to the floor. I said, goodnaturedly, to him, when he said he felt committed to vote against me in committee, "Have you told the people of your State?"

He said, "I knew you would ask me that."

He voted against me in committee, but he voted for it on the floor.

Mr. President, I give that background of the home rule battles in the District of Columbia because I think the opposition to any mayor on a race issue has greatly diminished over the years. I think more and more people now know that one cannot, under any circumstances, justify such arguments any more.

We still do not have home rule, and I think the best assurance we can give that that attitude of racial discrimination will not any longer control in regard to home rule is to fight for home rule. Let us vote for it. Then we remove any suspicion that people are opposed to home rule in the District of Columbia because it might result in the election of a colored person as mayor of the District of Columbia.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. The Senator may recall that the Senator from Louisiana was the only southern Senator to vote to protect the Senator from Oregon's seniority at the time the vote occurred on the question. I do not regret the vote. But can the Senator tell me what committees he was on at that time besides the Armed Services Committee?

Mr. MORSE. At that time I had been on the Labor and Public Welfare Committee and the Armed Services Committee.

Mr. LONG of Louisiana. Perhaps my southern colleagues may now wish they had voted for the Senator to remain there.

Mr. MORSE. The Senator from Louisiana was not only kind to me on that occasion, but I remember the conversations we had, and his explanation as to why he did not think that was a sound course of action.

The Senator will remember at that time, in a Democratic conference, the vote was 19 to 19, there were 19 Senators voting to leave me where I was and 19 Senators voting to go along with a program to take me off, and that deadlock was finally broken by one vote.

I think the Senator from Louisiana deserves, and he does have, my everlasting gratitude for the support he gave me at that time—not only the support, but the advice he gave to me at that time.

The Senator will remember that that occurred after he and I, in behalf of the Armed Services Committee, had taken a trip across Europe and across North Africa and into parts of the Far East, under the assignment of the Armed Services Committee, to make an inspection of our military installations. He knows that some of our findings showed shocking waste and mismanagement and inefficiency. But I will never forget the lessons I learned as I traveled with the Senator from Louisiana in the conduct of this investigation and inspection.

Mr. LONG of Louisiana. Looking back on the matter, when the Senator from Oregon and the Senator from Louisiana made the inspection and came back we gave the Senate Armed Services Committee a report showing the waste in the construction of these bases overseas was absolutely fabulous. We pointed out, for example, that we were not getting any cooperation from France by way of construction, that we were wasting a great deal of money, and we suggested that the bases be constructed on an austere basis. Now we are being made to vacate those bases. We are being told to go home. I think the Senator will be seen to have been one of the most farsighted members of the Armed Services Committee if Senators will read the 1952 report we made after we made that inspection.

Mr. MORSE. The Senator from Louisiana was the chairman of that trip. I do not think there is any doubt of the fact that that trip convinced me that foreign aid needed to be greatly revised. That is why I have developed increasing criticism of the foreign aid program, urging that it be reformed and that new procedures be adopted and new criteria be developed.

I remember the Senator from Louisiana and I being at one of our major airbases built in France, on which we were advised not a single jet plane could land because there would have probably been a serious disaster if it had landed there. The cement on the runways could not take a fast-moving jet plane in landing. He and I kicked out of the runway, with the toes of our shoes, rocks, some of them half as big as a hen's egg, some slightly larger. The military officials advised us that they could not use the base because they would crash their jet planes in landing. It was built by the French.

What did we have to do? Pay the French to put another covering over the runways, out of the American taxpayers' money. That was a typical example of waste.

Mr. LONG of Louisiana. One point we made is that if we are going to spend $100 million on a piece of property, we ought to have some assurance that we will be permitted to stay there a while.

Mr. MORSE. We could not get that assurance, and we had to yield to the French on every one of their proposals for construction of the airports. That was in 1952. It helped me reach my decision to leave the Republican Party.

Going back to the subject of home rule, nearly 200 years after the signing of the Declaration of Independence, Washington, D.C., has taxation without representation. The world's greatest democracy denies the citizens of its own seat of National Government, political rights and privileges granted in 50 States of the Union. No city can achieve greatness, in my judgment, unless it can conduct its own local affairs in a democratic fashion. To conduct local affairs in a democratic fashion requires that the citizens of a city elect responsible public officials to formulate local public policy. Washington, D.C., is probably one of the very few cities in the free world that does not deal with its local problems in this manner.

While it can be argued, and maybe it is true, that Congress provides for the Nation's Capital more city councilmen than there exist in any other city—535, to be exact—its citizens in no way can hold these aldermen responsible for their actions relating to the District of Columbia. In essence, the citizens of the Nation's Capital have a change in their city council, so to speak, only when citizens throughout this country defeat incumbents and elect new Members of Congress. This inability of local citizens to hold public officials responsible for their public actions accentuates the crisis surrounding many of this city's problems.

Tourists often forget that the city of Washington is more than these beautiful monument grounds, wide streets, interesting museums with impressive art collections, the White House and the Capitol. It is more than a tourist attraction; it is a city that must come to grips with health and welfare problems of its citizens. It is a city that must assure better education for its adults and children; it must solve its transportation crisis, end the pollution of its air and water, make its decaying commercial district vital and vigorous, rebuild its slum areas, provide economic and cultural opportunities for tens of thousands of its citizens, end racial injustice and provide equality of opportunity.

The manner in which the citizens of this great city are able to handle these problems will determine whether it achieves greatness or continues to blunder, flounder, and operate on a continuous crisis basis. I believe that citizens of the Nation's Capital can and will handle their problems well. Solutions to the major problems of this city have not been achieved under the present commissioner form of government.

The prevalence of poverty, with its accompanying human misery, in Washington ranks as Washington's single, most important economic and social problem. But fundamental solutions for ending poverty by education, eliminating slum housing, developing a welfare system sensitive to human needs, establishing good police-community relations, are either dealt with on an emergency or crisis basis, or not at all.

District of Columbia residents cannot expect Members of Congress to devote long hours of attention to District of Columbia problems. The pressures of work on a Member of Congress are so great that it is nearly impossible to devote the time and attention necessary to cope with the wide range of problems confronting this city. These pressures of time are increasing each year.

I am offering my amendment after consultation with many advocates of home rule, both in the Congress and in the Washington community, because it seems to offer the only real hope of being adopted in this session of Congress. If it is adopted in the Senate, it will go to conference with the Committee on Education and Labor of the House of Representatives.

Mr. President, on Monday the ranking Republican member of the Committee on Labor and Public Welfare, the distinguished Senator from New York [Mr. Javits], will make comments in support of the amendment that I am offering today. I bring to the Senate a bipartisan amendment. A number of Senators on the Republican side of the aisle will make perfectly clear, on Monday, their endorsement of the amendment. All that, in my judgment, is needed is an opportunity to vote on its merits. My challenge is, give us an opportunity to vote on the merits of the amendment, and I have no question of its passing the Senate. Give the Members of the House of Representatives an opportunity to vote on the merits of the amendment, and I have no doubt of its being adopted in the House.

No one in or out of Congress knows better than I the parliamentary problems that lie ahead in the cause of home rule in this session of Congress. Congress, in my judgment, must face the issue, for all across America in many of our cities, there is turmoil, and there is great concern about giving to all Americans, irrespective of the color of their skin, first-class citizenship rights.

It is gratifying to me as I have gone about the country to find increasing knowledge about and interest in the problem of the denial of home rule or self-government in the District of Columbia. In the next few days it will be determined whether the American people have sufficiently advised their Representatives in Congress of their desire to end this unconscionable discrimination against the citizens of the District of Columbia.

Imagine 850,000 people in the District of Columbia being denied the right to elect the aldermen, the mayor, and the school board, and being denied the right to really engage in government and participate in the affairs of their own municipality.

I know the arguement that is made against home rule—that this is a Federal city. That is not the reason.

I hope that within the next few days we shall see a new day dawn and that, at long last, we place 850,000 fellow Americans in the District of Columbia on a footing of equality with 180 million people from the other parts of the United States.

Home rule does not in any way mean the Congress will give up its constitutional power over the District of Columbia. Certainly, it cannot be argued that the election of a mayor or a school board is a Federal question. The truth is, it is a local question. My home rule amendment provides for an elected mayor, an elected city council, an elected school board, and nonpartisan elections.

True home rule legislation has passed the Senate on six occasions. I have worked consistently in behalf of favorable action on those pieces of proposed legislation. I have introduced or cosponsored many of those bills.

But, Mr. President, we would be greatly aided in the eleventh-hour drive for home rule in the District of Columbia if the President, who has indicated time and time again his stanch support of home rule, would give us his blessing now. It would be a great help if the President would, over the weekend, make it perfectly clear that he favors the adoption of home rule before the 89th Congress adjourns.

So most respectfully I say to my President at this moment, "As our great leader in the field of civil rights, you can, once again, enhance that leadership by giving support to the adoption of this home-rule amendment to the higher education bill, and recommend to the Senate and to the House that the amendment be adopted."

Mr. President, the country is entitled to a statement of position by the President on home rule for the District of Columbia. In my judgment, recent actions of Congress have weakened the record of this administration in the field of civil rights. I believe that the unfortunate course of action that the Senate followed earlier this week in connection with the antipoverty bill will reflect, eventually, to the harm of this administration. In my judgment, the action that was taken weakens the position of the administration in the field of civil rights.

During the last few weeks, we have seen in Congress an increasing manifestation of anticivil rights attitudes. I think the President should join with those who believe that civil rights remains one of the most critical issues facing the Republic if we are to maintain our domestic tranquility. The President, in view of this trend, owes it to the civil rights advocates of the country to leave no room for doubt as to where he stands on the need for home rule now. So I plead publicly with him again, as I pleaded some weeks ago when I spoke at the home rule rally at the Washington Monument grounds, that he indicate, without any question of doubt, his support of Congress passing home rule legislation now.

In these closing days of the session, we are offering in my judgment the only legislative and parliamentary procedure and vehicle available to him for having home rule adopted now.

Mr. President, I shall give careful consideration to any proposed amendment to this home rule bill that may be offered on Monday. I want a home rule bill, and I want to give the Senate and the House an opportunity to vote on a home rule bill.

I am not going to take the position that it has to be this amendment or nothing. I want the Record to show—because I do not see him present in the Chamber—that I had a conversation earlier this afternoon with the Senator from Pennsylvania [Mr. Scott], in which he talked to me about the possibility of my agreeing to a modification in the bill in regard to the selection of municipal judges.

Mr. President, there are other ways of selecting judges than the way provided for in this bill, which provides for the selection of the judges by way of action by the city council.

I am not going to make the argument of the Senator from Pennsylvania for him. I am sure that we will hear from him on Monday. I want to say to the proponents of the amendment that I will look with favor upon a modification of the provision of the bill in connection with the selection of judges if the Senator from Pennsylvania makes a prima facie case for it on Monday, and I am inclined to think that he will.

I wanted to say that before we adjourn tonight because it is not my position that it has to be this amendment in its identical form or nothing.

I shall not support any amendment to the bill that, in my judgment, will weaken the bill or will, in effect, in any way produce a bill that could be described as a camouflage bill.

I want the RECORD to show that at long last there is a rapidly avalanching support across this Nation for home rule now.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD certain telegrams and letters, in support of the course of action that I am following in offering this amendment.

The PRESIDING OFFICER (Mr. LONG of Louisiana in the chair). Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEAGUE OF WOMEN VOTERS OF BREVARD,
Brevard, N.C., September 15, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: The League of Women Voters of the United States has a position in favor of Home Rule for Washington, D.C.

We have learned of your plan to add a home rule amendment to the Higher Education Amendments of 1966. The League does not have a position on the Higher Education Bill or its amendments.

We are hopeful that this session of Congress will succeed in passing legislation giving self rule to the citizens of Washington, D.C.

Sincerely,
Mrs. J. H. McILWAIN,
President.
Mrs. BRUNSON WALLACE,
National Item Chairman.

LEAGUE OF WOMEN VOTERS OF BEND,
September 16, 1966.

Hon. WAYNE MORSE,
The Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: We wish to express our support for your plan to add a home rule for the District of Columbia amendment to the Higher Education Amendments of 1966 (S. 3047, H.R. 14644).

We appreciate your many efforts on behalf of home rule and we are hopeful that the 89th Congress will add final passage of home rule legislation to its many credits.

Respectfully,
Mrs. D. R. DIORDORFF,
Chairman, Committee on National Continuing Responsibilities.

LEAGUE OF WOMEN VOTERS OF ASHLAND, OREG.
September 20, 1966.

Senator WAYNE MORSE,
Senate Office Building, Washington, D.C.

DEAR SENATOR MORSE: The Ashland League of Women Voters endorses your proposal to add a home rule amendment for the District of Columbia to the Higher Education Amendments S. 3047; H.R. 14644.

Since Carrie Chapman Catt testified before the House Judiciary Committee in 1926 in favor of national suffrage for citizens of the District of Columbia, the League has supported a long list of bills. Because of League's belief that every American citizen should be represented in Congress, it has tried to develop public support for self-government and representation in Congress for the District of Columbia.

Thank you for your support of League's position on home rule in the past. Thank you for your yes vote on July 22, 1965. Ashland members are hopeful that this time a home rule bill will get through the 89th Congress.

Sincerely,
ROBERTA L. PRICKETT,
President.

BEND, OREG., *September 19, 1966.*

Senator WAYNE MORSE,
Senate Office Building, Washington, D.C.

DEAR SENATOR MORSE: It is with great pride I read the material from the National office of the League of Women Voters and find you are the sponsor of an amendment to the Education bill which may prove to be the needed way of getting legislation on Home Rule for D.C. before the Congress this year. I will be writing to Mrs. NEUBERGER to urge her support of this amendment, and as she has always been a strong backer for this program I feel assured she will respond. If this becomes the way in which Home Rule finally is born for D.C. all of the League shall certainly be most grateful.

Sincerely,
Mrs. VAN G. BURLEIGH.

AMERICAN FEDERATION OF TEACHERS,
Chicago, Ill., July 20, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Enclosed is a copy of a letter which I have sent to every United States Senator in support of your rider to the proposed Higher Education Act providing for home rule for the District of Columbia.

I want to thank you and commend you for the statesmanship that you have shown in leadership for the democratization of our Government in Washington, D.C.

Sincerely,
CHARLES COGEN,
President.

AMERICAN FEDERATION OF TEACHERS,
Chicago, Ill., July 20, 1966.

MY DEAR SENATOR: We urge you to support Senator WAYNE MORSE's rider to the House passed Higher Education Act, to provide for home rule for the District of Columbia. We also urge you to vote for the Higher Education Act with the rider attached. We feel that this action will accomplish two very significant goals in the democratization of our Government and in the improvement of our educational system.

Very truly yours,
AMERICAN FEDERATION OF TEACHERS,
CHARLES COGEN, *President.*

THE WASHINGTON TEACHERS' UNION,
Washington, D.C., July 7, 1966.

Hon. WAYNE L. MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: The Washington Teachers' Union vigorously supports you in your efforts to get home rule legislation enacted during this session of Congress. The Union has always supported the concept of meaningful self-government for the District of Columbia and is very appreciative of your efforts toward this goal.

The Union realizes that home rule will not bring about immediate solutions to the many problems in this city. However, we feel that solutions can be achieved by a local government selected by the residents here. Local self-government would certainly enable Congress to devote more time to other matters.

The Union will assist in any way that it can to accomplish the mayor-council concept of self-government for the District of Columbia.

Sincerely,
WILLIAM H. SIMONS,
President.

JULY 21, 1966.

Senator MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I'd like to express my appreciation for the interest you are showing in my home, Washington.

I fully support your move in attaching the home rule bill as an amendment to the higher education bill and wish to help in any way I can.

Sincerely,
PEARL HUDDLESTON.

NATIONAL COUNCIL OF JEWISH WOMEN,
Washington, D.C., August 14, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: The District of Columbia Section of the National Council of Jewish Women has studied District problems for many years and has long supported programs to improve the welfare of our city.

Our organization strongly supports two pieces of legislation which will soon be considered by your Committee: a Four Year College for the District, and legislation to grant self-government to the District of Columbia. We are in complete support of Mr. MORSE's announced intention to offer a Home Rule Rider to the Higher Education Facilities Act. This, as you know, would include an elected school board.

We are concerned, therefore, that the proposed addition of an elected school board to the D.C. College Act may not only defeat the principle of this legislation but also militate against its passage and at the same time dilute support of "Home Rule".

We therefore hope you will support the D.C. College Act without a School Board Provision and urge your support for the Home Rule Rider when it is introduced on the floor of the Senate.

Very truly yours,
Mrs. KENTON HARRIS,
President.

LEAGUE OF WOMEN VOTERS
OF THE DISTRICT OF COLUMBIA,
Washington, D.C., July 28, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We are grateful to you for your untiring efforts to get D.C. home rule legislation enacted and are cooperating in mobilizing community support for your plan to attach a D.C. home rule amendment to the House passed higher education bill, H.R. 14644.

In a recent letter to the editor which appeared in the Washington Star on July 2nd, and in the Washington Post on July 8th, we said, "The League of Women Voters of the District of Columbia applauds efforts by House and Senate leaders to attach a D.C. *home rule* bill to another measure since normal channels for passage appear to be blocked. We urge one which will provide actual self-government, as did the bill passed by the Senate last summer."

We have already begun to seek support for your plan in the Senate, but we feel we will be much more effective in our lobbying efforts after we have read the actual bill. It is our understanding that the drafting will be completed this week, and we hope it will be possible for us to obtain copies of it soon.

Do you see any ways in which D.C. community organizations can help speed the higher education bill along to the Senate floor?

Sincerely yours,
Mrs. Anthony Schwartz,
President.

Washington, *D.C.,*
July 21, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: As a citizen of the District of Columbia, I want to encourage you to add the Morse Amendment to the House passed Higher Education bill.

I feel that no item before this session of the 89th Congress is of greater importance than home rule. We in the District have all responsibilities of being first class citizens, but none of the advantages. We need more true representatives of the people, such as you, to continue our fight for equality in the United States of America.

Sincerely yours,
Yvonne Price.

Washington, D.C.,
June 9, 1966.

Hon. Wayne Morse,
U.S. Senator,
Washington, D.C.

Dear Mr. Morse: I have two reasons for writing you, first, for your courageous and forthright position on Viet Nam; Second, Please, do all you can to get home rule for the District. How long must we be deprived of the franchise? I am seventy-six years of age, but will get out and march if marching will help.

Sincerely yours,
Alice E. Hatch.

Rochester, N.Y.,
July 19, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: This is to inform you of my strong support in your effort to obtain Home Rule for the District of Columbia.

I have long felt that it was most important for every American citizen to have the right to vote in local as well as in national elections.

I do hope you will be successful!

Sincerely yours,
Mrs. Otto F. Thaler.

New York City, N.Y., *July 19, 1966.*

Hon. Wayne Morse: I'm forwarding your Honor a cutting and reading it and congratulate your Honor on your great efforts in regards to the home rule bill and again where your Honor stated if a Negro is qualified then he should be elected. Your Honor, I'm close to 70, born here in New York City and I'm white but I feel as your Honor does as long as one is qualified he should have that opportunity. So at close to your Honor and yours and those near and dear to your heart my highest respect and may we some day soon have a peace conference and perhaps lay all war material—aside forever or place in Camphor.

Sincerely,
George McCullough.

[From the New York Times, July 18, 1966]

HOME RULE DRIVE BACKED BY JAVITS—AT RALLY, SUPPORTS MORSE'S PLAN FOR THE CAPITAL

(By Marjorie Hunter)

Washington, July 17.—Senator Jacob K. Javits, Republican of New York, threw his support today behind a new move to force a vote in Congress on granting home rule to the District of Columbia.

His announcement brought loud cheers and a standing ovation from about 4,000 whites and Negroes gathered for a home rule rally at the foot of the Washington Monument.

The latest showdown on the question that has plagued Congress for years will come when Senator Wayne Morse, Democrat of Oregon, seeks to attach a home rule rider to the Administration $29 billion higher educational bill, already passed by the House.

Both Senator Morse and Senator Javits predicted today that the Senate would accept the rider. The amended bill then would be returned to the House for acceptance or rejection of the home rule amendment.

JOHNSON SUPPORT ASKED

The Senate passed an Administration home rule bill last year, but a Southern-conservative coalition in the House substituted a more restrictive plan that was unacceptable to either the White House or home rule backers.

The district now is ruled by three commissioners, appointed by the President. The district budget is controlled by Congress.

Noting that President Johnson and his Congressional leaders had not yet endorsed the Morse plan, Senator Javits appealed for White House support.

"The President can strike the decisive blow to get home rule and get it this year," he said. "If he puts his shoulder to the wheel, we can end what he has called a national disgrace."

Support for the Morse plan was also sounded today in a message from Representative Adam Clayton Powell, Democrat of Manhattan. Mr. Powell is chairman of the House Education and Labor Committee, which has jurisdiction over the higher education bill, to which, under the Morse plan, the home rule rider would be attached.

Pledges of support also were sent in telegrams from Senator Robert F. Kennedy, Democrat of New York; and Senator Clifford P. Case, Republican of New Jersey.

Rally leaders had hoped for a crowd of 10,000, but park police estimated the crowd at about 4,000.

Most sat on folding chairs for nearly four hours under a broiling sun. Others, sipping soft drinks from portable refreshment stands, sprawled under trees.

About 500 persons, most of them Negroes, arrived at the rally after a march led by Dick Gregory, the comedian, and a uniformed band.

Wearing a big Western-style hat, Senator Morse told the crowd that until home rule was granted, the issue would "continue to fan the flames of racial misunderstanding in the District of Columbia and from coast to coast within the republic."

Answering home rule critics who say that this would lead to Negroes being elected to office in this city in which about 61 per cent of the population is Negro, Mr. Morse said:

"I say, if the best qualified candidate for Mayor is a Negro, then he should be elected."

Other speakers, white and Negro, warned of continued racial unrest unless home rule was granted.

Washington, D.C.
July 24, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for all your efforts on behalf of Home Rule for D.C. If you feel that attaching a rider to the higher education bill is the way, then I'm in favor of it.

It is really incredible that such a goal as home rule has not been attained long ago. And we dare call this a democracy.

Sincerely,
Dorothy E. Moore.

Catholic Interracial Council,
Davenport, Iowa, February 7, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: On behalf of the 1000 members of the Davenport Catholic Interracial Council, I urge you to resist any attempts to compromise the Senate passed bill on Home Rule for the District of Columbia. It would be a great loss if this fine bill were weakened.

It would be wonderful if we soon could have home rule in the Capital of the greatest democracy in the world.

Sincerely,
Rev. Marvin A. Mottet,
Chaplain.

Butler, N.J.,
July 17, 1966.

Dear Mr. Morse: I hope your plan for D.C. home rule will work out—or if not yours, then some other plan. The District certainly ought to have representative government.

Sincerely,
Mrs. C. Dudley Ingerson.

The Democratic Central Committee of the District of Columbia,
Washington, D.C., March 11, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Wayne: At the direction of the D.C. Democratic Central Committee I forward to you a copy of the Home Rule resolution adopted unanimously earlier this week.

With all good wishes and grateful thanks for the help you continue to give our cause.

Sincerely yours,
Joseph L. Rauh, Jr.

RESOLUTION OF THE DEMOCRATIC CENTRAL COMMITTEE, MARCH 7, 1966

The Democratic Central Committee reaffirms its support of the Administration's Mayor-City Council bill. We pledge even greater efforts to make 1966 the year of Home Rule.

The 89th Congress is the most liberal in 30 years. It is regretfully apparent that the 90th Congress will be less so; historically, off-year elections produce more conservative Congresses than those elected in Presidential years. It would be a civic tragedy if this Congress adjourned without final action granting home rule to the residents of the District. We cannot accept the Sisk proposal which leaves the decision on home rule up to the 90th Congress.

Last fall the Central Committee commenced a grass roots campaign to persuade Democratic Congressmen who voted for the Sisk substitute to pledge support for home rule on the floor of the Congress this year. The campaign has paid dividends. At least 15 such Congressmen have indicated their support and the count is only half-finished.

The feeling of the citizens of the District for home rule has increased in intensity and is now at fever pitch. Although the Central Committee is not participating in the boycott, all of us recognize that it evidences deep-seated tensions in our midst predicated on the denial of self-government. The temporary furor in Congress over the boycott is not ground for giving up the battle for home rule or for accepting the Sisk substitute; rather it is a reason for redoubling our efforts to obtain home rule and thus satisfying the legitimate aspirations of the residents of the district.

To the end that we may have home rule in the 89th Congress this year, we direct our officers as follows:

(1) To call upon our friends, Senators BIBLE, MORSE, MCINTYRE, KENNEDY and TYDINGS, and to urge them in the name of the Democratic Party of the District of Columbia to send a Mayor-City Council bill back to the House for urgent action this year.

(2) To call upon the friendly home rule leadership in the House and urge them to take all possible action to put the bill through the House once the Senate has acted.

(3) To commend the President for his unwavering support of the Senate bill and to urge him to give one more and successful push to the campaign for which he has done so much.

THE GEORGE WASHINGTON UNIVERSITY,
Washington, D.C.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I have learned from the local chapter of ADA that you are willing to force the fight for District home rule this year.

As a resident of Washington, I back your proposal and hope that this letter will serve to strengthen your attempt.

My activities supporting the bill have included sit-in, letter writing, and support of other organizations also urging home rule. The Sisk Amendment's last minute passage and the stall in a Congressional conference has not dimmed my hopes; your statements have shown your contempt for the impasse also, and the desire to finally act.

Sincerely,

HAROLD MURRAY S. PARCK.

FREDERICKSBURG, TEX.,
July 28, 1966.

U.S. SENATOR WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am all for your stand on home rule for the District of Columbia.

A small matter probably derived from the lack of home rule, and possibly illustrative of other inequities, is the following. An article in Fire Journal for July 1966, published by National Fire Protection Association, titled "Survey of Fireworks Control Legislature—1965" written by Rexford Wilson, says that the District of Columbia is a distribution center for bootleg fireworks.

Sincerely yours,

EDWARD A. PRILL.

WASHINGTON, D.C.,
June 3, 1966.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

We urge you to work for passage of a bill establishing a mayor council form of government for the District of Columbia this session of Congress. We pledge you our energetic support in this effort.

ANNE B. STROUT,
Executive Director, Greater Washington Chapter of the Americans for Democratic Action.

WASHINGTON, D.C.,
June 21, 1966.

Senator MORSE, Oregon,
Senate District Home Rule Committee,
Washington, D.C.:

Whereas the Mid-Atlantic Conference of the National Association of Negro Business and Professional Women's Clubs, Inc., with clubs in most of the States and territories, in annual session, held in Baltimore, Md., June 18, 1966 considered the delay in granting home rule to the District of Columbia: *Resolved,* That we express dismay that the capital of the United States denies its citizens the right to vote. This denial is undemocratic in that it represents taxation without representation; be it therefore *Resolved,* That such practice be eliminated by providing for mayor-city council form of government for the District of Columbia immediately.

WASHINGTON, D.C.,
June 9, 1966.

Hon. WAYNE MORSE,
Senator for Oregon,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: I am happy to learn that you will get your proposal for D.C. home rule passed as a Senate amendment on a House passed bill.

Please do and let us know what we can do to work for you and it?

Sincerely,

A. LANDAUER.

Mr. MORSE. Mr. President, among the supporters in my State—and I am delighted to see the interest that has been taken—are various chapters of the League of Women Voters of Oregon. In some of their communications to me they have described their meetings in various towns in my State, in which meetings they have discussed this situation of a denial of self-government to more than 800,000 people in the District of Columbia. They have come out with an endorsement of the program, as have farm organizations, labor organizations, and business organizations.

That is what has been needed, for we have been trying to arouse interest in this matter.

I have no doubt that in many parts of this country as the people become apprised of the situation that exists there will be, as there is now, a grassroot surge in support of home rule.

Although I am in the role of a spokesman for this amendment, the amendment is not mine alone.

I publicly express my appreciation to the Home Rule Committee of the District of Columbia.

I express my appreciation to the various organizations in the District of Columbia in support of home rule, including various political organizations.

I do not think that the Members of Congress can possibly justify adjourning and going home without first granting home rule to the District of Columbia.

I am not an alarmist, but I try to be a realist. I do not think that anyone living in the District of Columbia can ignore the fact that we have very serious potential difficulties facing us in the District of Columbia, as we have in many of the other metropolitan areas of the country in which Negroes are being denied their civil rights.

Let it be perfectly clear to extremists that may exist in the Negro and white populations that I yield to no one in my insistence upon the enforcement of the law in order to maintain law and order if anyone or if any group seeks to attain an objective by way of defiance of the law.

Mr. President, I think there has been blown up all out of proportion charges that the Negroes of America are performing a disservice to their cause because of outbreaks of violence and riots that have occurred in some of our cities.

That is not true of the Negroes as far as the Negro population of America is concerned. It is true only of a small minority of the misguided Negroes who under great provocation, and who under a sense of being thwarted for so long, in my judgment have suffered a lapse of good judgment and have followed a course of action that reflects negatively upon the best interests of the Negroes of America.

Mr. President, that is also true of the white extremists, and I put the Negro extremists and the white extremists in the same category. Both groups are performing a great disservice to this Republic.

But I do not intend, Mr. President, to lessen one iota my efforts to obtain for the Negroes of this country rights which are being denied them, just because there are some within the Negro population and within the white population who think that they have a justification for taking the law into their own hands.

What we need to do is to face up to the fact that we need to do a little self-analyzing on our part, and ask ourselves to what extent our inaction has served as a provocation that has played into the hands of the extremists who have been agitating violence and violation of the law.

Mr. President, almost all the American people cannot answer that question and then deny that they have had a part in the provoking of the situation, and look at their hands and say that they have clean hands.

Our hands are not clean; for, as American citizens, we have been denying to fellow Americans in this city their rights as first-class citizens. We had better wash our hands; and I am offering an amendment that can be used as a basin in which to wash our hands, cleanse ourselves from our denying to fellow Americans their political and civil rights in the District of Columbia; for, if you deny them the right to vote, you deny them both political and civil rights.

It is in that vein that I would close my remarks in support of my amendment today. I shall speak briefly about it next Monday. I shall leave it to others, who could not be here today, but who have given me assurance of their complete support of the policy that I follow, to present their views in support of my amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(At this point Mr. MORSE assumed the chair as Presiding Officer.)

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CAMPAIGN CONTRIBUTIONS

Mr. LONG of Louisiana. Mr. President, it might be well that the RECORD should reflect what the Committee on Finance voted the other day with regard to the matter of campaign expenditures.

Senators will recall that some weeks ago we had a debate on this subject, when the Senator from Delaware offered a proposal for a hundred-dollar deduction for persons who contribute to political campaigns. We conducted hearings on that subject, as the chairman of the Committee on Finance promised we would. We did not vote on that amendment, for the reason that the sponsors of it did not press for a vote on the matter, and it is properly a matter within their discretion as to whether they wished to press for it.

However, there are a number of reasons why, in my opinion, that deduction scheme should not be voted, and I should like to outline the reasons briefly.

In the first instance, it is the judgment of the Senator from Louisiana that the Federal Government has no function and no business attempting to tell a State how it is to finance a purely local election. If we are to allow a hundred-dollar deduction for campaign contributions, this would require reporting of the money, it would require accounting of the money, it would require supervision to see that the money actually was spent for political purposes, and it would require that the Federal Government have a record of the person who donated the money as well as the person who received it. That would violate the sanctity of the ballot, which, under our system of government, assures every voter that he can support or vote for a candidate without his choice being generally known.

For example, many taxpayers from time to time feel that they are being persecuted because they were ardent supporters of Mr. Goldwater or ardent supporters of Mr. Stevenson. Many people do not like to have known how they voted; and, that being the case, it is best that we keep that confidential so that the people have complete confidence in the integrity of their tax system. Therefore, there should be no record in the Federal files that would reveal how a person feels about his politics.

We did vote a proposal along the line that was offered by the Senator from Louisiana [Mr. LONG], and cosponsored by the Senator from Wisconsin [Mr. NELSON], and the Senator from Illinois [Mr. DOUGLAS]. We varied that proposal, and I believe that the way we have modified it makes better sense. The Senate will have the opportunity to vote on that matter next week.

What we proposed was that each taxpayer, in filing his tax return, would be informed on the tax return itself that he is entitled to a $1 tax credit, to be paid to help carry on the expenses of a presidential campaign for all candidates who receive a substantial number of votes.

As a practical matter, what this would mean in the next election would be that the money would be divided equally between the Republican Party and the Democratic Party. The provision is very strictly drawn to assure that the money would be used exclusively to carry on the expenses of seeing that the Democratic nominee and the Republican nominee were able to present the issues to the people, to discuss the issues, to take care of their travel time, and to avoid the necessity of either major party, or the candidate of either major party, having to go before corporation executives, labor leaders, and others, hat in hand, to plead for handouts to finance their campaigns.

Mr. President, there has been some talk about improper influence in Government. In my judgment, most of the improper influence in Government is brought about as a result of these campaign contributions. Where the improper influence creeps in, in my judgment, it can do much more mischief in the executive branch than in the legislative branch. The reason I say that is that if a legislator should be improperly influenced to vote for some special-interest legislation or to support a bad bill that might benefit a particular concern or individual, there are methods by which this matter can be corrected; and such a bill would not become law unless the President signed it into law. The probability is that it would not pass the Senate and the House of Representatives, if those in the executive department who have to study the measure and analyze it, and report on it from the point of view of the President, were to simply say that this is a bad bill, and explain why it is a bad bill.

In the words of the old song: "It takes two to tango."

Congress is incapable of doing any real mischief unless the President or somebody in the executive branch is a party to it.

Mr. President, I know something about campaign contributions. I have worked for many years to help finance campaigns of candidates who I thought were good men and to oppose those I did not feel were good men. Some of these campaign contributions, especially large amounts of money from executives of large corporations, come so close to being bribery that it is difficult to draw a line between them.

I recall one fine man, one of the finest men it has been my privilege to know, who really looked upon politics as very few people do. He looked upon politics as his own private form of charity, for the good of the people, to support people financially and with his influence and his vote, but the financial end being the heavy end of it.

He thought it would be in the public interest to help people whom he held in high regard.

I recall an instance in which that man put up a quarter of a million dollars in a single campaign to help the candidate he was supporting. While it is true that the person in question never made any improper request of the Government, it is my impression that most people who have contributed as much as $5,000, or if they are responsible for raising that much money, expect that they are going to receive special consideration. There of course, are exceptions. The rule, in my judgment, is the other way.

People may say they support a man because of his general political outlook or philosophy. That does not convince this Senator. I have raised a lot of money to help Senators, Representatives, Governors, and Presidents run for office. My impression is that most contributors who raise large amounts of money look at it as if it were bread cast upon the water, to use a biblical phrase. They expect it back a thousandfold.

Mr. President, it would be best to remove some of the aspect of corruption in government, and it could be done quite simply by the amendment of the Committee on Finance. Each taxpayer, when he signs his tax return, would be asked the question: Would you care to have $1 of the tax money you are paying, paid out of the Treasury into the campaigns of the major parties to help them carry out their expenses of campaigning?

This provision would not prohibit private contributions. It would set the stage for considering that prohibition, in the event the amendment works as well as some of us hope it will work. If it works it could make available about $37 million to the Democratic candidate and about $37 million to the Republican candidate. Mr. President, that is enough money to make a good and decent campaign to present your case. If you cannot, if people do not vote for you after you have spent that much money on television, radio, and newspaper advertising, if you cannot win with that much money the people simply do not want you. That is the fair way to finance the campaign.

Then, the man elected to President would be equally obligated to every taxpayer and to every voter, instead of to individual contributors or to corporation executives that raised great amounts of money. The man elected to be President would owe an obligation to all Americans. That would be the ideal way to do it under the American system.

Of course, this amendment would not solve all problems that it raises. It would set the stage for future legislation necessary to back it up and implement it, in ways that imagination and experience might dictate.

For example, we have fraud statutes that would apply in the event that someone decided to steal money from his own campaign fund. Frankly, that does not bother this Senator too much because if I am for the Democratic candidate, and the Republican candidate proved to be a crook, would steal money from his own campaign fund, I would hope that he would steal the whole thing. Then, we would be assured that he would not be elected. However, the taxpayers would not want their money stolen, even though it worked out for the good. That being the case, Mr. President, we could prepare an amendment to have a public fraud statute tailored to the campaign expenses to see that nothing goes awry in that connection.

Then, it can be contended that presidential campaign money might find its way into senatorial and congressional campaigns. The staff has drawn the amendment in such a fashion that the Comptroller General would see to it that the money was used in presidential campaigns, but it might be well to specify more precisely how it could be used, and have prohibitions to assure that the money could not be used to help Senators and Representatives running on the same ticket as the President. Mr. President, those would be refinements that we could work out carefully next year if we agree on the general issue.

In any event, this is a way in which to have the President elected on a one-man, one-vote basis, with all taxpayers who voted contributing equally to pay for campaign expenses.

It is an educated guess that over $30 million is required for a candidate to properly present his case to all of the American people. With about 70 million votes being cast, television being what it is, it is my thought that that should be enough money, and it is somewhat in line with reality, and with what has happened in the past.

It is difficult to determine precisely the amount of money that candidates have been spending because the law which would regulate that is the most completely evaded law on the books. Candidates set up committees on the side that do not have to report and it is difficult to find out how much money is actually expended.

The Senator from Tennessee [Mr. GORE] conducted the only thorough investigation on campaign contributions to a presidential election. It was necessary for him to terminate the investigation because he ran out of time. However, he said that he found about one-half of the money that had been contributed. I asked him how much he thought was spent supporting Adlai Stevenson and Dwight D. Eisenhower in their presidential campaign. He estimated that the Democratic candidate had probably spent about $12 million and that the Republican candidate had probably spent about $40 million.

The cost of campaigning has gone up since that time. It would be well that whatever is made available should be in accord with the realities of the situation. In some respects this measure would help carry the problem and the burden of financing campaigns for Senators and Representatives. Because there would be less pressure on businessmen to contribute money to presidential campaigns, candidates for Congress should find it easier to finance their campaigns.

The money that had been going to the presidential campaign, which amounts to around $70 million, would then be available in some degree to help pay campaign expenses of Senators and Representatives. Furthermore, if this approach should be agreed to it would help us to have some idea how we might go about best financing the campaigns of Members of Congress.

But, Mr. President, I am convinced that there has never been any matter voted upon in any committee which would do more to take improper influence from government than the provisions involved here which have been adopted by the Committee on Finance by a vote of 12 to 5. That matter will be available to the Senate as a part of the foreign investors' tax bill.

Mr. President, there are a number of other amendments to the bill which are extremely good. There are other amendments that are controversial. It will be for the Senate to decide what it wants to do about all of these amendments.

AUTHORITY FOR COMMITTEES TO FILE REPORTS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that following the adjournment of the Senate at the close of business today, and following the pro forma session tomorrow, all committees be authorized to file reports, including any minority, supplemental, additional, or individual views, until noon on Monday next.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, it is so ordered.

HIGHER EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963, to extend it for 3 years and for other purposes.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the amendment submitted earlier by the Senator from Pennsylvania [Mr. SCOTT] to the pending amendment to H.R. 14644 be considered as having met the requirements of rule XXII.

The PRESIDING OFFICER. Without objection, it is so ordered.

DYKES ASKEW SIMMONS

Mr. MORSE. Mr. President, for more than a year I have been concerned over the case of Dykes Askew Simmons, a U.S. citizen who was arrested in Mexico in 1959 on a charge of murder, tried, convicted, and sentenced to death. The death sentence has not been carried out and Mr. Simmons remains in prison in Monterrey, Mexico.

This case was first brought to my attention in September 1965, by Mr. William G. Kreger, managing editor of the World, of Coos Bay, Oreg. Since that time, I have had a voluminous correspondence about the matter with the Department of State, and have reviewed at length several detailed memorandums which the Department has furnished me.

On the basis of my study of this material, I have concluded, as I wrote to the Secretary of State on September 22, 1966:

> If I were sitting on a jury and had this record in front of me, I would vote for a verdict of not guilty.

On the basis of this conclusion, I also wrote to the Secretary of State:

> It follows, therefore, that Mr. Simmons is indeed the victim of a gross miscarriage of justice.
>
> I think his Government ought to do something about it.

At this time, in view of the imminent adjournment of Congress, I wish to announce that when Congress reconvenes in January, the Subcommittee on American Republics Affairs of the Committee on Foreign Relations will hold public hearings to determine what the Department of State has done.

In order that as complete a record as possible might be publicly available prior to that time, I ask unanimous consent that the unclassified correspondence and memorandum to which I have referred, together with a magazine article on the case, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, unfortunately, the most recent letter from the Department of State, dated September 12, 1966, is classified, as are certain supporting memorandums which were enclosed with it. Other memorandums enclosed with that letter, however, are unclassified, and I ask that they be printed in the RECORD in proper chronological sequence at the end of exhibit 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXHIBIT 1

SEPTEMBER 27, 1965.

Hon. WAYNE MORSE,
U.S. Senator,
Washington, D.C.

DEAR SENATOR: In response to your note of September 7 the staff has had some correspondence with the Department of State concerning your letter from Mr. William G. Kreger in the case of Dykes A. Simmons, Jr. in Mexico.

The Department of State has furnished us with the following statement:

"On October 15, 1959, Mr. Simmons was arrested in Mexico and charged with the murder of three Mexicans, who were members of the same family, on the night of October 12, 1959. On March 1, 1961 he was found guilty as charged and sentenced to death. The verdict was immediately appealed by Simmons' attorney to the Nuevo Leon State Supreme Court which in September 1961 upheld the lower court's decision and confirmed the death sentence. The case was then appealed to the Federal Supreme Court in Mexico City. This court, however, decided it was not competent to rule on certain alleged procedural violations referred to in the appeal and the case was sent to the Federal Circuit Court in Saltillo. On November 16, 1962 the Court at Saltillo ruled that due process of law had been violated in the manner in which Simmons had been identified by the one surviving victim who later died. The case therefore was returned to the Penal Court of the State of Nuevo Leon for correction of this procedural error. On December 12, 1962, Mr. Simmons was again found guilty by the latter court of the murder and was again given the death penalty. Reaching this decision, the judge listed nineteen items of circumstantial evidence. The case was appealed to the Nuevo Leon Supreme Court and this court upheld the decision of the Penal Court confirming the death penalty. On November 18, 1964, the Mexican Supreme Court upheld the decision of the lower courts of the State of Nuevo Leon which found Mr. Simmons guilty of the murder.

"A person travelling or residing in a foreign country is, of course, subject to the laws of that country. In the event an American abroad is arrested or detained, the appropriate United States Foreign Service post takes various measures to safeguard his welfare and to ensure that he receives fair treatment in accordance with generally accepted international standards. In the case of Mr. Simmons our consular officers assisted him in obtaining legal counsel of his own choosing and he was represented by such counsel throughout the proceedings. Our consular officers have also been in continuous contact with Mr. Simmons and have continued to assist him in numerous ways. Finally, when the Mexican Supreme Court affirmed the decision of the Nuevo Leon Supreme Court, our Embassy in Mexico City forwarded a formal note to the Mexican Secretariat of External Affairs appealing for clemency. At the same time our Consulate General in Monterrey approached the Governor of the State of Nuevo Leon with a request that he commute the death sentence imposed by the Nuevo Leon courts and the Governor publicly announced that he would do so."

If you would like anything further done about this please let me know. Your correspondence from Mr. Kreger is returned herewith.

Sincerely yours,

CARL MARCY.

Enclosure.

APRIL 15, 1966.

Hon. LINCOLN GORDON,
Assistant Secretary for Inter-American Affairs, Department of State, Washington, D.C.

DEAR MR. SECRETARY: I enclose a copy of an article from the May issue of True magazine concerning the case of Dykes Simmons. The article contains some disturbing allegations and has been the subject of a number of inquiries from my constituents.

I hope I may have the comments of the State Department, in detail, with respect to each of the points set forth in the article. I would appreciate at least a preliminary report within the next week.

Sincerely yours,

WAYNE MORSE.

Enclosure.

[From True magazine, May 1966]

THE ABANDONED AMERICAN

(By James Phelan)

1. For more than six years Dykes Simmons has been in a Mexican jail under sentence of death for a crime he says he didn't commit. Now strong new evidence seems to support his innocence—but the U.S. Department continues to turn its back on this citizen who is facing a foreign firing squad.

2. *"Where American citizens go, that flag goes with them to protect them."*—President Lyndon Johnson.

3. For more than six years, an American citizen named Dykes A. Simmons has been confined to a sweltering, fly-plagued cell in the grim state prison on the outskirts of Monterrey, Mexico. Simmons, a 36-year-old Texan, was convicted in the mystery-shrouded murder of three members of a Mexican family on a lonely roadside on the night of October 12, 1959. He was sentenced to be shot by a firing squad, the only American ever sentenced to death in Mexico.

4. Since the day of his arrest, Simmons has insisted that he is innocent and many Mexicans consider his conviction a gross miscarriage of justice. Simmons has poured out hundreds of letters to American officials, pointing out major flaws in the case against him and appealing for help in reopening the investigation of the three murders. Hundreds of Americans who have learned about his case have written to their Congressmen and other Washington officials. These letters invariably are referred to the U.S. State Department, which has responsibility for protecting Americans abroad. The State Department, in turn, refers them to the American consulate at Monterrey, which now has nine huge volumes of correspondence on the Simmons case. The Monterrey consulate routinely assures everyone who inquires that it is watching the case with concern and vigilance.

5. For Simmons, the circling of all these letters back to the Monterrey consulate has the nightmare quality of a Hitchcock movie. He bitterly charges that the American consulate played a major role in putting him where he is today and that the State Department does not want his case reviewed because its own actions will not stand scrutiny.

6. Simmons makes four shocking accusations against the consular service of the State Department: (1) it removed from Mexico another American who, according to two newspapermen and a Mexcan chief of police, confessed the murders for which Simmons stands convicted; (2) it provided that American with a false alibi for the night of the murders; (3) it stood by without protest while Mexican officials denied Simmons due process of law; and (4) it withheld evidence in the consular files that could have helped Simmons clear himself in the murder trial.

7. In a long investigation of the Simmons case, this writer has uncovered new facts supporting each of Simmons' charges. The writer traveled 11,000 miles, interviewed witnesses, key figures and State Department officials in Washington, Mexico and Texas, consulted back issues of Mexican newspapers, and read the entire court record of the evidence submitted against Simmons. Much of the new information supporting Simmons' charges comes from two secret State Department reports and from confidential files of the American consular service. It was obtained despite efforts by State Department officials to keep it from public view.

8. These new facts cast grave doubt on the verdict in Simmons' trial. But beyond their impact on one obscure American, they spell out a story that is of concern to the millions of Americans who travel abroad each year. They go forth secure in the belief that their flag, in the words of Lyndon Johnson, goes with them to protect them. But like Simmons, they are entitled only to equal justice under the laws of the countries to which they travel. Their right to that alien justice—unfamiliar, bewildering, and often inadequate by American standards—is guarded only by the consular service of the U.S. State Department. That agency failed Simmons, damaged his efforts to clear himself of murder, muddied up the case irreparably and then abandoned him. And in the callous appraisal of a top consular official in Washington: "Things like this have happened before and no doubt will happen again."

9. Dykes Simmons was arrested October 15, 1959, three days after he had entered Mexico for the first time in his life. He had driven down alone from Fort Worth for a week's vacation. He was 29 years old, single, and employed as a crane operator for a pipe-threading company. He was a man poorly equipped to cope with the events that lay before him. He has a stubborn and contentious personality, a strong sense of pride and little skill at ingratiating himself with others. His personality difficulties had resulted in several sessions of psychiatric treatment. He also was burdened with a police record; it is one of the first facts about him that U.S. consular officials volunteer when discussing his case. In 1949 he was convicted of burglary and in 1955 of car theft, and he served time on both convictions. But in neither instance was he armed and he had no history of violence.

10. He entered Mexico in a 1954 two-toned Oldsmobile registered to his brother, William Carroll Simmons. D.A., as his family calls him, had assumed the payments on the car but had not changed the title. He stopped at the border checkpoint at Nuevo Laredo and came away from it with a Mexican tourist card made out to William Carroll Simmons. The court that convicted him cited this "entering Mexico under a false name" as circumstantial evidence of his guilt. Simmons says that the border guard warned him he would have trouble bringing out a car that was not in his name and volunteered to make the tourist card conform with the car registration for a dollar "tip." Two points support Simmons's explanation. He carried with him a full set of identification papers as D.A. Simmons, Jr., in his wallet and produced them when arrested. Further, it seems unlikely that he would use his own name if he was trying to conceal his identity.

11. Simmons crossed the border at 8:45 p.m. Monday, October 12, 1959, a fact noted on his tourist card. The crossing time was the main strand of circumstance that shortly enmeshed him in trouble. Forty-five minutes earlier, four members of the Perez Villagomez family of Monterrey had preceded him over the border, bound south for Monterrey. Their car, a 1952 Ford convertible, was driven by Dr. Raul Villagomez, a dentist. With him were his two sisters, Martha, 21, and Hilda, 18, and his brother, Juan, 14.

12. At around 9 p.m., 57 miles south of the border on a deserted stretch of road, the Villagomez car broke down. The dentist pulled off onto the dirt shoulder and decided to go on alone for help, leaving his sisters and brother behind. He flagged a ride into nearby Sabinas Hidalgo. There he hired a tow truck and returned with the driver to the stalled car, arriving after an absence of about two hours.

13. He found a tragic scene. All three people in the car had been riddled with shots from a .22 calibre gun. Martha and Juan were dead and Hilda was badly wounded. The girls had not been violated sexually. Nothing had been stolen from the car except for a small wooden club. There was no apparent motive for the crime and none was ever established.

14. Hitching the tow truck to the stalled car, the driver pulled it into Sabinas Hidalgo. Hilda was transferred to an ambulance and rushed to a Monterrey hospital. The Villagomez car was left in Sabinas, where the police neglected to impound it or put it under guard, an oversight that had far-reaching consequences for Simmons.

15. Hilda clung to life for 17 days. On the day after the crime, she was able to give a halting, whispered account of what had happened and in the next two days she amplified this and described the killer. After her brother had left for help, she said, an auto, headed south, pulled off the road ahead of the stalled car. The driver, an American, came back to their car, asked them in English if they were having trouble, and offered them a ride. When they declined, he tried to start the car for them without success. He renewed his offer of a ride, then suddenly said, in Spanish, *"Yo soy bandido"* (I am a bandit), pulled out a gun and began firing. He shot Juan and Martha, then turned the gun on Hilda.

16. The brutal, unprovoked crime aroused all of northern Mexico and the police began a massive manhunt. Hilda's description of the gunman contained three details that were expected to make the killer easily identifiable. She said the gunman had two gold

teeth on the right side, that he was driving a 1958 blue Chevrolet with Texas plates, and that she had scratched his face while he was shooting her brother and sister. "A Pair of Gold Teeth Will Betray the Blood-Thirsty Killer" announced a bannerline in the leading Monterrey newspaper. She further described the gunman as perhaps 30 years old, six feet tall, over 200 pounds, complexion "ruddy," with a small mark on his upper lip. She said he was wearing a white shirt and dark trousers and she "believed" his hair to be blond.

17. The police checked the border entry station and got a list of Americans who had crossed into Mexico on the day of the killings. On the list was the name of William Carroll Simmons. The police began trying to locate him, along with other Americans on the list. Simmons was picked up by this dragnet on October 15 in the little town of Allende. Allende is roughly 300 miles from the scene of the slaying on the route Simmons drove and about 50 miles from the U.S. border at Eagle Pass, Texas.

18. By Simmons's account, he had driven directly from Laredo to Monterrey on the night of October 12 without a stop. He says he has no recollection of the stalled Villagomez car, that he noticed several cars on the roadside but paid no particular attention to them. He says he cruised at over 60 mph.; the stretch is flat, straight, and dull. If his account is accurate—and it was not impeached in court—he could not have been at the murder scene when the killings occurred. He crossed the border only 45 minutes behind the Villagomez car, which made one filling-station stop south of the border. Testimony at the trial placed the attack one hour and 15 minutes after the Villagomez car stalled. By then Simmons would have been far beyond the murder scene and nearing Monterrey.

19. Simmons says be looked over Monterrey briefly on his arrival and decided to push on toward Saltillo, west of Monterrey in the state of Coahuila. On the road to Saltillo, he pulled off behind a couple of parked trucks and slept in his car. "I didn't have much money," Simmons says, "and I wanted to stretch it as far as I could." The next day, October 13, he drove on into Saltillo, where he met an English-speaking Mexican. They roamed around sight-seeing. At one point, they stopped and gave a short lift into downtown Saltillo to two Mexican girls. The girls, registered prostitutes, were in the car for approximately five minutes, and subsequently were used as key witnesses in the case the state fashioned against Simmons.

20. The next day, October 14, Simmons meandered north alone to Rio Brava, where he met another English-speaking Mexican named Jose Mancha. That night Mancha guided him to a small, inexpensive hotel at nearby Allende and registered him under the name of "Larry Hall." Simmons says that Mancha had trouble pronouncing his name, so he finally said, "Hell, just call me Harry."

21. Late on October 14, the Allende police heard that a "young gringo" had been driving around with Mancha. They picked up Mancha early the next morning and Mancha led them to Simmons' hotel. The subsequent sequence of events underscored two facts to which the court attributed no weight in convicting Simmons: first, he did not resemble the killer; second, he behaved like a man with a clear conscience.

22. Two policemen aroused Simmons at 7 a.m. and, with Mancha serving as interpreter, questioned him briefly. They asked him if he had any gold teeth and wanted to know the make and year of his car. Simmons showed them that he had no gold teeth and told them he was driving a 1954 Oldsmobile two-toned Holiday coupe, which was parked at the hotel. The police apologized for disturbing him and went away. Simmons dressed, drove Mancha to work, and arranged to go swimming with him after 4 o'clock. Although he had been questioned by the police and was less than an hour from the American border, Simmons stayed on at the little Mexican town. He spent the day sightseeing with one of Mancha's relatives, picked up Jose late in the afternoon, and went swimming at a large flowing spring outside of town. En route back to Allende, he was picked up by the police and taken in for a second questioning.

23. *Says Simmons:* "Hilda Villagomez's description of the murderer does not match me. The description she gave was changed by the prosecutor at my trial. At the Allende police station the commandant had a long argument on the telephone with some other official. Mancha told me the commandant kept saying 'This is not the man. He does not fit.' "

24. *The facts:* Hilda's description was recorded independently by three separate sources before Simmons was arrested. It was summarized in the Monterrey newspaper, *El Norte*, in the edition of October 14, and by the Associated Press under Monterrey datelines of October 14 and October 15. It was preserved in full in the files of the U.S. consulate at Monterrey in a long memorandum written by John Creedon, an FBI agent attached to the consulate, who was present when Hilda gave the original description. Simmons does not match the major points she gave the police. He has no gold teeth; his hair was black instead of blond; he was two inches shorter and 35 pounds lighter than the man she described; he had no scratches on his face; his car was the wrong make and four years too old. The court transcript shows, however, that the prosecution withheld all these points when it entered into evidence what it termed Hilda's description of her assailant. Only those items that could be construed as fitting Simmons—such as his age and his white shirt—were listed.

25. After his arrest in Allende, Simmons was locked in a mud hut that served as a cell. That night, he was removed by three police officers and driven out of town. He charges that they demanded that he confess the three killings and put a cocked gun to his forehead. "I told them they could kill me, but I would not confess a crime I knew nothing about."

26. The next morning he was taken to Monterrey, where he had his first contact with representatives of the U.S. consulate and his first experience with its "protection" service. That afternoon, with three consular officials looking on in silence, the Mexican authorities grossly violated Simmons' right to due process and irreparably wrecked his best opportunity to prove that he was innocent.

27. The Mexican authorities decided to take Simmons before the dying Hilda Villagomez to see if she could identify him. Although he bore little resemblance to the man she had described, this was a reasonable police procedure in view of the established fact that Simmons had been on the Monterrey highway the night of the murders. But it was a procedure that cried aloud for caution and objectivity. Hilda was severely wounded and emotionally distraught from her ordeal. She already had repeatedly "identified" another American as the killer. She had been shown a stack of 30 photographs of American criminals and had pointed out a fugitive on the FBI's Ten-Most-Wanted list as her assailant a number of times. Hospital attendants later reported that she flinched in terror when any strange male entered her room. Public passions were equally inflamed. A mob had assembled outside the hospital when the news got out that Simmons would be brought in for confrontation and one of Hilda's relatives was seized in a hospital corridor with a loaded gun.

28. The Mexican penal code has a built-in safeguard against the errors that arise out of passion and prejudice. It spells out the manner in which the confrontation between a witness and a suspect in a capital crime must be conducted. The law declares that the suspect must be placed in a lineup, together with other individuals of the same general age, class and clothing. This procedure is common to many countries besides Mexico. Requiring a witness to single out the suspect from a group strengthens the identification and reduces honest error or unconscious prejudice. The lineup thus serves a double function. It cuts down the chances that an innocent person will be falsely identified and increases the credibility of a firm identification based on selection from a group.

29. *Says Simmons:* "I was dressed in a white shirt and dark trousers and thrust in front of Hilda alone. I was flanked by Mexican authorities in their uniforms and by Mexican doctors in their hospital gowns."

30. *The facts:* Three years later and long after his conviction by the original court, an appellate court threw out the hospital confrontation as "an absurd procedure" and a "flagrant violation of the penal code." It nullified Simmons' conviction on the grounds of this violation and ordered him retried. Then it returned his case to the court that had made the original error—which swiftly declared him guilty again.

31. *Says Simmons:* "Although I was standing alongside her hospital bed, I did not hear Hilda Villagomez say anything. I did not learn until later that she allegedly identified me."

32. *The facts:* Although the court record showed that a stenographer was present in the hospital room, no stenographic record of the confrontation was entered into evidence. Instead, the prosecutor, who conducted the illegal confrontation, testified to what Hilda Villagomez allegedly had said. He declared that she had identified Simmons immediately and repeatedly. In the files of the Monterrey consulate, however, is a memorandum written by a consular observer present in the hospital room. The memorandum declares: *"The girl's voice was practically inaudible. As Salinas* (the prosecutor) *asked questions he had to put his head down to her to hear the answers."* Questioned on this passage, a consular official said, "It is logical to assume that the prosecutor *relayed* Hilda's answers to the other people in the room."

33. In a summary of the Simmons case that it distributed widely, the State Department omits these peculiar circumstances. The summary says only: "Simmons was taken before the dying girl, Hilda Perez Villagomez, who identified Simmons as the murderer. A United States consular official was present at the confrontation."

34. *Says Simmons:* "I did not have a lawyer when they dragged me into the hospital room. Although there were several American officials from the consulate present, none of them protested against the procedure."

35. *The facts:* The American Consul General at that time, John Killea, his successor, Richard Johnson, and the head of the Protection and Representation division of the Bureau of Consular Affairs in Washington, William R. Jochimsen, confirm that the Monterrey consulate did not intervene at the illegal confrontation. Killea, who was later transferred to protect Americans in Tijuana as Consul General, defended the failure of his Monterrey staff to protect Simmons's legal rights. "Foreign service officers are not lawyers," he said. "Most of them don't know the details of Mexican law and they wouldn't know whether or not a procedure was legal. That would be a matter for Simmons' lawyer to raise."

36. State Department regulations contradict Killea. American consular officers have a limited but specific responsibility to American citizens abroad. One of their major duties, according to the Foreign Service Manual, is to "determine whether the American national's treatment"—when in legal difficulty—"was similar to that accorded to nationals of the foreign country." Every American consulate maintains a "protection division" for just that purpose. The consular agreement between the U.S. and Mexico provides that the consuls of each country are entitled to protest any discrimination against their citizens under the law in the other country. If the American consular officials at Monterrey did not "know the details of Mexican law" they were not qualified to do the job for which American taxpayers—such as Simmons—support them abroad.

37. Interviewed in Washington, the chief protection officer in the consular service, Jochimsen, attributed the failure to protect Simmons' legal rights to the public passions aroused by the Villagomez murders. "Even if the consular officers had known that the Mexican law was being digressed," he told this writer, "they might not have intervened considering the circumstances. This has happened before in other countries and is likely to happen again." Jochimsen confirmed that "protection" officers being sent abroad are not instructed to familiarize themselves with the laws of the foreign country where they are to serve. And he declared that the State Department had made no changes in its instructions as a result of the Simmons case.

38. Neither Killea nor Jochimsen expressed concern over the impact the failure of the U.S. "protection" officers had on Simmons' case. Yet the hospital confrontation was plainly a crucial juncture in the Villagomez murder investigation. Conducted legally, it could have resolved beyond reasonable doubt Simmons' guilt or innocence. If Hilda had singled him out from five or six persons and firmly identified him, the case against him would have rested on direct and admissible evidence. If she had *failed* to identify him from a group, he might well have gone free then and there.

39. As it was, the prosecutor's account of the hospital confrontation was blazoned in the newspapers and cast a cloud of presumed guilt over Simmons. Says a Monterrey journalist, "After the confrontation, the case against Simmons got set in concrete. The police had their gringo, so why look further?"

40. Consul General Killea's contention that Simmons' lawyer should have protected his rights ignores one fact: Simmons had no lawyer when he was taken into the hospital room. American consulates are required to keep a list of competent local lawyers and the Monterrey consulate had such a list. No one bothered to give it to Simmons when the consular officials conferred with him after his arrest. A memorandum in the consulate files reports that the list was presented to Simmons after the hospital scene—when the damage had been done. Two weeks later, Hilda Villagomez died. When the hospital fiasco was thrown out of court long later, there was no way to restage the confrontation properly.

41. The court record shows that the Mexican police, after checking a few vague leads, abandoned their investigation of the Villagomez murders shortly after Simmons' arrest.

42. *Says Simmons*: "When I saw how things were going, I asked if anyone had checked the Villagomez car for fingerprints. I never got an answer."

43. *The facts*: The Monterrey police grudgingly concede that the car was not checked for prints, although Hilda had said that the killer had got in it and tried to start it. The car was left standing unguarded on the street at Sabinas Hidalgo the night of the murder. The next day, several hundred morbid sightseers swarmed over it and smudged any prints the killer might have left.

44. The highway murder was left with many loose ends. There was no murder weapon. None was ever found. Monterrey newspapers reported that police discovered tire tracks in front of the spot where the Villagomez car had stalled and that a police photographer took pictures of them. The police had Simmons' car for comparison, but no evidence about the tire tracks were entered at the trial. The tracks could have been checked by the FBI laboratory against standard factory tires for a 1958 Chevrolet—the car Hilda said the killer drove. If the tracks had proved to be those of a 1958 Chevrolet, that alone would have ruled out Simmons's car.

45. On this point, the U.S. consulate file contains a significant entry that never got before the court. On the afternoon of October 14, the day before Simmons was arrested, a consulate staff member talked to the chief of the Nuevo Leon judicial police, Julian Candanosa. Candanosa reported that his agents had located a Mexican engineer who had driven past the stalled Villagomez car on the night of the murders. The engineer noticed a car parked in front of the stalled auto and a man talking to the occupants. The engineer thought nothing about what he had seen until he read about the crime the next day. Since Hilda said only one person stopped at the car, the man the enginer saw had to be the killer. When questioned by his agents, Candanosa reported to the consulate officer, the engineer declared that the car in front of the Villagomez auto was a "late model Chevrolet, light green in color."

46. This constituted independent cross-corroboration of Hilda's description of the killer's car as a make different from Simmons'. The consulate officer duly recorded Candanosa's information in a memorandum and turned it in at the U.S. consulate. There it was filed away.

47. Why did the U.S. consulate bury vital information that might have helped an American deep in trouble? "Simmons's defense was the responsibility of his lawyer," said a consulate spokesman. "Besides, the information was only hearsay." Why didn't the consulate make the information available to Simmons' lawyer, so he could call the engineer as a witness and question him? Says the spokesman: "To my knowledge, no one ever asked us for it."

48. *Says Simmons*: "The newspapers were full of wild stories after my arrest. They even reported that I had brought in a .22 gun and discussed it with a border guard, which was completely false."

49. *The facts*: Shortly after Simmons's arrest, the Monterrey newspapers headlined a sensational story to this effect. The story quoted the Mexican guard at the border who had checked Simmons into the country. The police rushed the guard down to Monterrey to identify Simmons. This time, they placed Simmons in a lineup. The guard could not pick out Simmons from the group. When the American was pointed out to him, the guard said that Simmons *was not the man who had brought in the gun*. That man, said the guard, was tall, blond and had gold teeth. Once the tall, blond man with the .22 was found not to be Simmons, he dropped out of the case. Nothing in the records indicates that he was sought or located, or that his .22 was checked ballistically against the slugs recovered from the Villagomez car.

50. Instead, the police concentrated on Simmons. The Monterrey police laboratory expert examined one of Simmons's shirts, found a spot on it, and announced that his analysis showed it to be blood. To nail down this finding, the shirt was sent out to the chemistry department of the University of Nuevo Leon. There the spot was retested and found *not* to be blood. Puzzled, the university chemists checked back with the police. They learned that the police "expert" had used the wrong chemical test—one that is not a specific for blood.

51. The same police expert gave Simmons a paraffin test to determine whether he had fired a gun. He reported a faint "positive" at two spots on one finger. This finding was cited by the judge who condemned Simmons to death, and by the Mexican Supreme Court, which declared that the "presence of gunpowder on the defendant's right hand constitutes a true fact." In a confidential analysis of the Simmons case, the State Department termed the paraffin test one of the "most important" factors that "led to the finding of guilt."

52. The paraffin test for gunpowder remnants actually is so unstable that competent crime experts consider it worthless. It can yield a strong "positive" from the hands of a man who has never fired a gun in his life. At a criminology seminar of Interpol, the noted international police organization, 50 crime-laboratory technicians concluded from years of experience that the paraffin test was of no value "as evidence to put before the court" or even as a guide to police in focussing on a suspect. Says a California crime-lab veteran of 25 years' experience. "I have used the paraffin test on a man immediately after he fired six shots from a handgun and obtained a negative finding. I have had the test show a strong positive from a person who never fired a gun. In little words, the test is no damn good."

53. One other piece of circumstantial evidence to which the State Department attributed major importance was the testimony of two illiterate Mexican prostitutes. Shortly after Simmons was seized, police rounded up the two girls to whom Simmons had given a lift into Saltillo on the day after the murders. "Statements" from them, signed by their thumbprints, were entered as evidence in Simmons's trial. They declared that during the five minutes they were in his car they "observed" guns on the floor under the front seat. Although they said they were sitting side-by-side in the rear seat, one said she saw "two guns" and the other claimed she saw "four guns." Four other Mexicans who were with Simmons before his arrest testified that they saw no guns on him or in his car.

54. In Monterrey this writer located a witness who declared that the testimony of the prostitutes was perjured. He was a photographer who was present when the two prostitutes were brought in from Saltillo to testify. The photographer says he overheard a Mexican official instructing the prostitutes on what they should say in their testimony. "After I heard their declarations, I questioned one of the girls," the photographer asserted. "I asked her if she actually had seen any guns in Simmons' car and she said she had not. I asked why she had testified to seeing guns and she said she did so because the official told her to do it." This writer has the name of the photographer, evidence establishing that he was present when the girls were brought to Monterrey, and a tape recording of his statement. In the recording, he names the Mexican official whom he accuses of procuring false testimony.

55. Simmons was tried and found guilty on March 1, 1961, by a one-judge court in Monterrey. This in itself violates Mexican law; the code provides that an accused person be tried within one year after he is formally charged with a crime. The State Department has weighed this and decided not to make a point of it on the grounds that Mexicans frequently violate this legal requirement.

56. "It was not a trial like we have in the United States," Simmons says. "People would get up and talk in Spanish and then someone would bring me some paper and ask me to sign it. I refused to sign anything. Most of the time I didn't know what was going on. I had no interpreter."

57. The U.S. consulate disavows any responsibility for Simmons's bewilderment when on trial for his life. Says a spokesman: "We do not provide interpreters. That was Simmons' responsibility."

58. *Says Simmons:* "There was no evidence connecting me with the Villagomez murders listed in the court's finding. I don't know how to establish my innocence when there is nothing to prove me guilty."

59. *The facts:* The court listed what it termed "19 circumstances" on which it said it based its verdict. Three American criminal lawyers and one California judge who have reviewed this list assert that, granting the accuracy of all "19 circumstances," they would not constitute sufficient evidence to hold a subject for trial in an American court. The court included such items as Simmons's "confession" that he occasionally in the past had stopped to help motorists in distress on the highway. It ignored his categorical statement that he never stopped at night. It cited as evidence against him his possession of a white shirt and dark trousers, his sleeping in his car on the Saltillo highway and his failure to remain in Monterrey after listing that city as his destination on his tourist card. That "circumstance of guilt" may dismay any American vacationer who has ever journeyed into Mexico. The official Mexican tourist handbook asserts that the familiar tourist card is good for travel anywhere within the Republic of Mexico.

60. The Mexican courts that convicted Simmons and rejected his appeal did not have to dispose of the most baffling aspect of the Villagomez murders—the purported confession of another American. The "confession" was never investigated by the Mexican police and the subject did not get before any court. The man who reportedly made the confession was removed from Mexico in a bizarre series of events in which the consular service played a key role. It is a role that has never been fully reported, acknowledged, or explained.

61. *Says Simmons:* "A few weeks after I was arrested, the Monterrey newspaper carried a long story that a Texas doctor had confessed to the Villagomez murders. There were later stories that the doctor would be brought to Monterrey for questioning and investigation. Then, about a week later, the newspaper reported that a U.S. consulate officer had taken the doctor out of Mexico without any investigation."

62. *The facts:* On November 2, 1959, three weeks after the triple slaying on the Monterrey highway, a psychotic Texas doctor was arrested by Mexican police at an Indian village near Muzquiz. Muzquiz is a small town near the Texas border city of Eagle Pass, in the state of Coahuila. The doctor was arrested on a complaint that he was running naked through the Indian village, firing a .22 firearm. He was taken to Muzquiz and jailed.

63. On November 10, the Monterrey daily *El Norte* carried a story by two of its reporters, filed from Muzquiz. The story, headlined "DR. ——— CONFESSES HE IS THE TRIPLE MURDERER," quoted the physician as saying that he had killed three people on the highway "and with you it will be four." The Muzquiz chief of police, Andres Vara Pena, supported this sensational development, declaring that he had heard the doctor's "confession." The reporters wrote that an inquiry at the Indian village where the doctor had been living disclosed that the doctor had been absent from there for a period of days before and after the date of the Villagomez murders.

64. On November 17, *El Norte* headlined a sudden turn of events. "WITHOUT INVESTIGATION, DR. ——— RECOVERS HIS LIBERTY." It reported that the doctor had been released at Muzquiz and escorted across the border into Texas by a U.S. consular officer, Harry Hargis, from the small consular post at Piedras Negras. The charges growing out of the shooting at the Indian village were dropped on the grounds that the doctor was demented. The story noted that the doctor was transported to the border in a consular car under restraint of a straitjacket. There he was transferred to an ambulance and rushed to the Veterans Administration hospital at Waco. At Waco, he dropped out of the news, like a stone down a well, for almost four years.

65. Simmons and his distraught parents were stunned. The story about the doctor's "confession" had given Simmons' mother and father the first surge of hope after a month of tragic and bewildering news from Mexico. The news that the doctor had been freed without investigation outraged them; today, after more than six years, they complain bitterly that they have never been given an adequate explanation of what happened.

66. From his cell, Simmons embarked on a long and frustrating effort to learn why the doctor was removed from Mexico. He wrote to public officials in Mexico and the United States and finally aroused the interest of Sen. RALPH YARBOROUGH of Texas, who requested the Monterrey consulate to explain what had happened.

67. *Says Simmons:* "The consular service reported that a police investigation had determined that the doctor could not have committed the murders because he was not at the scene of the killings on the night they happened. Since I was being held for the killings, I wanted to know what police had made the investigation, how they had determined the doctor's whereabouts, and where they had established that he had been the night of October 12. But nobody could answer these simple questions."

68. *The facts:* The American Consul General at Monterrey, John Killea, informed Senator YARBOROUGH in a letter that ". . . police authorities had established that Dr. ——— was nowhere near the scene of the murder on the night of the incident. Furthermore, as personally investigated by Mr. Harry Hargis of the staff of the American Consulate in Piedras Negras, it was learned that Dr. ——— had never confessed to any murder and had no knowledge of any such killing. The only implication, a news story which appeared in Muzquis to the effect that Dr. ——— had confessed, was proved to be entirely unfounded by Mr. Hargis and Mexican police authorities. . . ."

69. This letter, and many subsequent versions of it, had the effect of providing the doctor with an alibi. The alibi had the impressive authority of the U.S. consular service behind it, but it could not be verified because it lacked specific details. In the summer of 1963, this writer spent four weeks attempting to learn who had cleared the Texas doctor and how they had "established" his whereabouts. Neither the Monterrey consulate, the Piedras Negras consulate, nor the U.S. embassy in Mexico City could give any details. They suggested that only Hargis knew who had "cleared" the doctor and Hargis had long since left Mexico.

70. The writer traced Hargis to Seoul, Korea. In a trans-Pacific telephone call, Hargis flatly denied that *he* had established the doctor's whereabouts or that he knew of anyone who had. "We never determined the whereabouts of the doctor on the night of the murders," Hargis said. "We asked a lot of people, but we never pinned anything down."

71. Other information about the doctor supplied by the consulate collapsed under investigation.

72. *Says Simmons:* "For years, the consulate told everyone who asked about the doctor that he was undergoing psychiatric treatment at the V.A. hospital in Waco. But I couldn't get any information about him from the hospital there."

73. *The facts:* Simmons could learn nothing from Waco because the doctor was not there. He was transferred to the Houston V.A. hospital and released a few months after he was removed from Mexico. The writer traced him to Wichita Falls, Texas. Rather than "undergoing psychiatric treatment," the doctor was working as a staff physician at a state hospital. He denied the Villagomez murders and declared that he had not been in that area of Mexico during the entire year of 1959. He said that he could not account for his whereabouts when the murders occurred because he had undergone electroshock treatment in the V.A. hospital that had impaired his memory. He declared that "much of that period in Mexico is like a patchy fog."

74. Meanwhile, teaming with another reporter, this writer had picked up the doctor's four-year-old trail at two points. The doctor had appeared at the University of Texas in Austin several days before the Villagomez killings. He had shown up at a hotel in Eagle Pass, Texas, on October 17, five days after the murders.

75. The inability of the Texas doctor—or anyone else—to account for his whereabouts on October 12 does not imply any involvement in the Villagomez killings. It no more incriminates the doctor than Simmons' inability to produce witnesses to *his* whereabouts that night incriminates Simmons.

76. What remained unexplained was the U.S. consulate's peculiar action in giving the doctor an alibi that no one could support. In Mexico City Ambassador Thomas Mann became disturbed by this. A few days after this writer had discussed the puzzle with an embassy official, the ambassador ordered the entire Simmons file brought from Monterrey to the embassy and began an investigation of the strange handling of the Texas doctor. Instead of assigning the job to an agency such as the FBI, however, Ambassador Mann delegated it to a member of his own staff. The grave nature of the assignment was disclosed in a later report. "In view of the possibility that Simmons might be condemned to death for a crime committed by another American citizen," the report stated, "the embassy has made an exhaustive investigation of (the doctor's) whereabouts for the period covering October 12, 1959."

77. The embassy's investigator spent several months on his assignment. He filed two reports; a preliminary review and a final report. Both reports have been classified by the State Department, which refuses to make them public. Although they deal with a subject, by the embassy's own statement, that could affect Simmons's ultimate fate, the State Department declines to make their contents available to Simmons.

78. This writer, however, obtained access to them. Their contents make it abundantly apparent why the State Department has clamped a lid of secrecy on them. They confirm some of his bitterest charges.

79. Says the report: "In early correspondence on the Simmons case, the Consulate General at Monterrey was stating that the Mexican police had established that (the doctor) could not have been at the scene of the murder on the night in question and that the source of his reported confession was a Mexican police official who was merely interested in the reward offered for the capture of the Villagomez murderer. There is

nothing in the files here (at Mexico City), at Monterrey, or Piedras Negras, however, to support this statement. . . ."

80. The Consul General at Monterrey had assured Senator YARBOROUGH that the doctor "had never confessed to any murder," and this statement was repeated and paraphrased in dozens of other letters from the Monterrey consulate. The secret report, however, declared: "Monterrey's files include a notation that (the doctor) had 'repeatedly confessed' to the killing of three Mexicans on October 12. The drafting officer added that credence was lent to the confession by (the doctor's) possession of a .22 rifle, his resemblance to the description of the killer, and his absence from Muzquiz for over a week during the time of the killings."

81. The bulk of the report dealt with the efforts of the State Department's investigator to learn the doctor's whereabouts on the day of the murder. He wound up at the same blank wall as this writer. The investigator "established that [the doctor] checked into a boardinghouse . . . in Austin on about October 9." Attached to the secret report were a series of statements taken from people at Austin who recalled the doctor's brief appearance there. None of the witnesses, however, could establish the doctor's whereabouts from the morning of October 11—the day before the murders—until several days after the murders.

82. From a student who lived at the boardinghouse where the doctor stopped, the investigator got the following statement: "What I remember concretely about [the doctor's] visit to the University is that . . . he was absent from the boardinghouse from October 11 until the middle of the week when he was present again. I remember hearing other people say . . . that [he] was going on a trip on October 11, I think to Mexico. I also recall hearing that he could not start his car on Sunday morning, October 11, and I remember being told that he had had car trouble and could not take his own car and may have taken someone else's car on this trip. When I saw [the doctor] during the middle or latter part of the week, I have the impression that he told me, in the course of a conversation, that he thought he had been responsible for a crime committed during this trip. . . ."

83. The report thus confirms—although it does not acknowledge—Simmons' six-year complaint that the U.S. consulate give the doctor a fictitious alibi it then swiftly sweeps the whole unpleasant affair under the rug with a deductive broom. It relates that a check of all Mexican border entry points for October 11 and October 12, 1959, showed that there was no record of the doctor entering Mexico. The report summarizes: "The embassy has concluded that there is no evidence that [the doctor] was in Mexico on the night of October 12.

84. No doubt this is literally true, but a trained investigator would point out a gaping hole in the logic that led to that conclusion. The State Department made the border check four years after the murders. An FBI agent with long experience in Mexico declares: "The Mexicans don't pay much attention to paper work. You can't depend on an entry check four weeks after the date, let alone four years."

85. This is the record of the State Department's protection of one American in trouble abroad. Last year the State Department quietly reviewed the Simmons case and decided that it would not protest to the Mexican government. With its own record of bungling, failure and misrepresentations of vital facts, the State Department could hardly complain about the quality of justice dispensed by the Mexican government. And thus Dykes Simmons is left naked to his fate in an alien land.

86. When the Mexican Supreme Court upheld Simmons' conviction in the spring of 1965, the governor of Nuevo Leon announced that he was willing to commute the death sentence to 30 years in prison. By Mexican standards, this offer was hardly tempered with leniency. The European Communist agent, Ramon Mercader, who sank an ax in Leon Trotsky's brain at his Mexican villa, got off with 20 years. And the Trotsky assassination was an open-and-shut case of cold-bloodied political murder, in which the slayer was caught red-handed and confessed.

87. As of this writing, Simmons' sentence has not been commuted. He lives on, in the tiny, sweltering cell, in a legal limbo. The death sentence can be executed at any time by the order of the governor. Simmons continues to write letters of protest, but he gets fewer and fewer answers. He has charged, on a number of occasions that he has been beaten by prison guards.

88. One afternoon, his mother and two friends went to the prison to visit him. He was not in his cell. Some Mexican prisoners pointed silently up a narrow stairway that leads to a few cramped cubicles up under the roof. These are for solitary confinement, which Mexicans call "*separo.*"

89. The women found him lying unconscious in a drying pool of his own blood. "He was frightfully beaten," his mother said later. "He had lain there unconscious since that morning. I would not have recognized him, except for his shirt, and I thought he was dead."

90. The women went to the prison director and complained. "He told us," said Mrs. Simmons, "that my son must have injured himself."

91. The women called the American consulate and reported what had happened. This time, the consul service swung into action.

92. "We wrote an official letter of protest to the director," says a Monterrey consular spokesman. "And to indicate our disapproval, *we wrote it in English.*"

DEPARTMENT OF STATE,
Washington, April 28, 1966.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: I have received your letter of April 15, 1966 in which you refer to the case of Dykes Askew Simmons and request the Department's detailed comments with respect to each of the points set forth in the article by James Phelan in the May issue of True magazine.

In view of the numerous statements and allegations against officers of the Department and consulates that are inconsistent with the facts, I have asked that a detailed report be prepared by the appropriate office of the Department. I am sure that you will understand that the preparation of the reply will take some time, although it will be done as rapidly as possible.

You may be interested to know that Mr. Simmons is visited frequently by officers of our Consulate General in Monterrey. Also, Mrs. Simmons is in Monterrey and spends much time with her husband. Mr. Simmons has a number of privileges not normally available to prisoners, including a television set in his cell. Last summer when Mr. Simmons needed an operation, the Consulate arranged for this to be performed at a hospital outside the prison. It does not appear that Mr. Simmons is being mistreated or discriminated against.

Shortly after the Mexican Supreme Court confirmed sentence against Mr. Simmons in November 1964, the Governor of Nuevo Leon publicly announced his intention to commute the death sentence. However, in order for the Governor to do so, he must receive a request for commutation from Mr. Simmons. Mr. Simmons has refused to make such a request as he considers that it would be tantamount to an admission of guilt. The state penal code makes commutation automatic and mandatory five years after the date of the Supreme Court decision.

The detailed report will be forwarded to you as soon as possible.

Sincerely yours,

LINCOLN GORDON,
Assistant Secretary.

JUNE 24, 1966.

Hon. LINCOLN GORDON,
Assistant Secretary for Inter-American Affairs, Department of State, Washington, D.C.

DEAR MR. SECRETARY: I refer to my letter of April 15 and your reply dated April 28 concerning the case of Dykes Simmons.

In view of the fact that two months have passed I wonder how much more time is necessary to prepare a detailed report. Would it be possible to have an interim report promptly.

Sincerely yours,

WAYNE MORSE.

DEPARTMENT OF STATE,
Washington, June 27, 1966.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: As promised in Ambassador Gordon's letter to you of April 28, 1966, I am sending you herewith a special report on the case of Dykes Askew Simmons, who is imprisoned in Mexico. The report contains detailed comments on the points set forth in the article by James Phelan in the May issue of "True" magazine.

This report is based on information specially assembled by the Consulate General at Monterrey, plus additional information in the possession of the Department. It demonstrates, I believe, that the Department has been assiduous in its efforts to aid Mr. Simmons and has cooperated with him and his attorneys in protecting his interests. The Department as a matter of principle takes most seriously its obligations to see that all our citizens abroad are treated fairly, legally, and in line with generally accepted international standards.

If I can be of any further assistance, please do not hesitate to let me know.

Sincerely yours,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

Enclosures: Report and article from "True" magazine.

REPORT ON THE CASE OF DYKES ASKEW SIMMONS, WITH PARTICULAR REFERENCE TO THE ARTICLE BY JAMES PHELAN IN "TRUE" MAGAZINE FOR MAY 1966 ENTITLED "THE ABANDONED AMERICAN"

BACKGROUND

Dykes Askew Simmons was arrested in Mexico on October 15, 1959, and charged with the murder of three Mexicans on the night of October 12, 1959. On March 1, 1961, he was found guilty and sentenced to death. The verdict was immediately appealed by Mr. Simmons' attorney to the Nuevo Leon State Supreme Court, which in September 1961 upheld the lower court's decision. The case was then appealed to the Federal Supreme Court at Mexico City. This court, however, decided it was not competent to rule on certain alleged procedural violations referred to in the appeal, and the case was sent to the Federal Circuit Court at Saltillo. On November 16, 1962, the Court at Saltillo ruled that due process of law had been violated in the manner in which Mr. Simmons had been identified by the one surviving victim, who later died. The case therefore was returned to the Penal Court of the State of Nuevo Leon. On December 12, 1962, Mr. Simmons was again found guilty by the Penal Court of the murder and was again given the death penalty. Reaching this decision, the judge listed nineteen items of circumstantial evidence to support the verdict. The case was appealed to the Nuevo Leon Supreme Court, and this court upheld the decision, confirming the death penalty. On November 18, 1964, the Mexican Supreme Court upheld the decision of the courts of the State of Nuevo Leon.

Mr. Simmons is currently imprisoned at Monterrey. Although he is still under sentence of death, the present Governor of the State has given assurances that this sentence will not be carried out.

U.S. consular officers were brought into the case soon after Mr. Simmons' arrest and have continued to maintain close contact, aiding him in many ways. They assisted him in obtaining legal counsel of his own choosing, and he was represented by such counsel throughout the trials and appeals.

COMMENTS ON THE ARTICLE "THE ABANDONED AMERICAN"

Mr. James Phelan is the author of an article on Mr. Simmons' case which appeared in "True" magazine for May 1966 (pages 35–37 and 92–97). This article contains many allegations and insinuations detrimental to the Department of State and its consular officers, as well as errors of fact. The points set forth are discussed hereafter in the order in which they appear in the article. A copy of the article is attached, with paragraphs numbered to correspond with the numbered items in this commentary.

1. It is true, as stated in the beginning of the article, that Mr. Simmons has been in jail for over six years. For over five years of this time he has been under sentence of death for a crime which he says he did not commit.

The article goes on to state that "now strong new evidence seems to support his innocence." It is not clear just what "strong new evidence" Mr. Phelan refers to. In any case, Mr. Simmons' attorney, Mr. Dennis Fredrickson, has indicated that he is aware of Mr. Phelan's article and that he has been in touch with Mr. Phelan concerning it. Mr. Fredrickson has also informed the Department that, under date of May 29, 1966, he wrote to the Governor of the State of Nuevo Leon requesting a pardon for Mr. Simmons. Before doing so, he talked with officers of the Department and of the Foreign Service, and he has expressed appreciation for their cooperation.

Mr. Phelan is incorrect when he states that "the U.S. Department of State continues to turn its back on this citizen who is facing a foreign firing squad." The Department of State has never turned its back on Mr. Simmons and has no intention of doing so. Twelve volumes of written materials attest to many and varied efforts of the Department on Mr. Simmons' behalf.

Mr. Simmons is not facing a firing squad. The State of Nuevo Leon has not carried out a death sentence for over fifty years. The Governor of the State has given assurance that he does not intend to depart from this precedent.

2. The quotation: "Where American citizens go, that flag goes with them to protect them," is taken from President Johnson's speech to the Building Trades Council at Washington on May 3, 1965. The President was referring to the sending of U.S. forces to Santo Domingo shortly before. However, the quotation is also appropriate in regard to the work of the Department of State in protecting the interests of U.S. citizens abroad. The Department is assiduous in its efforts to ensure that American citizens abroad receive fair treatment. A private U.S. citizen traveling in a foreign country is, of course, subject to the laws of that country, just as his foreign counterpart in the United States is subject to the laws of this country.

3. It is true that Mr. Simmons' private cell is hot in summer, like every other place in Monterrey where there is no air conditioning. However, the Consulate General at Monterrey states that his cell is remarkably free from flies and the prison is far from grim except for the fact that it is a prison. There is little prison discipline such as exists in U.S. penitentiaries. The first impression as one enters the building where the cell blocks are located is that a carnival or some such festivity is going on. Mr. Simmons has a television set, a radio, a fan, photographic equipment, a typewriter, a stereo-phonograph, and equipment for recharging dry cell batteries in his cell.

During the day Mr. Simmons leaves his cell and moves around within the prison compound at will. Mrs. Simmons is permitted to take him his food every day, and they enjoy conjugal privileges. The Consulate General arranged for the United States Information Service at Monterrey to provide Mrs. Simmons with a library card so that Mr. Simmons may have his choice of reading matter.

An American penologist who recently visited Mr. Simmons in prison stated that he was most favorably impressed with the general conditions he found there. He expressed the opinion that life in this prison was preferable, from the standpoint of the prisoner, than in any similar institution in the United States of which he had knowledge. While U.S. institutions might be cleaner and more orderly, he said, they were far stricter in their discipline and granted no privileges.

4. It is true that Mr. Simmons has always insisted on his innocence, and it is believed to be true that many Mexicans consider his conviction a gross miscarriage of justice. Mr. Simmons has written to many U.S. officials pointing out what he considers major flaws in the case against him. Many U.S. citizens have written to their Congressmen about the case, and their letters have been referred to the Department of State. In accordance with customary procedure, the Department replies directly to the Congressmen, making inquiry, when appropriate, to the Consulate General at Monterrey concerning latest developments. Mr. Phelan is correct in stating that the Consulate General assures inquirers that it is watching the case with concern and vigilance—this is the literal truth.

5. It is not true that all inquiries are referred to the Consulate General at Monterrey, though of course some of them are referred because the Consulate General is in the best position to answer certain questions which arise.

Mr. Simmons' charge that the Consulate General played a major role in putting him where he is today is not justified, nor is his charge that the Department does not want his case reviewed. It is a matter of record that the Department has cooperated with Mr. Simmons' attorneys who have obtained review of the case by Mexican courts, and it has also cooperated with various private persons who have reviewed the case.

Recently the Department cooperated with Mr. Dennis W. Fredrickson, Mr. Simmons' current attorney, in his review of the case, and has on file Mr. Fredrickson's written expressions of appreciation. Mr. Fredrickson was preparing an appeal for a pardon for Mr. Simmons.

6. The four allegations in this paragraph are developed at greater length later in the article, beginning with paragraphs 64, 67, 34, and 47 respectively. Detailed comments on these points are given in the correspondingly numbered sections of this report, and in section 7 immediately hereafter.

7. Mr. Phelan alleges that Department of State officials have sought to keep information concerning the Simmons case from public view. It is true that parts of the files on the case are reserved for "Limited Official Use" under regulations applicable to investigative reports, information obtained through privileged relationships, and the like. The Consulate General cooperated with Mr. Phelan and with Mr. Simmons' attorneys in making pertinent information available to them, but acted properly in refusing unrestricted access to the files. The regulations set forth conditions under which such materials may be released when consistent with security and administrative requirements. If Mr. Simmons believes that there is anything in the official record which will help his cause, he is at liberty to make application for it.

8. Mr. Phelan's strictures on the Department of State reflect his personal opinion, with which the Department does not agree. As for the statements which he alleges were made by a Department official, the official in question has executed an affidavit that he has no recollection of having made any such statements and points out that his own memorandum of conversation directly contradicts part of what Mr. Phelan alleges was said. (See Section 37 hereafter.)

9. In this paragraph, the background information on Mr. Simmons is consistent with the record, but is incomplete. It is true that Mr. Simmons has a police record and was convicted of burglary and car theft and served time. The article does not mention that his police record also contains over twenty arrests and detentions on charges of assault and battery, carrying a concealed weapon, theft, etc., which did not lead to conviction. The article is correct in stating that his personality difficulties resulted in several sessions of psychiatric treatment. It does not mention that he had been in a mental hospital at least five times for observation or treatment. Mr. Simmons was legally declared insane in 1952 and committed to the Wichita Falls State Hospital and was recommitted in April 1959. At the time of the murders he was an escaped fugitive from the Wichita Falls State Hospital.

According to a report prepared by the staff psychiatrist of the Medical Center for Federal Prisoners at Springfield, Missouri, on August 7, 1956, Mr. Simmons "has a history of unpredictable and uncontrollable behavior dating from childhood. . . . His mental disturbances have been manifested by chronic anxiety and apprehension, tension, "blackout spells," irrational antisocial behavior, depression, and suicidal attempt. . . . Psychotic depressive reaction, manifested by anxiety, apprehension, depression and suicidal attempt. . . . Antisocial reaction, manifested by chronic irresponsibility, antisocial behavior, inability to profit from experience or punishment, emotional immaturity."

One of the bases for his defense at his trial for the Villagomez murders was that he was mentally incompetent.

10–13. These paragraphs concerning the circumstances of the shooting are in essential agreement with the records of the case, except that the consular report states that Hilda, in describing the murder weapon, referred to it as a pistol, rather than a gun. This point is important, since the term gun can be used with respect to a pistol or a rifle, whereas the term pistol can only refer to a hand gun. (Note in Paragraph 61 hereafter that Dr. Martin was accused of firing a .22-calibre rifle.)

14–17. This information concerning the events immediately following the shooting agrees with the record for the most part. However, there are discrepancies in regard to Hilda's description of the assailant. These are discussed in paragraph 24 hereafter.

18–23. This statement of Mr. Simmons' account of his activities around, the time of the murders is consistent with other reports of Mr. Simmons' version of events. The information concerning the date and place of his arrest agrees with the record.

24. In regard to Hilda's description of the assailant, there is agreement on some points between Mr. Phelan's article and other sources, but also some discrepancies. It is true that Mr. Simmons had no gold teeth, but a report concerning the confrontation indicates that Hilda's description included "possibly one or two gold teeth," rather than a positive statement. No mention is made that Hilda scratched the assailant's face. With respect to hair, the description attributed to Hilda stated "not certain, believed light." Mr. Simmons' hair was described as "black." The differences in height and weight stated in Mr. Phelan's article are consistent with the record, as are the discrepancies between Hilda's description of the assailant's car and the characteristics of Mr. Simmons' car. In the nineteen points of evidence used against Mr. Simmons, point number eight describes the assailant as "a male, white American, between 26 and 30 years of age, with short brown hair, having a small spot above the mouth, which was not stated to be a scar." It adds "The accused meets the above description." The white shirt is not mentioned in the points of evidence, although it was stressed elsewhere in the proceedings.

25. This account of Mr. Simmons' experiences after arrest cannot be verified in detail. The record shows that he has been consistent in this account from the beginning.

26–28. This account of the confrontation is in accord with the reports made at the time. The opinions expressed are, of course, Mr. Phelan's.

29. In regard to how Mr. Simmons was dressed at the confrontation, the consular reports do not cover this point or mention how the others within Hilda's view were dressed. It appears that little significance was attached to this at the time and that the three U.S. officials who were present were not aware of the requirements of the penal code of Nuevo Leon in this respect. The appeals court later adjudged the confrontation as illegal and threw out the evidence thereby obtained, pointing out that there was a violation of the legal requirement concerning similarity of dress of all participants.

30–32. These statements concerning Hilda's testimony are consistent with the record.

33. This paragraph is inaccurate and misleading in stating that the Department widely distributed a summary containing the words quoted in the article, concerning the confrontation. The only document found which contains the quoted sentences is an official report, no part of which was distributed widely.

34–35. It is true that Mr. Simmons did not have a lawyer at the time of the confrontation. The Consulate General telephoned to Mr. Simmons' parents within a few hours of his detention to urge that a lawyer be retained. Six days later his father arrived with his own lawyer from Fort Worth and arranged for a competent local lawyer to represent his son. Immediately following the confrontation, Mr. Simmons was given a list of attorneys from which he might select counsel. A report dated October 19, 1959, states concerning the confrontation with Hilda:

"Following the interview Simmons inquired as to what she had said and what it all meant. He was informed by the writer that the girl apparently identified him which information was supplied by Garza Salinas. Consul Mitchell was at that time identified to Simmons and informed that as this apparently was developing into a serious matter he may wish to engage the services of an attorney and was given the Consulate's list of attorneys to study. He was also given the Consulate's telephone number and Vice Consul William E. Knepper's name to call should he desire further assistance or have questions."

It is true that the U.S. officials did not protest against the procedure at the confrontation. The circumstances were unusual and difficult, because Hilda was near death. So far as known, the U.S. officials were in no position to know the details of the Mexican code covering a proceeding of this unusual type. Later, after Mr. Simmons' attorney filed an objection, the evidence from the confrontation was thrown out by the appeals court.

36. Mr. Phelan takes an extreme position in criticizing the U.S. officials for not knowing "the details of Mexican law" in regard to confrontation procedure. The Foreign Affairs Manual states (Volume 7, Section 352.4):

"In rendering any protection or assistance, the officer of the Foreign Service must keep in mind not only the basic rights and obligations of the American national but that the general and almost universal rule is that the character of an act as lawful or unlawful must be determined wholly by the law of the country where the act is done. . . . The officer, therefore, must limit his action to seeing to it that the action of the foreign government is not discriminatory and accords with generally applicable procedure in the administration of justice."

While obviously it would be desirable for officers to be familiar with the details of foreign law, it is hardly reasonable to demand that they be familiar with fine points which, as in this case, escaped the Mexican officials involved and were finally settled by the appeals court.

In general, Department of State regulations prohibit consular officers' acting as attorneys, agents, or legal representatives of U.S. citizens.

37. Mr. Jochimsen contests the statements attributed to him by Mr. Phelan concerning the duties of consular officers. He has executed an affidavit stating that he has no recollection of making any of these statements. Furthermore, Mr. Jochimsen feels confident that he did not say, as alleged, that protection officers being sent abroad "are not instructed to familiarize themselves with the laws of the foreign country where they are to serve." In his affidavit Mr. Jochimsen points out that this statement in the article:

". . . is in direct contradiction to a statement I made in my memorandum of conversation with Mr. Phelan a short time after his three-hour interview with me on June 23, 1965. My statement in that memorandum is as follows: 'Mr. Phelan asked me at this point whether it was necessary for protection officers to be familiar with the criminal law of the country in which they are assigned and I told him that while in general they are, there is no specific instruction to that effect. That in order to protect American citizens and to assure that they are given the same treatment as the nationals of the host country, the consul must know the laws and customs of the country, but that he is restricted by regulation from giving legal advice or legal assistance to American citizens abroad.' For many years the Foreign Service Institute of the Department of State has had a course of instruction in Consular Affairs for officers assigned to this work. One of the texts used in this course is entitled 'An Introduction to Protection, Welfare and Whereabouts Services' which informs the students, among other things, that they are not expected to be lawyers, but that they must understand the judicial system and its operation in the country of their assignment so that they will know when people are getting justice and what legal recourse is open to them. The earliest edition of this document readily available to me is one which was revised and dated November 4, 1957. The latest edition was revised and dated September, 1962. Both editions carry identical statements as indicated above. Since my assignment to the Office of Special Consular Services in February, 1964, I have been called upon to give lectures on this subject frequently and always emphasize the necessity for consular officers to know the judicial procedures of the country of their assignments. In the light of this evidence, I feel confident that I did not make the statement attributed to me (quoted in the first sentence of this paragraph) by Mr. Phelan."

38–40. Mr. Phelan's statements as to the importance of the confrontation are, of course, his own opinion. It should be pointed out, however, that the question of illegal procedure was later threshed out in the Mexican courts with the result that the evidence from the confrontation was thrown out and the case sent back to the trial court, which again found Mr. Simmons guilty on the basis of other evidence, a finding which was upheld on appeal.

It is true, as Mr. Phelan states, that Hilda died 2 weeks after the confrontation and that, when the court threw out the evidence obtained at it, there was then no way to re-stage the confrontation property.

41–44. These statements concerning the police investigation are apparently based on Mr. Phelan's own inquiries, and are essentially in accord with the record. So far as known, there is no record of any check having been made for fingerprints on the Villagomez car.

45–47. It is true that the consular files contain information concerning a Mexican engineer who drove past the Villagomez car near the time of the murders. However, contrary to Mr. Phelan's implication, it is not true that information concerning this occurrence "never got before the court." This is proven by the fact that number 6 of the 19 points of evidence cited by the court refers to this occurrence. Also, Mr. Simmons' lawyer mentioned it specifically in his refutation of charges, dated December 17, 1960.

A memorandum in the consular files dated October 19, 1959 contains the following information concerning the occurrence:

"On the afternoon of October 14, 1959 Julian Candanosa, Chief of the Nuevo Leon Judicial Police with headquarters in Monterrey, advised the writer that two of his agents working on the case at Sabinas Hidalgo had encountered an engineer attached to the Hydraulic Resource Department of the Government, who stated that while he was en route to Sabinas Hidalgo from Nuevo Leon, accompanied by his wife, on the night of October 12, 1959, he recalls passing two cars parked on the highway at approximately Kilometer 1151. At first he thought of stopping there but noticed that the front car apparently had its motor running and was of the opinion that this car was giving assistance to the other car and he thought no more of it until he read about the incident in the paper the following morning. He stated that to the best of his recollection the first car appeared to be a late model Chevrolet, light green in color. The man who was standing in front or to the side of the rear car appeared to be well-built, wore a white or light colored shirt and was rather tall. He stated that this individual had a flashlight in his hand and he would judge the man to be approximately 5 feet 9 inches tall."

The engineer and his wife were Antonio Montufar Oliveiros and Irma Gutierrez de

Montufar, to whom reference was made by the judge in the 19 points of evidence and by Mr. Simmons' lawyer in his refutation of charges.

It is not known whether a consular officer communicated the foregoing information to Mr. Simmons or his attorney, but obviously both the lawyer and the court were aware of the matter.

No record has been found that anyone requested the information from the Consulate General. The statement: "To my knowledge, no one ever asked us for it," attributed to an unnamed Consulate spokesman, cannot be confirmed or denied.

It is true as stated that "Simmons' defense was the responsibility of his lawyer" and that the information concerning the engineer may have been considered "hearsay."

48. The statement attributed to Mr. Simmons concerning the "wild stories" circulating after his arrest is consistent with the record.

49. This account of a "sensational story" in the press is consistent with other available information concerning press coverage of the crime, but cannot be verified in detail for lack of a complete file of newspapers. The "tall, blond man" mentioned in the press story was apparently never located. Number three of the nineteen points of evidence against Mr. Simmons stated (in translation): "All of the tourists who entered the country between eight P.M. of the 12th and two A.M. of the 13th of October, 1959, were investigated by the Secret Service,[1] and no further information was obtained from this investigation pointing to a possible assailant other than the accused." The record indicates that Mr. Simmons' attorneys, in their refutation of charges dated January 7, 1963, challenged the validity of this evidence and the Supreme Court of Nuevo Leon upheld its validity on February 15, 1963.

50. This paragraph concerning the misleading test for blood on Mr. Simmons' shirt is consistent with the record. The Supreme Court of Nuevo Leon, in its decision of February 15, 1963, ruled that the evidence concerning the spot on the shirt of the accused was not acceptable.

51. This paragraph concerning the paraffin test is essentially in accord with the record, except for the last sentence, concerning an alleged analysis of Mr. Simmons' case by the Department of State, which a search of the files has not substantiated.

52. The Department is not in a position to evaluate the reliability of the paraffin test, this being a highly technical subject.

53–54. Nothing has been found in the official records to indicate that the Department of State "attributed major significance" to the evidence of the two prostitutes, as alleged by Mr. Phelan.

55. This paragraph concerning the trial is consistent with the record. According to law, Mr. Simmons should have been tried and sentenced within a year of his indictment in October 1959, but his sentence was not passed until March 1, 1961. So far as known, Mr. Simmons' attorney never filed a protest on this point.

56–57. Not all of Mr. Simmons' statements concerning the trial can be verified. It is certainly true that a trial in Mexico is not like a trial in the United States. The record confirms that Mr. Simmons refused to sign anything. It is true that he did not have an interpreter. It should be noted, however, that Mr. Simmons did have a lawyer at that time, who was in complete charge of his case. His lawyer or his family could have provided an interpreter. When Mr. Simmons first expressed the need for an interpreter, the Vice Consul to whom he spoke properly suggested that he might arrange for one through his attorney.

58–59. The statement attributed to Mr. Simmons concerning his innocence is consistent with other statements he reportedly has made. The statements concerning the "19 circumstances" or points of evidence are consistent with the court record of the trial, except, of course, that the opinions expressed are those of the persons involved.

60–64. This presumably refers to the case of Dr. Don Elbert Martin, who was alleged to have confessed to the Villagomez murders. The statement that the role of the consular service in this case "has never been fully reported, acknowledged, or explained" is false. It was fully reported by the American Consulate at Piedras Negras in its operations memorandum of February 4, 1960, to the Department of State.

Dr. Martin was arrested near Muzquiz, State of Coahuila, about November 2, 1959, for having fired a .22-calibre rifle and disturbing the peace. The consular report states that on November 13, 1959, the Consulate at Piedras Negras telephoned the Department of State about the case and also consulted the American Embassy at Mexico City. A call was then made to Sr. Lic. José de las Fuentes-Rodriguez, Procurador General de Justicia en el Estado (approximately equivalent to Attorney-General) at Saltillo, State of Coahuila. It was explained that the Consulate was quite concerned over the type of treatment which Dr. Martin was receiving and felt that, unless specific charges were filed against him, he should be released immediately. Sr. Fuentes stated that he would send his representative from Sabinas, Coahuila, to arrange for the release of Dr. Martin if a representative of the Consulate could be in Muzquiz on the following day. On Saturday, November 14, 1959, the Consular Assistant left Eagle Pass in the official car, accompanied by Mrs. Sadie Martin, mother of Dr. Martin, and Miss Benita Reece, fiancee of the doctor.

They arrived at the Municipal government building at Muzquiz about 8 p.m., and they were conducted to a room where Dr. Martin's trial was in progress. Present were José Maria Walls-Garza, the local judge of the district; Evaristo Treviño, a police official; Mário Valdes-Flores, representative of the Procurador General; Andres Vara-Peña, commandant of the police; and José Muzquiz-Guerra, Municipal President. Sr. Valdes explained that the necessary papers were being drawn up for the release of Dr. Martin and that he would not be held in prison for the charges against him on the grounds that he had not been in control of his mental faculties. However, it was required that he be remanded to the local hospital for a period of eight days to undergo observation. It was suggested that the Consular Assistant, Mrs. Martin, and Miss Reece stay overnight in Sabinas and return the next day to effect transfer of Dr. Martin to the hospital. However, on their return the next day the municipal doctor stated that it would be impossible to accept Dr. Martin as the hospital was not equipped to take care of violent mental cases. Sr. Valdes then agreed to try to have the decision of the court amended to permit the immediate return of Dr. Martin, provided that his safety and the safety of those accompanying him could be guaranteed. Shortly after 2 p.m. Monday, November 16, the Consulate received a call from the office of the Procurador in Saltillo saying that the Governor had approved and orders would be given for the release of Dr. Martin. On Monday afternoon, the Consular Assistant and Mrs. Martin went to the office of the County Attorney for Maverick County, Texas, and arranged for ninety-day commitment papers to be served to Dr. Martin the moment he entered the United States. A strait jacket was obtained with the help of the sheriff's office. That evening the Consular Assistant received a call from Father Robert Kleinworth of Our Lady of Refuge Church in Eagle Pass. Father Kleinworth said that he was acquainted with Dr. Martin and felt that he might be able to help if he were to accompany the Consular Assistant to Muzquiz. On Tuesday morning, November 17, the Consular Assistant, Mrs. Martin, Miss Reece, Father Kleinworth, and Sr. Reyna of the Consulate staff went to Muzquiz. Father Kleinworth had a long talk with Dr. Martin in his cell, and the doctor agreed to put on the strait jacket of his own volition. Dr. Martin was then led to the Consulate automobile. Dr. Martin sat in the rear with Father Kleinworth, while the Consular Assistant drove. They were accompanied by two policemen provided at the instance of Chief of Police Andres Vara-Peña. Sr. Reyna, Mrs. Martin and Miss Reece followed in Dr. Martin's Dodge convertible. They traveled via Piedras Negras to Eagle Pass, Texas, where Dr. Martin spent the night in the County Jail, having become violent. On Thursday, November 19, an ambulance arrived, dispatched from Waco, Texas, by the Director of the Veterans Hospital there. Mr. Baltazar Gomez, an officer of the American Legion post in Eagle Pass, volunteered to accompany Dr. Martin, and the County of Maverick hired Mr. Gilberto Lopez, a former policeman, to go along. Reportedly, on the trip to Waco Dr. Martin again became violent, and on arrival at the Veterans Hospital in Waco he broke the bindings on the strait jacket and knocked out two hospital attendants before he was subdued. The Consulate received a letter on December 30 from Walter L. Ford, M.D., Director, Professional Services, stating that Dr. Martin had required intensive treatment measures and was under close hospital supervision.

Details concerning Dr. Martin's alleged "confession" of the Villagomez murders are given in the consulate report dated February 4, 1960, which states that in an "aside" to the Consular Assistant,

> ". . . one of the newspaper reporters present in the Presidencial Municipal said that the story of Dr. Martin's 'confession' was nothing but a hoax started by Comandante Vara in the hope of receiving the reqard (sic) which the merchants of Monterrey had offered for the murderer of the Villagomez children. The reporter stated that it was believed that the children were victims of a vendetta of rival 'cuadrillas de marajuana'. According to the reporter, Comandante Vara had been talking to Dr. Martin while, in the two adjacent cells, were an epileptic girl who had murdered a baby and a miner who had gone berserk. After suggesting to Dr. Martin that he had killed the three Villagomez children, he laughed and said that there were three 'locos' in there, to which Dr. Martin replied, 'Yes, and with you it makes four'. The comandante then announced that Dr. Martin had confessed to the assassination of the three children and had threatened to kill him too, stating, 'and with you it will make four'.

Mr. Phelan states that Dr. Martin's "confession" was never investigated by the Mexican police, although elsewhere in the article he states that the Chief of Police, Andres Vara-Peña, reportedly was a witness to the "confession." The consular report states that this same Chief of Police was present at the meeting on November 14 when papers were being drawn up for Dr. Martin's release. It seems reasonable to suppose that if the Chief of Police had trustworthy evidence that Dr. Martin had confessed to the Villagomez murders, he would have objected to Dr. Martin's release, especially if, as alleged, he hoped to receive the reward which had been offered for the murderer. It therefore appears reasonable to conclude that the press stories concerning Dr. Martin's alleged confession were unsubstantiated.

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[1] The "Secret Service" here referred to is presumably the Mexican Secret Service.

The consular official who reported on Dr. Martin's trial agrees with this conclusion. He states that the Mexican officials were cooperative, and that the decision to release Dr. Martin was reached freely and without compulsion. He feels sure that they knew of Dr. Martin's alleged "confession" of the Villagomez murders, but states that no one present, including Chief of Police Andres Vara-Peña, raised any objection, and that the latter was cooperative in connection with arrangements.

It should be noted that, according to the consular report, Dr. Martin's trial was conducted by the local judge in the presence of responsible Mexican officials. This is confirmed by the official record of the trial, a translation of which was forwarded to the Department. This indicates that the order for Dr. Martin's release was signed by the local judge, J. M. Wals Garza, and that two other officials signed, stating that they concurred, namely the "Delegate of the Public Ministry" of Muzquiz and the "Agent of the Public Ministry" of Sabinas.

The Consulate General states that the Mexican officials investigating Mr. Simmons' case were aware of Dr. Martin's detention at Muzquiz and did not object to his departure from Mexico.

Thus the record shows that Dr. Martin's removal from Mexico was arranged by U.S. consular officials in the normal performance of their protective functions. It was done with the cooperation of the Mexican authorities, the latter having released him following a judicial hearing and after consultation with the Governor.

65–68. These paragraphs concerning the Martin case are believed to be essentially correct. The letter to Senator YARBOROUGH, to which reference is made, contains the statement: "Concerning the other suspect, Dr. Don E. Martin, who was reported to have confessed to the triple slaying, a telephone call was placed on December 8 to the American Consulate at Piedras Negras at the request of Mr. Simmons' father, in whose jurisdiction Dr. Martin was incarcerated to confirm his whereabouts at the time of the murder. The Consulate at Piedras Negras was of the opinion that the fact that Dr. Martin was somewhere in Texas at the time of the murder was clearly established by competent police authorities and that no credence was therefore given to his 'confession' inasmuch as he was nowhere near the scene of the murder."

69. The undocumented statements regarding Dr. Martin's whereabouts on the night of the murders are recognized as such. These statements apparently originated with the telephone call mentioned in the preceding section. However, these statements did not constitute a legal alibi for Dr. Martin. So far as known, U.S. officials never provided an alibi for Dr. Martin to Mexican authorities.

70. Mr. Phelan's account of his telephone conversation with Mr. Hargis is consistent with other available information.

71–73. The statements by Mr. Phelan and Mr. Simmons concerning their efforts to obtain information about Dr. Martin cannot be verified in detail. The Consulate General has no reason to doubt the statements that Mr. Phelan attributes to Dr. Martin. Under date of September 19, 1963, the Embassy reported having become aware that Dr. Martin was at that time on the staff of the Wichita Falls Mental Hospital, which is consistent with Mr. Phelan's statements.

74–75. The statements concerning Dr. Martin's movements around the time of the murders agree in general with information from other sources, except that Dr. Martin's arrival at the Eagle Hotel at Eagle Pass, Texas, is recorded as having occurred on October 18, 1959, instead of October 17.

76–82. It is correct that an officer of the Embassy at Mexico City carried out an exhaustive investigation of Dr. Martin's whereabouts around the time of the murders. He made two reports, the first dated August 16, 1963, and the second dated November 13, 1963. Both were designated "Limited Official Use," a term applied under official regulations to documents, including certain investigative reports and information from privileged sources, which are not related to national security but which require protection from unauthorized access.

It is true that, despite exhaustive investigation, the findings concerning Dr. Martin's whereabouts around the time of the murders were inconclusive. It is also true that the investigation failed to substantiate the earlier statements that the Mexican police had established that the doctor could not have been at the scene of the murders on the night in question. Mr. Phelan is believed to be correct when he states (paragraph 75): "The inability of the Texas doctor—or anyone else—to account for his whereabouts on October 12 does not imply any involvement in the Villagomez killings."[2] However, the statement is not correct that the files at Mexico City, Monterrey, and Piedras Negras contain nothing to support the statement that the source of Dr. Martin's reported "confession" was a Mexican police official who was merely interested in the reward. As noted in sections 60–64, the latter point was reported in detail by the American Consulate at Piedras Negras under date of February 4, 1960.

In sum, the evidence concerning Dr. Martin's whereabouts on the night of the murders is inconclusive, as Mr. Phelan states, and the allegations concerning the alleged "confession" are highly dubious, judging by the consular report and by the fact that the Mexican authorities at Muzquiz released Dr. Martin several days after the reported "confession" became common knowledge.

Dr. Martin was released long before the dates of the consular letters which Mr. Phelan alleges constituted an "alibi." So far as known these letters were never used as an alibi in a court of law, nor, so far as known, was such an alibi ever required for him.

83–84. It is correct that the check of all Mexican border entry points for October 11 and October 12, 1959, showed that there was no record of the doctor entering Mexico. On the basis of this and all the other available data, the Embassy concluded that there was no evidence that Dr. Martin was in Mexico on the night of October 12. Mr. Phelan states correctly that "No doubt this is literally true." As for his implication that the results of the border entry check were inconclusive, this is also believed correct. As the matter now stands, the total evidence concerning Dr. Martin's whereabouts on October 12, 1959, is inconclusive.

85. It is true that the Department of State did not "protest" to the Mexican Government, "complaining about the quality of justice dispensed" in Mr. Simmons' case. However, when the Mexican Supreme Court affirmed the decision of the Nuevo Leon Supreme Court, the U.S. Embassy at Mexico City forwarded a formal note to the Mexican Secretariat of External Affairs appealing for clemency. At the same time, the U.S. Consulate General at Monterrey approached the Governor of the State of Nuevo Leon with a request for commutation of the death sentence imposed by the Nuevo Leon courts.

86. The Mexican Supreme Court upheld Mr. Simmons' conviction on November 18, 1964—not in the spring of 1965, as Mr. Phelan states. His term would presumably be commuted to 25 years, not 30. The Penal Code of the State of Nuevo Leon states (in translation): "Commutation of the death penalty shall be compulsory, to be applied by the same right in two cases: I. When five years have passed, counting from the (date of) notification of the prisoner of the irrevocable sentence which is imposed; . . . When the punishment imposed is the death sentence, it shall be commuted to that of twenty-five years' imprisonment . . ."

87. Mr. Phelan was correct in stating in the article that, as of the date of writing, Mr. Simmons' sentence had not been commuted. It is understood that an impediment to this was Mr. Simmons' refusal to request commutation, contending that this would be tantamount to admission of guilt. However, his attorney, Mr. Frederickson, reportedly has appealed recently directly to the Governor of the State of Nuevo Leon for a pardon for Mr. Simmons. It is not known whether this appeal will be successful. Mr. Frederickson may find it necessary to repeat the appeal, channeling it through a Mexican attorney and a Mexican court, rather than direct to the Governor.

Even if such appeals are unsuccessful, commutation of the death sentence to 25 years' imprisonment would be automatic and mandatory five years after official notification of the final sentence to the prisoner. This period began count on March 24, 1965. In case of commutation, Mr. Simmons' imprisonment would start to count from October 21, 1959, according to the Chief of the Legal Department of the State of Nuevo Leon.

It is true that Mr. Simmons continues to write letters of protest, but not a single letter addressed to the Consulate General, to the Consul General personally, or to the Consulate General's protection officer has ever gone unanswered. The Consulate General has acted promptly and energetically when Mr. Simmons has charged that he was beaten by prison guards.

88–92. These paragraphs concerning Mr. Simmons' beating on July 10, 1964, are, in general, consistent with the record. However, the intervention of consular officers was insistent and personal, and not limited to writing a letter, as implied by Mr. Phelan.

JULY 13, 1966.

Hon. DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations, Department of State, Washington, D.C.

DEAR MR. SECRETARY: Thank you for your letter of June 27 with your long report on the case of Dykes Askew Simmons in response to my request of April 15.

I appreciate the care with which the Department has assembled this information. A reading of it, however, leaves me with the uncomfortable feeling that the Department is more interested in defending itself than Mr. Simmons.

What bothers me about this case is not so much the behavior of the Department of State as an uneasiness that Mr. Simmons may be the victim of a gross miscarriage of justice. Certainly, the evidence which I have seen stops far short of convincing me beyond a reasonable doubt of his guilt. I recognize that this is not the standard applied by the courts of Mexico and that American citizens abroad are subject to foreign laws.

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[2] In a memorandum of conversation between Mr. Phelan and Department officers on June 23, 1965, it is stated that Mr. Phelan "discussed the Martin case at some length and pointed out that he had made a personal extensive investigation into the whereabouts of Dr. Martin on the night of October 12 and that he had been unable to establish Dr. Martin's exact whereabouts but was convinced from the evidence he had that Dr. Martin was not the killer."

However, I would feel a great deal better about this matter if I could come to a firmer conclusion about the merits. To this end I would appreciate additional help from the Department.

I would like to have copies of the investigative reports classified Limited Official Use referred to in paragraph 7 of your report as well as copies of the Embassy's reports referred to in paragraphs 76–82.

In paragraph 25 of your report you refer to an account of Mr. Simmons' experiences after his arrest, and you say this account cannot be verified "in detail." Please be more specific. Can it be verified in general? Or to what degree can it be verified?

The comments of the Department in paragraphs 53–54 leave a great deal to be desired. The only comment of the Department is a denial that it "attributed major significance" to the evidence of the two prostitutes. The degree of significance attributed to this testimony by the Department is the least important of the points made in the referenced paragraphs of Mr. Phelan's story.

What are the 19 "circumstances," or points of evidence on which the Mexican court relied in its finding of guilty?

How do you account for the apparent change in Mr. Simmons' treatment as described in paragraphs 87–92, which relate that he had been beaten by the guards, and his treatment as described in paragraph 3, which says that he has among other amenities in his cell a television set, a radio, a fan, photographic equipment, a typewriter, and a stereo-phonograph.

The Phelan story, in paragraph 9, refers to Simmons as single when he entered Mexico. The Department's report, in paragraph 3, refers to his visits by Mrs. Simmons. Has he been married since his arrest?

In summary, it seems to me that except with respect to the Department of State's own role in this matter, the Department's report and Mr. Phelan's article are in substantial agreement as to the facts. Do the officers of the Department who are most knowledgeable about this case also have serious doubts about Simmons' guilt?

Sincerely yours,

WAYNE MORSE.

AUGUST 16, 1966.

Hon. DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations, Department of State, Washington, D.C.

DEAR MR. SECRETARY: I refer to my letter of July 13 in which I raised a number of questions concerning the Department of State's report on the case of Dykes Askew Simmons.

I would appreciate your advising me when I may expect a reply, as well as the requested classified documents.

Sincerely yours,

WAYNE MORSE.

DEPARTMENT OF STATE,
Washington, August 25, 1966.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: I am in receipt of your recent communication under date of August 16, 1966, in which you request a reply to your letter dated July 13, 1966, relative to the case of Dykes Askew Simmons, Jr.

The delay in forwarding a reply to the aforementioned letter is very much regretted. I assure you, however, that within the next few days the requested information will be sent to you.

Sincerely,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

[Enclosed with letter of September 12, 1966, from Assistant Secretary MacArthur]

TAB A.—CHRONOLOGY OF KEY DEVELOPMENTS

YEAR 1959

October 12: Dykes A. Simmons, Jr., entered Mexico at 8:30 p.m. at Nuevo Laredo, under his brother's name, William Simmons, and using his brother's car. Between 9 and 10 p.m., three young members of the Perez Villagomez family were murdered (one died in the hospital a few days later) on the Laredo-Monterrey highway, 57 miles south of Nuevo Laredo.

October 15: Simmons was arrested in Allendo, Coahuila.

October 16: Simmons was taken before the dying girl, Hilda Perez Villagomez, who identified Simmons as the murderer. A United States consular official was present at the confirmation.

October 21: Investigating district attorney referred the case to the judge of the first criminal court in Monterrey to determine if there was sufficient evidence to warrant a trial.

October 24: Simmons declared formally imprisoned by the judge on his decision that there was sufficient evidence to warrant trial.

November 17: Dr. Don Elbert Martin was released from prison at Muzquiz, Coahuila where he had been held since November 2 on the charge of having fired a 22 calibre rifle and disturbing the peace. Martin was released on the ground that he had not been mentally competent at the time. He was driven, in a straitjacket, by a Piedras Negras consular official across the border and was taken to the Veterans Administration Hospital at Waco, Texas, for confinement with an acute mental disorder. A news story had been published to the effect that Martin had also confessed to the murder of the three Perez Villagomez children; the Consulate General at Monterrey stated, however, that Mexican police officials established that Dr. Martin was nowhere near the scene of the murder on the night in question. The news story, the Consulate General stated, was the result of an accusation by a Mexican, Andres Vara Peña, who was reportedly interested in obtaining the reward offered for the capture of the Perez Villagomez murderer.

YEAR 1960

March 7: Simmons' attorney requested an amparo in the federal district court in Monterrey against the judge's decision of Oct. 24, 1959 that enough evidence was presented to formally try Simmons.

May 19: Federal District Judge denied amparo request.

July 25: Simmons' attorney appealed the May 19 denial of the amparo.

August 23: Lic. Guillermo Urquijo, Judge of the First Criminal Court, disqualified himself, as the crime occurred in the district of the court at Villadama, and referred the case to the judge there.

September 23: The judge at Villadama also disqualified himself, as he is a relative of the attorney of the victims' family, and the case was reassigned to Judge Urquijo.

September 29: The Federal Circuit Court denied the July 25 appeal.

September 30: Simmons' attorney requested the Nuevo Leon State Supreme Court to have the case tried by another judge on the ground that Judge Urquijo has allegedly expressed publicly his belief in Simmons' guilt.

October 14: The State Supreme Court granted the Sept. 29 request to transfer the case, and referred it to Judge Alvaro Reyes Aurrecoechea of the Second Criminal Court.

December 9: Simmons attempted to escape from prison.

YEAR 1961

March 1: The Second Penal Court of Nuevo Leon found Simmons guilty. The sentence carried the death penalty.

September 18: The Nuevo Leon state supreme court upheld the lower state court's decision and confirmed the death sentence.

YEAR 1962

June 16: The Federal Supreme Court refused to hear the Simmons case, declared itself incompetent since the amparo on behalf of Simmons was directed against procedural irregularities as well as the finding. It forwarded the case to the Circuit Court at Saltillo, Coahuila to determine whether procedural irregularities had occurred.

August 1: Simmons and two other inmates of the Nuevo Leon state penitentiary attempted to escape and were captured after a 90-minute gun battle in which Simmons was wounded.

November 16: The Third Circuit Court at Saltillo ruled that there had been procedural error in Simmon's trial with respect to the manner in which he had been identified by the dying Hilda Perez Villagomez. (The error here was the fact that Simmons was brought alone to the girl's bed-side, while he should have been in the company of other persons so that she would have to single out the suspect.) The case was reportedly referred by the Saltillo court to the Nuevo Leon state supreme court which in turn referred it to the original court, the Nuevo Leon state court.

December 12: The Nuevo Leon state court again held Simmons guilty and confirmed the death penalty. The court ruled that, even excluding the death-bed identification, there were still 19 points of circumstantial evidence which justified the original death sentence.

YEAR 1963

February 15: The Nuevo Leon supreme court confirmed Simmons' death penalty, ruling that the 19 points of evidence listed in the state court's decision of December 12, 1962 proved conclusively that Simmons was guilty.

March: In early March, Simmons' mother brought an amparo before the District Court charging that Simmons was being held in unlawful state of extended punishment, apparently on the ground that Simmons had been placed in a maximum security ward after his last escape attempt. The amparo was approved and Simmons was ordered back to the regular cell block. According to prison authorities, Simmons attacked the guards who were taking him to his new cell (Simmons denied this) and was placed under a special, restrictive regime in another cell.

May: In late May, the Third Penal Court of Nuevo Leon sentenced Simmons to four years on charges arising from his attempted prison escape in August, 1962. The Consulate General at Monterrey reports it is not clear how this time is to be counted.

July 25: On or about July 23 an amparo was presented to the Federal Supreme Court in Simmons' behalf and is awaiting action.

TAB B.—INFORMAL TRANSLATION OF A PART OF THE DECISION HANDED DOWN BY JUEZ SEGUNDO ON DECEMBER 12, 1962, IN WHICH ARE LISTED 19 POINTS OF EVIDENCE UPON WHICH SIMMONS WAS FOUND GUILTY

Now then, the circumstantial evidence is made up of a combination of indications constituted by proven facts which, although in themselves probably not constituting complete evidence, are (proof) when taken together due to the logical and legal illation existing among them and which lead from the known truth to that which is being investigated. And in order to integrate this proof, it is necessary that there exist a natural, logical connection among the different pieces of evidence, and above all that the links of the chain be proven, true facts. Apart from the value which has already been given to the other pieces of evidence, the Judge wishes to annotate that presumptive evidence does not constitute a special evidence independent from the other, but resort should be had to any one of them to accredit the fact in which the presumption has its origin; and in order to deduce the consequence which is its characteristic, there is no determined legal form but only the legal provision establishing the connection between the antecedent and the consequence through appraisal by rational criteria. The probatory value of the evidence, upon being interpreted, should constitute a logical and natural connection requiring a link to consolidate the known truth and that which is being sought. It is true that presumptive evidence—the queen of evidence, according to specialized writers—as a means for conviction is one of those containing the greatest number of legal errors, but it is also true that it is the logical means at the disposal of the undersigned to sanction multiple acts, which would remain unpunished if this were not so. (As is evident in the present case.) Apart from the above, there is no doubt in these proceedings, and to prove this effectively, since I shall follow the method indicated by Francois Gorphe, it is believed prudent to enumerate the indicative facts, that is, those found to be perfectly justified within the proceedings.

No. 1: The accused, Dykes Askew Simmons Jr. crossed the border forty-five minutes after the victims did.

No. 2: The assailant and murderer of the Perez Villagomez children was driving along the National Mexico-Laredo highway from north to south, as did the accused.

No. 3: All of the tourists who entered the country between eight p.m. on the 12th and two a.m. on the 13th of October, 1959, were investigated by the Secret Service, and no further information was obtained from this investigation pointing to a possible assailant other than the accused.

No. 4: The assailant and murderer of the Perez Villagomez children offered assistance to them; and it was demonstrated that the accused is in the habit of stopping on the highway when he sees a parked automobile in order to offer assistance.

No. 5: The assailant and murderer of the Perez Villagomez wore a short white shirt and probably blue pants, and the accused is the owner and possesser of articles of clothing such as those already described and was wearing them on the date of the happenings.

No. 6: Mrs. Irma Gutiérrez de Montúfar described the accused as the same in height, form of head, and form of hair, as the person whom she saw standing in front of the automobile of the now deceased Perez Villagomes.

No. 7: The accused is the owner and holder of a sky-blue automobile, 1954 model, and it was demonstrated that the murderer of the Perez Villagomez children was driving a not too recent model, sky blue in color.

No. 8: The assailant and murderer of the Perez Villagomez children was a male, white American, between 26 and 30 years of age, with short brown hair, having a small spot above the mouth, which was not stated to be a scar. The accused meets the above description.

No. 9: The assailant and murderer of the Perez Villagomez children was of masculine sex, and he spoke broken Spanish. And it is perfectly proven in the proceedings that the accused also speaks broken Spanish.

No. 10: The lives of the Perez Villagomez family were taken by a firearm, and the accused had firearms under the front seat of his automobile.

No. 11: The defendant showed powder stains on his right hand as well as blood stains on his shirt.

No. 12: The accused falsified the truth upon crossing the Mexican border, since he gave a false name.

No. 13: The accused has penal antecedents which qualify him for committing a crime of nature of the subject of these proceedings.

No. 14: Not only because of the criminal history of the accused, but also due to his own statements, it was established that he acts impulsively and many times without control, even though without negating his will.

No. 15: After the criminal happenings, the accused changed his name and called himself "Larry Hall."

No. 16: The accused did not stop in the city of Monterrey in spite of the fact that his tourist permit indicated his final destination as the city of Monterrey, Nuevo Leon.

No. 17: The person indicated did not stop in any hotel on the night of the 12th of October, 1959 and the morning of the 13th of that same month, even though he had sufficient money to cover his expenses.

No. 18: He did not remember the hour in which he crossed the Mexican border in spite of the simplicity of that fact.

No. 19: That the accused, in spite of having all circumstances against him, did not give an acceptable explanation, but only limited himself to replying evasively, and on several points by giving false statements.

Now, the conclusions reached from the foregoing indicative facts, taking Francois Gorphe as my guide, are the following:

I. Presence of Physical Opportunity. "After proving the existence of the crime, it is of primary importance to establish that the accused was at the place of the crime at that time, since it is always necessary to presume his presence in order to suppose his guilt, and if this is not proven, then it might be denied." The conclusion is reached regarding the presence or physical opportunity of the accused through the indicative facts mentioned above, which are numbered from One to Six.

II. Participation in the Crime. "Evidence is the more significant to the extent to which it best fixes the act in relation to the infraction. It is fully conclusive if it reveals a real act of participation in the crime. Therefore, it appears to be quite variable and this category includes quite diverse evidence obtained from trails, stains and objects." Well then, participation in the crime is reached through the indicative facts stated from Six to Eleven.

III. The Capacity for Delinquency or Personal Opportunity (Personality Indication). "Upon becoming oriented through initial investigations, the task consists in ascertaining from within the circle of individuals found to have been in a material condition to have committed the crime, which of these are capable of such action". "The indication of capability constitutes a complex and . . . (illegible word) indication that the dispositions toward delinquency of the accused are to be inferred particularly through the past conduct of the individual and from his acts previous to the crime. Therefore the feasibility of gathering as precise moral information regarding him as is possible is effective with vague evaluations." Well then, the capacity for personal delinquency (personality indication) is reached from the indicative facts numbered Three, Twelve, Thirteen, and Fourteen.

IV. The Criminal Motive. "We already know that this psychological evidence is a complement to the foregoing for explaining the criminal act and is fixed by means of the evidence." "Normally the commission of a criminal act is not resolved by neglecting the sanctions which it brings upon itself, without taking into consideration a direct or indirect advantage, whether positive or negative, material or normal, which would compensate the risk of repression; unless one gives in purely and simply to the force of an impulse, when in a state of passion, emotion, alcoholism, toxic or pathologic, where the part played by the will might be very reduced, which when not negated, except perhaps from its source, then the impulse substitutes for the motive." Well now, the criminal motives within these proceedings are concluded from the indicative happenings which were taken into consideration in order to conclude the Personality Indication.

Informal translation by D. E. Raimond, August 14, 1963.

TAB C.—SUMMARY OF THE DECISION OF THE SUPREME COURT OF NUEVO LEON OF FEBRUARY 15, 1963, CONFIRMING THE LOWER COURT'S DECISION

Summary of the 19 points of evidence on which the Supreme Court of the State of Nuevo Leon based its decision upholding the finding of guilt in the case of Dykes Askew Simmons, Jr.

1. The accused crossed the border at about 20:45 on the evening of the murder, about 45 minutes after the time that Dr. Raúl Perez Villagomez states that he crossed. Since Dr. Perez states that he left his stalled car at 21:15 and did not return until 23:30, the accused definitely passed the location of the murders during the period in which they took place.

2. The declaration of Hilda Perez Villagomez establishes that the killer was traveling from north to south and that he parked facing south in front of their car. Also, Sr. and Sra. Montúfar state they saw a car parked in front of the Perez vehicle, facing in that direction.—(final sentences are illegible)

3. The defense lacks sufficient grounds to contend that when the Secret Service investigated data concerning tourists who had crossed the border at Laredo, they obtained no usable information. The indications uncovered by these investigations are credible (cierto) and, with others which are obtained, will determine whether or not the accused is responsible.

4. The accused has stated that he customarily stops to render aid to disabled automobiles. According to Hilda Perez Villagomez, the aggressor offered them mechanical help with their car.

5. According to Hilda Perez Villagomez' statement, the murderer was wearing a white shirt and dark trousers, possibly blue in color. Simmons was wearing a white shirt and blue pants, though according to his own statement he changed to something else before arriving in Saltillo.

6. Though this court agrees with the defense in that most of the statements of Mrs. Montúfar can not be considered definite, I do accept her statement that she saw 2 vehicles parked from north to south on the highway, and a man standing close to one of the vehicles. It is possible to see this at the speed she was driving.

7. Concerning the evidence that the accused is owner of a light blue automobile, 1954 model, the following declarations can be considered pertinent (cierto). In the first declaration of the victim, Hilda Perez Villagomez, she said that the person who attacked them got out of a car with Texas plates, whose color she believes to be blue. This fact is confirmed by the testimony of Sr. and Sra. Montúfar, who said that the car which they noticed parked in front of the victims was of a light color which might well have been blue. Also the statement of Sr. José Mancha Díaz, who was companion of the accused while in the neighboring state of Coahuila, when he mentioned that the car the North American was driving was a two door Oldsmobile, light blue in color. The manifestations of the defense concerning the

situation (antecendente) which existed at the time the testimony of the victim was given, and the suppositions to which he alludes concerning the actions of the Inspector General of Police at that time are considered as having no effect on the evidence, since they are not mentioned in the pleadings (autos), and because this is not the proper time to evaluate them.

8. and 9. The undersigned Magistrate values the statement of Hilda Perez Villagomez in which she described the attacker as a male, of American origin, from 26 to 29 years of age, light complected, brown hair, and who had a small spot (mancha) above the mouth, though she was not sure whether this was a scar. I relate this to the description on the identification slip executed by the penitentiary officials, and the documents which the chief of the Secret Service presented to the judicial authority (see page 160). The comparison between Simmons and Martin, to which the defense refers, has not been taken into account because the newspaper account to which it alludes is not attached to the pleadings, and for this reason is not considered worth of study.

10. It is considered duly proven that Simmons was armed by the statements of Antonia Ramirez Lopez and María Isabel Mendoza González that they saw some pistols under the front seat of the car driven by Simmons when he gave them a ride on the highway to Saltillo. This incident was recognized by Simmons himself. The statements of Joé Mancha, Esteban Elizondo Villarreal, Teresa Flores Lara and Francisco Salcedo Delgado present no obstacle to the above conclusion, since the only thing the first three said was that when Simmons was with them they did not notice that he carried a pistol, and the latter stated that the person who asked him at Customs if he could take his gun across was not Simmons.

11. In reference to the 11th point of evidence, it is considered a proven fact that the accused presented gunpowder spots on his right hand. This is derived from the statement of the Department of Criminal Identification of the Police in this city, who stated that the paraffin test and the Guttman reagent for nitrates showed a positive reaction at two points, one on the back of the right hand at the base of the middle finger, and the other at the same point on the palm. Referring to the evidence concerning the spot on the shirt of the accused, in my judgment this is not acceptable evidence taking into account the statement of the Department of Criminal Identification and relating it with that of the Department of Chemistry of the University of Nuevo León in which it is mentioned that the Bencilina and Piramilón tests are not specifics for blood, but rather that the Teischmann reaction, which was negative, is the appropriate test. The undersigned again reiterates that he is analyzing only the credibility of the facts, is not concerning himself with whether or not responsibility lies with the accused.

12. The undersigned considers that the statement of the defense, concerning the conclusion (ilación) drawn by the judge from this point of evidence, should be under analysis until a study is made to determine whether or not the accused is responsible.

13. The bad record of the accused duly proved in the proceedings, constitutes an acceptable evidence (hecho cierto) even though remote in character, in accordance with penal doctrine.

14. Contrary to the opinion of the defense, the impulsive behavior of the accused is acceptable evidence (hecho cierto) since it derives from his history of delinquency and his own statements of illicit acts.

15. Contrary to the opinion of the defense, the fact that after the incident took place the accused changed his name and called himself "Harry Hall" does constitute acceptable evidence and should be studied since in the pleadings (autos) Simmons himself recognizes this, and there is testimony of witnesses to this effect.

16. Not made clear. The judge simply accepts the point of evidence because it is contained in the pleadings.

17. The fact that Simmons did not spend the night at any hotel on the night of October 12, 1959, the day when the events took place.

18. As number 16.

19. The accused did not provide an acceptable explanation concerning his conduct, answering only with evasions and falsehoods.

The above is an unofficial translation made at the American Consulate General in Monterrey, N. L., Mexico, August 12, 1963 by Vice Consul John J. St. John and Consular Assistant M. Adalira Rangel A. It is not to be considered either an official or complete rendering of the document.

Tab D.—Summary Translation of Document Submitted to the Magistrate of the Third Court of Justice by Dykes Simmons' Attorney on June 12, 1963

Ezequiel D. Puente, attorney for Dykes Askew Simmons Jr., accused of homicide and assault, comes before the court on June 12, 1963, requesting an amparo in order that the Supreme Court of Justice of the Nation might resolve the case.

The responsible authorities in the case are the Magistrate of the Third Court of the Supreme Court of Justice of the State of Nuevo Leon and the Governor of the State. The complaints are made against the acts of the first person named with regard to the sentence pronounced against my client in which the refutations set forth in the appeal were declared contrary to law; he was considered to be guilty and condemned to suffer the death sentence.

The Supreme Court, as a consequence of my request for an amparo, declared itself against the definitive sentence pronounced, and referred it to the Third Circuit Court which declared it to be based upon an improper confrontation, annulling this so that a new sentence might be pronounced. Even though new judgments were later handed down, in both of which the accused was condemned to capital punishment, this was brought about by bad policemen who, to appease public indignation, found a scapegoat by pre-fabricating guilt, in spite of the fact that Simmons has constantly and undeniably professed his innocence.

On October 12, 1959, Dr. Raul Perez Villagomez, accompanied by three members of his family, was driving along the highway from Monterrey when his car broke down. The Doctor left his family and went to look for help. When he returned, he found that his family had been shot, two of them were dead, while Hilda, his daughter, was seriously wounded. Hilda gave data regarding the murderer in the presence of the press, police, photographers, the public and authorities, although much of this information does not appear in the legal proceedings but may be found in publications of the time. The most important omission is the fact that the criminal had gold teeth, which Simmons lacks.

An American was found, my client, answering some of the physical characteristics given by Hilda. He was pre-judged on the feeble basis of her lies and falsehoods concocted by the police authorities, and the secret police were allowed to interfere in the case.

The first refutation is the violation of article 5 of the Penal Code of the State which establishes that crimes are only committed in two manners: intentionally, based upon deceit and requiring free will for the execution of the deed; or by imprudence based upon thoughtlessness, negligence, inexpertness, lack of reflection or of care, all causing harm similar to that produced by an intentional crime. Therefore, for the existence of a crime, it is necessary to have an active responsible individual having a knowledge of the law, which excludes incompetent persons. And in this case one notes the absence of a criminal, capable of performing unlawful actions, corroborated by the fact that the accused had been an inmate of mental institutions and the suggestion made on page 43 of the legal proceedings to the effect that Simmons undergo psychiatric intervention, a fact which is the core of this First Refutation.

The responsible Judge, to destroy this Refutation, declared that the statement presented by the Warden of the Medical Center of the United States Government in Springfield, Missouri, referring to symptoms found in the accused on the dates mentioned and certifying him to be of sound mind on June 6, 1958, is not enough to show that on the date of the crime the accused was suffering from a mental incapacity, and besides, that the document was not legalized and therefore may not be used as evidence. Both of these statements should have received close scrutiny. Also, the accused was examined by Drs. Santos A. Sepúlveda and Ramiro Montemayor and declared to be sound of mind.

The arguments of the Judge are weak since the information in the legal proceedings do not refer to the symptoms referred to, that is, revealing a functional disorder or a lesion, but characterizing a type of illness perfectly defined with its antecedents of backwardness and its consequences of chronic irresponsibility. And second, because this does not refer to an individual who at the time of commission of the crime was the victim of mental disturbance, and therefore the criminal responsibility required is excluded, since for this it is necessary that the individual, before and after the event, be in a perfect state of health. And third, since the simple examination made by Drs. Sepúlveda and Montemayor could not show that the accused was in complete use of his reason, since they do not explain the method used to arrive at such a conclusion. Also, another important fact is the statement made by the Judge to the effect that the documents related to the case were not legalized and therefore could not be used as evidence. But a reading of the Act destroys this statement since this was evidence requested by the Agent of the Public Ministry and agreed to by the Judge in the Proceedings to be necessary for an exploration of the personality of Simmons. Pages 37, 38 and 39 of the first volume of the legal file shows that Simmons was an inmate of the Hospital in Wichita Falls, from where he escaped, and also in Springfield, Missouri, both mental hospitals, and that Lic. Héctor Flores Valdés, Agent of the Public Ministry, requested the Court to obtain from these hospitals information relative to the clinical antecedents of the accused, and this request passed through various authorities, including the Mexican Consulates in St. Louis, Missouri and Kansas. Therefore, these documents should receive the value given to public documents, since they show the permanence of a sickness in the accused. These state that Simmons underwent eleven different tests which showed him to be "a psychopathic individual without psychosis, with depressive reactions showing themselves through a series of cataleptic states . . ."; that the military authorities showed him to have the mentality of a nine year old, and that he reasons like a thirteen year old child. These documents also state that Simmons is presently a fugitive from that mental hospital. Therefore, he is shown to be chronically irresponsible and not that he has a mental disturbance. These documents should be accepted as legal evidence without the need for an expert's advice since the authenticity of the documents was never disapproved, and Simmons should be placed at the disposition of the American diplomatic authorities to be returned to the mental hospital from which he escaped.

The second refutation is the neglect to comply with Article 244 of the Code of Civil Procedures in Nuevo Leon establishing that in case of doubt, the accused should be absolved. The legal proceedings demonstrate how the Security Police overstepped their authority since they did not try to find the criminal, but rather tried to satisfy public opinion by arresting Simmons. The motives arousing doubt as to Simmons' guilt are as follows:

In Muzquiz, Coahuila, a doctor, seemingly mentally deranged, was arrested, having the same physical characteristics as those pointed out by Hilda Perez Villagomez. This Dr. Donald Evans Martin confessed being the author of three deaths on the highway and threatened to kill the Police Commissioner. He was released by the Police Inspector in spite of the confession made and was deported from the country. Captain Alfonso Domene, Chief of the Secret Police, states on pages 195 of the file that the Police Chief at Muzquiz telephoned headquarters to say that they had taken into custody a crazy American who stated that he had already killed three persons and threatened to kill the Chief also. Also in page 198 of the First Volume of the Proceedings, Mr. Julian Candanosa, Chief of Police, stated that he knew through the newspapers that Donald E. Martin had declared himself guilty of the crime, but that he had not intervened since the Inspector General of Police had done so.

The Judge states that the accused has all the physical characteristics pointed out by Hilda for the murderer, but when a comparison is made between those of both Simmons and Martin, we find that Martin does have all of them and that Simmons does not. However, the similarities were made on February 25, 1960, before the capture of the accused, and do not now apply due to the three years which Simmons has spent in prison. However, it is clear because of the legal investigations at Muzquiz that the authorities there freed Martin and then would not give information to the Court, stating that the file had been sent to Sabinas, Coahuila, where the Judge remained deaf to the requests made.

Second, paraffin test was made of Simmons' hands which showed very slight marks, one on the right hand at the beginning of the middle finger and one on the palm; but these would not be sufficient evidence, since the bodies of the victims showed several bullet holes which would have left strong impressions in the paraffin test.

Third, a small stain was found on the shirt of the accused which, when tested with benzine, was found to be human blood, according to the authority. However, this same shirt was sent to the Faculty of Chemical Sciences of the University of Nuevo Leon which stated (page 58) that tests are not specific for blood, and that the "Teischmann" test showed negative results, that it was not a blood stain.

Fourth, Hilda Perez Villagomes stated, when questioned right after the tragedy, that the assailant was a meter and eighty-three centimeters tall, that he was between 26 and 26 years old, that he had heavy eyebrows, that he was partly bald and that he had gold teeth; the accused does not meet this description since he has no gold teeth, he has a narrow forehead, his eyebrows are quite sparse, and he is shorter.

Fifth, Simmons agreed to have a "lie-detector" test, which might be stated to be a principle of innocence. And the proceedings, page 43, conclude with the request that a psychiatric test be made since his mental condition was never determined.

Sixth, page 50 of the file states that Capt. Jaime Gámez Benavidez, Chief of the Vigilance Service of the Department of Federal Transit at Nuevo Laredo, Tampa, was informed regarding an American who was trying to sell a .22 caliber pistol, such as the one used for the murder of the Perez Villagomez family, to Mr. Espiridión Guitierrez and that it was fired against a tank, but that no authority investigated.

Third Refutation. Incorrect interpretation of Articles 242. The Judge accepted or denied some of the arguments in Simmons' defense, but his reasoning may be considered invalid due to the actual and legal concept of what might be considered evidence, which he made equal to presumption, against the accused. In the first *amparo* which I requested, I destroyed the "confrontation" test, which was laughable since the accused was brought before Hilda handcuffed and surrounded by police and doctors, and she therefore thought he might perhaps be the guilty person.

I wish to state that all the so-called "presumptions" analyzed by the Judge are only to show Simmons' responsible, since he overlooked others more important such as the guilt of Donald Martin, who had confessed the crime of the Perez Villagomez family. The fact that Simmons crossed the Mexico-United States frontier forty-five minutes after the family which was murdered and the estimation that this event happened during a lapse of two hours 45 minutes does not imply guilt, since it lacks precision, because the police failed to determine the exact hour of the events, since because of the distance between the place of the murder and the border it would be materially and physically impossible for Simmons to have reached the place at the time of the happenings. Another supposition is the fact that the murderer must necessarily have been an American coming from the States since this detracts from a real fact, that Martin who confessed residing at Muzquiz, Coahuila, could have taken the National highway by any of the great number of roads leading from that town to the place of the murder.

Also, the investigation made by the Secret Service did not obtain data on other persons crossing the border besides Simmons on that date; also the supposition that the murderer must necessarily have crossed the border. Another supposition is the fact that Simmons confessed helping automobiles parked along the highway, since this is normal in the States. And there is no agreement on the clothing worn by the murderer since Hilda stated that the murderer wore a white shirt without being able to state whether it was a sport or a dress shirt, but that it was worn over the belt, and that he wore pants which she thought to be sky blue color. Irma Gutiérrez Montúfar stated that she saw the murderer wearing a white shirt with long sleeves over the belt which made it appear blousy, and that the pants were dark. With reference to the color of the car of the murderer, Hilda stated that it was of sky blue color, with Texas plates, probably a Chevrolet, 1956 model; but this statement was made after a description was made in the press of the detention of Simmons and his car.

The data regarding the physical characteristics of the assailant are very short when these appear given by the Investigator; but extensive when said to be given by the Secret Police. The comparative statement appearing in the press immediately after the case was given by the Chief of the Secret Police and is already found in the legal proceedings, and should therefore be considered, not as a point for doubt, but as counter-evidence.

Another piece of evidence is that Simmons carried firearms under the front seat of his automobile. This was affirmed by two prostitutes who do not agree either as to how many nor on the condition nor the size of the pistols; and in contradiction to this statement is the information given by José Mancha, Esteban Elizondo Villarreal, Teresa Floras Lara and Francisco Salcido Delgado who state that the pistols were never found; and the accused neither affirms nor denies their existence since the car he was driving belonged to his brother. All of this completes three separate versions incapable of making one truth.

That the accused presented some small powder marks is no indication of anything due to the lightness of the spots in relation to the great number of shots fired; and the spots on Simmons' shirt said to be of blood, which fact was scientifically disqualified by the faculty of Chemical Sciences of the University of Nuevo Leon.

That the accused gave the name of his brother upon crossing the border does not signify guilt since this was natural as the car was in his brother's name.

The fact that the accused has a criminal record is not evidence binding him to this process. The fact that he is impulsive is no indication of guilt but an evident expression of mental derangement as recognized by the American health authorities. And that he calls himself "Larry Hall" is no evidence either since, as the accused himself states, it is difficult for the Mexicans to pronounce his real name, which is true.

The fact that he did not stop in Monterrey cannot be considered as evidence, or presumption either, since he himself explained that in this way his dollars would go further. And that he did not stay at a hotel does not imply guilt since it is an American custom to pass the night within the automobile; and the accused stated that he was looking for a safe place and he did not want to be taken in by abusive hotelmen. And his failure to remember the hour when he crossed the border is not evidence either, since no one bothers recalling this when it is stated clearly on the tourist card. It is false to consider as evidence the fact that the accused limited himself solely to reply evasively and falsely. And he is pre-judged. The fact that he requested to take the lie detector test is overlooked. On the other hand, he declared almost minute by minute the facts of his entrance and stay in Mexico, and the facts of his life, including the fact that he has been in mental hospitals. Neither individually nor generally may such evidence lead to a sentence and less to that of capital punishment.

I therefore request that you, Magistrates of the First Court of the Supreme Court of the Nation, after the substantiation of this *amparo*, resolve to protect Simmons against the sentence because of his mental condition, the doubts expressed, and the grave, unfounded considerations, and that you place the accused at the disposal of the American authorities or at liberty.

Informal translation by: D. E. Raimond, August 13, 1963.

Tab F.—Summary of Report on Dykes A. Simmons' Mental Illness

The following are the Summary and Diagnosis sections of a report prepared by the staff psychiatrist of the Medical Center for Federal Prisoners at Springfield, Missouri on August 7, 1956 regarding Simmons:

"Summary: This 28-year-old white male serving a term of 5 years for Dyer Act violations had two episodes of severe febrile illnesses during his infancy and early childhood. He has a history of unpredictable and uncontrollable behavior dating from childhood. He has had a poor school record, and since quitting high school has had an erratic work history. His delinquency record dates to 1949 and includes two charges of burglary and one of theft. In 1951 or 1952 he received a severe head injury. He has been in a mental hospital on two occasions[1] prior to the hospitalization which occurred during his first incarceration at Leavenworth. His mental disturbance have been manifested by chronic anxiety and apprehension, tension, "blackout spells," irrational antisocial behavior, depression, and suicidal attempt. At present he is oriented and has fair insight and judgment and does not manifest gross psychotic ideation.

"Diagnosis: 000–x14 Psychotic depressive reaction, manifested by anxiety, apprehension, depression and suicidal attempt.

"000–x81 Antisocial reaction, manifested by chronic irresponsibility, antisocial behavior, inability to profit from experience or punishment, emotional immaturity.

"Although it is possible that this personality disturbance may have an organic etiology, the absence of focal neurological signs and mildness of EEG abnormalities make it difficult to assess the role of an encephalitic or traumatic etiology."

The information quoted above forms part of the Mexican court records in Simmons' case, together with other documentation on his mental history supplied by the Medical Center at Springfield.

SEPTEMBER 22, 1966.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: I refer to the voluminous correspondence which I have had with the Department over the past several months concerning the case of Dykes Askew Simmons.

An examination of the additional extensive material which Assistant Secretary MacArthur sent me September 12 does nothing to resolve the doubts which I mentioned in my letter of July 13 when I wrote:

"What bothers me about this case is not so much the behavior of the Department of State as an uneasiness that Mr. Simmons may be the victim of a gross miscarriage of justice. Certainly, the evidence which I have seen stops far short of convicing me beyond a reasonable doubt of his guilt. I recognize that this is not the standard applied by the courts of Mexico and that American citizens abroad are subject to foreign laws. However, I would feel a great deal better about this matter if I could come to a firmer conclusion about the merits . . ."

Thanks to the new material which the Department has made available to me, I have now come to this firmer conclusion about the merits. It is that if I were sitting on a jury and had this record in front of me, I would vote for a verdict of not guilty.

It follows, therefore, that Mr. Simmons is indeed the victim of a gross miscarriage of justice.

I think his government ought to do something about it.

Although I am having independent legal research done on the point, I accept for the time being the views of the Department, as expressed in Secretary MacArthur's letter of September 12 about the international law of denial of justice. It would seem to me, however—especially in view of the prevailing cordiality of our relations with Mexico—that a great deal might be done through informal approaches to the Mexican authorities.

I believe this matter is worthy of your personal attention, and I would appreciate a report on any informal steps of this nature which the Department takes.

For my part, I am considering discussing the case on the floor of the Senate and perhaps holding hearings before the Subcommittee on American Republics Affairs.

Sincerely,

WAYNE MORSE.

(At this point, Mr. LONG of Louisiana took the chair as Presiding Officer.)

Mr. YARBOROUGH. Mr. President, I am glad to see the interest of the distinguished Senator from Oregon [Mr. MORSE] in this case, since he is chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations.

I have had correspondence about this case for more than 5 years. Mr. Simmons wrote me in the spring of 1961 and I have carried on correspondence with him since that time, and also with different consuls who have served in Monterrey since then. I have worked with the State Department on the case, and have worked with Ambassador Mann when he was Ambassador to Mexico.

Mr. President, this is an involved and complicated case. Mr. Simmons was tried for murder, and given the death penalty. It was not, however, carried out. There were some murders in Mexico. This is a circumstancial evidence case with all the difficulties that go with circumstancial evidence cases.

We have worked hard to see that Mr. Simmons got every protection the laws of this country afford a U.S. citizen who is charged with an offense in another nation, respecting the rights and the sovereignty of that nation, and protecting also the rights of a U.S. citizen.

I have great stacks of correspondence and reports on this case. As the Senator from Oregon has said, some of the matters are classified. Upon reading them, I believe that they were properly classified, but there have been a good many articles written in American magazines about this case, attacking the entire system of justice in Mexico.

I do not join in the attacks on the system of justice in Mexico, or upon their courts.

I think, while Mr. Simmons has been in jail for years, that the Mexican Government has shown it has not acted precipitously in this matter. They have dragged it out, apparently attempting to reach a solution where justice can be done.

As has previously been stated, circumstantial evidence cases are difficult to determine, but Mr. Simmons has been in jail for a good many years now. While he was found guilty of murder, condemned to death, and sentenced to death, that sentence was not executed and he is still in jail in Monterrey, Mexico. I doubt that this Government, as well as the Mexican Government, with all the good relations now existing between the two nations, have ever had as much correspondence about one single citizen as they have about Mr. Simmons.

Mr. Simmons is from Fort Worth, Tex., and a constituent of mine. I am very much interested in the matter. As already stated, I have worked on his behalf with different ambassadors, particularly with Ambassador Mann more than any other, because he is from Texas and was a lawyer there before he entered the Foreign Service.

To Mr. Simmons' case, coming from our State with its long borders, and its close relations with Mexico, I gave my diligent attention.

I commend the distinguished Senator from Oregon again, as chairman of the subcommittee having jurisdiction, for his interest in this case. I pledge to him my cooperation in finally bringing to some solution this long and very much involved case which has been so widely advertised, especially in articles published in magazines of the adventure type, and rather lurid in character, so that they had the effect, I think, of not helping relations between Mexico and the United States.

In jail for a good many years, with his case unresolved, lies a human being. His welfare must be considered uppermost in the matter of relations between the United States and Mexico.

ADJOURNMENT UNTIL TOMORROW AT 9 A.M.

Mr. MORSE. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until tomorrow at 9 o'clock a.m.

The motion was agreed to; and (at 5 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Saturday, October 8, 1966, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate October 7, 1966:

DIPLOMATIC SERVICE AND FOREIGN SERVICE

Ellsworth Bunker, of Vermont, to be Ambassador at Large.

Llewellyn E. Thompson, of Colorado, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Maj. Gen. John J. Davis, U.S. Army, of Kansas, to be an Assistant Director, U.S. Arms Control and Disarmament Agency, with the rank of lieutenant general.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. John Joseph Davis, O18530, U.S. Army.

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[1] Other records indicate that these two occasions were on June 7, 1950 and Jan. 9, 1953 when Simmons was admitted to the Wichita Falls State Hospital for observance and/or treatment after he had become involved in car theft. Other records also indicate that Simmons was returned to this hospital on April 17, 1959 but escaped two days later and remained a fugitive from the institution from then on.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 7, 1966:

Central Intelligence Agency

Vice Adm. Rufus L. Taylor, U.S. Navy, to be Deputy Director of Central Intelligence.

U.S. Air Force

To be general

Gen. Hunter Harris, Jr., FR624 (major general, Regular Air Force) U.S. Air Force, to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code.

U.S. Army

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Albert Watson II, O18105, Army of the United States (major general, U.S. Army).

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Ferdinand Thomas Unger, O20734, U.S. Army.

In the Navy

The nominations beginning Hubert K. Adkisson, to be captain, and ending Jerry Rosenfeld, to be a permanent lieutenant (j.g.) and a temporary lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on September 28, 1966.

EXTENSIONS OF REMARKS

Hon. Leo W. O'Brien

EXTENSION OF REMARKS

OF

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 1966

Mr. ASPINALL. Mr. Speaker, at this time I would like to pay tribute to a man who has sat steadily beside me during my years as chairman of the House Committee on Interior and Insular Affairs; and, before that, as I sat as ranking majority member of such committee. I refer to Leo W. O'Brien who, since the 84th Congress, has served as chairman of the Subcommittee on Territorial and Insular Affairs.

This is the subcommittee which has legislative jurisdiction over Puerto Rico, Guam, the Virgin Islands, American Samoa, Antarctica, the Trust Territory of the Pacific Islands, and other insular areas of the United States. It is a subcommittee which, in no way, directly concerns the people of his own district. But Congressman O'Brien has served the people of these farflung islands as ably and as diligently as he has served his own constituents. He has been an articulate spokesman in their behalf and he has worked tirelessly on the numerous legislative proposals affecting them.

Since he assumed chairmanship of the Subcommittee on Territorial and Insular Affairs, Alaska and Hawaii have joined the United States as the 49th and 50th States, largely due to his efforts; the Virgin Islands and Puerto Rico have risen from poverty-stricken areas to healthy segments of our national economy; Guam has emerged as an effective stronghold in our Pacific responsibility.

Leo came to Congress in 1952 from Albany, N.Y., with no legislative background, but possessing a wealth of journalistic experience. He had been a newspaperman for 30 years and had won national awards in the fields of radio and television. As a result of this experience, he has had an affinity for the news medium which has earned him a reputation, among newspapermen, of being one of the most approachable and cooperative Members of Congress.

"Obie," as he is affectionately known by us, his colleagues, will be sorely missed when he retires at the end of this session. His wit, his wisdom, and his willingness to see both sides of a question have won him many friends—not only in the Interior Committee, but on both sides of the aisle in this Chamber.

It is my fervent hope that his voluntary retirement from the political heart of our country—the U.S. Congress—will not diminish his political participation in other capacities, for this Nation needs men the likes of Leo O'Brien. Like the mountain in Alaska, named in his honor by a grateful new State, may he continue to stand tall and strong among his fellowmen.

When Leo and his devoted wife, Mabel, depart for home and family in Albany, N.Y., they will leave behind a legion of good friends and well-wishers. Mrs. Aspinall and I join with their legion of friends in wishing them a serene and happy life for many more years to come.

A Tribute to Leif Erikson, on the Occasion of Leif Erikson Day, 1966

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 1966

Mr. PUCINSKI. Mr. Speaker, this week, the Nation celebrates the achievements of Leif Erikson. The bravery of exploration is revered throughout the ages, and rewarded by the ringing praises of history. And of all the great explorers, no tribe can be said to have surpassed, in daring and audaciousness, the Viking heroes of the 10th and 11th centuries, A.D.

Many courageous sailors of Scandinavian birth were involved in battle with the great unknown. Of these, the best remembered—the most honored by Scandinavians at home and abroad—was Leif Erikson, the outstanding mariner and adventurer of the Viking era, a hero of classic proportions.

The father of Leif Erikson was Eric the Red, a man of furious temper and great imagination. Banished successively from Norway and Iceland for deeds of violence, he deserted the known world to roam the dark, mysterious northern seas, returning with news of wonders previously unobserved. In time, the son, Leif Erikson, would surpass his famous father, charting unknown regions even farther west.

The courage of the Vikings was truly phenomenal. President Johnson, speaking last month in honor of Leif Erikson, declared that:

> The Viking explorers of a thousand years ago left us an example of courage and daring that will never be forgotten. Their far-reaching voyages across frigid northern seas in small boats, guided by crude and primitive instruments of navigation, are a lasting testament to what man's bravery and determination can achieve.

The American rocket program of the current era can be said to stem from the Erikson tradition—a bold and grand tradition conceived by men of steel, to be followed by others of their kind.

The name, Leif Erikson, shall stand forever as a symbol of courage in the face of mystery and danger—a hero among the heroes of all time.

A Tribute to the Ukrainian Congress Committee of America on the Occasion of Their 25th Anniversary

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 1966

Mr. WOLFF. Mr. Speaker, the enemies of tyranny are always welcome in the ranks of freedom's army. The Ukrainian Congress Committee is consequently held in high esteem wherever freemen congregate and wherever the will to win prevails.

Since the year of your organization, 1941, the UCC has come to stand for many important things in the eyes of people all over the world. As critics of Russian expansionism, you have worked to convey the fact that the Ukraine is not by rights a part of Russia, and should by rights stand free and independent. As the friends of education, you have sponsored legislation drawing attention to the captive nations of Eastern Europe and to the need for extreme vigilance on the part of American foreign policy makers.

Your efforts in behalf of establishing an American Freedom Academy are also highly commendable. A great need for such an institution is clearly in evidence. Confronted as we are by master propagandists, we well could take the time to educate a large body of our citizens in the field of propaganda devices and techniques.

The policy of Communist aggression, or imperiocolonialism, is one of great magnitude and cannot be halted without a concerted effort on the part of all the enemies of communism.

As the friends of freedom you also are vitally concerned with the need for justice and on that ground you fought and won the battle for a change in our immigration laws, to the benefit of thousands of Eastern Europeans who now can migrate to the United States.

Your influence, as I see it, is beneficial all around, and your first 25 years have been decidedly well spent.

May you do equally well by society in the years ahead.

Columbus Day

EXTENSION OF REMARKS

OF

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 1966

Mr. DADDARIO. Mr. Speaker, the world takes occasion on October 12 to mark the exemplary courage and determination of Christopher Columbus, whose navigation and discoveries led to the exploration and the settlement of this great country.

His work has been studied and classified as more remarkable than in our own space age, which faces a challenge of exploration that is testing every sinew of our national capability. In the age of the Renaissance, when the brave and the adventurous of many nations were pushing forward their travels into the unknown they employed the new-found science of navigation, and yet it was often said: "What use is the science of navigation, if we do not know where to go?"

Columbus pressed and argued his plans. It was a characteristic not unknown to the world today that he was required to submit his proposal to the so-called Talavera Commission of learned men for review and to justify his requirements. They held hearings in the year 1486 and issued their report in the year 1490, 4½ years later. That commission judged that the promises were "impossible and vain and worthy of rejection." But he persisted and his voyages went down in history.

But he himself commented on the values of his trip in a letter after the first voyage in which he said:

> For although men have talked or have written of these lands, all was conjecture without getting a look at it, but amounted only to this, that those who heard for the most part listened and judged it more a fable than that there was anything in it, however small.

The way in which Columbus set his goals and reached them deserve recollection as we near the date set for this observance, and new understanding and praise for those men who brave the unknown, whether it was 1,500 years ago or in the difficult, complex world of outer space today.

Private Pension Programs

EXTENSION OF REMARKS

OF

HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 1966

Mr. ROBERTS. Mr. Speaker, apparently the Treasury Department is proposing to change the rules on private pension programs to the serious detriment of small firms with private pension funds.

In Announcement No. 66-58, dated September 19, 1966, the Internal Revenue Service requested background information from interested persons and firms for developing a formula for integrating private pension and other retirement plans with old-age and survivors insurance benefits under the Social Security Act, as amended in 1965.

In this announcement IRS suggests a new formula which would result from using a mathematical approach. Under existing law, as passed by this Congress, an employer is encouraged to provide pensions for his employees through a deduction of taxable income contributed by the employer for a pension fund, provided the pension plan does not discriminate in favor of higher paid personnel. Under plans previously approved by the Treasury Department, retired employees are receiving pensions over and above any benefits to which they might be entitled under social security, and the employer is receiving his lawful and deserving tax deduction for contribution paid into the pension fund.

Now, according to the Treasury Department, last year's changes in the social security law require a change in the formula for determining when a pension is fair, and hence eligible for tax deductions. Existing pension plans, though already approved as not discriminating, must be changed to meet the new formula, as well as new plans yet to be approved.

According to leading actuaries as quoted in U.S. News & World Report, October 10, 1966, issue, the Treasury Department's suggested change would require employers, in order to still get their presently allowed tax deductions, to either increase the pensions of the lower paid employees or reduce the pension of the higher paid workers. No employer wishes to suddenly reduce the pension of any of his employees, but still, many employers simply cannot afford to increase their pension plans, either. Profits will not allow it.

Is such a change necessary? Did Congress, when increasing the coverage and benefits under social security, intend to force employers to raise benefits under private, voluntary pension funds?

Certainly not.

Any changes made in the formula used to determine if these pension plans are fair to all employees of a company should only be made in new plans. Those plans already approved by the Treasury Department and set up by the companies should be left strictly alone. These companies should continue to be allowed their tax deductions, regardless of any changes in the social security law.

I urge my colleagues to study and watch closely the actions of the Treasury Department, and if the need arises, join with me in preventing any action which would jeopardize the future of those millions of Americans who are counting so heavily on their company-provided pensions.

Wheeling, W. Va., Post Office Dedicated by Postmaster General Lawrence F. O'Brien—Cabinet Member Praises Dynamic Service of Senator Jennings Randolph

EXTENSION OF REMARKS

OF

HON. A. S. MIKE MONRONEY

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Friday, October 7, 1966

Mr. MONRONEY. Mr. President, a 5-year program of cooperative effort was successfully culminated on October 1, 1966, with the dedication of the new post office building at Wheeling, W. Va. The result of a project begun by interested citizens in 1961, this $800,000 structure has been erected on ground made available by clearance of the Center Wheeling Urban Renewal Authority. It will significantly improve the capability of the U.S. Post Office Department to provide efficient and economical postal service to the citizens of the surrounding area.

In its editorial comment of Friday, September 30, 1966, the Wheeling News-Register made the following reference to the new Federal building:

> There is significance attached to this event beyond that of the community obtaining another postal facility. The story of the new post office is one of successful civic endeavor and it points up what can be accomplished when citizens and governmental officials work together in harmony.

The dedication address on this occasion was delivered by the Honorable Lawrence F. O'Brien, Postmaster General of the United States. Approximately 800 persons were present to hear Mr. O'Brien emphasize the worldwide significance of the American commitment to freedom which is now being tested in Vietnam.

He also pointed out that, in the past, the volume of mail which moves through our postal system has proven an accurate barometer of our Nation's economic strength. Stressing that mail volume today is constantly on the increase, Mr. O'Brien indicated that this is a reflection of the unprecedented growth which our marketplace has undergone in recent years. He declared:

> The new Wheeling Post Office is a symbol of the greatest economic boom in our history, or indeed the history of the world.
>
> The fact that more people have more money to buy more things, and that our educational levels are rising as new programs and new affluence provide the foundation for more schooling, are reflected in mail statistics.

Mr. President, the Postmaster General also praised the energetic and effective service in the U.S. Senate which has been rendered by Jennings Randolph, of West Virginia. Senator Randolph is among the most conscientious and productive members of the Committee on Post Office and Civil Service, and is chairman of the Civil Service Subcommittee.

I share the belief expressed by Postmaster General O'Brien that Jennings Randolph has demonstrated genuine leadership in the Senate. He is an asset to our committee and an experienced and able advocate of the interests of West Virginia and the Nation.

In addition to introducing Mr. O'Brien at the dedication, Senator Randolph, together with Representative Arch A. Moore, made the presentation of an American flag which will fly over the new post office. Wheeling Postmaster George A. Fahey received the flag, which, at Senator Randolph's request, had already been flown over the U.S. Capitol building in Washington, D.C.

Mr. President, I request unanimous consent that there be inserted in the Record at this point the text of the address by Postmaster General Lawrence F. O'Brien at the dedication of the Wheeling, W. Va., Post Office Building, Saturday, October 1, 1966, together with the program of events of the day.

There being no objection, the address and program were ordered to be printed in the Record, as follows:

Address by Postmaster General at the Dedication of a Post Office, Wheeling, W. Va., October 1, 1966

I am delighted that my good friend Senator Randolph asked me to come here to join with you in this dedication and to bring you the greeting of President Johnson.

Senator Randolph is Chairman of the Senate Committee on Public Works and a key member of the Select Committee on Small Business, the Committee on Labor and Public Welfare, the Special Committee on Aging and the Post Office and Civil Service Committee.

His wide influence in Washington stems from the respect accorded his knowledge of the problems and his understanding of the proper instruments needed to solve them.

And I can also tell you that his deep interest in postal affairs certainly didn't delay this new facility for Wheeling.

I have always shared John F. Kennedy's affection and admiration for the independent spirits who people this rugged state, and I can tell you from personal experience that in Senator Randolph and Senator Byrd, whose important Committee assignments include Appropriations, Armed Services, and Rules and Administration, West Virginia's tradition of independence is well represented in Congress, as it is in your State House under my friend Governor Hulett C. Smith.

Long before I ever dreamed that I would be helping to move the mail, President Johnson told me of an early Postmaster of Wheeling, Mr. Archibald Campbell, who was the editor of the only antislavery daily newspaper in pre-Civil War Virginia.

As you would imagine, a man who could put out an antislavery newspaper before the "West" was added to the most beautiful portion of Virginia, must have been an individualist of no mean caliber.

And this he certainly was.

For at a Republican National Convention in 1880 he responded to certain pressure by saying, "I always intend to wear my sovereignty under my hat."

In my view, this one phrase sums up what Americans—and West Virginians particularly—really are.

Of course, I hope I won't sound too partisan if I say that if Mr. Campbell were alive today he might well have found himself more at home in another political Party. In fact I would like to submit this suggestion to your good friend and mine, your Congressman Arch Moore, for his consideration. I know he will take it in the spirit in which it is meant.

One of the most interesting roles of any Postmaster General is the dedication of a new post office.

This is so not only because each new postal facility represents another improved link in our communications network, not only because it forms another step toward our goal of better service, not only because it is a sign of progress in the community it serves, but also for another, perhaps even more significant reason.

New post offices reflect that our mail volume is expanding.

Mail volume is a very accurate economic and social thermometer.

When times are good, the volume soars.

When times are bad or mediocre, mail volume slows down.

And when times are dismal, as they were during the Depression years from 1930 to 1933, mail volume actually drops.

In fact, it dropped from 27 billion to 19 billion pieces annually in those dark days.

This new structure we dedicate today is a symbol of the greatest economic boom in our history, or indeed the history of the world.

The fact that more people have more money to buy more things, and that our educational levels are rising as new programs and new affluence provide the foundation for more schooling, are reflected in mail statistics.

Despite the most careful plans, our mail volume figures consistently increase faster than we anticipate.

Men who have spent 30 or 35 years in the postal service and who draw up predictions based on the experience of a lifetime are proven wrong time and time again.

For no man has ever before seen the kind of economic growth America is experiencing today.

When he spoke to the nation last January, the President reported that our economic growth in the previous year—just our growth alone—had exceeded the total, the total economies of all but seven of the more than 100 nations of the world.

Since that time our rate of growth has increased, increased faster than even the most optimistic projections.

High growth rate can be translated directly into more jobs.

There are nine million more workers on non-farm payrolls than there were in 1960.

We are in the 67th month of sustained economic advance.

Our unemployment rate is down from seven per cent to 3.9 per cent, the lowest since 1953.

In fact, a million and a half more Americans are working now than were a year ago.

Wages are higher, 18 per cent higher than they were in 1960.

Older Americans, ones with little or no bulwark against the high cost of illness, have a new degree of protection.

Our bright young people, thousands of whom were once denied an education because of inadequate funds, have a new opportunity.

The unemployed and underemployed, the untrained and undertrained—more than half a million of them in the past four years—have received help in learning new skills to equip them for available jobs.

So we have more people making more money and with more security and more opportunity than ever before.

This factor, more than any other, is responsible for the rising tide of mail volume.

I think most Americans are pleased with the way our economy has been going.

But there are always some who like to say "in front of every silver lining there's a dark cloud."

They might even point to this post office and say, "If things weren't so good, you wouldn't have to waste the money building better post offices in Wheeling."

There are some people, like your elected Representatives, who see a glass and say that it is half-filled, and others who look at the same glass and say it is half empty.

But those who ignore our unprecedented economic boom look at the glass and worry about it breaking.

They say that prices are higher.

And they are.

But the increase in prices is far overshadowed by increases in wages, and profits, and farm income, and business income.

Every major industrial nation in the world has faced some inflation.

But the record of the United States in restraining inflation is far better than these nations.

In addition, the President has announced significant steps to assure that our economy does not overheat and that the upward trend in prices can be contained.

But, as he stressed, "Our goal in America is stable growth.

"Stability and growth go hand-in-hand.

"We must not ever succumb to the temptation of buying price stability at the expense of stopping growth."

And then he made a pledge that I know will be fulfilled: "We will not stop the economy in its tracks; we will not put men and machines out of work again.

"We will not stop our effort to improve living standards and essential public services.

"We will not beat a shabby retreat from the challenges that face us . . . . And this is why I . . . pledge to you today that we shall not repeat in the sixties the mistakes that we made in the fifties."

And I can assure you President Johnson makes the same pledge that President Kennedy made for international affairs—the mistakes of the thirties, mistakes of appeasement that opened the way for World War II and all the turmoil and tragedy that followed—will not be repeated in the sixties.

I spent much time in West Virginia in 1959 and 1960. I made several visits and I was here for an uninterrupted six weeks leading up to a historic Presidential primary. I was associated with John F. Kennedy for fourteen years.

I saw him stand ten feet tall during the Cuban missile crisis. He did not turn tail and run.

I was with President Kennedy at Dallas. I was with the new President on the plane at Dallas while the world waited with baited breath. I watched the transition. Our

Democracy was put to the test, and there was continuity.

Just as President Kennedy stood firm in the Cuban missile crisis, President Johnson will not turn tail and run now. We are standing firm in Vietnam but we will not act irresponsibly there as some would suggest. We are not going to beat a shabby retreat there.

Certainly, the Vietnamese people have turned the corner toward self-rule, at the same time that all observers feel that the Hanoi regime is almost, if not quite, convinced that the course of terror and violence they have chosen is, through our resolve, a lost cause.

No, I can tell you from many conversations with President Johnson, that he will not let the near-sighted and timid and hypercritical make him beat a shabby retreat from prosperity at home or from a just and lasting peace.

We cannot abandon the struggle for freedom—just as we cannot abandon the fight to make certain that the blessings of our own freedom are shared fully by every American.

The responsibilities we must shoulder, at home and abroad, require courageous, dedicated, enlightened leadership, in Congress as well as in the White House.

In my host here today, Senator RANDOLPH, and his colleagues, you have men who have given you and the nation that kind of leadership.

In his response to President Johnson's greeting, the President of the the Philippines recently remarked that those bearing the burdens of leadership are in the loneliest position among men.

I think that without doubt our President has the loneliest job in the world and the most awesome.

He is our Commander-in-Chief in these crucial times.

He needs your help and he needs your prayers and I know you stand at his side—every American stands at the President's side—as he guides the destiny of this nation.

PROGRAM

Presentation of colors: American Legion Post No. 1, Wheeling, W. Va.

National anthem: Wheeling High School Band; Louis S. Cefus, director.

Invocation: Rev. John F. Streng, pastor, St. James Lutheran Church.

Introduction of distinguished guests: Harry C. Hamm, editor, Wheeling New Register, master of ceremonies.

Remarks: Rabbi Martin Siegel, Woodsdale Temple.

Remarks: U.S. Senator ROBERT C. BYRD.

Introduction of the Postmaster General: U.S. Senator JENNINGS RANDOLPH.

Dedication address: Postmaster General Lawrence F. O'Brien.

Presentation of American flag to Postmaster George A. Fahey: U.S. Senator JENNINGS RANDOLPH.

Benediction: Rev. Thomas A. Rafferty, St. Joseph's Cathedral.

Open house: The public.

End of Session Report

EXTENSION OF REMARKS
OF
HON. CATHERINE MAY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Friday, October 7, 1966

Mrs. MAY. Mr. Speaker, it has become my custom to provide my constituents of the Fourth Congressional District of the State of Washington with a special report at the end of each session of Congress. In this report I discuss in general terms the actions of the Congress in regard to our most pressing national problems, and also discuss congressional attention to problems of my district.

Under unanimous consent, I include at this point in the RECORD, my end-of-session report of the 2d session, 89th Congress:

END OF SESSION: A SPECIAL REPORT FROM CATHERINE MAY, U.S. REPRESENTATIVE, FOURTH DISTRICT

DEAR FOURTH DISTRICT FRIEND: As I prepare this end-of-session report, a decision is expected shortly as to whether Congress will adjourn until January, or merely take a short recess and return in November. Perhaps by the time you receive this annual report a decision will have been announced. In the meantime I feel it is my duty to remain on the job in Washington, D.C. until either adjournment or recess takes place.

There is one great difference between this 2nd Session of the 89th Congress and the 1st Session in 1965. It's in the volume of new programs enacted. You will recall that last year was a "whopper," when congressional action put our Nation for the first time into programs of general aid to education, medicare, highway beautification, Appalachian regional development, housing and urban development, and a number of other new programs. A bill to abolish State "right-to-work" laws passed the House and was pending consideration in the Senate.

The contrast this year was marked by the relatively few new programs approved. Congress, instead, concentrated on problems connected with the continuation of the programs begun a year earlier. The bill to abolish State "right-to-work" laws died in the Senate. Whether this continuation of the "status-quo" is good or bad for our Nation will be borne out in future history books. But our national problems are many, and I believe Congress could have accomplished more to help solve them.

The following are five of our most pressing problems and what we are (or are not) doing about them:

Vietnam—In 1966, our participation in the war in Vietnam escalated dramatically. We now have more than 300,000 troops in the conflict and we seem to be at least as far from settlement as we were in 1965. All appropriations requested by the President in connection with Vietnam have been granted by the Congress in order to prevent the success of Communist aggression in Vietnam and to supply our troops with food, clothing and with the arms they need. I supported these requests. But like many Americans I have been impatient with restrictions placed on our armed forces and with our failure to use our power more effectively to bring the war to a satisfactory end at the earliest possible date. I believe that as the Free World's defensive leader, we must intensify our resolve to win.

Inflation—This is our most difficult national problem. It is largely government created, and Congress has done very little to effect a solution. There were many attempts, such as the votes of a minority of Members, myself included, to cut Federal spending in non-essential areas. By the end of August, had my economy votes prevailed, Federal expenditures would have been reduced by at least $3,974,960,000. For several years in a row, I was pleased to receive the National Associated Businessmen's "Watchdog of the Treasury" award. But a majority of Congressmen did not support such efforts and Federal spending continued at inflationary levels. The ceiling on the national debt was increased again. The President, very late in the session, proposed to cancel out for sixteen months the 7 per cent investment tax credit for businesses. Congress approved this, but the action was regarded by many, including myself, as too little and too late. Now the question is whether strong measures like wage-price control and/or an income tax increase will be recommended.

Civil rights and riots—National unrest over civil rights problems continues unabated in 1966. The Congress, for the first time in several years, rejected new legislation in this field. The Civil Rights Act of 1966, which included a "fair housing" provision, passed the House but died in the Senate. I am in accord with this final decision. Although I have supported civil rights measures in the past, I feel now that perhaps our Nation has been moving too rapidly in this area. As I have pointed out many times, human prejudices cannot be legislated. It has become increasingly apparent, however, that in many ways civil rights advances have caused human prejudices to intensify. Much to our national shame, this has resulted in open disregard for law and order by members of both the Negro and white races. I believe it is time we take a new look at what has been done in the name of civil rights, discover where we are, and only then decide what future steps may be necessary and when they should be taken. I do not mean to imply either support for, or opposition to, future civil rights legislation. I do feel a better grasp of the civil rights situation and its ramifications is necessary.

Crime—In 15 months, crime has increased across the Nation 11 per cent. The biggest increases are in the western area of the United States and are in forcible rape, larceny, aggravated assault, auto theft, murder, robbery and burglary. The Supreme Court, in the meantime, issued a ruling to further protect prisoners from interrogation. FBI Director J. Edgar Hoover said, "We are faced with one of the most disturbing trends I have witnessed in my many years of law enforcement—an over-zealous pity for the criminal and an equivalent disregard for his victim." The House of Representatives unanimously approved the President's proposal to establish a National Commission on Reform of Federal Criminal Laws, but the hope of reversing the frightening crime trend through this bill is not promising.

War on poverty—The House and Senate rejected a Republican substitute for the "war on poverty" designed to basically reform the most criticized parts of the present program which has now been in operation for two full years. Intended to eliminate misuse and mismanagement of certain poverty programs, the Republican "Opportunity Crusade" was also designed to strengthen such promising programs as Operation Head Start and the Community Action program. It would enlist the help of the poor, industry, and state and local governments for a totally effective job. After considerable study of the poverty problem and the need of the poverty stricken for better educational opportunities and good jobs, I supported the "Opportunity Crusade" package.

OUR DISTRICT

I am happy to report that the Congress did recognize Federal responsibilities in our District during this session.

With my support, the third powerhouse for Grand Coulee Dam was authorized . . . the transfer of Larson Air Force Base to local control was effected . . . the industrial diversification program at Hanford moved forward . . . adequate construction funds to assure orderly development of the Columbia Basin Project were secured . . . we made continued progress in our electric and nuclear power development programs as well as our other civil works projects and federal highways.

Our predominantly agricultural economy should be strengthened through participation in the expanded "Food for Peace" program enacted this year. The tourist and recreation potential of Upper Kittitas and Yakima Counties will be increased with the stump removal and recreation facilities programs being undertaken at reservoirs of the Yakima Project. The railroad boxcar shortage, which created problems in moving our food and lumber production to market, was eased through special legislation by Congress. The drive by Pacific Southwest States to import water from the Columbia River was stopped, for at least the time being, when the House of Representatives agreed not to take up the enabling legislation.

As soon as Congress finally adjourns, I will be reporting in my last weekly newsletter of the year (which is sent to all news media in our District) a listing of major bills considered by Congress, how I voted, and whether they became law. And, of course, it is my hope adjournment will be soon so that I can leave the Nation's Capital to tour our District. At that time I can report to you in greater detail on matters of mutual concern and interest.

Best wishes.

Yours sincerely,

CATHERINE MAY,
Representative in Congress,
Fourth District of Washington.

Rural Development

EXTENSION OF REMARKS
OF
HON. CLAIR CALLAN
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Friday, October 7, 1966

Mr. CALLAN. Mr. Speaker, Secretary of Agriculture Orville Freeman was in my congressional district last weekend to dedicate a watershed project and a housing project.

The Secretary's speech at the housing project dedication at Clarkson, Nebr., a small rural community, was an excellent statement on the need and value of development in rural areas. The Secretary particularly noted in his speech the value of recreational development in rural areas such as the recently approved recreation complex for the Bloomfield-Wausa communities in northeast Nebraska. The Secretary pointed out that throughout rural America there exist plots of farmland that can easily be converted to recreation areas without damage to farm productivity and without loss of prime cropland. This is only one activity that rural areas can combine and work toward an effort to stem the flow or people from rural areas to our already overcrowded cities.

I would like to submit for inclusion in the RECORD the text of Secretary Freeman's address and an editorial on the same subject published October 4 in the Lincoln Star:

ADDRESS OF THE SECRETARY OF AGRICULTURE

I am delighted to be in Clarkson today to help you dedicate your new housing units. I would like to thank my friend and your Congressman, CLAIR CALLAN, for inviting me to participate in this event.

These fine apartments—for senior citizens and for low income families—are important. They are wanted and needed, and you worked together to get them. Congratulations.

For me, there is a special significance and pleasure in this project.

Help in financing these units came from the Public Housing Administration in the Department of Housing and Urban Development. That is splendid.

Why, you might ask, should this particularly please *me*? We have a complementary program in the Department of Agriculture—a program to help rural people finance rental housing projects for senior citizens. As a matter of fact, the USDA helped to underwrite a similar project just north of here in Wakefield. Why then, my special pleasure in the fact HUD helped make this Clarkson project possible?

I am pleased because this is an example of something the President, Cabinet members, and other officials throughout the Federal government are working hard to accomplish.

That is, to make all Federal assistance programs—not just those in the USDA—readily available to our smaller cities and open countryside. To make them as responsive to the needs of people in Clarkson, in Leigh, and in Creston as they are to the needs of individuals in Omaha, Chicago, Kansas City, or any other metropolitan complex. So I am delighted that HUD has reached out in the countryside to cooperate with you good folks in Clarkson to make this project a reality.

There is a basic reason for this Government-wide undertaking to make all government programs reach out to the countyside.

Today, there are millions of Americans who are being deprived of a fundamental right—the right to live where they choose.

They are being forced to move from smaller communities into the steel and concrete maze of our large cities. Forced, that is, if they want a job, or a good education for their children.

They are being driven out of the countryside by the opportunity gap in rural America—by the disparity in income, in education, in housing, in health and sanitation facilities between Smalltown, U.S.A., and the big city.

These gaps were caused in part by the fact that many Federal programs—programs that were passed to benefit all Americans—have not been as effectively used in our smaller communities as they have in large cities.

The administrators of these Federal programs wanted to serve rural areas. But they have lacked the administrative means to reach out to small communities far removed from their State or regional offices.

As a result, President Johnson last year directed each department and agency administering a program that could benefit rural people to make sure that its benefits were distributed equitably between urban and rural areas.

He directed me to review with the Director of the Budget any administrative obstacles that might stand in the way of any Federal program reaching out to every countryside, U.S.A., where it is wanted and needed by the people.

The President directed me to make the field offices of USDA, located in every county in the U.S., available to other Federal agencies in order to make their programs more effective in rural areas.

I then created the Rural Community Development Service to coordinate this so-called "outreach" effort.

The President's Rural Development Committee, which I have the privilege to chair, includes the Secretaries and Administrators of the other Departments and independent agencies with programs needed in the countryside. It provides overall policy guidance and direction.

This outreach effort has taken firm hold.

Our field personnel worked with the Social Security Administration to inform rural people of their eligibility for Medicare, and where they could enroll for program benefits. Four million rural senior citizens have been reached by Medicare.

We are working with the Commerce Department's Economic Development Administration to help inform people of the financial and technical assistance available from this agency to encourage industrial development. A similar cooperative effort with the Area Redevelopment Administration—EDA's predecessor—helped leaders in our smaller communities to finance industrial expansions that created an estimated 160,000 new rural jobs.

We are cooperating with the Departments of Labor and Health, Education, and Welfare, and with the Office of Economic Opportunity and others in a concerted effort to improve job training and education services in pilot areas of the country.

Water and sewer programs have been simplified and made more responsive to the needs of small towns and communities.

New legislation has been proposed to help our smaller communities obtain professional planning help and to join together so they will have a resource base adequate to support a satisfactory level of social, community, and economic development.

A Rural Industrialization program has been started in the Department of Agriculture to encourage businessmen and industrialists to locate new plants in rural areas. We work with local leaders and State development organizations to help businessmen find sites suited to their needs.

Programs to help finance outdoor recreation facilities farmers can rent, and community-based recreation projects have been expanded. I am pleased to take this occasion to announce tentative approval of a $125,000 Farmers Home Administration loan for a recreation complex in the Bloomfield-Wausa area. A non-profit group there is sponsoring the project, which will provide a golf course, tennis, picnic, and other recreation facilities for people from six small towns and the surrounding countryside.

The President is delighted that this Government-wide effort to be more responsive to the needs of smaller communities has begun to get results.

More than half of all the families who have benefited from our public housing and urban renewal programs now live in communities of fewer than 50,000 people.

Ninety-five out of every 100 urban planning grants go to communities under 50,000.

Four out of five of the communities now receiving public housing grants have populations under 25,000.

Ninety-seven out of every 100 public facility loans to help build libraries and water systems have gone to communities with fewer than 25,000 people.

Much has been accomplished, but it is only a start. Neither local communities nor the Federal government can afford to relax until the decline of our rural communities has been stopped and reversed.

This drive to rebuild our towns and small cities is more than a sentimental recognition of our rural past.

It is a matter of over-riding national concern. The future of our cities is at stake, too.

For there is one undeniable fact . . .

—although our sons and daughters must move to the big city to find a job or a profession . . .

—although our cities boast the theatres, museums, libraries, and public services that contribute to a higher plane of life . . .

our cities are sick.

They suffer from too many cars that pollute the air. Too much crime that makes the streets unsafe. Too many demands on public programs and too few funds to meet them. Too little housing in the center city and too much pollution in the water.

But behind each of these specific complaints, there is a basic ailment. That is—too many people for too little space.

Today, 70 percent of our people are crowded into urban centers that take up but 1 percent of our land.

If present trends continue, there will be more people stacked up in our cities within 20 years than there were people in the entire Nation six short years ago.

This, to me, is sheer folly.

The cities will never solve their problems as long as people pour in from the countryside, forced to move by economic necessity rather than choice.

You *can* stem that exodus. Throughout the United States, people in small cities are seizing the initiative and are working together as you have done in Clarkson to build new homes, industrial parks, water and sewer systems, and recreation areas.

Wherever people organize and begin to work toward rural areas development, they are assured the full cooperation and support of their Federal and State governments.

Let me cite just a few of the gains that have been made in Nebraska. I pay sincere tribute, as I outline this excellent progress, to State and local leadership. Your Governor Frank Morrison has been alert and enterprising. The result is an outstanding example of Creative Federalism—a fine working partnership between private citizens and local, State and Federal governments.

These range from community-type recreation projects like the combination athletic field, swimming pool, club house, driving range, gun club, tennis court, sled run, and ice skating rink that is being built at nearby Leigh with a $110,000 FHA loan, to a statewide campaign to help the rural elderly learn about Medicare.

One of the Nation's first economic opportunity loans was made right here in Nebraska to help a father of three expand his shoe shop. He has nearly tripled his former annual gross income of slightly under $1,200 a year. Since then, more than 160 economic opportunity loans have been made to low income Nebraska citizens.

Thirty-seven watershed projects have been approved for planning assistance to prevent floods, to provide recreation, to stabilize agricultural income, to reduce highway maintenance costs, and to improve water management. Incidentally 23 of those 37 watersheds are in Clair Callan's Congressional district. Frankly, I doubt there is a Congressional district in the Nation with more watershed activity than you will find right here.

Six counties in northeast Kansas and four counties in southeastern Nebraska have organized an interstate resource development organization to promote industrial and economic development for the 103,000 people living in the 5,000 square mile area.

Community recreation projects similar to the one under construction in Leigh are being built near Central City and outside Osceola.

Net farm income in Nebraska is expected to be up $142 million this year over 1960.

These are just a few of the things that are happening in Nebraska.

It is the same wherever I go.

There is a growing realization by the people of the problems that they face, and a determination to take steps to rebuild our smaller communities so they can successfully hold their people and compete for a fair share of this nation's economic growth.

The path will be long and difficult.

But I am confident that together we *will* get the job done.

We must not fail.

Thank you.

[From the Lincoln (Nebr.) Star, Oct. 4, 1966]

Choice Is the Familiar

(By William O. Dobler)

Millions of people, said Secretary of Agriculture Orville Freeman in Nebraska over the weekend, are being denied the right to live where they choose. He was speaking particularly of young people but not of any tyrannical force that holds the individual against his will. He was speaking of the economic facts of life that force young people to leave rural areas and seek their futures in the cities of the nation.

STRONG TIES TO BREAK

But what ever happened to that old idea to the effect that once a country boy or girl had seen the city, there was no returning to the country? It was a farce to begin with. The fact is that the vast majority of those who leave rural America for metropolitan areas do so against their true desires. They leave the areas of their birth only because that area lacks for them an opportunity to obtain a good job and live a rewarding life. Once they leave, there is a long period of adjustment and the longing for the space and informality of the country never disappears in total.

If you cannot understand this, perhaps you have led too sheltered a life. One needn't have been born on a farm or even in a small town to appreciate life in the more thinly populated regions of the nation. For such an appreciation you need only have been exposed to the open spaces at intervals in your life.

Take your son or daughter on a weekend excursion into the open country and you will see why the jump from farm or rural to city life is a hard one to make. Pull into the farmer's yard and you are greeted by a big dog, perhaps two or three of them. Chickens scamper about and maybe a few ducks are telling of your approach with their loud quacking.

You aren't very often greeted by a dog in the city because the animal must be penned up somewhere. If loose, he not only infringes upon the rights of others, but has his own life in jeopardy from a multitude of causes. There are people who will molest animals, others who will poison them and heavy traffic to threaten them. In the country, the dog is free to roam, to chase rabbits if he likes, to dig all the holes he wants, to lie under the porch or the big cottonwood, to run to the pond for a fresh drink and to be on hand when his master comes around. Since he can bark whenever he pleases, he seldom does so. Again, he is like people in this regard. Try to control or stop his barking and he goes at it with a vengeance.

The dog on the farm is free for something else, too. He is free to run at the side of the youngsters in the family. Out of the yard, across the feed lot, through the corn field and toward the creek scamper boys, girls and dog, or dogs. They have all the room in the world in which to run and play, in which to fill their lungs with clean country air and to stretch their muscles to the extent of their capacity. At the creek, they may catch frogs, fish for bullheads, gather rocks, construct a dam, wade in the cool water or pass the time in any other of a wide variety of ways—all of this within running distance of the house, not an hour's drive away.

Upon their return, they may saddle up an old mare and take turns riding into the hills and rolling land that outline the farmyard in another direction. Along the way, the rabbits scamper in fear, pheasants flush in a natural feeling of security and maybe a coyote stands and watches on a high point near the distant horizon.

While not likely to pass through a stand of bluestem grass, part of the original "gold" of Nebraska, this group of happy children will see plenty of goldenrod, perhaps a wild rose or evening primrose. If at the right time of the year, the day may seem brilliant with the glow of sumac, and meadowlarks are sure to be flitting in all directions.

CLOSE TO NATURE

In the evening hours, their sight extends unbroken to the sunset and the mornings glow with the first beams of early light in the eastern sky. In the midst of such vastness and grandeur comes a healthy respect for the world and its marvels, a kinship with the natural state of our environment and an appreciation of the role of mankind in the cultivation of a way of life. The focal point is the home, as it stands as a mark of hope, a place of total refuge. The nearly constant threat and occasional reality of adversity breeds a spirit of cooperation and understanding between one homestead and another.

The individual coming from such surroundings is apt to have a peculiar mixture of forces at work within him. There is an urgency of conquest born of necessity, a serenity born of constant hope, an independence born of difficulty and a compatibility born of a nurtured spirit of survival. The rural exodus not only deprives the individual of living where he might choose, but it deprives the nation of individuals whose influence on the scene is greatly needed.

Manion Forum

EXTENSION OF REMARKS

OF

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 1966

Mr. BUCHANAN. Mr. Speaker, I recently had the pleasure and privilege of participating in the weekly broadcast of the Dean Manion Forum.

Dean Manion is one of the outstanding radio commentators of our Nation. He is dedicated to the preservation of our American heritage and our Constitution, and the defeat of Communist aggression at home and abroad.

The Manion Forum is one of the most highly respected programs disseminating news and facts to the people of our Nation, and is a trusted source of information—not always readily available from other sources.

The forum conducted personally by Dean Manion reaches millions. It just completed 12 years of broadcasting on October 4 of this year with a record of more than 600 consecutive weekly broadcasts. Over 300 radio stations carry the program nationwide.

I am including in my remarks the text of the Dean Manion Forum in which I participated on October 2, 1966. The subject is timely, and the broadcast included a discussion of a vitally important subject which I believe is of interest to my colleagues in the House.

The following is the text of the broadcast:

[A Manion Forum, South Bend (Ind.) weekly broadcast No. 626, Oct. 2, 1966]

Guerrilla War in America's Streets—Official Testimony Reveals Reds Provoke Race Riots

(By Hon. John H. Buchanan, Member of Congress for Alabama)

Dean Manion. Congressman John H. Buchanan, of Alabama, believes that Communists have been and still are exploiting riots, bloodshed and racial hatred in all parts of the United States behind the mask of the civil rights movement. If he is right then we may be up against the same kind of Communist guerrilla war here at home that our soldiers are fighting in Viet Nam. I have asked the distinguished Congressman to explain his conviction to the audience, and he is here at the microphone now to do just that.

Congressman Buchanan, welcome back to the Manion Forum. Tell us just how much Communist influence you believe is present in the civil rights movement.

Congressman Buchanan. Ironically, Dean Manion, FBI Director J. Edgar Hoover and Communist Party boss Gus Hall have agreed that Communist activity has been present in the civil rights movement since its very inception. Mr. Hoover has pointed out that this is by no means a controlling influence. However, in January, 1964, U.S. Communist Party leader Gus Hall said: "Members of the Communist Party are very active in all of the Negro organizations engaged in the civil rights struggle."

And in late June of this year, during the Communist Party's national convention in New York City, Claude Lightfoot declared that the Party intends to move openly into the civil rights struggles. Lightfoot, a Negro and head of the Party in Illinois, stated: "We will allow no one in the civil rights movement or the white power structure to block such a move."

The evidence continues to mount that Communist influence and infiltration are expanding rather than contracting within the civil rights movement in this country. Many of us have contended that the evil handiwork of Communists is reflected in the increasing number of riots and outbursts of violence in our cities.

During the Harlem riots in 1964, the Red Chinese-oriented Marxist organization, the Progressive Labor Party, was active on the scene. And now, solid evidence has been offered of Communist participation, and perhaps even leadership, in the July riots in Cleveland. Incidentally, in those riots four people were killed, 46 were injured and dozens of buildings were burned.

Dean Manion. Where do you find evidence to support this, Congressman?

Congressman Buchanan. Here are the exact words of the special report of the Cleveland Grand Jury:

"This Jury finds that the outbreak of lawlessness and disorder was both organized, precipitated, and exploited by a relatively small group of trained and disciplined professionals at this business.

The report of this Jury, appointed to investigate the riots, goes on to state:

"They are aided and abetted, wittingly or otherwise, by misguided people of all ages and colors, many of whom are avowed believers in violence and extremism, and some of whom also are either members of or officers in the Communist Party."

There it is in black and white—"aided and abetted . . . by members of or officers in the Communist Party."

This Grand Jury report, by the way, was based on the testimony of 40 witnesses and took over two weeks to prepare. It is 17 pages long, and is a carefully reasoned and documented analysis of who and what caused the Cleveland riots. The Jury Chairman was Mr. Louis B. Seltzer, the editor of the Cleveland Press, who, I am advised, is of the Liberal persuasion.

Dean Manion. That seems to be pretty solid substantiating evidence.

Congressman Buchanan. Most definitely. Nor can their warnings be dismissed. The Grand Jury report stated:

"This Jury further believes that, even though what already happened is both regrettable and tragic in every conceivable human aspect, there is a grave potentiality for repetition of these disorders, or others like them, occurring elsewhere in this community."

I believe, Dean Manion, that there is an equally grave possibility of severe disorders and riots occurring in other American cities as long as trained agitators and promoters of rebellion and anarchy are allowed to do their subversive work in relative obscurity and freedom. This is why I have called for a Congressional investigation of what is happening to the civil rights movement. That is why I want the facts about Communist infiltration and influence to be brought out into the open where they belong.

The time is most propitious for members of all sides to speak out against those who are trying to subvert the civil rights movement for their own un-American purposes. And the time is propitious also for those in high places—those public officials, those ministers who have been encouraging civil disobedience and speaking of unjust laws that one need not obey—to change their language and begin to take the side of law and order and to combat subversion in the civil rights movement.

LABOR UNIONS SET EXAMPLE

After all, Communist infiltration and penetration have never been tolerated by any major movement in the United States. For example, in the 1930's and 40's Communists attempted to penetrate the trade unions, believing that the American working man could be won over. The Communists erred badly; they never converted a significant number of American workers but they did succeed in infiltrating and seizing control of a dozen trade unions in the United States.

The reaction of responsible union leaders was swift and decisive. Communist-controlled unions were expelled from the CIO. American labor cleansed its ranks of those who had groomed it for a foreign power. And when American labor so acted, it strengthened itself, this country, and established a precedent for all other segments of our society if they should ever be confronted by a similar threat of subversion. Today, leaders of the civil rights movement should move decisively to cleanse their movement of all Communist taint and influence.

Dean Manion. Some of these leaders have tried to do that, haven't they, Congressman?

Congressman Buchanan. Yes, some have warned their members of Communist attempts to infiltrate and direct their organizations, they have rejected co-operation with extremist elements and their siren song of "black power." However, others have stated flatly that they will work with anybody. They have raised strange banners, rarely seen in our free society, and they have opened the door wide to Communist penetration and infiltration.

Of particular concern to many of us is the significant number of young people active in these new extremist groups and participating in such outbursts as the Cleveland riots, and who trained and disciplined and assigned these acts of violence and insurrection. Two men in particular were cited by the Grand Jury report—Lewis G. Robinson and Harlell Jones. Both men were connected in Cleveland with, among other organizations, the Revolutionary Action Movement. RAM, as described by FBI Director J. Edgar Hoover is: "A highly militant, secretive organization following the Chinese-oriented Marxist-Leninist line, and believes in replacing the capitalist system with Socialism."

The means to this end of replacing capitalism has been outlined by Phillip Abbott Luce, a former member of the Progressive Labor Party, the pro-Chinese Communist organization in this country. Mr. Luce has written, "RAM envisions using the urban areas as a base of operations. Revolutionaries in RAM believe that the black ghetto areas of our major cities hold the key to a successful guerrilla war. They specifically propose that black people be organized into small guerrilla units which would use the night to spread terror through the city."

Let me repeat that sentence, if I may, Dean Manion. "They specifically propose that black people be organized into small guerrilla units which will use the night to spread terror through the city." Now isn't that exactly what happened in Cleveland and in many other American cities this summer?

If one questions just how serious things have become, let him consider that in a 20 day period this last July, eight U.S. cities were ripped apart by race riots or near riots. The riot total was seven killed, nearly 200 injured, and property damage running into millions of dollars. The riots in Cleveland and elsewhere clearly suggest a blueprint for terror and destruction drawn up by organizations like the Revolutionary Action Movement.

Dean Manion. Other organizations were also active in the Cleveland riots, were they not?

Congressman Buchanan. Yes, the Grand Jury also received evidence that leaders of the W. E. B. DuBois Clubs arrived in Cleveland only a few days before the outbreaks. These DuBois Club leaders, according to the Grand Jury, made swift contact with the aforementioned Robinson and Jones and also with two leaders of the Communist Party in the Ohio Valley. Such co-operation was only natural because the W. E. B. DuBois Clubs of America happen to be the newest protege of the Communist Party, U.S.A.

In October, 1964, FBI Director J. Edgar Hoover stated: "In its continuing drive to attract young Americans, the Communist Party, U.S.A., formed the new nationalist Marxist youth organization in June, 1964, the W. E. B. DuBois Clubs of America." Since then the DuBois Clubs have become increasingly militant, calling for an end to U.S. bombing in North Viet Nam, the withdrawal of all American troops from Viet Nam, sponsoring training schools for young people and many other activities. The almost inevitable action by our Government came in March of this year when the attorney general asked the Subversive Activities Control Board for an order requiring the DuBois Clubs of America to register with the attorney general as a Communist front organization.

RIGHTS LEADERS SHOULD CLEAN HOUSE

Dean Manion. The DuBois Clubs and the Revolutionary Action Movement appeared to work hand-in-glove with the Communists in Cleveland, right?

Congressman Buchanan. Yes, and who can say how many other riots they have influenced, directed, precipitated? Dean Manion, I have discussed some of the facts here on your program, many others are available. All of the facts should be brought dramatically to the attention of the public so that the civil rights movement can be cleansed of subversive elements. I believe that a Congressional investigation by the House Committee on Un-American Activities would be the best way to help responsible civil rights leaders clean house. Futhermore, I and many others are deeply disturbed by the statements of the new breed of civil rights leaders—young firebrands like Stokely Carmichael, of the Student Nonviolent Coordinating Committee.

Stokely Carmichael, you will recall, was recently arrested in Atlanta for allegedly inciting a riot involving one thousand persons in this city known far and wide for its racial moderation, in which riots the mayor, who is a champion of Negro rights, was knocked to the ground while attempting to calm the crowd. The police chief of Atlanta stated, and I think many would agree with him, that the Student Nonviolent Coordinating Committee ought now to be called the "Nonstudent Violence Committee." And this, of course, is under the influence of its new leader, Stokely Carmichael, or Floyd McKissick of the Congress of Racial Equality.

I wonder just how many Negroes are listening to Carmichael? He has put the matter of "black power" very simply for his followers: "Negroes certainly see that this is the richest country in the world and they want to share in the wealth, and the feeling, whether or not the white press likes this, whether or not the white Liberals like it, is that if Negroes cannot enjoy part of that dream they are going to burn the country down." Carmichael said that, by the way, in an interview in the National Guardian, the leading Marxist journal in this country.

At a news conference here in Washington, D.C., Stokely Carmichael was asked if "black power" was based on non-violence. He answered the question with a question. "Can you have power without violence?" And at CORE's annual convention this past summer, its new head, Floyd McKissick, stated: "Non-violence in this country may be Christian but it is un-American." I ask you, can anything be more warped or distorted than to say that non-violence is un-American? Can anything be more calculated to incite and encourage violence?

Dean **Manion**. I can't imagine a more inflammatory statement than the one you just quoted.

Congressman **Buchanan**. What a tragedy it would be if millions of good, law-abiding people should be hurt by a willful band of young extremists who are unwilling to listen to older, wiser heads and to learn from the textbook of history. Goodwill, progress and understanding have now been placed in jeopardy because a small number of extremists and militants are accepting the help and assistance of anybody, including Communists, and are advocating any means, including violence.

It is to prevent this tragedy, it is to bring about the full proof about extremists and subversives in civil rights, it is to prevent more and more riots and violence that I will continue to press for a Congressional investigation of Communist and extremist influence in the civil rights movement in America. Nor just for the sake of a movement but for the good of the Nation.

Dean **Manion**. Thank you Congressman **John H. Buchanan**, of Alabama. I think we should have this Congressional investigation that you propose. It just might disclose that we are fighting our anti-Communist war on two bloody and destructive fronts; one in Viet Nam, the other in the streets of our big cities. If this is so, the American people had better know it now—before it's too late!

SENATE

Saturday, October 8, 1966

The Senate met at 9 o'clock a.m., and was called to order by Hon. **Harry F. Byrd, Jr.**, a Senator from the State of Virginia.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The assistant legislative clerk read the following letter:

> U.S. Senate,
> President pro tempore,
> *Washington, D.C., October 8, 1966.*
>
> *To the Senate:*
>
> Being temporarily absent from the Senate, I appoint Hon. Harry F. Byrd, Jr., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.
>
> Carl Hayden,
> *President pro tempore.*

Mr. BYRD of Virginia thereupon took the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate is now adjourned.

ADJOURNMENT TO MONDAY

Thereupon (at 9 o'clock and 21 seconds a.m.) the Senate adjourned, under the order of Friday, October 7, 1966, until Monday, October 10, 1966, at 12 o'clock meridian.

SENATE

Monday, October 10, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Dean L. Harold DeWolf, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

"Lord God of Hosts, be with us yet, Lest we forget."

Lest we forget that Thou art ever judge and sovereign over us, make us aware of Thy presence here today.

Make our hearts sensitive to Thy children's needs, lest we forget the great host trembling in the weakness of hunger and disease; lest we forget the ever-swelling numbers of Thy children bereaved, wounded, impoverished, and numbed by fear in a brutal and seemingly endless war; lest we forget the millions in other lands enslaved by tyranny and the thousands hauntingly near on whom the full light of liberty and self-government has not dawned.

In the pressures and irritations of the day, and in the accomplishment of small goods, O God, be with us yet, lest we forget to hold Thee in awe and to perform yet nobler deeds proportionate to Thy children's appalling need and to Thy sublime mercy. Amen.

THE JOURNAL

On request of Mr. **Mansfield**, and by unanimous consent, the reading of the Journal of the proceedings of Friday, October 7, and Saturday, October 8, 1966, was dispensed with.

HIGHER EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963, to extend it for 3 years and for other purposes.

The VICE PRESIDENT. According to the previous unanimous-consent agreement, all time between now and 1 o'clock is to be evenly divided between the Senator from Oregon [Mr. **Morse**] and the Senator from Georgia [Mr. **Russell**].

Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time to be equally charged to both sides.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I yield myself 5 minutes.

Mr. President, I wish to say to the Senate that I think we all know this issue well. It is a simple issue: whether or not we are willing to vote in the Senate, as we have voted six times in the past, to give more than 800,000 people in the District of Columbia the right of self-government, a right that has been denied them. This denial is a great blot on this country, in that we sit here, as a Congress, with the power to emancipate these people, in the sense that we can give them the right to vote. This right is long overdue.

Mr. President, my remarks in connection with the cloture petition before the Senate will be very brief. In fact, my remarks were really written for me by the editors of the Washington Post—I am sure unwittingly on their part. They have written an editorial this morning which, in my judgment, cannot be improved upon by any use of the King's English by any proponent of home rule. Therefore, I propose to make that editorial my major speech in support of the adoption of the cloture petition. The editorial, which is entitled "A Chance for Home Rule," reads:

> The decision taken by the Senate leadership to seek cloture against a filibuster aimed at the home rule rider which Senator **Morse** has attached to the Higher Education bill affords a fresh glimmer of hope to the Americans living in the District of Columbia. A vote for cloture today will be a vote in the truest sense for home rule for the District—a vote for the elementary right of self-government.
>
> The Senate has endorsed the principle of home rule for the District on so many past occasions that Washingtonians have every reason to hope it will do so once more. As for the House of Representatives, the Morse amendment will embody concessions designed

to overcome the misgivings which led moderate men committed to home rule in principle to reject the measure adopted by the Senate a year ago. Moreover, attached to the Higher Education Bill, it will bypass the obstructive House District Committee and have a fair chance of being sent favorably to the floor by the House Committee on Education and Labor.

Once more, then, on behalf of the people of Washington, we earnestly and respectfully petition the Representatives of 50 states in Congress assembled for a redress of grievances. The history of congressional government over the local affairs of Washington has been a history of repeated injuries and usurpations. To prove this let facts be submitted to a candid world:

The Congress has refused its Assent to Laws, the most wholesome and necessary for the public good.

It has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

It has so thwarted local initiative and a local sense of responsibility as to frustrate the solution of pressing local problems which can be dealt with effectively only through local leadership. Every vacancy occurring in the municipal government illustrates anew the impossibility of persuading men of high capacity to accept responsibility without the authority requisite to its fulfillment. Every urban problem besetting this community shows anew how insurmountable a barrier to its solution is posed by the absence of self-government.

Control over local affairs by men chosen to represent people who do not live here constitutes the very definition of despotism. It is a kind of control as alien to America as dictatorship itself. In petitioning Congress to relinquish this control, we appeal not alone to the congressional sense of justice but to congressional common sense as well. For despotism—the ruling of unrepresented men—is as destructive to those who impose it as to those who suffer under it. The solution of Washington's municipal problems presents a burden which the legislature of a great nation ought not to bear. Congress can free itself as it frees the people of this community.

Home rule for Washington is, perhaps, a faint hope now. But it is not, we trust, a forlorn hope. Every consideration of fairness and prudence argues for it. The petition of the people goes as well to the President, who labored so magnificently for home rule a year ago as to the Congress. Let him once again assert the great force of his leadership in behalf of the most basic tenet of democracy. And let the Congress, at long last, heed the plea of Americans for a recognition of their most elementary civil right.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MORSE. I yield myself 2 additional minutes.

I know of nothing I could possibly say that could be more cogent and unanswerable than this great editorial in the Washington Post this morning.

Mr. President, I have placed on the desk of each Senator a letter which I think is a partial answer to the argument that is heard in the corridors and cloakrooms as to what would happen to my amendment if it reached the House of Representatives. All I can say, Mr. President, based upon the many conversations I have had with friends of mine in the House of Representatives with respect to that question, is that I am satisfied that it would be agreed to in the House Committee on Education and Labor. When it reaches the floor of the House of Representatives I am satisfied that it will pass by a substantial vote.

I have some evidence bearing upon that in a letter written to me dated October 7, 1966, a copy of which is on the desk of each Senator. The letter reads:

Congress of the United States,
House of Representatives,
Washington, D.C., October 7, 1966.

Hon. Wayne L. Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: The undersigned Members of the House of Representatives, who are among the many advocates of the principle of self-government for the District of Columbia, would welcome the opportunity in the House to vote on the merits of a workable Home Rule proposal.

If the Senate adopts the Home Rule amendment to the Higher Education Act, we will do our utmost to secure its acceptance by the House.

We consider the procedure of sending this proposal to us as an amendment to a House bill to be justified by the refusal of the House Committee on the District of Columbia to agree to the Senate's request for a conference to reconcile the differences between the Home Rule bills passed by the House and the Senate.

Sincerely,

John Brademas; Phillip Burton; Silvio O. Conte; William D. Ford; Donald M. Fraser; Sam Gibbons; Frank J. Horton; Charles McC. Mathias, Jr.; Patsy T. Mink; Charles A. Mosher; James G. O'Hara; Adam C. Powell; Henry S. Reuss; James H. Scheuer; Richard S. Schweiker; Carlton R. Sickles; Morris K. Udall; Frank Thompson, Jr.

Mr. President, I am satisfied that the chances augur well for the passage of my amendment if it can reach the floor of the House of Representatives.

I hope that the Senate this afternoon will give it a chance to reach the floor of the Senate for final debate and for a vote on its merits.

Mr. President, I ask unanimous consent that several telegrams which I have received be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Washington, D.C.,
October 9, 1966.

Hon. Wayne Morse,
U.S. Senate,
Suite 417,
Washington, D.C.

Dear Wayne: Just to tell you that our hearts and hopes are with you today. On the basis of the merits of our cause and your courageous leadership, we should succeed. But whether we win or lose, your inspiring effort has endeared you even more to the citizens of the District of Columbia.

Good luck and may God bless your efforts.

Dick Lyon.

West Los Angeles, Calif.,
October 9, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.:

Entire membership urges prompt action to accord home rule to citizens of Washington, D.C.

Fellowship for Social Justice.

Washington, D.C.,
October 9, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

The following is text of telegram sent to large group of Democratic and Republican Senators:

"Americans for Democratic Action strongly urges you to support cloture on Morse home rule amendment and then support amendment on final passage. In the 89th Congress the Senate has already approved home rule legislation 63–29. To obtain home rule Morse amendment is necessary because House District Committee refused to meet with Senate District Committee conferees to work out differences between Senate home rule bill and House charter board bill. Morse home rule amendment requires that Congress appropriate Federal share of District funds and provides for non-partisan elections. For District of Columbia residents the right to elect local public officials is a paramount and basic American right. It should neither be buried by the arrogance of the House District Committee nor should home rule be blocked by the Senate's failure to invoke cloture. Please do not allow 89th Congress to adjourn without enacting District of Columbia home rule. Respectfully urge you to support cloture petition and Morse home rule amendment."

Don Edwards,
National Chairman,
Americans for Democratic Action.

Washington, D.C.,
October 9, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

We thank you for your untiring support of home rule. Best wishes on Monday.

Richard Yeo,
University Christian Movement in USA.

Washington, D.C.,
October 10, 1966.

Wayne Morse,
Senate Office Building,
Washington, D.C.:

The District of Columbia Education Association, in keeping with the 1966 NEA resolution in support of D.C. home rule, urges you to vote for cloture on the debate on the Morse amendment to the higher education facilities act and to be present to vote for the home rule amendment and the act.

Harriet F. Demond,
President,
District of Columbia Education Association.

Washington, D.C.,
October 7, 1966.

Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.:

Urge you to help bring full voting rights to a million voteless Americans by voting for the Morse home rule rider and against any motion to table it.

Arnold Aronson,
Secretary.

Washington, D.C.,
October 6, 1966.

Hon. Wayne Morse,
Washington, D.C.:

We urge support of the Morse rider to the education bill to bring about home rule for the District of Columbia and oppose the tabling of such an amendment.

Joseph P. Molony,
Vice President and Chairman of Civil Rights Committee, United Steelworkers of America.

Mr. RUSSELL of Georgia. Mr. President, did I understand the Chair to say that I had charge of the time in opposition?

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL of Georgia. Mr. President, I yield myself 8 minutes.

Mr. President, before undertaking to deal at all with the merits of this issue, I wish to advert briefly to the remarkable and unprecedented parliamentary procedure which is involved in the pending vote. I say without fear of any contradiction, Mr. President, that never before in the history of the Senate has such short shrift been given to any parliamentary proposal, however insignificant or how important it might be.

We have here before us a proposition to invoke cloture or gag rule on the Senate of the United States on an amendment that has not been debated at all prior to the filing of the amendment except by the sponsor of the amendment.

I have read the RECORD of last Friday. Mr. President, the distinguished Senator from Oregon [Mr. MORSE] debated the merits of his amendment. He took time by the forelock to debate his amendment before filing it. He then offered his amendment and the petition to gag the Senate was immediately filed by the majority leader.

Mr. President, I assert that if the Senate has any respect whatever for its reputation as a legislative body, not to speak of a deliberative body, it cannot impose cloture or gag rule on the Senate under these circumstances.

We talk about the motion for the previous question in the other body and the fact that debate is often summarily shut off in the other body, but in the other body they permit some debate and hearing from advocates on both sides of the question before imposing the gag rule of the previous question. I know it is said you can speak for an hour after a cloture motion is filed but every Member of this body knows that as a matter of fact a cloture or gag motion overshadows all other parliamentary action and any arguments that may be made. The entire attention of the Senate is directed to the cloture motion.

I submit, Mr. President, that no piece of legislation is important enough to justify any such legislative lynching as is involved in filing a cloture motion before the adversaries of any proposition have had an opportunity to be heard.

There is another point that I wish to make here, and that is to condemn the attempt to confuse this issue, as has been done consistently of late, by involving it with the racial question. I have not been a fanatic on the subject of a local government in the Federal district though I have voted against it.

Years have gone by, but I came here 34 years ago believing that the Founding Fathers did not intend that the seat of the Federal Government should exercise all the powers of an ordinary city. I voted against home rule and I did it at a time when there were more than two white people in the District of Columbia for every colored person. No one raised a question of there being a racial issue involved. But now, in the Senate and to keep Senators from examining the merits of the question it is said if you vote against cloture, if you vote against what is called home rule, you are a racist and, therefore, you deny the Negro population of the District of Columbia the right to vote.

Mr. President, the Founding Fathers, when they decided to have a Federal area for the National Capital had a very definite purpose in mind. They went to a great deal of trouble in order to assure that it would be truly the seat of the National Government and that Government would be supreme.

If they had wished to locate the Capitol in a city where there would be a competitive or local form of government they were already in the great city of New York and could have stayed there. They had met in the city of Philadelphia. They could have returned there. When they were driven by mobs of frenzied servicemen from the city of Philadelphia they went to the city of Baltimore or Annapolis and they could have repaired to either city and created the Federal Government, but they wished to have an area that was wholly, totally, and completely dominated not by those staying in the Federal area either permanently or transiently, but to have it completely under the domination of the Federal Government.

For that reason the District of Columbia was established as the Federal area. The Federal area was established at considerable expense and after violent controversy that aroused bitter feelings in order to avoid any possible conflict between any local government and the Federal Government.

Mr. President, as I said, the same people who established the Federal area in some instances had been in the Congress when they were driven from Philadelphia by an irate mob of troops or exsoldiers.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield.

Mr. COTTON. Am I correct that if cloture is invoked there cannot be any amendment offered other than the amendment that was offered last Friday?

Mr. RUSSELL of Georgia. No amendment can be called up after cloture is imposed, unless it had been read before the gag vote. It has the effect of absolutely stifling any effort to bring to the attention of the Senate any defect in the District government amendment—the ponderous document on your desk.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield.

Mr. HICKENLOOPER. Mr. President, I do not intend to discuss the merits or demerits at the moment of home rule for Washington.

I think under the circumstances it would be a mistake. I shall vote against home rule, as far as my position is concerned. That is not the point I am making.

I think this is the most astounding position I have seen in 22 years where cloture is filed before the bill is presented for Senators to read and no discussion of the bill has been had.

We have an amendment that is a codification of a system for the government of the city of Washington of 107 pages. We are asked to vote today, within the next 45 minutes, on the question of closing off debate.

If I ever saw a gag operate this is it. It offends my whole sense of legislative propriety or parliamentary procedure. I am thoroughly against it. I expressed myself on Friday when I heard for the first time, as I was coming through the door, that the cloture motion was being presented.

Mr. RUSSELL of Georgia. No Member of the Senate has had an opportunity to even read, much less understand and analyze, this more than 100-page amendment on which we are asked to gag the Senate and deny any right even to be heard or to submit an amendment. The Senator is correct; this is a most shocking abuse of parliamentary power. It is a most unusual and shocking attempt to use mere numbers to attain a legislative purpose that I have ever seen.

When the Capital City was laid out by Major L'Enfant, as I read it, he laid out the avenues here so that they could be swept easily by the artillery of the period in order to avoid even here in our Federal City the invasion of a mob to intimidate Members of Congress or to stampede the Government of the United States.

No person in the United States is forced to live in the District of Columbia, yet it is the most sought after place for residence on earth, even with the infirmities which beset citizenship, which has so often been pointed out in the press and on the floor of the Senate.

More people have ambition to live in this Federal area, in spite of the limitations on citizenship, than in any other similar space in this country. From grade 1—I do not know just how low civil service grades begin, I assume they begin at grade 1—but from grade 1 up to President of the United States, and including the Congress, people seek to come here, even if they cannot find employment with the Federal Government, because of the many advantages which accrue from being here in this Federal City.

As long as people have the right of free movement in this land, as long as they have the right to exercise the right of citizenship by casting absentee ballots in the area from whence they came, the argument that they are being disfranchised falls very flat, and is directed as a criticism of our Founding Fathers. They were the ones who poured out their blood and sacrificed their property and everything that they had in order to secure the rights of a free people. They never intended that Washington should be like any other city.

I warn the Senate, if it decides to take this summary step—this legislative lynching—it will destroy all the processes of legislation and deny the right of expression on the floor of the Senate merely because we are assured in advance that the conference committee that has no original jurisdiction of the matter in the other body is ready to surrender in advance.

I have just seen a letter signed by Chairman Powell of the House committee, and some 15 or 18 members of his committee, stating that they are anxious and willing to embrace this amendment.

Mr. President, that does not appeal to me as any sound reason or justification for passing an amendment. If it does, then our bicameral parliamentary body is all wrong, if we are to vote for a proposal just because the House is willing to embrace it.

If we deny the right of Senators to speak because the other body is willing to pass judgment on our rules, or say that they will gladly have the House follow this policy, it means that the dignity and the prestige of the Senate will be laid to rest on advance notice the other body will decide.

Mr. President, the Senate should not use any such precedent as that. That is not a test of the merits of the matter or an excuse for abandoning proper procedures. It may receive the plaudits of the Washington Post, but we will be creating a precedent which will react to plague us and destroy the usefulness of the Senate and its place in the scheme of government.

The PRESIDING OFFICER (Mr. Proxmire in the chair). Who yields time?

Mr. MORSE. Mr. President, I yield myself 5 minutes while waiting for the arrival of the Senator from New York who is to be the next speaker.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, on the desk of each Senator lies the Congressional Record for Friday, October 7, which contains the statement by the majority leader setting forth his reasons as to why he decided to file the cloture motion.

As the Record will disclose, I, as Senator in charge of the bill, was not aware that the majority leader planned on that procedure. He set forth very clearly, I think, the reasons why he followed that procedure, and I want to summarize what he said.

He pointed out that as majority leader he had been advised that if the amendment of the Senator from Oregon were to be considered on the floor of the Senate, it would be subject to a filibuster, and that the purpose of the filibuster was to prevent the passage of the amendment prior to adjournment of Congress.

We all know of the burdens of the majority leader. We all know of his responsibility to try to clear legislation before adjournment by October 15, although I think it would take a Houdini in the majority leader's chair to have the calendar cleared by October 15. But the majority leader does remarkable things, and he might be able to do that, too.

Then he went on to make his second major point: that there is not a Member of this body who does not know almost by rote the pros and cons of the home rule issue. The Senate has passed District of Columbia home rule bills six times. Of course, it is a lengthy bill. But it is the same lengthy bill, except for the four modifications that I explained on Friday, that passed the Senate at an earlier date in this session of Congress. There is nothing new in this bill. We have walked up the hill for home rule six times. This is the seventh time.

The majority leader told us on Friday that he had decided upon cloture because he was satisfied that every Member of the Senate knows exactly what has been said on the home rule issue.

In the pressure of the closing days of the session, I think there is great merit in the position taken by the majority leader. With his usual frankness, he put it on top of our desks on Friday and told us why he was following this course of action. He would have followed another course of action—that is, to propose a unanimous-consent agreement to limit debate. But the majority leader told us that he had been advised that if he had asked for a unanimous-consent agreement, it would be objected to, because there is a determination to kill this amendment by way of a filibuster.

Then the majority leader made his third point. He had the choice to move to lay the amendment on the table. He said he preferred not to do that. He thought, considering the circumstances and the history of home rule bills, that the proper thing to do was to file a cloture motion. I did not know that until the motion was presented at the desk. When it reached the desk, I felt, as a proponent of the bill, that I should join the majority leader, and I asked permission to sign the cloture motion because, in my judgment, the position taken by the majority leader was sound, under the circumstances.

Every Member of the Senate knows that I would never be a party to stopping debate on the merits of the issue if we were in a situation in which a discussion of the merits of the issue might change some votes. But let us not fool ourselves or the public. We know that that is not the situation. We know that what we are engaged in on this occasion is a parliamentary battle as to whether the opponents of home rule will be able to use their parliamentary power in the Senate to prevent the adoption of a cloture motion, because the adoption of such a motion will guarantee not only to the people of the District of Columbia but also to the people of the United States the establishment of representative government in the Capital City.

Time does not permit me to say more about the argument of the Senator from Georgia [Mr. Russell] on the point he raised, but this I shall say: He can deny all he wants to that the race issue is not involved in the home rule issue for the District of Columbia. But the race issue happens to be an ugly reality, and it has reared its ugly head time and time again.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. I yield myself 2 additional minutes.

As a member of the Committee on the District of Columbia, I have elicited on cross-examination testimony from witnesses who expressed themselves as opposed to home rule for the District because, in their judgment, the majority of the residents of the District of Columbia being Negroes, there was danger that a Negro might be elected mayor.

As I said Friday, and have said many times before, if free Americans decide that the person best qualified to be mayor of the District of Columbia is a person of any color—white, black, or any other color—then, as free men and women, they should have the precious right to elect such person as mayor of the District of Columbia.

I want to say, in regard to that question, that that is the race problem that is involved insofar as the Negro population of this city is concerned. It is not the only problem. We ought to show them that there is no justification for that belief. We ought to give them home rule.

The last reply I wish to make in response to the argument of the Senator from Georgia is that we had home rule in the District of Columbia at one time. It proved to be, on the basis of the format in effect at that time, very inefficient. That is why it was eliminated. But in the kind of home rule proposed under this bill, the residual check—which I would never want to give away—by the Congress of the United States is retained. All I want to say is that we ought to make sure that such check is left in the Congress in any plan for home rule.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield 2 minutes to the Senator from Pennsylvania [Mr. Scott].

Mr. SCOTT. Mr. President, I hope that the Senate will approve the pending motion by the necessary vote so that we can have an opportunity to vote on the Morse amendment to grant home rule to the District of Columbia.

I believe that the citizens of the Nation's Capital are entitled to self-government.

The home rule measure embodied in the Morse amendment is better for the District's future than the approach embodied in S. 1118, which the Senate approved last year. My principal objections to that bill were that it permitted partisan local elections and it empowered the city council to appoint municipal judges. These and other deficient provisions, I felt, condemned the District of Columbia to rule by a political machine with all the attendant possibilities of corruption.

My major objections to S. 1118 have been met satisfactorily in the Morse amendment, which will be offered by the Senator from Oregon, and which he and I have discussed.

This new bill requires nonpartisan elections in the District; and, while it still provides for city council selection of local judges, my distinguished colleague from Oregon has graciously agreed to accept an amendment, which I shall propose if the pending motion is adopted, to provide for appointment of these judges by the President by and with the advice and consent of the Senate.

Having granted home rule, Congress will still retain residual authority to govern the District of Columbia. It is high time, however, that we turn over the day-to-day responsibilities of government to the citizens of this great city. For Congress to act as mayor and city council is needlessly time consuming and diverts its attention from more nationally urgent and pressing problems.

For these reasons, and with some reservations as to some features of the bill, I nevertheless support the Morse amendment, and I therefore urge the Senate to approve the pending motion.

Mr. RUSSELL of Georgia. Mr. President, I yield 8 minutes to the Senator from West Virginia [Mr. BYRD].

Mr. BYRD of West Virginia. Mr. President, rule XXII of the Standing Rules of the Senate provides for the invoking of cloture to "close the debate upon any measure, motion, or other matter pending before the Senate." Today, we are confronted with a most unusual situation in which a cloture motion has been signed by various Senators to close the debate upon a subject concerning which there has been no debate, that subject being the Morse amendment, or rider, to the Higher Education Amendments of 1966. The Morse rider would grant home rule to the District of Columbia.

I shall vote against the cloture motion today for the following reasons:

First. I am generally opposed to invoking the gag rule in the U.S. Senate except when the Nation's welfare or security may be involved.

Second, I am unalterably opposed to invoking the gag rule to close debate when there has been no debate.

Third. I am opposed to attaching a home rule amendment to this important bill involving higher education, thus jeopardizing the chances of final enactment of the education measure.

Fourth. I am opposed to the home rule rider because I believe that home rule is not in the best interests of the Nation's Capital.

The legislative issue we have before us today is in the classic tradition of rider amendments. We have, first of all, the bill entitled the Higher Education Amendments of 1966. This is a good bill, a much needed bill that has already been passed by the other body.

Our second element is the amendment the senior Senator from Oregon proposes to attach to the education bill. This amendment would grant home rule to the District of Columbia. It would be difficult to conceive of two more totally unrelated pieces of legislation. For reasons that I shall discuss in some detail in a few moments, I am opposed to home rule, but the point I want to make now is that I am particularly against the use of this method to attempt to secure its adoption.

Though I am against home rule, I do not deny its very considerable significance as a matter of public policy. It is, indeed, this very significance that makes it all the more important that self-government for Washington be considered—if we must consider it again—on its own merits as a separate and distinct subject.

Why is this not done? All of you in this Chamber know as well as I do the answer to this question. It has been considered on its merits several times in recent years and even during the present Congress, but home rule legislation has failed of enactment.

If it stood alone, it would meet the same fate now, as its supporters know perfectly well. In attaching home rule as a rider, the advocates of home rule are willing to jeopardize the widely supported and most deserving Higher Education Act amendments bill by introducing a completely irrelevant issue that this Congress has already rejected.

The problem of legislative riders is not new; their use, in fact, is just about as old as representative government itself. They may be time honored, but this is about the only honor they deserve as a legislative technique.

Robert Luce in his book "Legislative Problems" tells us that the term "rider" was naturally suggested by horsemanship—a legislative amendment carried through by another measure as a man is carried on a horse's back.

In England, by the time of the Stuarts in the 17th century, riders were attached to bills in Parliament as the House of Commons began to assert itself against the Crown. Under Charles II riders were hooked onto bills of supply. In 1700 Commons attached an amendment for the appointment of certain commissioners to a land-tax measure. This distressed King William III, who nevertheless was forced to give his reluctant assent. He then prorogued Parliament and wrote to a friend that "this has been the most dismal session I ever had."

The use of riders was not unknown in the American colonies. In 1754 the Virginia House of Burgesses linked an amendment to send an emissary to England to a bill providing for the protection of the colony against the French. The council refused to approve the measure with the rider, and the House of Burgesses would not yield. To the disgruntlement of the Governor the expedition had to be abandoned.

Riders in the Legislature of Maryland led to the insertion of a section in the colonial constitution of 1776 which read, in part:

> That the Senate may be at full and perfect liberty to exercise their judgment in passing laws . . . the House of Delegates shall not, on any occasion, or under any pretence, annex to or blend with a money bill, any matter, clause, or thing, not immediately relating to, and necessary for the imposing, assessing, levying, or applying the taxes or supplies, to be raised for the support of government, or the current expenses of the State.

After the adoption of the Constitution, many States took note of the problem of riders, especially with reference to appropriation bills, as they drafted their own constitutions. Delaware, in 1792, was among the first when it directed that no clause not immediately relating to and necessary for raising money could be attached to a revenue bill. The New Jersey constitution of 1844 contained a provision stating:

> Every law shall embrace but one object.

A couple of years later the New York constitution incorporated a statement declaring that private and local bills should not contain more than one object. Wisconsin shortly followed the New York pattern. Within the next few years Iowa, California, Ohio, and Indiana also adopted some restrictions on riders, as did many other States.

The foregoing is by no means a comprehensive history or cataloging of State actions taken to counter the use of legislative riders. I have mentioned these examples solely to point out that the American colonies, and later the States, were quick to recognize the problem and potential danger in the unlimited use of riders and to take the steps they thought best suited to control them.

Although riders were very rarely employed during the early years of Congress, their use became common practice after the Missouri Compromise of 1820. Stirred by the slavery issue, the Senate coupled to the bill to admit Missouri as a slave State an amendment to admit Maine into the Union. True, the question of statehood was common to both, but the issues involved and the relative merits for statehood for these two regions were not all comparable. Separate bills were eventually introduced, passed, and sent to the President, but the potential coercive power of this sort of rider has been abundantly demonstrated.

By 1835 John Quincy Adams, concerned about the delays caused by riders hung on money bills, suggested that these bills be kept free of all amendments not dealing with appropriations. Proposed rules changes to achieve this objective were not then adopted.

The use of riders continued to increase. Many of them were inspired by the slavery issue, and many more, after the Civil War, arose from the problems of Reconstruction. President Hayes, for example, vetoed many bills in 1878 and 1879 because the Democrats had attached to them riders opposing the new Federal election laws and the use of the Army to enforce them. In a veto message dated April 29, 1879, President Hayes wrote:

> The public welfare will be promoted in many ways by a return to the early practice of the Government and to the true principle of legislation, which requires that any measure shall stand or fall according to its own merits.

These words seem to have had little effect. Riders continued to be used. In 1915 Senator Charles S. Thomas of Colorado, declared:

> I think I am within bounds when I assert that fully fifty per cent of the objectionable legislation of Congress is in the form of riders or amendments that are not germane to the titles of the bills to which they are attached.

This, he went to say, is a great abuse of legislation.

These words, too, fell on deaf ears. In the 65th Congress—1917–19—296 legislative proposals were attached to appropriations bills, despite Senate rules to the contrary. In the next Congress, 1919–21, 223 such legislative proposals were enacted as riders.

The Corrupt Practices Act of 1925, submitted by Senator Walsh of Massachusetts, rode into the statutes on the back of the Post Office appropriations bill. In 1946 the present senior Senator from Oregon attached to the tidelands oil bill an anti-poll-tax measure already approved by the other House. This made the package so unacceptable to a large number of Senators that both measures were eventually dropped.

We must not permit this to happen to the Higher Eduation Act amendments to which the advocates of home rule now wish to annex the Morse amendment.

In recent years we have seen major legislation in the civil rights area enacted into law through the use of riders. In 1959 the life of the Civil Rights Commission was extended for 2 years by a rider attached to the mutual security appropriation bill. The next year the Senate Judiciary Committee was bypassed when a comprehensive civil rights bill was tacked onto a bill already passed by the other body dealing with the leasing of an unused building to serve as a temporary school for the town of Stella, Mo. Again in 1961 the life of the Civil Rights Commission was extended when a rider was attached to the appropriations bill for the State and Justice Departments and the Federal judiciary.

A few months after he had taken office in 1945, President Harry Truman found on his White House desk a bill to adjust the wartime financial operations of the Government to peacetime conditions. He strongly favored this measure; but attached to it as a rider was a provision to break up the U.S. Employment Service into 51 separate State and territorial systems. This he could not approve.

Reluctantly he was forced to veto the bill. His veto message contained these comments:

> It seems clear to me that a matter of such grave importance as our public employment system deserves not only permanent legislation, but legislation carefully and separately considered. . . . The present bill directly violates that principle. I am obliged to withhold my approval to some very excellent legislation because of the objectionable practice which has been followed in attaching this rider which I cannot possibly approve.

There is in these words and in my sketchy review of the use of riders a lesson for all of us. It is in the nature of riders that they often force Congress to try to reconcile the irreconcilable, to rationalize the irrational. This is exactly the position we shall find ourselves in if the home rule amendment is fastened to the higher education amendments.

Both of these issues are important, but they share no points of contact. To attempt to discuss or consider them together is to make a mockery of the entire legislative process.

But more is at stake here than an abstract principle of what constitutes good legislative practice. Important questions of public policy are also involved.

First, there is the bill now before us, the higher education facilities amendments. Here is legislation of such generally recognized significance and widespread support in Congress that it easily and quickly was passed by the other body. It would extend all three titles of the Higher Education Facilities Act of 1963 and title III of the Higher Education Act of 1965.

The bill provides for a continuation of construction of both graduate and undergraduate facilities and extends the authorization for funds to help strengthen the developing institutions program incorporated in the 1965 law.

This is the bill I want to save. But this bill needs no detailed explanation or defense by me, and it is not the bill I am going to talk about.

The second issue of public policy—one that really disturbs me—is the proposed Morse home rule amendment to the education bill. I am opposed to home rule for the District of Columbia on a number of grounds, and I am particularly opposed to the methods now being used in an effort to secure its adoption. Other Senators and I have many times in the past expressed the reasons for opposition to self-government for the National Capital. Apparently it is now necessary to do so again.

Any discussion of home rule must begin with its constitutional and legal setting. This is much-worked ground, and I do not intend to labor for long in it.

Article I, Section 8 of the Constitution states:

> Congress shall have Power To . . . exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States.

Home rule combatants have generally construed this section to suit their own purposes. To the strict constructionist, antihome rule forces, it is an insuperable barrier to self-government for Washington that can be breached only by an amendment to the Constitution. At the other extreme are those who regard it as clearly authorizing Congress, while continuing to hold ultimate authority, to delegate sufficient power for home rule by enacting a city charter.

I hold to the middle ground. I think Congress can constitutionally delegate enough of its authority to establish a home rule government but does not have the slightest moral obligation to do so. We must remember that the District did have one form or another of home rule government for more than 70 years. It was brought to an end in the 1870's by Congress after it had degenerated into a political and economic fiasco. It was at that time that the present commission form of government, which on the whole has worked well for Washington, was brought into being.

Inasmuch as the Constitution neither commands us to grant home rule nor prohibits us from doing so, we must seek other criteria when we consider the home rule matter. When we do this, the answer seems to me to come through loud and clear.

The most compelling reason why Congress must continue in its present role as the governing body of the District lies in the simple fact that Washington is the National Capital.

It is the only city in the United States in which every American citizen has an equal stake. It belongs as much to the family from Seattle or Cleveland or New Orleans as to its lifelong residents.

By its very nature Washington is a unique city. There is no other like it in either political status or symbolic importance to the people of this Nation.

Home rule advocates are forever telling us that the capital cities of all the 50 States govern themselves, that all of our other great cities have home rule, and that even the smallest villages elect their own mayors and councilmen.

All of these statements are as true as they are irrelevant. Washington was not created for any of the reasons which gave birth to any other city. It has grown and developed in its own way which is not the way of other American cities. It has been shaped by forces which have not touched other cities. Its entire reason for being, the sole purpose for its existence, is today, as it has always been, completely different from the other metropolitan centers of the United States.

Washington houses much of the physical plant of the U.S. Government, which owns well over 40 percent of the land in the District.

This fact alone would be enough to make it the Federal City, to give it a distinctive position, and to make it the object of special concern and responsibility for all of us in Congress.

We cannot continue to fulfill this responsibility if we yield control to a locally elected government, no matter how sincere or dedicated in its purpose such a government might be.

As the National Capital, Washington must develop and project other special features which make it a city apart. It must be a cultural leader; it must be a city of great physical beauty; it must be a center of ideas and learning. It must command the respect, not only of our own people, but of the entire world.

It must also be as representative as we can make it of all the hopes, aspirations, and dreams of the American people. It must reflect as closely as possible the greatness, the complexity, and the diversity that are the strength and the character of the United States.

These are lofty goals, perhaps never fully attainable, but certainly worth striving toward.

These are also national, not local, objectives. Their pursuit is overwhelmingly a national responsibility, in other words, a responsibility of Congress.

A locally elected government cannot and should not look at its problems primarily in national terms. Yet the government of the city of Washington must always be conducted with the interests of the Nation in mind.

Only Congress is qualified to view this city through this frame of reference. Only Congress is in a position to see this city in its proper perspective. The city that belongs to the Nation must be governed by the people who are elected by the Nation. This, of course, means Congress.

The PRESIDING OFFICER. The time of the Senator from West Virginia has expired.

Mr. RUSSELL of Georgia. I yield 2 additional minutes to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, supporters of home rule repeatedly tell us that Congress is overworked and that its burden could be eased if it were to turn over the government of the District of Columbia to locally elected officials.

Again, I agree with the facts of these people, and again I point out that their conclusion is irrelevant. Congress has no right to ease its own workload or save its own time at the cost of neglecting or delegating to someone else the tasks that it should do.

I take very seriously my duties as chairman of the subcommittee which handles the District appropriation. This job demands a lot of time and lot of work, but I regard it not as a burden but as a position of honor and importance.

The argument that home rule would remove an oppressive weight from Congress assumes that the government of the District is strictly a local matter. I hope I have shown that this is not true. It is a matter of national concern, and therefore the legitimate business of Congress.

With his characteristic candor and sense of fairness, the senior Senator from Oregon let it be known at least as long ago as the middle of last July that he intended to attach a home rule rider to the higher education amendments bill. We were forewarned; the question at this time is: Are we adequately forearmed?

We now have the Morse amendment before us for our decision. It calls for a somewhat watered-down version of the administration home rule bill of last year. Presumably, these changes are designed to make it more palatable. One revised feature would base the Federal payment on 25 percent of the funds raised by the city through taxes. The original bill called for an automatic Federal contribution based primarily on taxes lost due to the extensive Federal property holdings in the District. Another revision provides for nonpartisan elections and certain other departures from the original bill as introduced last year.

These are changes in the right direction, but they do not, of course, get to the heart of the matter. It is still a home rule bill providing for an elected local government, and as such it is wholly incompatible with the status of Washington as the National Capital and with the responsibilities of Congress toward this city.

The use of the rider technique is always a confession of weakness. In this case it is also a great misfortune. For many in this body it creates a serious dilemma for which there is no really satisfactory solution. This dilemma will be intensified if the amendment is approved.

But if we defeat this amendment, we shall not only escape the coercive pressure of this dilemma but also reaffirm our faith in established legislative procedures. We shall then be able to judge the education measure solely on its merits, and surely legislation of its importance is entitled to our undivided attention.

Let everyone in this Chamber fully understand the crucial nature of the vote we are about to cast. If cloture is invoked, to those who think that a yea vote on this rider may be a cheap and easy way to get two laws for the price of one, let me say this: approval of this amendment may very well mean the loss of both bills.

In any event, were both proposals to be finally enacted, the Congress would have made a serious mistake in granting this measure of home rule to the District of Columbia. I have no objection to a nonvoting delegate to the House of Representatives, but the Senate will have made a grievous error if it invokes cloture and enacts the home rule amendment before us today.

Not only will the Senate have set a very dangerous precedent in invoking cloture to close debate before any debate has transpired, but, if Congress restores home rule to the District of Columbia, Senators will rue this day. Variations of District of Columbia home rule have been tried and have proved to be unwise, and as one who has been chairman of the Senate Appropriations Subcommittee on the District of Columbia over a period of the past 6 years, I have come face to face with education, health, welfare, crime, and financial problems confronting this city which make more unwise than at any time in the past the granting of home rule to the Nation's Capital.

We have no right to gamble in this way with the higher education amendments. We must not permit the home rule rider to become a part of this bill. We must not, to paraphrase Mark Twain, permit ourselves to get hitched up to a train we do not want to pull.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield 2 minutes to the distinguished senior Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I have always voted for home rule for the District of Columbia, but I am against cloture today, because I believe it is in the best interests of Congress to conclude the business of this session promptly and because the Senate has already passed a home rule bill.

I shall vote against attaching home rule for the District of Columbia to the vital bill for higher education, a bill which affects millions of our youth throughout the country. Both bills are fundamental. Both bills are of such importance that they should and must be considered separately, and upon their individual merits. Home rule cannot be tacked on as an amendment to a bill on education that is of vital importance to thousands and millions of our future citizens.

Mr. MORSE. Mr. President, I yield myself 3 minutes.

Several Senators who are coming from the airport to the Capitol to speak in support of the amendment have sent messages through their offices that I must speak for them until they arrive. There is not much time left, but I do want to make a very quick and respectful reply to my friend from West Virginia. I must say that I respectfully disagree with almost all the major premises laid down in his speech. Let us cover a few of them.

First, does Congress have the constitutional legal power to grant home rule to the District of Columbia? Mr. President, that has been tested in the crucible of the courts, and there is no question about our legal power, so long as we make it perfectly clear that we recognize a retention of the basic constitutional right of Congress over the District of Columbia; and my bill does that. All six times we have passed a home rule bill, we have done that.

Of course, we have the right, as a Congress, to intervene in case corruption or malfeasance or bad government develops in the District of Columbia, because of the Federal interest. That is recognized in my bill.

Second, let us take up the issue as to whether or not home rule is warranted on the merits. Contrary to my friend from West Virginia, we have, as he says, tried it; but let us compare the type of legislation we have recently passed, and the modified legislation that I offer today, with the home rule of 70 years ago which resulted in such corruption in government in the District of Columbia that Congress, exercising its residual power, eliminated home rule.

This bill of mine provides for an elected mayor. It provides for an elected school board. I was advised by the District officials Saturday that at least 90 percent of the boys and girls in the public schools of the District of Columbia are colored. Yet in this debate, there are those who would leave the impression that the Negroes are not concerned about our denial of self-government to them. We do not even let the parents of those 90 percent of the schoolchildren of the District of Columbia who are colored vote to elect their own school board. The Members of Congress, acting as aldermen, impose government upon more than 800,000 people in the District.

I proceed to the next point in our bill—not in the bill of 70 years ago—the provision for referendum, whereby the people of the District of Columbia are given a precious check upon the operation of their government.

I come from the State that created what is known as the Oregon system of initiative, referendum, and recall—providing a really direct democratic check by the people upon the administration of their government. That system prevails also in many of the municipalities in my State.

Mr. President, there is no comparison between the bill we are offering and the home rule of 70 years ago, for 70 years ago the people of the District of Columbia did not have the checks that are indelibly written into the home rule bill before the Senate this morning.

Lastly, Mr. President, we are not gagging the Senate, unless Senators can say that they have not studied the home rule issue up and down and crosswise for these many years in which we have dealt with the issue in the Senate, and passed six home rule bills.

On the merits, Mr. President, I happen to think we have exhausted discussion of the pros and cons. We have ahead of us an adjournment date. We are confronted by a parliamentary situation. I think, in view of some of the sad votes that have been taken in this Congress on civil rights, we ought to close in a blaze of glory, protecting the civil rights of this country by making this a civil rights vote—which it is in part—that will rectify what at least I think are some of the shortcomings of this session of Congress in facing the issue of civil rights.

Mr. RUSSELL of Georgia. Mr. President, I yield 1 minute to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, in the years I have served in the Senate, I have only voted for cloture one time, and I stated then that I hoped it would be the last time. I have always felt that this should be the last representative body is the world where the gag rule would be applied.

At the time I voted for cloture, we were considering the communications satellite legislation. On the final vote on this piece of legislation only 11 Senators were opposed to it. Only 11 Senators were involved in the filibuster at that time. As I recall it, that filibuster continued for about 5 weeks.

I will never forget the guilty feeling I had day after day after the cloture motion had been invoked when Senators criticized us for what they called an imposition of the gag rule. We had debated the matter for a long time.

We are confronted today with an amendment which contains 107 pages, affecting home rule for the city of Washington, D.C.

I never saw the 107 pages until today.

We are supposed to pass upon this matter with approximately 1 hour of debate. It is unprecedented in the history of the U.S. Senate.

Mr. MORSE. Mr. President, I yield 3 minutes to the junior Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes.

Mr. KENNEDY of New York. Mr. President, I strongly support the effort for home rule that has once again been made in the Senate.

It is extremely important that the residents of the District of Columbia finally be permitted to select their own government officials. It is extremely important that those who have positions of responsibility within the government of the District of Columbia are responsive to the wishes and the will of the people who live here, who send their children to the District of Columbia schools, and who reside, work, and play in the District of Columbia.

Another 2 years have passed without granting this most basic U.S. right to the people of the District of Columbia.

The people of the District of Columbia should have the right to vote. They should have the right to choose their officials. The government officials should know that they must answer to the people of the District on whether they meet their responsibilities. They must be held accountable to the people of the District of Columbia for using their judgment, exercising their functions, and carrying out their responsibilities.

I commend the senior Senator from Oregon on the effort he has made. The time has long passed when we should have granted this basic right to the people of the District. We would not tolerate a situation in which the people in any other part of the United States were deprived of this right.

The basic right to vote and to participate in political affairs is taken for granted in every other part of the United States.

The same should be true in the District of Columbia.

I support this measure.

Mr. MORSE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Oregon has 4 minutes remaining.

Mr. MORSE. Mr. President, I thank the Senator from New York [Mr. KENNEDY] for his statement.

I yield 3 minutes to the distinguished senior Senator from New York.

The PRESIDING OFFICER. The senior Senator from New York is recognized for 3 minutes.

Mr. JAVITS. Mr. President, we have talked for a very long time about giving the District home rule. There has been literally a cry for justice in the District and a demand that they have home rule.

This situation is compounded for the whole Nation by the acknowledged fact that such a heavy proportion of the population of the District consists of Negroes.

Mr. President, it seems to me that some things ultimately get accepted here. One of them is that Negroes should have the right to vote. Interestingly enough, even those who were most strongly against the measures we passed with respect to other rights, and filibustered them, always have said, "Certainly, there is no objection to that. Every American should have the right to vote."

Mr. President, a vote must be a meaningful vote. The right to vote is not very meaningful if it is the right to vote—as is the present case in the District of Columbia—for the presidential ticket every 4 years, without the right of self-government on the part of the residents of the District.

It seems to me that this is part of the higher reform which has been accepted as the consensus in the last 13 years.

We seem to have agreed upon this one fact—that Negroes should be entitled to vote. If they are going to be entitled to vote, then they should have a meaningful right to vote.

Washington is a city, just as is every other city. There are deep injustices built into this city.

As everybody knows, one can walk a few blocks beyond the Capitol and see ghettoes which would make us ashamed if they existed in Harlem or in Bedford-Stuyvesant which are supposed to be such tragic examples of deprivation of the rights of people in our Nation.

It may be that the city of Washington—like New York and other cities—can do nothing about it. It may be, but I do not think so.

The people of the District can at least try. They can at least have the feeling that they are trying to do something for themselves.

I cannot see any other way to do that than by giving them the right to govern themselves and deal with their tax moneys themselves in an effort to correct the existing conditions.

In terms of responsibility, the century-old deprivation of rights has resulted in a very grave problem of leadership and representative government in a democracy as far as the American Negroes are concerned.

It is precisely in such a situation that that type of leadership and responsibility and admirable demonstration project can prove what it means to vest authority and responsibility in a people who have been deprived of it for so long. It can be most effective and helpful to the people of the United States.

Mr. President, I urge for all these reasons that home rule for the District is long overdue and that the cry of justice should be at last answered in a practical way in the Senate.

Mr. MORSE. Mr. President, I yield 1 minute to the Senator from Alaska.

HOME RULE—SUBJECT FOR THE AGES

Mr. BARTLETT. Mr. President, residents of Washington have repeatedly asked for more home rule, for extension to the District of at least the minimum rights of self-government, but these pleas have gone unheard.

It is grievous to contemplate that right now when we as a nation are so concerned with freedom of peoples all over the world and democratic aspirations of those peoples that we so blindly overlook something that ought to be of much more intimate concern—the rights of American citizens living under the American flag on this very continent.

Mr. President, except for substituting references to the District of Columbia for references to the Territory of Alaska, I have just quoted from a statement I made in the other body on November 19, 1945.

On June 30, 1947, I said:

> As one who has spent a lifetime in an area without home rule, I should like to say to you that the quality of citizenship is sadly diluted for those Americans who are obliged to live under territorial government. Powers of home rule which ought to be theirs as a matter of right are long and even continually denied and essential powers of government are retained by Congress. Always in the last analysis we must depend upon decisions made at the distant capital by those who may not be well equipped to make those

> decisions, on matters of vital concern to us. That is not in the American tradition

And on January 23, 1950, I stated:

> Americans do not like that kind of a situation to continue for too long, wherever they may be. They want a voice in the making of their laws. They want to be real Americans, complete Americans, not halfway Americans as the Alaskans are today.

Mr. President, with minor changes, those statements are as true today of the situation in Washington, D.C., as they were of the situation in Alaska and Hawaii when I made them.

I do not quote these statements under the misconception that my words are of universal and permanent importance. My purpose is to demonstrate that the subject of my remarks, not the words, is of permanent importance.

The timelessness of the subject was stated for the ages long before I happened on the scene. The statement is on record—in the Archives. The statement was part of the document which launched this great and continuing experiment in democracy. The words are simply "that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

In this Nation the consent of the governed is expressed on election day when people select and give certain powers to their representatives to local, State and Federal governmental bodies. Mr. President, I think it is clear that one important reason for this Nation's enduring form of government is that through elections we have institutionalized a peaceful way to exchange power.

Perhaps the institution of home rule for the 13 colonies is too distant from the present to permit us today to appreciate fully the benefits of the decision to form a new government based on the consent of the governed. However, home rule for Alaska is still recent history, and the progress made since statehood is there for all to see who would doubt the benefits of home rule.

Alaska's population is growing at the second fastest rate in the Nation, a growth which was not occurring and, I believe, would not have occurred had Alaska remained a territory.

Perhaps the most easily recognized benefit from statehood is the growth in the Alaska salmon industry, which, under Federal control, was being reduced to extinction because of a lack of proper conservation measures.

The senior Senator from Oregon has offered an amendment to the pending legislation for home rule for Washington to the higher education bill, already approved by the House. I support this move and hope the Senate will be given an opportunity to work its will on this question. More importantly, the Senate should approve the home rule rider to give the House an opportunity to vote yes or no on a meaningful home rule bill.

Mr. President, I have read and listened to numerous arguments against home rule for the District of Columbia, and quite frankly many of the arguments are, in reality, arguments against local government in any city. Politics, corruption and waste is feared if residents of Washington get home rule. Yes, there is a chance for all that to happen, but there is a chance of that happening in any city in the country, in any State in the country, in the Federal Government and in any country in the world.

It is also argued that inasmuch as Washington is the Nation's Capital it should be under national control. That might be true if there were only Federal buildings and monuments in the District. That might be true if there were no people living in the District, but there are and they deserve the same opportunity to give their consent to local government as other citizens of the United States.

It never ceases to amaze me that some of the most vocal opponents of home rule are also strong believers in so-called States rights and object to what they describe as a Federal takeover.

Mr. President, let us make no bones about this issue. We can argue all day about the danger of local government, about the special nature of a Federal City and about whether elected representatives from other sections of the Nation should spend their time as city councilmen, but the real issue is whether or not we believe that governments should derive their just powers from the consent of the governed.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. RUSSELL of Georgia. Mr. President, nothing could indicate more completely the travesty of parliamentary process proposed here today than the fallacious arguments made on this issue.

The distinguished author of the amendment, the senior Senator from Oregon, and the senior and junior Senators from New York have undertaken to make this matter wholly and totally a racial issue. They say, Mr. President, that it is time that something should be done for the Negroes in the District of Columbia.

Mr. President, the issue of local competing government in the District of Columbia has been an issue for more than 100 years. It was an issue here when there were two whites for every Negro in the District of Columbia.

The Senator from Oregon wept because the Negroes of the District cannot elect their own school board because they are now in the majority in the District.

Where was that voice when there was a majority of white people in the District? They had no right to vote for the election of a school board but none of these great civil rights advocates raised this issue when the supposed rights of a white majority were involved.

This measure is brought in here as a civil rights bill when the racial issue can be raised. But when the white people of this community were in the majority and were deprived of all these rights that are described in this debate, I did not hear any of this argument made. It was not contended that this was a civil rights issue.

Mr. President, I have never seen such complete obsession with the racial issue as that which has been evidenced in this argument here.

In my judgment, it is an insult to the intelligence of the Negro population of the District of Columbia. It is one thing to get up in the Senate and say that we ought to do this because the people who live in the District are entitled to it, but it is entirely another thing to say we ought to do it because the population in the District of Columbia has changed and we ought to grant the power of local government at this time when we should not have granted it 14, 15, or 20 years ago when there was a majority of white people in the District of Columbia.

This is outright advocacy of racial discrimination in reverse.

Mr. President, you cannot fairly make it a racial issue against those of us who have been opposed to competing government in the Federal area for 34 years, as I have been—there were two whites here for every Negro when I came to the Senate. From the arguments I have heard, it seems to me that those who are trying to make political hay on this matter are on the other side of the racial issue and have brought the matter in here saying that it was a civil rights question to curry favor with Negro votes rather than to stand squarely on the justice of their case.

After all of this political obfuscation has been lifted and floated away, I hope that there will be a U.S. Senate. I hope it will be a U.S. Senate that will have enough courage to reject arguments of this kind.

The Senator from Oregon mentioned the constitutional issue—and he is an able lawyer—but under the procedure he proposes all of these grave issues must be settled after 3 or 4 minutes' debate.

It is a perfectly ridiculous parody on Senatorial procedure. This, Mr. President, is a precedent that will destroy the Senate of the United States, not only as a deliberative body but also as a legislative body if the Senate is so thoughtless as to adopt it.

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Senate will now vote on the pending cloture motion.

The pending question is, Is it the sense of the Senate that debate on the amendment of the Senator from Oregon [Mr. MORSE] to H.R. 14644, Higher Education Amendments of 1966, shall be brought to a close?

Under rule XXII, the clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 292 Leg.]

Aiken
Bartlett
Bass
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cotton
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Morse
Morton

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Moss
Mundt
Murphy
Muskie
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH] and the Senator from Idaho [Mr. CHURCH] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arizona [Mr. HAYDEN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Wisconsin [Mr. NELSON] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senator from Michigan [Mr. GRIFFIN], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], the Senator from Vermont [Mr. PROUTY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The VICE PRESIDENT. A quorum is present.

Under rule XXII, a yea-and-nay vote is required.

The pending question is, Is it the sense of the Senate that debate on the amendment of the Senator from Oregon [Mr. MORSE] to H.R. 14644, the proposed Higher Education Amendments of 1966, shall be brought to a close?

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. YARBOROUGH (when his name was called). On this vote I have a pair with the distinguished senior Senator from Mississippi [Mr. EASTLAND]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. BASS (when his name was called). On this vote I have a live pair with the distinguished Senator from Mississippi [Mr. EASTLAND]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH] and the Senator from Idaho [Mr. CHURCH] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arizona [Mr. HAYDEN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Wisconsin [Mr. NELSON] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Oklahoma [Mr. HARRIS], the Senator from New Mexico [Mr. MONTOYA], the Senator from Wisconsin [Mr. NELSON], and the Senator from Indiana [Mr. BAYH] would each vote "yea."

On this vote, the Senator from Illinois [Mr. DOUGLAS] and the Senator from New Hampshire [Mr. MCINTYRE] are paired with the Senator from Nebraska [Mr. CURTIS] If present and voting, the Senator from Illinois would vote "yea," the Senator from New Hampshire would vote "yea," and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Montana [Mr. METCALF] and the Senator from Alaska [Mr. GRUENING] are paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Montana would vote "yea," the Senator from Alaska would vote "yea," and the Senator from Texas would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senator from Michigan [Mr. GRIFFIN], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], the Senator from Vermont [Mr. PROUTY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New Hampshire [Mr. MCINTYRE] and the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the Senator from Nebraska would vote "nay" and the Senator from New Hampshire and the Senator from Illinois would each vote "yea."

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from Alaska [Mr. GRUENING] and the Senator from Montana [Mr. METCALF]. If present and voting, the Senator from Texas would vote "nay" and the Senator from Alaska and the Senator from Montana would each vote "yea."

The yeas and nays resulted—yeas 41, nays 37, as follows:

[No. 293 Leg.]

YEAS—41

Aiken
Bartlett
Boggs
Brewster
Burdick
Case
Clark
Dirksen
Dodd
Dominick
Fong
Hart
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Mondale
Morse
Moss
Muskie
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Symington
Tydings
Williams, N.J.
Young, Ohio

NAYS—37

Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Ellender
Ervin
Fannin
Fulbright
Gore
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Lausche
Long, La.
McClellan
Miller
Monroney
Morton
Mundt
Murphy
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—22

Allott
Anderson
Bass
Bayh
Church
Cooper
Curtis
Douglas
Eastland
Griffin
Gruening
Harris
Hayden
Jordan, Idaho
McIntyre
Metcalf
Montoya
Nelson
Pearson
Prouty
Tower
Yarborough

The VICE PRESIDENT. On this vote there are 41 yeas and 37 nays.

Under rule XXII, two-thirds of the Senators present and voting not having voted in the affirmative, the motion is rejected.

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, by its vote on cloture the Senate has demonstrated and decided that it does not choose to proceed on the issue of home rule in this manner at this time.

In view of the Senate's overwhelming passage of past home rule bills, I do not interpret this vote as lessening in any way the Senate's conviction, already expressed, that self-government is appropriate for the District of Columbia.

But the Senate is now faced with a protracted debate on this amendment at this 11th hour of the 89th Congress. The vote on cloture demonstrates beyond any doubt the utter futility of this effort at this time, as noble as it may seem and as hard as it has been worked for.

As the Senator from Montana I have supported home rule. There is no question in my mind that the people of this city are entitled to the same fundamental right to an elected governing body that is enjoyed by every other American. So I have urged the adoption of every District self-government proposal which has come before this body.

In a few moments I shall move to table the pending amendment. I will do so must reluctantly as the Senator from Montana, but by necessity as the majority leader. The circumstances leave me no choice. I am confident that those who are interested in home rule legislation will renew their efforts early next session.

The action I take today will not diminish that effort or reduce the desire for its enactment.

Mr. President, I send to the desk a motion and ask that it be read but, first, I yield to the Senator from Rhode Island [Mr. PASTORE].

Mr. PASTORE. Mr. President, I listened very attentively to what the majority leader had to say. I think it is fair for me to presume that if he proposes the motion to lay on the table, in all probability he intends to vote in the affirmative, although he already voted for cloture.

Am I correct in that presumption?

Mr. MANSFIELD. The Senator is correct.

Mr. PASTORE. Does this necessarily mean we are sounding this afternoon the death knell of home rule for the District of Columbia?

Mr. MANSFIELD. I would hope not, and I should say no, because I feel quite certain, as in the past 5 or 6 sessions of this Congress, that a home rule bill will be reported out of the District of Columbia Committee, considered by the Senate, and I would assume the Senate would follow the precedent it set on six previous occasions, and vote overwhelmingly for such a measure.

Mr. MORSE. I want to say, Mr. President, as a lawyer, that when the court hands down a decision against me, I abide by that decision long enough to take my appeal to a higher court. We will appeal the case under the legislative process in the next session of Congress. I have no doubt that the able chairman of the District of Columbia Committee, the Senator from Nevada [Mr. BIBLE] will be introducing again a bill on behalf of the President, come January; and that I will have the privilege—as I had on the last bill—to be one of its cosponsors.

I also have no doubt that the administration will continue to press for home rule in the District of Columbia.

Let me say respectfully and good naturedly that I think the record vote just made in the Senate shows the need to adopt a resolution which I first introduced in 1946, and which I have introduced every session since, calling for a modification of rule XXII by permitting a majority to determine the legislative processes of the Senate, and permitting a majority to close debate after a guarantee, under the provisions of the Morse resolution, of time to debate the merits.

I shall reintroduce that resolution, come next January. I hope, at long last, at the next session of Congress, that the Senate will not only repass a home rule bill but will also, for the first time, pass a modification of rule XXII which will permit the ending of debate by a majority vote. If we had had that rule this morning, the majority which voted for my amendment—but not a two-thirds majority—would have closed debate and we would have been able to get on with the legislative process.

Mr. RANDOLPH. Will the Senator yield briefly to me, then?

Mr. MANSFIELD. I yield.

Mr. RANDOLPH. Mr. President, I wish to reinforce the words of the Senator from Oregon [Mr. MORSE] in reference not only to the subject matter with which we deal today but also with the subject of a majority of Senators, rather than two-thirds of Senators present and voting, allowing the Senate to work its will on legislative measures.

I advocated this majority rule rather than a two-thirds rule before I came to the Senate, and I have not altered my position since I became a Member of this body.

I shall wish to be counted as one of those favoring the rule of a majority to act on legislation in the Senate, rather than spending countless hours in sterile debate of a parliamentary motion. If the Senate has a bill, an act, or an amendment to debate, and a majority wishes to vote on such legislation—whether it be to vote for or against it—then the majority should be allowed to work its will.

Mr. President, each Member of this body comes here on the basis of a majority of the votes of his State, not necessarily two-thirds of the voters having approved of his selection. This is a nation of majority rule, and that principle should be applied to Senate action on legislative matters.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, it is 20 years ago that I introduced the first home rule bill in the House of Representatives. Obviously, it was unlike the bill which is presently before us, or at least engaging the attention of the Senate.

Since that time, we have voted on home rule in the Senate in the 81st Congress on May 31, 1949; in the 82d Congress, on January 22, 1952; in the 84th Congress, on June 24, 1955; in the 85th Congress, on August 6, 1958; in the 86th Congress, on July 15, 1959; and in the 89th Congress, on July 22, 1965.

What happened was that the House was unable to come up with a home rule bill except by means of a discharge petition which secured the necessary names on September 29, 1965. The House passed it, and then the Senate asked for a conference on April 5, 1966. The House conferees were never appointed.

That is the whole story.

I propose to support the majority leader in his motion to table.

Let me say to the Senate, particularly to my colleagues on this side of the aisle, that the majority leader did not urge me to sign the cloture motion. I signed it of my own free will and accord because, having introduced home rule bills before, and having voted a good many times, it did not make any difference to me because my primary concern was to get the Senate buttoned up and out of here.

There will be a meeting later this afternoon to see whether we cannot really bring that about. I think we owe something to one-third of Senators who are out on the hustings campaigning. The Senate will note that there were 24 absent Senators on the vote on motion for cloture. The list will grow longer. The Senate is no longer quite the deliberative body it was. I think the time has come to pull down the curtain and go home. There will be another Congress in January of 1967.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I think what has happened here today will guarantee a fight on rule XXII at the next session of Congress, because in its present form it is lethal in its effect. It was talked down when the civil rights bill was passed in 1964, but it is very damaging and lethal in its effect and should be modified.

I rise only to suggest—and most respectfully—to the Vice President, to the President, and to the leadership of the Senate on both sides of the aisle, that the situation in which the Senate found itself by the rules of the previous Vice President, now the President of the United States, leaves it in a state of complete frustration and doubling back on itself and required to enforce rule XXII instead of amending it.

I believe that the whole country feels the need of a revision of that position right here in the Senate, or we are going to get nowhere.

For that reason—if the Senator from Montana will allow me—I ask unanimous consent to file a memorandum showing the condition in which we find ourselves, and what the judgment of one Senator is, as well as the leadership, as we make up our minds in respect of that matter, if we are to advance the Senate and handle the situation in a constitutional way.

Will the Senator from Montana allow me to do that?

Mr. MANSFIELD. It is not up to me. It is up to the Senate.

Mr. JAVITS. If the Senator from Montana will yield for that purpose.

Mr. MANSFIELD. I would not mind.

Mr. JAVITS. Mr. President, I ask unanimous consent that I be allowed to file this memorandum at a later date.

Mr. RUSSELL of Georgia. Mr. President, reserving the right to object—I understand that this will be the individual views of the Senator from New York?

Mr. JAVITS. Yes.

Mr. RUSSELL of Georgia. I have no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, I should like to have the attention of the Senate for just 1 minute.

We know what the parliamentary situation is. I am the Senator in charge of this higher education bill. We all know that the minority leader is unanswerably right. We all know that the die has been cast today, and the problem of the Senate now is to move as speedily as it can to get out of session, so that one-third of our colleagues who are up for election can go back to their States and campaign for votes.

I think that the Senate has rendered its judgment. Rather than have the majority leader present a motion to lay on the table, I should like to ask the Senate for its cooperation with the Senator in charge of the bill and to permit me to ask unanimous consent that the amendment be laid on the table, because, let us face it, there are many of us who, on a rollcall vote, would not vote to lay on the table because we would have to consistently go along with trying to get action; but we are not going to get action. It just happens to be one of the realities of the situation.

Therefore, in support of the majority leader and the minority leader, who are in a difficult parliamentary position in trying to get the Senate adjourned, I should like to have the Senate join me in supporting a unanimous-consent request which I now make—although I could do it either one of two ways—

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Mr. MANSFIELD. Do it right now.

Mr. MORSE. Mr. President, I ask unanimous consent to lay the amendment on the table.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. THURMOND. Mr. President, it is gratifying for several reasons that the Senate has seen fit not to invoke cloture on the amendment offered by the senior Senator from Oregon proposing home rule for the District of Columbia.

First, it is very unusual, if not unheard of, to attempt to shut off a debate which had not even begun.

Second, if cloture had been invoked, in all probability, the amendment would have passed the Senate. Our Founding Fathers were very wise to authorize in the Constitution the acceptance by the Central Government of a 10-mile-square area to be the seat of the Government. In that section of the Constitution, they also authorized the Congress to exercise exclusive legislation in this area. There was good reason for our Founding Fathers to make this provision; and, in my judgment, their reasoning is just as valid today as it was at the time of the writing of the Constitution.

The Central Government should have an area under its own control to serve as the seat of the Government. Congress should not be subjected to the pressures of a local government in any of its considerations, and the same holds true for both the executive and judicial branches of the Government. The District of Columbia is in a unique position, and I do not believe that there are compelling reasons to change that position at the present time.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Public Works was authorized to meet during the session of the Senate today.

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent, with the consent of the Senator from Oregon [Mr. MORSE], and the minority leader, the Senator from Illinois [Mr. DIRKSEN], that there be a brief morning hour and that there be a time limitation of 3 minutes attached thereto.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

ENROLLED BILL SIGNED

The VICE PRESIDENT announced that on today, October 10, 1966, he signed the enrolled bill (H.R. 15662) to amend the Federal Seed Act (53 Stat. 1275), as amended, which had previously been signed by the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Armed Services, with amendments:

S. 2444. A bill to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes (Rept. No. 1702).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 7648. An act to authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes (Rept. No. 1703);

H.R. 11775. An act to provide for the popular election of the Governor of Guam, and for other purposes (Rept. No. 1704); and

H.R. 11777. An act to provide for the popular election of the Governor of the Virgin Islands, and for other purposes (Rept. No. 1705).

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PASTORE:

S. 3895. A bill for the relief of Naeemuddin M. Siddiquie; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 10, 1966, he presented to the President of the United States the following enrolled bills:

S. 801. An act to improve the balance-of-payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures;

S. 3500. An act authorizing the President to advance to Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general; and

S. 3834. An act to amend chapter 141 of title 10, United States Code, to provide for price adjustments in contracts for the procurement of milk by the Department of Defense.

NOTICE OF HEARING ON NOMINATION OF LANSING L. MITCHELL, OF LOUISIANA, TO BE U.S. DISTRICT JUDGE, EASTERN DISTRICT OF LOUISIANA

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, October 18, 1966, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Lansing L. Mitchell, of Louisiana, to be U.S. district judge, eastern district of Louisiana, to fill a new position created by Public Law 89-372 approved March 18, 1966.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman; the Senator from Arkansas [Mr. McCLELLAN], and the Senator from Nebraska [Mr. HRUSKA].

PUBLIC WORKS APPROPRIATIONS SUBCOMMITTEE FACED DIFFICULT TASK

Mr. HRUSKA. Mr. President, before the conferees meet this afternoon to consider the public works appropriations bill, I wish to make a few comments. The Public Works Appropriations Subcommittee, of which I am the ranking minority member, was faced with a very difficult task this year. Since the President's budget was presented, extreme pressures have been placed upon our economy. Our subcommittee searched for areas in which spending cuts could be made and yet provide the funds needed to conserve and protect our land and water resources. We know that the lives which are lost and the property which is destroyed by floods or the erosion of our soil can never be regained. Yet the subcommittee was faced with the job of sifting the projects to establish a priority so that the most urgently needed and meritorious projects could be funded within the limited amounts allocated for this work.

The chairman of the subcommittee presented a fine report. His experience and knowledge in this area have been developed over many years and through many hours of hearings. His careful and precise study is demonstrated by the report and the action of the Senate.

The result of this work is a bill which is $186,248,800 less than last year's appropriation and $27,829,000 below the President's budget request; so that this vital work is being cut back while expenditures in other areas are increasing. I had misgivings about reducing the amounts provided for this important work because the dollars which could be saved by this action actually are being spent in programs which do not meet the rigorous requirements to which these projects must conform.

Each project which the Corps of Engineers carries out must meet these tests at several stages of development. The Committee on Public Works must adopt a resolution ordering a survey to determine if it is feasible both economically and technically. It must be approved at every level of the Corps of Engineers before Congress considers it for authorization.

Congress must determine the project to be worthy of funds at several stages. The surveys, preconstruction planning, and actual construction require individual appropriations. It is a long process. It is a process which is carried out carefully.

A similar process is required for Bureau of Reclamation projects. Once a project has met these requirements and construction has begun that work must be done economically and in an orderly fashion. Thus, many of the projects funded by this bill are being kept on track so that the many years of the work are not lost through inaction.

In other programs which we are asked to fund no cost-benefit ratio is determined. Individual projects are not given such long and careful examination. The process of assigning priorities used for public work projects should be applied in other areas as well.

Only $1.28 billion of the $4.1 billion in the bill is allocated to the Corps of Engineers for civil functions. Much of that will go for operation and maintenance or general expenses which are more or less fixed amounts which must be provided each year.

The power marketing agencies of the Department of the Interior would receive $466,359,000, the Atomic Energy Commission over $1.9 billion and the Tennessee Valley Authority $63,635,000. In addition the Corps of Engineers is provided with the funds needed to administer the Canal Zone Government and the national cemeteries.

Yet with all these requirements and also the increasing cost of construction, the amount of the bill was reduced. Again, I congratulate the chairman for the conscientious work which he has done. I also wish to commend the chairmen of the two special subcommittees: for the Atomic Energy Commission [Mr. Pastore] and the Tennessee Valley Authority [Mr. Hill]. They have done a fine job.

I also want to pay tribute to the Senator from Nevada [Mr. Bible], who has served so well as acting chairman of the Power Marketing Agencies Subcommittee while our honored and beloved chairman, the Senator from Arizona [Mr. Hayden], has been disabled. I also thank the ranking minority member of that subcommittee, the Senator from South Dakota [Mr. Mundt], for his valuable efforts.

My special appreciation goes to the dedicated work of the committee staff, Ken Bousquet, Paul Eaton, and Earl Cooper of the majority staff, and Ed King of the minority staff. They have provided talented and capable assistance for which we are deeply appreciative.

GREAT SOCIETY PRIORITIES

Mr. McGOVERN. Mr. President, writing in the August 5, 1966, issue of Commonweal magazine, Prof. Seymour Melman of Columbia University offers a provocative analysis of the cost to Great Society priorities now being taken by our heavy allocation of resources to the war in Vietnam.

Mr. Melman's article raises a serious question as to whether a society can afford to dissipate valuable resources in a highly doubtful venture abroad while neglecting urgent priorities at home.

I ask unanimous consent that this article, entitled "Great Society Priorities," be printed at this ponit in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Great Society Priorities

(By Seymour Melman, professor of industrial engineering at Columbia, author of "The Depleted Society" (Holt, Rinehart))

The myth of the United States as an "affluent society" is dead. The nation now must face the stern reality of the economic priorities problem: making a choice about what comes first. This is an unfamiliar idea to many Americans, for we have long been taught that the United States is rich enough to afford whatever it wants to do.

Only a year ago, Dr. Gardner Ackley, chairman of the President's Council of Economic Advisers, told us that there is no need to choose between guns and butter as a result of the war in Vietnam. Defense Secretary Robert McNamara placed the prestige of his office behind the public declaration that the United States is an affluent society and can afford as much defense and space spending as it wishes to have.

By January 1966 an unfamiliar drama was being enacted in Washington. It was budget time, and the President, with his aides, was seeking ways of reducing nonmilitary expenditures so that the prior military budget and Vietnam war operations could be funded at expected levels. The main casualty of the budget pruning was the whole gamut of social investments for human betterment, from "war on poverty" to fulfillment of the so-called "Great Society" program.

The Administration requests for housing, health care, and education did not even meet by as much as 10 percent the additional national expenditures needed to bring the work in these areas up to decent standards. New research projects in the biological and physical sciences were scheduled for a cut of about one-third. The budget cutting extended to the school milk program, where the White House ordered (and the Congress restored!) an 80 percent cut from last year's spending of about $110 million. Lyndon Johnson, literally, tried to finance a part of his war in Vietnam by taking milk out of the mouths of children!

What was the reason for this unprecedented zeal by the federal government for cutting civilian spending? The principal clue is given in the following brief summary of the main Great Society budget priorities. The ordinary military budget for the next year is to be about $50 billion. The Vietnam war is approaching a cost of $24 billion a year. The space race to the moon now requires $5 billion per year. These budget items total $79 billion a year—more than three-fourths of our tax payments—and leaves very little for everything else.

The U.S. Gross National Product (GNP) is now somewhat more than $725 billion a year. Nevertheless, while the United States is rich, it is not infinitely rich. Our enormous GNP tends to overshadow the fact that an important part of this money is payment for economically parasitic activity rather than for productive growth. Military and space work is paid for, but yields a product which cannot be used for further production or as part of the current level of living. By this functional test military work is parasitic since it only uses up manpower and materials. The contrast is productive growth: producing goods or services that can be used for further production or for the present level of living. A printing press multiplies its worth many times over in its products.

The concentration of skilled brains and hands in the United States on parasitic growth explains why Watts explodes while the growth of GNP is celebrated in Washington. Although the Gross National Product rises, the number of physicians in private practice per thousand of our population has been declining. A Medicare bill is passed but cannot be fulfilled because the doctors and nurses to do it simply do not exist. The nation needs about 150 medical schools for a decent level of health care: 13 new medical schools have been budgeted in the whole country.

While the GNP has been rising, the number of slum dwellings in New York City has been increasing year by year.

While the GNP grows, important parts of U.S. civilian industry are becoming obsolete because of inadequate reequipment and modernization. (For a general analysis of the depletion process see S. Melman, "Our Depleted Society.")

While the GNP has been rising, largely because of government outlays for economically parasitic work, the international value of the dollar is being jeopardized by sustained out-flow of Treasury gold to pay for military operations abroad.

At the very time that the GNP rises, 21 major cities are named in an official report as probable sites of Watts-type rebellions.

What is the effect of the repeated claim, by Administration spokesmen and apologists, that we can have both guns and butter because we are an "affluent society?" This myth serves as a cover, as a smoke screen, for the operation of a power-extending managerial complex in the federal government.

THE POLITICO-MANAGERIAL COMPLEX

Traditionally, the chiefs of the federal government Executive branch have been political officials whose relationship to the rest of us as citizens has been governed by the system of laws and due process based upon the Constitution of the United States. But the same officials of the federal government now relate to the American people as the managers of the largest economic decision-making unit in the land. The combination of the managerial relationship of employer to employee, and political relationship of government to citizen, in the hands of the same people, is without precedent in the history of the United States.

The federal government now employs directly 5.7 million people (2.6 million civilians and 3.1 million in the armed forces). The federal Executive controls the work of 8 million other Americans—employees of nominally private enterprises under federal managerial control. This means that the economic lives of 13 million Americans in government and in industry are now controlled directly by the top managers who head the federal Executive.

Numbers alone understate the importance of these 13 million Americans, for they include more than half of the research engineers and scientists of the nation, and a large block of highly-skilled people in all other occupational classifications. As a result, the top managers of the federal Executive now control one of the largest single blocks of economic/industrial resources in the world.

In various theories of industrial capitalist society, government has been described as favoring or identifying with business management. These theories require fundamental revision, for the federal government is now, itself, the biggest of big business management, ruling over the largest single enterprise in the land. Like other big business managements, the chiefs of the state managerial complex strive to maintain and extend their decision power—by enlarging the activity, the number of employees, the size of the capital investment, and by ruling over more and more subsidiary managements.

This understanding of the mode of operation of the state managerial complex goes a long way to explain behavior that otherwise is inexplicable. Spending $24 billion a year for operating the Vietnam war is difficult to explain via classical theories about overseas behavior of government in regard to protecting trade or investments. There is no present or predictable trade or investment pattern, either in Vietnam or in nearby countries, which could justify an annual expenditure of as much as $24 billion a year. Neither can this huge outlay be explained simply as a result of long standing cold-war rivalries. This enormous outlay of money and manpower, however, becomes more intelligible if interpreted as a contribution to extending

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decision power. For the war in Vietnam extends the decision power of the U.S. state managerial complex abroad while also affording fresh opportunities for extending the scope and intensity of economic and other controls at home. Thus, the federal government's "guidelines" policy enables the Executive branch—without an Act of Congress or Executive Order, and without any form of due process—to regulate wages, prices, civilian capital investment, and the flow of capital abroad. A seizure of decision power of this scope is without precedent in the history of the United States.

For several years there has been a growing awareness of the irrationality of piling up nuclear overkill power: we can now deliver 6 tons of TNT equivalent per person on the planet. No one is about to discover how to kill people or destroy communities more than once. Nevertheless, the spending of as much as $22 billion a year for the further pileup of overkill power continues. This military irrationality, particularly in the hands of a Secretary of Defense who practices "cost effectiveness," defies explanation by ordinary criteria. Once, however, we understand the functioning of the Secretary of Defense as an important member of a state managerial complex that accumulates decision power, then the continued spending of additional billions for overkill is explicable. These billions of annual spending maintain control over a great network of subsidiary firms with millions of employees. By the test of military efficiency the overkill expenditure is preposterous. By the test of servicing the decision-power requirements of the state managerial complex the overkill expenditure is sensible.

The power drive of the federal Executive is not a "plot." Rather it is a consequence of a built-in professional-occupational criterion. A manager who refuses to enlarge his decision power or who acts to diminish such power is regarded as aberrant, hence incompetent.

War making abroad and war preparation at home are emphasized by America's state managerial machine, as against civilian-productive activities, not only because of received ideological and power conflicts, but also because the military operations are the ones that least collide with existing civilian firms—while producing maximum extension of new decision power, at home and abroad.

This professional occupational imperative for wider (successful) managing, and not a failure of individual intelligence, helps to explain the insistent preoccupation of the federal Executive with military-based policies at home and abroad. It is this occupationally-based priority which biases senior officials against considering alternative, but less power-extending, policies at home and abroad. Once great managerial bodies are set in motion along conventional power-extending lines, it is not feasible for single individuals to turn them aside by their own decision. For in that case the single individual is resisted by the managerial hierarchy as a whole as an aberrant type.

The state managerial machine has a selective preference for problem solutions that also serve to extend their decision-power over people. For example: many alternatives have been proposed for operating a military draft; from the whole array of possibilities, Robert McNamara selected the idea of universal service. Such a system would end the discrimination in Selective Service based upon deferring university students. The universal service proposal would also give McNamara and his associates control over the use of about five million young men at a time—at home and abroad. Independently of whatever motivation might have moved Mr. McNamara to this proposal, one *effect* is predictable: it spells an enormous extension of Administration decision-power over our lives!

Again, this sort of behavior of the U.S. government's top managers does not reflect a "plot." Rather, the powerful thrust for ever more managerial control is the normal, proper behavior for the chiefs of great managerial hierarchies. What is new is that the men at the top of the federal Executive have also become the direct managers of their own economic-industrial empire. To the extent that they bend their political choices to serve the managerial extension requirement—to that extent are the foreign and domestic policies of the U.S. government driven in a warlike direction.

The normal functioning of the state managerial complex in the United States government is thus a prime source of sustained concentration of American policy abroad on military-based strategies, and of the priority that is given at home to military industry, military technology, military organization, military ideology, and to political ideology in support of all these activities.

CHANGING PRIORITIES

These analyses suggest two critical requirements for moving our country toward peace. American pro-people and pro-peace politics must proclaim first priority in the use of money and manpower for the pressing needs of our own people. The big cities of the United States, where two out of three Americans live, are concentration points of physical deterioration and pressing race problems. In order to repair urban deterioration, and to bring equal economic opportunity to all our people, the American people require at least $55 billion a year of *additional* annual investment for their most pressing needs: $15 billion per year to eliminate slum housing, $8 billion per year to raise the level of health services, $25 billion per year of additional education spending, and $7 billion more per year for city transit and water supplies. Assuming $8,000 as the average cost of a man-year of work, these productive capital investments will generate more than 6 million new civilian jobs.

This priority policy means that: Watts comes before Vietnam; Harlem comes before the space race; the South Side comes before an antiballistics missiles system; Detroit and Oakland come before overkill. First priority for equal economic opportunity for our people means that ending the slums, medical care, good schools, and job opportunities for our own people are more important than bolstering dictators in Vietnam. The future of America will be decided by the way we cope with the pressing problems of our great cities—where most of us live—regardless of what happens in Vietnam.

First priority for our own people has vivid meaning in every great metropolis of our country. New York City alone, for example, needs more than $4 billion a year for each of the next ten years if it is to do a serious job of replacing its abominable slum dwellings. Bringing education and health care in the city up to a reasonable standard will surely cost at least $1 billion more per year. In 1966–67 the whole city budget amounts to $4.5 billion. So New York City alone needs $5 billion more per year for the most essential needs of its people.

Where can the money come from? Right now there isn't a chance of getting this sort of money from increased taxation. Money of this amount must come to the City by transferring taxing power that has been arrogated by the federal government, back to the City to be used for its purposes. The basic needs of the nation's large cities require at least $55 billion of new money for housing, education, and health. Therefore federal taxes should be reduced $55 billion, with that much taxing power to be tapped by our cities and states.

I am not implying that the federal government be left without responsibility for domestic economic development. On the contrary, the federal government is needed to sponsor economic development for the Appalachias and the Mississippis and other areas that are unwilling or unable to initiate constructive development for their people. But this is not the condition of the great cities of the United States. Here there is sufficient talent for doing the necessary work—provided that the taxing power now held by the federal government in the amount of at least $55 billion a year is freed to be used by the governments of the great cities for priority economic purposes.

This reduction could be done over a five-year period, in annual increments of $5, $7.5, $11.5, $14.0, and $17 billion. Under the Constitution (Art. 1, Sec. 10) the governments of the states (and cities) are forbidden to make foreign treaties or to raise armies. The governments of the cities and the states may not commit our men and money for the support of foreign dictators or for foreign military adventures. No city or state government is empowered to establish a C.I.A. abroad. With one stroke the act of reducing the federal money power would make possible constructive economic development in our great metropolitan centers, while also reversing the dangerous accumulation of decision power by America's state managerial machine. (Many Americans will have to revise their view of the proper role of federal government. During the 1930–1950 period the issue about government was: should federal power be used as an instrument of community responsibility to look after people or institutions that could not help themselves? Today, the issue is: how much centralization of power is compatible with freedom in society?)

New priorities for America, and the decentralization of government power to implement them, are natural attractions for the mayors of Metropolis and for the tens of millions of citizens who require that we stop the deterioration of our cities and give first place to fulfilling the promise of equal opportunity for all our people.

Once new priorities have been determined and the means for implementing them have been agreed, then it will be possible to formulate and implement allied policies at home and abroad that are consistent with these new priorities. The military budget can be reduced. International, controlled disarmament will be encouraged. The United States, with constructive policies at home will be able to share in the support of economic development, instead of dictators, abroad.

These two proposals are part of the same policy: giving new hope for peace—for life and liberty in this land.

DEATH OF C. BLAKE HIESTER

Mr. DOMINICK. Mr. President, a recent tragedy in our State has personally affected me not only because of the death of one of my very good friends but also because his loss is a definite blow to one of the outstanding people-to-people programs originating in Colorado.

C. Blake Hiester, a prominent Denver lawyer and a person of warmth and great capability, lost his footing and fell to his death during a mountain-climbing expedition with his son on Long's Peak.

Blake was one of the early leaders in Denver of the people-to-people program which has contributed so much to international understanding. He was chairman of the Denver-Brest committee during its initial stages and was instrumental in establishing this particular sister city program. His leadership in the people-to-people program was truly outstanding and he was genuinely interested in "building bridges of friendship" on an international level. He was a personal diplomat for our country in the finest traditions of the people-to-people programs.

Blake obtained his bachelor of arts degree from the University of Colorado in 1940. He attended Catholic University Law School and received his bachelor of law degree from the University of Denver Law School in 1949.

He entered the Army as a private in 1941 and rose to the rank of major before his discharge in 1947. He took part in the invasion of France in 1944. His service in France with the military police and the American military government led to his decoration by the French Government with the Legion of Honor and the Croix de Guerre for outstanding service to the French people in the combat area. After the war he was transferred to the U.S. Claims Department in Paris and helped draft some of the treaties settling disputes that arose from the war.

He married Jeannine Dessertenne, a French citizen and resident of Paris, France, now an American citizen, in 1945. Their five children are: Richard 18, Charline 17, Daniel 14, Patrick 12, and Philip 5.

He was a member of the American Bar Association, Inter-American Bar Association, Colorado Bar Association, Denver Bar Association, and Law Club of Denver. He served as president of many organizations in Denver and was on the board of directors of several prominent corporations.

THE PRESIDENT'S POLITICAL FORTUNES

Mr. McGEE. Mr. President, Newsman Howard K. Smith, writing in the Evening Star of Washington on October 9, has analyzed the popular idea being bandied about in the public media that our President's fortunes have declined. Not so, says Smith, who makes the point that the course of action which President Johnson has taken in both Vietnam and in the civil rights field here at home have a good chance of being confirmed as wise courses of statecraft, while our economic condition remains strong and flexible despite much talk to the contrary in some quarters.

Mr. President, I ask unanimous consent that Mr. Smith's column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Johnson's Wise Statecraft

(By Howard K. Smith)

When a political truism becomes so widely accepted that people stop questioning it, it is time to begin doubting it. The most thoroughly solidified political theme of this year is that President Johnson's fortunes have declined nearly disastrously. No magazine has failed to commission itself an article about this melancholy turn, and no commentator has neglected to analyze it to pieces.

But is it so? Well, not entirely. The best way to put it might be to say of the President's political fortunes what Churchill once said of democracy—his situation is the worst there is, except for everybody else's.

For example, it looks increasingly as though the President's side may lose the off-year elections—without the Republicans winning them. If the Democrats lose 25 seats in the House of Representatives, the President is bereft of his great voting leverage in Congress. But the gain by the Republicans would not even restore them to the position of permanent inferiority they started with in 1964. Even if the Republicans win 40 seats, they will only be back where they were—hardly a triumph. That may not mean, as Mr. Nixon has predicted, the extinction of the G.O.P. But it would be a pretty unhappy starting position for the greater battles of 1968, with the President commensurately well off for opening the affray.

Moreover, all that is capable of national interpretation in the fragmented off-year primaries shows tides at work which promise Republicans a lot of philosophical trouble. Increasingly a national leader of strong moderate stamp is being propelled to the top. But increasingly the party itself is gravitating towards the right. While Gov. Romney looks better and better as a national chief, men who agree with him are being rejected, like Gov. Smylie of Idaho who was ousted in his party's primary in favor of an ultraconservative. From Ronald Reagan in California across Buz Lukens in Ohio to Steve Derounian in New York State, men identified with the Goldwater disaster of 1964 are being renominated for office. The party is in serious danger of having a candidate without a party on his side, or a party unable to accommodate its national leader.

In the South, the one region where 1964 brought strong new GOP organizations, the party now threatens to come unstuck. Dissident Democrats have outflanked promising new Republican nominees on their right wing—John Rarick in Louisiana, Jim Johnson in Arkansas, and George Wallace, by proxy, in Alabama. If Wallace carries out his intention to run for President in 1968, Republican hopes of winning enough votes to beat President Johnson will dissolve.

Meanwhile, the great issues that trouble the nation today have every prospect of going the President's way in 1968. We tend to feel sorry for our plight now in Viet Nam. But perspective may make it clear that 1966 was the year when the Communists came closest to winning, but then lost irretrievably. The prospect of a drastic turn against them or in favor of negotiation is almost a probability.

At home the present disaster in the Civil Rights movement is bound to be a temporary thing. A minority stuck with a mere 10 percent of voting power cannot long pursue the course of racial isolationism pursued by its new demagogic leaders. At the same time, in a world of mainly colored people, the U.S. cannot fail to assure Negroes of equal status.

In short, the courses the President is criticized for in Viet Nam and in Civil Rights have a good chance of being confirmed as wise courses of statecraft.

This thing many people worry most about, the state of the economy, is probably the least difficult long range problem. Prices have risen here, but only 8 percent in six years compared to increases of from 17 to 39 percent registered by West European countries. The economic growth rate is excellent. A downturn, if it began, would be pretty easy to pull out of.

In a sentence, in our untidy imperfect world of sometime trends, the President's is about the best political position around. Some grossly unpredictable event—like a Chinese invasion of Viet Nam—could alter it, but insofar as present actualities indicate future developments, the magazines would be wise to delay preparations for that funeral; the corpse may be too busy to take part.

NORRIS COTTON—LIKE ANNEALED IRON

Mr. HRUSKA. Mr. President, it was my privilege several days ago to make the keynote address at the State convention of the Republican Party in Concord, N.H., where I was introduced by my good friend, Norris Cotton.

This event was recorded in the pages of the Concord Daily Monitor by that paper's veteran political reporter, Leon W. "Andy" Anderson. The only fault I can find with the article is that it is about the introducer and not the speaker.

Nonetheless, Mr. President, because Andy Anderson has caught so well the spirit and personality of the Senator from New Hampshire, I want to share his column with the Senate.

Talking with me about Senator Cotton, Mr. Anderson said:

> Cotton has long been one of our stalwarts. He's the sort who has had his ups and downs, and like annealed iron, is the better for it.

I ask unanimous consent, Mr. President, to have the column printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The State's My Beat

(By Leon W. Anderson)

There's only one Sen. Norris Cotton—and perhaps it's just as well.

He purred in high gear in introducing the keynote speaker at this week's Republican State Convention.

So much so that a young reporter, new to our political arena, asked us twice, in whispers, if we were sure that Cotton was not himself the keynoter.

We smiled. It was only Cotton at his best. He always spouts like a village pump when introducing distinguished guests to Republican gatherings and most folks like it that way.

Cotton is soothing. He can make Republicans feel good without saying much of anything. He's a born orator and can toss platitudes so they mirage pie-in-the-sky and moonlight on the pumpkins.

But Cotton's not a softie. He's a coldly practical politician from way back, having learned his political ABC's from the late Sen. George Higgins Moses, one of New Hampshire's all-time great spokesmen at Washington.

Cotton's candor is enlightening. He told the convention delegates that for a first time since 1962 he has become "completely convinced and completely optimistic we will win New Hampshire back into the Republican column."

Cotton disclosed he got that way by viewing the party's four top nominees on a television panel program last Sunday night. He said the way they shaped up gave him the new feeling.

All of which means, of course, that Sen. Cotton was like most Republicans in 1964 when they did not think ex-Sen. Goldwater could drag the party out of the wilderness.

Cotton again called upon the Republican state Legislature to kill a law permitting "straight ticket" voting in elections.

He said this Republican political device has boomeranged against the GOP in recent years. Cotton said the Democrats have made hay by telling adherents to vote a straight ballot, with a single cross, to avoid "spoiling your ballot."

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COTTON said the same thing two years ago. And he said the same thing 21 years ago when he was Speaker of the House of Representatives.

COST OF VIETNAM WAR RISES

Mr. McGOVERN. Mr. President, the rising cost of the Vietnam war in lives lost on both sides is graphically portrayed in an article appearing in the Sunday, October 9, Washington Post under the byline of Mr. George C. Wilson.

I continue to feel that we are on the wrong course in Vietnam. There is no U.S. interest nor any U.S. commitment that justifies the heavy losses which our men are experiencing and the even more extensive devastation that is being visited on the people of Vietnam because of our growing military involvement.

I hope that Members of the Congress will ponder thoughtfully the words and the statistics contained in Mr. Wilson's article. I ask unanimous consent that the text of this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE DO WE GO NEXT IN THE TIT-FOR-TAT WAR?

(By George C. Wilson, Washington Post staff writer)

Secretary of Defense Robert S. McNamara makes his eighth on-the-spot assessment of the Vietnam war this week to help formulate the answer to the key question: "Where do we go from here?"

The sobering backdrop for the discussions which will shape the answer is the record of two years of his controlled escalation, or tit-for-tat, war strategy.

President Johnson implemented the strategy Aug. 4 and 5, 1964, when he ordered Navy planes to bomb North Vietnamese coastal bases and patrol boats in retaliation for a second attack by North Vietnamese PT boats on two United States destroyers in the Gulf of Tonkin.

At the time of that incident, there were fewer than 23,000 United States servicemen in South Vietnam. Congress, on Aug. 10, 1964, set the stage for escalation by adopting the Gulf of Tonkin resolution. It pledges congressional support of the President for "all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

Now the official total of United States servicemen in Vietnam is 316,400.

This 14-fold increase in manpower is still on the way up. It will hit the 400,000 mark by mid-1967 under present Pentagon plans. What the troop commitment should be after that is one of the decisions to be made partly on the basis of talks this week between McNamara and his military leaders in the field.

If it is agreed that infiltration of troops from North to South Vietnam must be sharply reduced, military commanders feel that they must have a force of between 600,000 and 750,000 men.

What Army Gen. William C. Westmoreland, military commander in Vietnam, requests in the way of men, and what the services can give him, are two different figures. Despite McNamara's disclaimers, the buildup of forces in Vietnam has not been as fast as Westmoreland wanted. Whether the lag was crucial to his battle plans is something historians will argue about.

As in the past, the pace of any future buildup will depend much on how fast the services can train men for Vietnam and have equipment produced. President Johnson's decision against activating reservists for fear of alarming the country and the rest of the world has forced the Army to put aside its contingency plans for wars like Vietnam and transform combat divisions into training camps for trainees.

Given enough time, this Johnson-McNamara manpower system could build the forces to the desired level. But President Johnson will have to be persuaded that going above 400,000 men will pay. His present inclination appears to be to level off.

The fact—and it is a fact—that the Pentagon has not decided yet what the force level should be after mid-1967 illustrates the cut-and-try nature of United States strategy in combatting this first "war of liberation."

The same "show me" attitude of McNamara and the President will also dominate discussions on where to go next in the air war. The bombing has failed to live up to its advanced billing in several respects.

First, thousands upon thousands of tons of bombs have not blasted the North Vietnamese government out of its militant stance and toward the peace conference table.

Second, it has not reduced the infiltration of troops from North to South Vietnam—by the Pentagon's own admission.

Last February, Rep. ROBERT L. F. SIKES (D.-Fla.) asked McNamara during Senate Defense Appropriations Subcommittee hearings: "What do our forces propose to do to seal off the Ho Chi Minh trail?" (The trail is really a network of paths which enemy troops travel to get from North to South Vietnam.) "Our bombing campaign against the North," McNamara responded, "has that as one of its primary objectives."

When this exchange took place, the Defense Department estimated that the infiltration rate was 4,500 troops a month. The department estimates that right now the infiltration rate is 5,000 a month. So by the Pentagon's own statistics, the bombing failed in this respect.

In May of this year, McNamara backed off that February statement by telling the United States Chamber of Commerce convention here that the 4,500-a-month infiltration rate is "perhaps three times the level of last year, but that doesn't say that we haven't reduced the supply of men and equipment.

"We don't know what it would have been if we hadn't been bombing," McNamara said. "We never did believe," McNamara told the Chamber delegates, "and we don't believe today that the price they pay in the North will destroy their will to carry on operations in the South as a result of our bombing."

REASONS FOR BOMBING

This raises the question of why continue to bomb in the North at all. McNamara has said there are three basic objectives of the bombing: (1) raise the morale of the South Vietnamese; (2) reduce the flow of infiltration or increase its cost; (3) push North Vietnam's leaders toward the conference table.

At most, only the first and half of the second of these objectives have been achieved. The Air Force line is that the infiltration of supplies has been greatly reduced.

Again—as in the case of manpower—McNamara and the President are reluctant to escalate the bombing.

As for going the warhawk route and using tactical nuclear weapons in Vietnam, McNamara told the Senate Defense Appropriations Subcommittee last February: "I can conceive of no circumstances in which their use in South Vietnam would be to our advantage."

Unfortunately, McNamara's past words have not always proved to be a reliable guide to the course of the war. He told Congress early this year that bombing the petroleum centers near the harbor of Haiphong was of no "fundamental consequence" to the United States war effort. They were bombed several months later.

But given President Johnson's attitude, the signs here point to no major escalation of the bombing in the near future.

UNITED STATES BOMBINGS IN VIETNAM

This table shows Defense Department estimates of the number of bombing missions and sorties flown by United States pilots over North and South Vietnam. A mission is a group of airplanes flying a single attack on a target and back to a base. A sortie is a lone airplane making the attack. The Defense Department releases only missions flown over North Vietnam, not sorties. But statisticians figure that multiplying the number of missions by 3.5 approximates the number of sorties.

B-52 raids are not included. As of Sept. 14, B-52s had flown 5000 sorties and dropped 95,000 tons of bombs—almost all in South Vietnam.

Bombings on North Vietnam this year

Month	Air Force	Navy	Marines	Mission equivalent	
				Total	In sorties
January	2	2		4	14
February	201	352		553	1,935
March	614	570		1,184	4,144
April	636	845		1,481	5,183
May	457	858		1,315	4,602
June	1,245	857		2,102	7,357
July	1,771	1,019	62	2,852	9,765
August	1,650	1,604	179	3,433	12,015
September	1,914	1,593	114	3,621	12,673
Total	8,490	7,700	355	16,545	57,688

Air attacks on enemy in South Vietnam this year[1]

	Air Force	Navy	Marines	Total
January	162	114	74	350
February	4,682	3,028	2,898	10,608
March	5,962	3,467	3,708	13,137
April	3,354	3,233	3,192	9,779
May	4,413	2,877	2,841	10,131
June	5,193	3,543	3,061	11,797
July	5,250	2,461	4,124	11,835
August	7,111	332	4,457	11,900
September	7,017	(2)	5,189	12,206
Total	43,144	19,055	29,544	91,743

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[1] South Vietnam air attacks are figured only in sorties.

[2] Navy stopped flying sorties after Aug. 5.

BUILDUP OF U.S. FORCES IN VIETNAM

Total of United States forces in Vietnam at the end of 1960 was 773; at the end of 1961, 1363, and at the end of 1962, 9865.

The following table of Defense Department figures does not include the 40,000 to 50,000 Navy men on ships off Vietnam's shores.

Date	Army	Navy	Marines	Air Force	Total
Dec. 31, 1963	11,000	700	500	4,300	16,500
Dec. 31, 1964	15,000	1,100	900	6,000	23,000
Nov. 20, 1965	101,000	8,450	39,100	17,150	165,700
June 25, 1966	164,000	17,000	54,000	38,000	273,000
Oct. 1, 1966	193,000	21,400	56,000	46,000	316,000

CASUALTIES IN THE VIETNAM WAR

These are Defense Department figures on the casualties from 1960 through September, 1966, in the Vietnam war. The figures do not include servicemen who died in accidents or from disease. In addition, there have been 357 men killed and 962 wounded among forces from Australia, New Zealand and South Korea. Philippine forces are serving in noncombat roles.

In the Korean War, there were 33,629 United States servicemen killed and 103,284 wounded in combat.

Year	United States		Republic of Vietnam		Vietcong	
	Killed	Wounded	Killed	Wounded	Killed	Captured
1960			2,200		6,000	8,000
1961	1	1	4,000	5,000	12,000	6,000
1962	31	74	4,400	7,300	21,000	5,500
1963	77	411	5,700	12,000	21,000	4,500
1964	146	1,038	7,500	16,700	17,000	4,200
1965	1,365	6,110	11,000	21,600	35,000	6,200
Total	1,620	7,634	34,800	62,600	112,000	34,400
1966:						
January	282	1,318	747		2,600	588
February	433	2,622	1,016		4,700	508
March	506	2,956	938		5,700	604
April	311	2,469	574		3,800	480
May	462	2,879	661		4,200	650
June	503	2,774	860		4,800	750
July	435	2,324	860		5,500	445
August	395	2,472	722		5,860	925
September	419	2,679				
1966 total	3,746	22,493	6,378		37,160	4,950
Grand total	5,366	30,127	41,178		149,160	39,350

BIG BROTHER

Mr. LONG of Missouri. Mr. President, I have on many occasions referred to the recent Federal Communications Commission ruling outlawing the use of radio transmitters for many eavesdropping purposes. This is a small, but important, step toward curbing the extensive use of electronic devices for eavesdropping purposes. But I am afraid the FCC ruling has not been very effective. Mr. Robert M. Hutchins, writing in the March 13, 1966, issue of the Houston Chronicle, gives several reasons for the weakness of this new ruling. I ask unanimous consent to insert at this point in the RECORD Mr. Hutchins' article and an editorial from the Klamath Falls (Oreg.) Herald and News which discusses the recent FCC ruling.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Houston (Tex.) Chronicle, Mar. 13, 1966]

EAVESDROPPING DEVICES AND COMPUTERIZED MEMORY BANKS

(By Robert M. Hutchins)

Not long ago an advertisement appeared in the New York Herald Tribune featuring a device that "permits two or more people to listen in on a phone conversation without the other party knowing it . . . A fun buy at $4.75."

This kind of fun the Federal Communications Commission has now undertaken to prohibit—except when the police are enjoying it.

So far so good. But it is not nearly far enough.

In the first place, why should the police have fun of this kind? They are at present large buyers of electronic eavesdropping equipment. Where there are laws or regulations prohibiting its use, the police notoriously violate them. The Federal Communications Commission may have thought it did not have the power to interfere with other agencies of government—but Congress and the state legislatures should give somebody the power, and soon.

In the second place, the FCC has proposed no adequate program of enforcement. Evidence illegally obtained is inadmissible in a criminal prosection. But this rule applies only to the introduction in evidence of the items actually gathered illegally; it does not prevent building a case illegally, a case founded on knowledge obtained by the most outrageous violations of privacy.

No effective procedure and no effective punishment have been devised to bring offenders, either private persons or "law enforcement officers," to justice. As for the FCC, its program of enforcement will do little to diminish the enthusiasm with which the violators of privacy go about their interesting and profitable work.

In the third place, the field into which the FCC is moving is a small part of the whole. The commission can deal only with devices that emit radio waves or that use public communications systems. Admittedly, these add up to a lot. There are cuff-link microphones, fountain pen microphones and microphones dangling from fishing lines. A microphone was patented the other day that is the size of an aspirin tablet.

In addition, there are tape recorders that are for all practical purposes invisible and that can be started by the sound of the human voice. These recorders probably cannot be reached by the commission under its present definition of its powers.

Nor can the commission cope with the infinite memory banks that are being built up in more and bigger computers, storehouses of information about everyone and everything he ever did.

For example, experiments are now being conducted that eliminate cash transactions by telephonic communication in which the computers make all the debits and credits. The tendency will be to develop a computerized record of every action of every citizen's life. This information will be instantly retrievable.

Electronic devices make it possible to keep an individual under constant surveillance all his life. The computer makes it possible to record everything he does. It will all go into the infinite memory bank. Who will have access to it?

The constitutional law of privacy is not worked out. In the Connecticut birth control case, some justices of the Supreme Court began to insist that privacy was protected by the Bill of Rights. These justices held the statute unconstitutional on the ground that it could not be enforced without putting a policeman into every bedroom.

This new attitude in the court and the new rule of the FCC are promising. But we have a long way to go.

[From the Klamath Falls (Oreg.), Herald and News, Mar. 29, 1966]

EAVESDROPPING PERSISTS

Discussions and investigations, in Washington and elsewhere, about eavesdropping with cute little electronic snoopers, might have led one to conclude that by now the devices would have sunk to such a low level of favor they would not be heard from again. Not so.

It is against a federal law to wiretap a telephone and an eavesdropper caught doing it could get a two-year jail term and a $10,000 fine. New rules just laid down by the Federal Communications Commission also make it illegal to "bug" a room using the medium of radio transmission.

But the FCC rules apply only to private snoopers. There are thousands of eavesdropping devices used by state and federal government bodies. These agencies are not covered by the limitations.

Then, there is the matter of cost. FCC regulations impose a $500 per day fine upon conviction, but in the case of industrial or military eavesdropping, competitors and enemies would gladly pay such costs for the information.

For sheer ingenuity, however, it is difficult to beat the arrangement offered for sale by a New York electronics specialist. This device attaches to a telephone line where it will not be noticed. The eavesdropper calls the subject's number and simultaneously blows a note from a harmonica into his mouthpiece. This turns the telephone at the other end of the line into a microphone, using the diaphragm to absorb all the sounds in the room.

The telephone in the room under surveillance will not ring, and if someone should lift the receiver to make a call, the eavesdropping device automatically cuts off—thereby, presumably, satisfying requirements of the federal law against eavesdropping.

Doubtless, many other devices are available to the person who is in the market for this type of product, but he will have to search far and wide to surpass the one just described.

Overcoming privacy, it seems, presents a challenge to the wildest imaginations.

COMMUNIST THREAT TO THAILAND

Mr. JACKSON. Mr. President, in our deep concern about southeast Asia and

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Vietnam in particular we cannot and should not overlook the threat to Thailand.

Mr. President, the Communist move against Thailand is underway. There has been a marked rise in terrorism since 1964—externally supported from Peking and Hanoi. The Communists are obviously hoping to create in Thailand another of their so-called wars of national liberation.

The Thai have made no attempt to exaggerate this threat. Incessant Communist propaganda, training of Thai insurgents in Hanoi and Peking, and basing of a clandestine radio in China beamed at the Thais are clear evidence of the threat.

On the other hand, there are great strengths in the Thai nation and the Thai Government which encourage one to believe they can meet this challenge to its authority. As has been pointed out, Thailand has no colonial past. Thailand's King is popular, in fact, enjoying such prestige that the Communists avoid attacking him in their propaganda. Thailand is a united country, both geographically and in the sense of religious and ethnic unity—5 percent are Buddhists.

Thailand has a strong agricultural economy. Eighty-five percent of the farmers own their own land, and while there are pockets of poverty in the northeast, there are few deeply felt economic grievances in the country at large.

Currently the economy is growing rapidly, over 7 percent a year in the last 5 years, and per capita income has grown by 25 percent in the last 8 years.

In short, Thailand is a true nation, determined to defend its national independence and able to recognize and act to meet external threats to that independence.

It is because it does recognize the continued expansion of communism in Asia as a mortal threat to its own independence that Thailand has agreed to having American forces on its soil, forces which make a vital contribution to the strategic posture of the free world in southeast Asia.

As I see it, Thailand's policy is determined primarily by a careful reading of the Communist threat and a decision that the only way to meet it successfully is through collective security among free world nations.

DEATH OF J. SAM FAUBUS, OF COMBS, ARK.

Mr. FULBRIGHT. Mr. President, on the death recently of Mr. J. Sam Faubus, of Combs, Ark., my State lost one of its most discriminating, wise, and sincere citizens. Over the years, Sam Faubus was a cordial and helpful correspondent. I have enjoyed his comments, which were always based upon a deep insight into human nature and were the result of a keen, analytical mind. His classic statement entitled, "Man," which I referred to in one of my publications, inspired many interesting letters. At his request, however, it was not attributed to him at the time.

I shall miss Mr. Sam very much; he was indeed an outstanding and unique gentleman. He was my friend, and I shall miss him.

I ask unanimous consent that the story of his death, which was published in the Arkansas Gazette, be printed in the RECORD, together with an editorial from the same newspaper.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Arkansas Gazette, Aug. 25, 1966]

SAM FAUBUS DIES AT AGE 78—FOLLOWED POLITICS, EDUCATED HIMSELF

John Samuel Faubus, aged 73, of Combs (Madison County), the father of Governor Faubus, died Wednesday at the Huntsville Hospital after a lingering illness. The governor was at his father's bedside and had been with him since the elder Mr. Faubus' release from a Little Rock hospital late last week.

A progressive case of Hodgkin's Disease had hospitalized Mr. Faubus repeatedly for several months.

Mr. Faubus was born, reared, lived most of his life and died in the mountains near Combs. Despite this rural mountain background, he was well educated through his own extensive reading and maintained a keen interest in politics—national and international—as well as the politics of his son, with whom he did not always agree.

He admitted once to having voted for Herbert Hoover and to having been a Populist in the years during World War I. He was arrested in 1918 by the government agent on a charge of distributing seditious literature and uttering "numerous disloyal remarks" concerning conduct of the war but nothing came of the charge.

He was identified by a Gazette account of the arrest at that time as having been "long the Socialist Party leader in Madison County and is alleged to have championed the cause of the IWW (International Workers of the World) and the anarchist elements in his Party." The charge of socialism may have stemmed from his support of woman suffrage, an eight hour day, Social Security and the Agricultural Extension Service, and his opposition to the poll tax.

He once told newspapermen that he became a liberal because when he was young he worked as a railroad tiemaker at 10 cents an hour. "I don't like slave labor, and that's just what it was."

In more recent years Mr. Faubus espoused the Democratic Party with fervor, displaying a photograph of the late President John F. Kennedy on his living room wall—along with those of his famous son and family.

Mr. Faubus was the son of Henry Faubus, a farmer, and Malinda Sparks. Henry Faubus died in 1901 and Sam Faubus' mother later married John Nelson.

Sam Faubus married Addie Joslin in 1908 and she bore him seven children, the oldest of whom was Orval Eugene Faubus. Mrs. Faubus died in 1936 and Sam Faubus later married Mrs. Maudie Wonder of near Combs, who had three children by a prior marriage.

SETTLED NEAR COMBS IN RENTED LOG HOUSE

After his first marriage, Mr. Faubus settled near Combs in a rented log house, where Orval was born, in a community called Greenwood (Greasy Creek). He moved in 1910 to a 160-acre farm that he homesteaded, adding to it in 1925 the adjoining property where he had lived as a child. He moved his growing family into his old home.

Mr. Faubus spent most of his life as a farmer and timber worker. For several years he followed the seasonal wheat harvest in the Midwest and for two years worked in lead mines near Picher, Okla.

He went to the Northwest in 1936, working as a lumberjack near Omak, Wash., later in a defense plant near Fullerton, Cal., during World War II. Then, he returned to his Madison County home to raise broiler chickens, the activity that occupied him until illness forced him to give it up about two years ago.

He had walked only with the aid of crutches the last 10 years of his life. However, as recently as the spring of 1966 he helped his wife plant and care for a garden, hoeing as he crawled on his knees from row end to end.

WAS A JP, SERVED ON SCHOOL BOARD

The only political offices he ever held were as a justice of the peace of Mill Creek (Combs) Township and at various times as a member of the Greenwood School Board. He greatly admired President Franklin D. Roosevelt and supported Presidents Harry S. Truman, Kennedy and Johnson.

Mr. Faubus completed only the fourth grade in the rural one-room schools of his early childhood. However, books and newspapers were an essential part of his existence.

A prolific writer of letters to newspapers, Mr. Faubus also composed poems, some of which were published in various newspapers and other publications. One of the most recent of these was one called "Two-headed Beast," and it appeared as a reprint from "Labor", a newspaper in the Arkansas Union Labor Bulletin July 1:

"Through all these years
Of hopes and fears
It has been my greatest ambition

To strike a blow
Against our foe—
Ignorance and superstition.

The two-headed beast
Has been able to feast
Upon the simplicity of the masses.

It has kept us prone,
Our noses to the stone,
And divided the world into classes.

Let us build schools
To eliminate the fools
And teach us to do our own thinking.

When dictators come along,
Preaching to the throng,
We'll turn them down without blinking."

[From the Arkansas Gazette, Aug. 26, 1966]

SAM FAUBUS

Sam Faubus was one of those delights to the soul—an old man whose political convictions had not taken a turn to the Right as he grew older and as the material lot of "his and his'n" improved. This may have been partly because his material lot took so long in the improving, but only partly, we think.

The clever saying is that a man who is not a socialist before the age of 30 has no heart and that one who remains or becomes a socialist after 30 has no head, but, like most clever sayings, this one does not say enough. We do not know whether the senior Mr. Faubus was ever a socialist, and do not greatly care. We do know that he had a head, as well as a heart, and that he was exercising it right up to the end.

Sam Faubus was, in addition, one of that comparatively rare company of men, who, having little formal education themselves, do not pretend to despise it in others, but quite frankly value it all the more. He had no real choice but to act as if education were, indeed, the only answer, even while possessing the wisdom (which has nothing to do with education) to be aware that there very well might not be any answer.

Like the eldest son who was to become so famous in his own fuller time and place, Mr. Faubus was a survivor of a time when the country correspondence columns of small-town newspapers would report that So-and-so had "found employment"—any kind of employment, anywhere. ("Write if you get work" was the familiar farewell note of the period.) He had followed the harvests. He had worked at Fullerton, Cal., a place-name that was (and still is) quite familiar to readers of the state's country correspondence columns. He had worked in the sink-hole that is Picher, Okla., which at last accounts was, literally, sinking into the earth as a consequence of the depredations of the scavenger miners. He survived these and other hard times with what we regarded as a minimum of bitterness, though none of it was calculated to do much to alter the political beliefs he had started out with.

It does not violate anybody's confidence now to reveal that Sam Faubus had contributed to the Gazette's From the People column (under the pseudonym, "Jimmy Higgins") at fairly frequent intervals in recent years, though not for some time before the period of his final illness.

If he had lost patience with us, for the most obvious reason, we hope it will not sound patronizing to say that we never for an instant were put out with him. We understood, and did not blame him, and, in fact, might possibly have blamed him if it had been otherwise.

It would be presumptuous to say that we really "knew" Sam Faubus. We knew him only from his writings, and from what was written and said about him. And it would be precious—and, worse, dishonest—to pretend that we would have had the detailed interest that we had in all that Mr. Faubus thought and felt and said, if it had not been for that famous son. At the same time, it must also be said that the Gazette has always prized all its "regular" contributors to the letters column, and Mr. Faubus is not the first one of the old breed to be memorialized here in the editorial columns.

If we were to accept the gloomy view that all of us are on an accelerating toboggan—which we do not and which we do not believe Sam Faubus did—we should have to cite as one sign of decline the fact that there aren't many Sam Faubuses around any more. We suspect, though, that there never were. By this we mean that we suspect that Sam Faubus would have stood out in any time, that of his own father, his father's father, anytime.

Mr. FULBRIGHT. I ask unanimous consent, also, Mr. President, that the essay "Man" be printed at this point in the RECORD. It is one of the most thought provoking and stimulating commentaries on the current status of man that I have seen.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

MAN

(By Jimmie Higgins)

Man is a queer animal, like the beasts of the fields, the fowls of the air, and the fishes of the sea, he came into this world without his consent and is going out the same way.

At birth he is one of the most helpless creatures in all existence. He can neither walk, talk, swim nor crawl, and has but two legs while most other animals have four. Unlike other animals he has no covering for his body to protect it against the bite or the sting of poisonous insects, tooth or claw of ferocious beasts save a little hair which appears about his body only in patches.

With all his limitations he yet has one advantage over other animals—the power of reason, but history shows that he often discards that for superstition. Of all the animals on earth, man has shown himself to be the most cruel and brutal. He is the only animal that will create instruments of death for his own destruction.

Man is the only animal on all the earth that has ever been known to burn its young as a sacrifice to appease the wrath of some imaginary deity. He is the only one that will build homes, towns and cities at such a cost in sacrifice and suffering, and turn around and destroy them in war.

He is the only animal that will gather his fellows together in creeds, clans, and nations, line them up in companies, regiments, armies, and get glory out of their slaughter. Just because some king or politician told him to.

Man is the only creature in all existence that is not satisfied with the punishment he can inflict on his fellows while here, but had to invent a hell of fire and brimstone in which to burn them after they are dead.

Where he came from, or when, or how, or where he is going after death he does not know, but he hopes to live again in ease and idleness where he can worship his gods and enjoy himself, watching his fellow creatures wriggle and writhe in eternal flames down in hell.

THIRTY-EIGHTH ANNIVERSARY OF NATIONAL BUSINESS WOMEN'S WEEK

Mr. HRUSKA. Mr. President, since women gained the right to vote, the National Federation of Business and Professional Women's Clubs has worked steadily to expand the role of women in all segments of our national life.

The week of October 16 marks the 38th anniversary of the National Business Women's Week, a time specifically devoted to dramatizing the contributions of women to the professional and business world.

It is with particular pride and pleasure that I salute this fine group this year. For the first time, a woman from Nebraska, Sarah Jane "Sally" Cunningham is the Federation's president. Nebraska has enjoyed the exceptional talent of Sally Cunningham in her chosen profession, law, and in her extensive community service such as establishing and serving as first chairman of the Nebraska Commission on the Status of Women. Her contributions to her hometown, McCook, to her State, Nebraska, and now as president of the Federation deserve special recognition and are a tribute to the effectiveness and worthiness of the National Business and Professional Women's Clubs. I can personally attest to her effectiveness, Mr. President, since she served as the vice chairman of my reelection campaign in 1964.

The organization itself has an impressive membership of nearly 180,000 women representing every congressional district in the United States. The history of these clubs is one of great strides in improving the conditions and possibilities for the participation of women. Due to the increase in life span, decrease in time required for home and child care, economic independence, women now have the time and desire to use their abilities and capacities to their maximum potential. And our Nation needs women to be involved in all segments of our national life.

The Federation has an outstanding national program calling for action beneficial to our entire Nation. Its interest extends to all areas of national concern, including air and water pollution control, conserving human and natural resources, improving safety conditions on our highways, and seeking ways to promote national security and peace. Exciting national aims are strengthened by local activities. To the individual, the organization offers encouragement to seek new channels of expression, needed information and sincere fellowship.

I congratulate the 3,750 local organizations which make up the National Federation of Business and Professional Women's Clubs and President Cunningham on their progressive and essential work—and wish them a most successful observance of National Business Women's Week.

MAINE PIONEERS

Mr. MUSKIE. Mr. President, although our Nation's land frontier has long since vanished, we still have our full share of pioneers in space, oceanography, medicine and a hundred other fields. The life of a pioneer is not always glamorous. It is often filled with tough, hard but rewarding work.

In Maine, we have our own pioneers in the field of education. Ten businessmen in the town of Unity developed plans for the establishment of a new college. Despite many obstacles, they were determined to reach their goal. They received help from several sources, but the awesome responsibility of entering into financial obligations has been their own.

Just 2 weeks ago, Unity Institute opened with 41 students in residence, a tribute to the initiative, dedication and faith of the 10 Unity civic leaders. All of us in Maine are hoping that this pioneer effort in education will be a success. If the effort exhibited thus far is any gage, Unity Institute cannot fail.

I would like to request that the article, "A College for Unity: Population 983" published in the fall issue of the Maine Digest be printed in the RECORD. I would also like to point out that the Maine Digest is itself a pioneering effort, this being the first issue. The publisher, Tim Wetterlow, of Rockport, shares the same faith and dedication exhibited by the businessmen of Unity. This is an old Maine attribute which I hope will continue to spread and grow.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A COLLEGE FOR UNITY: POPULATION 983

(By Caroline Hotham)

Only a man who had spent weeks searching for a college that would accept his son, a C+ student in high school, would have the audacity to suggest to his colleagues that a small New England town could build a four-year accredited liberal arts school.

This is how Unity Institute [1] was born, and in September approximately 200 freshmen students will be enrolled, just one year after the Institute was incorporated.

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[1] According to Maine laws a school must operate for two years before it can qualify for "college" status.

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The idea of Unity Institute evolved after one of Unity's leading businessmen discovered it was virtually impossible to find a Maine college that would accept a C+ student, either because his college board exams were not high enough to qualify him, or because the colleges had no vacancies.

It was at this time that ten of the businessmen in Unity were meeting periodically to find a project that would boost the economy of the town, which has a population of barely 1000.

Eleven projects were listed, all outlined with one purpose in mind. These men wanted to put Unity on the map, and feared that their town was going to go the way of many other small towns, withering away until there was no hope of attracting new businesses or residents.

The projects were discussed, investigated and then dropped for one reason or another. The ideas of a small shopping center or a laundromat were abandoned because of astronomical operating expenses, due in part to the cost of water and sewage.

But during one three-month interval, the group worked with an out-of-state businessman who felt that a two-year junior college would be feasible.

The idea was altered however, when the men heard of Belknap College in Center Harbor, N. H., which was founded in 1963. A small college, Belknap was financially on solid ground, and was making plans for expansion, after only two years of operation!

Five of the men made an appointment to meet with Belknap officials, and were so impressed with what they found there, they decided immediately to investigate further.

They had so impressed Bert Dittus, one of the founders at Belknap, that he agreed to move to Unity to help organize Unity Institute.

The still informal group of men now had an idea, and a man to help them implement it, but there was no land available for such a project. It was then that Cutler Corporation, a subsidiary of Corn Products Refining Company, offered 42 acres of shore property on Lake Winnecook. The men accepted the offer gratefully, but when plans for future growth were discussed, it was evident there would be no room for expansion.

At this point, George Constable of Unity came forward with an offer of 180 acres of land on Quaker Hill, situated just east of the town. With the offer came an option to buy five acres of adjoining property, which included a huge abandoned hatchery building.

The hatchery has now been remodeled and will house 132 male students. In addition kitchen and dining facilities, a student union, recreation room and private quarters for the house mother will be included.

YOU WON'T FIND COOPERATION LIKE THAT ANYWHERE BUT IN A SMALL TOWN

Currently under construction is a classroom complex that will contain six classrooms, chemistry and biology laboratories, offices, a teachers' lounge, a book store and library facilities.

Within two years, the Institute plans to build a 20,000 volume library, but until this project is realized, Bangor Public Library has offered all its facilities to any student at Unity Institute. A full-time librarian will be on duty this fall, and will make regular trips to Bangor to obtain books the Unity students need for research. Larger institutions in Maine have also contacted the Institute, and have promised gifts of volumes to begin the permanent library.

The shore property has been set aside for all athletic activities, and plans now indicate that within four years, a gymnasium will be erected there. Sports the first year will undoubtedly be on an intramural basis, but with the addition of a full-time athletic coach in the near future, Unity Institute will soon compete with other schools of similar size.

From the beginning, the Board of Trustees has refused to compromise with the basic premise that teaching is an art, and have assembled a faculty that will be required to devote only twelve hours a week to classroom activity.

No instructor will be asked to teach outside his major, and there will be no pressure to "publish or perish." The curriculum has been arranged so that each instructor will hold a monthly private conference with every student, when a student's problems, whether academic or personal, may be aired.

The Board of Trustees feels that each student has the right to be taught and treated as an individual, and the Institute has kept the "tutorial approach" uppermost in assembling the faculty.

It is also the contention of the Board that the student who discusses his ambitions, examines his motives and considers his skills will be equipped to declare his major much earlier than the student who is groping for a goal during the first year or two of his college career. This early declaration will eliminate the courses that are of no interest or help to the student.

The primary objective of Unity Institute is to offer the student a broad base of studies with concentration in one field.

The freshman curriculum will include courses in English, art, music, geology, history, foreign languages, chemistry, physical science, mathematics and psychology.

Three-fourths of the faculty, which will include twelve fulltime and four part-time instructors this first year, came to the Institute first, without waiting to be asked. The others have been contacted through the assistance of Dr. Robert Strider, president of Colby College in Waterville, who offered to assist the Board in obtaining a faculty.

All but two of the instructors have master's degrees, and the other two will receive master's degrees shortly.

Permission was granted by the Maine Banking Commission to float a $300,000 bond issue, and in January, 1966, 20-year debenture bonds were being sold.

Turned down by several banks whom they approached for financial aid, the Institute successfully negotiated with an Augusta bank, which has demonstrated its faith in the project by making funds available to assist in the Institute's establishment.

Thus far, the Institute has met every financial obligation on time. All personal expenses incurred by the Board for travel have been paid by the members themselves, who have repeatedly dipped into personal resources to help keep the dream of Unity Institute alive.

While some people feel that a small school will offer a second-rate education, Dittus has emphasized the fact that small schools will benefit many students who are unable to make the transition from a small high school to a larger institution. All students at Unity Institute, accepted on the recommendation of their high school principals rather than high school grades or college boards, will have what amounts to private instruction. If the student is weak in a particular subject, he will receive extra assistance to correct his problems.

"We're not competing with the larger institutions," Dittus points out. "There is a need, particularly in Maine, for a small school. The larger schools lead the way, but we can give the student opportunities that are simply not available in larger schools."

THE FINEST PLANNING FOR A SMALL COLLEGE I HAVE SEEN IN 20 YEARS

All the men on the Board of Trustees feel that such a project would not have been possible in a large city, because the success of the plan depended on the ability of all the men to meet weekly, and sometimes more often, to iron out problems that arose all year.

"We've gone home from a meeting more than once, unable to sleep because we couldn't seem to find a solution to some of these things," one member pointed out. "But we'd meet again, talk some more, compromise a little, and settle the issue. You won't find cooperation like that anywhere but in a small town."

Recognition for their efforts came not long ago when Dr. Donald DeHart, regional director for the New England Region of the United States Department of Education, stated that "this is the finest planning for a small college I have seen in 20 years."

Ten men with a dream have accomplished a goal that many felt would never be reached. Unity Institute will not only put Unity on the map, it will give many students who might never have dared try for an education at a larger institution the opportunity to achieve a higher education of the highest quality.

DESERVED TRIBUTE TO SENATOR MAGNUSON

Mr. BARTLETT. Mr. President, Trucking Business, an industry publication, printed an article in the September 1966 issue entitled "Trucking's 'Friend in Washington.'" Upon reading that title I did not need to go further in speculation as to the name of the man so described. It was, of course, Senator WARREN G. MAGNUSON, senior Senator from Washington, and chairman of the Senate Commerce Committee. Senator MAGNUSON is, indeed, a friend of trucking. That is not all. He is a friend of every mode of transportation but never forgetful of a prime responsibility in making sure at all times that the public interests are served in advance of every other consideration. Indeed, his interest in protecting the public, the consumer, was never better exemplified than by Senator MAGNUSON's recent action in setting up a Consumers Subcommittee of the Commerce Committee with himself as chairman.

In these areas, Mr. President, and ever so many others the Senator from Washington has served his State and the Nation well and effectively. I now ask unanimous consent that the article in Trucking Business be printed as part of my remarks:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SENATE COMMERCE COMMITTEE: TRUCKING'S "FRIEND IN WASHINGTON"

(By Mel Brdlik)

Scope of the Senate Commerce Committee can scarcely be painted in broad enough, wide enough strokes. Responsible for legislative jurisdiction that affects 90% of the nation's commerce and industry, the committee's work during the 1960's has ranged far afield to civil rights, truth in packaging, the Telstar satellite, and (just last month) the protection of children against lethal products.

But its chief capacity is as overseer of the great regulatory agencies.

In transportation, the Senate Commerce Committee has legislative jurisdiction over the three agencies which regulate land, water and air transportation in this country—the

Interstate Commerce Commission and the Civil Aeronautics Board.

COMMITTEE AUTHORITY

Each of these agencies derives its legislative "mandate" through this committee; each is subject to continuing scrutiny by it; and each must have this committee's approval for the appointment of new members.

There is no corner of the for-hire or private trucking industry where this committee's influence could not reach . . . no plan for the future made by the management of private or for-hire truckers is valid without first considering the direction this powerful committee is taking in the Senate.

By the end of August, over 300 pieces of legislation had been referred to the committee during the 89th Congress.

Most important to motor carriers in 1966 is the Automotive Safety Bill (signed into law on September 6). Last year the most important was the Anti-Illegal Carriage Bill, which passed. In both sessions there was the usual stream of ICC bills which flow through providing a way for changes to be made in the far-reaching authority of the ICC.

Reverberations from all of these measures will be felt in the private and for-hire trucking industry for years to come.

PRESIDENT'S THUMB

But even as overseer of the great regulatory agencies the powerful Senate Commerce Committee did not oversee the hearings for the bill to create a Department of Transportation. This bill was heard by the Government Operations Committee.

Last February, Senator MAGNUSON predicted to Trucking Business that the odds were against passage of the DOT Bill in this session of Congress.

By the end of August, the Senator had changed his mind, primarily, it would seem, because changes made it Congress' bill instead of the Administration's.

To critics, who state that DOT could, over time, shift much overseeing authority from Congress to the Administration, Senator MAGNUSON has a straight answer: Not possible. He points out that the Congress will still control the department, and—most important in Washington—Congress keeps the purse strings.

This is reassuring to the motor carriers.

For, despite all the confusion that surrounds the regulated transportation industry these days, there is one thing that few people question: The trucking industry's influence in Washington lies on Capital Hill with the elected Senators and Representatives.

It stands to reason. There are more voters in trucking than in any other industry, save farming.

As head of the Senate Commerce Committee, Senator MAGNUSON is a friend of trucking. This does not mean that he—or any member of his committee—is going to charge up Capitol Hill riding the fifth wheel of a diesel tractor, waving trucking's banner.

COULD HURT EFFORTS

Oh, no. Blatant overtures to one industry such as trucking could render any committee chairman in Congress ineffectual in his job.

Support must be provided in other ways. There are many examples of this.

Though the Commerce Committee did not hear the bill to create DOT, Senator MAGNUSON as "Mr. Transportation" was asked to kick off the testimony at the hearings last March.

At that time the attitudes of the powerful transportation lobbies in Washington, including the American Trucking Associations, could best be described as "non-committal," on the DOT Bill.

Senator MAGNUSON emphasized he was appearing in his individual capacity as a Senator. His committee had "not committed' itself yet.

Then he lashed out at Section 7 of the bill which deals with how DOT would dole out our nation's transportation dollars and which potentially could affect the Highway Trust Fund.

He testified: "This section should not infringe on the prerogative of Congress in the establishing of transportation policies . . . the new secretary is only to recommend policies to Congress."

THE STICK IN THE CRAW

Section 7 is, of course, the part of the bill which also sticks in the craw of the ATA which supports the rest of the DOT Bill and the Private Truck Council which supports none of it.

In addition to this agreement with trucking on how Washington will dole out the dollars, Senator MAGNUSON was the prime mover behind the Anti-Illegal Carriage (Gray Area) Bill when it passed through his committee last year. After it passed he said:

"Illegal operators have been put on notice to cease their activities. An all-out drive will be made to eliminate these poachers from the highways of our nation."

The fact that this has not yet happened, should lead those who complain about it to conclude that they would have a redress of grievances in the Senate Commerce Committee, since its chairman has taken such a strong stand.

EAST VERSUS WEST

Senator MAGNUSON also championed another important piece of transportation legislation which concerns trucking only indirectly . . . the "Box Car" Bill. This bill helps make certain that the railroads provide Western states with their fair share of freight cars.

Currently in short supply, these freight cars are largely concentrated in the industrialized East where the Eastern railroads monopolize them, paying only a low per diem charge.

The Senator's support of the Box Car Bill does not make him an enemy of the railroads, for the bill was triggered by complaints from lumbering interests in his home state—Washington—where the shortage of rail cars this spring had become acute enough to threaten the closing of several lumber mills.

Success of the powerful Senate Commerce Committee is due in no small measure to its chairman's skill in handling natural differences which arise. "Maggie doesn't have an enemy on either side of the aisle," says Senate majority leader MIKE MANSFIELD. "He has understanding and good will in the bank," says a close personal aid.

"Even when he is shepherding an Administration proposal through his committee, Senator MAGNUSON is always seeking the consensus so dear to his friend in the White House," the Wall Street Journal writes.

He himself says, "We seldom pass a bill in the Commerce Committee that isn't pretty well agreed on."

CONSTRUCTIVE, CREATIVE

In addition to the somewhat negative "overseer" function of the nation's commerce, the job of this Committee has a constructive aspect. It can, of course, originate bills. It also serves as channel to consider Administration's legislation.

As chairman, Senator MAGNUSON is expected to introduce bills "by request" of the President. Despite the fact they are, indeed, old friends (they were sworn into the House together in 1937 and later Maggie was part of the whip that helped Lyndon run the Senate for eight years), the Senator does not necessarily parrot the Administration's line, even on bills he introduced "by request."

Some of the constructive functions of the Commerce Committee may even be labeled "creative" in that they deal with brand new ways to solve problems within the Committee's jurisdiction.

Two examples of such bills from this session: The bill to establish a National Oceanographic Council, opening a whole new world to a whole new science, and the Tire Safety Bill, which was suggested by Senator NELSON and championed by Senator MAGNUSON long before the White House latched on to it.

ONE HUNDRED NINETEEN YEARS BEFORE TRUCKING

It was 150 years ago, in 1816, that the resolution creating a Committee on Commerce and Manufacturers was passed by the Senate.

In 1816 when the committee was formed the first barge had just begun to ply the Mississippi, the country's first railroad was still 14 years away and trucking, as an industry, did not come on the scene until 1935—119 years later.

Lately, "legislation providing airline and railroad regulation, automobile safety standards, high-speed ground transportation and satellite communications has displaced tariff schedules and harbor dredging bills among the major concerns of the Committee," the anniversary booklet suggests.

Then it asks: "What proposals will fill the committee calendar after another 150 years? The rate at which the types and complexities of commerce are changing defies even a guess."

MAGNUSON ON MOTOR TRANSPORT

(NOTE.—Questions the Trucking Industry is asking are voiced by Mel Brdlik, editor, in this interview with Senator WARREN G. MAGNUSON:)

Q. Who sets transportation policy? Congress? . . . the Administration? or is it set in the field by the carriers? For instance, the trucking industry existed for a decade and a half before Congress acted, in 1935, to put it under regulation.

A. Congress sets it. But we seek the advice of the people in the industry. Policy in transportation is practical. We have to use wisdom to keep it alive; not harassment which would weaken it. When we make policy, all members of all modes are consulted.

Q. Do you advocate increased highway user taxes as suggested by Secretary of Commerce Connor?

A. User charges should be based only on what the traffic can bear. They can be so oppressive that the nation's transportation system would suffer.

Remember that highways are built for the public in general and not just one mode. It was never expected that one mode would pay the whole thing. Charges should be equitable.

Highways mean progress to communities. They bring employment and wealth to the community at large.

Truckers, I believe, pay their share through axle and gas taxes as well as state taxes. There has been some question as to whether barge lines should pay more for waterways, but waterways are used for other purposes as well: recreation, flood control and the like.

Q. Are you for or against regulation?

A. A complex question . . . it cuts across all facets of our commercial life on every level. But it is not enough to be against regulation. You must state what you are *for*.

I will look at any proposal just so long as it does not worsen rather than help the situation.

Q. The report produced by the President's economic advisers this year seems to support de-regulation of trucks and rails. . . .

A. There have been reports on de-regulation for the last 50 years. The first session of the Senate in which I served in 1944,

THE UNIVERSITY OF MICHIGAN LIBRARIES

discussed de-regulation. They may change the names of the bills, make new surveys and reports, create new slogans and slants . . . but it is not a new idea.

As long as we have a private transportation system—the only one in the world, and the best one—there will be questions about the degree of regulation.

Q. In the view of trucking observers, this report of the President's Council of Economic Advisers blatantly parallels the published stand of the Association of American Railroads. Is there any difference in the Administration's views and those of your committee on this?

A. We feel that minimizing rate regulation is not practical. It takes you back to the old system of dog-eat-dog or one mode destroying another or a wrecking competition within the modes—any of which would cause the failure of our transportation system.

The common carrier is still the guts of our transportation system and he must be regulated and protected so he can give the public proper service.

Q. The Administration's view seems to be that the shipper would benefit from deregulation.

A. Sure the shipper may *think* he'd get a break, but the truth is he won't have reliable service. Rates are worked out to be compensatory, allowing the trucker to exist.

Q. You indicate that de-regulation proposals have been offered for 50 years. What has changed in these proposals to prompt this conclusion?

A. These days there is more enlightened, constructive criticism. Today's criticism, armed with supporting research, zeros in on the issues.

Q. What about the proposals that if regulations of rates are removed and free entry allowed, anti-trust laws should apply to trucking?

A. Anti-trust laws are on the books and if regulation is removed, all transportation, in my opinion, would be subject to them . . . like any other business. But I think the nature of transportation at this time opposes that kind of competition.

Q. Do you feel that we need more study on de-regulation?

A. There have been studies after studies—we have rooms full of them. Of course, as conditions change there is always a need for specific studies, for instance, the complexity of rates: whether they are equitable. But more studies on opening up transportation to free entry or exemption from regulation are not practical. We all know what would happen.

Q. Your position on de-regulation . . . does it reflect the West's attitude?

A. There is no difference in principle, East or West, though there are different situations. Urban centers of the East need regulation more than Nevada.

I only want to see regulation sufficient enough to accomplish objectives of an effective transportation system. Beyond that there is harassment.

Q. Do you favor the appointment of the ICC chairman by the President instead of election by the commissioners, as now practiced?

A. Remember that ICC is the only regulatory agency that hasn't a permanent chairman. The idea was first suggested when the ICC was established in 1887. It was hotly debated by President Roosevelt and the ICC chairman of that time, Joseph Eastman.

Q. On what questions do you foresee legislative activity during the 90th Congress next year?

A. I do not foresee any major transportation legislation in the next session. However, if and when the Department of Transportation is created, the Commerce Committee will have to confirm the people in it including the new Secretary. Then there will need to be legislation to amend existing acts and pass others in the light of the new Department.

Senator Magnuson Says DOT Will Pass

Q. In February, Senator, you felt that odds were against the passage of a Department of Transportation in this session of Congress. How do you now feel?

A. I feel that the bill we have now is the Congress' bill and it will pass.

Q. Many people feel it's an "eh!" bill . . . who needs it?

A. True it is not a strong bill. But these things are evolutionary. They happen gradually. We need it because if nothing else it coordinates all transportation activities on a national level. Under present conditions this is spread all over the place.

Q. Many truckers are afraid DOT will move the seat of authority from the Congress to the Administration.

A. This is not true. The Congress will still maintain these controls: Mandate the Department's existence. Grant it authority through legislation. Approve appointments, including the chairman. Control the purse strings.

Now take a trucking company. The fellow who controls the existence, the authority, the personnel and the purse strings . . . wouldn't you say he's in charge?

Q. Why would you think truckers are opposed to DOT?

A. It's like anything else. . . . It will be a change of faces and this is always opposed. But the truckers who come to me know when they have some complaint about an ICC ruling, and they'll do the same thing with complaints about the new Department.

Q. Will the Department succeed?

A. It depends on the man—and the Commerce Committee will have to see to it that good appointments are made.

ROBERT HUTCHINS LOOKS AT U.S. FOREIGN POLICY

Mr. McGOVERN. Mr. President, the San Francisco Sunday Examiner and Chronicle of October 2, 1966, carried a most interesting foreign policy observation by Dr. Robert Hutchins, head of the Center for the Study of Democratic Institutions, Santa Barbara, Calif.

I ask unanimous consent that Mr. Hutchins' article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Foreign Policy for Long Ago

(By Robert Hutchins)

The strongest defense of American foreign policy runs something like this:

The world is in bad shape. Gangsters and brigands are loose in it. Many nations are too small and weak to protect themselves against them. Somebody has to maintain order and protect the small and weak.

This responsibility falls to us because we are the only power capable of discharging it. Whenever the territory and independence of a nation are threatened, and it appeals to us to defend it, we must respond because if we do not such world order as there is will collapse.

The argument continues with the recognition that the condition of affairs is unfortunate for us. We would much rather stay at home and build the Great Society. It is embarrassing, moreover, for us to have to be policeman, prosecutor and judge, all rolled into one.

Our motives are suspected, our actions are resented, even by those whom they are intended to benefit. But we can do no other, simply because there is no other to do.

There is no effective world organization, and such a world organization cannot develop out of the United Nations because some of the principal gangsters and brigands belong to it. They have prevented it and will continue to prevent it from acquiring the means to keep disorderly members and non-members in their place.

This is the argument. It is an argument from necessity. But this necessity is visible only to ourselves. General Charles de Gaulle, to say nothing of the Soviet Union and China, does not see our qualifications to run the world, or even Europe, quite as clearly as we do.

In the second place, it is not merely embarrassing to be a judge in one's own cause, it is fatal. This is not simply because other people will suspect us of judging in our own interest. It is because it is impossible for a judge to judge his own cause justly.

A nation that sets itself up to maintain order in the world must end by trying to conquer it because it will inevitably define a gangster and brigand as anybody who tries to thwart its self-appointed mission.

In the third place, if we spend one-tenth of the money, brains and attention on solving the problems of world organization that we have dedicated to military preparations and military exploits if we, as the greatest power in the world, devoted ourselves to making the United Nations work, we might not succeed, but at least we might complain with a clearer conscience than we are entitled to have today.

It is significant that two reasons why U Thant resigned his post were the failure to admit mainland China and the war in Vietnam. The United States is responsible for both.

Finally, the world is not calling for a self-anointed Caesar. The countries of Asia, and Africa in particular, are not asking to be "saved" from Communism, certainly not by military power, which, when applied on the American Plan, means the destruction of their property and the corruption of their people.

They are asking for help and guidance as they try to find their way out of a miserable past into a tolerable future. By responding with military power we show that we have no grasp of the realities of the 20th Century. Our slogans and our methods are those of an age that is gone.

MADAM CHIANG SPEAKER AT NEBRASKA WESLEYAN UNIVERSITY

Mr. HRUSKA. Mr. President, earlier this fall, the dynamic and personable Madam Chiang Kai-shek, First Lady of the Republic of China, addressed a student convocation at Nebraska Wesleyan University, in Lincoln.

Her visit, requested by university officials, was arranged by my colleague from Nebraska [Mr. Curtis], who is a member of the Nebraska Wesleyan board of trustees and who was present to introduce her to the convocation.

The insight and perspective of Madam Chiang on the turbulent situation in Asia, viewed by one who literally lives next door to Asian communism, have particular pertinence at this time.

Mr. President, I ask unanimous consent to have printed in the Record the text of Madam Chiang's remarks, together with her introduction by Senator Curtis.

There being no objection, the introduction and speech were ordered to be printed in the Record, as follows:

Introduction of Madam Chiang Kai-shek by Senator Carl T. Curtis, Republican, of Nebraska, Nebraska Wesleyan University, September 29, 1966

Dr. Rogers, students and faculty members of Nebraska Wesleyan, visitors, friends all, the distinguished world citizen whom I am about to introduce has so many admirable qualities that I cannot begin to delineate all of them. However, she possesses two qualities that I place at the top of the list in public service—the qualities of steadfastness and devotion.

I shall never forget the first speech I heard her give. As a young Congressman, I was fascinated by her great mind and her rich spiritual qualities as she pleaded the cause of her people to a joint session of Congress in the early days of World War II.

Our speaker today began her career of service to her people in surroundings very similar to those of the fine people who teach and attend school here at Nebraska Wesleyan.

She was educated at Georgia Wesleyan College and Massachusetts Wellesley College here in the United States.

She was married to President Chiang Kai-shek in Shanghai in 1927.

From 1929 until 1937 this steadfast woman of the world devoted her energies and talents to the task of directing a school for orphans. From 1930 to 1932, she served in the Chinese legislature—the legislative Yuan—and in 1937–38 she served as Secretary-General of the National Aeronautical Affairs Commission of China.

In the furtherance of her service to her people, she founded the National Chinese Women's Association for War Relief, the National Association for Refugee Women and the Huahsing Children's Home.

She has held high posts with the International Red Cross Commission, Chinese Women's Relief Association of New York, Canadian Red Cross China Committee, India Famine Relief Committee, British United Aid to China Fund and the Nurses' Association of China.

She has been awarded the medal of honor by the New York City Federation of Women's Clubs, the gold medal of the New York Southern Society, the Chi Omega national achievement award and the gold medal for distinguished service by the National Institute of Social Science.

She is a member of Phi Beta Kappa and an author of several books about China, its people, problems and culture.

I am delighted to present to you the very capable, charming, steadfast, devoted First Lady of the Republic of China, Madame Chiang Kai-shek.

Text of Address by Madame Chiang Kai-shek at the Convocation of the Wesleyan University, Lincoln, Nebr., September 29, 1966

It was in a somewhat idyllic mood of nostalgia on my present trip to the United States when I accepted as my first invitation to speak at Wesleyan College in Macon, Georgia, that I first began, as it were, to think aloud my thoughts. The name of the seat of learning whereof I speak, you will note, bears the same namesake as yours, in memoriam of the same great Methodist theologian—John Wesley whose evangelical Arminianism, epoch-making Alderstreet preachments and Notes on the New Testament have exerted such a great and lasting influence on the New World.

Today, just sometime prior to my departure for Taiwan, and home, I have come to visit with you at President Rogers' invitation extended to me through our friend Senator Curtis, and to speak to all of you who have outgrown the "chrysalis stage" of life with your minds honed and your intellect keened as you enter into self-reliant adulthood in the pursuit of knowledge, of intellectual exercise and of pragmatic, scientific, industrial and management know-how sighted to an unlimited horizon. I am happy to say that almost all of the students and graduates of Wesleyan College in Macon where I had spent many happy years of my childhood are not southern belles reputed merely for beauty, poise and personal refinement, but that over the years they have come through their baptism of fire in intellectual and cultural disciplines and in turn have imparted and passed on their perception, learning and wisdom from generation to generation. And I am sure Wesleyan in Lincoln through her alumni has done as much as have graduates of other great and wondrous institutions across the country.

Truthfulness, however, forbids that I give only a partial vista of the whole view. Nevertheless it is still not pleasant nor happy for me to hear it said by many of my usually thoughtful and patriotic American friends that impartial historians of the future will say that the United States in the 1960s was an era of chaotic "clod thinking," deliberate fractiousness, general indiscipline and a blurred sense of purpose unrivalled in her entire history of existence and that for intentioned reasons this country took an ugly perverse pride in perennially bordering on complete breakdown of law and order. These are indeed harsh words.

One would think, I have repeatedly heard said, that with the present numerical increase of students in higher learning the definitive salutary virtues fostered by education would at least be felt proportionately in the affirmance of the great social, moral, economic, scientific and political validities and principles hitherto cherished by the United States and respected throughout the world. Yet these validities have seemingly been eroded and substituted by sophisticated half-truths which are now in high fashion, spearheaded by the so-called intellectuals "using" the student radicals. Writing in "Daedalus," President Martin Meyerson of the State University of New York in Buffalo, avers that student radicalism in this country results from a basic transformation in higher education, for whereas half a century ago college attendance was a privilege enjoyed by a small elite, today it is the birthright of the middle class; and whereas 98 percent of the students are silent, though I should think far from complacant, the remaining two percent are articulate activists. Two percent of the five and a half million students enrolled adds up to 100,000 persons, a force quite sufficient to make itself noisily vociferous, especially when the two percent affects to speak for all. This might be passed off as commotion in intellectual exercise.

But how are we to gainsay facts that are actions begotten from theories when the evidences are for all to see? Let me enumerate some of them. In the last twelve months, city after city has been plagued with "demonstrations" led by elements who put sectional interests or their own inflated importance or the desire to see themselves in print or on T.V. above national interests. Crime has been on the increase to an unprecedented degree, for law enforcement is frustrated by decisions such as Escobedo v. Illinois and the Supreme Court's Miranda decision which, owing to the judicious necessity of reaffirming the basic constitutional right of criminal defendants to assistance from a lawyer and the right of freedom from compulsion to testify against themselves, allowed the four confessed criminals to walk away scot free. Then there is the pervasive phenomenon of a comparatively inimical minority immobilizing the majority to the prejudice of the public good through placing the majority at the mercy of an organized minority however insignificant in number. Labor is disenchanted because the cost of living has risen and the unions fret in having to adhere to wage guidelines. Strike after strike has resulted in losses to the nation's economy. An example will illustrate what I mean. Last year, 1965, the United States lost 23 million man days of work through strikes as compared to 49 thousand man days in West Germany. Yet Congress and the Administration, painfully aware of the hard-won prerogatives of labor dating back to days even before Samuel Gompers, are treading ever so carefully so as not to abridge one iota the power of organized unions.

The rash of lawlessness that we see in the cities renders the police, who no longer command the respect of the populace as they once did, frustrated and ineffective as guardians of human life and property. State Governments are paralyzed by the constant wrestling with greater yet greater budgets, and the Federal Government is torn between the demands of a crucial war in Vietnam and the inveterate and constant requirements within the United States that force a bigger and bigger national fiscal burden.

The above are some of the cogent occurrences that accentuate the difficulties and vulnerabilities within the country. Rightly and wrongly, the blame is laid at the door of all the intelligentsia because of their commissions and omissions. Disturbing as they are to all people of good will and right thinking, I still believe that the situation obtaining in this country is self-saving, for her weaknesses are never surreptitiously kept from public view for long, and this is both the hallmark and strength of "these United States." Furthermore I have faith in the collective intelligence emanating from the American people's inner soundness which rectifies sui generis before it is too late so that in the years to come the United States will again return to her indices of admirable constants.

It is nevertheless unfortunate that on matters of foreign policy the United States conveys to the neutrals, skeptics, fence-sitters, as well as to the Chinese Communists an "image of fear" through using what might be described as timidity and a technique of "push, pull, quick, click" in dealing with the Chinese Communists which encourage their planned military world expansionism.

That the Chinese Communist regime is bent on world enslavement can be seen by what is taking place now on China mainland. The present nationwide implosion at first sub-rosa actually began in September of last year and is developing into a hot explosion upon gathering momentum in its rampaging destructiveness. By Communist admission it includes a purge of 160,000 intellectuals and some hitherto hard-core Communist party members and recently climaxed with a crushing stampede brought on by the adolescent Red Guards hastily mustered into the cities with Maoist approval. These youths clothed in brief yet official authority on their own recognizance issued ukases to eight minor poiltical parties, which heretofore served as window dressing to the Chinese Red regime, to dissolve themselves within 72 hours from the time so ordained and ordered.

The Red minister of higher education and presidents of 50 universities and research institutes have been dismissed. These include the presidents of Chiaotung, Chungking, Wuhan, Lanchow and Yunnan universities. They have been removed and assigned to menial service and the president of Peiching University in Peiping has been sent to a coal mine as a hod carrier.

I quote a despatch by Mr. David Oancia of The Globe and Mail of Toronto from the New York Times of August 25:

"The high command of the Chinese army has started a propaganda campaign glorifying Korean war veterans and stressing the superiority of man over weapons of mass destruction.

"The campaign is taking form as the paramilitary Red Guard of teen-agers press their drive against bourgeois tendencies in the continuing 'great proletarian revolution.' Today the youths ransacked a number of private homes for jewelry, cosmetics and literature they consider pernicious."

One can well gauge the breadth and plumb the depth of this pogrom by the insistent, aggressive and yet dissatisfied yawpings of the leaders and partisans of the so-called present "cultural revolution."

As early as August 10th and 11th, Red Flag, the mouthpiece of the Chinese Communist Party Central Committee and the People's Daily, organ of the Peiping regime, editorially conceded that the "great proletarian cultural revolution" was being thwarted by very strong and stubborn reactionary resistance. And now in the latter half of this month come consistent and persistent reports divulging the ever-widening ramifications of ideological defections and deepening cleavages within the Communist framework. Indeed the so-called "anti-party group" in reality the "anti-Mao thinking" group had permeated all three, the unholy trinity of the regime—the party, the administration, and the armed forces. How deeply the "anti-party group has taken root in the administrative and party organs is evidenced from the fact that with every passing day since the start of this present purge we have received continuous reports of tortures, killings, suicides and disappearances of cadres and administrative personnel at provincial, county and municipal levels. The dismissal of Peng Chen, the Communist party leader for North China and concurrently the mayor of Peiping, and his large strong grass root following, the gradual disgrace of and attack on Liu Shao-chi who was until a year ago second only to Mao, and the purge of Lu Ting-yi, the propaganda chief, have even been highlighted by the Chinese Communuists as major feats of successful purgings. Peiping's city newspapers, the Pei Ching Jih Pao, the Chungkuo Ching Nien Pao, the national paper of the Young Communist League, have been banned; while the famed or ill-famed Ta Kung Pao announced that at the Red Guards' request the publication would be reduced to a thrice-weekly newspaper under the new name of Chien Ching Pao (March Forward Daily) instead of the old name Ta Kung Pao connoting impartiality. I recall that in the days when the National Government was on the mainland, Ta Kung Pao (L'Impartial) attacked at will with reckless daring knowing that right or wrong it was in fact above libel laws since it had a blind following. Those were the days when the Ta Kung Pao perorated edicts which the intelligentsia, literati and people who considered themselves in the swim of things hearkened to respectfully. Those were the days when the Ta Kung Pao posed as the conscience of the nation, as well as the voice of impartiality, delivered lofty deliberations as did Arnold Bennett in his day and dripped pearls of supposedly "absolute truths" from Olympian heights. Those were the days when to its everlasting ignominy the paper was used not only by Communists but by fellow travellers who under the guise of liberals were preparing to sell the country into Communist slavery. This they have succeeded in doing thus far. Now for their pains in having rendered such service the Communists have set upon the paper a covey of bullies who have sent it to its doom without even a whimper of protest from its cringing beseechers.

Despite its far-reaching effects, the Maoist protagonists at first still regarded the purge as ineffective due to what was called "poor leadership" of the party organizations at the lower levels particularly as the cadres were "frightened into fits" at the first sign of resistance they encountered. The bewilderment of the cadres is not difficult to understand, for they were suddenly ordered to turn upon the very people whom they had been taught in the past to look up to for guidance and commands. This hesitancy in Maoist parlance meant that the drive of the Red Guards was not violent enough and therefore they must be exhorted to continue sustained terror and greater mercilessness towards their victims.

In passing we should also note that at present there is general and deafening silence both here and abroad regarding the expertise appraisals of the "China experts" (1) that the Red China regime has melded the mainland into a solid harmonious ideological monolith; (2) that the aggressive strident utterances by Lin Piao in his now infamous speech of September 1965 of "Long Live the Victory of People's War" comparing Europe and the United States to the cities and the rest of the world to the countryside are oratory or even florid oratory and not really the views of the Chinese Communist Party and certainly not ascribable to the high and responsible leadership of Mao Tse-tung, and (3) that even at "territorial" levels there are forces of moderation and restraint which could deter and hold in check the spread of fighting in Vietnam not to say of world revolution. The above appraisals have been proven to be wrong, have been proven to be pitifully and dreadfully wrong.

Today we know that the schism of view amongst the Chinese Communists, between pro-Sovietism and Maoist extremism, stratified in 1959 when at a secret meeting of the Chinese Communist Party's Central Committee Mao Tse-tung's infallibility as a military strategist was challenged in discussions and party polemics.

From reports coming out from the mainland as early as 1959 and since corrobrated, Peng Teh-huai, Mao's then defense minister, and Huang Ke-cheng, then the chief of staff, were accused of (1) trying to turn the army against the party leadership, in other words, against Mao; (2) opposing plans of a break in working relationship with Russia, and (3) joining moves by moderates towards revisionism tantamount to the abandonment of Mao's interpretation of Marxism-Leninism in favor of the adoption of a semi-Russian if not the entire Russian type of Communism. For these heinous crimes Peng and Huang were cashiered.

Yet this was not the end of the matter. The professionalism in the army was still strong enough to attempt to pressure Mac Tse-tung in repeatedly urging him to reinstate Peng Teh-huai. Mao who is a past master in making use of force had kept the army in its "proper place," that is, as the "instrument" but not the usurper of the Communist Party. He was peculiarly sensitive to the danger of this show of independence on the part of the army as synonymic with outrageous importunity and unmitigating arrogance. But he had to proceed with caution for fear of open insurgency and revolt. In the behind the scene maneuverings Mao gained the upper hand and announced the abolishment of all ranks in the armed forces. The Communist official explanation was that abolishing rank was merely a return to old revolutionary traditions and in one sense it was quite true—a return of complete subordination of the army to the party. Actually it was the intentional downgrading of "professionalism" in the armed forces because the military was becoming an imperium in imperio—a state within a state and regarded itself strong enough to challenge the Maoist principle of "politics is the field marshal" or if you will, "putting politics in command"—a dictum which Lin Piao stressed emphatically in a 7,000-word article on September 30, 1959 after replacing Peng Teh-huai as "defense minister" on September 17, 1959.

To Mao that the Communist military headed by Peng Teh-huai and Huang Ke-cheng challenged his precept of governance was a great and significant double blow, for Peng Teh-huai is not only a native of Hunan, the same province from which Mao comes, but is also one of the stalwarts of long association and had commanded one of the Red armies during its long flight to Yenan. That Peng and the army brass who had always done his bidding unquestioningly had the insistent temerity and gall to question his wisdom was extremely irritating and disturbing to him. Following the dismissal of Peng and Huang, and to ensure implicit discipleship and obedience, Mao appointed Lin Piao as defense minister and Lo Jui-ching, his erstwhile chief of the secret police, as chief of staff, with Lo having the effective command of the army as Lin Piao's health has been frail. Mao then felt that the dangerous weapon, the army, was once more in safe hands. It is indeed ironic that with the elapse of a few years, Mao's man Friday, Lo Jui-ching, too came to espouse the view of "elite professionalism" of the armed forces, the very view that Lo was specifically put in to deracinate and exterminate. The controversies in the wisdom of ultimately facing well-armed adversaries with conventional weapons represented by rifles and bayonets and the constant interference of the political commissars in the armed forces again became major problems. A long article bearing Mao's imprint of thinking published by the *Chich Fank Chun Pao* (Liberation Army Daily) emphasized that all battles were decided by combat at close range and by soldiers using conventional weapons. I quote: "The more we rely on close combat and night combat to decide the issue, and the more we rely on courage, sacrifice and the spirit of man, the more we should give priority to the factor of man." Here I should say that the First Division Airmobile encountered exactly this kind of sticky situation of close combat where bombing against the North Vietnamese regulars could not be used because of this "sic-'em" technique of the Communists. Continuing the article stated that what the American imperialists fear most is a people's war, in particular, close combat and bayonet fighting, and that it is for the Chinese Communists to choose the combat tactics in which the imperialist vulnerability is greatest. As proof of the thesis that even in modern conflict man is more decisive than weaponry, the Chinese Communists point to the fact that despite overwhelming fire power and machine and mechanized advantage the United States has, both Hanoi and the Vietcong are still well holding their own.

To the Maoists, a man who is prepared to die or be forced or goaded to die for Mao Tse-tung thinking is more effective than an American or Russian imperialist equipped with the most up-to-date weaponry. To any sane person with common sense not to say to the professional military view, this Maoist arcana posits, for the present, two implicits: (1) The unwavering aim of fighting a war against imperialists, revisionists and reactionists meaning the United States, Russia and India; (2) the determination of fighting the war of expansion for the sake of Communist world revolution with the 750 million Chinese as the "secret weapon," thermo-nuclear or no thermo-nuclear holocaust. To Mao, Lo Jui-ching representing the cowardly hidebound "bourgeois military attitudes" in the armed forces which want better relations with Russia is treasonous. That Peng Teh-huai, one of his long trusted lieutenants should question his infallibility and prowess in 1959, and Lo, his Lavrenti Beria, should joint the "anti-party gang" now are almost irreparable blows to Mao's trust in the men around him. The recent special emphasis and mention of Chiang Ching, his frustrated actress wife, as Mao's confidante, and her sudden emergence as "an entity in her own right in the Communist hierarchy" indicate Mao's extreme suspicion of almost everyone around him and can only be explained by onsetting senility, since participation in responsible public affairs demands a confluence of multiples, amongst them public trust and administrative talents. Varied abilities are not the monopoly of a few and certainly not limited to Mao, his wife and his flunkies.

A Tokyo September 4th wire service report says that the innoxious-sounding "cultural revolution" is further practicing nihilistic extremism; Mao in perpetuating Maoist thinking is also ridding mainland China of all vestiges of so-called "foreign influence." In this extremism the Red Guards have closed Peiping's cemetery for Europeans and has renamed it "Anti-Imperialist Anti-Revisionist Orchard." The road on which the Russian diplomatic mission is located is now called the "Anti-Revisionist Road," a nettlingly deliberate and constantly reminding insult to the Kremlin. The city of Peiping is replete with "Anti-Imperialism Road, Prevent Revisionism Road, Struggle Against Revisionism Road," etc., as if these anti-this and anti-that will act as talismans to ward off or wish away the impending doom the Maoists desperately fear.

On August 25th Reuters reported that the Red Guards took over a Roman Catholic convent run by four elderly nuns and plastered it with posters denouncing religion and "foreign devils." From the street it was seen that statues of Christ and Virgin Mary had been broken, while the gentle Catholic nuns were forced to sit in the gutters and publicly made to tear up the Bible. At their exit from the mainland on the Honkong border they had to line up facing the menacing fists, vituperations and physical threats of the Red Guards chanting and acting in unison. The largest mosque in Peiping was invaded and a Moslem Iman was dragged out and beaten. Doctors were put on trial and forced to walk on their knees because they had treated foreigners, and residents were dragged from their homes for some imagined crime in midnight raids and led away to labor camps. Suicides because of fear and indignities suffered have become frequent common day occurrences. Here I would like to say that the free world should not be frightened into believing that millions upon millions of Red Guards are truly dyed-in-the-wool dedicated Maoists who would die to a man for Mao or that the 750 million Chinese would march to fullfill Mao's egocentric mania of "world revolution" any more than to think that the German and Japanese peoples noted for intransigeance would have died in fighting for Hitler and the Japanese warlords as was the mistaken mood in the anti-axis world during World War II. As a matter of fact, the frenzied anarchy now continuing is the result of a partial irrational malevolent exuberance born of blind emotionalism, that is part hooliganism, part bullyism, part a chance for gaining coveted larceny and part opportunism overlaid with a layer of self-righteous importance of serving an "in" cause—others of the so-called Red Guards are compelled to join for fear of indeterminate punishment by not joining. Such is the churning mass psychology and fear psychosis on the mainland today. Mao Tse-tung used Lin Piao's armed following to "fix" the recalcitrant factions of the party which in turn purged the Peiping party boss Peng Chen. Mao is now using the persons of Lin Piao and Yang Cheng-wu to "fix" the armed forces of their anti-Maoist thinking as well as using the undisciplined indehiscent youths, the Red Guards, as a mass political and paramilitary pressure group to cower the military thus doubly insuring himself against future insurgency. Such is a regime which has been in existence for 17 years, which calls itself a government and yet always is fighting for its own existence with violence and which must still resort to planned reigns of terror from time to time to suppress and oppress the Chinese people; it has now resorted to devouring its own children of the "Communist revolution" in order to maintain power.

It does not take any great mental faculty to translate the torrents of Russian, Japanese and neutral reports emanating from the mainland to realize what the Chinese people are suffering. I have suggested elsewhere that there are only two solutions to this vexatious problem facing Russia, the United States and India as well as Southeast Asia and ourselves: (1) To bash in the door with overwhelming force so that all the rottenness will fall out of its own accord, or (2) to use the proper key and deftly unlock the door that will be the beginning of the end for the inquisitorial Maoist ogres. And let me add that the key to a door is never as big as the door, and certainly never bigger than the door.

Being of a generation that can still remember the days when every singing of a strong love for country was an emotionally and spiritually cleansing and gratifying experience, I cannot but advert that today, the upholding of ideals which America has stood for bears a tattoo of "behind the times" unsophistication, and patriotism evokes a pained look of incredibility, as if one were being obscene or slightly mad. Such is the free world's passive surrendering of will and intelligence to these new times.

In the words of Walter Bagehot: "The characteristic danger of great nations like the Roman or the English which have a long history of continuous creation, is that they may at last fail from comprehending the great institutions which they have created."

These indeed are words worth pondering over, and heeding.

THE PRESIDENT'S SPEECH AT THE NATIONAL CONFERENCE OF EDITORIAL WRITERS

Mr. JACKSON. Mr. President, I wish to place in the Record the speech of President Johnson at the National Conference of Editorial Writers in New York on Friday, October 7, 1966.

President Johnson's remarks on NATO and East-West relations are superbly timed and highly significant. He has asserted a new leadership in a positive allied program of political cooperation with East European countries and the Soviet Union, at a time when Moscow's feud with Peking may open the way to some reciprocal Russian moves of cooperation with the United States and Western Europe. The President has coupled this political initiative with new, practical steps to help reduce outdated obstructions to American economic contacts with Eastern Europe.

At the same time, the President has emphasized that the new stage in East-West cooperation must be accompanied by the strengthening of the Atlantic Alliance, rather than weakening it as DeGaulle tries. He said:

> The bonds between the United States and its Atlantic partners provide the strength on which the world's security depends.

The key step implicit in President Johnson's initiative is mutual, gradual, and balanced reduction and withdrawal of military forces from central Europe. The President's stress on "mutual" reductions and redeployments in East-West forces is a much-needed counter to the voices often raised on behalf of substantial, unilateral cutbacks of American combat capability in Europe. As I said on the Senate floor on September 1 this year:

> We could look safely forward to the reduction and redeployment of U.S. and allied NATO combat forces if the Soviets and the other Warsaw Pact countries make effective military and political arrangements for an equivalent reduction and redeployment of their forces.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of the President at National Conference of Editorial Writers, Carnegie Endowment Building, New York, October 7, 1966

I remember some years ago Franklin Roosevelt addressed the Daughters of the American Revolution. His opening words were not "My Friends," but "Fellow Immigrants."

And he was right. Most of our fathers came from Europe—East or West, North or South. They settled in London, Kentucky; Paris, Idaho; and Rome, New York. Chicago, with Warsaw, is one of the great Polish cities of the world. And New York is the second capital of half the nations of Europe. That is the story of our country.

Americans and all Europeans share a connection which transcends political differences. We are a single civilization; we share a common destiny; our future is a common challenge.

Today two anniversaries especially remind us of the interdependence of Europe and America.

On September 30, seventeen years ago, the Berlin airlift ended.

On October 7, four years ago, the Nuclear Test Ban Treaty was ratified.

There is a healthy balance here. It is no accident. It reflects the balance the Atlantic Allies have tried to maintain between strength and conciliation, between firmness and flexibility, between resolution and hope.

The Berlin airlift was an act of measured firmness. Without that firmness, the Marshall Plan and the recovery of Western Europe would have been impossible.

That hopeful and progressive achievement, the European Economic Community, could never have been born.

The winds of change which are blowing in Eastern Europe would not be felt today.

All these are the fruits of our determination.

The Test Ban Treaty is the fruit of our hope. With more than 100 other signers we have committed ourselves to advance from deterrence through terror toward a more cooperative international order. We must go forward to banish all nuclear weapons—and war itself.

A just peace remains our goal. But we know that the world is changing. Our policy must reflect the reality of today—not yesterday. In every part of the world, new forces are at the gates: new countries, new aspirations; new men. In this spirit, let us look ahead to the tasks that confront the Atlantic nations.

Europe has been at peace since 1945. But it is a restless peace—shadowed by the threat of violence.

Europe is partitioned. An unnatural line runs through the heart of a great and proud nation. History warns us that until this harsh division has been resolved, peace in Europe will not be secure.

We must turn to one of the great unfinished tasks of our generation: making Europe whole.

Our purpose is not to overturn other governments, but to help the people of Europe to achieve: a continent in which the peoples of Eastern and Western Europe work together for the common good; a continent in which alliances do not confront each other in bitter hostility, but provide a framework in which West and East can act together to assure the security of all.

In a restored Europe, Germany can and will be united.

This remains a vital purpose of American policy. It can only be accomplished through a growing reconciliation. There is no shortcut.

We must move ahead on three fronts:

First, to modernize NATO and strengthen other Atlantic institutions.

Second, to further the integration of the Western European community.

Third, to quicken progress in East-West relations.

Let me speak to each in turn.

I. Our first concern is to keep NATO strong and abreast of the times.

The Atlantic Alliance has proved its vitality. Together, we have faced the threats to peace which have confronted us—and we shall meet those which may confront us in the future.

Let no one doubt the American commitment. We shall not unlearn the lesson of the thirties, when isolation and withdrawal were our share in the common disaster.

We are committed, and will remain firm.

But the Atlantic Alliance is a living organism. It must adapt to changing conditions.

Much is already being done to modernize its structures: we are streamlining NATO command arrangements; we are moving to establish a permanent nuclear planning committee; we are increasing the speed and certainty of supply across the Atlantic. However, we must do more.

The Alliance must become a forum for increasingly close consultations. These should cover the full range of joint concerns—from East-West relations to crisis management.

The Atlantic Alliance is the central instrument of the Atlantic Community. But it is not the only one. Through other institutions the nations of the Atlantic are hard at work on constructive enterprise.

In the Kennedy Round, we are negotiating with the other Free World nations to reduce tariffs everywhere. Our goal is to free the trade of the world from arbitrary and artificial constraints.

We are also engaged on the problem of international monetary reform.

We are exploring how best to develop science and technology as a common resource. Recently the Italian Government has suggested an approach to narrowing the gap in technology between the United States and Western Europe. That proposal deserves careful study. The United States is ready to cooperate with the European nations on all aspects of this problem.

Last—and perhaps most important—we are working together to accelerate the growth of the developing nations. It is our common business to help the millions in these nations improve their standards of life. The rich nations cannot live as an island of plenty in a sea of poverty.

Thus, while the institutions of the Atlantic Community are growing, so are the tasks which face us.

II. Second among our tasks is the vigorous pursuit of further unity in the West.

To pursue that unity is neither to postpone nor neglect the search for peace.

There are good reasons for this:

A united Western Europe can be our equal partner in helping to build a peaceful and just world order;

A united Western Europe can move more confidently in peaceful initiatives toward the East;

Unity can provide a framework within which a unified Germany could be a full partner without arousing ancient fears.

We look forward to the expansion and further strengthening of the European Community. The obstacles are great. But perseverance has already reaped larger rewards than any of us dared hope twenty years ago.

The outlines of the new Europe are clearly discernible. It is a stronger, increasingly united but open Europe—with Great Britain a part of it—and with close ties to America.

III. One great goal of a united West is to heal the wound in Europe which now cuts East from West and brother from brother.

That division must be healed peacefully. It must be healed with the consent of Eastern European countries and the Soviet Union. This will happen only as East and West succeed in building a surer foundation of mutual trust.

Nothing is more important for peace. We must improve the East-West environment in order to achieve the unification of Germany in the context of a larger, peaceful and prosperous Europe.

Our task is to achieve a reconciliation with the East—a shift from the narrow concept of coexistence to the broader vision of peaceful engagement.

Americans are prepared to do their part. Under the last four Presidents, our policy toward the Soviet Union has been the same. Where necessary, we shall defend freedom; where possible we shall work with the East to build a lasting peace.

We do not intend to let our differences on Vietnam or elsewhere prevent us from exploring all opportunities. We want the Soviet Union and the nations of Eastern Europe to know that we and our allies shall go step by step with them as far as they are willing to advance.

Let us—both Americans and Europeans—intensify our efforts.

We seek healthy economic and cultural relations with the Communist states.

I am asking for early Congressional action on the U.S.-Soviet Consular Agreement.

We intend to press for legislative authority to negotiate trade agreements which could extend most-favored-nation tariff treatment to European Communist states.

And I am today announcing these new steps: we will reduce export controls on East-West trade with respect to hundreds of non-strategic items; I have today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries—Poland, Hungary, Bulgaria and Czechoslovakia. This is good business. And it will help us build bridges to Eastern Europe.

The Secretary of State is reviewing the possibility of easing the burden of Polish debts to the U.S. through expenditures of our Polish currency holdings which would be mutually beneficial to both countries.

The Export-Import Bank is prepared to finance American exports for the Soviet-Italian FIAT auto plant.

We are negotiating a civil air agreement with the Soviet Union. This will facilitate tourism in both directions.

This summer the American Government took additional steps to liberalize travel to Communist countries in Europe and Asia. We intend to liberalize these rules still further.

In these past weeks the Soviet Union and the United States have begun to exchange cloud photographs taken from weather satellites.

In these and many other ways, ties with the East will be strengthened—by the U.S. and by other Atlantic nations.

Agreement on a broad policy to this end should be sought in existing Atlantic organs.

The principles which should govern East-West relations are now being discussed in the North Atlantic Council.

The OECD can also play an important part in trade and contacts with the East. The Western nations can there explore ways of inviting the Soviet Union and the Eastern European countries to cooperate in tasks of common interest and common benefit.

Hand-in-hand with these steps to increase East-West ties must go measures to remove territorial and border disputes as a source of friction in Europe. The Atlantic nations oppose the use of force to change existing frontiers.

The maintenance of old enmities is not in anyone's interest. Our aim is a true European reconciliation. We must make this clear to the East.

Further, it is our policy to avoid the spread of national nuclear programs—in Europe and elsewhere.

That is why we shall persevere in efforts to reach an agreement banning the proliferation of nuclear weapons.

We seek a stable military situation in Europe—one in which tensions can be lowered.

To this end, the United States will continue to play its part in effective Western deterrence. To weaken that deterrence might create temptations and endanger peace.

The Atlantic allies will continue together to study what strength NATO needs, in light of changing technology and the current threat.

Reduction of Soviet forces in Central Europe would, of course, affect the extent of the threat.

If changing circumstances should lead to a gradual and balanced revision in force levels on both sides, the revision could—together with the other steps that I have mentioned—help gradually to shape a new political environment.

The building of true peace and reconciliation in Europe will be a long process.

The bonds between the United States and its Atlantic partners provide the strength on which the world's security depends. Our interdependence is complete.

Our goal, in Europe and elsewhere, is a just and secure peace. It can most surely be achieved by common action. To this end, I pledge America's best efforts: to achieve new thrust for the Alliance; to support movement toward Western European unity; and to bring about a far-reaching improvement in relations between East and West.

Our object is to end the bitter legacy of World War II.

Success will bring the day closer when we have fully secured the peace in Europe, and in the world.

MEMORIAL STATEMENT TO THE HONORABLE WAYNE G. BORAH

Mr. ELLENDER. Mr. President, on February 6, 1966, the Honorable Wayne G. Borah, a respected Louisiana jurist, and nephew of the late William E. Borah, a Senator from Idaho well remembered in this body, passed away. On August 24 of this year, a ceremony was held in the U.S. District Court for the Eastern District of Louisiana to honor the memory of Wayne G. Borah, judge of the U.S. District Court for the Eastern District of Louisiana from 1928 until 1949, and judge of the U.S. Court of Appeals for the Fifth Circuit from 1949 until his retirement in 1957.

In light of the respect and affection this body holds for the late Senator Borah, and in light of the great services rendered to Louisiana and the Nation during turbulent times by Judge Borah, I believe it appropriate that I call this memorial service to the attention of the Senate. I will include excerpts from the U.S. district court's memorial resolution in my remarks.

The memorial statement begins with a short statement of the Borah family history, which I found of great interest. The pertinent portions read as follows:

> In the little town of Fairfield, Illinois, in the period 1850–1870, three sons and six daughters were born to William Nathan Borah and his wife, Eliza West. One of the sons, Walter Borah, grew up and moved to Franklin, Louisiana, where he opened a pharmacy. A second son, William Edgar Borah, also grew up but took to the law as a profession. It is reported that he was unsuccessful in Kansas City, Missouri and that taking all his money in hand he presented himself at the railroad station and asked for a ticket to go as far as the money would take him. It took him to Boise, Idaho, where he opened a law office, married the governor's daughter, and eventually in 1907, became U.S. Senator from Idaho. For 32 years he represented the State of Idaho and the United States of America in the U.S. Senate and in the process became world renowned as a legislator and as a statesman.
>
> The third son, Charles Frank Borah, grew up and likewise embraced the practice of law as a profession. He married Frances Thomas, daughter of John F. Thomas and Elizabeth Freer and, at the invitation of his brother, Walter, the newlyweds spent their honeymoon in Franklin. So much did they like the place and the people that before long Charles Borah and his wife moved to Baldwin, La., just outside Franklin, to make it their home, and in Franklin itself he opened an office for the practice of law. On April 28, 1891, in Baldwin, was born their only child, a son, Wayne G. Borah. Very few now know what the "G" in his name stood for. Early in life he is said to have had it legally reduced to the initial "G" and so it reads on his headstone.

In 1915, Judge Borah received his law degree from Louisiana State University. After graduation, he joined his father in the practice of law under the firm name of Borah, Himel & Borah. Judge Borah served in the Army in the First World War and then returned to the practice of law in Louisiana. In 1923, he was first appointed as assistant in the office of the U.S. attorney for the eastern district of Louisiana, and 2 years later was appointed U.S. attorney for the eastern district.

I recall he served successfully and well and it is of particular interest to me that in the capacity of U.S. attorney, Judge Borah compiled an alltime record in the collection of moneys due the United States. In 1938, he was appointed to the district bench at the age of 38, to become one of the youngest judges in the Nation.

It is well known that the U.S. District Court for the Eastern District of Louisiana has always had an extremely heavy caseload, as has the Fifth Circuit Court of Appeals. During his tenure as district judge, Judge Borah acted to fully develop the pretrial procedure which is today so important in our judicial process. This accomplishment is pointed up as follows in the memorial statement:

> During the period from 1941 to 1949 the judges of this court, under the leadership of Judge Borah and spurred by the necessity of controlling the huge caseload, developed to the full the use of pre-trial procedure long before most other courts in the country had appreciated its possibilities, and while filings per judge in this district were the highest in the United States, the dispositions per judge were also the highest, primarily due to the skillful use of pre-trial. In 1949 a vacancy occurred in the U.S. Fifth Circuit Court of Appeals. Judge Borah was offered the appointment, accepted it and found himself again on a court with the largest caseload, appellate this time, in the Nation. He remained there until his retirement in 1957.

Mr. President, the memorial statement also includes a series of short statements dealing with many of the judge's qualities which made him an asset to the Federal judiciary. I might point out that these include the fact that Judge Borah was firmly against judicial legislation, believing as he did that it was the court's function to interpret the law and the Congress and other legislative bodies to enact it. His decisions were well reasoned and dignified with the solidity of able exposition of the facts accompanied by sound judicial interpretation of the law in the light of the decided cases. He never stepped beyond these bounds in order to obtain personal praise for blazing some new legal trail, or for writing some long, heavily documented opinion that would display his legal erudition.

Needless to say, I find this a most commendable quality in any judge, but it is only an example of the many characteristics which he displayed while on the bench. Because of the qualities enumerated in the memorial statement, and because of his many other achievements as a man and as a jurist, I always held Judge Borah in high esteem. Mr. President, I ask unanimous consent that the final portion of the memorial statement be placed in the Record at this point of my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Excerpts From Memorial Statement

He was an unflaggingly industrious judge. For 13 years he singlehandedly labored long and hard on weekdays and week-ends to care for the many matters that this large metropolitan district brought to the federal court, and for 8 years thereafter, first with Judge Adrian J. Caillouet and then with Judge Herbert W. Christenberry, he continued so to labor under the largest caseload per judge in the nation.

He was a careful and painstaking judge. He worked hard and unceasingly over every matter coming to him for decision, drafting and redrafting, correcting and recorrecting every order, judgment, decree, and opinion until every word, phrase, clause and paragraph expressed exactly the meaning he desired and, to the best of his ability, set forth the true facts and law where these were at issue.

He was a patient judge. No lawyer who ever practiced before Judge Borah could say that he had not been given free and full opportunity to express himself in his own way on behalf of his clients, without let, hindrance or confusion from the bench. He recognized that lawyers too were only human and was tolerant of their human frailties and errors. The young, the inexperienced, the inept, were patiently and fully heard and guided.

He was a deliberate judge. His judicial actions and determination were never done or made in haste but only after careful deliberation and careful consideration of the demands of the facts, the law and essential justice. What time was necessary to so deliberate and consider, that time he gave.

He was a restrained and moderate judge. In all of his years on the bench he never lost his temper even under the greatest of provocations. He never berated or threatened or heatedly argued with lawyer, litigant or witness, but throughout all contact with the Bar or the public kept his emotions in check and preserved a judicial calm.

He was a kind, considerate and courteous judge. He never used the power of his office to overawe attorneys or the public but heard all who came before him equally fully, and attentively. The rich, the poor, the high, the low, received the same hearing, the same considerate attention, the same full consideration.

He was a modest judge. Judge Borah was a nonseeker of publicity. He was well satisfied to be without the public eye. He never himself referred to his legal ability and he deplored any such reference in his presence, nor did he circulate his opinions with a view to publicity.

He was a dignified judge. His dignity and the resultant dignity of his courtroom were of common knowledge to the Bar and to the public. He would allow no unseemly demonstrations, loud language, disorderly actions, no picture taking or any other matter that would detract from the dignity of the courtroom or the doing of justice in a fair and impartial manner. It was the common experience of those who attended his court to have an inner compulsion to tip-toe and whisper as they entered the room. He was so sure of his own dignity as judge that no need existed to make it known to others, they knew it instinctively, and the occasion was rare when he had to take any action to preserve courtroom decorum.

He was an able judge. His decisions did not shake the legal framework or cause legal convulsions, but they were sound, well-considered, well-reasoned, carefully drafted following the law to the extent that laborious and painstaking research could ensure. A tribute to his efforts is the fact that, in all of his years as district judge, we cannot recall his ever being reversed in a criminal case, despite the fact that a very large number of notable criminal cases came up before him during his tenure. The reversals as to civil cases were rare. He believed as did his friend and mentor, Judge Rufus E. Foster, District Judge for this District and later Judge and Chief Judge of the 5th Circuit Court of Appeals, that if you took care to get all the facts the law would take care of itself, and so he strove in his opinions to set out the facts carefully and in detail. Judge Borah was no innovator. He was firmly against judicial legislation, believing as he did that it was the court's function to interpret the law and the Legislature's to make it. His decisions therefore are dignified with the solidity of able exposition of the facts accompanied by sound judicial interpretation of the law in the light of the decided cases. He never stepped without these bounds in order to obtain personal praise for blazing some new legal trail, or for writing some long, heavily documented opinion that would display his legal erudition. The length of his opinions was determined primarily by the length of the recital of the facts.

He was an impartial judge. Difficult as this is of accomplishment, Judge Borah had this quality to a remarkable degree. He kept an open mind until all the facts were at hand and until he was completely satisfied as to the law. He never pre-judged cases or argued with counsel or witness with any preconceived idea in mind but waited patiently until all the facts were in before reaching a conclusion. He made no distinctions between persons in his decisions but treated all alike. He made every effort to see that the jurors who heard cases before him also recognized their duty to be impartial and to decide only upon the facts adduced at the trial and the law as he gave it to them.

He was an honest and ethical judge. His integrity was a thing above reproach. He made deliberate, determined efforts to avoid making any statements, written or oral, incurring any outside commitments or obligations, (whether business or private) or taking any other actions which might influence, or be considered to influence, his judicial decisions in matters that were before him or that might come before him. He would not discuss matters pertaining to a case or matter before him without both sides present or represented nor would he permit any such matters to be discussed ex parte in his presence. He would not discuss with, or bargain with, either the government or private counsel as to any possible sentence or sentences in criminal matters, believing that this was a matter for his determination upon facts and argument developed in open court in the light of the law applicable.

He was an admired and respected judge. During the period when he was serving alone as judge of the U.S. District Court for the Eastern District of Louisiana, to the public at large Judge Borah was the court. During the period of the Huey Long era, the streetcar strike, the long drawn out so-called "scandal" cases following Huey Long's death, the depression of the 1930's, the war-time controls, the fur litigation and the beginning oil litigation, he stood as a Rock of Gibraltar to which litigants and the public could look for protection. Throughout his whole tenure as a judge no shadow of scandal or cloud of any kind was ever cast upon his integrity, fairness, impartiality, or ability. The mark that he has left upon the history of this part of Louisiana will rest solidly upon the complete trust that its people reposed in these qualities of his for the solution of their problems and the preservation of their rights.

In the nature of things, it is impossible that such a judge should ever be forgotten, but, in order that the records of this court may reflect the love, administration and respect in which he was held by its Bench and Bar and the public at large, your Committee does now offer the following Resolution.

Be it resolved that the foregoing Memorial Statement be spread at large on the minutes of this court; that certified copies thereof and of this Resolution be presented to the widow and to each of the children of Judge Borah; and that this court be adjourned until tomorrow morning in respect to the memory of Judge Wayne G. Borah, former judge of this, the United States District Court for the Eastern District of Louisiana.

Respectfully submitted.

Memorial Committee,
Harry B. Kelleher, *Chairman.*
H. Payne Breazeale.
Hugh M. Wilkinson.
Edmond E. Talbot.
Eugene E. Talbott.
Eugene D. Saunders.
Ashton Phelps.
Kathleen Ruddell.
A. Dallam O'Brien, Jr.
Benjamin W. Yancey.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Georgia.

Mr. RUSSELL of Georgia. Mr. President, as one who knew Judge Borah and who served in this body with his uncle, Senator Borah, of Idaho, I wish to associate myself with what the Senator from Louisiana has said. I had a brother, who has since passed away, who served on the same court with Judge Borah, and Judge Borah and his wife and my brother and his wife were friends. They visited in each other's homes.

Judge Borah was a fine lawyer, and, beyond question, an eminent judge, who would never abuse the judicial power of the court. He would never drag the judicial ermine into the mud and mire in order to obtain publicity and front page headlines, as some of his successors on the bench have done. He was a judge in the finest and highest sense of the word.

I can only hope that we may in the future get more real judges on the bench who recognize the doctrine of stare decisis, who are interested, at least to some degree, in precedents in passing on cases on the Federal bench.

DR. GEORGE W. CALVER

Mr. YARBOROUGH. Mr. President, for 38 years the Congress has had the benefit of the medical knowledge and skill of it's first attending physician, Dr. George W. Calver.

Dr. Calver's long and meritorious service is well known to both Members of the House and Senators. Congress passed a special bill in 1933 to make sure that Dr. Calver remained in service as a Navy physician at the Capitol, as he has served since 1928. On September 30 of this year, this Senate confirmed his appointment as vice admiral, retired, of the U.S. Navy.

Such actions are conclusive evidence of the high esteem with which Dr. Calver is held by his congressional patients. He has labored long and diligently. It is with great reluctance that we bid him adieu as he enters into his well-earned retirement years.

With this fond farewell in mind, I ask unanimous consent that an article from the October 10, 1966, Washington Post briefly telling of Dr. Calver's distinguished career be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 10, 1966]

Capitol's First Attending Doctor Retiring Tuesday After 38 Years

(By Claude Koprowski)

Dr. George W. Calver, who saw Congress stretch his three-year hitch as the Capitol's first attending physician to 38 years, will retire Tuesday.

During his "term" on the Hill, Dr. Calver was primarily concerned with preventive medicine.

"The chief thing I have been able to do up here is to tell people they need exercise," he said. "As a result, more than 300 members of the House and 80 of the Senators use their gyms. The chief game for relaxation up here is either playing paddle ball or going down to the pool and seeing who can outswim the other.

"Last year we went through the entire year without a single coronary. This year we have had several; the tension has been so high," he noted.

Calver was a physician at the Naval Dispensary here in 1928 when he was transferred to the Capitol as the attending physician.

"In 1933 I was due to go to sea again, and they (the members of Congress) wanted me to stay on here as a civilian. I told them I couldn't lose credit for my Naval service. So two days later, two of them asked me if I would be willing to stay if they fixed things up with the Navy. I said I would, so that afternoon they passed a law which prohibited the Navy from transferring me."

Calver was a commander then. But on Sept. 30, the Senate acted again in his behalf. They confirmed his appointment as vice admiral, retired. He had been a rear admiral since he retired from the Navy active list in 1947.

His career officer duties began in 1913, a year after he graduated from the George Washington University School of Medicine.

The 78-year-old physician said, "I am retiring because I have been working up here for more than 30 years, and I think it's time for a rest and some fishing. I like anything that will take a worm off the hook."

A native Washingtonian, he said he plans to retire to his home at 3135 Ellicott st. nw., where he and his wife, Jessie, maintain a rose garden between fishing trips.

He will be succeeded by Dr. Rufus J. Pearson Jr., 50, who was the chief of medicine at the Portsmouth Naval Hospital before going to the Hill in July, at Dr. Calver's urging.

BANK MERGER ACT AMENDMENTS

Mr. ROBERTSON. Mr. President, I have received a copy of the opinion of Circuit Judge Pope in the Crocker-Anglo National Bank merger case in California, giving the court's reasons for referring the matter back to the comptroller for a decision by him under the new standards set forth in the Bank Merger Act Amendments of 1966.

As the first judicial decision under the new act, I believe this opinion would be of interest to Members of the Congress and to members of the public. I, therefore, ask unanimous consent to have this opinion printed in the Record at this point.

There being no objection, the court's opinion was ordered to be printed in the Record, as follows:

[U.S. District Court for the Northern District of California, Southern Division, Civil action No. 41,808]

United States of America, Plaintiff, *v.* Crocker-Anglo National Bank, Citizens National Bank, and Transamerica Corporation, Defendants

OPINION AND ORDER

Before Pope, Circuit Judge, Sweigert and Zirpoli, District Judges.

Pope, Circuit Judge.

On May 13, 1963, some 34 days prior to the decision of the United States Supreme Court in United States v. Philadelphia Nat. Bank, 374 U.S. 321, (June 17, 1963), the Crocker-Anglo National Bank of San Francisco and Citizens National Bank of Los Angeles applied to the Comptroller of the Currency for permission to merge, under the charter of the former, with the title "Crocker-Citizens National Bank". After notice and public hearing held July 30 and 31, 1963, and receipt of some 1605 pages of testimony and exhibits, the Comptroller, on September 30, 1963, made a decision approving the proposed merger, subject to certain named conditions, based on his findings including the finding that the proposed merger would promote the public interest. The approval was to be effective on or after November 1, 1963. On October 8, 1963, this suit was filed attacking the proposed merger as unlawful under § 7 of the Clayton Act, (15 U.S.C. § 18) and § 1 of the Sherman Act, (15 USC § 1). A certificate under the Expediting Act (15 USC § 28) was filed and pursuant thereto a three-judge court was named and assembled for the purpose of hearing the cause. The Government's application for a preliminary injunction was denied (United States v. Crocker Anglo Nat. Bank, 223 F. Supp. 849) and after completion of extensive pretrial proceedings and the making of a pretrial order the cause came on for trial on the merits. The trial began June 1, 1965 and the taking of testimony was concluded on June 18, 1965 with orders fixing the time for filing of briefs and proposed findings by the parties.

While the court was thus in the process of hearing testimony, on June 11, 1965 the Senate passed, with no opposing vote, its S. 1698, a bill under whose provisions, if enacted, this case would have become moot, for, as stated in the report accompanying the bill, the bill "would free the banks involved in such suits from further proceedings under the anti-trust laws." Whether it was because of their knowledge of the pendency of this legislation or otherwise, counsel by stipulation postponed the final filing of briefs and proposed findings until shortly before the passage of this proposed legislation, as amended in the House on February 9, 1966. The enactment, designated Public Law 89-356, 80 Stat. 7, was signed by the President on February 21, 1966.

The court was thus confronted with a somewhat extraordinary situation in which the law applicable to the case was changed after the testimony had been received and the cause submitted for decision. The measure, as finally enacted, made specific reference to this and other cases similarly situated in § 2(c) thereof which provides as follows: "Any court having pending before it on or after the date of enactment of this Act any litigation initiated under the antitrust laws by the Attorney General after June 16, 1963, with respect to the merger, consolidation, acquisition of assets, or assumption of liabilities of an insured bank consummated after June 16, 1963, shall apply the substantive rule of law set forth in section 18(c) (5) of the Federal Deposit Insurance Act, as amended by this Act."[1] The so-called "substantive rule of law set forth in § 18(c) (5)" is stated in the Act as follows: "(5) The responsible agency shall not approve—

(A) any proposed merger transaction which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(B) any other proposed merger transaction whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

In every case, the responsible agency shall take into consideration the financial and managerial resources and future prospects of the existing and proposed institutions and the convenience and needs of the community to be served.

That language refers to the tests to be applied, in a case of this type, by the Comptroller of the Currency in passing upon an application for approval of a proposed bank merger. Not only did § 2(c), quoted above, specifically direct that this court, in respect to this case, shall apply the substantive rule of law set forth in § 18(c) (5) but § 18(c) (7) (B) provided as follows: "In any judicial proceeding attacking a merger transaction approved under paragraph (5) on the ground that the merger transaction alone and of itself constituted a violation of any antitrust laws other than § 2 of the Act of July 2, 1890 (§ 2 of the Sherman Antitrust Act, 15 U.S.C. 2), the standards applied by the court shall be identical with those that the banking agencies are directed to apply under paragraph (5)."

After a special hearing conducted for that purpose evidence was received and the parties were granted time within which to file further briefs and memorand- expounding their views as to the action which the court should take in the light of the entire testimony and in view of the new enactment.

It is the Government's view that the new statute made no substantial change in the law or standards to be applied in passing upon the issues here presented. The Government puts it thus: "It is, of course, the essential position of the Government . . . that the 1966 amendment to the Bank Merger Act (P.L. 89-356; 80 Stat. 7) has not resulted in substantial change in substantive antitrust law or in the standards used by the courts in determining the legality of bank mergers."

The new enactment does pose some difficult questions which we shall note hereafter. But we find no difficulty in concluding that the new enactment made substantial changes in the substantive law and in the standards to be applied in this case. Not only the language of the enactment but its legislative history is very compelling on this point. As we have noted, both § 2(c) and § 18(c) 7(B), quoted above, specifically direct the court in this situation to apply the new standards of this Act. (The latter refers to the standards "directed to apply under paragraph 5" and § 2(c) and refers to these as "the substantive rule of law," set forth in that section.) It would be a bit startling to assume that in making this enactment, over which the congressional committees struggled long and hard, the Congress had turned up with nothing of substance, or had accomplished no change in respect to the law applicable for testing the validity of bank mergers.

The legislative history of the Act most emphatically contradicts the position now taken by the Government. The Senate Committee report, which accompanied the introduction of the bill in the Senate, took note of what Congress had contemplated would be the result of the Bank Merger Act of 1960. The Committee stated: "At that time it was clearly expected that the decision of the responsibile Federal banking authority, based on its own investigation and on reports on competitive factors from the other two banking agencies and from the Department of Justice, would be final and conclusive. The Attorney General's report was expected to be advisory only." The report states that the uncertainty created by the situation resulting from the Philadelphia and the Lexington bank cases (supra, note 1) "is harmful to the banking industry and to its customers. . . . There was unanimous agreement by all the witnesses that the present situation was undesirable and should be changed." The House Committee report states clearly the intent to make changes in the law as follows: "The intended legal effect of the bill is to modify the foregoing provision in three respects:

First, it is intended to make clear that no merger which would violate the antimonopoly section (sec. 2) of the Sherman Anti-Trust Act may be approved under any circumstances.

Second, the bill acknowledges that the general principle of the antitrust laws—that substantially anticompetitive mergers are prohibited—applies to banks, but permits an exception in cases where it is clearly shown that a given merger is so beneficial to the convenience and needs of the community to be served—recognizing that effects outside the section of the country involved may be relevant to the capacity of the institution to meet the convenience and needs of the community to be served—that it would be in the public interest to permit it.

Third, the bill provides that this rule of law is to be applied uniformly, in judicial proceedings as well as by the administrative agencies.

The most complete exposition of the congressional view in the process of this enactment is to be found in the remarks of Senator ROBERTSON at the time the bill, as amended to conform to the House Committee report, came back to the Senate. At that time Senator ROBERTSON, who was Chairman of the Senate Committee which had charge of the bill and who originally introduced the bill in the Senate, was recommending that the Senate accept the House amendment. No Member of Congress had remained in closer touch with the bill's progress through both Houses than Senator ROBERTSON. As he put it: "I have lived with this problem day and night for months. I am convinced that we have a good bill." What he then had to say expounded at considerable length the ideas which had been expressed by various House Members during consideration of the bill in the House.[2]

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[1] It was noted in the congressional debates that this section referred to three so-called "post Philadelphia cases—in Nashville, San Francisco and St. Louis—where mergers were consummated after that [Philadelphia] decision." This is the San Francisco case there referred to. The Philadelphia case referred to is United States v. Philadelphia National Bank, 374 U.S. 321. In that connection reference was also made to United States v. First Nat. Bank, 376 U.S. 665.

[2] Representative ASHLEY, one of the members principally in charge of the bill in the House, stated (CONGRESSIONAL RECORD, Feb. 8, 1966, p. 2446): "The bill would require the court to use the new standards of the bill in all . . . 'post Philadelphia' cases now pending in court. . . . The courts have repeatedly held that under the antitrust laws the social or economic benefits of a given merger cannot even be considered." The Congressman then quoted from the statement to that effect in the Philadelphia case: "It is a primary purpose of the bill to assure that the courts will never again dismiss as irrelevant the question of the needs of a community. . . . [T]he merger must be shown to be sufficiently beneficial in meeting the needs of the community to be served that, on balance, it may properly be regarded as in the public interest." During the same discussion Rep. STANTON, a member of the committee in charge of the bill (CONGRESSIONAL RECORD, Feb. 8, 1966, p. 2450), stated: "[I]t was the expressed purpose and intent of Congress when it passed the Bank Merger Act in 1960 to make certain that control of bank mergers should be in the hands of the appropriate banking supervisory agencies, and that while the competitive effects of a proposed merger should be considered, they were not to be given a predominant position. These standards were repudiated by the Supreme Court in the Philadelphia National Bank and the Lexington Bank cases in which the Court decided that the Justice Department had the final say in bank mergers. Contrary to the intent of Congress, the bank regulatory authorities were relegated to advisory roles.

These provisions . . . reinstate a measure of antitrust consideration which was lacking in the Senate bill, and they provide a banking standard that may allow economic assistance to a community even though a merger tends to lessen competition in that community. It is this statutory balance that was intended in 1960. . . .

The . . . bill . . . directs the courts to apply the banking standards as well as the competitive standards in any judicial proceeding attacking an approved merger transaction . . . it . . . gives these standards equal weight as between economic and competitive circumstances and it assures this equilibrium througout the entire review procedure."

Senator ROBERTSON said unequivocally that the purpose of the bill was to "reverse a decision of the Supreme Court." He said (CONGRESSIONAL RECORD, Feb. 9, 1966, p. 2652): "The bill will end the confusion and controversy which has surrounded the bank merger situation since the ill-advised and unfortunate decisions of the Supreme Court in the Philadelphia and Lexington cases and the district court decision in the New York case which followed those precedents. It will do this by establishing a uniform rule for the bank supervisory agencies and the courts to follow in bank merger cases: a rule which takes into account both the competitive factors on which the antitrust laws are based—for banks these were written into the Bank Merger Act of 1960—and the convenience and needs of the public to be served by the proposed merged bank." Referring to the pendency of the suit now before us, he said: "It would permit the continuance of proceedings against the three 'post-Philadelphia' cases—in Nashville, San Francisco, and St. Louis—where mergers were consummated after that decision, but in these three cases the courts would be directed to follow the new statutory standards laid down in the statute for all mergers to be considered in the future." And in a prepared statement which he incorporated in the record as a part of his remarks he said of the bill: "It will strike the Philadelphia, Lexington, and New York decisions and opinions from the books."[3]

Perhaps the most conclusive evidence of the fact that this Act alters the previous rules comes from a comparison of the language of this statute with what the Supreme Court said in the Philadelphia case, namely, that a bank merger such as that one "is not saved because, on some ultimate reckoning of social or economic debits and credits, it may be deemed beneficial." Section 18(c)(5), quoted above, expressly requires a consideration of similar factors thus rejected in Philadelphia.

This statute makes a further alteration in the nature of the proceeding now before us. After providing for the time of commencement of an action brought under the antitrust laws arising out of a merger transaction, § (c)(7)(A) stipulates: "In any such action, the court shall review *de novo* the issues presented." Returning now to the provisions of § 2(c), requiring this court to "apply the substantive rule of law set forth in § 18(c)(5)", and to § 18(c)(7)(B), reciting that in any judicial proceeding attacking a merger transaction approved under para-5, "the standards applied by the court shall be identical with those that the banking agencies are directed to apply under paragraph 5," it seems clear that what we are now called upon to do is to review a decision and determination of the Comptroller of the Currency.

To what extent that review can be "*de novo*", we shall have occasion to discuss hereafter. The immediate difficulty now presented is that the prior decision of the Comptroller of September 30, 1963, was not made under or in the light of the new Bank Merger Act of 1966.

It is true that the Comptroller then found that the proposed merger "will promote the public interest", using the language of the 1960 Act, but his determination did not contain findings covering the precise issues required to be determined by him under the language of § 18(c)(5) quoted above. Under that section it would be incumbent upon the Comptroller to determine whether any anti-competitive effects of the proposed merger were "clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served." We apprehend that an appropriate finding would specify in what respect the transaction would meet the convenience and needs of the community to be served.

There is another respect in which the earlier finding of the Comptroller may be inadequate and out-dated. His decision of September 30, 1963, antedated the decisions of the Supreme Court in United States v. El Paso Natural Gas Co., 376 U.S. 651, decided April 6, 1964, and United States v. Penn-Olin Chemical Co., 378 U.S. 158, decided June 22, 1964. In those cases the Supreme Court developed, to an extent not previously announced, the doctrine that § 7 of the Clayton Act is designed to preserve not merely present but potential competition in the market in question. This is the doctrine of the application of § 7 to potential competition. The principal argument made by the Government here relates to alleged elimination by the merger of *substantial potential competition* in the State of California.

The Act requires this court to proceed in this case in the same manner in which it would have to deal with some future proposed merger. Before we can perform the required function of reviewing the action of the Comptroller, the matter must be remanded for the consideration of the Comptroller under the provisions of the 1966 Act, a proposition we shall discuss hereafter.

Plainly enough the Act is designed to set up precise rules under which the validity of proposed bank mergers may be ascertained and determined. The first required step is the application to the Comptroller of the Currency[4] for written approval of the proposed merger. Upon hearing on such an application the Comptroller is directed to act upon the considerations set forth in § 18(c)(5) above referred to. Then, as indicated, if an action be brought attacking the merger transaction, it must be brought within limited time and in any such action "the court shall review *de novo* the issues presented." Thus the Act contemplates initial action by the Comptroller followed by a review at the instance of the Department of Justice.

When we face the task of complying with these requirements we are confronted with a difficulty arising out of the fact that the Act provides that this review shall be "de novo".

It will be noted that under § 5 the Comptroller is charged with ascertaining two sets of facts. The first is whether the effect of the proposed merger transaction "in any section of the country may be substantially to lessen competition" and the second, whether, having found that there would be anti-competitive effects in the proposed transaction, those effects "are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served."

No difficulty would be presented here so far as reviewing *de novo* the first of these determinations for this court has traditionally adjudged whether mergers have anti-competitive effects. But the problem of reviewing the second determination by the Comptroller, namely, whether the proposed transaction is outweighed in the public interest, and whether it meets the convenience and needs of the community, is plainly and unquestionably a legislative or administrative determination[5] of a type which this court, as a constitutional court, is prohibited from deciding.

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[3] In an effort to find some legislative history to bolster its position that this Act made no changes in the law, the Government has inserted in its brief some quotations from the remarks of individual Congressmen during floor debate. Taken out of context, as they are, they prove nothing. It is true that the wording of § 18(c)(5) emphasized and restated the requirement that the Comptroller, and the reviewing courts, take into consideration the antitrust laws. This was noted in debate, but it was also noted that this Act definitely and positively added a new standard. As stated in the House Report of Supplemental views of Congressman OTTINGER who helped draft the bill: "It also assures that banking services available to meet the convenience and needs of a community are considered in all cases and will prevail where they clearly outweigh non-monopolistic anti-competitive effects of a merger."

Counsel's quotations from the debate ignore the rule stated in Duplex Co. v. Deering, 254 U.S. 443, 474–475, as follows: "By repeated decisions of this court it has come to be well established that the debates in Congress expressive of the views and motives of individual members are not a safe guide, and hence may not be resorted to, in ascertaining the meaning and purpose of the law-making body. . . . But reports of committees of House or Senate stand upon a more solid footing, and may be regarded as an exposition of the legislative intent in a case where otherwise the meaning of a statute is obscure. . . . And this has been extended to include explanatory statements in the nature of a supplemental report made by the committee member in charge of a bill in course of passage." Counsel have largely confined their quotations to those from Congressmen WELTNER and TODD, who opposed the bill, and from Congressman PATMAN who bitterly fought the legislation and finally, through a face-saving compromise, introduced the bill, while stating that if he alone were writing the bill, he "would be against it as a matter of principle." (CONGRESSIONAL RECORD, February 8, 1966, p. 2464.) Counsel's choice of makers of remarks is not very persuasive.

[4] It is this officer who must act if the acquiring, assuming or resulting bank is to be a national bank. Where a state bank is to be the resulting one, the decision is to be made by the Board of Governors of the Federal Reserve System. In other cases, the Federal Deposit Insurance Corporation is to make the decision.

[5] It will be noticed that the standards of § 5 are to be applied in granting or refusing leave to merge in the future. The contemplated action "looks to the future and changes existing conditions by making a new rule to be applied thereafter to . . . some part of those subject to [the Comptroller's] power," as fully as the establishment of railroad rates in Prentis v. Atlantic Coast Line, 211 U.S. 210, 226. It involves a determination and establishment of a public policy.

See Finfrock, "Trial de Novo—Panacea?" in 14 Baylor Law Review, 135, where the Texas cases are discussed: "This criterion in essence classifies as administrative and non-judicial decisional functions which courts are not particularly equipped to decide while leaving to the courts that category of decision making with which it has traditionally dealt and is equipped to handle under the adversary type of judicial procedure. Decisions that require the inquisitorial type of procedure, investigative in nature, and which must, to attain optimum utility, be based upon a mosaic of expert opinion, judgment, and decisions are and should be regarded as non-judicial and left primarily to the administrators. They are far more able to come to grips with such problems than a court or jury in the detached and sterile atmosphere of the courtroom." (p. 160)

The jurisdiction of this court is limited to cases and controversies as that term is used in Article III of the Constitution. As stated in Keller v. Potomac Electric Co., 261 U.S. 428, 444, "legislative or administrative jurisdiction can not be conferred" on a court such as this. This court, as well as the Supreme Court, "was brought into being by the judiciary article of the Constitution, is invested with judicial power only and can have no jurisdiction other than of cases and controversies falling within the classes enumerated in that article. It cannot . . . exercise or participate in the exercise of functions which are essentially legislative or administrative." Radio Comm. v. General Electric Co., 281 U.S. 464, 469. See also F.P.C. v. Idaho Power Co., 344 U.S. 17, where it was held that the authority of the Court of Appeals to affirm, modify or set aside an order of the Federal Power Commission did not include the power to exercise an essentially administrative function by determining what conditions should attach to a power license. We find an expression of the views of the Supreme Court on the precise question here involved in United States v. Philadelphia Nat. Bank, supra, at page 371. This view is to be found in the words which we have italicized in the following quotation: "We are clear, however, that a merger the effect of which 'may be substantially to lessen competition' is not saved because, on some ultimate reckoning of social or economic debits and credits, it may be deemed beneficial. A value choice of such magnitude is beyond the ordinal limits of judicial competence, and in any event has been made for us already, by Congress when it enacted the amended § 7. Congress determined to preserve our traditionally competitive economy."

This does not mean that the administrative order of an agency or commission may not be reviewed in a judicial proceeding in a constitutional court; but such a review is necessarily limited to the determination of questions of law and the ascertainment of whether findings of fact by the agency are supported by substantial evidence. Radio Comm'n v. Nelson Bros. Co., 289 U.S. 266, 275 to 276. As stated in Seaboard Air Line R. Co. v. U.S., 382 U.S. 154, 157, the question to be decided is "Whether the Commission has confined itself within the statutory limits upon its discretion and has based its findings on substantial evidence. . . ."

Since it is plain that this court cannot be invested with power to make an original and independent determination as to whether anti-competitive effects are "outweighed in the public interest" or what are the "convenience and needs of the community to be served" we are confronted with the question whether this Act's provision for a review de novo must be held null and void and therefore wholly disregarded.

We do not think so. There are certain general principles relating to construction of statutes which should aid us here. In U.S. v. Amer. Trucking Ass'ns., 310 U.S. 534, 543, the Court said: "There is, of course, no more persuasive evidence of the purpose of a statute than the words by which the legislature undertook to give expression to its wishes. Often these words are sufficient in and of themselves to determine the purpose of the legislation. In such cases we have followed their plain meaning. When that meaning has led to absurd or futile results, however, this Court has looked beyond the words to the purpose of the act. Frequently, however, even when the plain meaning did not produce absurd results but merely an unreasonable one 'plainly at variance with the policy of the legislation as a whole' this Court has followed that purpose, rather than the literal words."

In the case before us the use of the words "de novo", as we have noted, may have full significance in respect to this court's review of the Comptroller's determination of the existence or nonexistence of anti-competitive effects by the merger. But the language of the Act would lead to absurd and futile results if it were construed as requiring this Court to substitute its judgment for the findings of the Comptroller dealing with the public interest and the convenience and needs of the community. This court cannot validly be invested with power to make such a decision which, as we have noted, is plainly legislative or administrative in character. If we look to the purpose beyond the statute and to the policy of the legislation as a whole we must conclude that Congress has framed an Act which contemplates, as an important part thereof, provisions for review of the Comptroller's action.

Other courts have had occasion to deal with an identical problem arising from the use of the words "de novo" in state statutes providing for court reviews of administrative or legislative determinations. In those cases the courts have been confronted with difficulties comparable to those present here, some of them stemming from their constitutional provisions for separation of powers. Thus in Household Finance Corp. v. State, 40 Wash. 2d 451, 244 P. 2d 260, 264, the court, after holding invalid an attempt to vest a non-judicial power in a constitutionally created court, said: "We recognize that there is a wealth of authority to support respondent's position that where the only review of an administrative order that is constitutionally possible is on the question of whether the administrative body or officer acted arbitrarily, capriciously, or in violation of law, it will be held that a provision for a trial de novo means only that the appellate or reviewing court will be limited to a consideration of that particular question on the trial de novo. The basis for such holdings is the rule that when a statute is subject to two possible constructions, one of which will render it constitutional and the other unconstitutional, the legislature will be presumed to have intended a meaning consistent with the constitutionality of its enactment." (244 P. 2d 264)

A like decision was made by the Supreme Court of Indiana in *State Board* v. *Scherer,* 221 Ind. 902, 46 N.E. 2d 602, 604, where the court said: "It is true that the statute here in question seems to contemplate a de novo proceeding before the court, and a finding of 'guilty' or 'not guilty', but, regardless of what may seem a legislative intention to the contrary, this court has consistently construed similar statutes as vesting in the courts only such jurisdiction as the Constitution permits."

The same problem confronted the Supreme Court of Texas in *Jones* v. *Marsh,* 148 Tex. 362, 224 S.W. 2d 198. In that case the court was called upon to review an order made upon an application for a license to sell beer. The statute provided for an appeal and that such proceeding on appeal "shall be de novo under the same rules as ordinary civil suits." The court said (p. 201): "The statute does not expressly provide that there shall be in district court a full retrial of the facts as if there had been no findings made by the county judge, nor does the statute specify what issue or issues shall be tried in the district court. It may, therefore, reasonably be concluded, in view of the subject matter involved and the nature of the order to be reviewed, that only a limited review is intended, and that in so far as the facts which are the basis for the order of the county judge are concerned the question or issue to be determined in the district court is whether or not the findings of the county judge are reasonably supported by substantial evidence. Such a trial is one kind of a trial de novo, and the somewhat limited trial can be held, as the statute requires, under the rules applicable to ordinary civil suits." In other words, the sort of trial which the court could validly hold on review of an administrative order was held to be "one kind of a trial de novo."[6]

It seems reasonable to say that there may be a special kind of review de novo involved here, namely, a review involving a greater exercise of our judgment in respect to the question of anti-competitive effects, and a review, more limited under the so-called substantial evidence rule, of the Comptroller's determination of weight of public interest and of the character of the needs and convenience of the community.

Another general principle may therefore be applied here. Since the language of the Act could properly be construed to intend the special kind of de novo review just referred to, we can "apply the familiar canon which makes it our duty, of two possible constructions, to adopt the one which will save and not destroy. We cannot attribute to Congress an intent to defy the Fifth Amendment or 'even to come so near to doing so as to raise a serious question of constitutional law.' " Anniston Mfg. Co. v. Davis, 301 U.S. 337, 351, 352. See also Labor Board v. Jones & Laughlin, 301 U.S. 1, 30, and Ex Parte Endo, 323 N.S. 283, 299.[7]

It is plain to us that the congressional purpose here was to provide for an initial decision by the Comptroller and that the action brought by the Department of Justice should be deemed an action to review that decision. It is noteworthy that the section of the statute which uses the term "de novo" does not speak of a trial de novo but of a review de novo.

The legislative scheme here, in our view, resembles that which is more eleborately spelled out in those sections of the Interstate Commerce Act which were discussed in the recent case of Seaboard Air Line Co. v. United

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[6] A like problem was solved in a similar manner in De Mond v. Liquor Control Commission, 129 Conn. 642, 30 A 2d 547, 549, where the court said: "Upon these appeals the court hears and considers all pertinent matters for the purpose of reaching an intelligent conclusion as to the legal propriety of the action of the commissioners. In this qualified sense, but in no other, is its hearing one de novo." Another approach to a similar problem was made in American Beauty Homes Corp. v. Louisville, etc., ——— Ky. ———, 379 S.W. 2d 455, where the court held that "the statute was invalid with respect to the trial 'de novo' but still permitted an aggrieved party to appeal. This also was the ruling in California Co. v. State Oil and Gas Board, . . . heretofore cited. We think the 'de novo' provision of KRS 100.057 is clearly severable from the rest of this statute."

[7] In United States v. Philadelphia Nat. Bank, supra, the Court was confronted with a difficulty arising out of the language of § 7 of the Clayton Act. The Court recognized merit in the contention of the appellees that the merger there involved an assets acquisition and hence that § 7 had no application since the Federal Trade Commission had no jurisdiction over banks. The Court said (p. 337): "Since the literal terms of § 7 thus do not dispose of our question, we must determine whether a congressional design to embrace bank mergers is revealed in the history of the statute." The Court's final conclusion was based upon what it found to be a "plain congressional purpose."

States, 382 U.S. 154.[8] In that case the three-judge district court had set aside a commission's order approving a railroad merger on the ground that the commission had not adequately determined whether the merger violated § 7 of the Clayton Act. The Court said: "By thus disposing of the case the District Court did not reach the ultimate question whether the merger would be consistent with public interest despite the foreseeable injury to competition." The Court referred to its decision in Minneapolis & St. Louis R. Co. v. United States, 361 U.S. 173, 187, where the Court described the impact of congressional legislation by saying "Even though such acquisitions might otherwise violate the antitrust laws, Congress has authorized the Commission to approve them, if it finds they are in the public interest. . . . It must be presumed that, in enacting this legislation, Congress took account of the fact that railroads are subject to strict regulation and supervision. 'Against this background, no other inference is possible but that, as a factor in determining the propriety of [railroad acquisitions] the preservation of competition among carriers, although still a value, is significant chiefly as it aids in the attainment of the objectives of the national transportation policy.'" The Court continued "Resolution of the conflicting considerations 'is a complex task which requires extensive facilities, expert judgment and considerable knowledge of the transportation industry. Congress left that task to the Commission "to the end that the wisdom and experience of that Commission may be used not only in connection with this form of transportation, but in its coordination of all other forms." 79 CONG. REC. 12207. "The wisdom and experience of that commission," not of the courts, must determine whether the proposed [acquisition] is "consistent with the public interest." . . .'"

The action of the Supreme Court in those cases dealing with the right of the Interstate Commerce Commission to approve a merger notwithstanding its anticompetitive effects, and particularly the language above quoted from the Seaboard Air Line case, would seem to make negative another argument of the Government. This is that the language of § 18 (c)(5) referring to the "convenience and needs of the community to be served" is but a reiteration of the "failing company doctrine" long recognized as "an integral part of settled antitrust law." No such limiting suggestion was ever made in the Seaboard Air Line and the other cases dealing with the same statute. In our view it would be absurd to find that the new standards so carefully framed for the 1966 Bank Merger Act were no more than the inclusion of a wholly unnecessary reference to the "failing company doctrine". There is not the slightest indication in the language of the Act, or in its legislative history, to support the Government's effort thus to cancel or dissipate the declared purpose of the Act. During the debate on the bill, the question of the situation of the failing bank was mentioned, and in a colloquy between Congressman WELTNER, who opposed the bill, and Congressman MULTER, who supported it, it was made plain that the language referred to was not limited to the failing bank situation.[9]

The careful and precise description of this portion of the bill, made by Senator ROBERTSON to the Senate as the latter body prepared to accept the House version, would clearly negate any suggestion that it was limited to the failing company situation.[10]

A final answer to the Government's "failing company" theory is found in the House Report's indication as to the limited extent of the use of financial resources of the affected banks. That report states (U.S. Code, Cong. and Administrative News, 89th Cong. 2d Session, p. 337): "However, only the convenience and needs of the community to be served can be weighed against anticompetitive effects, with financial and managerial resources being considered only as they throw light on the capacity of the existing and proposed institutions to serve the community."

One problem which we confront in this particular case is how we shall apply the rules which are prescribed in the Act. In the case of future mergers the method of procedure and the application of the statutory requirements is quite simple. First, the banks seeking to merge will make their application for approval to "the responsible agency" in a case of this kind, the Comptroller of the Currency. The agency will then hold the hearings and make the determination contemplated by § 18(c)(5) of the Act which, as we have indicated, calls for two determinations—whether the merger will have a tendency substantially to lessen competition and whether the anti-competitive effects, if found, are clearly outweighed in the public interest by the probable effect of the transaction in meeting the needs and convenience of the community to be served.

The Act then provides that any action brought under the antitrust laws arising out of this merger transaction shall be commenced within a short period following the Comptroller's approval and in this judicial proceeding "the standards applied by the court shall be identical with those that the banking agencies are directed to apply under § 5." Also, in any such action, the court is required to review in the manner we have mentioned, the issues presented. The Act, making reference to this, and other cases initiated after June 16, 1963, with respect to a merger consummated after that date, requires us to apply the same substantive rule of law that we would apply in the case of any future merger.

Here, however, the merger is already accomplished; it was accomplished pursuant to a September 30, 1963, approval by the Comptroller who purported to act under the provisions of the 1960 Bank Merger Act. That Act, as demonstrated by the decision of the Court in Philadelphia Bank, supra, was without force and effect, and the Comptroller's decision of September 30, 1963, cannot, we think, be the equivalent of a determination by him under the 1966 Bank Merger Act or in accordance with § 18(c)(5) thereof. The question is whether we may now require the Comptroller to proceed under the new Act and to make the determination called for by the last mentioned section preliminary to our further consideration of the same and a review thereof.

We think that the decision in United States v. Morgan, 307 U.S. 183, furnishes a precedent.[11] The court upheld the right of the Secretary of Agriculture to make an order going beyond fixing rates for the future, stating that he was "now free to determine a reasonable rate for the period antedating the order he may now make," that is to say, during a period following his former invalid order. The Court noted the duty of the administrative agencies and of the courts judicially reviewing their action to coordinate their actions in order to secure the plainly indicated objects of the statute.

We think that in this case this court cannot as a practical matter apply the substantive rule of law set forth in § 18(c)(5) of the Act unless it has before it for review an order of the Comptroller made pursuant to the requirements of that section. Not only because we are here required to review an administrative order as a part of our consideration of this case, but also because the Comptroller has made himself a party to this proceeding and subject to our orders, we shall now remand the cause to the Comptroller with directions to proceed to make the determinations called for by the Bank Merger Act of 1966. This we think to be appropriate in view of the requirements of the Act notwithstanding the actual merger has been completed.

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[8] During the debate in the House Congressman MOORHEAD, one of the members of the committee most actively in charge of the bill, cited and quoted from the Seaboard Air Line case, and also from McLean Trucking Co. v. U.S., 321 U.S. 67, 87, as appropriate precedents for his point: "In the banking industry the public interest is represented and protected by a regulating body. In mergers in such a situation the custom is that the validity of a merger should be determined not exclusively by the competitive factors, but that the regulating body should also consider the public interest." CONGRESSIONAL RECORD, Feb. 8, 1966, p. 2447.

[9] After Congressman MULTER had given an illustration of how this language would apply in a case not involving a failing bank, the following colloquy occurred:

"Mr. WELTNER. This is a case of a failing bank, which has long been recognized by the court. It has nothing to do with this legislation. I am sure the gentleman from Wisconsin will agree with me, that we do not have to pass any bill to permit the approving agency to merge a failing bank in order to save it from insolvency. I am certain that the gentleman from New York, indeed, would say, as a well-educated lawyer, that the failing bank doctrine exists independently of any statutes which have been passed in the last 20 or 30 years. I yield to the gentleman for the purpose of responding to the correctness of that proposition.

"Mr. MULTER. The gentleman is correct as far as he goes, but I have gone beyond the failing bank theory. There are many instances where we are not concerned with the failing bank, where there is an absolute and complete diminution of competition, yet under all the circumstances and all of the factors the courts should approve that merger just as the regulatory agencies may approve the merger." CONGRESSIONAL RECORD, Feb. 8, 1966, p. 2453.

[10] He said: '. . . this bill, should convince the courts that the Congress does not intend that mergers in the banking field should be measured solely by the antitrust considerations which are applied in other industries." (CONGRESSIONAL RECORD, Feb. 9, 1966, p. 2655.) In short, something apart from the older antitrust considerations (including the failing company rule) are imported here. He also said (p. 2656): "The courts will no longer be able to say—in the case of a merger which does not reach to the point of creating a monopoly—that proof that a merger will have demonstrable benefits or will be benign is irrelevant. On the contrary, the question whether there are or are not demonstrable benefits—whether the merger is benign or malignant—will be the heart of the issue." Again he said (p. 2656): "The effect of the merger on the public interest and on the convenience and needs of the community to be served must be measured in specific and realistic terms in the light of the kinds of business involved and the kinds of people being served. The banking agencies and the courts must be guided by the realities of the industrial, commercial, and financial worlds. They must look through theories and percentages and doctrines to the hard facts of life."

[11] In that case the Secretary of Agriculture made an order reducing stockyards rates. After those rates had gone into effect the Supreme Court set aside the order of the Secretary because of procedural defects and the cause was remanded to the district court for further proceedings. The Court stated that it would not attempt to forecast what further proceedings the Secretary might see fit to take. The district court which had entered a temporary restraining order enjoining the enforcement of the Secretary's order had required the excess charges collected by the stockyards over and above the amount prescribed by the Secretary to be deposited with the court pending final determination of the case. The Secretary then reopened the original proceedings and pending these proceedings the district court granted the appellees' motion to distribute the fund mentioned among them. This decision was based upon a ruling that the Secretary did not have authority to make an order prescribing rates and charges effective as of the date of his original order.

This remand is predicated upon the assumption that after a new order has been made by the Comptroller, we will be able to review the same. As we have indicated, our power to review any determination as to the anti-competitive effects will allow a greater exercise of our own judgment, than our power to review a determination as to whether the anti-competitive effects, if any, are clearly outweighed in the public interest and as to the effect of the transaction in meeting the needs and convenience of the community to be served. In making his determination the Comptroller should make specific findings as to the competitive situation as to which the merger may have operative effects and particularly whether the marker will have a probable tendency to lessen or do away with potential competition.

In passing upon the question of the probable effect of the transaction in meeting the needs and convenience of the community to be served, the Comptroller should specify particularly what he finds to be the convenience and needs of the community, what he considers will be the effect of the merger thereon, and how and by what means he weighs these effects as against the anti-competitive effects of the transaction. Furthermore, in order to avoid any possible necessity for further remand following our review of the Comptroller's order, he is directed to make a finding as to whether, assuming that the merger has the effect upon potential competition which the Government claims, that effect would be outweighed in the public interest by the probable effect of the transaction in meeting the interest and convenience of the community to be served.[12]

In holding that our function now, under the 1966 Act, is to review an appropriate order of the Comptroller, we are disapproving other alternatives. One alternative would be to hold that we must disregard any suggestion for a review and simply decide the case on the evidence now before us, applying directly the standards set forth in § 18(c)(5). Such, we think would not be consonant with the clear purpose and intent of the Act. Plainly the whole intent was that there should be made available in determining the validity of bank mergers the expertise of persons familiar with banking and with the operating procedures of banks. Not only is this court constitutionally without power to evaluate such features of the "probable effect of the transaction in meeting the convenience and needs of the community to be served," but we lack the informed experience properly to apply such tests.

To deny the banks involved in these three "post-Philadelphia" actions the benefits of these banking-economic tests by specialized agencies would run counter to what the legislative history of the act indicates was the attitude of Congress toward these three mergers. As the bill first came from the Senate it would have provided that this merger "shall be exempt from the antitrust laws." In its final form the bill exempted only the pre-Philadelphia mergers. But the bill would, as Senator Robertson stated, "permit the continuance of proceedings against the three post-Philadelphia cases—in Nashville and San Francisco, and St. Louis—where mergers were consummated after that decision, but in these three cases the courts would be directed to follow the new statutory standards laid down in the statute for all mergers to be considered in the future." Surely Congress was not swinging from a most favorable treatment of this merger to an opposite extreme of denying it the expertise contemplated for all mergers in the future.

Another holding, in the alternative, would be that since this court cannot validly entertain a question as to "the probable effect of the transaction in meeting the convenience and needs of the community to be served," the requirement that we "shall apply the substantive rule of law set forth in § 18(c)(5)" must be held inoperative and disregarded, and therefore this action must proceed as if the Act had not been passed. Such an unnecessary and uncalled for disregard of the obvious purpose and intent of the Act is unthinkable.

We anticipate that the defendant banks will suggest that we should simplify this whole matter by finding now, once and for all, that the claimed adverse effect upon competition has not been established and that the merger will not have the effect either susbtantially to lessen competition, whether actual or potential, or to tend to create a monopoly or operate in restraint of trade. But, as indicated in Seaboard Air Line R. Co., supra, that is not the ultimate question to be determined in this litigation, and we shall not invite a repetition of the error corrected in that case.

It is therefore ordered that further proceedings herein shall be stayed pending the further consideration by the Comptroller, in the manner hereinabove indicated, of the questions required to be passed upon under § 18(c)(5). In reaching his determination the Comptroller will, of course, give the notices and provide the opportunity for hearing contemplated by the Act. We assume the parties will assist in shortening the proceedings by agreeing that the Comptroller may consider the evidence adduced at our last hearing, as well as that at his first hearing, particularly in view of the rule that administrative agencies have never been restricted by the rigid rules of evidence. Trade Comm'n v. Cement Institute, 333 U.S. 705; cf. Davis, Administrative Law, vol. 2, § 14.08.

Upon certification to this court of the proceedings of the Comptroller, this court shall proceed in such manner as may be called for by the Comptroller's decision.

It is so ordered.

This opinion contains the court's findings and conclusions.

WALTER L. POPE,
U.S. Circuit Judge.
W. T. SWEIGERT,
U.S. District Judge.
ALFONSO J. ZIRPOLI,
U.S. District Judge.

HIGHER EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963, to extend it for 3 years, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I have discussed the unanimous-consent agreement I am about to propose. I have conferred with various Members on both sides of the aisle and with the minority leadership.

I ask unanimous consent that at the conclusion of morning business there be a time limitation of 1 hour on each amendment, the time to be controlled by the senior Senator from Oregon [Mr. MORSE] and the proponent of the amendment, and that 4 hours be allowed on the bill, with the usual regulation as to nongermane amendments, and that the rollcall may perhaps be dispensed with.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the unanimous-consent agreement is entered.

BALTIMORE ORIOLES WIN WORLD SERIES

Mr. TYDINGS. Mr. President, the citizens of Baltimore and Maryland are especially proud and happy that the Baltimore Orioles won the World Series. Would you believe it, Mr. President? They won in four straight games over the previous champions, the Los Angeles Dodgers.

I had the privilege of taking the senior Senator from California [Mr. KUCHEL] to view the third game of the series.

I was proud to watch yesterday's game, and was pleased that the Vice President was also at the game. The people who saw the game will never forget Frank Robinson's home run. They will never forget Dave McNally's shutout pitching. They will never forget the last catch by Paul Blair in center field—the same Paul Blair who had hit the winning home run, the only run scored, in the third game.

I think no one will forget the first game, when the Robinson twins went to bat and hit back-to-back home runs against one of the finest pitchers in the game today.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McCLELLAN. As I recall, one of the Robinson boys is a native of Arkansas.

Mr. TYDINGS. The Senator is correct.

Mr. McCLELLAN. I thought that fact should be made a matter of record.

Mr. TYDINGS. We shall be delighted to have any more such natives of Arkansas on the Orioles.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to my colleague.

Mr. BREWSTER. I should like to congratulate my colleague from Maryland for calling attention to the world's series just completed. We of Maryland and Baltimore are very proud of the fact, also, that our players were enabled to shutout the Dodgers for 33 consecutive innings.

I wish also to congratulate the President of the Orioles, and a very close friend of mine, Mr. Jerry Hoffberger, who did such a fine organization job in enabling the club to accomplish what it did. We in Maryland and Baltimore are all happy over it.

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[12] Note the usefulness of findings based on assumptions made by the district court in United States v. Philadelphia Nat. Bank, supra, at p. 335 of 374 U.S.

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DAVE MCNALLY WINS

Mr. MANSFIELD. Mr. President, I think I have a personal interest in this subject.

Montanans everywhere are pleased that one of their own had not only the first word in the world's series, but the last, as well. We are proud of the pitching performance of young Dave McNally, the Billings boy who won the final game of the 1966 world's series for the Baltimore Orioles with a four-hit shutout.

His was a tremendous effort. No Los Angeles Dodger base runner reached second base until the ninth inning. And then they could not score. For them, it was a tough game to lose. Pitching with the mastery and courage of a veteran, Dave retired the side and put his name in the record book.

Mr. President, I commiserate with the distinguished senior Senator from California [Mr. KUCHEL], the minority whip, who had predicted a different outcome for this series. His team played well, and perhaps deserved a better fate, but he cannot say that he was not warned by the Senator from Montana.

Again, I extend to Dave McNally the congratulations of Montana and our best wishes for many more winning performances.

I extend best wishes also to his wife, Jeannie Beth, a longtime friend of mine, his mother, his big sister Dee, his kid brother Danny, and the large delegation of other relatives and friends who came from Billings, Mont., for the occasion.

I pay a special tribute to Ed Bayne, who coached Dave McNally when he was a member of the Billings, Mont., American Legion junior baseball team. He was responsible for much of Dave's development as a ballplayer. He coached him and was his friend, adviser, and counselor. Incidentally, Ed is still coaching outstanding American Legion baseball teams in Montana.

To all of them, winners and losers, a salute; but the biggest salute to Dave McNally.

Mr. President, I ask unanimous consent that an article entitled "McNally Family Roots for Birds," published in the Baltimore Sun of October 10, 1966, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FAMILY ROOTS MCNALLY ON—RELATIVES, FRIENDS FROM MONTANA SEE FINALE

(By Lou Hatter)

"If only we had some starting pitchers we would've wrapped it up earlier," deadpanned Dave McNally after hurling the Orioles' third straight shutout over Los Angeles yesterday to wrap up the 1966 World Series for Baltimore in four straight games.

The 23-year-old left-hander was in the high good humor for a number of reasons following his 1-to-0 four-hit victory.

No. 1—His mother, big sister, kid brother and a large delegation of other relatives and friends from Dave's Billings (Mont.) home had flown to Baltimore for this special occasion.

No. 2—McNally had a score to settle with the Dodgers.

In their first encounter last Wednesday, McNally—troubled by wildness—had been unable to finish the third inning of the series opener and Moe Drabowsky picked up to claim the 5-to-2 triumph.

Yesterday's rematch was something else, however. McNally struck out four, walked just two and the only Dodger advance as far as second base occurred in the ninth inning, where Al Ferraro singled and Maury Wills walked, with one retired.

Luis Aparicio trotted over for a few words to settle him down, but Dave said afterwards, "I don't have any idea what he said."

ANDY ELABORATES

With Lou Johnson at bat after two were out, pitching coach Harry Brecheen came out suggesting low, breaking balls to this dangerous righthanded swinger.

"I got him with three breaking balls," McNally related.

Catcher Andy Etchebarren was a little more effusive. Said Andy: "Davie threw him some great breaking balls."

McNally pitched the Dodgers yesterday with some variations on pre-series scouting reports that labeled the National League pennant-winners vulnerable to a good fast-ball.

"I don't have a fast ball like the other guys on our staff," he explained. "But my curve ball sets up my fast ball."

In the three earlier games, Drabowsky, Jim Palmer and Wally Bunker throttled the Dodgers with mustard, seasoned only sparingly with other pitches to keep the National Leaguers honest.

FEIGNED DISENCHANTMENT

McNally feigned disenchantment with his performance in one area during the post-game review. Noting that he struck out once, tapped back to his 6-foot-6 mound rival, Don Drysdale, on another occasion, then popped to Wills at short, McNally scowled:

"How can that guy get me out?"

The home-town McNally delegation from Billings which joined Dave and his pretty wife, Jeannie, here yesterday also included Ed Bayne, who was the Oriole southpaw's American Legion baseball coach in Montana.

"I haven't got a button left on my shirt," beamed Bayne proudly.

He also didn't have much left but a stub of that cigar he had been chewing in that feverish Dodger ninth, until Dave retired Johnson on a fly to center.

And what is left now on the McNally October agenda?

"We're just gonna sit quiet here at home for a week, relax and talk about the series," replied Dave.

Mr. TYDINGS. I thank the distinguished majority leader, and I repeat what I said to the Senator from Arkansas: We would be delighted to have for the Baltimore Orioles any other product of the great State of Montana of the caliber of young Dave McNally.

Mr. MANSFIELD. May I say that is reciprocal.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield to the distinguished assistant minority leader.

Mr. KUCHEL. The whole Nation congratulates a superb baseball club, the Baltimore Orioles, and I join in the congratulations, though I stand thoroughly for the Los Angeles Dodgers, from the State I have the honor to represent.

Through the generosity and friendship of our friend from Maryland, a number of us sat in the stands last Saturday, and watched a great baseball game.

One to nothing is hardly a disaster; and surely the spirit, that you could almost reach out and touch in that stadium, was something all of us will remember. I regret the Dodgers were in second place in that one-to-nothing score.

A great baseball team has given the championship to a great American city. I can only say that all the teams in California will have an opportunity next year to reaffirm the reputation of our great State, as I know they shall.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. KUCHEL. I should be happy to yield to the distinguished Senator from Florida if I had the floor.

Mr. TYDINGS. I am happy to yield to the Senator from Florida.

Mr. SMATHERS. Mr. President, I merely wanted to remark that we in Florida take particular pride in the fact that both of the teams got their momentum from having trained in Florida.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. TYDINGS. I am happy to yield to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. Mr. President, I wish to advise the Senator from Maryland that I hold in my right hand two tickets to the fifth game of the world's series. [Laughter.] It does not disappoint me at all that I am not there at the fifth game, because I did support the Baltimore team for many reasons, including the fact that a young man, an outfielder, Curt Blefary, does come from New Jersey. He is a fine young man. He comes from excellent parentage, and from, in my subjective judgment, parentage of great intelligence. His father was my campaign manager in one of my campaigns.

Mr. TYDINGS. I thank the distinguished Senator from New Jersey.

I am happy to yield to the distinguished junior Senator from California.

Mr. MURPHY. Mr. President, I am pleased to join my distinguished colleague from California in congratulating the Senator from Maryland on the great performance of the Baltimore team. I had the good fortune to see two of the games in Los Angeles, and I must say that I was amazed by the hospitality that was afforded by Walter O'Malley's Dodgers. Walter is not known for that across the country, even from the time when he operated in Brooklyn.

On the other hand, from watching the game yesterday, I must say that there was a great deal of larceny perpetrated on the field by the defensive fielders. I have never seen so many hits stolen and made into outs, and I must say that the preponderance of the larceny was on the side of the Orioles, not on the side of the Dodgers. So at least in that respect we can say, in my opinion, that the Dodgers came out ahead.

Quite seriously, I think it was one of the finest big league baseball games I have ever witnessed. I thought the pitching was excellent and the fielding was magnificent—up to the highest World Series standards. Unfortunately, that Dodger who was up to bat the last time with two men on could not hit the ball.

I congratulate the Senator from Maryland, and look forward to seeing him at the series next year.

Mr. TYDINGS. I thank the Senator from California.

Mr. President, I call the attention of the Senate to the fact that, upon leaving the ball game on Saturday with the distinguished Senator from California, some of his constituents who were there viewing the game, Dodgers boosters, came over to shake hands with their Senator. They commented that they had never been treated as well by the fans in any National League city as they had by the fans of the Baltimore Orioles. I take particular pride in that.

Mr. President, it was a magnificent series in every way.

There will be much to be remembered in the years to come. There was Dick Brown, originally to be the Orioles starting catcher for the 1966 season. But Dick Brown started the season in a hospital bed after surgery for a brain tumor. Dick Brown was there for the series though, just as he had been there all season to his teammates who had dedicated this as "Dick's season." And it was Dick Brown who was elected by his fellow players to throw out the first ball of the first game of the first World Series ever to be played in Baltimore.

There was Andy Etchebarren, the rookie, who filled in for Brown and, playing like a veteran, became the American League all-star catcher in July's all-star game.

There was Frank Robinson, traded to Baltimore by the Cincinnati Reds who not only hit the home run which won the fourth and last game, but who became the first man in 10 years to win the American League batting, runs-batted-in and homerun crowns.

There were others. Jim Palmer, at 20, not old enough to vote, but old enough to best Sandy Koufax, the best of the best in the second game. There was Wally Bunker, another youngster of great talent and Dave McNally, at 23, the old man of the series starting pitching staff.

They will talk about the spark provided by the fiery little Latin, Luis Aparicio, team field captain and shortstop, and Paul Blair's third game winning homerun, and Russ Snyder's fantastic second game catch.

They may not talk as much about the activities of Dave Johnson and John "Boog" Powell and Curt Blefary, but they will remember the boys were there and provided solid backing for the heroics.

Some of the old timers will remember Harry "The Cat" Brecheen, Gene Woodling, Billy Hunter and Sherm Lollar, all Oriole's coaches who did themselves and the team great credit.

And who can doubt that Hank Bauer should be named manager of the year? He was magnificent.

No matter how good the players are and how much direction they got from the manager and coaches, a ball team must have solid backing from the front office. The Orioles had that and then some. The dynamic, young president of the Orioles, Jerry Hoffberger did a magnificent job. He was ably assisted by Frank Ceshen, executive vice president and Harry Delton, director of player personnel.

Orioles, Baltimore is proud of you, Maryland is proud of you, all America is proud of you, and proud of the way you have maintained the tradition of our great national pastime.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "The Morning After," written by Bob Maisel, sports editor of the Baltimore Sun, and published in the Baltimore Sun of today, October 10, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MORNING AFTER

(By Bob Maisel, Sports Editor)

I've heard it said all my life, that winning a World Series, especially that first one, is the greatest thing that can happen in sports to a player, a town, and everybody connected with it.

If a man had any doubts about it, he had them dispelled if he happened to be at the Stadium yesterday afternoon at 3:47 when Paul Blair hauled in Lou Johnson's routine fly for the final out and the realization struck home that the Orioles had indeed defeated the Dodgers in four straight games, shutting them out in the last three, and that the baseball capital of the world had at that moment shifted from Los Angeles to Baltimore.

If you were there, you'll never forget it.

That last inning had been agonizing. Dave McNally, trying desperately to become the third consecutive Oriole pitcher to hurl a shutout, was working on only the 1-run lead supplied by Frank Robinson's home run in the fourth off Don Drysdale. When the Dodgers put runners on first and second with just one out, I looked from the press box down on the people in the lower stands.

DAVIS HIT BALL HARD

I don't think I've ever seen a crowd more tense, more alert, dying with one pitch and screaming at the next. Willie Davis hit a ball hard, but right at Frank Robinson in right, and the Orioles were one out away.

With Johnson, a good clutch hitter at the bat, and the Dodgers a base hit away from a tie Harry Brecheen came out of the dugout to talk to McNally. When he retreated to the bench, McNally threw 2 good low curves. Johnson swung hard at both and missed, and the roar was tremendous each time.

Then, McNally threw another curve, Johnson lifted the routine fly, and it seemed every person in the stadium was on his feet, waiting for the ball to come down. When it did, and Blair grabbed it, the place exploded.

The entire infield descended upon McNally, and there they were, grown men playing ring around the rosy as 54,458 people stood and yelled and clapped and cheered.

BLAIR LEAPED IN AIR

Blair leaped in the air after he caught the ball, and it looked as though he might not come down. That's how excited he was. When, he did get back to earth, he and the other outfielders raced to get into a mass of humanity surrounding McNally.

Usually, when a sports event is over, some people will start for the exits. Not this time. Baltimore fans have been waiting a long time for this, and they savored it. Even after the players had disappeared, people stood and applauded, and there was a constant hum arising, the kind that you only hear at a time like this.

The clubhouse was a madhouse. Every Oriole player was completely surrounded by newsmen and well-wishers. Broadcaster Joe Garagiola stood on a trunk with several Orioles, ready for an interview.

They gave him the sign that he was on the air, he raised the mike and said, "This is Joe Garagiola in the Baltimore clubhouse," and exactly at that point, Curt Blefary—from behind—dropped such a mountain of shaving cream on Joe that his entire head just disappeared.

BAUER COMPLETED JOB

Hank Bauer helped smear it around to complete the job. Somebody handed Garagiola a towel, he wiped the cream from his eyes and went on to conduct what might have been the most hilarious interview in history.

As usual, on occasions like this, Boog Powell was in the middle of everything. Somebody called him tubby, he looked downright indignant and said, "It's Mr. Tubby from now on. You don't talk to a member of the world champions that way."

Brooks Robinson called Boog, and when the big fellow emerged through the door to see what his teammates wanted, somebody pushed a cake down over his ears.

Woody Held and Vic Roznovsky took refuge on the top of Held's locker. They sat up there munching sandwiches and looking down on the bedlam with fixed grins on their faces.

Powell couldn't stand it. He filled a bucket with water, said "one, two, three," and let them have it with a bulleye. Held and Roznovsky didn't even change their expressions, but the sandwiches they continued to eat were slightly soggy.

MANY SHARED IN VICTORY

Witnessing the scene were so many men who had a part in it all. Paul Richards was there briefly, and Lee MacPhail stopped by to offer congratulations. Certainly, both were instrumental in forging this team, Jerry Hoffberger, Zan Krieger, Harry Dalton, Frank Cashen, Jack Dunn, Lou Gorman—they couldn't stop grinning.

One of the happiest men in the crowd was Jim Russo. He helped sign about half the players in that room, and he and Al Kubski scouted the Dodgers and helped write the book on them.

Somebody walked by Russo and said, "Boy, you sure write a lousy book," and Jim said, "Yeah, they never should have got those two runs in the first game. It was all my fault."

Frank Robinson got the sports car as the outstanding player in the series. He deserved it. The pitching was tremendous, but divided so evenly among McNally, Moe Drabowsky, Jim Palmer and Wally Bunker, that they couldn't be separated. And Oriole hitters didn't exactly wear out the ball in this series.

HOMERS STUNNED DODGERS

It was Frank's 2-run homer, followed by another by Brooks in the first inning of the first game, that stunned the Dodgers, and made everybody realize that maybe this Oriole team belonged on the same field with the Dodgers after all. And it was Frank's homer which supplied the only run of the finale, the one that wrapped it all up in such a neat package yesterday.

Frank was obviously a happy, contented man as he answered the endless questions in the clubhouse. He should have been. When you win the Triple Crown, then are voted the outstanding player in a World Series that your team sweeps, there isn't much more a man can do in one season.

The thing that had to be so satisfying to everybody connected with the Orioles was that they were given little chance of beating the Dodgers. One National League manager had said the Birds wouldn't have been able to finish in the first division in that league.

In L.A., the only question was not whether the Dodgers would win, but how many games it would take them.

BIRDS NEVER TRAILED

That's all changed now. Not once in this entire series did the Birds trail, nor did they commit a single error. Both Palmer and Bunker surpassed Waite Hoyt as the youngest men ever to pitch World Series shutouts. The record belongs to Palmer now, because he's 20 and Bunker 21.

And, in blanking the Dodgers over the last 33 innings, the Orioles broke a mark set by the 1905 Giants when they shut out the Athletics for 28 innings. Leon Ames, Christy Mathewson and Joe McGinnity set that mark. Their names will now be replaced in the book by Drabowsky, Palmer, Bunker and McNally.

Only twice before had 1-0 games been won by home runs. Casey Stengel and Tommy Henrich did it. They are now joined by Paul Blair and Frank Robinson.

But, as it was all year, this was no one, or two man job. For a young team, playing in its first World Sereis, this one performed faultlessly. So well, in fact, that it cost the organization a barrel of money. The competing clubs don't start to get their cut of a World Series until after the first four games.

If Oriole officials were concerned about that fact, it didn't show through those smiles yesterday. If they had a mind to, they could probably demand a rather stiff payment from each of the other American League clubs and get it, just for getting the National League off their backs, and taking some of the bite out of all the talk of National League superiority.

By the way, anybody need any tickets for the fifth game of the 1966 World Series?

Mr. TYDINGS. Mr. President, I yield the floor.

Mr. SPARKMAN. Mr. President, I did not seek recognition for the purpose of discussing baseball, but I have enjoyed thoroughly the discussion that has taken place here, and I think both Senators from Maryland have good cause for doing a little bragging today. In fact, I think we all must be proud of what the Baltimore Orioles did. It was a most remarkable display of a baseball team recovering from the position of underdog, which position they held when they entered the series. I think it is the most remarkable comeback that I have ever seen. Those three shutout games were almost unbelievable.

Although the majority leader has left the floor, I should like to state that when I listened to that first game and saw the young pitcher from Billings, Mont., lose control, my thought was not so much of the game as it was of our majority leader, because he had made a very glowing statement on the floor of the Senate just before that. However, he certainly justified the Senator's statement of confidence on yesterday.

I join the Senator from Maryland in his feeling good over this great victory. Since I am not connected with any of the teams—though we have had Alabama boys on the Baltimore team, I do not believe we have any at the present time—perhaps it would be in order for me to mention that the Washington Senators climbed one notch this year, I believe, did they not?

Mr. TYDINGS. That is my understanding.

Mr. SPARKMAN. Had they not been rained out the last three games, they might even have gone to seventh place. So I want to put in a plug a year ahead of time for the Washington Senators. I hope that some day we may have a winning team.

GUNTERSVILLE CAVERNS

Mr. SPARKMAN. Mr. President, a few weeks ago I invited the Members of the Senate to visit spelunkers' favorite Alabama caves and to enjoy their "hidden" beauty. Today I would like again to mention the wonders found in the Guntersville Caverns near Huntsville.

These caves were formed many millions of years ago, and when discovered were filled with ancient artifacts of old Indian civilizations, as well as unique structural forms scattered throughout this subterranean playground.

Aboveground entertainment is also to be found around Guntersville. North Alabama abounds with lakes and streams usually teeming with water enthusiasts sailing in their pet boats or scooting along on their polished water skis.

I truly believe the Guntersville neck of the woods is one of the most alluring and satisfying all-year-round vacation spots in the United States.

I ask unanimous consent to have printed in the Record the text of an article entitled "Mystery of the Caverns" from the Huntsville Times of August 15, 1966, written by Beth Russler, which elaborates on the Guntersville Caverns.

There being no objection, the article was ordered to be printed in the Record, as follows:

Mystery of the Caverns

(By Beth Russler)

Guntersville Caverns, about 40 miles from Huntsville on State Highway 79, has mystery and beauty to entice the casual visitor, and a storehouse of science to challenge the scholar.

The history of these caverns goes back millions of years, when they were in the process of being formed by an underground stream. This part of the world was then under the ocean, as the many sea fossils and extinct varieties of ocean life found throughout the passageways will testify. There is evidence, too, that not only salt water, but fresh water as well, have invaded the cave.

Between six and eight thousand years ago, Indians called the cave home, and left in lieu of a diary an interesting collection of artifacts which are now on display in the concession building.

As history moved on and the area was engaged in the Civil War, the cave became a significant factor in Southern defense. Saltpetre, an important ingredient in the manufacture of gun powder, was mined in three different pits. Afterwards, since the miners had done the work of digging out the caverns, outlaws found them a fortuitous choice for hideout.

In recent years, Joe and Gwen Reeves, who own and operate the Caverns, have made them safe and accessible to visitors. Their early development showed such beauties as the "Queen's Throne"; a frozen waterfall 60 feet high and 200 feet in circumference which is still active and forming; the "Bell Tower," cut out by thousands of years of swirling water; arched doorways, and hundreds of other fantastic formations.

While Joe was digging a new passageway he ran into a deep bed of what appeared to be pure sand until his shovel struck something hard and unyielding. The objects he had run into turned out to be the formations that are unique to Guntersville Caverns, and which have been designated by a name as fanciful as their own shape—"Whosababys."

Whosababys are formed in much the same way as stalagmites and stalactites, by the dripping of calcimated water into the sand bed. After the first layer was thus formed, a flood brought in another deep layer of sand after a few million years, and then the dripping water started another layer. These delightful caprices of nature mimic the figures of people and animals and modern abstract sculpture.

This is the only place in the world where Whosababys are known to be found, and since Guntersville Caverns are well lighted, be sure to bring along your camera and have your picture made with one of these whimsical sand creatures—perhaps with Casper the Friendly Ghost.

The road is paved all the way, and the parking lot is also blacktopped. There are free picnicking facilities near the entrance, and camp sites and mountain hiking trails have been developed.

During the summer season the caverns are open from eight a.m. to six p.m. Winter hours are nine to four. Year round, there are special rates for school, church or club groups of fifteen or more persons.

The Caverns are just nine miles out of the town of Guntersville, whose lake with its 693 miles of shoreline provides every type of water sport you might wish to find—and some of the best fishing in the state.

Boating enthusiasts turn out in everything from runabouts and sailboats to cruisers and Chinese junks. During the annual Dixie Cup race, billow-sailed prams, sleek schooners. and high powered hydroplanes add to the color and excitement. It was on this course four years ago that a propeller-driven boat cracked the magic 200 mph barrier for the first time.

This year's Boat Race Festival will be run on August 27 and 28. Featured in the Regatta will be eight classes of championship racing for over $5,000 in prize money.

Throw your fishing gear, water skis, picnic jug, and camera in your car and hit the road—Highway 431 south. It will take you to Guntersville, Home of the Whosababys, and the playground of North Alabama.

VISIT TO THE SENATE BY PARLIAMENTARY DELEGATION FROM CEYLON

Mr. LAUSCHE. Mr. President, visiting the Capitol today are three Members of the Parliament of Ceylon. They are in Washington after having attended the Parliamentary Conference in Ottawa, Canada.

Several of the members of the Committee on Foreign Relations were at lunch with them today. We exchanged views generally.

They are visiting here to see the operation of our Government in the very brief time available to them.

It is my honor to present to the Senate at this time His Excellency Oliver Weerasinghe, Ambassador of Ceylon; Senator James Peter Obeyesekere; Mrs. Sivagamie Verina Obeyesekere, Member of the House of Representatives of the Government of Ceylon; Dr. N. M. Perera, Member of the House of Representatives; and Mr. Samson Sena Wijesinha, Clerk of the House of Representatives of Ceylon.

We welcome you to our country.

[Applause, Senators rising.]

Mr. AIKEN. Mr. President, I join the Senator from Ohio [Mr. Lausche] in extending welcome to our friends from Ceylon who are with us at this time.

THE UNIVERSITY OF MICHIGAN LIBRARY

I am sorry that we cannot put on a better show for them. However, a few Senators are present, and I can assure our visitors that sooner or later there will be more Senators present.

Several of us have been privileged to be guests of the government of Ceylon. The government officials of Ceylon were very excellent hosts to us. They are in our country now, having come down from Ottawa where they represented Ceylon at the Commonwealth Conference.

We are glad to have them stay with us in the United States for as long as they like.

We hope that they will enjoy every minute of their stay in the United States.

Mr. MANSFIELD. Mr. President, I join the distinguished senior Senator from Vermont, the ranking Republican in the Senate, in extending good wishes and felicitations to our colleagues from Ceylon and their distinguished Ambassador.

I recall with pleasure our visit to that lovely island. We were impressed very much with the ideas which the government officials had for bettering the lot of the people there.

We came away with a feeling of having been not only well received, but also having been given a good deal of sound advice and counsel along the way.

It was one of the most pleasant highlights of the trip which we all remember.

The Senate is delighted that these distinguished colleagues from the Parliament of Ceylon have seen fit to honor us with a visit.

Mr. AIKEN. Mr. President, I feel that I would be remiss if I did not call attention to the fact that the symbol of the majority party in Ceylon is the elephant.

Mr. MANSFIELD. There is a reason for that.

The **PRESIDING OFFICER.** The Senate is very happy to welcome you here today.

(The distinguished visitors rose in their places and were greeted with applause, Senators rising.)

WHEAT AND BREAD PRICE ADJUSTMENTS ARE DUE

Mr. McGOVERN. Mr. President, about 2 months ago rising bread prices were getting a great deal of publicity and arousing many protests.

Increases of 1 cent to 3 cents and more per pound loaf were occurring around the country, and those who protested were told that an advance in the price of wheat was behind it all.

Because of the protests, the Wheat Subcommittee of the House Agriculture Committee held hearings in August. Under Secretary of Agriculture John Schnittker advised the subcommittee that bread prices had advanced 1 cent per loaf between July 1965 and July 1966 while the cost of farm ingredients had increased half that amount, or one-half cent per pound loaf.

He testified that as wheat prices advanced from $1.44 per bushel to $1.74 per bushel in late June and July this year, there were newspaper accounts of additional 2- and 3-cent increases in bread prices per pound loaf in July and August. The Bureau of Labor Statistics reported later that the national average price of bread went up 1.1 cents per pound loaf in response to the June–July wheat price rise, from 21.7 cents per loaf to 22.8 cents—more than twice the increase in the cost of wheat.

I would like to ask my Senate colleagues to stop on their way home tonight and buy a loaf of bread and determine just how much bread prices have gone down in the last 30 days, while wheat prices were falling.

Wheat prices are down 30 cents a bushel, approximately the same amount as the June–July rise. No. 1 hard ordinary wheat went to $2.01½ at Kansas City on July 13, 1965, and sold at $1.71¾ in Kansas City on October 5. The farm price is considerably lower because of freight to the terminal, but the 30-cent decline reflects back to the farm price. In spite of this decline, I have not heard of bread prices coming down as much as one-tenth of the amount they rose when wheat went up.

As a matter of fact, wheat prices are now at about the same level they were in July 1965 when the national average price of broad was 20.8 cents per pound loaf—exactly 2 cents less than the national average price reported by the Bureau of Labor Statistics in August.

We are right now witnessing a phenomenon in food price performance, Mr. President, that is just as interesting to farmers and food buyers as weightlessness in space.

For some reason, there seems to be no economic gravity, or force, which has any downward pull on bread and food prices. They will go up, but they will not come down. And that appears to be especially true where there is a growing concentration, as there has been in recent years in the baking and food distribution fields.

Thus, space walking is not new.

Bread prices, in relation to wheat prices, have been on an extravehicular jaunt for years, apparently ever since home baking was replaced by commercial baking.

Whenever wheat prices go up, bread goes up and we are told there is a relationship. But when the vehicle moves downward, as wheat prices moved down in the fifties, and are going down now, there does not appear to be even an umbilical connection between the capsule and the astronaut. The capsule goes its way, and the bread prices proceed right on toward outer space.

I am very concerned because wheat prices have weakened.

The downtrend is going to affect the amount of acreage planted to wheat next year. Because our carryover of wheat last June 30 was only 536 million bushels, about 100 million bushels under the accepted proper reserve level, wheat acreage allotments have been increased 32 percent or 16.6 million acres for the 1967 crop.

No increase in price protection accompanied this expansion in acreage. Our basic price support for wheat is the $1.25 per bushel loan. The parity price for wheat is currently $2.59 per bushel. The low loan level is the only floor that farmers can rely on to break any fall in prices that might result from expanded production.

The assumption has been that the favorable $1.70 to $1.75 per bushel market prices would be adequate incentive to get the sort of expanded crop we need next year. Farmers have been encouraged to believe that market prices will surely stay well above the inadequate $1.25 per loan. Regardless, a good many of them had determined not to increase production and risk depressed markets next year before wheat prices broke.

Now wheat prices have fallen and producer discouragement over market price prospects is increased. A good deal of the additional acreage "offered" farmers is going to be left unplanted—no one can say how much of it at this time.

I strongly recommend that an increase in the basic loan level to at least $1.50 per bushel be announced to assure production in the volume that is needed next year.

The announcement would not affect consumer prices for bread and cereals, which have been traveling on their own extra-vehicular course since the fifties, when wheat prices fell to about 80 percent of the 1947–49 average price level and bread prices headed right on up to 160 percent of that 1947–49 average price level. Wheat product prices right now are geared up to the $1.70 to $1.80 per bushel wheat market level which prevailed before the 30-cent drop. They should come down. They should come down even if support loans are increased to $1.50 per bushel.

I am not so naive as to believe that bread prices are going to follow wheat prices down in the same way they leap upward at double to quadruple the rate of the wheat price advances. It would be a historic first if they did.

I sometimes regret that the CONGRESSIONAL RECORD does not carry illustrations. I have here a Department of Agriculture graph on wheat and bread prices since 1947 which shows very effectively how wheat prices declined in 1957–59, but bread prices did not waiver an iota from their upward course.

History is most likely to repeat itself.

You will not find bread a cent or two a loaf cheaper than last week, or last month, when you go home tonight. It will not be any cheaper tomorrow, or the next day unless some heretofore unobserved economic force exerts itself.

This is a moment in farm and food price history when there should be some adjustments in the wheat-bread price relationship just as extensive as the upward adjustment which occurred this summer.

The 30-cent decline in the market price of wheat amounts to $150 million on 500 million bushels of wheat, approximately the amount of our annual domestic food requirement.

That amount should not be allowed to become a windfall for those already making adequate returns between the hard-pressed farmers and the hard-pressed consumers.

Because of need for increased wheat production, we should now adjust Commodity Credit Corporation resale price levels and wheat price supports up to levels that will assure needed production and a fairer return to farmers. And we should exert every pressure possible to get that extra-vehicular space traveler—the price of bread—back into the capsule it left years ago.

I ask unanimous consent, Mr. President, to place in the RECORD a table showing bread prices and the wheat value in a pound loaf of bread by month since June 1965, and another showing the varying changes which have occurred in bread prices in four major cities between August 1965 and August 1966.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Average retail price of a 1-pound loaf of white bread and the farm value of wheat, June 1965 to August 1966*

Year and month	Retail price [1]	Farm value of wheat per load [2]
	Cents	*Cents*
1965:		
June	20.9	2.6
July	20.8	2.7
August	20.8	2.7
September	20.8	2.7
October	20.9	2.7
November	20.8	2.7
December	21.1	2.8
1966:		
January	21.4	2.8
February	21.5	2.8
March	21.6	2.8
April	21.8	2.8
May	21.7	2.8
June	21.8	3.1
July	21.8	3.2
August	22.8	3.2
September		

[1] BLS Retail Food Prices.

[2] Returns for 0.877 pound of wheat less imputed value of millfeed byproducts, based on average local market prices for all wheat plus 70 cents for the domestic marketing certificate in June 1965 and 75 cents since July 1965

TABLE 2.—*Retail price of a 1-pound loaf of white bread in 4 cities, U.S. average, and change, August 1965 to August 1966*

City	August 1965	August 1966	Change
	Cents	*Cents*	*Cents*
Detroit	18.1	19.0	+0.9
St. Louis	20.1	23.7	+3.6
New York	24.1	25.9	+1.8
Los Angeles	29.6	28.5	−1.1
U.S. average	20.8	22.8	+2.0

Source: BLS Retail Food Prices.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the calendar be called commencing with Calendar No. 1663.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

TRANSFER OF ADMINISTRATIVE CONTROL OF CERTAIN LAND TO THE ATOMIC ENERGY COMMISSION

The bill (H.R. 16813) to transfer to the Atomic Energy Commission, complete administrative control of 78 acres of public domain land located in the Otowi section near Los Alamos County was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1696), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 16813, and a companion measure, S. 3692, introduced by Senator ANDERSON, provides for the transfer, without reimbursement, to the Atomic Energy Commission of all interest in 78 acres of public domain land located in Santa Fe County, N. Mex., and authorizes the Commission to exercise administrative control over the transferred lands.

NEED

The 78 acres are part of approximately 3,925 acres of land in Santa Fe County which were excluded from the boundaries of Bandelier National Monument, N. Mex., by Presidential Proclamation No. 3539 of May 27, 1963 (28 F.R. 5407). The land was transferred to the administrative control of the Atomic Energy Commission for use in connection with the Los Alamos Scientific Laboratory.

A sewer plant and related facilities have been constructed on the 78 acres. The Atomic Energy Commission plans to donate these facilities to Los Alamos County. However, due to the public domain status of the land it is unclear whether it is subject to conveyance by the Commission. Legislation would remove any doubt as to the Commission's authority to convey the land under the Atomic Energy Act or other appropriate authority.

The land is reported to be without mineral value.

BACKGROUND

With the enactment of the Atomic Energy Community Act of 1955, Congress enunciated a policy of terminating Government ownership and management of the communities owned by the Atomic Energy Commission. To that end, Congress provided in that act for the transfer of the communities of Oak Ridge, Tenn., and Richland, Wash., to the residents thereof and to the local governments established at those locations. In 1962, in furtherance of the policy expressed in the Community Act, Congress amended its provisions and extended them to the community of Los Alamos.

Transfer of the communities of Oak Ridge and Richland has been completed for some time. Presently, the Commission is actively in the process of terminating Government ownership and management of the Los Alamos community. As authorized by the Community Act, residential property owned by the Government is being sold on a priority basis to project-connected personnel and facilities such as the hospital, schools, municipal installations and utilities have been or are being conveyed to eligible local nonprofit and government entities. As part of this program, the Commission plans to transfer to Los Alamos County the sewer system serving the community of Los Alamos, an integral part of which is located on the 78 acres subject of this legislation.

COST

There is no increase in budgetary requirements involved in H.R. 16813.

TRANSFER OF CERTAIN LAND TO ESTATE OF GWILYM L. MORRIS

The bill (H.R. 9520) to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris and others was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1697), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 9520 would authorize the Secretary of the Interior to convey, at fair market value, 320 acres of public land in Inyo County, Calif., to each of four named parties. The lands to be conveyed were included in desert land entries rejected by the Department of the Interior.

NEED

In 1954, Gwilym L. Morris, Dolores G. Morris, George D. Ishmael and Verna H. Ishmael each made a desert land entry for 320 acres of public land in Inyo County, Calif. Under the desert land laws (43 U.S.C. 321–339), an entryman is allowed 4 years from the date of the allowance of his entry to comply with the terms of those laws. In his final proof an entryman must show certain expenditures and reclamation of the land by conducting water thereon and reducing one-eighth of it to cultivation. In addition, he must show the mode of contemplated irrigation by construction of main and lateral ditches necessary for irrigation of all the irrigable land in the entry and that sufficient water is available for this purpose. In the instant case, apparently due to a misunderstanding between the entrymen and the local officials of the Bureau of Land Management, the entrymen had not within the 4-year period, complied with all of requirements for developing adequate sources of water and bringing one-eighth of the entry under cultivation. For this reason the final proofs were rejected and the four entries canceled.

The entrymen have expended about $150,000 in good faith in an attempt to reclaim the land and comply with the requirements of the Department. Some seven wells have been drilled to depths of up to 500 feet, and it is stated that adequate water is now available, if it was not at time of final proof. It is further stated that 500 acres, which is more than sufficient to meet the requirement of reducing one-eighth of the entries to cultivation, have been cleared and planted to grain, that a powerline has been run 8 miles to the land to supply power for irrigation; and that necessary irrigation ditches have been dug.

The beneficiaries of the legislation are required to pay the fair market value of the land on the effective date of the act less any value added by them. They are also required to pay the administrative costs of the conveyance and must make application for the conveyance within 1 year. As the lands are reported prospectively valuable for oil, gas, and sodium all leasable minerals are reserved to the United States. The Government interest will thus be fully protected by receiving value for the lands and reserving the right to remove leasable minerals. The lands are not needed for any Federal program.

This legislation is necessary if the equities of the entrymen are to be protected since the land is not subject to sale under the Public Sale Act (R.S. sec. 2455), as amended (43 U.S.C. 1171). Although the lands are subject to sale under the act of September 19, 1964 (78 Stat. 988), such sale could be made only by competitive bid with no credit given for past expenditures.

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COST

There is no increase in budgetary requirements involved in H.R. 9520.

CONVEYANCE OF CERTAIN LANDS IN PLUMAS COUNTY, CALIF., TO C. A. LUNDY

The bill (H.R. 3104) to authorize the Secretary of the Interior to convey certain lands in Plumas County, Calif., to C. A. Lundy was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1698), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 3104 authorizes the Secretary of the Interior to convey certain lands in Plumas County, Calif., to C. A. Lundy upon payment of their fair market value.

NEED

The land described in H.R. 3104 consists of two lots located within the Plumas National Forest comprising 300 acres more or less. The land was originally located as placer mining claims in 1876. Applications for patent were filed for lot 45 on February 23, 1877, and for lot 46 on June 23, 1877. The records of the Bureau of Land Management show that some 30 years later, in 1907, applications for patent were rejected, but it is not clear that notice of this rejection was received by the then owners of the property.

Mr. Lundy's claim to these lands arises out of his acquisition of the properties of the Plumas Eureka Corp. in 1931. That corporation's interest in lots 45 and 46 was derived from a claim of title which begins with the location of the claims in 1876. Since 1933 Mr. Lundy has paid taxes on these lands and has held and managed them as private property. Timber was cut and removed from the land with the full knowledge of the Forest Service and local records show the lots as patented land. Mr. Lundy, in good faith and in full reliance upon his title, has expended about $16,000 in improvements on these two lots in addition to his original purchase prices and annual taxes. It was not until 1963 that any question was raised concerning the ownership of this land. Thus, for more than 85 years, these lands were considered to be private property.

H.R. 3104, as amended by the committee, does not make a gift of these lands to Mr. Lundy even though he purchased them as a part of a larger parcel and they were long considered to be private property. H.R. 3104 requires that within 1 year after enactment, Mr. Lundy must pay the present fair market value less any increase in value brought to the land by him or his predecessors. In the event such purchase is made by Mr. Lundy all claims of the United States against him, such as that for the removal of timber from the land, will be considered as settled. Should Mr. Lundy not elect to purchase the land, claims of the United States against him will be waived upon his relinquishment of all claims to the land.

It is the opinion of the committee that H.R. 3104 provides a fair and equitable solution to a long standing problem. It will settle the questions of trespass and of ownership of the land by permitting its purchase by Mr. Lundy within 1 year or, failing this, by returning it to the Plumas National Forest for management by the Forest Service.

COST

There is no increase in budgetary requirements involved in H.R. 3104.

REIMBURSEMENT TO STATE OF WYOMING FOR IMPROVEMENTS MADE ON CERTAIN LANDS IN SWEETWATER COUNTY, WYO.

The bill (S. 84) to provide for reimbursement to the State of Wyoming for improvements made on certain lands in Sweetwater County, Wyo., if and when such lands revert to the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 84

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, having conveyed certain lands situated in Sweetwater County, Wyoming, to the State of Wyoming by reason of and in accordance with the provisions of that deed of June 6, 1962, executed pursuant to the Act of March 20, 1962 (76 Stat. 44), and having included in such deed provision that, if the lands so conveyed to the State of Wyoming should cease to be used in the cooperative agricultural demonstration work of the United States, Department of Agriculture, and the State of Wyoming, title to the lands thus conveyed shall revert to and become revested in the United States of America; the Secretary of the Interior be hereby authorized, at such time as said reversionary provision might become effective, to reimburse the State of Wyoming from whatever funds may be available to him, for those permanent improvements made by said State of Wyoming and remaining on said lands at the time such reversion of title becomes effective in an amount not to exceed the current fair market value of said improvement as determined by appraisal made at that time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1699), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

HISTORY

The United States, acting through the Secretary of Agriculture under authority of the act of March 20, 1962 (76 Stat. 44), conveyed to the State of Wyoming by deed of June 6, 1962, 664.12 acres, more or less, situated on the Eden project in Sweetwater County, Wyo., for use as a project pilot or development farm.

The ensuing development and operation of the Farson pilot farm was, in all ways, consistent with the purpose and intent of the settlement and land development program contemplated under section 2 of the Eden Project Reauthorization Act of June 28, 1949, in that it assured the continued use of the land in the cooperative agricultural demonstration program of the U.S. Department of Agriculture and the State of Wyoming which had, at that time, been actively pursued since 1958–59. Both during the initial year's operation, which was conducted under cooperative agreement, and the later years following issuance of the deed conveying land title to the State, improvements, which have resulted in a developed operating farm, have been made at the sole expense of the State.

The program, designated as the "Farson pilot farm," was designed to contribute directly to the benefit of Eden project settlers by affording them technical guidance and assistance in an effort to attain more efficient use of a critically limited water supply which, in turn, would contribute to more efficient operation of their farm units. A corresponding benefit accrued to the United States, in that the farm unit owners could then be expected to be in a better position to meet irrigation district assessments for project operation and maintenance and project construction costs, as contemplated under the Government-district repayment contract.

Since initiation of the Farson farm program, it has become more and more apparent that a critical water situation exists in the Eden project and all possible means are being explored whereby additional water can be developed to supplement the present supply. However, until such a supplemental supply becomes practicable of attainment, further new land development is being held in abeyance. To further this objective, the Department of Agriculture, which originally conducted the land settlement and development program, has progressively transferred to the Bureau of Reclamation all remaining project lands which have not passed into private ownership. Consistent with the furtherance of this action, present plans contemplate that the Farson pilot farm program, as presently being conducted by the State of Wyoming, will be phased out to permit both the retirement of the land in question and the use elsewhere of the project water presently required for operation of the pilot farm. The cooperative agricultural work of the State and the Bureau of Reclamation will thereafter be carried out on the Seedskadee project where developmental data suitable for use on both Seekskadee and Eden projects can be derived under circumstances where water supplied is not a critical limiting factor.

As stated in the bill under consideration, at such time as the State of Wyoming's use of the Farson pilot farm ceases, a reversionary clause in the deed will become operable, and title to the lands will be revested in the United States. Because of the previously mentioned critical water situation, however, it would be practicable to dispose of the farm to private ownership at this time. The Bureau of Reclamation is currently engaged in lining canals and laterals, and plans to make certain other irrigation improvements, all designed to provide for more efficient projectwide use of the total water supply available to the Eden project. While this program is progressing with reasonable dispatch, it cannot be completed in the immediate future. Accordingly, with the title to the land comprising the Farson pilot farm having reverted to the United States, and with no plans to dispose of it to private ownership, it would be virtually impossible for the State of Wyoming to recoup any of its capital investment, which it has made in permanent improvements in the course of its highly cooperative and commendable efforts to contribute to the economic success of the project.

Therefore, it would be equitable for the United States, operating through the Secretary of the Interior, who has primary administrative responsibility for project construction, operation, maintenance, and any future land disposition, to reimburse the State of Wyoming for the current fair market value of its permanent improvements at the time of revestment.

This would be consistent with the objectives and intent under which the cooperative pilot farm effort was initiated, pursuant to agreement between the United States and the State of Wyoming. It was thereunder contemplated that, at such future time as a pilot farm might be closed down, the United States would endeavor to dispose of the lands comprising the farm unit to a prospective project settler who would be interested in

THE UNIVERSITY OF MICHIGAN LIBRARIES

concurrently purchasing the State-owned capital improvements and growing crops remaining or existing on the land at the time of sale. Thus, both the United States and the State of Wyoming would have received appropriate compensation for their respective financial interests in the land and improvements.

It is estimated that the cost of this measure would be approximately $40,000, including the dwellings, related buildings, fencing, land development, and costs of administration.

Whenever a supplemental water supply and/or improvements in distribution and use of the total supply indicate that a favorable resolution of the water supply problem is practicable, the land and improvements can then be disposed of to a project settler. Under the terms and conditions of such possible future disposition, an amount approximately equal to the costs that would be incurred if S. 84 were enacted could be recovered by the United States.

REINSTATEMENT OF A CERTAIN OIL AND GAS LEASE BY THE SECRETARY OF THE INTERIOR

The bill (H.R. 14754) to authorize the Secretary of the Interior to reinstate a certain oil and gas lease was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1700), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The purpose of H.R. 14754 is to authorize the Secretary of the Interior to do equity in reinstating a Federal oil and gas lease in New Mexico which has been terminated by operation of law because of a 14-cent deficiency in the rental payment. The deficiency resulted from error on the part of the administrative agency, not a mistake on the part of the lessee.

BACKGROUND

Oil and gas lease New Mexico 0291835, containing 1,201.72 acres, was issued effective July 1, 1962. The lease was canceled effective June 30, 1964, by a decision of the Bureau of Land Management issued February 26, 1965, holding that the lease terminated automatically by operation of law (act of July 29, 1954, par. (7), 68 Stat. 583, 585; 30 U.S.C. 188) since the full amount of the advance rental due for the second year was not paid on or before July 1, 1963. The full amount due was $601. The rental submitted on June 7, 1963, was 14 cents less—that is, $600.86. This shortage of 14 cents was due to miscalculation and a mistake in billing by the Bureau of Land Management. The error was not disclosed when the first-year rental was accepted by the Bureau as full payment for the first year's rental but came to light after the lease had been in force for 1 year and the lessee tendered payment for the second year's rental.

Prior to the 1954 act default in the payment of rental for an oil and gas lease did not automatically terminate the lease and the lease would continue to run until it was canceled or relinquished. This situation gave rise to cases where, although a lessee had lost interest in maintaining his lease, rentals continued to accrue against him for the duration of the lease. To prevent such cases from occurring in the future, the provision of the act of July 29, 1954, referred to above was enacted providing that "upon failure of a lessee to pay rental on or before the anniversary date of the lease, for any lease on which there is no well capable of producing oil and gas in paying quantities, the lease shall automatically terminate by operation of law." The Department of the Interior has held that a lease automatically terminates if the rental is not paid in full before the due date even though a payment is made on that date and the rental deficiency is slight and even though the amount actually paid is that billed by the Government.

In an effort to relieve the harshness of this rule and to provide relief where warranted Congress passed the act of October 15, 1962 (76 Stat. 943). This act, however, applied only to cases which arose before the date of its enactment. It is not therefore applicable in the instant situation and legislative relief is necessary if New Mexico 0291835 is to be reinstated.

The lands affected by the proposal have not been leased to any other party, and thus there are no third-party rights involved.

COST

There is no increase in budgetary requirements involved in H.R. 14754.

SALE OF FLORIDA PHOSPHATE INTERESTS

The bill (S. 2358) to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2358

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey, sell, and quitclaim all phosphate interests now owned by the United States in and to the hereinafter described lands to the present record owner or owners of the surface rights of such lands:

Beginning at the northwest corner of the northwest quarter of the northeast quarter of section 7, township 38 south, range 24 east, for point of beginning.

thence south along west line of said northwest quarter of northeast quarter for a distance of 531.22 feet to centerline of drainage canal;

thence northeasterly along said centerline to the north line of said northwest quarter of northeast quarter;

thence west along said north line for a distance of 485.65 feet to point of beginning, containing 2.96 acres, more or less.

SEC. 2. In the event that the Secretary of the Interior determines that the lands described in the first section are not prospectively valuable for phosphate, he shall convey the reserved phosphate interests to the present record owner or owners of the surface rights upon the payment of a sum of $200 to reimburse the United States for the administrative costs of the conveyance; otherwise, the phosphate interests shall be sold to the record owner or owners of the surface rights upon the payment of a sum equal to $200 plus the fair market value of the phosphate interests as determined by the Secretary after taking into consideration such appraisals as he deems necessary.

SEC. 3. Proceeds from the sale made hereunder shall be covered into the Treasury of the United States as miscellaneous receipts.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1701), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

Purpose of S. 2358, which is sponsored by Senator HOLLAND of Florida, is to enable the owner of the surface of a tract of slightly less than 3 acres in De Soto County, Fla., to remove a cloud on his title. The cloud arises from the fact that the United States has reserved and owns the phosphate rights in the land.

S. 2358 would accomplish its purpose by authorizing and directing the Secretary of the Interior to sell the reserved phosphate interests of the United States to the present record owner of the surface at fair market value plus the administrative costs of the conveyance, set at $200. In the event the Secretary finds the lands are not prospectively valuable for phosphate, he shall convey the reserved interest of the Federal Government upon payment of the administrative costs.

The departmental report states the 3-acre tract that is the subject of the proposed legislation is some 15 miles from the nearest known phosphate deposit and is believed to have little, if any, value for phosphate. The surface owner, however, needs to clear title in order to obtain financing for intensive development of the tract.

GENERAL LEGISLATION

S. 2358 follows the pattern of legislation adopted by the Congress in similar situations. In addition to these situations, the Federal Government has reserved mineral interests in millions of acres of land in various other categories. On a number of occasions, the Department of the Interior has suggested "that general legislation should be enacted which will obviate consideration by the Congress of a number of private bills."

However, there has been established, by the act of September 19, 1964 (78 Stat. 982; Public Law 88-606), the Public Land Law Review Commission which, among other things, is charged specifically with examining into the need for legislation in connection with "outstanding interests of the United States in lands patented, conveyed in fee or otherwise, under the public land laws." Accordingly, it appears to be inappropriate to consider general legislation at this time, in the absence of an urgency therefor, pending the submission of the Commission report.

The committee recognizes, nevertheless, that necessary action on specific cases requiring attention cannot and should not be withheld until the Commission has submitted its report, scheduled under the aforementioned act to be submitted to Congress by December 31, 1968. The lands described in S. 2358 are ready for development now. The surface owner should not be required to await the outcome of lengthy consideration of general legislation—either by the Public Land Law Review Commission or this committee—involving a variety of reserved interests in a variety of situations.

The committee has therefore concluded that it is necessary and proper to permit the owner of the lands described in S. 2358 to obtain a conveyance of the mineral interest now, while, at the same time, fully protecting the interest of the United States as outlined above.

COST

No increase in budgetary requirements is involved in S. 2358.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

The next bill, Calendar No. 1699 (H.R. 17637) will be made the pending business following the conclusion of the present pending business.

PRESIDENT'S PROPOSALS FOR STRENGTHENING PEACE ON EUROPEAN CONTINENT

Mr. MANSFIELD. Mr. President, on October 7, President Johnson was in New York City where he delivered an address on European affairs to the National Conference of Editorial Writers. The President's statement was thoughtful in analysis and highly constructive in its suggested initiatives for strengthening peace on the European Continent. His remarks were especially noteworthy in their reference to the changes which have taken place in Europe and to adjustments in U.S. policy in order to attune to those changes both in Western and Eastern Europe.

I note his comment on the possibilities for adjustments or reductions in U.S. troop deployments in Western Europe. At the same time, the President stressed the necessity for a continuation of the interwoven defense of Western Europe and the United States. This vital bond is one which is recognized in every NATO nation. It will remain for the foreseeable future a key to our security as well as that of Europe.

With respect to Eastern Europe, President Johnson announced not only an extensive easing of outdated trade restrictions but, also, his intention of giving positive encouragement to United States-Eastern European commerce by means of credit arrangements and treaty and in other ways. It is regretted, of course, that the conflict in Vietnam casts a great shadow over the prospects for better East-West relations. Nevertheless, in my judgment, it is wise for the President to make the effort to improve these commercial and other contacts. In so doing, he is building not only for the Nation's economic benefit but, also, for peace. In so doing, he ought to have every support which can reasonably be extended to him by the Congress.

I ask unanimous consent, Mr. President, that the text of the address by Lyndon B. Johnson, previously cited, be ordered to be printed at this point in the RECORD:

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Oct. 8, 1966]

TRANSCRIPT OF PRESIDENT'S SPEECH ON IMPROVING RELATIONS WITH EASTERN EUROPE

(Following is the transcript of President Johnson's address to the National Conference of Editorial Writers at the Carnegie Endowment Building, United Nations Plaza at 46th Street, yesterday, as recorded by The New York Times through the facilities of A.B.C. News:)

I'm a little baffled by this room. It makes a speaker have to talk out of both sides of his mouth.

Since the Secretary took you on a quick trip around the world I hope you will pardon me if I just ask you to go across the Atlantic with me.

I remember some time years ago President Franklin D. Roosevelt addressed the Daughters of the American Revolution. His opening words were not his usual "My Friends," but instead he said "My Fellow Immigrants." And he was right, because most of our fathers came from Europe, East or West, North or South.

They settled in London in Kentucky, Paris in Idaho, Rome in New York. Chicago with Warsaw is one of the great Polish cities in the world. And New York is the second capital of half of the nations of Europe.

And so that really is the story of our country. Americans and all Europeans share a connection which transcends political differences. We are a single civilization. We share a common destiny. Our future is a common challenge.

So today two anniversaries especially remind us of the interdependence of Europe and America. On Sept. 30, seventeen years ago, the Berlin airlift ended. On Oct. 7, just three years ago, the nuclear test-ban treaty was ratified. There is a healthy balance here. It is no accident. It reflects the balance the Atlantic allies have always tried to maintain between strength and conciliation, between firmness and flexibility, between resolution and hope.

BERLIN AIRLIFT IS RECALLED

The Berlin airlift was an act of measured firmness. Without that firmness the Marshall Plan and the recovery of Western Europe of course would have been impossible, that hopeful and progressive achievement, the European Economic Community, would never have been born. The winds of change which are blowing in Eastern Europe would not have been felt here today.

And all of these come about as the fruits of determination. The test-ban treaty is the fruit of our hope. With more than 100 other cosigners we committed ourselves to advance from deterrence through terror toward a more cooperative international order.

We must go forward to banish all nuclear weapons and to banish war itself.

So a just peace remains our most important goal. When we know that the world is changing our policy must reflect the reality of today and not yesterday. In every part of the world new forces are standing at the gates—new countries, new aspirations, new men—and in this spirit let us look ahead to the tasks that confront us today in the Atlantic nations as I will look ahead a little later to the tasks that confront us in another part of the world as I travel 25,000 miles in the Pacific area.

Europe has been at peace since 1945 but it is a restless peace that's shattered by the threat of violence. Europe is partitioned. An unnatural line runs through the heart of a very great and very proud nation. History warns us that until this harsh division has been resolved, peace in Europe will never be secure.

We must turn to one of the great unfinished tasks of our generation and that unfinished task is making Europe whole again.

Our purpose is not to overturn other governments but to help the people of Europe to achieve together a continent in which the peoples of Eastern and Western Europe work shoulder-to-shoulder together for the common good—a continent in which alliances do not confront each other in bitter hostility but instead provide a framework in which West and East can act together in order to secure the security of us all.

CALLS FOR GERMAN REUNIFICATION

In a restored Europe, Germany can and will be united. This remains a vital purpose of American policy and we reiterated it and reaffirmed it to Chancellor Erhard just a few days ago. It can only be accomplished through a growing reconciliation because there is no shortcut.

So we must move ahead on three fronts. First, to modernize NATO and strengthen other Atlantic alliances; second, to further the integration of the Western European community; third, to quicken progress in East-West relations.

Now may I speak to each of these in turn:

Our first concern is to keep NATO strong and to keep it modern and to keep it abreast of the times in which we live. The Atlantic alliance has already proved its vitality. Together we have faced the threats to peace which have confronted us and we shall meet those which may confront us in the future. Let no one doubt ever for a moment the American commitment. We shall never unlearn the lessons of the Thirties, when isolation and withdrawal were our share in the common disaster. We are committed and we are committed to remain firm.

CITES MODERNIZATION OF NATO

But the Atlantic alliance is a living organism. It must adapt itself to the changing conditions. Much is already being done to modernize its structure. We are streamlining NATO command arrangements; we are moving to establish a permanent nuclear planning committee; we are increasing the speed and the certainty of supply across the Atlantic.

However, there is much more that we can do. There is much more that we must do. The alliance must become a forum—a forum for increasingly close consultations. These should cover the full range of joint concerns from East-West relations to crisis management. The Atlantic Alliance is the central instrument of the entire Atlantic community, but it is not the only one.

Through other institutions the Nations of the Atlantic are now hard at work on constructive enterprise. In the Kennedy round we are negotiating with the other free world nations to reduce tariffs everywhere. Our goal is to free the trade of the world—to free it from arbitrary and artificial restraints.

We are engaged on the problem of international monetary reform. We are exploring how best to develop science and technology as a common resource. Recently, the Italian Government has suggested an approach to narrowing the gap in technology between the United States and Western Europe and that proposal, we think, deserves very careful study and consideration.

The United States stands ready to cooperate with all of the European nations on all aspects of this problem.

AID TO DEVELOPING NATIONS

Last and, perhaps, really most important, we are working together to accelerate the growth of the developing nations. It is our common business to help the millions in these developing nations improve their standards of life, to increase their life expectancy, to increase their per capita income, to improve their health and their mind and their body, to in turn help them really fight and ultimately conquer the ancient enemies of mandkind—hunger, and illiteracy, and ignorance, and disease.

The rich nations can never live as an island of plenty in a sea of poverty.

Thus, while the institutions of the Atlantic community are growing, so are the tasks that confront us multiplying.

Now second—second among our tasks—is the vigorous pursuit of further unity in the West. To pursue that unity is neither to postpone nor to neglect for a moment our continuous search for peace in the world.

There are good reasons for this. A united Western Europe can be our equal partner in helping to build a peaceful and just world order. A united Western Europe can move more confidently in peaceful initiatives toward the East. Unity can provide a framework within which a unified Germany can be a full partner without arousing fears.

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We look forward to the expansion and to the further strengthening of the European community. Of course, we realize that the obstacles are great. But perseverance has already reaped larger rewards than many of us dared hope for only a few years ago.

The outlines of the new Europe are clearly discernible. It is a stronger, it is an increasingly united but open Europe, with Great Britain a part of it and with close ties to America.

Now, finally, third, one great goal of a united West is to heal the wound in Europe which now cuts East from West and brother from brother. That division must be healed peacefully; it must be healed with the consent of Eastern European countries and consent of the Soviet Union.

This will happen only as East and West succeed—succeed in building a surer foundation of mutual trust. Nothing is more important than peace.

We must improve the East-West environment in order to achive the unification of Germany in the context of a larger, peaceful and prosperous Europe. Our task is to achieve a reconciliation with the East, a shift from the narrow concept of coexistence to the broader vision of peaceful engagement. And I pledge you today that Americans now stand ready to do their part.

NOTES CONTINUITY OF U.S. POLICIES

Under the last four Presidents our policy toward the Soviet Union has been the same. Where necessary we shall defend freedom. Where possible we shall work with the East to build a lasting peace. We do not intend to let our differences on Vietnam or elsewhere ever prevent us from exploring all opportunities.

We want the Soviet Union and the nations of Eastern Europe to know that we and our allies shall go step-by-step with them just as far as they are willing to advance.

So let us, both Americans and Europeans, intensify, accelerate, strengthen our determined efforts. We seek healthy economic and cultural relations with the Communist states.

I am asking for early Congressional action on the United States-Soviet consular agreement.

We have just signed a new United States-Soviet cultural agreement.

We intend to press for legislative authority to negotiate trade agreements which could extend most-favored-nation tariff treatment to European Communist states.

We have just concluded an air agreement with the Soviet Union.

And today I am announcing the following new steps:

We will reduce export controls on East-West trade with respect to hundreds of nonstrategic items.

I have just today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries—Poland and Hungary, Bulgaria and Czechoslovakia. This is good business and it will help us—it will help us to build the bridges to Eastern Europe that I spoke of in my address at V.M.I. only a few months ago.

The Secretary of State is now reviewing the possibility of easing the burden of Polish debts to the United States through expenditures of our Polish currently holdings, which would be, we think, mutually beneficial to both countries.

The Export-Import Bank is prepared to finance exports for the Soviet-Italian Fiat auto plant.

We are negotiating a Civil Air Agreement with the Soviet Union, which I referred to. This will, we think, greatly facilitate tourism in both directions.

TRAVEL LIBERALIZATION MOVES

This summer the American Government took additional steps to liberalize travel to Communist countries in Europe and in Asia and we intend to liberalize these rules still further in an attempt to promote better understanding and increased exchanges.

In these past weeks, the Soviet Union and the United States have begun to exchange cloud photographs that are taken from the weather satellites.

So you can see in these and many other ways the ties with the East will be strengthened by the United States and by other Atlantic nations.

Agreement on a broad policy to this end therefore should be sought in existing Atlantic organs.

The principles which should govern East-West relations are now being discussed in the North Atlantic Council. The O.E.C.D. can also play an important part in trade and in contacts with the East. The Western nations can there explore the ways of inviting the Soviet Union and the Eastern European countries to cooperate in tasks of common interest and common benefit.

Hand in hand with these steps to increase East-West ties must go measures to remove territorial and border disputes as a source of friction in Europe. The Atlantic nations oppose the use of force to change existing frontiers and that is the bedrock, too, of our American foreign policy. We respect the integrity of a nation's boundary lines.

The maintenance of old enmities is not really in anyone's interest. Our aim is a true European reconciliation and we so much want to make this clear to the East.

Further, it is our policy to avoid the spread of national nuclear programs, in Europe and elsewhere in the world. And that is why we shall persevere in efforts to try to reach an agreement banning the proliferation of nuclear weapons.

We seek a stable military situation in Europe, one in which we hope that tensions can be lowered. And to this end the United States will continue to play its part in effective Western deterrence. To weaken that deterrence might now create temptation and could endanger peace.

The Atlantic allies will of course continue together to study what strength NATO needs in light of the changing technology and the current threat. Reduction of Soviet forces in Central Europe would of course affect the extent of that threat. If changing circumstances should lead to a gradual and a balanced revision in force levels on both sides, the revision could together with the other steps that I have mentioned, help gradually to shape an entire new political environment.

CALLS PEACE "LONG PROCESS"

The building of true peace and reconciliation in Europe of course will be a very long process. The bonds between the United States and its Atlantic partners provide the strength though, on which the entire security of this world depends. Our interdependence, therefore, is complete. Our goal in Europe and elsewhere is first of all, always, a just and a secure peace. It can most surely be achieved by common action.

And to this end I pledge my country's best efforts—best efforts to achieve new thrust for the alliance, to support movement toward Western European unity, to bring about a far-reaching improvement in relations between the East and the West. Our object is to end the bitter legacy of World War II and let all of those who wish us well, and all others also, know that our guard will be up but our hand will always be out.

The American people love peace and they hate war. We do not believe that might makes right. So, in pursuit of peace history is aware of our commitments to the Marshall Plan and the Truman Doctrine and to NATO and to SEATO. We have been tested in Berlin and in Korea and in the Dominican Republic and our brave men are being tested at this hour in Vietnam. And in every instance our purpose has been peace, never war, self determination instead of selfish aggression.

We believe that moral agreements are much to be preferred to military means, the conference table instead of the battlefield. But Americans will never close their eyes to reality. We back our word with dedication and we also back it with a united resolve of a patient, of a determined, of a freedom-loving and a peaceful people. Together we shall never fail.

Mr. SYMINGTON. Mr. President, I commend the statement made by the able majority leader with respect to the announcement that there will be an easement of export controls, on shipments to the Soviet bloc, of some textiles, machinery, metals, and chemicals.

The President announced this move as a major step in the program of reconciliation between the Communist East and the non-Communist West. It is also my understanding, according to an article in the Wall Street Journal this morning, that other bridge-building actions include authorization for the Export-Import Bank to guarantee commercial loans to Poland, Hungary, Bulgaria, and Czechoslovakia; plus a go-ahead for the Bank to finance exports of American equipment for us by Fiat, the Italian motor company, in establishing a plant in Russia.

As the Senate knows, for some time it has been my conviction we should adopt a policy of more trade and less aid in our relationship with the rest of the world, especially the developed countries; and inasmuch as I understand the premise of this change in policy is that the loans will be hard loans, again let me say I support the position taken by the able senior Senator of Montana.

END OF WHOLESALE PRICE RISE SIGNALS BAD TIME TO SUSPEND INVESTMENT CREDIT

Mr. PROXMIRE. Mr. President, this week this body will be called upon to act on the administration's recommendation to suspend the investment credit and accelerated depreciation.

Seventy-eight Senators voted against suspending the investment credit last March. Only 10 favored it.

Now, Mr. President, why should Senators reverse that decision of last March?

The sole justification given for suspending the credit is to stop inflation. That is it. That is the argument.

Last March that argument made some sense; there was no end to the economic boom in sight. Pressures for inflation were building. Economists overwhelmingly agreed that prices were likely to rise and even threaten to get out of control.

But today when Senators are asked to reverse their opposition to suspension of this tax incentive, the justification for the vote is evaporating. Just this morning the papers reported that wholesale prices leveled off in September after climbing since last March and they declined in early October.

In view of the fact that this suspension will not—cannot—have its prime effect for a year, that so many economists now anticipate a recession by late next year, that the suspension now would deepen such a recession and possibly provoke it, and now that wholesale prices have leveled off and turned down, the Senate should reject the proposal to suspend the credit. I ask unanimous consent that an article in the Wall Street Journal, headlined "Wholesale Prices Held Steady in September, Fell in Early October" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHOLESALE PRICES HELD STEADY IN SEPTEMBER, FELL IN EARLY OCTOBER—MONTHLY INDEX HAD BEEN RISING SINCE MARCH—INDUSTRIAL ITEMS POST FIRST DECLINE IN 2 YEARS

WASHINGTON.—Wholesale prices leveled off in September after climbing since March, the Labor Department reported, and they declined in early October.

At 106.8% of the 1957–59 average, the September index was unchanged from August, although it was substantially above the 103% of a year before.

In the week ended last Tuesday, the index fell to 106.1%, down 0.2 percentage point from the previous week.

While the at least temporary end to the upward surge that had been particularly sharp in July was generally welcome to Government economists, the "mushiness" lately has been prompting some of them to wonder if business is becoming less buoyant than they've expected. Usually, wholesale prices rise when business demand is strong.

INDUSTRIAL COMMODITIES STEADY

Prices of industrial commodities have been holding steady lately, the report showed, averaging 105.1% for the week ended last Tuesday as well as for the previous week and for the entire month of September. In October last year they average 102.8%.

A 0.1 percentage point drop in the September industrial commodity index from August's 105.2 percent was the first such decrease in more than 2 years, the department noted. "Widely scattered declines" were responsible, it said. "An improvement in the supply situation for copper" brought lower prices for nonferrous mill products and lumber and plywood prices were down for the fourth consecutive month as housing starts continued to decline, the department said. Rebates to dealers, it noted, widened on the 1966-model autos with the approach of the introduction of the 1967 models; competition forces price cuts for truck and bus tires. Hides and skins quotations fell because of increased slaughter, export restrictions and larger offerings overseas.

SOME COMMODITIES ADVANCE

Partially offsetting these declines were advances for such industrial commodities as railroad rails, machinery, furniture and refined petroleum products.

The recent declines have centered in farm products, which in the latest week were down to 104.2 percent from 105.6 percent a week before and from the 108.7 percent average for September. The index for processed foods fell to 112.3 percent in the latest week from 112.9 percent the week before and from the 114 percent average for September.

In the latest week, many livestock, grain, fruit and vegetable prices dropped, more than offsetting increases for some steers, tobacco, and some fruits and vegetables. Among industrial goods, prices declined on iron and steel scrap, rubber and burlap, among others, and increase on pig tin, nonferrous scrap, and cattle hides.

Week-to-week comparisons (1957–59 equals 100).

	Week of Oct. 4	Week of Sept. 27
All commodities	106.1	106.3
Farm products	104.2	[1] 105.6
Processed foods	112.3	[1] 112.9
Meats	108.7	[1] 109.8
All commodities other than farm products and foods	105.1	105.1

[1] Revised.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15183) to adjust the status of Cuban refugees to that of lawful permanent residents of the United States; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. FEIGHAN, Mr. GILBERT, Mr. MCCULLOCH, and Mr. MOORE were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6413. An act to provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use;

H.R. 11257. An act relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended;

H.R. 11660. An act relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes;

H.R. 11782. An act to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes;

H.R. 13320. An act to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile;

H.R. 13370. An act to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile;

H.R. 13661. An act to authorize the disposal of battery-grade synthetic manganese dioxide from the national stockpile;

H.R. 14604. An act to authorize a study of facilities and services to be furnished visitors and students coming to the Nation's Capital;

H.R. 16000. An act to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes;

H.R. 16774. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay;

H.R. 17376. An act to authorize the disposal of nickel from the national stockpile; and

H.R. 18019. An act to authorize the Secretary of the Army to construct an addition at the Walter Reed Army Medical Center, Washington, D.C.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 801. An act to improve the balance-of-payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures;

S. 3500. An act to authorize the President to advance Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general; and

S. 3834. An act to amend chapter 141 of title 10, United States Code, to provide for price adjustments in contracts for the procurement of milk by the Department of Defense.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 6413. An act to provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use;

H.R. 11257. An act relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended;

H.R. 11660. An act relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes;

H.R. 11782. An act to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes; and

H.R. 16774. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay; to the Committee on Finance.

H.R. 13320. An act to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile;

H.R. 13370. An act to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile;

H.R. 13661. An act to authorize the disposal of battery-grade synthetic manganese dioxide from the national stockpile;

H.R. 16000. An act to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes;

H.R. 17376. An act to authorize the disposal of nickel from the national stockpile; and

H.R. 18019. An act to authorize the Secretary of the Army to construct an addition at the Walter Reed Army Medical Center, Washington, D.C.; to the Committee on Armed Services.

H.R. 14604. An act to authorize a study of facilities and services to be furnished visitors and students coming to the Nation's Capital; to the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there further morning business?

There being no further business, the Chair lays before the Senate the unfinished business, pursuant to the previous unanimous-consent agreement.

HIGHER EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963,

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to extend it for 3 years, and for other purposes.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield to me briefly, after he gets the floor, without losing his right to the floor?

Mr. MORSE. I yield to the distinguished Senator from Montana.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time to be charged to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, the manager of the bill is ready for third reading, but he understands that the Senator from Maryland [Mr. BREWSTER] has one or two amendments he wishes to discuss.

The PRESIDING OFFICER. The Senator from Maryland [Mr. BREWSTER] is recognized.

AMENDMENT NO. 956

Mr. BREWSTER. Mr. President, I have an amendment at the desk and I ask that it be reported.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. BREWSTER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill insert a new section as follows:

"Training programs in the conduct of criminal cases involving indigent persons

"SEC. 9. Title VI of the Higher Education Act of 1965 is amended by inserting at the end thereof a new part as follows.

" 'PART C—TRAINING PROGRAMS IN THE CONDUCT OF CRIMINAL CASES INVOLVING INDIGENT PERSONS

" 'Authorization

" 'SEC. 631. (a) There are authorized to be appropriated $800,000 for the fiscal year ending June 30, 1967, and for the succeeding fiscal year, to enable the Commissioner to arrange, through grants or contracts with public or private nonprofit law schools, for the development and operation of organized programs of instruction to train students in the conduct of criminal cases involving indigent persons. Emphasis shall be given to both the prosecution and the defense of such cases. Such programs shall include instruction in the methods and problems involved, training in the practical aspects of the conduct of a trial, and actual experience by students to the extent possible under proper supervision.

" '(b) For the fiscal year ending June 30, 1969, and for the succeeding fiscal year, there may be appropriated for the purpose of this part, only such sums as the Congress may hereafter authorize by law'."

The PRESIDING OFFICER. How much time does the Senator from Maryland yield to himself?

Mr. BREWSTER. Mr. President, I yield myself as much time as I may use.

The PRESIDING OFFICER. The Senator may proceed.

Mr. BREWSTER. Mr. President, I rise to offer an amendment which would help to fill a growing gap in our system of criminal justice. If our adversary system is to function properly, there must be well-trained and competent attorneys serving both the prosecution and the defense. All too often, this is not the case.

Federal, State, and local governments have established a number of programs to provide free legal assistance for indigents. Some of these programs rely on full-time, salaried attorneys. Many others rely on part-time private practitioners. In both situations, we encounter a persistent problem: the attorneys simply are not well trained in trial procedures. Frequently the same is true of the prosecuting attorneys on the other side.

It is rather fruitless to hire full-time public defenders, or pay private attorneys $25 per hour, if they are not well versed in the practical aspects of handling these cases. We must find ways of training our lawyers more effectively, somewhat along the line of the intern-type procedure in hospitals. This is a matter in which our law schools—with a boost from the Federal Government—can take the initiative.

I am proposing that the Office of Education be authorized to give $800,000 in assistance to law schools. The money would be used to develop courses and training programs in the conduct of criminal cases involving indigent persons. Emphasis would be placed on the actual conduct of a trial. Wherever possible, students would work in existing public defender programs and gain experience in the prosecutor's office.

This seems to me to be one of the most desirable features of the program. Students would gain first-hand experience in preparing and trying cases. In some cases, they would interview defendants and prepare pleadings. In other cases, they would get a look at the opposing side, by assisting the prosecutor's office. As Prof. Robinson Everett, of Duke University Law School, wrote me about his school's trial project:

> We felt that the students learned much more by viewing criminal justice from both sides, instead of only one.

The idea of such programs is clearly sound. The major problem is how to implement it. A number of law schools have initiated projects along these lines, mostly through the assistance of the Ford Foundation or other private funds. These projects have been small, but quite effective. They have given us guidelines for expansion to more schools and more students.

Among the law schools which have developed outstanding programs have been Boston University, the University of Wyoming, and the University of Kansas. While I would propose to let the faculty and administration of each school develop its own proposals, subject to the approval of the Commissioner of Education, the privately financed programs can give us some indication of the possibilities.

I would envision courses devoted to the substance and procedure of criminal law. Some instruction would be given on the peculiar problems involved in dealing with indigent criminal defendants. Seasoned trial attorneys might be employed to listen to law students in practice trial workshops, commenting on their techniques. And students could gain practical experience by assisting defense and prosecution attorneys in the preparation and trial of criminal cases, to the extent permissible under proper supervision. Students could aid in interviewing, research, trial preparation, and sit at counsel's table during the actual trial. In Massachusetts and several other States, in fact, senior law students are actually permitted to try cases, under the general supervision of competent counsel. Surely this practical experience would be invaluable to any law student.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, if it becomes necessary, I shall speak on my time.

I remember when I was a student at the University of Minnesota. We had a trial practice course that was conducted or administered under the auspices of the legal aid office in Minneapolis. That was our first baptism or experience with actual courtroom work, as the Senator has said. We operated under the guidance of lawyers in charge of legal aid work in Minneapolis.

We were allowed, as senior law students in the trial practice course, to be associated with counsel, and we thus were fortunate in obtaining a considerable amount of courtroom experience, even before we left law school.

There is no question about the educational advantage of such a program to law students. It was also a great help to the indigents in the Minneapolis area, including St. Paul. We worked with the poor and did the research for which the lawyers in the legal aid office, after a review of our efforts, assumed the legal responsibility. As the Senator knows, it is the people who do the research in the law office who provide the material for the lawyers that they use to protect the rights of clients.

The objective of the amendment of the Senator has my enthusiastic approval. As he knows, when I rise to speak in my own right I shall give the reasons why, as the manager of the bill, I cannot accept the amendment. I shall have something further to say with regard to the matter and the future of the bill.

Mr. BREWSTER. I thank the Senator from Oregon [Mr. MORSE] for his always knowledgeable comment.

Briefly, in further explanation of the amendment, all too often, students graduate from law school with a good grasp of the fundamental law—and no idea of how to prepare and try a case. I would hope that these programs would remedy that defect.

This is particularly vital in view of the expanding need for competent attorneys to prosecute and defend criminal cases involving indigent persons. Recent Supreme Court decisions have increased this need. The law schools must provide a larger number of well-trained lawyers.

I am gratified to discover that I am not alone in my enthusiasm for such an undertaking.

I have received a letter from Supreme Court Justice Tom C. Clark indicating his strong support for the proposal. Similar encouragement has come from Circuit Court Judge J. Skelly Wright, Chief Justice Roger J. Traynor, of the California Supreme Court, Dean Erwin Griswold, of the Harvard Law School, and Attorney Edward Bennett Williams. Each of these men has indicated that he believes the establishment of such training programs in our law schools would be of great benefit to our system of justice.

Mr. President, I ask unanimous consent to have these letters printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BREWSTER. Mr. President, $800,000 seems to me to be a small price to pay for an undertaking which would strengthen our system of criminal justice so greatly. The budgets of earlier Ford-financed programs have run from $8,000 to $30,000 and higher, depending on the type of program and the number of students involved. This authorization would make it possible for such programs to be initiated in a considerable number of the Nation's 140 law schools which otherwise simply would not be able to undertake such projects. What is more, experience indicates that many schools may find themselves able to take over the entire financing of such programs after grants have provided the initial impetus.

In brief, Mr. President, I think that a small investment here will pay rich dividends in the future. With the Miranda and Gideon decisions, we are faced with the necessity of providing an increased number of capable attorneys to handle the cases of indigent criminal defendants. The growing numbers of criminal cases make it just as urgent that we train competent prosecuting attorneys who can try cases fairly and effectively. We must encourage the Nation's law schools to provide the necessary training for both prosecuting and defense attorneys.

My amendment would provide a strong inducement to establishing such training programs in many law schools which could not otherwise do so, and at a relatively small cost. I believe that the future would demonstrate the wisdom of such a policy.

Mr. President, I reserve the remainder of my time.

EXHIBIT 1

SUPREME COURT OF THE UNITED STATES,
Washington, D.C., September 14, 1966.
Hon. DANIEL B. BREWSTER,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR BREWSTER: Your amendment to the Higher Education Act of 1966 would be of great assistance in the implementation of programs designed to furnish effective counsel to indigent defendants and promote the art of advocacy which is so much needed in the profession.

As you know, the National Legal Aid and Defender Association, through the Director of the National Defender Project, has been doing some excellent work in this area among some 40 of our law schools, but 13 of these schools do not receive any funds through the Project. This program financed by the Ford Foundation, is only able to scratch the surface. As you can see, out of the 136 ABA-approved law schools in the entire country only a small number in metropolitan areas are benefited. In this regard you may wish to confer with the Director of this Project, General Charles L. Decker, who may be reached at Me. 8-0737.

Let me express the appreciation of all of us for the interest you have shown and the effective work you have done in this field.

Very sincerely,

TOM C. CLARK.

LAW SCHOOL OF HARVARD UNIVERSITY,
Cambridge, Mass., September 19, 1966.
Hon. DANIEL B. BREWSTER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BREWSTER: Thank you for your letter of September 8th. Of course I am much interested in the amendment which you are proposing to the Higher Education Act of 1966.

This School is much interested in the project which you have in mind. Indeed, we already have a grant from the Office of Economic Opportunity for a neighborhood law office, and we are hard at work at developing that project, which will utilize a considerable number of law students. In addition, we have a student organization here known as the Harvard Voluntary Defenders. And, under another grant, Professor Livingston Hall of our Faculty is developing a project which will put a number of our students into the offices of district attorneys in this community where they will get valuable trial experience.

It seems to me that all of this should be planned and funded on a much larger scale than has been available heretofore. Consequently, I welcome the proposal you have in mind, and hope that it will be followed through, and developed further.

With best wishes,

Very truly yours,

ERWIN N. GRISWOLD,
Dean.

SUPREME COURT OF CALIFORNIA,
San Francisco, September 13, 1966.
Hon. DANIEL B. BREWSTER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BREWSTER: The plan set forth in your letter of 8 September to provide federal funds to aid law schools in training their students through participation in local legal aid work is most commendable. I hope that you are successful in your efforts.

Sincerely,

ROGER J. TRAYNOR.

WILLIAMS & WADDEN,
Washington, D.C., September 12, 1966.
Hon. DANIEL B. BREWSTER,
U.S. Senate,
Washington, D.C.

DEAR DAN: I was really pleased to receive your letter of September 8 telling about your bill to provide Federal aid to law schools for training in advocacy. I think it is a great proposal. I have long been advocating a comparable program and am delighted that you are taking steps toward implementing the idea.

Sincerely yours,

EDWARD BENNETT WILLIAMS.

U.S. COURT OF APPEALS,
Washington, D.C., September 12, 1966.
Hon. DANIEL B. BREWSTER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BREWSTER: I have your letter of September 8 in which you indicate you are proposing an amendment to the forthcoming Higher Education Act of 1966 which would provide funds to be used by law schools in training law students in the problems of providing legal assistance to the poor.

I believe your proposal reaches a felt need of the law schools. Law schools have suffered by comparison with the medical schools in that participation in actual cases has not been included as part of the curriculum. Like their medical brothers, law students could render a distinct service to the poor while profiting from the experience themselves. Now that all defendants will be provided with counsel, many through the use of public funds, a new image of the criminal lawyer should emerge. No longer should the criminal lawyer be looked upon merely as a mouthpiece for organized crime or the representative of white collar offenders. A program such as you envisage would tend to develop criminal lawyers with a social conscience dedicated to insuring an accused in a criminal case, whatever his means, a legal and appropriate defense.

The Supreme Court of Massachusetts has embarked on an interesting extension of the idea you propose. It has promulgated a rule under which senior law students may actually prosecute as well as defend cases under the supervision of a member of the bar, it not being required that the member of the bar be present in the courtroom during the trial. In this way the law student can get a balanced view of the entire criminal process. I enclose a copy of the Massachusetts Supreme Court rule to which I have referred.

Sincerely,

J. SKELLY WRIGHT,
U.S. Circuit Judge.

(Enclosure.)

COMMONWEALTH OF MASSACHUSETTS

At the Supreme Judicial Court holden at Boston within and for the said Commonwealth on the twentieth day of June in the year of our Lord one thousand nine hundred and sixty-six: present, Hon. Raymond S. Wilkins, Chief Justice; Hon. John V. Spalding, Hon. Arthur E. Whittemore, Hon. R. Ammi Cutter, Hon. Paul G. Kirk, Hon. Jacob J. Spiegel, Hon. Paul C. Reardon, Justices.

Ordered, that Rule 11 of the General Rules be repealed and that the following be substituted therefor:

"11. LEGAL ASSISTANCE TO THE COMMONWEALTH AND TO INDIGENT CRIMINAL DEFENDANTS

"(a) A senior student in a law school in the Commonwealth, with the written approval by the dean of such school of his character, legal ability, and training, may appear without compensation on behalf of the Commonwealth in criminal proceedings in any District Court, provided that the conduct of the case is under the general supervision of a member of the bar of the Commonwealth who is a regular or special assistant district attorney or a regular or special assistant attorney general.

"(b) A senior student in a law school in the Commonwealth, with the written approval by the dean of such school of his character, legal ability, and training, may appear without compensation on behalf of indigent defendants in criminal proceedings in any District Court, provided that the conduct of the case is under the general supervision of a member of the bar of the Commonwealth assigned by the court or employed by an approved legal aid society or defender committee.

"(c) The expression 'general supervision' shall not be construed to require the attendance in court of the supervising member of

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the bar. The term 'senior student' shall mean students who have completed successfully their next to the last year of law school study.

"(d) The written approval described in (a) and (b), for a student or group of students, shall be filed with the clerk of the Supreme Judicial Court for the county of Suffolk and shall be in effect, unless withdrawn earlier, until the expiration of eighteen months after such filing or the announcement of the results of the first bar examination following the student's graduation. For any student who passes that examination, the approval shall continue in effect until the date of his admission to the bar."

RAYMOND S. WILKINS,
Chief Justice.
JOHN V. SPALDING,
ARTHUR E. WHITTEMORE,
R. AMMI CUTTER,
PAUL G. KIRK,
JACOB J. SPIEGEL,
PAUL C. REARDON,
Justices.

Mr. MORSE. Mr. President, I yield myself such time as I may need.

The PRESIDING OFFICER. The Senator from Oregon may proceed.

Mr. MORSE. Mr. President, I thank the Senator for having brought to the Chamber the training program in the conduct of criminal cases involving indigent persons as found in amendment No. 956.

Unfortunately, although the committee took testimony on July 12, 13, and 14, and we would have welcomed the testimony of the Senator at that time on the program that he is now offering, we were unable to consider it either in hearings or in executive sessions, thus we have no hearings record made on the amendment. Therefore, although on the substance of his amendment I could not disagree with him, I must necessarily do so on procedural grounds. It would be my hope that the Senator would withdraw the amendment at this time, having accomplished the very worthy purpose of bringing attention to this area, and I can assure him that in the next session of the Congress when appropriate legislation is before the committee on this subject—it will probably be the Subcommittee on Education of the Committee on Labor and Public Welfare before whom it would come for hearing—we will be happy to obtain from him and others the evidence which could be used to substantiate the proposal.

I thought that the able Senator should know that I have obtained the following comment from the Department of Health, Education, and Welfare on his amendment:

POSITION OF HEW

The Department is not opposed to this proposal in principle, but has not had sufficient time to assess the actual degree of need involved, the full implications of the amendment, or the adequacy of the amount of money to be authorized.

It would also be important to assess the relationship of this amendment to related programs being conducted under the poverty bill.

Mr. President, I understand that $800,000 would be the cost of the proposal as presented but in my judgment, it would also be important to assess what is sought to be achieved by it in connection with related programs which may be conducted under the authorities of the poverty program. So that, for the reasons I have given, the committee does not believe that this amendment should be adopted at this time.

I have conferred with the majority of my committee members and they have agreed that I should oppose the amendment, not on its merits, but because we have no hearings record on it. Also, as the Senator knows, under the agreement under which we are operating, the amendment could be subject to a point of order but I do not wish to put it in that position.

I hope the Senator from Maryland will accept my pledge that, come next January, I will see to it that he gets subcommittee hearings on the amendment, if it is assigned to me. I think that if he drafts it as I am sure he will, it could be appropriately referred to my subcommittee. That is the best way to handle it at this time. Further, as I am sure the Senator will appreciate, I could be subject, as the floor manager of the bill, to just criticism if I accepted any amendment on the floor of the Senate now, without hearings, to provide for an additional $800,000 on this bill.

As every member of my committee will testify, Republican and Democrat alike, the manager of the bill in committee insisted that we go over every funding item called for in the bill. We have brought to the floor of the Senate a bill which we believe every single dollar in it is justified by the evidence given before the committee.

Let me say, to the extent that it goes over the President's budget of some $432 million for fiscal year 1967, more than $100 million of that is in the form of construction loans which will come back to the Government and, therefore, should not be considered in connection with the question as to the amount of money involved. Further, $30 million is in direct NDEA loan authority increases needed to protect students. The administration will not get an anticipated $300 million in the 3 years of the extension of the title III loan program which they had counted on raising from the participation sales program. That program was suspended after the bill had passed the House. Those notes will not be sold under it for some time. Therefore, we had to supplement the loss to some degree by the increased construction loan provisions which we have placed in the bill.

Thus, I respectfully ask the Senator from Maryland if he would be willing to withdraw his amendment, now that he has made a good case for it on its merits, so far as the program is concerned, and I assure him of hearings, come next January.

Mr. BREWSTER. Mr. President, I, of course, defer to my distinguished colleague from Oregon. His great wisdom in the field of teaching law, and in the Senate, is compelling reason enough to ask to withdraw this amendment. I am also well aware of the fact that in view of the most expensive international situation in which we find ourselves, Congress should not pass a new expensive program exceeding the President's budget unless it is, in the joint wisdom of the Senate, all important.

I thank and commend the Senator from Oregon for his promise that he and his committee will look into this matter next year, as I do feel that it is worth while. As a lawyer myself, with considerable trial experience, I know the need for a training program for trial lawyers to represent both the indigent accused and to represent the city or the State.

Mr. MORSE. I assure the Senator from Maryland of my good faith.

I will be proud to be associated with him as a cosponsor of his amendment when he introduces it, if he would like to have me as a cosponsor.

Mr. BREWSTER. The Senator from Maryland will be honored and pleased if the Senator from Oregon would cosponsor the amendment.

Mr. President, I ask unanimous consent that I may be allowed to withdraw the amendment which I have just introduced.

The PRESIDING OFFICER. The Senator has the right to withdraw his amendment without asking for unanimous consent. The RECORD will show that the amendment has been withdrawn.

Mr. BREWSTER. Mr. President, I send to the desk another amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 19, between lines 10 and 11, insert a new section, as follows:

STUDY TO DETERMINE MEANS OF IMPROVING LOAN INSURANCE PROGRAM

SEC. 113. The Commissioner of Education shall make an investigation and study to determine means of improving the loan insurance program pursuant to part B of title IV of the Higher Education Act of 1965, particularly for the purpose of making loans insured under such program more readily available to students. The Commissioner shall report the results of such investigation and study, together with his recommendations for any legislation necessary to carry out such improvements, to the President and the Congress no later than January 1, 1968.

Redesignate sections 113 through 116 of the bill as sections 114 through 117, respectively.

Mr. BREWSTER. Mr. President, one of the great achievements of this Congress has been the program of guaranteed loans for students in higher education, passed during the last session. This program is a giant step toward the highly desirable goal of providing deserving students with money to finance their educations, but leaving the administration of the program to private commercial credit, instead of the Federal Government.

Unfortunately, the program has not worked as well as had been hoped. Due to the current monetary situation, banks have apparently decided that their money can be better employed in ventures other than student loans. As a result, a number of banks have recently dropped out of the student loan program. Many others are sharply curtailing their participation.

What this means, in concrete terms, is that thousands of students will be unable to continue their educations. The program is there, but it is not sufficiently attractive to induce the banks' full participation. If we are to carry out our commitment to our students, we must make this program work.

I am, therefore, sending to the desk an amendment to the pending bill which would direct the Commissioner of Education to make a study of the loan insurance program, and determine methods of making such loans more readily available to students. Several such possibilities have occurred to me. The Federal Government might absorb part of the administrative cost involved in granting such a loan, or the Federal Reserve might be able to take steps to make these loans more attractive to the banks. I would hope that the Office of Education would evaluate these and all other appropriate proposals.

The Congress owes it to the students of America to provide the best and most effective loan program. The program we have at present is not functioning as it should. Let us have the Commissioner of Education find out why not, and report back to the Congress.

I ask the Senate to accept the amendment.

Mr. MORSE. Mr. President, Senators will find in the Record for last Friday a colloquy between the Senator from Massachusetts [Mr. Saltonstall] and me, as manager of the bill, in regard to the student loan programs, which I think will be of interest as one considers the amendment of the Senator from Maryland.

The Record will also show that the Senator from New York [Mr. Javits] and I have both been strong advocates of insured private loans from financial institutions around the country, provided that the guaranteed loan program did not result in the elimination of the direct student loan program of title II of National Defense Education Act. The National Defense Education Act student loan program is needed. As the Senator from Massachusetts [Mr. Saltonstall] and I discussed Friday, what is needed for boys and girls, for example, whose families were sharecroppers, boys and girls from poverty-stricken areas, boys and girls from ghettos, is a program under which they can get loans. We cannot expect banks, who have stockholders to consider, to grant student loans to such boys and girls, although the long-run experience of the financial institutions is that such loans are not risky loans. The integrity and the appreciation of these boys and girls for getting an education are such that they are good risks; but, on paper, they do not have collateral behind such loans, either of their own or of their families.

The Senator from New York [Mr. Javits] and I have been ardent supporters of what the Senator from Maryland has in mind with regard to the purpose of his amendment. The Senator from New York is deserving of great credit for the leadership he has exercised in my committee for the past 2 years on this matter.

The study the Senator from Maryland [Mr. Brewster] is asking for is not one that requires an additional amount of money in this bill. I made clear to the Department that I thought the amendment should be adopted. As was pointed out, the Department is studying the problem now, anyway, and this matter will be under great study between now and the next session of Congress.

What I would like about the amendment is that it formalizes the study and places a clear legislative mandate on the Department to come up with such a study by a definite date.

Furthermore, I believe, it will have a salutary effect in strengthening the hand of the Department in its conferences and negotiations with banking institutions. It will give banking institutions the assurance that while the Department and the Congress mean business in this field, we also need their cooperation and their suggestions for procedural proposals needed to do the job of evoking a more enthusiastic response on the part of the financial institutions in carrying out this part of title IV of the Higher Education Act of 1965.

I am happy, as manager of the bill, to accept the amendment, and I recommend that the Senate adopt the amendment.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. SALTONSTALL. The Senator from Oregon was kind enough to mention a colloquy we had last Friday. I think that anything that is designed to strengthen this particular part of the program is one of the best steps we can take. The Record will show that, as the Senator has said, while on paper the students are poor risks, they turn out to be excellent risks. The results in the very institutions which make these loans show that the program has been successful.

Mr. MORSE. Mr. President, I am ready to accept the amendment. I yield back my time on the amendment.

Mr. BREWSTER. I yield back my time and wish to thank the manager of the bill, the distinguished Senator from Oregon.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was agreed to.

Mr. YARBOROUGH. Mr. President, this important bill amends and broadens several previously enacted higher education assistance bills. It broadens and extends the Higher Education Facilities Act for 3 years. It extends certain parts of the Higher Education Act for 3 years. And it amends parts of the National Defense Education Act.

The $4.4 billion, 3-year total of the committee bill is more than a billion dollars over the administration request. However, the administration request was ridiculously inadequate. For instance, out of our $1.4 billion authorization for fiscal year 1967, $729 million is spoken for as a backlog of applications already received.

College enrollments have doubled in the past decade. Junior college growth is especially explosive. It has increased by 100 percent in just the past 5 years. All college enrollment, junior and senior colleges, is nearly 6 million today, and it is logical to expect this enrollment to double in the next 10 years.

The fiscal year 1967 authorization of $1,392 million breaks down as follows:

Grants for undergraduate construction: $560 million, an increase of $100 million over last year. A separate authorization for junior colleges of $140 million is included here, instead of the old 22-percent figure. The change was made in recognition of the spectacular growth of junior colleges.

Seven million dollars for planning.

One hundred and twenty million dollars for construction of graduate facilities. This is the same figure as last year, in contrast to the administration request for only $60 million.

Four hundred million dollars for loans for construction of academic facilities.

Fifty-five million dollars for developing colleges.

Two hundred and fifty million dollars for National Defense Education Act loans.

Texas will be eligible for $117.6 million in funds for undergraduate buildings during the next 3 years.

The committee has approved an administration request for a new method of financing National Defense Education Act student loans, through the participation sales method. While supporting the request, I, along with other members of the committee, am quite concerned that the value of this program to students not be diminished. Accordingly, the committee report contains the following section:

> Although certain changes have been made in the financing of the national defense student loan program, the committee intends no diminution in the quality of this program. The committee urges the Office of Education and American colleges and universities to search constantly for ways to make this program more valuable and more useful to the student.
>
> After each of the 2 years during which this bill authorizes expenditures for the national defense student loan program, the committee requests that the Office of Education submit a comparison of the cost to the Government of financing the program under the participation sales procedures with the cost which the Government would have undergone in financing the program under the method which has been used until now. The committee points out that the proper comparison will include, under the old method, the cost of financing just that percentage of the budget deficit if any that would have been attributable to this program.

The committee has also approved a change in the maintenance-of-effort provision of the Yarborough-Carey college equipment purchase program. I ask unanimous consent that the explanation from the committee report be printed at this point in the Record.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

MAINTENANCE OF EFFORT FOR COLLEGE EQUIPMENT PROGRAM

The program of grants for college equipment under part A, title VI, of the Higher Education Act of 1965, was successfully

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launched and already is contributing dramatically to the improvement of undergraduate instruction. In the hearings, the committee received ample testimony to this fact. The testimony also provided substantial evidence of serious problems in the current maintenance of effort provisions for the college equipment program.

The principal problems involved in the current maintenance of effort requirement are:

1. It is almost impossible to determine or to verify precisely the effort by an institution for the specific purposes covered by this program. This information cuts across normal institutional account classifications.

2. The requirement is unduly harsh in that it not only requires the institutional matching funds expended in the year of the grant award to be above and beyond the required maintenance of effort but also tends to require a "pyramiding" of institutional effort if applications are submitted in succeeding years.

3. Conversely, an institution can obviate the effect of the requirement if it settles on a tactic of submitting applications every other fiscal year.

4. As the current provision is interpreted by the Office of Education, capitalized investment in equipment for new buildings (plant fund expenditures) must be included in the maintenance of effort calculation. This interpretation further aggravates the "pyramiding" effect and the importance of timing in submission of an application.

Section 113 of the reported bill would amend the maintenance of effort provisions for the college equipment program along the lines of numerous suggestions received by the committee. The new provision, to be effective for applications filed after December 30, 1966, would require that institutions maintain the level of their expenditures from their current funds for institutional and library purposes, other than personnel costs, in order to be eligible for grants under the program. Data for the verification of this requirement will be readily available in the standard accounting records of most institutions. In addition, the new requirement will avoid distortions which arise when major capital projects are included, and will avoid undue interference in the orderly financial planning of the institutions.

The revised maintenance of effort provisions will, however, insure that the Federal grant funds supplement, rather than replace, the institution's own spending for institutional and library purposes. The change is made effective as of December 30, 1966, since the majority of State commissions already have received applications for current closing dates on the basis of the current maintenance of effort provisions.

Mr. RANDOLPH. Mr. President, I want, briefly, to express my firm support for this measure. The gentleman from Oregon [Mr. MORSE] has, as usual, presented very cogent arguments for the adoption of this legislation and has entered into the record the vital success thus far realized by our several States under the Federal aid to higher education programs.

The small colleges in the State of West Virginia, Mr. President, have been trying for the past several years to meet the onrushing tide of increased applicants and increased enrollments. I pointed out, in my comments on the Elementary and Secondary Education Act Amendments of 1966, which this body has just passed, that West Virginia has severe problems in the educational field. I want to pay tribute to the fine work our many small colleges are doing, along with the efforts of our two universities, to combat our community problems and to maintain—indeed, to raise—the levels of education available to our children.

Mr. President, passage of this bill will mean raising the standards not only in West Virginia, but across the Nation as well. I want the Members to know that I realize this full well, and I am not being merely provincial in my views or my support.

But I must include in the record of this debate today, that passage of this legislation authorizes, for West Virginia, a total of $5,926,095 in funds for fiscal year 1967, $7,703,924 for fiscal year 1968, and $9,905,045 for fiscal 1969. The bulk of these funds will go to our small colleges, our community colleges, which are struggling so hard to complement the efforts of West Virginia's two fine universities. And the small colleges have always been close to my heart. My father and grandfather both worked to found and to improve them, and if God is willing, I shall continue that task.

Mr. MORSE. Mr. President, I have stated this many times on the floor of the Senate, but I want the RECORD to show again that when my colleague from West Virginia [Mr. RANDOLPH] speaks of the needs and the attributes of the small colleges of our Nation, I have no doubts about his knowledge of the subject and his authority in this regard. I have, over the years spent working with him here, come to know the Senator as probably the best informed man in the Senate on the problems of the small college and the contributions these institutions make to our communities. I want to thank him for his cooperation with and contributions to this legislation.

Mr. President, the manager of the bill is ready for the third reading, but I agreed with the Republican side that we ought to have a quorum call before that is done.

Mr. KUCHEL. Mr. President, I yield myself 1 minute on the bill.

I am unaware of any amendment in the offing, but before the bill goes to third reading, I should like to suggest the absence of a quorum, so that Senators may be notified that we are about to pass this bill.

I therefore suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HART in the chair). From whose time is the time for calling a quorum to be taken?

Mr. MORSE. From time on the bill.

Mr. KUCHEL. To be equally divided.

The **PRESIDING OFFICER.** The time is to come from time on the bill, to be equally divided.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. BREWSTER in the chair). Without objection, it is so ordered.

Mr. MORSE. Mr. President, as manager of the bill, there being no further amendments, I am ready for the third reading.

The **PRESIDING OFFICER.** The Chair is informed that there is a committee amendment; and the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, in the nature of a substitute, as amended, was agreed to.

The **PRESIDING OFFICER.** The question now recurs on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. KUCHEL. Mr. President, speaking for myself, I am ready to proceed to a vote, but, in the exercise of an abundance of caution, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** On whose time?

Mr. KUCHEL. Out of the minority's time on the bill.

Mr. MORSE. No; we will make it out of both sides.

Mr. KUCHEL. A very generous gesture, I say to my able friend.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MORSE. The manager of the bill is ready for passage. I yield back the remainder of my time.

Mr. KUCHEL. Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time having been yielded back, and the bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 14644) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I move that the Senate insist on its amendment and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Senators MORSE, HILL, YARBOROUGH, CLARK, RANDOLPH, KENNEDY of New York, WILLIAMS of New Jersey, PROUTY, JAVITS, and DOMINICK conferees on the part of the Senate.

Mr. MORSE. Mr. President, I ask unanimous consent that the bill as passed be printed.

The title was amended so as to read: "An Act to amend the Higher Education Facilities Act of 1963, the Higher Education Act of 1965, and the National Defense Education Act of 1958."

Mr. MORSE. Mr. President, I ask unanimous consent that as manager of the bill, I be permitted to have printed in the RECORD such tables, and other material as is necessary to make the appropriate legislative history on the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Comparison of authorizations, "Higher Education Amendments of 1966," H.R. 14644

[In thousands of dollars]

Program	Administration recommendation, 1967 [1]	As passed by the House (total, $2,974,000,000) [2]			As reported by the Senate (total, $4,079,000,000) [2]		
		1967	1968	1969	1967	1968	1969
Grand total	780,000	750,000	997,000	1,227,000	1,212,000	1,350,000	1,517,000
I. Higher Education Facilities Act of 1963 (total)	720,000	720,000	997,000	1,227,000	1,087,000	1,255,000	1,462,000
A. Title I (total)	460,000	460,000	707,000	907,000	567,000	735,000	942,000
1. Public community colleges and technical institutes	99,660	99,660	154,000	198,000	140,000	182,000	234,000
2. Other undergraduate facilities	353,340	353,340	546,000	702,000	420,000	546,000	702,000
3. State commissions	7,000	7,000	7,000	7,000	7,000	7,000	7,000
B. Title II—Graduate facilities	60,000	60,000	90,000	120,000	120,000	120,000	120,000
C. Title III—Loans	200,000	200,000	200,000	200,000	400,000	400,000	400,000
II. Higher Education Act of 1965: Title III—Developing institutions	30,000	30,000			55,000	55,000	55,000
III. National Defense Education Act of 1958 (total)	30,000				70,000	40,000	
A. Title II—Student loan programs (total) [3]	30,000				(60,000)	(30,000)	
1. Loans to students					30,000	30,000	
2. Loans to institutions	30,000				30,000		
B. Title III [4]—Equipment					(10,000)	(10,000)	

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[1] The administration recommendation did not contain specific authorizations beyond fiscal year 1967.

[2] Senate exceeds House by $1,105,000,000.

[3] New obligational authority; present law authorizes $190,000,000 in fiscal year 1967 and $195,000,000 in fiscal year 1968.

[4] New obligational authority; present law authorizes $90,000,000 for fiscal year 1967 and for fiscal year 1968.

Mr. MORSE. Mr. President, the Senate has today placed the second leg of support under the platform of financial aid to American education through the adoption of the Higher Education Amendments of 1966, following the adoption of the Elementary and Secondary Education Amendments of 1966 last week. It is our hope that shortly we shall bring the third and final bill in the form of the International Education Act to the Senate.

I appreciate the magnificent cooperation of the majority leader whose counsel and courtesy are exceeded only by his magnanimity and whose staff associates in the Democratic Policy Committee were particularly helpful in passing this legislation. I should like to add, Mr. President, that these same words of gratitude are applicable to the distinguished minority leader.

As I have said before and I shall certainly wish to reiterate upon this occasion, floor passage of this legislation is a tribute to the team spirit of my colleagues on the subcommittee on both sides of the aisle. It is a tribute to the public interest spirit which motivated my colleagues on both sides of the aisle in the full committee and to each of them and to the chairman of our committee I express my deep appreciation for the wholehearted cooperation I have invariably received in the consideration of this legislation.

Mr. President, I ask unanimous consent so that the RECORD may show the names of those who are responsible for this bill, that there be printed the names of the Senators who serve on the Committee on Labor and Public Welfare.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

COMMITTEE ON LABOR AND PUBLIC WELFARE

LISTER HILL, Alabama, Chairman.
WAYNE MORSE, Oregon.
RALPH YARBOROUGH, Texas.
JOSEPH S. CLARK, Pennsylvania.
JENNINGS RANDOLPH, West Virginia.
HARRISON A. WILLIAMS, JR., New Jersey.
CLAIBORNE PELL, Rhode Island.

COMMITTEE ON LABOR AND PUBLIC WELFARE—Continued

EDWARD M. KENNEDY, Massachusetts.
GAYLORD NELSON, Wisconsin.
ROBERT F. KENNEDY, New York.
JACOB K. JAVITS, New York.
WINSTON L. PROUTY, Vermont.
PETER H. DOMINICK, Colorado.
GEORGE MURPHY, California.
PAUL J. FANNIN, Arizona.
ROBERT P. GRIFFIN, Michigan.

SUBCOMMITTEE ON EDUCATION

WAYNE MORSE, Oregon, Chairman.
LISTER HILL, Alabama.
RALPH YARBOROUGH, Texas.
JOSEPH S. CLARK, Pennsylvania.
JENNINGS RANDOLPH, West Virginia.
ROBERT F. KENNEDY, New York.
HARRISON A. WILLIAMS, JR., New Jersey.
WINSTON L. PROUTY, Vermont.
JACOB K. JAVITS, New York.
PETER H. DOMINICK, Colorado.

HIGHER EDUCATION AMENDMENTS OF 1966 H.R. 14644—COMPARISON OF PROVISIONS

HOUSE BILL, AS PASSED	SENATE BILL, AS REPORTED
Extension of title I of HEFA	*Extension of title I of HEFA*
Section 2(a): Would extend the title for three years.	Section 101(a): Same.
Authorizations	*Authorizations*
Section 2(b): Would authorize $453 million in FY 1967, $700 million in 1968, and $900 million in 1969.	Section 101(b): Would separate the authorizations for Section 103 (public community colleges and technical institutes) and Section 104 (institutions of higher education). For Section 103 the authorization would be $140 million in FY 1967, $182,000 in 1968, and $234 million in 1969. For Section 104 the authorization would be $420 million in FY 1967, $546 million in 1968, and $702 million in 1969. (Section 101(c) is a conforming amendment to the above division in authorizations.)
Reallotment	*Reallotment*
No provision.	Section 101(d): Would continue reallotment authority.
Administrative expenses and planning	*Administrative expenses and planning*
Section 3: Would authorize the Commissioner to expend up to $7 million in FY 1967 and in each of the two succeeding fiscal years for the administration of State plans and for grants to State Commissions for planning. Not more than $3 million may be expended for administration of State plans.	Section 102(a): Same except that the administration of State plans under title VI of P.L. 89-329 would be included. Section 102(b): Authority to expend funds under title VI of P.L. 89-329 for the administration of State plans would be repealed.
Extension of title II of HEFA	*Extension of title II of HEFA*
Section 4: Would extend the title for three years with an authorization of $90 million in FY 1967 and $120 million for the two succeeding fiscal years.	Section 103: Same except that the authorization for FY 1967 would be $120 million.
Maintenance of effort in title II of P.L. 89–329	*Maintenance of effort in title II of P.L. 89–329*
No provision.	Section 109: Would amend the maintenance of effort clause in Section 202 of title II of P.L. 89-329 (College Library Resources) to make the base year FY 1965 or "the two fiscals preceding the fiscal year for which the grant is requested, whichever is the lesser."

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HIGHER EDUCATION AMENDMENTS OF 1966 H.R. 14644—COMPARISON OF PROVISIONS

HOUSE BILL, AS PASSED	SENATE BILL, AS REPORTED
Extension of title III of P.L. 89–329	*Extension of title III of P.L. 89–329*
Section 8: Would extend title III of the Higher Education Act of 1965 for one year with an authorization of $30 million.	Section 110: Would extend the title for 3 years with an authorization of $55 million.
Maintenance of effort for college equipment program	*Maintenance of effort for college equipment program*
No provision.	Section 111: Would revise the maintenance of effort clause in Part A of title VI of P.L. 89–329 to require continued expenditures "from current funds for instructional and library purposes, other than personnel costs" rather than to require continued expenditures for the "same purposes."
Authorization for national defense student loan program	*Authorization for national defense student loan program*
No provision.	Section 112: Would increase the authorization for capital contributions for National Defense Student Loans to $220 million in FY 1967 and $225 million in 1968.
Forgiveness for teachers of handicapped children	*Forgiveness for teachers of handicapped children*
No provision.	Section 113: Would broaden the 15 percent forgiveness in the National Defense Student Loan Program for teachers of the disadvantaged to include full-time teachers of handicapped children.
Loans to institutions for national defense student loans	*Loans to institutions for national defense student loans*
	Title II: Would establish a revolving fund from which institutions of higher education may obtain loans to capitalize student loans under the National Defense Student Loan Program.
Change in Federal shares	*Change in Federal shares*
No provision.	Section 104: (a) Would make the minimum Federal share of the cost of project for institutions of higher education 33½ percent and the maximum 50 percent. In the case of public community colleges and technical institutes the minimum and maximum would be 40 and 60 percent respectively. The Commissioner would be permitted to waive the minimum requirements. (b) The Federal maximum share of graduate facility projects would be raised to 50 percent.
Extension of title III of HEFA	*Extension of title III of HEFA*
Section 5: Would extend title III of HEFA for three years with an authorization of $200 million.	Section 105: Same except that the authorization would be $400 million.
Definition of development cost	*Definition of development cost*
Section 6: Would permit the inclusion of expenditures for works of art in the development cost.	Section 106(a): Same.
No provision.	Section 106(b): Would permit the inclusion of the cost of architectural and engineering services incurred after June 30, 1966, even though the contract for such services was made before the enactment of the law.
Authority for inspection fees	*Authority for inspection fees*
Section 7: The Commissioner's authority to prescribe inspection fees would be repealed.	Section 107: Same.
Facilities for the handicapped	*Facilities for the handicapped*
No provision.	Section 108: Would require that plans for any facilities be in compliance with HEW standards to insure that the facilities be, to the extent appropriate, accessible and usable by handicapped persons.
Assistance for industrial arts	*Assistance for industrial arts*
No provision.	Section 116: Effective FY 1967. Sec. 303(a) of NDEA is amended by adding industrial arts. An addition of $10 million is authorized for FY 1967 and FY 1968.
District of Columbia student loan program	*District of Columbia student loan program*
No provision.	Section 112 of Higher Education Act of 1965 is amended to authorize the Board of Commissioners of D.C. to establish a student loan insurance program. Authorization is such amounts as may be necessary.

Mr. MORSE. Mr. President, I would be remiss if I did not acknowledge the debt of gratitude which as chairman I am privileged to express on behalf of the subcommittee to Secretary Gardner, Commissioner Howe, and each of their associates in their respective offices who contributed testimony and information upon which our committee judgment was based. In particular, I should like to hail the contribution of a public servant who has invariably been of assistance to the committee in its consideration of higher education legislation. I refer to Mr. Peter Muirhead, the Associate Commissioner for Higher Education, and the staff associates who work with him.

As always in matters of this kind I am greatly indebted to the staff of the committee, majority and minority alike, and to the staff of the Senate Legislative Counsel, particularly Mr. Peter LeRoux, who gave unstintingly of his time in the drafting of committee intent into clear language.

My thanks and those of my associates go to the clerk of the committee, Mr. Stewart McClure, the minority clerk, Mr. Roy Millenson, the counsel of the committee, Mr. John Forsythe, the minority staff, including Mr. Frank Cummings, and Mr. Charles Lee, professional staff member of the Education Subcommittee.

Not the least of my thanks should go to the clerical members of our staff who worked long and hard with much overtime to bring this measure to the floor. To each and every one of them I say thank you for a job well done.

Mr. MANSFIELD. Mr. President, personally, I deeply appreciate the exemplary manner in which the higher education measure was successfully disposed of this afternoon. The credit, of course, goes mainly to the senior Senator from Oregon [Mr. MORSE]. So well did he display again his deep devotion to public service.

This measure is so vital to the continuing expansion and improvement of the Nation's colleges and universities that it deserved advocacy of the highest order. Senator MORSE responded with his brilliant capacities. Its swift and efficient passage was accordingly assured.

But even more, I wish to thank Senator MORSE for his selfless cooperation in joining with the Senate to remove the possibility of an extended debate on his home rule amendment at this time. As I said before, such a procedure now would undoubtedly have served no purpose. The Senate apparently is in unanimous agreement.

Joining Senator MORSE in committee and on the floor of the Senate to assure the higher education achievements were the junior Senator from Vermont [Mr. PROUTY] who is the ranking minority member on the Education Subcommittee, and the Senators from New York [Mr. JAVITS and Mr. KENNEDY]. Their able support and articulate advocacy were most welcome in obtaining successful action on this bill today.

Similarly, the senior Senator from Maryland [Mr. Brewster] deserves high commendation for cooperating splendidly in an effort to make certain today's efficient and overwhelming approval. I only add that the Senate has gained another outstanding achievement of which all of the Members may be proud.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 3423. An act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes;

S. 3704. An act to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.; and

S.J. Res. 153. Joint resolution to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 8678) to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 698) to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes.

The message also announced that the House insisted upon its amendment to the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Patman, Mr. Multer, Mr. Barrett, Mrs. Sullivan, Mr. Reuss, Mr. Ashley, Mr. Widnall, Mr. Fino, and Mrs. Dwyer were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Powell, Mr. Perkins, Mr. Brademas, Mr. Scott, Mr. Carey, Mr. William D. Ford, Mr. Meeds, Mr. Scheuer, Mr. Goodell, Mr. Ashbrook, and Mr. Bell were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 14745) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1967, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Fogarty, Mr. Denton, Mr. Flood, Mr. Matthews, Mr. Duncan of Oregon, Mr. Farnum, Mr. Mahon, Mr. Laird, Mr. Michel, Mr. Shriver, and Mr. Bow were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Kirwan, Mr. Fogarty, Mr. Evins, Mr. Boland, Mr. Whitten, Mr. Casey, Mr. Mahon, Mr. Rhodes of Arizona, Mr. Davis of Wisconsin, Mr. Robison, and Mr. Bow were appointed managers on the part of the House at the conference.

The message notified the Senate that, pursuant to the provisions of section 2(a), Public Law 89-491, the Speaker had appointed Mr. Marsh, of Virginia, as a member of the American Revolution Bicentennial Commission, to fill an existing vacancy thereon.

The message also notified the Senate that, pursuant to the provisions of House Resolution 13, 89th Congress, the Speaker had appointed Mr. Irwin, of Connecticut, as a member of the Select Committee To Conduct Studies and Investigations of the Problems of Small Business, vice Mr. Weltner of Georgia, excused.

MILITARY CONSTRUCTION APPROPRIATIONS, 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1699, H.R. 17637.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 17637) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I had no notice that the military construction bill would be called up for passage this afternoon.

A conference is now in progress on the public works appropriation bill, and I am a member of that conference committee.

A conference is scheduled for 4 o'clock this afternoon on the Department of Defense appropriation bill, and I am a member of that conference committee.

If the pending bill provokes any debate or requires any great length of time, I am not in a position to remain here, and I would have to ask that the pending business be temporarily laid aside until such time as I could be present. I just say that as notice to the Senate.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. So far as I know, there is no suggestion of amendments or opposition on this side of the aisle.

Mr. STENNIS. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MORSE. I should like to ask a few questions about the bill. As the Senator knows, I was not aware that the bill was coming up, and I have not had time to do my homework, so to speak. I shall have to do a little of it on the floor.

Mr. STENNIS. No Senator does more work here than the Senator from Oregon.

Mr. MORSE. I try to do my share.

Will the Senator from Mississippi tell me where this construction is to take place? Is it limited to the continental United States, or does it contain provision for construction abroad?

Mr. STENNIS. I say to the Senator from Oregon that we share the view on this question, that we thought there ought to be a curtailment of construction abroad; however, that directly supporting the war effort in Vietnam will be supported and the Congress has done so in the past in the supplemental appropriation bills.

With few exceptions the projects overseas are to replace essential facilities that have burned or otherwise been destroyed. The items in this bill represent extremely important and greatly needed facilities for the housing of personnel; facilities for direct operational support are involved outside the continental United States.

In the original bill—and that was one of the main matters I was going to cover—in round numbers there were about $40,100,000 of construction items in South Vietnam, not a part of our American Army or forces there, but it

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was in effect military assistance or military aid to the Government of South Vietnam and other governments with troops there.

Mr. President, may we have order? Will the Chair obtain order?

The **PRESIDING OFFICER** (Mr. BYRD of Virginia in the chair). The Senate will be in order.

Mr. **STENNIS**. The committee has taken that $40,100,000 out of the bill. It has nothing to do directly with the war effort. This has always been maintained as purely a military construction bill for our American forces and for those directly allied with us in military preparations. The military construction bill has in no way been used as a military aid bill or an aid bill for other governments.

These projects may be needed there, but there is money available in existing live appropriations available to the Secretary of Defense both in language and in the dollars, to supply this need and fit this need. The Appropriations Committee finds that the Department of Defense can get the money from this source.

We are going to respectfully insist on this Senate amendment, if it is adopted in conference, and keep this bill clean and confined strictly to its original purpose.

The Senator from Oregon was formerly a member of the subcommittee that wrote up this very bill, in the authorization part.

Mr. **MORSE**. The Senator is very helpful to me with this explanation.

I am in a very difficult position with respect to appropriation bills for the armed services, because they are usually so mixed, and I find myself in favor of what I think are legitimate expenditures and against expenditures of another type.

In regard to the South Vietnam matter, I disapprove of the war. It is an inexcusable war, a shocking situation, in that we are killing American boys in southeast Asia in a war we never should have gone into, in a war that has not even been declared. But my views are well known to my colleagues in the Senate, and throughout the country.

Yet, to whatever extent this bill involves the building of facilities that are necessary to protect our men in South Vietnam, I certainly will not raise any objection this afternoon to these items, although I do raise an objection to American taxpayers being assessed a single dollar for the prosecution of this war.

As the Senator knows, I have argued against this war at great length in the last 3 years, and I have been charged with letting down the boys in South Vietnam. I respect the men and women in Congress who disagree with my views in regard to the war. But the Senator knows my answer to that charge, which is made across this country. So far as I am concerned, I am not voting to let them down. I am just not voting the money to send them there to be killed.

If we, as Members of Congress, were to exercise the checking power that we have under the Constitution, and refuse the funds, the President would have to change his course of action. He would have to fall back upon the military advice of advisers much better than those from whom he is now taking advice, in my judgment—General Ridgway, who was in charge of our forces in Korea, and General Gavin, who, before his retirement, was one of the top strategists of our entire Military Establishment. Great military authorities, Ridgway and Gavin, have had the courage to tell the American people that, from a military standpoint, we are following the wrong course in southeast Asia.

We should stop escalating this war, because the escalation of the war increases, week by week, the danger of world war III developing through a war with China. That danger, it seems to me, is pretty well known. We have honest differences of opinion.

I have not voted appropriations for the prosecution of the Vietnam war, and I shall not vote appropriations for the prosecution of this war.

The Senator from Mississippi puts me in a very difficult position this afternoon, because I am not fully informed as to all that is involved in this bill. It is my understanding that, by the committee amendment, the committee has taken out of this bill the funds for the building of permanent military establishments abroad, including Vietnam, and that the money in the bill in regard to Vietnam is for the support of those boys at the present moment.

Am I correct in my understanding with regard to that matter?

Mr. **STENNIS**. The Senator is correct, except that there is really no direct construction money for Vietnam in the bill, as we present the bill to the Senate.

Mr. **MORSE**. Fine. That resolves a good deal of my problem.

Mr. **STENNIS**. Of course, the Senator understands that there is money in the bill for items that support our war effort as it originates at home.

Mr. **MORSE**. I understand that.

Mr. **SALTONSTALL**. Mr. President, will the Senator yield?

Mr. **MORSE**. I yield.

Mr. **SALTONSTALL**. I simply should like to confirm what the Senator from Mississippi has said so well.

We considered the matter very carefully, and we took out this $40 million, first, because it was not really for U.S. forces military construction, and, secondly—a fact which influenced my vote—because if we put this $40 million into military construction, it would have made $40 million more available for military appropriations, and Congress would not be able to tell where it went. However, if we left that money in military appropriations, then they would have to justify it before Congress.

Mr. **MORSE**. May I say, before I proceed further, that I wish to extend every courtesy to the Senator from Mississippi. Perhaps I had better desist at this point and permit the Senator from Mississippi to complete whatever statement he wishes to make, and then I shall take 5 or 10 minutes to explain my position on the bill.

Mr. **STENNIS**. I thank the Senator.

My opening remarks were in no way meant to curtail the remarks of the Senator from Oregon or any other Senator.

Mr. President, I yield now to the Senator from Wisconsin.

SLASH IN MILITARY CONSTRUCTION FROM $3 BILLION TO $1 BILLION GREAT ECONOMY EXAMPLE

Mr. **PROXMIRE**. Mr. President, I rise to commend the Senator from Mississippi [Mr. STENNIS] on what I think is a remarkable achievement in the national interest in his handling of the military construction appropriation bill.

The Senator from Mississippi is chairman of the Appropriations Subcommittee that considered this bill. He chaired the extensive hearings and was the leading and decisive force in making the remarkable cuts that this bill provides.

Mr. President, for months I have been hammering away at the thesis that in this year of rapidly rising prices, we must do all we can to hold down Federal spending.

One appropriation bill after another has passed this body, often higher than last year's, and too frequently over the administration's request.

The Senate and the House of Representatives increased the Interior appropriations more than $100 million over last year, the legislative appropriations $25 million in excess of 1966, and agricultural appropriations by a huge $750 million. The Labor-HEW bill will be a fat $1¾ billion above last year's figure when it emerges from conference, to give only a few examples.

But, Mr. President, here we have the bill for military—I repeat military—construction in a time of war, when the military effort has been greatly stepped up, the demand for military facilities understandably increased, and this subcommittee under the remarkable leadership of the Senator from Mississippi [Mr. STENNIS] has succeeded in reducing appropriations not only below the House and the budget request, but by an amazing two-thirds from last year.

That is right. The bill has been reduced by a huge 65 percent, from about $3 billion last year to less than $1 billion this year. Just think of that, Mr. President. Let me repeat it: This bill was cut from $3 billion last year to about $1 billion this year. What an achievement.

A part of this, but a relatively small part, was because of a defense policy against family housing construction. What makes this drastic spending slash so significant is that this is the very kind of anti-inflationary activity which best contributes to price stability as well as keeping overall Federal spending down.

Mr. President, it is ironic that in a time when all of us should be prepared to make whatever sacrifices our military needs in Vietnam require, the one sector of our Federal spending, that in which this Congress makes a truly effective sacrifice, is the military itself.

Of course, the military needs the hospitals, the barracks, the housing of all kinds that this construction bill normally provides, but the Defense Department and the Senator from Mississippi also recognize that at a time when prices are rising the best contribution to a sound and stable economy is precisely the kind of drastic reduction in spending that this appropriation bill represents.

I fervently hope that the Senate will take a hard, tough look at the appropriations bills remaining before us, and consider the splendid example provided by this bill and by the remarkable work of the Senator from Mississippi [Mr. STENNIS] in handling it.

Mr. STENNIS. I thank the Senator from Wisconsin [Mr. PROXMIRE] on behalf of all of the members of the subcommittee for his very generous remarks. I especially thank him on behalf of the Senator from Massachusetts [Mr. SALTONSTALL] who attended virtually all of these hearings, and who was very active in the markup of the bill, as he always is and has been for many years.

Mr. President, with respect to the reductions to which the Senator from Wisconsin [Mr. PROXMIRE] referred, this year this bill was less than it usually is, even when it started out, because there had been closer scrutiny given to these items. There had been a freezing of the majority of the items for the fiscal year 1966. I also wish to point out that housing construction was left out of the bill by the Department of Defense, as the Senator pointed out.

We do have the bill $128 million under the budget figure as it started out in January of this year. Some of those reductions were also made by the authorization committee which held the initial hearings. The chairman of that committee was the Senator from Washington [Mr. JACKSON]. The bill is now $32 million under the amount in the House bill that was passed by the House of Representatives a few weeks ago. We did put in some authorized items that the House had omitted, but there is a net reduction of $32 million.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to express my commendation and thanks to the distinguished chairman of the Subcommittee on Military Construction Appropriations, the distinguished minority Member [Mr. SALTONSTALL], and other members of the subcommittee for the inclusion of an item for the 5th Army at Fort Riley, Kans. This item includes $12,100,000 for the construction of enlisted men's barracks.

The distinguished Senator from Mississippi [Mr. STENNIS] will well remember my efforts in that regard a year ago. The Senator promised me at that time that the item would be given consideration in this session. I want the Senator to know that I greatly appreciate it.

Mr. President, this is a very worthwhile item because at the present time there is a training division at Fort Riley, Kans., with thousands of men in training. Barracks are badly needed.

I wish to express my appreciation to the Senator for the inclusion of the item.

Mr. STENNIS. The Senator is generous, and he is ever vigilant of the welfare of the highly important defense installation at Fort Riley, Kans.

Last year the Senator from Kansas [Mr. CARLSON] presented an amendment asking for this project, but we did not get around to providing the money, even though he urged it. We told him then that if he could wait a year he could get a more complete barracks complex. That is what happened. I recall that last year there was about two-thirds of a barracks complex for Fort Riley whereas this year the amount is $12 million in a lump-sum appropriation for a complete barracks complex, and it will be the most modern installation in the United States when completed.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. STENNIS. As I recall, there is already one division from Fort Riley, Kans., which has gone to Vietnam. They will be getting more men ready, and I think you will need them.

Mr. CARLSON. With respect to divisions that we had there, the 1st division—the Big Red One—has been in Vietnam for many months. A division is forming there at the present time in training.

But again, Mr. President, I wish to mention that the distinguished Senator from Mississippi [Mr. STENNIS] well remembers my interest in the post and my sincere expression of urgency to get action last year. The Senator suggested that I not take action then, but that it would be better to wait until this year. This has greatly improved the situation in Fort Riley, Kans. I am indebted to the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. I thank the Senator.

Mr. President, I ask unanimous consent that the committee amendments to the pending bill be considered and agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to the order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments, agreed to en bloc, are as follows:

On page 2, at the beginning of line 7, to strike out "$146,406,000" and insert "$117,314,000".

On page 2, line 17, after the word "appropriation", to strike out "$126,227,000" and insert "$127,418,000".

On page 3, at the beginning of line 1, to strike out "$209,564,000" and insert "$208,643,000".

On page 4, line 22, after the word "law", to strike out "$511,196,000" and insert "$507,196,000".

On page 5, line 4, after the word "maintenance", to strike out "$128,287,000" and insert "$127,287,000".

On page 5, line 8, after the word "maintenance", to strike out "$74,434,000" and insert "$72,934,000".

On page 5, line 11, after the word "maintenance", to strike out "$136,882,000" and insert "$135,382,000".

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. STENNIS. I yield.

Mr. MANSFIELD. I would like to ask a question. I must leave the floor shortly to meet with the minority leader.

Insofar as the request made by the Senators from Montana, Senator METCALF and myself, asking for appropriations for a dormitory, a heated garage, and a civil engineering facility at Malmstrom Air Force Base, at Great Falls, Mont., are those included in the bill?

Mr. STENNIS. They are included in the bill. They were found to be urgently needed, particularly in that climate, and particularly in view of the extraordinary added heavy load that has been placed on the Malmstrom Air Force Base, due to our missile program.

Malmstrom Air Force Base is one of our most important bases but, unfortunately, it has not been favored with an extensive construction program. These projects will go a step further in helping this situation.

Mr. MANSFIELD. If I recall correctly, the distinguished Senator from Mississippi [Mr. STENNIS] visited Malmstrom Air Force Base 5 or 6 years ago and had a chance to go over that base thoroughly. Therefore, he is well aware of the need for these facilities, especially the heated garage, because of the more than a million miles a year of trucking necessary to visit and maintain more than 150 missile sites now in operation and the 50 additional sites now under construction. Is that correct?

Mr. STENNIS. I have personal knowledge of the base. I have not been there since the actual missile installation was built, but I know that this mission greatly increases the base activity. I would recommend the utmost consideration be given by the Air Force for additional facilities at Malmstrom Air Force Base in addition to the items we have in the bill.

Mr. MANSFIELD. I thank the Senator from Mississippi. I am sure the Department of Defense, especially the Air Force, will read with keen interest this colloquy in the RECORD. It would be my hope that the advice just given by the distinguished Senator from Mississippi would be followed when the RECORD is read.

I thank the Senator.

Mr. STENNIS. I am glad to hear from the Senator from Montana.

Mr. President, if I may have the attention of the Senator from Oregon [Mr. MORSE], because I know he is interested in this, frequently when the bill comes up, as well as the authorization bill, there are several policy questions involved—that is, on the question of whether we go into construction for various items which present a policy question, such as new weapons, or policy questions on expansion of one of the services in a particular field.

Let me illustrate by stating that when we had the missiles, the ground-to-air missiles, the Hercules, it was finally stopped as a policy question through this very bill, but this bill, contrary to many years' practice, does not have any major policy decisions involved.

It is largely military construction of the necessary and the urgent kind. It does not branch out into the field of new policy except for $40 million. We considered that partly to be a policy question, and whatever was going to be done

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we thought the money should come from other sources.

A few changes were made by the military with reference to their activities, but it boiled down to largely matters of opinion with reference to training and projects of that kind. We allowed the money in this bill for the upkeep of the many units which the services have in field of support housing. We did reduce the housing appropriation by $4 million because we found that they were still asking for money for the upkeep, maintenance, and repair of 8,500 new units which had not been built, but had been deferred by the Department of Defense. They were expecting to build them, perhaps when the money was asked for. The budget was made up last fall. It was officially requested in January, but the housing units have not been built. We found this item here and took it out of the bill. I expressed for the committee a keen regret and disappointment, too, that this item was not called directly to our attention during the presentation of the justifications. We found it only through the alertness of our fine clerk and assistant, Mr. Mike Rescroad.

Certainly, in handling a bill with the many hundreds of items contained in it, sometimes more than a thousand, the obligation is on the witness when proof is presented, to point out changes in the facts which would justify a reduction in the money, rather than merely to sit quietly and perhaps hope that they would not be discovered. We think it is not a question of showing the facts unless these matters are brought out. I can say that that is frequently done by Senators who present such such items to the committee, but it was not done in this case.

A word about the amount in the bill. The amount as reported by the committee is $986,518,000.

Mr. President, I shall be glad to try to answer any other questions that may be asked on this subject.

Mr. MORSE. Mr. President, did I correctly understand that the last figure was $1,004,413,000?

Mr. STENNIS. No. There must be an error somewhere.

Mr. MORSE. I just asked the Senator from Massachusetts [Mr. SALTONSTALL] what the figure was, and that is what he told me.

May I have the attention of the Senator from Massachusetts with respect to this figure?

Mr. SALTONSTALL. I am sorry; I misinformed the Senator from Oregon. The amount which the Senator from Mississippi has stated is correct.

Mr. STENNIS. The correct figure is $986,518,000.

Mr. MORSE. As soon as the Senator has finished, I shall take about 5 minutes to put my amplified remarks in the RECORD.

Mr. STENNIS. I shall conclude in a few minutes.

Mr. President, I present for the consideration of the Senate, the military construction appropriation bill, H.R. 17637, for fiscal year 1967 and the accompanying report No. 1695. I do not intend in presenting the bill to go into the detailed figures concerning each line item, for they are contained in the report which has been placed on the desk before each Senator.

The total of the military construction bill as reported by the Committee on Appropriations amounts to $986,518,000. This is a decrease of $32,822,000 from the amount of the bill as passed by the House of $1,019,340,000. The budget estimate for the 1967 military construction appropriation bill amounted to $1,114,947,000. The total bill as reported to the Senate is $128,429.000 under the budget estimate.

I wish to point out to my colleagues in the Senate that the Military Construction Subcommittee reviewed each project individually in the bill. Over 500 pages of testimony were taken in 5 days of hearings, and careful consideration was given to the projects approved for the bill and to the projects deleted from the bill.

ARMY

The committee approved an appropriation of $117,314,000 for construction within the Army exclusive of family housing which I will discuss under the family housing section. The largest request for the Army was for operation and training facilities amounting to approximately $45 million. The major item in this category was $33 million for construction of support of allied forces in Vietnam. The committee denied this request. Later in this presentation, I will discuss fully the reasons for denial of these funds. The remaining projects are for airfield improvement, communication facilities, and training facilities.

Research, development and test facilities was the next largest category amounting to $42,203,000. An important item approved was for the Nike-X research and development facilities at Kwajalein Island at approximately $31 million. Other items included a quality assurance laboratory at Edgewood Arsenal, alteration of buildings at Rock Island Arsenal, and improvement of facilities at White Sands Missile Range.

The appropriation for troop housing and community facilities amounted to $33,123,000. The major item in this category is $31,800,000 for barracks complexes at three stations. This amount will provide a total of 8,476 spaces for troop housing.

The committee approved approximately $5 million for utilities and ground improvement projects; namely, three electrical projects, five antipollution projects, two water projects, and five minor projects for roads. In the category of supply facilities, $965,000 was approved. These items were mainly for storage facilities inside the United States and overseas.

Finally, continuing authorization items, which are for planning and design of military construction projects and minor construction, were approved in the amount of $19 million.

NAVY

For military construction for the Active Forces for the Department of the Navy and Marine Corps, the committee approved an amount totaling $127,418,000. The Navy, indeed, had a very austere construction program for this fiscal year. For the Bureau of Ship Facilities, approval was given for approximately $13 million, consisting of 27 line items at 11 locations. The large portion of this money for the Bureau of Ship Facilities was for an improvement program for the ship repair and ship-building facilities of the Navy. Agreed upon was $1,371,000 for further development of the Atlantic Underseas Test and Evaluation Center on Andros Island in the Bahamas.

Projects for the fleet base facilities were approved amounting to $12,177,000. This class includes a total of 11 line items for improvements at 9 naval activities that provide direct support to the fleet. Included are various items for ship berthing, such as the replacement of a pier at the Naval Submarine Base, New London, Conn.; relocation of activities at Brooklyn and New Orleans for $2,200,000; five items totaling $5,795,000 for personnel support facilities; and an overseas classified item.

The committee approved approximately $47 million for Navy weapons facilities. This is the largest of the Navy's facilities classes, comprising six groups of air, ordnance, and research facilities, each of which supports a particular segment of naval aviation or naval ordnance. These groups are naval air training; field support of fleet operations; Marine Corps air stations, fleet readiness support; research, development, test, and evaluation; and overseas support of the fleet.

The Navy's request for service school projects amounted to $26,245,000. A large part of this sum was $14 million for the first increment to build a third recruit training center at Orlando, Fla. The rest of the money will be spent at Dam Neck, Va., Great Lakes, Ill., San Diego, Calif., and Pearl Harbor, Hawaii.

The Navy requested $5,518,000 for medical facilities and approximately all of this approved amount is for the construction of a naval hospital at New London, Conn.

The committee approved communications facilities in the amount of $6,343,000. A naval research laboratory at Point Barrow, Alaska, was approved in the amount of $3 million.

The last large amount approved for the Navy was $14 million for continuing authorization which is comprised of minor construction access roads, planning, and design funds.

AIR FORCE

The bill now before the Senate carries an approval of $208,643,000 for the active forces, Air Force. This amount is exclusive of family housing.

The committee approved approximately $38 million to support the operation of the strategic forces. The major share of this amount, $23,700,000, will be spent at Minuteman missile sites in a continuing program of improving the capabilities of these sites to withstand attack and in retrofitting the first missile silos built to accommodate the improved Minuteman II missile. There is also $7 million in the Strategic Forces program directly in support of the announced force realinement and base consolidation. The balance of the Strategic Forces program of $7,800,000 includes money to alter the SAC Headquarters and for 25 projects of the Strategic Air Command bases for general operational, personnel, and community support facilities.

The committee has approved approximately $19 million for the continental air and missile defense segment of our national defense effort. Projects in this category range in location and complexity from airmen's dormitories in Alaska to the North American Air Defense Command, underground command posts in Colorado, from alteration of radar towers in Greenland to a satellite-tracking camera installation in the Pacific Ocean area. Also a substantial part of this category of projects includes approximately $3,500,000 for operational facilities, troop housing, and improvements to utility plants at various locations in the United States.

The Air Force this year has devoted approximately one-fourth of its entire request for this fiscal year to improvement of the general purpose forces. The committee has approved approximately $40 million in this bill which will give the general purpose forces a significant improvement in operational capability.

The committee has approved $9 million for the airlift forces. A large part of this amount is to provide operational maintenance and fueling facilities for the C-141 aircraft. The balance of the airlift program provides improvement to en route installations at Lajes Field in the Azores, living quarters at Wake Island, and the passenger terminal at Yokota Air Force Base, Japan.

Approximately 20 percent of the Air Force's request for funds amounting to $47 million is directed to support a wide variety of scientific investigations, applications, and tests conducted by and for the Air Force. The money in this request is apportioned among the following categories of installations—missile ranges, satellite tracking facilities, and test facilities.

The largest amount in the Air Force's request concerns the general support aspect of the Air Force operations. This amount is approximately $76 million. Approval of the aforementioned amount goes to support the logistical aspects of the Air Force, technical training, flight training, the Air Force Academy, and command support.

RESERVE FORCES

The committee approved the following amounts for the Reserve Forces:

Military construction, Army Reserve	0
Military construction, Army National Guard	0
Military construction, Navy Reserve	$5,400,000
Military construction, Air Force Reserve	3,600,000
Military construction, Air National Guard	9,400,000

The committee was disappointed in the Department of Defense decision to limit the construction funds in this year's budget for the Reserve Forces. Disappointment was especially registered by members of the committee over the lack of progress made by the Army Reserve and the Army National Guard in their construction program.

This lack of performance, testimony reveals, is largely due to delay occasioned by merger and realinement proposals by the Department of Defense. Notwithstanding the fact that the Congress has made its position clear on this subject, the Department of the Army and the Office of the Secretary of Defense have continued to deny the authority to proceed with this vitally needed construction. The need for nonarmory facilities, particularly at annual field training sites, has been a long and outstanding deficiency. The validity of these requirements is in no way influenced by any proposed realinement of the Army Reserve Force. A need for training at these locations will continue to exist. Testimony clearly indicated that valid and long-range requirements do exist and that lack of progress toward providing these facilities is due to Department of Defense imposed restrictions. Further it appears that an inequity exists in the manner in which the construction authorization is granted to the various services. While the Army projects, in order to qualify, must contribute to the war effort in southeast Asia, or be urgently required because of health, safety, or other compelling reasons, it appears that a more liberal application of this policy is exercised when applied to the Navy and Air Reserve Forces, for example. The need for projects in the Reserve Forces to contribute to the war effort in southeast Asia is not considered to be a justifiable or realistic criterion.

DEFENSE AGENCIES

The committee has approved an appropriation of $7,547,000 for military construction, defense agencies. The amount is the same as that requested in the budget.

FAMILY HOUSING

The budget estimate for family housing included funds for operation and maintenance of family housing units, debt payments, and leasing of family units in the amount of $521,900,000. In this year's construction program, funds were not requested for the construction of new houses. Eight thousand five hundred houses appropriated for in the fiscal year 1966 military construction program are still held on the deferred list by the Secretary of Defense. The House Appropriations Committee reduced the housing allowance by $10,704,000 below the Department of Defense request. This reduction was a result of the authorization passed by the Congress which reduced the number of houses to be leased. The committee, in going over the estimates for operation and maintenance, found that the deferred fiscal year 1966 program of 8,500 houses was included in the maintenance and operations figures for fiscal year 1967. Thus the committee recommends a reduction of $4 million in the housing operation and maintenance fund.

MILITARY CONSTRUCTION IN SOUTH VIETNAM FOR OTHER THAN UNITED STATES FORCES

The committee deleted $40,100,000 for construction in support of Allied forces in South Vietnam. This amount was included in three military construction appropriations as follows: Army $33 million; Navy $1,400,000; Air Force $5,700,000. It is my understanding that such costs were previously included in the military assistance program estimate.

The information submitted in support of these requests and testimony presented during the hearings indicate a rather uncertain plan of what is to be constructed in support of these forces. Furthermore, there was no information presented as to what contributions the allied forces are making to construct their own facilities. After extensive deliberation, the committee arrived at a conclusion that it cannot in good conscience insist on detailed information and justification for the need to the military service and then take a counteraction to approve a blank check appropriation of $40,100,000 for support of construction projects of foreign nations without adequate justification or details of what is to be built. It is the opinion of the committee that the Secretary of Defense could have asked that this money be appropriated in the military assistance bill.

The committee has information that the Department of Defense has approximately $100 million remaining of a blanket appropriation made for such emergencies in the supplemental bill for fiscal year 1966, Public Law 89-374, March 15, 1966.

FUEL CONVERSION IN ALASKA

The committee was faced with a very controversial problem in considering the proposed fuel conversion from coal to gas at Fort Richardson and Elmendorf Air Force Base submitted in the revised estimate of September 23 after completion of authorization action by the Congress. The committee conducted extensive hearings and reviewed in detail documents submitted by various interests. Although the projects would result in savings in military operating costs, the committee is not satisfied that all aspects of the total problem, including the economic impact on the Alaska economy and the Alaska Railroad, were thoroughly explored. Of special note was a letter from the Secretary of the Interior indicating a willingness "to undertake a study of the economic gain and losses to be expected by the proposed conversion." Members of the committee have taken the position that the Department of Defense and the Department of the Interior should undertake a study of all pertinent aspects of the proposal and submit recommendations with the fiscal year 1968 appropriations requests to the Congress.

Let me say for the information of the Senate, especially of Senators who may look for items in which they are personally interested, that the items do not appear by name in the bill itself—this is an appropriation bill—but they appear in the report, which is just as effective, under the circumstances, as if they were written into the bill.

Mr. President, this concludes my summary of the bill. I shall now be glad to answer any questions concerning the committee's action and to explain any additions or deletions which may have been made.

Mr. President, I ask unanimous consent that there be included in the RECORD a comparative statement of the appropriations for fiscal 1966 and the estimates and amounts recommended in the bill for fiscal 1967.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparative statement of appropriations for fiscal year 1966, and the estimates and amounts recommended in the bill for fiscal year 1967

Item	Appropriations, 1966	Budget estimate, 1967	Recommended in House bill, 1967	Amount recommended by Senate committee	Increase (+) or decrease (−), Senate bill compared with—		
					Appropriations, 1966	Budget estimate, 1967	House bill
Military construction, Army	$833,143,000	$190,600,000	$146,406,000	$117,314,000	$715,829,000	−$73,286,000	−$29,092,000
Military construction, Navy	570,905,000	133,600,000	126,227,000	127,418,000	−443,487,000	−6,182,000	+1,191,000
Military construction, Air Force	622,373,000	242,900,000	209,564,000	208,643,000	−413,730,000	−34,257,000	−921,000
Military construction, Defense Agencies [1]	269,268,000	7,547,000	7,547,000	7,547,000	−261,721,000		
Military construction, Naval Reserve	9,500,000	5,400,000	5,400,000	5,400,000	−4,100,000		
Military construction, Air Force Reserve	4,000,000	3,600,000	3,600,000	3,600,000	−400,000		
Military construction, Army National Guard	10,000,000				−10,000,000		
Military construction, Air National Guard	10,000,000	9,400,000	9,400,000	9,400,000	−600,000		
Total, military construction	2,329,189,000	593,047,000	508,144,000	479,322,000	−1,849,867,000	−113,725,000	−28,822,000
Family housing, Army: Operation, maintenance, and debt payment	220,494,000	178,907,000	175,633,000	174,633,000	−45,861,000	−4,274,000	−1,000,000
Family housing, Navy and Marine Corps: Operation, maintenance, and debt payment	162,674,000	110,524,000	105,298,000	103,798,000	−58,876,000	−6,726,000	−1,500,000
Family housing, Air Force: Operation, maintenance, and debt payment	279,983,000	228,114,000	225,910,000	224,410,000	−55,573,000	−3,704,000	−1,500,000
Family housing, Defense Agencies: Operation, maintenance, and debt payment	2,695,000	4,355,000	4,355,000	4,355,000	+1,660,000		
Total family housing	665,846,000	521,900,000	511,196,000	507,196,000	−158,650,000	−14,704,000	−4,000,000
Total	2,995,035,000	1,114,947,000	1,019,340,000	986,518,000	−2,008,517,000	−128,429,000	−32,822,000

[1] Includes $5,000,000 for loran stations.

Mr. DOMINICK. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. DOMINICK. I appreciate the very fine work which the Senator from Mississippi has done on this particular bill. I should like to ask a question and make a brief comment on the NORAD situation, which has a new commander, General Reeves. A magnificent job has been achieved in the short time that he has been there. I wonder whether the appropriation which has been made for construction for NORAD, of a little over $3.5 million, will complete the construction of the NORAD installation there?

Mr. STENNIS. Yes. NORAD has been under construction, as the Senator knows, for a long time. It is one of our very finest installations. This is thought to be the amount necessary to complete not only the construction but also to take care of some of the small items that are necessary as a part of the complete construction.

Mr. DOMINICK. I thank the Senator from Mississippi. I am happy to hear it. The installation itself is quite a feat and of vast importance to the defense of this country.

Mr. STENNIS. I heartily agree with the Senator. The Senator and his colleague from Colorado have certainly given their solid support, and very effective support, over the years to this matter. I am glad to see that it is being completed and ready for service.

Mr. SALTONSTALL. Mr. President, will the Senator from Mississippi yield briefly?

Mr. STENNIS. I am glad to yield to the Senator from Massachusetts, who has done so much of the work over the years on this bill. He has worked on this bill and similar bills over many years.

Mr. SALTONSTALL. I appreciate it when the Senator from Mississippi says that, because he bears the heavy responsibility. It is a pleasure to work with him because he is so conscientious and thorough in all his endeavors.

Mr. President, my own feeling is that three things have been accomplished this year in military construction.

First, we eliminated the $40 million. Figures are included for Vietnam which really were not for the construction effort—or the greater part of it was not.

Second, all new housing was eliminated by the administration before the budget was submitted, and we felt that the maintenance and operation of housing could be reduced—I think it was by $1 million in each account.

Third, we eliminated items which we felt were not absolutely essential for the proper use of and the testing of new instruments such as missiles, airdrops, and so forth, which could not be accomplished without certain military construction.

Thus, in broad language, the operations were covered by the bill as we reported it.

There were certain items that the administration left out of its own free will. The House put in a few items, and the Senate put in a few items. But the net result was a reduction to $986,518,000.

I thank the Senator from Mississippi for taking the leadership in following the request of the administration to keep expenses down as much as possible.

One of our main thoughts in considering the bill was to make sure that we gave the military what was needed, but not more than what was needed, even if requested.

Mr. STENNIS. Yes, that is what we did. Our purpose was to serve the needs of the military services, but not to go further.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from South Carolina, who has worked diligently on the bill and provided a great deal of help.

Mr. THURMOND. I commend the Senator from Mississippi for the fine leadership which he has given in this bill. I feel it is a good bill. It takes care of the situation with respect to our needs in this country and in other parts of the world where we have military construction in process.

I also wish to commend the senior member of the committee on the Republican side, the Senator from Massachusetts [Mr. SALTONSTALL], for the outstanding leadership he has shown in respect to this bill.

Mr. STENNIS. I thank the Senator from South Carolina.

I yield to the Senator from Oregon, or, if he wishes, I am ready to yield the floor.

Mr. MORSE. Mr. President, I shall be brief, but I wish to speak in my own right.

At the outset of my brief remarks, I highly commend the Senator from Mississippi [Mr. STENNIS] and also the Senator from Massachusetts [Mr. SALTONSTALL] for their dedicated service to the Senate in handling this bill. I do not want anything I say to be taken as detracting from their dedicated service and their obligations and their point of view. The fact that I shall go on record against the bill this afternoon is in no way to be taken as a reflection on the proponents of the bill and their dedication to the interests of their country as they see those interests.

This is a bill which calls for $986,518,000 in additional money for additional military construction. The matter of military policy cannot be separated from a construction bill. The Senator from Mississippi has pointed out that military policy is not involved as policy in the bill,

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but it is there, in every brick and ounce of mortar that will be involved in the construction.

What concerns the Senator from Oregon, and what explains a part of my unalterable opposition to the undeclared war in Southeast Asia, and to our getting involved in a war that is resulting in increasing casualties—is that it raises a question of where the United States is going militarily. We are the only country in the world that has spread around this globe hundreds of thousands of American military personnel. We are the only country in the world that has foreign military bases and foreign military personnel in anywhere near the amount or numbers that we have.

Once again I warn the American people that they are on the way to a military state if they do not start harnessing the military in this country. We cannot expect to be the unilateral military policeman of the world. We have neither the manpower nor the economic resources to do it.

They should ask themselves what is happening to us around the world. The people of the world recognize the singular position that the United States has moved itself into. We have taken over the interests of the British Empire. We have taken over the former interests of the French. We have taken over what other imperialistic military countries have learned they could not do. We have yet to learn the lesson. They learned that they could not long maintain a position of military dominance over any of the underdeveloped areas of the world. We will learn it in Asia. We will discover that we cannot maintain a position of military domination in any part of Asia for any length of time.

We have no moral right and no international law right to set ourselves up to maintain a military dominating position anywhere in Asia, or Africa, or Latin America, or elsewhere in the world.

I am not sure there will be a rollcall vote on the bill, but let the RECORD show that if there were, I would vote against it, not because of any personal differences with the Senator from Mississippi [Mr. STENNIS] or the Senator from Massachusetts [Mr. SALTONSTALL] with regard to the duties they have performed, but because I think American military policy is wrong.

The United States is the only member of NATO that has fulfilled its commitments under NATO. Not another single member of NATO, from the beginning of NATO to the moment I speak, has totally fulfilled its manpower commitment under NATO. We are the only nation that has done so. Not even West Germany has done so. Yet, when a proposal is made, under the leadership of the majority leader [Mr. MANSFIELD], that we call back some of those 400,000 troops and dependents under NATO, we are told that we are threatening the security of the United States. That is a lot of nonsense.

The American taxpayers are entitled to have us diminish these tremendous military outlays. We cannot justify this bill, which provides for almost $1 billion. Remember that the military budget at the present time is more than $58 billion. This Republic cannot justify a military budget of $58 billion, as country after country around the world walks out on us and as we find ourselves more and more isolated around the world because of the growing fear of millions of people around the world of the military power and might of the United States.

Great empires in the past thought they could substitute military might for a humanitarian course of action that would uplift the civilization of downtrodden people.

I am greatly concerned about the expanding power of the military in American military policy. So I repeat this afternoon what I have said before in my criticism of this administration for its inexcusable undeclared war in Vietnam. It should declare a war to continue what it is doing. The reason it does not declare war is that we would have great difficulty getting others to accept the declaration of that war. That is why the other day, when we had before us the new President's appointment as Ambassador to Russia, I asked him what he thought the difficulties would be if we declared a blockade of Vietnam. There are many in the Pentagon who are advising a blockade of Vietnam. A blockade is no better than its enforcibility, and a blockade is itself an act of war. If you attempt to enforce the blockade against a country that refuses to respect it, you are at war with that country.

That is why I asked the American Ambassador to Russia, when he was up for nomination before our committee, what he thought the situation would be between the United States and Russia if we blockaded North Vietnam and Russia sought to go through. He left no room for doubt that Russia would never lower her flag to the United States, and Russia would go through or we would sink her ships; and when we started sinking her ships we would be in war with Russia.

That war would not be fought in Asia at all; it would be fought in New York City, in Washington, D.C., in Chicago, in Detroit, in Portland, in San Francisco, in Moscow, and in Leningrad, if the two great nuclear giants went to war, destroying each other.

Oh, I know many like to wave the flag into tatters, but let me say, these are the critical days that the American people ought to give some thought to the question, Where are we going militarily? In my judgment, we are headed straight to world war III, and the United States is leading the parade. We are leading the parade. We are leading the parade because of the shocking emphasis, in this Republic, on the military. We ought to reduce our military installations and the number of people in uniform; for they are not leading us to peace. I say that this great emphasis on the American military plays right into the hands of the Communists, for it is making Communists by the hundreds of thousands in the underdeveloped areas of the world, across Asia, throughout Africa, and in Latin America.

As chairman of the Subcommittee on Latin American Affairs, I have urged a cutback on military aid to Latin America. I would vote for $3 in economic aid for every dollar we vote to give to Latin American juntas and dictators, by military power, to keep their people subjugated and oppressed. Our military aid is one of the several causes for our following too many times a very sorry policy in Latin America—that when the chips of freedom are down, the United States walks out on freedom and supports dictators. That strengthens communism, not freedom.

That is the outline, as my fellow Senators well know, of my general philosophy in regard to the course we are following militarily. I am afraid of the military being given the power it is being given in American foreign policy; and although it is true that this is construction money, you have to have the construction to implement the policy. You cannot send increasing thousands of troops abroad if you do not expand facilities for them.

My President frequently says, at various meetings, "We seek no permanent military installations abroad." That is an unbelievable contention, when we spend billions of dollars for permanent installations. Is he trying to tell the American people that we will pour the billions into them and then walk out? I should like to have some evidence that we are going to change that course of action.

So we have provided here construction money to expand our facilities in Ascension Island, Australia, the Azores, the Bahamas, the Bonin Islands, the British West Indies, Canada, the Canal Zone, Cuba, Germany, Greece, Greenland, Guam, Iceland, Italy, Japan, Johnston Island, Korea—Mr. President, I ask unanimous consent, without taking more time, to have the entire list of installations shown on pages 29 to 31, inclusive, of the committee report, printed in the RECORD, at this point.

There being no objection, the excerpt from the report (No. 1669) was ordered to be printed in the RECORD, as follows:

Military construction appropriations, 1967—Outside United States

Installation	*Thousands*
Ascension Island: Air Force: Ascension AS	$1, 146
Australia: Navy: NCS, North West Cape	708
Azores: Air Force: Lajes Field	396
Bahamas: Navy: AUTEC, Andros Island	1, 371
Bonin Islands: Navy: NF Chichi Jima	204
British West Indies: Air Force: Antigua AS	46
Canada: Air Force: Goose AB	1, 255
Canal Zone:	
Army: Panama area	2, 011
Air Force: Howard AB, Balboa	1, 244
Total	3, 255
Cuba:	
Navy:	
NAS Guantánamo	2, 333
NH, Guantánamo	279
Total	2, 612

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Military construction appropriations, 1967—Outside United States—Continued

Installation	*Thousands*
Germany:	
Air Force:	
Bitburg AB, Bitburg	$275
Hahn AB, Lautzenhausen	449
Ramstein AB, Ramstein	538
Rhein Main, Frankfurt	548
Subtotal	1,810
OSD: NSA-joint operations support activity, Frankfurt	400
Total	2,210
Greece: Navy: NCS, Nea Makri	363
Greenland: Air Force: Thule AB	238
Guam:	
Navy: NAS, Agana MI	159
Air Force: Andersen AFB	22
Total	181
Iceland: Navy: NS, Keflavik	203
Italy: Navy: NAF, Naples	37
Japan:	
Navy:	
NRS, Totsuka	576
NAS, Atsugi	500
Subtotal	1,076
Air Force:	
Misawa AB, Misawa	331
Yokota AB, Fussa Machi	739
Subtotal	1,070
Total	
Johnston Island: OSD DASA, Johnston Island AFB	1,750
Korea:	
Air Force:	
Kimpo AB, Seoul	400
Kunsan AB, Kunsan	382
Total	782
Kwajalein Island: Army: Various locations	31,333
Okinawa:	
Army: Various Locations	619
Navy: Camp Smedley D. Butler	1,056
Air Force:	
Kadena AB, Koza	1,525
Naha AB, Naha	305
Subtotal	1,830
Total	3,505
Philippines:	
Navy:	
NAS, Cubi Point	530
NCS, San Miguel	476
Subtotal	1,006
Air Force: Clark AB, Angeles	571
Total	1,577
Puerto Rico:	
Navy:	
NS, Roosevelt Roads	1,167
Air Force: Ramey Air Force Base, Acquadillo	63
Total	1,230
Spain: Air Force: Torrejon Airbase, Madrid	48
Turkey: Air Force: Diyarbakir CST	1,363
Wake Island: Air Force: Wake Island, Agana	90
Various locations:	
Army:	
Strat Command	$208
Army Security Agency	1,970
Subtotal	2,178
Navy: AUTODIN	715
Air Force:	
PAF	3,059
Security Service	1,123
Subtotal	5,952
Total	4,932
Total outside United States (excluding classified projects):	
Army	36,141
Navy	10,677
Air Force	15,033
OSD	2,150
Total	64,001

Mr. MORSE. The list includes Turkey, Wake Island, and other locations; and each of the items represents an expansion of the military construction program.

I close, Mr. President, by simply saying I think we should not handle this military appropriation segment by segment. I think what we need is a thorough examination of the totality of our military appropriations and the policies underlying them. Until this administration changes the course of action it is following in American foreign policy and the course of action it is following in South Vietnam, in what I consider to be an immoral, unjustifiable, illegal war, in which we are sending young American men to their deaths—in my opinion without the slightest justification—I shall continue to vote against appropriations that, in my judgment, provide the facilities and the weapons that kill American boys who should not be fighting anywhere in the world.

Mr. STENNIS. Mr. President, with the greatest deference to the Senator from Oregon on the points that he has made, they are points that have been debated pro and con on the floor of the Senate several times this year; in the debates the Senator from Oregon has taken part and in some I have taken part. I appreciate the Senator's sincerity; the fact that I do not attempt to answer him now certainly implies no discourtesy to him. But I believe that further debate on the matter at some other time would fit the occasion better.

Mr. BREWSTER. Mr. President, during the many months of deliberation on the authorization and appropriation for military construction projects for fiscal year 1967, I have consistently questioned the Navy plans for the establishment of a third recruit training center. In so doing, I have been joined by a number of colleagues from the House of Representatives.

None of us has ever questioned the need for this new facility. What we have objected to is the apparent Department of Defense preference for a location at Orlando, Fla., rather than at the previous site for recruit training on the east coast, Bainbridge, Md.

I am pleased that both the House and Senate committees have seen fit not to endorse a specific site for the new center, but to require further study of this matter and further report to the Congress before construction commences.

I think that the record—the legislative history—should show the unusual and confused gyrations which accompanied, first Navy, and then DOD announcement of their original intentions regarding the Third Recruit Training Center and the future at Bainbridge.

Mr. President, one of our prime military installations in Maryland is the naval training station at Bainbridge. This facility has a proud history of contribution to our national defense. During World War II, Bainbridge operated at capacity as the major naval recruit training center on the east coast. It continues to function today as the site of the Naval Reserve Manpower Center, the home of a wide variety of enlisted and officer schools, and the location of recruit training for enlisted Waves.

It has been my custom as a Senator from Maryland and a member of the Senate Armed Services Committee to make periodic inspection tours of the military facilities in my State. During my visit there last fall, I received a detailed briefing by Navy officials on their plans to reactivate the enlisted men's recruit training activity at Bainbridge to provide for the berthing, messing, and training of approximately 8,000 recruits.

In making their presentation, the Navy emphasized the many advantages of the Bainbridge location for the new center. They pointed out that Bainbridge was superior to any other location because it was:

First. In close proximity to the major concentration of population in the Boston-Washington megalopolis from which the majority of recruits were drawn;

Second. In close proximity to the destination for so many recruits—the naval base at Norfolk.

Both of these facts promised very real savings in transportation costs to the Government and to the recruit when taking leave.

Third. Bainbridge was also considered superior for reasons of its proximity to major routes of transportation; yet its general remoteness from casual visitation;

Fourth. The Navy said that the Navy could expect to benefit in terms of economics and efficiency from having a one-stop training facility with recruit training and the enlisted advance schools located on the same base.

These statements were in accordance with the testimony given by Navy officials on April 14, 1965, before the House Committee on Appropriations. Testimony at that time revealed that facilities at Great Lakes and San Diego were overcrowded and that a third recruit training center was required at Bainbridge. They testified that they had studied and made visits to a number of installations which were closed, or had the prospect of being closed, and that none of them was as acceptable as Bainbridge.

Orlando was among those installations visited. The Navy took the position that Orlando was unsuitable as a naval training center, and that "Bainbridge is very definitely hard core, it is in the right place, and we want to bring it up to date so that it will compare favorably with both Great Lakes and San Diego."

At the time of my briefing by Bainbridge officials, I was authorized to release the Navy plans for Bainbridge expansion to the local and national press. It is my understanding that this authorization was granted in Washington.

In view of all that had gone before, it came as a great surprise to me and to all the other members of the Maryland delegation when the Department of Defense denied that Bainbridge had been chosen as the site for the new center and subsequently came before the Congress in January of this year with a request for authorization for the new center at Orlando, Fla.

Members of the Maryland delegation have formally opposed both the authorization and appropriation of funds for this purpose. Our opposition has been based on arguments which are contained in a delegation letter addressed to the President on May 11, 1966. I should like to ask that it be printed in its entirety in the record of these hearings.

Mr. President, the final chapter in this story has only recently been written. At a meeting several months ago, Senator TYDINGS and I were informed by Secretaries Nitze and Baldwin that the Navy now envisioned the total transfer of all present Bainbridge training activities to Orlando. This was estimated to involve 4,000 personnel.

Mr. President, it would mean more than that. It would mean the abandonment of extensive facilities for which this committee and the Congress has approved vast sums in past years.

Let me cite a specific and glaring example of the waste of taxpayers' money which is involved in this plan. In January 1964 the Navy came to the Congress with a request for $1,091,000 for the construction of a modern barracks building for the 500 WAVES who are continually undergoing recruit training at Bainbridge.

The Congress recognized the deteriorating and dangerous condition of the WAVES accommodations at that time and appropriated the necessary funds. Contracts were let in the summer of 1965 and today the barracks are on the verge of completion. They are scheduled for occupancy on November 1. It is my understanding that the total final cost will have been $1,228,150.

Mr. President, it is shocking to me to learn that after this vast expenditure, and before one Wave has spent one night in the new facilities, the Navy has laid plans to remove all WAVES from Bainbridge training.

Mr. President, I look forward to reading the report on the site selection for the new training center which is required by this legislation. I also believe that the callous disregard for the intent of the Congress and the money of the taxpayers which is reflected in the Wave barracks project deserves the careful scrutiny of the Congress.

Mr. STENNIS. Mr. President, if there are no amendments to be proposed, may we have the third reading?

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 17637) was ordered to a third reading, was read the third time, and passed.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. SALTONSTALL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Senators STENNIS, PROXMIRE, YARBOROUGH, SYMINGTON (ex officio), and SALTONSTALL conferees on the part of the Senate.

Mr. STENNIS. Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, responsibility for the Senate's swift acceptance of the military construction appropriations measure rests primarily with the distinguished junior Senator from Mississippi [Mr. STENNIS]. His articulate, persuasive presentation joined with his strong and diligent support made prompt and efficient Senate approval a certainty. This success adds just another to the already abundant list of achievements compiled by Senator STENNIS.

As is usually the case, however, the support and cooperation of many Senators is required to accomplish success of this magnitude; particularly with the smooth order displayed on the passage of this measure. I wish, therefore, to extend our gratitude to the senior Senator from Massachusetts [Mr. SALTONSTALL], to the senior Senator from Kansas [Mr. CARLSON], and to the senior Senator from South Carolina [Mr. THURMOND]. These three Senators and others joined with their typical outstanding skill, their strong advocacy and cooperation to obtain this triumph.

Moreover, the senior Senator from Oregon [Mr. MORSE] is to be commended for again applying his unmatched capacities to get things done in proper fashion by cooperating fully to assure the disposition of this measure today. And to the Senate, finally, goes my thanks for helping again to make an adjournment sine die still possible.

AMERICA'S FALSE SUPPOSITIONS IN VIETNAM

Mr. MORSE. Mr. President, the Senator from Oregon confesses a great embarrassment, due to a slip-up involving an insertion in the RECORD that I offered, together with a considerable amount of other material, last May. My attention has just been called to the fact that last May when I asked unanimous consent to have printed in the RECORD several items, one of those items either was not in the package or in some way was misplaced, and never got to the printer.

I thought all the time that it was printed in the RECORD. The CONGRESSIONAL RECORD will show [illegible] I praised highly a speech that was made in Portland, Oreg., on Sunday, May 8, 1966, by Mr. Robert Vaughn, on the subject "America's False Suppositions in Vietnam."

Mr. Vaughn, who, we all know, is a very brilliant television star in the television program "The Man from U.N.C.L.E.," has for a long time spoken in this country in opposition to our war policy in Vietnam.

On May 8, 1966, I introduced Robert Vaughn to a political audience in Portland, Oreg., and he made what I think is one of the best analyses of the war in Vietnam and the unsound American policy in Vietnam that I have ever read. I praised that speech highly on the floor of the Senate months ago.

I now ask unanimous consent that Mr. Robert Vaughn's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AMERICA'S FALSE SUPPOSITIONS IN VIETNAM

(A speech delivered by Robert Vaughn, on behalf of the Democratic nomination of Howard Morgan for U.S. Senator from Oregon, Sunday, May 8, 1966, Portland, Oreg.)

This visit to Oregon is a twice blessed event for this California itinerant. Initially, this trip to your beautiful state is my first, and the wonders of stream and field, of timber and rye grass are all I had anticipated. My own youth was spent in the not dissimilar topography of Minnesota, and it is always pleasant to rekindle the images of boyhood. Second, I would be most derelict to my personal credo if I missed the opportunity to share the dais with a man who emerges more clearly each day as the conscience of the Republic and the almost total monopolizer of political guts in the United States Senate—WAYNE MORSE.

I come to Portland today to support Howard Morgan, a man who when he takes his seat in the world's greatest deliberative body of men, can be entrusted to give his untiring efforts to end the illegal, immoral, bloody, dirty war in Vietnam.

Lecturing at Johns Hopkins University School for Advanced International Studies, Chairman of the Foreign Relations Committee Senator WILLIAM FULBRIGHT remarked, "Past experience provides little basis for confidence that reason can prevail in an atmosphere of mounting war fever. . . . . .The longer the Vietnamese war goes on without

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prospect of victory or negotiated peace, the war fever will rise, hopes will give way to fears, and tolerance and freedom will give way to a false and strident patriotism.

Unless the Senate is a forum for challenging the President, Senator FULBRIGHT said, "The campuses and streets and public squares of America are likely to become forums of direct and disorderly democracy.

"Nor should the Senate allow itself to be easily swayed by executive pleas for urgency and unanimity, or by allegations of aid and comfort to the enemies made by officials whose concern may be heightened by a distaste for criticism directed at themselves."

Each individual Senator must decide whether he will express his views about the administration in the darkness of the Senate cloakroom or in the harsh glare of the public forum. I believe Howard Morgan will not stand his political posture in a Washington cloakroom.

I have just returned from a one month tour of 7 countries in Europe. In the capitals of England, Denmark, Sweden, Finland and Germany I had the opportunity to talk with students and cabinet ministers, workers and artists, and without exception the only question posed to me in all instances was when are we going to stop interfering in Vietnam.

Since our right to be in Vietnam, and our reasons for initially involving ourselves in this tragic Southeast Asia holocaust, and further, our objectives in remaining there are the overriding issue between the candidates in this primary, I would like to take this opportunity to explain why I believe Howard Morgan is the man to represent Oregon in the United States Senate. Let us briefly run through the false suppositions tendered by the administration to support the blunder of the Vietnam involvement.

1. The United States has a "commitment" to South Vietnam. The Seato Treaty is the first of sundry supportives to the alleged "commitment." The treaty was signed in Manila in 1954, after the Geneva Conference ended the Indo China War. It was devised by John Foster Dulles and based on the supposition that since the French had been defeated, the Chinese would commit aggression in all of Southeast Asia, each country falling as dominos.

Although 7 Southeast Asian countries were invited to join the pact, only 3 showed up, and shortly thereafter Pakistan bowed out leaving only Thailand and the Philippines, who were dependent on United States support in the first place.

If there was any commitment by any of the SEATO signatories to go to war in Southeast Asia, it was a commitment to resist aggression and not that any of its individual members should butt into somebody elses war. President Eisenhower made no commitment to a land war in Asia. Quite the contrary. Eisenhower along with Generals MacArthur, Gavin, Ridgway and Bradley, advised wholeheartedly against such action.

The so-called commitment of the Tonkin Gulf resolution of August 1964, was an act of Congress out of respect to the President, and not a specific authorization for a full scale land war. Chairman FULBRIGHT has had the courage to admit publicly since that time that he deeply regrets his hasty rubber-stamping of the Tonkin Resolution.

Even if there were a commitment made, and there appears no record of such, who was it made to. The Government of South Vietnam? As Professor Hans Morgenthau reminds us: "First of all one should not overlook the fact that it was we who installed the first government in Saigon, the Diem government." We created South Vietnam where previously there had only been Vietnam. Thus we contracted and committed with ourselves.

2. A second false supposition is: Had we not intervened, Vietnam could have been another appeasement at Munich. Nazism was a chauvinistic-militaristic system headed by a madman. When the military power of Fascism was crushed and Hitler dispatched to the flames of his bunker the system was broken. Communism is an ideology, and that is not something you can shoot with guns or burn with napalm. Wars of "national liberation" are inspired by the philosophy of socialism and when people feel they can get some decent things out of life, food, land, housing, education, wealth, by struggling for them they are not likely to be thwarted by threats of murder with military force. The Vietnamese people have fought the French, Japanese and Americans for 30 years and show no signs of giving in today.

3. China is the real enemy and if the United States didn't wage war in Vietnam, the domino theory would prevail instantaneously. China has not one soldier outside of her boundaries. Hanoi has had a Communist Government for a dozen years and China has not taken over. The Burma and India confrontations with China were border disputes based on British colonial maps delineating frontiers. Chiang Kai Shek openly supported Peking in the border dispute with India and he also supported the Chinese occupation of Tibet. When Chiang was ruler of China he talked of Tibet as part of China. The Rand Corporation study entitled "China Crosses the Yalu" defends China's entry into the Korean War as a "rationally motivated" defense of its power plants which fed electricity to the Chinese factories in Manchuria. Thus the record shows no "aggression" of any kind by the Chinese to date. This is not to say that in the future China may not one day dominate Asia, one way or another. In the meantime, it would seem reasonable to open diplomatic relations with this "aggressor" and thereby give the United Nations an opportunity to judge the right or wrong of any future Chinese expansionism.

4. North Vietnam is committing aggression against South Vietnam. The New Republic has stated editorially that, "Before it became necessary to deny the existence of a civil war in South Vietnam, American military men admitted that 80 percent of the Vietcong's weapons were unwittingly supplied by the United States by loss, theft or sale by enterprising South Vietnamese. Thus, we have the supposition by the Administration that the war in South Vietnam is an effort by North Vietnam to oppress the free people of the South. The evidence, however, tends to support the conclusion that the Vietcong war effort began as a rebellion against an oppressive and hated government in Saigon. A government we support today as we did when we installed Diem. A government whose Premier, General Nguyen Cao Ky, when interviewed by the London Sunday Mirror, July 4, 1965, said, "People asked me who my heroes are. I have only one. Hitler." That is the man who was embraced at the Honolulu Conference as the leader of the freedom loving people of South Vietnam.

5. Lastly, the war in Vietnam can be a limited war. As each day passes more troops pour into this ravaged land. Where do they come from? America, with only the most nominal token support from our Allies. The B52s daily assault the North and Phantom 4–F American jets at speeds of 1500 miles an hour engage in dogfights thirty miles from the Chinese border.

The slightest miscalculation at speeds twice the rate of sound can send the air war into the Chinese heavens. The "hawks" are advocating "no sanctuary" for Migs who may retreat behind the Chinese border; which means the policy of "hot pursuit" may see us following the enemy back to bases on the Chinese mainland. And as Senator ROBERT KENNEDY suggests "no sanctuary" works both ways. Migs returning the fight can pursue American aircraft to 7th Fleet points of embarkation, plus South into Vietnam and West to the Pacific. And if provocation becomes untenable on either side, war with China will be the result. And no one can foretell accurately that Russia will not come to the defense of her one time ally. And then the final solution—nuclear genocide of the human race.

Although the grave doubts about our Vietnam policy raised here are shared by Senators, diplomats and scholars, whose experience and judgment entitle them to our serious consideration in this life-and-death discussion, Howard Morgan's opponent acknowledges neither doubt nor attention to their views. What has Howard Morgan said about our involvement in Vietnam?

"The record has persuaded me that our initial involvement in a land war in Southeast Asia was a tragic mistake.

"I shall work to support our fighting men with everything they need to see them through this ordeal safely. But I shall also seek and use every responsible means of disengaging them honorably from a land war in Asia, which General Omar Bradley has described as 'the wrong war, at the wrong time, in the wrong place, against the wrong enemy.'

"If our involvement in this was a mistake, as I am persuaded that it was, then we must recognize that in military affairs, even more urgently than in the affairs of business and government, the first thing to do with a mistake is to liquidate it as quickly and honorably as possible. And the second thing to do is to prevent its repetition.

We have been engaged for twelve years on the losing side of a civil war affecting all of Vietnam. Will we now also fight on the losing side of a civil war within a civil war in South Vietnam? Will we declare war against any new government in South Vietnam in order to prevent that government from asking us to leave? Or will we simply escalate the war into a holocaust with Red China in order to mask the smaller blunders we have already made? That is exactly what General Ky has asked us to do."

What changes in U.S. policy might contribute to a settlement of the Vietnamese war. Howard Morgan has stated that he supports the steps outlined by Senator J. W. FULBRIGHT to try to end the war in Vietnam.

1. "We (must) state explicitly and forthrightly that we recognize the Vietcong as a belligerent with whom we are prepared to negotiate peace, and further that we will use our considerable powers of persuasion in Saigon to induce the South Vietnamese government which has said it will not negotiate with the Viet Cong to change its mind and indicate its willingness to do so."

2. "We (must) state forthrightly and explicitly in advance of negotiations that we are prepared to conclude a peace agreement providing for an internationally supervised election to determine the future of South Vietnam and, further, that we are prepared to accept the outcome of such an election, whatever that outcome might be."

3. "We (must) use all available channels to persuade the North Vietnamese and the Viet Cong that, whatever the future political complexion of Vietnam, Communist or non-Communist, united or divided, it can enjoy a secure and independent existence and normal relations with the United States as long as it respects the independence of its neighbors and as long as it upholds its own independence from China."

These statements by Howard Morgan are my reason for coming to Oregon today. It is my belief that we cannot stop the spread of Communism by sacrificing the principles of Democracy. However, this is precisely what was done when Diem supported by the United States, suppressed the free election guaranteed to the Vietnamese people by the Geneva accords of 1954.

Today we are rationalizing the war in Vietnam by using the false suppositions already outlined.

I submit the following quote on the rationalization of men to make war.

"The loud little handful will shout for war. The puppet will wearily and cautiously protest at first. The great mass of the nation will rub its sleepy eyes and will try to make out why there should be a war. And they will earnestly and indignantly say it is unjust and dishonorable and there is no need for war. Then the few will shout even louder. A few fair men on the other side will argue and reason against the war with speech and pen and at first will get a hearing and be applauded. But it will not last long. The few who want war will outshout those who want peace. And presently the anti-war audience will thin out and peace will become unpopular. Before long you will see a curious thing. Anti-war speakers will be stoned from the platforms and free speech will be strangled by hordes of furious men, who still agree with the speakers, but dare not admit it.

"The whole nation, pulpit and all will take up the war cry and shout itself hoarse and will mob any honest man who ventures to open his mouth for peace. Then such shut mouths will cease to open. Next the statesmen will invent cheap lies, putting the blame on the Nation that is to be attacked and each man will be glad of these lies, and will study them, because they soothe his conscience. And thus he will, by and by, convince himself that the war is just and he will thank God for the better sleep he enjoys by his self-deception."

The author of these remarks was Mark Twain and they are applicable to all nations, in all ages, because they expose the rationalizations that are involved in the use of violence to achieve peace.

But no longer is justification necessary for war, because war, is no longer justifiable. Still, men continue to commit acts of atrocious and inhuman violence to their fellow man. The war in Vietnam cannot be rationalized by moral men.

We are all nourished from childhood on the importance of the vote, the significance of the secret ballot as the very backbone of our heritage. And yet many, many Amercans remember devoting themselves tirelessly in 1964 to assure the defeat of a presidential candidate they feared because of his warlike threats and promises.

They defeated that candidate . . . and yet they see some of those same policies they fought in effect today.

And so cynicism appears in old as well as young . . . and, in a tradition which dates back to the first rumblings of freedom in this Nation, the disenchanted turn to the streets.

The "hawks" among us would exorcise this disquieting image . . . particularly, the legion of young America . . . the students . . . suddenly finding it necessary to remind their teachers what the Constitution means, what the American tradition of peace and morality means . . . these "hawks" point immediately to the burning of draft cards—or, in truly tragic cases—the burning of self—and fail to understand the reasons behind these misguided protests. They shout these acts down as those of Communists and cowards.

But they cannot shout down the thousands who burn nothing . . . but march in silent anguish to protest burning.

At the end of a year's escalation of the war in Vietnam, the administration looked out on the front porch of government and found its uneasy chairs uncomfortably crowded with people bearing signs: signs calling for an end to the war. Signs calling for peace talks. Signs calling for immediate withdrawal.

If they looked very closely they could find an occasional Communist.

But mostly they found students.

They found mothers of small children.

And veterans of one or even two wars of the last three decades; ministers, priests, rabbis, veterans of Vietnam, scientists, doctors, writers, teachers.

They found Nobel Peace Prize winners.

Not much farther away—they heard the dissenting voice of members of the Senate, of the House, local Party leaders, respected political commentators in the national press.

All applauding efforts toward a Great Society, but mournfully predicting its impending atrophy under the grinding weight of a continuing—and perhaps pointless—war.

On Aug. 29, 1964, while campaigning in Texas, President Lyndon Baines Johnson said, "I have had advice to load our planes with bombs and to drop them on certain areas that I think would escalate the war, and result in our committing a good many American boys to fighting a war that I think ought to be fought by the boys of Asia to help protect their own land."

I have never doubted . . . I do not think that any but the most irrational radical has ever doubted . . . that President Johnson does indeed want to lie down with the lamb, in peace and mutual respect. And I'm sure it seems to him that escalation has grown step by inexorable step in spite of his most sincere efforts to arrest that growth.

John F. Kennedy also inherited the legacy of the Vietnam problem. I quote his biographer, aide and friend—Ted Sorensen:

"He neither permitted the war's escalation into a general war nor bargained away Vietnam's security at the conference table, despite being pressed along both lines by those impatient to win or withdraw."

Two months before his assassination in September, 1963, President Kennedy said in a television interview:

"They (the South Vietnamese)—are the ones who have to win or lose it. We can help them, we can give them equipment. We can send our men out there as advisers, but they have to win it, the people of Vietnam."

I believe what John Kennedy said . . .

And I believe . . . and support . . . his insistence that South Vietnam's security cannot be bargained away at the conference table.

I believe the concept that we cannot abandon Asia to Communism, is false, because by inference it implies that Asia is ours to abandon.

I believe that the concept of this great nation losing face in the eyes of the world by retiring from an untenable situation, is false. Our older brothers, Britain and France retired from untenable situations and gained the gratitude of the world.

And I believe that if the face of this great republic was lost, that loss is of no consequence, if it ends the slaughter in Southeast Asia!

I believe that the killing must stop. When that occurs, we must then sit at the conference table with the representatives of the South Vietnam revolution, and of Hanoi and Saigon and assure the free elections that the Vietnamese were promised at Geneva in 1954, and have never experienced.

And I think we must assure the freedom of those elections . . . not assure our own victory, for that would be a denial of all our Constitution stands for. I believe we must take that gamble, steadied by the knowledge that no Communist government ever has come into power through elections.

And if we gamble and lose, if South Vietnam should prove to be the first freely elected Communist government in the world . . . then we must learn to live with that government, as we have learned to live with Communist Russia, Racist South Africa, and Fascist Spain. We cannot prevent the spread of Communism by sacrificing the principles of Democracy.

The nations of the world must learn to live with us; the most powerful nation on earth, we cannot choose to do less in return.

More than 30 years ago, in time of domestic chaos President Roosevelt said:

"So first of all let me assert my firm belief that the only thing we have to fear is fear itself . . ."

Today, . . . in time of international chaos we are conditioned by fear. We have come to fear the Red Menace abroad . . . and Creeping Socialism at home. To fear a tiny island 90 miles off our shores . . . and to fear a revolutionary army fighting on its own ground in Southeast Asia, thousands of miles from our shores . . . to fear the student protest marches that might be encouraging the enemy . . . to fear the handful of aging Marxist who seek their lost and futile youth in the student protests of today . . . to fear the moral breakdown of the new generation; that generation born after Hiroshima and Nagasaki. That generation that reached the age of reason only to find their fathers had lost the capacity to reason. That generation, that understands only that those who preceded them have made it possible for their generation to be the last.

To Senator Morse and Howard Morgan and to you Ladies and Gentlemen, and to your elected representatives in the world's greatest Congress of free men I respectfully submit these thoughts.

Let us not fear the truth. Let us, as civilized men, recognize that, if not all, at least many of our actions and the actions of our enemies are conditioned by fear. Let us, through our reason, attempt to understand that fear—theirs and ours.

I leave you today with a solemn hope and an urgent faith that the moral people of Oregon will nominate Howard Morgan as the Democratic choice for Senator.

Mr. Morgan has said:

"I believe this war must be ended and ended now, by negotiations. The Secretary-General of the United Nations and Senator Fulbright, Chairman of the Senate Foreign Relations Committee, have outlined the ways in which this can be done with honor and credit to the United States, and I favor their suggestions."

"The Senate, in my opinion, is our only hope in this desperate situation. We need more voices of sanity and fewer presidential parrots and rubber-stamps, in the United States Senate. We need more pressure from the Senate, under the advise and consent clause of the Constitution, if the President is to be persuaded to seek and use all responsible and honorable means to extricate this nation from the bottomless morass in which we now find ourselves. And time is running dangerously short."

Edmund Burke remarked, "All that is necessary for evil to triumph is the silence of good men."

If immorality is synonomous with evil, the moral people of this state can rest assured that good men such as Wayne Morse and Howard Morgan will not be known in the history books as the U.S. Senators who remained silent while immorality triumphed in Vietnam.

Mr. MORSE. Mr. President, one needs to add very little to what I have previously said about Robert Vaughn to know that this television star is a keen scholar. He is at the present time completing his work for a doctor of philosophy degree dealing with political science. He is a man of keen intellect and is a student of remarkable depth.

I am proud to have been associated with him on various occasions in this

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country as the two of us have expressed the dissenting point of view in regard to the American foreign policy in southeast Asia.

I am exceedingly sorry that I have been laboring under the impression that I had previously introduced the speech, and I have explained to those who are interested in having me introduce the speech in the RECORD what has happened.

SETTLEMENT OF INVESTMENT DISPUTE IN IRAN

Mr. MORSE. Mr. President, it will be recalled that when the foreign aid bill was before the Foreign Relations Committee, and later before the Senate, the senior Senator from Oregon joined the Senator from Illinois [Mr. DIRKSEN] in calling attention to the fact that the Iranian Government had followed an unfair course of action in connection with a lumber mill in Iran that had been built in the first instance by an American company at the request of the Iranian Government.

The Iranians sought to operate the mill. They were not successful. The American company was called in to operate the mill. They made it a success, and then the Iranian Government proceeded to expropriate it.

The Senator from Illinois [Mr. DIRKSEN] and I sought to have an amendment added to the bill that would make very clear that this Government would not look with favor upon the granting of foreign aid to the Iranian Government if it was going to follow that course of action toward American investors. In fact, the Iranian Government sent their troops in to take over the mill.

There was, of course, strong support for the position of the Senator from Oregon and the Senator from Illinois on the House side.

The committee report of the conferees contained language, which the Senator from Illinois and I joined in drafting with our House colleagues, calling the attention of the Iranian Government to our great concern.

At the time the foreign assistance appropriation bill was being considered, the attention of the Appropriations Committee was directed to the situation in Iran relating to a dispute between the Iranian Government and an American investor. Both the Senator from Illinois and I saw to it that our Appropriations Committee was apprised of the facts.

This particular dispute was the subject of concern to many Senators and was discussed at length in July on the floor of the Senate when we were considering the authorization for the Foreign Assistance Act of 1966.

As a result of the concern of the Senate, an amendment to the authorization bill was proposed by the distinguished minority leader [Mr. DIRKSEN] was adopted. However, when the conference report for the authorization bill was passed by the Senate last month, the Senate receded from this amendment upon the understanding that this particular dispute in Iran was nearing settlement.

It has been brought to my attention that, in fact, this dispute has been settled in a reasonable manner. I believe that when disputes such as this are settled on a fair and reasonable basis, it can only lead to a better understanding and relations between such countries and the United States. In my opinion, this action by responsible Iranian Government officials will certainly promote increased confidence by American and other investors in Iran and will certainly enhance the efforts made by Iran in promoting its economic development.

The Iranian officials are deserving of great commendation from the Senate.

The Iranian Government officials have created a much better understanding between themselves and the Congress of the United States by their fairness, their reasonableness, and their expedition in settling this case at such an early date following its discussion within the Halls of Congress. I commend them very highly.

THE COMING SOCIAL SECURITY DEBATE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article by Prof. Merton C. Bernstein, which appeared in the September-October issue of Challenge, a magazine of economic affairs. It is entitled, "The Coming Social Security Debate," and it deals with the problem of financing social security benefits out of social security taxes.

Professor Bernstein, who was my legislative assistant for several years and now is professor of law at Ohio State University, has long been an expert in the field of pension funds and social security. He describes the rising need for improved benefits, and the growing difficulty in paying for them out of social security taxes, a subject that is of interest and concern to many in Congress and has been of concern to us for many years.

I recommend his article, because I consider it to be a very scholarly one and one that is bound to be a help to us in our legislative work in the years ahead.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE COMING SOCIAL SECURITY DEBATE

(By Merton C. Bernstein)

(NOTE.—Merton C. Bernstein, Professor of Law, Ohio State University, wrote "The Future of Private Pensions.")

When last spring the President ordered HEW Secretary John Gardner to formulate proposals to increase Social Security benefits for Congressional consideration in 1967, he provided the setting for a major policy debate. The key issues are how large benefits should be, whether general tax revenues should be tapped to pay for them, and at what rate and through what devices benefits should reflect changes in the cost of living and the general standard of living.

At the very outset, we must understand where we are and how we got here. The old age insurance program was established in 1935 by Title II of the Social Security Act. This program and its successors have been known as "Social Security," while less broadly supported titles have been known by their more explicit descriptions, such as Old Age Assistance and Aid to Dependent Children.

From the first the basic scheme of Social Security has limited benefits to individuals who "earn" them by working in "covered employment" subject to a payroll tax, paid equally by employer and employee, with benefits increasing (up to a maximum) as covered wages increased. The 1935 Act limited eligibility to workers who retired at age 65 after substantial amounts of covered work and "contributions" (payroll taxes). Benefits derived wholly from the taxes accumulated, with administrative expenses to be paid by the interest earned by the fund. The tax began in 1936, but benefits were not to be paid until several years later. Roughly half of the jobs in the nation were "covered."

Even before benefits became payable, profound changes were made. Most importantly, benefits for dependents and survivors—widows, children and parents—of "insured" workers were added, thereby emphasizing the "social" nature of the program. Most of the money to pay the additional benefits came from scaling down the amounts payable to those who had paid more into the fund and by eliminating the guarantee that all contributors would get back no less than they had put in.

Wartime high employment and the low level of benefits put Social Security into virtual hibernation until the mid-1940s. In the late 1940s proposals for improvements became entangled with the controversy over proposals for adding medical care; both failed together. In this postwar setting the stronger unions won private pension plans for their members, largely because of the inadequacy of the public program.

But starting in 1950, Social Security expanded at a rapid pace. By 1955 coverage was close to universal with the addition of the self-employed, farmers and farm employees with substantial wages, and most employees of public and nonprofit institutions. Benefits—now based upon the average of covered earnings (rather than the totals paid into the system)—were increased radically in 1950. Thereafter the Social Security tax base was raised from the original $3,000 to $3,600, and then in 1958 to $4,800, and in 1965 to $6,600. Benefits for higher wage employees increased accordingly. Larger percentages of the "primary insurance amount" were made payable to dependent survivors. Limits upon retirees' earnings were eased, thereby enabling many more to qualify for program benefits.

In 1956 benefits were extended to those over 50 with permanent and total disabilities—and later the age 50 limitation was removed. Retirement age for working women and benefit eligibility for dependent wives was lowered to age 62—then to 60 for widows. Age 62 became retirement age for men as well. While the benefits for those retiring before age 65 were scaled down accordingly, they added an additional financial burden to the system. The most dramatic and hard-fought expansion of the program came with the addition of Medicare last year.

Even after a decade and a half of rapid and profound liberalization, Social Security benefits fall dismally short of the needs of the elderly for whom it is either the principal or sole source of support. Despite a seven per cent increase voted in 1965, the cash benefits available to retirees, dependents and survivors remain meager.

Of the approximately 21 million individuals who monthly receive Social Security cash benefits, only slightly more than half are retired workers—11.2 million. Their benefits average just under $85 a month—a grand total of $1,020 a year; newly retired workers have a higher average, $95 a month, reflecting the higher wages of recent years. But almost half the men retiring today do so before age 65, and, as a result, have permanently reduced benefits, averaging $78 as compared with $107 for those retiring at 65 or over.

Most retirees have a dependent wife who, if 62 or over, also is entitled to a benefit equal to half the retiree's primary insurance amount. As a result, a worker who earns the national average of $5,600 a year will have a Social Security benefit (with his wife's) of about $225 a month—or 50 per cent of his former cash wages. Similarly, an employee earning just the federal minimum wage—or $2,600 if fully employed—will have a couple's benefit of $140 ($1,680 a year) replacing about two-thirds of his former cash wage.

In addition to the obvious fact that these earnings fall below the 1959 Bureau of Labor Statistics' budget for a decent standard of living ($3,000 for a family, $1,800 for an individual), it must be remembered that significant noncash fringe benefits, once available, also cease at retirement. Even more importantly, for millions of families a fairly decent standard of living is assured only because they have more than one wage earner. If total family income is put into the equation, Social Security benefits replace a substantially smaller fraction of preretirement income.

Clearly, the worst off are over two million "elderly" widows. The older the widow, the less adequate her cash income is, because her Social Security benefits, and any other income sources, are based on earlier periods when income and prices were lower. Her benefit averages just under $74 a month, or less than $900 a year.

But Social Security seeks to help not only the elderly. In addition to roughly 1.7 million individuals under 65 receiving benefits under the disability program, almost 500,000 "young" widows (under 65) and 2.5 million children of deceased workers participate. The widows (eligible only if they have minor children) obtain an average of $65 a month, and the children receive $61—or $2,250 a year for a widow with two minor children.

A reasonable goal for pensioners would be the maintenance of preretirement living standards—up to the level of moderate comfort. Certainly some amenities and independence should be assured. Yet all of our income substitute programs (for unemployment, work-related injury, sick benefits and retirement) demote the victim financially.

For those possibly capable of significant work, such a policy may be warranted as an incentive against malingering. But for retirees (and the totally disabled) who cannot work or are not wanted, that excuse for reducing living standards disappears.

In my judgment, private pensions, as presently designed, will aid primarily upper income groups and a minority of workers in manufacturing, utilities, transportation and mining who meet stringent eligibility conditions. For some 800,000, the means-test-based Old Age Assistance provides a supplement. Hence, Social Security now is, and for the foreseeable future will be, the principal or sole income for most retirees. What, then, is its potential?

For three decades Social Security benefits have been paid entirely by the taxes equally shared by employer and employee. As the original $3,000 tax base was raised to the current $6,600, the combined employer-employee tax rate rose from one per cent to the current 8.40 per cent (including the tax for health insurance). The self-employed pay one and one-half times the employee rate—or three-fourths of the combined employer-employee rate.

Under the present law, the taxable base of $6,600 is not due for any change, but the combined tax rate is slated for several increases, 9.8 per cent for 1969–72, 10.8 per cent for 1973–75 and three more boosts up to 11.3 per cent in 1987—all to pay for the present schedule of benefits only.

This uniform rate is decidedly regressive—the higher one's income, the lower is the percentage taken by the tax. To some extent this is offset by the benefit formula weighted in favor of those with lower earnings.

Until 1966 benefits were computed as follows: 58.85 per cent of the first $110 of the retiree's average monthly wage—and 21.4 per cent of the remainder up to the maximum creditable wage of $400 a month. With the new higher creditable maximum wage of $6,600, the formula applied to the average monthly wage became 62.97 per cent of the first $110, 22.9 per cent of the next $290 (that is, up to old maximum of $400) and 21.4 per cent of the remainder (up to $550). The new formula gives additional weight to lower wages—but it enables higher wage earners to secure substantially larger benefits replacing a larger portion of preretirement earnings (thereby reducing the counterregressive force of the benefit formula).

The new higher creditable earnings will slowly boost benefits as years of earnings over $4,800 are added. However, this increase of benefits, which will improve the lamentable averages already described, will not significantly ameliorate the lot of lower paid workers, their dependents and—most needy of all—their survivors. And at *no* level would Social Security benefits enable a retiree and his wife—and later his widow—to avoid serious reduction in the standard of living they achieved while working.

If the traditional method of financing Social Security solely by payroll taxes on the "insured" is maintained, benefit improvements must be accompanied by raises in either tax rates, taxable earnings, or both. But, I suggest that any boost over the rates already scheduled would place an unconscionable burden upon lower paid workers, to say nothing of the fact that the hundreds of thousands of working wives of low-paid workers whose own earnings also are low would have little or nothing to show for the larger taxes subtracted from *their* pay (typically the wife's benefit exceeds the benefit her own earnings confer).

An increase in taxable earnings would automatically earmark a large portion of the additional revenues for higher paid employees—those with annual earnings over $6,600, well above the national average. Assuming that a tax rate boost is out of the question, removing *all* limits upon taxable earnings (a move hardly to be taken in one leap) would, in any event, finance only a seven per cent benefit increase—a mere patch on the needs of retirees.

This fact leads to the crucial issue upon which the future shape of Social Security benefits depends: should general Treasury funds—derived mainly from the personal and corporate income tax—supplement the payroll tax to help pay more adequate benefits?

Annual benefit payments now total $16.8 billion—and are growing steadily because of additional retirees. A benefit increase of about 50 per cent—not a great deal in terms of individual benefits and needs, and modest in comparison to Senator ROBERT KENNEDY's proposal for doubling them—would require roughly $8.4 billion a year from general Treasury funds immediately and much larger amounts in coming years. But the cost of Vietnam, which may well exceed the currently expected rate of $25 billion a year, makes such a radical change unlikely.

Even more unlikely is federal deficit spending to finance immediate improvements in benefits, unless the war ends and a large injection of purchasing power were quickly needed to offset reduced military expenditures—a consummation doubly to be wished. But whether such a program would be politically preferable to a tax cut seems questionable.

In all likelihood the issue would not be posed as so unpalatable an either/or proposition; some *part* of what would otherwise be a tax cut might be devoted to boosting Social Security benefits. This might have sufficient support from the more than 19 million citizens over 65, several million more on the verge, and the many millions of other adults with some responsibility for the support of older citizens, so long as others "got theirs" too in the form of a tax cut.

Even if funds can be found for increasing benefits, other difficulties remain. Because of the time-honored "insurance principle," employee rights to benefits have been regarded as "earned." The program thus enjoys great popularity with recipients, and suffers no connotation as a government handout. This has enabled Congress to be repeatedly generous in voting improvements.

Such popularity has not been enjoyed by the means-test-based Old Age Assistance among either recipients, taxpayers or legislators. Moreover, a large infusion of general revenues would blur the distinctions between Social Security and OAA, which some may find a convenient step toward a guaranteed income for the elderly. How large a federal contribution would destroy the belief of beneficiaries, the general taxpayer and legislators that benefits are "earned" cannot be foreseen.

There are several arguments for using general revenues. The first and foremost is that without them benefits must remain inadequate. Demands for improvement and expansion in the Medicare program will intensify this reason. Second the nation owes the retired a decent standard of living for their past efforts in helping to build our present economy. Third, the payroll tax is regressive and should be offset by an infusion of general tax revenues collected under more or less progressive rates. Fourth, most of those who have already retired have received benefits which their contributions did not pay for. Since this was done as a matter of social policy, the cost of such windfall payments should be borne by the entire taxpaying population and not saddled on only Social Security taxpayers.

We have already seen several "precedents" which have brought remarkably little criticism. The Medicare law confers its benefits upon some three million older persons not otherwise entitled to Social Security benefits; they are to be paid from general Treasury funds. The 1966 Prouty amendment grants small monthly cash payments, nominally under the Social Security system, but paid in large measure by general funds, to those over age 72 who are without the requisite credits.

While these measures are small steps, they indicate that Congress wants to put cash into the hands of the elderly and will not be deterred by theoretical considerations. Whether this enthusiasm would extend to appropriating the billions of dollars needed to raise benefits sharply from sub-subsistence levels is another matter. Social Security, originally devised to ameliorate penury, is becoming a program to sustain middle-class standards of living, as passage of Medicare attests. This emerging role will add support for general revenue financing.

Proposals for some contribution from general revenues were made by the 1935 Committee on Economic Security and almost every Social Security Advisory Council since (the latest proposal in 1965, limited to paying for Medicare benefits for those already retired, would lend little direct support to an ambitious program of supplementation). That such recommendations have yet to be adopted testifies to their political difficulty.

Several European countries lace their social insurance programs with generous doses of general funds; but we have seldom taken our cue from those systems, and their example would be of little help to proponents. I

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suspect that most payroll tax resources will be exhausted before a resort to general revenues is attempted.

High on the agenda of Social Security reform will be proposals for insuring that benefits keep pace with increases in cost of living or, more ambitiously, improved living standards.

The present method of computing benefits links them to earnings decades preceding retirement before cash wages were increased by rising productivity and constant inflation. At retirement, the benefits—although related to earnings—are not keyed to the costs or standard of living immediately before retirement. In addition, past limitations upon creditable earnings increase the disparity between recent earned income and benefits.

The 1965 amendment providing for an across-the-board seven per cent increase was the first general increase since 1958; neither it nor its 1954 predecessor fully equaled the price inflation that had occurred since the prior increase. This has given rise to proposals for automatic increases in benefits keyed to the cost of living index, as with the collectively bargained escalator clauses which became so popular during and after World War II.

One objection is that the index does not reflect the differing cost composition of an older person's budget. For example, the general consumer index gives little weight to drugs, which take so large a portion of a pensioner's income. In other words, the Consumer Price Index understates the impact of many price increases upon the elderly. An obvious counter-argument is that several of the other program improvements, especially Medicare, help compensate for the lag in cash benefits.

A case can also be made for tying benefits to an index reflecting improvements in the general advance of the economy. After all, retirees contributed to it in earlier days and helped make it what it has become. Several European public and private retirement programs do adjust benefits in this manner for that very reason. But it is more costly than the cost of living method and would subtract just that much more from the income of those still employed.

Implicit in the argument for either device is that an automatic benefit increase provision would have enabled benefits to keep pace with costs and that only an insensitive Congress unfeelingly prevented such a welcome result. But the realities of the situation do not sustain such a view. From 1939 until 1950 the war and then debate over medical care accounted for the comparative somnolence of the program. Dramatic and far-reaching expansions were made during the 1950s and 1960s.

These many costly improvements all required boosts in the payroll tax and taxable earnings. It seems too much to assume that Congress—which has insisted upon covering the costs of all improvements with concurrent provisions for tax hikes—would have done all of these things if benefits also were going up in tandem with some index.

I can testify from personal experience as counsel to the Senate Railroad Retirement Subcommittee that members of Congress are reluctant to enact the tax increases that program improvements require. Had the law required automatic benefit increases—and accompanying tax increases—between 1950 and 1966, some of the other improvements would have had even heavier legislative going and may have been defeated. Consider, for example, that the Senate approved disability benefits in 1956 by a vote of 47–45—a switch of one vote and the amendment would have lost.

In fact, Congressional action on Social Security improvements now is a biennial affair, with frequent annual amendments thrown in. And for good reason. Social Security is extremely popular with the voting public, especially among the growing ranks of those over 60. Their adult children also support the system which lightens their financial burdens. Representatives and Senators enjoy voting for a more generous program, although many hold their generosity in check because of financing problems. I doubt that they will forgo this biennial harvest of voter goodwill in favor of some automatic program in which they play no role.

But assuming that the Administration is persuaded to advocate an amendment to require automatic benefit raises, and that it beguiles Congress into doing so, I seriously doubt that beneficiaries can count upon a formula that will treat them as generously as the continued ad hoc approach would. Once an escalator provision is enacted, the arguments against further improvements will be powerful. Opponents would argue that the benefit increase job had been done and, anyhow, "let's wait and see how it works out."

A middle ground—yet to be proposed in this country—would be the "semiautomatic increase"; several varieties are used in European countries. When a specified change in the index occurred, an appropriate increase (or decrease) would go into effect unless disapproved by a Congressional vote. This could operate like the Congressional votes on Executive reorganization plans which become effective unless voted down in a specified time.

Another alternative would be a requirement for a departmental report to Congress whenever the selected index changed a designated amount with a required Presidential recommendation as to what should be done about it and assured hearings by the appropriate Congressional committees. Such a device would require the Executive and Congress to confront the situation and provide the occasion for interest groups to press for action. What that action would be would depend upon the many variables of beneficiary need, payroll tax and general revenue potential, fiscal considerations and competing demands upon the nation's productivity, all of which should be considered in shaping the answer.

But, if Congress must anticipate what the improvement formula will be no matter what future contingencies may arise, the tendency will be to play it safe and keep the commitment modest.

The needs of Social Security beneficiaries are unlikely to be met all at once, or even quickly, for there are innumerable other demands upon the nation's resources. But what now seems so formidable could be far simpler with the end of the Vietnam war.

Moreover, our constantly more productive economy has generated, in only two decades, undreamed of standards of living, so that not many years hence we may more readily afford higher incomes for both the employed and the retired.

In the meantime, the upward thrust of cash wages induced by Vietnam will divert more funds to private pension plans, which can play a larger role for the elderly, but only if radically re-engineered. As they tend to confer their benefits (however erratically) upon higher paid workers, Social Security's emphasis might be placed upon the most needy beneficiaries.

Alleviating the plight of the elderly depends upon how clearly we understand that they now live abjectly and how strongly we want to rescue them. A test vote probably will come on the issue of general revenue financing.

BOWER ALY HONORED AS FIRST JULIUS M. NOLTE AWARD WINNER

Mr. MORSE. Mr. President, in the April 1966 issue of the NUEA Spectator which is the national bulletin of the National University Extension Association, there appears an article covering an award to Dr. Bower Aly of the University of Oregon. It was the first Julius M. Nolte Award which was given. My distinguished colleague from Maine [Mr. Muskie] had the pleasure of addressing the organization at luncheon.

Because Dr. Aly is a very old and very dear friend of mine, and because this recognition of his dedication is so merited, I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bower Aly Honored as First Julius M. Nolte Award Winner

Bower Aly of the University of Oregon, who for more than a third of a century has served as executive secretary of the National University Extension Association Committee on Discussion and Debate, was named first recipient of the NUEA's Julius M. Nolte Award. Mr. Bower received the award at a luncheon honoring him at the annual conference of the Committee on Discussion and Debate, Senator Edmund S. Muskie gave the luncheon address, and Alexander N. Charters, NUEA president, presented the Award to Mr. Aly. Following is a copy of Mr. Charters' presentation remarks:

"It is a pleasure and a privilege to have the signal honor of recognizing one of the outstanding members of the National University Extension Association; one who has contributed immeasurably to the furtherance of speech education in this country at both the college and secondary levels; one who has competently and enthusiastically provided the necessary leadership, and projected the goals of the enterprise by nurturing the purpose and engendering the need for free discussion and open debate basic to the perpetuation of a democratic society. The gentleman meriting this recognition, Dr. Bower Aly, has served as executive-secretary for more than a third of a century of the National Committee on Discussion and Debate, an affiliate of the National University Extension Association, the parent body. For the outstanding leadership he has given to the Committee on Discussion and Debate, for his insightful vision in charting the course and directing the work of the professional and business affairs of the enterprise, for the freely giving of his time, energy and talents unstintingly to the work of the Committee and all that it encompasses, the NUEA deems it appropriate and especially fitting that recognition be given to this gentleman who has given so much of himself in the interest and behalf of others.

"In keeping with the work and purpose of the Committee, as originally established, the spirited and devoted leadership provided by its able and unselfish executive-secretary, the following statements seem fitting and appropriate:

"1. When debate and discussion were encountering difficulty in finding their rightful place in the curriculums of the high schools throughout the nation, and when it was most difficult for leagues and affiliates to obtain appropriate and pertinent materials suitable for high school students engaged in debate and discussion, Dr. Aly edited the Discussion and Debate Manual and obtained free and inexpensive materials which were made available to the participating high schools of the nation.

"2. The ability to see beyond the horizon, and to anticipate some of the problems the Committee had to study and resolve, was one of the insightful characteristics of this gentleman. His foresight in this regard was best exemplified at the annual meeting of the Committee in St. Louis, December, 1960, where plans were developed and finalized for the location and establishment of a permanent home for the Committee and office space for the executive director. The idea envisioned and the procedures to be observed in obtaining the necessary funds came to fruition in 1962, and what was formerly known as the Committee on Discussion and Debate and Interstate Cooperation was permanently located on the campus of the University of Oregon under the title of National Office, Committee on Discussion and Debate.

"3. Realizing that it would be impossible to review all the professional services rendered in behalf of speech education and to cite the contributions made to the high schools of the nation through the auspices of the state leagues and affiliates, the executive committee recommended and the Board of Directors of the National University Extension Association gave unanimous approval to formally and officially recognize Dr. Bower Aly and extend its most sincere thanks and appreciation for leadership provided and professional services rendered.

"Dr. Aly, on behalf of the National University Extension Association, I designate you as the first recipient of the Julius M. Nolte Award."

POLICE INTERROGATION

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD an editorial that I have intended to insert for a long time, but which is particular apropos now in view of all of the discussion in Washington, D.C., and in Congress about the crime conditions in Washington and discussions in regard to legislation relating to crime and to police power. This excellent editorial, entitled "Police Interrogation," was published in the Washington Post of June 15, 1966.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLICE INTERROGATION

Apparently, the Supreme Court is determined to take all this jazz about civil liberty seriously. It seems to have swallowed the Constitution whole, including even all those technicalities in the Bill of Rights. Instead of relegating the minatory stipulations of the Fourth, Fifth and Sixth Amendments to the Archives as hallowed platitudes, it has chosen to treat them as though the Founding Fathers meant them to be real and practical restraints on police authority. It insists upon reading the Constitution as though it had been intended as a charter of freedom for individuals who had deliberately chosen to live under a government of limited powers. Even that antiquated bit inscribed over the portals of the Court about "Equal Justice Under Law" is now being given literal application.

It is said in reproach to the Supreme Court majority which has chosen to read the Bill of Rights as meaning what it says that such a course will cripple law enforcement. The wails are familiar. When the Wickersham Commission 35 years ago disclosed that third-degree tactics were commonly employed to extort confessions from suspects in police stations, the cry was that abandonment of them would lead to a total breakdown of law and order. Today some policemen rely more on trickery than on torture; techniques of interrogation recommended in some police manuals are simply disgusting—and wholly unworthy of a free and civilized society. Yet some of the police again are crying that they cannot discharge their duties if they are required to abandon these techniques.

The convictions overturned by the Supreme Court in the cases decided on Monday all rested on confessions obtained from suspects questioned alone, without counsel or any adequate warning as to their rights, in the intimidating atmosphere of a police station. To allow such confessions to be admitted in evidence would be to make courts the accomplices of the police in a wanton disregard of the Constitution. For these confessions were obtained by ignoring the Fifth Amendment's pledge of a privilege against self-incrimination and the Sixth Amendment's assurance of a right to counsel.

It is said in reproach to the Court's insistence on the right to counsel that granting it will mean an end to all confessions. We think the prediction too dire. In any case, however, to say that the presence of a lawyer would preclude a confession is to acknowledge that a confession obtained without opportunity to consult a lawyer is essentially involuntary or based upon ignorance of constitutional rights. The only genuinely voluntary confession is a volunteered confession.

We beseech those who may be frightened by the Court's outright insistence on constitutional rights to read the Chief Justice's admirable opinion. It is a long opinion—but a fascinating one. It sets forth with clarity and precision the procedure which the police must pursue; and it makes inescapably plain the constitutional mandate behind them.

One happy dividend of this Supreme Court opinion, let us hope, is that we shall hear no more of the ridiculous omnibus crime bill for the District of Columbia still in a congressional conference committee. And the model pre-arraignment code submitted to the American Law Institute can now be filed and forgotten. Like a fresh breeze, the Court's opinion blows away great clouds of confusion. It is in the highest tradition of the Court's service as the guardian of constitutional rights.

Mr. MORSE. Mr. President, I wish to commend the Washington Post for the consistent policy it has followed in supporting those of us who have opposed legislation in the Senate which seeks to take away from American citizens what we consider to be their constitutional rights in respect to attempts to give to the police the extraordinary powers that infringe both upon constitutional rights and civil liberties.

The editorial I have just placed in the RECORD is another of the fine and scholarly articles in the field of criminal justice administration that have appeared from time to time in the Washington Post.

The **PRESIDING OFFICER.** What is the wish of the Senate?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

AUTHORIZATION FOR SECRETARY OF THE INTERIOR TO ENTER INTO CONTRACTS FOR SCIENTIFIC AND TECHNOLOGICAL RESEARCH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendment of the House to S. 3460, now at the desk, be laid before the Senate for consideration.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 3460) to authorize the Secretary of the Interior to enter into contracts for scientific and technological research and for other purposes, which was, on page 2, after line 16 insert:

> (d) No contract involving more than $25,000 shall be executed under subsection (a) of this section prior to thirty calendar days from the date the same is submitted to the President of the Senate and the Speaker of the House of Representatives and said thirty calendar days shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS AND INDIVIDUAL, SUPPLEMENTAL, AND/OR MINORITY VIEWS UNTIL MIDNIGHT TONIGHT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees of the Senate be permitted to file reports, together with individual, supplemental, or minority views, if desired, until midnight tonight.

The **PRESIDING OFFICER.** Without objection it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I should like to have the attention of the Senator from West Virginia [Mr. RANDOLPH] and the Senator from California [Mr. KUCHEL].

Would the majority leader be willing to ask unanimous consent that the Committee on Labor and Public Welfare may meet all day tomorrow, if necessary?

I should like the acting minority leader to know why I make this request. The committee will meet tomorrow morning to consider an agenda of unfinished bills that both the Republicans and the Democrats on the committee are eager to report to the Senate. I am hopeful that we can dispose of them in the committee tomorrow morning, but it may be that we shall have to continue into the afternoon. It would help to expedite our program if I could get permission to have the committee meet all day.

Mr. KUCHEL. I have just been informed that there is no objection on the part of the minority leader; under those circumstances, I would not interpose an objection.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be allowed to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 3 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, October 11, 1966, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

Monday, October 10, 1966

The House met at 12 o'clock noon.

The Reverend Donald O. Wilson, rector, St. James' Episcopal Church, Baltimore, Md., offered the following prayer:

O Lord, God of the Universe, whose power ruleth all, we give Thee thanks that Thou are concerned about the affairs of mortal men. We face great challenges in the complexities of modern life and we know how incapable we are of coping with them, so now we ask Thy presence here with the leaders of our Nation, that they may receive guidance as they make decisions that affect not only our Nation, but the nations of the world. We ask Thee to correct any selfish desire, and to dominate our wills with Thine, that men may be so governed that Thy name be glorified.

Bless the President of these United States and all in authority. Grant them strength to serve Thee by serving us. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, October 7, 1966, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians;

H.R. 5297. An act to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes;

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes;

H.R. 10633. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes;

H.R. 10674. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes;

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes;

H.R. 12437. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes; and

H.R. 17119. An act to amend title 10, United States Code, to permit members of the Armed Forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 698. An act to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes;

H.R. 8678. An act to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes;

H.R. 8917. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes;

H.R. 13161. An act to strengthen and improve programs of assistance for our elementary and secondary schools; and

H.R. 17787. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13161) entitled "An act to strengthen and improve programs of assistance for our elementary and secondary schools," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Morse, Mr. Yarborough, Mr. Clark, Mr. Randolph, Mr. Kennedy of New York, Mr. Williams of New Jersey, Mr. Prouty, Mr. Javits, and Mr. Dominick to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17787) entitled "An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Ellender, Mr. Russell of Georgia, Mr. McClellan, Mr. Hill, Mr. Magnuson, Mr. Holland, Mr. Stennis, Mr. Bible, Mr. Pastore, Mr. Randolph, Mr. Hruska, Mr. Young of North Dakota, Mr. Mundt, and Mrs. Smith to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9424) entitled "An act to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17788) entitled "An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 688. An act to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes;

S. 1101. An act to provide for the conveyance of certain mineral interests of the United States in 79.184 acres located near Orangeburg, S.C., to Allen E. Dominick, the owner of such property; and

S. 3887. An act to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes.

MINORITY PARTY POLITICS

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, on December 13, 1965, the so-called Republican national coordinating committee issued a statement in which it said in part:

> Our Nation, with vigorous Republican support and leadership, has dedicated itself to successful resistance to Communist aggression through programs for Greece and Turkey; in Iran, Lebanon and Quemoy-Matsu; in Austria, Trieste and Guatemala; by timely action in the Dominican Republic and today in Vietnam.

On March 2, 1966, there was inserted in the Record a statement by the Republican policy committee which read in part:

> Republicans are united in their support of the fighting men in Vietnam. We also support a policy that will prevent the success of aggression and forceful conquest of South Vietnam by North Vietnam.

Time and again we have heard statements from the minority side to the effect that the minority party supports the

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President's Vietnam policy better than the majority party.

Comes now the Republican State committee in Indiana with a radio ad quoting President Johnson as saying a few kind words about his Great Society domestic program.

Then the radio ad, sponsored by the party of the minority, said this:

> Do you really think things are so good? If you have a son of draft age, ask his opinion.

This passage is cryptic. Is it an encouragement for draft-age young men to display contempt for draft obligations?

Is it a declaration that the minority party opposes opposing the Communists in Vietnam?

Is it somehow meant to suggest that the war in Vietnam should be stepped up beyond what the Defense and State Departments deem necessary—in which case more draft-aged young men would be required?

Or, is it just the plain old-fashioned politics of playing both sides of the street and mouth?

Let the minority party take its choice. Either stop playing politics with family sorrow over dangerous military service, or stop pious pronouncements of preemptory patriotic support for the war effort in Vietnam.

AUTHORITY TO FILE CONFERENCE REPORT ON DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1967

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a further conference report on the bill, H.R. 15941, the Department of Defense appropriation bill for the fiscal year ending June 30, 1967.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PUBLIC WORKS APPROPRIATION BILL, 1967

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17787) making appropriations for Public Works for the fiscal year ending June 30, 1967, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? The Chair hears none, and appoints the following conferees: Messrs. Kirwan, Fogarty, Evins of Tennessee, Boland, Whitten, Casey, Mahon, Rhodes of Arizona, Davis of Wisconsin, Robison, and Bow.

LABOR, HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1967

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14745) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1967, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island? The Chair hears none and appoints the following conferees: Messrs. Fogarty, Denton, Flood, Matthews, Duncan of Oregon, Farnum, Mahon, Laird, Michel, Shriver, and Bow.

COMMITTEE ON APPROPRIATIONS

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tomorrow night to file a conference report on the bill H.R. 14745.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

STATUS OF APPROPRIATION BILLS

Mr. MAHON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include certain tables with reference to status of appropriation bills.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, with the clearance to the President last Friday of the foreign assistance appropriation conference report, and the passage by the other body of the public works appropriation bill, I am inserting a revised summary of the totals of the appropriation bills of the session.

We have one more bill to report to the House—the closing supplemental bill containing the antipoverty program, the elementary and secondary and higher education programs, grants for libraries, and a limited number of other items. The pending budget requests for them aggregate roughly $5 billion.

All told, including the closing supplemental just mentioned, seven bills for fiscal 1967 remain to be cleared. Three of them—Defense, Labor-HEW, and Public Works—are in conference. The other three are in the Senate—District of Columbia, military construction, and State, Justice, Commerce, judiciary. In their present status, two of the six are above the budget requests; four are below.

Outside of all these amounts are the so-called permanent appropriations estimated in the January budget at about $13.8 billion for fiscal 1967—mainly interest on the public debt—that recur automatically under earlier law without annual action by the Congress.

APPROPRIATIONS OUTLOOK

It is a bit early to be too certain about the final tally on the seven remaining bills, but I would roughly generalize by saying that with exercise of a bit more restraint there is a good possibility the aggregate total of the 13 appropriation bills for fiscal 1967 may eventuate at a whisker below the corresponding budget requests on the conventional appropriation basis of counting, and perhaps only slightly above the requests on the so-called "new obligational authority" used in the President's budget.

Of course, congressional approvals above budget spending authority requests in several legislative bills would be in addition—items such as the pay bills.

The summary follows:

Summary of totals of appropriation amounts in the appropriation bills, 89th Cong., 2d sess., to Oct. 10, 1966

[Does not include any back-door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	All figures are rounded amounts		
	Bills for fiscal 1966	Bills for fiscal 1967	Bills for the session
A. House actions:			
1. Budget requests	$15,949,000,000	$109,719,000,000	$125,668,000,000
2. Amounts in 14 bills passed by House	15,701,000,000	109,911,000,000	125,612,000,000
3. Change from corresponding budget requests	−248,000,000	+192,000,0000	−56,000,000
B. Senate actions:			
1. Budget requests	16,157,000,000	106,014,000,000	122,171,000,000
2. Amounts in 11 bills passed by Senate	15,937,000,000	106,233,000,000	122,170,000,000
3. Change from corresponding budget requests	−220,000,000	+219,000,000	−1,000,000
4. Compared with House amounts in these 11 bills	+236,000,000	−242,000,000	−6,000,000
C. Final actions:			
1. Budget requests	16,157,000,000	34,099,000,000	50,256,000,000
2. Amounts approved in 8 bills [2]	15,924,000,000	[3] 33,286,000,000	[3] 49,210,000,000
3. Comparisons—a. With corresponding budget requests	−233,000,000	−813,000,000	−1,046,000,000

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[1] Permanent appropriations were tentatively estimated in January budget at about $13,800,000,000 for fiscal year 1967.

[2] Consists of 2 supplementals for 1966 and these 1967 bills: Interior; Treasury-Post Office; Agriculture; independent offices; legislative; and foreign assistance.

[3] Includes $55,000,000 for fiscal 1968 (grant for mass transportation).

Note.—Prepared by Committee on Appropriations, House of Representatives.

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TENTH ANNIVERSARY OF HUNGARIAN REVOLUTION

Mr. MARSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARSH. Mr. Speaker, I thank you for this time. The purpose of my taking the floor is to announce that tomorrow I have a special order for 1 hour to bring to the attention of the House the 10th anniversary of the Hungarian revolution which occurred in the latter part of the month of October. I have written the Members of the House and invited their participation in that special order. The purpose of my taking the minute at this time is to remind Members that I do have that special order tomorrow.

REGULATORY AUTHORITY OVER INSURED BANKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, with a House amendment thereto, insist on the House amendment and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not object, I would like to ask the gentleman from Texas, the chairman of the committee, if this has been cleared with the ranking minority member.

Mr. PATMAN. Yes. The gentleman from New Jersey [Mr. WIDNALL] called me and asked me when I would bring this up, and I told him that I would do it Monday morning.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none and appoints the following conferees: Messrs. PATMAN, MULTER, BARRETT, Mrs. SULLIVAN, Messrs. REUSS, ASHLEY, WIDNALL, FINO, and Mrs. DWYER.

PICTURED ROCKS NATIONAL LAKESHORE

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8678) to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3 and 4, strike out "NL–PR–7001A, July 1966,"" and insert "NL–PR–7100A, July 1966",".

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. SAYLOR. Mr. Speaker, reserving the right to object, I do so only to ask the gentleman from New York [Mr. O'BRIEN] whether or not this is a technical amendment correcting a typographical error?

Mr. O'BRIEN. The gentleman from Pennsylvania is correct. That is all the Senate amendment does, correct a typographical error.

Mr. SAYLOR. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RESIGNATION FROM COMMISSION

The SPEAKER laid before the House the following letter of resignation:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 7, 1966.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Inasmuch as I will not be returning to the 90th Congress, I feel it appropriate to release my membership on the American Revolution Bicentennial Commission. Please accept this letter as my resignation.

I have appreciated this honor very much and thank you for your consideration.

Sincerely,
CHARLES LONGSTREET WELTNER,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 89-491, the Chair appoints as a member of the American Revolution Bicentennial Commission the gentleman from Virginia [Mr. MARSH] to fill an existing vacancy thereon.

COMMUNICATIONS FROM THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the Committee on Public Works, which was read and referred to the Committee on Appropriations:

COMMITTEE ON PUBLIC WORKS,
CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 6, 1966.

Hon. JOHN W. MCCORMACK,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

State	Watershed	Executive communication No.	Committee approval
Georgia	Little Sandy Creek and Trail Creek	2768	Oct. 6, 1966.
Oklahoma	Caston-Mountain Creek	2768	Do.
Texas	Choctaw Creek	2768	Do.

Sincerely yours,
GEORGE H. FALLON,
Chairman.

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MCFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 347]

Albert
Andrews, Glenn
Ashbrook
Ashley
Aspinall
Bandstra
Boggs
Bolling
Brademas
Brock
Cabell
Callan
Callaway
Celler
Clancy
Cleveland
Clevenger
Collier
Conte
Conyers
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Davis, Ga.
Devine
Dickinson
Diggs
Dingell
Dorn
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Evans, Colo.
Farbstein
Farnsley
Farnum
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Fulton, Tenn.
Fuqua
Gettys
Giaimo
Gilligan
Grabowski
Green, Oreg.
Gross
Gurney
Hagan, Ga.
Hall
Halleck
Hansen, Idaho
Hansen, Iowa
Harvey, Ind.
Hicks
Horton
Hull
Hungate
Huot
Irwin
Jennings
Jones, Ala.
Jones, N.C.
Keogh
Kluczynski
Kupferman
Leggett
Love
McDowell
McEwen
McVicker
Mackay
Mackie
Madden
Martin, Ala.
Martin, Mass.
Mathias
Matsunaga
Moeller
Moorhead
Morris
Morrison
Morton
Moss
Murray
Nix
O'Konski
Olsen, Mont.
O'Neill, Mass.
Ottinger
Purcell
Race
Reid, N.Y.
Reinecke
Resnick
Rivers, Alaska
Rogers, Tex.
Ronan
Roncalio
Rostenkowski
Roybal
Scheuer
Schmidhauser
Scott
Senner
Skubitz
Smith, Iowa
Smith, N.Y.
Steed
Stephens
Stratton
Sweeney
Taylor
Thompson, Tex.
Todd
Toll
Trimble
Tunney
Tuten
Udall
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
White, Idaho
Willis
Wolff

The SPEAKER. On this rollcall 293 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ELLIS ISLAND COMMEMORATIVE MEDALS

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 16923) to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

H.R. 16923

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the designation by the President of the United States of Ellis Island as a part of the Statue of Liberty National Monument in New York City, New York, the Secretary of the Treasury is authorized and directed to strike and furnish to the New York City National Shrines Advisory Board a fourth medallion in the liberty series or no more than two hundred and fifty-five thousand medals with suitable emblems, devices, and inscriptions to be determined by the New York City National Shrines Advisory Board and subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the advisory board in quantities of not less than two thousand. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such cost.

SEC. 3. The medals authorized to be issued pursuant to this bill shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such advisory board.

SEC. 4. After December 31, 1968, no further medals shall be struck under the authority of this Act.

Mrs. SULLIVAN. Mr. Speaker, this is another noncontroversial bill from the Committee on Banking and Currency dealing with commemorative medals. The bill was unanimously approved by the committee. It would authorize the fourth in a series of medals already in existence under legislation passed in the previous Congress. The ranking minority member of the committee has been advised of my intention to call up this bill today and he has no objections. A similar bill passed the Senate on September 21.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to vacate the proceedings of the House whereby the bill (H.R. 16923) to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y., was passed; that the Committee on Banking and Currency be discharged from further consideration of the bill (S. 3704) to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y., and that the Senate bill, S. 3704, be considered at this time.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Missouri [Mrs. SULLIVAN]?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3704

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the designation by the President of the United States of Ellis Island as a part of the Statue of Liberty National Monument in New York City, New York, the Secretary of the Treasury is authorized and directed to strike and furnish to the New York City National Shrines Advisory Board a fourth medallion in the liberty series of no more than two hundred and fifty-five thousand medals with suitable emblems, devices, and inscriptions to be determined by the New York City National Shrines Advisory Board and subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the advisory board in quantities of not less than two thousand. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such cost.

SEC. 3. The medals authorized to be issued pursuant to this bill shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such advisory board.

SEC. 4. After December 31, 1968, no further medals shall be struck under the authority of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 16923) was laid on the table.

FEDERAL LAND BANK SYSTEM COMMEMORATIVE MEDALS

Mrs. SULLIVAN. Mr. Speaker, by direction of the Committee on Banking and Currency, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 153 to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Missouri [Mrs. SULLIVAN]?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 153

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the fiftieth anniversary of the establishment of the Federal land bank system (which anniversary will be celebrated in 1967), the Secretary of the Treasury is authorized and directed to strike and furnish to the Federal land bank system not more than two thousand commemorative medals with suitable emblems, devices, and inscriptions to be determined by the Federal land bank system subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the Federal land bank system in quantities of not less than two thousand, but no medal shall be made after December 31, 1967. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with the Federal land bank system.

Mrs. SULLIVAN. Mr. Speaker, there is no controversy about this legislation. I have advised the ranking minority member of the Committee on Banking and Currency of my intention to call up this bill today, and he has no objections. The bill was unanimously approved by the committee. The medals which would be struck under authority of this legislation would not cost the Federal Government a single cent. The Federal land bank system, now 50 years old, was originally federally financed but is now investor-owned. Only 2,000 medals would be struck under this bill. The Senate passed the bill on June 16.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON PUBLIC WORKS

Mr. FALLON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works have until midnight tonight to file a report on the omnibus rivers and flood control bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland [Mr. FALLON]?

There was no objection.

ELEMENTARY AND SECONDARY SCHOOLS

Mr. POWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, with Senate amendments thereto, disagree to the Senate amendments and request a conference thereon with the Senate.

The Clerk read the title of the bill.

THE UNIVERSITY OF MICHIGAN LIBRARIES

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. POWELL]?

The Chair hears none, and appoints the following conferees: Messrs. POWELL, PERKINS, BRADEMAS, SCOTT, CAREY, WILLIAM D. FORD, MEEDS, SCHEUER, GOODELL, ASHBROOK, and BELL.

STRENGTHENING THE REGULATORY AND SUPERVISORY AUTHORITY OF FEDERAL AGENCIES OVER INSURED BANKS

Mr. PATMAN. Mr. Speaker, the gentleman from New Jersey has just advised me that two of the conferees on the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, will not be able to be here tomorrow when we expect to meet.

Therefore, Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FINO] and the gentlewoman from New Jersey [Mrs. DWYER] be excused, and that the gentleman from New York [Mr. HALPERN] and the gentleman from Michigan [Mr. HARVEY] be appointed as conferees in their place.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees in lieu of those excused: Mr. HALPERN and Mr. HARVEY of Michigan.

FOOD FOR PEACE BILL

Mr. OLSON of Minnesota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OLSON of Minnesota. Mr. Speaker, in this morning's mail I received a very unusual letter that I would like to share with my colleagues.

Of course, I do not have very many constituents in India so that that in itself is unusual.

The letter in part reads as follows:

> I am still a permanent resident of your district since I am a student and keep my permanent address at Route 2, Clara City, Minnesota.
>
> This morning's papers here in Calcutta have in them the news that the House has voted to instruct its conferees in the House-Senate conference committee on the Food for Peace Bill. I don't know how you voted on this matter, but I want you to use all of your vote power and persuasiveness to get your fellow representatives to change their stand on this issue.
>
> The news to India is clear—and it's already on the front page—India will have to compromise its sovereignty over its foreign policy and trading freedom, in order to get America's wheat. This is exactly the kind of pressure that is making Indians our enemies faster than friends. They are most sensitive to pressure over Public Law 489 and other aid and every Indian who can read knows that India needs foreign exchange desperately.
>
> Please don't let this mistake be voted into law. It would truly be a black day for U.S.-Indian relations.

Mr. Speaker, the House knows how I voted on this issue. I voted as I did—against instructing the conferees to do what this young man is objecting to—for precisely the reasons he states in his letter.

The SPEAKER. The time of the gentleman from Minnesota has expired.

FILING OF ADDITIONAL VIEWS ON H.R. 17239—ELECTION CONTESTS, HOUSE OF REPRESENTATIVES

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent that certain members of the Committee on House Administration, have until midnight, October 11, 1966, to file additional views to be printed as part 2 of House Report No. 2199 on the bill H.R. 17239, "to limit contests of elections of Members of the House of Representatives to contests brought by candidates whose names appear on the official ballots."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ESTABLISHING A PROGRAM FOR THE PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES THROUGHOUT THE NATION

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 1032) providing for consideration of S. 3035, a bill to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1032

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3035) to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the committee amendment in the nature of a substitute now printed in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1032 provides for consideration of S. 3035, a bill to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes. The resolution provides an open rule with 1 hour of general debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of S. 3035 is threefold: First, to strengthen and expand the work being done under section 2(b) of the act of 1935 and to establish a national register of sites, structures, and the like which are significant in American history, architecture, archeology, and culture; second, to encourage local, regional, State, and National interest in the protection of such properties; and third, to establish an Advisory Council on Historic Preservation charged with the duties of advising the President and the Congress on matters relating to preservation of such properties, recommending measures to coordinate public and private preservation efforts, and reviewing plans for Federal undertakings and the undertakings of others involving Federal assistance or requiring a Federal license which affects sites, structures, and the like listed in the national register referred to above.

Mr. Speaker, I urge the adoption of House Resolution 1032, in order that S. 3035 may be considered.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. QUILLEN].

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Texas has stated, House Resolution 1032 permits the consideration of S. 3035, the bill to establish a program for the preservation of historic structures throughout the Nation, under an open rule with 1 hour of general debate, making it in order to consider the committee substitute as an original bill for the purposes of amendment under the 5-minute rule.

Mr. Speaker, this piece of legislation will fill a national need in the program of historic preservation currently being undertaken at the Federal, State, and local levels throughout the Nation.

The Federal program provides assistance in historic preservation where the historic property is determined to be of "national significance." Only a limited number of properties can meet this standard; however, there are many, many more properties worthy of protection because of their historic architectural or cultural significance in the State or in the local community where they are found.

Unfortunately, in the commendable drive for urban renewal and the improvement of our cities, such valued properties all too often are destroyed before local civic groups can identify them and move to preserve them. It is important therefore that they be brought to light and that attention be focused on their significance. Only then can a meaningful balance be struck between the preservation of these significant elements of our rich heritage and the new construction which must be taken to meet the needs of our evergrowing communities across our land.

Mr. Speaker, this is the aim of S. 3035.

The bill provides $2 million for fiscal year 1967, and $10 million for each of 1968, 1969, and 1970. The Secretary of the Interior is authorized to make matching fund grants to the State for the purpose of preparing statewide studies and plans for the preservation of historic sites and buildings. Federal grants may not exceed more than 50 percent of the cost involved in such surveys.

The bill creates an Advisory Council of Historic Preservation which will advise and report to the President and the Congress on matters relating to historic preservation, and recommend measures to coordinate programs at the Federal, State, and local levels.

The Council will be composed of 7 exofficio members—the Secretaries of Interior, Housing, and Urban Development, Commerce, Treasury, the Administrator of the Government Services Administration, the Attorney General, and the Chairman of the National Trust for Historic Preservation—and 10 other members appointed by the President, interested and knowledgeable in the field, who will give special attention to the interests of State and local communities.

To assist in protecting valued sites and properties, the bill authorized the Secretary of the Interior to maintain a register of areas, structures, and objects which have significant historical, architectural, and cultural significance. This register will consist of places of local, State, and regional, as well as national, significance, and will serve as a convenient guide for properties that should be preserved for future generations.

As I stated earlier, Mr. Speaker, the bill seeks to fill the gap in protecting properties of significance in our heritage which are not of national significance and therefore not currently protected under Federal Law.

In the 190 years since the United States declared itself an independent Nation, this country has seen many changes. Economic and social progress in this country has surpassed anything known in the history of man, so that today, the United States is a leader in the world community.

We have grown through the application of technology from an agricultural to a largely urban and industrial society. We are now making great strides in the fields of transportation, removal of urban blight, and beautification.

But along with a feeling of pride for these accomplishments our people have become aware of the need to save the important examples of periods in our history which are landmarks along the way to greatness. Through neglect and indifference, we have already lost historic buildings and sites by the hundreds. Urban expansion, highway construction, commercial and industrial development, new real estate subdivisions, and all the pressures of population, traffic, and new construction take a frightening toll from the steadily diminishing supply of authentic historic American architecture.

Other nations, older than we, have applied their industry and talent to the preservation of their historic heritage. Great Britain, Sweden, France, the Netherlands, and Japan all have effective laws that reflect a world-wide interest in historic preservation. Keeping a historic neighborhood, a fine old street of houses, a village green, a colorful marketplace, or a courthouse square has caused many States and local governments to embark on programs of historic and architectural preservation.

With so many of our buildings and districts already gone, we must, as a Nation mindful of its past, renew and strengthen our efforts for historic preservation by bringing together creatively all levels of government and the efforts of private organizations and individuals. Each section of our country has some part of its proud past to look back on.

To meet the challenge of today we need a broad program. S. 3035 provides the basis for such a program by encouraging preservation at the city, county, and State levels of government, and through private individuals and institutions. It will do so through a matching grant program for historic surveys and rehabilitation of sites and buildings.

The bill is necessary. It has been estimated that all the cities and towns of the United States will be rebuilt within the next 40 years. Unless we act soon with effective identification and preservation at all levels, our rich heritage may be swept away.

Achieving the objective of this bill has a very positive aspect: Preservation will add to civic pride; it provides important elements of beauty and harmony for townscapes; it adds to educational resources for our children; it nourishes deeper patriotism; and it contributes economic benefits through an incentive for private renewal and as an attraction for visitors.

The legislation has the support of the President, and the National Trust for Historic Preservation, which is the foremost private organization in the field. It is supported by the National League of Cities and various State and county historical associations. The bill adopts recommendations made by a special committee under the auspices of the U.S. conference of mayors. The bill is an important step in the effort to preserve our heritage—a step we should take now.

Mr. Speaker, I know of no objection to the rule, and I urge that it be adopted.

I have no further requests for time, and I reserve the balance of my time.

Mr. Speaker, I ask unanimous consent that the gentlewoman from the State of Washington [Mrs. MAY] be permitted to revise and extend her remarks immediately after mine.

Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may revise and extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mrs. MAY. Mr. Speaker, I rise in support of S. 3035, the preservation of historic properties bill. This morning I received a telegram from the Governor of the State of Washington, Daniel J. Evans. In urging support for this bill, Governor Evans had this to say:

> This measure would be of great assistance to the State in helping to provide necessary funds to preserve for the public landmarks of historical significance to the State. Such preservation has widespread acceptance by the people of Washington and was specifically recommended by the statewide design for Washington conference held last year.

I sincerely hope that the House will act favorably on this legislation today.

Mr. QUILLEN. Mr. Speaker, I have no further requests for time.

Mr. YOUNG. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

WOLF TRAP FARM PARK, FAIRFAX COUNTY, VA.

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1022 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1022

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3423) to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, this is what is known as the Wolf Trap Farm donation bill. It was up on suspension, and on a rollcall vote it failed to get a two-thirds vote by about 4 or 5 votes. I do not know why there should have been any objection to it, except that it is so unusual for the Government to be on the receiving end of expenditures rather than on the paying end.

In this case Mrs. Jouett Shouse, who owns this very valuable property, had made an offer and placed certain funds in escrow subject to the passage of this bill. She offers to donate to the Government, to be operated by the Park Service, something like 100 acres of very valuable suburban land in Fairfax County, in close proximity to the Capital. It would be used as a public park. She also offers to donate as much as $1,750,000 for

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the erection of an auditorium which would be used, among other purposes, for a museum of fine arts.

This is confined to future purchases by the Government of land not exceeding some 40 acres. The only authorization in the bill is for $600,000.

It is a very desirable piece of property for public use and a very generous offer. I hope very much that the rule will be adopted and that the bill will be passed. I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Virginia has stated, House Resolution 1022 permits the consideration of S. 3423, the bill to provide for the establishment and administration of the Wolf Trap Farm Park in Fairfax County, Va., as a unit of the National Capital parks system, under an open rule with 1 hour of general debate.

Mr. Speaker, two adjacent properties in Fairfax County, Va., have been offered to the United States by their owners. The deeds are currently in escrow and are to be turned over to the United States upon enactment of the present legislation Mrs. Jouett Shouse owns the 58-acre Wolf Farm, the adjoining 38-acre tract is owned by the American Symphony Orchestra League. It is contemplated that the land together with several adjacent pieces of property, will be maintained as a park.

Additionally, Mrs. Shouse has offered to donate up to $1,750,000 for the construction of an auditorium in the park suitable for concerts and plays. While picnic and other recreational facilities will be provided, the principal purpose will be concerts and theatrical productions in the auditorium.

Several other small parcels of land adjacent to the 96 acres to be donated are to be purchased to complete the proproposed park. Its final size will be approximately 145 acres.

The bill authorized $600,000 to purchase the remaining land and for development. Annual administrative costs are estimated at $82,000.

The Department of the Interior supports the bill. There are no minority views expressed.

Mr. Speaker, this bill was on the Suspension Calendar on September 19. It failed of receiving the necessary two-thirds margin by some 10 or 15 votes at that time. Mr. Speaker, I know of no objection to the rule, and I urge its adoption.

As to the bill itself, I believe that it is a good piece of legislation. For a very small Federal expenditure, a new park will be created in the Washington metropolitan area. Its purpose will be to provide a setting for cultural presentations for the general public. I believe the legislation deserves the support of the Members of the House.

Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ESTABLISHING A PROGRAM FOR THE PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES THROUGHOUT THE NATION

Mr. O'BRIEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3035) to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 3035, with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. O'BRIEN] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN. Mr. Chairman, with full realization of the many problems still before Members of the Congress, I shall try to be as brief as possible, because this bill was discussed at some length when it was considered under suspension of the rules procedure on September 10.

The bill is designed in essence to do two things.

It will institute a program to encourage the States and local communities and others to preserve their historically and architecturally significant buildings and sites, by offering them up to 50 percent of the cost of acquiring, rehabilitating, and reconstructing such sites and buildings, on condition that they raise the remainder of the necessary money elsewhere and that they agree to assume all the maintenance costs.

Second, the program would be reenforced by providing that no Federal agency may make money available under other Federal programs, such as urban renewal, which will affect a historically significant structure until account has been taken of these effects and until opportunity has been given the Advisory Council on Historic Preservation, which the bill sets up, to comment on the plan.

Mr. Chairman, I believe that all of us have had experience in this House of being pressed by people back home to get a bill passed to preserve something of great historical moment to our own communities or to our own districts.

Someone once said that history in place is the important thing, and too often, in many of our areas throughout the country, we think of history as something that happened someplace else.

When a Member introduces a bill to preserve a historic area or place—I might mention the Alamo as an example—that bill is in competition at the national level with sites of so-called national significance.

Why should a community where the people have reverence for a historical site, which means an enormous amount to that community, be thrown into the pot to compete against Washington, Lincoln, Jefferson, and all the other great figures whose footsteps through time apparently have created what we call national significance?

I believe the passage of this bill will be very helpful to Members of Congress. It will, in a sense, take the "heat" off of them.

If a locality or an area wishes to preserve a historic site, instead of the Federal Government picking up the whole tab they will have an opportunity to go to this Council to win support for half of the cost, and they will assume the other half plus the maintenance costs. I believe that will help to enshrine the particular area or site or building in the hearts of the people of the community.

This is a sensible bill, with a sensible approach. It is a much better way of doing things.

I know our Committee on Interior and Insular Affairs each year is confronted with a large number of individual projects such as these. We are put in a position of considering them against projects of tremendous importance. Let us say there is one at Utica, N.Y., or Scranton, Pa., or wherever it may be. That may be ruled out by the Federal Advisory Board because it is not of national significance.

I mentioned the Alamo a moment ago. Of course, so long as there is a Texan around the memory of the Alamo will be green indeed. But the point is that under the yardstick we are using now, if the people interested in the Alamo came to the Congress of the United States they would be in competition with other memorials in cities already crowded with memorials, with the Lincolns, the Jeffersons, and the Washingtons.

So I think what we are doing here is going into a partnership, in a sense, with the people across the land. I believe we are going to preserve in this way things that will mean more to the people in a particular area than we realize.

Mr. Chairman, the total cost of this measure over a 4-year period will be $32 million. Two million dollars of that would be available in this fiscal year. By doing this we have an opportunity to find out how well the program works. If it does not work, then we can cut it off. If it works—and I am convinced it will—we can expand it as we see fit.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN. Gladly.

Mr. PIRNIE. Mr. Chairman, I would just like to pay tribute to the gentleman from New York for his appreciation of this problem and the construction solution he proposes in this measure. I know he recognizes that there is a certain element of local pride in the background of historical importance that people can attach to their areas legitimately. However, if their pride is such that they wish to develop it further so that it will be appreciated and recognized by others, then you have laid the foundation for them to go forward in a helpful partnership with the Federal Government. I would say that this legislation provides another very important landmark in the distinguished career of the gentleman from New York [Mr. O'Brien]. As a colleague from the same State, I would like to say that we are going to miss the type of leadership in these matters which the gentleman from New York has so wonderfully provided. I am glad this particular measure does come before the House while he is providing leadership in this great Committee on Interior and Insular Affairs and while he is still a beloved and active Member of this House. If this proposal is accepted in the spirit in which it is presented, we are going to help build the heritage of this Nation so that it can be better appreciated by generations to come and perhaps inspire them to do something worthy of being remembered.

Mr. Chairman, I just want to congratulate the gentleman from New York from the bottom of my heart and to express my admiration for his service to our Nation and his great capacity for personal friendship to which his colleagues will attest.

Mr. McCORMACK. Mr. Chairman, will the gentleman from New York yield to me?

Mr. O'BRIEN. I am glad to yield to the Speaker.

Mr. McCORMACK. Mr. Chairman, I join with my friend from New York [Mr. Pirnie] in the remarks he has just made about the distinguished gentleman from New York [Mr. O'Brien]. The gentleman from New York [Mr. O'Brien] has served in this body with outstanding ability and great courage. He is a man who has devoted his great talents to the public service of his district, his State, and our country. In the years that I have served in this body he has been one of the most effective Members of this body, always thinking along constructive lines. He is one who thought of the Nation as a whole and was not actuated by sectionalism or parochialism. He has recognized that this is a great Nation. When he came here this Nation comprised 48 States. It now comprises 50 States as a result of his vision, his ability, and his courage.

Mr. Chairman, we are going to miss the gentleman from New York. If I had known he was going to retire, I would have tried to stop him, using all of the persuasion within my power, not because of party politics but because of the man involved. He has enriched the legislative history of our country by his service in this body. The contributions made by Leo O'Brien will always occupy prominent pages in the legislative history of our country. What he has done for the people of Hawaii and Alaska and what he has done for the people of Puerto Rico and other integral parts of our country—I do not like to use the word "possession" but, rather, integral parts of our country—what he has done in strengthening the family life of our country are all heritages that he can look back upon in the years that lie ahead of him. He can take great credit from these actions on his part, because they mark him as one of the ablest and at the same time one of the most beloved Members of the Congress of the United States. His personality, his understanding mind, his beautiful outlook on life are all marks of his great character. The people of his district are justified in feeling proud of the wonderful service he has given to them and to the people of our country who are richly indebted to our dear friend, the gentleman from New York [Mr. O'Brien].

This bill, Mr. Chairman, is another illustration of that. This is a bill that means so much for preserving the historic sites of our country.

It is valuable not only to those of this generation, but generations yet to come in what it means not only on the national level, but on the State level. This is a bill that is going to preserve these historical sites and make them an inspiration to the youth of America for countless generations to come.

So I join with my colleagues in honoring the gentleman from New York [Mr. O'Brien].

I join with the gentleman from New York [Mr. O'Brien] in urging the passage of this bill.

Mr. BERRY. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN. I yield to the gentleman.

Mr. BERRY. Mr. Chairman, I want to join with the Speaker, and with our mutual friend from New York [Mr. Pirnie] in the sincere expressions of appreciation they have paid to Mr. Leo O'Brien.

It has been my privilege to serve for 16 years on the Interior Committee with Leo O'Brien, and to have worked with him, to have watched him operate, and I think I know what is in the man's heart and in his mind.

He has helped in promoting not only the committee work, but the work on the floor of the House, as he is doing today, in bringing about passage of legislation that has made this a better country in which to live, and has expanded the country in which we are living to include both Alaska and Hawaii.

I want to congratulate you, Leo, and wish you and Mabel the very best of everything in the years ahead and I want you to know you will both be sorely missed around the Halls on Capitol Hill.

Thank you.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN. I yield to the gentleman.

Mr. TENZER. Mr. Chairman, I wish to associate myself with the Speaker in the sentiments expressed to Leo O'Brien on this occasion.

It has been my privilege to have served in this House with Leo O'Brien. As our beloved Speaker says, we are going to miss him.

So, Leo, all I can say to you is that I hope you have God's blessings in full measure and good health, and may all your desires in retirement be fulfilled.

My best wishes to you and your family.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN. I yield.

Mr. WIDNALL. I, too, would like to add a word about your career, and your service in the Congress. You have truly been a kind and fine man, and one of whom we are all proud to be a colleague and a friend. Our Speaker has so ably said what is in the hearts of all of us, I am sure. I know that your association here in the House, your leadership and your example, have been something that has enriched the life of each Member who has had the privilege to serve with you.

I particularly remember how you worked for statehood for Alaska and Hawaii, and the fact that it was not an easy journey. The bills were pending for a long time and there was major opposition. It was largely because of your own dedication and your own competence and your belief in their rightful place in our Nation as a State that admission was approved.

It was largely the result of your own efforts and your own hard work that these two stars were added to our flag and maintained our healthy growth and helped to maintain our position as leader of the free world.

I wish you well in the years ahead. I know that you will continue to serve in the best interests of the people of our country just as you have to date. Good luck and Godspeed in the years ahead.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I want to associate myself with the remarks of the Speaker, and those of the previous speakers, in commenting on Leo O'Brien so highly. I would like to go on record and point out how the Philadelphia delegation feels about this gentleman.

I would like to indicate to him that we respect him because of his integrity, rectitude and unswerving loyalty to his friends and the Members of this House.

Leo, may God bless you—and have a long, pleasant life ahead of you.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I want to add my comments in wishing Leo O'Brien the best of everything. In serving on the Committee on Interstate and Foreign Commerce and on the Subcommittee on Health and Safety, I have learned to know Leo O'Brien very well. His face always lights up when he speaks of his work, and of his colleagues, but a very particular glitter comes into his eyes when he speaks of his grandson, the little baseball pitcher. All that adds to the human interest of Leo O'Brien.

We regret that he will retire, but we envy him in what we know will be an enjoyable time for him, and also the

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pleasant associations that will again be rekindled back home.

So, Leo, I am sure the members on the Committee on Interstate and Foreign Commerce would be in league with the idea of wishing you well. I am sure that I am extending the wishes of both sides of the aisle in wishing you the best.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Saylor].

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first I would like to join with my colleagues in paying tribute to Leo O'Brien. It has been my good fortune to be a member of the House Committee on Interior and Insular Affairs ever since Leo came to Congress.

As our distinguished Speaker of the House of Representatives has said, our colleague from New York, Leo O'Brien, has contributed greatly to the legislation that our committee has considered. That committee over the years has turned out somewhere between 20 and 25 percent of all the major legislation passed by the Congress. A great deal of that legislation has the mark of Leo O'Brien upon it.

To give you some idea of the character of this gentleman, I think people should recognize the fact that he was appointed to the Puerto Rican Status Commission representing the people on his side of the aisle. He was very faithful in his attendance at the meetings of the Commission. When he started his study, I believe it would be fair to say that he, in his own mind, was about convinced the Commonwealth status was something that would have to be improved as a step forward for Puerto Rico. But after Leo O'Brien studied the problems of Puerto Rico for 2 years, he became a true statesman—because he had the courage to change his position. After the Status Commission report was filed, he was the first person to come forward with a bill advocating statehood for Puerto Rico saying that this is the only method by which the people of Puerto Rico could attain full stature as American citizens.

Leo O'Brien is owed a debt of gratitude not only by the people of Puerto Rico but by the people of our new States of Hawaii and Alaska as well, by the people of his district, and all of the people of the United States.

Mr. Chairman, the legislation we have before us is to establish a program for the preservation of additional historic properties throughout the United States.

This bill is before us as the result of an executive communication.

The President, in his February 23 message dealing with the quality of our environment, said: "Historic preservation is the goal of citizens groups in every part of the country."

The President then recommended a program of matching grants to the States and to the National Trust for Historic Preservation in order to preserve buildings and sites of historic significance.

The Congress has long had an interest in the preservation of historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.

In spite of the numerous laws enacted by Congress to provide for the preservation of places of historic and national interest, our program has fallen short of its goals. We are, by this legislation, reevaluating the program for the preservation of historic properties.

This reevaluation is necessary because the present Federal programs and criteria for preservation are limited to "nationally significant" properties. The increasing redevelopment in our urban centers of population requires the assurance that properties of historical significance be preserved.

By this bill we are making it possible to preserve history in place.

Actually, under the Federal criteria now in existence, very few properties meet the standard of "nationally significant." Historic places of importance to local communities, States, and regions are also part of our Nation's heritage. It is these properties of local historic importance that are less immune to the forces of destruction caused by urban renewal projects and developments of an increasing population.

The bill, S. 3035, is the most effective preservation program which the Committee on Interior and Insular Affairs felt possible in keeping with progress in community development.

This legislation authorizes the Secretary of the Interior to make matching fund grants to the States for the purpose of preparing statewide comprehensive surveys and plans for the preservation of historic sites and buildings; and to establish a national register of sites, structures, and so forth, significant in American history, architecture, archeology, and culture.

The bill also establishes a program of matching grants to the National Trust for Historic Preservation in the United States and to the individual States for the purpose of preserving properties that are significant in American history, architecture, archeology, and culture.

S. 3035 provides for the creation of an Advisory Council on Historic Preservation, to advise and report to the President and Congress on matters relating to historic preservation and measures to coordinate the efforts of Federal, State, local agencies, and private parties in these undertakings.

To meet the objectives of this legislation S. 3035 authorizes the total appropriation of $32 million. Of this amount not more than $2 million is authorized to be appropriated in fiscal 1967 and not more than $10 million for each of the 3 succeeding fiscal years.

Mr. Chairman, the foundation of our national heritage is the historic and cultural properties throughout our land. In preserving these properties we will insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation.

One of the provisions of the bill which I think is of great significance is found in section 107. That section reads as follows:

> Sec. 107. Nothing in this Act shall be construed to be applicable to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

Many people who were in favor of this legislation were fearful that if we passed a bill without such a provision as is now contained in section 107, the National Trust for Historic Preservation in the United States would busy itself not only with the things which the committee intended but also busy itself with the White House, the Supreme Court, and the Capitol. We have taken care of that objection by section 107 of the bill, and I urge adoption and passage of S. 3035.

Mr. O'BRIEN. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. Widnall].

Mr. WIDNALL. Mr. Chairman, I support S. 3035. The bill is concerned, and vitally so, with preserving the history and culture of our country. I had the honor of serving as a part of the Special Committee on Historic Preservation headed by former Congressman Albert Rains, of Alabama. The recommendations of that committee formed the basis of much that is in this bill.

The outcome of the committee's studies was a book called "With Heritage So Rich," copies of which I have made available to many of the interested Members of the House. In photograph and print, this book tells a most eloquent story. To stress the needs of historic preservation at this time, therefore, would be to belabor a point that has been well and better made.

I am proud to have played a part in proposing legislation in behalf of the Special Committee on Historic Preservation. Nothing has been so in need of immediate attention as have the buildings, architecture, and culture of our American past. The bill before you seeks to strengthen the work that has been done and considerably amplify it. S. 3035 contains portions of H.R. 13790 and H.R. 13792 which I introduced in the House as well as H.R. 13491 introduced by Chairman Aspinall and H.R. 13716 introduced by Mr. Saylor. Other and similar bills have been introduced by Mr. Fulton and Mr. Blatnik. All these bills have the same objective and to a large extent would utilize the same means. This is a nonpartisan bill which has had support from both sides of the political aisle.

What the Special Committee on Historic Preservation intended in its recommendations was to provide an opportunity for the Government to coordinate activities affecting historic preservation. We found that all too often it was not a lack of desire to preserve historic properties that was causing their loss to posterity. Rather, it was simply a lack of knowledge. The Government departments in many cases need to know what other departments are doing and not just in the field of historic preservation.

I believe that the members of the Interior and Insular Affairs Committee were concerned, and properly so, that no individual profit unduly from historic preservation, particularly when enjoying the benefit of a Government subsidy. The same problem, in a slightly different phase of the same historic preservation field, has concerned the Housing Subcommittee in considering similar legislation.

However, it was the belief of the Special Committee on Historic Preservation that ample administrative regulations could be used to insure that no undue profit was taken. Also, the Special Committee on Historic Preservation wanted to insure that the burden of historic preservation remain as much as possible in private hands. To cite an example of this at work, I refer you to the Society Hill area of Philadelphia where the local public agency has undertaken as part of its duties under urban renewal a considerable historic preservation operation. The local public agency bought up a number of historic structures in badly dilapidated condition. The cost was around $8,000 a structure. For this price or a little under it, the agency sold the properties to wealthy individuals who have since spent roughly 10 times the purchase price to rehabilitate the properties.

Without the aid of the Government, it is doubtful if these individuals could have been interested in undertaking the restoration work. For every dollar of Government money invested in the Society Hill area, however, there was an additional $10 of private capital invested in the cause of historic preservation. Incidentally, but very capably, such investment speeded the rehabilitation of a badly rundown area of Philadelphia. As a number of individuals there served the Government and the cause of historic preservation, so can such services be channeled into further assistance in projects yet to come. The Special Committee on Historic Preservation felt that the Government departments in this field would be sufficiently alert to eliminate or keep any commercial benefit that might arise within reasonable bounds.

To cite another example close by, had not the National Trust for Historic Preservation acquired and maintained Decatur House on the corner of Lafayette Square across from the White House, it is very likely that the historic structures about the square would not today provide the pleasing facade that enables us to remember a bygone and historic age. Decatur House was, is, and remains an anchor for the history with which Lafayette Square is endowed.

As to the use of funds by the National Trust for Historic Preservation for educational purposes, I would like to see more of this type of work done. Our greatest foe in the field of historic preservation is ignorance. Anything that can be done to eliminate that ignorance will benefit the preservation of our national heritage.

Once again, Mr. Chairman, let me assure you and other Members of the House that anything that leads to the enactment of legislation in this field of historic preservation will be beneficial. Our work, however, has just begun. There is much left to do if we are to keep faith with both our ancestry and posterity.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of this legislation and I commend both the gentleman from Pennsylvania and the gentleman from New Jersey for their remarks. I should like to associate myself with their remarks.

Mr. Chairman, S. 3035 is a bill designed to enhance historic preservation at the State and local level. I rise in strong support of its passage. It establishes a program of matching grants to help local and State interests to acquire, rehabilitate, and reconstruct properties of regional, State, or local significance when the necessary funds are not available elsewhere. Matching assistance will also be available to help the congressionally chartered National Trust for Historic Preservation in carrying out its responsibilities.

When the committee considered this legislation, no one appeared in opposition to it. Similar legislation was introduced by Members from both sides of the aisle and I certainly want to point out the constructive role which our colleague from New Jersey [Mr. WIDNALL] has played in bringing this matter to the attention of the House. He and our former colleague from Alabama, Mr. Rains, worked very closely with the U.S. conference of mayors on this matter of historic preservation as members of the Special Committee on Historic Preservation which prepared an excellent report entitled "With Heritage So Rich."

Certainly, the gentleman from New York [Mr. O'BRIEN], and the gentleman from Pennsylvania are deserving of our highest commendation for their leadership in bringing the most important piece of legislation to the House for acceptance and passage.

The preservation of these historic properties is very vital. With the constant pressures and competition for acquiring the material things in life, it is heartening to know that the busy Members of Congress are taking the time to preserve a part of our heritage. This is, indeed, a "historic" day.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Chairman, I rise in support of this bill and I wish to associate myself with the remarks made by the gentleman from New York, the gentleman from Pennsylvania, and the gentleman from New Jersey. I believe this is a fine bill. It will be a great boon to posterity in the years to come. If these monuments and historical sites are not preserved now, some at least will be lost forever. It is none too soon to make this move.

I should like also to express my regret that the service of my good friend from New York [Mr. O'BRIEN], after these many fine years of service he has rendered to his country in the House of Representatives, is to terminate. My best wishes for health and happiness go with him.

Mr. O'BRIEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, I rise today in support of S. 3035. This bill is an excellent complement to existing historical preservation programs as well as being an important step forward in keeping alive significant parts of our heritage which are of cultural and historical significance. As you know, the requirements for most Federal programs for historical and natural preservation are limited to those of "national significance." Several people from my district have worked tirelessly for years at great personal sacrifice and expense to have portions of our culture preserved which are locally of great natural or historical significance but whose national significance may be only minimal. Only a very small number of projects can meet the standard of "national significance." Both John Ben Sheppard, of Odessa, Tex., at the State level and Mrs. Jessie McIlroy Smith, of Austin, Tex., at the local level have put forth efforts of heroic proportions to save properties vitally important to the history and natural beauty of the State of Texas, its counties, cities and towns. Many of these properties have known the ax of progress and have crumbled to provide space for the steel structures of our future. This legislation will now allow us to reach the happy compromise of protecting these elements of our natural and historical culture on the one hand and an enlightened pursuit of the ever-increasing construction needs of this great country on the other.

The matching fund grants to States for the purpose of preparing statewide comprehensive surveys and plans for the preservation of such sites and buildings is badly needed as are the grant-in-aid programs designed to provide assistance for implementing well-rounded programs to preserve properties historically, architecturally, archeologically, or culturally significant.

For the natural and historic properties worth preserving and for the Jessie McIlroy Smiths and the John Ben Sheppards of each State and community who have worked so hard, I approve of this legislation and ask that it receive the full support of the Members of the House.

Mr. O'BRIEN. Mr. Chairman, I have no further requests for time.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

S. 3035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

The Congress finds and declares—

(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(c) that, in the face of ever-increasing extensions of urban centers, highways, and

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residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

SEC. 101. (a) The Secretary of the Interior is authorized—

(1) to expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, hereinafter referred to as the National Register, and to grant funds to States for the purposes of preparing comprehensive statewide historic surveys and plans, in accordance with criteria established by the Secretary, for the preservation, acquisition, and development of such properties;

(2) to establish a program of matching grants-in-aid to States for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology, and culture; and

(3) to establish a program of matching grant-in-aid to the National Trust for Historic Preservation in the United States, chartered by Act of Congress approved October 26, 1949 (63 Stat. 927), as amended, for the purpose of carrying out the responsibilities of the National Trust.

(b) As used in this Act—

(1) The term "State" includes, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(2) The term "project" means programs of State and local governments and other public bodies and private organizations and individuals for the acquisition of title or interests in, and for the development of, any district, site, building, structure, or object that is significant in American history, architecture, archeology, and culture, or property used in connection therewith, and for its development in order to assure the preservation for public benefit of any such historical properties.

(3) The term "historic preservation" includes the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, or culture.

(4) The term "Secretary" means the Secretary of the Interior.

SEC. 102. (a) No grant may be made under this Act—

(1) unless application therefor is submitted to the Secretary in accordance with regulations and procedures prescribed by him;

(2) unless the application is in accordance with the comprehensive statewide historic preservation plan which has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897);

(3) for more than 50 per centum of the total cost involved, as determined by the Secretary and his determination shall be final;

(4) unless the grantee has agreed to make such reports, in such form and containing such information as the Secretary may from time to time require;

(5) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; and

(6) until the grantee has complied with such further terms and conditions as the Secretary may deem necessary or advisable.

(b) The Secretary may in his discretion waive the requirements of subsection (a), paragraphs (2) and (5) of this section for any grant under this Act to the National Trust for Historic Preservation in the United States, in which case a grant to the National Trust may include funds for the maintenance, repair, and administration of the property in a manner satisfactory to the Secretary.

(c) No State shall be permitted to utilize the value of real property obtained before the date of approval of this Act in meeting the remaining cost of a project for which a grant is made under this Act.

SEC. 103. (a) The amounts appropriated and made available for grants to the States for comprehensive statewide historic surveys and plans under this Act shall be apportioned among the States by the Secretary on the basis of needs as determined by him: *Provided, however,* That the amount granted to any one State shall not exceed 50 per centum of the total cost of the comprehensive statewide historic survey and plan for that State, as determined by the Secretary.

(b) The amounts appropriated and made available for grants to the States for projects under this Act for each fiscal year shall be apportioned among the States by the Secretary in accordance with needs as disclosed in approved statewide historic preservation plans.

The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter for payment to such State for projects in accordance with the provisions of this Act. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given, and for two fiscal years thereafter, shall be reapportioned by the Secretary in accordance with this subsection.

SEC. 104. (a) No grant may be made by the Secretary for or on account of any survey or project under this Act with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any survey or project with respect to which assistance has been given or promised under this Act.

(b) In order to assure consistency in policies and actions under this Act with other related Federal programs and activities, and to assure coordination of the planning acquisition, and development assistance to States under this Act with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable, and such assistance may be provided only in accordance with such regulations.

SEC. 105. The beneficiary of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the disposition by the beneficiary of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

SEC. 106. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under title II of this Act a reasonable opportunity to comment with regard to such undertaking.

SEC. 107. Nothing in this Act shall be construed to be applicable to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

SEC. 108. There are authorized to be appropriated not to exceed $2,000,000 to carry out the provisions of this Act for the fiscal year 1967, and not more than $10,000,000 for each of the three succeeding fiscal years. Such appropriations shall be available for the financial assistance authorized by this title and for the administrative expenses of the Secretary in connection therewith, and shall remain available until expended.

TITLE II

SEC. 201. (a) There is established an Advisory Council on Historic Preservation (hereinafter referred to as the "Council") which shall be composed of seventeen members as follows:

(1) The Secretary of the Interior.

(2) The Secretary of Housing and Urban Development.

(3) The Secretary of Commerce.

(4) The Administrator of the General Services Administration.

(5) The Secretary of the Treasury.

(6) The Attorney General.

(7) The Chairman of the National Trust for Historic Preservation.

(8) Ten appointed by the President from outside the Federal Government. In making these appointments, the President shall give due consideration to the selection of officers of State and local governments and individuals who are significantly interested and experienced in the matters to be considered by the Council.

(b) Each member of the Council specified in paragraphs (1) through (6) of subsection (a) may designate another officer of his department or agency to serve on the Council in his stead.

(c) Each member of the Council appointed under paragraph (8) of subsection (a) shall serve for a term of five years from the expiration of his predecessor's term; except that the members first appointed under that paragraph shall serve for terms of from one to five years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not less than one nor more than two of them will expire in any one year.

(d) A vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term).

(e) The Chairman of the Council shall be designated by the President.

(f) Eight members of the Council shall constitute a quorum.

SEC. 202. (a) The Council shall—

(1) advise the President and the Congress on matters relating to historic preservation; recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and advise on the

dissemination of information pertaining to such activites;

(2) encourage, in cooperation with the National Trust for Historic Preservation and appropriate private agencies, public interest and participation in historic preservation;

(3) recommend the conduct of studies in such areas as the adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments and the effects of tax policies at all levels of government on historic preservation;

(4) advise as to guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation; and

(5) encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation.

(b) The Council shall submit annually a comprehensive report of its activities and the results of its studies to the President and the Congress and shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

SEC. 203. The Council is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment or instrumentality of the executive branch of the Federal Government information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics to the extent permitted by law and within available funds.

SEC. 204. The members of the Council specified in paragraphs (1) through (7) of section 201(a) shall serve without additional compensation. The members of the Council appointed under paragraph (8) of section 201(a) shall receive $100 per diem when engaged in the performance of the duties of the Council. All members of the Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

SEC. 205. (a) The Director of the National Park Service or his designee shall be the Executive Director of the Council. Financial and administrative services (including those related to budgeting, accounting, financial reporting,. personnel and procurement) shall be provided the Council by the Department of the Interior, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed upon by the Chairman of the Council and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Council: *And provided further*, That the Council shall not be required to prescribe such regulations.

(b) The Council shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

(c) The Council may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

(d) The members of the Council specified in paragraphs (1) through (6) of section 201(a) shall provide the Council, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that such facilities and services are requested by the Council and are otherwise available for that purpose. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties.

Mr. SAYLOR (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. If there be no amendments to be offered, the question is on the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Young, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 3035) to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill S. 3035.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from committee:

Congress of the United States,
House of Representatives,
Washington, D.C., October 7, 1966.
Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Inasmuch as I will not be returning to the 90th Congress, I feel it appropriate to release my membership on the Select Committee of Small Business. Please accept this letter as my resignation.

I have appreciated this honor very much and thank you for your consideration.

Sincerely,
Charles Longstreet Weltner,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

SELECT COMMITTEE TO CONDUCT STUDIES AND INVESTIGATION OF THE PROBLEMS OF SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 13, 89th Congress, the Chair appoints as a member of the Select Committee To Conduct Studies and Investigations of the Problems of Small Business the gentleman from Connecticut [Mr. Irwin] to fill an existing vacancy thereon.

WOLF TRAP FARM PARK, FAIRFAX COUNTY, VA.

Mr. O'BRIEN. Mr. Speaker, I call up the bill (S. 3423) to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

S. 3423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of establishing in the National Capital area a park for the performing arts and related educational programs, and for recreation use in connection therewith, the Secretary of the Interior is authorized to establish, develop, improve, operate, and maintain the Wolf Trap Farm Park in Fairfax County, Virginia. The park shall encompass the portions of the property formerly known as Wolf Trap Farm and Symphony Hill in Fairfax County, Virginia, to be donated for park purposes to the United States, and such additional lands or interests therein as the Secretary may acquire for purposes of the park by donation or purchase with donated or appropriated funds, the aggregate of which shall not exceed one hundred and forty-five acres.

SEC. 2. The Secretary of the Interior shall administer the park in accordance with the provisions of section 1 of this Act and the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented.

SEC. 3. There are authorized to be appropriated such sums as may be necessary, but not in excess of $600,000, to carry out the purposes of this Act.

Mr. O'BRIEN. Mr. Speaker, Members of the House will recall that this bill to establish the Wolf Trap Farm Park (S. 3423) was debated here under suspension of the rules several weeks ago. The bill should have passed at that time, but the vote was 195 in favor of it and 105 against so, though a switch of 5 votes would have carried it, it did not have quite the necessary two-thirds.

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As you know, the purpose of this bill is to allow the Secretary of the Interior to accept donations of 96 acres of land in Fairfax County, Va., and of $1,750,000 and to utilize these gifts plus an additional 45 or 50 acres of land that need to be acquired to establish a cultural park within 13 miles of downtown Washington. Part of the land and all of the money are being donated by Mrs. Jouett Shouse. The remainder of the land is being donated by the American Symphony Orchestra League.

This cultural park and the auditorium that will be built on it with the gift of money will be used for the best presentations of music, theater, ballet, and the like that can be brought to the Nation's Capital. Its season will, presumably, be mostly during the summer. It will serve not only the residents of the Capital but thousands of the visitors that come here during that period. It will not in any way displace any of our established or prospective centers for the performing arts. Rather, it will be a valuable supplement to them.

Mrs. Shouse's generous gift of land is being offered with no strings attached except the obvious one that the land be used for the purpose for which it is being donated. Deeds to this land and to that being offered by the American Symphony Orchestra League have been prepared and put in escrow pending passage of this legislation. Copies of them are in the hands of the committee. When the escrow agents deliver them to the Secretary of the Interior the United States will have acquired the land in question for—and I paraphrase in part and quote in part the provision in Mrs. Shouse's deed—development, use, and administration "as a cultural park for the performing arts in conformance with the act of ———"—this date will be that on which S. 3423 is signed by the President—"and any acts amendatory or supplementary thereto." A similar provision is included in the American Symphony Orchestra League's deed. Thus the only circumstance which would cause a reversion to occur would be the failure of the Secretary of the Interior to carry out the terms of the bill that is now before us.

This is made crystal clear by—and several other points are reviewed in—a letter dated September 21, 1966, which we have received from Mr. Lee Marks, counsel for the American Symphony Orchestra League. Let me read several pertinent sentences from this letter:

> The debate on S. 3423 in the House of Representatives on September 19 indicates that misunderstandings may have arisen with regard to the League's gift to the United States of 37.8 acres of land in Fairfax County, Virginia. * * * The arrangements can be summarized as follows:
>
> 1. The League conveys all of its interest in the property to the United States for use as a park for the performing arts as envisioned in S. 3423. Although the land would revert to the League if the Government were to use it for something other than the proposed cultural park, the League will have no reversionary interest if the land is administered pursuant to S. 3423. So long as the land is administered pursuant to that bill, as it will be if the bill is enacted by Congress, the League has no right to reclaim it. Let me emphasize that neither the Agreement nor the Deed give the League any right to approve or disapprove of the manner in which the Park is operated or any control over the policies of the Park.
>
> 2. The League retains a right of entry with respect to a specific five acre parcel within the property, on which its permanent headquarters will be constructed. This is consistent with the underlying concept of the Park and will benefit both the Park and the League. In a very real sense, the League symbolizes what the Park is about. As you know, the League is a non-profit organization, chartered by the Congress, representing symphonies and orchestras. It is the largest performing arts organization in the country.
>
> The League's right of entry is carefully defined and limited. First, the League may use the five acre parcel only for its headquarters facilities. It can not alienate the property or use it for any other purpose. Second, the League's facilities are to be planned and designed in harmony with the setting and design of the Park. Third, if and to the extent the League is not using the five acre parcel, the Government can develop and integrate it as a part of the Park.
>
> 3. The League retains an access easement across the property which can be used only if an access road to the League's parcel is not provided for in developing the Park. This is not an access road from an external point to the Park itself. Rather, it is access within the Park to the League's five acre parcel. The easement is, therefore, only an adjunct to the right of entry.
>
> * * * * *
>
> I hope this will clarify any misunderstandings that may have arisen with respect to the League's donation. Let me once again express on behalf of the League enthusiastic support for S. 3423 and the League's hope that it may be enacted shortly.

Mr. Speaker, the only other matter that came up in the course of the debate on eptember 19 that needs mention at this time is that of access to Wolf Trap Farm. There are two convenient routes to the park from Washington, one via the Beltway and Route 7, the other via Routes 123 and 193. There is one short stretch of road—about nine-tenths of a mile—immediately before you get to the farm that is quite narrow. It is a county or State road and can be widened without any great expense to the county or State, as the case may be. In any event, this will not be a Federal responsibility. Question was raised about access from the Dulles Airport road. That may be desirable some time in the future but it is not necessary now. The legislation before us, therefore, makes no provision for it and the committee makes no recommendation that the bill be expanded to provide for it.

Since most of the land for this new park and all of the funds needed for construction of an auditorium are being donated, S. 3423 will involve little cost to the Government. The estimate of acquiring the additional land that will have to be purchased and of developing the entire area will not exceed $600,000 and that is the figure we have written into the bill as a limitation on appropriations.

Beyond this, Mr. Speaker, there is little I need say except to point out that the agreement between the Secretary of the Interior and Mrs. Shouse calls for the appointment by the Secretary of a small advisory board on which Mrs. Shouse and a representative of the American Symphony Orchestra League will be members. Members of the advisory board will be paid nothing by the United States. It will be their duty to keep the Secretary advised on the artistic merit of events planned for presentation at the park and on those that are available for presentation there, but it will have no control over the presentations themselves or over the actions of the Secretary.

We believe that this advisory board will serve a very useful function and that it will assist in gearing the work of Wolf Trap Farm Park into that of the various other auditoriums in and around Washington so that the public may have a wide choice of cultural events. I refer to such places as the Library of Congress, Constitution Hall, Lisner Auditorium, the Kennedy Center, and Columbia Village, all of which have done or will do so much to enrich life here in Washington. To this, I add one more thought: The Director of the Kennedy Center was consulted during the progress of the negotiations concerning Wolf Trap and is, I am told, in full support of it. Likewise, the officials of Columbia Village were consulted by the Director of the National Park Service and are aware of his plans.

Mr. Speaker, I recommend that S. 3423 be enacted.

Mr. SAYLOR. Mr. Speaker, I rise in support of S. 3423. This bill authorizes the Secretary of the Interior to establish the Wolf Trap Farm Park in Fairfax County, Va., as a unit of the National Capital parks system.

This proposed park lies within a 13-mile driving distance of Metropolitan Washington on property known as Wolf Trap Farm and Symphony Hill. Establishment of this park as proposed in this legislation is made possible by the generosity of Mrs. Jouett Shouse and the American Symphony Orchestra League. Mrs. Shouse has offered to donate 58 acres of Wolf Trap Farm and up to $1,750,000 for the construction of a 3,500-capacity amphitheater and the American Symphony Orchestra League has agreed to donate 38 acres to the Federal Government for park purposes. The proposed park will not exceed 145 acres, requiring the Federal Government to acquire some additional acreage for proper development and acquisition of scenic easements to protect the scenic quality of the park.

Wolf Trap Farm Park will be a park for the performing arts in addition to providing educational and recreational programs. The park will be readily accessible to the nearly 2,250,000 people now living in the Washington metropolitan area and provide a unique cultural opportunity for visitors through concerts, ballets, plays, and suitable daytime educational and recreational facilities. The site will serve as the national headquarters of the American Symphony Orchestra League and development plans include several cottages for resident members and creative artists in the performing arts.

Development plans are estimated to cost approximately $476,500 and the estimated cost of acquiring the additional lands or interests therein is $107,500.

Mr. Speaker, the opportunities presented by this legislation are somewhat unique. Wolf Trap Farm will provide a complimentary addition to other or proposed facilities for the performing arts in this area.

I urge the passage of S. 3423.

Mr. BROYHILL of Virginia. Mr. Speaker, as the House has been told, S. 3423 is a bill to authorize the establishment of Wolf Trap Farm Park near Vienna, in Fairfax County, Va., as a part of the National Capital Park system. The bill would authorize acceptance of a gift of 96 acres of land for use as a cultural park, and the acquisition of an additional 40 acres, approximately, to round out the park site. And the bill would authorize maintenance of the park by the National Park Service.

The acreage offered as an outright gift to the United States comes from two sources. Fifty-eight acres is offered by Mrs. Catherine Filene Shouse, who is noted for her generosity as a patron of the arts as well as for other philanthropies. Thirty-eight acres is offered by the American Symphony Orchestra League, formerly donated to it by Mrs. Shouse. Deeds for both are being held in escrow for delivery to the United States upon passage of this legislation. I should point out that this escrow arrangement is the basis for the request that the bill be approved before adjournment. Neither donor could be expected to tie up the land in escrow indefinitely, while awaiting legislative action in some future year. The request for action during this session was in no sense intended as a demand to Congress.

The Symphony Orchestra League has reserved the right to use 5 acres of their property as a headquarters, to be erected at their own expense, and has reserved the right of access through the park to this headquarters. This access route, it must be emphasized, is a park road, and not an additional access road to the park from outside. The proposed park can be adequately serviced by existing highways, without special highway construction. A short distance from the Capital Beltway, Routes 123 and 66 and the George Washington Parkway will provide quite adequate communication. Some additional park roads will be needed, and these are provided for in the bill.

It has been said that the donors could get the land back if they did not approve the way in which it was developed. Attorneys for both donors assure me that this is not true. There are no provisions for title to the land to revert to the donors if the park is used as a cultural park and administered in accordance with the bill before us. There is no provision for control by the donors of the programs to be presented. Acceptance of this land for the purposes provided in the bill itself constitutes the Congress' direction that it shall be so used and shall be administered by the Secretary for this purpose.

Apart from the fact that the United States is receiving a most generous gift, let me point out that millions of dollars have been spent in the Washington area for the acquisition of park lands to provide recreational facilities and open space. This land which is offered as a gift to the United States would be tremendously valuable for purposes of housing and commercial development. These public-spirited people are forgoing this possibility, to provide a substantial area of open park land, preserving the natural beauty of the Virginia hills and woods. Wolf Trap Farm is precisely the sort of area that has in the past been bought for park land. It would be ridiculous for this House to refuse this land as a gift today and in a few years want to purchase it, if it were still available in an undeveloped state. The request for funds for some additional land and for maintenance and upkeep is modest indeed.

That the development of the proposed park will be at modest cost to the Government is assured by another gift from Mrs. Shouse. This, to me, is the truly magnificent part of this proposal. This lady is providing $1.75 million to build an amphitheater designed to seat 3,500 people. Far from being asked to buy a pig in a poke, as some have argued, we are being given the pig, the poke, the pen, and plenty of feed to fatten it up. This is a grand design to establish the first nationally owned cultural park, to supplement the other cultural and park facilities in thir rapidly growing metropolitan area.

I do not think that we can afford to let this opportunity escape us today.

Mr. and Mrs. Shouse came to Wolf Trap Farm 35 years ago and it is their desire that this site, which has been the locale of many gatherings—political, civil, and social—be saved for the relaxation and recreation of people of all ages. The Metropolitan Washington area is growing by leaps and bounds and varied local cultural activities are developing in all parts of the region which will need to be housed. With an elaborate summer home underway in Howard County, Md., for the National Symphony, there should be room in northern Virginia for a facility such as that proposed by Mrs. Shouse.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, S. 3423.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

GUADALUPE MOUNTAINS NATIONAL PARK

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 698) to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk will read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 17, strike out "or sell".

Page 4, strike out all after line 4 over to and including line 13 on page 5 and insert:

"(b) In the event said lands or any part thereof cease to be used for national park purposes, the persons (including the State of Texas) who donated to the United States rights and interests in minerals in the lands within the park shall be given notice, in accordance with regulations to be prescribed by the Secretary, of their preferential right to a reconveyance, without consideration, of the respective rights and interests in minerals which they donated to the United States. Such notice shall be in a form reasonably calculated to give actual notice to those entitled to such preferential right, and shall provide for a period of not less than one hundred and eighty days within which to exercise such preferential right. The preferential right to such reconveyance shall inure to the benefit of the successors, heirs, devisees, or assigns of such persons having such preferential right to a reconveyance, and such successors, heirs, devisees, or assigns shall be given the notice provided for in this subsection."

Page 6, line 4, strike out "purchase" and insert "a reconveyance".

Page 6, line 5, strike out "purchase" and insert "a reconveyance".

Page 6, line 9, strike out "purchase" and insert "a reconveyance".

Page 6, after line 11, insert:

"(d) If at any time in the future an Act of Congress provides that the national welfare or an emergency requires the development and production of the minerals underlying the lands within the boundaries of the national park, or any portion thereof, and such Act of Congress, notwithstanding the provisions of subsection (c) of this section or any other Act, authorizes the Secretary to lease said land for the purpose of drilling, mining, developing, and producing said minerals, the Secretary shall give the persons (including the State of Texas) who donated such minerals to the United States notice of their preferential right to lease, without consideration, all or any part of the respective rights and interests in minerals which they donated to the United States, subject to such terms and conditions as the Secretary may prescribe. Such preferential right shall inure to the benefit of the successors or assigns, and of the heirs or devisees of such persons having such preferential right in the premises. The persons entitled to a preferential right under this subsection shall be given the same notice thereof as persons entitled to preferential rights under subsection (b) of this section. If such person having such preferential right fails or refuses to exercise such right within the time specified in the above notice, the Secretary may thereafter lease the minerals involved to any other person under such terms and conditions as he may prescribe."

Page 6, after line 11, insert:

"(e) If at any time oil, gas, or other minerals should be discovered and produced in commercial quantities from lands outside of the boundaries of the park, thereby causing drainage of oil, gas, or other minerals from lands within the boundaries of the park, and if the Secretary participates in a communitization agreement or takes other action to protect the rights of the United States, the proceeds, if any, derived from such agreement or action shall inure to the benefit of the donors of the oil, gas, or other minerals, or their successors, heirs, devisees, or assigns."

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Page 6, line 23, strike out all after "Sec. 6." over to and including line 3 on page 7 and insert: "There are hereby authorized to be appropriated such sums, but not more than $1,800,000 in all, as may be necessary for the acquisition of lands and interest in lands, and not more than $10,362,000, as may be necessary for the development of the Guadalupe Mountains National Park."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. SAYLOR. Mr. Speaker, reserving the right to object, I would like to direct some questions to the gentleman from New York [Mr. O'Brien]. I would like to ask him whether or not the purpose of the Senate amendments is to require that all private lands within the boundaries of Guadalupe Mountains National Park, Tex., will have to be donated or, rather, that the minerals will have to be donated.

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. O'BRIEN. That is my understanding.

Mr. SAYLOR. And if they are donated, there is a provision that should this ever cease to be a national park, then those who have donated their minerals will be given the right to reacquire them without cost?

Mr. O'BRIEN. The gentleman is correct in his statement.

Mr. SAYLOR. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FURTHER REDUCTIONS IN POSTAL SERVICE

Mr. CONABLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONABLE. Mr. Speaker, I hope the Members of this House will keep a close eye on the state of their local post offices during the next few weeks. I am personally convinced that conditions there are such that this could quickly become an important election issue. It should be, because what is happening to the post offices across our countryside is symbolic of one of the major faults of the Great Society.

We all heard that President Johnson recently ordered a discontinuance of all overtime as part of his announced goal of reducing Federal spending $3 billion in the fight against inflation. Apparently this order was pretty much across the board, and without any relation to which services are necessary and which are not. Last Saturday night I met with a group of mail carriers from the main post office at Rochester, N.Y., and I found them dismayed by the chaos this order was creating with their work. I was told there are 45 vacancies among the regular carriers at Rochester, and I understand there are even more among the clerks. Many of these vacancies cannot be filled, or at least they have not been, because of low pay and low morale—the end product of treating the postal service like a stepchild in recent years. Men who can afford to give up their years of Federal service, and some who cannot, are now leaving the post office to seek higher paying jobs in private industry. This being the state of things, when overtime was knocked off in Rochester this past Saturday the result was that some 200,000 pieces of mail simply were not processed. Unless I miss my guess, mail service is going to get dramatically worse at home, and I suspect in other districts also. It was not so good that it can stand further deterioration. We already have a postal policy against initiating any new door delivery service in new residential areas—a policy which officially sanctions unequal service to citizens in similar circumstances.

Mr. Speaker, I know what the answer is going to be to this complaint. The President will say: "Well, do you want us to save money, or don't you? You can't make an omelet without breaking eggs." The point is that this is another circumstance in which Federal Government is failing to establish sensible priorities in the face of the necessity for limiting Government service. We are going to be asked later this week to vote on a brandnew demonstration cities program, with a total expenditure potential of $3 billion or $30 billion—no one can say, because the planning is so loose.

As anyone who reads editorials is aware, our cities are in need and the Federal Government is being pushed into a program of direct aid and control. The money has to come from somewhere and so the decision has been made once again to rob Peter to pay Paul. Apparently part of "imaginative leadership" is the neglect of those responsibilities which the people have been taking for granted because they are long-established responsibilities. But the things the people take for granted, like the postal service, are not less important than the public relations appeal to voting blocks of which the demonstration cities program is such a fine example More people are affected by the quiet unobtrusive work of the mailman than will ever be touched by even the most grandiose schemes of urban renewal. To many people the mailman is security, the friendly contact with the outside world, the daily visitor who carries his own and others' words of cheer. No service is more necessary to business. The fact that we have been successfully providing this service for years past does not make the postal service any the less important to today's citizens.

Somehow we must resist the political temptation to divide the Federal budget into smaller and smaller pieces so that we can do more and more things insufficiently well. I want to repeat, Mr. Speaker, my hope that the Members of this House will check carefully these recent developments with respect to the postal service in their own communities and will draw their own conclusions about the advisability of steps which will continue and hasten its deterioration as surely as though we were voting to do so here on the floor.

THE OTHER WAR

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, for some period of time I have been urging that greater attention be given to the social, political and economic factors of the conflict in Vietnam since these hold the key to future developments in Vietnam.

I was therefore greatly encouraged by the recent evidence that the executive branch of our Government and the GVN have embarked on a vigorous and concerted effort to wage what the President has called "the other war" in Vietnam, concurrently with the military conflict which has so preoccupied the news media and therefore the American public. Administration spokesmen have stated time and time again that peace and disengagement cannot be achieved in Vietnam until that "other war" has begun to satisfy some of the legitimate social, economic and psychological aspirations of the Vietnamese people.

In this connection I am particularly pleased to note that the press is beginning to give the many aspects of this immense joint United States-Vietnamese effort more extensive coverage.

I wish to call attention to an excellent example of the kind of thoughtful reporting that the "other war" has begun to produce. This appeared on page 5 of the September 27 edition of the New York Times under the distinguished byline of Mr. Charles Mohr.

I also am very hopeful that the new Constitutional Assembly will make the land reform program and the social, political, and economic factors that go with it a matter of high priority on its agenda when that body convenes.

Mr. Speaker, I have permission at this point to insert, following my remarks, the text of Mr. Mohr's fine article:

U.S. AIR PHOTOS AND TECHNOLOGY WILL MAP BETTER FUTURE FOR VIETNAM'S PEASANTS

(By Charles Mohr)

SAIGON, SOUTH VIETNAM, September 26.—American photo reconnaissance planes, a computer and a handful of technicians pushing buttons in Washington are expected to play a major role in the future of the South Vietnamese peasant behind the plow.

United States technology is to be used, informed sources said today, to speed the lagging land-reform programs in Vietnam.

The most important test will probably come in the increasing collisions between the South Vietnamese Government's land-reform policy and the land distribution techniques of the Vietcong, some informed sources believe.

What American technology can do is help an overburdened South Vietnamese bureaucracy carry out beneficial measures already on the books.

The Government of Premier Nguyen Cao Ky promised last year to issue ownership title to about 116,000 persons who had been promised ownership of farms by the late President Ngo Dinh Diem.

LONG DELAYS FORESEEN

In more than a year, however, only about 6,000 such titles have actually been issued, and the sources say that with present procedures the process might take more than 20 years.

One bottleneck is the property description system now used, a system that requires exact measurement on the ground. Another bottleneck is the slow course of a file or case through many unhurried bureaucratic hands.

The plan is to use American aerial photographs and computer technology as a substitute for ground survey.

If desired, a source said, other related electronic data-processing equipment could be used to print the land titles themselves.

It has been decided to begin on a pilot plan in Angiang, an important province in the Mekong River delta southwest of Saigon. The goal is to complete such work within two years.

Other pilot programs are scheduled for Angiang, including within two years a complete investigation of the enforcement of 48,000 farm rental contracts to see whether the law limiting rents to 25 per cent of the principal crop is being enforced.

Aerial photography and computers could also be used to speed formal distribution of about 570,000 acres of formerly French-owned lands, most of which is now occupied by squatters.

"Fortunately," one source said with a smile, "Vietnam is probably already the most photographed country on the face of the earth because of the war."

Even a computer is of limited use, however, in helping to make the judgments that will increasingly be required of the Government as more and more territory is liberated from Vietcong domination.

The war, poor previous civil administration and Vietcong moves toward land reform have left land ownership in contested areas chaotic.

Most farmers stayed on their property when the Vietcong began to take over certain areas six years ago. In a number of cases, the Vietcong redistributed land among these people.

In some cases, landowners fled and tenants or others were given their lands by the Vietcong. In other cases, the Diem Government confiscated the land of large owners under the 1956 land reform law and technically "redistributed" it—but this happened only on paper because the Vietcong had control of the land in question and did their own redistribution.

SOME RESISTANCE LIKELY

All of this can lead to serious trouble as Government authority is reasserted in various areas. If this is not handled carefully, the sources said, it can lead some peasants to believe it is in their interests to resist the return of Government authority.

A decree issued last Dec. 15 prohibits landlords who were unable to collect rent during the period of Vietcong domination from attempting to collect back rent. During the French Indochina war, troops were sometimes used to help landlords make such collections.

A landlord who has already been able to collect the back rent is allowed to keep it, however.

Landlords are exempted from paying land taxes for the years in which they received no rent.

OTHER LAND SOUGHT

The decree also provided that a farmer who owned a farm smaller than 12.5 acres and who had fled during Vietcong domination should be allowed to retake possession from the "Vietcong-appointed farmer" who had farmed it in the meantime.

Village councils are expected to try to find other unoccupied land for the displaced farmers who used the land under the Vietcong, although in many cases there may be no such land available in the area.

Another provision is that an owner who fled a larger farm will be allowed to repossess only two-thirds of it—but not less than 7.5 acres. He must agree to rent the remaining one-third of his land at fair rates to the farmer or farmers the Vietcong put on the property.

Small tenant farmers who fled the Vietcong will be able to evict the pro-Vietcong farmers who replaced them, unless the rented farm is big. In that case the Vietcong farmer may be given one-third to till.

Some observers think this policy is not "revolutionary" enough and tries too hard to turn back the clock. Others protest that property rights must be respected and that the policy is far-reaching.

Apparently the program has not yet been given any general trial. "Liberation" or "pacification" of a contested or enemy-controlled area is a gradual process and there are few localities where the manpower executive attention or time have been found to begin this process of sorting out land.

The Government knows something, but not enough, about what it is up against in the way of Vietcong land policy. Guerrilla policy generally varies from area to area.

In Gocong province, for example, there seems to be a fairly precise allotment of land on a need basis, with acreage determined by the number of mouths dependent on a given farm. One refugee recently described how her parents' farm of five acres was reduced to 2¼ because it was regarded by the Vietcong as "too large" for three persons.

However, captured documents from Vinhlong Province in the delta show the Vietcong leadership there has a generally "conservative" policy. It is general policy to recognize the ownership of landlords "who neither support the South Vietnamese Government nor bear a blood resentment toward our people."

BIRTHDAY SALUTE TO UGANDA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, 5 years ago on October 9, the proud country of Uganda took her place in the community of independent nations. On the anniversary of this auspicious date I am happy to extend the best wishes of the people of the United States to the people of Uganda.

Uganda ranks as one of the most beautiful countries in Africa. Most of the country lies at an altitude between 3,000 and 6,000 feet, a circumstance which moderates the tropical climate to some extent. Uganda is dotted with lakes, the largest of which is Lake Victoria, the source of the White Nile. Others are Lake George, Lake Edward, Lake Kyoga, and Lake Albert. The famous Mountains of the Moon, the Ruwenzori, form a part of the border with the Congo and rise to peaks of 16,000 feet. The highest mountain in the country is here, Mount Margherita at 16,750 feet. Mount Elgon, an isolated peak on the Kenya border, is over 14,000 feet.

The territory that is now Uganda was first penetrated in 1862 by explorers searching for the source of the Nile River. Protestant missionaries entered the area by 1877, followed by Catholic missionaries in 1879.

In 1889 control of the nascent British sphere in East Africa was assigned by royal charter to the British East Africa Co., an arrangement strengthened in 1890 by an Anglo-German agreement confirming British dominance over Kenya and Uganda.

In 1894 Buganda was placed under a formal British protectorate, which was extended in 1896 to cover most of what is now Uganda. There were subsequent minor boundary adjustments, including the transfer in 1903 of a part of the territory to what is now Kenya.

Constitutional changes leading to Uganda's independence began in 1955 with the establishment of a ministerial system, and an increase in the number of African members of the Legislative Council took place in 1958. Special reports on constitutional development prepared by the Wild Committee—1959—and a government-appointed "relationships committee"—1961—preceded the convoking of the London Constitutional Conference of September 1961, which established the timetable for independence. The United Kingdom granted full internal self-government on March 1, 1962, and Uganda became independent on October 9, 1962.

The economy of Uganda is heavily dependent upon exporting agricultural products. In recent years nearly 75 percent of the country's total money income has been derived directly or indirectly from exports. Cotton and coffee account for four-fifths of the value of those exports.

It can be expected that Uganda will devote increased attention in coming years to the task of exploiting sources of outside assistance in order to finance a satisfactory rate of economic growth.

Like many newly independent African nations, Uganda has adopted a nonalined position in its relations with the rest of the world. It has enthusiastically subscribed to the policies of the Organization of African Unity as set forth in the declaration made by that group at Addis Ababa in May 1963.

The United States enjoys close and friendly relations with Uganda. We are encouraging the Government in a program which will increase agricultural production and make use of the limited mineral resources of the country. In addition, our AID program is giving assistance to the educational program, especially at the secondary school level, and is giving training in the United States to students in such varied fields as veterinary medicine, business administration, management, and teacher training. The U.S. programs emphasize

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self-help projects and encourage, through the Uganda Development Corp., the growth of private enterprise.

In closing I want to express my greetings to Uganda's Prime Minister, the Honorable A. Milton Obote and her new Ambassador to the United States, His Excellency E. Otema Allimadi.

RESTORATION AND REHABILITATION OF LANDS DAMAGED BY SURFACE OR STRIP MINING

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. Kee] is recognized for 15 minutes.

Mr. KEE. Mr. Speaker, last Friday, I introduced H.R. 18257—a bill to provide for the restoration and rehabilitation of lands damaged by surface or strip mining.

Surface mining is an important economic operation in West Virginia and in many other States. About 15,000 active surface mines—producing some 50 minerals—account for approximately 83 percent of the total coal and crude ore tonnage mined in this Nation.

But surface or strip mining has left deep scars on the land—and this is a matter of grave public concern. Large areas which have been damaged by this mining operation have never been restored or rehabilitated.

Eight States have enacted laws requiring reclamation of surface-mined areas. West Virginia was the first State in the Union to pass such legislation. This was in 1939—and significant amendments have been made since. But present statutes apply only to areas mined after these laws went into effect. In West Virginia—as in other States with surface mine reclamation laws—the problem is with the old mine areas.

A total of 192,000 acres of land in West Virginia has been disturbed by surface mining of coal as of the first of this year. Of this area—43,115 acres are covered by permits under West Virginia law which insures reclamation in the future. About 46,000 acres have been reclaimed satisfactorily. This leaves approximately 102,000 acres which need some type of treatment to reclaim the area. Nationally there are about 800,000 acres of surface mined land in this category.

Many of the present owners of these areas did not own the land when it was mined. Some landowners have tried to remove the scars left by the mining operations but have not had sufficient funds or the necessary technical knowledge to get the job done. If these lands are to be rehabilitated—the incentive of Federal participation in the reclamation job is needed to stimulate local action.

The telltale scar of strip-mined land can be relegated to the history books if we resolve to turn this land to good and proper use.

To encourage and help implement a cooperative national effort to restore these areas as a matter of broad public interest, I am introducing a bill that provides for Federal technical and financial support.

The legislation I propose would authorize $50 million for the Secretary of Agriculture to provide technical and cost-sharing assistance to carry out restoration measures in cooperation with State and local agencies and organizations. The program would apply only to areas mined prior to enactment of State restoration laws.

The Federal commitment would be primarily to those States which enact adequate reclamation laws. A limited demonstration program would be authorized in States which do not have such laws.

The Federal program would emphasize control of erosion on surface-mined lands—and the prevention of pollution and sediment damages on adjacent and downstream areas. It would promote the conservation and development of soil, water, and plant resources.

The Soil Conservation Service is now providing limited technical assistance in reclaiming surface-mined areas. But, if rehabilitation is to be completely successful, large areas must be reclaimed under a comprehensive program. Pollution does not stop at a property line. Erosion in one area adversely affects other areas. The Nation needs a fully adequate program of rehabilitation in these old mined areas.

The public interest is involved because reclamation will stabilize the mined land and make it suitable for beneficial development. It will reduce sediment and acid drainage into streams and lakes. It will restore desirable habitats for fish, birds, and wildlife.

It will reduce air pollution from fumes and smoke caused by burning coal and refuse in abandoned mine areas.

It will restore much of the natural beauty of these areas.

It will eliminate or control hazards to public safety.

It will encourage States not having surface mine reclamation laws to enact legislation covering new mining operations.

The strip-mine spoilbank—no less than the automobile graveyard and the polluted stream—is a national disgrace. The 800,000 acres of ugly, useless surface-mined land testify to a carelessness and wastefulness that ill suits a Nation maturing in its respect for the natural resources committed to its trust.

This land has potential. It can be reforested for timber production, wildlife refuge, and recreation. State and local parks have been established in some strip-mined areas. Others have provided sites for housing developments, industry, airports, highways, schools, commercial houses, and public and private institutions of many kinds.

West Virginia is proud of the progress made in the State in restoring surface-mined areas. But there are thousands of acres of spoilbank that cannot be rehabilitated without Federal assistance.

It is possible, with sufficient determination and with the necessary public financial support, to rid the American countryside of strip-mine scars. It is possible to restore this land so that it can be used for the benefit of the local people and for the general public good.

Because of the importance of this essential service, I respectfully urge my colleagues to move forward at the earliest possible date.

THE TURMOIL CREATED BY BUREAUCRAT HOWE

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. Waggonner] is recognized for 10 minutes.

Mr. WAGGONNER. Mr. Speaker, the name of Harold Howe II has become a familiar one throughout the Nation in the past few months as the intent and purpose of his school "guidelines" have finally sunk in. I hesitate to bring up the subject again today after last week's strenuous effort to bring some commonsense to bear on this man and the Office of Education he heads, but I believe it is important for the Record to show the mounting concern which exists over the free-swinging policy of this new breed of bureaucrat whose ideas of how education in this country is to be run if, to use his words, "he has his way."

He has set out on a course of imperial threatening in the name of the Federal Government and the lash he is laying on the backs of school authorities is backed by $2 billion a year of the people's own money. He is abusing his office and he is abusing education. We made some progress last week in cutting him down to size, but we still have a long way to go.

The concern expressed in the Washington Star last week in an editorial and two syndicated columns puts the issue clearly in focus and I would like to make these three items a matter of record.

The material follows:

New Breed of Bureaucrat in Trouble

(By James J. Kilpatrick)

They have been giving a hard time on the Hill lately to Harold Howe II, the U.S. commissioner of education. The Senate Appropriations Committee took after him; the House Rules Committee joined the chase; the House Judiciary Committee has promised an investigation of his edicts. All of a sudden, the handsome young commissioner is up to his eyebrows in trouble. It is an experience he richly deserves.

Howe's tribulations may be of primary interest to the South, but the pattern of power that has been unfolding in his office is of national significance. He is an exemplar of the new breed of bureaucrats who have moved into high places. Dr. James L. Goddard, of the Food and Drug Administration, is another. Robert C. Wood, in Housing and Urban Development, is a third. Each of them has caught the vision, full and clear, of the ways in which federal power may be manipulated to obtain particular ends.

To understand the uproar over Howe, it is necessary to go back to the days when the Civil Rights Act of 1964 was pending. Most of the public's attention was concentrated on Title II, which dealt with public accommodations, and on Title VII, which dealt with discrimination in private employment. Few persons gave much thought to Title VI.

This was understandable, for on the surface, Title VI appeared beyond cavil. This part of the act opens with a flat statement that no person, because of his race or national origin, shall be "excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." No one reasonably could object to that provision.

In the second section of Title VI, power was delegated to every federal agency administering an aid program to issue rules and regulations to carry out this mandate. The drafters of the act attempted to place certain safeguards around the rule-making power. A highly unusual provision was written into this section, to say, "No such rule, regulation or order shall become effective unless and until approved by the President." No federal grants were to be refused or terminated under a Title VI rule without the filing of detailed reports with appropriate committees of the Senate and House. No Title VI regulation could affect "any employment practice of any employer."

One more provision of the Civil Rights Act of 1964 also should be mentioned. This is in Title IV, which deals specifically with problems of the public schools. Here Congress decreed, in instructions given directly to the U.S. commissioner of education, that "desegregation" shall not mean "the assignment of students to public schools in order to overcome racial imbalance."

In March of this year, Howe issued his revised rules and regulations for school desegregation plans under Title VI. These are the famous "guidelines." Despite the clear commandment of the act, these rules and regulations never have been specifically approved by the President. Nevertheless, they have been used as a basis for suspending, terminating, or deferring grants, or threatening to take such action, throughout the South.

Howe's regulations are couched from beginning to end in a coldly imperative mood. The word "must" appears no fewer than 109 times. Their purpose is to impose upon the old, forced segregation of the South a new, forced integration of the commissioner's contriving. The object is not simply to end racism, but to require racism in new ways. After a decade of being told they must be color-blind, local school officials now are being ordered to become intensely color-conscious. Howe's Rule 181.54 spells out the approximate percentages of non-white noses than must be counted in the classrooms.

Pursuant to these rules and regulations, Howe's agents have been making life miserable for school officials throughout the South. The commissioner has sent "review teams," some of them composed of first-year and second-year law students, to impose their own reorganization plans on local school systems. The guidelines provide that if a sufficient number of Negro children fail to choose predominantly white schools, of their own free will and accord, they must be given fresh and pointed opportunities to make the desired choice. The commissioner's authority extends to the closing of small schools, the redrawing of attendance zones, the routing of buses, and even to the offering of athletic programs—all to forward the cause of coerced integration.

Behind all these bristling rules and regulations lies the power to withhold federal funds, which may amount to 20 or 25 percent of a locality's total school budget. The commissioner's power also extends, under a different law, to the making of original grants for the purchase of textbooks and teaching materials. Backed by more than $2 billion a year, these are formidable powers; and if Howe has his way, they are only the beginning of the tools he would use to reshape the schools of the nation as a whole.

CONFUSED GUIDELINES

Two days of circling 'round the integration bush have left the House Rules Committee just about where it began on the question of whether the Office of Education's controversial school desegregation guidelines need investigating.

Its indecision, however, may not mean much. If the Rules Committee fails to clear a proposed inquiry by a special House group, the prospects are that the probe will be conducted anyway by a House Judiciary subcommittee already set up to do the job. In our opinion, the further review is in order.

Throughout his set-to with the Rules Committee, Harold Howe, the federal education commissioner, pursued the theme that the guidelines issue is all a misunderstanding. There is a mistaken impression abroad, he said, that they are intended to require "racial balance," or a correction of "racial imbalance" in schools, in order to qualify school districts for federal aid. Their actual purpose, he said, is to help set standards of performance toward eliminating dual school systems now being operated in violation of the Supreme Court's 1954 desegregation ruling.

Maybe so. But if guidelines are to function effectively, it is essential to develop a clearer public understanding of the whole approach than emerged from the emotional give-and-take of the Rules hearings.

A good deal more clarification of the impact of Howe's present guidelines also is needed. Title IV of the Civil Rights Act of 1964, which relates to the subject, says specifically that "desegregation" in the eyes of Congress does not mean the assignment of pupils in public schools "in order to overcome racial imbalance." The Judiciary Committee, which handled the legislation, is the eminently proper group to determine whether this stricture is being violated.

While it is about it, the investigating subcommittee should by all means also explore in greater depth Howe's own intentions as to future action on the subject. For the fact is that much of the present controversy, quite apart from the Office of Education's directives, has evolved from Howe's free-swinging public statements on "racial balance," and on means of achieving it with federal assistance.

Some of these views seem to us to go considerably beyond any expressed intent of Congress. If that is the case, this is the time for Congress to set the record—and Mr. Howe—straight.

CLARK DEFENDS "FACULTY ALLOCATION"

(By David Lawrence)

The U.S. Department of Justice, through acting Atty. Gen. Ramsey Clark, has notified the House Rules Committee that the federal government feels it has complete power to order the reassignment of teachers, professors or members of the staff of any educational institution receiving federal assistance if there is any reason to believe that "racial allocation of faculty" denies to students "equality of educational opportunity."

Clark submitted a lengthy opinion which contends that, even if the schools are desegregated as to pupils, the presence in the faculty of too many teachers of one race could nevertheless affect the quality of the education given to the students.

A U.S. Court of Appeals decision, however, in July 1966—which is cited in part by the Department of Justice memorandum as a basis for the action now advocated—decries discrimination in the selection of teachers but does not conclude that racial imbalance is necessarily unlawful. The court said:

"Vacant teacher positions in the future * * * should be opened to all applicants, and each filled by the best qualified applicant regardless of race. Moreover, the order should encourage transfers at the next session by present members of the faculty to schools in which pupils are wholly or predominantly of a race other than such teacher's."

The Civil Rights Act of 1964 specifically says in Title IV:

"'Desegregation' means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance."

Yet the Department of Justice now claims that Title IV is virtually superseded by Title VI, which is called "nondiscrimination in federally assisted program." It says:

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

But Section 604 of Title VI says that no action which withholds federal funds is authorized "with respect to any employment practice of any employer." Teachers, of course, are employees, and their employers are local governments. Yet in the document submitted by the acting attorney general is the following declaration suggesting interference with employment practices in hiring or assigning school teachers:

"The assignment of teachers to particular schools could be a most effective means of practicing racial discrimination against students who are the intended beneficiaries of a federally supported educational program. Surely, if a school district pursued an official policy of assigning teachers with Class 'A' teaching certificates only to schools attended by white students the discrimination against the Negro students would be obvious. Congress could hardly have intended by the language of Section 604 (Title VI) to exclude such a gross discrimination from the reach of the statute, particularly in light of the specific reference made by Senator Humphrey that Title VI, as it passed the House, would reach teacher segregation."

Just what were the words of Hubert Humphrey, who has since become vice president? He said at the time:

"The commissioner might also be justified in requiring elimination of racial discrimination in employment or assignment of teachers, at least where such discrimination affected the educational opportunities of students.

"This does not mean that Title VI would authorize a federal official to prescribe pupil assignments, or to select a faculty, as opponents of the bill have suggested. The only authority conferred would be authority to adopt, with the approval of the President, a general requirement that the local school authority refrain from racial discrimination in treatment of pupils and teachers, and authority to achieve compliance with that requirement by cutoff of funds or by other means authorized by law."

Humphrey's statements made in 1964, however, now are being interpreted as permitting a system of teacher assignment to correct imbalance in the faculty of a public school or college. The Department of Justice today is assuming, in effect, that a teaching staff denies equal opportunity for education just because there are many more teachers of one race than another in a public school or university receiving federal assistance.

RETIREMENT OF COL. RALPH E. VANDERVORT, JR.

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, ever since the closing days of the 1st session of the 89th Congress when our good

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friend, Col. Ralph E. Vandervort, Jr., retired and was very appropriately recognized by many Members of the Senate who appreciated his fine record, I have intended to add my comments.

Just last week I learned that Col. Ralph E. Vandervort, Jr., received additional recognition, and therefore my comments are quite appropriate at this time. Colonel Vandervort has been awarded by the President of the United States the Legion of Merit for exceptionally meritorious conduct in the performance of outstanding services while working with the Secretary of the Army and the Secretary of Defense in their activities with the Congress. I would like to quote part of the citation, which reads as follows:

> Colonel Vandervort's broad knowledge, discernment, mature judgment, and diplomatic talent enabled him to achieve outstanding effectiveness while conducting liaison with the Legislative Branch of the United States Government. As a representative of the Secretary of the Army, he demonstrated a sound comprehension of both the operations of the Army and the workings of the Legislative Branch. Through his objectivity, professional skill, and well-calculated planning, he projected a clear view of military positions to Members of Congress and provided them with a greater understanding of the objectives of the Army. By his professional acumen, wholehearted cooperation, and dedicated devotion to duty, combined with his harmonious relationships throughout the governmental and military complex, he significantly enhanced the prestige of the Army and earned the high regard of all associated with him.

During the years he served the Department of the Army and the Department of Defense on Capitol Hill, my wife and I became very well acquainted with Colonel Vandervort and his wife, Rusty, and are pleased to now have them as neighbors in Alexandria.

Colonel Vandervort's devotion to duty and his accomplishments were very properly recognized by the award of the Legion of Merit.

AIDING THE REDS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARSHA. Mr. Speaker, President Johnson in his policy talk given to the National Convention of Editorial Writers in New York City on Friday, October 7, 1966, certainly made some recommendations which, to say the least, should move the hearts of every parent who has a son in Vietnam. I was appalled to learn that he had taken the necessary steps to reduce export controls on additional products permitting them to be shipped from this country to Communist nations.

I was equally disturbed to learn that the President signed a determination that will allow the Export-Import Bank to guarantee commercial credits to such Communist countries as Poland, Hungary, Bulgaria, and Czechoslovakia.

This means that this Nation will not only send products and materials to these Communist nations at favorable prices but that it will also provide the credit with which these Communist nations purchase such goods. Depending upon the type of credit, it may amount to little more than a gift of these products to these Communist nations.

The President said "this is good business." Is it good business to engage in trade of any kind with those nations who are supplying weapons, munitions, and materiel to the Vietcong to be used against American boys? Is it good business to use American tax dollars to supply the credit extended to these Communist nations to make purchases of American goods? Is it good business to provide an economic basis upon which the Communists can spread their sorry philosophy over the world?

Further, in time of war, there is no such thing as a nonstrategic product because any product or any goods that a nation will trade for must of necessity enhance the economic condition or situation of that nation. Otherwise, the nation would not be trading in the goods; when you enhance the economic situation of a Communist country by providing it with a product it does not have—or must use its own resources and manpower, and industrial potential to produce—you free its resources and manpower and industrial development to make and manufacture weapons of war—and this is exactly what these Communist nations are doing. They are producing weapons of war and shipping them, not only to the Vietcong but to all other areas of this world where the Communists have agitated and stirred up civil and political strife. To provide these nations with any subsistence of any kind, under any terms whatsoever, while they are supplying the Vietcong with weapons and other supplies that are being used to cripple and kill American boys, is unconscionable. It certainly is not "good business."

How can this Nation ask American boys to sacrifice their lives in Vietnam and at the same time aid those countries who are supplying the weapons, munitions, and materiel that our boys find facing them in the battlefield every day?

This Nation has an obligation to American soldiers to give them every support and protection possible. It should not be molding the bullets to be used against them and this is exactly what the administration order amounts to. Mr. Johnson may think this is "good business," but ask the boy in Vietnam what kind of business it is. Ask the wives, the mothers, and fathers of these young men what kind of business it is.

Furthermore, Mr. Speaker, the average taxpayer, I am sure, is not aware of the fact that his tax dollars are used in part to sustain and finance the Export-Import Bank. And I venture to say that the same taxpayer has enough patriotism in his heart to resent the fact that any part of his tax dollar would be used to extend credit to Communist nations, particularly when American soldiers are dying in the bloody war in Vietnam. This permits the Communists to obtain our goods that they badly need, yet retain their dollars to be used in some other effort to bury us. Why do we spend billions in foreign aid to help combat communism then use our tax dollars to feed and nurture its economy. This is indeed "funny business."

It is both morally and strategically wrong to deal with Communist systems of oppression which are supplying the means of aggression against our own soldiers. No amount of profit makes it right. If the almighty dollar has become so important that we must sacrifice the lives of Americans for it, then we need to adjust and reexamine our values. It is my sincere belief that the President should reexamine and rescind his action, or at the very least, make it contingent on the agreement that these countries will discontinue shipping supplies to the Vietcong.

LEIF ERIKSON DAY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LANGEN. Mr. Speaker, October 9, has been proclaimed by the President of the United States as Leif Erikson Day. We are commemorating the voyage of that intrepid Norseman who followed his star across the northern seas on a journey never before, to our knowledge, made by any man.

History attests to the fact that in about the year 1000, a company of Norse adventurers, led by their captain, Leif Erikson, set sail westward in the *Sea Mew*, from the colony of Greenland—established by Leif's father, Eric the Red—and eventually landed at a place they found to be so bountiful they named it "Vinland the Good." We now know it as the Cape Cod area of Massachusetts.

This discovery and the tales brought home by the sailors prompted others to seek the new land.

What sort of man was this Leif Erikson? A man in whom the fires of adventure burned, surely, but also a man of responsibility. The Icelandic sagas record instances of his dutiful attitude, both with regard to his own family and as a community leader whose counsel was sought and respected—a man of Christian conviction. In a country where the Vikings worshipped their mythical pagan gods, Leif Erikson was instrumental in converting many to Christianity—and without doubt a courageous man, outstanding even in a world of courageous men. I am proud to pause to pay tribute to this fellow Scandinavian on this occasion.

Other brave and dauntless men in other ships in the next few centuries followed whatever star led them to the shores of what we call America. The cost was great to the small bands of men and women whose courage was so indomitable that they were able to face, even with eager anticipation, the future in an unknown and often hostile land. But they came—century after century—until the land yielded to the sacrifice and toil that built it into our America of today.

Frontiers are still there. We reach out into new ones every day, with men and women who, like Leif Erikson a millennium ago, have sighted a star to follow.

LAW ENFORCEMENT'S ROLE IN THE COMMUNITY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. YOUNGER. Mr. Speaker, on October 7, I attended a meeting of the San Mateo County, Calif., Insurance Brokers Association and listened to an address by William L. Faulstich, chief of police of Redwood City, Calif., on law enforcement.

Mr. Faulstich's address impressed me to such an extent, coming from one of the best police chiefs we have in the area, that I felt it was worthy of insertion in the RECORD so that his thoughts could receive wider circulation. His address follows:

LAW ENFORCEMENT'S ROLE IN THE COMMUNITY

(By William L. Faulstich)

The particular topic I have chosen to discuss with you this evening is only indirectly related to my subject, "Law Enforcement's Role in the Community." However, in another way it is directly pertinent since it has a crucial influence upon a police officer's effectiveness within his community. I am referring to the image of a police officer in the sense that he is either helped or hindered in his job of protecting the public.

The policeman's image in the eyes of the community should concern him only to the extent that it affects his ability to perform his job of protecting the community. That thought must remain foremost in his mind as he attacks the problem of a police officer's role in the community. Favorable press releases are no substitute for good solid police work. On the other hand, misinformation, regardless of the source, can hinder and obscure the best efforts of dedicated and highly trained officers.

Perhaps the most damaging blow to the image of law enforcement in this State has come from our highest court. I am frankly chagrined and dismayed at statements in recent opinions concerning the alleged actions of police.

The most discouraging aspect of these charges is that they reflect the court's ignorance and unawareness of the vast changes and progress in training, education, organization and investigative techniques of police agencies within the last twenty years. And even beyond the devastating effect which this attitude has upon the police in the eyes of the community, the community itself is being punished for errors committed by law enforcement more than a generation ago. In the eyes of the court, law enforcement has stood still for an entire generation.

Good public relations will not change the minds of the court. We, the police, must redouble our efforts to prove not only to the court but to the people of this State that our interest lies solely in the prevention of crime and the protection of the public.

No better statement of the role of the law enforcement officer exists than that found in the first paragraph of the law enforcement code of ethics:

"As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all men to liberty, equality and justice."

This role could not be more clearly articulated than in the police officer's job in connection with the demonstrations so numerous in our State in recent months. The great majority of these demonstrations have created only a distorted analogy of purposeful social protest. The police officer in a demonstration is charged with the difficult task of protecting the privilege of every individual to exercise his constitutional rights to picket and assemble and petition for grievances. Yet, at the same time he must assure that the rights of the community are protected against the acts of any individual or group. Very frankly, law enforcement has been caught in the middle.

Demonstrations have become in this State not a struggle between social protesters and agencies or individuals who discriminate or deny justice. Rather, the primary recipients and targets of abuse and ridicule have invariably been the very individuals and institutions charged with guarding constitutional rights, namely the police and the courts. This is an intolerable condition, and I say to you that the obligation for informing the public and clarifying in the minds of the people of this State our role, lies with the police. This is my purpose this evening.

Law enforcement in America is in trouble. To me, this situation reflects that our entire country is in trouble, because when your law enforcers are weakened and made impotent, then the laws which govern our Nation are in danger of collapsing.

For any number of reasons and alleged lofty causes the men and women of the law enforcement establishment are being made ineffectual. Alarmingly, a long parade of individuals with odious tactics are straining the tolerance of our Constitution to the breaking point. At the same time, these small groups of confused idealists and irresponsible extremists are seeking to tear down respect for law and for the law enforcement officer.

The American public is more and more being subjected and exposed to every conceivable kind of outrage by hordes of rag-tag beatniks, agitators and professional troublemakers who insist upon lying down in the streets, blocking traffic, forming human walls in front of business establishments, swarming over private property, and staging noisy sit-ins and demonstrations. All of this is supposedly being done in order to "dramatize" grievances against our society and against the policies of the American Government at home and abroad.

This small band of demonstrators have so successfully cloaked themselves in the mantle of martyrdom that few people have dared to voice an objection for fear of being labeled "bigot." They have succeeded in mesmerizing large segments of our population to the extent that representatives of law and order have become pictured as the villains while lawless marchers and sit-downers have become the figures for compassion.

One of the unfortunate by-products of this curious public attitude is the denigration of the law enforcement officer. There is a great deal said these days over discrimination against Negroes and other minorities. Few stop to think, however, that another group discriminated against today is the law enforcement officer. We are constantly the subject of usually unsubstantiated charges of police brutality. The policeman's will and his morale are being shattered because the clamor of such charges is not counteracted by support from law-abiding, decent citizens. He is being psychologically assailed and physically assaulted, yet few responsible individuals have come to his aid. In 1965, one out of every ten police officers was attacked as he attempted to carry out his duties. There is every reason to believe that when the figures for 1966 are compiled they will show an increase in such attacks.

It seems everyone is concerned with police brutality and yet no one is concerned over what I like to term "public brutality"; that is, the maltreatment of our officers of the law by citizens of every type. Until the American public realizes the brutality which is being inflicted upon our police officers, the law, which is the cornerstone of our Republic, will continue to be flaunted and diluted.

I am appalled at the lengths to which some people are going as they take advantage of sometimes legitimate civil rights protests. Piteously, they cry of persecution by police who use what they term, of all things, "oral brutality." At the same time, however, they themselves delight in using the same type of brutality against police officers by characterizing them as gestapo and other terms too vile to be mentioned here. It is truly amazing that as far as these insincere street marchers are concerned, there is only one side to the coin. They are the only ones persecuted; yet, the policeman wearing the uniform of authority becomes a ready target for oral abuse and yes, physical assaults.

In the minds of the exploiters of the strife which America is enduring, the only victims are the rioters, the looters, the arsonists, the snipers, the thieves, and the murderers who commit vicious crimes while falsely wrapping themselves in the banner of the civil rights movement. I do not mean to imply that Negroes and other minorities in this country have not been discriminated against nor that they have escaped injustices at the hands of the majority. But I do not understand why because one segment of our population has been deprived for 100 years the balance of society must accept a hundred years of anarchy. The majority happens to have some rights also, and it, too, has suffered some injustices.

In the last several years, the law has been made to work quite effectively for the benefit of the downtrodden. It seems, however, that the more the workable processes of democratic justice have been applied to right grievous wrongs, the more greedy and impatient some factions in our society have become. Not satisfied with what the law has done for them, they seem bent upon destroying the only truly effective safeguard they have.

This incongruous philosophy is also apparent in the activities of those who protest the overseas policies and activities of the U.S. Government. Again, the police are the prime targets of weird individuals who have infiltrated groups sincerely concerned about our involvement in Vietnam and elsewhere. We have seen these ideologically confused individuals storm the White House, the very ramparts of our country's dignity; we have seen them, in effect, pledging allegiance to the government of Hanoi by holding aloft Vietcong flags and promoting blood banks for the enemy; we have seen attempts in Oakland and in Redwood City at thwarting the movement of military goods to our fighting men in Vietnam; our police officers have been assaulted, cursed, spat upon, and bitten by so-called non-violent demonstrators allegedly seeking academic and political freedom on the campus of the University of California in Berkeley.

In these situations, and I have witnessed many of them personally, the police have stolidly suffered the unjustified charge of "brutality" and "gestapo." To my way of thinking, the police in all of these incidents have handled their responsibilities with restraint, patience and a gentleness which would be unknown in most any country in the world.

Police are supposed to be impartial; yes, but at the same time, they are not automatons. They are men of emotions just as you are, who happen to be wearing uniforms. It takes a man of steel to ignore a Vietcong flag on America's streets. It takes an imperturbable man to calmly witness bearded idiots trampling the Constitution and Bill of Rights and it takes a strong man to hold his temper as he is spat upon and reviled by unwashed, scraggly-haired revolutionaries and uncouth, insolent, irresponsible hoodlums.

In the face of such senseless rebellion, it is surprising that the police are able to maintain any degree of composure and refrain from displaying their emotions. After all, they are just as human as you are but because of their position, they are not allowed to show it.

The police know that the campaigns against them are not reckless ones. They are well planned, there are even pamphlets written to educate militant demonstrators in ways of skirmishing with police in order to make the law enforcement officer appear to be the brutal aggressor. We also know that among the chief goals of communism and other un-American ideologies is that public faith in the police must be destroyed in order for the seeds of dissension to be planted.

The police accept this. They also accept the fact that it is their sworn duty to uphold the law and that they cannot be dissuaded from their responsibilities by the fact that they are made to look bad in the eyes of the public.

So-called civil disobedience cannot be countenanced by the law enforcement officer. Under our legal system, when there is an intent to break a law the act which follows the intent constitutes a crime and the individual should be punished. Unfortunately, those who seek martyrdom do not wish to understand this. They prefer to violate the law and then receive amnesty. Civil disobedience and lawlessness cannot be excused.

The enigma surrounding the exhibitionists who seek martyrdom is compounded by the fact that some well-intentioned souls, understandably worried about the dangers present in any age of nuclear energy and a day when injustice to minorities still exists, will continue to demonstrate as they have in the past. To people who act in a mature and sincere manner, I say it is their constitutional right to peaceably and lawfully assemble and to petition the government, but laws must be obeyed and police officers respected. With regard to those who counsel and perpetrate unlawful acts, the majority of Americans must react with vigilance, sternness, and speed in the dispensing of just and legal desserts for the offenders.

I am appalled when I hear or read statements to the effect that this gang of irresponsible hoodlums is so small and their impact so negligible that they should be ignored. That this is not so is the reason this type of lawlessness must be stopped.

Persons responsible for aiding our enemies and destroying American's faith in other Americans must be stopped. Not the least among the reasons for this is the fact that our police who bear the first brunt of these activities must be supported by not only their community officials but by the press, and by the public. To what does it avail a police officer to risk life and limb in arresting rioters and unlawful protesters if they are freed, and even lauded, by the courts, particularly when our Constitution and Bill of Rights are twisted well beyond any meaning that our forefathers attempted to convey?

These misunderstandings in the minds of the public are merely the most recent and obvious examples of a far deeper misunderstanding of the police officer's role in his community. Instances like those that I have cited reflect a basic misconception of the role of the public itself in the administration of the law. I suggest to you that I have an obligation to restate for our community the answer to the question, upon whom the ultimate responsibility for the enforcement of the law rests.

The fact that gives substance to the law—and more particularly the criminal law—is not that it is commanded by the Legislature or the Government, but that the law makes available the organized force of the state to aid those citizens who believe in the law. Our Government does not rule the people of this State; it merely gives support to the people when they chose to rule their own affairs. The passage of a law is, in effect, a promise that the police and the courts will defend and enforce certain rights *when citizens choose to exercise them.* When citizens are indifferent to, or are no longer interested in preventing or punishing specific instances of what the law says is a public wrong, that law becomes a dead letter.

It is not enough today that the general mass of the population is law abiding. A very slight minority can destroy the effectiveness of any law if the general population is not also *law enforcing*. Laws making certain kinds of conduct illegal are only effective insofar as the breach of those laws arouses the citizenry to call in the police and to take the trouble to help the police. Neither is it enough that the great majority of the poulation is against crime, against delinquency, or against disrespect for the law. A negative consensus is no guide for a strong public policy or a strong system of law.

In our democratic form of government, "the people" elect and appoint officials to govern their affairs. We pay great lip service to the platitude that power in our system resides not in the government but in the people. But, if we continue to interpret the platitude as meaning that the people, through their elected and appointed officials, govern by command, then government by the people is a delusion. I suggest to you that the proper phrase here should be government *in* the people. Effective laws truly represent an understanding among the people of the community, an understanding by which the law-abiding know what to expect and what is expected of them. The law-abiding are then insured, with all of the force that the state commands, against the disruption and flouting of this understanding by the minority which comprise the lawbreakers.

Too long the onus and responsibility for high crime rates and general disrespect for the law has been placed upon law enforcement officials. I submit to you that there is an opportunity now for me, as an official in law enforcement to clarify and point up the true role of the police in the scheme of community government. It is time that we understand that until the community at large is willing to make an unequivocal commitment to the enforcement of all of the laws that police and law enforcement officials' hands are tied; you should have pointed out to you that until the police get willing and interested cooperation from the public at large they are severely handicapped in their efforts to enforce the law.

Another facet of this problem—how the communities can obtain better protection against crime—is closely related to the first. One of the great fallacies of our form of government is the general belief among the people that the quality and measure of our community life lies in the processes and structure of government; that once the democratic process of electing and appointing officials to govern our affairs is accomplished, that the public's responsibility is fulfilled.

I say to you that the effectiveness of our form of government lies not only in the processes of government, but equally in the exercise of the power vested by that process. We must dispel once and for all the widespread belief that once police and law enforcement officials are appointed and laws are passed, that the public's responsibility for the enforcement of that law is at an end. Primary responsibility for making this fallacy understood lies, I believe, properly with us in law enforcement.

What is the community's responsibility in enforcing the law? The very obvious starting point for such an inquiry is in the articulation by the community of the standard of ideal community life to which the individual community aspires. I certainly do not wish to be misunderstood by my previous statement that I do not believe that our historical processes of government are not the essential foundation of our system. We are the recipients today of a great heritage of freedom, one handed down from generation to generation from the inception of this country. But the viability and effectiveness of this freedom is not guaranteed by the mere fact of its existence. Freedom and a good community life are not self-executing. Each generation within a community must earn this freedom anew for itself.

Therefore, until our community reaches a consensus that a certain standard of community life is their goal, we will continue to lose out in the battle against crime and disrespect for the law. We have but to look at recent incidents such as the narcotic traffic in a close by community among the supposedly affluent society from which our leaders are often drawn to see that insidious forces are at work in our society today among the next generation. We can only combat this through the clear and unequivocal statement of a standard of community existence.

These standards of community life should encompass the hopes and ideals that we intend to pass on to our own children. Yet, they must be realistic and achievable conditions. To restate this entire theme in other terms, law enforcement in any community will be only what that community demands that it be.

The question now becomes: What is our role in the solution of this problem?

I feel that it is properly my responsibility to present my community with these ideas; to point out to them that there clearly is a choice here, and that the alternative to an unequivocal commitment to effective law enforcement is a continued increase in crime and a continued disrespect for law enforcement officials and the role of law itself.

Before closing, I should like to discuss one final aspect of the image of law enforcement. Various theories have been expressed by professors and other writers in the field of criminology that the police must and should remain impersonal in their relationships with the community, that the police are involved in situations and actions and not individuals. I would like to take issue with these theories, since I feel that they are in conflict with both historical fact and the present reality of criminal law, and my own personal philosophy.

While it may be true that the policemen are today less known in the community than the constable was in the village of yesterday, his role is not an impersonal one. The professors and writers confuse being impersonal with being impartial. Certainly, impartiality is a basic and important function of every police officer; but this does not mean that he cannot be genuinely concerned with those with whom he comes in contact.

We, the police, must not evaluate our role in our communities in terms of the impersonal; we must evaluate it rather in personal terms as members of the community and not automatons of a mechanized society. Individualism is still an integral part of our work. It is very difficult to decide after a short interview whether to arrest or not arrest a person. We face the decision on the one hand that if we are wrong we may endanger society, or on the other hand that we may wrongfully embarrass and inconvenience the citizen. There is no easy way out. We must make our decisions in personal terms based upon our judgment as trained officers and as members of the community. We must not punch out arrests or citations like an IBM machine. The officer's judgment, his personal insight, his collective experience in observing the manner and demeanor of individuals is the most valuable asset in the protection of the community and of the individual's rights.

And yet, this innate ability to observe and judge human behavior is almost impossible to explain to the theoretician or the professor, and unfortunately, to the appellate courts. These insights are very difficult to articulate.

In the final analysis, therefore, my goal must be to bring home to my community in a forceful, dynamic way this fact: That dedication to serve the public as a law enforcement officer does not mutually exclude dedication to the ideals of fairness and compassion. Vigorous enforcement of the law presents no contradiction to an equally vigorous search for a just and fair system for dealing with those accused of crime. I must convince you that ultimately the quality of our civilization and our way of life rests with the community, that we as law enforcement officers can only perform efficiently if the public itself is willing to enforce the law.

TAX DEDUCTIONS FOR TEACHERS

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. QUILLEN. Mr. Speaker, the teachers in my district have contacted me in great numbers, stating their dismay over the pending proposal of the Internal Revenue Service, which has chosen to narrow its application of section 162 of the Internal Revenue Code.

I share our teachers concern, and therefore, I am joining my colleagues in introducing the bill to amend the Internal Revenue Code of 1954 so that our teachers can continue to be encouraged to further their education by allowing them to deduct from their gross income the expenses which they incur in pursuing courses for academic credit and degrees at institutions of higher education. These deductions would include travel expenses while away from home attending such institutions.

We all realize the great need for continued growth and excellence in our educational systems, and I believe that it is fitting that we permit our teachers, the most important asset in this growth and development, to have such deductions. The everchanging methods and techniques of teaching demand that our teachers be fully informed of the latest developments, if our educational systems are to be prepared to meet the complex needs of our society today.

I feel that this bill is extremely necessary and important to all of us in every area of the country, and I urge that we do all that we can to see that action is taken on this legislation before we adjourn this session of the Congress.

"FEDERAL SEPARATION OF POWERS—THEORY AND PRACTICE": ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN AT THE PHILLIPS LECTURE SERIES, SPRINGFIELD PUBLIC FORUM, OCTOBER 5, 1966

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOLAND. Mr. Speaker, last Wednesday night, October 5, Postmaster General Lawrence F. O'Brien returned to his home city of Springfield, Mass., as the Phillips lecturer in the Springfield Public Forum lecture series at Springfield Technical High School auditorium.

Postmaster General O'Brien, who is also President Lyndon B. Johnson's White House assistant for congressional relations, and who was White House special assistant for congressional relations to our late beloved President John Fitzgerald Kennedy, lectured on the subject of "Federal Separation of Powers—Theory and Practice." I include Postmaster General O'Brien's lecture with my remarks at this point in the Record:

Federal Separation of Powers—Theory and Practice

(Address by Postmaster General Lawrence F. O'Brien at the Phillips Lecture Series, Technical High School, Springfield, Mass., October 5, 1966)

In one of his most brilliant public statements, President John F. Kennedy once described the special place of Massachusetts in our history and our life. Speaking in January 1961, before the Legislature of this Commonwealth, he recalled the words John Winthrop had written on the flagship *Arabella* 331 years earlier. "We must always consider" Winthrop had written, "that we shall be as a city upon a hill—the eyes of all people are upon us."

Certainly, this series of Phillips Lectures reflects the spirit of this Bay State, a spirit of responsibility for the continuation of a great tradition, a spirit that has always stressed the widest possible diffusion of knowledge, a spirit that has always recognized the special responsibility that follows being set up on a hill.

And so I am pleased that you have invited me to share in this tradition, and proud that, as a son of Massachusetts and of Springfield, I have been part of that tradition.

From that tradition I have gained many insights into the nature of public service that have served me well during my political career.

Tonight I would like to tell you how machines have affected the thoughts of great men who were involved in the freedom explosion, that began here in Massachusetts with a tea party and a shot heard around the world, that has been echoing and reechoing ever since. And I would like also to trace how a certain kind of thinking based on a particular kind of machine was embodied in our Constitution.

We are all aware of the fact that machines and the technological changes they produce affect our way of looking at the world around us. Since it took our first Postmaster General, Benjamin Franklin, two days to get from Philadelphia to New York, and since a jet can now take you to Moscow in one-sixth that time, the twin machines of the airplane and jet propulsion have changed our conception of distance.

But even this revised view of the world is superficial compared with the effect of one other machine. And tonight I want to tell you how the kind of thinking produced by this machine was embodied in our Constitution, how it at first made it easier for mutually suspicious provincials and often conflicting sections to join together into one political body, how later it produced certain problems, and how these problems have been solved.

The machine I have in mind is possibly the most important invention in history from the point of view of its effect on man's mind. Paradoxically, we do not even think of it as a machine, since it has become so much a part of our lives. And I doubt if many people, asked to list the 10 most important machines, would even place it on the list. And yet, its influence colors our every waking moment. Indeed, ordinarily it starts the waking process itself.

The machine I have in mind is the clock.

The clock was the beginning of man's effort to give order to the universe, to make sense out of the big buzzing confusion in which he found himself.

From its invention dates the scientific age. As Louis Mumford said, "The application of quantitative methods of thought to the study of nature had its first manifestation in the regular measurement of time." The regular striking of monastery bells brought a new regularity into the life of the workman and the merchant. The clock made possible an even flow of energy, regular production, and a standardized product. And time-keeping soon passed into time-accounting and time-rationing.

Without this conception of time Benjamin Franklin could hardly have written that "time is money," and that "Dost thou love life? Then do not squander time, for that is the stuff that life is made of."

The clock also served for many as a model of the way nature must operate, and the way that good government should be organized. Some even viewed the universe as a great, orderly clock and God Himself as its maker and winder of the main spring that kept it running.

This view of the clock, with its gears, escapements, balance wheels, and other devices to produce precision and orderly movement, was very influential at a time when our Founding Fathers were considering the creation of our own political system.

Fed up with the petty bickering between the various States under the Articles of Confederation, and still frightened of the arbitrary power that their experience with England convinced them flowed from a strong executive, they sought to find some way to combine liberty and order.

That way was found in our Constitution.

In its separation of powers, and particularly in its system of checks and balances, we see the influence of the clock at work.

The Constitution was the blueprint of a new kind of clock, the clock of political order.

Wound in Philadelphia in 1787, it was expected to run with precision, its checks and balances preventing any one of the three great divisions of government from impinging on the other.

I agree with Gladstone that the ". . . Constitution is the most remarkable work known . . . to have been produced by the human intellect at a single stroke . . . in its application to human affairs." Nevertheless, there were three weaknesses in this political master clock, one quickly apparent, and provided for; another quickly provided for though not so apparent; and third, neither quickly apparent nor quickly provided for.

The first weakness was a lack of a fundamental statement of basic individual rights. This lack was remedied in 1791 in the Bill of Rights. It was the refusal of the State of Massachusetts to ratify the Constitution unless a Bill of Rights was promised, that finally cleared the way for the ten basic amendments that we cherish.

The second weakness in our Constitution was, one might say, a lack of recognition that while it was a splendidly designed mechanism, it needed fuel to keep it running. That fuel was quickly forthcoming, though not recognized as such, in the form of political parties. Nowhere in the Constitution is there the slightest reference to parties, which many equated with partisanship and conflict.

Yet they quickly sprang up. Why? Because they were needed badly if the system was to work at all. James Bryce, in commenting on our form of government, said that ". . . the spirit and force of party has in America been as essential to the action of the machinery of government, as steam is to a locomotive engine; or, to vary the simile, party association and organization are to the organs of government almost what the motor nerves are to the muscles, sinews, and bones of the human body. They transmit the motive power, they determine the directions in which the organs act." Or to switch from Bryce back to my own comparison, parties were needed to keep the Constitutional clock wound. And that's what they have been doing from the beginning.

The third deficiency was not so easily seen, nor so quickly remedied. For it was inherent in the basic blueprint of the clock itself, particularly in its separation of powers and related clockwork mechanism of checks and balances.

This deficiency was the friction, conflict, hostility, and sometimes open warfare that too often broke out between the Legislative and Executive branches.

Such warfare might have been shrugged off in an earlier day, but what was merely bothersome in a slower age can be fatal today, or tomorrow, in an age of 17,000 mile-an-hour ballistic missiles with hydrogen bomb warheads.

There are so many tasks, unfinished tasks, facing the nation, that conflict and lack of communication between the proposer and the disposer, between the Executive and Legislative Branches, are luxuries we not only cannot afford, but must not afford.

It has been said that lack of any organic relationship between the Executive and Legislative is the crux of the political problem in the United States today. This is made even more of a problem by the fact that the Executive Branch constantly changes to meet new problems, such as atomic energy and space exploration and drug control, never envisaged by the Founding Fathers.

Communication and understanding are vital. Yet communication has often been shattered.

Very early in our history, Thomas Jefferson, a genius in so many areas, found a way to bridge the gap. He believed that the Congressional leadership and the Chief Executive should work closely together *before* legislation was offered for action.

When he could not attend such caucuses himself, he sent his Secretary of the Treasury, Albert Gallatin, to do the job.

Unfortunately, this practice was permitted to lapse. Though Woodrow Wilson was a great admirer of the British system where there is a direct, organic relationship between Executive and Legislative, much of his difficulty stemmed from lack of communication between the White House and Congress. Each side to a great extent considered itself the enemy of the other, and there was a continuing power struggle. This struggle may well have been the real cause of our failure to join the League of Nations, where our influence might have done much to prevent World War II.

The tragedy is that Wilson, intellectually, though not politically, understood the need for a strong and continuous channel of contact. This is clearly seen in his statement that: "The trouble with the theory (of checks and balances) is that . . . no living thing can have its organs offset against each other as checks, and live. On the contrary, its life is dependent upon their cooperation, their ready response to the commands of instinct or intelligence, their amicable community of purpose . . ." And then he added, "There can be no successful government . . . without the intimate, almost instructive, coordination of the organs of life and action."

But Wilson was unable to combine this excellent and correct theory with effective action.

One of the most important reasons why Franklin D. Roosevelt was able to get so much accomplished during those first 100 days was his active lobbying with the Congress. Just as Jefferson had appointed Gallatin to maintain close liaison with Congress, so, too, did Roosevelt designate his Postmaster General, political adviser, Jim Farley, for the same job. Working together with Vice President Garner, Senators Joseph T. Robinson, Pat Harrison, and James Byrnes, and Congressmen Henry Rainey, Joseph Byrne, and Sam Rayburn, they were able to enact a massive program of legislation of such importance that America took a quick turn into a new road, a road of greater prosperity and social justice.

Without such close contact, without the invisible bridge between Executive and Legislative Branches, there would have been suspicion, friction, and the momentum that carried through the President's program would have been lost, perhaps irretrievably.

Later, the conflict between the White House and Congress led to crushing defeats to the President's program, particularly the failure of his effort to remold the Supreme Court. This reflected the fact that the bridge had been allowed to deteriorate.

President Truman reinstated some of the early Roosevelt procedures in dealing with the Congress but, as you know, his program was opposed. However, he turned his problem to great political advantage, by running for election against what he termed "the do-nothing 80th Congress." That Congress presented Truman with a ready-made political issue.

When President Eisenhower entered the White House, he took some steps toward the formalization of Congressional Relations. Two assistants were assigned directly to Capitol Hill and Cabinet Officers served informally as liaison men between the President and the House and Senate. But we must remember that during six of the eight Eisenhower years, the Congress was Democratic. Few proposals emanated from the White House—it was rather a case of the Democratic Party under the leadership of Majority Leader Lyndon Johnson and Speaker Sam Rayburn initiating a Legislative Program on the Hill. The Eisenhower Administration often discovered itself in opposition to the majority in the Congress and spent considerable time and effort in attempting to block legislation rather than promoting a program of its own.

When President Kennedy was elected in 1960, we found much to our discomfort, that for the first time in the twentieth century a party taking over the White House failed to gain seats in Congress. In fact, we had actually lost twenty seats in the House of Representatives. And, even more distressing, every one of these 20 were Kennedy progressives. This gave the coalition of conservative Democrats and Republicans the power to block many badly needed programs, particularly since this coalition had an almost impregnable barrier against controversial legislation in the House Rules Committee.

Breaking, or at least breaching this barrier, was the first order of business.

Thus, the day following the President's Inauguration, while many were still glowing in the remembrance of his moving and eloquent words about asking not what your country can do for you, we found ourselves in a major struggle to permit the Kennedy Program even to come to a vote. A change in the House rules, or a change in the composition of the Rules Committee, was absolutely basic to assure consideration of the New Frontier proposals.

The roll call on that change in the Rules Committee was twice postponed by Speaker Rayburn because both the forces of change and the forces of reaction understood that here was the crucial decision that would shape the course the country would take.

The vote on the Rules Committee was 217–212. We had prevailed by a margin of only five votes. And this after an unprecedented effort by House Speaker Rayburn, after calls by the President and Vice President to wavering members of Congress, after pleas not to undermine the President while he was barely getting underway.

"With all that going for us," President Kennedy said, "with Rayburn's own reputation at stake, with all of the pressures and appeals we could make, we won by five votes." And, he added sadly, "That shows you what we're up against."

An analysis of that vote clearly showed that even if we carried every northern, western, and border State Democratic vote (which we never did) no bill could get through the House unless we somehow attracted at least 55 votes from the 99 Democrats from the 11 Southern States. Contrary to what many pundits wrote, support and leadership developed from among Southern legislators on a number of key issues.

The President liked to quote Jefferson's aphorism: "Great innovations should not be forced on slender majorities." Yet his sense of the urgency of the issues, and his understanding that he would be judged by history mainly on the basis of accomplishment, spurred him on to propose many great innovations. And he realized that only close and continual contact with the Congress would blunt the acknowledged truth of Jefferson's statement.

It was my great privilege to serve him by establishing and maintaining such contact.

President Kennedy had named me Special Assistant for Congressional Relations prior to inauguration. He placed this position for the first time on the highest level in the White House and for the first time a man was to head a specific department in the White House charged solely with this responsibility. As a result, I could speak for the President with the Congress and deal directly with the Leadership of the House and Senate on behalf of the President.

We created a staff of five Congressional Relations Aides. We surveyed Congressional Relations in the Departments and Agencies and established a procedure whereby each Cabinet Member and Agency Head submitted to me by Monday noon of each week, a written report detailing his Department's activity on the Hill during the previous week and a projection of activity for the current week. We summarized these reports during Monday afternoon and sent the summary to the President for his night reading on Monday evenings along with a suggested agenda for his use when he met with the Democratic Leadership each Tuesday. In addition, we called the Congressional Liaison Heads of the Departments and Agencies, numbering about 40, to the White House periodically for in-depth discussions of our program and specific assignments.

Both President Kennedy and President Johnson viewed the functions of the individual Department and Agency Congressional liaison officers to be of such importance as to demand staffing with people of the highest competency. They felt that this was the first line; there was no place whatsoever for the second rate.

Our emphasis at all times was that every legislative proposal was part of the President's Program—that it was a single program. At a given moment, we might be working on a Farm Bill which, of course, is of great importance to the Department of Agriculture, but we expected all the Departments and Agencies along with the White House to pull together in a cooperative effort to work on this Farm Bill. In that way, we endeavored to insure maximum promotion of the President's program with the Congress at all times.

This pragmatic approach, which cut across the traditional boundaries of the various Departments and Agencies, was also reflected in our utilization, on an ad hoc basis of the powerful and persuasive lobbies with which Washington abounds. If the press is considered the fourth branch of government, certainly lobbies are the fifth branch.

There are lobbies for every conceivable issue that might come before the Congress. Many of these lobbies historically have opposed the majority of Democratic programs. But the President felt, and I felt, that it would be foolish to base our actions toward any organized group on ideology or historic antipathy to Democratic effort. On some issues, we felt, we might form a natural and legitimate alliance with various lobbies, and coordinate our own efforts on Capitol Hill with those of the private group or groups that had special knowledge of and interest in furthering legislation which we believed was in the national interest. Thus, we formed occasional alliances with various organizations and associations. We did not ask—indeed we felt it irrelevant—how they might view the Democratic Party, President Kennedy, President Johnson or indeed any factor outside the confines of a particular issue.

Thus, we might oppose the views of a certain group on one piece or many pieces of legislation, but work closely with them, coordinate our activities with them, on a bill in which our views coincided. I believe this is not only good politics, but good sense. And the results were apparent in the passage of beneficial legislation which otherwise would have expired in Committee.

This operation, of bringing the White House directly into the process of formulating legislation, represented an historic change in relationship between the Executive and Legislative Branches. We deemed it essential in January of 1961, if we were to have any measure of success. It is now here to stay as an integral part of the White House. President Johnson repeatedly re-emphasizes the importance he attaches to Congressional Relations and he urges the Departments and Agencies to play even a fuller role in this massive team effort.

And, of course, in addition to the indirect Presidential contact with the Congress through the Congressional Relations staff, both Presidents Kennedy and Johnson emphasized direct Presidential contact through such devices as Congressional breakfasts and attendance of selected Congressmen at bill signings, a variety of individual and small group contact.

I believe that this effort underlies much of the really amazing productive record of the 87th, 88th and particularly the 89th Congress. Working together with Senate Majority Leader MIKE MANSFIELD and House Speaker JOHN MCCORMACK our accomplishments have exceeded even the most optimistic predictions.

And when I cite an amazing productive record I am talking about measures that I have no doubt future historians will turn to and consider milestones in American history.

There was the ratification of the Nuclear Test Ban Treaty, that signalled a truce to terror.

There was a successful effort once and for all to end unreasoning prejudice against the use of fiscal policy to spur the economy—as tax reform spurred the greatest continuous advance, and the greatest quantitative increase, in our national experience.

There was the Civil Rights Act of 1964 and the Voting Rights Act of 1965 that broke down old patterns of discrimination and transformed into reality what had far too often been but rhetoric.

There was another right added to our growing bill of social rights: the right of adequate medical care for older Americans. No longer do we take it for granted that the sick and elderly must choose between a pauper's oath or bankrupting their own and their children's future to pay for the often catastrophic cost of illness.

Certainly, history was made in the field of education. No less than 24 major pieces of education legislation were enacted in the past three years alone. These laws not only removed from our political debate sterile arguments over church-state relationships, but by their provision for maximum local direction and control, they also ended the old repetitive and largely empty rhetoric of States Rights versus Federal Control. These laws, and others like them, signalled the birth of a new and more creative federalism.

Our decaying urban environment, where most of us live and work, will be the beneficiary of new hope stemming from the first new Cabinet post in 13 years, the Department of Housing and Urban Development, by funds for beautification, clean air and water, better housing, and the war on poverty. And we are now moving toward creation of the second new urban-oriented Cabinet Post: a Department of Transportation. A bill providing for this Department has passed both Houses of Congress and is now in Conference Committee.

Our immigration laws, which caused other nations often to view us as hypocritical, were revised through a law which cured the evil of judging a man by where he was born rather than on his inherent worth.

Heretofore no other Congress had ever done more than laugh at the idea of using taxpayer's money to support anything as intangible as the arts, until the 89th Congress. Now we have a National Foundation of the Arts and Humanities, recognizing that culture is not something superficial but is really basic to a civilized society.

During this 89th Congress alone, over 90 major bills were enacted in the first session; and over 70 to date during this session. Many of these measures were critical; most broke new ground; all reflected a positive view. And I believe only the close working relationship between the Congress and the White House can account for a record of achievement which stands at over 80 per cent of all these major Administration measures having been passed.

This working relationship also has provided a splendid opportunity for close rapport and beneficial discussion concerning foreign policy. Through the new channels of Executive and Legislative cooperation has come a significant dialogue on foreign affairs—not necessarily related to legislation but of supreme importance to our Nation.

The record of accomplishment is clear, but two questions remain. How does this process actually work? And what does this effort to bridge the Constitutional canyon mean from the point of view of the average Congressman?

Let's look at the process first.

A kind of folklore has grown up around the efforts of my staff and myself on Capitol Hill. The fanciful picture that has gradually formed usually features exchanging Federal largess in the form of bridges, dams, post offices and other projects, for votes. Such a picture, I believe, fulfills the all-too-human need of simple answers for complicated problems. The simple fact however is that such a picture is entirely incorrect. There is no effort to "buy" votes through a kind of horse-trading process. What does go on is a delicate searching out of what can be done by an individual Congressman, how far he can extend himself without endangering his standing with his constituents, how much we can convince him that he and his home District really do have a stake in a particular piece of legislation, and how we can compromise without sacrificing principle or substance.

A significant factor in this effort is that of "head counting." This may seem like a rather elementary and insignificant exercise. Actually, however, it is of great importance. It is much easier to attract support if a measure appears to have the chance of passage; and the President is much less likely to be forced to compromise if it appears that there will be enough votes. So "head counting" is equivalent to taking the pulse of the Congress on legislation. From that pulse we can prescribe remedies and make a fairly accurate diagnosis of the kind of action that must be taken.

Of course, neither President Kennedy nor President Johnson originated "head counting". This activity was undoubtedly going on in the First Congress back in 1791. The innovation was that the activity became a cooperative effort with the House and Senate Leadership and the House Whips, an accepted effort by the President's designated agents.

In this often very subtle process of assessment and advocacy both Presidents delegated a really substantial amount of responsibility to the Congressional Relations Office. Trust and delegation of duty were, I would say, an elemental part of their executive methods.

I remember the first time that this was brought home forcefully to me very early in 1961, right after we had squeaked through the crucial Rules Committee vote.

One of President Kennedy's major bills called for a higher minimum wage. When he took office it was still a dollar an hour, $40 dollars a week, and this in the richest country in the world. He felt that this was a disgrace, and he pledged himself to do something about it.

His proposal was for a 25-percent increase in minimum wage, and the extension of coverage to several million Americans who weren't yet receiving the one dollar an hour wage that he considered too small.

The House Education and Labor Committee reported the Administration bill, but a canvass of Congress clearly showed that passage in its present form was doubtful. I can vividly recall a meeting in Speaker Rayburn's office, where Arthur Goldberg, then Secretary of Labor, the Democratic Leadership and members of the Committee considered what we should do. Much to my discomfort, I must admit, the final decision was left to me because the tough decision was a political one. Should we compromise? And if so, where? Should we fight this issue out? And how should we best handle the bill on the floor of the House?

I was the President's man in that meeting and while I could have picked up the phone and called him, I knew the choice was mine to make.

So, I decided to hold to the $1.25 figure, but to agree to certain reductions in the number to be added to the minimum wage umbrella. Since we needed the votes of Southern Democrats if we were to win this close fight, I suggested that CARL ALBERT, then the Democratic Whip and now the Majority Leader of the House, a brilliant, hard-hitting, and respected Congressman from a border State, be named as floor manager. CARL was reluctant at first since he was not expert on minimum wage law, but he agreed. And after intensive study of the issue he made a splendid presentation.

When the bill came to a vote, however, we were defeated 185 to 186. I had to report this news to President Kennedy. I hated to go into that Oval Office and tell him that legislation he wanted so much for the working man had been defeated in the House by one vote. I can still see his reaction as I broke the news. "One vote!" he said, and in frustration he plunged a letter opener into the top of his desk.

There were two critical judgments to be made in the course of this legislation through the Congress. My first, that we should hold to $1.25 an hour, seemed to have been proven faulty.

However, the Republican opposition, anxious to gain credit for some kind of minimum wage law, then introduced an amendment, calling for $1.15 an hour, and a much scaled down extension to new groups. This passed the House and went on to the Senate. Liberal support in the Senate was stronger than in the House, and the Senate passed a bill calling for the originally proposed $1.25 an hour and extension to over 4 million additional workers.

The matter then reached a Senate-House Conference Committee. Again, we were asked to make a critical judgment. Should the Administration take a tough line, or modify its position? I knew that a tough stand was what the President wanted, but that we could agree to a two-step increase, first to $1.15 and then to $1.25. The House conferees were criticized by some of their colleagues for agreeing to this, particularly since Republicans from industrial areas were impaled on the horns of a dilemma. They no longer had the chance to vote for a weak, watered down bill. If they voted against the Conference Report, it might still pass, and they would be in serious trouble. The result was that the Conference Report was voted 230–196, giving us substantially what we wanted, and involving no real compromise with the $1.25 minimum.

I firmly believe that without direct cooperation between the White House and the Congressional leadership at every stage of the tortuous passage of this law, and without our passing to the President detailed intelligence reports of a very fluid situation, there would not have been a minimum wage law passed in 1961, and certainly no $1.25 minimum for several years.

And to bring the story up-to-date, President Johnson signed into law several days ago a minimum wage Bill calling for $1.60 an hour and new and further extension of coverage. Certainly there has been remarkable progress in this area in a few short years.

If, to those of us on the President's staff, this process of working with the Congress appeared as a mixture of diagnosis and dialogue, how did it appear from the point of view of the average Congressman?

Well, one of the first lessons anyone learns in dealing with the Congress is that there is no average Congressman.

And the second lesson is that the key to a successful working relationship with any Congressman is to recognize that there are practical political limits to what can be asked and expected. A clear view of the "art of the possible" is essential to understanding. Every Senator and Representative we dealt with was elected by the people of a State or Congressional District; while in the White House only the President was elected by all the people. While it was, therefore, natural that the White House stress national issues, overlooking local issues could mean political hara-kiri to Members of Congress.

For example, in a memorandum to the President describing our difficulties in convincing Southern Congressmen that they should support the President's program, I pointed out that these men could look for little or no help in their districts either financially or organizationally either from organized labor or from the party structure; that often they must encounter their critical tests, not in the general election, but in the primaries, where they would get no help from having the President at the head of the ticket; must look for their financial and community support to local business leaders who in their areas are often oriented toward national pressure groups that opposed most liberal programs; and can really expect nothing in return from the Admininstration but a "kind smile and a pat on the head."

To see how this process looked from the Congressman's point of view, I would like to quote a man who has seen government from both branches, who now serves very ably as the Undersecretary of the Treasury, and who served in the House of Representatives with distinction, my good friend Joseph Barr.

Recalling his experience during the Eisenhower Administration with the Separation of Powers, Mr. Barr said:

"During my period in the Congress I sometimes felt that there was an unbridgeable abyss between the Congress and the Executive. I could and did build bridges to the Departments with which I was most involved because of Committee assignments—Treasury, State, Defense, and to the independent agency, the Federal Reserve Board. But at that time there was no access to the White House for a freshman Congressman. I must admit that I was not disturbed by this situation. I merely assumed this was the way it had always worked, and my colleagues with much longer tenure had never seemed to have had more than a very tenuous relationship with the White House."

Mr. Barr then goes on to say that he was pleasantly surprised to find that he had been wrong.

"Two Presidents," he said, "John F. Kennedy and Lyndon B. Johnson, . . . changed all this. In this particular Congress there are 92 new members, 83 of whom are in the House and 9 in the Senate. I know that everyone of them has a close relationship with the White House staff and at least some relationship with the President. While 72 of these new members, 65 in the House and 7 in the Senate, are members of the President's party, I know from personal observation that the new members of the opposite party are given the opportunity to establish a similar relationship."

From the outside at least, it seems that this rather simple device of consciously building a bridge across the Constitutional Gulf has helped to combine the advantages of a Congressional and a Parliamentary system.

The effect of the bridge has been to assure that every member has the chance to hear not only the Department's position, but the President's views on legislation he is sponsoring. The distinction may sound tenuous, but . . . the Congress usually tends to jump to a conclusion that departmental positions are narrow-minded and parochial. They do *not* take that attitude with Presidents. Even if they disagree with a position, as politicians they are acutely aware that a President stands for election before *all* the people.

It would be difficult to exaggerate the importance of this development involving only a handful of people in the White House and 30 or 40 in the rest of the government. While maintaining the absolute independence of the individual Member of Congress, the bridge has in effect opened a parliamentary dialogue in a Congressional system. The politicians—the Members of Congress and the President—are now engaged in a direct dialogue as they would in a Parliament.

Undersecretary Barr concluded that, ". . . the recent legislative record will support my thesis that a dialogue between the politicians develops more understanding than the more traditional dialogue betwen the Congress and the Departments."

I know that President Johnson is determined that this dialogue will continue for it has proven to be enormously fruitful. This is clearly seen by the fact that of almost 700 House and Senate Roll Calls on major legislation the Administration has been successful close to 95 per cent of the time since 1961.

I began my discussion of this new development in our Constitutional process by pointing out the influence of the clock on thought and on the Constitution itself.

Today another mechanism is forming our ways of thought. The basis of this mechanism was conceived in the fertile brain of the American Lee de Forest, and consisted of the insertion of a grid or valve in an electronic tube. This seemingly simple idea permitted the tube to regulate itself, permitted what we call *feedback*.

This idea of feedback, seen in its most primitive form in our furnace thermostats, is at the heart of the technological revolution of cybernetics or automation we are new passing though. For an automated machine is basically a device to sense a stimulus and to compare, to feed back, the stimulus to a set of instructions, called a program. If stimulus and instruction coincide, the machine does one thing; if not, it does something else, or nothing.

Certainly, as did the clock centuries earlier, automation or cybernetics today is revolutionizing our ways of looking at the world.

Though there was certainly no conscious effort to duplicate a mechanical feedback process—as there was earlier no conscious reliance on the clock mechanism in constructing the clockwork elements of checks and balances in our Constitution—nevertheless, what we see now at work between the Executive and the Legislative branches is precisely this kind of effort.

There is a working together that never existed before, there is a continual dialogue, a constant feedback of information, opinion, and mutual assessment between the two branches of government.

I think that this is a healthy sign, for feedback is essentially an organic action, the kind of action that every sense cell of our bodies participates in all the time.

To refer once again to Woodrow Wilson's words: "No living thing can have its organs offset against each other as checks, and live."

I believe this is the case, and I feel that one of the greatest contributions of President Kennedy and President Johnson to the vigor and life of our Constitution and our Society has been the building of a strong bridge through Presidential initiative in establishing close White House-Congressional liaison.

In politics and government, as in other segments of our Society, we have the viewers and the doers. The viewers rarely seize the opportunity for direct participation and oftentimes they have a distorted and unreal concept of the operations of the Executive and Legislative Branches. But the procedures I have discussed and the impact of those procedures are well understood and well accepted by the doers. The activists realize the significance of the invisible bridge we have built.

Although the existence of a high level office in the White House charged with maintaining this function has not been formalized by law and hence may be terminated by a President at any time, I believe that future Presidents will recognize its importance and wish to maintain it in some form.

A bridge between the Congress and the President makes government more totally responsive to the people and that is an essential ingredient of our domestic system.

"THE INFORMATION GAP," A SERIES OF ARTICLES BY MISS THERESA McMASTERS, WASHINGTON CORRESPONDENT FOR THE SPRINGFIELD, MASS., DAILY NEWS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOLAND. Mr. Speaker, the Springfield Daily News, a widely respected newspaper published in my home city of Springfield, Mass., last week carried an informative and interesting series of articles on "The Information Gap" between Federal executive agencies and the Congress; and the States, counties, and cities desiring Federal grants for local projects. The series was written by the perceptive correspondent in Washington for the Springfield Daily News, Miss Theresa McMasters. I have permission to have included with my remarks at this point in the RECORD the Springfield Daily News editorial of October 8, entitled "The Information Gap," and Miss McMasters' series of articles, published on October 5, 6, and 7:

THE INFORMATION GAP

The continuing proliferation of federal government agencies and the increasing importance of the federal funds grant in enabling communities to undertake projects and operate programs which they could not afford without this assistance have placed great new emphasis on the value of communications.

However, as Theresa McMasters of The Daily News' Washington office made it plain in a series of dispatches on the problem earlier this week, many states, including Massachusetts, are missing out on federal largesse simply because of an information gap. The federal government and many of the states involved are not organized to provide necessary data on details quickly enough and succinctly enough to benefit all possible claimants. Thus, the history of federal aid to the states and to communities is a history of many lost opportunities.

It is not, however, enough to say that congressmen ought to keep their districts better informed. Many, in fact, do represent their areas adequately with funds-dispensing agencies, but only, in some instances, after a struggle.

What is lacking is a federal clearing house of information supplemented by the creation of effective state liaison agencies.

The need is apparent now, and will become even more urgent as the federal government continues to expand.

MASSACHUSETTS LOSING MILLIONS IN FEDERAL AID

(By Theresa McMasters)

WASHINGTON.—The commonwealth of Massachusetts is losing untold millions of available dollars in federal aid because it is not taking advantage of all government programs.

It falls behind its smaller counterparts in winning federal aproval and money for projects that count on initiative, resourcefulness, speed and careful planning.

Through lack of speed this year the state Department of Education lost $5 million allocated by the U.S. Office of Education for use of underprivileged Massachusetts school children.

Through lack of initiative in fiscal year 1966 only two municipalities—Fall River and North Adams—successfully pressed their applications for technical assistance money from the Economic Development Administration.

Through confusion over the difference between an "inquiry" or an "expression of interest" and a formal application, dozens of the state's cities and towns found they did not have the proper petition before the Department of Housing and Urban Development for sewer construction money in fiscal '66.

Texas on the other hand, fully aware of government aid programs, managed to get 11 sewer construction projects, worth $5.6 million, approved by HUD. Massachusetts got four, three of them since July 1, worth $1.5 million.

While the state and its cities and towns fail to make the most of aid opportunities, private industry—particularly defense oriented ones—and private educational and medical institutions in Massachusetts are getting more than their fair share of the federal dollar.

Through well organized competitive practices and a knowledge of what's going on in Department of Defense programs, Massachusetts industries captured 5.1 per cent of Defense's massive $23 billion contract budget in FY '65.

The state, which ranks ninth in population in the nation, wound up in fifth place with contracts worth $1.179 billion.

However, Connecticut which ranks 25th in population, edged out Massachusetts for fourth place with $1.180 billion in defense contracts.

Massachusetts has done well in at least one program that depends on initiative and is strongly competitive—urban renewal.

Under the driving aggressiveness of Edward Logue, 23 Boston renewal projects approved by HUD have boosted the state into sixth position over the 12 years of operation of the program.

Just half of the $303 million spent in Massachusetts for renewal work, $151.5, has been used in Boston—most of it since 1960.

But Connecticut, where Logue also had a hand in getting New Haven's program going, again edged out the Bay State in the 12 year cumulative figure. Connecticut finished in fifth place with $303.8 million.

Massachusetts' leadership among the states in the number and quality of its educational and medical institutions shows up in its success in getting support for complex and technical research projects.

During Fiscal Year 1965, Massachusetts universities and hospitals won more than 12,000 research grants totaling $53.6 million from the Public Health Service.

The grants are made on a competitive basis and were awarded for well thought out programs, adequate research facilities and a competent staff to carry out the project proposals.

For its initiative and industry the state's private research units ranked third among the states—behind New York and California.

In 1965, Massachusetts taxpayers poured $3.284 billion into the U.S. Treasury.

In return the Treasury issued $410 million in checks to fund the vast arsenal of federal programs carried out in the state.

During the same year, the state of Texas sent the Treasury $4.5 billion in taxes. But it got back $792 million in aid.

Massachusetts got back only 12 per cent of what had been collected in the state for all federal taxes.

Texas had an 18 per cent return.

In most cases there is a legislative formula which dictates how program money is to be distributed among the states. In these instances, Massachusetts can do no worse than wind up in ninth place, when the formula is based on population.

But when a new program is launched, Massachusetts, unlike most of the Southern and Western states, fails to take immediate advantage of it.

Title One of the Elementary and Secondary School Education Act, passed by Congress last year, provides that funds be distributed to the states on a formula basis to help children from poor families.

Massachusetts was caught short because it had applied for only $11 million of the $16 million set aside for it before the application cutoff date had been moved up to May 2, instead of the anticipated June 30.

Other states, also faced with the moved up cutoff date however, managed to get 90 per cent of what they were entitled to, while Massachusetts got only 66 per cent.

In some cases legislative formulas foreclose a large state from collecting a large share of money.

Such a program is the Hill-Burton Act which provides funds for hospital construction on a per capita income plus population basis.

In Fiscal Year 1966, Massachusetts ranked 24th among the states with an allocation of only $4.7 million.

Texas, despite its abundance of oil wells and cattle, won $16.8 million. Mississippi, which ranks 29th in population, received $5.9 million.

MILLIONS AVAILABLE

There are millions of dollars available from the Economic Development Administration and the Department of Housing and Urban Development. They are won and distributed on a competitive basis for carefully planned programs and novel approaches to problems in economically distressed areas and choked, decaying cities.

The keystone of success in most HUD and EDA grant approvals is planning, initiative and persistence.

In these areas, Massachusetts isn't making the most of its opportunities—mainly because of clogged information channels.

SENT INQUIRIES

More than 100 Massachusetts communities sent inquiries to HUD in the past year about the new sewer and water facilities program.

Only 17 of them followed up the initial inquiry with a formal application. Many of them regarded the inquiry as an application.

More than 50 Massachusetts communities were designated as distressed areas and qualified in Fiscal Year 1966 for public works funds handed out by the Economic Development Administration.

ONLY 18 APPLY

Yet only 18 of them applied for the more than $325 million available. Only two projects, one each for Lowell and Fall River, worth $4.9 million, were approved.

Officially all 351 cities and towns, the state, and all its private institutions were eligible to apply for $18 million available for technical assistance from EDA.

Only five municipalities, the State Department of Commerce, Boston University and a private statistical research group applied.

Two of the communities, Fall River and North Adams, were successful. They got $50,000 and $5000 respectively. B.U. got $117,000; Commerce Dept., $39,000 for a tourism study and the private group got $3000.

There are many and diverse reasons why one state has more success than another.

But the states that usually top the list in getting federal funds for projects are those with well organized Washington liaison offices to speed the breakout of program information; have aggressive and demanding congressmen, and have top level planning experts in residence.

BAY STATE NEEDS SOUTHERN TOUCH IN LOOSENING CONGRESS PURSES

(By Theresa McMasters)

WASHINGTON.—Winning federal dollars to help finance state projects is an art that has as its tools up-to-date information, immediate followthrough, constant pressure and the threat of congressional power.

Lack of information about what's available to help build a school, a sewer or a civic center usually shows up where it hurts the most—increased municipal taxes.

Through the strength of the congressional committee system, the southerners have managed to parlay their chairmanships into a constant pressure to guarantee that their states don't lose out when federal money is handed out.

Despite their role in shaping and refinancing vital national legislation, the southern congressional chairmen maintain an active interest in the progress of every application filed with the federal agencies by their cities and towns.

EFFICIENT WORK

As a New York congressman put it: "Watch them (the southerners). They do this beautifully. They're all powerful on the committees. They know what's available. They keep track of the tiniest grant and want full credit for it.

"They get on the phone, remind an agency about a pending application, who they are and, boy, do they get results."

Except for the Speaker of the House, which is the most powerful House slot, Massachusetts congressmen hold no committee chairmanships.

However, three of the state's 12 congressmen hold ranking positions on powerful committees.

In the Senate, LEVERETT SALTONSTALL is ranking Republican member on both the Armed Services and Appropriations Committees.

BATES AND PHILBIN

In the House, Rep. WILLIAM BATES, R-Salem, holds the corresponding position on the House Armed services. Rep. PHILIP PHILBIN, D-Clinton, is second to Armed Services Chairman Rep. MENDEL RIVERS, D-S.C.

BATES is also second ranking Republican member of the Joint Committee on Atomic Energy. Rep. JOSEPH W. MARTIN, JR., R-No. Attleboro, is ranking minority member of the House Science and Astronautics Committee.

Through their positions on these committees, the Massachusetts congressmen are in a position to watch over military operations that could vitally affect the state. Occasionally they slip items into authorizing bills that provide Massachusetts with money for the Navy Yard or Chelsea Naval Hospital that was not requested by the President.

They could also have been a factor in the success of Massachusetts industries getting a larger share of the Defense Department contract budget.

Massachusetts also has two representatives on the powerful House Appropriations Committee, Rep. EDWARD P. BOLAND, D-Springfield and Rep. SILVIO O. CONTE, R-Pittsfield.

VIP COMPLAINTS

The federal agencies, always mindful of the sentiments and views of the Appropriations Committees, are more apt to listen to a complaint from an Appropriations member than they would one from a nonranking member of the Interior and Insular Affairs or Veterans' Affairs Committees.

For the most part, the state's congressional delegation fend for their districts on a hit or miss basis.

Keeping up with their committee work is a full time job. They try to keep their districts advised of what a new program could mean through newsletters. But they are handicapped when the information isn't used or is used incorrectly.

They are also handicapped by a town's failure to notify them that an application for federal aid has been filed.

One Capitol Hill spokesman claims that "a Republican can't get a thing in this town ahead of a Democrat, unless he's got some position on one of the top committees."

He also maintains "politics enters into the success of one application over another when they're both equally meritorious. Guess which one will win? It shouldn't be this way but it is."

COUNTIES AT FAULT

An official of the National Association of County Governments believes that Massachusetts' main problem in not getting all funds that are available to it is its weak county government structure.

James Martin, research analyst for the organization said: "Massachusetts is an urban state and it should be at the top in getting federal aid."

"The counties are losing out because they don't have good technical advice available from the state," Martin said.

Because the state approves their budgets, Massachusetts counties are not equipped to engage in countywide planning or watch out for their own particular needs, Martin claims.

Without area wide planning and effort, the towns and cities have to rely on their own resources for getting federal help.

They can apply for information and technical help from the regional offices in the state, but frequently run into limited and overworked staffs not equipped to give them the detailed help they need in filling out the complicated federal forms.

The information gap between federal government and state governments; between the state and the counties and between the municipalities and the congressmen add up to lost dollars for Massachusetts and more for other states.

STATE NEEDS SPEEDIER INFORMATION ON WHAT'S AVAILABLE AT CAPITAL

(By Theresa McMasters)

WASHINGTON.—Ten states maintain an office in Washington whose primary function is to look after the interests of the state.

Massachusetts is not one of them.

Their fundamental purpose is to decipher new legislation and make certain the states get a breakout of information that could spell millions of dollars in federal money to aid state projects.

The states that operate federal-state liaison offices are for the most part the larger ones: New York, Illinois, California, Pennsylvania, Ohio and Texas. But among them are Maryland, West Virginia, Oklahoma and Indiana.

Despite the investment in keeping the offices going, they all believe the operation is well worth the expense.

Indiana, which ranks 11th in population among the states, opened a Washington office this year with the blessings of and an appropriation from the state legislature. To finance it over a two-year period, the legislature provided $75,000.

According to George Gettinger, who runs the office with one assistant, the basic purpose for it "is to maintain a good working relationship between the various state agencies and the federal agencies. We are also to keep the congressmen and senators advised of what's needed in Indiana."

INDUSTRIES ADVISED

Unlike the larger Washington offices operated by New York and California, Indiana also advises state manufacturers about what's available in contracts from the federal government.

Gettinger sees his job as a funnel for information and a communication link between a community and a congressman.

"If an application sent in by one of the towns gets bogged down we notify the congressmen and they try to find out why," he explained.

While Indiana's office operates out of the governor's office, New York's is a branch of the New York Department of Commerce. It employs a director and six assistants and is financed by an $80,000–$85,000 annual appropriation.

Dan Rugge, director of the office, supplies the state's Office of Local Government with all original materials on federal programs.

"We're constantly feeding up information about programs. We keep tabs on all legislation and notify the state when legislation is jelling into a program."

Mr. Rugge believes that states need some form of federal state operation to tackle and interpret "the vast number of brochures that pour out of the government. It's all for free. It just needs somebody to read them over and interpret them for the state."

The New York office is not encumbered, as so many contract operations are, by the necessity of entertaining visiting state legislators.

"We are responsive to the requirements and needs of any state department or agency and not for entertainment purposes," Rugge said.

Unlike Indiana's dual operation for both the state and the state's industries, New York stays out of dispensing advice to industry.

ATOM SMASHER SITE

At the present time a Long Island site is one of six in the country under consideration for the Atomic Energy Commission's giant $400 million atom smasher.

Initially when 200 sites were under consideration, more than one from New York, we stayed out of it.

"But now since Long Island is still in there we'll do everything we can to recruit support from all areas not under consideration . . . and we'll plug the advantages of locating on Long Island," Rugge explained.

When the announcement went out from the AEC that such a facility was to be built news of it did not get back to Massachusetts until about a week before the deadline for filing applications. At the last minute a hastily drafted proposal was submitted offering Haverhill as a site.

Had the state had adequate information and used it, it could have scouted potential sites to meet AEC requirements and submitted a well thought out proposal.

One outsider said Massachusetts should have submitted a dozen proposals.

Rugge feels a Washington operation is almost a necessity for most states "if they are to cope at all" with the flow of program information.

CONNECTICUT SYSTEM

Connecticut, which does not operate a Washington office, is kept well informed on what's available from the federal government through a series of well organized seminars attended by state officials, mayors and selectmen.

"We don't truck our officials into Washington. We bring the federal agency representatives to the state where they explain in as much detail as possible about a given program," a Connecticut spokesman said.

An aide to Sen. Abraham Ribicoff explained the state's apparent success in getting federal help another way.

"The state's had a lot of its state officials serve in Washington, both in the White House and in the Cabinet. They know what's going on and how the game is played."

Connecticut's junior senator, Ribicoff, was at one time secretary of Health, Education and Welfare. When HEW has a new program he is advised about it and informs the state.

KENNEDY AT WORK

Recently, Sen. Edward M. Kennedy began setting up a series of meetings in Massachusetts between state and federal and local officials to advise them on programs.

At the meetings, federal government representatives advise municipalities on how and where to get planning money, explain the mechanics of applications and what they can expect.

To offset the information gap, the state has recently undertaken planning on a statewide basis and has appointed a federal state liaison agent to look into the significance of current programs.

But the latter will be based mainly in Boston and not in Washington where the fundamental information about federal programs is located; where it can remind the congressmen of what the state needs, and keep tabs on applications that can mean millions in aid for the state and its cities and towns.

UNITED STEELWORKERS OF AMERICA SUPPORT INDIANA DUNES NATIONAL LAKESHORE

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the Indiana dunes have been a subject of controversy in the Congress for a number of years.

On October 3, 1966, the Subdistrict No. 2 Council, District 31, of the United Steelworkers of America passed a resolution which explains simply and forthrightly the basic issue involved in this controversy. Their resolution supports the view that human rights are far more important than property rights.

Subdistrict No. 2, whose headquarters are located in East Chicago, Ind., represents 37,000 steelworkers residing in the Lake County area including Gary, East Chicago, Whiting, and other cities. These are the people who have been forced to live in heavily industrialized areas where the air has become foul and the water polluted. These are the people who are asking for the preservation of what is left of our natural recreational areas.

The Members of the House have an opportunity now to listen to the voice of the people by voting affirmatively and passing H.R. 51. This bill would establish the Indiana Dunes National Lakeshore and preserve what is left of the shoreline and the dunes.

The resolution passed by subdistrict No. 2 council follows:

Resolution of United Steelworkers of America, District No. 31, Subdistrict No. 2, East Chicago, Ind.

Whereas, Industrialization of the great Chicago-Calumet Area, in the early part of this century found heavy industry and particularly steel mills, locating on the southwest shore of Lake Michigan in the Chicago Area and the Lakeshore from the Stateline through the many miles of Hammond, East Chicago, and Gary in the State of Indiana; and

Whereas, such location permits industry to take full advantage of water transportation and the use of millions and millions of gallons of what was fresh, pure Lake Michigan water without cost to them; and

Whereas, for these many years, the water used as well as the elements from the atmosphere used were not returned as they were found, but polluted water returned to Lake Michigan and foul air laden with dust and gas returned to the atmosphere; and

Whereas, once destroyed, natural resources, such as the Sand Dunes and the Lakefront, are irretrievable; and

Whereas, many thousands of families have been attracted to the Calumet Area to provide labor for heavy and related industry, and it is fully recognized that capital expenditures to build these mills and factories have furnished employment, good wages, and Union conditions to the many thousands of workers in this Area; and

Whereas, any particular geographical area can become saturated with heavy industry to the point where those who are forced to live close to heavy industry must spend the major portion of their lives in polluted air and without recreational area; and

Whereas, there are those in the State of Indiana who would desecrate the remaining few miles of Lake frontage and the Sand Dunes in favor of heavy industry for the few tax dollars that industry would pour into the State coffers, and there are those with selfish land interests who are willing to disregard the interests of people in favor of greed and personal profits; and

Whereas, there are those who seek to build for the sake of building, and who value things above people, who are contributing to the efforts of the profiteers and misguided politicians; and

Whereas, heavy industry has located in this new area on the basis of compromising decisions; and

Whereas, those who were parties to the original compromise now seek further compromises with the idea in mind of completely eliminating all recreational areas, thereby destroying all of the natural shoreline and the remaining Dunes. and

Whereas, many organizations and public-spirited citizens have and are spending of their time and funds unselfishly in an effort to preserve the remaining Indiana Lake Shore and the remaining Sand Dunes for their natural beauty, their recreational value, and botanic value for the generations to come; and

Whereas, the interest of the United Steelworkers of America should be and is for the people, realizing that our members and all workers and their families in this great industrial area, will require more and more recreational area as the years go by—by reason of automation and mechanization reducing the average working hours and thereby increasing recreational opportunity.

Therefore, be it resolved that this Sub-District Council of the United Steelworkers of America, composed of the principal officers and Staff of the thirty-five Local Unions with a membership of 37,000 in Sub-District No. 2 of District No. 31, hereby joins with the many public-spirited citizens and organizations and calls upon the President of these United States, the two Senators of the State cf Indiana, and the eleven Congressmen of the State of Indiana to responsibly discharge their obligations to the people and in every way possible promote the enactment of House Bill No. 51 with such amendments as will guarantee the maximum amount of Lakeshore and area necessary to provide recreational area for the future.

Adopted this 3rd day of October, 1966.

United Steelworkers of America,
Subdistrict No. 2 Council, District 31,
L. M. Thornton, *Chairman*.
Jocapsn B. Jauski, *Secretary*.

FEDERAL RESERVE BOARD RAISES INTEREST RATES ON GOVERNMENT-GUARANTEED DEFENSE LOANS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, last week the Federal Reserve Board announced that it was raising the rate of interest that is charged for special guaranteed defense loans from 6 to 7.5 percent. This action comes under the Federal Reserve Board's Regulation V, by which loans made by commercial banks or other private financial institutions to finance and expedite production for national defense and to finance contractors and subcontractors involved in productions that are part of defense contracts are guaranteed by the Federal Government. In other words, such defense loans have the full faith and credit of the United States backing them up, the finest credit rating in the world.

Under regulation V, the Federal Reserve Banks act as fiscal agents of the guaranteeing agencies, the Departments of Defense, Commerce, Interior, and Agriculture, as well as the General Services Administration, the Atomic Energy Commission, and the National Aeronautics and Space Administration. Most of the previous loans made under this guarantee occurred during World War II and the Korean war, amounting to $3.5 billion.

Mr. Speaker, here we again see the Federal Reserve Board fanning the fires of inflationary high interest rates. These loans are completely risk free and presently provide for a profitable return of 6 percent. There is no way that banks could lose money on this program. But as everyone knows, we are at war now and certain sectors of the banking community are out to grab all the profits possible in a wartime economy. During

World War II and the Korean war, an enlightened Federal Reserve Board financed the wartime economy at the lowest possible rates. Now we see the Federal Reserve Board, which began the present upward spiraling in interest rates, continuing to encourage historic high interest rates by permitting the continuation of such a policy. I state now, as I so often have done in the past 9 months, that it is within the authority of the Federal Reserve Board to roll back these exorbitant rates. We are witnessing such events as the Treasury paying 5.8 percent for 90-day Treasury notes and 6.32 percent for 6-month Treasury bills. There is little evidence that the Federal Reserve is doing anything to end this disastrous upswing.

Permitting the interest on these guaranteed loans to rise to 7.5 percent from an already high return of 6 percent is nothing short of tragic, tragic for the American war effort and tragic for the economy. During the 1930's Senator Nye conducted an investigation of the wartime munition profiteers. Perhaps it might be beneficial now to begin such an investigation of the wartime banker profiteers.

This is another occasion of more gasoline being thrown on the fires of inflation.

REPLY TO STATEMENT OF CONGRESSMAN CURTIS REGARDING JOINT ECONOMIC COMMITTEE HEARINGS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, on Friday a week ago in the course of the debate on the investment credit legislation my colleague, the gentleman from Missouri [Mr. CURTIS] made the statement that the Joint Economic Committee hearings of last December were not complete.

Members of this body will recall that the Federal Reserve Board raised the discount rate on December 6, 1965, thus starting another round of increases in interest rates, although rising rates had already had a crippling effect on the homebuilding business and placed the savings and loan industry in jeopardy. The Joint Economic Committee immediately held hearings on the action and its implications for our full-employment policy. At that hearing, all members of the Board of Governors were invited to testify, and those then available did. We also heard from four outstanding independent experts from the private sector of the economy, one of whom, Prof. Henry Wallich, is a former member of the Council of Economic Advisers during the Eisenhower administration. Another, Martin Gainsborough, senior vice president of the National Industrial Conference Board, and a most able economist, certainly could not be accused of excessive sympathy toward the Democratic Party.

At that time, the gentleman from Missouri [Mr. CURTIS] and the other minority members of the committee urged that the representatives of the administration be called in to testify, among them the Secretary of the Treasury and the Chairman of the Council of Economic Advisers. This was considered by the committee and rejected for reasons fully set forth in a resolution which was publicly released, the relevant portion of which read as follows. The decision was made by the Committee in executive session and the vote was 7 to 6. I might add it was on straight party lines.

> The majority members cannot agree with a proposal that would amount to changing the dates set by law for submission of the budget, the Economic Report, and for hearings on them by this committee. The most alarming aspect of the Federal Reserve Board's action in raising the discount rate and the rate on time deposits was its failure to wait until it could consider the spending and tax proposals of the administration. Testimony in these hearings to date amply demonstrates the importance of this additional fiscal information in making monetary policy decisions.
>
> We are convinced that the Joint Economic Committee would be derelict in its duty if it countenanced an attempt to pressure the administration officials into testifying now on matters that plainly are not yet fully formulated and which by law are scheduled for consideration by the Congress in January. This would completely disrupt the orderly preparation and presentation of the Nation's budget and economic policy.

It would have been pointless to have two hearings on the same thing. Consequently we waited until the Economic Report of the President and his budget were in our hands in January, as prescribed by law, before calling the administration witnesses. At that time the minority again had a full opportunity to question the witnesses to whatever extent they desired.

It should be made clear at this time that the Fed had deliberately chosen not to cooperate with the administration in coordinating all economic policies for 1966, as was brought out clearly in the hearings. It had gone its own way to tighten money. As a result of the Fed's disregard of the administration's requests, the Chairman of the Council of Economic Advisers later testified that the administration was handicapped in formulating economic policy for this year. The administration was already faced with the precipitate action of the Fed in tightening money and was, therefore, more limited in their freedom to resort to tighter fiscal policy.

After considering the testimony of administration and other witnesses on the subject of the President's economic report and budget in late January and early February of this year, the Joint Economic Committee set forth certain recommendations in very clear language. Our report pointed out that there were good possibilities that the economy would go beyond the $722 billion gross national product projected for 1966 and that there were signs that price pressures might prove stronger than the administration expected when it formulated its annual economic report. It was also indicated that flexibility in fiscal policy should operate in both directions countering recessionary influences when appropriate and moving to restrain total demand when inflationary excesses are clearly the dominant danger.

A majority of the committee concluded that in spite of the clear mandate in the Employment Act that all plans, functions, and resources be coordinated in the interest of the act's objectives, the Board of Governors of the Federal Reserve System saw fit to raise the discount rate right after the administration had made it clear that such an increase did not appear warranted at that time. The committee pointed out that this kind of failure of coordination in the use of the Government's proposal for stabilization tools is intolerable in a modern economy and that there should be legislation to bar any repetition.

Prophecy is often an unpleasant business. We felt compelled to observe early in 1966 that the use of interest rate increases to fight inflation tended to fall most heavily on small businessmen and on home construction and that at the same time it was not particularly effective in curbing speculative excesses. Subsequent developments have borne out these developments with a vengeance.

Mr. CURTIS does not think much of the investment credit suspension which the administration has recommended and which was previously recommended last March by a majority of the Joint Economic Committee.

Some members of the minority, it would seem, have turned lately to protesting piously against the exorbitant interest rates that the Fed has gotten us into, blaming the situation on the administration while strongly defending the Fed's independence and its right to raise interest rates in defiance of the administration. As the Bible reads, "By their fruits you shall know them." I have heard hundreds and hundreds and hundreds of times the argument that the Fed should be left alone to raise interest rates; that somehow this is healthy for the economy. While it is healthy for the bankers, it is unhealthy for the economy, as we have seen many times. Three times during the Eisenhower regime, it was tight money that sent the economy into a recession. The result was that the people lost untold billions of dollars in wealth that could have been produced if interest rates were more reasonable.

Now it strikes me as hypocritical for members of the minority to suddenly stand up and try to blame the Federal Reserve policy on the administration—particularly when they have just finished indicating that the Fed tightened money in spite of the administration. I say to them, which side of the argument do you want? You can take one, but not both. They are mutually contradictory.

Another contradiction that apparently does not trouble my learned colleague is that he thinks the investment credit may not be necessary because we may be facing a recession in the next year. Well, he may be right because the Federal Reserve has tightened money out of all proportion and if we do get into recession it will be their fault entirely. He says that we should not suspend the investment credit now because it may be too late. But then, undaunted, he goes on and suggests a cut in expenditures, although I must say that I am not entirely clear, and never have been, just where the gentleman would have us cut. Would he decrease expenditures in Vietnam? Does he ignore the fact that we face there an intransigent and skillful foe, totalitarian and fanatical, and it is not possible for any administration to count out the cost of resistance a year in advance, measuring out the pennies like some housewife managing her egg money.

But what about the Great Society? In spite of the urgent need to improve the lot of 34 million poor people, to insure adequate education for all our children and to eliminate at least the worst evils in our cities, the administration budget has kept down the increase in the civilian budget to approximately $2 billion over last year. In terms of the need to be met this is a tiny drop in the bucket and it will not do the job. It may be the most we can afford in view of our heavy foreign commitments. But I say it is misleading to suggest that this sector of our economy would permit any substantial budget cut. Even with the $3 billion cut in civilian programs recommended by the President there will be hardships. Make no mistake about it.

Finally, we must remember that the effect of suspending the investment credit is far more powerful than suggested by the $2 billion brought in by this program in the form of tax revenues. The credit is a subsidy to investors, increasing both their flow of internal funds and the rate of return expected on new investments. It therefore induces far greater expenditures for plant and equipment than the revenues suggest. Suspending it temporarily might be expected to reduce substantially these outlays for the short period of stress in our economy. Furthermore, business purchases of new equipment because of the investment credit puts heavy demands on many of the same industries receiving heavy orders from the Defense Department to supply the needs of forces in Vietnam. Obviously suspension of the investment credit, by discouraging excessive purchases from these already busy industries, aims a highly specific restraint at a prime source of inflationary pressures. That is why it makes sense to most of us. This House, therefore, acted wisely in overwhelmingly approving the suspension of the investment tax credit on Friday.

PROMOTION OF LT. COL. WILLIAM R. EDGAR

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Love] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LOVE. Mr. Speaker, the Air Force today announced the promotion of Lt. Col. William R. Edgar to the rank of colonel. As you know, Colonel Edgar is with the Air Force House liaison office.

It has been my privilege to have gotten to know Colonel Edgar while working with him on Air Force matters involving my constituency. I have found Colonel Edgar to be very responsive and above all, most knowledgeable and helpful in administering Air Force matters. He is truly an outstanding officer and a credit to the Air Force. In the jargon of the aviators, he is a professional airman.

I wish to express my congratulations to Colonel Edgar on his promotion and to the Air Force on their recognition and selection of a superb officer.

SUPPORT FOR THE NATIONAL TEACHERS CORPS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, as the House sponsor of the National Teachers Corps, I would like to clarify a possible misunderstanding of the activities of the corps while it has been continuing to prepare its members under the continuing appropriations resolution.

Some of the experienced teachers who joined the corps took leaves of absence from their posts in their former schools, but many others did not make such arrangements. When the provisions of the continuing resolution prevented them from teaching, they faced the possibility of a break in service which would destroy hard-earned tenure rights.

In order to avoid this inequitable result, some teachers signed contracts with their home schools and were immediately granted leaves of absence, thus protecting their tenure rights without requiring them to teach.

I have received assurances from the Office of Education that there were no instances where a teacher signed a contract with a school other than his or her own.

Mr. Speaker, I wish to insert in the Record my letter of inquiry on this point and the reply of the Office of Education.

Mr. Speaker, I urge my colleagues to support the National Teachers Corps. This program will help to put well-trained enthusiastic young people and experienced teachers in the slum schools, urban and rural, where they are so badly needed and where they can make such an important difference:

October 6, 1966.

Hon. Harold Howe II,
U.S. Commissioner of Education,
400 Maryland Avenue,
Washington, D.C.

Dear Commissioner Howe: I am writing to you about several questions concerning the Teacher Corps that were raised on the floor of the House on September 28.

These questions deal with the provision in the continuing resolution on appropriations which reads:

"*Provided*, That after June 30, 1966, and prior to the enactment into law of H.R. 14745, no new contractual arrangement shall be entered into in connection with the National Teacher Corps nor shall any commitments of any kind be made with respect to the assignment of any teacher to teach in any school under that program."

A letter of August 27 from Mr. Zellers has been cited as encouraging experienced teachers to contract with school districts in violation of the above provision.

Further, it has been asked whether the Teacher Corps has acted properly in paying stipends to Corps members pending enactment into law of H.R. 14745.

I would appreciate any comment you might have on these allegations.

Sincerely,

John Brademas,
Member of Congress.

Department of Health, Education, and Welfare, Office of Education,
Washington, D.C., October 7, 1966.

Hon. John Brademas,
House of Representatives,
Washington, D.C.

Dear Mr. Brademas: Thank you for your letter requesting information on the operation of the National Teacher Corps under the provision of the continuing resolution which reads:

"*Provided*, That after June 30, 1966, and prior to the enactment into law of H.R. 14745, no new contractual arrangements shall be entered into in connection with the National Teacher Corps nor shall any commitments of any kind be made with respect to the assignment of any teacher to teach in any school under that program."

You refer to a letter of August 27, 1966, written by Mr. Zellers, Deputy Director of the Teacher Corps. The letter read in part:

"To: Preservice and Inservice Directors or Coordinators of National Teacher Corps projects.

"There has been recent indication that the interim funding plan may create a 'break in service' problem for some experienced teachers. Our lawyers have advised us that in such cases the following steps should be taken to protect the rights and tenure of the experienced teacher:

"1. Request the local school district to which the experienced teacher has been tentatively assigned to place the teacher on its rolls and then furlough or give him a leave of absence to the Teacher Corps Project at your academic institution."

I believe the statement is somewhat unclear and may have been subject to misinterpretation. Some members of Congress, therefore, may have felt that it was an attempt to circumvent the provisions of the continuing resolution. This is not the case at all.

The explanation is this. Most experienced teachers obtained leaves of absence when they left their home schools to join the Teacher Corps. However, some experienced teachers who had planned to serve as team leaders in their home schools did not obtain leaves of absence. Since they were not permitted to teach in their schools under the continuing resolution, some arrangement had to be made to preserve their tenure. This matter was raised by Dr. James Murphy of the University of Wisconsin on the 24th of August in behalf of teachers from local Wisconsin school systems. Mr. Zellers' letter of August 27 was in response to their request for a solution.

As a result of this policy, six experienced teachers from the Milwaukee school system and one from the Racine, Wisconsin, system signed contracts with their home schools and took leaves of absence. Several teachers in the Miami system did the same.

We have checked carefully and can find no instance where an experienced teacher has signed a contract with a school other than his own.

Prior to June 30, arrangements were made with Universities to provide in-service teacher training of Corpsmembers for the school year beginning in September of 1966. But no contractual arrangements were made after June 30 nor were any commitments of any kind made by the Teacher Corps with respect to the assignment of any teacher to teach in any school as a part of the Teacher Corps program. As part of their training, most of the Corpsmembers spent part of their time in schools during the summer pre-service training and during the fall training as well.

To be certain that the restrictions regarding teaching were clear, the following telegram was sent by Mr. Zellers to all program directors on September 2, 1966. "The National Teacher Corps interim operating arrangements contained in my August 29, 1966, memorandum to you continue in effect. To clarify any question which may have arisen, it must be emphasized that there may not be any arrangements with public schools to include teaching assignments during this period."

The need for teachers in the schools is great and we know that corpsmembers have been asked to "help out." But conscientious efforts continue to be made to insure strict compliance with the provisions of the resolution. Where violations have been discovered, they were stopped.

The in-service training that was funded by the 1966 appropriation is now being provided by the Universities. During this training, subsistence stipends to Corpsmembers are being paid with funds provided by the continuing resolution. We have attempted to preserve the investment in the pre-service training of Corpsmembers until such time as the Congress could take final action on the 1967 appropriation.

Sincerely yours,

J. Graham Sullivan,
U.S. Commissioner of Education
(For Harold Howe II).

AUTHORITY TO FILE CONFERENCE REPORT ON PUBLIC WORKS APPROPRIATION BILL, 1967

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on H.R. 17787.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Moss, from today through October 22, on account of official business.

Mr. Roncalio, for the week of October 10, 1966, on account of official business.

Mr. Stalbaum (at the request of Mr. McFall), for today, on account of official business.

Mr. Mackie (at the request of Mr. O'Hara of Michigan), for Monday, October 10, 1966, on account of official business.

Mr. Cooley (at the request of Mr. McFall), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mr. Weltner, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Waggonner, for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Rhodes of Arizona.

Mr. Roush.

Mr. Miller and to include extraneous matter.

(The following Members (at the request of Mr. Hutchinson), and to include extraneous matter:)

Mr. Ashbrook.

Mr. Curtis.

(The following Members (at the request of Mr. McFall) and to include extraneous matter:)

Mr. McCarthy.

Mr. Annunzio.

Mr. Powell.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 688. An act to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes; to the Committee on Agriculture.

S. 1101. An act to provide for the conveyance of certain mineral interests of the United States in seventy-nine and one-hundred-and-eighty-four one-thousandths acres located near Orangeburg, S.C., to Allen E. Dominick, the owner of such property; to the Committee on Interior and Insular Affairs.

S. 3887. An act to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes; to the Committee on Armed Services.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 801. An act to improve the balance-of-payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures; and

S. 3500. An act to authorize the President to advance Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general.

S. 3834. An act to amend chapter 141 of title 10, United States Code, to provide for price adjustments in contracts for the procurement of milk by the Department of Defense.

ADJOURNMENT

Mr. McFALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 42 minutes p.m.), the House adjourned until tomorrow, Tuesday, October 11, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2797. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 19, 1965, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey and a cooperative beach erosion control study of the Outer Banks of North Carolina, Ocracoke Inlet to Beaufort Inlet, authorized by Public Law 71, 84th Congress, approved June 15, 1955, and authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented (H. Doc. No. 509); to the Committee on Public Works and ordered to be printed with illustrations.

2798. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 19, 1966, submitting a report, together with accompanying papers and illustrations, on an interim report on the Mississippi River, flood protection to agricultural areas, mile 195 to mile 300, above the Ohio River, in partial response to two resolutions of the Committee on Flood Control, House of Representatives, adopted September 18, 1944 (H. Doc. No. 510); to the Committee on Public Works and ordered to be printed with illustrations.

2799. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 13, 1966, submitting a report, together with accompanying papers and an illustration, on an interim hurricane survey of Cape Fear to North Carolina-South Carolina State line, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 511); to the Committee on Public Works and ordered to be printed with illustrations.

2800. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 7, 1966, submitting a report, together with accompanying papers and an illustration, on an interim report on coast of Lake Erie-Elk Creek Harbor, Pa., in partial response to two items in the River and Harbor Act approved March 2, 1945, as cited in the district engineer's report (H. Doc. No. 512); to the Committee on Public Works and ordered to be printed with illustrations.

2801. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Biloxi Harbor, Miss., requested by resolutions of the Committees on Public Works, U.S. Senate, adopted August 31, 1962, and House of Representatives, adopted June 19, 1963 (H. Doc. No. 513); to the Committee on Public Works and ordered to be printed with illustrations.

2802. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 15, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Southport Harbor, N.C., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 16, 1958 (H. Doc. No. 514); to the Committee on Public Works and ordered to be printed with illustrations.

2803. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 13, 1966, submitting a report, together with accompanying papers and illustrations, on a survey of Carolina Beach Harbor, N.C., authorized by the River and Harbor Act approved July 24, 1946 (H. Doc. No. 515); to the Committee on Public Works and ordered to be printed with illustrations.

2804. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 20, 1966, submitting a report, together with accompanying papers and illustrations, on a survey of Mullet Key, Fla., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 19, 1963 (H. Doc. No. 516); to the Committee on Public Works and ordered to be printed with illustrations.

2805. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 1, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Little Sandy River and Tygarts Creek, Ky., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted July 22, 1950, and June 27, 1950 (H. Doc. No. 517); to the Committee on Public Works and ordered to be printed with illustrations.

2806. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 29, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on the Russian River, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 1, 1958 (H. Doc. No. 518); to the Committee on Public Works and ordered to be printed with illustrations.

2807. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 14, 1966, submitting a report together with accompanying papers and illustrations, on a review of the report on Pinellas County, Fla., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted November 27, 1963, and June 19, 1963 (H. Doc. No. 519); to the Committee on Public Works and ordered to be printed with illustrations.

2808. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement which have been prepared under the provisions of section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), as follows: Brandywine Creek (supplemental), Del. and Pa.; Big Cedar Creek, Ga.; Conewango Creek (supplement to), N.Y.; and Rush Creek, Tex.; to the Committee on Public Works.

2809. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement which have been prepared under the provisions of section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), as follows: Little Auglaize River, Ohio; Middle Branch of the Little Auglaize River, Ohio; Prairie-Hoaglin Branch of the Little Auglaize, Ohio; South Tyger River, S.C.; and Star Valley-Dry Creek. Wyo.; to the Committee on Agriculture.

2810. A letter from the Commission on International Rules of Judicial Procedure, transmitting a draft of proposed legislation for the relief of Harry LeRoy Jones; to the Committee on the Judiciary.

2811. A letter from the Acting Attorney General, transmitting a draft of proposed legislation to authorize the Attorney General to adjust the legislative jurisdiction exercised by the United States over lands within the Federal Reformatory at Chillicothe, Ohio; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 18176. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; without amendment (Rept. No. 2213). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 17190. A bill to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region; with amendments (Rept. No. 2214). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee of conference. H.R. 15941. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 2215). Ordered to be printed.

Mr. KIRWAN: Committee of conference. H.R. 17787. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 2216). Ordered to be printed.

Mr. FALLON: Committee on Public Works. H.R. 18233. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; without amendment (Rept. No. 2217). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:

H.R. 18266. A bill to consent to an agreement between the State of Minnesota and the Province of Manitoba, Canada, providing for an access highway to the Northwest Angle in the State of Minnesota, and to authorize the Secretary of Commerce to pay Minnesota's share of the cost of such highway; to the Committee on Foreign Affairs.

By Mr. BROYHILL of Virginia (by request):

H.R. 18267. A bill to authorize the Commissioners of the District of Columbia to acquire, transfer, convey, and lease certain property in the District of Columbia for use as sites for offices for governments of foreign countries, and for other purposes; to the Committee on the District of Columbia.

By Mr. McMILLAN:

H.R. 18268. A bill to provide that a reasonable attorney's fee will be awarded to members or officers of the Metropolitan Police force in certain civil actions brought against them; to the Committee on the District of Columbia.

By Mr. QUILLEN:

H.R. 18269. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H. Con. Res. 1034. Concurrent resolution authorizing the printing of an additional 3,000 copies of House Document 237, 89th Congress, 1st session, entitled "Sino-Soviet Conflict and Its Implications" for the use of the Committee on Foreign Affairs of the House of Representatives; to the Committee on House Administration.

By Mr. FALLON:

H. Res. 1045. Resolution to grant additional travel authority to the Committee on Public Works; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWNING:

H.R. 18270. A bill for the relief of Dr. David de Jesus Castaneda; to the Committee on the Judiciary.

H.R. 18271. A bill for the relief of Hampton Hardwood Corp. of Newport News, Va.; to the Committee on the Judiciary.

H.R. 18272. A bill for the relief of Dr. Frank Pedroso; to the Committee on the Judiciary.

H.R. 18273. A bill for the relief of Dr. Francisco Guillermo Tudela; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 18274. A bill for the relief of Mrs. Maria E. Avilla; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Slovenian Festival Day

EXTENSION OF REMARKS

OF

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 10, 1966

Mr. ANNUNZIO. Mr. Speaker, today, in accordance with their tradition, the Slovenes are holding a festival to celebrate the 416th anniversary of the first book printed in Slovenian and the 48th anniversary of their independence from the Hapsburg Empire.

The Slovenes are a small nationality group but they have managed to preserve an enlightened culture and a national identity despite being denied sovereignty for many centuries.

Since the eighth century these people have not had a nation free from foreign domination. Today their homeland is under the rule of Yugoslav Communists, and yet, they maintain a resolute commitment to their heritage and resistance to forced assimilation.

It is remarkable that a mere 2 million Slovenes in the world today—1½ million living in Yugoslavia, one-half million dispersed throughout the world—continue to have a unique, flourishing culture, despite 1,000 years or more of subjugation and division.

Throughout these centuries of foreign domination, the Slovenes almost continuously struggled for freedom and independence regardless of the insurmountable odds with which they were faced. At the same time, they made great advances on the spiritual, intellectual, commercial, and industrial fronts.

It was in the latter part of the 19th century that Slovenian cultural development truly flourished and Slovene writers gave expression to and further stimulated a revitalization of the Slovene national consciousness.

The advent of World War I provided an opportunity to gain their independence from the Hapsburg Empire in a combined nation with the Serbs and the Croats, whose language and history were similar to that of the Slovenes. The purpose of the Slovenes political union with the Serbs and the Croats were to create a state in which the three units would be treated as equals. However, almost immediately, a bitter internal struggle ensued, and the Serbs emerged the dominant group. Slovenian opposition to Serbian rule was so intense that in 1929 the constitution was suspended and a royal dictatorship was imposed by the Serbs. This dictatorship, through force, continued until World War II.

The Second World War brought much tragedy to the Slovenes. Theirs was the first section of Yugoslavia to be invaded, and therefore, suffered a little more devastation than the rest of Yugoslavia. The conclusion of that war did not bring peace or freedom to the Slovenes—instead a Communist dictatorship was exchanged for the former royal dictatorship.

But the courageous Slovenes are not a submissive people. In November 1957, Slovenian coal miners staked a successful sitdown strike. This was the first officially admitted occurrence of an economic strike in a Communist country. It was not a violent rebellion on the part of the Slovenes, but it did demonstrate their dissatisfaction under the Communist system and their bravery in expressing that dissatisfaction.

Mr. Speaker, there are now around 400,000 Slovenes by birth or descent who have become loyal citizens of the United States. Many have merited high positions in the professions and in government because of their outstanding contributions and capabilities. I would like to mention Senator Frank Lausche of Ohio, Congressman John A. Blatnik of Minnesota, and Ludwig J. Andolsek, Commissioner of the Civil Service Commission, all of whom are Slovene-Americans who have given dedicated public service to their country.

I would also like to congratulate the many hundreds of Slovenians who reside in the Seventh Congressional District of Illinois which I have the honor to represent, and particularly to remember my good friend, Ludwig A. Leskovar, who is observing his 16th anniversary as a Slovene radio broadcaster in my own city of Chicago. The alderman and ward committeeman of the 25th ward, Hon. Vito Marzullo, where hundreds of Slovenians reside, joins me in extending heartiest congratulations to the Slovenians for the outstanding contributions they are making to the American way of life.

It gives me great pleasure to participate today in their celebration of Slovenian Festival Day and to commend them on the development of the Slovene culture which is one of the treasures of man's heritage.

Federal Property Holdings Should Bear Local Property Tax

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, October 10, 1966

Mr. CURTIS. Mr. Speaker, throughout the country there is a great deal of federally owned property being improperly used and causing unnecessary hardship on various local and State governments. These Federal landholdings often cause economic problems in the locale in which they are situated because they erode the tax base of the area. On the other side of the coin, precisely because these Federal landholdings are not subjected to the economic discipline of local governmental taxation, they are often not utilized to their highest potential.

Last May the Subcommittee on Federal Procurement and Regulation, of the Joint Economic Committee, issued a report calling attention to this problem and recommending the appointment of a high level commission or committee to identify such Federal properties and to recommend their proper utilization. Today I am inserting in the Record an excellent editorial which appeared in the Washington Star of September 21, entitled "Bolling's Future" pointing out under utilization of the Bolling-Anacostia area. I wrote to the editor of the Star commending him on the editorial and suggesting further thoughts for his consideration. The editorial and my letter follow:

[From the Washington (D.C.) Star, Sept. 21, 1966]

BOLLING'S FUTURE

The language in the new military construction act prohibiting any use of the Bolling-Anacostia area for urban renewal purposes until 1971 is a senseless, capricious restriction, which Congress should never have approved. But the provision was enacted, leaving President Johnson the choice of accepting it or vetoing the entire billion-dollar construction measure. Faced with this decision, the President found a third way out.

He has made plain, in signing the bill, that he does not share the narrow view of Representative Rivers, the House Armed Services Committee chairman, that the military should retain control over land clearly excess to its needs. He instructed that urban renewal planning for the area proceed as rapidly as possible in order to determine the land's "best use." And if that use cannot be carried out within the limits of Rivers' restriction, he said, "I shall not hesitate to request and work for a change in the law."

Well, there is no doubt that the President will be called upon to do just that. The military, as it happens, is in complete agreement with the city's planners that a substantial portion of the old airfield should be developed, in accordance with an urban renewal plan, primarily as a residential community.

The absence of a completed plan, however, has proved to be a severe detriment in trying to sell that sound idea. While pleading with Congress to reject the Rivers ban, for example, Washington's official and civic leaders were handicapped by their inability to say precisely what the plan would provide. Moreover, some civil rights leaders, perhaps for purposes of simplification, have spoken of the re-use broadly in terms of "public housing." That is not the idea at all. The premise on which the planners are proceeding is that the new community will provide a broad range of various types of housing, and possible major public uses as well.

There is a danger now, in view of the moratorium, that the planning effort may relax. It must not. Even given the normal problems and ineptitudes of the planning process in Washington, there is no reason why a definite plan for the area should not be in hand within a year. The aim should be to present it to the next Congress—accompanied by the President's promised request for a change in the law.

OCTOBER 6, 1966.

EDITOR,
The Washington Star,
Washington, D.C.

DEAR SIR: Your excellent editorial of September 21, 1966, entitled "Bolling's Future" renders a distinct public service in highlighting an acute and growing economic problem facing local and state bodies. These bodies suffer fiscal difficulties aggravated in part by the erosion of the tax base by the Federal government which holds numerous poorly utilized pieces of potentially valuable real property throughout the nation.

The Subcommittee on Federal Procurement and Regulation of the Joint Economic Committee, on which I serve under the Chairmanship of Senator Paul H. Douglas of Illinois, issued a report in May, 1966, calling attention to this problem, and recommending that a high level committee or commission be appointed, first, to identify all such federal properties, and, second, to recommend their highest public use under current circumstances.

Undoubtedly the tax base can be greatly helped by this recommendation, federal expenditures reduced and the general economy strengthened.

A further thought worthy of serious consideration would be to make Federal properties subject to local taxation as was done under the RFC Act in order to help local bodies which render police, water and other services to Federal agencies. But perhaps more importantly to exert a fiscal pressure to insure that unneeded Federal properties be declared excess.

Sincerely,

THOMAS B. CURTIS.

Indiana Dunes National Lakeshore

EXTENSION OF REMARKS
OF
HON. J. EDWARD ROUSH
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, October 10, 1966

Mr. ROUSH. Mr. Speaker, tomorrow H.R. 51, my bill to create an Indiana

Dunes National Lakeshore, will come to the floor. This park proposal has passed the Senate and now awaits House approval before becoming a reality. It is this reality of a national park in the heart of an industrial complex that has the backing of many Indiana people, organizations, and political leaders. The following letter from the Secretary of the Interior states the strong administration support for the park bill:

THE SECRETARY OF THE INTERIOR,
Washington, D.C., October 3, 1966.

HON. J. EDWARD ROUSH,
House of Representatives,
Washington, D.C.

DEAR MR. ROUSH: I do appreciate the opportunity your letter of September 29 presents to make clear the administration's position regarding pending legislation dealing with the preservation and development of the Indiana shore of Lake Michigan. This position is outlined below:

1. The administration would prefer the enactment of legislation as nearly like the Senate-passed bill as possible. I believe the Senate bill, S. 360, adequately reconciles the proposed industrial development with the preservation of the best portions of the Indiana Dunes as a National Lakeshore.

2. We regard the establishment of appropriate portions of the Indiana Dunes as a National Lakeshore as desirable in and of itself. While it is vital to avoid unnecessary industrial encroachment upon the Dunes area, it would be a tragedy not to preserve key portions of the Dunes for use by all citizens and by future generations.

In summary, the administration favors the enactment of legislation establishing an Indiana Dunes Lakeshore, and along the lines of S. 360.

Sincerely,

STEWART L. UDALL.

Address to Soil and Water District Supervisors, by Telephone, From Washington, D.C., to Flagstaff, Ariz., September 30, 1966

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 10, 1966

Mr. RHODES of Arizona. Mr. Speaker, much consideration has been given to the conservation of soil and water during the 14 years I have been in Congress. Particularly in the last session of the 89th Congress, objective negotiations were completed by the seven lower basin States to enact the Lower Colorado River Basin project, so vital to the lifeblood of the arid Southwest. Straining under the simultaneous pressures of both a dropping water table and a burgeoning population, Arizona is a microcosm of the plight our universe will eventually encounter—unless research can provide the means to both conserve our resources and control the world population explosion. There is much similarity in the microcosm Arizona presents—with one undeniable exception—the need of Arizona is immediate rather than in the next century.

Recently I had occasion to address by long-distance telephone the southwestern region's annual meeting of the soil and water conservation district supervisors conducted in Flagstaff, Ariz. These people are dedicated and competent, but it is recognized that appropriate measures must be taken to bring water into our arid regions of the United States if they are to effectively control soil erosion, droughts and damaging floods. My remarks in support of these people and their efforts follow:

ADDRESS TO SOIL AND WATER DISTRICT SUPERVISORS, BY TELEPHONE, FROM WASHINGTON, D.C., TO FLAGSTAFF, ARIZ., SEPTEMBER 30, 1966

First, let me apologize for not being with you in person. The Second Session of the 89th Congress is finally beginning to rush toward adjournment. However, there is much major legislation still pending. One major bill which has yet to pass the Senate is the Public Works Appropriation bill for the fiscal year 1967. I happen to be ranking Republican on the subcommittee of the House Appropriations Committee which will have to go to conference with the Senate on that bill when it passes the Senate. Therefore, my presence in Washington is not only desirable, it is absolutely necessary.

The weather here in Washington makes one wonder if it will ever be necessary to conserve water again. September of 1966 has been one of the wettest Septembers on record in this area. It is interesting to remember, however, that about a month ago we were in a serious drought condition. There was voluntary rationing of domestic water in the District of Columbia, and in suburban Maryland and Virginia. This has pointed up the fact that Washington, D.C. is probably the largest city in the world without any facilities for the storage of water. Unbelievable, isn't it?

It also brings me to the first point I would like to discuss with you. It is the fact that all over the United States there is a water problem of varying dimensions. We who live in the great Southwest used to feel that we had a monopoly on water problems. Now we find the great cities and watersheds of the East having more and more years and months of droughts and water shortages. The great city of New York last summer was down to thirty days' supply of water stored in its reservoirs. In Washington, this year the Potomac River reached an all-time record for low flow, endangering the water supply of the Nation's Capital. The Great Lakes have reduced in water level over the past few years. More and more cities are going farther and farther or deeper and deeper, to develop dependable water supplies.

The advent of the nationwide water problem is a mixed blessing to the Southwest. First, it helps the rest of the country to understand our plight. However, this blessing is counterbalanced by the fact that there is more competition for available public funds for the purpose of developing water supplies. I have seen the demands for money increase, as a member of the Public Works Subcommittee of the Appropriations Committee. Unless we are very active, and aggressive, in pushing our needs and desires, the Southwest may find itself getting less than its share, even though our need is oldest and probably still greatest.

The Soil Conservation Program is a very popular movement with the Congress. For the 1967 budget, the Administration proposed to cut spending for this purpose quite drastically. There is little doubt that the Executive Department made this cut to make its original budget appear to be lower, and that it never intended the Congress to abide by this cut. If they felt that way, they certainly were right. Congress not only restored the cut, but restored the number of new starts also to a figure which we feel is somewhat realistic under the circumstances.

Actually, many of us would like to increase the program of soil and water conservation several fold. We are convinced that the need for a greatly expanded program not only in the Southwest but in the rest of the country has been adequately demonstrated. A sense of urgency is given to the program when one realizes that these facts are true: (1) by 1975, we will have 230 million people in this country, and by the year 2000 there will be about 338 million Americans. Our population increase each year is almost twice the population of Arizona. Each year human needs increase in an amount double the needs of the present population of the state of Arizona; (2) we are not adding arable land to our present supply in great quantities. In fact, we are losing the equivalent of half a million acres of usable land yearly through erosion and other land damage, and we are losing 1.3 million acres to the expanding cities and their suburbs; (3) we haven't been able to increase the water supply of our planet, nor to make it rain in places where we want the rain. We can desalinize water in large quantities, but the costs of desalinization are still so high as to cast doubts on the ability of the economy to use such water except for special purposes, and (4) our ability to grow greater yields, using the same amount of soil and water has increased tremendously. This is due not only to a better understanding of agronomy and the related sciences, but to better soil and water conservation practices. Even so, one wonders how long greater efficiency and new methods can allow our production to keep pace with the requirements of our increasing population. When one adds to this equation the increasing determination on the part of the United States and some other Western nations to feed the hungry people of the world, the full magnitude of the problem comes into focus.

The equation adds up to something like this: a more or less constant supply of fresh water plus a constant quantity of land plus X equals the requirements of food and fiber for the greatly expanding population of our planet. It is true that the equation might be changed in the future by breakthroughs in desalinization, weather control, or the like which would increase the availability of fresh water. There might be further breakthroughs in the science of agriculture, to enable us to grow more and better crops. Perhaps ways will be found to control the rate of increase of our population. However, these are all imponderables. The original equation represents the hard knowledge which we now possess as to our needs in the future and our apparent methods of fulfilling them.

You are asking yourself: "What is the X in the equation?" Well, gentlemen and ladies, if there are any ladies present, the X represents soil and water conservation, and the people engaged in it. We can make do with the soil and water we have only if we use it properly. When I speak of this type of endeavor, I speak rather broadly. Of course, I refer to the known fact that 94% of the agricultural land in the United States is in a soil conservation district, organized in accordance with the laws of its state. I recognize that through multi-purpose projects as well as the small watershed projects, terracing, and the other activities of the Soil Conservation Service and Districts, much has been done and is being done to put soil and water to a more efficient use to provide abundance for mankind. However, I also have in mind the use of large quantities of water where it is needed, perhaps in places far from its area of origin.

We conserve water in a given area because we cannot get mother nature to produce more water in that area, but there is nothing to prevent us from using an overabundance provided by mother nature in certain areas, to compensate for a lack of precipitation in the more arid sections of the country. Now you knew I was going to get in a plug for the Central Arizona Project before I hung up the receiver of this telephone. I am now doing it. However, in a larger sense I am also putting in a plug for the idea of transbasin diversion of surplus waters.

This is a very controversial subject. It has been controversial within many of our Western States. In many instances plans to divert water from one watershed to another within the State have been met by violent emotional opposition from the areas in which an apparent surplus exists. Therefore, the Southwest has been told in no uncertain terms that plans to divert water from the Northwest must await the completion of exhaustive surveys to determine the future needs of that area, and the dependable supplies of water to meet those needs. In other words, our Northwestern neighbors desire to determine the absolute existence of a surplus, and to do it in their own way and in their own time, before consenting to any type of diversion.

We can sympathize with their desires to make sure that their own needs are cared for first. We have promised them every protection which the law could possibly provide, and have agreed that any rights we might obtain would be junior to future needs which might develop in the Northwest. We hope that studies which will identify the magnitude of water surplus will proceed apace, so that concurrent plans for the eventual diversion of part of the surplus may also go full steam ahead. In the long run, we doubt that 160 million acre feet of water from the Columbia will continue to flow, unused, into the Pacific Ocean.

This is an important matter to the Southwest. The Colorado River, our last waterhole, is just not capable of meeting all the requirements of the peoples of the basin for the foreseeable future. There is no doubt that there is enough water in the Colorado basin for the Central Arizona Project until about 30 to 35 years after its completion. After that, there will be shortages on the River because the Upper Basin will have completed its plans and built works to use its water. Therefore, we present to Soil and Water Conservationists the next great phase of their great work. They have conserved soil and conserved water available in their areas to provide greater production. Now they must also identify water surpluses and find the means of transferring large quantities of water to areas with arable land which could be put into production, or thirsty cities which need sustenance.

This latest endeavor which I have just thrust on to you makes me a member of your group. I have been in the business of transporting water to land and people ever since I have been in Congress. To my way of thinking, the business of reclaiming arable land by supplying water will not cease as long as one single drop of unused water flows into the ocean.

The work in which you engage is not only important, it is vital to the future of our civilization. Great civilizations in the past have died for lack of water. Others have been dissipated for lack of arable land. People like you are truly building for the future—providing for generations yet unborn the means by which they may subsist, prosper and seek happiness on this old planet of ours. I thank you.

New Group Urges Red Guard in United States

EXTENSION OF REMARKS

OF

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 10, 1966

Mr. ASHBROOK. Mr. Speaker, the September 25 edition of the Chicago Tribune carried this headline "Fatal Beatings by Red Guards in Peking Told—Diplomat Sees Death Toll in Thousands."

The account describes the experiences of several eyewitnesses to the current campaign of violence by the Chinese Red Guards and the unbelievable brutality inflicted upon defenseless Chinese victims. One European diplomat witnessed lynch mobs in action on the outskirts of Peking and in other cities "systematically beating their victims to death." Based on his own firsthand experiences, the diplomat observed:

> If what I saw is a sample of what has been happening all over China, then hundreds of thousands of people must have been killed.

Another European permitted to travel in another part of China stated that in Wuhan, capital of Hupeh Province, and in other neighboring towns and villages, he saw literally thousands of people being paraded through the streets by Red Guards and out of the towns, with the Red Guards later returning alone. Subsequent inquiry led the European to believe that the people had been executed. In addition, this eyewitness described seeing Red Guards beat victims with sticks until they lay lifeless upon the ground. He said he saw corpses of other victims lying in the streets.

Almost 2 weeks after this item appeared in the Chicago Tribune, the Washington Post of October 7 ran this caption: "New Group Urges Red Guard in United States."

The ensuing account featured M. I. Laski, general secretary of the newly organized "Communist Party of the United States of America—Marxist-Leninist." Beneath a picture of Mao Tse-tung, Laski called for an American Red Guard and a Negro national liberation army in the South. Laski explained that he was carrying out the decisions of a secret national congress of his party held in Los Angeles last September 4 and 5. The party had resolved to prepare openly for insurrectionary and revolutionary activity, he said, so that it would be in a position to provide leadership and organization of arms the next time there is an outbreak of urban violence. According to the 25-year-old with the Lenin-type beard his organization is distributing arms in Los Angeles and other cities at the present time.

Violence begets violence, and a New York Daily News caption of Sunday, October 9, announced: "Pro-Peking Bookshop in Harlem Is Bombed."

The bookstore, of course, is the headquarters of Laski's organization which was assaulted with a barrage of firebombs. Laski explained the bombing as a "direct response to announced party plans for meeting the Ku Klux Klan movement of terror with a counterrevolutionary movement of our own."

The activities of Laski, his cohorts, and the bombers are of special interest to me as the ranking minority member of the House Committee on Un-American Activities, for on October 3 of this year the gentleman from Louisiana, Chairman WILLIS of the committee announced that he had directed the committee staff to undertake a preliminary inquiry into organized rioting, burning, looting, and other tragic acts of violence. The purpose of the inquiry, Mr. WILLIS said, is to determine whether these acts of mass violence have been planned and instigated by subversive elements, or to what extent, if any, such elements have succeeded in broadening and prolonging them after they have broken out.

That most American citizens are fed up with organizations such as Laski's and equally disgusted with activities of groups whose trademarks include the bombing of bookstores with firebombs goes without saying. I am equally certain that our soldiers in Vietnam who are learning firsthand the evils of totalitarianism are repelled as much by Laski's program as that of the firebombers.

We, here in Congress, are not sitting idly by while these domestic tyrants seek to mock and break our laws. The House Committee on Un-American Activities, for instance, has held investigations and hearings on the KKK which extended for more than 13 months and questioned almost 190 witnesses.

More recently the committee investigated attempts to obstruct the activities of our Armed Forces and lend material support to North Vietnam and the Vietcong. Both of these investigations resulted in proposed legislation to correct abuses divulged by the committee. Many other bills on rioting and violence are before the House Judiciary Committee for consideration. In addition, the above-mentioned investigation announced by Chairman WILLIS on October 3 will seek to discover what subversive elements, if any, are generating or prolonging cases of mass violence for their own ends.

I insert the three items mentioned above, the two articles on the Communist Party of the United States of America—Marxist-Leninist, and announcement of the House Committee on Un-American Activities on October 3 to be inserted in the RECORD at this point:

[From the Washington Post, Oct. 7, 1966]

NEW GROUP URGES RED GUARD IN UNITED STATES

(By Flora Lewis)

NEW YORK, October 6.—With a gleam of eagerness in his wide blue eyes, a young New Yorker sat in the middle of Harlem today beneath a picture of Mao Tse-tung. He called for an American Red Guard and a Negro national liberation army in the South.

He was M. I. Laski, general secretary of the newly organized "Communist Party of the United States of America (Marxist-Leninist)." A big red flag with a black hammer and sickle hung over the doorway of the empty shop that he was opening as New York headquarters. Posters showing a burly black man with a gun urged "support and join people's armed force defense groups . . . oppose reactionary violence with revolutionary violence."

Laski had invited the press and radio and TV to hear him call for the defeat of the United States in Vietnam (he opposed negotiations) and for the forceful establishment of "the dictatorship of the proletariat" in this country. He was as provocative and incendiary as he could manage without positively obliging somebody in uniform to come in and haul him away in handcuffs.

Pressed with questions about the point of it all, he said that "being in jail or being dead isn't satisfactory." But, he explained, he was carrying out the decisions of a secret national congress of his party held in Los Angeles last Sept. 4 and 5. The party had resolved to prepare openly for "insurrectionary and revolutionary activity," he said, so that it would be in a position to provide leadership and organization of arms the next time there is an outbreak of urban violence.

The present membership is 1500 across the country, Laski said, but the Party has ordered him "not to disclose the figures about any one locality."

He is a pale 25-year-old with thin brown hair plastered neatly on his head, a pointed Lenin-type beard at the end of his pointed face, and a matching polemical style shooting out rapid-fire bursts about "monopoly capitalism" and "retribution to the ruling class." Eston Simmons, a 23-year-old tawny skinned Negro with a Malcolm X-style stubble on his jaw, sat quietly alongside Laski.

The unpainted wooden shelves of their "People's Voice Book Store and Reading Room" were loaded with pamphlets printed in Albania denouncing "Khrushchevite revisionism" and giving the times and wave lengths of Radio Peking English-language broadcasts. The writings of Mao on revolutionary warfare were on sale for one dollar a copy, "cheaper than you can get it downtown," Laski commented.

He said he wasn't worried by the small size of his movement in this country. "You measure power by arms," he said, "not by the number of people who says 'Aye'."

Furthermore, he said, his group was determined to expose "the official Communist Party in this country as the mouthpiece of the Johnson Administration." And that seemed to be what the fuss was all about.

"To hit us is to expose them," Laski said, indicating that his pro-Peking group was out to horrify the general public so that it could attract restless militants away from pro-Moscow Communists by making the old Party look hopelessly stodgy.

A Negro taxi driver complained in disgust when he saw the posters, "What right do they have to come up here and make trouble? I hate people like that. Why do they come to Harlem?"

But the Negro clerk at the dry cleaner's across the street said he thought that "when everybody's armed, everybody's respectful. It's like in the old-fashioned days when everybody wore a six shooter on his belt. They didn't go around calling you no names then because there'd be a shoot out. Power and guns make all the difference." Laski said he was negotiating with Harlem militant groups for cooperative action but "some of their ideas are peculiar. They don't understand it isn't just a nationalist struggle, it's also a class struggle against the imperialists."

A TV interviewer threw the ultimate insult at him, asking how he expected to make himself the leader of the Negro revolution "since you're whitey."

"I'm not whitey," Laski snapped. "Whitey is monopoly capitalism. Whitey is imperialism."

He was carefully vague about the supply of arms, but he said at one point "we are distributing arms in Los Angeles and other cities. We can provide the techniques and money for securing arms and using them so the people will be prepared to defend themselves." But the "people," he conceded, would not include all Negroes. "The Negro bourgeoisie will side with the imperialists."

Nobody asked about the planned congressional investigation into the role of subversive groups in recent race riots around the country. But it was clear that Laski would be happy to claim a significant part for his party so long as he was not pressed for too many details.

Finally the press straggled out, and Laski was left alone in his book shop with his three party functionaries and his pamphlets.

[From the New York Daily News, Oct. 9, 1966]

Pro-Peking Bookshop in Harlem Is Bombed

(By Robert Carroll)

A barrage of firebombs crashed into the bookstore-headquarters of a pro-Peking Communist organization in Harlem early yesterday, setting ablaze stacks of books and pamphlets. Quick action by a party member kept the fire from spreading to the 15-family tenement above the store.

Afterward in the littered quarters, Michael Laski, general secretary of the Communist Party U.S.A.—Marxist-Leninist, described the bombing as a "direct response to announced party plans for meeting the Ku Klux Klan movement of terror with a counterrevolutionary movement of our own."

In recounting the bombing, Laski said Earl Johnson, a party member who had been sleeping in the store, was awakened about 3:30 A.M. by kerosene-filled bottles crashing through the store's display window.

SAW THREE SETTING FIRES

Laski said Johnson found three white men in the store, piling up books and other printed matter and setting them afire. Johnson was able to slip out unnoticed and call other party members. When they arrived, Laski said, there were three separate fires burning in the building at 135th St. and Eighth Ave.

Before police and firemen arrived, Laski said, another firebomb was tossed into the store from a passing car. Laski and the others managed to douse all the blazes, he said. He estimated the damage at between $1,500 and $2,000.

Release of Committee on Un-American Activities

Representative Edwin E. Willis (D-La.), Chairman of the House Committee on Un-American Activities, announced today that he had directed the Committee staff to undertake a preliminary inquiry into organized rioting, burning, looting and other tragic acts of violence. The purpose of the inquiry, Mr. Willis said, is to determine whether these acts of mass violence have been planned and instigated by subversive elements, or to what extent, if any, such elements have succeeded in broadening and prolonging them after they have broken out.

Mr. Willis estimated that several months would pass before the preliminary study could be completed and the results reported to the Committee. He also announced that he had appointed Representative William M. Tuck (D-Va.) to oversee the general conduct of the preliminary inquiry.

Mr. Willis stressed that the Committee was studying only acts of organized violence and it was not undertaking a broad-scale or freewheeling investigation into all disturbances or riots, not matter what their origin or cause.

"The House has given this Committee specific jurisdiction," the Chairman said. "It is broad in some respects, limited in others. We are not going to go beyond our authority but, at the same time, we expect to fully exercise the jurisdiction given us by the House and upheld by the courts on numerous occasions.

"Our appropriate interest is organized subversion, no matter what form it may take or in whose interest it is carried out. Our records are packed with examples of varied forms of subversive operations which threaten our national security, but I can conceive of few which pose a greater threat than organized, mass violence which is deliberately designed to destroy our national unity and set citizen against citizen, and groups and classes of ctizens against their government on all levels—local, state and national.

"There is already public evidence that subversive elements are at work in this area. What we want to find out—in the national interest—is the extent, the significance, and the effectiveness of their operations. The Congress and the American people have a right—and a need—to know these things.

"Does this mean that the Committee is investigating the civil rights movement?

"Not at all. My announcement makes it very clear that we are investigating only one thing—planned and organized violence by subversive elements.

"We have no intention of investigating the civil rights movement or the opinions or positions of any individual or organization on the civil rights issue. Those things are none of our business. I have my own view on certain civil rights issues. Other Committee members have varying views and, among the 435 Members of the House, there are a great variety of views on various aspects of that issue. The Committee on Un-American Activities, however, has no jurisdiction in such matters, and it has no intention of trying to inject itself into them.

"If we should learn in the course of our investigation that a certain organization which claims to be a civil rights group is actually controlled and dominated by Communists carrying out the work of the Communist Party, we would not hesitate to investigate their operations. If that should develop, however, we will be investigating not a civil rights group, but the activities of a group of Communists doing the work of Moscow or Peking, as the case may be, and attempting to mask their subversion under the guise of civil rights.

"There is a tremendous difference between investigating such a group of individuals or their organized operations and the civil rights movement."

Humphrey: "Space Program Is Here To Stay"

EXTENSION OF REMARKS

OF

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 10, 1966

Mr. MILLER. Mr. Speaker, the ever-increasing complexity of our society as a result of tremendous progress in science and technology has placed heavy burdens upon the political leadership of the United States. It has demanded superior intellectual abilities in order to understand and then interpret that progress, epitomized by the national space program, in terms significant to the growth and development of the American people.

In 1962, Vice President HUBERT H. HUMPHREY assumed the chairmanship of the National Aeronautics and Space Council. This is the organization responsible for advising the President on Government policy in achieving our objectives in the exploration of space. In 2 short years, through diligent study, consultations with NASA administrators and responsible congressional committees, and through trips to our space installations across the country, he has developed an extraordinary grasp and understanding of an extremely complicated technology. Thus we have in both President Johnson, a principal architect of the National Space Act of 1958 and former chairman of the Senate Committee on Aeronautical and Space Sciences, and in Vice President HUMPHREY, leaders of the Nation who are broadly knowledgeable of the space program.

Recently, the Vice President was interviewed by a representative of the magazine, Technology Week, in which he clearly demonstrated the active role he is playing in establishing the future goals of the United States in the exploration of space. I think that the Members of the House will benefit greatly by reading that interview, which I now place into the RECORD:

HUMPHREY: "SPACE PROGRAM IS HERE TO STAY"

Vice President HUBERT H. HUMPHREY as chairman of the National Aeronautics and Space Council is the Administration's top spokesman on the nation's space program. Since assuming the post last year, the Vice President has shown an increasingly active interest in space affairs.

Through visits to Cape Kennedy and other space centers, he has made a determined effort to become as closely acquainted as possible with the objectives, requirements and hardware of both the manned and unmanned projects of the National Aeronautics and Space Administration.

An indication of Mr. HUMPHREY's thorough approach to his job as NASC chairman is the fact that, although Technology Week requested this interview with the Vice President shortly after his election, he declined to state his views on the space program for the record until he had become more familiar with it. His replies below make it evident that he has now mastered many of the subtleties of a difficult subject.

It is significant that the Administration has at this time chosen to state its views on post-Apollo planning. With the industry concerned over the manufacturing decline in the Apollo program, there has been criticism in Congress and in the press of the lack of White House action on a follow-on program. Mr. HUMPHREY makes it clear that the Administration has plans for a very active post-Apollo schedule and that the question is more one of timing.

Q. The Administration has been under pressure to take action now on long-leadtime programs which will follow Project Apollo. What is your position on this? What space activities should we undertake after the initial lunar landing and when should these projects get under way?

A. With so many other major requirements both at home and abroad, it is difficult to put a time schedule on what comes next, but I would say with confidence: (a) the space program will keep going and the country will keep benefiting from it year after year; (b) we will not only land on the Moon, we will explore it; (c) we will go out and learn more about the planets and the possibility of some kind of life there; (d) we will expand our Earth-orbiting capability, both manned and unmanned; and (e) we will develop spacecraft somewhat like aircraft, so that they can maneuver, land at airports and be re-used. I would expect that this would include space rescue and in-space maintenance capability.

Q. Both the Saturn launch vehicle and Apollo spacecraft programs appear to be going extremely well. Is the U.S. program for a manned lunar landing ahead of schedule?

A. As I understand it, we are on schedule right now, which means that we should get to the Moon successfully in 1969 if everything goes well. This is in accord with the program which was recommended in 1961 by Vice President Johnson and announced by President Kennedy.

NO LUNAR LEAD JUSTIFYING COMPLACENCY

Q. Will we beat the Russians to the Moon?

A. We do not know the details of their schedule, so we cannot say for sure who will get there first. I have great confidence, however, and hence hope we do. At the present stage of manned spaceflights, we are a bit ahead of the USSR in flying time (3 to 1), in extravehicular activity, in rendezvousing, and in docking. These are all experiences which are necessary before launching a trip to the Moon.

Q. Who, then, is ahead in the space race?

A. At this point in time, we do not have a lead sufficient to justify complacency on our part. So far, we have successfully launched more than twice as many spacecrafts as the Soviets; we have been more successful although less active in lunar and interplanetary exploration; we have had more than three times as much manned flight, plus rendezvousing, docking, and space maneuvering; we have operational navigation, weather, and communications systems while the USSR is primarily in the developmental stage in such activities; and we have done much to overcome the Soviet's big propulsion lead. They on the other hand have shown a remarkably vigorous space program in which they have launched more weight than we have and to which they have devoted a bigger percentage of their gross national product.

Q. Do you believe that future manned exploration of the planets should be a cooperative international venture or should the U.S. continue to carry out a manned space program separately from the Soviet Union and other nations?

A. First of all, I want to emphasize the important role international space cooperation has now and will increasingly have in the future. I believe it opens up a wealth of potential for peace—a real opportunity to substitute technological cooperation for unfriendly relations between nations. Second, the President has already proposed cooperative ventures in unmanned space exploration, and I would think that cooperation in manned ventures would be a logical extension of such a policy. I call to your attention the fact that our Mercury, Gemini, and Apollo programs all include cooperation between nations, particularly as regards tracking facilities and other support activities. The fact that there is not now a greater degree of cooperation with the Soviet Union is not due to disinterest on our part.

TREND IS TOWARD MORE SPENDING

Q. Do you think U.S. space budgets will go up or down during the coming years?

A. It is not possible to predict anything definite as to what the budget will be in any given year. However, I believe the trend will be upward just as will the trend of our national income. I am an optimist on both. I do not say the space budget will go up every year; it is the over-all trend that counts. You take it for granted that the space program is here to stay and we can be thankful for that.

Q. What has the total cost of the U.S. space program been so far?

A. From the time we put our first spacecraft into orbit (1958) to the present, we have spent about $30 billion by all agencies with space responsibilities. This amounts to about 31 cents per week per capita. This is a sizable investment and we expect an increasing return in benefits from it.

SPACE PROGRAM AIDS SOCIAL PROGRESS

Q. Do the large sums spent on the space program interfere with such needs as medical research, educational improvements, and better housing?

A. No. On the contrary, the space program helps with the solution of those problems through its vital effect on the gross national produce, on employment, on the creation of new products, and on the development of systems for solving many of our social problems. Also, the space program, through its international cooperation elements, helps contribute toward world peace. I would say we are in a better position to make economic, social, and medical progress with than without the space program.

Q. Do we give out enough information about our space program?

A. I am very much impressed with the large amount of very useful factual information made available by NASA regarding the agency's various launches. NASA invites people from all around the world to see the launches and distributes a great deal of information regarding all aspects of its program. In addition, USIA does a good positive job in keeping people informed around the world. Our own public is very comprehensively informed through television, radio, newspapers and magazines. Media coverage is outstanding. I am emphatically in favor of making available the facts about our space program up to the point where it would not interfere with national security.

Q. Historically NASA grew from an aeronautic organization to any agency which today plays a role in both aeronautics and space. Might NASA someday be reorganized to the point where it would be involved in other areas of advanced technology, such as, for example, oceanography?

A. NASA has a very large area of responsibility, as it spearheads the most complex technological venture this country has ever undertaken. The agency has grown fast and has enough to do without adding to it at the present time. Moreover, I expect a continuing growth in research and development in both aeronautics and space. I cannot predict whether NASA might devote some of its many skills and vast experience to other fields, but based on the record one would expect it to do a good job if it were given such additional responsibilities.

Q. Do you foresee any possibility of a merger between the Air Force Manned Orbiting Laboratory program and some of NASA's Earth-orbital projects in the Apollo Applications Program?

A. There already exists a high degree of cooperation between the Air Force and NASA in the MOL program, and I expect it will continue. However, I have no reason to predict an actual merger of the MOL research and development effort with any of NASA's manned projects.

Adam Clayton Powell, Jr., 1908–

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, October 10, 1966

Mr. POWELL. Mr. Speaker, the following article has just appeared in Volume 58, No. 5, of the September 1966, issue of the Journal of the National Medical Association:

ADAM CLAYTON POWELL, JR., 1908–

"Give a man what he makes."—Old Negro Proverb.

The Honorable ADAM CLAYTON POWELL, Jr., a member of Congress from the 18th District of New York, has been chairman of the Committee on Education and Labor of the United States House of Representatives since 1961. He has been a member of Congress for 22 years, having been first elected in 1944, and ranks 39th in seniority in the House of 435. Though an elected public servant, Mr. POWELL might be said to be the most powerful Negro in the history of the world because of the size and scope of the funds his committee controls.

Always a colorful and controversial figure, reams have been written about him from a variety of points of view. The purpose of this tribute is merely to direct attention to certain of his contributions to the cause of education which have not been emphasized as much as they deserve.

Without doubt powerful elements of the body politic would like Mr. POWELL destroyed. Influential pundits of the press vainly inveigh against him without remission. National leaders of both races have cried aloud that with his ability Mr. POWELL might be so much greater if he would be different, in nebulous and undefined ways, from what he is.

It is equally certain that the masses of Negroes do not want to see Mr. POWELL destroyed. Whatever image of him they derive from the detractions written about him, the image that has most significance for them is that of a Negro in one of the most powerful and prestigious positions in the Congress whose loyalty to them and their cause is beyond any question.

What infuriates his enemies most is that he remains beyond their reach because his constituents of the 18th New York District continue to relect him. When a reporter recited to a Harlemite encountered at random on the street a nationally syndicated columnist's list of pleasures Mr. POWELL was alleged to be enjoying at the taxpayers' expense abroad, instead of recoil in horror, the constituent's comment was, "That cat's doin' all right, aint he?"

When the Powell amendment to the education bill which would have withheld funds from schools which did not desegregate was being fiercely debated, Mr. POWELL was denounced by citizens of the greatest eminence and respectability as going too far and endangering the passage of legislation which the American people so direly needed, by his obstinacy.

Yet the Powell amendment, like the stone which the builders refused "is become the headstone of the corner." Both the Civil Rights Law of 1964 and the Medicare Law of 1965 provide that Federal funds shall be withheld from educational and medical institutions, respectively, which practice discrimination. This has proved the key provision in securing compliance with the laws. In the statutes as enacted, the withholding sections are not known by Mr. POWELL's name. But, "What's in a name? That which we call a rose by any other name would smell as sweet."

Before reviewing some of Mr. POWELL's work related to educational and health areas, it might be well to cite evidence of highest authority on his contributions to the general weal.

Let us begin with three letters to Mr. POWELL which speak for themselves from the President of the United States, the Speaker of the House of Representatives, and the senior Senator from Oregon.

THE WHITE HOUSE,
March 18, 1966.

DEAR ADAM: The fifth anniversary of your Chairmanship of the House Education and Labor Committee reflects a brilliant record of accomplishment.

It represents the successful reporting to the Congress of 49 pieces of bedrock legislation. And the passage of every one of these bills attest to your ability to get things done.

Even now, these laws which you so effectively guided through the House are finding abundant reward in the lives of our people.

The poverty program is rapidly paving new pathways to progress for those whom the economic vitality of this land had previously by-passed.

The education measures are being translated into fuller opportunities for all our citizens to develop their God-given talents to their fullest potential.

Minimum wage, long a guarantee of a fair return for an honest day's work, has been increased and greatly extended.

And the problems of juvenile delinquency are being met and curtailed by positive and determined action.

Only with progressive leadership could so much have been accomplished by one Committee in so short a time. I speak for the millions of Americans who benefit from these laws when I say that I am truly grateful.

Sincerely yours,
LYNDON B. JOHNSON.

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., January 30, 1964.

DEAR ADAM: I am very proud of the outstanding record that you have made as Chairman of the House Committee on Education and Labor, and I extend to you and through you, to the Members of your Committee, particularly those who cooperated with you, my hearty congratulations.

If it were not for the fact that you were Chairman of your Committee, we would never have had the Minimum Wage Bill, with its extended coverage, enacted into law. The 88th Congress is already a historical one because it has passed, in the field of education 1) the Higher Education Bill and 2) the Vocational Education Act of 1963. These two measures came out of your Committee and passed through Congress under your brilliant and courageous leadership.

I cannot too strongly, through the use of words, convey to you the appreciation that I have for your ability, your progressive outlook, your courage, and the outstanding leadership that you have given to the Congress and the people of our country since you have been Chairman of the House Committee on Education and Labor.

Permit me also to convey to you the strong feeling of friendship and the deep respect I have for you.

I am always happy when there is a Bill on the Floor of the House that has come out of your Committee because I know that, under your leadership, its chances of passage are excellent, even when it receives the "blind opposition" of the opposite Party.

With kind personal regards, I am,
Sincerely yours,
JOHN W. MCCORMACK.

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
October 5, 1964.

DEAR ADAM: Although I know you know how much I appreciate your wonderful leadership in handling the NDEA bill through conference, nevertheless I want to put it down in print. In all my 20 years in the Senate I have never seen a chairman of a conference committee do as effective a job as you did in handling the NDEA bill through conference. I am well aware of the problems that existed for you among the House conferees and the way you handled the problems made me only that much more an admirer of your generalship.

Also, I want to tell you how much I appreciate the wonderful help that Charles Lee and Jack Forsythe, my staff assistants, received from your very able assistant, Dr. Deborah Wolfe. She is a very able and remarkable person and you certainly are fortunate to have her as your assistant.

Also, I know how busy you are, nevertheless I hope that early in the next session I may have the pleasure of having you as my guest for lunch some noon in the Senate Restaurant. Although our food isn't as good as you have over on the House side, I will try to get a special meal for you that day because you sure deserve it.

With warm personal regards,
Cordially,
WAYNE MORSE.

Mr. POWELL is a complex and sensitive man. There will be no speculation here on, "What makes Sammy run." It requires little insight, however, to recognize that the huge "P" burned into his paternal slave grandfather's back and the ancestry apparent in his handsome visage have not made him idealize our white brothers. But his is not an attitude of vengeance for ancient wrongs. Rather a realistic appreciation of his assets and a perception of the true nature of *Homo sapiens et sanguinis* seem to have brought him to a transcendent humanism which alone can afford real fulfillment to any man. The memory of the historic evils and the snubs of early life extending into his first years in the Congress lingers on, nevertheless, but seems only to color a natural zest for combat.

Those who deplore the American Negro's emphasis on the wrongs of slavery and subsequent repressions and urge that he concentrate upon the present and future, forget that a victorious or dominant group is usually blind to the feeling of the other side. It is the South which keeps alive the memories of the Civil War because the South lost. Most Americans are but vaguely aware that we had a war with Mexico, but in 1966 Mexicans recall quite thoroughly the details of the invasions of United States troops in 1847. Though it has been more than 200 years since in 1759 Wolfe defeated Montcalm in a 15 minute battle at Quebec, securing Canada for the British, the French never accepted the victory as decisive. Thus today much of eastern Canada identifies with French Culture. In the identical "Changing of the Guard" ceremonies at Ottawa and Quebec, the troops wear the same resplendent uniforms, but in Ottawa the orders are given in

English while at Quebec they are given in French and politically significant sentiment for the separate French Canadian state continues to survive.

Why then should there be any wonder that the American Negro today is as keenly mindful of historic wrongs suffered as of the fact that he is of the oldest American stock whose unheralded contributions to the buildings of our great nation have not found their way into the history texts? But Adam Powell is now exerting effective pressure which promises to bear fruit in the immediate future to see that they get there. Is it not reasonable that the Committee of the branch of the Legislature composed of representatives of all the people which is responsible for education should be concerned that the children of all Americans are taught the truth about themselves, their backgrounds and their respective ancestors' contributions to the building of our country? Mr. Powell's insistence that the U.S. Office of Education use its full powers to correct the distorted and false image of the Negro which history texts have been giving all children in the United States is to be most vigorously applauded.

Mr. Powell's interest in matters related to medicine is not of recent origin. During his early years in Congress he said in an address in Freedmen's Hospital that the institution did not receive anything like the money and support to which it was entitled, as Congressman Oscar De Priest had said before him. Mr. Powell has pointed with pride to the fact that his Committee had cleared the $30,000,000 needed for the new Howard University hospital shortly to replace Freedmen's. When the new hospital is built his name should be properly emblazoned in it along with those of other distinguished legislators who have supported this vital project.

Mr. Powell's efforts in relation to enforcement of nondiscrimination in respect to hospitals built with Hill-Burton funds have been highly significant. The Hospital Survey and Construction Act, it will be recalled, had a "separate but equal" non-discrimination clause which in effect vitiated the intent of the law to make modern hospital facilities available for everyone. To remedy the situation long and tedious struggle through the courts was necessary. Most of this has been reported step by step in this *Journal* as the developments occurred. One of the most important and beneficial of the cases was that of Bell et al. versus the Grady Memorial Hospital et al. which pried open hitherto closed doors in Atlanta (v. this *Journal* v. 54, pp. 431, 628, 1962; v. 55, p. 58, 1963). Dr. Roy Bell of Atlanta, a Howard University dental graduate and the principal plaintiff in the case, has widely acknowledged the helpfulness of Mr. Powell in securing basic information essential to the preparation of the case. Sometimes an average citizen may find it difficult to secure data from a Federal Department when it is apparent that those data are wanted for purposes of litigation, but it makes a difference when the information is requested by the Chairman of the Congressional Committee handling the budget of that Department. Long before the Civil Rights Act with its compliance requirements became law, Mr. Powell aided in numerous instances in getting information necessary for the successful prosecution of efforts to eliminate discrimination in hospital and education areas.

In May of 1963 the Seventh Imhotep National Conference on Hospital Integration was held in Atlanta, Georgia, under the joint auspices of the National Medical Association, the N.A.A.C.P. and the National Urban League. The time was one of some tension. The civil rights movement was on the upswing. Plans for the epochal "March on Washington" held in August of that year were well advanced. Some demonstrations had occurred in Atlanta and while the Imhotep Conference was in progress some were held in front of the City Hall. It was not a time for the timid.

All six of the Negro Congressmen were invited to this Conference to lend what aid they could on this national problem. Only Mr. Powell found it possible to accept. Others could not attend due to circumstances beyond their control. At this Conference Mr. Powell declared that he was for "Medicare" but that he would not be for it unless legislation would provide that hospital facilities be available to all citizens on an equal basis.[1] All this has now come to pass.

It is noteworthy that present at this Atlanta Imhotep Conference with Mr. Powell, was the Hon. John D. Dingle, member of Congress from the 15th District of Michigan. His address, "Equal Justice in Health Care Vital for our Nation" was equally forthright in its declarations.[2] Both of these men carry on as distinguished sons of distinguished fathers.

When the National Medical Association launched its Talent Recruitment Program in 1964,[3] Mr. Powell immediately sensed its importance and readily consented to serve as one of the 35 eminent citizens on the National Advisory Committee to the Talent Recruitment Council of the N.M.A.[4]

Lately there has been much consternation among both whites and Negroes about Mr. Powell's identification with the "black power" concept. Since Mr. Powell has issued his own position paper on the subject, no critique is needed here. Perhaps the most remarkable phenomenon in this connection is the fury, based largely on fear, which the slogan has produced in the white population.

The riots in Watts, Cleveland, Chicago, Atlanta, Philadelphia and Rochester have been exploited by some groups as symbolic of what "black power" means. There is a direct parallel between the white reaction to this and the slave insurrection panic which reached its peak in the middle 1850's.

The white position was much stronger then than today. In the 1850's the Negro had no legal protection and the Northern anti-slavery tracts flooding the South had the same irritant effect as the present civil rights laws before they were enacted. Hence there was a deluge of anti-Negro literature and undocumented repressive measures which can never be fully known.

Today, however, the statutes ensuring "equal justice under law" are all on the books, the problems of the Negro are no longer centered in the South, no coalition of States contemplates secession, and, as the structure of the modern urban community comes more and more to imitate that of the human body, our sprawling urban complexes present too many vulnerable vital parts where a little damage can paralyze the whole. In short, the ghettos can be neither squashed nor ignored.

Moreover, all America is now aware of the motivation for hostility which persecution and a debased self-image can impart. Shakespeare stated the case through words of Shylock and Richard III.

Of reaction to persecution, he has
Shylock say:

"And what's his reason? I am a Jew: Hath not a Jew eyes? hath not a Jew hands, organs, dimensions, senses, affections, passions? fed with same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same winter and summer as a Christian is? If you prick us, do we not bleed? If you tickle us, do we not laugh? If you poison us, do we not die? and if you wrong us, shall we not revenge? If we are like you in the rest, we will resemble you in that . . . The villainy you teach me I will execute; and it shall go bad but I will better the instruction."

And as to the product of low self-image
Richard says:

"I, that am rudely stamped, and want love's majesty to strut before a wanton ambling nymph;—I, that am curtailed of this fair proportion, Cheated of feature by dissembling nature, Deformed unfinished, sent before my time into this breathing world, scarce half made up, And that so lamely and unfashionable that dogs bark at me as I halt by them;—Why I, in this week piping time of peace have no delight to pass away the time, unless to see my shadow in the sun, and descant on mine own deformity. And therefore, since I cannot prove a lover to entertain these fair well-spoken days, I am determined to prove a villain, and hate the idle pleasures of these days. Plots I have laid, inductions dangerous. . . . Dive, thoughts, down to my soul!"

Thus on the present scene there is the fear that the Negro might seek to "better the instruction" and lay "plots" and "inductions dangerous." When in this milieu a Negro talks of power who has learned the hard way that power is what counts, and when this Negro actually has power, it is redoubled, and there arises among his enemies a desire to cut him down of a ferocity comparable to that with which the Romans annihilated Spartacus.

But perhaps the majority subconsciously may turn its anger inward on itself. If something had been done earlier, this cry that power is the only answer might not have arisen. This writer remembers that when the first Imhotep National Conference on Hospital Integration was held in March 1957, it had difficulty in finding a roof, even though Imhotep means, "He Who Cometh in Peace," and the Conference was sponsored by such respected and established organizations as the N.A.A.C.P. the National Medical Association and the Medico-Chirurgical Society of the District of Columbia. The auditorium of the Department of Health, Education, and Welfare could not be made available, nor could the meetings be held at Howard University. In the traditional manner, one of the older Washington churches opened its doors and the Conference was held at the 15th Street Presbyterian Church. The sponsors had no power to secure the other places.

Chairman Powell did have power, however, and in September 1966 at his invitation, a meeting of 159 Negroes interested in a discussion of the goals of "black power" was held in the Rayburn Office Building of the U.S. House of Representatives.

As long as there are Governors like Wallace of Alabama, who defy Federal law, there would seem to be no need for excitement about Mr. Powell. He has demonstrated his allegiance to the President's program for the Great Society and he incites no one to violate the law.

May we remember that power is no end in itself. Plato's dictum that all power corrupts is as true as ever today. Our common goal must be the Great Society which can indeed become a reality.

Most of the criticisms about Mr. Powell suggest the famous reply of President Lincoln to the complaint that General Grant drank whiskey—"Name his brand and I'll send a case to my other generals."

In these days of great trial and transition, no man is all-wise. President Lyndon B.

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[1] Powell, A. C., Jr. Hospital Integration and Job Opportunity-Equality-Goals for 1963. J.N.M.A., v. 55, pp. 338–341, 1963.

[2] Dingell, J. D. Equal Justice in Health Care Vital for Our Nation. J.N.M.A., v. 55, pp. 341–342, 1963.

[3] Cobb, W. M. The Pursuit of Excellence-Project Arcturus. J.N.M.A., v. 56, pp. 432-441, 1964.

[4] National Advisory Committee to the Council on Talent Recruitment J.N.M.A., v. 57, pp. 338–339, 1965.

Johnson openly seeks all the helpful information he can get before making the decisions that are his great responsibility. Mr. POWELL has moved into a new dimension of national responsibility and perspective in his present post. He needs your help too. The coalescence of events has placed him on a flood tide of opportunity which may be rode to good fortune for all Americans and the world. Let us remember him in our prayers.

William De Witt Hyde has expressed the spirit in which we should work in the following verses:

"Lord of creation, we give Thee thanks;
That this Thy world is incomplete;
That battle calls our marshalled ranks,
That work awaits our hands and feet.

That Thou hast not yet finished man,
That we are in the making still,
As friends who share the maker's plan,
As sons who know the Father's will.

Since what we choose is what we are,
And what we love we yet shall be,
The goal may ever shine afar;
But the will to win it makes us free."

W. MONTAGUE COBB, M.D.

Vice President Humphrey's Remarks

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 10, 1966

Mr. McCARTHY. Mr. Speaker, I would like to call to the attention of my colleagues Vice President HUMPHREY'S speech before the New York Democratic State Convention in Buffalo in September.

The Vice President calls for New York State leadership in creative federalism—effective cooperation among all levels of government.

Under leave to extend my remarks, I would like to insert into the RECORD the Vice President's speech for all of my colleagues to read in its entirety:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, DEMOCRATIC STATE CONVENTION, BUFFALO, N.Y., SEPTEMBER 8, 1966

My fellow Democrats, happy days are here again. Victory is in the air—victory this November, victory in New York state, victory for the Democratic party.

Our opposition will never understand the Democratic party. Our party is—to the unpracticed eyes of old Republican Tories—a mysterious contraption that usually seems to be moving in a thousand directions.

What they don't know is what hurts them.

For all that movement in the Democratic party is caused by the internal combustion of creative ferment of ideas, of people vigorously committed to the proposition that change and social progress are not only to be desired; they are necessities of 20th century America.

The challenge to the Democratic party of New York is clear and compelling.

It is to see to it that this Empire State regains the role of national leadership which it rightfully has held in the past—and that it does so by moving forward to meet the challenges of the future while restoring the human values of the past.

This state of New York is more richly endowed than most of the new nations of the world, and many of the old ones as well.

It is endowed with abundant material resources. But far more important, it is endowed with rich human resources. New York, throughout its history, has held its position of leadership because of its enterprise and its talented and imaginative people—the builders of railroads and canals . . . the immigrants lifting themselves upward in the heart of the city . . . the founders of religious, educational and cultural institutions . . . yes, and its political leaders.

Now, again, the times call for enterprise, for talent, for imagination—and above all, for progressive political leadership.

The way is open today for New York to become a principal partner in the Great Society—the initiator and the innovator, the trail-blazer for the rest of our nation.

New York state can be the showcase in our country of creative federalism. Creative federalism means effective and timely cooperation between all levels of government.

It means better state and local government.

It means generous federal aid where it is needed and effective local administration when it is required.

Creative federalism means programs, policies, and projects locally inspired, locally developed, locally administered—but with a broader design that includes state and regional development, backed and supported by federal assistance and resources.

Creative federalism means modernizing government, strengthening the economy—at all levels—and doing it in terms of modern needs and future requirements.

New York has in the past given this nation great leadership.

It has been a laboratory of social experimentation.

You have dared to try not only new concepts of government, but new ideas for better living.

But the flood tide of change has overwhelmed many of the political and social institutions designed for another day.

Revolutions in science and technology have been joined by a revolution of rising expectations among our own people.

There is a human revolution underway.

The tensions and pressures in our urban centers are its symptoms.

Poverty that was hidden in the hills and the rural areas of a half century ago has now accumulated and concentrated in our cities.

Racial prejudice long endured in shame and pain now stands exposed before us.

Poverty is not just the problem of the poor; it is the cancer of America.

The slum is not merely the problem of the cities; it is the rot of a nation.

Transportation and traffic congestion are no longer just the worry of the police department and the city fathers, but the costly clot in the arteries of our national economy.

Pollution of water and air—only a few years ago a subject of academic discussion—is now a threat to the health and welfare of our entire people.

These and many other problems are the tragic inheritance of failure and delay by public authority and private enterprise.

Our system of democratic government and our free, competitive economy are challenged as never before.

The times call for boldness, for experimentation—yes, for daring at every level of government and in the private economy.

The answer to our ills is not just more help from Washington, but self-help.

We need a renaissance of state government, a revitalization of local government and private initiative.

No, creative federalism does not mean a strong, powerful federal government—aiding, comforting, propping up weak, obsolete, ineffective state and local government.

Modern American government requires a partnership of efforts—with each partner fulfilling his own duties and responsibilities.

Federal aid, to be effective, must be managed and used in a political and social environment that is conducive to action and results, and not to procrastination.

The truth is that most of our local and state governments are the victims of constitutional and statutory law designed for a period long past and for a social and economic structure that has little relationship to the present.

Now the people of New York have the chance for a new constitution which can provide the framework needed to cope with the problems of the next generation.

You have the chance, through reapportionment, for full and fair representation.

But what is more, the people of New York have the chance for political leadership able to put creative federalism to work, every day in every part of their state.

In Washington you are represented by liberal, progressive Congressmen. We need more Democrats in the New York state delegation.

You are represented, too, by a United States Senator—the honored son of a great family—the devoted and trusted brother of our late beloved President—a gifted and talented public servant, Senator ROBERT KENNEDY.

Now the people of New York have the chance for new leadership in Albany—leadership by a man who has devoted his life to the service of the people of New York . . . a man who possesses the qualities of integrity and vision, of compassion and activism so needed to make the revolution of rising expectations a positive human revolution . . . I mean leadership by Frank O'Connor, the next Governor of the State of New York.

The people of New York, before this campaign is over, will recognize in Frank O'Connor what the people of New York City have already seen—that Frank O'Connor is a liberal: he is a progressive; he is a man who wants to help those who need help; he is a man whose whole record in public life demonstrates that he means what he says.

The Bible says: "If the trumpet give an uncertain sound, who shall prepare himself to the battle."

Let there be no uncertain sound. Let the call be clear and loud.

I ask that you make this campaign a unified, all-out effort to restore Democratic leadership in Albany. I ask you to campaign, in unity, not only for the next governor of this state, but for the entire Democratic ticket.

I ask you to return to Washington the Democratic Congressmen who have helped so much to mould the historic programs of the past five years. I ask you to win new Democratic seats in the Congress.

"Let us begin," was the challenge of President John F. Kennedy.

"Let us continue," was the charge to a grief-stricken nation of President Lyndon Johnson.

We did begin. We moved this country forward out of the doldrums.

And we have continued. We have broken through with new ideas . . . we have broken through with new laws and programs . . . we have broken through with a depth of commitment that could not have been imagined a few short years ago.

Yes, we have made an all-out national commitment to the education of our children. In the past three years we have more than doubled our federal investments in education.

Yes, we have broken down old barriers of racial discrimination and injustice.

Yes, we have set to work to solve the enormous problems of our growing and sprawling metropolitan areas. We have created a new federal Department of Housing and Urban Development. We are mobilizing our resources, our best minds, the most advanced techniques to the task of finding integrated, systematic solutions to the encrusted problems of metropolis.

Yes, we have worked toward eradication of the poverty that takes so high a toll on those afflicted by it and of those who must carry its burden.

Yes, we have transformed a cold and heartless immigration policy into one that is just, humane and progressive.

Yes, we have seen to the adequate hospital and medical care of our fathers and mothers; we have resolved to defeat illness and disease which bring loss to our economy, which bring pain to our families. In the past three years we have more than doubled our federal investments in health.

Yes, we have helped create an economy of growth and justice—an economy of more jobs, higher salaries and wages, greater investment and profit . . . an economy able to sustain our responsibilities both to our own people and to peace and security in the world.

We have had five years of action, of growth, of change, of social progress.

We began. We continued. And we have done well.

But we are a people, we are a party never satisfied . . . restless in our search for the fulfillment of America's promise.

Now we must march on. We have the means—these is no doubt about it. Ours is the richest and most powerful society ever created on earth. There is only the question of our will . . . of our determination to wage our peaceful revolution for the many, even though the few may be satisfied today.

Life in our cities can be more than steaming asphalt and crowded tenements . . . more than filthy air and polluted water . . . more than clogged highways and congested streets . . . more than bursting schoolrooms and underpaid teachers . . . more than violence and hopelessness and discrimination and hate and despair . . . more than temporary material satisfaction.

The way lies open to build a society in which the human values, above all, count uppermost.

The way lies open to cities filled with green and open space . . . to transportation that is safe, comfortable, rapid . . . to neighborhoods once more filled with neighbors . . . to schools and universities that truly care about the future of our children . . . to rural areas, towns, cities, suburbs where people—because they are citizens, because they are people—can live together in harmony and cooperation, no matter what their age, the color of their skin, their religion, or their last name.

Some 21 years ago a great American President . . . a former Governor of New York . . . a man who was true to his party, his conscience and his country, sat at his desk in Warm Springs, Georgia to write an address he was never to deliver. That address was to have been given at a Jefferson Day dinner in 1945.

Franklin Roosevelt wrote then, on the unfinished page, the words that serve as our challenge today.

"The only limit to our realization of tomorrow," Franklin Roosevelt wrote, "will be our doubts of today. Let us move forward with strong and active faith."

Let us then—as Democrats, as men and women who believe in liberalism and social progress—move forward, with strong and active faith, to the victory that can be ours.

SENATE

Tuesday, October 11, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. **Daniel K. Inouye**, a Senator from the State of Hawaii.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of all men, Thou hast taught us that in quietness and in confidence shall be our strength. In the midst of these feverish days we pray that Thou wilt breathe through the heats of our desire Thy coolness and Thy balm.

Take from our souls the strain and stress and let our ordered lives confess the beauty of Thy peace.

Strengthen us with Thy might that the anxious pressures of these days may not break our spirits and that no denials of human freedom now loose in the world may intimidate our souls.

We thank Thee for the stirrings of discontent within us with things as they are—for visions of a glory still to transfigure the earth, for the hope of brotherhood and justice and abiding peace.

Make real to us the kingdom within whose radiant realities are its faith, its ideals, its visions of beauty, and its aspirations that lay hold of God and goodness.

We ask it in the name of the One who is the fairest among 10,000 and the One altogether lovely. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., October 11, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. **Daniel K. Inouye**, a Senator from the State of Hawaii, to perform the duties of the Chair during my absence.

Carl Hayden,
President pro tempore.

Mr. INOUYE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. **Mansfield**, and by unanimous consent, the reading of the Journal of the proceedings of Monday, October 10, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On October 8, 1966:

S. 196. An act for the relief of Georges Fraise;

S. 373. An act for the relief of Dr. M. Ubieta;

S. 2295. An act for the relief of Guiseppe Rubino; and

S. 2393. An act to provide for additional positions in certain departments and agencies, and for other purposes.

On October 10, 1966:

S. 1356. An act to amend the Judicial Code to permit Indian tribes to maintain civil actions in Federal district courts without regard to the $10,000 limitation, and for other purposes;

S. 1466. An act for the relief of Dorothy Eyre;

S. 2070. An act to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City;

S. 2091. An act for the relief of Joaquin U. Villegomez;

S. 2540. An act to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes; and

S.J. Res. 197. Joint resolution to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding thirty years, and for other purposes.

EXECUTIVE MESSAGES REFERRED—WITHDRAWAL OF NOMINATION

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of David K. Burkhart, to be postmaster at Del Mar, Calif.; which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 3488) to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington metropolitan area transit regulation compact to establish an organization empowered to provide transit facilities in the National Capital region, and for other purposes, and to enact said amendment for the District of Columbia, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 3423. An act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes;

H.R. 8664. An act to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes; and

H.R. 17788. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. BYRD of West Virginia, from the Committee on Appropriations, with amendments:

H.R. 17636. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 1706).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. RANDOLPH, from the Committee on Commerce:

Ross D. Davis, of New York, to be an Assistant Secretary of Commerce.

EXECUTIVE REPORTS OF COMMITTEE ON FOREIGN RELATIONS

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Francis J. Galbraith, of South Dakota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Singapore;

Foy D. Kohler, of Ohio, a Foreign Service officer of the class of career ambassador, to be a Deputy Under Secretary of State;

Eugene Victor Rostow, of Connecticut, to be Under Secretary of State for Political Affairs;

Herbert Salzman, of New York, to be Assistant Administrator for Development Finance and Private Enterprise, Agency for International Development;

William R. Rivkin, of Illinois, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Senegal, and to serve concurrently as Ambassador Extraordinary and Plenipotentiary to The Gambia;

Sol M. Linowitz, of New York, to be the Representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador;

Ellsworth Bunker, of Vermont, to be Ambassador at Large;

Llewellyn E. Thompson, of Colorado, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics; and

Maj. Gen. John J. Davis, U.S. Army, of Kansas, to be an assistant director, U.S. Arms Control and Disarmament Agency, with the rank of lieutenant general.

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably sundry nominations in the diplomatic and Foreign Service. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they may be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Maurice L. Hawes, of the District of Columbia, and sundry other persons, for appointment and promotion in the diplomatic and Foreign Service.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARRIS (for himself, Mr. Bayh, Mr. Brewster, Mr. Clark, Mr. Gruening, Mr. Inouye, Mr. Kennedy of New York, Mr. Kennedy of Massachusetts, Mr. Kuchel, Mr. Mansfield, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Monroney, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Ribicoff, Mr. Tydings, Mr. Yarborough, and Mr. Mondale):

S. 3896. A bill to provide for the establishment of the National Foundation for the Social Sciences in order to promote research and scholarship in such sciences; to the Committee on Government Operations.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri:

S. 3897. A bill for the relief of Dr. Christos A. Antoniou; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

AUTHORIZATION FOR SECRETARY OF THE SENATE TO MAKE A CHANGE IN THE ENROLLMENT OF S. 1310

Mr. PELL submitted a concurrent resolution (S. Con. Res. 112) authorizing the Secretary of the Senate to make a change in the enrollment of S. 1310, which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. Pell, which appears under a separate heading.)

RESOLUTIONS

EXPENDITURES BY SPECIAL COMMITTEE ON ORGANIZATION OF THE CONGRESS

Mr. MONRONEY (for himself, Mr. Sparkman, Mr. Metcalf, Mr. Mundt, Mr. Case, and Mr. Boggs) submitted a resolution (S. Res. 311) authorizing expenditures by the Special Committee on the Organization of the Congress, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Monroney, which appears under a separate heading.)

PRINTING OF REPORT ENTITLED "PROFILE OF YOUTH—1966" AS A SENATE DOCUMENT

Mr. PELL submitted the following resolution (S. Res. 312) which, under the rule, was referred to the Committee on Rules and Administration:

S. Res. 312

Resolved, That a committee print in two parts entitled "Profile of Youth—1966", a report prepared at the request of Senator Claiborne Pell for the Subcommittee on Employment, Manpower, and Poverty of the Senate Committee on Labor and Public Welfare by the Legislative Reference Service, Library of Congress, be printed as a Senate document, and that there be printed eight hundred additional copies of such document for the use of that committee.

PRINTING AS A SENATE DOCUMENT OF STUDY ENTITLED "ASPECTS OF INTELLECTUAL FERMENT IN THE SOVIET UNION"

Mr. DODD submitted the following resolution (S. Res. 313) which, under the rule, was referred to the Committee on Rules and Administration:

S. Res. 313

Resolved, That the study entitled "Aspects of Intellectual Ferment in the Soviet Union", prepared by the Legislative Reference Service of the Library of Congress, shall be printed as a Senate document.

Sec. 2. There shall be printed fifteen thousand additional copies of such Senate document, of which eight thousand copies shall be for the use of the Committee on the Judiciary of the Senate and seven thousand copies shall be for the use of the Senate.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Cannon, and by unanimous consent, the Subcommittee on Agricultural Production, Marketing, and Stabilization of the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate today.

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXPENDITURES BY SPECIAL COMMITTEE ON ORGANIZATION OF CONGRESS

Mr. MONRONEY. Mr. President, I am submitting a resolution today on behalf of myself and Senators Sparkman, Metcalf, Mundt, Case, and Boggs, members of the Special Committee on the Organization of the Congress. The resolution authorizes the committee to receive, consider, and report an omnibus reorganization bill based on the recommendations of the Joint Committee on the Organization of the Congress no later than March 31, 1967.

The resolution also provides for funds in a maximum amount of $15,000 for the month of January 1967.

This resolution is necessary because it has not been possible to schedule the legislative reorganization bill of 1966

(S. 3848), for floor action before adjournment. This bill had been reported by the special committee pursuant to Senate Resolution 293, giving the committee legislative authority for purpose of the omnibus reorganization bill. We had hoped that the bill could be acted on during this session so that the work of the special committee would have been completed. However, the busy schedule and the desire voiced by a number of Senators for careful consideration of this important legislation has forced a postponement until next January.

This resolution reinforces Senate Resolution 293, to make clear the bill may be reintroduced and reported by the special committee at the beginning of the 90th Congress. Since the life of the joint committee expires on December 31, 1966, the resolution provides for necessary funds for the month of January 1967. Next January the special committee will request such additional funds as may be required to complete our work early next year. These requests are made in accordance with the instructions of the Rules and Administration Committee when that committee considered the resolution creating the special committee.

The majority leader has already stated that consideration of the reorganization bill will be one of the first orders of business next January. The special committee looks forward to presenting this legislation for the consideration of every Member of this body at that time.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 311) was referred to the Committee on Rules and Adminstration, as follows:

S. RES. 311

Resolved, That the Special Committee on the Organization of the Congress, in carrying out the duties imposed upon it by S. Res. 293, Eighty-ninth Congress, agreed to August 26, 1966, is authorized to sit and act during the sessions, recesses, and adjourned periods of the Eighty-ninth Congress and during the Ninetieth Congress until such committee shall cease to exist on March 31, 1967, for the purpose of receiving and considering a bill, when introduced and germane amendments relating thereto, having for its purpose the carrying out of the recommendations contained in the report of the Joint Committee on the Organization of the Congress, Report No. 1414, July 28, 1966. Such bill, when introduced, and amendments shall be referred to the committee for its consideration and such committee is hereby authorized to report to the Senate with respect to any such matter referred to it, together with such recommendations as it may deem advisable. Nothing in this resolution shall be construed to authorize the committee to report any bill or amendment containing any provision which has the effect of changing the rules, parliamentary procedure, practices, or precedents of either House, or which has the effect of changing in any manner the consideration of any matter on the floor of either House, unless such provision is to carry out a recommendation contained in such report of July 28, 1966. Any vacancy occuring in the membership of the committee shall be filled by appointment by the President of the Senate.

SEC. 2. For the purposes of this resolution, the committee, through January 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date.

SEC. 4. Expenses of the committee under this resolution which shall not exceed $15,000, through January 31, 1967, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL COSPONSORS OF BILLS

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at its next printing the name of Senator ROBERT KENNEDY, of New York, be added as a cosponsor to S. 3773, the youth camp safety bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that at its next printing the name of the senior Senator from California, the distinguished minority leader, Mr. KUCHEL, be added as a cosponsor to S. 3723, a bill to amend title V of the Social Security Act relating to children under foster care.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the names of the Senator from Wisconsin [Mr. NELSON] and the Senator from New Jersey [Mr. WILLIAMS] be added, at the next printing, as cosponsors of S. 3888, a bill to establish an Executive Organization Review Commission to investigate the organization of the executive branch of the Federal Government every 10 years.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that at the next printing of S. 2877, the older Americans community service program, the names of the Senator from New York [Mr. JAVITS], the Senator from Rhode Island [Mr. PELL], and the Senator from Wisconsin [Mr. NELSON] be added as cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 11, 1966, he presented to the President of the United States the enrolled bill (S. 3423) to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanmious consent that the Senate proceed to the consideration of Calendar Nos. 1671, 1672, and 1673, in sequence.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LONG-TERM LEASES ON THE SAN XAVIER AND SALT RIVER PIMA-MARICOPA INDIAN RESERVATIONS

The Senate proceeded to consider the bill (H.R. 7648) to authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 5, after line 9, to strike out:

SEC. 9. Any municipality an exterior boundary of which adjoins an exterior boundary of the San Xavier or the Salt River Pima-Maricopa Reservation may, with the consent of the Papago Council or the Salt River Pima-Maricopa Indian Community Council, as the case may be, and the approval of the Secretary of the Interior, annex all or any adjacent portion of the San Xavier Reservation or the Salt River Pima-Maricopa Reservation and, if it does so, all or any part as may be authorized by the said council and Secretary of the laws, ordinances, codes, resolutions, rules, or other regulations of such municipality (including zoning laws and building codes) shall, except as provided in section 12, subsections (b) and (c), of this Act, be of the same force and effect within the area so annexed as they are within the remainder of the municipality. It is the expectation of the Congress that the councils will, and it is the intention of the Congress that the Secretary of the Interior shall, at the earliest possible time agree to the fullest possible and practicable application of such laws, ordinances, codes, resolutions, and other regulations to the end that the annexed portions of the reservation may become an integral part of the annexing municipality. Section 3, subsection (a), of this Act shall be inapplicable to any part of the San Xavier or the Salt River Pima-Maricopa Reservation which is fully and completely annexed to a municipality pursuant to this section.

On page 6, after line 11, to strike out:

SEC. 10. (a) The State of Arizona may exercise, permanently or for a limited period of time, as authorized by the Secretary of the Interior and the Papago Council or the Salt River Pima Maricopa Community Council, as the case may be, full or partial jurisdiction, as agreed upon between said State, council, and Secretary, over offenses committed on, and causes of action arising on or concerning persons within, the whole or such portion or portions of the San Xavier and Salt River Pima Maricopa Reservations as are likewise agreed upon to the same extent as said State exercises jurisdiction over like offenses and causes of action elsewhere in said State, and there shall be applicable to offenses and causes of action with respect to which jurisdiction is so exercised by the State of Arizona within or affecting residents of said reservations the same laws of general applicability which are in force elsewhere in said State: *Provided*, That any tribal ordinance heretofore or hereafter adopted by the Papago Tribe or the Salt River Pima Maricopa Community in the exercise of any authority which it may possess and any tribal custom prevalent among residents of the reservations aforesaid shall, if not inconsistent with the applicable civil law of the State or any law of the United States, be given full force and effect in the determination of causes of action pursuant to this section.

(b) Notwithstanding the provisions of the enabling Act for the admission of the

State of Arizona to the Union (Act of June 20, 1910, 36 State, 557, 568), the consent of the United States is hereby given to the people of the State of Arizona to amend, if necessary, their State constitution or existing statutes, as the case may be, to remove any legal impediment to the assumption of civil and criminal jurisdiction over the San Xavier and Salt River Pima Maricopa Indian Reservations in accordance with this Act.

On page 7, at the beginning of line 20, to change the section number from "11" to "9"; on page 8, at the beginning of line 4, to change the section number from "12" to "10"; after line 4, to strike out:

(a) limit the authority of the Papago Tribe or the Salt River Pima Maricopa Community, or the individual members thereof. with the approval of the Secretary of the Interior, to provide in lease agreements for the extension of some or all of the State and county zoning ordinances, housing codes and health and sanitation laws to areas leased pursuant to this Act;

At the beginning of line 12, to strike out "(b)" and insert "(a)"; on page 9, at the beginning of line 3, to strike out "(c)" and insert "(b)"; at the beginning of line 7, to strike out "(d)" and insert "(c)"; at the beginning of line 10, to strike out "(c)" and insert "(d)"; and, at the beginning of line 13, to change the section number from "13" to "11".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1703), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The primary purpose of H.R. 7648, as amended, is to provide long-term leasing authority for tribal and individual lands of the San Xavier and Salt River Pima-Maricopa Indian Reservations in Arizona for public, religious, educational, recreational, residential, business, farming, or grazing purposes.

NEED

The San Xavier and Salt River Pima-Maricopa Reservations are adjacent to the cities of Tucson and Phoenix, respectively, two of the most rapidly expanding cities in the Southwest. In both instances the close proximity of city and reservation has created opportunities for profitable use of the Indian land if it can be leased for sufficiently long terms.

The maximum permissible term for which Indian land may be leased under existing general law is 25 years with a right of renewal for another 25 years. The Palm Springs, Navajo, Dania, Southern Ute, Colorado River, Fort Mojave, and Pyramid Lake Reservations have been granted longer lease terms because the 25-year authority is not sufficiently long to permit development loans in some instances and a clear 50-year minimum period plus an allowance of time for negotiations and construction is frequently required. In all of the instances just cited, legislative authority to lease for up to 99 years has been granted. H.R. 7648 does the same for the two reservations to which it applies, with, however, a limit of 40 years in the case of farming leases that require a substantial investment in the improvement of the land and 10 years in the case of grazing and other farming leases. The Secretary of the Interior will approve 99-year leases only if such extended period is absolutely essential.

SECTION-BY SECTION ANALYSIS

Section 1 deals with the leasing of Indian trust and restricted lands both tribal and individual, on the San Xavier and Salt River Pima-Maricopa Reservations for all purposes except mining. The maximum term of any lease under this act will be 99 years. Grazing leases and leases for farming which require no substantial investment in improvement of the land will not exceed 10 years. Leases for farming which require a substantial investment in improvement of the land may run as much as 40 years. The Secretary of the Interior is enjoined not to approve any lease "with a term that is longer than is necessary * * * to obtain maximum economic benefits for the Indian owners."

Section 2 requires that every lease entered into under the first section contain covenants against waste, nuisance, and the creation of hazards. It also provides for suits by the State of Arizona and its political subdivisions against lessees to prevent or abate violations of such covenants. Such a suit must first be brought in the U.S. District Court for the District of Arizona; if, however, that court finds that it lacks jurisdiction because the constitutional requirement that there be diversity of citizenship or that the case arise under the laws of the United States is not met, it may be brought in a court of the State.

Section 3, subsection (a), requires that the Secretary of the Interior advise municipalities adjacent to the San Xavier or Pima-Maricopa Reservations of the pendency of a lease for other than farming or grazing purposes 30 days before he approves it if, in his judgment, the lease will substantially affect their governmental interests. He is further required to consider any comments on the lease, insofar as its terms or absence of terms affect matters of municipal interest, that they may offer. These requirements are applicable only to leases under H.R. 7648, not to leases under other laws. The intent of Congress that the terms on which non-Indian development of land on these two reservations is undertaken shall, to the extent to which this is reasonably possible, be similar to those which State and local law imposes on the same sort of development in adjacent municipalities is stated in subsection (b).

Section 4, by reference to the act of September 8, 1940 (54 Stat. 745, 25 U.S.C. 380), authorizes the superintendents of the two reservations to lease the lands of deceased Indians, except for oil and gas, if the heirs and devisees have not been determined or if, the heirs and devisees having been determined, the lands are not in use by them and they cannot agree within 3 months on the terms of a lease. The decision of the superintendent in any such case will, under the provisions of this section, be subject to appeal to the Secretary.

Section 5 prohibits the payment and collection of rent more than 1 year of advance unless otherwise provided in the lease.

Section 6 provides that the Secretary of the Interior shall approve no lease containing a provision "that will prevent or delay a termination of Federal trust responsibilities" during the lease term.

Section 7 authorizes the Indian owners of land on the San Xavier and Salt River Pima-Maricopa Reservations to dedicate land for various public purposes with the approval of the Secretary. The conditions under which this may be done will be similar to those under which dedications may be made elsewhere under the laws of Arizona. Consideration was given in committee to expand this section to cover the granting of rights-of-way for utilities, but this was found to be unnecessary in view of section 1 of the act of February 2, 1948 (62 Stat. 17, 25 U.S.C. 323).

Section 8 authorizes the Papago Tribal Council and the Salt River Pima-Maricopa Community Council to contract with the State and its political subdivisions for water, sewerage, police, and other public services. In doing so, the council concerned must have the approval of the Secretary of the Interior.

Section 9 of the bill as reported authorizes the Papago and Pima-Maricopa councils, with the approval of the Secretary of the Interior and in the absence of State jurisdiction over the lands in question, to adopt building, zoning, and sanitary regulations. The councils are also authorized to contract with local authorities for assistance in preparing such regulations.

Section 10 makes clear that the preceding sections of the bill do not (a) authorize the alienation, encumbrance, or taxation of trust or restricted lands; (b) extend State jurisdiction to determine the ownership of trust or restricted property; (c) modify the existing authority of public school districts to include the reservations within their boundares; or (d) make inapplicable to the San Xavier and Salt River Pima-Maricopa Reservations other laws under which Indian lands may be leased and mortgaged.

Section 11 forbids the Secretary of the Interior to approve developments under other provisions of the bill which would affect adversely the scenic, historic, and religious values of the Mission Xavier del Bac on the San Xavier Reservation.

COMMITTEE AMENDMENTS

The committee has amended the bill by deleting sections 9, 10, and 12(a) as passed by the House.

Those sections related to the annexation of all or parts of the two reservations by adjacent municipalities, and the permanent or temporary extension of State jurisdiction over offenses committed on the reservations or causes of action arising on them where such was agreed to by the respective tribal council and the Secretary of the Interior.

For the reasons cited in the communication relating to H.R. 7648 from the Department of Justice, the committee believes the State of Arizona should take affirmative action under the authority of section 7 of the act of August 15, 1953 (67 Stat. 590), relating to the assumption by the States of jurisdiction over criminal offenses and civil causes of action in Indian country.

Further, it is the committee's recommendation that the Secretary of the Interior not approve leases on these reservations for terms beyond those presently authorized by law until the State of Arizona acts to assume jurisdiction under the authority of the 1953 act.

POPULAR ELECTION OF THE GOVERNOR OF GUAM

The Senate proceeded to consider the bill (H.R. 11775) to provide for the popular election of the Governor of Guam, and for other purposes which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 9, after "November", to strike out "8, 1966" and insert "3, 1970"; in line 10, after the word "year", to strike out "1968" and insert "1974"; at the beginning of line 12, to strike out "two" and insert "four"; in line 13, after the word "of", to strike out "two" and insert "four"; at the beginning of line 15, to insert "No person who has been elected Governor for two full successive terms shall be again eligible to hold that office until one full term has intervened."; in line 19, after the word "the", where it appears the first time, to strike out "fifth day" and insert "first Monday"; on page 4, line 2, after the word "island", to strike out "or any part thereof" and insert "insofar as it is under the jurisdiction of the government of Guam, to be"; after line 24, to strike out:

SEC. 7. The Governor, Lieutenant Governor, and Acting Governor of Guam shall be removable from office on impeachment for, and conviction of, high crimes and misdemeanors. Impeachment shall be by resolution adopted at an open session of the legislature held not less than fifteen days after introduction of the resolution. The vote on any such resolution shall be by the yeas and nays and the affirmative votes of at least three-quarters of the full membership of the legislature shall be requisite for its adoption. Notice of impeachment, which shall include the articles of impeachment, shall be filed by the speaker of the legislature with the clerk of the District Court of Guam who shall forthwith cause a true copy thereof to be served upon the person impeached. The judge of the district court shall notify the chief judge of the United States Court of Appeals for the Ninth Circuit who shall assign three judges of said circuit to try the impeachment at such time and at such place in Guam as may be specified by said chief judge. Judgment by such court shall be final and not reviewable in any other court and in case of conviction shall extend no further than removal from office and disqualification to hold and enjoy any office of honor, profit, or trust under the government of Guam, but the party impeached, whether convicted or acquitted, shall be liable to prosecution and punishment according to law. No officer shall exercise his official duties from the time he has been impeached and notified thereof until he has been acquitted.

And, in lieu thereof, to insert:

SEC. 7. Any Governor or Acting Governor of Guam may be removed from office by the people registered to vote in Guam if: (a) 75 per centum of the persons registered to vote shall vote in favor of recall at a referendum election, and (b) the removal of the Governor or Acting Governor is approved by the President of the United States. The referendum may be initiated by the Legislature of Guam, following a two-thirds vote of the members of the legislature in favor of a referendum, or by a petition to the legislature of 25 per centum of the people registered to vote in Guam.

On page 7, line 10, after the word "by", to strike out "impeachment" and insert "recall"; on page 8, after line 10, to insert a new section, as follows:

SEC. 5. Effective on the date of enactment of this Act, section 9 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422(c)) is amended by adding immediately after the end of section 9 the following new section 9-A:

"SEC. 9-A. (a) The Secretary of the Interior shall appoint a government comptroller who shall receive an annual salary at a rate established in accordance with the standards provided by the Classification Act of 1949, as amended. The government comptroller shall hold office for a term of ten years and until his successor is appointed and qualified unless sooner removed by the Secretary of the Interior for cause. The government comptroller shall not be eligible for reappointment.

"(b) The government comptroller shall audit and settle all accounts and claims pertaining to the revenues and receipts from whatever source of the government of Guam and of funds derived from bond issues; and he shall audit and settle, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of Guam including those pertaining to trust funds held by the government of Guam.

"(c) It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the Governor of Guam all failures to collect amounts due the government, and expenditures of funds or uses of property which are irregular, unnecessary or not pursuant to law. The audit activities of the government comptroller shall be directed so as to: (1) improve the efficiency and economy of programs of the government of Guam, and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial Federal revenues which are covered into the treasury of the government of Guam are properly accounted for and audited.

"(d) It shall be the duty of the government comptroller to certify to the Secretary of the Interior the net amount of government revenues which form the basis for Federal grants for the civil government of Guam.

"(e) The decisions of the government comptroller shall be final except that appeal therefrom may, with the concurrence of the Governor, be taken by the party aggrieved or the head of the department concerned, within one year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

"(f) If the Governor does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of Guam if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the Governor, on behalf of the head of the department concerned, may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction.

"(g) The government comptroller is authorized to communicate directly with any person having claims before him for settlement, or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

"(h) As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the Governor of Guam, the President of the Senate, and the Speaker of the House of Representatives an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government.

"(i) The government comptroller shall make such other reports as may be required by the Governor of Guam, the Comptroller General of the United States, or the Secretary of the Interior.

"(j) The office of the government comptroller shall be under the general supervision of the Secretary of the Interior, but shall not be a part of any executive department in the government of Guam.

"(k) The office and activities of the government comptroller of Guam shall be subject to review by the Comptroller General of the United States, and reports thereon shall be made by him to the Governor, the Secretary of the Interior, and to the Congress.

"(l) The salary of the government comptroller and the expenses of his office shall be paid by the United States from funds to be covered into the treasury of Guam pursuant to section 30 of the Organic Act of Guam, but such salary and expenses shall not exceed such amounts as may be specified annually in Federal appropriation Acts.

"(m) All departments, agencies, and establishments shall furnish to the government comptroller such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the government comptroller, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, agency, or establishment."

On page 12, at the beginning of line 8, to change the section number from "5" to "6"; after line 13, to strike out:

SEC. 6. Section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d), as amended, is amended to read as follows:

And, in lieu thereof, to insert:

SEC. 7. (a) Effective on the date of enactment of this Act, subsection (c) of section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d(c)) is repealed.

(b) Effective January 4, 1971, section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d), as amended, is amended to read as follows:

On page 13, at the beginning of line 4, to change the section number from "7" to "8"; in line 11, after the word "unincorporated", to strike out "Territory" and insert "territory"; at the beginning of line 13, to change the section number from "8" to "9"; in line 18, after the word "unincorporated", to strike out "Territory" and insert "territory"; after line 18, to strike out:

SEC. 9. Except as to provisions applicable to the election of the Governor and Lieutenant Governor, which provisions shall take effect on the date of enactment of this Act, and unless otherwise expressly provided herein, this Act shall be effective January 5, 1967.

And, in lieu thereof, to insert:

SEC. 10. Those provisions necessary to authorize the holding of an election for Governor and Lieutenant Governor on November 3, 1970, shall be effective on January 1, 1970. All other provisions of this Act, unless otherwise expressly provided herein, shall be effective January 4, 1971.

And, on page 14, at the beginning of line 5, to change the section number from "10" to "11".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1704), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The primary purpose of H.R. 11775, introduced by Representative O'BRIEN, following receipt of an executive communication from the Secretary of the Interior requesting that this be done, is to provide for the popular election of Governor and Lieutenant Governor for the territory of Guam. Other purposes which H.R. 11775 as passed by the House of Representatives and as amended by the Senate Committee on Interior and Insular Affairs, would accomplish are: (1) Create the office of Lieutenant Governor;

(2) provide that the salaries and expenses of the office of the executive and legislative branches be paid by the Government of Guam; (3) specify the powers, duties and responsibilities of the Governor; (4) provide a method of recall for removal of the Governor; (5) set out the line of succession in the event the Governor is disabled; (6) create the office of Government Comptroller and specify the powers, duties, responsibilities, and procedures of that office; (7) provide that the expenses and salaries of the office of the Government Comptroller shall be paid by the United States from funds to be covered into the treasury of Guam pursuant to section 30 of the Organic Act of Guam, thus resulting in a substantial savings to the Federal Government; (9) extend the privileges and immunities clauses, the due process clause, and the equal protection clause of the U.S. Constitution to the people of Guam; (10) make Guam subject to the general military law of the United States; and (11) make certain technical changes in the organic act.

BACKGROUND AND NEED

H.R. 11775, as amended, represents a significant forward step in the development of full local self-government in Guam and toward the fulfillment of the political aspirations of its people.

Following World War II and the transfer of administrative responsibility of the unincorporated territory of Guam from the Secretary of the Navy to the Secretary of the Interior the island has made remarkable economic, political, and social progress. The organic act of 1950 (64 Stat. 384, 48 U.S.C. ch. 8A) was the first important step toward the granting of local-self-government taken by the Congress. It gave American citizenship to the Guamanians, created a 21-member unicameral legislature, provided for appointment of the Governor by the President with the advice and consent of the Senate, directed that locally collected Federal income taxes be covered into the territorial treasury, and turned over to the government of Guam title to much real property located there which the United States owned.

During the consideration of the organic act, members of the Committee on Interior and Insular Affairs advised the Guamanians that additional measures of self-government would be extended to them commensurate with their proven capacities and indications of mature judgment. In line with this, the Congress has enacted several items of significant legislation since 1950, each encouraging local responsibility: Public Law 84–876 made it possible for the government of Guam to collect taxes on post exchange gasoline sales; Public Law 86–316 permits civil suits to be filed against the government of Guam; Public Law 88–183 gave the government of Guam concurrent jurisdiction with the United States over "parties found, acts performed, and offenses committed" on Federal property in Guam and transferred to the territorial government certain submerged areas bordering on the island; Public Law 88–170, in authorizing the appropriation of funds to assist Guam in recovering from heavy typhoon damage, provided for the concurrence of the legislature in requests for appropriations made by the Governor; Public Law 88–171 authorized the creation of an urban renewal authority on Guam; and Public Law 89–100 provides that the legislature may determine the salaries of its own members and that these shall be paid by the local rather than the Federal Government.

The present bill is thus the latest in a long series of measures designed to grant the Guamanian people an ever-increasing share in the government of their island. A number of factors make it clear that the time is ripe for this additional step. The people of Guam have now had 16 years experience in electing their own legislature and have demonstrated their capacity for doing so in a responsible manner. The strong two-party political system that exists in Guam is evidence of their political maturity. Except in such emergency cases as the one caused by Typhoon Karen in November 1962, a large portion of the expenses of the government of Guam are borne locally and the expenditure of Guam's tax revenues are fully under local control. Since 1950, moreover, the governorship has become an office of almost exclusively territorial importance. The Governor no longer performs exclusive Federal functions, as he used to, but he does play an important role in local government since he performs all the usual functions of a Governor of one of our States, including those of recommending legislation and vetoing bills which, in his judgment, are improperly or unwisely passed by the legislature. It is the view of the Senate Interior and Insular Affairs Committee, therefore, that his office should become one whose incumbent is in all respects responsible to the electorate of Guam.

SECTION-BY-SECTION ANALYSIS

Section 1 of the amended bill amends section 6 of the Organic Act of Guam to provide for the popular election of the Governor and Lieutenant Governor jointly for a 4-year term. The first election is to be held on November 3, 1970. Section 1 also specifies the powers, duties, and responsibilities of the Governor and provides that no person who has been elected Governor for two full successive terms shall be again eligible to hold that office until one full term has intervened.

Section 2 deletes section 7 of the organic act and provides a method of recall for removal of the Governor. The referendum requires the approval of 75 percent of the persons registered to vote, plus the approval of the President of the United States. The approval of the President was felt necessary by the members of the committee in light of the Governor's responsibility for the execution of all applicable Federal laws in Guam and in light of the substantial responsibility and interest of the Federal Government in the affairs of the territory.

Section 3 amends section 8 of the organic act and sets out the line of succession in the event of a vacancy, temporary or permanent, in the office of Governor or Lieutenant Governor.

Section 4 deletes from section 9 of the organic act certain provisions which are, in part, duplicative of other portions of the bill and, in part, obsolete or inconsistent with full local self-government.

Section 5 creates the office of Government Comptroller and specifies the duties and responsibilities of the office. The salary and expenses of the office of the Government Comptroller will be paid by the United States from funds which are covered into the treasury of Guam pursuant to section 30 of the Organic Act of Guam. As a result, there will be no new or additional cost to the Federal Government.

Section 6 deletes certain provisions of section 19 of the organic act relating to gubernatorial and Presidential review of acts of the territorial legislature and substitutes for them a simple provision that if a measure is repassed over a gubernatorial veto by two-thirds of the full membership of the legislature, it shall be a law.

Section 7(a) repeals subsection (c) of section 26 of the Organic Act of Guam effective on the date of enactment of this act. This section had provided for payment, by the United States, of the transportation expenses of officers and employees of the government of Guam. Section 7(b) deletes the present provisions of section 26 of the organic act fixing and providing for payment by the United States of the salary of the Governor and Secretary of Guam and relating to other matters. It substitutes a provision authorizing these salaries to be fixed by act of the Guam Legislature and also provides that these, as well as all other executive and legislative department expenses shall be paid from local sources.

Section 8 in effect extends to Guam the provisions of article IV, section 2, clause 1 and of amendment XIV, section 1, of the U.S. Constitution. These are the privileges and immunities clauses of article IV and amendment XIV and the due process and equal protection clauses of the 14th amendment.

Section 9 extends to Guam the portions of the general military laws authorizing the President to use Federal and local forces in cases of insurrection and other like emergency.

Section 10 provides the effective dates for the various portions of the act.

Section 11 furnishes a short title for the act; namely, the "Guam Elective Governor Act."

POPULAR ELECTION OF THE GOVERNOR OF THE VIRGIN ISLANDS

The Senate proceeded to consider the bill (H.R. 11777) to provide for the popular election of the Governor of the Virgin Islands, and for other purposes which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, at the beginning of line 3, to insert "That effective January 9, 1967, section 9, subsection (a) of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 501; 48 U.S.C. 1575(a)) is amended by deleting the first sentence and by substituting therefor the following: 'The quorum of the legislature shall consist of eight of its members.',"; at the beginning of line 8, to strike out "That section" and insert "Sec 2. Section 9,"; on page 2, line 1, after the numerals "1575", to insert "(d)"; at the beginning of line 6, to change the section number from "2" to "3"; in line 23, after "November", to strike out "8, 1966" and insert "3, 1970"; in line 24 after the word "year", to strike out "1968" and insert "1974"; on page 3, line 1, after the word "every", to strike out "two" and insert "four"; in line 2, after the word "of", to strike out "two" and insert "four"; at the beginning of line 4, to insert "No person who has been elected Governor for two full successive terms shall be again eligible to hold that office until one full term has intervened."; in line 7, after the word "the", to strike out "fifth day" and insert "first Monday"; on page 4, line 22, after the word "islands", to strike out "or any parts thereof," and insert "insofar as they are under the jurisdiction of the government of the Virgin Islands, to be"; on page 5, after line 21, to strike out:

> Sec. 12. The Governor, Lieutenant Governor, and Acting Governor of the Virgin Islands shall be removable from office on impeachment for, and conviction of, high crimes and misdemeanors. Impeachment shall be by resolution adopted at an open session of the legislature held not less than fifteen days after introduction of the resolution. The vote on any such resolution shall be by the yeas and nays and the affirmative votes of three-fourths of all the members of the legislature shall be requisite for its adoption. Notice of impeachment, which shall include the articles of impeachment, shall be filed by the duly elected presiding officer of the legislature with the clerk of the District Court of the Virgin Islands who shall forthwith cause a true copy thereof to be served

upon the person impeached. The judge of the district court shall notify the chief judge of the United States Court of Appeals for the Third Circuit who shall assign three judges of said circuit to try the impeachment at such time and at such place in the Virgin Islands as may be specified by said chief judge. Judgment by such court shall be final and not reviewable in any other court and, in case of conviction shall extend no further than removal from office and disqualification to hold and enjoy any office of honor, profit, or trust under the government of the Virgin Islands, but the party impeached, whether convicted or acquitted, shall be liable to prosecution and punishment according to law. No officer shall exercise his official duties from the time he has been impeached and notified thereof until he has been acquitted.

And, in lieu thereof, to insert:

Sec. 12. Any Governor or Acting Governor of the Virgin Islands may be removed from office by the people registered to vote in the Virgin Islands if: (a) 75 per centum of the persons registered to vote shall vote in favor of recall at a referendum election, and (b) the removal of the Governor or Acting Governor is approved by the President of the United States. The referendum may be initiated by the Legislature of the Virgin Islands, following a two-thirds vote of the members of the legislature in favor of a referendum, or by a petition to the legislature of 25 per centum of the people registered to vote in the Virgin Islands.

On page 7, at the beginning of line 12, to change the section number from "4" to "5"; at the beginning of line 15, to change the section number from "5" to "6"; on page 8, line 11, after the word "by", to strike out "impeachment" and insert "recall"; on page 9, at the beginning of line 10, to change the section number from "6" to "7"; after line 13, to insert a new section, as follows:

Sec. 8. (a) Effective on the date of enactment of this Act, section 17, subsection (c), of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1599 (c)) is amended to read as follows: "(c) It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the Governor of the Virgin Islands, all failures to collect amounts due the government, and expenditures of funds or uses of property which are irregular, unnecessary or not pursuant to law. The audit activities of the government comptroller shall be directed so as to: (1) improve the efficiency and economy of programs of the government of the Virgin Islands and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial federal revenues which are covered into the treasury of the government of the Virgin Islands are properly accounted for and audited."

(b) Effective on the date of enactment of this Act section 17, subsection (f), of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 505; 48 U.S.C. 1599(f)), as amended, is amended to read as follows: "(f) If the Governor does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the Governor, on behalf of the head of the department concerned, may seek relief by suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction."

(c) Effective on the date of enactment of this Act section 17, subsection (h), of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 505; 48 U.S.C. 1599(h)) is amended to read as follows: "(h) As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the Governor of the Virgin Islands, the President of the Senate, and the Speaker of the House of Representatives an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government."

(d) Effective July 1, 1967, a new subsection (k) is added to section 17 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 505; 48 U.S.C. 1599) to read as follows: "(k) The salary of the government comptroller and the expenses of his office shall be paid by the United States from funds derived by transfer from the internal revenue collections appropriated for the Virgin Islands, but such salary and expenses shall not exceed such amounts as may be specified annually in Federal appropriation acts."

(e) Effective on the date of enactment of this Act a new subsection (l) is added to section 17 of the Revised Organic Act of the Virgin Islands (68 Stat. 497; 505; 48 U.S.C. 1599) to read as follows: "(l) All departments, agencies, and establishments shall furnish to the government comptroller such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the government comptroller, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, agency, or establishment."

On page 12, at the beginning of line 3, to change the section number from "7" to "9"; at the beginning of line 12, to change the section number from "8" to "10"; at the beginning of line 21, to change the section number from "9" to "11"; on page 13, line 1, after the word "the", to insert "unincorporated territory of the"; after line 1, to strike out:

Sec. 10. Except as to provisions applicable to the election of the Governor and Lieutenant Governor, which provisions shall take effect on the date of enactment of this Act, and unless otherwise expressly provided herein, this Act shall be effective January 5, 1967.

And in lieu thereof, to insert:

Sec. 12. Those provisions necessary to authorize the holding of an election for Governor and Lieutenant Governor on November 3, 1970, shall be effective on January 1, 1970. All other provisions of this Act, unless otherwise expressly provided herein, shall be effective January 4, 1971.

And, at the beginning of line 12, to change the section number from "11" to "13".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1705), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The primary purpose of H.R. 11777, introduced by Representative O'Brien at the request of the Secretary of the Interior in an executive communication, is to provide for the election by popular vote of the Governor and Lieutenant Governor of the territory of the Virgin Islands. Other purposes which H.R. 11777, as amended, would accomplish are: (1) Create the office of Lieutenant Governor; (2) provide that the salaries and expenses of the executive and legislative branches be paid by the government of the Virgin Islands; (3) specify the powers, duties, and responsibilities of the Governor; (4) provide a method of recall for removal of the Governor; (5) set out the line of succession in the event the Governor is disabled; (6) clarify the powers, duties, responsibilities, and procedures of the office of the government comptroller; (7) provide that the expenses and salaries of the office of the government comptroller shall be paid by the United States from funds derived by transfer from the internal revenue collections appropriated for the Virgin Islands, thus resulting in a substantial savings to Federal Government; (8) extend the privileges and immunities clauses, the due process clause, and the equal protection clause of the U.S. Constitution to the people of the Virgin Islands; (9) make the Virgin Islands subject to the general military law of the United States; and (10) make certain technical changes in the revised organic act.

BACKGROUND AND NEED

H.R. 11777 is the latest of a number of steps that have been taken toward full local self-government in the Virgin Islands and toward fulfillment of the political aspirations of the people of the islands.

The Virgin Islands became U.S. territory in 1917 by purchase from Denmark. The original act to govern the new territory (act of March 3, 1917, 39 Stat. 1132) vested "all military, civil, and judicial powers" in a Governor appointed by the President with the advice and consent of the Senate. Until 1931, when jurisdiction was transferred from the Department of the Navy to the Department of the Interior by Executive order and the first civilian Governor was appointed, it was the practice for a naval officer to be appointed to this position. The organic act of 1936 (act of June 22, 1936, 49 Stat. 1807) and the revised organic act of 1954 (act of July 22, 1954, 68 Stat. 497) continued this provision for Presidential appointment with the advice and consent of the Senate. It is to these and other related visions of present law that H.R. 11777 is addressed.

While the Virgin Islands have always thus far had an appointed Governor, they have also had a popularly elected legislature. The 1917 act continued the provisions of Danish law, which dated back at least to 1906, for the election of two colonial councils, one for St. Croix, the other for St. Thomas and St. John. The ordinances of these councils, when sanctioned by the King, became law. The 1917 act, in effect, continued this system. All local laws remained in force until altered or repealed by the council concerned with the approval of the President or in accordance with regulations prescribed by him. The 1936 act provided for annual joint legislative sessions of the two municipal councils—a new name for the old colonial councils—and gave this legislative assembly "power to enact legislation applicable to the Virgin Islands as a whole" subject to the conditions that it should not consider any legislation except that specified in a message from the Governor, that no bill should be enacted except by a two-thirds vote, and that every bill should be subject to gubernatorial veto and, if repassed over his veto, to Presidential veto. Under the 1954 act the legislative power of the Territory was vested in a territorywide legislative body of 11 members, the jurisdiction of which extended to "all subjects of local application"—later amended to read "all rightful subjects of legislation"—not inconsistent with the laws of the United

States applicable to the Virgin Islands. Provisions for gubernatorial and Presidential veto were continued, however. Six of the members were to be and are elected at large, two from St. Croix, two from St. Thomas, and one from St. John.

Since the 1954 act came into force, there have been a number of other enactments by the Congress looking toward greater self-responsibility on the part of the Virgin Islands: Public Law 85–224 authorized the enactment of local laws requiring the advice and consent of the legislature to gubernatorial appointees to commissions having quasi-judicial authority; Public Law 85–851 provided for the issuance of revenue bonds for certain types of projects authorized by the legislature and made it clear that there should be no political or religious test for officers and employees of the government of the Virgin Islands; Public Law 86–289 allowed the territorial attorney general to exercise some of the functions of the U.S. attorney; Public Law 88–180 provided for the issuance of general obligation bonds in certain circumstances; Public Law 88–183 transferred submerged areas bordering on the islands to the territorial government and put within its concurrent jurisdiction "parties found, acts performed, and offenses committed on property owned, reserved or controlled by the United States"; and Public Law 89–100 provided for the payment of legislative salaries and expenses by the local rather than the Federal Government.

It is clear from the above that the people of the Virgin Islands have had long experience in electing one branch of their government and thus in participating in the making of their own laws. It is the belief of the committee that the people and their legislature have for the most part exercised their powers in a responsible manner. They have organized a two-party system, and have identified, discussed, and voted their opinions on matters of local concern. The legislators, in turn, have debated the issues, and at times disagreed with the Washington-appointed Governor in the manner of free legislatures everywhere. They have enacted laws of local application and have levied taxes and appropriated funds sufficient for the ordinary needs of the local government without resort to direct Federal appropriations. In view of this and in view of the further facts that the governorship has become almost exclusively a local office and that the Governor, under the revised organic act, is an integral part of the legislative process with power to recommend and to veto legislation, it is the committee's view that the time is ripe for taking the progressive step toward a territorial government which is fully responsible and responsive to local needs and the local electorate which H.R. 11777 proposes. Enactment of this bill, as amended, will be a recognition that the Virgin Islands have accumulated sufficient political maturity and practice in the art of self-government to warrant this step.

SECTION-BY-SECTION ANALYSIS

Section 1 of the amended bill amends section 9, subsection (a) of the revised organic act to provide that a quorum of the legislature shall consist of eight of its members. This provision was necessitated by passage of the Reapportionment Act, Public Law 89–548, which increased the number of legislators from 11 to 15.

Section 2 amends section 9 of the revised organic act by eliminating the provision for Presidential veto as a part of the lawmaking process and by providing that a gubernatorial veto may be overridden by a two-thirds vote of all the members of the legislature.

Section 3 amends section 11 of the revised organic act and provides for the popular election of the Governor and Lieutenant Governor jointly for a 4-year term. The first election is to be held on November 3, 1970. Section 2 also specifies the powers, duties, and responsibilities of the Governor and provides that no person who has been elected Governor for two full successive terms shall be again eligible to hold that office until one full term has intervened.

Section 4 amends section 12 of the revised organic act and provides a method of recall for removal of the Governor. The recall procedures require the approval of 75 percent of the persons registered to vote, plus the approval of the President of the United States. The approval of the President was felt necessary by the members of the committee in light of the Governor's duty to enforce all applicable Federal laws in the Virgin Islands and in light of the substantial responsibility and interest of the Federal Government in the affairs of the territory.

Section 5 deletes from the revised organic act a provision authorizing the Governor to appoint administrative assistants for St. John and St. Croix. This is in keeping with the view that such matters should hereafter be determined by the laws of the Virgin Islands.

Section 6 sets out a line of succession in the event of a vacancy, temporary or permanent, in the office of Governor or Lieutenant Governor.

Section 7 repeals a provision of existing law which bars the creation of new departments and agencies in the executive branch of the Virgin Islands government without the consent of the Secretary of the Interior.

Section 8, by amendment and through the addition of new subsections, clarifies the duties and responsibilities of the office of government comptroller. In addition, section 2 provides that effective July 1, 1967, the expenses and salaries of the office of government comptroller shall be paid by the United States from funds derived by transfer from the internal revenue collections appropriated for the Virgin Islands. This will result in a substantial savings to the Federal Government.

Section 9 provides that all salaries and expenses connected with the executive and legislative departments of the Virgin Islands shall be paid locally.

Section 10 in effect extends to the Virgin Islands the provisions of article IV, section 2, paragraph 1, and amendment XIV, section 1, of the U.S. Constitution. These are the privileges and immunities clauses of article IV and amendment XIV and the due process and equal protection clauses of the 14th amendment.

Section 11 extends to the Virgin Islands the portion of the general military laws which authorizes the President to call upon Federal or local forces in case of insurrection or other similar emergency.

Section 12 provides the effective dates for the various provisions of the act.

Section 13 states that the act shall be known as the "Virgin Islands Elective Governor Act."

THIRTY-DAY LEAVE FOR MEMBER OF UNIFORMED SERVICE WHO VOUNTARILY EXTENDS HIS TOUR OF DUTY IN A HOSTILE FIRE AREA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1659, H.R. 15748, that it be laid down, made the pending business, but not debated until after the conclusion of the morning hour.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15748) to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate will proceed with its consideration after the morning hour.

CHARLES B. THORNTON—INDUSTRIALIST OF THE YEAR

Mr. KUCHEL. Mr. President, a signal honor was recently bestowed upon one of my most distinguished constituents, Mr. Charles B. Thornton of Los Angeles. "Tex" Thornton is the brilliant and dynamic chairman of the board of Litton Industries, the growth company which he founded in 1953 and which, under his leadership, has since become one of America's most successful and exciting businesses.

In recognition of "Tex" Thornton's unique record of achievement and contribution to American life, the Society of Industrial Realtors recently named Mr. Thornton as the "Industrialist of the Year." In announcing his selection, SIR's spokesman said:

> The dramatic growth of Litton Industries reflects the genius and ability of its dynamic young co-founder and Board Chairman. Thornton displays the same drive and dedication in his civic activities as he has in directing his company's remarkable growth.

Thornton thus joins such outstanding industrialists as Alfred P. Sloan, Jr., of General Motors, Benjamin F. Fairless of United States Steel, and Thomas J. Watson of IBM, who have been chosen in earlier years as recipients of this honor. Like his distinguished predecessors, "Tex" Thornton has made a significant contribution to the industrial development of North America in the public interest.

I am glad to observe that the public interest has always played an important role in "Tex" Thornton's lifetime, which has included an active commitment to many worthy civic causes and organizations. As reported in the St. Louis Post-Dispatch of August 7, his active participation in the war on poverty is notable evidence of his devotion to the public good. To quote from the Post-Dispatch:

> An example of Thornton's civil efforts is Litton's support of the Job Corps of the Office of Economic Opportunity. Litton, in an unusual program of industry-government cooperation, is training more than 2,000 underprivileged boys, school dropouts, who ultimately will be qualified workers in electronics, automotive repair, culinary arts, business equipment, and maintenance areas.

The Post-Dispatch is here referring to Litton's operation of the Camp Parks Job Corps Center for men near Pleasanton in Contra Costa County, Calif., which is widely recognized as being a model [illegible] antipoverty effectiveness for other Job Corps centers.

I wish to add my congratulations to "Tex" Thornton, "Industrialist of the Year." I ask unanimous consent that the Post-Dispatch article be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDUSTRIAL HONOR FOR C. B. THORNTON

WASHINGTON.—Charles B. Thornton, chairman of the board of Litton Industries, Inc., Beverly Hills, Calif., has been named industrialist of the year.

An independent board headed by John S. Knight, chairman of the board of Knight Newspapers, Inc., selected Thornton for the award presented annually by the Society of Industrial Realtors.

In announcing Thornton's selection, Knight said: "The dramatic growth of Litton Industries reflects the genius and ability of its dynamic, young cofounder and board chairman. Thornton displays the same drive and dedication in his civic activities as he has in directing his company's remarkable growth."

Representatives of leading business and professional organizations served on the independent board that chose Thornton from a score of top industrialists nominated by society members throughout North America. The society, a professional affiliate of the National Association of Real Estate Boards, is composed of 1000 members who specialize in meeting the real estate needs of industry.

Knight will present a trophy to Thornton at a session Nov. 14, of the society's annual convention at the Doral Beach Hotel, Miami Beach.

RECIPIENTS IN PAST

This is the eighteenth consecutive year that the society has honored an industrialist "who has made a significant contribution to the industrial development of North America in the public interest." Recipients include Alfred P. Sloan, Jr., General Motors Corp.; Benjamin F. Fairless, United States Steel Corp.; Thomas J. Watson, International Business Machines Corp.; William Allen, Boeing Airplane Co.; Thomas B. McCabe, Scott Paper Co.; Stanley C. Allyn, National Cash Register Co.; William A. Patterson, United Air Lines; Lynn A. Townsend, Chrysler Corp.; and J. Erik Jonsson, Texas Instruments, Inc.

Since he organized Litton Industries in 1953, Thornton has developed the company into one of the most remarkable growth companies in history. Sales for fiscal 1966, ending next month, are expected to pass the billion-dollar mark—almost doubling the sales total for 1963.

Litton manufactures more than 9000 products, ranging from nuclear submarines to electronic tubes that can send radio and television signals back to earth from space. Litton, which has 73,000 employees and plants in 22 states and 12 foreign countries, is the twenty-fifth largest employer in the nation. Among its products are military command and control systems, business machines and computers, materials handling, medical instruments, microwave ovens, and commercial and military shipbuilding.

JOB CORPS SUPPORT

An example of Thornton's civic efforts is Litton's support of the Job Corps of the Office of Economic Opportunity. Litton, in an unusual program of industry-government co-operation, is training more than 2000 underprivileged boys, school dropouts, who ultimately will be qualified workers in electronics, automotive repair, culinary arts, business equipment and maintenance areas.

Thornton helped introduce modern management controls into the Air Force in World War II. At one time he was the youngest colonel in the Army.

After the war, when he was 32 years old, he became director of planning for Ford Motor Co., setting up a group of management experts, including now Secretary of Defense Robert S. McNamara, which later came to be known as the Whiz Kids.

From 1948 to 1953, he was vice president and assistant manager of Hughes Aircraft Co. In this period, Hughes' sales rose from $2,000,000 to $200,000,000 annually.

In 1953 Thornton with two other young Hughes executives purchased a small California company that produced microwave tubes and organized Litton Industries.

He is a director and executive committee member of United California Bank, Times Mirror Co., and Cyprus Mines, Inc.; director and finance and audit committee member of Union Oil Co. of California; director and finance committee member of Trans World Airlines, Inc.; and director of General Mills, Inc., Lehman Corp., and Western Bancorporation.

CIVIC, EDUCATION POSTS

He is trustee of the University of Southern California, Harvey Mudd College of Science and Engineering, and the National Security Industrial Association. He is a member of the Defense Industry Advisory Council, the Business Council, the President's Commission on the Patent System, California Institute Associates, University of Southern California Associates, West Coast Advisory Group of American Management Association, Founding Friends and Alumni Association of Harvey Mudd College, Advisory Committee of the Invest-in-America Council, and the California Committee for Bicentennial of American Free Enterprise System.

He is a consultant to the secretary of the Air Force, a member of the Special Advisory Committee to review programs of the Air Force Academy, and a director of the National Committee for International Development.

He has been director and a member of the executive committee of First Western Bank; director and chairman of the electronics industry committee, Los Angeles Chamber of Commerce; director, California Merchants and Manufacturers Association; director, Los Angeles YMCA; director and chairman, Military Production Division, Electronic Industries Association; director, American Cancer Society; on the Board of Advisors, thirteenth International Management Conference; on the board of governors, Welfare Federation of Los Angeles Area; a member of the advisory group to the Economic Committee of the North Atlantic Treaty Organization Parliamentarians' Conference; on the Interim Study Committee for American Free Enterprise Exposition; a member of the Secretary of the Navy's Advisory Board on Educational Requirements.

A partial listing of the awards Thornton has received: salesman of the year, Los Angeles Sales Executive Club, 1959; Merit Award, Albert Einstein College of Medicine, Yeshiva University, 1963; Texan of the year, Texas Press Association, 1964; man of the year, Beverly Hills, Calif., Chamber of Commerce, 1964; business statesman of the year award, Harvard Business School Alumni Association of Southern California, 1964; Horatio Alger award, American Schools and Colleges Association, 1964; and Western Electronic Manufacturers Association medal of achievement, 1965.

Serving with Knight on the SIR award board were C. C. Cameron, Charlotte, N.C., past president of the Mortgage Bankers Association of America; W. P. Gullander, New York, president of the National Association of Manufacturers; Daniel P. Loomis, Washington, president of the Association of American Railroads; Alton V. Phillips, Seattle, president of the Associated General Contractors of America; William B. West, Cleveland, president of the Society of Industrial Realtors; and John W. Galbreath, Columbus, chairman for arrangements, SIR Industrial Award Committee.

ELECTION YEAR JITTERS ON FOOD FOR PEACE

Mr. McGOVERN. Mr. President, the recent action of the House in rejecting the food-for-peace conference report can only be interpreted as a bad case of election year jitters. By a margin of 306 to 61, the House was stampeded into rejecting a superb piece of legislation because of a sideline issue that should not have been raised at all in connection with this bill. The House action seeks to deny U.S. food to the people of any country that has any trade at all with Cuba or North Vietnam. The Senate and House conferees had attempted to meet this problem earlier by denying U.S. food only to those countries trading strategic materials to Cuba or North Vietnam. To go beyond that restriction as the House did can only be regarded as an ill-advised effort to determine sensitive foreign policy issues on the basis of election year considerations.

The House action raises at least two questions:

First. Is it wise for the United States to use our food supplies as a bribe or threat to dictate the policies of other nations?

Second. Is it proper for Congress to tie the President's hands in the administration of a humanitarian program designed to assist hungry people while strengthening U.S. foreign policy and our domestic agriculture?

As one long interested in the success of our food-for-peace program, I intend to press in the conference on this matter for a substitute provision that would retain the President's authority to resolve such administrative questions in the national interest.

Congress has no right to bribe or pressure other nations into making foreign policy decisions because of our capacity to give or withhold food to hungry people. Other people are as proud and sensitive as we are about their national independence. They might under the pressure of hunger yield to such petty outside dictation. But if they did, it would be with a kind of seething resentment that would destroy any appreciation or respect for our food-for-peace efforts.

My personal hunch is that national independence and pride are such strong sentiments that even needy nations such as India would reject U.S. food rather than submit to our dictation of their international trade policy. They are presently selling a little burlap bagging to Cubans which they would have to give up for receiving our food assistance under the House action. The burlap sales are a relatively inconsequential matter—$600,000. But national integrity and pride are not inconsequential. I suspect that India would prefer to tighten her belt rather than diminish her self-respect and national pride.

It is quite possible that the dictatorial restriction requested by the House will, if sustained, lead to the collapse of Prime Minister Indira Gandhi's government and the emergence of an anti-American, pro-Communist government. Mrs. Gandhi is under continuous attack from leftists who accuse her of being a lackey of the United States. If she yielded to the demands of the House, this would add fuel to the fire now being directed against her. If she instead refused to yield to the House demand, our food would be cut off and starvation would run rampant across the Indian subcontinent—an even greater threat to the Gandhi government.

Legislating sensitive foreign policy decisions and denying the President the opportunity to use his judgment in administering an important overseas operation can cripple and eventually kill the food-for-peace program. Eight food-for-peace recipients now selling small quantities of nonstrategic material to Cuba or North Vietnam include: India, Pakistan, Brazil, Egypt, Ceylon, Morocco, Algeria, and Yugoslavia. These countries for the most part are genuinely interested in remaining neutral in the East-West struggle. They wish to live at peace and carry on relationships with both the United States and our Communist rivals. They are independent, strongly nationalistic states that resent pressure over their policies from either side. As a nation following a policy of neutrality throughout our own period of national development, we should be able to understand this sentiment. The combined total of their annual sales to Cuba and North Vietnam is an estimated $43.2 million—none of this in strategic materials. Only $203,000 of this meager total is with North Vietnam.

Yet, these countries are important food-for-peace recipients. The House restriction could prevent an estimated $860 million in concessional food-for-peace sales next year. Such a blow would lead to the collapse of the program and would have an extremely depressing effect on the American agricultural economy. The specter of hunger spreading across the underdeveloped world because of an ill-advised effort to dictate the trade policy of other nations would present an image too costly to the United States to comprehend.

Strangely enough, the proposed restriction would permit us to give food to the countries in question, but would prevent us from selling it to them on lenient terms. Furthermore, our own policy now permits us to make food and medical supplies available to Cuba. But the new restriction would deny that right to other countries.

The hasty, self-defeating action of the House diminishes the dignity and good judgment of a great country, and it ought to be corrected in the forthcoming conference.

DISPOSAL OF GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN ALASKA

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1670, S. 2444.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2444) to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with amendments on page 4, after line 4, to insert:

(6) In connection with soliciting offers to purchase such long-lines facilities of the Alaska Communication System the Secretary of Defense or his designee shall:

(a) Provide any prospective purchaser who requests it data on (i) the facilities available for purchase, (ii) the amounts deemed to be the current fair and reasonable value of those facilities, and (iii) the initial rates which will be charged to the purchaser for capacity in facilities retained by the Government and available for commercial use;

(b) Provide, in the request for offers to purchase, that offerors must specify the rates they propose to charge for service and the improvements in service which they propose to initiate;

(c) Provide an opportunity for prospective purchasers to meet as a group with Department of Defense representatives to assure that the data and the public interest requirements described in (a) and (b), above, are fully understood; and

(d) Seek the advice and assistance of the Federal Communications Commission, the Federal Field Committee for Development Planning in Alaska, and the Governor of Alaska or his designees, to assure consideration of all public interest factors associated with the transfer.

And, on page 6, after line 12, to insert:

(3) the sale will not be final unless and until the purchaser shall receive the requisite certificates of convenience and necessity to operate interstate and intrastate commercial communications in Alaska from the appropriate governmental regulatory bodies.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Communications Disposal Act".

TITLE I—DEFINITIONS

SEC. 101. In this Act—

(1) "Transfer" means the conveyance by the United States of any element of ownership, including but not restricted to any estate or interest in property, and franchise rights, by sale, exchange, lease, easement, or permit, for cash, credit, or other property, with or without warranty.

(2) "Long-lines communication facilities" means the transmission systems connecting points inside the State with each other and with points outside the State by radio or wire, and includes all kinds of property and rights-of-way necessary to accomplish this interconnection.

(3) "Agency concerned" means any department, agency, wholly owned corporation, or instrumentality of the United States.

TITLE II—TRANSFER OF UNITED STATES GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN AND TO ALASKA

SEC. 201. (1) Subject to the provisions of section 202, and notwithstanding provisions of any other law, the Secretary of Defense or his designee, with the advice, assistance, and, in the case of any agency not under the jurisdiction of the Secretary of Defense, the consent of the agency concerned, and after approval of the President, is authorized to and shall transfer for adequate consideration any or all long-lines communication facilities in or to Alaska under the jurisdiction of the Federal Government to any person qualifying under the provisions of section 202, and may take such action and exercise such powers as may be necessary or appropriate to effectuate the purposes of this Act.

(2) Transfers under this title shall be made in accordance with the procedures and methods required by sections 203(e), (1), (2), and (3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(e)), except that "the Secretary of Defense or his designee" shall be substituted for all references therein to "the Administrator".

(3) The requirements of section 207 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 488), shall apply to transfers under this title.

(4) The head of the agency concerned or his designee shall execute such documents for the transfer of title or other interest in property, except any mineral rights therein, and take such other action as the Secretary of Defense deems necessary or proper to transfer such property under the provisions of this title. A copy of any deed, lease, or other instrument executed by or on behalf of the head of the agency concerned purporting to transfer title or any other interest in public land shall be furnished to the Secretary of Agriculture.

(5) No interest in public lands, withdrawn or otherwise appropriated, may be transferred under this title without the prior consent of the Secretary of the Interior, or, with respect to lands within a national forest, of the Secretary of Agriculture.

(6) In connection with soliciting offers to purchase such long-lines facilities of the Alaska Communication System the Secretary of Defense or his designee shall:

(a) Provide any prospective purchaser who requests it data on (i) the facilities available for purchase, (ii) the amounts deemed to be the current fair and reasonable value of those facilities, and (iii) the initial rates which will be charged to the purchaser for capacity in facilities retained by the Government and available for commercial use;

(b) Provide, in the request for offers to purchase, that offerors must specify the rates they propose to charge for service and the improvements in service which they propose to initiate;

(c) Provide an opportunity for prospective purchasers to meet as a group with Department of Defense representatives to assure that the data and the public interest requirements described in (a) and (b), above, are fully understood; and

(d) Seek the advice and assistance of the Federal Communications Commission, the Federal Field Committee for Development Planning in Alaska, and the Governor of Alaska or his designees, to assure consideration of all public interest factors associated with the transfer.

SEC. 202. No transfer under this title may be made unless the Secretary of Defense or his designee determines that—

(1) the United States does not need to retain the property involved in the transfer for national defense purposes;

(2) the transfer is in the public interest;

(3) the person to whom the transfer is made is prepared and qualified to provide, without interruption, the communication service involved in the transfer; and

(4) the long-lines communication facilities will not directly or indirectly be owned, operated, or controlled by a person who would legally be disqualified by the Federal Communications Commission from holding a radio station license under any of the terms of the Communications Act of 1934, as amended.

SEC. 203. The agreements by which a transfer is made under this title shall include a provision that—

(1) the person to whom the transfer is made shall, subject to the rules and regulations of any body or commission established by the State of Alaska to govern and regulate communication services to the public and of the Federal Communications Commission and all applicable statutes, treaties, and conventions, provide without interruption, the communication services involved in the transfer, except those services reserved by the United States in the transfer; and

(2) the rates and charges for such services applicable at the time of transfer shall not be changed for a period of one year from the date of such transfer unless approved by a governmental body or commission having jurisdiction.

(3) the sale will not be final unless and until the purchaser shall receive the requisite certificates of convenience and necessity to operate interstate and intrastate commercial communications in Alaska from the appropriate governmental regulatory bodies.

SEC. 204. Transfers under this title do not require the approval of the Federal Communications Commission except to the extent that the approval of the Federal Communications Commission may be necessary under section 202(4).

SEC. 205. Notwithstanding the provisions of any other law, the gross proceeds of each transfer shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 206. The Secretary of Defense or his designee shall report to the Congress and the President—

(1) in January of each year, the actions taken under this title during the preceding twelve months; and

(2) not later than ninety days after completion of each transfer under this title, a full account of that transfer.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. Except as provided in section 204, this Act does not modify in any manner the provisions of the Communications Act of 1934, as amended.

SEC. 302. There is authorized to be appropriated to the Secretary of Defense such sums as may be necessary to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1702), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE AND BACKGROUND OF THE LEGISLATION

S. 2444 would authorize the Secretary of Defense to sell or lease Government-owned, long-lines communications facilities in the State of Alaska to a private commercial carrier, or to allow the use of such facilities by permit, easement, or other form of transfer. The Secretary of Defense is to obtain the advice, assistance, and, in the case of agencies not under the jurisdiction of the Defense Department, the consent of the heads of agencies of the Government which operate long-lines communications facilities being tranferred. No sale, lease, or other transfer could be made unless the Secretary of Defense or his designee determined that the rights to be transferred were not necessary for national defense purposes, and that the transfer is in the public interest. The carrier acquiring any such facilities would be required to provide, without interruption, the communications services involved in the transfer.

Since there are no commercial long-lines communication companies operating in Alaska, that State, alone among the 50 States of the Union, depends upon the Federal Government to provide telecommunications network, facilities, and services that are required for business and other purposes by the general public. These services are now being provided by the Alaska Communication System (ACS), a Department of Defense (DOD) activity. The authority for Government operation of the ACS is an act of Congress of May 26, 1900, which specified that commercial business might be done over military telegraph cable lines in Alaska under such conditions as the Secretary of War might deem to be equitable and in the public interest. Effective July 1, 1962, the Secretary of Defense transferred responsibility for the operation and maintenance of the ACS from the Department of the Army to the Department of the Air Force.

In response to the ever-increasing requirements of the public for commercial communications services, over a period of more than 60 years the ACS has grown to the point that today it provides all kinds of long-distance telephone and telegraph services for private individuals, commercial enterprises, State and Federal civilian agencies, as well as for the Department of Defense.

The uniqueness of the communication situation in Alaska, and the ever-increasing volume of commercial business, led DOD and the Federal Aviation Agency (FAA) in the late 1950's to consider the possibility of selling their Alaskan communications facilities to enable service to the public in Alaska to be provided by a private, regulated commercial carrier. The Department of Defense has indicated that the facilities initially offered for sale will be, generally, those now operated by the ACS. Other facilities, now used primarily for defense purposes would not be sold; however, capacity on these facilities would be leased to the ACS purchaser to allow continuation of public service throughout the entire State of Alaska. The DOD facilities involved are described in appendix A.

Since the ACS facilities are not, in the main, excess to sale needs of the Department, such sale could be accomplished only with special congressional authorization. DOD, in anticipation of sale authority, has been reluctant to make even minor improvements and expansions in the system to meet the continually increasing requirements of the public. The growing gap between the capabilities of the system and the requirements of the public emphasizes the importance of a realistic new look at the communications situation in Alaska.

PRESENT DRAFT SYSTEM UNFAIR

Mr. YOUNG of Ohio. Mr. President, the administration of our present draft law is discriminatory in determining which young men will serve in our Armed Forces. For example, deferments too frequently favor those who can afford to attend college and those whose educations qualify them to enter critical occupations, so called. The plain fact of the matter is that young men with financial resources or with parents with financial resources are in a better position to secure deferment from the draft by going to college or by marrying young and having children.

Furthermore, the present system of assigning draft quotas to each State which in turn assigns quotas to local draft boards is inequitable. This results in thousands of different criteria for deferment. For instance, a draft board in Ohio may decide to induct a young man who, if he lived in another State—or for that matter in another jurisdiction in Ohio—would be deferred. Since available pools of eligible draftees differ from one draft board jurisdiction to another, consideration given to the problems of individual potential draftees varies from one draft board to the next.

Although there are broad national outlines establishing deferment criteria under present law, the intepretation of these criteria and the pressures for meeting draft quotas vary considerably.

A much fairer and equitable method for selecting men for military service could be established were the present quota system to be abolished and a national manpower pool established, along the lines of a national lottery.

Furthermore, it seems to me that the fair thing to do would be first to exhaust the draft pool of all young men 20 years of age or above who are eligible for induction under present criteria and who have not to date been drafted. Then, as has been suggested by the distinguished junior Senator from Massachusetts [Mr. KENNEDY], 19-year-olds should be the first to be drafted to meet the Nation's military manpower needs. Approximately 2 million boys turn 19 each year. As there would be fewer deferments because of dependency in this age group, the number might well meet our needs. At least such a policy would remove the uncertainty from the lives of many youngsters now unable to plan definitely for their futures.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, let us hope that the peacetime draft can eventually be done away with and military needs be met by trained volunteers. However, during our involvement in Vietnam, it is important that the selective service law operates fairly. Unfortunately, local draft boards frequently demonstrate bad judgment in decisions such as deferments to professional athletes and others.

For example, there was the granting of a deferment from the draft to the well-known actor, George Hamilton, who claimed hardship as the sole support of his mother, who at that time was living and is now living in his $500,000 Hollywood home. This deferment by a local draft board in New York has frequently been referred to by extremist rightwingers in my State of Ohio. But, Mr. President, no one should blame our President for the deferment of George Hamilton by a draft board in New York. This deferment was granted to the actor in 1961, when Lynda Bird Johnson was about 15 or 16 years old. Blaming this on the President by lunatic rightwing extremists in my State and other States is typical of the Birchsaps—the John Birch Society—and others.

Selective service, as now operated, no more meets military requirements in this grim war period than would horse cavalry, B–25's of World War II, or Springfield rifles used at the turn of the century. Youngsters in poor families assert that the present system has created a caste system favoring wealthier families.

Mr. President, we should establish a more logical and equitable method for inducting young men into our Armed Forces. Why not return to the lottery system of World War II, or at least remove uncertainty from the lives of young Americans by instituting more uniform and definite criteria for deferment and calling young men up for induction by age groups whether it be 19 or 20 years of age?

THE AMERICAN FISHING FLEET

Mr. BARTLETT. Mr. President, a very important speech was made last week by Joseph Curran, president of the National Maritime Union, at the 14th national convention of the organization held in New York City. Mr. Curran announced that the weight and influence of the union which he heads, made up of 50,000 members, will be thrown behind an effort, long overdue, to revitalize and build up the American fishing fleet. That fleet is outmoded, outdated, and inefficient in these modern times when Japan and the Soviet Union are floating tremendous fleets of modern vessels which roam all the seas of the world. Year by year the United States, which once occupied a predominate position, lags further although the need for protein, which fish supply in as concentrated a form as any other food and greater than most, increases greatly. We who have had a particular interest in the maintenance and development of the American fishery welcome the support of the National Maritime Union.

Mr. President, I ask unanimous consent to have Mr. Curran's speech printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The sea around us is recognized as the eventual major source of food for the expanding populations of the world.

As startling as it may seem, our Government does not have a meaningful program to develop our fishing industry to explore and take advantage of this great potential. The same story of Government neglect which applies to our merchant marine also exists with regards to our fishing fleet. We have enacted some piecemeal legislation to assist our fishing industries but it is ineffective primarily because it lacks an overall national goal. It has been further weakened by Budget Bureau attacks based on its philosophy of "knowing the cost of everything and the value of nothing."

We cannot ignore the fact that the sea around us is recognized as the eventual major source of food for the expanding populations of the world. One of the real champions in advocating the development of a fishing industry, Senator Magnuson, said recently that perhaps we are indifferent to the depletion of our coastal fish resources by foreign fishing fleets because we lack appreciation of the future value of these resources. "It is difficult," Magnuson said, "to appreciate hunger until you have been without food, and it is even more difficult to anticipate such an absence in a time of plenty."

I am sorry to say that while our Government has not recognized these potentials the Russians have.

In addition to our own future needs we should be thinking and planning in terms of the world needs—and how we will be able to meet them.

While we enact piecemeal, ineffective legislation that is made more ineffective by budgetary depreciation the Russians are busy developing a highly organized fishing industry, employing approximately 600,000 workers which last year took 5.6 million tons of fish from international waters. This development is highlighted by the fact that in 1945 the Russian catch was only 1.5 million tons. The 1965 catch put the Russians among the top five, Peru, Japan, Communist China and the United States. The Soviets are, however, not satisfied with this because they now have even greater plans for more fishing fleets of more advanced equipment and of a more widely spread operation.

For example, the Russians are presently building two 44,000-ton floating factory mother ships to operate in the Atlantic, Pacific and Indian Oceans. These ships will carry their own brood of fourteen 65-ton trawlers.

The mother ship will carry its own helicopter to search out schools of fish and coordinate the work of its satellite fishing vessels when the mother ship reaches a selected area, the trawlers will be lowered into the sea by special cranes. After taking in their haul they will be hoisted back aboard and the floating factory mother ship will move to other fishing grounds or head for home port.

The Russians regard their merchant fleet as part of their Navy; their fishing fleet plays the same role. Photographs by U.S. Navy planes show that many Russian trawlers have special electronic capabilities not normally required of fishing boats. This is part of the reason Russian scientists and military planners have at their disposal a wealth of basic data on such subjects as water temperatures, thermal water layers and other important data for waters around the world. We do not know what other information about our coastal defenses the Soviet fishing boats have been able to gain on their expeditions off our coasts. There is no reason this kind of "fishing" should be left for them alone to do.

This topic is extremely timely because our State Department is currently engaged in long, drawn-out negotiations with Russian representatives supposedly to obtain agreement on rules that will govern fishing vessels on the high seas. These negotiations are taking place while this fast growing, modern Soviet fishing fleet, with the most advanced equipment, depletes the fishing grounds only a few miles off our coast where by contrast, the U.S. fishing fleet, lacking protection, encouragement and support from our Government, withers away.

The prospects of a settlement that will be beneficial to our fishing industry are bleak, particularly when we remember that this is the same Government agency that gives aid and comfort to the foreign-flag shipping companies that take away the freight from our ships; that carries our citizens on floating firetraps and then thumbs their nose at us by trading with the Communist controlled countries.

The United States cannot continue to allow its fishing industry to go down while the State Department negotiates. No new rules beneficial to us or fair agreement is going to be reached with the Soviets as long as they can outstrip us under present conditions. Our answer has to be a full scale program to build a fishing fleet that matches any built by other nations. For the benefit of our nation, labor, management, and Government should work together to develop such a program.

This program will require a major drive to expand and modernize our fishing vessel capacity. As a beginning we should build large, fast-moving well-integrated fleets of fish factories, trawlers and scouting equipment, capable of maintaining themselves for long periods of time over great distances. The factory ships should be equipped to fresh-freeze and perhaps containerize the catch.

A system for supplying the fleet picking up their cargo and rotating their crews can be developed so as not to delay the operation.

We do not intend at this time to cover all the characteristics of a fishing fleet we believe necessary. That should be decided on the basis of careful planning. NMU is now working on more detailed proposals which, we repeat, will require government and industry as well as labor cooperation to make a reality. Expansion of the fishing vessel construction-differential subsidy will be just a beginning. In the long run, this program will bring tremendous economic, political and strategic benefits to the U.S.

Once we have achieved the necessary modernization and expansion of our fishing fleet, we can stop sitting on our own doorstep and range out to wherever the fish are, which would include the Black Sea, the Soviet backyard.

Maybe this will result in an international agreement with the Russians that is fair to the U.S. and all nations, or perhaps we will find the current agreements as they exist now more to our advantage and leave them as they are.

The inadequacy of our fleet is testified to by the fact that this country, despite the wealth of fish in nearby waters, is importing more and more fish products each year from all over the world. Some of these imports are from Russia and other Iron Curtain countries. Last year these Russian imports amounted to some half-a-million dollars which was a hundred percent increase over the previous year. From all indications this will increase from year to year. It could very well be that some of this fish we imported from Russia comes from our Georges Bank fishing grounds off our East Coast. Our program will be a positive program.

We intend to ask Congress early in the next session to appropriate sufficient funds, at least 100-million dollars, to build several proto type fishing vessels that can be used as the nucleus of a new modern fishing fleet that can successfully compete with the rest of the world.

We will also ask Congress to amend the 1936 Merchant Marine Act so as to extend the same construction subsidy assistance to the fishing industry.

Also, we will urge the Government to expand our foreign aid program to include the vast food potentials from the sea as a supplement or substitute for the fast depleting grain supplies.

We will supplement our present training program so that we can make available to the fishing industry sufficient trained seamen to man these fleets.

IMPROVING THE GENERAL WELFARE AND ECONOMIC CONDITIONS OF OUR AMERICAN INDIANS

Mr. MANSFIELD. Mr. President, during the past 6 years, there has been considerable improvement in the general welfare and economic conditions on our Indian reservations. My colleague, Senator Lee Metcalf, and I, know of these advancements, personally, on our seven Montana reservations—the Flathead and Blackfeet Reservations in western Montana, Fort Belknap, Rocky Boy, and Fort Peck Reservations on the Hi-Line, and the Crow and Northern Cheyenne Reservations in the southeastern section of the State. This was done administratively or through new programs such as the accelerated public works program and the Office of Economic Opportunity.

The new Commissioner of Indian Affairs, Robert Bennett, is now holding a series of field hearings seeking advice and recommendations from the tribal leaders. A series of meetings were concluded in Billings, Mont., last week. All reports indicate that these meetings were helpful in determining the future of our Federal Indian policies—legislation or executive action which may be required to bring these policies up to date.

There is no greater champion of the American Indian than Senator Lee Metcalf. The needs of Montana's reservations have always been of prime concern to him in both the House of Representatives and the Senate. Senator Metcalf has sponsored and guided through the legislative process many proposals, specific and general. The most obvious examples are low-cost, self-help housing, sanitation facilities, industrial development, expanded loan services, arts and crafts development, improved education and medical services. Montana's reservations have many OEO programs, such as Headstart, Neighbor Youth Corps and community action programs—all shepherded through the bureaucratic process by Lee Metcalf.

Senator Metcalf is the new chairman of the Senate Interior Subcommittee on Indian Affairs. He has not as yet had sufficient time to make his influence felt but in the next Congress, I know that we will have inspired leadership in Indian affairs from a man who knows and understands the Indian problems.

Senator Lee Metcalf and I feel that the Indian has not had his fair share of prosperity. We intend to see that the opportunities are available to these people and to make sure that they know how to make use of these new services. Conditions are better, the Indians are beginning to come into their own. We want to make sure that they do.

SENATOR DIRKSEN AND THE CIVIL RIGHTS BILL

Mr. SIMPSON. Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "To Senator Dirksen, Johnson Shifts Blame," published in the Illinois State Journal, Springfield, Ill., of October 6, 1966. The editorial is searching and far reaching, and I recommend it to Senators as a "must" to read.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

TO SENATOR DIRKSEN, JOHNSON SHIFTS BLAME

It is a standard practice in politics for a majority party to take credit for all popular things and try to pin the blame of the unpopular on the minority.

The game reached a new height recently when the President openly blamed Sen. Everett Dirksen, Republican of Illinois, for defeat of open housing sections and the Civil Rights Act.

The President, of course, had his eye on a possible "backlash" on Nov. 8 and did not want to press the issue too hard. At the same time he could tell civil rights groups the opposition was to blame for its defeat.

It was even too much for Senate Majority Leader Mike Mansfield, Democrat of Montana, who graciously if not exactly accurately said all of the Senate was to blame.

The fact of the matter is that there are 294 Democrats and 139 Republicans in the House. The Senate has 67 Democrats and 33 Republicans.

If the President wants a measure passed, it can be done expeditiously with the Democrat majority in both houses and other levers of power installed in the White House.

He has had no trouble in obtaining promptly tax raises and acceleration of tax collections, first introduced in February and passed in March, the auto safety measures, or laws allowing federal tinkering with the economy.

On the other hand when the administration's enthusiasm is noticeably cool, it is reflected in congressional foot dragging. In spite of his seeming requests for compulsory labor unionism, four-year terms for congressmen, electoral college reforms, campaign accounting changes, proposals for trade with Communist Europe and now civil rights, the President has yet to push these measures with his full weight. The reason? His so-called sensitive antennae have shown these are not popular.

The next line of defense in the game is that conservatives control the Congress—which is equally misleading. The authoritative and impartial Congressional Quarterly traces erosion of the congressional conservative bloc to 1961.

Reasons include diminishing power of the Southern bloc, changes that stripped the House Rules Committee of power to block a bill and packed it with liberals, and the major Republican defeat in 1964.

As a result, for example, in 1965 the conservative coalition joined on 62 roll call votes. Mr. Johnson won in 80 per cent of the votes despite the conservatives in both the House and Senate.

Anybody who thinks that the President does not have the power to pass nearly any major measure he wants if he really wants it is a believer in fiction.

INDIANA NEIGHBORHOOD YOUTH CORPS

Mr. BAYH. Mr. President, recently I received a very interesting letter from the director for a neighborhood youth project in Indiana, Mr. A. F. Troyer. During a period of 10 months, more than 1,300 youths have participated in the varied activities of this project, which is under the guidance of the Indiana Farmers Union.

Mr. Troyer's comments provide excellent testimony on the values which have resulted from the Neighborhood Youth Corps in my State. In order that others may learn of the success of this program, I ask unanimous consent that Mr. Troyer's letter be printed in full in the Congressional Record at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

INDIANA FARMERS UNION,
Indianapolis, Ind., September 7, 1966.

Hon. BIRCH BAYH,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: We have now completed ten months of our current NYC programs both In-School and Out-of-School.

Over thirteen hundred young persons from low income families have benefited financially from the NYC programs. The benefits that are more of a lasting nature, however, far outweigh the financial benefits. Most of the young persons participating in the NYC program for any length of time have developed better attitudes toward work, supervisors, rights of other people, and definitely many have learned to overcome individual complexes that cause them to be backward and shy.

Over one thousand adults have cooperated with us in our NYC program in the forty counties which participated with us. Most of these adults have come to realize that in many cases the community has failed to do a job with young people, but have learned through working in our NYC programs that much can be done toward improving the capabilities and attitudes of the portion of our younger generation that has been neglected. These adults have gained the respect of the NYC enrollees, have taken an interest in them, and have assisted them in obtaining permanent employment in hundreds of cases.

Through their NYC experience, many of these youngsters are now good reliable employees in private industry and in government at the local, state, and federal levels. We have received many letters from our enrollees expressing their deep appreciation of their training and job opportunity.

We are proud of the accomplishments of our NYC programs and hope to be able to give the same assistance to many more deserving youngsters in the future.

Your past cooperation has been deeply appreciated.

Respectfully yours,

A. F. TROYER,
Project Director.

MEAT IMPORTS RISING AGAIN

Mr. HRUSKA. Mr. President, in the month of August of this year imports of beef, veal, and mutton amounted to 87.1 million pounds, an increase of about 45 percent from August of 1965, when they amounted to only 59.9 million pounds.

The figures on imports for the first 8 months of this year likewise show a sharp increase from the corresponding period of the previous year. For the period January through August of 1966 imports amounted to 525.1 million pounds, an increase of over 39 percent from the same 8 months of 1965.

Senators will recall that during 1963 and 1964 imports flooded into this country in such a torrent that it was necessary for Congress to enact special legislation—Public Law 88-482—providing that quota limitations should be imposed on the quantity of meat permitted from foreign countries, when necessary to protect our producers. That quota legislation covers only certain types of meat, primarily fresh, chilled and frozen beef, veal, and mutton. All the figures given here relate only to those meats within the purview of Public Law 88–482. The total of meat imported, therefore, is actually larger than the figures just given. The figures given do not include canned beef, for example, imports of which are in addition to the figures cited.

Furthermore, the rate of increase may be accelerating. The August figure of 87.1 million pounds is an exceptionally high figure by any standard. It is the highest import figure for any single month, with but one exception, since the quota legislation was enacted in 1964. In only one previous month—June of this year—was it higher.

Imports of 87 million pounds a month are equivalent to an annual rate of 1,045 million pounds, almost exactly the same level as during 1963, an unhappy memory.

Mr. President, as the quantity of imports of this foreign meat has mounted through the year, we have simultaneously been forced to watch the sad, depressing spectacle of cattle prices going down and down. They have not collapsed as in 1963 and 1964; it is not that bad. But it is bad enough. They have gone down enough to inflict some painful losses on the cattle feeding industry.

Choice slaughter steers at Chicago, according to the figures compiled and published by the Department of Agriculture's Statistical Reporting Service, averaged $29.22 per hundred pounds in March of this year. From that level they have fallen steadily. In the month of record imports—June—they averaged $25.49 a hundred. In July, they were $25.41, a total decline of 13 percent. In the week ending October 6, they averaged $25.95, not greatly different.

Mr. President, a few weeks ago when the 100-million-pound imports of June came to light, I called that fact to the attention of the Secretary of Agriculture. Under the statute he is required, each 3 months, to make a formal estimate of the quantity of imports of meat to be expected to arrive during the balance of the year. It was my suggestion that in view of the sudden upsurge of imports, he should review the situation more often than quarterly, perhaps even monthly, and thus be prepared to take prompt action in case the threat of flooding imports should develop suddenly.

The Secretary did not take very kindly to that suggestion. He insisted that a quarterly estimate was sufficient and further, that he did not expect imports to increase during 1966 beyond the quantity of 800 million pounds which he had previously estimated.

Whether he still believes that imports will not exceed 800 million pounds this year, in view of the upsurge in August, is not known. I am a little apprehensive myself. Past experience has made me skittish, when assurances are received from official sources.

If imports during the remainder of the year should continue at the August rate, the total for the year would exceed the Secretary's estimate by a substantial margin.

Under all the circumstances it is still my hope that the Secretary will keep the level of imports under constant review, with a view to imposing the quotas if necessary.

Furthermore, serious consideration should be given to possible revisions in the quota legislation. The language of the law provides that imports will not be permitted to exceed 725 million pounds. But it then contains an escalation clause permitting this import figure to be increased. According to the Secretary's most recent announcement, quotas will not be imposed in the current situation unless the estimated import level reaches 979 million pounds. This escalation clause had to be accepted as the price of securing administration approval of Public Law 88–482, and avoiding a veto by the President. However, it is apparent that the allowable escalation provides a large loophole for additional imports, and much damage might occur before quotas could be imposed.

If it should happen that this loophole results in serious injury to the American cattle industry, certainly a change in the law would be in order.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the Secretary's most recent public announcement giving his estimate of imports for 1966.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

NO CHANGE IN MEAT IMPORT ESTIMATES IN CALENDAR 1966, FREEMAN REPORTS

WASHINGTON, September 29, 1966.—Secretary of Agriculture Orville L. Freeman today said that the fourth quarterly estimate of meat imports into the United States during all of 1966 again places the expected total at about 800 million pounds. This is the same as the estimate announced in June.

He indicated that this quantity would not at this time require Presidential action to invoke meat import quotas for 1966.

The Secretary also noted that cattle prices to farmers and ranchers in the U.S. continue to hold up and are likely to average about 10 to 15 percent above those of 1965.

Secretary Freeman pointed out that the indicated volume of meat imports is 18.3 percent—almost 180 million pounds—below the estimated volume required to trigger imposition of a quota. Stronger prices in the U.S. have brought imports this year to a level somewhat higher than the 614 million pounds in 1965 and the 740 million pounds in 1964. This year's imports, however, are sharply lower than the 1,048 million pounds imported in 1963, the last full year prior to enactment of the meat import quota program.

Under legislation (P.L. 88–482) enacted in August 1964, if imports of certain meats—primarily beef and veal—during any calendar year are estimated to equal or exceed 110 percent of the adjusted base quota for that year, the President is required to invoke that quota on meat imports. The adjusted base quota for 1966 is 890.1 million pounds. The level of estimated imports which would trigger its imposition is 110 percent of this quota, or 979.1 million pounds.

Secretary Freeman said the estimate of fresh, chilled or frozen cattle meat and meat of goats and sheep, other than lamb, which will be imported is based on actual imports through July 1966, plus detailed trade surveys by agricultural attachés and other information. The tabulation given below shows that imports through July amounted to 438 million pounds. Imports through June totalled 377 million pounds, 100 million pounds of which entered in the month of June. Imports during July, however, dropped to 61 million pounds.

Pursuant to the law, the Department will continue to make quarterly determinations of import prospects to advise the President of any changes that may occur, Secretary Freeman said.

Imports of meat subject to Public Law 88–482, by month, 1965, and January through July, 1966

[Million pounds]

Month:	*1965*	*1966*
January	28.2	51.4
February	34.5	60.3
March	68.7	49.4
April	32.4	63.3
May	52.3	52.0
June	42.1	100.2
July	58.5	61.4
August	59.9	
September	62.2	
October	64.4	
November	57.3	
December	53.7	

METROPOLITAN REFORM

Mr. MUSKIE. Mr. President, in recent years local government officials have been subjected to tremendous pressure to seek property tax revenue for provision of needed public services. The relative ability of localities to deal with their public service needs varies greatly. This situation is particularly acute in our metropolitan areas where each community has its own zoning and land-use control without reference to its neighbors and to the urban area as a whole.

The typical metropolitan picture today finds some local communities siphoning off lucrative types of development to increase their tax base for production of revenue in excess of expenditures, while other communities seek to keep governmental costs at a minimum by only permitting low-density development. One community will reap the tax revenue advantage derived from the location of a major plant or large regional shopping center within its borders while neighboring communities bear the costs of the spillover effects in educating the plant employees' children or grappling with the traffic generated by the new development. The economic and fiscal effects of these "revenue producers" have placed local governing bodies in metropolitan areas under heavy pressure to zone large stretches of land for commercial and industrial purposes. Thus the property tax in these instances has been converted into an instrument of metropolitan disunity and fiscal reasoning has become a major justification for zoning changes. State policy, however, can do much to minimize this competitive scramble for tax base among metropolitan area local governments by equalizing local government finances so that fiscal incentives for zoning are reduced.

A paper prepared by two members of the staff of the Advisory Commission on Intergovernmental Relations for the 1966

National Conference of the American Institute of Planners suggests solutions to overcome the local property tax-fiscal zoning game. Several moderate, politically realistic proposals are suggested on both the zoning and tax fronts. I believe these proposals can go a long way toward harmonizing the principles of local home rule with the growing need for a more equitable method of taxing land resources within our metropolitan areas.

Mr. President, I ask unanimous consent that this paper, entitled "Metropolitan Zoning and Tax Equalization Reforms—Cushioning the Impact of the Divisive and Regressive Property Tax," be inserted in the Record at this point.

There being no objection, the staff paper was ordered to be printed in the Record, as follows:

Metropolitan Zoning and Tax Equalization Reforms—Cushioning the Impact of the Divisive and Regressive Property Tax

(Prepared for the National Conference of the American Institute of Planners, Portland, Oreg., Aug. 14, 1966, by James Pickford and John Shannon, senior analysts with the Advisory Commission on Intergovernmental Relations)

The first wave of metropolitan reorganizers, propelled by their efficiency principles, attempted to sweep aside the disorderly array of municipalities clustered around the center city and leave in their wake one community with one government. Stunned by the massive resistance to this all out assault on the principles of local autonomy, the second wave of reformers sought to pick up some political support with the federation compromise. Under the federation approach the outer shell—community identification—of little principalities would remain the same. However, those functions of an areawide character would be shifted to a regional government. The surrender of some local autonomy would be at least partially compensated by representation on the areawide government. As is well known, the list of accomplishments is short, with innumerable qualifications.

A fine-grained look at metropolitan governmental reorganization and cooperation, at present being nurtured by the third wave of metropolitan reorganizers, indicates a continuing series of adaptations for the old workhorses of reorganization—annexation, use of extraterritorial powers, intergovernmental contracting. These adjustments to our intergovernmental system are incremental rather than revolutionary changes. They clearly underscore the constraints placed on reform by political reality. In order to maximize public support for structural changes, the third wave of reformers have learned to minimize the radical character of their proposed innovations.

THE PROPERTY TAX—AN INSTRUMENT OF DISUNITY

The purpose of this paper is twofold: first, to trace out the primary factors that have converted the property tax into an instrument of metropolitan disunity and second, to suggest ways and means to take some of the wind out of the sails of the local property tax-fiscal zoning game.

What are the rules of the game? Actually, there are just two—local autonomy and "winner takes all." In essence, this local autonomy means the city fathers can determine the way land will be used, the amount of the property tax payoff (via the tax assessment and rate route), and the size of the expenditure commitment (public service levels and costs).

The second rule—winner takes all—brings the fiscal zoning game into focus. For example, there is always the hope that a large share of the local tax burden can be exported via the pricing system to near and distant neighbors by snagging the giant shopping center, the industrial research park, or the massive public utility installation.

Operating under a curious logic that goes back at least to the Domesday Book of William the Conqueror, each autonomous principality has the unchallenged and exclusive right to protect and to pump all taxable resources within its domain. This winner take all rule, perhaps, made sense or at least had a few baneful effects in a rural economy. However, with the property tax in 1966 accounting for 85 percent of local tax revenue, the typical metropolitan picture today finds some local communities siphoning off lucrative types of development to increase their tax base for production of revenue in excess of expenditures, while others seek to keep governmental costs at a minimum by only permitting low-density development. Fiscal reasoning is frequently disguised or not officially recognized as justification for zoning changes actually designed to carry out fiscal policy. But it is indeed a rare case where elaborate relationships between housing costs, family incomes, number of school children, and other governmental services are not figured in as arguments for or against zoning changes.

Although by itself, zoning based on areawide planning will not solve disparity problems, it is nevertheless an indispensable part of the solution. Adjusting planning responsibilities so that larger units can tackle larger problems, and equalizing local government finances so that incentives for fiscal zoning are eliminated, are also part of the solution.

The individual proposals advanced in this paper for zoning and property tax reforms are not revolutionary. While solutions have been advanced for zoning and property tax changes that would substantially reduce metropolitan disunity, most appear too far from the status quo to gain wide acceptance. However, if the problem is attacked on both fronts with more moderate, politically realistic proposals, it is believed that progress can be made in minimizing metropolitan disunity.

RESTRICTING LOCAL ZONING AUTHORITY

For local government to act responsibly, its units must be large enough to consider issues in context and balance the needs of diverse groups of people. Local governments, based on either limited geographical or limited functional jurisdiction, acquire a higher degree of special interest and, consequently, are more likely to practice fiscal zoning. Small suburban municipalities often fall into this special interest category and may, indeed, have incorporated specifically to gain or protect a specially advantageous fiscal position. Larger municipalities and counties, in contrast, usually represent a diversity of viewpoints which make fiscal zoning objectives less dominant. Thus, reservation by the State legislature of zoning authority to large municipalities or counties would reduce the ability of the small interest municipalities to practice fiscal zoning.

The Advisory Commission on Intergovernmental Relations has suggested a way for gearing in the planning structure of metropolitan areas to facilitate more effective county-municipal planning and zoning relationships.[1] Under the proposal, the county (a) reviews and approves certain planning and zoning actions of existing municipalities between 5,000 and 30,000 population; (b) exercises its planning and zoning authority in all existing municipalities of less than 5,000 population; and (c) exercises its planning and zoning authority in all future incorporations within the county until the population of that municipality exceeds 30,000 within its territory.

The proposal, acknowledging political reality, does not remove the power to zone or plan from municipalities of more than 5,000 persons. Rather, it subjects certain municipal actions to an approval procedure by a larger unit of government and, in specified instances, review by other municipalities. Municipalities must refer any planning and zoning proposals to the county that would have the effect of (a) changing the types of use of real property bordering major county or State highways and parks; (b) decreasing the front yard setback or minimum lot width of any property abutting any such county or State highway or park; (c) connecting any new street into any such highways; (d) connecting new drainage lines into existing channel lines; and finally (e) reducing residential densities to less than three families per acre. These categories include virtually all local planning or zoning actions likely to have an effect beyond the corporate limits. Thus, the absolute authority of the little principality to determine its land use is subject to the broader public interest of the larger unit of government.

INTERGOVERNMENTAL EQUALIZATION

In contrast to this traditional metropolitan reform approach—restructuring planning responsibilities of local jurisdictions—proposals to compensate for loss of tax base and for necessary land use adjustments must be directed to offset fiscal disparities among governments in a metropolitan area. The thrust of the following approaches is essentially to equalize local property tax loads among local jurisdictions in metropolitan areas, thereby reducing the incentives for fiscal zoning. And not only will these actions help remove the incentives for local officials to pursue fiscal zoning practices; they also appear to meet the test of political realism for putting the programs into practice.

Planners, therefore, might consider lending their support to State action to bring the property tax more in line with the principle of federalism by limiting local property tax rate decisions to the financing of essentially local or municipal-type services.

School equalization policy: In order to secure a more even distribution of tax revenue generated by major industrial, commercial, and utility uses, this policy calls for the State to partially neutralize local property tax differentials by requiring (1) that all classes of property within the State contribute equally to a minimum school program through a State-mandated local property tax rate levied in each county, and (2) that collections in excess of a specified per pupil expenditure be transferred to the State for redistribution to less wealthy counties.[2] Typically, school rates account for about half of the total local rate. Thus, State action designed to secure a more equal distribution of the property tax resource behind each pupil would also substantially reduce total local property tax differentials.

The time has come to overthrow the concept that the winner takes all the revenue advantages that may flow from an industrial or regional shopping center location. The pressing demands for higher public service levels no longer permit the grossly inequitable distribution of property tax resources. The quality of a child's education should not hinge on whether an industrial plant is located within the school district. While this partial equalization policy still acknowledges the primary claim of the place of residence of the plant, it also recognizes the need for a more uniform distribution of taxable resources to finance the spillover burdens that result from commutation and the fractionation of local government.

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[1] 1967 State Legislative Program of the Advisory Commission on Intergovernmental Relations. Washington, D.C., September 1966, p. 513.

[2] See legislation suggested by the Advisory Commission on Intergovernmental Relations, *ibid.*, p. 233.

While the champions of local autonomy may view this proposal as extremely damaging to their cause, it can be argued with some justification that it prevents a bad situation from getting much worse. Unless the advocates of local autonomy are willing to make some concessions, more radical remedies will be imposed by the State. Adoption of this policy would go a long way toward eliminating fiscal zoning practices—a force that is tending to balkanize the metropolitan community—and insure the demise of industrial tax havens.

If we follow this school equalization principle, the truly local property tax could be rationalized on a benefits received basis and the tax would approximate a moderate users' charge. It would finance such general government services as the courts, police, sanitation, and fire services, as well as such local facilities as neighborhood parks and streets.

Because welfare and educational programs have assumed vital importance for the well-being of the State and the nation, the quality of these services should not be determined by the accidents of geography, the size of the local property tax base, or the willingness of local tax rate authorities to underwrite such a program. Once we fully accept the idea that education and welfare programs have acquired State and national character, we are then either in a position to shift most of this financial burden off the back of the local property tax and onto the broader shoulders of State and Federal revenue producers, or to embark on extensive State or Federal equalization programs that can effectively neutralize the accidents of geography and the variations in local fiscal capacity.

In the case of many public welfare and health programs, we have already taken the nonproperty tax route and shifted responsibility upward. In the last thirty years, the Federal and State governments have taken over responsibility for both the treatment and the prevention of indigency—responsibility that historically had rested with the family and local community.

The growing public concern today about disparities in educational opportunity clearly reflects sharp increase in public awareness of the fact that education has lost its local character. Significant changes in the conventional wisdom of financing educational services are being widely discussed.

The Advisory Commission has prepared suggested legislation to eliminate intercommunity disparities in educational opportunity. The Commission suggests that a basic program at an adequate expenditure level ($500 per pupil) be financed jointly at the State and the county level. The program would gather the property tax resources of the entire State in suport of a mandated minimum level of per pupil expenditures in local districts. This would eliminate those causes that have given birth to the practice of fiscal zoning to either (1) shield certain properties from the burdens of financing education, or (2) reduce the cost of operating public schools in particular districts.

OTHER PROPERTY TAX REFORMS

Two other property tax reforms, full disclosure assessment policy and hardship relief policy, are of particular interest to planners: the first, because it could set off badly needed assessment reforms; and the second, because of its impact in equalizing public service and economic disparities among communities in metropolitan areas.

Full disclosure assessment policy: Perhaps the most promising State reform policy is simply to advocate that property taxpayers be given a full and complete report on the fractional assessment practices of local tax officials.

A full disclosure assessment policy rests on the premise that if local assessors deviate from the State legal valuation standard (full value in most States), property owners have a right to know what fraction of estimated market value is being used for tax assessment practices. Only with this assessment ratio information can the property owner readily determine whether his assessment is fair. To put the issue in another way, if a local assessor is attempting to assess property at 30 percent of market value, this fact should be made as public as possible in order to minimize the number of inequitable assessments. In the absence of full disclosure, the so-called "public" tax roll becomes a convenient graveyard in which the local assessor can bury his mistakes.

There are two reasons for believing that a full disclosure policy might be able to trigger more far-reaching assessment reforms. First, while the great mass of taxpayers may not be particularly interested in beating the drums for the selection of assessment officials on the basis of demonstrated ability, they can be expected to be more receptive to a policy which would enable them to judge the fairness of their own assessments. Second, a full disclosure policy would dramatize assessment inequalities, and thereby generate more support from the general public and the tax officials for proposals calling for institutional and administrative reforms.

Suggested legislative language for implementing a full disclosure policy is set forth in a model property tax bill prepared by the Advisory Commission on Intergovernmental Relations.[3]

Hardship property tax relief policy: Administrative reforms, however, fall short of going to the heart of the property tax problem. Or to put it in another way, if by some stroke of a magic wand the local assessor could equalize all property tax assessments at full value, or some uniform percentage thereof, the collection of this tax would still create special hardships for property owners with low incomes.

Although the value of the family residence served as a fairly good proxy of ability to pay taxes in a rural society, total household income stands out as a far more precise measure of taxable capacity in our modern urban society.

The point must be emphasized that an affluent society should be able to finance its public services without forcing low income households through the property tax wringer.

Perhaps the most notable attempt to draw the regressive stinger from the property tax can be found in Wisconsin's 1964 tax credit plan that provides substantial property tax relief to low income elderly persons—both homeowners and renters meeting specified income criteria. This tax relief program is financed from State funds and administered by the Income Tax Division of the Wisconsin State Tax Department.

The Wisconsin legislature took the position that if an elderly householder has to turn over more than 5 percent of total income to the residential property tax collector, he was confronted with an extraordinary burden and that amount in excess of 5 percent is either refunded by the State to the property owner, or applied as a direct credit against his State income tax if the taxpayer falls in that category.

The critical need is to convince State legislative bodies that (a) household income is the most effective measure of ability to pay taxes, and (b) that the State (not the local governments) should assume responsibility for financing a property tax rebate program for those persons deemed to be carrying excessive property tax loads in relation to family income.

This proposal, of course, will not please those advocating that rates and taxes, levied only on unimproved capital value, would have beneficial effects on urban land use patterns. It would, in some instances, have instead the effect of retaining land in less than its highest and best use. Many of the elderly and the poor, who have homes in neighborhoods where land values are rising as commercial and apartment uses replace single-family uses, would be "protected" and thus frustrate those whose primary objective is a rational land use pattern. In its pure form, the land tax sacrifices the poor on the altar of highest and best use—a situation that the political leadership in most countries found politically intolerable. "Hardship" exemptions to permit such people to retain their homes and farms in these transitional neighborhoods have been enacted thus negating the objective of the use of this tax to influence land use patterns.

It should be noted that this type of property tax relief, geared to family income, moves in the "right direction" from the standpoint of intercommunity equalization. Because the poor tend to cluster together and because the rich do likewise, the mailman would deliver more property tax refund checks in low income communities than he would in wealthier municipalities. This should interest those persons seeking to reduce public service and financial disparities among municipalities in metropolitan areas.

CONCLUSION

All of the approaches discussed above are based on recognition that the best way to deal with some of our principal difficulties is indirectly, not by frontal attack. Three considerations should be kept in mind. First, as long as planning controls are run by local governments heavily dependent upon the local real property tax, this will act as a severe brake on progress unless planners develop more sophisticated notions of how tax devices might be used to reduce fiscal zoning incentives. Second, the problem of rectifying unfair treatment of property owners will come from raising the standards of local public administration rather than from creating new legal rights, enforceable in court. Finally, as Norman Williams has stated:

"Much of American planning and planning controls are now in the service of some of the more unattractive aspects of our life: social snobbery, exclusionism, the anti-tax hysteria, and so on. Now the underlying interethnic strains have been an historic problem in a country such as ours, and are certainly obvious now. Yet the long term period is toward a wider effectiveness for the democratic ideal, of tolerance and equal opportunity and mutual respect, extending into more areas of life. For some things we can depend on this; and for some we shall have to wait upon it."[4]

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[3] See *ibid.*, preparation of assessment ratio studies and publication of assessment ratio information, pp. 129ff.; and effect of assessment ratio evidence, pp. 134ff. For analysis of property tax issues, see the Advisory Commission on Intergovernmental Relations, *The Role of the States in Strengthening the Property Tax*, 2 Volumes, June 1963.

[4] Norman Williams, Jr., "Development Controls and Planning Controls: The View From 1964," *Proceedings of the 1964 Annual Conference*, American Institute of Planners, Washington, D.C., p. 87.

UTAH SYMPHONY ORCHESTRA PLAYS IN ATHENIAN AMPHITHEATER

Mr. MOSS. Mr. President, it has been hard to put into words what it meant to the people of Utah to have their symphony orchestra play in the 2,000-year-old Odeon of Herodes Atticus Amphitheater in Athens, Greece, recently.

And it has been equally difficult for those of us who were fortunate enough to accompany the orchestra to Greece, and to participate in the opening concert and the events which surrounded it, to pass on to others the special quality of the occasion.

But Harold Lundstrom, Deseret News music editor, has caught the pride and glory of the visit, as well as the color and the spirit in a feature article, entitled "A New Greek Odyssey," and I ask unanimous consent that it be carried in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A New Greek Odyssey

(By Harold Lundstrom)

"The grand objective of traveling is to see the shores of the Mediterranean. On these shores were the four great empires of the world—the Assyrian, the Persian, the Greek, and the Roman. All our religion, most all of our arts, almost all that sets us above the savage has come to us from the shores of the Mediterranean."—Dr. Samuel Johnson (1709–1784).

The Utah Symphony Orchestra's Greek Odyssey was 84 musicians arriving in Athens, not on the winged horse Pegasus, but in a chartered TWA Boeing 707, non-stop from New York . . . And it was their coming into the bustling capital of Greece not stealthily in a Trojan Wooden Horse, but being enthusiastically hailed by the official Greek Travel and Athens Festival agencies . . . It was also not to defeat Greece in any kind of physical encounter but to win the warm and friendly Athenians through the great and inspiring art, music.

The Symphony Odyssey was rehearsing in the downtown old, but not ancient, up on the third floor Rex Theater . . . And it was to meet an always smiling operator of an elevator (that was ancient), and a half dozen of the most efficient stage hands in the business . . . It was also to see a dozen Greek music critics (from Athens' 14 daily newspapers) and a half-dozen other rehearsal listeners become quietly excited when Princess Sophia and Princess Irene, sisters to King Constantine, and a half-hour later, their Queen Mother, widow of the late King Paul, arrive and sit in on every rehearsal proceedings . . . And it was to watch out the window when the three made their exit onto the sidewalk three stories below and see a crowd of a thousand Athenians applaud them warmly as they entered their cars . . . And it was to reflect that in the 25-year-history of the Utah Symphony Orchestra, it had never before experienced the friendliness of royalty attending its rehearsals. . . .

The symphony odyssey was to see the presidents and secretaries, and their wives, from the 36 Rotary Clubs in Greece plus another hundred local Rotarians and wives fete their international president, Richard L. Evans, and Mrs. Evans, at a banquet in the plush Grande Bretagne Hotel. Though they were able to include only two days in Athens from their hectic schedule of visiting Rotary Clubs throughout Europe, Elder and Mrs. Evans couldn't have left a more enthusiastic group of admirers if they had stayed a month—and the cause of people-to-people understanding was impressively enhanced. . . .

The Symphony Odyssey was the undreamed-of compliment to Christopher Athas when he was personally served by the Queen Mother at a private buffet supper at the Royal Palace. The modest Salt Lake pharmacist, understandably embarrassed, remonstrated about his being served by Her Majesty, but she interrupted him to say, "This is my privilege in appreciation for your having done so much for both our countries." . . . And it prompted Sen. Frank E. Moss, who was officially representing the United States at the Utah Symphony Orchestra concerts and functions, to say to Mr. Athas when they motored back to their hotel: "Chris, can I touch you?"

The Symphony Odyssey was Vice President Hubert Humphrey cabling from Washington, D.C.: "My warmest salutations and best wishes to the Utah Symphony on its initial performance in the Athens Festival and my special compliments to Maestro Abravanel, the members of the Utah Sypmphony, to President Ashton, and to Miss Gina Bachauer, the guest performer with the Symphony in Athens. I send the best wishes of the American people for a noteworthy performance in Athens and in the concerts which follow" . . . And Miss Bachauer's cable, in the opposite direction, to Utah's Gov. Calvin L Rampton: "I am deeply touched by the honor you have graciously conferred on me. I am proud to be an honorary citizen of the State of Utah and as such I am personally proud of the triumphs of the Utah Symphony Orchestra and Maestro Abravanel in Greece. Your newest citizen salutes you." It was also Miss Bachauer telling her husband, the British conductor, Alex Sherman, in their car on the way from the United States Embassy, where the honorary citizenship was conferred by Senator Moss and U.S. Ambassador Phillips Talbot, to the 2,000-year-old Odeon of Herodes Atticus Amphitheater, while I sat in the back seat holding her long black concert gown: "Alec, you better be good to me. If you don't, I'll go to Utah where I am—but you are not—a citizen". . . .

The Symphony Odyssey was Maurice Abravanel returning to the city of his birth, Salonika (Thessoloniki is the Greek's word for it) in the happiest of times with its centuries-old trade fair that was attracting 120,000 persons daily, an international film festival, an American jazz festival, and an American gospel singing ensemble . . . At the three Athens concerts, the breathtaking and inspiring Acropolis was high above us; at the two Salonika concerts held in the Theater of the Forest atop the highest mountain, the beautiful twinkling lights of the city, the trade fair, and the harbor and ships were all visible far below us, and it was also breathtaking . . . And the significance of being in Greece came with an impact Sunday morning on top of the Mediterranean Hotel when our genial host, John A. Vafiades, retired U.S. Consul to Salonika, said, "Do you see that mountain top above the clouds?" as he pointed southwest, far across the Aegean Sea: "That's Mount Olympus! home of the Greek gods you studied when you were a school boy."

The Symphony Odyssey was the great round of applause, and the song, "For He's a Jolly Good Fellow," given the young violinist, John Steiner, when he received a cable in Salonika during Sunday lunch that he was the father of a seven-pound son in Salt Lake City . . . And it was the mothers in the orchestra—Katherine Peterson, for one of many examples—who became very homesick for their children . . . It was also Lucy Abravanel accidentally dropping her watch into the Aegean Sea near Athens and having her husband, Maurice, say, "There is nothing worse for a watch than salt water." Which prompted Lucy immediately to drop it in a glass of fresh water—"to wash out the salt" . . . It was Alice Athas, always going at full speed, sending bouquets to every Greek official who was lending "his good offices" for the success of the Utah Symphony Orchestra's participation in the Athens Festival . . . Appropriately, the Symphony Odyssey was also Mrs. John M. (Glenn) Wallace (president of the Utah Civil Ballet) being introduced and toasted dozens of times at banquets, receptions, and dinner parties for her work as a founder of the Utah Symphony Orchestra and as second president of its Board of Directors during its early and critical days.

And the Symphony Odyssey was a group of Athens teenagers watching as a bus returned with members of the Orchestra from the opening night concert. Recognizing the musicians by their formal attire, the teenagers sent up a round of applause and "Bravos!" that made every single effort of the Utah Symphony's getting to the Athens Festival and its gracious Greeks worthwhile.

ASTRONAUTS RECOGNIZE PARTNERS OF THE ALLIANCE PROGRAM

Mr. SYMINGTON. Mr. President, I invite the attention of Senators to a significant ceremony that took place on September 17, the opening day of the Second Inter-American Conference of the Partners of the Alliance in Rio de Janeiro. Mr. James H. Boren, Director of the Partners of the Alliance programs, presented to the people of Brazil a letter from Astronaut Thomas P. Stafford, certifying that the postage stamp affixed to his letter and autographed by both Stafford and Eugene Cernan, and carried by them in Gemini IX, was in fact the first stamp to orbit the earth.

Last March 14, the Government of Brazil issued a blue and green airmail stamp to honor the Alliance for Progress and the United States and Brazilian States participating in the Partners of the Alliance program in their country. Astronaut Stafford carried several of these Brazilian stamps with him on the recent Gemini IX space mission.

At the time of the presentation, Boren noted that Astronaut Stafford is a member of the executive board of the Texas Partners of the Alliance, who are joined with Peru, and is also serving as an adviser to the Oklahoma Partners in their activities with Mexico. Boren stated:

> I think it significant that a U.S. Astronaut who is working in a Texas-Peru Partnership and advising a Mexico-Oklahoma activity carried a Brazilian stamp honoring all citizens of the Americas. This is in keeping with the spirit of the Alliance for Progress.

Mr. President, Missouri takes added pride in announcing this space first because of the fact that the Gemini IX mission was carried out in a Missouri-made capsule of McDonnell Aircraft of St. Louis. Missouri was the 10th State to be joined in partnership with a State in Brazil. Recently a Missouri program development team traveled to their partner area of Para to lay the groundwork for cooperation and interchange between the peoples of Para and Missouri.

I ask unanimous consent that the text of the letter of September 12 from Lt.

Col. Thomas P. Stafford, the news story of the presentation noted in the Brazil Herald for September 21, and the remarks of Mr. Boren at the ceremony be printed at this point in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION, MANNED SPACECRAFT CENTER,
Houston, Tex., September 12, 1966.

Mr. JAMES M. BOREN,
Director, Partners of the Alliance, Alliance for Progress, Agency for International Development, Washington, D.C.

DEAR JIM: I regret that my duties in the Apollo program prevent me from participating in the second Inter-American Conference of the Partners of the Alliance to be held in Rio de Janeiro. I am very happy to be associated with the efforts of the peoples of the Americas, who are working through the partnership program, to help to realize the objectives of the Alliance for Progress.

Attached to this letter is one of the Partners of the Alliance stamps which was issued by Brazil in recognition of citizen level participation in the Alliance. This stamp was carried by me in the flight of Gemini IX, carried out by Gene Cernan and me on June 3, 1966.

I think it would be particularly appropriate at the time of the Conference in Rio de Janeiro for this stamp to be presented to the people of Brazil and symbolically to all citizens participating in the great work in the Alliance for Progress. I would, therefore, appreciate your making the presentation in my behalf.

Sincerely,
THOMAS P. STAFFORD,
Lieutenant Colonel, USAF,
NASA Astronaut.

[From the Brazil Herald, Rio de Janeiro and São Paulo, Sept. 21, 1966]

BRAZIL'S COMMEMORATIVE STAMP ORBITS ABOARD GEMINI NINE

RIO DE JANEIRO.—A Brazilian "Partners of the Alliance" postage stamp, carried by Astronaut Tom Stafford on his Gemini 9 orbits around the world, was presented to the Brazilian people by Jim Boren, Director of the Partners of the Alliance Program, in a ceremony Monday before the 243 participants at the Second Inter-American Partners of the Alliance Conference. The stamp was accepted by Brazilian Ambassador Pio Corrêa on behalf of the Brazilian people.

"It is a genuine pleasure to present to the people of Brazil and symbolically to all citizens of the Americas participating in the work of the Alliance for Progress this Partners of the Alliance stamp—the first stamp to orbit the earth," Boren said in the presentation ceremony.

Boren said that when Astronauts Thomas Stafford and Eugene Cernan circled the earth in Gemini 9 they were conducting a search for greater knowledge and understanding about the universe, but that their flight was also a great flight for the Alliance for Progress.

"When Gemini 9 made its flight Astronaut Tom Stafford carried with him this Partners of the Alliance stamp. I think it significant that a United States astronaut who is working in a Texas-Peru partnership and advising a Mexico-Oklahoma activity carried a Brazilian stamp honoring all citizens of the Americas. This is in keeping with the spirit of the Alliance for Progress."

Astronaut Stafford is a member of the Board of Directors of the Texas Partners of the Alliance, and an advisor to the Oklahoma Partners of the Alliance.

REMARKS OF JAMES M. BOREN, DIRECTOR, PARTNERS OF THE ALLIANCE PROGRAMS, UPON PRESENTING PARTNERS OF THE ALLIANCE STAMP TO AMBASSADOR PIO CORREA

When Astronauts Thomas Stafford and Eugene Cernan circled the earth in the flight of Gemini 9 on June 3, 1966, they were conducting a search for greater knowledge and understanding about the universe. But that flight of Gemini 9 was also a great flight for the Alliance for Progress.

Astronaut Stafford is a member of the Board of Directors of the Texas Partners of the Alliance and an advisor to the Oklahoma Partners of the Alliance. He is an active partner and he knows of the work all of you are doing in this program.

He also knows of the great honor which was bestowed on your efforts when Brazil issued the Partners of the Alliance stamp earlier this year.

When Gemini 9 made its flight, Astronaut Tom Stafford carried with him this Partners of the Alliance Stamp. I think it is significant that a United States Astronaut who is working in a Texas-Peru partnership and advising in a Mexico-Oklahoma activity carried a Brazilian stamp honoring all citizens of the Americas. This is in keeping with the spirit of the Alliance for Progress.

It is a genuine pleasure to present to the people of Brazil and symbolically to all citizens of the Americas participating in the work of the Alliance for Progress this Partners of the Alliance stamp—the first stamp to orbit the earth.

THE TWO CHINAS

Mr. MUNDT. Mr. President, occasionally in this business a fellow reads an editorial which so completely squares with his own line of thought that he immediately puts it down in the "I-wish-I-had-said-that" category.

Today's lead editorial in the Washington Daily News is a case in point. In my opinion, the editorial writer makes an unanswerable argument against the recognition of Red China and its admission to the United Nations at this juncture of history. He also points out with supreme clarity the differences which have evolved in the degrees of personal opportunity and human happiness in Free China under Chiang Kai-shek compared with those developing in Red Communist China under Mao.

All in all, this is an editorial which I think Congress and the country should read and study carefully. I ask that it be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE TWO CHINAS

When the Red Army swept to power in China in 1949 and Chiang Kai-shek's beaten Nationalist forces retreated to the island of Taiwan, many governments welcomed the communist regime with diplomatic recognition, trade and cultural exchange. The communists were widely regarded as the "real" rulers of China, and the Nationalists as justly bound for the dustbin of history.

But look how that picture has changed. Red China celebrated its 17 years of power (on Oct. 1) at a time of internal convulsion and increasing international isolation and contempt. The Red Guards are on the rampage, Communist Party officials are under attack, Mao is hysterically hailed as a new god, and global war is preached by his new heir apparent, Lin-Piao. The men in power are on the outs with their ex-patron, the Soviet Union, former friend, India, erstwhile axis-ally Indonesia, and African nations that welcomed Peking officials only to discover they were subversive agents.

Nationalist China celebrated yesterday, the 55th anniversary of its founding. Chiang has matched Mao in longevity, and far surpassed him in the happiness he has brought to his people these past 17 years.

Based on the solid foundation of land reform, the economy of Taiwan has increased fivefold the past dozen years. The 12 million populace enjoys one of the highest standards of living in Asia. The United States was able to end its economic aid a year ago. Today Nationalist China not only sells its sugar, TV sets, air conditioners and fans thruout Southeast Asia, but maintains a considerable foreign aid program of its own, chiefly in Africa. There is still no perfect democracy on Taiwan, but there is infinitely more freedom than on the mainland.

This contrast between a communist China full of nastiness and turmoil and a Nationalist China that is a model of development and prosperity is not merely interesting. It is important. It is important that the security and independence of Nationalist China be upheld.

Shortly at the United Nations will come the annual effort to give the communists the China seat, to the exclusion of Nationalist China. Hopefully it will fail. There are governments that want Red China in the UN in the sincere belief that as a UN member, the Peking regime would be "pressured" into toning down its belligerence and would agree to peace in Southeast Asia, disarmament and the non-proliferation of nuclear weapons. (We have our doubts on that.) But the majority of nations that would be willing to take that chance nonetheless are unwilling to oust Nationalist China as part of the bargain.

Our view is that Red China should be kept out, as usual, and Nationalist China should be upheld. Red China's application for membership never has looked so shoddy. Nationalist China's credentials as a member never have looked so good.

THE PAR PURCHASE OF FHA AND VA MORTGAGES

Mr. HARTKE. Mr. President, I deeply regret the administration's recent decision to defer the use of the $1 billion of special assistance funds the Congress voted for the par purchase of FHA and VA mortgages on low-priced homes. We all know that homebuilding has suffered a tremendous setback this year and that current commitments for the construction of new homes are down 50 percent or more in many, if not most, areas of our country. This disturbing setback will cause severe unemployment among the building trades' workers and should properly be of paramount concern to this or any administration. For these reasons, I think the decision, admittedly a budgetary one, of not spending this billion dollars, when it is so obviously much needed, is cutting expenditures at the wrong spot at the wrong time, and rather cold heartedly.

I fully realize that the administration has made other changes in Fannie Mae's operations which, over the long run, will assist the homebuilding industry. Increasing the price ceiling from $15,000 to $17,500 on existing homes, for example, was a step in the right direction. Raising the price of new homes eligible for purchase to $25,000 also will be of valuable assistance. However, any builder can tell you that the timelag between announcing these changes and implementing these new regulations into new construction is very considerable. Thus while these moves will help in the future, it is much too far in the distance to be of help today. It is even more important that the $1 billion special assistance fund be made available immediately to at least help slow down unemployment.

BIG BROTHER

Mr. LONG of Missouri. Mr. President, the editor of the Sikeston Standard from Sikeston, Mo., is to be congratulated on an excellent editorial, entitled "Protection of Privacy," which appeared in the April 26, 1966, edition of his newspaper. The editorial summarizes many recent developments relating to invasions of privacy.

The editorial points out that although most Americans are "inured to living in the fishbowl age," there are limits. I urge my colleagues to read this well-written and comprehensive editorial and ask unanimous consent to insert the editorial at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROTECTION OF PRIVACY

Congress is looking for new ways to protect the privacy of the American citizen without creating more problems than it solves. The right to privacy is now—thanks to two Supreme Court decisions of the past year—backed by constitutional guarantees. Nevertheless actual encroachment on the privacy of the individual appears to be less escapable than ever.

The trouble is that, in the modern world, a large measure of privacy is necessarily sacrificed and the loss can be mitigated only slightly by new laws. Our society requires extensive record-keeping on every individual. This is a cradle-to-grave process that begin with footprinting the newborn infant and ends only with the cause-of-death notation on the death certificate.

Over a life span, the dossier piles up: data on parents, medical records, school reports, intelligence and psychological test scores, job histories, credit facts, and so on. Some of this information on the individual gives up himself, often through filling out the innumerable questionnaires that come his way. The remainder is obtained without his knowledge from sources not known to him.

The result is that more personal data on the average mid-20th century American be picked up by a routine check in a few days than scholars have been able to uncover about William Shakespeare—a well-known actor in his day—after four centuries of digging. And most Americans are so inured to living in the fishbowl age, they willingly disclose information about themselves which their forebears would have considered nobody's business but their own.

But there are limits, even for the privacy-stripped American of today. A few weeks ago, for instance, the State Department put a stop to the practice of asking U.S. embassies to keep watch on American travelers "considered controversial." In a highly publicized case of a different sort, the president of General Motors Corp. apologized on March 22 before a Senate subcommittee for hiring a detective agency to pry into the private life of a subcommittee witness. Ralph Nader had written a book and had given testimony critical of the industry for neglect of safety in automobiles design.

No less than a half-dozen congressional subcommittees have investigated some phase of the privacy invasion question over the past year or so. Some of their revelations led to corrective action. The Post Office Department closed down the peepholes through which its agents spied on employees in locker rooms and toilets. Of more general application, the Department curtailed a long-standing practice of placing mail covers—that is, recording information on the envelopes of letters delivered to particular addressees—for use by an investigative agency.

Another area where limits on privacy invasion are being sought involves the use of hidden eavesdropping devices. Practically everyone is agreed that private snooping through wiretapping or the secret placement of miniature microphones and transmitters should have no place in American life. The big argument is under what conditions the police should be allowed to use them in the war on crime.

Telephone tapping was presumably outlawed by Congress in 1934, yet the practice still goes on. Evidence gained from wiretapping is permitted in some state (though no federal) courts. The Justice Department has long sought legislation to permit law enforcers to tap phones in crime investigations. However, Attorney General Nicholas deB. Katzenbach told a Senate Subcommittee on March 22 it would be better for Congress to ban all wiretapping outright than to leave the situation in its present ambiguous state.

The new miniature eavesdropping devices present an even more difficult control problem. The Federal Communications Commission adopted a rule, effective on April 8, forbidding private citizens to use radio devices to eavesdrop, but left it up to the states to decide whether their police should use them. In New York State, a court held on March 1 that court orders permitting police eavesdropping by such a device were invalid because contrary to the Fourth Amendment to the Constitution governing search and seizure.

REPORT FROM VIETNAM BY NEIL SHEEHAN, OF THE NEW YORK TIMES

Mr. FULBRIGHT. Mr. President, Mr. Neil Sheehan, of the New York Times, has been reporting on Vietnam since 1962. I have read many perceptive reports from his pen during the past several years. His long experience in that country, together with his obvious impartiality, rationality, and superb style, makes his latest report on Vietnam, published in the New York Times Magazine of October 9, 1966, the best report on Vietnam that has come to my attention in recent months. I commend it to the attention of all Members of Congress and to the public, as well.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NOT A DOVE, BUT NO LONGER A HAWK

(By Neil Sheehan)

Americans, because they are Americans, arrive in Vietnam full of enthusiasm and with the best of intentions. After a prolonged period of residence, they leave with their enthusiasm a victim of the cynicism that pervades Vietnamese life and with their good intentions lost somewhere in a paddy field. I am no exception. When I first walked across the tarmac of Saigon's Tansonnhut Airport on a warm evening in April, 1962, nervous that the customs officers might not accept the journalist's visa I had hurriedly obtained from the South Vietnamese consulate in Hong Kong, I believed in what my country was doing in Vietnam. With military and economic aid and a few thousand pilots and Army advisers, the United States was attempting to help the non-Communists Vietnamese build a viable and independent nation-state and defeat a Communist guerrilla insurgency that would subject them to a dour tyranny. This seemed to me a worthy cause and something that needed to be done if other Southeast Asian peoples were to be allowed some freedom of choice in determining their course in history. Although I often disagreed with the implementation of American policy during my first two years in Vietnam, I was in accord with its basic aims.

I remember distinctly the thrill of climbing aboard a U.S. Army helicopter in the cool of the morning and taking off across the rice fields with a South Vietnamese battalion for a day's jousting with the Vietcong guerrillas. There was hope then that the non-Communist Vietnamese might win their war. I was proud of the young American pilots sitting at the controls in the cockpit and I was grateful for the opportunity to witness this adventure and to report it. We are fighting now, I used to think, and some day we will triumph and this will be a better country.

There were many disappointments those first two years, but when I left Vietnam in 1964, I was still, to use the current parlance, a hawk. I returned to Saigon in 1965 for another year. Now I have left again, and much has changed. There were 17,000 American servicemen in Vietnam at the time of my first departure and there are now 317,000 and I, while not a dove, am no longer a hawk.

If I had been wiser and could have foreseen the present consequences of that earlier and relatively small-scale American intervention in the affairs of this country, I doubt that I would have been enthusiastic during those first two years. I realize now, perhaps because this past year has impressed upon me more forcefully the realities of the war and of Vietnamese society, that I was naive in believing the non-Communist Vietnamese could defeat the Communist insurgency and build a decent and progressive social structure.

At a farewell dinner before my second departure from Saigon, the conversation drifted to the endlessly discussed but never resolved problem of gaining the sympathy of the peasantry. My host was a Vietnamese general, involuntarily retired through the vagaries of Saigon politics. To amuse us, he recounted an episode that had occurred in mid-1953 while he was commander of Franco-Vietnamese troops in the province of Buichu in what is now Communist North Vietnam.

That year, the Vietminh guerrillas, as the Vietcong were formerly called, accelerated their land-reform program. Communist cadres began confiscating the rice fields of landlords and dividing them up among the peasantry. To compete with the Vietminh and to arouse some popular support for the cause of his feeble Government and for France, the pro-French Emperor, Bao Dai, issued a decree reducing land rents from the traditional 40 to 50 per cent of the rice crop to 15 per cent.

Buichu was a predominantly Roman Catholic province. The two principal landlords there were the Catholic Bishop and the father of the Interior Minister in Bao Dai's Government. My host knew he would have to gain the Bishop's cooperation if he was successfully to enforce the decree.

"Impossible," said the Bishop. "How can I feed 3,000 priests, nuns, seminarians and coolies on 15 per cent of the crop?"

"I agree, Your Excellency," said my host, "it will be difficult. But perhaps it is better to make sacrifices now while there is still time. If we don't do something to win the sympathy of the population, you may lose more than your rice. You may lose your Bishopric, your land and perhaps even your head."

"Impossible," said the Bishop. "I will write to the Interior Minister."

Three months later, for attempting to implement the decree despite the Bishop's opposition, my friend was removed on the initiative of the Interior Minister. By the following summer, the Vietminh were so strong in Buichu that the French decided to evacuate the province. The Bishop, his priests, nuns and seminarians fled to Hanoi and thence to South Vietnam when the Geneva accords shortly thereafter sealed France's defeat at Dienbienphu and divided Vietnam at the 17th Parallel.

Over the 13 years since 1953, the United States has supplanted France in Vietnam. Yet among the Vietnamese themselves, the two opposing sides have changed little.

Precolonial Vietnam was administered by mandarins drawn from the merchant and land-owning families. When France colonized the country in the 19th century, much of this native aristocracy became, in effect, colonial civil servants, intermediaries between their own people and the foreigner. During the First Indochina War these Vietnamese, with a stake in the traditional society which a French presence would preserve, cooperated with France. Now the same Vietnamese, for identical reasons, cooperate with the United States.

Air Vice Marshal Nguyen Cao Ky, the current Premier of South Vietnam, was a French pilot. On occasional visits to the countryside he appears before the peasants in a trim black flight suit with a lavender scarf around his neck and a pearl-handled pistol at his waist—a kind of Asian Captain Marvel.

The Deputy Premier, Lieut. Gen. Nguyen Huu Co, and other generals in the Saigon military junta, were officers or sergeants in the French colonial forces. Their fondness for French cuisine, snappy uniforms and cocktail parties and receptions creates a pale but faithful reflection of the social round of colonial days. They are the Vietnamese who have inherited the worst of two cultures—the pretentiousness of the native mandarins and the rigidity of the French colonial officers and administrators. Premier Ky and the earlier successors of Bao Dai have also promulgated rent-reduction and land-reform laws at the urging of American advisers eager for social progress. All of these measures have been sabotaged because the regimes were and are composed of men who are members of, or who are allied with, mandarin families that held title to properties they have no intention of renouncing. While there are some patriotic and decent individuals among them, most of the men who rule Saigon have, like the Bourbons, learned nothing and forgotten nothing. They seek to retain what privileges they have and to regain those they have lost.

In Vietnam, only the Communists represent revolution and social change, for better or worse according to a man's politics. The Communist party is the one truly national organization that permeates both North and South Vietnam. The men who lead the party today, Ho Chi Minh and the other members of the Politburo in Hanoi, directed the struggle for independence from France and in the process captured much of the deeply felt nationalism of the Vietnamese people. Perhaps because of this, the Communists, despite their brutality and deceit, remain the only Vietnamese capable of rallying millions of their countrymen to sacrifice and hardship in the name of the nation and the only group not dependent on foreign bayonets for survival.

It is the tragedy of Vietnam that what began as a war of independence from France developed, as a result of its Communist leadership, into a civil conflict. Attempts to describe the current war as a geographically based struggle between North and South Vietnam breaks down almost immediately when it is recalled that Premier Ky and several other important members of his Government are North Vietnamese by birth, who fled south after the French defeat, while Pham Van Dong, the Premier of North Vietnam, was born in the South. The war is, rather, a struggle between different elements of the Vietnamese people as a whole.

The division of the country into two separate states at the 17th Parallel in 1954 was a provisional arrangement ending one scene in the drama. Vietnam's larger political realities extended then and still extend now in both directions across the demarcation line. North Vietnam controls and supports with men and matériel the Vietcong guerrilas in the South because the Vietcong leaders, although native Southerners, are members of the Vietnamese Communist party and obey orders from the Politburo in Hanoi.

In 1958 the late President Ngo Dinh Diem organized a Committee for the Liberation of North Vietnam, and since 1960 the Saigon Government, with American connivance and aid, has been smuggling saboteurs and commando teams into the North in a so-far vain effort to instigate a guerrilla movement among the Northern Catholics and mountain tribesmen. The opposing sides, in short, have never recognized the 17th Parallel as a permanent boundary and have violated the frontier whenever it suited them.

Communist leadership of the anti-colonial movement led to the involvement of Vietnam in the larger context of the cold war and brought the intervention of the United States, first to aid the French and then to develop and support a non-Communist administration an army in the South. For its own strategic and political ends, the United States is thus protecting a non-Communist Vietnamese social structure that cannot defend itself and that perhaps does not deserve to be defended. Our responsibility for prolonging what is essentially a civil conflict may be one of the major reasons for the considerable amount of confusion, guilt and soul-searching among Americans over the Vietnam war.

I know this is true in my own case and in the case of many Americans of my acquaintance who have lived for long periods in Vietnam. We are continually chagrined to discover that idealism and dedication are largely the prerogative of the enemy. The American soldier makes the lack of aggressiveness of the Government forces the butt of unending gibes. He grows to hate "Charlie," the G.I. slang name for the Vietcong guerrilla and the North Vietnamese regular, because "Charlie" kills his friends, but he soon learns to respect Communist bravery and cunning.

An American general recently paid a strange tribute to a Vietcong guerrilla who held up an entire U.S. Army infantry company for an hour in the jungle north of Saigon. The guerrilla was the lone survivor of several Communists defending a bunker. He fired off all his own ammunition and that of his dead comrades, and hurled back at the Americans the grenades they tossed into the bunker. He was finally killed while throwing rocks in a last gesture of defiance. "If one of our men had fought like that," the general said, "he would have been awarded the Medal of Honor."

Since the beginning of last year, Hanoi has increased the size of its regular army contingent in the South to a total of about 47,000 men. In the face of sustained bombing of the road and rail system in the North and the Ho Chi Minh Trail through Laos, the Communists continue to infiltrate men at an estimated rate of 4,500 to 5,000 a month. Many of these young men are conscripts who march south because of pressure on themselves and their families. Yet, once in the South, they fight well, and desertions are few despite the hardships and the severe losses through disease and battle. The Vietcong guerrillas have also managed steadily to expand their forces through recruitment and conscription.

The Saigon regime, on the other hand, has experienced great difficulty in increasing the strength of its armed forces because of a very high desertion rate. Desertions are greatest among conscripts, an indication that the average South Vietnamese feels little or no commitment to defend his own society. About 85 percent of Saigon's armed forces are, consequently, volunteers who take up arms for pay. This gives the Government forces a distinctly mercenary cast that affects both their attitude toward the population and, except for a few elite units, their performance in combat.

From the contrast in behavior of the two sides, I can only conclude that Vietnamese will die more willingly for a regime which, though Communist, is at least genuinely Vietnamese and offers them some hope of improving their lives, than for one which is committed to the galling status quo and is the creation of Washington. The official assertion that the Communist soldier endures the appalling conditions of his daily life and behaves so commendably in combat out of terror of his superiors becomes patently ridiculous to anyone who has witnessed a battle. Terror may drive a man to march toward the enemy's guns, but it will not make him fight valiantly. The course of the conflict has made apparent that the Communists are able to arouse and to exploit the native Vietnamese qualities of hardihood and resilience, and to convince large numbers of their people that the cause of their Government is just.

Most non-Communist Vietnamese are incapable, because of the values of the society in which they live, of looking beyond individual and family interests. Their overwhelming concern with "me and my relatives" deprives the society of a social consciousness Americans take for granted in their own culture and fosters the corruption and nepotism that exist throughout the administration. The disease of corruption appears to be worsening in direct proportion to the burgeoning amounts of American aid flowing into the country. Stories of embezzlement are legion and repeatedly embitter Americans.

Province and district chiefs' positions are frequently sold to the highest bidders by those responsible for making the appointments. The incumbent is then expected both to recoup the cost of his job from corruption and to make payoffs to the higher officials who sold it to him. Some American officials with long experience in Vietnam estimate that about 20 per cent of United States aid supplied for counter-insurgency projects in the countryside finds its way to the Vietcong and that another 30 to 40 per cent is diverted by Government officials. Cement, roofing, steel bars and other building materials destined for schools and refugee housing mysteriously end up on the open market or in private villas and apartment buildings. "What gets down to the poor — of a —— in the paddy field," one official said, "is a trickle." A U.S. Army Special Forces captain one told me how he had arranged for rice to be flown in American planes to a camp of several thousands refugees in a remote area who were suffering from malnutrition. The local district chief confiscated the rice and sold it to the refugees at exorbitant prices.

While Americans worry about winning the war and creating an effective Vietnamese Government that can gain the support of its people, the mandarin families that run the regime have a different set of priorities. In one important province on the central coast this spring a rare honest and effective Vietnamese official, who was a favorite of the Americans, was fired because he began to talk about corruption by the two senior military commanders in the region. He was replaced by a cousin of one of the generals.

Numerous complaints from the American Embassy led Premier Ky to warn his fellow generals at one meeting of the junta that they were embezzling too much and should exercise some restraint. Their reply was that they had to think of their families. Vows by the Premier that corrupt officials will be shot have brought periodic headlines in the Saigon newspapers and the execution of one Chinese businessman and a half-dozen common hoodlums. Ordinary Vietnamese assume that Premier Ky has found it imprudent to arrange firing squads for some of his colleagues on the junta. One general's wife is sometimes referred to as "Queen of the Payoff."

Promises of land reform are solemnly reported in the American press and are apparently taken with some seriousness in official circles in Washington. I have often wondered why, since the promises are never carried out and the speeches made today are practically identical in content and phrasing to those made four years ago by some other Government leader. To gain their own ends, Asians frequently tell Americans what they think Americans want to hear. The Vietnamese, possibly because of their greater experience with Americans, seem to have developed a particular talent for this. Last April, during one of his more candid moments, Premier Ky told a group of correspondents: "Never believe what any Vietnamese tells you, including me."

In February, amid the hoopla following the Honolulu conference that was to lead to an intensive program of social, political and economic reform, the junta organized a "Social Revolution Day" in Saigon. Two thousand civil servants, soldiers, students and religious leaders were assembled on the lawn of the former presidential palace in the center of the city. The social reformers arrived in their Mercedes-Benz sedans and, dressed in well-tailored suits or bemedaled uniforms, began to read the usual speeches. The scene had a disturbing atmosphere of déjà vu. Within 10 minutes, a segment of the crowd, less polite than the rest, began walking out in boredom. The police, having apparently anticipated what would happen, had locked the gates of the palace grounds. No one was allowed to leave until the speeches had ended, despite a good deal of shouting and arguing back and forth through the steel bars.

The current social system discriminates against the poor and prevents social mobility. The mandarin families resist all efforts to change it, since it works in their favor. Although the United States has spent millions of dollars building primary schools in Vietnam, for example, it has been unable to bring about any fundamental reform of the Vietnamese educational structure, which makes certain that the sons of the prosperous, and almost no one else, will achieve the secondary education necessary to social advancement—whether in the army, the civil service or the professions.

Sending a peasant boy to primary school and then making it virtually impossible for him to achieve a decent secondary-school education fosters discontent, rather than lessening it. There is considerable evidence that many young Vietnamese of peasant origin joint the Vietcong because the Communists, who have been forced by the nature of their revolution to develop leadership from the countryside, offer them their best hope of avoiding a life on the rung of the ladder where they began—at the bottom.

A friend of mine once visited a hamlet with a South Vietnamese Army major who is one of the few field grade officers to defeat the system by rising from a humble beginning. The major spoke to the farmers in peasant dialect instead of in the sophisticated urban Vietnamese most Goverment officials use.

"You're not a major," said one farmer in astonishment.

"Yes, I am," said the major.

"No, you're not," said the farmer. "You talk like a peasant and no peasant could become a major."

A drive through Saigon demonstrates another fashion in which the social system works. Virtually all the new construction consists of luxury apartments, hotels and office buildings financed by Chinese businessmen or affluent Vietnamese with relatives or connections within the regime. The buildings are destined to be rented to Americans. Saigon's workers live, as they always have, in fetid slums on the city's outskirts.

Since 1954, the United States has poured more than $3.2-billion of economic aid into South Vietnam, but no Saigon regime has ever undertaken a low-cost housing project of any size. The Singapore Government, in contrast, is erecting thousands of low-cost housing units for its people.

While Vietnamese with influence prosper in the cities and towns, the war has created a different world in the countryside. It is a world in which the masses of the peasantry no longer live—they endure.

Each afternoon, in the air-conditioned press-briefing room in Saigon, the United States Military Command releases a communiqué reporting that 300 or more "enemy structures" have been destroyed by American fighter-bombers or by the guns of Seventh Fleet warships that day. The statistics imply sound military progress until a visit to the countryside reveals that what is meant by an "enemy structure" is usually a peasant hut in a hamlet the Communists control, or which the American and South Vietnamese authorities suspect the Communists control.

No comprehensive statistics on civilian casualties are available. The nature of the war would make the assembling of such statistics very difficult, but the military authorities have also never seriously attempted to gather them.

An indication of what civilian casualties may be, however, is given by the fact that American and other foreign medical teams working in three-quarters of the country's 43 provinces treat 2,000 civilian war-wounded each month. If one accepts the normal military ratio of one dead for two wounded, the monthly figure is 1,000 civilian dead.

The number of wounded handled by the medical teams, I believe from my own observation, is merely a fraction of the total. The medical teams treat only those wounded who reach the hospitals in provincial capitals. There are undoubtedly many more who never get that far. These victims are helped at Government district headquarters or milita outposts, or by Vietcong field hospitals and dispensaries—or they simply survive, or die, without treatment. Most of the wounds I have seen in the provincial hospitals are the type a victim could survive for two or three days without medical attention. Wounds that require rapid treatment are not usually in evidence, presumably because the victims die before they can obtain hospitalization.

Although civilians are being killed and wounded by both sides, my own investigations have indicated that the majority of civilians casualties result from American and South Vietnamese airstrikes and artillery and naval gunfire. Last November, I found one fishing village in Quangngai province, on the central coast north of Saigon, in which at least 180 persons—and possibly 600—had been killed during the previous two months by aircraft and Seventh Fleet destroyers. The five hamlets that composed the village, once a prosperous community of 15,000 people, had been reduced to rubble.

The gun and the knife of the Vietcong assassin are, in contrast, far more selective than cannon and fragmentation bombs; the victims are usually limited to Government officials and sympathizers. It has been estimated that, over the past decade, about 20,000 persons have been assassinated by Communist terrorists. This is a gruesome total, but the annual average is a great deal lower than the probable yearly number of ordinary civilian victims of the war.

Lack of sufficient American troops to occupy and hold ground when it has been wrested from the Communists is one of the major reasons for the extent of damage to civilian life and property. Once a battle has ended, the American and South Vietnamese troops withdraw. The theoretical follow-up by South Vietnamese territorial forces, police and administrators to pacify the region does not materialize except in a very limited number of instances, and the Vietcong guerrillas and their North Vietnamese allies move in again. The Americans eventually return and the same region is thus fought over repeatedly.

It would be easy to blame the American military authorities for the destruction, but this would not be fair. The Vietcong and the North Vietnamese regulars habitually fortify hamlets with elaborate trenchwork and bunker systems. Infantry attacking in classic style across open paddy fields would suffer prohibitive casualties. Under these circumstances, military commanders can only be expected to use whatever force is at their disposal.

Gen. William C. Westmoreland, the United States military commander in Vietnam, has ordered that all possible care be taken to avoid killing and wounding the innocent and that, whenever feasible, civilians be warned to leave their hamlets prior to airstrikes and artillery bombardments. Unfortunately, General Westmoreland's order has sometimes been ignored by subordinate commanders.

Hamlets are also habitually bombed and shelled at the request of a South Vietnamese province or district chief who has been told by some paid informer that Communist troops are present there. Information from informers is notoriously unreliable, the peasants are often not responsible for the presence of the Communists and, since ground units do not exploit the bombings and shellings, these attacks seem to have negligible military value. American officials excuse the practice by claiming that the Vietnamese, as the legal authorities, have the right to destroy their own hamlets, even if Americans perform the destructive acts—a fine bit of legalism that ignores the basic moral issue. I have occasionally thought that the practice results largely from the cynicism of South Vietnamese officialdom and a superfluity of aircraft and artillery.

The extraordinary firepower of American weaponry, whose ferocity must be witnessed to be comprehended, is another contributing factor to widespread civilian suffering. On an average day, U.S. warplanes alone loose 175 to 200 tons of explosives on the South Vietnamese countryside. Then there are the thousands of artillery and naval shells and the hundreds of thousands of rounds of mortar and small-arms ammunition. The cratered landscape seen from an airplane window is an excellent advertisement for the ingenuity of American munitions makers.

The flow of refugees from the countryside is the most eloquent evidence available of the gradual destruction of rural society under the impact of the war. The number of refugees has now passed the million mark. It takes a great deal to make a Vietnamese peasant forsake his land and the graves of his ancestors.

Most refugees I have questioned told me that the Vietcong taxed them and made them work harder than usual, but that they could live with the Communists. They left their homes, they said, because they could no longer bear American and South Vietnamese bombs and shells.

If resettled properly, the refugees could conceivably develop into an asset for the Saigon Government. Yet, true to its usual behavior, the regime neglects them and the majority are left to shift for themselves. Refugee slums have risen in the cities almost as fast as G.I. bars.

Deserted hamlets and barren rice fields, now a common sight, are other evidence of what the war is doing to rural South Vietnam. In several provinces on the northern central coast as much as one-third of the rice land has been forsaken. The American policy of killing crops in Communist-held areas by spraying them with chemical defoliants from aircraft is hastening this process. During the first six months of this year 59,000 acres were destroyed.

The corrosive effect on the country of the American presence is not confined to military operations. Economically and culturally, the advent of the Americans has introduced maladies only time can cure. One is inflation. The primitive economy, already seriously disrupted by the war, has now been swamped by the purchasing power of tens of millions of dollars being dispensed for the construction of bases, airfields and port facilities and by the free spending of the individual American soldier.

This year the United States will pump a minimum of $140-million into the Vietnamese economy to cover the locally generated costs of the construction of new bases and the maintenance of existing ones. This sum constitutes about one-seventh of the country's entire money supply. American troops are themselves currently spending another $7-million a month.

The moral degeneration caused by the G.I. culture that has mushroomed in the cities and towns is another malady. Bars and bordellos, thousands of young Vietnamese women degrading themselves as bar girls and prostitutes, gangs of hoodlums and beggars and children selling their older sisters and picking pockets have become ubiquitous features of urban life. I have sometimes thought, when a street urchin with sores covering his legs, stopped me and begged for a few cents' worth of Vietnamese piastres, that he might be better off growing up as a political commissar. He would then, at least, have some self-respect.

Rarely in any war has the name of the people been evoked more by both sides than in the Vietnam conflict. Yet the Vietnamese peasantry, who serve as cannon fodder for Communists and non-Communists, remain curiously mute—a hushed Greek chorus to their own tragedy.

The conditions of life in Vietnam will probably always make an accurate assessment of the peasants' attitudes toward the war impossible to obtain. I have received the impression, however, on visits to accessible hamlets, that many of the peasants are so weary of the fighting they would accept any settlement that brought them peace.

Last March, I spent two days in one hamlet south of the port of Danang on the central coast. A company of U.S. Marines had seized the hamlet from the Vietcong six months previously, and a Government pacification team, protected by the Marines, was working there. In three years, the hamlet had changed hands three times. There were almost no young men in the community. Roughly half of the families had sons, brothers or husbands in the Communist ranks. The remaining families were about equally divided between those with neutral attitudes and those who were Government sympathizers.

The morning after I arrived, the peasants, under the supervision of the Government pacification workers, began constructing a fence around the hamlet perimeter to keep out Vietcong infiltrators. Through an interpreter, I asked two farmers among a group of old men, women and children digging postholes if they thought the fence would be of any use.

"Maybe it will," one said, "but I don't think so. A fence won't keep out the Vietcong."

"What did the Vietcong make you do when they controlled the hamlet?" I asked.

"They made us pull down the fence we had put up before, and dig trenches and lay booby traps," the second farmer said.

"Well, if you don't think the fence will do any good," I asked, "why are you putting it up?"

"We are just plain farmers," the first peasant said, glancing apprehensively at a policeman a few feet away with a carbine slung across his arm. "We have to obey any Government here."

As he spoke, a Vietcong sniper, hidden in a patch of sugar cane beyond the paddy fields, fired two shots. The old men, women and children scurried for cover, their fear and lack of enthusiasm for fence-building evident on their faces.

During a tour of South Vietnam in 1963, Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, referred to the conflict as a "dirty little war." While the Vietnam conflict may be even dirtier now than it was in 1963, it can no longer be termed little.

Reliable statistics are very elusive in Vietnam, but I would estimate that at least 250,000 persons have been killed since the war began in 1957. Last year, according to official figures, 34,585 Communists were killed and the Saigon Government forces suffered 11,200 deaths. Through mid-September of this year, again according to official statistics, 37,299 Vietcong and North Vietnamese regulars have died in battle and 7,017 Government troops have been killed.

American losses remained at a relatively low level until 1965, when the Johnson Administration committed ground combat units and began to create an expeditionary corps. That year, 1,369 American servicemen died in North and South Vietnam and neighboring Laos, and 6,114 were wounded. This year, as American offensive operations have picked up stride with the strengthening of the logistical apparatus, casualties have soared to 3,524 killed and 21,107 wounded, through mid-September. American dead are now averaging nearly a hundred a week and can be expected to increase as the expeditionary corps grows and more Americans are exposed to hostile fire.

The attitudes of the leadership in Hanoi and Washington indicate that the contest is far from being resolved. The rate at which North Vietnam is infiltrating its regular troops into the South and the willingness of the United States to engage its own ground forces and to escalate the air war against the North portend several more years of serious bloodshed. The world may hope for peace, but neither side has yet hurt the other sufficiently to prevent it from continuing. Both sides are trapped in a dilemma created by their history and political and strategic considerations. Washington cannot withdraw its troops from South Vietnam, as Hanoi demands, without making certain an eventual Communist seizure of power there and negating all the efforts of the last decade to maintain a friendly Government in Saigon.

Hanoi's best chance of winning now lies in prolonging the bloodletting to the point where the American public will tire of a war for a small land whose name most Americans cannot even pronounce correctly (they tend to say "Veetnam"). If the North de-escalates the fighting it will remove the principal source of political pressure on the Johnson Administration—the number of coffins being flown home from Saigon. Without the killing, the United States might be able to occupy South Vietnam indefinitely. The fact that 60,000 U.S. troops are stationed in South Korea brings no demonstrators into the streets and arouses no anxiety among American mothers, because the shooting in Korea has stopped.

A year ago, I worried that the patience of the American people would run out, that Ho Chi Minh would have his way and that the United States would lose the Vietnam war. This fear no longer troubles me nearly as much. I have the feeling that somehow we can muddle through this grim business. We may not win in Vietnam as we won in World War II, yet we may well prevail. Given our overwhelming military superiority, it is entirely possible that Washington, over a period of years, may be able to destroy the Vietcong and North Vietnamese main-force units in the South, and to transform what is currently a militarily sound but politically weak position into one of some, if doubtful, political strength.

Rather, my quiet worry concerns what we are doing to ourselves in the course of prosecuting and possibly some day winning this war. In World War II and in Korea the aggression of one state against another was an established fact. The United States acted with clear moral justification and Americans fought as they always like to think they fight—for human freedom and dignity. In Vietnam this moral superiority has given way to the amorality of great power politics, specifically, to the problem of maintaining the United States as the paramount power in Southeast Asia. The Vietnamese people have become mere pawns in the struggle. Whatever desires they might possess have become incidental. The United States can no longer make any pretense of fighting to safeguard South Vietnam's independence. The presence of 317,000 American troops in the country has made a mockery of its sovereignty and the military junta in Saigon would not last a week without American bayonets to protect it.

Precisely because the Saigon Government represents nothing beyond its administration and army, the United States has had to fall back on its own military force to maintain its position and to win the war. Washington can dispense the latest in weaponry, but the First Air Cavalry Division and the Third Marine Amphibious Force cannot inspire the loyalty of the Vietnamese peasantry, and General Motors cannot manufacture decent non-Communist Vietnamese leadership, effective government and dedication. Only Vietnamese can supply these and the non-Communist Vietnamese have proven themselves incapable of providing them.

Thus, in the final analysis, American strategy in Vietnam consists of creating a killing machine in the form of a highly equipped expeditionary corps and then turning this machine on the enemy in the hope that over the years enough killing will be done to force the enemy's collapse through exhaustion and despair. This strategy, although possibly the only feasible alternative open to a modern industrial power in such a situation, is of necessity brutal and heedless of many of its victims.

Despite these misgivings, I do not see how we can do anything but continue to prosecute the war. We can and should limit the violence and the suffering being inflicted on the civilians as much as possible, but, for whatever reasons, successive Administrations in Washington have carried the commitment in Vietnam to the point where it would be very difficult to prevent any precipitate retreat from degenerating into a rout. If the United States were to disengage from Vietnam under adverse conditions, I believe that the resulting political and psychological shockwaves might undermine our entire position in Southeast Asia. We shall, I am afraid, have to put up with our Vietnamese mandarin allies. We shall not be able to reform them and it is unlikely that we shall be able to find any other Vietnamese willing to cooperate with us. We shall have to continue to rely mainly on our military power, accept the odium attached to its use and hope that someday this power will bring us to a favorable settlement.

But I simply cannot help worrying that, in the process of waging this war, we are corrupting ourselves. I wonder, when I look at the bombed-out peasant hamlets, the orphans begging and stealing on the streets of Saigon and the women and children with napalm burns lying on the hospital cots, whether the United States or any nation has the right to inflict this suffering and degradation on another people for its own ends. And I hope we will not, in the name of some anti-Communist crusade, do this again.

PEACEFUL ENGAGEMENT OUR OBJECTIVE IN EUROPE

Mr. McGEE. Mr. President, last week President Johnson, in addressing the National Conference of Editorial Writers, said that our objective in Europe is to end what he called the bitter legacy of World War II and move on front the narrow concept of peacful coexistence to the broader vision of peaceful engagement. The speech was a remarkable one for the reality which it recognized. In an editorial yesterday, the Washington Evening Star commented upon this laudable address. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HIS GOAL—PEACEFUL ENGAGEMENT

President Johnson's discussion last week of his objectives in Europe deserves high marks on at least three counts—its awareness of the realities, its sensible character and a tone that was hopeful despite an obvious recognition of the difficulties which lie ahead.

The address to the National Conference of Editorial Writers did not concern itself with Viet Nam, nor was it designed to do so. In fact, the President mentioned that war only once—when he said that we do not intend to let our differences with the Soviet Union on Viet Nam prevent us from exploring all opportunities for improving the political climate in Europe. If there is new hope with respect to the Vietnamese war, it will be found elsewhere—in such things as the recent interesting undertakings and cryptic comments of Indonesia's Adam Malik.

Of Europe, the President said: "We know the world is changing. Our policy must reflect the reality of today—not yesterday." Our objective, he went on to say, "is to end the bitter legacy of World War II"—to move on "from the narrow concept of peaceful coexistence to the broader vision of peaceful engagement."

The details, the initial steps, which the President believes are necessary to the attainment of his goal were spelled out in the address, and need not be repeated here, though perhaps one should be mentioned. This has to do with the strengthening, the unifying, of a Western Europe which includes the France of Charles de Gaulle as an essential pre-condition to achieving that balance of power which is needed to bridge the gulf that still divides East and West. But the President probably had De Gaulle in mind when he said that "in every part of the world, new forces are at the gates: New countries, new aspirations, new men. In this spirit, let us look ahead to the tasks that confront the Atlantic nations." In short, France will not always be the France of Charles de Gaulle; new men soon will be knocking at the gates of Paris.

The President is laboring under no illusion. "The building of true peace and reconciliation in Europe," he said, "will be a long process." Still, one may believe that this address marked a long step in that direction. Not so much, perhaps, because of any special devotion anywhere to peace merely for the sake of peace. But rather because peace and the material progress which would attend it, as long as national security is not threatened, serve the interests of all concerned. It has long been our view that the men who will make the choice between war and peace in Europe are rational men—and that rational men in the end will support that which is beneficial rather than ruinous to themselves and their countries.

TAX STATUS OF EDUCATIONAL EXPENSES OF TEACHERS

Mr. DODD. Mr. President, many of us in Congress have been deeply concerned for many years over the inconsistencies in determining the tax status of educational expenses incurred by teachers.

The regulations proposed by the Treasury Department earlier this year appeared to me to represent a very restrictive interpretation of the law, and I am very happy that this ruling has been reconsidered.

Although the revised rules are more liberal, I hope thc Senate will still consider legislation pending in the Finance Committee. The bill, of which I am a cosponsor, would provide a uniform method by which teachers could claim deductions for their educational expenses.

The passage of this legislation would give statutory affirmation to the principle that the cost to teachers of improving their skills and expanding their knowledge is a necessary business expense and, as such, should be deductible. In addition, the terms of the bill are broader and more specific than those of the proposed new Treasury regulations.

Teachers are called upon to perform one of the most important functions in our society, and we should do everything possible to assist them. I hope, particularly, that Congress and the other branches of the Federal Government will finally take positive action to encourage our teachers to continue their own formal education.

THE INTERNATIONAL JOINT COMMITTEE

Mr. BAYH. Mr. President, the recent issue of Inco magazine carried a very informative article written by the Honorable A. D. P. Heeney, Q.C., describing the important work performed by the International Joint Commission. Mr. Heeney is the Chairman of the Canadian section of the Commission. This agency, which was established by the United States and Canada in 1909, for nearly 60 years has been playing a very significant role in helping to minimize and settle any disputes which may arise with our friendly neighbor to the north.

As the author points out, the Commissioners do not serve as protagonists trying to win a contest for their own country, but rather seek "solutions to common problems in the common interest." Testimony to this harmonious, constructive approach to international relations is the fact that in only 3 of the more than 80 cases which have been before the Commission have the members divided on national grounds or been unable to agree on a settlement.

It is especially pleasing for me to call attention to the fact that since January 7 of this year the Honorable Matthew E. Welsh, former Governor of the State of Indiana, has been the Chairman of the U.S. section of the International Joint Commission.

Mr. President, I ask unanimous consent that this article be printed in full at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DIPLOMACY WITH A DIFFERENCE: THE INTERNATIONAL JOINT COMMISSION

(By A. D. P. Heeney, Q.C., Chairman, Canadian Section, International Joint Commission)

To the great majority of Canadians and Americans whose daily associations are almost uniformly friendly and effortless, it is ironic and puzzling that there should be problems and differences between their countries. Yet the reason is plain enough, for it is rooted in the history and economics of neighborhood. It persists as a condition of our continental cohabitation because Canada, no less than the United States, is determined to remain in charge of its own affairs despite the great disparity in their power and influence in the world. And, as each country develops and prospers, their involvement with one another at every level continues to multiply. So, inevitably, do the occasions for disagreement and friction.

Questions arising between Canada and the United States are normally dealt with by the conventional diplomatic means—negotiations between governments. But in one area—"along the common frontier"—the two countries employ quite other methods for settling their differences, and have done so for more than half a century. Such matters are dealt with by the most venerable of Canada-United States institutions, which enjoys the somewhat grandiose title of "International Joint Commission."

A SUCCESSFUL EXPERIMENT

Amid predictions that it would be a short-lived experiment, the International Joint Commission was created by the Boundary Waters Treaty of 1909. "Not so!" commented Elihu Root, when supporting in the Senate the Treaty he had earlier signed as Secretary of State, "I do not anticipate that the time will ever come when this Commission will not be needed. I think that as the two countries along this tremendous boundary become more and more thickly settled the need for it will increase . . ." Despite a shaky beginning and several threats of premature demise, the record of the Commission during the past fifty-odd years has vindicated the predictions of its sponsors. Nowadays it is commonplace for orators in both countries to point with pride to the unique and constructive role of the IJC in the complex course of Canadian-American relations.

The unique features of the International Joint Commission are its composition and its method of operation; its chief virtue is its flexibility, its capacity to adjust to change. It was the conviction of the negotiators of the 1909 Treaty that solutions to "boundary" problems should be sought not in the normal bilateral negotiations of diplomacy but in the deliberations of a permanent tribunal composed equally of Canadians and Americans. To this principle the Treaty gave its sanction; to it the Commission has sought to adhere ever since. The Commissioners act, not as delegates striving for national advantage under instruction from their respective governments, but as members of a single body seeking solutions to common problems in the common interest. The approach is not dissimilar to that of a court of law composed of a number of judges. The conclusions are the Commission's, though they embrace the individual opinions of the several Commissioners. They are arrived at after a process of weighing the evidence, though the procedure of the Commission is characterized by a flexibility unknown to the rules of legal evidence. The decisions are made after due, and joint, deliberation.

The search for the common interest as a basis for settlement has been a cardinal feature not only of the IJC's proceedings but also of the work of the joint technical boards created by the Commission in its own image to assist in its investigations. The IJC's first U.S. Chairman, James A. Tawney, expressed the idea this way: "We are neither Canadians nor Americans but we are each and all representatives of all the people on both sides . . ." This attitude has enabled the Commission to reach harmonious conclusions in virtually every case that has come before it. Only in those rare instances where this posture has not been wholly sustained have satisfactory solutions proved elusive.

NEW MODEL DIPLOMACY

Although formal negotiation of the Boundary Waters Treaty was conducted through London and the British Embassy in Washington, the real father of the Treaty was a lawyer from Ontario, George Gibbons. As Canadian Chairman of an *ad hoc* waterways commission set up by Canada and the United States in 1903, he became convinced that effective development of water resources intersected by the international boundary would be severely hampered unless there were prior agreement on the principles which should govern their use and unless some "permanent" body were set up with authority to apply them. The alternatives—special *ad hoc* commissions or diplomatic negotiations (through London) for each case—were equally objectionable, for experience had amply shown that both of these methods entailed long and repeated wrangling.

What was needed, Gibbons concluded, was a mode of direct contact between Ottawa and Washington through a jointly constituted body which would be permanent, above local prejudice and governed by agreed principles. Indeed, Gibbons thought, such a forum might well prove capable of dealing not only with water problems but also with other matters at issue between the two countries. "Once the Americans come to deal directly with us," he wrote, "they will play the game fairly. It is only because we have got John Bull along that they bully us. Once get him out of the game and there will be no prestige in tackling a little fellow who will kick their shins."

Sent to Washington in 1907 to explore the possibilities, Gibbons at first found Secretary of State Root unenthusiastic. To confer such powers upon any international body involved issues "too grave for the Governments to renounce control over." The "little grey terrier" persisted tenaciously in his views and soon found a strong ally in Washington. Chandler Anderson, a special adviser to the Secretary of State, was in basic sympathy with the project and, with his support, Root was finally won over.

The governments collaborated to draft the Boundary Waters Treaty which was signed on January 11, 1909. By 1912 the IJC was in business with a full complement of Commissioners. Alas, Gibbons was not among them. Following the Canadian election of 1911, he had been banished to the political wilderness with his patron, Sir Wilfrid Laurier.

A PHILOSOPHY IN ACTION

Gibbons had gone, but his ideas had been embodied in the Treaty and his philosophy was to guide the IJC in action. The Treaty had provided that the Commission was to act as a unit in all matters coming before it. Decisions were to be made by a majority of the Commissioners, irrespective of their nationality. Though allowance was made for separate reports to each government, the authors of the Treaty believed—and the governments intended—that resort to this provision would be infrequent and that the Commission would normally be able to function in unison to achieve equitable solutions in the common interest of both countries.

Over the years there has been striking evidence of the Commissioners' attachment to this basic philosophy of impartiality and disinterest. In only three of the eighty-odd cases with which the Commission has dealt have the Commissioners divided on national lines or failed to reach agreement. There is good reason to believe, however, that, on at least one of these occasions, failure to agree was the result of the adoption by Commissioners, public and in advance, of positions conceived to be those of their respective governments. Consequently, when they sat down to deliberate upon the issues, the Commissioners found themselves negotiators rather than impartial investigators and the Commission machinery broke down. There seems little reason to anticipate a repetition of such experience.

THE JOINT APPROACH

The cases which have come before the Commission so far have all arisen along the boundary. In one instance the problem was one of air pollution and it seems likely there will be more of such references as industrial plants burgeon in border areas. But to date the great bulk of IJC business has been concerned with the use of our great common water resources, from Passamaquoddy Bay to the Pacific. It has involved questions of domestic and sanitary supply, navigation, power development, irrigation and pollution. It has varied in nature and extent from the extraction of maximum benefit from small prairie streams to multi-million dollar developments on our great rivers. Most of these cases have come before the Commission as agreed "references" from the two governments. After investigations and public hearings, the conclusions and recommendations have gone forward to Washington and Ottawa. In others, the IJC has exercised its "judicial" authority under the Treaty and ruled upon proposals for the construction of works which affect natural water levels and flows.

To conduct its investigations for technical advice, the Commission requires substantial assistance from experts. Because it is authorized by the governments in each case to call upon the best-qualified experts in the public services of the two countries, the IJC is able to meet the personnel requirements while keeping its permanent staff to a modest minimum. The Commission has taken full advantage of this authority and, in so doing, has developed a novel and effective mechanism and procedure for assembling and coordinating the information and advice it requires. It selects the experts suited to its purposes and assembles them into "international boards," Americans and Canadians acting as one body under joint chairmen. At present there are twenty-six of these boards at work, some engaged in investigatory work preliminary to Commission reports, others in a supervisory role in situations already the subject of Commission action.

On the whole this system of joint international boards has proved an effective means of mobilizing the variety of talent and experience required for the Commission's business. Certainly this technique has proved a valuable incentive to the closer coordination of federal departmental operations in both countries while, particularly in water pollution cases, it has greatly facilitated cooperation with responsible state and provincial authorities.

WATER POLLUTION AND LAKE LEVELS

There are some twenty cases of various kinds and at various stages currently before the Commission. Of course, the most important in terms of their scale and potential consequences—economic, social and political—have to do with the Great Lakes Basin. Here the most urgent problem is water pollution, about which there is increasing anxiety among both Americans and Canadians. Equally large in scope is the study launched by the IJC over a year ago into water levels throughout the Basin.

Reports of the increasing pollution of North America's water resources and the fearful prospect of critical shortages of clean water in some regions have given rise to public anxiety in both Canada and the United States. Pollution is no respecter of political division and the consequences of pollution in lakes and rivers which straddle the border may affect health and property on both sides of the line. The thousands of miles of water frontier between the two countries, the scores of rivers and streams which flow across the border—all in some degree open to misuse—are, in this context, potential sources of friction and dispute. Here the Commission has no direct jurisdiction. But Article IV of the Treaty does prohibit the pollution of boundary and trans-boundary waters on either side of the border "to the injury of health or property on the other side." It is under this provision that the IJC has been drawn increasingly into the gathering battle against water pollution. This seems altogether likely to become its principal preoccupation.

The Commission was first engaged in a study of water pollution as long ago as 1918 when it found the situation in parts of the Great Lakes "generally chaotic, everywhere perilous and in some cases disgraceful." But even such forceful language failed to produce any positive results and the Commission's warning of things to come was ignored.

It was not until after the Second World War that the governments took up the problem again. Since 1946, there have been six Commission references and investigations on aspects of pollution involving principally the "Connecting Channels" of the Great Lakes, the St. Croix River, the Rainy River-Lake of of the Woods area and, in 1964, the Red River (of the North) and the Great Lakes themselves. In most cases where the IJC has completed its investigations and submitted recommendations to governments, the results have been constructive and the situation has been improved. Local authorities have in several instances accepted the Commission's "objectives for water quality" and taken action accordingly. In other cases progress has been disappointingly slow.

The real test of the will of Canadian and United States authorities to enforce the prohibition of Article IV, and, perhaps, of the effectiveness of the IJC machinery and method in combating pollution in boundary waters will be in the vast Great Lakes investigation now going forward. Included in the study are Lake Erie, Lake Ontario and the international section of the St. Lawrence. It is probably the most extensive and most complex investigation of its kind ever undertaken. Not only does it involve immense bodies of water but it includes problems not dealt with in previous studies—for example, the effects of the massive introduction of nutrients, the baffling phenomenon of eutrophication.

The Great Lakes investigation is as urgent as it is complex. Not long after it was initiated, it became evident to the Commissioners that the condition of these waters, particularly Lake Erie, was bad and growing worse. Accordingly, in an interim report submitted to governments at the end of last year, the Commission emphasized the need for emergency measures to slow down the process of deterioration and to press on with the research required to understand the problem better and to devise solutions. There are signs that state and provincial governments as well as the federal authorities appreciate the gravity of the situation. The Commission's program is now going forward satisfactorily through the coordinated efforts of officials on both sides of the line.

In the war on pollution, it is the local authorities that have the primary responsibility and the principal weapons of enforcement. This is not to say that the federal governments are without responsibility or recourse. The problem has become national, as well as international, in scope, and Washington and Ottawa possess effective means of persuasion and dissuasion. Nor is the IJC itself powerless where the waters are international. It does not hesitate to criticize offenders, whether public authorities or private industries, and the standing of the Commission, backed by the federal governments, gives weight to its criticisms and recommendations. But, measured against the enormity and urgency of the problem, progress is distressingly slow.

Another major problem under current examination by the Commission is the possibility of establishing a more satisfactory regimen for the levels of the Great Lakes. This is certainly the most extensive hydrological study ever undertaken in North America, perhaps the largest undertaken anywhere. Although the immediate occasion for its initiation was the abnormally low water levels of 1963 and 1964, the risks of high water damage, like that of 1952, are also under study. The object is to seek long-term improvements which would reduce the "range of stage" by bringing some or all of the Lakes under stricter regulation and so improve the situation of riparian and other interests such as navigation and power production.

Of other activities in which the Commission is engaged, a number involve surveillance or control of situations or arrangements already sanctioned. Of these, the most important and best known is that for the regulation of levels and flows on Lake Ontario and the St. Lawrence River in the interests of those entitled to use the water for purposes including domestic and sanitary supply, navigation and power.

In such matters the order of prior right of use is laid down by the Treaty and the Commission exercises its authority under boards of control. Similar arrangements are made for supervision of regimes established to reduce pollution, and the Commission's technical boards report regularly to the IJC so that any necessary corrective actions can be initiated.

THE FUTURE OF THE COMMISSION

The IJC has demonstrated that the machinery devised by the authors of the Boundary Waters Treaty—a permanent joint body outside the normal diplomatic machinery—is capable of reaching mutually acceptable solutions in one area of relations between Canada and the United States. It is not surprising, therefore, that from time to time proposals have been advanced for extending the Commission's field of action—or at least its method—to other areas of our relations. There is no barrier in the Treaty to such a development.

A suggestion which has gained some currency recently would convert the present Commission into, or replace it by, a supranational institution and endow it with authority to manage all aspects of boundary waters, or at least of the Great Lakes Basin. Such a body would apparently have powers comparable to a domestic administrative or regulatory body, including the power to license and presumably to enforce. This idea appears to derive in part from the "multiplicity" of government agencies in both countries that now have responsibilities over water and its use and from the desirability of greater concentration of authority. It would be so much simpler, it is said, if there were but one duly constituted authority to deal with all water questions.

Such proposals do credit to the zeal and social conscience of their proponents but somewhat less to their sense of present reality and their judgment of the possible in international, let alone national, affairs. If the IJC is to assume this new guise, there would, of course, have to be a new and radically different treaty. For the whole philosophy of the Boundary Waters Treaty is quite opposed to the concept of an international body with administrative and enforcement functions.

The Commission, as presently constituted, is dedicated to the proposition that equitable solutions to common problems can be worked out by close cooperation between jurisdictions—national and international—under agreed principles and upon a foundation of mutual confidence.

This is not to say that there is not room, and hope, in both countries, for improvement in the machinery of national and local government to deal more satisfactorily with the vital and critical problems of water resources. Nor does it mean that the IJC itself could not be strengthened and its procedures improved. Happily, there are grounds for encouragement on the first count. As to the IJC, I am persuaded that, if the governments of the United States and Canada have the will, and provide the means to employ it to its full capacity, the Commission will be able in the future—even more substantially than in the past—to contribute to the solution of these problems and to further strengthen Canada-United States relations.

CONSTRUCTIVE REPUBLICAN COMMENTS ON FOREIGN POLICY

Mr. SCOTT. Mr. President, I rise to salute three of my colleagues for foreign policy speeches which they recently delivered.

Last Thursday, in this chamber, the distinguished junior Senator from Kansas [Mr. Pearson] presented an instructive survey of changing world realities which, in his judgment, require major changes in U.S. foreign policy. His thoughtful and eloquent statement merits careful study by Members of Congress, responsible officials of the executive branch, and students of foreign affairs.

I am pleased to join my able colleague from Kansas in sponsoring Senate Joint Resolution 198, to establish a National Advisory Commission on Foreign Policy, which he introduced at the conclusion of his remarks. This Commission would be unique because the resolution would require its members to devote at least half of their time to the Commission's work and would authorize appropriate leaves of absence for those Commissioners appointed from the Government.

On the next day, the able minority whip [Mr. Kuchel] made some interesting remarks about Communist China and the war in Vietnam. His recommendation that the United States ask the United Nations Security Council "to establish a collective guarantee of the territorial integrity of the borders of Vietnam, both north and south, against external attack on either area" will receive, I trust, serious attention by the President and his chief foreign policy advisers.

Finally, Mr. President, I want to commend the able and articulate senior Senator from New York [Mr. Javits] for the series of four speeches which he has given over the past several weeks on the problem of Vietnam. These speeches are typical examples of Senator Javits' expert approach to problems of American foreign policy.

The foreign policy statements which I have just cited are illustrative of constructive analysis and criticism, at its best, of U.S. foreign policy by Republican Senators. This is why I have taken this opportunity to salute my three colleagues from Kansas, California, and New York.

THE FORD FOUNDATION TELEVISION PROPOSAL

Mr. HARTKE. Mr. President, recently the Senate Communications Subcommittee held hearings on a proposal by the Ford Foundation for providing satellite communications for broadcasting in this country. Thereafter W. Theodore Pierson, one of the leading communications lawyers of Washington, took the Ford Foundation proposal as the subject of a very lucid speech. Mr. Pierson is a man of great learning who knows the broadcast industry and its problems intimately and sympathetically. I wish to share my copy of his remarks with my colleagues and ask unanimous consent that they be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Dual System of Television Broadcasting: Profit and Nonprofit

(Talk by W. Theodore Pierson[1] at the American Women in Radio & Television Southwestern Area Conference, Oklahoma City, Okla., Sept. 17, 1966)

The theme of this conference is "Through The Looking Glass." I take this to mean a look at ourselves—an examination of ourselves. There are several problems with such an exercise.

First of all, we all tend to pose when we look into a mirror and pose in a manner that will make more pleasing the reflection that comes back. So, for this look to be a self-examination that has integrity, let's avoid the posing—if we can.

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[1] Member of the law firm of Pierson, Ball & Dowd, Washington, D.C.

Second, posing to one side, a single mirror will hardly reflect all sides of us. And some sides of us are more attractive than others. So let's have several mirrors and get the front, the back, the right and the left, the top and the bottom. Unposed, if you please. Don't pull in your stomach; wear it like you normally do. I would even suggest that you might take off the girdles and the falsies, but turning this into a strip-tease is probably going farther than Oklahoma laws will permit—though I can't help being intrigued with the idea.

Third, mirrors can be used to tell us about things outside of ourselves—what is in front and back of us and on each side and what is around the corner. This places us in context—the past, the present and the future—the things with which we are surrounded and threatened. These mirrors can reflect things that we could cheer and things that we could fear. But let's avoid the cheering and the fearing. For this exercise to have any real value, we must not emote at these reflections—we must think, think and then act.

This is my keynote. I could as well now sit down. I cannot within the tolerance of your attention to me say all the things that I see in these many mirrors—as nearsighted as I, at times and by some, have been accused of being. In spite of my myopia, I see more than I have time to relate here. But to avoid the embarrassment of having keynoted for only two minutes, I will present a few of my own views.

First, let us contemplate the total spectrum of benefits that the public might receive from perfect performance by the television sector of this electronic world. Then, let us honestly calculate the extent to which commercial broadcasters can fill this spectrum. Even with some irrepressible posing on our part, the ideal spectrum of benefits is substantially larger than can be filled by the commercial broadcaster.

Let us look deeper into the background and see if we can find out why this is so. In honesty to ourselves, which I think is allowable, we cannot say that it is because we are evil money grubbers. Not only do we give much time and money, but making money is the essential goal of private enterprise and the manner in which it plays its public role. Profit-making makes the system produce many of the things that the public wants and should have. Moreover, making profit in a competitive marketplace makes the consumer king—which is hardly an undemocratic or anti-social condition. It helps avoid political kings.

But there is more than this that fairness to ourselves compels. One of the bulwarks against so-called "thought-control" is the primary profit orientation of the commercial press—electronic and print. In our world, where the consumer is king, the press normally works not for political power or influence, but to get profits. To get profits, one need have public acceptance. To get public acceptance over the long-term, one must be creditable to the public. Creditability is inversely related to cognizable attempts to control public opinion. Being accurate and being reliable are important to profit-making. So profit-making for the press, in a competitive system, disciplines against tendencies to control thought and opinion. This is no small virtue.

But we have just looked at the mirrors which show the attractive and ego-fulfilling sides of us. Let's look at another.

While seeking profits in a competitive system has the good effects we have just noted, there is a limit to the system's capacity to fill the model spectrum of television program choices that, ideally, the public should have. In other words, it's simply not enough. To survive in this competition, each broadcaster must get acceptance and patronage from an economically sufficient portion of the public. While a number of his programs are not compensatory in themselves, they do add to the profitability of his whole schedule. And to get this program mix is the art of station operation. But one thing is certain: if the operator overloads with "loss leaders," he will economically sink under their weight—he will not survive to serve anybody with anything.

So, the look at this particular mirror is ego-deflating. We are not all things to all people, and we cannot be. Beyond doubt, we want to serve our publics and our communities. We are devoted to them for both profit and non-profit reasons. But we cannot fill all their needs.

In another direction, we see a non-profit system attempting to develop, which, if it could develop, could supply many of the things to the public that are beyond the limits of our capacity. I refer, of course, to the educational or so-called non-commercial television system. But its growth has been economically stunted. Can you say that this is of no concern of yours? I think not. Many of you have exhibited concern. More needs to be done, particularly in understanding the problem and devising lasting solutions.

In the non-commercial mirror, much in the foreground, is reflected the haloed image of the Ford Foundation. It recently, with an explosion of publicity, proposed a plan to use satellite economies for the benefit of our non-commercial and educational television system. The technical and economic contributions which satellite delivery could make are not new and are certain. In terms of broad national goals and in view of the great public investment in the development of the space medium, special dividends to the public through support of educational systems would seem quite justifiable. But this should not and need not come at a high cost to other national policy objectives.

Since I believe that the Ford proposals, as publicly presented, do exact a high social cost, I would like to examine them with you in some detail.

The Ford Foundation proposes a Broadcaster's [note the possessive] Non-Profit Satellite System which, for short, it calls "BNS." This is a euphemism for what Ford admits is a more descriptive title: a "National Non-Profit Radio & Television Distribution Service." But the latter title is misleading in that, with the short title, one would infer that the BNS undertaking is a humble one limited to supplying the physical means of carriage for the benefit of broadcasters—commercial and non-commercial. This is an illusion—intended or not. At least for the commercial broadcaster, probably for the non-commercial broadcaster, and certainly for our decentralized system of education, BNS could be a Trojan Horse. But what is more, the thing that is in the belly of this animal might be a monster that could drastically and adversely affect our institutions of democracy—and it is not a bit less frightening because it was conceived by a highly sophisticated money-giver with noble aims.

The Ford Foundation proposes that BNS not only carry or distribute commercial network programs to affiliated stations but that, on five other channels, it produce or at least choose and select all programs that BNS carries, which would include the following:

1. "Informational and cultural" programs for the general public, consisting of:

a) News, news interpretation and documentaries.

b) Public affairs programming.

c) Political programming.

d) Entertainment programs of "high quality" (whatever that means).

(Ford, with altogether characteristic charity, leaves to the existing networks "the full gamut of mass entertainment" which it implicitly holds to be of low quality and as including all types of programs other than those it appropriates for BNS.)

2. "Instructive programs" for the students and teachers of all levels of education in the U.S.

Thus, BNS is not merely to perform a carriage or physical distribution function. The Foundation proposes that, in all significant respects, BNS will combine carriage services with (1) program services similar to many of those now furnished by the three national networks and the several syndicated services and (2) services now performed by the many suppliers of textbook and educational materials. Ford emphasizes that BNS is not to be a common carrier, meaning that it will not be obliged to carry all programs offered for carriage, but that, with the monopoly power it will have acquired, will uncommonly be allowed to carry only what it chooses.

To combine in one organization the exclusive economic and technical advantage of such a system as the Foundation proposes, with the power to choose and select what will be carried, in United States terms, would be a social and political catastrophe of great magnitude. It would tend to concentrate control over vast areas of vital mass and educational communications in one foundation-type organization that would inevitably be either the master or the servant of political government.

Whenever, in our history, we have permitted concentration of control over the physical means of communication, as in the cases of telephone and telegraph, we have insisted that such a monopoly have no control over content and that it carry all legal communications offered. Control over content, as in the case of broadcasters, has been permitted only where a competitive market was proposed and was deemed feasible. Monopolistic power over both the means and the content of communication has never been tolerated where it could be avoided. The underlying reasons were not merely economic or what has come to be called "antitrust" considerations. The compelling reason was that democratic institutions could not survive concentrations of power over knowledge and what, of knowledge, is to be communicated.

Thus, Congress provided that broadcasting power be dispersed among a number of competing licensees and among the several states and communities. It mandated a decentralized structure and not a monolithic one. Pursuant to this congressional mandate, the Commission has adopted basic policies in allocating and assigning frequencies and in regulating the industry that propose to avoid, wherever possible, either local or national concentrations of power over the communication of knowledge. The Ford Foundation proposal, in its present form, not only conflicts with these basic policies but would tend to make them fruitless, meaningless and quixotic.

The Ford Foundation in the opening phase of BNS operations proposes that BNS have control over the content of at least 20 channels that would blanket four regions of the United States with five services each. I say "at least" because Ford does not make clear whether BNS would exercise any measure of content control over the 24 channels that would be made available for distribution of the programs of commercial networks.

Included in the five services, with respect to which BNS would be the program selector, would be its own journalistic, public affairs, political and entertainment programming—so-called "cultural and informational" service. The great economic advantage that BNS, as a program and knowledge purveyor, would have over its competition—the national networks—would tend to drive the latter from the unprofitable "cultural and informational" fields—thus leaving BNS with a virtual monopoly. The networks would tend to be confined to the fields of "mass entertainment"—all as Ford suggests.

Now, to Ford and its coterie of advisors, this might be an appealing prospect, but it would be a tragedy for the freedom of communication of knowledge. And the cataclysmic effect of this disaster could well expand over time.

Direct satellite-to-home distribution of television programs will be economically and technically feasible almost before BNS could start its initial phase. And, if the logic Ford advanced to support the intended undertakings of BNS is acceptable, who but BNS would be the logical entity to take over such services and all the advertising and subscription revenues that BNS could then use in support of its noble "instructive" goals? And then why not expand its services to include facsimile distribution of printed versions of "informational," "cultural" and "instructive" material—e.g., newspapers, periodicals and books?

By this time, and with its great economic advantage, BNS could well become the sole, or at least the primary, source of the educational materials that are used in our educational institutions. It has often been said that our textbook manufacturers are the real programmers of the curricula of our nation's schools. But there is keen competition in this field. And there is the flexibility of choice for each educational unit that a comparative marketplace offers.

How could one achieve greater power over the present and future of our nation than to combine monopolistic power over what is taught in our schools with monopolistic power over the knowledge that is distributed through the print and electronic media?

Is this a ludicrous parade of horrors? I sincerely hope so. But my hope is clouded by Ford's failure to even discuss—let alone deal—with these vital matters. True, Mr. Bundy said that they were primarily interested in generating discussion. But, with all the intellectual talent at its disposal, is it possible that the potential monolithic effects of satellite distribution systems never occurred to Ford? I find this very difficult to believe. If it did occur to the Foundation, how, in its stated interest for a full and complete discussion of the subject, did it fail to even suggest this as an area for serious discussion and study?

My hope is also clouded by the foreknowledge that some of Ford's advisors have been prominent critics of the effectiveness and even of the morality of our profit system for the distribution of "informational and cultural" materials.

My hope is further clouded by Ford's great emphasis upon the "non-profit" and "non-common-carrier" status of BNS. As though "non-profit" enterprises are unadulterated and matchless virtues. I will not throw rocks at charity nor at the great public services that the countless non-governmental non-profit institutions have uniquely contributed to this country's welfare and progress. But no one, no one—government or not—profit or not—should be given the remotest opportunity of establishing monopoly power over the dissemination of knowledge in this country. And we should not reject our national experience: the profit motive that spurs a competitive marketplace, with all its admitted shortcomings, is nevertheless a bulwark against opinion control.

But with all of its contributions, the competitive free enterprise system has left gaps in public service—"cultural," "informational" and "instructive." These gaps need to be filled. An effective parallel non-profit system is a must. Broadcasters should join and work vigorously in their efforts to construct it. And I hope such efforts will be less negative than my discussion of the Ford proposal has been today. I will try to end with a positive and, I hope, a constructive suggestion.

First, let me repeat—it is impossible to believe that the Foundation, with the tremendous intellectual talent at its disposal, can be unaware of the grave social evils that would flow from the birth of BNS, as Ford conceived it. Perhaps it really believed, or perhaps even hoped, that the fetus it had spawned would abort. It is hardly attractive to take up the role of abortionist, but, unless there is a prenatal surgical operation that will modify this fetal monster, abortion is precisely what I suggest for the Ford proposal.

What kind of surgery would help? Principally to make certain that if BNS or anyone else is to have a monopoly over the physical means of distributing communications via satellite, it shall have no control or discretion whatsoever over the content of the broadcasts it carries and shall carry, within the limits of its capacity, all legal communications offered. In other words, it, or whoever supplies the service, shall be a common carrier and not an uncommon monster.

Such surgery might, though not necessarily, destroy the Foundation's hope for producing a pittance—a pittance by its own admission—for support of our country's educational systems. But this, I submit, we can forgo if the pittance would only be food for the monster the Ford proposal might create.

Thank you.

THE SINEWS OF PEACE

Mr. LONG of Missouri. Mr. President, on March 5, 1946, Winston Churchill delivered an address at Westminster College in Fulton, Mo. Although he warned of war the name of the speech was "The Sinews of Peace," and he used for the first time, a phrase, "Iron Curtain," which since has become an integral part of our vocabulary.

Last Thursday, the cornerstone of a memorial to that address was laid on the Westminster campus. The memorial is to be the rebuilt church of St. Mary Aldermanbury which was designed by Christopher Wren in the 17th century and damaged in World War II.

The importance of this event is described well in an editorial which appeared in the Yankton Daily Press and Dakotan of Yankton, S. Dak., October 4.

Mr. President, I ask unanimous consent that the text of the editorial be inserted at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From Yankton (S. Dak.) Daily Press & Dakotan, Oct. 4, 1966]

MEMORIAL TO IMMORTAL WORDS

To all the other distinctions earned by Winston Churchill in his lifetime, another is being conferred upon him 21 months after his death. It is perhaps unique in history—a memorial to a speech.

It was on March 5, 1946, that Churchill, recently turned out of office by the nation he had led through World War II, delivered an address at Westminster College in Fulton, Mo., that was to rank in fame second only to the "blood, sweat and tears" with which he inspired the British people in 1940.

"From Stettin in the Baltic," said Churchill, "to Trieste in the Adriatic, an iron curtain has descended across the continent."

The "iron curtain" speech put the little college on the map and the phrase immediately entered the vocabulary. Churchill's words also shocked the democracies into the realization that the wartime alliance between Russia and the West was at an end and that even as in 1919, when men were congratulating themselves on having won "the war to end wars," the seeds of even greater conflict to come were already sprouting.

The memorial, whose cornerstone is to be laid on the Westminster campus on Oct. 6, will be a rebuilt London landmark, the church of St. Mary Aldermanbury. Designed by Christopher Wren in the 17th century, it was damaged in World War II and was at one time scheduled for destruction.

More than a million dollars have been contributed to the restoration fund. Additional monies are still needed for an attached museum and library which will hold a collection of Churchill paintings, manuscripts and memorabilia.

It is nearly forgotten that the title of Churchill's speech was "The Sinews of Peace." While he warned of war, his emphasis was on the strengthening of freedom so that "the high roads of the future will be clear, not only for us, but for all, not only for our time, but for the century to come."

Today, some 20 years later, the Iron Curtain still exists, but the conditions on which Churchill based his somber pronouncement are startlingly changed. Europe is a miracle removed from the shambles it was in then. The expansion of communism has long since been blunted and disarray infects the Communist bloc the world over.

We think that if Churchill were alive to speak again at Fulton, he would tell us that not only from Stettin to Trieste but from Seoul to Saigon, even in the midst of a local war and universal crisis, a curtain is lifting before the eyes of men, showing them a vision of peace and progress such as they have never seen before.

That this is so is due in no small measure to the fact that a man named Winston Churchill once lived and spoke.

WATERSHED AND FLOOD PREVENTION PROJECTS APPROVED BY COMMITTEE ON PUBLIC WORKS

Mr. MUSKIE. Mr. President, in order that the Members of the Senate and of the House of Representatives, and other interested parties may be advised of the various projects approved by the Committee on Public Works on October 10, 1966, I submit for inclusion in the Congressional Record, information on this matter:

Projects approved by the Committee on Public Works under the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Congress, as amended

Project	*Estimated Federal cost*
Georgia, Little Sandy and Trail Creek	$1,286,141
Oklahoma, Caston-Mountain Creek	1,863,379
Texas, Choctaw Creek	4,837,546
Total	7,987,066

BUILDING PROJECTS APPROVED BY COMMITTEE ON PUBLIC WORKS

Mr. MUSKIE. Mr. President, in order that the Members of the Senate and of the House, particularly the Committees on Appropriations, and other interested parties, may be advised of the public building projects approved by the Committee on Public Works on October

10, 1966, under the provisions of the Public Buildings Act of 1959, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, information on the following projects:

	Federal estimated cost
NEW CONSTRUCTION	
Los Angeles, Calif.: Federal Office Bldg. (supplement), parking facility	$5,582,000
Porthill, Idaho: Border station	230,900
Dayton, Ohio:	
(a) Post office building (revised)	7,292,000
(b) Courthouse and FOB	4,738,000
Fort Worth, Tex.: Federal office building (supplemental) parking facility	3,081,000
ALTERATIONS AND EXTENSIONS	
St. Louis, Mo.: Ordnance	9,266,000
Cleveland, Ohio: Post office, customhouse and courthouse	1,090,000
Fort Worth, Tex.: Federal center (formerly Army depot)	3,081,000
Tyler, Tex.: Post office and courthouse (extension)	2,279,000

U.S.S. "UTAH"

Mr. MOSS. Mr. President, almost everyone knows about the 1,102 American officers and men who lie entombed in the hulk of the U.S.S. *Arizona* at Pearl Harbor. Many tributes have been paid to them and their bravery under Japanese fire in the infamous attack of December 7, 1941. A grateful Nation has erected a handsome monument over the *Arizona* where the colors are flown every day.

But relatively few people realize that the same recognition has not been given to 54 other officers and men who also lost their lives in the Pearl Harbor attack, and who lie entombed in the U.S.S. *Utah* only a few miles away. Their resting place is identified only by a small plaque.

I have been trying to do something about this now since early in 1963—through four sessions of the Congress. I introduced a bill in the 88th Congress directing the Secretary of the Navy to have a flagpole erected over the U.S.S. *Utah* which lies half submerged off Ford Island, and to direct that the colors be raised and lowered each day. I reintroduced the bill at the beginning of the 89th Congress.

In each Congress the measure has been cosponsored by more than 30 other Members of the Senate. President Kennedy expressed interest in the bill, as has President Johnson. Yet I have been unable to get hearings held on it, although I have repeatedly requested them. I had sincerely hoped that the colors could be raised for the first time next December 7—on the 25th anniversary of the Pearl Harbor attack. I am deeply disappointed that this cannot be done.

The Department of the Navy insists that the flag which flies over the U.S.S. *Arizona* is for all of the Pearl Harbor dead. This implies that if our flag were flown over the *Utah* it would detract from the flag and memorial over the *Arizona*. I do not agree and I do not feel we in the Congress should let the Department of the Navy tell us what we should do about this. The *Utah* is on the opposite side of Ford Island, out of view of the *Arizona*. It is a separate ship in a separate location. Moreover, there are separate flags flying over other Pearl Harbor dead who are buried in land cemeteries nearby—and the *Utah* is just as much a military cemetery as any plot of ground containing graves and the granite markers and flowers. Flying the flag over the *Utah*, and raising and lowering it each day, would give similar recognition to its men.

Almost every State, and certainly every area of the country, has one or more of its boys listed among the U.S.S. *Utah* dead. Of the 43 men whose bodies were not found or identified, 13 gave California as their home State; 11, Texas; 3 each Illinois, Iowa, Washington State and New York; 2 each Colorado, Missouri, Virginia and Massachusetts; 1 each Kentucky, Arkansas, Minnesota, Louisiana, Michigan, Oregon, Ohio, and Nebraska; and one who did not list his home. He was, however, born in Iowa. Another man was a native of the Philippine Islands. Many men showed next-of-kin in States other than their home at time of enlistment, so there is hardly a State which is not touched in some way by the ghostly hand of those entombed in the U.S.S. *Utah*.

Mr. President, the more than 30 sponsors of this bill in the Senate are not asking for an elaborate or costly memorial structure for the U.S.S. *Utah*. We are asking only for a simple standard from which our national emblem can be raised with each dawn and lowered with each sunset so that all who see it can remember and honor the brave men who lie under it. We ask only for the men of the U.S.S. *Utah* the same recognition which is willingly given to our other military dead wherever they may lie the world over.

Since this 89th Congress will now shortly adjourn, I realize that we probably cannot take action on the U.S.S. *Utah* bill before adjournment. I shall reintroduce the bill in the 90th Congress. I feel I cannot give up on it. We owe this recognition to the men who died for their country and who are now entombed in the ship. I hope that even a greater number of my colleagues will feel moved to cosponsor the measure next year. I shall begin the fight anew and do everything I can to get the bill considered and passed.

ADDRESS BY ASSISTANT SECRETARY OF THE TREASURY W. TRUE DAVIS BEFORE MISSOURI BANKERS ASSOCIATION

Mr. LONG of Missouri. Mr. President, all Americans are today concerned over the inflationary pressures that are affecting our economy. To maintain our prosperity and preserve the unprecedented gains of the past few years while dampening these pressures is the vital task now challenging our society. Assistant Secretary of the Treasury W. True Davis, speaking before the Missouri Bankers Association on October 5, discussed our Nation's economic objectives. In doing so, he outlined the achievements of our economy since 1961 and explained clearly the administration's program to meet the current challenge.

I believe Assistant Secretary Davis' comments will be of great interest to all Members of the Senate, particularly as we consider the President's recommendations to suspend the investment tax credit and accelerated depreciation procedures.

Mr. President, I ask unanimous consent that Assistant Secretary Davis' speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

NATIONAL ECONOMIC OBJECTIVES

(Remarks by the Honorable W. True Davis, Assistant Secretary, at the Missouri Bankers Association, St. Joseph, Mo., October 5, 1966)

It is good to be home again, and it is a pleasure to meet with bankers of the State of Missouri. For you, more than any other group of citizens, are afforded a continuous opportunity to gain a clear perspective and sensitive understanding of financial and economic conditions within your immediate communities. We in the Treasury are indebted to you, and to the entire banking fraternity, for the steady inflow of financial and business intelligence with which you provide us. This indispensable intelligence assists us in formulating future contingency plans and in initiating immediate measures to insure continued economic growth and stability.

We in the Treasury and you in the banking fraternity have mutual interests and concerns. The most important of these concerns are the economic welfare of our country and the individual well-being of our citizens. For the past six years, this Administration, as President Johnson recently stated, has been trying to make economic policy "the servant of our quest to make American society not only prosperous but progressive, not only affluent but humane, offering not only higher income but wider responsibilities, its people enjoying not only full employment but fuller lives."

No nation has ever enjoyed such prosperity, nor have so many people at one time ever participated in such prosperity. Almost 76.5 million people are now working, and less than four percent of our labor force is unemployed. Our economy today is healthy and strong. For 68 months—more than five and one-half years—the trend of our economy has been pointed in one direction only; and that direction is up! The remarkable, the unique feature of this rise has been the fact that it has taken place in the presence of a fine balance of consumer demand and capacity to produce.

Today's prosperity did not come about by accident. Today's prosperity is the direct result of this Administration's intelligent and wise use of economic, fiscal, and monetary policies since 1961. President Johnson's anti-inflation program, now before the Congress, is designed to preserve this fine balance of demand and capacity to produce, and to extend our gains through a call upon all—business, consumers, the Federal Government and the Congress—for responsible economic conduct in the months and years ahead.

It was Proust who pointed out that in the remembrances and understanding of things past the present becomes more viable, more meaningful, more clearly comprehended. Remembrances of economic conditions in the past is essential if we are to have a clear perspective of how far we have progressed, how solid that progression now is, and how firm the foundations are for building the future. When our current economic expansion began in 1961, our economy was only slowly emerging from a protracted recession.

This recession was only one of four with which we had been afflicted during the post-war years. Unemployment was intolerably high, and business investment was abnormally low. It had failed to maintain adequate levels of growth, and it was far less than necessary to generate vigorous economic growth and enable us to compete in world markets against other industrialized countries whose annual rate of growth surpassed ours. We were also plagued with a chronic series of deficits in our international balance of payments. These averaged more than $3½ billion a year for three years. They not only rendered the dollar vulnerable, but they threatened the international monetary system which the dollar supported.

It is true that prices had remained relatively stable during the 1958–1961 period. This price stability, however, was achieved at the expense of not achieving our national goals of full employment and sustained, adequate economic growth. It was the result not of a pattern of positive and productive growth, but rather the result of a pattern of anemic and inadequate growth that had shown itself exceedingly susceptible to recession.

Our aim in 1961—even as now—was to pursue and achieve four national economic goals simultaneously: price stability; strong and sustained economic growth; full employment; relative equilibrium in our international balance of payments.

To an extent unprecedented in a free economy we have moved—simultaneously—toward these accomplishments. We have refused—and we still refuse—to accept the old thesis that high employment can only be achieved at the expense of price stability, or that price stability must be accompanied by considerable unemployment. These economic goals are not incompatible. It was not necessary then, nor is it now, to sacrifice any one of these goals in our pursuit to secure and maintain all of them. Our course of action then—as now—was to take a flexible step-by-step approach to the solution of our economic problems and the achievement of our national economic goals. In pursuing this course we recognized then—as we do now—that inevitable conflicts will arise in the attainment of these goals. The existence of such conflicts, however, does not negate the wisdom of our approach to their solution, nor justify our pursuit of one goal at the expense of another. It merely means that we rationally determine the relative speed with which we wish to simultaneously pursue all of our goals.

To restore the vitality of the private economy, it was essential to liberate American enterprise from policies that had stifled private investment. It was imperative to provide business incentives that would enable business and industry to expand and grow, thus enabling them successfully to meet increasing foreign competition, while providing jobs to alleviate chronic unemployment. To bring this about, the Treasury early in 1962 revised depreciation guide-lines for tax purposes, and, at the President's request, Congress enacted a tax credit of 7 percent on new investment in machinery and equipment. These measures encouraged productive new business investment that meant new jobs, greater economic growth, greater productivity and lower costs—all of which are essential to continued price stability and progress in our international balance of payments.

Simultaneously, we undertook a massive effort to attack the problem of structural unemployment by adopting pioneering new efforts to train and retrain unskilled and semi-skilled workers to make them more employable and more productive.

Paralleling these fiscal measures—revised depreciation guide-lines and the 7 percent investment tax credit—we also adopted a dual approach to over-all economic policy. Through a massive, across-the-board income tax reduction we sought to increase the general level of demand in the private economy and to enhance the incentives for productive investment. Through wage-price guidelines, we encouraged wage-price restraint so that measures for growing productivity and for growing aggregate demand would result in rapid and real economic growth.

Debt management during this period was called upon to support the Administration's efforts to stimulate the economy, help achieve our balance of payments objectives, and help maintain a financial environment favorable to home expansion and external balance. By adding to the market supply of very short-term issues, notably Treasury bills, the Treasury materially assisted the Federal Reserve System in maintaining our short-term money market rates in reasonable alignment with those abroad. This appreciably reduced the incentives for short-term capital flows to foreign money markets.

The Treasury also issues short-term bonds to foreign monetary authorities, denominated in their own currencies, as a means of absorbing foreign monetary balances that might have otherwise been pressed upon us for conversion into gold.

Such measures in the fiscal, monetary, and economic areas as I have briefly discussed had the desired effect of reducing our balance of payments deficit to more manageable proportions, appreciably encouraging the free flow of credit so vital to industry, home buyers, and State and local governments, and stimulating the economy by promoting necessary business and industrial expansion. The end result of these enlightened policies was the greatest upsurge of economic well-being in the history of the world.

A few notable statistics emphasize our achievements.

Gross National Product: In 1960, our GNP totaled $503.8 billion. Today our GNP is running at an annual rate of more than $732.6 billion.

Personal Income: In 1960, total personal income amounted to $401 billion. In August of 1966, it was running at an estimated annual rate of $585 billion.

Corporate Profits after Taxes ran at an all-time high of some $48.7 billion in the first half of this year. This compares most favorably with the $26.7 billion rate of after-tax corporate profit in 1960.

Personal Income per capita of the Farm Population rose sharply in 1965 to almost 30 percent above the 1964 level. The situation continues to improve this year.

Almost every American has benefited from the prosperity of the Sixties. So, too, have tens of millions of people throughout the world through our agricultural and financial assistance programs which reflect this prosperity and economic growth.

Maintaining this prosperity and preserving our unprecedented gains, while we dampen those inflationary pressures that during the past few months have adversely affected our economy, is the vital task that challenges our free society today.

To achieve our desired objective—price stability and economic growth—the President sent to Congress on September 8, an anti-inflation program, which incorporated the following principal, inter-related elements:

1. Measures to Reduce Federal Expenditures:

As part of his anti-inflation drive, President Johnson has directed all agency heads to hold employment in full-time permanent positions for the remainder of this fiscal year at or below the level of July 31, 1966. Those agencies whose employment now exceeds the July 31 level are to reduce their employment as expeditiously as possible.

Employment in temporary, part-time, or intermittent positions for the remainder of this fiscal year will also be held at, or reduced to, the prevailing level as of June 30 of this year.

To meet the employment ceilings established by the President, he directed Federal agencies to increase their productivity, redeploy personnel, simplify procedures, and strip work to essentials. The President also directed them to reduce total overtime pay for this fiscal year to the level contemplated in the President's budget recommendations for fiscal year 1967, or to a level 25 percent below the actual overtime pay for fiscal year 1966.

The President directed that lower priority Federal programs be reduced by $1.5 billion during the present fiscal year. This will be accomplished by deferring, stretching out, or reducing contracts, new orders, and commitments. Each major agency has been given a savings target with orders to meet that target.

The President will also defer and reduce Federal Expenditures:

By requesting appropriations for Federal programs at levels substantially below those now being authorized by the Congress;

By withholding appropriations provided above budget recommendations whenever possible; and

By cutting spending in other areas which have significant fiscal impact in 1967.

The total reduction in federal expenditures resulting from these measures this fiscal year will be at least—and probably more than—$3 billion.

This reduction in Federal spending will not be at the expense of necessary, vital programs essential to raising the quality of American life—the education of our children, providing for their health, rebuilding our decaying cities, and eradicating diseases that daily destroy or irreparably damage the lives of millions of Americans.

Nor will this reduction in Federal spending be at the expense of our country's efforts to preserve the peace.

Rather, this reduction in Federal spending that the President has requested will reflect our continued efforts to operate at greater levels of efficiency and reduce to a minimum non-essential programs in the pursuit of our national goals.

2. Suspension of Special Tax Incentives to Investment:

The second important element in the President's anti-inflation message to the Congress deals with the suspension of the special incentives to investment, including the 7 percent tax credit on investment and accelerated depreciation procedures. The President has asked that these incentives be suspended for 16 months, beginning September 1, 1966, and ending January 1, 1968.

Why is the suspension of the 7 percent investment tax credit enacted in 1962 now necessary? The answer is that the current demands thrust upon our machinery and equipment industries are too great to be absorbed.

This year business intends to spend 17 percent more on plant and equipment than it spent last year. This increased expenditure comes upon the top of a 15.5 percent increase in 1965, and a 14.5 increase in 1964. Investment in machinery and equipment during the past three years has risen more than twice as fast as our Gross National Product. It is taking place today, moreover, despite higher interest rates and tighter money.

This capital-goods demand falls on top of the extraordinary burden placed on the economy by the accelerated increase during the past year of the costs of our defense of freedom in Vietnam. Capital-goods demands have created such a demand for investment credit that during the past few months there has been an unprecedented rise in interest rates that has created many inequities, such as a shortage of funds for home buyers, that can no longer be tolerated.

Consequently, the temporary suspension of this investment incentive, which will relieve excessive pressures on capital goods producers and on our financial markets, is now as necessary to the stabilization of our Nation's economic growth as its initiation once was to its stimulation and development.

Just as machinery and equipment outlays are stimulated by the investment tax credit, so outlays for construction of commercial and industrial buildings are stimulated by accelerated depreciation. Like the investment tax credit, accelerated depreciation is today contributing to inflationary pressures. Both logic and equity require its temporary suspension, along with suspension of the investment tax credit.

3. Federal Reserve Board and Large Commercial Banks:

The third element of the President's anti-inflation program is concerned with abatement of pressures on interest rates and avoiding inequitable effects of very tight money. The President urged the Federal Reserve Board, in executing its policy of monetary restraint, and our large commercial banks, to cooperate with him and the Congress to lower interest rates and to ease the inequitable burden of tight money.

One aspect of the President's recommendation in this area has already been completed. Two weeks ago the Congress passed and the President signed a law which provides Federal agencies with additional flexible authority to set interest ceilings on bank time deposits and savings and loan accounts. As you know, the Federal Reserve, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board all moved promptly to regulate the fierce competition for consumer savings which has tended to push up interest rates and divert funds away from home building and buying.

As part of the President's program to help reduce current pressures on the money market and on interest rates, he directed Treasury Secretary Fowler to review all potential Federal security sales. Secretary Fowler did so promptly, and on September 10 announced a program for keeping Federal pressures on the money market at a minimum. The main points in the Secretary's program include:

Cancelling the sale of FNMA participation certificates tentatively scheduled for September, with no further FNMA participation sale in the market for the rest of 1966 unless market conditions improve;

Discontinuing Export-Import Bank sales of additional participation certificates in the market for the rest of the calendar year; and

Limiting market sales of Federal agency securities in the aggregate to an amount required to replace maturing issues, while raising new money only to the extent genuinely needed through sales of agency securities to Government investment accounts.

These measures clearly indicate the Administration's determination to restrain inflationary pressures. In turn, the President hopes that the financial community will seize the earliest opportunity to lower interest rates and improve the allocation of existing supplies of credit.

The anti-inflation program laid before the Congress on September 8 was the latest move in a careful step-by-step program on the part of the Administration over the past year to combat the threat of inflation where and when it has appeared. The Administration has acted—successfully—to avoid inflationary pressures in consumer demand, as it is now acting to abate pressures in the capital goods market. Actions which the Administration has already taken, beginning last January, have resulted in the removal of $10 billion of excess purchasing power from the economy. This was achieved by:

Increasing by $6 billion payroll taxes for social security and medicare.

Restoring $1 billion in excise taxes.

Withholding an additional $1 billion in income taxes.

Speeding up by $1 billion corporate tax payments.

Administrative acceleration of tax payments by $1 billion.

Moreover, action has been taken to redress the sharp impact of monetary restraint on home building. With the signing of the Federal National Mortgage Association Bill early last month, there was a large potential increase in the availability of money for home mortgages. In time, the $1 billion special assistance program and the expansion of FNMA secondary market purchase authority by $3.75 billion could finance 300,000 new homes.

Earlier I mentioned that the fiscal and monetary measures employed by this Administration enabled us to pursue all of our national economic goals simultaneously. One goal was to achieve equilibrium in our balance of payments deficit. Although we have had considerable success during the past five and one-half years in this pursuit, the problem still exists. Last year, our payments deficit was $1.3 billion on a liquidity basis. So far this year, it is running at about the same rate—despite a rapid increase in the foreign exchange costs of our defense of freedom in Asia running about $1 billion more than a year earlier. We have a payment deficit on military account of $2.6 billion and on foreign aid account of three-quarters of a billion dollars. The total of these two items together is about two and one-half times our overall deficit. We intend to correct this. As Secretary Fowler said last week in his address before the annual meeting in the nation's capital of the International Monetary Fund: "We want and intend to attain balance. We do not intend in the future to meet the world reserve needs by an American deficit." How we solve our payments deficit will depend "on the composite result of our own efforts and the policies of other countries, particularly the countries in persistent surplus." But solve our problem we will.

The practicing of economic restraint and the acceptance of economic responsibility rests not alone with the Executive and Administrative branches of the Federal Government. Since we are all concerned, since we are all involved in the continued economic growth of our country and the economic well-being of our fellow Americans, we must practice restraint and assume our individual share of national economic responsibility. Our individual and collective efforts now, as in the immediate future, should be directed to eliminating inflationary pressures on our economy that are imposing unnecessary hardships on millions of Americans and threatening the security of our economic achievements of the past six years.

The financial community, of which you form a vital part, has an extremely important role to play in accomplishing this objective. The President has asked that you seize the earliest opportunity to lower interest rates and improve the allocation of existing supplies of credit. Banks should handle money and credit equitably, without extracting excessive profits, relying less on high interest rates to price borrowers out of the market and more on the placing of appropriate credit ceilings.

American business should base demands for credit on genuine needs, maintain inventories based on current requirements, postpone unnecessary investment projects, establish prices based on real costs, and limit profits to those appropriate for a steadily expanding economy.

The course of action that President Johnson set down in his economic message to the Congress, which I have reviewed briefly with you, is designed to keep the American economy on the safe course of stable prosperity that it has enjoyed for the past five and one-half years. It is a flexible course, not a rigid course. Should future conditions require its implementation, then additional steps will be taken to insure the pursuit and attainment of our goal. That goal, as I have emphasized, is to maintain a strong, vigorous, balanced economy.

The maintenance of an economy that grows in good balance is imperative for the achievement of our national goals, for the successful prosecution of our efforts to bring peace to the people of Vietnam and Southeast Asia, and for continuing our assistance throughout the world to developing nations in their efforts to raise their living standards while they eradicate social ills that breed revolution and war.

The principal theme of our endeavors—equally of interest to business, banking, labor, government, and individual citizens—must be in the future as it has been in the past—cooperation, good will, and mutual trust. Working together we can solve any problem, settle any dispute, resolve any difference. This will not be difficult, for working together, utilizing human resources and talents, is the American way of doing things.

SHIFT FROM COEXISTENCE TO PEACEFUL ENGAGEMENT

Mr. FULBRIGHT. Mr. President, President Johnson's speech of last Friday to the National Conference of Editorial Writers offers opportunity, as he said, to "shift from the narrow concept of coexistence to the broader vision of peaceful engagement."

I hope officials of the Soviet Union will read the statement carefully and make it available to their citizens. I believe the President has given voice to the deep-seated conviction of most Americans that the world's superpowers have more in common than in disagreement.

The President's remarks of last Friday spelled out details of ways in which these two great powers can move toward making the world safe for mankind. This speech is the logical next step to his speech at Idaho Falls, where he said:

> Our compelling task is this: to search for every possible area of agreement that might conceivably enlarge, no matter how slightly or how slowly, the prospect for cooperation between the United States and the Soviet Union. In the benefits of such cooperation, the whole world would share and so, I think, would both nations.

The President's thoughts at Idaho Falls, elaborated to the editorial writers, are an extension of those he expressed in December of 1964, when he called on the United States "to build new bridges to Eastern Europe—bridges of ideas, education, culture, trade, technical cooperation and mutual understanding for world peace and prosperity."

In the building of these bridges, East-West agreements have been sought such as the consular convention now before the Senate, a bilateral Aviation Agreement, and the East-West Trade Relations Act of 1966. No one expects that when these proposals are finally agreed to there will be changes in the basic nature of Eastern Europe's political system or that longstanding animosities between East and West will be eliminated. What I believe the President expects is that a broadening of cultural and educational exchanges and an expansion of trade will have a salutary effect on East-West political relationships.

In a world where the United States and the Soviet Union are uncomfortably bound together by the mutual capacity to destroy each other, it is important to our survival that our mutual stake in military stability and responsible behavior be protected and strengthened. The ties of trade and cultural exchange are some of the few channels available to us to shape mutually advantageous relations. To put it another way, the interdependence of the Soviet Union and the United States inspired by the fear of mutual annihilation must gradually be replaced by economic and cultural interdependence. Expanded trade with Eastern Europe and educational and cultural exchange agreements serve to stimulate the contact of peoples and the exchange of ideas; and this should not be feared, but welcomed.

Mr. President, I think we are aware of the obstacles that exist both within Congress and throughout the country to a broadening of our commercial and cultural contacts with Eastern Europe. I am not entirely sure what critics fear from increased contact with the East. In time, the intimate contact of peoples and ideas brought on by an expansion of trade and cultural relations with Eastern Europe will alter the attitudes and outlook of the participants themselves. Do we really have reason to fear the changes in attitude that an improvement of our relations with Eastern Europe will bring? I believe that we should have more confidence in our own political and economic system and our intelligence.

I realize all too well that the turmoil of Vietnam impedes the building of the bridges to the East that President Johnson seeks. Nevertheless, I share his hope and commend his determination that the United States will pursue every chance of communication and contact with the East in spite of Vietnam.

One area where some of the barriers to East-West understanding could be removed is the still contentious issue of the settlement of Russia's World War II lend-lease debts to the United States. The United States during the settlement negotiations in 1951–52 offered to reduce the lend-lease debt to $800 million, while the Soviet Union in the course of the negotiations raised its initial counteroffer to $300 million. Despite a brief resumption of these negotiations in 1960, the issue remains totally deadlocked.

Surely there must be some way of breaking this impasse if we apply the determined spirit to search for every possible area of agreement with the Soviet Union called for by President Johnson in his Idaho Falls speech and his speech to the editorial writers. Moreover, we have recently received yet another indication that the Soviet Union is remarkably flexible and pragmatic in its approach to commercial and financial dealings with the West.

According to the press, several months ago the Russian Government and the Italian Fiat Automobile Co. signed an agreement whereby Fiat will participate in the building of an automobile factory in the Soviet Ukraine. By this arrangement, Italy's share, in the form of credits to Moscow, represents some $322 million of the almost $800 million total cost of the facilities. For their part, the Soviets will provide another $300 million primarily in plant and labor costs, while Britain and France and probably the United States will extend credit for machinery, tools, and other heavy equipment. I might also note that late last month a Soviet Minister of Trade, in describing a Soviet 5-year plan calling for the production of some 800,000 automobiles by 1970, spoke of the "broad opportunities for the expansion" of commercial contacts with the West. The Fiat arrangement will clearly play an important role in this expansion of East-West commercial contacts.

Press reports as recently as October 8 describe an approach made to the Ford Motor Co. by the Soviet Union for assistance in the construction of production facilities in Russia. Apparently those approaches were rebuffed.

But the French are interested and are negotiating for the construction of a Renault plant in the Soviet Union, even if we are not.

While I do not wish to attach undue significance to economic and technical joint ventures of East and West of this kind, these automobile projects do, nevertheless, provide one more indication that the challenges and opportunities of practical economic cooperation are gradually eroding the barriers of ideological differences. I am encouraged that the U.S. business firms may participate in the Fiat contract by providing modern machinery such as heavy forges and presses. I can only hope that these business arrangements will not be undermined by the kind of mischievous domestic pressure that destroyed plans of Firestone International to construct two synthetic rubber plants in Rumania.

However important this automobile agreement may be to the future of the Soviet Union's consumer industries or the development of larger European markets—markets embracing, as they should, the Soviet Union—it will also bring, I feel, some political and psychological benefits. These are the benefits of a developing habit of East-West cooperation in commercial enterprises.

It seems to me that the Fiat example of East-West cooperation holds out the promise of similar cooperation in other areas. If the Soviet Union can merge its resources with those of the West in the development of joint projects in the Soviet Union itself, there is no reason why the United States and the Soviet Union could not combine their resources and technological skills in joint efforts in other areas of the world. The model of East-West joint development of an automobile plant in the Soviet Union could be applied to the joint development of a fertilizer plant in India or the United Arab Republic. There is no better way to foster the habits of cooperation than to participate in cooperative enterprises—be it an automobile plant in Russia or a fertilizer plant in India. Such limited cooperative ventures, I believe, will also engender a sense that cooperation is possible in other areas, be they military or political.

With this model of a cooperative project with the Soviet Union in mind, it seems to me that a similar cooperative enterprise with the Russians could be a way to break the deadlock over the settlement of the Soviet Union's World War II lend-lease debts to the United States.

One proposal which might prove mutually acceptable would be a compromise settlement whereby the United States would accept the Soviet cash offer of $300 million and then commit the amount in dispute—some $500 million—to a joint Soviet-United States development fund for use within the Soviet Union or in third countries. As for the question of what direct return the United States would receive from committing to a joint development fund money which, after all, is owed to us, the understanding would be that a part of the settlement would be placed in a ruble account placed to the credit of the United States, to be drawn down by American scholars and other Government grantees, and perhaps for American firms to cover land and local construction costs of plants built in the Soviet Union.

I realize that this proposal is vulnerable to the charge that the money for this fund is, in actuality, entirely U.S. funds, since the Russians owe us the amount they would be asked to contribute. But the same charge could have been raised against past debt and surplus property settlements from which settlement funds have been used to create educational exchange and cultural programs. Moreover, we must look at the reality of the matter: negotiations to resolve the amount in dispute have been stalled for 6 years, and I see no prospect of narrowing the gap between the Soviet offer and the U.S. demands.

At the moment, we have neither the $300 million in hard currency that a settlement along the lines I have suggested would bring nor the use of the amount in dispute for any purpose. I suggest that there are moments in a nation's life when a "half a loaf" is better than none at all. That is particularly true in this case where the benefits of such a settlement may go far beyond the confines of credit-debit ledgers.

Such a joint development fund would be a practical way to build economic bridges of cooperation between East and West. The Fiat arrangement has demonstrated the possibilities of joint ventures; to build on this model with the development of an East-West development fund would, I believe, make a significant advance toward a genuine international community. Both in symbol and substance the process of commercial cooperation will breed new expectations and attitudes in our relationship with Eastern Europe. And men and nations can only be the better for it.

I urge the administration, therefore, to give serious consideration to negotiations for the establishment of an East-West development fund for use in American-Soviet joint commercial ventures and as a source of support for educational and cultural exchange programs with the Soviet Union.

Mr. President, I ask unanimous consent to have printed at this point in the Record a statement entitled "Background on Lend-Lease Indebtedness"; an article entitled "France Seeks Top Position in Trade With East Europe," written by Bernard D. Nossiter, and published in the Washington Post of October 8, 1966; and an article entitled "Ford Disdains Reds' Car Deal," written by Robert W. Irvin, and published in the Washington Post of October 8, 1966.

There being no objection, the items were ordered to be printed in the Record, as follows:

Background on Lend-Lease Indebtedness

The United States has been unable to reach a settlement with the Soviet Government for lend-lease assistance which was delivered before V–J Day. (The Soviet Union has agreed to pay for lend-lease delivered after V–J Day).

The United States furnished approximately $10.8 billion worth of lend-lease assistance to the Soviet Union up to V–J Day. In seeking a settlement of this lend-lease account of the Soviet Government, the United States has followed the basic principles and policies which governed lend-lease settlements with other governments. The Soviet Government has been asked to pay the reasonable value of civilian-type lend-lease articles on hand in the Soviet Union at V–J Day which would be useful in peacetime. Since the U.S.S.R. did not provide an inventory of such articles, the United States prepared one which showed the value as $2.6 billion. An additional problem relates to the disposition to be made of 84 lend-lease merchant ships and 49 miscellaneous army and navy watercraft still in Soviet custody, the value of which is not included in the $2.6 billion figure.

During the initial negotiations the United States in 1948 requested the U.S.S.R. to pay $1.3 billion as the first step in the negotiating process. The Soviet Government had offered to pay $170 million. During subsequent negotiations in 1951–52, the U.S. figure was reduced to $800 million. In the interest of obtaining a prompt settlement, the United States indicated its readiness to reduce this sum further provided the Soviet Government increased its offer, which at the time was $240 million, to a sum more nearly reflecting the value of the articles in the peacetime economy of the Soviet Union. The U.S.S.R. increased its offer to $300 million. The United States did not consider this sum adequate and rejected the offer in 1952. The foregoing sums do not include settlement for any ships since these were to be dealt with as a separate part of the overall negotiations. No further settlement offer has been received from the U.S.S.R.

At the request of the United States, negotiations were resumed on January 11, 1960. The United States proceeded on the understanding that the negotiations were to deal solely with a lend-lease settlement. When the discussions began, however, the Soviet Government insisted that a lend-lease settlement could not be considered as a separate and independent problem.

Under these circumstances there was no agreement on the terms of reference of the negotiations and there appeared to be no common ground for continuing the discussions at that time. The last meeting was held on January 27, 1960. The United States informed the Soviet Government that it is prepared to resume negotiations for an over-all lend-lease settlement at any time the Soviet Government is ready to negotiate on this as a separate and independent issue.

Source: Department of State Press Release of October 1962 and collecting agency (Treasury Department) reports to OBE.

[From the Washington (D.C.) Post, Oct. 8, 1966]

Would Supplant Germany: France Seeks Top Position in Trade With East Europe

(By Bernard D. Nossiter)

Paris, October 7.—France is making a bold bid to supplant Germany as the West's chief trading partner in Eastern Europe, it was learned today.

Authorities here are privately forecasting that they will take over the top position within a year. Trade figures give some support to their optimism, showing a striking increase in French exchanges with the Communist countries tihs year. But Germany, however, still holds a sizable lead.

The Paris prediction was made on the eve of a fresh round of talks with a high-powered Russian trade delegation. A Moscow team that included six vice ministers is due here tomorrow.

The French objective appears to be both commercial and political. Officials here are convinced that the Soviet Union and its European allies are planning a big expansion in consumer goods. Paris wants to be in the ground floor.

At the same time, France hopes that trade pre-eminence will strengthen her claim to be regarded as the first Western political voice that the East will heed.

Although exchanges with the East are rising rapidly, trade with the Soviet Union has fallen far behind schedule. A major goal of the delegation coming here is to straighten this out.

Under the five-year agreement signed in 1964, France was to sell Russia $160 million annually. In fact, last year's exports were only $72 million and are $32 million in the first half of this year.

This lag is blamed on Russia's need to buy large amounts of wheat in the West and on the Soviet Union's rigidity in dealing with Western markets.

French officials think that better harvests in Russia and Eastern Europe will take care of the first problem. They hope to solve the second by setting up special import-export firms to deal with Communist nations.

The most important talks here are expected to be those between Michel Debre, the finance minister and N. N. Mirotvortsev, vice minister of the Gosplan or planning organization.

The French hope that these discussions will lay the base for a big increase in sales of everything from wine to automobile plants. The Russians have been negotiating with the nationalized Renault Co. to build a complex turning out 500,000 cars a year. Paris was deeply disappointed that the first such deal was signed with Fiat of Italy and the Russians are aware of the French chagrin.

Can France dislodge Germany from her leading trade role? Last year, the Germans exchanged $1.2 billion worth with Eastern Europe, more than twice the $570 million of France.

But in the first six months of this year, French trade with the East has risen to a yearly rate of nearly $750 million, a remarkable gain of 30 per cent. At the same time, the German trade eastward has been unchanged, partly through government policy. If Bonn continues to hold a lid on her exchanges, she could indeed be overtaken by France.

Impressive as the French drive appears, trade with the East is still a relatively marginal affair. For both France and Germany, it runs only a bit above 3 per cent of all exports and imports.

The United States gives even less attention to Eastern Europe. Exports and imports last year were about $275 million, or less than 1 per cent of all American trade.

[From the Washington (D.C.) Post, Oct. 8, 1966]

Ford Disdains Reds' Car Deal

(By Robert W. Irvin)

Detroit, October 7.—The Soviet Union, still trying to build a modern auto industry, has again approached the Ford Motor Co. for help, just as it did a generation ago.

But as it now stands Ford isn't interested in the new proposal outlined by the Russians.

The last time Ford helped the Russians set up some automobile plants it lost $500,000 in the process.

The latest proposal was made to Ford President Arjay Miller when he visited the Soviet Union last August. It is part of another Soviet effort to catch up with the rest of the industrialized world in production of passenger cars.

The Russians now produce in the neighborhood of 200,000 cars a year, about what the American auto industry can produce in one good week. A new five-year plan calls for quadrupling output by 1970.

To try to accomplish this, the Russians already have enlisted the help of Fiat of Italy and Renault of France.

For $320 million, the Italians will construct an auto plant on the Volga River. The first car will not roll off the assembly line until 1969 and the plant isn't expected to reach maximum production of 600,000 cars annually before 1972.

Renault has a contract to expand the Moskvich plant in Moscow, which is now capable of producing only 82,000 cars a year.

Ford's role, it was suggested by the Russians' could be in an advisory capacity.

It was understood Miller was sounded out on the possibility of Ford providing the Russians with the technical assistance and management know-how to set up a modern auto industry.

But company officials apparently don't believe it would be a worth-while endeavor on those terms.

Ford might be interested if it could get into the Soviet Union on a free market basis and sell its cars to the Russians in the same way that it sells automobiles in France and Germany.

But there is no basis now for believing the Russians would agree to this and so Ford is cool to the whole idea.

WASHINGTON POWER

Mr. MORSE. Mr. President, on May 28, 1966, Mr. Clark R. Mollenhoff, of the Washington Bureau of Cowles Publications, Washington, D.C., spoke at Iowa Wesleyan College, Mount Pleasant, Iowa. The subject of his speech was "Washington Power—Your Responsibility."

In my opinion, Mr. Mollenhoff is one of the most able newspapermen in our country. He is a courageous and objective writer who recognizes that the constitutional guarantee of freedom of the press means that journalists have a corresponding trust of maintaining a free mind. One of the requirements of a free mind is possessing the ability to follow where the facts lead. Another requirement is possessing the ability to change one's mind when one discovers new facts that call for a modification of previously held views. Too many journalists do not possess these qualities, but Clark Mollenhoff does.

The speech that he delivered at Iowa Wesleyan College is a penetrating analysis of many of the policies of the Secretary of Defense and his associates in the Pentagon Building which have resulted in attempts on the part of the Pentagon Building to manage news involving military affairs. Mr. Mollenhoff is to be commended for his fearless journalism and his critical disclosures of policies of the Office of Secretary of Defense which he discussed in the speech he delivered at Iowa Wesleyan College.

I ask unanimous consent to have Mr. Mollenhoff's speech inserted in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

WASHINGTON POWER—YOUR RESPONSIBILITY

(By Clark R. Mollenhoff)

The war in Viet Nam must be a factor in your thinking and your planning. It is inevitable that it will be a major concern for you, for it can represent real and immediate problems for your career and your future. But while it is of vital importance, we must not forget about other related problems that are also vital to the whole future of our form of government.

All of us are caught up with the immediate, pressing problems of finding a job, making a living and in one way or another trying to make some worthwhile contributions to our community and our nation. It is easy for any of us to become so involved with the present, and with our own job or family to fail to take sufficient notice of bigger things that are of equally great importance to the long-time interest of ourselves or our families.

While the Viet Nam war has brought many problems to us as individuals and as a nation, it is possible that it will prove to be a blessing in disguise relative to the long range interest of the American Democracy. To our affluent and self-confident society the Viet Nam war may be the shock needed to make us face our responsibilities in the democratic society. A fat and contented society has been forced to take stock of itself and its strengths and weaknesses in the face of a real war. Suddenly, we have found more than 250,000 men in war in Viet Nam. Suddenly, we have faced the daily casualty list of young Americans—some very young and some with wives and children. Suddenly, the draft has become more than a slight possibility for young men graduating from high school and college. Suddenly, service in the Reserves or the National Guard has become more than a two-week cruise or a two-week camp in the summer. The war games are over and the grim possibility of personal tragic involvement is ahead for every family in which there are young men and boys.

The Viet Nam war has shocked us. It has made us reflect soberly about problems that have received too little attention. It has made us take stock of many things.

Viet Nam made us—

1. take stock of our commitments in all parts of the world under a wide range of treaties and sectional agreements;
2. take stock of the attitudes of allies and the neutralist nations that have been receiving more than $100 billion in foreign aid over a period of nearly 20 years;
3. take stock of how well prepared we are in terms of equipment and men, and in terms of the top management at the Pentagon; and
4. take stock of what the cold war, 20 years of Pentagon reorganizations, and a dozen years of $40 billion-a-year defense budgets have done to the system of checks and balances in our government and the whole nature of our society.

Even as you are thinking about the personal problems or family problems that arise in connection with the Viet Nam war, you should also think about some of these greater problems of Pentagon power and the future of our government. These are problems that will be with us long after the Viet Nam war is ended. They are problems that will be with us as long as there is a Cold war or a hot war and the need for financing and organizing a huge military machine for our protection against International Communism or any other foreign enemy.

There are questions of preparedness which have come to our attention that have given real cause for concern over the management of the Pentagon by Defense Secretary Robert S. McNamara:

1. McNamara opposed nuclear power for the aircraft carrier, the *John F. Kennedy*, and by using conventional power, built what the Joint Committee on Atomic Energy contends will be an obsolete ship within a few years.
2. McNamara opposed putting nuclear power in two rocket launching frigates, has indicated a general opposition to a nuclear-powered surface fleet. He is seeking to build destroyers with conventional power, over the objections of the House and Senate Armed Services Committees and the Joint Committee on Atomic Energy.
3. McNamara overruled the top level Pentagon Source Selection Board's recommendation to buy the Boeing version of the TFX, and instead bought the General Dynamics plane which had been rated second in performance and higher priced by a minimum of $400 million.
4. McNamara disregarded the Army recommendations and cut the purchases of helicopters in 1964 and again in 1965, even after the value of helicopters in Viet Nam had become apparent and the need pressing.
5. McNamara decided to phase out the B–58 supersonic bombers without consulting the Joint Chiefs of Staff and against the judgment of the members of the Senate and House Armed Services Committees and the recommendations of General John McConnell, the Air Force Chief of Staff.
6. McNamara has refused to move forward with the Nike X antiballistic missile missile program despite recommendations from the Senate and House Armed Services Committees and the recommendations of the Joint Chiefs of Staff.
7. McNamara insisted, in July, 1965, that he had 16 Army divisions in 100 percent combat ready status and needing no equipment. In fact, one division was only 50 percent combat ready, some were only 75 to 80 percent combat ready, and there were significant shortages of a wide range of items including guns, radios and clothing.
8. McNamara defended the Army disposal of usable trucks and construction equipment after July, 1965, despite the fact that such equipment was badly needed in Viet Nam by the Navy, Army and Marines.

The reports of Senate and House Committees on these and other major problems raised serious questions about the effectiveness of the policies of Defense Secretary Robert S. McNamara—a man whose public image had been built to gigantic proportions through a huge propaganda campaign by the Pentagon press office.

Even though the controversies that swirl around McNamara are important, there are even more important issues that have developed in connection with the powers of the Defense Secretary's job that will be with us after he is gone.

If "power tends to corrupt," we should be filled with the greatest apprehension about the power of the Pentagon. Never in the history of our nation has so much power been centralized in the hands of so few men and subject to so few effective checks.

Periodically, an authoritarian trend becomes apparent in the comments or actions of a highly-placed civilian official or military officer. But such glimpses of the danger are fleeting, and few take the time to examine the evidence of the total power potential accumulated in the Office of Defense Secretary.

Viewed in its totality, the power centralized in the Office of Defense Secretary could be used to impose a dictatorship on the nation. There are still occasional challenges to the Office of Defense Secretary, but these challenges have appeared to be futile in most instances. Unless there are more effective challenges in the future, accompanied by courageous and persistent dissent, we may have passed the critical point and have already lost the battle against authoritarian government.

Many on the outside—not directly involved in the struggle with the Pentagon leadership—are not greatly concerned over the power centralization that has developed. At worst they regard it as a benevolent dictatorship that is probably necessary to command our military machine in days of space age warfare.

A different picture emerges for many of those who are directly involved in the struggle with the Office of Defense Secretary and who have tried to dissent. Defense contractors, congressmen, or high ranking military officers have been faced with actions they consider arbitrary, arrogant and ruthless.

Yet certain aspects of the Pentagon power are so subtle and so ubiquitous that its pervasiveness is received without any extended complaint. We accept it as the inevitable price we must pay for protecting our freedom from foreign enemies. The average citizen gives little thought to the dangers inherent in little reorganizations, little adjustments, little shifts of power which over a period of years have removed most of the effective checks on our huge military watchdog.

The enormity of the Pentagon power is not understood and the danger not recognized for a number of reasons. Predominant is the fact the daily press is reluctant to take on the job of criticizing those who control the major sources of news at the Pentagon. It is easy to submit to Pentagon news management pressures where the bait is an occasional exclusive story and comfortable, easy access to the "invitation only background news conferences" with top Pentagon spokesmen. Only a few of the Pentagon reporters will fight the system and risk the cold and uncooperative treatment handed out to those who are regarded as "unfriendly" or "unsympathetic" to the civilian power structure.

If the daily press does not show the way, magazine writers, columnists and television reporters have difficulty recognizing that a critical problem exists. The work of the courageous few is overwhelmed and inundated by the mass of stories flowing from sycophant journalists who picture the key Pentagon civilians as supermen.

As a result, the public is not confronted with the cold facts on Pentagon power, but finds them buried on the back pages while the glories of the heroic civilian bosses saturate the stories on page one.

The punishment of critical or "unfriendly" newsmen has served as an effective weapon to intimidate many bright and normally independent newsmen who must depend upon access to high Pentagon contacts for their livelihood. Defense Secretaries have initiated F.B.I. investigations of reporters for alleged breaches of national security when the stories embarrassed the administration, but the contentions of a security breach were highly questionable.

We assume that such Pentagon-inspired shadowing of reporters is unusual, but there are other equally effective means of coercing newsmen or interfering with their contacts. There are efforts to ridicule the tough questioner. There have been efforts by the Defense Secretary to undermine the reporter with his superiors with vague and unsubstantiated charges of "irresponsibility."

Directives are issued which seriously interfere, with the freedom of action by any independent newsman. Such an order, written in October, 1962, directed that all civilian and military personnel at the Pentagon report before the end of each working day on all contacts with newsmen and the subjects discussed. That order is still in effect four years later despite press complaints that it was an obvious effort to pin down sources of unfavorable news stories and to eliminate this channel of dissent.

Effective efforts to discipline and control many in the Pentagon press corps have been used in other areas to coerce and control possible dissenters in the Congress, among the highest ranking military officers, and in the ranks of the major defense contractors. Through case studies it can be demonstrated how this control has been exercised through subtle as well as brutal methods.

Pentagon power has terrorized timid men who are fearful of being identified as dissenters. It has muffled the criticisms of brave men with position or family responsibilities that made it seem unwise to risk a career setback, loss of a defense contract, loss of a Pentagon research grant, or loss of a politically important military base. Few big business executives, military officers, members of Congress, or Governors are willing to risk the anger of the Secretary of Defense or his most influential assistants.

Even men with financial independence, courage and great prestige can be wary and apprehensive about risking a fight with the colossal multi-million-dollar propaganda machine that is the Pentagon press office. "You can't fight city hall," and today the realist must recognize that no city hall, no county courthouse, no state capitol has held one tenth of the coercive power now lodged in the Office of the Secretary of Defense through the power tentacles, that reach into the economics, the politics, and the communications network of the entire nation.

Observant individuals will see the manifestations of fear of the Pentagon power in many places:

A major defense contractor bent to that power when a key executive called a United States Senator to ask that there be no investigation of a decision which robbed his company of a billon-dollar contract. The firm was the low bidder, the product was evaluated as "superior," so there seemed every reason for the corporation executive to want the investigation. He believed his firm had been wronged by a political decision, but he was afraid to complain because he believed that the Office of Defense Secretary might be vindictive and cut the firm even more severely on future contract negotiations.

A Republican congressman declined to restate his criticism of the Defense Secretary in a Democratic administration, and said he feared retaliation in the form of the closing of a military base in his district. He did not feel that he could afford the political repercussions if an opponent hinted that a friendly Democrat could have saved the base and might obtain more defense contracts and other federal funds.

An admiral voiced private apprehension about his career because he simply answered questions for a Senate committee that revealed his opposition to a major decision by the Office of the Defense Secretary. His fears were realized and his Navy career was prematurely ended.

Two Senators with leading roles in critical investigations of a decision by the Defense Secretary found themselves subject to a series of attacks from anonymous Pentagon spokesmen unjustly charging them with base political motivations.

A Democratic lawmaker expressed frustration after the Office of Defense Secretary declined to make pertinent information available to his subcommittee, and later slapped a "secret" classification on a congressional report highly critical of the Defense Department management.

A distinguished military affairs writer found himself subject to private smears as "irresponsible" by the Office of Defense Secretary after publication of articles critical of military equipment shortages developing as a result of the Viet Nam war.

Of course, there is a general awareness of the tremendous military might embodied in a war machine that includes more than 2,500,000 people, ballistic missiles, a nuclear submarine fleet armed with Polaris missiles, and a Strategic Air Command armed with supersonic planes and the latest in nuclear weapons. And with this destructive power in mind, some political leaders issue periodic warnings of the danger of our military establishment falling into the hands of authoritarian minded, professional military men. Learned articles and exciting popular novels such as "Seven Days in May" are based on the theory that we must be alert to the danger of the military coups so commonplace in other nations.

Periodically, we are assured the great power of the Pentagon will not be misused by authoritarian-minded, professional military men because our civilian political appointees are guarding against any usurpation of power by the uniformed military hierarchy. Year by year, the civilian power of the Pentagon has been increased and centralized and nearly always on the theory that the authoritarian-minded and arrogant military brass is being put in its place by the democracy-minded civilians.

President Eisenhower left office warning of the danger of the military industrial complex in our society. Because he did not spell out the details, his remarks were interpreted widely as another warning of danger of a military or economic coup conducted by a coalition of our big industrial leaders and our uniformed military hierarchy. Some high-level political appointees used the Eisenhower comment as another authority to quote justifying more civilian action to remove power from the military men so it could be lodged in the hands of civilian political appointees.

While the warning finger was pointed at top ranking military officers, the political appointees pulled together the power over Pentagon decisions and centralized them in the Office of Defense Secretary. Few noted the consolidation of power even though the Congress continued to grind out annual studies on the "Economic Impact of Federal Procurement" that spelled out the facts and figures of strength lodged in the Pentagon budget.

Cold facts, in studies that were low key and dull, demonstrated that Defense spending, ranging from $40 billion to $60 billion a year, had tremendous political as well as economic impact on the biggest industries in the United States, on the most respected universities and colleges, and on the most influential political leaders. In fact, the more carefully the details of the Pentagon budget are studied, the more apparent it becomes that there are few institutions in our society—industrial, educational or political—not compelled to respect the power of the Pentagon decision makers.

A young man was elected to the United States Senate in a campaign claiming he could do more for Massachusetts because of his political connections in Washington. A large number of other Democratic candidates for the United State Senate and House tried to convey the impression that they, too, could be more successful than Republicans in intervening with the Pentagon.

The fear of possible political factors entering into Defense contract decisions is heightened when one examines statistics showing the overwhelming percentage of military contracts are awarded through the "negotiation" process. This eliminates protections afforded in standard competitive bidding and leaves the contractor at the mercy of the Pentagon negotiator.

In the period from 1951 through fiscal 1965, the Pentagon let contracts worth more than $357 billion. Only 13.7 percent of those contracts, covering $49 billion, were awarded through formally advertised bidding procurement procedures. The remaining $307 billion—a total of 86.3 percent—was handled through negotiated procurement.

Defense contracts are the life blood of many of the largest corporations in the United States, and the prosperity of a city, congressional district or state can be contingent upon the prosperity of the large corporations, their subsidiaries or their subcontractors. In the case of the large airplane manufacturers, the Defense contracts often make up the overwhelming majority of the total business load.

When the Boeing Company, headquartered in Seattle, Washington, lost the TFX warplane contract and had the Dyna-soar program ended it was a serious blow to the economy of the whole state of Washington.

The impact of military procurement actions was dramatically demonstrated in the state of Washington where military buying totaled $1,041,581,000 in fiscal 1963, increased slightly to $1,085,696,000 in fiscal 1964 and then plummeted to $545,607,000 in fiscal 1965.

The Boeing Company was low bidder for the multi-billion-dollar TFX warplane, but lost out to the Texas-based Convair division of the General Dynamics Corporation.

Significantly, military contracts awarded in Texas climbed steadily from $1,203,123,000 in fiscal 1963, to $1,294,431,000 in fiscal 1964 and on up to $1,446,769,000 in fiscal 1965.

Perhaps Pentagon attitudes toward important political figures from those states were not factors in the decline of Washington and the rise of Texas, but in the political atmosphere where candidates proudly boast that they can deliver the prosperity of big contracts it is dangerous to assume it is all idle boasting.

Whether rightly or wrongly, it has always been assumed that the political power of two Georgia legislators had a great deal to do with the unusual amount of Pentagon money that seemed to flow into that southern state. Large defense contractors seemed to have an affinity for the state represented by the chairman of the Senate Armed Services Committee and the chairman of the House Armed Services Committee.

Only California and Texas had more active duty military personnel than the 93,980 stationed in Georgia at the end of June, 1965. The annual payroll and allowances from this military payroll poured $396,437,000 into Georgia that year. In addition there were 33,563 civilian employees of the Defense Department in Georgia at that time with an estimated annual payroll of $223,527,000.

But the military bases were not the only Pentagon gifts to the home state of the two men who ran the Senate and House Armed Services Committees. The net value of military procurement action in Georgia was $423,290,000 in fiscal 1963, $520,169,000 in fiscal 1964 and a whopping $662,332,000 in fiscal 1965.

Lockheed Aircraft Corporation, with major plants in Georgia, was Number One in military prime contract awards in fiscal 1965 with $1.7 billion—approximately 7.1 percent of the total defense contracts in the United States.

The Pentagon decisions were a life and death matter to Lockheed, and the same was true of General Dynamics Corporation which held the Number Two spot in military prime contract awards as a result of the huge TFX warplane decision. General Dynamics could boast of $1.1 billion in prime military contracts in fiscal 1965, followed by McDonnell Aircraft Corporation with $855 million; General Electric Company with $824 million; North American Aviation Company with $745 million; United Aircraft Corporation with $632 million; American Telephone & Telegraph Company with $587 million and the Boeing Company with $583 million.

Automotive giants, Ford and General Motors Corporations also had a share of Pentagon business worth protecting. Ford Motor Company and its Philco affiliate ranked twelfth with military prime contract awards totaling $312 million and General Motors had prime contract awards of $254 million in fiscal 1965. The Chrysler Corporation was far down the list with $80.9 million in fiscal 1965.

There were men in the communications industry who found it disturbing that two of the three major television networks had financial ties to major defense contractors. National Broadcasting Company is owned by Radio Corporation of America, a firm that was only 24 places down from the top among defense contractors in fiscal 1965 with $213,900,000. That same year, the American Broadcasting Company announced it was merging with International Telephone & Telegraph, a firm ranked 25th among defense contractors with $206,700,000 in prime military contracts.

It was obvious that a clever and power conscious political administration could use the Pentagon power over defense spending as a means of disciplining major television networks. Such an arrangement had obvious drawbacks in a nation so dependent on the networks for news and public service programs.

Several of the government-created, not-for-profit corporations ranked among the top 100 defense contractors on the net value of military prime contract awards. Aerospace Corporation was listed 48th with $77,500,000, System Development Corporation, 60th with $48,900,000 and Mitre Corporation, 70th with $38,500,000.

The big Pentagon budget has become a handy place for the nation's colleges and universities to find the answer to some of their pressing financial problems, and no doubt the Defense Department grants and contracts provide the means for paying higher salaries and buying better equipment. The arrangement raises long-range questions about how independent a Defense-subsidized academic community will be in analyzing or criticizing the programs or the policies of the men who control the flow of huge subsidies to higher education.

There is no doubt many of the largest universities have developed a big stake in retaining the cooperative relationship with the Pentagon that will result in renewal of contracts. In fiscal 1965, Johns Hopkins University was awarded $48,500,000 in military prime contracts and Stanford Research Institute had prime contracts totaling $30,700,000.

Massachusetts Institute of Technology rated the top position among recipients of Pentagon research and science education funds for fiscal 1964 with a total of $98,044,000. Johns Hopkins was second with $54,989,000 from Defense for research and science education, and the University of California was in third place with $19,068,000.

Even the $5,852,000 that Harvard received from the Pentagon in fiscal 1964 was substantial although the National Institutes of Health and the National Science Foundation were government agencies making greater contributions to the total of $37,092,000 in federal funds Harvard received.

The importance of the impact of Pentagon money on American educational institutions was emphasized by the testimony of Defense Secretary McNamara on March 8, 1966. He told the House Armed Services Committee that "the Department of Defense supports nearly half of all the academic research in the physical sciences and engineering now being done in American universities and colleges." He said that much of the Pentagon money has been concentrated in larger schools, but McNamara revealed plans to broaden the base and bring most of the universities and colleges into the Pentagon orbit.

Many in the academic community may be unaware of the power Pentagon money could wield in the larger educational institutions, but in the Defense Department itself power and the centralization of that power in the Office of Defense Secretary is well understood.

Military and civilian payrolls demonstrate the importance of military bases to the economy and the politics of the various states. Also, there are few political leaders—from city hall to Congress—who do not understand the power potential in the Pentagon purse. The figures for June 30, 1965, show there were 1,041,244 active duty military personnel in the United States with total annual pay and allowances of $7.7 billion, while the Pentagon also had control over 940,763 civilian employees with a total annual pay of $6.7 billion. Military bases are a vital factor to all political leaders in a state such as California with 212,859 active duty military personnel and annual pay and allowances of $983,125,000 plus 138,777 civilian Defense Department employees with an annual payroll of more than $1 billion.

The same is true of Texas with 165,099 active duty military personnel drawing annual pay and allowances of $798 million plus 60,051 civilian Defense Department employees with annual pay of $398 million.

Even in a state such as Iowa, with only 1,445 active duty military personnel and 630 civilian Defense Department employees, political awareness of the Pentagon power over base closings is a necessity. The military payroll of $8 million and the civilian payroll of $3.7 million may be small in the overall economic picture of Iowa, but the closing of a base or an office can have important economic and political repercussions in the immediate area of the closing.

More important to Iowa would be any tampering with the hog market. We have even seen the Pentagon power used to try to control the price of pork in February, 1966. It was done by the simple device of an order cutting pork purchases for the military services.

In past years, power over military spending was widely scattered through the Defense Department as well as the military-aligned establishment in Congress. Highest ranking members of the Senate and House Armed Services and Appropriations committees were men who had a strong, and often dominant, influence over the Defense Department decisions. They were men whose views had to be considered most seriously in opening or closing bases, in awarding contracts, and in adopting general policy on weapons systems.

In that era of more diffused power, the Secretaries of Army, Navy and Air Force represented an independent force with considerable authority in spending Defense funds. That scattered power structure included many career military officers and civilian technical experts who could and did exert an important influence over the awarding of certain types of Defense contracts.

A gradual whittling away of the role of the Service Secretaries occurred over more than a dozen years, but the great change came after Defense Secretary McNamara took office in January, 1961. The former Ford executive used all powers granted by the reorganizations of 1947, 1949, 1953 and 1958 to pull more control into the Office of the Defense Secretary and away from the three Service Secretaries.

In the first year of the reign of Defense Secretary McNamara, civilian Service Secretaries bitterly resented what they considered an unlawful usurpation of power by the Office of Defense Secretary. If it was not McNamara personally, it was his Assistant Secretaries of Defense or the Deputy Assistant Secretaries of Defense who were actively bypassing the Service Secretaries to deal directly with almost all of the lower levels of authority. Army Secretary Elvis J. Stahr resigned in protest stating that "more and more, the decisions once made by the Service Secretaries and military chiefs, as individuals, are made by the Secretary of Defense and his staff."

The Army Secretary contended an unreasonable centralization was taking place, and said he did not believe that such a huge organization as the Pentagon could, or should, be run by a few people at the top. That view was similar to one expressed by Representative Carl Vinson, the veteran Chairman of the House Armed Services Committee, a few years earlier in opposing too tight a centralization in the hands of a few men who he then believed could not possibly have the wisdom for all of the Defense decision making that would go with the centralization.

Chairman Vinson made a few futile attempts to oppose the authority of Defense Secretary McNamara, and then reconciled himself to a supporting role in a play in which he no longer held his old power. He found it convenient to become an almost fawning booster of McNamara as the "greatest Secretary of Defense in history."

Secretary of the Air Force Eugene Zuckert and Secretary of the Navy John Connally had some of the same early concern that Army Secretary Stahr expressed over McNamara's power play. Zuckert had a legal study made of his authority, and finally concluded the various reorganizations had, in fact, stripped the Service Secretaries of the power to effectively oppose the Defense Secretary. If they could not reconcile themselves to minor roles, resignation was the only practical alternative. Eventually Zuckert and Connally yielded their opposition to the Office of Defense Secretary and accepted a role which in fact made them subordinate to Assistant Secretaries of Defense in many important areas.

At the same time, the Joint Chiefs of Staff found their jurisdiction cut sharply by the same moves that had undercut the Service Secretaries. The Defense Secretary expanded his own office, established common service agencies for intelligence, supply and audit and the Assistant Defense Secretaries were permitted to wield an even broader authority in the various services.

The old patterns of military service alliances with United States Senators and Representatives tended to deteriorate and become an ineffective check on the Office of Defense Secretary. They could still exchange information, but it was often pointless. Senators and Representatives could no longer deal directly with the power of their friends in the bureaucratic hierarchy of the Army, Navy or Air Force to get things done. The Defense Secretary and his various Assistant Secretaries had become the final authority in matters that had been handled on a lower level.

The Defense Supply Agency and the Defense Intelligence Agency, created in the fall of 1961, provided Defense Department-wide services for purchasing common items and for gathering and evaluating intelligence information. The Assistant Secretary of Defense for Public Affairs centralized information services to put a stop to the flow of information from the Army, Navy and Air Force not in tune with the plans and programs of the Secretary of Defense.

The Defense Contract Audit Agency was created in 1964 for the purpose of centralizing and improving audit of contracts. In

1965, it was revealed that the Defense Secretary planned that this audit agency should hire more auditors and accountants than the whole General Accounting Office (GAO) which was established by Congress to serve as a financial watchdog by post auditing all Government departments—including Defense.

Some of the GAO reports on Defense Department contracts had been so critical they caused resentment in the Office of the Defense Secretary. While Defense Secretary McNamara was establishing the new Defense Contract Audit Agency, his department was suggesting that GAO should tone down the criticism of Defense contracts, and that there should be a new evaluation of the role of GAO. This new evaluation was aimed at eliminating GAO access to some Defense Department records as well as Defense contractor records.

McNamara's office indicated that perhaps the GAO no longer needed to conduct the same type of audits at the Defense Department because of more thorough audits Defense was now conducting of its own activities. The Defense Secretary expressed the view that it would be "waste and duplication" for the GAO to come in and do the same type of audit on Defense that had been done in the past. The Defense Department paid little attention to a few complaints from Congress that there would be no objective audit if McNamara was permitted to control the audit of McNamara. It was one more step in the centralization of power and the elimination of outside checks.

The whole emphasis of the McNamara administration was centralization and more centralization with the Office of Defense Secretary expanding in size as well as in functions. The result was an end to the diffusion of power and creation of a centralized structure that put an aggressive and power conscious Defense Secretary beyond the checks and effective restraints that had existed in the past.

Five years of McNamara had fairly well completed the job:

1. The authority of the Service Secretaries was cut, and the possibility of effective or meaningful dissent from that source was minimized if not eliminated.

2. High ranking military officers had lost their tools for bargaining with Congress. They no longer had the protection of alliances with independent Service Secretaries and independent congressional leaders that had been necessary for them to be forcefully independent.

3. Congress found itself ineffective against the centralized power that had been pulled into the Office of Defense Secretary. A condition had been created in which they were more dependent upon the good will of the Defense Secretary than he was upon them.

A unified Congress might have the leverage to overrule a Defense Secretary, but the Congress is not unified. The Office of Defense Secretary had used its power over contracts and base closings to alternately pamper and coerce men of influence in the Senate and the House. Only a few Senators or Representatives with small political stakes in Pentagon decisions were willing to engage in open criticism of the Pentagon decision maker.

Even those who had the courage to criticize were fearful of the propaganda power of the Pentagon's centralized press office. The Pentagon press office spoke with one voice, and with a loud voice, in seeking to discredit critics in the Congress. The complex statistical data available in the multi-billion-dollar department was enough to confuse or overwhelm most critics as well as the press.

All this power was lodged in the hands of the Pentagon decision maker—Defense Secretary Robert S. McNamara.

What this heavily centralized system lacks in the way of checks on the Pentagon power, it gains in the potential for efficiency under one-man rule of the multi-billion-dollar military machine. We are told that worries are groundless over what such centralized power might do to our system of government over an extended period of time. It is explained that those who wield the tremendous power with the broadest discretion are men of ability with a devotion to the duty of making the most effective and efficient war machine in history. If the methods seem a little brusque from time to time, it can be excused for the decision makers have heavy responsibilities and are intent upon creating bigger and better "cost effectiveness" tools for managing things for us. If we occasionally cannot understand their acts or their explanations, then we can just count ourselves as fortunate that patriotic and devoted men who understand everything have been willing to accept the responsibility for running our complex, power-laden Pentagon.

Initially the Department of Defense was created for the top level decision making. It was to be a small efficient organization, not bogged down in the day-to-day administrative problems of the Army, Navy and Air Force, and capable of making the big decisons and ironing out the squabbles.

For better or for worrse, the Pentagon has become the biggest and most centralized bureaucracy in the Free World. Four reorganizations, 20 years of Cold War and brush fire wars, and eight Defense Secretaries have molded a single-headed military power structure of massive proportions.

More awesome than his control over the actions of the military force is the power he holds over the spending of a budget of more than $50 billion a year. This is a power that can and does touch nearly every facet of our society, including the business and political community. It is a power that we have been warned should never be permitted to fall into the hands of any authoritarian minded military man, and there are even those who question the wisdom of concentrating such power in the hands of even the best motivated civilian Defense Secretary.

When it is viewed in its totality and in the perspective of history, it is obvious that there are reasons why the political power role of a Defense Secretary can be as terrifying to contemplate as is the military might. Whether it is used or not, the power over the Pentagon budget represents the power to coerce some of the biggest industries, some of the most respected educational institutions, some of the most influential columnists and authors and some of the most powerful members of the Senate and the House.

The fact that the Defense Department is big, complex and difficult to understand does not make the power less real. The naked power is only hidden—only camouflaged behind a curtain of polite language and mystifying statistical jargon that often seems designed to confuse rather than clarify.

There can be no doubt that the problem of Pentagon power is the overriding problem of our day. It will continue to be the major problem as long as there is the need for maintaining this huge war machine for our protection against foreign enemies.

Certainly, in today's world we could not consider eliminating or even seriously curbing our military might. It would be thoroughly unrealistic to consider placing our trust in the good faith of the Communist leaders or the agreements they may sign. Unfortunately, it will be necessary to continue to build and experiment and spend more billions for newer and more advanced weapons that we hope we will never be required to use. The fact poses these questions:

Are we, as a people, bright enough and deep enough to understand and control the power of our war machine?

Do we have an understanding of the need for dissent, criticism, and constant checks on this power?

Can we provide the mechanism to spread that power and control it so it will serve as a protection for a free society of free institutions?

Such attractive slogans as "increased efficiency" and "cost effectiveness" usually mask the moves to centralize power. Although these moves may be initiated in Washington, the responsibility for continuing centralization must be shared by every American citizen who fails to understand the ever present seeds of authoritarianism. That authoritarianism can make inroads only when our citizens are so careless, so short sighted and so lazy in their thinking that they permit centralized power to overwhelm free institutions.

Don't try to duck your responsibility.

Don't try to blame it on your Congressman or your Senator, because he hasn't given you sufficient warning of the problem. It is likely that he has warned you at several stages before giving up in frustration because you would not listen.

Don't try to blame your lack of information on your newspaper editor when you refused to read the long stories of explanation or the editorials. It is likely that he has given you many warnings on the dangers of centralized power before bowing to your preference for comics, gossip and superficial color.

Accept your responsibility for knowing the dangers of centralized power, of knowing the value of dissent and freedom. The future of our government depends upon you, and how you shoulder this responsibility. Your attitude and your actions will determine whether we are unusual people who know the value of freedom, or whether the United States of America will be remembered simply as an interesting experiment in self government that failed.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Robert D. Smith, Jr., of Arkansas, to be U.S. attorney, eastern district of Arkansas, for a term of 4 years (reappointment).

Charles M. Conway, of Arkansas, to be U.S. attorney, western district of Arkansas, for a term of 4 years (reappointment).

Edward A. Heslep, of California, to be U.S. marshal, northern district of California, for a term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, October 18, 1966, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Tuesday, October 18, 1966, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Bryan Simpson, of Florida, to be U.S. circuit judge, fifth circuit, to fill a new position created by Public Law 89–372, approved March 18, 1966.

Charles R. Scott, of Florida, to be U.S. district judge, middle district of Florida, to fill a new position created by Public Law 89–372, approved March 18, 1966.

Fred J. Cassibry, of Louisiana, to be U.S. district judge, eastern district of Louisiana, to fill a new position created by Public Law 89–372, approved March 18, 1966.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman, the Senator from Arkansas [Mr. McCLELLAN], and the Senator from Nebraska [Mr. HRUSKA].

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Edward D. Re, of New York, to be a member of the Foreign Claims Settlement Commission of the United States for the term of 3 years, from October 22, 1966 (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Tuesday, October 18, 1966, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

THIRTY-DAY LEAVE FOR MEMBER OF UNIFORMED SERVICE WHO VOLUNTARILY EXTENDS HIS TOUR OF DUTY IN A HOSTILE FIRE AREA

The ACTING PRESIDENT pro tempore. Pursuant to the unanimous-consent agreement, the Chair lays before the Senate H.R. 15748 which the clerk will state.

The LEGISLATIVE CLERK. A bill (H.R. 15748) to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area.

The ACTING PRESIDENT pro tempore. Is there objection to present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. YOUNG of Ohio. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, I ask for the yeas and nays on the pending bill.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CANNON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

Mr. CANNON. Mr. President, this bill would provide that until June 30, 1968, members of the uniformed services who voluntary extend their tour of duty for at least 6 months in Vietnam will be entitled to a 30-day leave with the expense of transportation to be paid by the U.S. Government.

At the present time, the prescribed tour of duty is 12 months for service in Vietnam. At the conclusion of this period members are rotated out of this area. From the standpoint of overall effectiveness the 12-month tour is less than ideal. At the same time, the special conditions of warfare and the need for maintaining morale justifies in the opinion of our military commanders a limitation of 12 months on the tour of duty for an individual.

If a person should voluntarily choose to extend his tour of duty but desires to return to the United States prior to beginning his extension, his leave is chargeable as ordinary leave and he must travel on a space-available basis unless he should choose to return at his own expense. It is our understanding that space-available transportation at the present time is practically nonexistent.

This proposed legislation, therefore, would provide an incentive for individuals to voluntarily extend their tour of duty by granting them a period of 30 days' leave not chargeable to any other leave account with the leave to be spent at a selected location with transportation at Government expense.

Mr. President, the Department of Defense witness indicated that it is not anticipated that a large number would take advantage of this authority. At the same time, General Westmoreland has indicated that there are key specialists and others in critically needed positions who might choose to voluntarily extend their tour if this authority were granted. It is, of course, a great advantage to the military commander if he is able to retain for longer periods of time those who have acquired knowledge and experience in connection with the war in Vietnam.

Mr. President, I urge the Senate to approve this bill as amended by the committee.

Mr. DODD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DODD. Is the bill open to amendment at this time?

The PRESIDING OFFICER. There is one committee amendment, which the clerk will read.

The LEGISLATIVE CLERK. It is proposed, on page 2, line 10, after the word "title.", to insert:

The provisions of this subsection shall be effective only in the case of members who extend their required tours of duty on or before June 30, 1968.

Mr. YOUNG of Ohio. Mr. President, is the committee amendment before the Senate at the present time?

The PRESIDING OFFICER. Yes; the committee amendment is before the Senate at the present time.

Mr. YOUNG of Ohio. I am opposed to the bill. I desire to speak against the bill, but I do not wish to address myself against the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. DODD. Mr. President, I have an amendment which I send to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The legislative clerk read the amendment, as follows:

On page 1, line 5, strike out "subsection" and insert in lieu thereof "subsections".

On page 2, line 1, after "action," insert "on or after the date of enactment of this subsection,".

On page 2, line 12, strike out the end quotation marks.

On page 2, after line 12, add the following:

"(c) Under regulations prescribed by the Secretary of Defense, and notwithstanding any other provision of law, in the case of any member or former member who, at any time during the six-month period immediately preceding the date of enactment of this subsection and while on active duty in an area described in section 310(a)(2) of title 37, United States Code, by reenlistment, extension of enlistment, or other voluntary action, extended his required tour of duty in that area for at least six months shall be paid for 30 days accrued leave. Such payment shall be in addition to any other pay to which such member or former member may be otherwise entitled. Any amount paid to a member or former member under this subsection shall be determined on the basis of the pay and allowance to which he was entitled on the date of his voluntary extension and shall be computed in the same manner as pay for accrued leave is computed under section 501 of title 37, United States Code. Payment for accrued leave under this subsection, in the case of a member or former member who is dead or dies before he receives such payment, shall be made upon application to the living survivor or survivors of such member or former member as prescribed in section 501(d) of title 37, United States Code."

Mr. DODD. Mr. President, I have offered an amendment to H.R. 15748, the bill now before us which would grant members of our Armed Forces who reenlist for service in a hostile fire area 30 days of paid leave plus transportation to and from the United States.

As reported by the Armed Services Committee, H.R. 15748 would become effective the day it is signed into law and extend through June 30 of 1968.

My amendment would make the bill retroactive to 6 months prior to its enactment, thus extending these benefits to men who have reenlisted since May or June or who will be faced with this decision before the bill is signed into law.

The need for experienced, skilled personnel in Vietnam is critical. H.R. 15748 would help to meet this need by offering men whose tours of duty are about to end a greater incentive to reenlist for an additional 6 months.

There are many servicemen in southeast Asia who have already reenlisted without the inducement of a reward. It strikes me as unjust to ignore all of these men, for they have remained in this critical area out of a sense of responsibility, duty and patriotism. To reward only those who reenlist after the bill is enacted would be unfair and would place material motivation on a plane higher than true patriotism.

Imagine, for one thing, just how discouraging it would be to those few who must make a decision now to know they would not be eligible for these benefits whether they reenlist or not.

I believe that, in all fairness, an amendment such as the one I now offer should be approved.

While it would be desirable to reward all servicemen who have ever volunteered for additional Vietnam duty, the 6-month retroactive date was selected for practical reasons. It simply would not be administratively feasible to extend it for any greater period of time. Those who reenlisted in Vietnam more than 6 months ago have since completed this tour and are assigned to a new duty station or are back in U.S. civilian life. For this and other reasons the 6-month date seems to be the most reasonable cutoff point.

Since it would not be practical to interrupt the remaining duty time for these particular men, another form of benefit must be substituted for the 30-day leave prescribed in H.R. 15748.

The most sensible and equitable substitute would be an added 30 days' pay at the salary level of the individual eligible for these benefits.

Under this proposal, these servicemen would not benefit as much as those who reenlist after enactment of H.R. 15748, but, all things considered, it would seem to be the best solution.

In those tragic cases of men who have lost their lives while fulfilling a 6-month reenlistment tour in Vietnam, 30 days' additional pay would be provided his widow, children, or dependent parents.

I hope that the Senate will act today to offer our military personnel in Vietnam an incentive to extend their tour, and, in so doing, will also recognize those dedicated and unselfish men who have already made this great personal sacrifice without promise of reward.

Mr. President, it seems to me to be a reasonable, humane, and sensible amendment. A member of the armed services may have reenlisted voluntarily, out of sheer patriotism, but, because of the time it takes for such a bill to go through the legislative machinery, until the President signs it, he is ineligible. It could have happened last week. It does not seem fair to me.

I offer this amendment in all earnestness. The need for experienced, skilled personnel in Vietnam is critical, as we all know. H.R. 15748 would help to meet that need, and I am for it.

But there are many servicemen in southeast Asia, and perhaps in other hostile fire areas, who have already reenlisted without this inducement or reward. I repeat that it strikes me as being unjust to ignore all those men. I know we cannot go all the way back. It would seem to me to be obviously administratively impossible to do that. We can go back a reasonable time, and we can certainly include those who, in recent months, on their own, without any inducement of 30 days' pay, but because they wished to serve their country in great danger and great hardship, reenlisted. I say that they should not be excluded from the benefits of the bill we are considering today.

I say that to reward only those who reenlist after the bill is enacted would place material motivation on a plane higher than patriotism. Imagine how discouraging it must be to those few who must make a decision now—by now I mean today or in the next few days, before the bill could be enacted—to know that they will not be eligible for these benefits whether they reenlist or not.

It seems to me that this is a fair amendment. Let me add that while I think it would be desirable to reward all servicemen who have volunteered for additional duty, the 6-month retroactive date was selected, as I have pointed out, for practical reasons. The most sensible and equitable substitute would be an added 30 days' pay at the salary level of the individual eligible for those benefits. It would not be combat pay; it would be just his regular pay. Under this proposal, those servicemen would not benefit as much as those who would reenlist after the enactment of this bill. They will not get the same benefit; they will just get 30 days' additional pay, and that is all. I think we ought to do something for these people who have, on their own, volunteered to stay over there, in perhaps the most difficult place in the world, to wage a war in the jungles, suffering day after day, not permitted any of the normal leave that other soldiers receive. And in those tragic cases, Mr. President, of men who have lost their lives while fulfilling a 6-month reenlistment tour, under my amendment 30 days' pay would go to the widow or children or dependent parents.

I think it is not only a humane thing to do, I think it is an entirely sensible thing to do. As the bill stands now, it puts a premium on the material value of reenlistment, and ignores all those brave men who have reenlisted on their own, without any such inducement. I think it is little enough. I do not know how many are involved. A member of my staff talked to the Pentagon, but could not obtain a figure. They said there was no technical objection to my amendment. I suppose they may not like it because it may burden them with some slight amount of additional administrative work.

But I do not know how I can face or any of us can face the family of a boy who reenlisted, say, 10 days ago, when they ask, "Why did he not get the additional pay or the breaks you are giving those who reenlisted after the bill was signed?"

I do not know how to answer them. I do not think anyone else could answer them. It is not any answer, to me, to say it was a practical matter. It is an easy thing to do what my amendment would do—we have done it many times heretofore—to show them that we appreciate what they did without the inducement of money and a free trip home.

That is the whole purpose of my amendment. I hope that the distinquished Senator from Nevada will accept it. I do not know whether he can or not, but I wish he would.

Mr. CANNON. Mr. President, if the Senator will yield, I regretfully must say that I cannot accept the amendment on behalf of the committee. Furthermore, the Department of Defense has advised me that they are opposed to the amendment.

With respect to one question the Senator posed, as to the families of the men who have already reenlisted, who might ask why they did not get the additional pay, the answer is very simple: Because the bill does not provide for additional pay. No one receives any additional pay under the bill as reported. That provision is part of the Senator's amendment, which is where the so-called additional pay comes in; and we also are opposed to that provision.

Traditionally, in the service, a man may accrue leave, for which he can be paid on separation. He cannot accrue more than 60 days' leave at one time. Such leave is frequently accrued, and when the men are separated from the service, they receive payment therefor.

In addition, the Senate has provided on previous occasions incentives for the people serving in Vietnam. For example, we passed a bill for hostile fire pay, providing that they could be paid additional compensation for service under such circumstances. We passed a Federal income tax exemption for enlisted men serving in Vietnam. We provided an additional exemption of about $200 a month for officers serving there.

So it is not correct to maintain that we have not given them any incentives. This proposal is simply a proposal to induce more people to reenlist in the specialist areas General Westmoreland has referred to, where the need is especially great, and some added incentive is needed. This is an incentive for future reenlistments, not for reenlistments which have occurred in the past. If a man has had his leave, and reenlisted, he is not in a position to take additional leave in the future. This bill would simply provide that if he does reenlist, he could take a 30-day leave which would not be charged to his normal leave, and could come to the United States, if he so desired, on other than a space-available basis, and then return to the area of conflict.

I say, with due respect to the Senator, that if I felt his amendment had merit, if the committee felt it had merit, and if the Department of Defense felt it had merit, we certainly would have no objection to supporting it. But for the reasons I have stated, I cannot support the amendment of the Senator from Connecticut, and would have to urge the Senate to reject it.

Mr. DODD. Mr. President, may I make a brief response?

It seems to me that the crux of the issue before us is this: Under the bill, the man who reenlists after its signing gets a free trip home, besides the additional pay. All I am asking is that those who have reenlisted recently receive, not the free trip home—they are going to stay there in combat—but only that they receive the regular additional pay, for a 30-day period. I cannot see the unreasonableness of it, and I think it is a mistake to exclude them.

Mr. YOUNG of Ohio. Mr. President, it is amazing to me that we should even seriously consider an amendment of this sort. I am, of course, definitely opposed to the amendment, together with other members of the Armed Services Committee including the Senator from Nevada [Mr. CANNON], who is managing the bill.

Senator CANNON and I were, of course, present at the the Armed Services Committee hearing on this bill. Only one witness, Gen. William Berg of the Department of Defense, testified. Following his testimony the distinguished chairman of our committee, the Senator from Georgia [Mr. RUSSELL] questioned him.

Senator RUSSELL asked him:

> You mean a man flying an airplane off a carrier is not considered in hostile fire?

Somewhat to our surprise, it turned out that such an individual would not benefit from this bill. The amendment contrary to what was said by the author, who is not a member of the Armed Services Committee, does not grant to all servicemen this added pay. As the distinguished Senator from Nevada has said, we have already been very fair to our combat troops in Vietnam. They are the beneficiaries of hostile fire pay, and they have the income tax exemption, as he stated.

After General Berg responded to Chairman RUSSELL's question, he was told:

> So, he would not benefit from this bill.

General Berg replied:

> That is correct.

Chairman RUSSELL then stated:

> But a man serving on the ground, in the ground forces of the Air Force up in Thailand, would be included.

To our surprise, General Berg said:

> Not in Thailand, because that is not a hostile fire area, sir.

Yet, practically all the airplanes that fly from our airbases in Thailand bomb installations in North Vietnam, and many of our pilots from Thailand are shot down.

Mr. President, I am going to argue later against the passage of the bill in the form in which it was reported from the Armed Services Committee. I was in the minority on that committee, but I am knowledgeable as to the contents of the pending bill.

It is apparent that the author of the amendment lacks knowledge as to who would and who would not benefit from the bill.

There is no precedent for the bill in its present form. Chairman RUSSELL has expressed himself on the RECORD as having misgivings about the bill.

The distinguished Senator from Hawaii [Mr. INOUYE], a member of the Committee on Armed Services, referred in our committee to the ice cream men—the men working in PX's and commissaries—and the headquarters men, and to the fact that they would be the real beneficiaries of the pending bill, but that helicopter pilots in Thailand, and pilots flying from Thailand would not benefit whatever.

Responding to a question by Chairman RUSSELL regarding the fact that our pilots flying missions over Vietnam from our bases in Thailand are not covered by the proposed bill, General Berg stated:

> Those people do receive hostile fire pay.

Chairman RUSSELL then said:

> Well, how about a man that is working in an office in Saigon?

General Berg replied:

> Any person who is stationed in Vietnam or in the waters within a 12-mile limit, I think it is, where the tour is precisely one year, would be covered by this bill.

Without a doubt, the officers and enlisted men stationed in our air-conditioned headquarters in Saigon would be the real beneficiaries of this bill. They would like to retain the continuity of the office personnel there.

General Berg stated that only our personnel stationed in Vietnam or in the waters, within a 12-mile limit, would be covered by the bill.

In the hearings, Chairman RUSSELL said:

> Unfortunately, a large percentage of the 400,000 people we have over there are not engaged in combat at any time, and they will benefit by this just as much as the man who stays up there in the rice paddy, getting shot at all day. But as I say, we have never been able to get the Department of Defense to undertake to define a combat troop, a combat soldier. They say they cannot. We will have to take it as it is.

In the course of the hearings, Chairman RUSSELL also said:

> Well, it is a mighty bad bill. It is worse than I thought. . . .

Mr. President, that statement was made by the distinguished and respected chairman of the Armed Services Committee of the Senate at a hearing in which the Armed Services Committee was considering this matter. He said:

> It is a mighty bad bill. It is worse than I thought.

Mr. President, I am not going to speak at any length on the bill itself at the present time, but as soon as the pending amendment is disposed of, I intend to express my views regarding the bill.

This is a bill concerning which our distinguished chairman expressed some doubts and misgivings. I consider it to be a very bad bill and I intend to speak and vote against it.

I think the amendment offered by the Senator from Connecticut would make it a worse bill. I join with the manager of the bill, the Senator from Nevada [Mr. CANNON] in urging that the amendment be rejected.

Mr. DODD. Mr. President, the argument of the Senator from Ohio seems to be that the pending bill is a bad bill.

I have listened to his reading of the record and the Senator from Georgia [Mr. RUSSELL] was saying, it seems to me, that the bill should have included those people in Thailand.

That would make sense to me. I am not a member of the committee. I do not know the ins and outs, but one does not have to be a member of the committee to sense the humane element in the amendment I offer. That is the purpose in offering it.

Mr. President, I am ready to have a voice vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut [Putting the question.]

The amendment was rejected.

U.S. ARMED FORCES IN THAILAND

Mr. MORSE. Mr. President, on September 27, the Foreign Minister of Thailand, Thanat Khoman, spoke to the General Assembly of the United Nations. His speech, like those of other spokesmen for some of the small countries of Asia—the Philippines, South Vietnam, Taiwan—reviewed the importance to them of U.S. protection against their present and potential enemies. Mr. Thanat sought to wrap himself in the cloak of freedom, although he and his government do not represent freedom in their own land.

The junta that rules Thailand today destroyed constitutional government in that country in 1958, when they overthrew it by military coup. Its Foreign Minister speaks piously now of "freedom-loving peoples," as though his government had brought freedom to someone, or had safeguarded it for the people of Thailand. There have been no elections there since 1957, the year before the present Government suspended the constitution.

Mr. Thanat has no credentials to speak for freedom at all. The most he can show is that the Thai Government today is non-Communist. That goes a long way in Washington these days, especially among small Asian countries. So far, Thailand is not Communist. But indications are that with our help, the Government Mr. Thanat speaks for is introducing into Thailand all the elements that made Communist gains possible in South Vietnam.

THAI NEED FOR SECRECY

Communism has bred and thrived in Asian countries governed the way Thailand is governed—by a clique which enjoys financial prosperity at the expense of large numbers of its people, and made possible by profitable arrangements with a western nation.

Mr. Thanat told the General Assembly:

> The intransigence of the aggressors has in no small measure been encouraged and even enhanced by the lack of unity and by dissenting opinions of small and misguided minorities in various countries. These dissenting minorities, consisting of elements from legislative quarters, from the press, the church and from the uninformed academic circles, are least familiar with and even ignorant of the true facts of the situation, but allow themselves nevertheless to be carried away by their abstract and unrealistic constructions, or by their belief in false liberalism, to voice suggestions and opinions which benefit and give comfort to no one except the enemies of freedom and liberty.

I do not expect Mr. Thanat to understand, much less to appreciate, the debate on foreign policy which has gone on in a small way in the United States Senate. The Thai government has no time for such institutions as the check and balance system or any kind of division of powers and responsibilities, such as characterize our constitutional system of government. It came to power by deposing established institutions of that kind, just as they were beginning to take hold in Thailand. Half of the National Assembly had been chosen in 1957 by popular vote for the first time, when it was eliminated by military coup d'etat.

Thailand's foreign and domestic policies are not put to any more tests of popular support, and if legislative quarters, the press, the church, and academic circles in Thailand or the United States are uninformed, it is because the government in Thailand does not want them to be informed.

Why not? Why does Mr. Thanat's government draw an iron curtain of secrecy around the military arrangements and financial arrangements it has made with the United States, and then argue that all inquiries and objections from legislative quarters are the result of ignorance?

If his case is so convincing, why does he not want it discussed publicly by the American Senate and its Foreign Relations Committee?

And why are these demands of the Thai government for secrecy in its dealings with the United States accepted by the American Government, even at the sacrifice of our American constitutional principles?

The administration rejected the request of the Senate Committee on Foreign Relations to discuss with us in open meeting the nature and purpose of the American involvement in Thailand. It is understood that this response was in deference to Thailand. It is my own opinion that the forthcoming election also had a lot to do with reluctance of the administration to discuss the nature and extent of our buildup in Thailand, for it already exceeds the extent of our buildup in Vietnam prior to the election of 1964. The Congress and the American people were given little indication of what we had been committed to there, either, prior to the 1964 election.

This time, the Foreign Relations Committee has done its best not to let that happen again, and to fulfill our constitutional duty to participate with the executive in the fixing of foreign policy objectives and methods. That duty is one of the reasons for the existence of the Senate. This body was created with special powers and qualifications to serve as a counsel to the President, particularly in international affairs. That is why treaties must be ratified by two-thirds vote of the Senate, and why it must confirm the appointment of ambassadors.

It was expected that the commitments of the American people would be made in treaty form. Today, that is almost a dead letter.

Too many in the Congress of the United States have abdicated their constitutional responsibilities to check an executive branch of Government.

I say to the American people: It is your responsibility and your fault. Do not pass the buck to the Congress of the United States, for you elected its Members. So long as you are willing to elect men and women who are willing to abdicate their constitutional responsibilities, then you have only yourselves to blame for this trend toward government by executive supremacy. If you permit it to become a reality in full, then you will have lost your freedom.

The operative treaty in this area of the world, SEATO, commits us to consult with certain nations in cases of insurgency and to act in accordance with our constitutional principles to meet a common danger from armed attack. That is all it commits us to, Dean Rusk to the contrary notwithstanding. What we are doing in Thailand is not consulting about an insurgency. But no "common danger" has been found by SEATO; neither have the constitutional processes of our Constitution to act under that paragraph been met, and our current actions have not been reported to the Security Council of the United Nations, as they must be when we act under this commitment through the United Nations Charter.

The creeping escalation in Vietnam and the secret buildup in Thailand tell us how far we have moved away from the principle that such undertakings of the United States, such commitments of the blood and wealth of the American people, could be entered into only upon the advice and consent of the Senate. Not only do the American people no longer know what is being done in their name and in the name of future generations, but the Congress and the Senate do not know, either.

The Senator from Arkansas [Mr. FULBRIGHT] accurately referred on Monday of last week to an American effort to change the face of Asia by executive fiat. Executive fiat is what Mr. Thanat likes and understands best, because it is by executive fiat that his dictatorial government governs. It has no time for checks, balances, questions, or debate from a legislature responsible to the people, a legislature which must raise the armies and the money to pay for a program undertaken by executive fiat. The first thing the military junta Mr. Thanat represents did when it seized power was to get rid of a legislature that was then only even partly independent.

In Thailand, the money to pay for its programs comes from the United States, or is raised at home by executive fiat, too.

U.S. FINANCIAL SUPPORT OF THAILAND

A few sentences later, the Thai Foreign Minister spoke of "Others still who are far away and in the midst of their opulence and comfort seem also to be seized with griping apprehension that events in Vietnam may adversely affect their present abundant and luxurious living by dragging them into the spreading conflict."

As one who has gone over the foreign aid presentations year after year in the Foreign Relations Committee, I can say that few countries exceed Thailand in the glowing picture presented of their prosperity while at the same time their grant economic aid from the United States has gone up year after year. We are told every year that it has a high rate of landownership by farmers, and that it has a good rate of economic growth. These optimistic reports are promptly contradicted in the foreign aid presentations by the information that one-third of the entire population living in the Northeast of Thailand does not share in the general prosperity, is remote, neglected, and consequently subject to Communist guerrilla activity that requires large sums of American money to combat.

A reasonable question arises of why it has been necessary for the United States to expand an economic grant program in a country that is supposed to be as well off as Thailand. Currently, U.S. economic aid to Thailand is about 70 percent grant money. This very high level of supporting assistance is, of course, justified in the U.S. on the ground that it is spent to curb or head off insurgency in the northeast and extreme south of the country.

Every report that comes to me does not suggest that life in Thailand, particularly Bangkok, has become Spartan or that any belt-tightening among the Thais has occurred in an effort to combat its own insurgency problem or to contribute to the war in Vietnam. To the contrary, American aid has taken care of these costs for the military junta running the government of Thailand. As has been true in Korea, Taiwan, South Vietnam, and the Philippines, the efforts of Thailand to counter any Communist threat, internal or external, has largely been financed by the United States, not by the opulent and comfortable among their own people.

I wish it were possible for me to tell the Senate, the American people, and the Thai people, too, of all the American money now going into Thailand by way of economic aid, military aid, and the expenditures of the Defense Department for our bases and forces. The economic aid last year was about $40 million and $60 million this year. But the military aid information has to remain secret. I want to repeat that, Mr. President, for that sentence is a sentence that the American people should take note of: But the military aid information has to remain secret. That is in keeping with the requisites of the Thai Government. It is enough to say that the United States is paying a very high price to Thailand for the use of her territory.

The American people will subsequently be introduced, after the fact, to commitments which, in my opinion, are not in the security interests of this Republic and never should have been made in the first place.

Much of the whole foreign aid program is for the purpose of implementing those commitments. Nothing in it should be kept from the American people, for it will be the American people who pay the bill and who will die by the millions if the foreign policy course of action of this administration is not checked; and it should be checked here in the Congress.

U.S. PRESENCE MAKES THAILAND A TARGET FOR SUBVERSION

More important is the relationship to our American military activities of the guerrilla activities in northeast Thailand. There does not seem to have been an insurgency problem there until after we sent 5,000 troops into the area in 1962. The reports of "terrorism" and guerrilla insurgency began about 1964 and 1965, when plans for large-scale American bases were well underway. There is no evidence that this U.S. buildup was designed to counter an internal threat to Thailand. On the contrary, the internal threat has come after Thailand offered herself as an outpost of the Pentagon building in Asia.

A column on Thailand by William Ryan of the Associated Press appeared in the Eugene, Oreg., Register-Guard on September 29, and I ask unanimous consent that it be included in the RECORD at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, Mr. Ryan notes in his articles:

> Thailand's role in the Vietnam war, as the site of bases whence United States planes take off, probably has made the country even more an attractive target for subversion and guerrilla tactics inspired and supported by the Red Chinese. . . .
>
> There is little secret about the use of Thai bases in the Vietnam war. As long ago as January, the Associated Press reported from Saigon that probably 60 percent of air strikes against North Vietnam were taking off from Thai bases. With the U-Tapao base now available, the percentage seems bound to rise. It should be far easier for B–52 bombers to reach North Vietnam from there than from Guam.
>
> At the enormous Sattahip naval base complex, 100 miles south of Bangkok, Americans are building a complete major port at a cost of about $90 million. When it is completed within two years, it will have deep water berths, rock breakwaters, new fuel storage tanks, pipeline supply systems, improved port installations, ordnance depots, table communications and supporting facilities.
>
> In addition, new roads with military meaning are being built in the country and existing transport routes are being upgraded. . .

Mr. Ryan later notes that in addition to these direct expenditures on capital improvements, U.S. economic aid to Thailand in 1965 amounted to $43 million, with an additional unspecified amount of military aid. The economic aid figure this year is over $60 million. So Thailand has been well rewarded financially for this U.S. military presence.

Let me point out to the American people that they have not been given the facts about the economic aid either. Let me point out to the American people that this administration will not permit the release of the investigations of the Comptroller General of this country and the expenditure of American aid money in Thailand, and that is not because of any request of the Comptroller General. He is perfectly willing to have those reports released. He is perfectly willing to have the label "secret" and "confidential" taken off of those reports. This administration does not dare to take them off, any more than it dares to take those labels off the other reports dealing with the shocking waste, inefficiency, and the cause of graft and corruption of American foreign aid in many parts of the world found by the Comptroller General in his investigations.

I want to say to the people of this country that if they are interested in their own self-interest they should resent the secrecy of this administration and insist that the people be given the facts.

But it is a sad fact that the American military presence in Thailand has made that country a target for subversion. This means that we also have a responsibility to protect and defend this undemocratic government, no matter how serious the insurgency becomes, no matter how unpopular it may be with its own people, and no matter whether the opposition is Communist or non-Communist.

This is how we tied ourselves to Diem in South Vietnam, and ultimately felt we had to carry on a war there. Likewise, we have intruded ourselves into Thailand to the extent that we have a "face" there that we will be told we must save at any cost.

U THANT HAS BEEN THWARTED BY MANY NATIONS, INCLUDING THAILAND

Elsewhere in his speech, Mr. Thanat said of the forthcoming retirement of the Secretary General:

> Another reason which prompted the Secretary-General to decline accepting further his present difficult assignment is said to be lack of cooperation on the part of certain nations to solve a number of international problems, among which figures prominently that of the war in Vietnam. There again, we who live in Southeast Asia fully understand and appreciate the disappointment and frustration felt by an international official whose primary duty it is to help bring international conflicts to an end and to develop and promote peaceful conditions in the world. For in spite of his desire to discharge conscientiously the responsibility of his office, the Secretary-General, more often than not, has had to face non-cooperation and even completely negative and obstructive attitudes from those who seek to extend their domination and further to expand their influence and control over others. That explains why, on more than one occasion, the Secretary-General has had to adopt a totally despondent posture and confess to the world at large that much as he realizes that it is his duty to help resolve the present acute problem of the war in Vietnam, neither the organization which is entrusted with the function of preserving and maintaining peace nor he himself who is its chief executive, can do much, if anything at all, to carry out their peace mission.

I wonder whether Mr. Thanat said this in full knowledge of U Thant's 3-step proposal for negotiations, the first of which is that we stop bombing North Vietnam. In any case, one of the chief points Thanat makes in his address is that the bombing should not stop.

The United States and Thailand have, by their joint bombing raids, contributed full share to the difficulties faced by the Secretary General in seeking to bring peace to southeast Asia. As I have mentioned, we expanded the war by using Thai bases as our privileged sanctuary, and Thailand expanded it by permitting us to do it. Neither country has reported these measures to the Security Council of the United Nations, as we are obliged to do if we are acting to meet a common danger from armed attack under the Southeast Asia Defense Treaty.

Let me say for the benefit of Secretary of State Rusk that the so-called informal conversations or backstage conversations by the American Ambassador in the United Nations do not meet the obligation under SEATO to report to the Security Council; for we have an obligation to file formal reports setting forth the facts concerning our activities, and that the United States does not dare to do. The United States does not intend to tell the world what it is doing in secret in many parts of the world to increase the great danger toward more conflict instead of less conflict. Thailand is a good example.

The bombing of North Vietnam by the U.S. planes out of Thai bases was resumed early this year at the same time we asked the Security Council to deal with the threat to peace in Vietnam.

That was a face-saving resolution on the part of the administration. The heat was too hot for the Johnson administration not at least to make some gesture toward the Security Council. So it did file a resolution, but has not carried out its responsibilities by insisting upon action on the resolution. That is why I have been saying in recent days in the Senate and across the country—and I shall continue to say it, Mr. President—that the President is going in the wrong direction when he goes to Manila. The President should go to New York City. The President should appear first before the Security Council and then before the General Assembly. The President should talk to the world as the representative of a signatory to the United Nations Charter and call upon the United Nations to carry out the primary obligation of every signatory to that Charter—that is, meet in joint action to enforce a peace where there is a threat to the peace anywhere in the world.

That is where my President should do his talking, rather than in Manila in a conference composed for the most part of those who were in collusion and threatening the peace of the world in Asia, many of them having become our vassal states completely dependent upon the American taxpayers for the payment of their international military operations.

The technique of making the war bigger as we ask someone else to stop it has characterized our policy in southeast Asia. The New York Times of October 7 had editorial criticism of this practice, and I ask unanimous consent that the editorial be printed at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

Mr. **MORSE.** The editorial states in part:

> Can the United States steadily escalate the war in Vietnam, prepare for a still bigger war next year, and at the same time bring about peace negotiations with Hanoi? Peace offers with one hand; killing, burning, defoliating, destroying, bombing with the other. The result, surely, is to cancel out each other's effectiveness. . . . Yet, this past week the United States showed that it could call a halt where it wanted when the bombing of a corner of the demilitarized zone between North and South Vietnam was stopped. It could be stopped in all of North Vietnam. Talk of peace plus acts of war will not add up to a negotiated settlement. The old adage that "actions speak louder than words" applies in Vietnam today as it has at all times and everywhere.

I want to commend the editors of the New York Times once again because during the past 3 years, as this historic debate has continued in the Senate, with a small number of us protesting American policies in southeast Asia, the New York Times has published editorials which support the general position we have taken, just as this editorial backs up the position that I, the Senator from Alaska [Mr. GRUENING], and the Senator from Arkansas [Mr. FULBRIGHT] have taken in regard to the escalating war policy of the United States in southeast Asia.

Mr. Thanat roundly castigates the proposal that the bombing be stopped.

The proposal has come from a prominent dissenting legislative quarter of the Senate, the chairman of our Foreign Relations Committee [Mr. FULBRIGHT]. It has also come from the Secretary General of the United Nations, U Thant. Mr. Thanat of Thailand deplores the idea, but he also deplores the failure of nations to cooperate with the Secretary General in his quest for negotiations that will stop the war.

He might well start with Thailand and the United States in this respect, for it is our two countries that have forestalled what U Thant considers the first step toward peace negotiations.

With the possible exception of the Soviet Union, no nation or combination of nations in the United Nations is able to cope with the B-52's and other fighters and bombers of the American Air Force, except with American cooperation. So long as they bomb on our command, there there is nothing the United Nations can do to stop them. That, too, is one of the frustrations of U Thant—one of the major ones, not only for him but also for the whole United Nations.

THAILAND URGES BOMBING TO CONTINUE

It comes with poor grace from the Foreign Minister of Thailand to speak first of the roadblocks nations have put in the way of peace, and then to demand a continuation of the bombing. He told the General Assembly:

> Some have suggested that in order to end the war in Vietnam there should be unilateral cessation of aerial attacks on North Vietnam. In this connection, they all seem to have forgotten that bombing has been halted at least twice, the first time for five days and the second time for more than a month. In both cases, the cessation of bombing yielded no worthwhile results. On the contrary, it gave undue advantage to the other side which made use of the lull to gather more strength, with which to intensify and escalate the conflict.

Since the one contribution of Thailand to the war has been the use of its territory for our air bases, and for which we have stepped up our aid program and our capital investment in that country, it is no surprise that Mr. Thanat wants the raids to continue.

The air attacks on the North began early in 1965. At that time, the so-called invasion from the north was a trickle of men and supplies. Today, after a year and a half of bombing at a rate exceeding the monthly tonnage dropped on all of Europe in World War II, and in Korea, the rate of infiltration has still grown. On August 21, the New York Times reported from Thailand:

> United States sources say the North Vietnamese have succeeded in greatly enlarging and improving the so-called Ho Chi Minh trail through Laos to South Vietnam in the last 18 months. Despite daily American air strikes, the sources declared, the North Vietnamese have been able to turn a web of what were once simple tracks or paths into a complex of dirt roads over which their Soviet-made supply trucks can move.

When I make reference to those statistics, Mr. President, I am using statistics of the administration. I am pointing out the testimony of Pentagon witnesses, including the Secretary of Defense, who has testified that we are dropping more tons of bombs per month in the war in Vietnam than we dropped per month on all of Europe and Africa during World War II.

This is no brush fire that we are fighting. The United States has made it a major war.

Our casualties month by month are beginning to show how major it is. The cost of $2,700 million a month to the American taxpayers also shows how major it is.

I take Senators to the testimony of the Secretary of Defense prior to the beginning of the bombing of Hanoi and Haiphong. His testimony in January 1966, in reply to questions put to him by the Senator from North Carolina [Mr. ERVIN], before we even started the bombing, was that the bombing would have little effect upon what assistance the North Vietnamese were giving the Vietcong.

What is being pointed out now by authority after authority, by correspondent after correspondent, is that the bombing of Hanoi has only intensified their determination to continue the war.

We may eventually be able to bomb them to a surrender table, but we will never bomb them to a peace table. What the American people had better recognize, before it is too late, is the difference between a surrender table and a peace table. We had better recognize, before it is too late, that for future generations of American boys and girls, not only for decades, but for centuries to come, the Asian people will have great resentment toward Americans.

Mr. President, we have lost our mind. We have lost our judgment. We cannot do this on a unilateral basis. We must proceed, as I have pleaded on the floor of the Senate, as have the Senator from Alaska [Mr. GRUENING] and the Senator from Arkansas [Mr. FULBRIGHT], and other Senators, on a multilateral basis to have a peace table set up—not with the United States at the head of that table. We have lost our right to sit at the head of the table. That table must be a tripartite table, a three-sided table, the United States and South Vietnam on one side, the Vietcong, the North Vietnamese, and probably the Red Chinese on the other side, and the noncombatant nations conducting the negotiations, and "calling the shots," so to speak, for every nation in the world has a vital interest in a peaceful solution of the American war in southeast Asia.

On August 10, the Times had also reported that the infiltration rate had increased despite these raids:

> Neither increasing bombing of the North nor stepped-up American "spoiling attacks" on guerrilla bases in the South has appeared to reduce the enemy's ability to build up his forces in response to American increases.

In fact, these forces are being increased. Week by week, by the thousands, there are desertions from the South Vietnamese forces and recruitment of Vietcong in South Vietnam. We are getting information that has filtered through that the tyrant we are keeping in power, Ky—who never fought the French, but fought with them—is not going to resort to capital punishment against desertions. What a confession of the failure of the South Vietnamese military establishment. The latest figures furnished to us in the Foreign Relations Committee were that they are having desertions on the basis of 90,000 a month.

I do not know how long this administration can keep the American people in darkness, as to what we are really doing in southeast Asia.

I full well understand my course of action; but I intend to keep the trust, and I do not intend to vote to kill American boys in an undeclared war.

Let the administration come forward with a recommendation of a declaration of war. Once again, I repeat, it does not dare recommend a declaration of war. The reason why it does not dare to recommend a declaration of war is that it would stand isolated around the world.

In examination of our Ambassador to Russia the other day in the Foreign Relations Committee, when he was before us for confirmation, I put a series of questions to him and I asked him what he thought the reaction of Russia would be if we followed the recommendation of the war hawks in this country to blockade Vietnam. I asked him if he thought the Russian flag would be lowered to that blockade. He replied in the negative; he thought that Russia would not lower its flag to the blockade. I asked what would happen after we sunk the first Russian ship. His assumption was the obvious—we would be involved in a military confrontation with Russia.

As I said before, it would not be fought in Asia, but it would be fought in New York City and in Chicago and in Portland and in Moscow and in Leningrad and around the world. I repeat it. Sometimes I get criticisms from some persons over these repetitions, but I am an old teacher. I know how important it is in the learning process to repeat and repeat until the class finally grasps the lesson. I do not give up hope that even the Congress of the United States will recognize that we cannot justify history by following a course of action which our own Ambassador admitted under examination the other day would lead to a military confrontation with Russia.

Perhaps our bombing did not cause the increased infiltration described by the press from official figures; but if its purpose was to stop or reduce it, it did not. If our purpose was to destroy the will of the North Vietnamese to aid the rebellion in the south, it has not done that, either.

In fact, many evidences come out of North Vietnam that our bombing has enhanced the determination of North Vietnam to fight back.

Our bombing, like our troop buildup in South Vietnam, has proceeded on the assumption that all the escalating would be done by the United States alone.

I find in the remarks of the Thai Foreign Minister words that apply as much to Thailand as to any other country, so I quote him:

> From a pragmatic viewpoint, it may be too much to expect that ethical considerations should prevail in the discussion of such a hotly contested international issue. In reality, the question is much more complex, involving heterogeneous elements among which are ideological bias, acute self-interests, past private feuds and instinct of revenge or simply fears of losing the beatific enjoyment of present material abundance and luxury available in profusion in certain parts of the world.

PROBLEM IS TO REDUCE, NOT RAISE, LEVEL OF WAR

No doubt any criticism of Thailand by Members of Congress will continue to be resented in a country that has abolished congresses. I do not mean to arouse controversy nor to irritate needlessly a foreign government. But when its officials urge upon the United States a policy of bombing a third country from bases on its territory, bases which cost the American taxpayers hundreds of millions of dollars plus additional aid to that country, in defiance of the peace plan urged upon all warring parties by the Secretary General of the United Nations, I think some inquiry into their motives and reasoning is called for.

What worries me more than anything is the real likelihood that the arrangement we have bought in Thailand will turn out like our arrangement in South Vietnam. Eventually, the government we sheltered and financed in South Vietnam collapsed, and had to be replaced with a virtual U.S. military occupation. That is what I fear lies in store for us in Thailand, especially if China and Russia eventually came into this war.

The more we use Thailand to bomb Vietnam, the more those bases become targets and the more Americans have to be sent to protect them. It is questionable that Thailand will remain a privileged sanctuary any more than North Vietnam did, but the responsibility for her defense will lie with us.

PROSPECTS FOR MANILA CONFERENCE

President Johnson's meeting with certain Asian heads of state will, we all hope, result in some development in the direction of peace that is not now discernible. A parley of states on one side of a war does not usually seek or result in any moves toward peace other than plans for total victory. An Asian conference that included Japan, India, Pakistan, and other nonbelligerents would afford a little more impartiality and perhaps some ideas that would not occur to countries so deeply committed to the prosecution of the war as are Thailand, South Vietnam, South Korea, and the United States.

The great defect of the conference is simply that the United States is to be the only non-Asian participant, just as we are the only non-Asian participant in the war. We count ourselves an Asian power, just as we count ourselves an Atlantic power, a European power, a Middle Eastern power, a Western Hemisphere power; and we would quickly count ourselves an African power, too, should anything develop in that continent to cause us worry.

That does not make us an Asian country. It is one of the tragedies of our tremendous power that we seem to think because we have interests somewhere, we must also have prevailing power there. Small countries around a great power seem either to accept the leadership of the nation in whose shadow they live, or seek the shelter and support of a rival great power. Cuba has done the latter; so have the small countries of Asia with whom President Johnson will be meeting.

Mr. President, I close by saying that I share the fears of some of my fellow Senators who have not supported my position in opposition to the war in Vietnam, but who have expressed great concern about the spreading of U.S. military power around the world, involved, as we now are, in 42 securities treaties in all parts of the world.

I should like to see those treaties merged from bilateral treaties into multilateral treaties not as cloaks for U.S. action but genuine multilateral obligations. I should like to see us follow a course of action that would cause other nations to join with us on a multilateral basis, in order to maintain peace in the world.

I think the best way and the best place to start with that type of merging is for us to change our posture before the United Nations, and begin insisting upon our rights within that body and to have our President call upon the United Nations in no uncertain terms to take jurisdiction over this threat to the peace in southeast Asia.

Mr. President, I ask unanimous consent to have printed as exhibit 3 certain other press clippings concerning the United States and Thailand: an editorial from the St. Louis Post-Dispatch for the week of September 19–25; an article from the St. Louis Post-Dispatch of September 18, entitled "What Is Aim of United States in Thailand"; an article from the Washington Post of October 2 entitled "Spotlight on U.S. Bases Irks Thailand"; two articles by Richard Fryklund on Thailand which appeared in the Washington Star; an editorial, "Dramatic Move," from the Oregonian of September 30; and an article from the Christian Science Monitor for October 1 entitled "Vietnam: Doubts on Asian Talks."

There being no objection, the clippings were ordered to be printed in the RECORD:

(See exhibit 3.)

EXHIBIT 1

[From the Eugene Register-Guard, Sept. 29, 1966]

RED THREAT GROWS—U.S. CONCERNED OVER THAIS

(By William L. Ryan)

Americans today eye Thailand with growing concern. Enough portents and parallels exist to evoke worry that another wedge of Southeast Asia could involve United States forces in a new war with Communist guerrillas in the pattern of Vietnam.

"We ought to know what we are getting into," said Chairman J. W. FULBRIGHT of the Senate Foreign Relations Committee recently. "Are we to have another Vietnam war?" To inquire into the possibilities he announced his committee soon will hold hearings on the United States commitment in Thailand.

Worry over Thailand's place in a Communist timetable dates back to the founding of the Southeast Asia Treaty Organization (SEATO) in 1954, and has deepened considerably in the past two years.

Two years ago the Communists, with the blessing and backing of Red China, announced formation in Thailand's impoverished northeast area of the "Thailand Independence Movement."

In January, 1965, Chen Yi, Red China's vice premier and foreign minister, declared "we may have a guerrilla war going in Thailand before the year is out." Days later, a Thai-language broadcast, possibly emanating from China, announced establishment of a "Patriotic Front of Thailand." This was patterned after the National Front for Liberation of South Vietnam, set up late in 1960 as the political arm of the Viet Cong.

The Thai guerrilla movement is small, but in scale and technique it is ominously similar to the Viet Cong movement of the 1959-60 period.

But—there are big differences in the two situations.

Thailand, for the most part, is prosperous and stable. Its people, 90 per cent Buddhist and far more united than the Vietnamese, on the whole dislike and distrust Communists and Chinese alike. Unlike Vietnam Thailand has a sturdy middle class and many of its peasants—80 per cent of the population—are well off by Southeast Asia standards. Unlike Vietnam, Thailand never was colonized, never partitioned. Since World War II it has been one of the staunchest allies of America in the Far East.

Thailand's role in the Vietnam war, as the site of bases whence United States planes take off, probably has made the country even more an attractive target for subversion and guerrilla tactics inspired and supported by the Red Chinese.

Since early 1965, Communist activities in the Northeast—susceptible to infiltration across the border from an area of Laos held by the Communist Pathet Lao forces—have risen considerably. The Thai government says there were 35 assassinations of government representatives in the northeast in 1965 and more than twice that number thus far in 1966. Red China has broadcast a report that battles between government forces and guerrillas numbered 24 in 1965 and 43 in the first half of 1966.

There are as many United States troops in Thailand as there were in Vietnam early in 1965. The Pentagon has declined to disclose the figure. Unofficial estimates recently put it at 27,000–35,000. William P. Bundy, assistant secretary of state, said last week the figure was 25,000, mostly air force units. That would represent more than twice the number there in early 1965.

A United States-backed air and naval base complex has been enormously expanded. Last month, the U-Tapao airfield, built by the Americans in less than eight months, was turned over to Thai officials. This installation to the south of Bangkok has a field 11,500 feet long with 200-foot wide runway, capable of accommodating the biggest United States bombers. It is 650 miles from Hanoi.

Besides U-Tapao, built at a cost of $40 million, there are four other United States-built jet airbases in Thailand. All have been turned over to the Thai government.

There is little secret about the use of Thai bases in the Vietnam war. As long ago as January, the Associated Press reported from Saigon that probably 60 per cent of air strikes against North Vietnam were taking off from Thai bases. With the U-Tapao base now available, the percentage seems bound to rise. It should be far easier for B52 bombers to reach North Vietnam from there than from Guam.

At the enormous Sattahip naval base complex, 100 miles south of Bangkok, Americans are building a complete major port at a cost of about $90 million. When it is completed within two years it will have deep water berths, rock breakwaters, new fuel storage tanks, pipeline supply systems, improved port installations, ordnance depots, table communications and supporting facilities.

In addition, new roads with military meaning are being built in the country and existing transport routes are being upgraded. Military supplies which would be needed in the event of attack have been placed in forward positions.

Thailand has had a military government, ruling in the name of the king, since 1958. There is some unrest about this, particularly among intellectual elements who say they want more democracy, a new constitution and elections. The government under Prime Minister Thanom Kittikhachorn says the time is inappropriate because of Southeast Asia conditions and the Communist threat.

The nation, about five-sixths the size of Texas with 31 million people, is in enviable condition apart from its northeast, so far as as its economy and prospects are concerned.

By government estimate, the guerrilla movement is small. Bangkok says the Communist hard core amounts to no more than 1,500 in the northeast, operating in roaming bands of 80 to 100 men.

To counter red activity, the government has instituted, with United States help, a civic action program in the northeast, involving mobile development units, police training in counter-insurgency and establishment of a government presence in an area neglected for years by Bangkok. The Americans have provided $35 million for this program.

Communism has never caught on in Thailand. The Thai Communist Party, formed in 1946, was made up mostly of overseas Chinese, of whom Thailand has 4 million. Like overseas Chinese elsewhere, they are subject to pressures from Red Chinese agents. The Communist Party was outlawed and went underground in 1952.

But infiltration in the northeast and central parts of the country by Lao and Thai-stock people, and of Malay-stock people in the extreme south, is easy. Underground radio broadcasts boast of expanding activities aimed at "a violent counteroffensive" to overthrow the Thanon government.

The secretary-general of the Seato alliance in his annual report this month said:

"China, during the past year, turned to a wider and more intense program of subversion, seeking to undermine the anti-Communist determination of the peoples of all Southeast Asia . . . a principal target of subversion has been Thailand . . . under Peking sponsorship a number of 'patriotic front' organizations have come into being under the general political leadership of the Thai patriotic front. Communist terrorism has been most frequent in the northeast, but similar activity has also occurred in the south and some of the central provinces."

Bangkok is the headquarters of Seato, which also has an economic program in the nation. United States economic aid alone amounted to $43 million in 1965.

In comparison with other Southeast Asian countries, Thailand is thriving. Its annual growth rate reached a record 10.6 percent in 1963 and leveled off thereafter at 6.3. Its 1965 gross national product was 80.2 billion baht ($4 billion). Real output rose between 1961 and 1965 by 7.5 percent each year. Real income per person was 25 percent higher this year than in 1957.

Export earnings grow steadily. So do agricultural surpluses, mainly rice, making the country an Asian rice basket.

United States officials in Thailand say they operate on the theory that if the United States provides the tools, the Thais themselves will do the job of combatting Red subversion.

Exhibit 2

[From the New York Times, Oct. 7, 1966]

The President's Trip

President Johnson's remarks about plans for his expanded trip to Asia later this month were a mixture of hopes, desires and pessimism on the progress of efforts to find a peaceful solution to the Vietnamese war.

Mr. Johnson emphasized the attempts that will be made on his trip to seek political, social and economic progress. These are vital goals; but the war will certainly dominate every meeting with the chiefs of state in New Zealand, Australia, Thailand, Malaysia and South Korea, and it will be uppermost at the Manila conference.

There is a question that could have been—but was not—asked at the President's meeting with the press yesterday:

Can the United States steadily escalate the war in Vietnam, prepare for a still bigger war next year, and at the same time bring about peace negotiations with Hanoi? Peace offers with one hand; killing, burning, defoliating, destroying, bombing with the other. The result, surely, is to cancel out each other's effectiveness.

There can be no doubt that the fundamentals of President Johnson's policy, as formulated by Ambassador Goldberg at the United Nations, still stand. The United States is not seeking territory; nor the destruction of the Hanoi Government; nor permanent bases in South Vietnam. It is prepared to cease bombing North Vietnam and withdraw American troops if Hanoi makes comparable concessions.

It is true, therefore, that the United States is fighting a limited war with "limited force," as Mr. Johnson reiterated yesterday. In effect, it is saying: "I won't kill you, but I'm going to beat you within an inch of your life, after which I hope you will come and join some of us around a table to talk peace."

The problem of credibility is a basic one. If the Hanoi Government does not believe that the United States means what it says, there can be no negotiation. Nor would the North Vietnamese test American sincerity if they felt sure that there was no sincerity. They are wrong; but it is not enough for Washington to say so.

Yet, this past week the United States showed that it could call a halt where it wanted when the bombing of a corner of the demilitarized zone between North and South Vietnam was stopped. It could be stopped in all of North Vietnam. Talk of peace plus acts of war will not add up to a negotiated settlement. The old adage that "actions speak louder than words" applies in Vietnam today as it has at all times and everywhere.

Exhibit 3

[From the St. Louis Post-Dispatch, Sept. 19–25, 1966]

Why the Thailand Secrecy?

William P. Bundy taxes credulity when he cites the wishes of the Thai government as the main reason why the Johnson Administration refuses to discuss in open hearing details of the growing American involvement in Thailand.

Mr. Bundy, assistant secretary of state for Far Eastern affairs, explained the Administration position before a closed session of the Senate Foreign Relations Committee that is trying to find out what the United States commitment in Thailand is all about. The U.S. has close to 35,000 men there, and huge bases in daily use mounting aerial attacks on Viet Nam.

The Thais, noted for their cynicism and opportunism, would like to pretend they are not giving military aid and comfort to the Americans. This is nonsense. The Chinese know what is going on. The Russians know. The North Viet Namese know. The South Viet Namese know. The Cambodians know. The Laotians know. Even American newspaper readers know—in part. But the American government says it cannot tell its own people the facts because a client state doesn't want it to.

Chairman Fulbright and other members of the committee fear, and so do we, that the United States is quietly getting involved in another Viet Nam in Thailand. Indeed, we are inclined to wonder whether it is the Thais or the Americans who really want to keep the activities secret. The American people have 300,000 men fighting an undeclared war in Viet Nam; what is the United States getting into in Thailand?

Since there is no question whatever of national security, why the secrecy?

[From the St. Louis Post-Dispatch, Sept. 18, 1966]

What Is Aim of United States in Thailand?—Senator Fulbright Seeks the Administration's Answer in New Hearings

(By Richard Dudman)

Washington, September 17.—When and if Secretary of State Dean Rusk goes before Senator J. William Fulbright in the much-postponed hearings on American involvement in Thailand, the immediate issue will be whether the hearings should be held at all.

The Johnson Administration is trying to maintain the official secrecy that surrounds a current rapid buildup of U.S. military force in Thailand and its role as an American privileged sanctuary for air raids against North Viet Nam.

Fulbright, chairman of the Senate Foreign Relations Committee, wants a full airing of the situation in public hearings to see whether the United States is getting into another Viet Nam without any public debate.

The issue is one of politics and diplomacy, not security. The Russians and the Chinese certainly know about the American bases and buildup already.

Rusk first was scheduled to appear Sept. 12 in executive session. That hearing was cancelled when he went to the hospital with a case of grippe. He was then slated to testify next Thursday, but his appearance at the United Nations General Assembly most of next week interfered.

Secretary of Defense Robert S. McNamara is expected to be called after Rusk testifies. The plan is to explore with both secretaries in closed session the Administration's reasons for seeking to avoid full public discussion of what is going on in Thailand.

Because of schedule difficulties, it has turned out that William P. Bundy, assistant secretary of state for Far Eastern affairs, will be the first witness, in a closed session Tuesday. It was he who first breached the official secrecy by saying publicly two weeks ago that the United States already had about 25,000 troops in Thailand.

Some of Bundy's colleagues in the Administration were unhappy over his public acknowledgment of the buildup.

How can Rusk and McNamara refuse to testify in public session when Bundy has already been talking his head off?" one official asked. "All the committee has to do is ask them whether they can't say what a subordinate says. The committee also could ask whether the Administration attaches more importance to a television show than to a Senate committee.

Bundy had chosen his words carefully. He had said that the buildup was "no secret."

In this respect, the situation in Thailand has been following the pattern of the early buildup in Viet Nam. For some years, no official would state on the record the number of American troops in Viet Nam, but reporters were given the total from time to time on a "background" basis. The reason, in that case, was to avoid public admission that the United States was violating the 1954 Geneva agreements, which limited American troops there to about 600.

In Thailand today, a reporter can learn the current number of U.S. troops, but only on a "background" basis. The reason this time is that the Thai government insists on secrecy as a condition for permitting American military use of Thai territory.

Eighteen months ago, the United States had about the same number of troops in Viet Nam that it has in Thailand today. Although the American forces in Viet Nam now have taken over much of the combat role, combat originally was supposed to be left to the Viet Namese.

President Johnson, in his campaign against Barry Goldwater in 1964, denounced those who "call upon us to supply American boys to do the job that Asian boys should do." Mr. Johnson described the American mission in Viet Nam as getting the South Viet Namese "to save their own freedom with their own men." He said that the United States would supply such help in training and equipment "as we can give them."

Using similar language two weeks ago in speaking about Thailand Bundy said that the Thais faced a real threat of insurgency in the northeast part of their country. As he put it, "the Thais are dealing with that themselves, and our role is to supply them equipment and to assist them in training as they may desire."

He declined to comment on reports that the U.S. embassy in Bangkok has asked Washington to go beyond that role.

The Post-Dispatch reported Aug. 26 that Ambassador Graham Martin had forwarded an urgent request from the Thai government for American helicopters with American crews to combat increasing Communist guerrilla activity in northeast Thailand.

There are layers of secrecy and sensitivity in what is going on in Thailand. At each successive level, information is harder to get, officials are more reluctant to talk or testify, and the Thais are more outraged at public exposure.

Best known is the bare number of U.S. troops and the equipment and training of Thai troops, which Bundy described as the major American role there.

At a more sensitive level is the use of American air bases in Thailand to bomb North Viet Nam, United States Air Force sources have said that 80 per cent of the strikes against the North are from Thailand.

Still deeper are such matters as the secret transfer of a Thai artillery battalion into Laos, where the troops have been given honorary Laotian citizenship as what are sometimes called "sheep-dip Laotians." The unit is said to be operating under Laotian command as part of an effort to keep the Communist-led Pathet Lao forces from pressing toward the Mekong river, which divides the two countries.

When Fulbright first spoke of the plan for hearings on Thailand two weeks ago, he suggested some of the questions that ought to be answered: "What is the precise nature of our 'commitment' to Thailand? On what legal basis are we there? Are we identifying ourselves too closely with an unpopular and unrepresentative regime? Will a massive foreign military presence in Thailand engender hostility among a people who have never been colonized? Will Thailand's involvement in the war in Viet Nam shorten the war or enlarge it?"

"These questions have been raised either explicitly or implicitly by American journalists," Fulbright said. "I believe we have a responsibility to raise them here and to have the Administration's replies."

In approaching the secrecy issue, the committee could well ask why the present reticence over a major involvement when there was great candor when President John F. Kennedy sent 5,000 troops to Thailand in May 1962.

Mr. Kennedy issued a statement saying that Thailand had invited the American forces because Communist forces in Laos had attacked and moved toward the Thai border. Thailand announced the decision to its own people instead of letting them judge for themselves by the roar of the jets, as in the present case. The United States notified the United Nations, moreover, and SEATO issued a public statement.

An Administration strategist was asked this week why all the publicity in 1962 and all the secrecy now.

"If you will forgive what may sound like a cynical remark," he said, "the reason is that then it was for show and now we mean business."

The American-Thai arrangement grew out of a unilateral pledge made by Rusk to the Thai Foreign Minister on March 6, 1962, two months before Mr. Kennedy sent troops on that earlier occasion. They agreed that the SEATO treaty "provides the basis for the signatories collectively to assist Thailand in the event of Communist armed attack against that country."

Rusk anticipated that some other signers might not agree to intervene. He stated that "this obligation of the United States does not depend upon the prior agreement of all other parties to the treaty, since this treaty obligation is individual as well as collective."

Vice President Hubert H. Humphrey carried Rusk's promise a step further last February when he pledged that the United States would "provide all necessary assistance to enable Thailand and other countries of Southeast Asia threatened by Communist aggression to defend themselves and to achieve in peace their just economic and social aims."

No such strong commitment existed in the case of Viet Nam. The Johnson Administration eventually resorted to an interpretation of the SEATO treaty after first relying on a limited and conditional offer of aid by President Dwight D. Eisenhower.

The argument for exposure is that the American people ought to be aware of what their government is getting them into and have a chance to debate the matter.

The argument for continued secrecy is, first, that this country made a deal with Thailand and should stick to it. Thai officials control the behavior of legislators and the flow of information in their own country and cannot understand why the most powerful nation in the world cannot do the same in its own country.

Such agreements with other countries on covert operations can be successful only if the "noise level" remains low. In the case of the operations in Thailand, the noise level lately has risen to a roar. Some officials consider this a breach of security, although not in the sense of giving a foreign enemy information not otherwise available to him.

Behind Thailand's mounting annoyance over public discussions of operations there is thought to be concern about its posture in the event of a major Communist attack, such as a big subversion campaign or outright invasion from Laos.

If Thailand had ostensibly been merely minding its own business, it could pose as another Belgium, an innocent victim of unprovoked attack. If, on the other hand, the world knew Thailand was a major base for American military action in Viet Nam, some might say that it was getting what was coming to it.

As a practical matter, American violation of the non-publicity agreement will give Thailand new leverage in limiting the input and use of American men and weapons, in seeking additional assistance that the United States is not prepared to give and in raising the rent on the American bases.

"We'll live through the hearings," an official said this week, "but afterward we'll have to pay the Thais two or three times as much for what they're doing for us."

[From the Washington Post, Oct. 2, 1966]

Spotlight on U.S. Bases Irks Thailand—Nation Resents Washington Talk About Open Secret of U.S. Might

(By Murrey Marder)

Bangkok.—Officials of this country that serves as a huge launching platform for air strikes on Communist installations in North Vietnam and Laos are bristling over the kind of attention focused on Thailand from Washington.

"What is the United States trying to do to us?" they indignantly demand in private "We have given you every support in the anti-Communist struggle. Why must you advertise it and make things worse for us?"

The United States and Thailand are caught by a double standard of national behavior over the semisecret military operations conducted from this moderately authoritarian nation of 30 million people with little experience in publicly questioning the acts of government. It is a case of two nations with a common objective, but markedly different values, jointly trying to pursue a quasicovert policy.

"All we asked of you," said one grieved Thai Foreign Ministry official, "was one thing: just to keep quiet officially about what you were doing here. All right, your press has revealed what is going on, so it is no secret any more. But why must you continue to talk about it? Why give ammunition to your enemies and our enemies?"

Even the most Westernized Thai officials profess bewilderment over the inability of the Occidental mind to grasp what is to them a clear distinction between what is done and what needs to be admitted officially, particularly in warfare.

When Senate Foreign Relations Committee Chairman J. WILLIAM FULBRIGHT (D.-Ark.) announced what proved to be short-lived hearings to determine, as he put it, if another Vietnam was in the making in Thailand, Bangkok officialdom bubbled.

THE CONTRAILS SHOW

The Thai people never have been officially informed about what is happening in their country, although many are at least dimly aware of it. They can see the contrails of American planes streaking toward North Vietnam or Laos. They can see, or are even working on, the American bases spread strategically over the countryside. They rub shoulders unenthusiastically, and in some areas resentfully, with American troops, although efforts are made to limit the GI impact on the population.

When the facade of secrecy about Thai-based American air attacks on North Vietnam and Laos was fractured by press accounts early in 1965, the Americans were hardly surprised. It was impossible to keep secret indefinitely from the American public what are now eight air bases either built or in progress with a force of over 30,000 American military personnel.

But when the news reports first appeared that Thai bases were fielding about 80 per cent of the land-based air power that strikes North Vietnam, and the bulk of the air missions against Communist infiltration routes across Laos, Thai officials simply denied it.

"No American planes have taken off from Thai airfields to attack targets in North Vietnam," said Prime Minister of Defense Thanom Kittikachorn. The United States Embassy here concurred completely, honoring what had been agreed upon between Bangkok and Washington as a vital part of the quid pro quo for the American operations.

As the press reports nevertheless continued to swell, Gen. Praphas Charusathien, Deputy Prime Minister, army commander in chief, Minister of the Interior and strong man of the Thai regime, tried a different tack in September, 1965.

"What is a base?" he said when asked by hesitant Thai newsmen about the reports in the American press. "This is what comes of persons who are ignorant of military technical terms using military language.

"Can a big airfield where an American soldier is standing be called a military base?" he went on. "It is not a base. It is not even a military stronghold. What it should be called more correctly is a stopover station, not a base."

American military units in Thailand, he explained, were simply helping to build roads. "Regarding American flight routes in Thailand, they are only a military assistance agreement, not for setting up any American air base. Permission is given only for American planes to land and take off, staying overnight, for refueling and for any repairs that might be needed. We are given aid by America in exchange . . . That is what is called mutual military assistance . . . "

But behind the scenes, Thai officials were berating American officials, charging a breach of confidence in the failure of the United States to curb its press.

A JOINT CELEBRATION

In time, as the American influx expanded constantly and the construction of such potentially huge installations as the air and naval base at Sattahip on the Gulf of Siam became impossible to conceal, Thai officials reconciled themselves to the inevitable.

When Sattahip, which conceivably one day may be the successor to the great base at Singapore in Western defense, opened last Aug. 10 the secrecy wraps came off enough to permit both Prime Minister Thanom and United States Ambassador Graham A. Martin to participate publicly in the celebration. But the lid has remained on any official acknowledgment of the origins or destinations of the ever-increasing numbers of American bombers flying from Thailand. American planes often limp back from mass flights over North Vietnam to bases that are officially nonexistent.

This uncomfortable official position is bound to become intolerable with a major expansion of the American war effort reportedly in the making. The word filtering through the combat zone is that current limitations on North Vietnam bombing targets will be progressively lifted.

STILL FEW GUERRILLAS

Intensification of the aerial warfare from Thailand will also increase the risk of Communist retaliation against the American bases, although there is still little subversive warfare here, and that at the terroristic and propagandist level. At a maximum, there are about as many guerrillas in Thailand now as there were in South Vietnam in 1959–60.

Communist guerrilla activity here rose appreciably between December and last May, then leveled off. American strategists are uncertain whether the slowdown was caused by the record monsoon floods over the whole Mekong River basin or by Communist hesitancy to produce enough chaos to bring American combat troops into Thailand.

It has been denied on all sides that American combat troops are in Thailand. But Special Force units are here giving training in guerrilla warfare, about 25 American helicopters are engaged in antiguerrilla combat support and it would be an easy slide from combat training to combat if the Thai government should decide that it requires help of that kind.

What is gnawing at United States officials is their awareness that the Johnson Administration's damaged credibility in the Vietnam conflict is being damaged still more by its ambiguous position in Thailand. There would be considerable relief on the American side if Thailand would take the United States off the secrecy hook.

"What is (Secretary of State) Dean Rusk supposed to do," privately complained one unhappy American official, "call the Thai Prime Minister a liar? It's their country; they have to live here after we go, as they pointedly remind us.

ALLIES IN RESIDENCE

American officials like to point out that United States forces are not the only foreign military personnel in this nation that serves as headquarters for the Southeast Asia Treaty Organization.

The Australians have an F–86 squadron at Ubon, one of the American-manned bases that fly the Thai flag, with 160 men. Forty other Australians are engaged in SEATO operations and multilateral military research. The British have 440 engineers conducting an airfield near Mukdahan in northeastern Thailand, the most underdeveloped section of this nation, where the Communist guerrilla pressure centers. New Zealand has 16 engineers supervising construction of security roads in the northeast.

The Thais consider this aid, and the much larger American support, as only their due for their vigorous anticommunism. But they have a highly sensitive concept of their sovereignty and independence and are now concerned that a bitter fruit of the American assistance is that the United States Senate is threatening to pry into "our national life."

The Thais, who managed to escape the 19th century colonization of much of Asia, were shocked when Sen. FULBRIGHT said, after a closed-door hearing on Thailand, that he had the impression that American policy in Asia was headed toward something close to "colonial rule."

Because FULBRIGHT is a major critic of the American policy in Vietnam, to which Thailand is deeply committed, he is now the Thais' archvillain.

Officially, Prime Minister Thanom conceded on Sept. 5 that FULBRIGHT had a "right to ask such questions (about American aid to Thailand) of his Government in the Senate." What the Thais forcefully reject, however, is the right of any American official to cast public aspersions on Thailand.

The Thais evidently never thought that the American commitment here would open the door to questioning about the prevalence of corruption or the shortcomings of democracy in Thailand ("We are in the transition stages of advancement to democracy; you must not try to compare us to your version of democracy"), or to public discussion of whether Thailand is or might become a "puppet" of United States policy.

Nothing infuriates their officials more. "You are our 'guests' here," said one angry official. "We can ask you to leave any time we choose."

The Thais cite a regional pattern to justify their insistence on secrecy about American military operations here. North Vietnam denies that it has any troops engaged in South Vietnam, they say, and Prime Minister Souvanna Phouma refuses to acknowledge American anti-Communist aerial combat in Laos. Why, then, they ask, should Thailand have to behave differently just because of internal political requirements in the United States?

"What good will it do Thailand to acknowledge officially what nobody else in this region admits?" they ask. "It can only result in more people saying more bad things about Thailand."

[From the Washington (D.C.) Evening Star]

ANOTHER VIETNAM? UNITED STATES THAILAND BUILDUP—FORCE STILL GROWING

(By Richard Fryklund)

The basic facts of the "secret" American buildup in Thailand are easy to find—but not the answer to Sen. J. WILLIAM FULBRIGHT's question: "What are we getting into?"

The facts are these:

There are 26,000 American servicemen (two-thirds of them Air Force) in Thailand, and the number is still growing.

The Air Force is flying almost 200 planes from seven major Thai airfields in the air war against Communist forces in Viet Nam and Laos.

The Army is building a logistics, supply and communications base in Thailand which could support one American Army corps—that is, three American divisions, or 100,000 men, in some future ground, sea and air combat.

And American military and civilian advisers are helping the Thai government extend its authority into remote villages that may—or may not—be threatened by a Communist uprising and invasion.

The purpose of the buildup is to avoid the U.S. mistake in Viet Nam—too little and too late.

It has been described only in the sketchiest way by American officials because the Thai government wants it to be an official secret—for reasons of domestic and foreign policy which the Americans must respect if they are to stay.

The Thai government seems convinced that it faces a typical Communist war of national liberation, and it is reacting strongly, with American help.

Sen. FULBRIGHT, D.-Ark., chairman of the Foreign Relations Committee, said recently that the American public should be told about the buildup and what the United States is getting into.

Fulbright suggests that we may be getting into another Viet Nam and that this is the time for Congress and the public to object.

He's pointing toward open hearings on the Thai buildup—if the Johnson administration will go along.

Here is what he will find:

The U.S. Air Force is using the Thai bases because those in South Viet Nam are limited in capacity, because the Thai bases are closer to many of the targets, and because the Thais are willing to support, quietly, a war they believe is protecting them.

The American fighter-bombers and reconnaissance planes operate principally from four Thai airbases at Takhli, Korat, Udorn and Ubon. Refueling tankers, KC135s, also use the Don Muang airfield at Bangkok and the field at the navy base at Sattahip on the Gulf of Siam.

Another base at Khon Kaen is being extended from 4,000 feet to 11,000 feet runways for American jet use.

AIR STRIKES FROM THAI

Most of the U.S. Air Force strikes against North Vietnamese targets are launched from the Thai fields, and most of the tonnage dropped over North Viet Nam is carried in Air Force planes.

Thus, the bases are essential for a high rate of bombing in the North.

Air Force operations are commanded by Maj. Gen. Charles R. Bond, deputy commander of the American 7th and 13th Air Forces headquarters at Udorn.

The bases themselves are owned and commanded by the Thai Air Force. The Americans are guests.

The buildup for possible American ground combat is under the direction of the 9th Logistics Command at Korat. It has three basic jobs:

Maintain stockpiled combat equipment for one American brigade (a third of a division, about 6,000 men).

Maintain stockpiled support equipment (vehicles, barbed wire, bulldozers, locomotives, etc.) sufficient to supply one full U.S. infantry division.

Build supply and communications pipelines capable of supporting a full American corps.

The 9th Logistics Command is preparing the way for an emergency fire-fighting force, the brigade, or a holding operation, the division, or the left arm of a pincer movement, the corps (if the allied side decides some day to pinch off the North Vietnamese infiltration routes through southern Laos and North Viet Nam.)

If the 9th Logistics Command does its job right—and it's about half through now—it will provide support facilities in case of a war. The same operation took almost a year to carry out in Viet Nam, after the war started.

In South Viet Nam, the pace of the American buildup was set largely by the supply bottlenecks. Ports had to be built, since the port of Saigon was vulnerable and inadequate. Fuel pipelines, roads, airfields, radio links and storage facilities had to be installed under the VC guns.

In Thailand, two U.S. Army Engineer battalions, the 809th and 538th, are supervising American and Thai construction companies in similar projects now.

The port of Bangkok is as inadequate as the port of Saigon, for similar reasons. It is 21 miles up a narrow, shallow river and it dumps materiel into a crowded, busy city.

BUILD NEW PORT

So the 809th is building a new port at Sattahip, at the corner of the Gulf of Siam, the location of an old and sleepy Thai navy base.

Sattahip will be able to handle simultaneously nine offloading ships of any size; it will be able to pump aviation fuel directly from the ship to the KC135 tankers on the 11,500-foot runway; it will be able to support a U.S. naval patrol force and store and transship supplies for an Army corps.

The 809th will soon move into northeast Thailand to build small airstrips and local roads.

When all this is finished, the supply movers will have elaborate road, rail, pipeline and air routes to the warehouses near Korat and adequate road, rail and air routes to the consumers in northeast Thailand, where the business is presumed to be.

Another function of the U.S. armed forces in Thailand is to advise and assist the Thai government in handling this business, modest now but extensive in the future, if the Viet Nam pattern is being followed.

There is disagreement among American observers whether the pattern is being followed, whether a North Vietnamese and Chinese-led insurgency has started.

EVIDENCE CITED

The evidence for such a crisis, which convinces American military and diplomatic leaders there, is that North Vietnamese and Chinese radio broadcasts have announced the formation of a "Patriotic Front of Thailand," made up of Communist leaders and some fictional Thai worker and farmer groups, and that guerrilla operations have started.

The incidents are similar to those in the early stages of the struggle in South Viet Nam—killings, kidnapings, sabotage.

But a direct chain of command between Hanoi and the guerrillas has not been established by American intelligence.

Some American officials see strong signs of Red activity.

But officials in other American agencies say the troubles in Thailand also can be explained by traditional banditry, perhaps combined with inexperienced local Communist leadership.

The Fulbright investigation may end up with a choice between two answers to the senator's question of, What are we getting into?"

The U.S. buildup in Thailand may either be the stitch in time which will avert another Viet Nam or it may be another American foot sinking slowly into the Asian quagmire.

[From the Washington (D.C.) Evening Star]

We Prepare To Cut an Enemy Lifeline

(By Richard Critchfield)

Bangkok.—United States military preparations in Thailand are being geared to the possible need to move at least three American combat divisions into Laos in an attempt to cut off the Ho Chi Minh trail, according to authoritative sources here.

This possibility is based on the expectation that Hanoi will continue to infiltrate regular North Vietnamese divisions southward over the next few years. It is felt here that the 800-mile system of jungle trails and dirt roads through the Laotian panhandle would be Hanoi's main line of supply southward for ammunition, reinforcements and equipment.

The military experts are not unanimous. Vietnamese generals in Saigon predict the Viet Cong, reinforced by six of North Viet Nam's 11 regular army divisions, in April will launch a "now or never" attempt at a final offensive. Some American military sources in Saigon estimate the Viet Cong now have enough weapons and ammunition stored in South Viet Nam to keep fighting for two years. Others maintain that up to 75 per cent of the Communists' supplies come by sea, down the Mekong and overland through Cambodia.

In Thailand, preparations for sending American troops into Laos have been underway since the height of the Laotian crisis in 1961–62, when Washington, at Bangkok's insistence, concluded a mutual defense agreement outside the United States SEATO obligations.

Since then a $40 million yearly U.S.-Thai military development program has built a network of primarily military roads linking Bangkok with Thailand's 1,000-mile Laotian frontier, mostly along the Mekong river. This included the $20 million Friendship Highway and its Bangkok Bypass, which U.S. Army engineers are now helping to finish. A $30 million depot of tanks, jeeps, armored personnel carriers, artillery and weapons has been built up at Camp Friendship near Korat Airbase. There will eventually be enough to equip a combat division.

This winter, work has been speeded on the U.S. construction of a jet strip, deepwater pier and ammunition bunkers near Thailand's big Sattahip Naval Airbase, to handle a rapid influx of troops.

These troops would not be destined for Thailand but for Laos. The Thai government already is highly sensitive to the presence of nearly 8,000 U.S. Air Force men and 4,000 Army engineers. U.S. military sources insist that no more U.S. troops are contemplated for garrisoning in Thailand.

On the other hand, Agence Lao Presse, the official Cambodian news service, reported that special presidential envoy Averell Harriman assured Prince Norodom Sihanouk during his recent visit that the United States had no plans to commit American ground troops in Laos.

Thailand's uneasiness over the growing American presence here was underscored last week when Lt. Gen. Kricha Punnakanta, the government's press chief, repudiated reports that U.S. aircraft were bombing North Viet Nam from bases in Thailand.

Gen. Kricha's staff reportedly includes one man who keeps a scrapbook of some 60 clippings from American newspapers reporting that most of the U.S. airstrikes against North Viet Nam and Laos are carried out by U.S. attack squadrons stationed at Thai bases. In addition, some U.S. papers have reported most of the air-sea rescue operations over North Viet Nam are carried out by helicopters and amphibious planes based at the Mekong river town of Nakorn Phanom and that there are scattered U.S. radar installations elsewhere in the country.

All of this is absolutely factual. But the notion of "foreign bases" is so distasteful in modern Asia and the traditions of patriotism and obedience so deeply ingrained in most Thais that everyone seems willing to preserve the fiction of their non-existence even as the F–105 Thunderchiefs scream overhead. When Gen. Punnakanta admonished a recent press conference, "We all know that U.S. aircraft on North Viet Nam missions are from their own ships and not from Thailand," not one Thai newsman batted an eyelash.

LEFTWING FERVOR MISSING IN THAIS

This sensitivity is partly the result of Thailand's history. In the 19th century, by playing off the British against the French, Thailand (then Siam) alone of the Asians except Japan escaped colonialism. As a result, its people today are remarkably free of anti-colonialist complexes or serious leftwing revolutionary fervor. The revolutionary ideas of the West, whether of Karl Marx or Thomas Jefferson, have never ruffled Thailand's calm surface.

Thus, if Thailand is a Southeast Asia domino, it is a domino firmly held upright by a mixture of national pride, a pure strain of Theravada Buddhism, an adored and revered monarchy and, more recently, an upsurge of wealth on a continent of want.

Thailand, like Japan, has treated the West as a kind of bargain basement, the place where you went shopping for transistor radios, training in administration and science, hydroelectric projects and the latest jazz tunes.

Coming from tragic Viet Nam, a visitor is at first repelled by the political apathy and popular obedience to authority. But Thailand seems to be a country one is wise to accept on its own terms.

It has a military dictatorship of sorts, with the power held by Army Gen. Praphas Charusathira, who controls the 85,000-man army and 55,000 police. But Thailand's real rulers are an oligarchy of some 10,000 families who have dominated business, the military and civil service for 600 years. Prime Minister Thanom Kittikachorn, is a sounding board for various factions within this elite.

UPSURGE OF WEALTH THREAT TO HEIRARCHY

While the American mission has encouraged a trend toward constitutionalism and the adoption of some of the trappings of democracy, the Thai peasantry, who comprise 75 per cent of the population, has virtually no political consciousness.

More likely to break apart the hierarchical structure than any peasant movement from below, a Peking-backed insurgency are the economic forces unleashed by the upsurge of wealth. The privately-owned Bangkok Bank, for instance, recently launched a violent attack on the government's long-standing policy of buying rice cheaply from the peasants and selling it for higher prices on the world market.

Perhaps even more important than their history is the character of the Thai people themselves. They are easy going, pliable, good humored and yet almost impossible to corner. Says one experienced American diplomat, "We can have nice, pleasant, superficially friendly relations with these people but when it comes down to negotiations they can be tough and stubborn. They drive a hard bargain."

How hard a bargain they drive in the coming months seems likely to turn on how much the bloody war in Viet Nam threatens to spill over into Thailand. One European observer, who knows the Thais well, cautions, "The Thai attitude is quite cynical. They don't care where the war is fought to a finish—Viet Nam, Laos or even China—as long as it's not fought in Thailand." He pointed out there was already some resentment of the American troops in the small towns near the big U.S. airbases. "It's much like the British objection after World War II—'They're overpaid, over-sexed and over here.' "

The spread of the war could take several forms. The least likely threat is the most publicized in Bangkok's headlines that the 1,500 or so Peking-backed Thai guerrilla bands in the impoverished northeast or the 500-odd Chinese guerrillas south in the Kra Isthmus who fled Malaya in 1960 with their leader, Chin Peng, after their defeat by the British, could stage Viet Nam-style uprisings.

The northeast is a quagmire in the summer monsoon season and a dustbowl in winter. An area the size of Illinois and populated by one-third of Thailand's 30 million people, superficially it would seem ripe for insurgency.

COMMUNIST MENACE NOT IMMINENT

Yet this reporter, just returned from a week's tour of some of the most sensitive areas in the northeast, found virtually every Thai and American interviewed, felt confident that the Communist guerrilla threat there was not imminent but long term.

Though no one could say for sure just how much of a Communist iceberg lurked below the surface, one gained a strong impression that Peking's vaunted "guerrilla war in Thailand" was not much further off the ground than it was when Ho Chi Minh was there from 1928 to 1930 trying to organize a Communist-led peasant uprising.

The 31 officially listed "terrorist assassinations" since January, 1965, were almost all the result of Thai police-initiated penetrations into remote areas to break up the 40-year-old Communist infrastructure. The terrain and the nature of the counter-insurgency seemed more like U.S. revenue agents trying to break up a mountain moonshine operation than anything resembling the war in Viet Nam.

Most encouraging was the true appreciation by Thai and American officials of the nature and form of the Communist threat. They were trying to counter it primarily through political and economic remedies and not relying excessively on suppression or military action. Counter-guerrilla operations, except for limited military participation in civic action and a two-week jungle sweep last month, were being conducted by well-trained Thai civilian police.

The Thais, mostly by themselves (U.S. economic aid is a trifling $19 million a year in grants), were building roads, establishing schools, constructing irrigation projects and digging wells. An embryonic 57-man Thai Peace Corps had just been started.

WATER SCARCE MOST OF YEAR

The fundamental problem in the northeast is the scarcity of water most of the year, despite torrential summer floods. To alleviate this problem, scores of small basins and ponds have been dug and 4 small dams have either been built or are under construction with 12 others under study. These are short-term measures, however.

The real solution for northeast Thailand's 10 million improverished people would be a huge $600 million dam at Pa Mong, reaching across the Mekong River from Laos to Thailand. Feasibility studies were recently completed by the U.S. Bureau of Reclamation, which estimates the dam could be rushed to completion by 1975. When finished it would have a larger reservoir than any now existent in the United States and would irrigate 2.5 million acres now stricken by floods and drought and bring electric power to almost half of Thailand's people.

UNESCO Ambassador James Roosevelt visited Pa Mong recently on a fact-finding mission for President Johnson, a hint that part of the President's $1 billion Asian development fund may be invested in Pa Mong. Since the Thais prefer to borrow from international lending agencies like the World Bank or the just-created Asian Bank, perhaps the Soviet Union could also be brought in on the financing. Not coincidentally, pictures of Roosevelt shaking hands with the Russian Ambassador to Thailand were featured on the front pages of Bangkok's newspaper.

In January, 1965, Chinese Foreign Minister Chen Yi declared "we may have a guerrilla war in Thailand before the year is out." That same month Peking bought the equivalent of $1 million in Thai currency on the Hong Kong market.

A measure of Peking's failure to get its money's worth was suggested in threatened Sakol Nakhon province, whose Deputy Governor Anek Kanyanant told me local Communist agents were offering Thai youths as much as $50 a month to serve as guerrillas. This is equal to about a third of the average northeastern peasant's yearly earnings.

Having failed to crank up a genuine insurgency in Thailand, Peking and Hanoi might still try launching sneak mortar attacks on the U.S. airbases at Ubon, Udorn and Nakorn Phanom. U.S. military men, who do not discount the possibility, predict this would boomerang by triggering off a violent nationalistic response.

Other political observers are not so sure. They point out an outbreak of fighting, however brief, would provide fuel for such critics of "too ominous an American presence" as former Prime Minister Khaung Apiwong.

U.S. military sources tend to view the 40,000 North Vietnamese refugee community, largely centered in the northeastern towns, as openly loyal to Ho Chi Minh.

One U.S. military source estimated as many as 80 per cent of the Vietnamese refugees were discreetly working for the Communists. Here again, American civilian officials on the spot see things slightly differently. Most of them put this figure much lower and stressed that the refugees were mostly Catholic, clannish, urban artisans and tradesmen who revere Ho but have demonstrated their desire not to share the misery of his garrison state. Certainly, in many of the houses where Ho Chi Minh's picture is framed with flowers and bronze candlesticks, there was also a calender of Thailand's wildly popular Miss Universe, Apasra Hongsakul or "Pook" as she is nicknamed.

HO CHI MINH TRAIL PRIMARY PROBLEM

Another possibility mentioned by U.S. military men here is that while Peking is unlikely to risk surfacing its clandestine political apparatus in the northeast just for the sake of a tactical diversion this summer, it may have created a small, segregated group of guerrillas to be sacrificed in a bloody attempt to create an illusion Maoist war is spreading to Thailand. The fact that Thai peasant boys are being recruited for $50 a month suggests they may be intended victims.

More probable, in the military view, is that Hanoi's primary interest this spring and summer will be in maintaining the Ho Chi Minh trail with the least amount of interference.

In this analysis, while the North Vietnamese might try to secure the trail's "shoulder" by seizing the strategic Bolevens plateau in southern Laos, it is unlikely to stir up any more trouble elsewhere in Laos or in Thailand.

Much hinges on the official American, but not universally shared, assessment that the Thais are not worried about too overwhelming an American commitment as much as they are worried that it may be too little. The test would probably have to await any decision by President Johnson to move U.S. troops into Laos.

[From the Portland (Oreg.) Oregonian,
Sept. 30, 1966]

DRAMATIC MOVE

The "summit conference" of chiefs of state in Manila next month, which President Johnson has agreed to attend, should not be confused with the all-Asian peace conference which Thailand, the Philippines and Malaysia had earlier proposed as a means of ending the war in Viet Nam.

All the countries to be represented in Manila—the United States, South Viet Nam, Thailand, the Philippines, South Korea, Australia and New Zealand—are involved to greater or lesser degree in the fighting against the Communists in Viet Nam. Thus the talks of their heads of state will be a kind of family conference, reviewing the military aspects of the war, the chances for peace and the economic prospects of Viet Nam.

The proposed all-Asian conference presumably would be attended by other Asian countries, including Japan, India, Pakistan and Indonesia, if they would come. Hanoi already has rejected any such meeting as a "peace farce" put forward by "the willful servants of the United States." Even without Communist participation and with the absence of the United States, which would not attend for obvious reasons, a meeting of other Asian nations, large and small, conceivably might come up with some workable peace negotiation suggestions.

No such result can be expected from the Manila conference, since only allies of South Viet Nam and that country itself will be represented. Some good results in coordinating the war effort, in analyzing possible ways to peace and in improving economic conditions may be hoped for, however.

The Manila session, discussed by President Johnson and President Ferdinand E. Marcos of the Philippines during the latter's recent visit to Washington, will be held shortly before the U.S. congressional elections. Obviously its timing has political implications. President Johnson has been expected to make a dramatic move of some kind before the elections to strengthen the position of Democrats in general and supporters of his Viet Nam policy in particular.

Republican leaders have latched on to the earlier all-Asian conference proposal and may have made considerable political impact with it. The Manila meeting is a clever counter move by Mr. Johnson. Although it cannot end the war, it does represent definite action in contrast to a mere idea.

[From the Christian Science Monitor, Oct. 1, 1966]

VIETNAM: DOUBTS ON ASIA TALKS

(By John Hughes)

SAIGON.—Beneath the official protestations of enthusiasm, there is a current of unease and skepticism in South Vietnam about the up-coming Manila conference.

The government is happy because the conference represents a rallying of its allies, a gathering of nations committed in Vietnam for whom the war is a just cause.

But some intellectuals and politicians think otherwise. The more suspicious are anxious lest Premier Nguyen Cao Ky try to extract from Manila a new personal triumph.

And among others there is puzzlement over what the conference is actually supposed to achieve, unless it be a boost for President Johnson on the eve of difficult elections at home.

For if the conference is after peace, how, they ponder, can there be any breakthrough at a gathering loaded with Washington's allies, and from which even the Indians and Japanese are absent, let alone somebody who might speak for the Communist side?

UNHAPPY MEMORIES

Some politicians less than enthusiastic about Premier Ky have unhappy memories of his Honolulu conference with President Johnson in February of this year. At it, Premier Ky was given the presidential blessing, returning to Saigon highly confident, in an aura of American approval.

To Honolulu there was supposed to be a follow-up conference several months later. But this was quietly junked because by then Premier Ky was deeply embroiled in conflict with the Buddhists, and the young pilot-turned-Premier with whom President Johnson had decided to sink or swim had very nearly sunk.

Now, with Premier Ky well on top of the Buddhist situation again, the English-language Saigon Post gives a hint of what may be in the Ky regime's thinking. It is a hint particularly significant because the paper is owned by a Vietnamese Cabinet official high in Premier Ky's administration.

CIVILIAN TRANSITION

An editorial Thursday declares that for the administration Manila will serve "as a replacement for the second Honolulu conference which was impossible to hold because of the Buddhist crisis."

This, of course, is exactly what some of Premier Ky's opponents are afraid of.

From their point of view, it was a particularly unhappy coincidence that the sponsors of the Manila conference chose to announce it on the very day South Vietnam's brand-new constituent assembly held its inaugural meeting.

The assembly session underlined the fact that the country is moving away from military rule and taking some delicate steps down the rocky road to civilian, and hopefully representative, government again. But a heady triumph for Premier Ky at Manila might undo all this.

Thus the Vietnam Guardian calls anxiously in an editorial Thursday for Premier Ky to take with him a delegation of prominent politicians "so as not to give the impression that he will attend such an important conference in a personal capacity."

CHOICE OF MARCOS STUDIED

Meanwhile, there lingers some puzzlement as to what the Manila conference is actually supposed to do. Is it in furtherance of President Johnson's search for peace? If so, its composition of nations toughly allied to the United States seems provocative to any Communists about to negotiate.

The choice of President Marcos of the Philippines to announce the conference is also the subject for discussion. He has proved a splendidly sturdy ally of the United States. But that is enough to finish him in the eyes of Hanoi or Peking.

Asian he may be, but hardly one acceptable to the hard-headed Asians running the Communist side of the war in Vietnam.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CANNON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES FORFEITING INITIATIVE OF GLOBAL LEADERSHIP

Mr. MORTON. Mr. President, just 4 years ago, the security of the United States and the destiny of the free world were bolstered by the reasoned rebuff of the Soviet Union during the Cuban missile crisis.

Poll findings, prematurely released by the U.S. Information Agency in March of 1963, showed that millions of people in Western Europe respected the resolute but limited use of American power in the face of aggressive provocation. Our finest friends and allies believed that we had effectively reduced the chances of war, and possibly opened up new avenues toward world peace.

Today, such is not the case. Bogged down in a war in Vietnam that we cannot seem to win, and cannot afford to lose, the United States is forfeiting the initiative of global leadership. Caught in a web of conflicting official statements and erroneous forecasts, the administration has sown the seeds of doubt amongst our allies, and miscalculation amongst our enemies, and confusion here at home.

Not only have ambivalence and political posturing in foreign policy cost the administration the credibility of many Americans, it is all too clear they threaten to alienate many of our strongest supporters around the world. When in one breath, the administration announces to the United Nations a bold new offer for peace in Vietnam, and in the other discloses a massive buildup of warmaking materiel, it is understandable if many should question our actual aims.

Here, Mr. President, of course, I refer to the speech made by Ambassador Goldberg, which certainly reasserted in clear language our peaceful intent in the southeast Asian dilemma.

But, Mr. President, our timing is so bad: That same day the Secretary of Defense held a conference to announce that we were tripling our aircraft production for purposes of war in Vietnam.

I do not criticize our getting all the aircraft that we need in Vietnam. But why should this announcement have been made on the same day that Ambassador Goldberg made his speech? It smears the credibility of the U.S. Government all over the world.

The success or failure of American foreign policy does not depend alone upon the imagination and diligence of its architects, and the assurance by the administration that our objectives are sound. Its success or failure is also determined by the degree of respect engendered in friend and foe alike. And let no one confuse popularity for respect. Popularity never won a war, nor can it ever secure the peace.

Mr. President, the prestige issue has been up for debate from time to time. Let us remember that prestige is based upon respect, and not upon popularity.

Sources intimately familiar with Government public opinion polls tell me that disturbing evidence exists that respect for U.S. foreign policy has tumbled in the last 2 years. Particularly dangerous is the fact that the worst slippage appears among the nations of Western Europe, considered by many Americans as our most reliable allies in time of crisis.

In the USIA's second world survey, dated May 1964 and declassified this year in accordance with the Moss agreement, approximately 53 percent of those polled in Great Britain, Italy, West Germany, and France had a "favorable" opinion of U.S. foreign policy. At that time, less than 13 percent viewed American international actions as "unfavorable," and a substantial number, 35 percent, expressed no opinion.

Mr. President, I comment on the so-called Moss agreement. The distinguished Representative from the State of California, Mr. Moss, the head of the Subcommittee on Government Operations, has been interested in the disclosure of all Government business that can be disclosed.

I personally think that, had the election in 1960 gone the other way, the Moss agreement might have been more difficult to obtain. At any rate, it was obtained. It says that a document classified confidential in this policy area shall be published after 2 years, and a document classified for official use only shall be published after 1 year.

Today, according to absolutely reliable sources, while the "favorable" reply has lost little ground, the formerly uncommitted public has moved as a bloc in opposition to our Government's policies. Polling figures taken early this year show that the "unfavorable" reaction has more than doubled since the second world survey, and I have no doubt that, should the administration release the very latest figures now available to USIA, the "unfavorable" element would show an alarming increase in the past few months alone.

The 1964 USIA report admitted "some trailing off from 1963" in the number of Europeans who support U.S. policy. My informants now tell me that the trend toward open hostility had become so apparent during 1965 that plans for a fourth world survey, to be completed this year and declassified in the 1968 election year, were promptly canceled.

The fact is that preoccupation with the war in Vietnam is rapidly causing one of the basic underpinnings of American foreign policy—our NATO alliance—to disintegrate. Complete disruption of our European relationships, and the trend is in that direction, would be a disastrous blow to American foreign policy objectives, hopes for peace with progress.

While the world surveys have been discontinued, albeit for political reasons, the USIA continues to compile piecemeal figures on the public acceptance of American foreign policy abroad. While the American public is kept in the dark about tax-supported public opinion polls, former USIA Director Carl Rowan writes that United States and British officials recently met to discuss a poll showing that most Britons believe the Soviet Union is now leading in the space race.

From my own experience as an Assistant Secretary of State, I strongly believe in the necessity to keep abreast of foreign opinion in order to evaluate present and to formulate future overseas policies and programs. I was disturbed to learn of the discontinuance of the world surveys, because I believe the first three surveys provided much valuable information for the effective conduct of our role as free world leader.

I say again that prestige should be based on respect and not necessarily on popularity. I do not care whether a poll shows that we are popular or unpopular. But let us see that what we are doing is receiving respect in the world.

But I also believe that one of the firmest foundations of American foreign policy ought to be unified support from the American people. I believe that the administration does itself and our national objectives disservice by leaking information when it is good, and suppressing it when it is bad. I think, for example, that the administration would realize substantially more understanding of its involvement in Vietnam if it dealt with the effects of this involvement upon our allies in Europe with candor and frankness.

The continued suppression of official Government polling information raises far more questions than would their disclosure. For instance, I am sure that millions of Americans saw a news item in early June reporting that a public opinion poll in Saigon showed that the great majority of Vietnamese now consider the conflict in their country to be "an American war." I understand that the Japanese hold similar views and that this is largely responsible for the omission of Japan from the President's forthcoming trip to the Far East.

The present USIA Director, Leonard Marks, has stated that foreign public opinion surveys are "of little value." I strongly agree. Incidentally, he made this statement before the appropriate subcommittee of the House Appropriations Committee. I am convinced that the current disarray in the President's consensus could be mended if the administration would release to the public the results of the third world survey.

Mr. President, the American people have the right, and the need, to know the full facts about the success and failure of our foreign policy efforts. Only if they are given the complete story can they be expected to give their complete support. Only with conviction can we have consensus.

THIRTY-DAY LEAVE FOR MEMBER OF UNIFORMED SERVICE WHO VOLUNTARILY EXTENDS HIS TOUR OF DUTY IN A HOSTILE FIRE AREA

The Senate resumed the consideration of the bill (H.R. 15748) to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area.

The **PRESIDING OFFICER**. The bill is open to further amendment.

Mr. **YOUNG** of Ohio. Mr. President, although it may appear to be unpopular to oppose any legislative proposal that supposedly benefits members of the armed services in Vietnam, I, nevertheless, strongly object to the passage of the pending bill, which would authorize a special 30-day leave period for a member of the Armed Forces who voluntarily extends his tour of duty in Vietnam.

The report from the Armed Services Committee of the House of Representatives which accompanied the pending bill states under the caption "Fiscal Data":

> The number of individuals who might volunteer for extended tours in the program is speculative, but it is not expected to constitute more than a small percentage of the numbers whose normal tours are expiring.

In my opinion, the persons who are most likely to take advantage of the offer contained in the pending bill of 30-day leave and the purchase of round-trip transportation to the United States, or to another place of the individual's choice, are those who have relatively safe and relatively pleasant duty in Vietnam.

Even in a combat zone, we all know that not all jobs are hazardous. I contend that the great majority of servicemen who will take advantage of the pending bill will be those enlisted men and officers who are presently working in air-conditioned offices and headquarters in Saigon, in post exchanges, in officers' clubs and noncommissioned officers' clubs, or engaged in other noncombat activities at Saigon, where more than 30,000 of our GI's are presently housed, in Camranh Bay, and in other places comparatively safe from the firepower of the enemy.

I doubt very much that many of our fighting men, who are pursuing the Vietcong on the ground—in the dense jungles, the steaming rice paddies, and in the mountains of Vietnam—will be lured into extending their service in Vietnam by the carrot of a 30-day extra furlough with their transportation back home, or to any other place they choose, to be paid for by the Government.

Those fighting men who volunteered to risk their lives with an extra tour of duty in Vietnam did so out of a sense of moral duty or conscience or patriotism, not for material benefits. Those who will so volunteer in the future will do so for the same reasons.

While many servicemen would benefit from the proposed bill, in reality this bill, if enacted, would encourage only a small portion of the fighting men who would not have done so otherwise to volunteer for an additional tour of duty in Vietnam.

Another objection I have to this bill could be registered against many similar bills that Congress has considered during the present session. There seems to be a tendency to fragment the Armed Forces benefits system. Bill after bill proposes to extend fringe benefits of one kind or another to members of the Armed Forces. The cost of each such bill is relatively insignificant, but cumulatively the cost is very great. At the same time, the benefits extended are quickly taken for granted and discounted in the reckoning of the benefits of a military career. I am inclined to believe that this kind of fragmentation of fringe benefits is a poor substitute for a really substantial increase in basic pay, and that the fringe bills really militate against an objective consideration of what military pay should be.

In my considered judgment, this bill should be defeated.

The Committee on Armed Services improved the bill that came over from the House by inserting a provision fixing a termination date of this bill, if enacted, of June 30, 1968. That this was done in the Senate committee is evidence that there was considerable doubt as to the merit of the bill. A shutoff date of June 30, 1968, was provided, so that whatever harm is done by the enactment of this bill will be stopped at that time. I predict that if we are unfortunate enough to still be in combat in Vietnam at that time, the provisions of the bill then will be extended, and will constitute a precedent that may recur to plague us in other areas at other times. There is no precedent in the law pertaining to the armed services for the enactment of this bill.

We know that the French, in their disastrous experience in Indochina—which consisted of Vietnam, which we now call North and South Vietnam, Laos, and Cambodia—relied only on their regular troops and on their mercenaries.

Persons drafted into the French army were not sent to Vietnam against their will. However, this bill, if enacted, seems to me a step in the direction of encouraging a mercenary sort of approach to our military manpower requirements in Vietnam.

The passage of this bill will not provide any material benefit in our involvement in the miserable civil war in Vietnam, and I urge the Senate to reject this bill in its present form.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. YOUNG of Ohio. Mr. President, I intend to proceed further, and to refer to the hearing on this bill in the Senate Armed Services Committee. The hearing was very inadequate. It consisted of only one witness—Gen. William Berg, Deputy Assistant Secretary of Defense for Military Personnel Policy, who stated that under present statutes, the Department of Defense has no authority to provide the transportation home for servicemen in Vietnam who wish to extend their tours there and both leave and travel time would be chargeable to leave earned by the usual formula.

Hence, he said, there are some individuals who are in Vietnam who must be returned earlier than the completion of their 1-year tours of duty because of the expiration of their service contracts. In these cases, he said, reenlistment or extension of enlistment while in Vietnam would be a significant contribution to the operation. It would provide continuity in certain assignments. He spoke of personal dedication to the mission if the period of service could be broken into segments. He also stated that it is not possible to estimate the numbers of men who would qualify for this leave, and that this special leave would be an incentive only to those men who desired to continue in the duty, because leave to return always occurs at the end of their tour.

Another bad feature of this bill, Mr. President, is that the bill requires that the Secretary of Defense prescribe the regulations for the administration of the benefit authorized by the bill. General Berg said that these regulations are now in preparation. It was not possible for us to have the benefit of any of those regulations, nor is it possible to furnish the Senate with any details as to them. All we know is that General Berg expressed the hope that there would be a minimum of administrative detail.

Chairman Russell, who is the most knowledgeable man in the Senate with respect to military affairs, then said this:

> I have certain misgivings about this type of legislation. Those hostile fire areas include all the men serving on all the ships at sea in that area, do they not?
>
> General Berg. It includes the Navy people who are actually assigned to Vietnam, and that does include the smaller ships, sir, but it does not include the people in the Seventh Fleet.

Then the chairman asked:

> How about a carrier that is operating offshore?
>
> General Berg. It would not include them, sir. They are not over there under any standard tour.
>
> Chairman Russell. You mean a man flying an airplane off a carrier is not considered in hostile fire?
>
> General Berg. Yes, sir, he is in hostile fire area; he draws hostile fire pay. He also gets the income tax exclusion, but he is attached to the ship, and he may be in there a period of three or four months and then go off to one of the areas in the local area and then come back in again, but he is not there for a prescribed one-year tour.
>
> Chairman Russell. So, he would not benefit from this bill.
>
> General Berg. That is correct.
>
> Chairman Russell. But a man serving on the ground, in the ground forces of the Air Force up in Thailand would be included.
>
> General Berg. Not in Thailand, because that is not a hostile fire area, sir.

Yet, we all know that practically every bombing mission in which we hit North Vietnam, day after day, comes from our bases in Thailand.

Chairman Russell continued:

> How about the people flying out of Thailand?
>
> General Berg. It does not cover them, sir.
>
> Chairman Russell. Well, it is a mighty bad bill. It is worse than I thought. You mean, a man flying a plane to attack the North Vietnamese and Viet Cong out of Thailand is not considered covered by the hostile—Well, I will not press you on that. I am reminded that it is supposed to be classified information, although the Assistant Secretary of Defense testified about it in open hearings before the Foreign Relations Committee a few days ago.
>
> General Berg. Those people do receive hostile fire pay.

Then, the following question was asked by Chairman Russell, and this perhaps goes to the heart of the real reason for the bill:

> Well, how about a man that is working in an office in Saigon?
>
> General Berg. Any person who is stationed in Vietnam or in the waters within a twelve-mile limit, I think it is, where the tour is precisely one year, would be covered by this bill.
>
> Chairman Russell. Unfortunately, a large percentage * * * (of them) are not engaged in combat at any time, and they will benefit by this just as much as the man who stays up there in the rice paddy, getting shot at all day.

Mr. President, very likely the motivation behind the bill is to encourage officers and enlisted men in our air-conditioned offices in Saigon and in other relatively safe areas—men who are not in constant danger, not in combat, not flying helicopters, and not really engaged in combat—to take advantage of the bill. They will benefit, and this will benefit our generals over there in headquarters because then they will have a continuity of clerks and other personnel who would get this extra bonus.

In the Armed Services Committee hearing, Senator Saltonstall questioned General Berg regarding the eligibility of helicopter pilots for the benefits of the proposed bill:

> How about a helicopter pilot?
>
> General Berg. I am not sure about the helicopter pilots in the Army, but as a general rule there are a number of missions that are prescribed when a tour ends, particularly the pilots who are going to bomb in North Vietnam.

They would not benefit from this bill, unless they were assigned for a specific 12-month tour of duty.

Senator Saltonstall asked further:

> I am informed by our experts this is a new step in our war efforts. Neither in World War II, nor World War I, nor in Korea have we ever had this type of extended leave as an inducement for further service. Do you agree with that?
>
> General Berg. That is correct, Senator.

Mr. President, there is no precedent whatever for the proposed legislation.

Chairman Russell then spoke again and said:

> There is no doubt in my mind as to what that section says. The thing that confuses me is the application of it to, for illustration, naval pilots who are posted in the area for four months and then go out and then come back after two months and stay for four more months. They break their 12-month continuity. Some of them have not had leave for a long time, 13 or 14 months, back home. But they would not be entitled to this extra month of leave, because the ship was not stationed there for as long as 12 months at one time, if I understand General Berg.
>
> General Berg. That is right, sir.
>
> Chairman Russell. Well, that is a very serious defect in the bill.

Mr. President, it seems to me that when this bill has this serious defect—to name only one—and that is apparent to Chairman Russell of the Committee on Armed Services, and in view of the fact that Congress will adjourn shortly, that we should defeat this bill, or postpone it for further study and bring it up next year.

The question was then asked by Senator Stennis:

> But I want to ask you, sir: This applies, as I understand it, to all enlisted men, such as enlisted men who are doing manual labor, you might say, at Cam Ranh Bay?
>
> General Berg. Yes, sir.
>
> Senator Young. Far from the fighting front, really.
>
> General Berg. Yes, sir.

Then, I asked:

> But someone who is working in an office in Saigon, in an air-conditioned office, would be included.
>
> General Berg. Yes, sir.
>
> Senator Young. And also out of Guam we are daily sending very devastating raids over those parts of Vietnam, and those airmen and pilots would not be included under this bill.
>
> General Berg. That is correct, Senator. The tour in Guam, as a matter of information, is not a 12-month tour. There are dependents stationed in Guam, and the tour there is a 24-month tour.
>
> Senator Young. But in Thailand, it is a 12-month tour.
>
> General Berg. That is correct, sir.
>
> Senator Young. And there are many enlisted men there at the present time.
>
> General Berg. Yes, sir, that is right.

Then, near the end of our short hearing Chairman Russell asked:

> Chairman Russell. There have been some exceptional cases where men have voluntarily extended their tour of duty in Vietnam past the 12 months, have there not?
>
> General Berg. And those people are people in the grade of Colonel and above, sir.
>
> Chairman Russell. You would not permit it for a noncommissioned officer?
>
> General Berg. No, sir.

Mr. President, I have been a private in the Armed Forces of our country, and I have been an officer during the 37 months I was on duty in World War II. I am telling you, Mr. President, and you know it from your own experience, it is a great deal easier to be an officer than a private in time of war.

Chairman Russell ascertained that when men volunteered to extend their tours of duty in Vietnam voluntarily in the past 12 months, it was permitted only for those people with the rank of colonel and above. When he asked if it would be permitted of noncommissioned officers the answer was "No." They must just come back to the United States and then volunteer to go over a second time.

Mr. President, I have presented some of my objections to the bill. For these reasons I think it would be unfortunate to have this bill passed at this time, and I urge that it be defeated.

Mr. BYRD of Virginia. Mr. President, I rise to support the pending legislation. It seems to me it would be helpful to our military commanders in Vietnam, in the normal tour of duty in the hostile fire area.

The purpose of this legislation would be to encourage those who have completed a year in a hostile fire area to reenlist for 6 months. If those who desire voluntary reenlistment are encouraged to take that action, they would be granted an additional 30 days' leave.

Many of those positions are technical positions. It takes quite a while to train officers and men to do the job. A year goes by rather rapidly and replacements must be found.

This legislation was asked for and encouraged by General Westmoreland as a means of trying to keep men there on a voluntary basis, men who have had valuable training and who will be great assets to our military endeavor in southeast Asia.

Mr. President, it seems to me that this bill is a fair and appropriate proposal. I hope that the Senate will enact it.

The PRESIDING OFFICER. (Mr. Dominick in the chair). The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. CANNON. Mr. President, there are a few statements which have been made in this debate which I believe should be answered.

The question was raised concerning the additional cost to the Government. Let me point out that there is no additional cost to the Government involved. It would be an incentive and a saving to the Government by keeping a man who is trained in a particular position, after he has had his 30-day leave and returns.

I point out that when a man comes to the end of his tour of duty, the Government must transport him at Government expense back to the United States and then transport his replacement out to Vietnam at Government expense, so it is more or less an even trade, assuming the man desires to return to the United States for his 30-day leave, which is provided in the bill.

The statement has also been made that there was only one witness who testified in support of the bill. That is true. General Berg testified in behalf of the Department of Defense, representing the entire Defense agency.

The statement was made, "Yes, but it is not needed." The bill was requested by our commander in the field, General Westmoreland. He is the man to whom the President and the Department of Defense have entrusted the entire conduct of the Vietnam operation. General Westmoreland has requested that this legislation be enacted, so that it would help him do his job better. I read from the testimony of General Berg, as follows:

> General Westmoreland has repeatedly said that he would like to be able to take some small number of people who are dedicated to their mission and whom he needed and be able to say to them, "If you will extend, we will authorize you to go home on leave and pay your transportation and when you come back we will have an additional period of time here."

That, exactly, is the essence of the entire bill.

Certainly it will be an incentive to get those people back whom the military commander desires to have in the field, those men who have demonstrated their capabilities, and give them some additional incentive to return and assist in this very difficult job to be done in Vietnam.

The statement was also made that the distinguished chairman of our committee, the Senator from Georgia [Mr. Russell], had grave misgivings about the bill. That was the statement of the Senator from Georgia. But let me point out that, apparently, those misgivings have been satisfied. The distinguished chairman is now in the Chamber and he can speak for himself; for, in the end, he voted for the bill when it came out of committee. There was only one dissenting vote and that was the Senator from Ohio [Mr. Young], who has already spoken against the bill on the floor of the Senate.

The question was raised, to whom would the bill apply.

Mr. President, it would apply both to officers and to enlisted men, provided they are serving in South Vietnam and serving there under the 1-year tour of duty.

The question was raised that it would not apply to pilots off aircraft carriers or to helicopter pilots. That is true. Pilots are assigned on a mission basis. The aircraft carrier is also on a mission basis and does not stay in Vietnam waters for a period of 1 year; it is rotated for a shorter period. So that there is no point telling the pilot on an aircraft carrier, "If you sign up for an additional period and are willing to come back, we are going to give you this incentive," because he is on the carrier and probably long since gone before the year's operation has been completed.

Helicopter pilots are under a similar situation. They are not there under a year's tour. Generally, they are all under a mission tour. If they were there for a year or two, the bill would apply to them.

It would not apply to Thailand, as has been stated; it relates specifically to Vietnam. People on the ground in Thailand are not subject to the same rigors or the same hazards as those who are in Vietnam.

Thus, Mr. President, I submit that this is purely and simply an incentive bill, one which has been requested by General Westmoreland, our highest commander in that field of operation, a bill which he thinks will permit him to do his job better.

I therefore urge the Senate to enact this bill into law.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. INOUYE. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Ohio [Mr. Lausche], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from West Virginia [Mr. Randolph], and the Senator from South Carolina [Mr. Russell], are necessarily absent.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Louisiana [Mr. Long], the Senator from Maryland [Mr. Tydings], and the Senator from Texas [Mr. Yarborough], are absent on official business.

I further announce that, if present and voting, the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Long], the Senator from West Virginia [Mr. Randolph], and the Senator from Maryland [Mr. Tydings], would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Colorado [Mr. Allott], the Senators from Kansas [Mr. Carlson and Mr. Pearson], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from Nebraska [Mr. Curtis], the Senator from Michigan [Mr. Griffin], the Senators from Iowa [Mr. Hickenlooper and Mr. Miller], the Senator from Idaho [Mr. Jordan], the Senator from California [Mr. Kuchel], the Senator from Vermont [Mr. Prouty], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is detained on official business.

I further announce that, if present and voting, the Senator from Colorado [Mr. Allott], the Senators from Kansas [Mr. Carlson and Mr. Pearson], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from Nebraska [Mr. Curtis], the Senator from Illinois [Mr. Dirksen], the Senators from Iowa [Mr. Hickenlooper and Mr. Miller], the Senator from Idaho [Mr. Jordan], the Senator from California [Mr. Kuchel], the Senator from Vermont [Mr. Prouty], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 68, nays 2, as follows:

[No. 294 Leg.]

YEAS—68

Aiken
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Cotton
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Harris
Hart
Hartke
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Robertson
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—2

Morse
Young, Ohio

NOT VOTING—30

Allott
Anderson
Bass
Carlson
Case
Church
Cooper
Curtis
Dirksen
Douglas
Eastland
Griffin
Gruening
Hayden
Hickenlooper
Jordan, Idaho
Kuchel
Lausche
Long, La.
McIntyre
Metcalf
Miller
Pearson
Prouty
Randolph
Russell, S.C.
Thurmond
Tower
Tydings
Yarborough

So the bill (H.R. 15748) was passed.

Mr. McGEE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. CANNON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that Mr. HALPERN, of New York, and Mr. HARVEY of Michigan had been appointed as conferees at the conference of the two Houses on the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, vice Mr. FINO, of New York, and Mrs. DWYER, of New Jersey, excused.

The message announced that the House had passed, without amendment, the bill (S. 3809) to authorize the Public Printer to print for and deliver to the General Services Administration an additional copy of certain publications.

The message also announced that the House had passed the bill (S. 3035) to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House insisted upon its amendments to the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. JARMAN, Mr. O'BRIEN, Mr. ROGERS of Florida, Mr. SPRINGER, and Mr. NELSEN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 1665) to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17637) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SIKES, Mr. MCFALL, Mr. PATTEN, Mr. LONG of Maryland, Mr. MAHON, Mr. CEDERBERG, Mr. JONAS, and Mr. BOW were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 14363. An act to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated; and

H.R. 16394. An act for the relief of certain enlisted members of the military services who lost interest on amounts deposited under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H.R. 14363. An act to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated; to the Committee on Finance.

H.R. 16394. An act for the relief of certain enlisted members of the military services who lost interest on amounts deposited under section 1035 of title 10, United State Code, or prior laws authorizing enlisted members' deposits, and for other purposes; to the Committee on Armed Services.

PROGRAM FOR PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES

Mr. CANNON. Mr. President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to S. 3035, to establish a program for the preservation of additional historic properties throughout the Nation.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3035) to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes, which was to strike out all after the enacting clause and insert:

The Congress finds and declares—

(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(c) that, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

SEC. 101. (a) The Secretary of the Interior is authorized—

(1) to expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, hereinafter referred to as the National Register, and to grant funds to States for the purpose of preparing comprehensive statewide historic surveys and plans, in accordance with criteria established by the Secretary, for the preservation, acquisition, and development of such properties;

(2) to establish a program of matching grants-in-aid to States for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology, and culture; and

(3) to establish a program of matching grant-in-aid to the National Trust for Historic Preservation in the United States, chartered by act of Congress approved October 26, 1949 (63 Stat. 927), as amended, for the purpose of carrying out the responsibilities of the National Trust.

(b) As used in this Act—

(1) The term "State" includes, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(2) The term "project" means programs of State and local governments and other public bodies and private organizations and individuals for the acquisition of title or interests in, and for the development of, any district, site, building, structure, or object that is significant in American history, architecture, archeology, and culture, or property used in connection therewith, and for its development in order to assure the preservation for public benefit of any such historical properties.

(3) The term "historic preservation" includes the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, or culture.

(4) The term "Secretary" means the Secretary of the Interior.

SEC. 102. (a) No grant may be made under this Act—

(1) unless application therefor is submitted to the Secretary in accordance with regulations and procedures prescribed by him;

(2) unless the application is in accordance with the comprehensive statewide historic preservation plan which has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897);

(3) for more than 50 per centum of the total cost involved, as determined by the Secretary and his determination shall be final;

(4) unless the grantee has agreed to make such reports, in such form and containing such information as the Secretary may from time to time require;

(5) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; and

(6) until the grantee has complied with such further terms and conditions as the Secretary may deem necessary or advisable.

(b) The Secretary may in his discretion waive the requirements of subsection (a), paragraphs (2) and (5) of this section for any grant under this Act to the National Trust for Historic Preservation in the United States, in which case a grant to the National Trust may include funds for the maintenance, repair, and administration of the property in a manner satisfactory to the Secretary.

(c) No State shall be permitted to utilize the value of real property obtained before the date of approval of this Act in meeting the remaining cost of a project for which a grant is made under this Act.

SEC. 103. (a) The amounts appropriated and made available for grants to the States for comprehensive statewide historic surveys and plans under this Act shall be apportioned among the States by the Secretary on the basis of needs as determined by him: *Provided, however*, That the amount granted to any one State shall not exceed 50 per centum of the total cost of the comprehensive statewide historic survey and plan for that State, as determined by the Secretary.

(b) The amounts appropriated and made available for grants to the States for projects under this Act for each fiscal year shall be apportioned among the States by the Secretary in accordance with needs as disclosed in approved statewide historic preservation plans.

The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter for payment to such State for projects in accordance with the provisions of this Act. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given, and for two fiscal years thereafter, shall be reapportioned by the Secretary in accordance with this subsection.

SEC. 104. (a) No grant may be made by the Secretary for or on account of any survey or project under this Act with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any survey or project with respect to which assistance has been given or promised under this Act.

(b) In order to assure consistency in policies and actions under this Act with other related Federal programs and activities, and to assure coordination of the planning acquisition, and development assistance to States under this Act with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable, and such assistance may be provided only in accordance with such regulations.

SEC. 105. The beneficiary of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the disposition by the beneficiary of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

SEC. 106. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under title II of this Act a reasonable opportunity to comment with regard to such undertaking.

SEC. 107. Nothing in this Act shall be construed to be applicable to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

SEC. 108. There are authorized to be appropriated not to exceed $2,000,000 to carry out the provisions of this Act for the fiscal year 1967, and not more than $10,000,000 for each of the three succeeding fiscal years. Such appropriations shall be available for the financial assistance authorized by this title and for the administrative expenses of the Secretary in connection therewith, and shall remain available until expended.

TITLE II

SEC. 201. (a) There is established an Advisory Council on Historic Preservation (hereinafter referred to as the "Council") which shall be composed of seventeen members as follows:

(1) The Secretary of the Interior.

(2) The Secretary of Housing and Urban Development.

(3) The Secretary of Commerce.

(4) The Administrator of the General Services Administration.

(5) The Secretary of the Treasury.

(6) The Attorney General.

(7) The Chairman of the National Trust for Historic Preservation.

(8) Ten appointed by the President from outside the Federal Government. In making these appointments, the President shall give due consideration to the selection of officers of State and local governments and individuals who are significantly interested and experienced in the matters to be considered by the Council.

(b) Each member of the Council specified in paragraph (1) through (6) of subsection (a) may designate another officer of his department or agency to serve on the Council in his stead.

(c) Each member of the Council appointed under paragraph (8) of subsection (a) shall serve for a term of five years from the expiration of his predecessor's term; except that the members first appointed under that paragraph shall serve for terms of from one to five years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not less than one nor more than two of them will expire in any one year.

(d) A vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term).

(e) The Chairman of the Council shall be designated by the President.

(f) Eight members of the Council shall constitute a quorum.

SEC. 202. (a) The Council shall—

(1) advise the President and the Congress on matters relating to historic preservation; recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and advise on the dissemination of information pertaining to such activities;

(2) encourage, in cooperation with the National Trust for Historic Preservation and appropriate private agencies, public interest and participation in historic preservation;

(3) recommend the conduct of studies in such areas as the adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments and the effects of tax policies at all levels of government on historic preservation;

(4) advise as to guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation; and

(5) encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation.

(b) The Council shall submit annually a comprehensive report of its activities and the results of its studies to the President and the Congress and shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

SEC. 203. The Council is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment or instrumentality of the executive branch of the Federal Government information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, offices, independent establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics to the extent permitted by law and within available funds.

SEC. 204. The members of the Council specified in paragraphs (1) through (7) of section 201(a) shall serve without additional compensation. The members of the Council appointed under paragraph (8) of section 201(a) shall receive $100 per diem when engaged in the performance of the duties of the Council. All members of the Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

SEC. 205. (a) The Director of the National Park Service or his designee shall be the Executive Director of the Council. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Department of the Interior, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed upon by the Chairman of the

Council and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665 (g)) shall apply to appropriations of the Council: *And provided further*, That the Council shall not be required to prescribe such regulations.

(b) The Council shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

(c) The Council may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

(d) The members of the Council specified in paragraphs (1) through (6) of section 201(a) shall provide the Council, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Council to carry out it duties, to the extent that such facilities and services are requested by the Council and are otherwise available for that purpose. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties.

Mr. CANNON. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

AMENDMENT OF THE TARIFF SCHEDULES OF THE UNITED STATES RELATING TO WATCHES AND CLOCKS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1647, H.R. 8436.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8436) to amend the Tariff Schedules of the United States with respect to the dutiable status of watches, clocks, and timing apparatus from insular possessions of the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the rule of germaneness be waived for the Senator from Rhode Island [Mr. PELL], and the Senator from Oklahoma [Mr. HARRIS].

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL MUSEUM OF THE SMITHSONIAN INSTITUTION—CONFERENCE REPORT

Mr. PELL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1310) relating to the National Museum of the Smithsonian Institution. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report see House proceedings of October 5, 1966, p. 25304, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PELL. Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CORRECTION IN ENROLLMENT OF SENATE BILL 1310

Mr. PELL. Mr. President, in connection with S. 1310, I should like to submit a concurrent resolution which would merely authorize the Secretary of the Senate to make a pro forma correction in the text. It would simply change the date of the act from 1965 to 1966.

I ask for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated by the clerk.

The legislative clerk read the concurrent resolution (S. Con. Res. 112), as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That in the enrollment of the bill (S. 1310) relating to the National Museum of the Smithsonian Institution, the Secretary of the Senate is authorized and directed to make section 1 read: "That this Act may be cited as the 'National Museum Act of 1966'."

The PRESIDING OFFICER. Is there objection to the consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

NATIONAL FOUNDATION FOR THE SOCIAL SCIENCES

Mr. HARRIS. Mr. President, for myself and Senators BAYH, BREWSTER, CLARK, GRUENING, INOUYE, KENNEDY of New York, KENNEDY of Massachusetts, KUCHEL, MANSFIELD, MCCARTHY, MCGEE, MCGOVERN, MONDALE, MONRONEY, MUSKIE, NELSON, PASTORE, RIBICOFF, TYDINGS, and YARBOROUGH, I send to the desk a bill to provide for the establishment of a National Foundation for the Social Sciences.

I ask unanimous consent that the bill first be referred to the Senate Committee on Government Operations and then to the Committee on Labor and Public Welfare.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. HARRIS. Mr. President, last year, accompanied by the distinguished Senator from Indiana [Mr. BAYH], I made an extensive trip to four Latin American countries—Chile, Peru, Argentina, and Brazil. As a result of that trip, I became convinced that, among other things, there is a great need to "civilianize" the image of the United States in Latin America.

My trip to Latin America was in the wake of the so-called Camelot project, under which the U.S. Army financed a comprehensive study of Chilean social and socioeconomic factors of change and revolution in that country. As is well known now, Camelot was planned without the knowledge or approval of our U.S. Ambassador in Chile or the host country. It caused considerable bad publicity for the United States and was damaging to our image throughout Latin America.

Last February, speaking on the floor of the Senate, I called attention to a similar project, also financed by the U.S. Army, Project Simpatico in Colombia. As I pointed out then, after Camelot the President of the United States had instituted procedures in the State Department to assure that any such research project would not be carried forward except with the knowledge and consent of our country team and the local officials in the host country. These procedures had been followed in Project Simpatico. But, the resulting publicity in Colombia and Latin America from Project Simpatico once again emphasized the need to civilianize such social and behavioral science research in foreign countries.

In that speech on the floor of the Senate last February, I, therefore, stated:

> I feel there is no reason why the bulk of such expenditures should be from the Department of Defense budget. Such foreign research expenditures—by direct appropriation or by transfer of funds—must be placed under institutionalized civilian control.

Since the time of that speech the Subcommittee on Government Research, which I chair, has held extensive hearings on the subject of U.S.-financed social and behavioral science research in foreign countries and on the broader subject of present and needed Federal support of research and scholarship in the social and behavioral sciences, generally. The bill I introduce is a result of the findings in those hearings.

We need an additional civilian agency for Federal support of research in the social and behavioral sciences, both here and abroad.

We have made great breakthroughs of knowledge in the natural sciences, but our understanding of man, himself, has not increased proportionately.

Man can accomplish so many things these days—not excluding world devastation—by merely pushing a button; we understand the button and the machine very well, but we are woefully weak in the understanding of the button pusher.

As a Member of the Senate, Vice President HUBERT HUMPHREY, then the senior Senator from Minnesota, in a speech on the floor of the Senate on February 19, 1962, called for greater support for social science research and what he called a Magna Carta for the social sciences. He pointed out at that time, as he has on several other occasions since, our great national need for more social science research, more insights and knowledge about our society. Our hearings have updated and confirmed this need, identified by him.

The bill which I introduce today would provide an extra source of funding for social science research and would give recognition to our continuing and growing need for knowledge and ideas, not only about our own society, but of others as well.

The bill would create a National Foundation for the Social Sciences, similar to the National Science Foundation, to encourage and support research in the social and behavioral sciences. The proposed Foundation would be separate from the operating agencies and departments of the Federal Government which now support policy studies relevant to their missions.

The Foundations would do no inhouse research but would, in keeping with the precedent set by the National Science Foundation and the National Foundation for the Arts and Humanities, underwrite, fund and support academic research in the fields of political science, economics, psychology, sociology, anthropology, history, law, social statistics, demography, geography, linguistics, international relations, and other social sciences.

The Foundation would be comprised of a Board of Trustees consisting of 25 prominent citizens from the social science community, both academic and practicing. There would, as well, be a Director and a Deputy Director, appointed by the President with the advice and consent of the Senate, in addition to such staff as the Foundation needs to administer such funds as may be appropriated for these purposes.

The Foundation would: develop a national policy for research and scholarship in the social sciences; support research and programs to strengthen research in the social sciences in the United States, as well as in foreign countries; appropriately assist social scientists where such assistance would lead to strengthening colleges, universities, nonprofit research organizations, and foundations; encourage development of social science capabilities and manpower in all parts of the country.

Further, an important aspect of the proposed Foundation would be its availability as a contracting agency for the operating departments of the Federal Government to use to secure unclassified scholarly research in the social and behavioral science fields, here and in foreign countries.

The bill carries an authorization of $20 million, an arbitrary figure, chosen as a figure to be discussed in hearings, which are planned for next year.

In his speech September 29, 1966, on the occasion of the 50th anniversary of the Brookings Institution, speaking of the ideas fostered by the academic and research community in this country, President Johnson stated:

> Without the tide of new proposals that periodically sweeps into this city, the climate of our government would be arid, indeed.

I agree.

Therefore, Mr. President, so that we may increase our understanding of man, his behavior, his institutions, and his relationships with other men, I introduce this bill to establish a National Foundation for the Social Sciences which will provide funds for study and research in the social and behavioral sciences, both here and abroad, on its own authority and as a civilian subcontractor for mission-oriented U.S. agencies.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. HARRIS. I am glad to yield to the Senator from Indiana.

Mr. BAYH. Mr. President, I compliment the Senator from Oklahoma on the initiative which he has exhibited in this field; and I am happy to have the opportunity to join him in this venture, to establish this study in the area of the social sciences.

I was fortunate enough to have the opportunity to accompany the distinguished Senator from Oklahoma on the visit to the four Latin American countries which he mentioned, and wish to attest to the validity of the judgment and the analysis which he has made of the impact of some of the unfortunate practices which have heretofore been a part of our policy in those countries. I share his concern to see that we do not repeat such mistakes.

With the emphasis we have placed on science, and through the efforts of the various technical schools, we have made vast progress in the areas of the physical and natural sciences. We have, indeed, reached the place where we can foretell the landing of a man on the moon and predict the ultimate conquest of outer space. From a mechanical standpoint, we have made great progress in our ability to look into the depths of a man's heart, even to the point where I suppose it is no longer ridiculous to look forward to the time when the automation of the heart will greatly lengthen the span of human life. The area in which we have not made the type of progress we must make is into a man's mind, to determine what makes him do some of the things he does and why we cannot live together on this earth in more harmony than we have in the past.

I think that the bill that the Senator from Oklahoma is introducing will make a great contribution to the governmental process in our country when it is finally enacted into law.

I commend him for the effort he is making in this area.

Mr. HARRIS. Mr. President, I am grateful to the distinguished Senator from Indiana for his cosponsorship of this bill, for his remarks today, and for his judgment.

I was very proud to accompany him on a tour last year to Latin America.

The Senator from Indiana projects an excellent image of this country wherever he goes. His judgment will be very valuable as we consider the bill next year in committee.

Mr. President, I yield to the distinguished Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I commend the distinguished Senator from Oklahoma for introducing the bill.

I know of the hard work, the great patience, and leadership shown by the distinguished Senator in the hearings held to appraise the need for this proposal for our country.

I am very proud to join him as a cosponsor.

Because of his leadership, future generations will be indebted to the Senator from Oklahoma for what he has done today.

Mr. HARRIS. Mr. President, I am greatly honored by the cosponsorship of the distinguished Senator from Connecticut, and for his very generous statement made on the floor today.

Nobody understands the needs in the social science field of this country better than does the Senator from Connecticut, who served as a great member of the Cabinet, as Secretary of the Department of Health, Education, and Welfare.

I appreciate what the Senator has had to say and for his support of the bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The bill will be received and referred, as requested earlier by the Senator from Oklahoma.

The bill (S. 3896) to provide for the establishment of the National Foundation for the Social Sciences in order to promote research and scholarship in such sciences, introduced by Mr. HARRIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Without objection, it is so ordered.

AMENDMENT OF THE TARIFF SCHEDULES OF THE UNITED STATES

The Senate resumed consideration of the bill (H.R. 8436) to amend the tariff schedules of the United States with respect to the dutiable status of watches, clocks, and timing apparatus from insular possessions of the United States, which had been reported from the Committee on Finance, with an amendment, to strike out all after the enacting clause and insert:

> That (a) paragraph (a) of general headnote 3 of the Tariff Schedules of the United States (19 U.S.C. § 1202) is amended—

(1) by striking out "Articles" in subparagraph (i) and inserting in lieu thereof "Except as provided in headnote 6 of schedule 7, part 2, subpart E, articles"; and

(2) by striking out "except that all articles" in subparagraph (i) and inserting in lieu thereof "except that all such articles".

(b) The headnotes of schedule 7, part 2, subpart E of the Tariff Schedules of the United States are amended by adding at the end thereof the following new headnote:

"6. Products of Insular Possessions.—(a) Except as provided in paragraph (b) of this headnote, any article provided for in this subpart which is the product of an insular possession of the United States outside the customs territory of the United States and which contains any foreign component shall be subject to duty—

"(i) at the rates set forth in column numbered 1, if the countries of origin of more than 50 percent in value of the foreign components are countries to products of which column numbered 1 rates apply, and

"(ii) at the rates set forth in column numbered 2, if the countries of origin of 50 per centum or more in value of the foreign components are countries to products of which column numbered 2 rates apply.

"(b) If the requirements for free entry set forth in general headnote 3(a) are complied with, watches (provided for in item 715.05) and watch movements (provided for in items 716.08 through 719) which are the product of the Virgin Islands, Guam, or American Samoa and which contain any foreign component may be admitted free of duty, but the total quantity of such articles entered free of duty during each calendar year shall not exceed a number equal to ⅙ of the apparent United States consumption of watch movements during the preceding calendar year (as determined by the Tariff Commission), of which total quantity—

"(i) not to exceed 87.5 per centum shall be the product of the Virgin Islands,

"(ii) not to exceed 8.33 per centum shall be the product of Guam, and

"(iii) not to exceed 4.17 per centum shall be the product of American Samoa.

"(c) On or before April 1 of each calendar year (beginning with 1967), the Tariff Commission shall determine the apparent United States consumption of watch movements during the preceding calendar year, shall report such determination to the Secretary of the Treasury, the Secretary of the Interior, and the Secretary of Commerce, and shall publish such determination in the Federal Register, together with the number of watches and watch movements which are the product of the Virgin Islands, Guam, and American Samoa which may be entered free of duty under paragraph (b) during the calendar year.

"(d) The Secretary of the Interior and the Secretary of Commerce, acting jointly, shall allocate on a fair and equitable basis among producers of watches and watch movements located in the Virgin Islands, Guam, and American Samoa the quotas for each calendar year provided by paragraph (b) for articles which are the product of the Virgin Islands, Guam, and American Samoa, respectively. Allocations made by the Secretaries shall be final. The Secretaries are authorized to issue such regulations as they determine necessary to carry out their duties under this paragraph."

(c) The amendments made by subsections (a) and (b) shall apply only with respect to articles entered, or withdrawn from warehouse, for consumption or or after January 1, 1967.

Mr. LONG of Louisiana. Mr. President, this bill, as passed by the House of Representatives, was designed to meet a problem that had arisen through the operation of our tariff laws. Under present law, if not more than 50 percent of the total value of an article produced in the insular possessions is of foreign origin, the article may qualify for duty-free treatment—provided it has received some processing in the islands. These duty-free articles vary from ball-point blanks to wine or costume jewelry.

However, the largest by far of the industries which have sprung up in the possessions as a result of this favorable tariff treatment is the watch assembly industry.

This operation was established in the Virgin Islands in 1959 and has since shipped its entire production of watches to the United States free of duty. Its growth is dramatically demonstrated by the fact that from 1959 through 1965, the rate of shipment of watch movements from the Virgin Islands rose from some 5,000 in 1959 to a rate in excess of 4 million movements in 1965—an increase of some 3½ million movements.

The chief suppliers of the parts used in such assembly operations are Japan, West Germany, and France. It is also interesting to note that an increasingly large volume of Soviet-made parts have been utilized in this assembly process.

With a view toward protecting our domestic watch industry, while at the same time not disrupting our possessions' already-established watch assembly industry, the House enacted H.R. 8436. It was designed to stave off greater increases in the shipment of watch movements by prohibiting the described duty-free treatment to watches imported from Guam and American Samoa—possessions who, at the time of House passage, had not established assembly operations. The Virgin Islands, on the other hand, had just enacted a quota law which would have placed a self-imposed limitation on the number of watch movements which could be shipped to the United States, and in recognition of their action, the House excluded that possession from the prohibition.

Since House passage of H.R. 8436, however, several events have occurred to lead the committee to believe that an entirely different approach is needed. The action of the Virgin Islands Legislature to establish a local quota has been declared invalid in the courts. Further, watch-production centers have been established in Guam. And several watch companies had shown interest in locating in American Samoa, although negotiations have been discontinued in light of the proposed prohibition.

The Committee on Finance, therefore, has adjusted the impact of H.R. 8436 to meet these new circumstances.

As reported by the committee, H.R. 8436 would impose a quota on the number of watches and watch movements containing any foreign components which may be imported duty-free from the Virgin Islands, Guam, and American Samoa. This quota, based on a calendar year, would be equal to one-ninth of the total U.S. watch consumption for the prior year. It would be divided among the possessions, with the largest share to go to the Virgin Islands in recognition of their already-established watch assembly industry. Specifically, seven-eighths of the quota amount would go to the Virgin Islands and the remaining one-eighth would be divided, two-thirds to Guam and one-third to American Samoa. Based on anticipated U.S. watch consumption in 1966, the number of movements which could be transported to this country duty-free in 1967—the effective date of the committee bill is January 1, 1967—would be 4,083,334 from the Virgin Islands, 388,891 from Guam, and 194,442 from American Samoa. These quotas would be allocated among producers in the possessions by the Secretary of Commerce and the Secretary of the Interior, acting jointly.

Mr. President, I believe the bill we have reported goes a long way toward stabilizing the total watch industry and should enable both importers and domestic companies alike to pursue their normal trade patterns without fear of unchecked duty-free importation of watches from the insular possessions. I recommend that H.R. 8436 as reported do pass.

The PRESIDING OFFICER. The committee amendment is open to amendment.

Mr. WILLIAMS of Delaware. Mr. President, I have an amendment which is at the desk. The amendment is being offered on behalf of myself and the Senator from New Jersey [Mr. CASE] and the Senator from Illinois [Mr. DIRKSEN].

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill, add a new section:

"SEC. (a) The Secretary of the Treasury is authorized and directed to admit free of duty one variable pressure water channel (one-seventh scale model) imported for the use of the Stevens Institute of Technology, and one ionsonde (and accompanying spare parts) for the use of the University of Illinois.

"(b) If the liquidation of the entry of the articles described in subsection (a) of this section has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made."

Mr. WILLIAMS of Delaware. Mr. President, the purpose of the amendment is to direct the Secretary of the Treasury to admit free of duty one instrument for the use of the Stevens Institute of Technology, and another instrument for the use of the University of Illinois. Neither of these instruments is manufactured in this country. The Treasury Department has approved this amendment and it was approved this morning by the Committee on Finance, with instructions that it be offered as an amendment to the committee amendment.

Mr. LONG of Louisiana. Mr. President, I wish to ask the Senator from Delaware [Mr. WILLIAMS] if this is the amendment we discussed in committee.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LONG of Louisiana. Mr. President, I have no objection to the amendment. These are items not produced in this country. We have no objection to these two items coming in duty free.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr.

WILLIAMS] to the committee amendment.

The amendment to the committee amendment was agreed to.

The **PRESIDING OFFICER**. The committee amendment is open to further amendment.

Mr. **WILLIAMS** of Delaware. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **DIRKSEN**. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator from Illinois will state it.

Mr. **DIRKSEN**. What is the pending business?

The **PRESIDING OFFICER**. The question is on agreeing to the committee amendment as amended.

Mr. **DIRKSEN**. I thank the Chair. Mr. President, I offer an amendment which I send to the desk and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated for the information of the Senate.

The assistant legislative clerk read the amendment as follows:

> On page 4, line 3, strike everything after "exceed" through the comma in line 6, and insert in lieu thereof "3,000,000 watches or watch movements";
>
> On page 4, line 7, strike "87.5 percent" and insert in lieu thereof "2,000,000 watches or watch movements";
>
> On page 4, line 9, strike "8.33 percent" and insert in lieu thereof "700,000 watches or watch movements";
>
> On page 4, line 11, strike "4.17 percent" and insert in lieu thereof "300,000 watches or watch movements";
>
> On page 4, strike everything beginning with line 13 through line 23 and renumber subsection (d) as subsection (c).

Mr. **DIRKSEN**. Mr. President, I am sensible of the fact that this is, to say the least, a very difficult problem.

When the bill was first reported out of the Finance Committee, it called for a quota of 1,500,000 watch movements. There was not too much evidence at the time, because the hearings were rather meager. Subsequently there were full-dress hearings on the matter, and the measure was revised. Notwithstanding that fact, it offered some difficulty. I am fully aware of the difficulty involved when we try to match the interest of domestic producers of watches and those who import from the outside.

A bill to eliminate or curtail duty-free shipments of watches from the Territories is necessary if U.S. watch producers and established watch-importing firms are to exist. This is the purpose of the bill. But the bill does not go far enough to accomplish that purpose. The quota must be smaller.

Duty-free imports from the Territories began as a trickle in 1959—about 50,000. When legislation to control this situation was first introduced in the House, they were flowing in at a rate of 1.5 million. The Department of Commerce figures indicate that they are now flooding in at the rate of over 5 million a year, and still growing.

Substantially all of these 5 million watches are jeweled-lever watches. They place tremendous pressure on our U.S. jeweled watchmakers and on conventional importers as well. In 1965 the importers who paid the regular duty brought in about 8 million jeweled watch movements. Almost half again as many came in duty free from the Virgin Islands—3.57 million. U.S. production of jeweled watches has been pushed back to less than 1.5 million.

As is generally known, U.S. jeweled watch production is having difficulty even against duty-paid imports, because of the much lower foreign labor rates. Adding the pressure from duty-free movements is asking too much. The Tariff Commission's report in 1965 showed that a duty reduction, which the Swiss have been seeking, would be fatal to U.S. watch production. These duty-free shipments from the Virgin Islands and Guam are equivalent to a duty cut.

They should be stopped entirely. This was the sense of the testimony before the Finance Committee for all the U.S. producers and for the great majority of regular importers. The Commerce Department agreed. Only the Territorial governments, the Interior Department, and some of the companies operating in the Virgin Islands and Guam disagreed.

The 1.5 million quota which the committee first approved would have been a reasonable compromise. But the present bill is not a compromise. It gives the Territories more than they need. It is a well-known fact that the Virgin Islands, from which over 90 percent of these watches came, is experiencing a tremendous economic boom, and already has more jobs than workers.

As a matter of fact, they are having to import watchmakers and watch assemblers into the Virgin Islands.

There is no need to destroy this U.S. industry and idle its watchworkers in order to provide more jobs in the Virgin Islands.

I therefore propose as necessary an amendment to reduce the overall quota figure for all territories to 3 million watches per year—divided 2 million to the Virgin Islands, 700,000 to Guam, and 300,000 to Samoa.

For every payroll dollar being spent in the Virgin Islands on watch production the United States is losing $6 in duty. The average duty that would be paid on these watches if imported directly is $3. The labor cost of the work being done in the Virgin Islands is only about 50 cents per movement.

I think there is merit here. The amendment has been modified to meet the desires of the distinguished Senator from Washington [Mr. JACKSON], who has been very much interested in the development of the industry in the islands.

This is an amendment that speaks for the Senator from Washington [Mr. JACKSON] as well as myself. I think it is wholly satisfactory.

Mr. **LONG** of Louisiana. Mr. President, the committee first ordered a bill reported that was even more restrictive than provided by the amendment of the Senator from Illinois. It was suggested then by a member of the committee that the matter should be studied in greater depth. We conducted hearings on the subject and then reconsidered it in executive session. The bill as it has been reported reflects the experience that developed at the hearing, which I think points up the defect of and the reason why the amendment of the Senator from Illinois should not be agreed to.

I do not argue against the fact that it costs us nearly $6 in duty for every $1 of labor spent in the Virgin Islands on watch assembly. To me it would make better sense, rather than adopt the amendment, to take the duties off all of the watches produced in the possessions and let them come into this country free of duty, because American manufacturers cannot compete with jeweled watches manufactured by the Swiss and the Japanese.

A spokesman for the Hamilton Watch Co., as appears on page 67 of the hearings, pointed out that if we cut out all production in the Virgin Islands and Guam, these watches would not be produced in the United States, but would be produced in Switzerland and Japan.

As a practical matter, unless we wanted to raise the tariff drastically, it is beyond our power to restore the American watch industry to what it was. This is something I had nothing to do with. The people who produce watches have seen what has happened.

I have no particular interest in the matter, but the facts, from the testimony, show that it would not help the American watch producers in this country; that the watches would come from Japan and Switzerland.

All that would be achieved by adoption of the amendment of the Senator from Illinois would be to substitute Swiss and Japanese watches for watches made in Guam and the Virgin Islands.

I hold no particular brief for Guam or the Virgin Islands. I have not been to either place. I would not know a Guamanian or a Virgin Islander if I ran into one on the street right now. But, as a practical matter, those are American possessions and we have a responsibility to those possessions.

The bill represents somewhat of a cutback in production of the Virgin Islands. It holds the production of Guam to about where it is. This is the best judgment of the committee as to the way to handle the matter.

I have no great interest in it one way or the other. I fear—and I think I am correct in this fear—that if the amendment were agreed to, it would not result in one more American job, but would cost the Virgin Islands and Guam many jobs.

Mr. **McCARTHY**. Mr. President, will the Senator yield?

Mr. **LONG** of Louisiana. I yield.

Mr. **McCARTHY**. I think the point the Senator makes about how important it is that we permit industries of this kind to develop in the underdeveloped possessions of the United States is a very important one. The process does not require any highly skilled labor; it is a very elementary process. We are not denying opportunity to skilled American workers, because this is highly unskilled work.

Unless we permit industries of this kind to be developed in the possessions of the United States—and I would even go beyond that, and think we ought to look for ways of opening up opportunities of this kind in some of the countries of Latin America that are so dependent upon us—I fear the alternative is simply to give them aid, unless we can buy enough sugar from them; and we can only buy so much sugar from Central America.

That reminds me, Mr. President, of what Mr. Dooley said back about 1900, after we had taken over most of the countries of the Caribbean. He said if he had to make a choice between being subject to a Spanish nobleman and an American vegetable—talking about the sugarbeet—he thought he would take the Spanish nobleman.

This provision would work toward the diversification of the industries upon which Americans in the Caribbean and in the Pacific depend for livelihood. While it represents an arbitrary decision, I think it is as good as any other arbitrary recommendation we have received.

Mr. LONG of Louisiana. Mr. President, I am willing, even though we produce no watches in the State I have the honor to represent, to vote for something to save the American watch industry. The pending amendment would not do it; but on the other hand, the committee amendment would not hurt that industry either. The committee amendment seeks merely to maintain the status quo.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, in behalf of the distinguished Senator from New York [Mr. JAVITS] I submit an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 6, after the word "respectively" in line 5, insert the following:

> Any producer, licensed to do business before July 1, 1966 and having theretofore made a substantial investment in plant and production facilities and related costs, shall not be disadvantaged in its allocation for lack of actual production experience prior to January 1, 1967.

Mr. DIRKSEN. Mr. President, the amendment is very simple. There is a corporation out in Guam called the Sheraton Times Corp. The investment in that corporation was made mainly by citizens of the State of New York. It was organized for the purpose of assembling watch movements from foreign parts, for duty-free entry into the United States under headnote 3(a) of the Tariff Schedules of the United States. Incorporation under Guam law occurred 10 months ago on December 9, 1965, and on December 10, 1965, the corporation was licensed to do business on Guam.

Seemingly endless delays have prevented the company from getting into production. Months of delay were encountered in the delivery of production machinery and equipment to Guam after orders had been placed. The Department of Labor's new requirements governing the entry into the United States and its possessions for employment purposes of foreign personnel have interminably delayed the arrival on Guam of the foreign-born, skilled watchmakers necessary to supervise the bulk of the work force comprised of native Guamanians. Despite an application filed in the early days of 1966 for a hearing which is a legal prerequisite to the receipt of local tax benefits and other incentives designed to induce industry to locate on Guam, such a hearing has never been held and only recently was notification received that a hearing could be held in the latter part of October 1966.

These are the principal causes of the extended delays which have kept this company from developing any actual production experience so far this year. Although H.R. 8436 as reported by the Senate Finance Committee and the committee's report on the bill specify that allocations to individual producers shall be "fair and equitable" it is likely that this Guam corporation, because of its lack of any actual production experience, will receive no allocation at all—with the result that the more than $25,000 that has been invested in it will go down the drain except for minor salvage.

To those who would argue that the words "fair and equitable" insure against such an inequitable result, it is important to know that highly placed executive branch officials have flatly indicated that a company without production experience will receive a quota of zero or near zero. The amendment would make certain that the equitable intent of the law is realized. The amendment is of general application and could be of benefit to other companies similarly situated whether in the Virgin Islands, American Samoa or possibly also on Guam.

Mr. LONG of Louisiana. Mr. President, I regret that, as spokesman for the committee, I must oppose the amendment. This amendment would qualify a company that went to Guam and undertook to qualify and obtain a license to produce watches in Guam, at a time when the House had passed a bill that would prohibit any of those watches coming in from Guam. So here was an American speculator, out of New York City, going over to Guam and gambling that the Senate would award a quota to Guam, and that he would get a piece of it.

Mr. President, what we would do in the Senate bill with regard to all watches produced in the Virgin Islands as well as Guam and elsewhere is not to say who shall produce those watches, but that the Secretary of the Interior—as provided on pages 4 and 6—Mr. President, I regret to say that the bill contains a typographical error; it should be pages 4 and 5. I ask unanimous consent that page 6 of the bill be renumbered as page 5.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. The bill provides, on those pages, as follows:

> The Secretary of the Interior and the Secretary of Commerce, acting jointly, shall allocate on a fair and equitable basis among producers of watches and watch movements located in the Virgin Islands, Guam, and American Samoa the quotas for each calendar year.

We do not propose to say who gets what. We merely say look at all the equities and, as far as we are concerned, we let the Secretary of Commerce and the Secretary of the Interior set up pretty much the standards they wish to set up, but they must be fair and equitable in doing it. Let them consider this man's case along with everybody else's, and allocate quotas to these people on what seems to be a fair and reasonable basis.

Mr. President, I would not wish to have the responsibility of telling this man how many watches he can or cannot produce. I would not want that responsibility with respect to the Timex Corp., the Waltham Corp., or any other company. That is something that should be administratively determined. It involves a myriad of problems that the Secretary of the Interior and the Secretary of Commerce are administratively qualified to handle.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. McCARTHY. There is nothing in the bill to prevent this man's getting his share or all of the quota that goes to Guam?

Mr. LONG of Louisiana. No. It is perfectly all right with me if he gets it all. But I do not wish to say so in the law. Let the Secretary of Commerce and the Secretary of the Interior look into the man's case, and compare the equities and the fairness of his situation with all the others, and whatever appears to be fair, let them do it. I think that would be a better solution than for us here on the floor of the Senate to try to say which producer gets what quota.

Therefore, while I sympathize with the man's problem, and I realize the Senator from New York [Mr. JAVITS] is most interested in the matter, and I wish his man well, I hope the Senate does not get into the business of trying to say who gets the quotas and who does not.

Mr. DIRKSEN. Mr. President, I merely wish the RECORD to show that the distinguished Senator from New York is unavoidably absent from the floor of the Senate today; therefore, he asked me to present this amendment in his behalf.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed the question is on the engrossment of the committee amendment, as amended, and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 8436) was read the third time, and passed.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. DIRKSEN. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to, and (at 3 o'clock and 50 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 3 o'clock and 55 minutes p.m., when called to order by the Presiding Officer.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had receded from its disagreement to the amendments of the Senate numbered 5, 10, 13, 24, and 27 to the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO RECEIVE MESSAGES, TO SIGN ENROLLED BILLS, AND TO FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, during the adjournment of the Senate from the close of business today until 10 a.m. tomorrow, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives; the Vice President and the President pro tempore be authorized to sign enrolled bills; and committees to file reports together with individual, supplemental, or minority views, if desired.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS BILL OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that H.R. 17636, the District of Columbia appropriations bill, be called. I do this so that it may become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. H.R. 17636, an act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1967—CONFERENCE REPORT

Mr. RUSSELL of Georgia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. RUSSELL of Georgia. Mr. President, the committee of conference agreed on appropriations totaling $58,067,472,000 for the various military programs and activities of the Department of Defense, exclusive of military construction, family housing, civil defense, and military assistance, except that portion of military assistance to nations providing help in the southeast Asia conflict.

The total is $122,400,000 under the amount provided by the Senate and $548,973,000 under the amount provided by the House. It is $403,119,000 over the budget estimates for fiscal year 1967 of $57,664,353,000 and $790,531,000 under the appropriations for fiscal year 1966 of $58,858,003,000.

Mr. President, I ask unanimous consent to have included in the RECORD at this point, a tabulation giving the amount of the 1967 budget estimates, the House allowance, the Senate allowance and the conference allowance for each appropriation of the bill.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Summary of Department of Defense appropriations for fiscal year 1967

Title	Budget estimates, 1967	Passed House	Passed Senate	Conference action	Conference action compared with—		
					Budget estimate	House	Senate
Title I—Military personnel	$18,675,700,000	$19,299,344,000	$18,731,044,000	$18,731,044,000	+$55,344,000	−$568,300,000	
Title II—Operation and maintenance	15,675,094,000	15,722,794,000	15,697,721,000	15,703,321,000	+28,227,000	−19,473,000	+$5,600,000
Title III—Procurement	16,408,200,000	16,658,000,000	16,769,800,000	16,641,800,000	+233,600,000	−16,200,000	−128,000,000
Title IV—Research, development, test, and evaluation	6,905,359,000	6,928,959,000	6,983,959,000	6,983,959,000	+78,600,000	+55,000,000	
Title V—Special foreign currency program	(1)	7,348,000	7,348,000	7,348,000	+7,348,000		
Total, Department of Defense	57,664,353,000	58,616,445,000	58,189,872,000	58,067,472,000	+403,119,000	−548,973,000	−122,400,000
Distribution of appropriations by organizational unit:							
Army	16,925,794,000	17,441,038,000	17,165,065,000	17,165,065,000	+239,271,000	−275,973,000	
Navy	16,813,200,000	16,938,600,000	16,979,700,000	16,826,700,000	+13,500,000	−111,900,000	−153,000,000
Air Force	20,686,300,000	20,965,400,000	20,774,900,000	20,805,900,000	+119,600,000	−159,500,000	+31,000,000
Defense agencies	3,239,059,000	3,271,407,000	3,270,207,000	3,269,807,000	+30,748,000	−1,600,000	−400,000
Total, Department of Defense	57,664,353,000	58,616,445,000	58,189,872,000	58,067,472,000	+403,119,000	−548,973,000	−122,400,000
TITLE I—MILITARY PERSONNEL							
Military personnel, Army	6,164,400,000	6,429,400,000	6,164,400,000	6,164,400,000		−265,000,000	
Military personnel, Navy	3,652,100,000	3,736,100,000	3,652,100,000	3,652,100,000		−84,000,000	
Military personnel, Marine Corps	1,183,200,000	1,214,200,000	1,183,200,000	1,183,200,000		−31,000,000	
Military personnel, Air Force	5,015,800,000	5,204,800,000	5,015,800,000	5,015,800,000		−189,000,000	
Reserve personnel, Army		288,211,000	288,211,000	288,211,000	+288,211,000		
Reserve personnel, Navy	111,900,000	111,900,000	112,600,000	112,600,000	+700,000	+700,000	
Reserve personnel, Marine Corps	36,500,000	36,500,000	36,500,000	36,500,000			
Reserve personnel, Air Force	69,700,000	69,700,000	69,700,000	69,700,000			

See footnote at end of table.

Summary of Department of Defense appropriations for fiscal year 1967—Continued

Title	Budget estimates, 1967	Passed House	Passed Senate	Conference action	Conference action compared with—		
					Budget estimate	House	Senate
TITLE I—MILITARY PERSONNEL—con.							
National Guard and Reserve personnel, Army	$581,300,000				−$581,300,000		
National Guard personnel, Army		$346,533,000	$346,533,000	$346,533,000	+346,533,000		
National Guard personnel, Air Force	80,800,000	82,000,000	82,000,000	82,000,000	+1,200,000		
Retired pay, Defense	1,780,000,000	1,780,000,000	1,780,000,000	1,780,000,000			
Total, title I—Military personnel	18,675,700,000	19,299,344,000	18,731,044,000	18,731,044,000	+55,344,000	− $568,300,000	
TITLE II—OPERATION AND MAINTENANCE							
Operation and maintenance, Army	5,009,000,000	5,132,200,000	5,122,427,000	5,122,427,000	+113,427,000	−9,773,000	
Operation and maintenance, Navy	3,982,900,000	3,982,900,000	3,980,300,000	3,980,300,000	−2,600,000	−2,600,000	
Operation and maintenance, Marine Corps	325,600,000	325,600,000	325,600,000	325,600,000			
Operation and maintenance, Air Force	4,942,600,000	4,948,600,000	4,937,100,000	4,943,100,000	+500,000	−5,500,000	+$6,000,000
Operation and maintenance, Defense Agencies	808,100,000	808,100,000	806,900,000	806,500,000	−1,600,000	−1,600,000	−400,000
Operation and maintenance, Army National Guard and Reserve	340,600,000				−340,600,000		
Operation and maintenance, Army National Guard		231,000,000	231,000,000	231,000,000	+231,000,000		
Operation and maintenance, Air National Guard	250,200,000	253,300,000	253,300,000	253,300,000	+3,100,000		
National Board for the Promotion of Rifle Practice, Army	494,000	494,000	494,000	494,000			
Claims, Defense	[3] (25,000,000)	25,000,000	25,000,000	25,000,000	+25,000,000		
Contingencies, Defense	15,000,000	15,000,000	15,000,000	15,000,000			
Court of Military Appeals, Defense	600,000	600,000	600,000	600,000			
Total, title II—Operation and maintenance	15,675,094,000	15,722,794,000	15,697,721,000	15,703,321,000	+28,227,000	−19,473,000	+5,600,000
TITLE III—PROCUREMENT							
Procurement of equipment and missiles, Army	3,311,100,000	3,484,500,000	3,483,300,000	3,483,300,000	+172,200,000	−1,200,000	
Procurement of aircraft and missiles, Navy	1,789,900,000	1,789,900,000	1,789,900,000	1,789,900,000			
Shipbuilding and conversion, Navy	1,751,300,000	1,756,700,000	1,909,700,000	1,756,700,000	+5,400,000		−153,000,000
Other procurement, Navy	1,968,300,000	1,968,300,000	1,968,300,000	1,968,300,000			
Procurement, Marine Corps	262,900,000	262,900,000	262,900,000	262,900,000			
Aircraft procurement, Air Force	3,961,300,000	4,032,300,000	3,992,300,000	4,017,300,000	+56,000,000	−15,000,000	+25,000,000
Missile procurement, Air Force	1,189,500,000	1,189,500,000	1,189,500,000	1,189,500,000			
Other procurement, Air Force	2,122,600,000	2,122,600,000	2,122,600,000	2,122,600,000			
Procurement, Defense agencies	51,300,000	51,300,000	51,300,000	51,300,000			
Total, title III—Procurement	16,408,200,000	16,658,000,000	16,769,800,000	16,641,800,000	+233,600,000	−16,200,000	−128,000,000
TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION							
Research, development, test, and evaluation, Army	1,518,900,000	1,528,700,000	1,528,700,000	1,528,700,000	+9,800,000		
Research, development, test, and evaluation, Navy	1,748,600,000	1,753,600,000	1,758,600,000	1,758,600,000	+10,000,000	+5,000,000	
Research, development, test, and evaluation, Air Force	3,053,800,000	3,062,600,000	3,112,600,000	3,112,600,000	+58,800,000	+50,000,000	
Research, development, test, and evaluation, Defense agencies	459,059,000	459,059,000	459,059,000	459,059,000			
Emergency fund, Defense	[2] 125,000,000	[2] 125,000,000	[2] 125,000,000	[2] 125,000,000			
Total, title IV—Research, development, test, and evaluation	6,905,359,000	6,928,959,000	6,983,959,000	6,983,959,000	+78,600,000	+55,000,000	
TITLE V—SPECIAL FOREIGN CURRENCY PROGRAM							
Special foreign currency program	(4)	7,348,000	7,348,000	7,348,000	+7,348,000		
Total, general appropriations	57,664,353,000	58,616,445,000	58,189,872,000	58,067,472,000	+403,119,000	−548,973,000	−122,400,000

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[1] Amount of original budget estimate was $11,965,000 in the form of local currency amounts. The request was reduced subsequently by the Department of Defense to $7,348,000.

[2] Annual, indefinite account not included in total.

[3] In addition, $150,000,000 to be derived by transfer.

[4] Estimates were submitted in local currency amounts which were equivalent to $11,965,000. The original amounts were subsequently reduced to $7,348,000 at the request of the Department of Defense.

Mr. RUSSELL of Georgia. Mr. President, the most significant change in the bill is the disallowance of $153 million included in the Senate bill for the construction of two guided-missile destroyers. It was the position of the Senate that the Navy has a requirement for both—the nuclear-powered guided-missile frigate and the two guided-missile destroyers. The Senate conferees did all that could be done to maintain this position, but the House conferees would not yield. I regret that the Senate had to recede on this matter.

Mr. President, I do not propose to take the time of the Senate to describe the conference action on all of the 33 amendments which the conference committee considered. I shall be available for any questions at the conclusion of my remarks. However, I do wish to describe certain actions on differences between the two Houses which have been the subject of particular interest.

It will be recalled that the Senate adopted an amendment offered by the distinguished senior Senator from Massachusetts and myself giving the President the authority to order to active duty members of the Ready Reserves of the Armed Forces who had not served on active duty of other than training. The conference committee agreed on a new provision that authorizes the President to call to active duty for 24 months less previous active duty and active duty for training—

First. Members of the Ready Reserve not in paid-drill units of the Reserve forces who have not completed their statutory obligation or have not served on active duty or active duty for training for a period of 24 months.

Second. Members of units of the Ready Reserve who have not had the 4 months' training required for members enlisting in the Army's Reserve components.

Third. Units of the Ready Reserve.

Some confusion has arisen as to the meaning of the term "selected Reserve" as used in the provision agreed to by the conference committee. As used in this provision, the term "selected Reserve" includes all the paid-drill units of the Reserve forces. The term should not be confused with the Army's select Reserve force of 150,000 men.

It will be seen, Mr. President, that under the provisions of the conference agreement, the President not only can call up the individuals in the various categories enumerated, but he can also call up any organized unit of the Reserve Forces of any of the branches of the Armed Services, without the necessity of declaring a national emergency.

Mr. President, this provision, if utilized, will go a long way to correct many of the inequities that now exist between service by individuals drafted under the Selective Service System and those individuals enlisting in the various Reserve components. It is my hope that the President will see fit to use this authority.

Another item of interest is the Senate amendment placing a per pupil limitation of $455 on the total funds available for the operation of the overseas dependents' school system. The conference committee agreed on a limitation of $490 with a provision that in establishing the rates of compensation of teachers in the system, the Secretary of Defense could not go below the rates in effect on June 30, 1966. However, I want to make it clear that the sum of $490 is based on these teachers receiving those rates of compensation established under the formula in Public Law 89–391. It will be recalled that the senior Senator from Indiana [Mr. HARTKE] and the senior Senator from New York [Mr. JAVITS] offered an amendment during consideration of the bill to provide for a limitation of $492. The purpose of their amendment was to provide for the higher salaries provided for in Public Law 89–391. The $490 limitation will accomplish this purpose.

Generally speaking, I believe that the action taken by the conferees is in conformity with the expressions of opinion voiced earlier on the floor of the Senate. Certainly the appropriation as it stands will strengthen the national security during the present fiscal year.

The final agreement has been reached after long and tedious negotiations in our parliamentary process; and I believe that we have arrived at a good bill, and one that will be adequate for the present at least.

I will be glad, Mr. President, to undertake to answer any questions Members might have on the conference report.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield to the distinguished Senator from Massachusetts, who is the ranking minority member of the conference committee.

Mr. SALTONSTALL. Mr. President, I join with the chairman of the committee and hope that the Senate will accept this conference report. While it does not do everything that the Senate wanted, it does substantially what we want; and I believe that it fulfills the needs of our Armed Forces, certainly until Congress returns in January.

We all know and realize that the war in Vietnam is costing us a very substantial amount of money every month, and while there will be enough money in this budget to carry through until Congress comes back, there will be a deficit which must be taken care of at a later time.

Mr. President, both the Senator from Georgia [Mr. RUSSELL], the chairman of the committee, and I believe that the provision that we had in the bill that was passed by the Senate after considerable discussion regarding the use of the Reserves was a helpful one. But the House rejected that provision, and we had a second conference yesterday, which the Senator has described, and adopted the language that was in the House bill, that came out of the Committee on Armed Services, on this subject.

We did not adopt all of that bill, because it is before the Committee on Armed Services. We did adopt the language, with a few modifications, that was in the bill concerning the use of selected Reserves.

As the Senator pointed out, the term "selected Reserves" includes all of the paid-drill units and Reserve forces which are composed of select, immediate, and reinforcement Reserves.

The Senator's amendment, and mine, as originally offered in the Senate would make it possible for the President to call up individuals in the paid Reserve which consists of approximately 600,000 men. The conference report will make it possible to draw approximately 59,000 from the so-called selected Reserves who have had training but are not assigned to any units, and approximately 135,000 men from the immediate Reserves, which consists of men who have had no training at all, but who are parts of units. That total is now 189,000.

I personally believe this is fair. I believe I would have been willing to support the Senate amendment in full, but the conference decided on this number, which is approximately 189,000.

This was the great issue in the conference, and it was decided to compromise this way, which I believe is fair under all of the circumstances. The money is there and the language is there. I join with the chairman of the committee in hoping that the Senate may adopt the conference report in full.

I thank the chairman for giving me the opportunity to express these thoughts.

Mr. MANSFIELD. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL of Georgia. I yield.

Mr. MANSFIELD. I have received an interesting letter from a Montana woman, which I should like to read. Then I should like to have the chairman's comments. I shall not give any names. The letter reads as follows:

> DEAR SENATOR MANSFIELD: I teach American history and contemporary problems. My contemporary-problems class is composed of seniors who are necessarily very concerned over the Vietnam war. As you know, Vice President HUMPHREY was in Montana last week and made the statement to the effect that he did not believe it would be necessary to call out the Reserves. My class was discussing this because it was just one more statement to that effect. What they want to know and what I want to know is this:
>
> 1. Why should the Reserves not be called out before the kids sitting across the desk from me are drafted? What is holy about the Reserves? They are paid each month, and if they cannot be called, why do we have them and why do we pay them? Let's use them or dismiss them.
>
> 2. Why not dissolve our precious Reserves, and take the money used to pay them to increase the pay we give to those who are dodging (and sometimes unsuccessfully) bullets in Vietnam?
>
> 3. Why should anyone who never gets closer to a major conflict than Reserve centers "retire" from the Reserves on a pension? Again, let's give the pension, in larger amounts, to those who fight. And finally:
>
> 4. If we are to be in continuous conflict for years, why should the burden of defense of this country devolve upon those youngsters whose parents are not financially capable of sending them to college, or who do not have the ability to do well? We think the present draft laws are placing the moneyed and the intellectually capable in the position of aristocracy—the favored and the exempt. Why do we not enact a universal manhood training law, giving all boys a year of military training after graduation from high school, even flat-footed ones? I know some of my very intellectual students who could profit by taking orders fully as much as some of the less gifted, less affluent ones.
>
> If the draft were fair at all, if those who are in the Reserves were subjected to military service as well as the ones who cannot now get into the Reserves, part of the resentment would disappear. I think it is about time the young kids were told why they must fight before they have a future, while the Reserves go happily on their way, inconvenienced by an hour or so of training occasionally.
>
> Very truly yours,
>
> ―――― ――――.

Mr. RUSSELL of Georgia. I may say to the distinguished majority leader that his correspondent has stated more cogently than I could have many of the arguments I presented on the floor when I urged the adoption of the Russell-Saltonstall amendment in the first instance.

I do not think, however, that the reservists themselves are altogether culpable. I think most of them are ready to go and fight. I think they realize they have been paid as reservists. To use an old expression from Elizabethan days: They have taken the king's shilling, and they are obligated to wear the uniform when the king calls.

The difficulty has been in persuading the other body to agree to provisions that would truly enforce equality of service as between all of the young men in these United States. I do not know if the distinguished Senator recalls it or not, but when this amendment was pending in the first instance I stated then that I had always advocated a system of universal military training, and that I considered the greatest victory of my legislative career the fact that I had been able to secure passage by the Senate of a bill that established a system of universal military training. That bill languished and died in the other body.

I can only say, Mr. President, that the writer of that letter, who is teaching in the high schools of Montana—and they certainly have a wonderful system of education in that State—should be the dean of a larger and higher institution of learning in that State.

Better than that, I would that she had been a Member of the other body when this amendment was presented on the floor, for she could have made that persuasive argument there. It might have touched some of those who were otherwise so enamored of the pressure groups who purport to speak for the Reserve organizations and who are among some of the most formidable lobbies—and I do not use that term in an offensive sense—in Washington.

Mr. SALTONSTALL. I would simply say to the distinguished majority leader, for whom we have great regard, that he take from the CONGRESSIONAL RECORD the speeches of the Senator from Georgia [Mr. RUSSELL] and, most modestly, my own, and send them in an envelope to that lady because she expresses much better and more succinctly than we did the arguments we tried to express on the floor of the Senate.

Mr. MANSFIELD. She will get them.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I am glad to yield to the distinguished Senator from

Missouri [Mr. SYMINGTON], who is ex officio a member of the committee of conference, representing the standing Committee on Armed Services.

Mr. SYMINGTON. I thank the able Senator. I first congratulate him on the conference report and the success he has had in establishing some of the ideas that have been presented so well in the letter just read by the majority leader.

Only this afternoon it was my privilege to talk with a group of high school students. Over one-half of the questions from these students, girls as well as boys, had to do with what they considered were the injustices incident to the current taking of youth into the armed services.

I associate myself with remarks of the chairman of the Committee on Armed Services and the Senator from Massachusetts [Mr. SALTONSTALL], in that this letter expresses well many of the apprehensions that we have had for some months incident to the drafting of American youth.

However, I would ask this question of the Senator from Georgia: Is it not true, under the conference report now being presented to the Senate, that some of the inequities in this current situation have been corrected? Is that not a fair statement?

Mr. RUSSELL of Georgia. Yes, it has been partially corrected as to individuals. Under the language of the conference agreement, the President could call up as individuals 208,000 of the reservists out of a total number of 660,000 which we sought to cover in the original amendment.

In addition, the President is authorized to call up any organized units without the necessity of declaring a national emergency.

Mr. SYMINGTON. And that has been accepted by the House?

Mr. RUSSELL of Georgia. That has already been approved today by an overwhelming vote in the House of Representatives.

Mr. SYMINGTON. Mr. President, again, with respect, I commend the Senator from Georgia [Mr. RUSSELL] who fought long and hard in conferences to see that equity and justice were given to all American youths under present law.

Mr. RUSSELL of Georgia. We have taken a step in the direction of equality of service, Mr. President, but we will never be able to achieve that end without some system of universal military training. Under the conditions which exist today, and the laws that we have, which place this great discretion in the local boards which are appointed by the Governors of the several States, it is impossible to avoid some inequities, but we are moving as vigorously as we can to head this body in that direction.

Mr. HARTKE. Mr. President, the conferees on the Department of Defense appropriation are to be congratulated for arriving at a realistic per pupil limitation of $490 for the overseas dependent school system. This figure will permit salaries to be paid to teachers as provided by the amendment to the Overseas Teachers Pay and Personnel Practices Act enacted on April 14 of this year. It will also make it possible to improve the instructional services and supplies for the children in these schools.

I am confident that the overseas teachers will demonstrate their appreciation of this appropriation by increased dedication to the job at hand—that of providing the children of U.S. servicemen stationed overseas with an instructional program in keeping with the national ideal of quality education. While I still believe it preferable that no per pupil limitation be written into the law, I feel sure that those responsible for administering the DOD overseas schools can operate effectively and efficiently under the limitation here provided in such a way that the Congress will in the future accept the recommendation for no per pupil limitation.

On behalf of the overseas teachers and of those Members of the Senate who supported my efforts earlier this session to strike the per pupil limitation from the Defense appropriations bill, I want to thank the able conferees of the Senate for their understanding and their statesmanship in achieving for the time being the settlement of this issue, so that the education of the military dependent children may be improved.

Mr. RUSSELL of Georgia. Mr. President, I move that the Senate agree to the conference report.

The report was agreed to.

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 15941, which was read, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 5 to the bill (H.R. 15941) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes", and concur therein with an amendment, as follows: In lieu of the matter proposed, insert: *"Provided further,* That—

"(a) Notwithstanding any other provision of law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who—

"(1) is not assigned to, or participating satisfactorily in, a unit in the Selected Reserve, and

"(2) has not fulfilled his statutory reserve obligation, and

"(3) has not served on active duty or active duty for training for a total of twenty-four months.

"(b) Notwithstanding the provisions of any other law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who had become a member of a reserve component prior to July 1, 1966; and who

"(1) has not served on active duty or active duty for training for a period of one hundred and twenty days or more, and

"(2) has not fulfilled his statutory reserve military obligation.

"(c) A member ordered to active duty under this section may be required to serve on active duty until his total service on active duty or active duty for training equals twenty-four months. If the enlistment or period of military service of a member of the Ready Reserves ordered to active duty under subsections (a) or (b) of this section would expire before he has served the required period of active duty prescribed herein, his enlistment or period of military service may be extended until that service on active duty has been completed.

"(d) In order to achieve fair treatment as between members in the Ready Reserve who are being considered for active duty under this section, appropriate consideration shall be given to—

"(1) family responsibilities; and

"(2) employment necessary to maintain the national health, safety, or interest.

"(e) notwithstanding any other provision of law, until June 30, 1968, the President may, when he deems it necessary, order to active duty any unit of the Ready Reserve of an armed force for a period of not to exceed twenty-four months."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$806,500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13, and concur therein with an amendment, as follows: at the end thereof, add the following: ", but this proviso shall not apply to advance procurement of equipment the total cost of which shall not exceed $7,800,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "490", and at the end thereof strike out the semicolon and insert the following: ", but in no event at less than the rates of compensation in effect on June 30, 1966";

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: Delete the following words "Committees on Appropriations of the".

Mr. RUSSELL of Georgia. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments Nos. 5, 10, 13, 24, and 27.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to.

Mr. RUSSELL of Georgia. Mr. President, that concludes legislative action on the Defense appropriation bill for 1967.

Mr. MANSFIELD. Mr. President, I wish to thank the distinguished Senator from Georgia [Mr. RUSSELL], and also the ranking minority Member, the Senator from Massachusetts [Mr. SALTONSTALL], for their remarks in response to the letter from the Montana lady who teaches in a high school and who, I am sure, will find our remarks interesting and worth a good deal of discussion in her class.

Mr. RUSSELL of Georgia. The issue we have discussed is one which should be discussed all over the United States, because it deals with a very vital question in our form of government; namely, the equal responsibility of every person similarly situated to defend the Nation in time of national peril, or war.

Mr. MANSFIELD. I thank the Senator.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, the Senate will convene at 10 o'clock tomorrow morning, as has already been agreed to, in order to take up the District of Columbia appropriations bill, and also the conference report on the public works appropriation bill, which will be available early in the morning.

Following action on those two pieces of legislation, it is the intention of the joint leadership to lay down the foreign investors tax bill, to be followed—not necessarily in this order—by such items as international education; the allied health bill; the State, Justice, and Commerce appropriation bill—the last one outstanding except for the supplemental appropriation; and then the investment tax credit bill and other items which will have been reported today by the Committee on Labor and Public Welfare and other committees.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW AT 10 O'CLOCK A.M.

Mr. **MANSFIELD**. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, October 12, 1966, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate October 11, 1966:

THE JUDICIARY

Bryan Simpson, of Florida, to be U.S. Circuit judge, Fifth Circuit, to fill a new position created by Public Law 89–372, approved March 18, 1966.

Charles R. Scott, of Florida, to be U.S. district judge for the middle district of Florida to fill a new position created by Public Law 89–372, approved March 18, 1966.

Fred J. Cassibry, of Louisiana, to be U.S. district judge for the eastern district of Louisiana to fill a new position created by Public Law 89–372, approved March 18, 1966.

Donald Stuart Russell, of South Carolina, to be U.S. district judge for the district of South Carolina vice Charles C. Wyche, deceased.

Robert D. Smith, Jr., of Arkansas, to be U.S. attorney for the eastern district of Arkansas for the term of 4 years. (Reappointment.)

Charles M. Conway, of Arkansas, to be U.S. attorney for the western district of Arkansas for the term of 4 years. (Reappointment.)

Edward A. Heslep, of California, to be U.S. marshal for the northern district of California for the term of 4 years. (Reappointment.)

POSTMASTERS

ALABAMA

Russell Arnold, Smiths, Ala., in place of F. B. Malloy, retired.

CALIFORNIA

Doris A. Esteban, Idria, Calif., in place of M. A. Barnard, retired.

Richard M. Mollin, Murphys, Calif., in place of E. M. Mitchler, retired.

INDIANA

Wendell J. Van Riper, Noblesville, Ind., in place of Arthur Heiny, retired.

KANSAS

Morris D. Crouse, Albert, Kans., in place of W. F. Folkerts, retired.

KENTUCKY

Robert G. Hill, Florence, Ky., in place of R. C. Lutes, retired.

Wendel R. Bridges, Morning View, Ky., in place of Elmer Schadler, retired.

LOUISIANA

Kirby Allen, Clarks, La., in place of L. L. Jackson, retired.

MASSACHUSETTS

Rosemarie L. Dolan, Greenbush, Mass., in place of C. M. Waite, retired.

Edward L. Perry, North Truro, Mass., in place of F. W. Garran, resigned.

Richard E. Briggs, South Lee, Mass., in place of N. D. Potter, resigned.

OHIO

Joseph L. Clark, Amlin, Ohio, in place of R. M. Patch, retired.

TEXAS

George B. Yeager, Jr., Bay City, Tex., in place of S. G. Selkirk, Jr., retired.

VIRGINIA

John H. Wayman, Kilmarnock, Va., in place of R. G. Claybrook, retired.

IN THE COAST GUARD

The following-named officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant (junior grade):

Dwight W. Shores
Cyrus E. Potts
Frederick W. Cressman
Billy D. Lovern
John E. Streeper
Charles J. Miotke
Billy G. Cunningham
Alfred T. Miles
Harold T. Sherman
Heloma L. Goforth
Gary R. Hall
David Corson
Edward G. O'Keefe
Robert Q. Shanks
James R. Walsh
Norman J. Cross
James L. Mapel
Gerald D. Mills
Lyman B. Norton
Lynn M. Brown
Phillip J. Kies
Monette B. J. Ratcliff
Virgil J. O'Grady
Erwin F. Chase, Jr.
Dale W. Johnson
Charles L. Gomez
Jacob P. Aucoin, Sr.
Howard H. Lindsay
Thomas E. Brown

The following-named officers to be permanent commissioned officers in the Coast Guard in the grade of lieutenant:

Frank H. Carman
Harold J. Gellert
Mikel A. Cole
Norbert F. Toczko

The following officers of the Coast Guard for promotion to the grade of lieutenant:

Dwight W. Shores
Ronald C. Zinzer
John K. Andrews
Stewart B. Morgan
Cyrus E. Potts
Frederick W. Cressman
Billy D. Lovern
John E. Streeper
Charles J. Miotke
Billy G. Cunningham
Alfred T. Miles
Harold T. Sherman
Heloma L. Goforth
Gary R. Hall
David Corson
Edward G. O'Keefe
Robert Q. Shanks
James R. Walsh
Carl D. Bossard
Richard S. Bizar
Roger W. Bing
Joseph B. Coyle
George J. Thompson
Thomas P. McGann
Gerald F. Woolever
David R. Zwick
Nelson H. Keeler, Jr.
James L. Webster
Harry T. Suzuki
Kevin T. Clancy
Robert A. Major
C. Richard Mockler
Warren D. Snider
Robert L. Vence, Jr.
Gill R. Goodman
Howard B. Gehring
Richard L. De Vries
Thomas D. Fisher
James W. Fry, Jr.
Nelson W. Koscheski, Jr.
George J. Buffleben, Jr.
Robert P. Dickenson
Billy W. Richardson
Robert E. Leggett
David J. Connolly
Robert L. Kuhnle
Virgil F. Keith, Jr.
Harry D. Nelson
Karl L. Reichelt
Richard A. Walsh
William B. Waff
John E. Lindak
Robert W. Burchell
Arthur E. Katz
Harvey F. Orr
John R. Yetke, Jr.
Andrew F. Durkee, Jr.
Wayne K. Hodsden
Stephen T. Ulmer
David A. Young
James J. Lantry
Dan A. Nauman
Kent M. Ballantyne
Philip R. North
Raymond H. Canada, Jr.
Charles B. Mosher
George H. Brown III
John W. Greason
Dennis J. Brady
Kurt L. Elste
Ray A. Heller
Robert G. Bates
Rudy K. Peschel
James F. Dewey
Robert E. Fenton
Michael J. Jacobs
William M. Baxley
Jerome P. Mullins
William A Caster
Arthur B. Shepard
Peter C. Busick
Ronald O. MacFee
William D. Bechtel
David T. Machamer
Daniel K. Shorey
Jeffery D. Hartman
Ernst M. Cummings
James A. Murray, Jr.
Denis J. Bluett
Edward E. DeMuzzio
John D. Adams
Jan F. Smith
Michael Burdian
Michael P. Studley
Michael E. Greene
Charles E. Haas
Stephen J. Ratey, Jr.
James D. Boyce
Dana W. Starkweather
Roger W. Hassard
David L. Andrews
James F. McCahill, Jr.
Barham F. Thomson III
Murray J. Towle
Nicholas H. Allen
Richard J. Heym
Anthony R. Adams
William A. Monson
Roger L. Beving
James C. Haldeman
Karl W. Mirmak
Forrest F. Furaus, Jr.
Norman J. Cross
James L. Mapel
Gerald D. Mills
Lyman B. Norton
Lynn M. Brown
Phillip J. Kies
Monette B. J. Ratcliff
Virgil J. O'Grady
Erwin F. Chase, Jr.
Dale W. Johnson
Charles L. Gomez
Jacob P. Aucoin, Sr.
Howard H. Lindsay
Thomas E. Brown
John P. DeLeonardis, Jr.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be majors

Abbott, Walter H., O68852.
Absher, Richard L., O66649.
Ackerman, Arthur H., O68413.
Ackerman, David G., O74618.
Adams, David G., O68853.
Adams, James E., O82131.
Adamson, George W., O68855.
Ades, Leroy P., O68414.
Agather, Frederic G., O68415.
Aikman, Jim B., O79159.
Albert, George R., O97227.
Alch, Wayne F., O68417.
Aldrich, Herbert C., O85119.
Alexander, John V., O82132.
Alexander, Robert L., O68418.
Allan, James R., O71752.
Allebach, Victor L., O70130.
Allen, Leverne E., O76936.
Alter, Allen G., O79161.
Ambrose, Thomas J., O71753.
Ames, William L., Jr., O68861.
Anderson, Benjamin, O70160.
Anderson, James C., O68863.
Anderson, Paul F., O75136.
Anderson, Thomas L., O82133.
Anderson, Thurman E., O69847.
Andrews, Wilson P., 072813.
Angel, Jack F., O68806.
Angstadt, John P., O68420.
Apuna, Samuel K., Jr., O81368.
Arduna, Arthur A., O68422.
Arnaud, John F., Jr., O65645.
Arnhym, Rolfe G., O68423.
Artzberger, Ronald, O84692.
Asbelle, Charles T., O84940.
Ash, Philip L., Jr., O68868.
Atwood, Thomas W. W., O68872.
Auer, Charles H., O68873.
Austin, Kenneth S., O79168.
Ayers, Robert E., O68424.
Bacey, Algirdas S., O71756.
Bailey, David G., O79169.

Bailey, Richard R., O81371.
Bailey, Rusian B., O68212.
Baird, Niven J., O80207.
Baker, John F., O75139.
Baker, Russell A., Jr., O68425.
Bal, Roscius Irving, O68807.
Ball, Charles F., Jr., O81373.
Ball, Duard D., O68213.
Bambery, James R., O68426.
Bamford, Charles F., O76945.
Banks, Douglas T., O68877.
Bardwell, Lloyd R., O82137.
Barker, James M., O79174.
Barrett, Robert E., O68884.
Bartlett, Fred O., Jr., O66686.
Barton, Jack L., O76946.
Barton, Robert E., O68428.
Basic, Nick J., O72817.
Bastian, Richard K., O94439.
Bauerband, Edward H., O81377.
Baughman, Larry J., O71442.
Bauman, William F., O68430.
Baynard, Richard A., O71641.
Beall, George F., O68887.
Beams, Clare F., III, OF101046.
Bean, Calvin R., O84900.
Beardsley, William, O68889.
Beasley, Linton C., O73284.
Beatty, Robert D., O76947.
Becker, Hans V., Jr., O79181.
Beckwith, Charlie A., O76948.
Bell, Robert S., O73285.
Bell, Wiley W., O76950.
Bell, William R., O68432.
Bellis, William H., O81378.
Benedit, Edward B., OF100787.
Bente, James A., O82140.
Bentley, Ernest E., O68893.
Berzinec, William E., O68894.
Beshens, Gerald J., O99791.
Bickmore, Jesse O., O68897.
Biggerstaff, Allan, O68436.
Billington, Norton, OF102817.
Birmingham, David F., O79187.
Bishop, Edward L. P., O68438.
Black, William T., O68904.
Blackledge, David W., O68905.
Blaker, John R., O99451.
Blalock, Charlie L., O72821.
Blanco, Silviano J., OF104379.
Blanton, Clay E., O71447.
Blastos, Constantine J., O68439.
Blauvelt, Richard B., O68906.
Bleecker, James F., O68440.
Blottie, Donald L., O70131.
Blum, Robert W., O68441.
Bohlin, Harry J., O68909.
Boman, Jack D., O82143.
Bomberger, Richard, O71904.
Bookman, Edmund B., O66711.
Boone, Louis C. Jr., O68442.
Booz, Donald V., II, O96957.
Boring, Landin F., O68913.
Born, Keith L., O68443.
Boucher, Leo P. Jr., O68914.
Bourgeois, Randolph, O89743.
Bourne, Harold O., O75148.
Bowen, James E., III, O68444.
Bowers, James M., O68219.
Boxell, Robert A., O68445.
Boydston, Arland D., OF105631.
Boykin, Curtis R., O79194.
Boyle, Richard D., O68446.
Brain, Tom H., O68447.
Brake, John W., O66722.
Brannon, William W., O81386.
Brayton, Neal C., OF102822.
Breckenridge, Robert C., O68448.
Brewer, Curtis A., O68451.
Brewington, Charlie, O66727.
Brewster, Lawrence, O68917.
Bricker, James W., 068918.
Bridgman, Earl N., Jr., O67793.
Briggs, Philip D., O66731.
Brinson, William B., O79200.
Britten, Gerald H., O68328.
Broadbent, Carl D., O66366.
Brons, Russell L., O70287.
Brooker, Clarence B., O68221.
Brophy, Jeremiah J., O68454.
Brosious, George D., O68455.
Brown, Arthur E., Jr., O68456.
Brown, Bury G., Jr., O82149.
Brown, Donald S., O68457.
Brown, Henry L., O77973.
Brown, Robert E., O71767.
Bruen, John D., O73522.
Brumley, William B., O76967.
Bruns, Bernard W., O73296.
Bryan, Edward P., O73297.
Bryant, DeeWitt T., O76968.
Bryant, Joel W., O73298.
Buchanan, Elton E., O76969.
Buck, Horatio S., Jr., O69872.
Buck, Kent L., O68329.
Bukoski, James R., O76970.
Burdeau, Edward K., O68459.
Burdeshaw, William, O68460.
Burke, Robert J., O67993.
Burkhardt, William, O68461.
Burns, Billie R., OF100572.
Burns, Sumner C., Jr., O79207.
Busck, Albert A., O75159.
Butler, Don A., O72833.
Butler, Robert E., O68463.
Butterworth, James, O74655.
Buzzell, Kenneth E., O79209.
Byrne, Thomas D., O91174.
Byrnes, Vincent F., O68931.
Cahill, Philip J., O68792.
Cain, James W., O66594.
Callahan, Bernard L., O68934.
Campbell, James G., O68936.
Campbell, William E., O71768.
Camper, William C., 085306.
Canedy, Charles E., O68937.
Cannon, Glen B., O79212.
Cannon, Lee B., Jr., O68223.
Cannon, Sammy J., O79213.
Canonico, John N., O68938.
Cantrell, Waniford, O68939.
Carlson, Dale L., O75161.
Carson, Howard E., O94849.
Carter, John B., O67994.
Carter, Robert A., O68465.
Caruso, John P., O68945.
Casey, John P., Jr., O70079.
Cassella, Arthur C., O89925.
Cassidy, John J., O76974.
Cates, Arthur J., O68467.
Cauthen, John R., O85135.
Ceglowski, John P., O68468.
Chabot, Don W., O73063.
Chaffin, Jimmie M., O68948.
Chafin, Leonard D., O68811.
Chamberlain, George, O79220.
Chamberlain, William C., O70178.
Chandler, Victor E., O76975.
Chezem, Jimmie A., O91187.
Childress, Gerald, O76977.
Ching, Harry L. F., O68949.
Chomko, Gene N., O68813.
Christman, Daniel P., O68472.
Churchill, Jack B., O71770.
Churchill, Johnny J., O68334.
Cioffi, William G., O76979.
Cipriani, Lawrence, O68951.
Clapp, Max A., O76980.
Clardy, Lawrence L., O68181.
Clark, Allison P., O76981.
Clark, Warren L., O89484.
Clingempeel, William D., O76984.
Coffey, Vernon C., Jr., O71463.
Coggins, Donald W., O79232.
Cole, Fred V., O91191.
Cole, William A., O68475.
Cole, William L., O75164.
Coleman, Edward R., O76986.
Collins, Ashby F., O68959.
Colonna, Gary S., O68476.
Colson, James B., Jr., O68960.
Colvin, William R., O68477.
Comiskey, Ralph E., O79235.
Compton, James M., O68336.
Conder, Raymond C., O68478.
Connell, Charles R., O68962.
Connolly, Thomas F., O73306.
Connolly, William J., O68963.
Conover, Robert L., O76987.
Conway, Donald J., O74665.
Conzelman, Peter S., O68479.
Cook, Ralph J., Jr., O79236.
Cooper, Hamilton A., O73308.
Cooper, John H., O68480.
Corbett, Cleveland, O99065.
Corey, John D., O81401.
Cormier, Robert E., O91195.
Coroneos, Paul P., O73309.
Coston, Charles D., O73441.
Coughlin, Charles L., O69889.
Coursin, Raymond E., O79237.
Cousland, Walter C., O68484.
Coye, Roger H., O76989.
Cragun, Dwight L., O79239.
Crampton, Theodore, O83825.
Creamer, Edmund J., O82161.
Creighton, Neal, O68486.
Crerar, John H., O68487.
Crim, William T., O68489.
Crocker, Merle M., O79241.
Crosby, Robert L., O68490.
Crosland, William E., OF102842.
Cross, George M., O68970.
Cross, John S., O70134.
Crowell, William B., O68972.
Croyle, Donald W., O95006.
Cunningham, Alfred, O71776.
Currey, Charles E., O76993.
Curry, Paul R., O79244.
Curtiss, Lester R., O71664.
Daggit, Edward A., O68494.
Dalone, Arthur A., O94453.
Daly, Robert F., O68495.
Damon, James A., O73314.
Dannemiller, Leo M., O68338.
Dare, James T., O68496.
Darivoff, Irvin, O76994.
Darling, John E., O79245.
Davies, Joseph F., O99305.
Davis, Donald F., O68498.
Davis, Edwin G., O71477.
Davis, Lauren S., O68499.
Davis, Robert L., O69477.
Davis, Robley W., Jr., O68978.
Davis, Warren C., O91205.
Davis, Willys E., O68815.
Davisson, Henry L., O68502.
Dawson, George R., O86047.
Dawson, Wallace H., O71779.
De Lorenzo, William, O76996.
De Luca, Anthony P., O68506.
De Muynck, Jack E., O79248.
Dearborn, Charles S., O82163.
Del Santo, Michael, O68982.
Delahanty, Raymond, O68981.
Delbridge, Norman G., O68505.
Desaulniers, John J., O88654.
Descoteau, Rudolph, O73443.
Devins, Joseph H., Jr., O66558.
Di Lorenzo, David L., O88046.
Di Simone, Frank B., O71341.
Dick Harvey M., O68230.
Dickson, Lee C., O68986.
Dieterle, John H., O79254.
Digison, Donald K., O75175.
Dillinger, David R., O91809.
Dinges, Edward A., O68511.
Dismore, William E., O76998.
Dixon, John B., O76999.
Dobson, Dale E., O91214.
Dodds, Jack A., O79257.
Dodge, Griffin N., O68987.
Doerer, Richard C., OF106098.
Dombrowski, Anthony, O68989.
Donahue, James G., O68512.
Donahue, Robert J., O73318.
Donnal, John A., O68990.
Donnell, Henry K., O73319.
Dooley, Thomas R., O84838.
Doran, Fred R., O71780.
Dorsey, Robert G., O97107.
Dotson, Larry D., O75177.
Dotson, Richard F., OF100260.
Doty, Benjamin E., O68991.
Doucette, Roger A., O97730.
Dowling, John H., O66845.
Downer, Harry S., Jr. O82166.
Downey, Allan N., O77003.
Doyle, David K., O77004.
Doyon, Leonard E., O99823.
Drenz, Charles F., O79258.
Duffy, James P., O68994.
Duffy, William D., O75181.

Duffy, William J., O81417.
Dukkony, Stephen J., O68997.
Dunham, Gerald L., O71783.
Dunlap, Robert R., O79259.
Dunn, Charles H., O72860.
Durany, John A., O79260.
Dyment, Leroy W., Jr., O73322.
Eachus, David A., O66459.
Earle, Thomas B., Jr. O69003.
Early, Felix L., Jr. O75182.
Echols, Herald V., O77006.
Ecrette, Joe D., O79261.
Edwards, David F., O68340.
Edwards, Jerry S., O73323.
Edwards, Williams, OF103521.
Egbert, George L., Jr., O68520.
Ehlers, O. Kirk, O68521.
Ehlert, Richard A., O68184.
Eineigl, Raymond J., O68522.
Elder, Robert L., Jr., O69005.
Elliott, Harry L., O69007.
Elliott, James W., O69008.
Ellis, Donald D., O77010.
Ellis, Warren H., O97902.
Elmore, Donald J., O74683.
Emery, Calvin B., O97112.
Engle, John F., Jr., O89053.
English, Paul L., OF102458.
Epps, Ferdinand Q., O73326.
Erickson, Alfred H., O89477.
Estep, Glenn R., O77012.
Estes, Billy G., O84855.
Eubanks, James A., O68526.
Evangelos, Christos, O84903.
Evans, James L., O68234.
Evans, Robert B., O73327.
Evrard, James A., O68341.
Eye, Douglas M., O99314.
Eyman, Robert F., O77013.
Fail, Eulan T., O79268.
Falconer, Walter J., O66878.
Fallon, Joel B., O79269.
Farlow, Wilbur M., O69017.
Faught, William F., O68003.
Favre, Rolland M., Jr., O79271.
Fedko, John T., O79272.
Fell, Richard W., O69021.
Felton, Robert G., O69023.
Fenech, Paul M., O77015.
Ferguson, William P., O68343.
Fernandez, Robert N., O68528.
Ferrara, Leonard S., O69025.
Ferris, Gordon F., O91674.
Fewell, Oscar C., Jr., O68235.
Fiala, Charles J., O68529.
Field, Nathaniel A., O77017.
Fields, Charles E., O84694.
Fifer, William A., O69026.
Fike, Edward C., O68344.
Filaseta, Bart M., O68530.
Fincham, Jack E., O77018.
Fischer, Arthur F., O77019.
Fischer, Richard F., O68531.
Fischer, Richard L., O77020.
Fisher, Clyde, Jr., O77021.
Fisher, Samuel H., Jr., O68532.
Fitch, John B., O68533.
Fitzsimmons, Eugene, O68534.
Flaherty, William J., O69028.
Flanagan, John S., O69029.
Fleming, Daniel M., O79278.
Fleming, Harold A., OF103825.
Fleming, Robert J., O79279.
Flertzheim, Henry A., O68536.
Floyd, Paul E., O68537.
Forbes, Stanley R., O77023.
Ford, Allan T., O68186.
Forrest, Ernest E. J., O71495.
Foster, Edward H., O81426.
Foster, Howard R., O97118.
Foster, Samuel G., O79281.
Fox, Bernard J., O85169.
Fox, John G., O74688.
Fox, Joseph H., O68237.
Fox, Lothar, O89962.
Frank, Edward R., Sr., O89964.
Franklin, James A., O77027.
Franseen, Leonard R., O69033.
Frechette, Joseph P., O81428.
Freeze, James E., O79283.
Freimark, Gaillard, O68539.
French, Rodney M., O68540.
Frenier, Julius A., O72872.
Friedersdorff, Louis C., Jr., O68541.
Friedman, Arthur M., O79284.
Friesen, Herbert E., O68542.
Frost, Theodore N., O71790.
Fukumoto, George M., O69037.
Fulford, Clarence, J., OF101237.
Fuller, Elbert E., Jr., O68543.
Fulton, Thomas G., O79285.
Fultz, Forrest G., OF106113.
Gallagher, Charles, O88691.
Gallant, George W., O79287.
Galloway, Jesse M., O89059.
Gan, Maurice K., O79290.
Gannon, Timothy G., O79291.
Garcia, Efraim S., O68005.
Garcia, Roberto V., O88071.
Garman, Frederick E., O82173.
Garrett, Harold L., O89332.
Garrett, Samuel J., O69040.
Gaumond, Robert J., O71791.
Gausvik, Donald E., O81434.
Gearin, Cornelius J., O91444.
Geiger, Ervine H., Jr., O95509.
George, Manuel J., O81438.
George, Raymond L., O70342.
Gerhards, Peter P., O91244.
Germond, George F., O67923.
Germuga, Gerald A., O79296.
Gibbons, William C., O69041.
Gibbs, Robert M., O79298.
Gill, Oather J., Jr., O75192.
Gillespie, John W., O77030.
Gilliam, Robert, O72878.
Gingrich, Robert B., O65774.
Ginsburg, Howard D., O69044.
Gioiosa, Thomas E., O69045.
Glasgow, Robert E., O68546.
Glauner, Frederick, O68547.
Goetsch, Elmer A., O68241.
Goetz, Jerald L., O68548.
Gonzales, Orlando E., O79304.
Goodale, George S., O79305.
Goodwin, Willard C., OF100400.
Gordon, Robert L., Jr., O97909.
Gottsche, John S., O66943.
Graham, Harl G., O68549.
Grant, Samuel J., Jr., O68243.
Gray, Ralph S., O69052.
Gray, Wilmer O., Jr., O91849.
Greeley, Leonard J., O68550.
Greenlaw, Kenneth N., O92360.
Greenleaf, Edward T., O99853.
Greenquist, James C., O68244.
Greynolds, William, O69058.
Griffin, Bobby F., O97124.
Griffin, Guilford W., O79312.
Gruen, Robert W., O69060.
Grum, Allen F., O68552.
Gutschenritter, Earl J., O77037.
Hale, Delmas M., O73450.
Haley, John C., O79316.
Hall, Alvin O., Jr., O79317.
Hall, Henry R., Jr., O68011.
Hall, Hugh J., Jr., O68554.
Hallock, Richard G., O69062.
Halterman, Harry W., O68556.
Hamby, Dolph F., Jr., O68245.
Hamilton, Frank H., O84695.
Hamilton, Robert H., OF102094.
Hammaker, Charles A., OF103839.
Hancock, Jack L., O77040.
Hand, Lee M., O75202.
Hanson, Donald F., O73340.
Harbuck, Robert L., O70095.
Harlan, John R., O73342.
Harrick, Stephen R., O69065.
Harris, Bobby J., O68188.
Harris, James H., O68560.
Harris, John R., O67927.
Harris, William H., O68561.
Haskell, Richard B., O66552.
Hastings, C. Frederick, Jr., O82183.
Hausman, Conrad K., O81453.
Hawkins, Billy R., O84696.
Hawlk, Robert C., O69069.
Haxton, Owen V., O82184.
Hayes, Jack O., O68563.
Hayward, Barton M., O68819.
Hazlett, Howard, III, O68564.
Heath, Bobby R., O72894.
Heath, Harry A., O71801.
Heiberg, Elvin R., O68565.
Heitzke, Kenneth S., O68566.
Hembree, Jack E., O74720.
Hendricks, Arthur D., O72896.
Hendricksen, Earl E., OF102908.
Henry, Frederick S., O88096.
Henschel, William E., O92397.
Henslick, James R., O73344.
Herndon, Phillip H., O69076.
Hertel, Robert G., O77048.
Hetherly, James H., O79323.
Hewell, Robert E., O68014.
Hickerson, Charles, O95339.
Higgins, Wiley T., Jr., O69078.
Hilley, William W., O68569.
Hillman, John K., O77050.
Hilty, James R., O84906.
Hino, Peter J., O69081.
Hobby, Thomas K., O96663.
Hodges, Albert P., O68250.
Hodgson, Lowell F., O71805.
Hoerning, Richard E., O69063.
Hojnacki, William, O89071.
Holcombe, Thomas W., O68573.
Holihen, Joseph M., O77051.
Holley, James P., O69087.
Holmes, Arthur, Jr., O75210.
Holtz, Dennis C., O69090.
Honma, Douglas T., OF102695.
Horner, David D., O68575.
Horton, Richard D., O79332.
Horton, William D., O68576.
Hosford, Jerry N., O83628.
Howard, Jakie M., O79333.
Howard, McErvin, O84907.
Howe, Roderick R., O69095.
Howell, Ernest R., O96764.
Howitz, Ivan H., Jr., OF100290.
Hoye, James G., O79334.
Hoyle, Frank E., O72902.
Hudson, Charles F., O68363.
Huebner, Robert W., O96986.
Hughes, Bernard C., O68580.
Hughes, Philip B., O85187.
Hukill, Phillip E., O84909.
Hunt, Jim I., O85333.
Huntington, Raymond, O75212.
Huntley, David L., O82188.
Hurd, Philip S., O71525.
Hurless, Bernard F., O68582.
Husa, Richard F., O74729.
Hutchins, Charles F., O77053.
Hutchinson, Cary B., O68583.
Hutchinson, Harold, O89516.
Hyde, Darwin S., O77054.
Hyde, Richard G., O74730.
Imhoff, Maximilian, O73347.
Ingram, Harvie T., O81461.
Irwin, Thomas G., O68253.
Issacson, Roger M., O99883.
Iverson, Harold E., O69105.
Ivy, James M, IV., O81462.
Jackson, James L., O68585.
Jackson, James M., O71812.
Jackson, John H., O71813.
Jackson, William B., O87800.
Jacobs, Norman P., O85334.
Jakes, Frank R., OF103854.
Jarrett, George A., O95046.
Jarvis, Ronald J., O81463.
Jenes, Theodore G., O70138.
Jenkins, William M., O71927.
Jennings, Robert H., O69111.
Jensen, Harold E., O79344.
Jensen, William C., 077057.
Jewell, William M., O68587.
John, Gilbert J., O91285.
Johnson, Cornell, O82190.
Johnson, Eugene M., O94765.
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Johnson, Harold R., O68364.
Johnson, James P., O96688.
Johnson, Jodie, Jr., O75218.
Johnson, John S., Jr., O79345.
Johnson, Joseph E., O77058.
Johnston, John A., O80213.
Jones, Albert F. P., O97667.
Jones, Charles L., O77059.
Jones, Gordon D., O79346.

Jones, Robert B., O69823.
Jones, Thomas M., O77062.
Jones, William D., O68590.
Jordan, Aldy C., Jr., O102934.
Jordan, Donald R., O73351.
Judge, Richard F., O77063.
Junot, Arthur J., O83629.
Kallman, Michael E., O68593.
Kamakahi, Ronald D., O69121.
Katayama, Robert N., O81860.
Katt, Beaufort C., O90143.
Keaton, Charles T., O97316.
Keister, Leland W., O84910.
Keith, Norman A., O79349.
Kelley, Kent C., O69124.
Kelley, Philip G., Jr., O89349.
Kelley, William B., O69125.
Kemp, Robert A., O91618.
Kempf, Neil H., O79352.
Kennedy, John D., Jr., O92440.
Kennedy, John L., Jr., O67936.
Kennedy, Walter G., O82192.
Kennington, Roy A., O84911.
Kenyon, Robert B., O69126.
Ketzler, Kenneth L., O69127.
Kiefer, Charles A., O69129.
Killion, Edward P., O84912.
King, Ivan W., O66543.
Kinnie, Irvin G., Jr., O68599.
Kirkpatrick, Andrew, O99671.
Kirkpatrick, James, O79353.
Kitchin, James W., O77069.
Kloke, John G., O70139.
Klopp, Charles A., O71820.
Kmiotek, George V., O69132.
Knoebel, Frederick, O68257.
Knox, Robert R., Jr., O81470.
Knudsen, Joseph R., OF105452.
Kobata, Katsuji, O77073.
Koch, Ralph A., O68601.
Koen, Clyde H., Jr., O90164.
Koontz, William E., O71538.
Kostner, Raymond J., O84698.
Koval, Emile D., O69134.
Kracht, Peter M., OF102946.
Kramer, John C., O68823.
Kretzer, Alonzo S., O69135.
Kuhn, Robert J., O70140.
Kunze, Melton H., O98262.
Kupau, Richard A., O91305.
Kupec, Edward W., O73360.
Kwasigroch, John F., O77077.
La Flam, Robert J., O68604.
La France, Raymond, O71542.
Labrozzi, Anthony, O97933.
Lacquement, Hubert, O68603.
Lair, Donald E., O92083.
Lamastus, Robert L., O 88778.
Lammie, James L., O68605.
Land, Joe E., Jr., O68258.
Landry, Clifford J., O68606.
Lang, John E., O79359.
Laray, William K., O89243.
Larsen, David P., O79360.
Larson, Richard A., O69147.
Lawrence, Ernest, OF100396.
Lawrence, Herbert L., O69153.
Lawrence, Paul B., O76957.
Lawrence, Richard D., O68608.
Lawrence, Robert S., O82199.
Lawrence, William A., O97166.
Lawson, James C., O97794.
Layne, Leslie A., O77086.
Leach, Anthony J., Jr., O73529.
Leaf, Edwin B., Jr., O69155.
Leander, Richard C., O69156.
Lee, James M.., O67102.
Lee, Wallace A., O69157.
Lefebvre, Bernard R., O79362.
Legener, Richard G., OF102215.
Leisinger, Richard, O69159.
Leisner, Herbert W., O81477.
Lembrich, Derald L., O65755.
Lenassi, John R., O89539.
Leonard, Richard E., O68609.
Leonard, Robert R., O85199.
Leuppert, Fred W., O68262.
Levitt, David M., OF105464.
Lewis, Grover H., O75234.
Lewis, William M., O84496.
Light, Allen H., Jr., O77094.
Liliker, Thomas W., O68024.
Lindberg, Charles F., OF100304.
Lindholm, Allen T., O68611.
Linka, James E., O68612.
Linkous, Claude D., O82200.
Litherland, Ivan R., OF102532.
Liveoak, Felix L., Jr., O68613.
Lodge, Thomas C., O77096.
Logan, Francis S., O72921.
Lopkoff, Alexander, O68374.
Lotz, Alvin W., OF106176.
Lowman, Charles J., O68616.
Lowry, Montecue J., O68617.
Lucas, Warren J., O77099.
Lugenbeal, Leo H., O92217.
Lundquist, Richard, OF102963.
Lynch, Gordon P., O72923.
MacLennan, Robert, O69187.
Mactagone, Serafin, O69188.
Maddox, Chesley B., O89249.
Magruder, Lewis F., O84700.
Mahan, Gary C., O68196.
Maher, John P., O68621.
Mailler, James R., O67129.
Males, William R., O75245.
Malouin, Leon F., Jr., O79370.
Manfre, Louis E., O68622.
Mann, Everett E., Jr., O77106.
Mann, Kenneth L., O68380.
Manning, Monroe L., O69194.
Manning, Thomas J., O68197.
Manning, William J., O69195.
Mansfield, Eldon L., O68026.
Marden, Richard H., O67133.
Marshall, James L., O69197.
Martin, Donald R., O68624.
Martin, Ephraim, III., O98513.
Martin, John F., O68625.
Martin, Robert N., O68626.
Massengale, Eugene, O92221.
Matson, Howard R., O68627.
Matson, Hugo W., O74764.
Matthews, Paul D., Jr., O77109.
Maurer, William W., O73968.
May, Edwin M., Jr., O74765.
Mayer, Anton F., O73371.
Mayhew, Charles H., O69201.
Mays, George G., O77110.
McAfee, Billy J., OF104481.
McCarthy, James E., O84913.
McClean, Raymond J., O77111.
McClelland, Thomas, O71700.
McCluskey, James F., O68629.
McCormack, Harold, O70211.
McCormack, Robert, O69174.
McCormick, George, O75248.
McCurdy, Jasper M., O96910.
McDermott, Francis, O91924.
McDonald, Billy A., O71939.
McDonald, Harold F., O65037.
McDonald, John R., O68630.
McElroy, Robert I., O68030.
McGahee, Mack M., O77114.
McGee, Charles F., 077116.
McGillicuddy, Cornelius F., Jr., O75249.
McGinn, Harry L., O77117.
McGinnis, William, O71836.
McGregor, Thomas, O68633.
McGuffin, Robert F., O70212.
McGurl, Peter W., O71940.
McIntosh, John H., O72936.
McIntyre, Graham W., O68634.
McIver, James C., O77118.
McKenzie, Colin W., O72939.
McKinney, John W., O79380.
McLennan, Stuart G., O68636.
McLeod, John S., O69185.
McMahon, John F., O77119.
McMillen, James A., O79381.
McNally, John W., O77120.
McNeese, Luna V., Jr., O68266.
McNeil, Frank H., O71558.
McNeill, Charles L., OF100218.
McNutt, Donald L., O68637.
McQuade, John P., O84914.
McWhorter, James H., Jr., OF106186.
McSpadden, William, O67042.
Meadows, Benjamin T., O72942.
Mechtly, Ivan R., Jr., O66241.
Medbury, Paul R., O69203.
Meglen, John D., O68638.
Mehl, Walter J., O75250.
Meinhardt, Harry P., O79383.
Meloy, Guy S., III, O68639.
Menzies, Neil A., O69210.
Meredith, Alvin L., O91932.
Merrigan, Jack A., O68640.
Merritt, Allen S., O68641.
Merritt, Jack N., O71396.
Metcalfe, Robert W., O69211.
Metzner, Edward P., O71842.
Meyer, Donald L., O68643.
Meyer, Frederick F., O74778.
Meyer, Richard M., O69212.
Michael, Lloyd D., O77122.
Middleton, Wilbur A., O70141.
Mihalik, John A., O79384.
Mihas, Leo B., O69217.
Milam, Jerome C., O68272.
Miley, James F., O68644.
Miller, Clarence A., 77123.
Miller, David C., O74781.
Miller, John J., O69989.
Miller, Leon M., O69220.
Miller, Richard A., O68645.
Miller, Thomas A., O81490.
Minix, Thomas E., O81491.
Miotke, William A., O68646.
Mitchell, George W., O71844.
Mitchell, William L., O66414.
Mitchell, William H., O84702.
Mitchum, Dwyer K., O80216.
Moffatt, Edwin G., O68830.
Moffett, Norman A., O74785.
Mojecki, John A., O89109.
Mollichelli, Edward, O72626.
Monclova, Irving, O69223.
Montrose, John L., Jr., O79387.
Mooneyhan, Jack L., O79388.
Moore, James B., O69224.
Moore, James E., O68032.
Moore, Peter W., O99695.
Moore, Robert L., O72420.
Moore, Wallace D., O89264.
Moran, Conrad V., O77132.
Moretti, Francis C., O69231.
Morgan, Ernest R., OF102233.
Morris, Carl J., O89561.
Morris, Hubert, O71567.
Morrison, Clyde L., O69235.
Morton, Richard E., O68831.
Moser, Alexander J., O67202.
Moss, Robert E., O77135.
Moulthrop, Robert M., O77136.
Mountel, Robert A., OF105495.
Muller, Ludwig J., O79396.
Murphy, Donald G., O75256.
Murphy, Henry B., Jr., O87863.
Murry, George S., O84916.
Myers, Richard L., O79399.
Myrah, Halvor H., Jr., O68652.
Nabell, Eugene V., O77142.
Nair, Robert L., O92496.
Neal, Beverly L., O85052.
Neal, Charles O., O68653.
Needles, Paul E., O90336.
Neff, Paul R., O79401.
Neilson, Clifford C., O68654.
Nerone, Francis A., O68655.
Nesbitt, Thomas E., O68656.
Nestlerode, George, O68035.
Neuberger, Jack A., O68658.
New, Guy E., O68276.
Newman, Francisco B., O69241.
NG, Richard, O84654.
Nickolls, Charles E., O88860.
Nicks, Jerry W., O68659.
Niemann, Thomas E., O77145.
Nims, Richard H., O70146.
Noah, Max W., O68660.
Noeding, John P., O68834.
Nolde, William B., O68037.
Nolet, Robert A., O77146.
Noll, Wallace W., O68661.
Norcross, John C., O77147.
Nugent, Thomas J., O68663.
Nunn, Thomas C., O77148.
Nunnelee, Billy R., O88863.
Oblinger, John B., Jr., O68665.
O'Brien, James J., O69118.
O'Brien, Thomas E., O67234.
O'Connell, Leo A., O69251.
O'Connor, Edward C., O72955.

O'Connor, Mortimer L., O68666.
Odekirk, Carl J., O77149.
Odiorne, David W., Jr., O69252.
O'Donnell, Matthew B., O85356.
O'Donohue, John D., O72956.
Ogg, Robert D., O68278.
O'Karski, Gerald M., O89119.
Okyen, Louis, O99369.
Olsen, Edmund J., Jr., O81500.
Olson, Arthur G., O74793.
Opel, Donald M., O67242.
Orr, Jerry C., O68835.
Osborn, Robert B., O81502.
Otis, Glenn K., O68668.
Owens, Bidwell A., Sr., O68281.
Owens, Lawrence B., O99702.
Owre, Peter T., O70147.
Ozaki, John, O68393.
Palenchar, Andrew E., O92743.
Pannier, Leon G., Jr., O88302.
Papajohn, Carroll, O91878.
Parker, David H., O97180.
Parker, Walter E., O68669.
Passano, John D., O77152.
Patellos, Samuel W., O99705.
Patton, William W., O73183.
Paul, Alfred L., O82218.
Payne, Delbert S., O91664.
Payne, James A., Jr., O79418.
Payne, James N., OF101854.
Pearce, Richard H., O69266.
Peck, Darrell L., O84246.
Perkins, John R., O88874.
Perlow, Joseph P., O68672.
Perrin, William S., O68040.
Perry, William R., O75265.
Peters, Perry E., O77155.
Peterson, John R., O79422.
Peterson, Russell B., O73386.
Peterson, Thorwald, O68673.
Petree, Neal C., Jr., O79423.
Petterson, Charles, O77156.
Petty, Howard P., O84703.
Pfanzelter, Max R., O71586.
Phillips, Ernest L., O83106.
Phillips, James W., O68041.
Phillips, John H., O99709.
Phillips, William R., OF105503.
Phillips, William D., O92115.
Pigg, Jimmy L., O68675.
Pinney, David R., O79426.
Pino, Amedeo R., O97036.
Pins, Dwane F., O79427.
Platt, Richard L., OF102767.
Pledger, Walter R., O77159.
Plunkett, John J., O70017.
Poe, Donald E., O79428.
Pogoloff, Boris O79429.
Ponder, Arno L., Jr., O71590.
Poor, William T., O68042.
Poplin, Carroll B., O79431.
Porter, Howard C., Jr., O81511.
Potter, Edwin J., O69275.
Potter, Russell C., O77162.
Pratt, James R., O79432.
Pratt, Joseph B., O71952.
Pratt, Theodore W., O68283.
Prevatt, Richard M., O77164.
Price, Robert W., O70148.
Priem, Charles M., O84704.
Prillaman, John P., O69280.
Prime, Charles W., O68677.
Primm, Charles F., Jr., O75271.
Pritchett, Charles, O68043.
Proietti, Raymond A., O69281.
Pruitt, James R., O79434.
Pugh, Hilton E., O77168.
Pugliese, Nicholas, O77169.
Pulsifer, Donald W., O69283.
Pulsipher, Elwin D., O69284.
Pulver, Elmer W., O72972.
Purcell, Henry, III, O68676.
Purple, Robert A., O67950.
Purrington, Donald, O82225.
Quast, Lorus L., O77171.
Queeney, Edward L., O79435.
Quinn, Paul D., O69285.
Raisig, Paul J., Jr., O79437.
Rametta, Thomas P., O68045.
Ramos, Domingo, O77174.
Ramsay, Donald A., O68679.
Ramsey, Leroy S., Jr., O77175.
Ramsey, Phillip E., O79438.
Randall, Douglas A., O75274.
Randels, Dale K., O81514.
Ranney, Frederick J., O71859.
Rawlinson, William, O68680.
Ray, William D., O69289.
Ray, William E., O77176.
Reade, John C., Jr., O74821.
Rears, Joseph T., O68681.
Rector, Lloyd K., O91986.
Reed, Lynn M., O79441.
Reese, Grady G., O68286.
Rehman, Donald I., O99714.
Reid, John A., Jr., O79442.
Reinhart, William, O90075.
Renner, William D., O68684.
Rew, Leland C., Jr., O68685.
Reynolds, Frederick, O68686.
Rhyne, Hal B., O68687.
Rice, David K., O68688.
Richard, Donald W., O69294.
Richardson, Ronald, O77181.
Rickard, Daniel S., O68689.
Rickards, Donald A., O89586.
Riggs, Harold B., O72975.
Riley, Clemens A., O72976.
Riley, Otto N., Jr., O68690.
Rinehart, Jack L., O68287.
Rios-Matta, Luis R., O95538.
Rittgers, Forest S., O69299.
Rizzo, Paul J., O67321.
Roark, Thomas R., O95091.
Robbins, William C., O77183.
Rodolph, John E., O67333.
Rogers, Ellietson D., O68692.
Rogers, John C., Jr., O89589.
Rogers, Ralph W., Jr., O95382.
Romedy, Cornelius S., O69309.
Ropp, Ralph E., O79448.
Roscher, William G., O92244.
Rose, Llewellyn P., O84509.
Rosenstein, Marvin, O90436.
Ross, James K., O69311.
Rothwell, John C., O77185.
Roughen, Albert H., OF102262.
Rousse, William C., O68205.
Routh, Elmer L., O73392.
Rumbough, David H., O68695.
Rumph, Horry L., O69313.
Rumsey, David W., O79454.
Rush, Early J., III, O68696.
Russell, Lawrence, O66282.
Russo, Frank L., O91372.
Russo, Vincent M., O79455.
Rutherford, Billy E., OF103021.
Rutkowski, Joseph F., O96467.
Sajo, Alexander J., O79456.
Sakayeda, Mitsuo, O85248.
Salguero, Manuel M., O73394.
Sammons, James O., O97176.
Sampson, Eldon F., O85082.
Sanabria, Robert, OF101962.
Sanders, Connelly, O75283.
Sandidge, Charles R., OF102264.
Sandy, Roger D., O69319.
Satchell, Max E., O68700.
Satterfield, James, O68288.
Sawyer, Donald E., O85373.
Scalise, James J., O75286.
Schmidt, Herbert R., O68702.
Schmidt, Walter H., O68703.
Schnarr, Charles A., O72984.
Schnepp, William H., O87606.
Schoebel, James G., O70229.
Schotanus, Merle W., O69323.
Schrack, Neil W., O70230.
Schriever, Byron N., O68291.
Schroeder, Robert L., O68704.
Schroeder, William, O91382.
Schultz, Arthur H., O81520.
Schultz, Reed S., O74838.
Schumacher, David J., OF100348.
Schuver, Rudy P., O68289.
Schweitzer, Robert, O77192.
Schweizer, Robert L., O79463.
Scofield, Robert E., O68707.
Scott, Thomas L., O75291.
Segal, Robert, O68709.
Seigle, John W., O68710.
Selavka, Carl, O69330.
Semerjian, Sarkis, O68711.
Semerling, Ronald F., O92793.
Semmler, Robert L., OF101095.
Senich, Donald, O69331.
Seto, Sam C., Jr., O69332.
Sexton, Lionel F., OF102626.
Shattuck, William M., O97977.
Shave, Kenneth L., O79470.
Shaw, Donald E., O68712.
Sheard, Joe H., O68713.
Shelby, Roy E., O74840.
Shellenbaum, Glen E., O77196.
Sheppard, Irving T., O71868.
Sherman, William G., O71869.
Shields, Jack R., O94841.
Shields, Roger J., O79473.
Short, Frisco W., O79474.
Shultz, Robert H., Jr., O67374.
Shunk, William A., O79476.
Sibley, James S., O68714.
Siebert, Frederick, O68715.
Sievers, Ralph H., Jr., O69337.
Sifford, William F., O68716.
Simko, Andrew M., O68717.
Simkus, Anthony P., OF103038.
Simmons, John E., O77199.
Simpson, Henry E., Jr., O92553.
Singleton, Russell, O69341.
Sinoff, Alvan C., O81525.
Skaer, Kenneth L., O97356.
Skanchy, Rex K., O77201.
Skidmore, Lowell H., O68718.
Skidmore, Marshall, O89380.
Slusar, Peter, O69344.
Small, Eugene F., O81526.
Small, Harold I., O94344.
Smallwood, Eugene F., O67960.
Smartt, Richard W., O69347.
Smith, Albert L., OF103041.
Smith, Bailey B., O68293.
Smith, Billy R., O67961.
Smith, Dan R., O73403.
Smith, David C., O79479.
Smith, Donald E., O68294.
Smith, George K., O92802.
Smith, James D., O71873.
Smith, James D., O68295.
Smith, Ralph H., O68049.
Smith, Raymond C., O69353.
Smith, Richard H., O81528.
Smith, Robert L., O68722.
Smith, Rodney H., O68723.
Smith, Thomas L., Jr., O89610.
Smith, Vernard J., O68296.
Smith, William H., O95104.
Smith, William F., O71963.
Smythe, John D., O68724.
Snead, William K., O68725.
Snow, Robert R., O79481.
Solomon, Robert B., O72990.
Somers, Charles E., O77206.
Sorbet, John W., OF103739.
Soukup, John P., O69354.
Spang, Allan G., O77207.
Spaulding, Stanley, O79483.
Speir, Montgomery T., O68728.
Spencer, Eucle D., O91690.
Spilker, Wayne E., O77209.
Spinks, Raymond F., OF103910.
Spotts, Rodney W., O69357.
Spurlock, William W., O67400.
Stalfort, Charles G., OF104545.
Stanford, Thomas L., O68405.
Stanley, Davey L., O99737.
Stanton, Thomas C., O91393.
Starke, John B., O69359.
Staum, Vernon E., O77212.
Stearns, Clarence L., O73081.
Steenborg, George A., O91359.
Stevens, Richard W., O68844.
Stewart, David T., O72992.
Stewart, Donald B., O75298.
Stewart, John R., O69367.
Stillwell, John W., O91394.
Stinson, William C., O68731.
Stipo, Vito D., O71877.
Stockelman, James C., O79490.
Stone, Hardy R., III, O69368.
Story, Billy L., O77215.
Stoudemire, Harry B., O69371.
Stoutamire, David F., O68300.

Strauss, Stephan N., O70151.
Stribley, Orrin R. J., O88211.
Strickfaden, Wellington J., O70153.
Stromfors, Robert E., O67422.
Stromgren, Kenneth, O77216.
Strouse, William R., O77217.
Stuart, Dale F., O88503.
Stuart, James R., Jr., O68733.
Stuckey, Jack C., O79494.
Suarez, Raymond, Jr., OF105835.
Suess, Philip M., Jr., O74864.
Sullivan, Milton D., O66394.
Sullivan, Roland R., O68734.
Sullivant, Harold T., O77218.
Suplizio, Paul E., O68736.
Sutton, Thomas R., O68407.
Sutton, William J., O68737.
Swadell, Robert A., O85267.
Swain, Carroll E., O68302.
Swank, Robert D., O79496.
Swanson, Carl O., Jr., O68303.
Swecker, Gerald E., O89621.
Sweede, Jack E., O81542.
Sweeney, Kenneth J., O68738.
Sydnor, Elliott P., O72656.
Tanzer, John B., O68741.
Tate, Wallace L., O87635.
Tchon, Richard, J., O68742.
Teal, James A., Jr., O97265.
Tedlock, Billy L., O99741.
Teller Floyd E., O69381.
Tellifero, George J., O67438.
Temp, John R., O68743.
Tennant, Frank B., Jr., O79499.
Terry, Bennett E., O71881.
Tervin, Wallace, O70124.
Tharp, Bobby E., 099518.
Thomas, Joseph T., O82244.
Thomas, Robert J., O68744.
Thomason, David A., O81545.
Thompson, Harry J., O71882.
Thompson, Howard B., O68747.
Thompson, James A., OF100017.
Thompson, William J., O69386.
Thoreson, Dale B., O67447.
Thrasher, Billy J., O82247.
Thurmond, Herbert K., O71883.
Tighe, Charles J., O68748.
Todd, Edgar F., OF105845.
Todd, John A., Jr., O67453.
Tolbert, James R., O69388.
Tomlingson, Paul D., O68750.
Tompkins, Hiram K., O68751.
Ton, James G., O73417.
Touchstone, Stanford M., O68752.
Tourtillott Raymond D., O74871.
Tower, John B., O71615.
Trapp, Lawrence R., O89628.
Treece, Frank L., O77222.
Trepagnier, Jules C., O68057.
Tuck, William A., O69389.
Tullar, Thomas A., O69390.
Turner, James J., O66523.
Turpin, Billie G., OF105567.
Underwood, Bibb A., O68209.
Valdez, Benjamin F., O92265.
Van Camp, Joseph L., O75309.
Van Deusen, Frederick F., O68756.
Van Horn, Robert H., O82252.
Van Meter, Maurice, O67467.
Vance, Larkin B., O70055.
Vander Meer, Richard G., O68755.
Varnum, Charles S., O79507.
Vawter, Raymond M., O68308.
Veditz, Raymond P., O73418.
Veley, Corydon A., Jr., O79509.
Vernau, William F., O88220.
Vernon, Graham D., O68758.
Victor, Henry J., OF102654.
Viereck, Ennis A., Jr., O68760.
Vilas, John R., O69394.
Vorhies, Harold W., O79511.
Wade, James P., Jr., O68764.
Waldrop, Max L., O69397.
Walker, James H., O69398.
Walker, Ronald T., OF101863.
Walker, Theodore H., O83635.
Walker, William E., O68766.
Wallace, Festus E., O71887.
Wallace, John C., Jr., O77229.
Walsh, Alden C., O79514.
Walsh, Eugene R., O69399.
Walters, Monty W., O68767.
Waltrich, Henry L., OF102289.
Ward, Edward W., O73004.
Warden, Donald W., O92268.
Wardlaw, Worth L., Jr., O68768.
Warren, James R., O71890.
Washington, Sylvester, O67492.
Wasiewski, Richard, O69403.
Waters, Douglas G., O68769.
Watson, Elmer E., O85278.
Watson, Robert W., O89975.
Watts, William D., O73424.
Weihmiller, William, O68771.
Weikert, Jerry L., O68410.
Welch, Joseph H., Jr., O73426.
Welch, William J., OF103073.
Wells, Arthur D., O68772.
Wells, David T., O68773.
Wells, Don R., O77233.
Welsh, Robert W., O69414.
Wereszynski, Henry, O95739.
Westall, Bynum P., O77234.
Westin, Paul R., O79522.
Westlake, Richard K., O79523.
Weyland, Bruce M., O79524.
Whann, John T., O69417.
Whatley, Wayne B., O87664.
Wheeler, Douglas E., O89006.
Wheeler, William P., O94155.
Whelan, William E., O74887.
Whitbeck, Robert E., O82255.
White, Richard R., O87665.
White, Robert N., Jr., O68775.
Whitesel, Thomas K., O69421.
Whitmire, Roy A., O99759.
Wieland, Kay L., O69424.
Wielga, Stanley V., O68776.
Wier, Melville B., O73428.
Wild, Donald J., O89309.
Wild, Julian S., O75317.
Wilkes, Jack B., O79529.
Willard, Robert B., O82256.
Williams, Cyrus L., O79531.
Williams, George E., O97688.
Williams, Grady W., O68848.
Williams, James E., O81559.
Williams, Raleigh N., O79533.
Williams, Roy L., Jr., O74893.
Williams, Royce C., O68061.
Williams, Thomas E., O68778.
Wills, Robert V., O68849.
Wilson, Alvin T., Jr., O69432.
Wilson, Frank R., O97373.
Wilson, Gene F., O71746.
Wilson, Gerald F., O69436.
Wilson, Jack D., O68780.
Wilson, Joseph C., O68781.
Wilson, Roosevelt, OF100045.
Winegar, Lucien T., O72666.
Wirthlin, Floyd R., O73430.
Wisdom, Donald A., O75323.
Wise, John E., O68782.
Wisyanski, David A., O90620.
Withers, Peter C., O66492.
Wohlfarth, Howard K., O68063.
Wolbert, Herbert K., O79537.
Wollenberg, William, O69439.
Wood, Charles C., O79538.
Wootten, James P., O71631.
Worthy, Clifford, Jr., 068783.
Wright, Joseph, O82259.
Wright, Robert W., O69442.
Wubbena, William L., O68784.
Yanamura, Kenneth K., O83108.
Yantis, William J., O68316
Yetter, Greyson T., O68317.
Yoder, Charles D., O68318.
Young, Clarence J., O85394.
Young, Clifford E., O81566.
Young, James L., OF102682.
Young, John D., O73460.
Young, John H., Jr., O68785.
Young, John W., O69443.
Youngker, Joe L., O68320.
Zabcik, Franklin M., O99537.
Zanghi, Joseph A., O96813.
Zargan, Robert T., O68788.
Zarnick, Dale L., O79544.
Zeller, Leonard J., O75329.
Zenz, Alexander R., O67976.
Ziek, Thomas G., O77244.
Zimmer, Charles E., O67977.
Zimmer, Leon S., O68789.
Zipp, Charles W., O68790.
Zoeckler, William R., O73015.
Zwicker, Ralph L., O81568.

To be majors, Chaplain

Christoph, Edward J., O88621.
Kriete, Charles F., O91302.
Lamm, Harold C., O95058.
Mueller, Edward M., O84233.
Schmidt, Charles H., OF104533.
Willers, Ralph K., O91423.

To be majors, Women's Army Corps

Babyk, Helena F., L537.
Barnwell, Shirley, L593.
Berry, Elizabeth A., L538.
Chong, Emma B., L450.
Devany, Rebecca B., L540.
Fisher, Audrey A., L470.
Kennedy, Elizabeth, L489.
Oliver, Williemae M., L479.
Priore, Renee L., L457.
Thompson, Martha J., L454.
Ziegler, Janet E., L483.

To be majors, Medical Corps

Abrams, Harold, O82305.
Andersen, Stig B., O84116.
Ballard, Anthony, O85288.
Bartley, Joseph D., OF100555.
Bass, James W., O82409.
Beach, Robert A., O83852.
Bedynek, Julius L., O90036.
Bergmanis, Juris, O90109.
Birk, Thomas C., Jr., O96946.
Bivens, Hollis E., O91162.
Blackwell, Travis L., O82423.
Blickenstaff, Loren, O91763.
Bradley, Douglas D., O84127.
Brierty, Robert E., O82442.
Buchanan, Darrell S., O82456.
Cadigan, Francis C., O88604.
Canfield, Craig J., O91786.
Cape, Richard F. T., O93373.
Ceremsak, Robert J., O94576.
Chaney, Samuel A., O95001.
Chester, John B., Jr., O91186.
Chipman, David W., O82486.
Cox, Donald W., O91197.
Cruse, Joseph R., O84772.
Danaher, Thomas H., O84151.
Darlak, Joseph J., O94288.
Deller, John J., Jr., O82529.
Dobbs, Olin C., O91213.
Dossmann, William F., O91216.
Downs, Peter E., O84977.
Druepple, Leroy G., O82318.
Duback, Richard T., O83701.
Duffy, Michael M., O84162.
Durden, Walter D., Jr., O82319.
Easterling, Ronald, O82557.
Fike, Robert H., O83712.
Foster, Kendall W., O92189.
Gangai, Mauro P., O91833.
Garretson, Forrest, O91242.
Gaskill, Harold V., O96676.
Gillespie, Marion R., O92194.
Gilliland, Paul F.. OF103338.
Gleason, Raleigh R., O88075.
Glenn, Guy C., O84175.
Goodner, John W., O89063.
Goumas, Melto, O92351.
Gregory, Kelly G., O91041.
Halling, Leonard W., O84179.
Hark, William H., O95033.
Heck, Francis J., O84182.
Helfrich, Richard B., O83724.
Henry, Thomas S., II, O84184.
Henshaw, Dan M., O82655.
Hertzog, James E., O91268.
Hieger, Leroy R., O91270.
Hunter, Ripley H., Jr., O83737.
Inglis, William D., O94763.
Intile, Joseph A., Jr., O83740.
Johnson, Egon V., O91286.
Jones, Donald A., O85010.
Kalas, John P., OF101826.
Kennard, John W., O95053.
Keuls, Hans A., O96690.

Kinn, William F., O91297.
Kleanthous, Costas, O84205.
La Follette, Bruce, O82738.
Lavenson, George S., O90259.
Le May, Sonley R., Jr., O91314.
Lundberg, George D., O83748.
Major, John E., O96697.
Margiotta, Mark R., O84217.
Marlowe, Julius F., O92729.
Marsh, Robert J., O91324.
Massarik, Ronald B., O82780.
Mattei, Ivan R., O94490.
McClelland, Ellis, O94772.
McDaniel, Edwin C., O82785.
McDowell, Milton K., O82789.
McGough, Benjamin, O84219.
McGranahan, George, O91640.
McIlroy, William, O82350.
McKlemurry, Cecil, O88441.
Mehlhop, Fred H., O95285.
Mittelmann, Michael, O82351.
Modlin, Robert K., O82815.
Moll, Joseph H., O84229.
Mosley, Everett C., O88449.
Moten, Franklin C., O91337.
Murphy, William M., O82832.
Newell, Robert C., O91340.
O'Connell, Thomas J., O84242.
Owyang, Allen, O93069.
Patterson, Peter H., O82354.
Peterson, James F., O82874.
Po, Benjamin T., OF103892.
Pyke, Thomas W., O90398.
Reba, Richard C., O82897.
Robbins, Warren J., O84258.
Robinson, Henry A., O96715.
Robinson, James P., O84259.
Rusinko, Andrew, O92246.
Ryll, Erich D., O91374.
Sandefur, John C., O82932.
Sanford, Douglas M., O85451.
Sarre, Stefan G., O84264.
Schofield, Elliott, OF103028.
Scragg, William H., O83786.
Shields, Charles E., O84271.
Smith, Edgar B., O91384.
Sowell, John M., O92125.
Sower, Norman D., O84277.
Stansifer, Philip D., O94349.
Stutzman, Ray E., O84807.
Taft, Foster H., Jr., O83016.
Thoreson, Harlan T., O91403.
Turner, John C., O92594.
Tuthill, Dallas B., O94797.
Van Norman, Russel, O91406.
Virtue, Clarence M., OF103062.
Walker, Jackson K., O92142.
Watson, Horace E., O84293.
Webb, Charles R., Jr., O91415.
Wells, Ralph F., O82375.
Wengrovitz, Paul H., O91419.
Wheeler, John P., O93101.
Yancey, Henry A., Jr., O82377.
Zlotsky, Norman A., O85287.

To be majors, Dental Corps

Ahlvin, Reno A., Jr., O96728.
Archer, Eugene G., O97083.
Atwood, Robert B., Jr., O98457.
Auzins, Janis, Jr., O95373.
Barton, Ronald F., Jr., O94990.
Belzile, Joseph D., O77969.
Brady, John M., O94548.
Carter, Harold G., O77975.
Cavazos, Edmund, Jr., O92173.
Chandler, Hubert T., O94057.
Cochran, Robert M., O77978.
Conner, Harold V. D., O84143.
Cutcher, James L., O90044.
Davis, Robert M., O96848.
Deane, Clarence E., O88649.
Fico, Anthony R., O89966.
Floto, Edward E., O99315.
Gallegos, Leander T., OF102467.
Genova, James J., O96678.
Getter, Lee, O91245.
Gore, Eugene, O94754.
Hall, James, B., O92377.
Hammond, Harry I., OF102899.
Hatchett, Robert K., O88726.
Horton, John E., O94468.
Howland, John P., O77997.
Huey, Robert M., O77998.
Hughes, Charles L., O78068.
Hutchins, Dale W., O78071.
Kamphuis, Robert W., O91290.
Kopp, Edgar N., O78001.
Lebourdais, Robert, O99421.
Lefler, Billie B., O95724.
Locke, Samuel M., Jr., O91317.
Love, John W., O91319.
Lucksinger, Henry C., O84791.
Majerus, Roger V., O91321.
Matthews, Kenneth L., O88437.
McCasland, John P., O94485.
Miller, Joseph J., O91938.
Miller, Ronald K., O97330.
Morrow, Raymond K., O96705.
Oglesby, Erby R., OF102580.
Olivieri, Americo C., O99370.
Palaszek, Casimir F., O99945.
Paul, Charles L., O95168.
Plegge, John, O78017.
Purdy, Robert B., O94496.
Qualman, Harold C., O99382.
Radke, Ryle A. J., O78020.
Rees, Terry D., O78021.
Ross, Lincoln A., Jr., OF100339.
Schallhorn, Robert, O74835.
Schriver, William R., O97198.
Shaver, Lloyd F., Jr., O94131.
Shepherd, John R., O98337.
Shimoda, Larry M., O92123.
Swainson, Charles N., O92811.
Tong, Edmund Y. S., O96808.
Von Gruenigen, James A., O90394.
Webb, Derril L., O96811.
Williford, John W., O92843.
Zelin, John R., O95412.

To be majors, Medical Service Corps

Burke, James C., O70291.
Burris, Carshal A., O76811.
Drenner, Buckley L., O78665.
Dyke, Lester M., II, O71916.
Eigenberg, Alfred, O84163.
Fisher, James B., O84168.
Frus, Robert L., O84758.
Gilley, William F., O68347.
Gipson, Joe B., O73148.
Gregory, Charles W., O76812.
Griffin, Robert E., O75364.
Grigas, Alfons A., O66952.
Hatfield, Jimmy L., O76813.
Heath, Jack F., O73036.
Howlett, Byron P., Jr., O75374.
Huth, Verlan E., OF102504.
Johnson, Marion P., O91288.
Johnson, Wirt V., O73040.
Kellel, Frank, Jr., O72393.
Kershner, Edward C., O89233.
Krueger, George R., O84759.
Lesher, Edward R., O71933.
Marble, David W., O68027.
Meadow, Seymour, O71942.
Medford, William D., O97011.
Moore, A. Gordon, O78670.
Mulrenin, Bernard K., O68800.
Murata, Sunao, O91649.
Noble, James W. H., O78672.
Pedigree, Richard B., O73477.
Petersen, Donald L., O71949.
Plewes, William J., O94883.
Quartin, Alfred, O89373.
Rada, Roy A., O92240.
Randolph, George B., O72354.
Reber, John A., O71954.
Reding, Donald J., O84761.
Rocke, Donald C., O69304.
Rusiewicz, Lawrence, O69316.
Schiavone, Albert L., O71959.
Seabourne, Thomas G., O84801.
Vielhaber, David P., O73538.
Walter, Fred L., O78674.
Wright, John P., O84762.

To be majors, Army Nurse Corps

Barnes, Oza E., N2779.
Bily, J. Marie, N2758.
Bloxham, Carolyn A., N2660.
Bluemle, Madeline L., N3192.
Brown, Inez M., N2893.
Carr, Mary J., N3029.
Cunningham, Dillard, N2958.
Davis, Mildred D., N3009.
Deming, Anne S., N2992.
Ekberg, Helen I., N2757.
Elko, Mary, N3010.
Ganow, Marie B., N3028.
Gonzales, Mary F., N2861.
Helmann, Eleanor M., N2784.
Houghton, Jean M., N2749.
Johnston, Jane H., N3022.
Keneson, Lorene F., N2993.
Kishpaugh, Barbara, N2742.
Kressler, Alta N2760.
Kumpf, Elizabeth, N3059.
LaBrecque, Virginia D., N2983.
Lewis, Agnes K., N2990.
Lewis, Betty J., N2835.
Light, Lucile M., N2667.
Lynch, Betty J., N3023.
Mahoney, Bettijane, N2743.
McCarthy, Rosemary N2622.
Miller, Martha P., N3171.
Montgomery, Roena, N2737.
Nelson, Dorothy I., N3228.
Perrin, Edna M., N2723.
Pritchard, Mary L., N2763.
Rogers, Janet A., N2975.
Sederowicz, Helen J., N3073.
Stallard, Sally M., N2997.
Swab, Wealthy E., N2655.
Theriault, Jeanette, N2774.
Trudell, Eileen D., N3014.
Welsh, Eleanor, J., N2923.
Wilson, Essie M., N3127.
Wilson, Marjorie J., N2730.

To be majors, Army Medical Specialist Corps

Accountius, Patricia L., R10158.
Benson, Valborg M., J94.
Diggs, Mary M., R10161.
Dwyer, Mary P., R10172.
Fisk, Mary L., R10164.
Kennedy, Annie F., R10179.
Matthews, Nancy L., M10170.
Price, Helen E., R10165.
Ricker, Hetty A., J82.
Rodriguez, Ana L., J100.
Stearns, Barbara J., M10163.
Strong, Corinne L., M10161.
Van Harn, Mary A., M10174.
Werner, Janet L., J93.

To be captains

Abramson, Lawrence, O91145.
Ackerman, Rene J., O92105.
Adair, Robert B., O89657.
Adams, Frank S., O89658.
Adams, James C., O92157.
Adams, Ralph E., Jr., O90035.
Adams, Robert T., O91733.
Adams, William K., O85817.
Adams, Wilsie H., Jr., O90638.
Adderley, David L., O89662.
Admire, Larry R., OF103792.
Ady, Samuel J., O91544.
Aikman, Larry P., O89664.
Ailles, Craig R., O85820.
Akin, Jere H., O99601.
Aldrich, Harold B., O97880.
Alexander, Don R., O91545.
Alexander, Joseph D., O89666.
Alexander, William, OF100938.
Alfredson, George H., O94984.
Allen, Cullen S., O89830.
Allen, Donald K., O90640.
Allen, Lee, O90641.
Alling, James E., O89668.
Allingham, Edgar R., O89669.
Alston, Norman W., OF102398.
Altier, Robert E., OF105314.
Alves, Robert G., O89912.
Amidon, Bert C., O85830.
Amirault, Robert J., O89674.
Ammerman, Robert H., O90642.
Anderson, Edward, Jr., O89407.
Anderson, James P., O98077.
Anderson, Jimmie M., O94343.
Anderson, Morris D., O85834.
Anderson, Thomas W., O90169.
Anderson, Warren H., O89682.
Andrew, Ronald J., O89408.
Andrews, Anthony J., OF101808.
Andrews, Raymond G., O95706.

Andrews, William R., O91742.
Andrews, William C., O89683.
Anslinger, Raymond, O94985.
Applegarth, Donald, O89685.
Arbogast, Alfred A., O85840.
Arbogast, William R., OF100233.
Archer, C. A., O89686.
Archibald, Harold R., OF102132.
Archibald, Thomas, O91746.
Arflack, Kenneth B., O88325.
Armistead, John W., O87996.
Armstrong, Donald R., OF105317.
Arndt, Gary L., O99604.
Arnold, Joseph V., O90645.
Ash, Hughes L., Jr., O90646.
Auerbach, Ernest S., OF100323.
Averill, Ronald H., OF102133.
Avillar, Frank M., O89693.
Ax, George R., O89694.
Babcock, Charles S., O98321.
Bailey, William N., O90647.
Baker, Charles R., O90649.
Baker, Larry A., O86989.
Baldwin, Edward R., O90650.
Baldwin, Max R., OF104370.
Balfanz, William F., O91154.
Ball, James W., O90099.
Ballenger, Kenneth, O88332.
Bangerter, Jerald C., OF102403.
Banks, William J., OF102373.
Bara, Thaddeus J., Jr., O90651.
Bare, George P., O90652.
Barker, Robert L., O89412.
Barnes, Holman J., OF106050.
Barnett, James R., O89413.
Barnett, John R., O85855.
Barnhardt, Davis S., O94911.
Barone, Ercole M., O90653.
Barr, Allyn J., O90654.
Barr, Grady W., O86991.
Barrell, Donald H., O90655.
Barrett, Donald G., OF105323.
Barrios, Roy J., O99786.
Barrowman, Thomas J., O89414.
Barrows, Raymond R., O90656.
Bartelt, Roger L., O91155.
Barton, David C., O89176.
Bates, John H., Jr., O85867.
Bauer, David W., O90657.
Baur, James F., O89702.
Bayha, William T., O89704.
Beakey, Danny J., O99292.
Beal, William R., Jr., O86993.
Beavers, Leslie E., O90658.
Beck, William F., O90586.
Becque, Peter A., OF100370.
Belan, Charles G., O90659.
Bellis, Edward A., O90660.
Beltz, Ronald A., O90661.
Benca, John P., O96663.
Benner, Carl A., Jr., O89719.
Bennett, James L., O89721.
Bennett, Larry T., O95174.
Bennett, Thomas R., O90662.
Benson, L. J., O99610.
Benson, Richard D., O96733.
Benson, Roy, Jr., O96820.
Bergeron, Gary P., O86997.
Bernstein, Charles, O97086.
Berry, John A, III, O90664.
Berti, John R., O90665.
Best, David M., O85888.
Best, James W., OF102139.
Bickford, James E., O89815.
Biddle, David L., O94967.
Bidgood, Ferdinand, O90666.
Bierly, Robert N., Jr., O90667.
Billings, Barry B., O89728.
Bilyeu, Ronald E., O89729.
Bireley, Judson L., O90668.
Bisbey, Jay B., O85896.
Bistany, Peter J., OF105623.
Bizic, Peter, Jr., O88008.
Black, Joe D., O88009.
Black, Ronald L., OF105625.
Blackstone, Anthony, O90669.
Blake, Phillip L., O90670.
Blanchard, Charles, O97087.
Blanton, John R., Jr., O90671.
Blevins, Dean S., OF105626.
Blevins, Virgil E., O85903.
Blewett, John H., O89735.
Blitch, William T., O90672.
Bloch, Arthur L., O90673.
Blondell, John V., O95594.
Bloom, John D., OF102411.
Blue, Charles L., O96886.
Bochnowski, Frank J., O90675.
Bogart, William V., O89738.
Boggs, James D., O99293.
Boginis, James W., O82431.
Bohach, John L., Jr., O92162.
Bohl, Robert Y., O91555.
Bohn, Joseph P., O89739.
Bomersheim, Phil K., O89740.
Bonifay, Isaac F., Jr., O90676.
Bonner, John E., O94848.
Booker, James A., Jr., O90677.
Bosch, Brian J., OF102415.
Boucher, Arthur G., O96739.
Bowden, John T., Jr., O91166.
Bowden, Kenneth C., O89744.
Bowen, Guy P., O88579.
Bower, Robert M., O97104.
Bowers, Joseph M., Jr., O89745.
Bowersox, Wilbur G., O89747.
Boyd, Claude D, III, O94913.
Boyd, Richard K., Jr., O90678.
Boyle, Clarence E., O85918.
Boyle, David J., OF102821.
Boyles, Harry W., Jr., O89750.
Bradley, Robert N., O94166.
Bradley, William A., O96742.
Brady, Edward J., O90679.
Brailsford, Marvin, O89753.
Bratton, Vernon W., O89419.
Bratz, Gordon T., O89756.
Braun, Thomas R., O91168.
Bray, Robert F., O90397.
Breeding, Joel W., O91770.
Brennan, Ambrose W., O90680.
Brennan, Patrick M., O96722.
Brennen, Douglas L., OF105632.
Brent, John J., Jr., O89421.
Bretsch, Kenneth P., O90454.
Brewster, Horace B., O89422.
Brindley, Peter, O90681.
Brisach, Eugene M., O90682.
Brokaw, Robert P., Jr., O91170.
Brooks, Edwin C., O94570.
Brooks, Joseph J., Jr., O85931.
Brooks, Lawrence E., O88593.
Broome, Donald F., O88344.
Broome, John M., O91171.
Brown, James H., O89764.
Brown, Melvin H., O85937.
Brown, Samuel L., O89768.
Brubach, Charles F., O89424.
Brugh, Larry D., O89773.
Brumblay, Robert H., O89774.
Brunner, Karl R., Jr., O99800.
Brux, Gary H., O89878.
Buchert, Kenneth D., O89426.
Buckbee, Donald M., O99801.
Buckley, Benjamin C., O85949.
Buff, Max L., O87697.
Buford, Alfred E., O94446.
Bullock, Thomas L., O90685.
Bumgardner, William, O89778.
Bunten, Ralph T., O89779.
Bunting, Bertram A., O90686.
Bunting, Willis R., OF102151.
Burch, Fenwick H., Jr., OF105341.
Burden, John R., O90687.
Burgin, Charles M., O96746.
Burke, James A., O97287.
Burkett, Jimmy D., OF106069.
Burley, Edward B., O94278.
Burnell, Robert W., O90688.
Burns, Robert E., O90689.
Buschke, Thomas H., O92848.
Butler, Billy C., O89786.
Buzan, Thomas G., O94999.
Byrnes, David F., O90690.
Cacolice, John P., O88022.
Cagle, Charles H., O91175.
Cahill, Ralph D., O89428.
Caldwell, Haskell W., OF106072.
Caldwell, Ora O., O90692.
Calverase, Francis, O90693.
Cameron, Carl H., O99344.
Camp, Billy J., O89431.
Camp, Junius W., Jr., O88023.
Campbell, Albert, Jr., OF104385.
Campbell, Charles L., O91564.
Campbell, Dan H., O90695.
Campbell, Jack A., O89798.
Campbell, Kenneth H., O96533.
Canales, Fred, O88025.
Canant, Raymond G., O90697.
Candia, Ruben A., OF100803.
Cannon, Joe M., O90698.
Caraballo, Julian T., O90699.
Caravana, Richard R., O94048.
Caraway, Lynn I., O91177.
Carberry, James A., O88026.
Carey, Arthur T., O90700.
Carlile, Donald E., O91178.
Carlisle, Allen D., O85971.
Carmean, Clayton H., O90701.
Carnaghi, Richard A., O90702.
Carolan, James M., O88027.
Carpenter, William, O90703.
Carr, James A., OF100927.
Carr, Milton B., O89804.
Carr, Richard M., OF102154.
Carron, Hector A., O90704.
Carter, Arthur P., Jr., O85977.
Cartwright, Edward, O89435.
Cary, John B., Jr., O89807.
Cary, Martin W., Jr., O90706.
Casey, John L., O90707.
Cash, John A., OF102428.
Cassada, Thomas W., O94416.
Castro, John P., O96954.
Catineau, William J., O85982.
Cato, Richard W., O90709.
Catron, George R., O85981.
Catt, Jackie D., O96931.
Cerjan, Paul G., O90710.
Chabot, Brion V., O90711.
Chamberlain, Craig, O92637.
Chamberlain, William F., Jr., O90712.
Champ, Alan D., O90713.
Chapman, Don C., O90715.
Chapman, Gerald, Jr., O90716.
Chapman, Ruthven H., O88616.
Chase, William C., Jr., O90718.
Cheatham, Fred C., O88030.
Chichwak, William J., O89437.
Childrey, Albert B., O85985.
Childs, Leo M., O91567.
Chitren, Vincent R., O90719.
Chittenden, Warde P., O85986.
Choplick, James R., O89817.
Chucala, Steven, OF102158.
Chunco, William R., O94742.
Chutter, Robert W., O85503.
Ciccarelli, John E., O91188.
Cincotti, Joseph G., O87490.
Clark, Claude L., O90721.
Clark, Jack T., O85991.
Clark, Niles C., Jr., OF103812.
Cleaver, Donald E., O89825.
Clement, Gregory C., O90723.
Click, David L., O90441.
Clifton, Jack H., O89438.
Cline, Corwyn M., O89828.
Clinton, James E., OF102434.
Cloud, Leon B., O89439.
Clum, Keith Edward, O89829.
Coates, Albert, O99625.
Coats, William G., OF101806.
Coffman, Joe P., OF103815.
Cole, Raymond D., O99300.
Cole, Robert H., O89832.
Cole, Theodore R., O89833.
Collins, Charles D., O90725.
Collins, Robert M., OF102438.
Comfort, Gary L., O91193.
Connor, George H., Jr., O89194.
Connors, Francis X., O86008.
Cook, Clyde L., Jr., O91194.
Cook, Grady W., O86010.
Cooke, Charles B., O94063.
Coombs, John G., O90726.
Coombs, Robert M., O89444.
Cooper, Kenneth D., O95173.
Coose, Alonzo, Jr., O90728.
Cope, Robert C., Jr., O86013.

Copeland, Clinso, Jr., O89842.
Coppin, Thomas S., OF100822.
Costa, Joseph, Jr., O89846.
Cote, Joseph R., O90729.
Cottington, David C., O89447.
Covan, James E., O89850.
Covell, Stillman D., O90730.
Cowden, Ronald R., O87713.
Cox, Richard L., Jr., O90731.
Crafton, Walter H., O94743.
Cranston, Robert L., O92841.
Crasto, Donald L., O97101.
Cratty, William E., OF105645.
Crawford, Robert C., O92314.
Cremer, Frank N., O90733.
Cressall, William F., O89854.
Crinan, James R., O89856.
Crocker, Aaron O., O96659.
Crocker, Donald J., O89449.
Crockett, Ralph G., OF102165.
Crockett, William A., O89450.
Croll, Gerald F., O91201.
Cromwell, George E., O89451.
Crosby, George T., O90735.
Crossley, Ross W., O89859.
Crow, John S., O86028.
Crowley, Edward M., O90736.
Crum, Edward W., O90737.
Crump, John C., O90738.
Crysel, James W., O92177.
Cubine, Gerald W., O94922.
Culp, Richard B., O89864.
Cummings, Edward H., O90244.
Cummings, Ezra C., Jr., OF102168.
Cunningham, Patrick, O87718.
Curbow, Stanton L., O86031.
Curren, William F., O94284.
Cypher, Ronald P., OF101133.
Daly, Charles F., O94286.
Daly, William F., Jr., O87721.
Danforth, William W., O90740.
Daniel, Richard A., O90741.
Danielsen, Theodore, O90742.
Darden, Harold W., Jr., O89872.
Darling, Merlin D., O90744.
Dassonville, Curtis, O88042.
Daum, Richard S., O90745.
Davidson, James D., O89457.
Davidson, Robert B., O90746.
Davies, Michael D., OF102847.
Davis, Don M., O96752.
Davis, Peter A., O89459.
Davis, Russell H., Jr., OF105654.
Dayhuff, Charles H., O88648.
De Bolt, Harold F., O91206.
De Loach, Javan M., O89889.
De Paul, Anthony K., O95550.
DeWitt, John L., III, O90751.
Deagle, Edwin A., Jr., O90752.
Dean, Arthur J., Jr., O90753.
Dean, George A., O89461.
Dearing, David P., O89883.
Dearman, Charles S., O89892.
Decko, Charles C., Jr., O90754.
Dee, David D., O89462.
Degner, Herbert L., O88652.
Dellinger, George C., O86054.
Denney, J. Thomas H., O89891.
Devitt, John M., O89464.
Devlin, Edward T., Jr.. O96961.
Di Gregorio, Anthony J., O88367.
Dice, Denis C., O90757.
Dice, Jack W., O90758.
Dickerson, Michael, OF100954.
Dickey, Leonard H.. OF100256.
Didurvk, Myron, O89894.
Diebold, Jerome A., O89406.
Dierickx. James E.. O99054.
Dillard, Franklin R.. O97105.
Dillard, Hugh B., O97106.
Dilworth, Robert L., O97761.
Dinsmore, Paul F., Jr., O91810.
Dolan, Edmund J., Jr., O97822.
Dollner, David V. H., OF102453.
Donaldson, Benjamin, O89899.
Donlon, Roger H. C., O99820.
Dooly, Billy B., O86077.
Dorf, John H., O92316.
Dorsey, Ira, O90761.
Dorsey, James J., O91215.

Doss, Lorenzo M., O86078.
Doubrava, Roy G., O87733.
Dougalas, James A., O90762.
Douthit, Robert A., O88371.
Downey, John T., O90763.
Downing, David A., O88051.
Downing, Peter S., O89367.
Drake, Edmond H., O90764.
Dreibelbis, Harold, O90765.
Drewfs, Henry F., Jr., O90766.
Drisko, Richard W., O91579.
Driver, Lewis F., III, O89906.
Drollinger, William, O90767.
Drosdeck, John S., Jr., O86086.
Du Pont, Arnold R., O90768.
Duckloe, John H., OF101054.
Duckworth, Charles, O89466.
Duerre, Chester W., O99826.
Duey, William E., OF101041.
Dugas, Sidney P., O86090.
Dukes, Donald L., O86091.
Dunford, William H., O97108.
Dungan, Avalon L., OF102454.
Dunham, Rockwood S., O89913.
Dunn, Ralph B., Jr., O91505.
Dunnington, Warren, O86098.
Durbin, Jerome A., O89051.
Durham, James M., O86100.
Duryea, Lyman C., Jr., O90772.
Dynes, John H., O89918.
Eames, Robert F., O97449.
Eckmann, Michael R., O90775.
Edgette, Charles W., O89921.
Edinger, Jerry D., O89470.
Edwards, Robert R., O89471.
Edwards, Robert H., O89923.
Eggerichs, James M., O99633.
Eggleston, Howard C., O89924.
Elam, Fred E., O89473.
Elder, Cecil W., O91220.
Emerson, Lloyd A., O97111.
Emery, Douglas E., O95016.
Emig, Donald K., O96828.
Emond, Rene J., O88375.
Endicott, James A., O89678.
Endy, Clarence E., Jr., O90778.
Epley, Gerald G., Jr., O90779.
Erbe, Henry H., Jr., O86122.
Ericksen, Arthur R., O91223.
Erickson, Richard A., O89931.
Estes, Jimmie L., O99838.
Estes, Robert F., Jr., O90780.
Eubanks, Earl W., O90781.
Eubanks, Herman T., O90782.
Evans, Benjamin F., O90783.
Evans, Charles H., O88058.
Evans, Kenneth A., O88672.
Everitt, Larry E., O89478.
Eynon, Thomas F., III, O90785.
Faery, Henry F., Jr., O90786.
Fager, Leland E., O88059.
Fairchild, James B., O90787.
Fairweather, Robert, O90788.
Fancher, Harry L., OF105666.
Fanning, John P., O90789.
Farrell, Francis W., O90790.
Fegan, Charles B., O90792.
Felber, Joseph G., Jr., O90793.
Fenton, Roland D., O90794.
Ferguson, George A., O89942.
Ferguson, Michael L., O90796.
Fernald, John P., OF102180.
Ferns, Gary H., OF105668.
Fero, James P., O90797.
Ferrari, Robert G., O89691.
Fetkenhour, Gordon, OF106108.
Field, Michael F., O90798.
Fields, Clinton A., O91230.
Fields, Harold T., Jr., O91583.
Fields, James C., O89945.
Fields, William R., O86139.
Fiero, Robert S., O91231.
Finch, Vernon D., O86140.
Fink, Jerry D., OF102461.
Finley, George A., Jr., O90799.
Finn, Frank D., O90800.
Fisher, Gordon L., O86143.
Fisher, Thomas P., O90585.
Fitzgerald, Joseph, O88378.
Flanagan, Thomas P., O89948.

Flanders, George W., O86145.
Flannery, Eugene P., O90801.
Fleming, Blaine T., O86146.
Flora, John G., O89950.
Florence, William E., O90803.
Floyd, Howard J., O89952.
Flynn, Dennis J., O91824.
Follett, Franklin P., O95021.
Forbus, Jere K., O90804.
Fortier, Joseph E., O90805.
Foster, Alton L., Jr., O89485.
Fourson, George R., O91586.
Fowkes, Reginald B., O92190.
Fox, Nathaniel S., O90806.
Foye, Robert, Jr., O90807.
Francis, Robert G., O89963.
Frasche, Louis D. F., O89967.
Fraser, Howard D., O89968.
Freeman, Larry M., OF100270.
Freihube, Garry R., O94857.
Frerking, Joe A., O89971.
Friesz, Leonard L., O86163.
Frink, Dennis D., OF101216.
Fritts, Courtney R., O91235.
Fritts, William D., O95322.
Fritz, James E., O91236.
Fry, Charles H., O94928.
Furey, Bartley W., O90808.
Furman, Daniel R., O95024.
Furno, Jimmie F., O94584.
Gabrysiak, Walter J., O91238.
Gaffney, Richard L., OF101906.
Gagliano, Ross A., O90810.
Galliers, Richard J., OF103829.
Gallup, Walter A., O95323.
Garcia, Raymond J., O97640.
Garner, George K., O90812.
Garrity, John J., Jr., O90813.
Garshak, Francis D., OF102469.
Garton, Edward R., Jr., O90814.
Garvey, James G., O90815.
Gatanas, Mark D., O89489.
Gates, Richard H., O90816.
Gee, John T., OF100272.
Geiger, John F., O90817.
Geiser, John L., O99320.
Geisinger, John L., O91243.
Gennaro, Louis B., OF104429.
Gentle, Gary S., OF102083.
Gergulis, John G., O92348.
German, Abraham L., O90818.
Germann, Anthony C., O91151.
Getgood, John H., O90819.
Getz, Dwaine E., O86182.
Giacoppe, George N., O90820.
Gianelloni, Sabin J., O89984.
Gibbs, John J., O89986.
Gibbs, John S., O90821.
Gigicos, Chris G., O90823.
Gilbert, John C., O89213.
Gillespie, Richard, O90825.
Gillespie, Wayne G., O90826.
Gillette, Samuel G., O96401.
Gilliam, Taft R., O91247.
Gilligan, Joseph M., OF102189.
Gilmartin, Michael, O90827.
Gilmore, Ralph J., Jr., O92349.
Girard, Valmore J., O99851.
Glaser, Kenneth R., O89990.
Gledhill, David W., O89734.
Glenn, Robert W., O86191.
Glidden, Richard C., O87755.
Godwin, Bobby J., O94929.
Godwin, James S., O90828.
Goff, Dewayne B., O94300.
Goines, Roy L., O89491.
Good, Walter R., O90829.
Goodall, Ralph E., Jr., O88077.
Goodell, Peter N., O99649.
Gordon, Thomas J., O97910.
Gorham, Frederick A., O87759.
Goto, Arthur K., O89996.
Gottfried, Francis, OF102191.
Graham, Richard A., O95325.
Graham, William C., O95326.
Grande, Vincent G., O90830.
Grant, David E., OF103835.
Grattan, Brian T., O89998.
Gratzer, Bernard W., O89999.
Graves, Forest V., O90831.
Gray, Ronald E., O92656.

Gray, Ted J., O89492.
Grayson, Eugene H., O86198.
Green, Edward R., O90001.
Green, Frank D., Jr., O91257.
Green, George O., Jr., OF102868.
Green, Norris B., Jr., O90004.
Greenwood, Everett, O86201.
Greenwood, Henry V., O92657.
Greife, John L., O94930.
Grenier, Alfred F., O86203.
Griffey, Joseph P., O96905.
Griffin, Tracy W., OF102193.
Griffis, Fletcher H., O90833.
Griffith, Eugene D., O90834.
Griffith, Jack H., Jr., O89495.
Griffith, Kenneth C., O99325.
Griggs, Joe H., O91258.
Grimmett, Norman D., O90007.
Grones, Melvin J., O92367.
Groves, Delmer W., OF100275.
Grundborg, Kenneth, O90011.
Guest, James A., O90012.
Guggenheimer, Max, O90015.
Gulla, John F., O90836.
Gunn, Lloyd R., Jr., O87770.
Gunter, William J., O91593.
Haber, Sigmund J., OF101818.
Hackett, Robert T. G., O90837.
Hagan, Craig A., O90838.
Hagan, William M., O89496.
Hagerty, Paul P., O95029.
Halbert, Edward, O88716.
Halford, John R., O93462.
Hall, Charles A., O90021.
Hall, John F., O99062.
Hall, William N., O92660.
Halley, Fred N., O90840.
Hallihan, James J., O90022.
Halus, Michael B., O88387.
Hambric, John L., OF102487.
Hamilton, George A., O90023.
Hammerbeck, Allan W., OF106129.
Hanne, William G., O90843.
Hanson, Wayne A., O88088.
Hardenburg, William, O90846.
Hardin, Alva V., Jr., O90028.
Hardy, Albert S., III, O90029.
Hardy, Teddy J., Sr., O92199.
Harnagel, William R., O90847.
Harper, James R., O86225.
Harper, William E., OF102489.
Harrington, William O95691.
Harris, Bobby R., O86228.
Harris, David H., O96975.
Harris, Franklin N., O89499.
Harris, Martin J., Jr., O90467.
Harrison, Edward R., O99861.
Harrison, Kent E., O90037.
Harrison, Robert B., O90038.
Harrod, Robert L., O89500.
Hart, Edward D., O90040.
Hartley, Bobby J., O92201.
Harvell, Kenneth E., O96482.
Hatcher, Michael J., O90349.
Hawkins, Cyril A., Jr., O88727.
Hawkins, Lawrence R., O94464.
Hawley, Rexford K., O88391.
Hawn, Darryl R., O92387.
Haycraft, Thomas J., O90850.
Hayes, Ralph E., O90047.
Hays, Loyd J., O91264.
Hays, Robert O., O86239.
Healy, Richard W., Jr., O90851.
Hebert, Frederick J., O90049.
Heckman, George M., O90852.
Hegerich, Robert L., O86243.
Henderson, Arthur L., O90053.
Henderson, John S., O99657.
Hendrickson, Christopher P., O90055.
Henigsman, David N., O90056.
Heningburg, Michael, OF105423.
Henriques, Richmond, O89504.
Henry, John F., III., O90059.
Henry, Pierre E., O95037.
Hepler, Leslie J., O86249.
Herman, Dean A., Jr., O90854.
Herman, Gene L., O86251.
Hernaiz, Alfonso M., O90062.
Herr, Wayne L., OF102911.
Herrera, Angel, OF106135.
Herrick, Curtis J., O90064.
Herrington, Roscoe, O92404.
Herrling, John P., O90065.
Herrmann, Gerald E., O90066.
Hervert, Richard J., O90855.
Herzig, Charles W., O90067.
Heuver, Robert G., O91333.
Heyman, William, OF102495.
Hickman, Carlos W., O99866.
Hickman, Stanford W., O90857.
Hidalgo, Manuel A., O90858.
Higdon, George P., Jr., OF106136.
Hill, William V., Jr., O86260.
Hiller, Donald R., OF100284.
Hilton, Kenneth R., OF102913.
Hinds, Jim E., O90098.
Hipps, Gary W., OF102200.
Hixson, John A., O90860.
Hoaas, John G., O90861.
Hobbs, Dale G., O92406.
Hodel, Gerhardt W., O91272.
Hodge, David L., O90862.
Hodges, Harvey D., O90073.
Hoffman, James R., O91872.
Hofrichter, Francis, O89508.
Hogan, Donal D., O90076.
Hohman, Roger D., O90077.
Holbert, Billy W., O90078
Holder, Henry G., O94590.
Holland, Patrick J., O90864.
Holmes, Allen E., O90086.
Holmes, Simon H., O90088.
Honda, Harry T., O90090.
Hooverson, Richard, O91276.
Hopkins, John R., O89510.
Hopper, James A., O90866.
Horton, Leland H., O90093.
Hosford, Larry D., O93341.
Hosman, Henry R., O91874.
Houle, John L., O88105.
House, John C., O90868.
Houston, Darrell G., O90870.
Howard, Jimmie B., O94309.
Howe, Robert D., O86284.
Howell, Eugene A., O90871.
Hoyt, Max B., OF105706.
Hubard, John B., O90872.
Hubbard, Donald A., O90873.
Hubbard, Jerry A., O91279.
Hubbard, Johnny R., O90874.
Huber, Thomas H., O90875.
Huff, William J., OF106145.
Huffine, Melvin T., O90590.
Hug, Jack P., O90876.
Humes, Jack T., O90877.
Humphrey, Richard A., O88399.
Hunter, Howard W., Jr., O91248.
Hunter, Robert L., O90107.
Huntley, John H., O88400.
Hurry, Bruce B., OF105437.
Huse, Warren D., O93434.
Huskinson, William, O86296.
Hutchison, Joseph W., O90879.
Hynd, John W., O90880.
Ichiyama, Ronald S., O90110.
Imes, Allan B., O92419.
Irvine, Michael M., O93436.
Jackson, Charles H., O90113.
Jackson, Donald B., O90120.
Jacques, Joseph N., O90116.
Jaffe, Stephen G., O89789.
Janszen, James H., O90882.
Janutolo, Dandolo, M., O93046.
Jarvis, Charles W., O90123.
Jary, Roland S., O86315.
Jascewsky, Joseph A., O90883.
Jayroe, Glenn L., 094594.
Jenkins, Joe E., O86320.
Jennings, Ivan R., O89517.
Jezior, Michael A., O90884.
Jilbert, Gerald R., O90886.
Johns, Donald L., O91885.
Johnson, Alan E., O90887.
Johnson, Anthony, O89989.
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Johnson, Ronald D., O90126.
Johnson, Victor V., O93480.
Johnston, James D., O94596.
Jones, Alfred P., OF102206.
Jones, Arland A., O90131.
Jones, Arthur M., O90132.
Jones, Daniel M., OF100381.
Jones, Dean C., O95563.
Jones, Edward J., O88404.
Jones, Jack L., OF102932.
Jones, Joel D., O89518.
Jones, Louis R., Jr., OF102933.
Jones, Ronnie L., O89346.
Jones, William S., O86340.
Jones, William J., Jr., O92075.
Jorgensen, Kermit, O89520.
Joyce, Larry E., O89871.
Kahn, William, O94940.
Kail, Richard L., OF102511.
Kaiser, George F., O90895.
Kamerling, Richard, O89974.
Kane, George R., O90140.
Kane, John P., O90897.
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Kane, Peter J., O99337.
Kanemori, Claude H., O91293.
Kanouse, James W., O95344.
Kay, Edward C., OF105449.
Kazenski, John T., O90898.
Keating, Albert C., O90900.
Keefe, William A., IV, O91294.
Keegan, Ambrose J., O92208.
Keller, John, T., O90145.
Kelley, Jack T., O95052.
Kelley, Samuel P., Jr., O90901.
Kelly, Patrick J., O86354.
Kelly, Robert R., O90148.
Kenney, Donald R., O96766.
Kenyon, James F., Jr., O95054.
Kerr, James E., O92685.
Key, Gilbert N., O86359.
Kieffer, George W., O92696.
Kiernan, Thomas J., O91296.
Kilday, John B., O89525.
Killingstad, Karl P., O89526.
Kincheloe, Samuel E., O99670.
Kinell, Carl E., O87202.
King, Eugene S., O88115.
King, Jack J., O90153.
King, Stanley L., Jr., O95745.
Kinney, Linford N., O88411.
Kirby, William D., Jr., O96995.
Kirk, William M., Jr., O94869.
Kirkland, Cleo D., OF101831.
Kirn, Paul L., OF100300.
Kish, Francis B., O90156.
Kleese, Gene D., O86375.
Klein, Robert E., O90905.
Klimaszewski, Michael P., OF102209.
Kling, Larry V., O90906.
Klingensmith, David, OF103865.
Knight, John M., OF105722.
Knox, Granville S., OF105723.
Kobayashi, Norman T., O90162.
Kobza, Gene R., O91299.
Koentop, Thomas A., O90908.
Kopecky, Robert J., O90168.
Kosiba, Leo M., O88413.
Kouns, Darryle L., O90910.
Krahe, Francis X., O90171.
Krape, Darryl S., O90911.
Krausse, Stanley D., O92211.
Kress, Carl F., O88117.
Kryzak, Raymond O., O89531.
Kuhn, Wayne B., O90173.
Kuklinski, Norman J., O90912.
Kulish, Jon N., O90174.
Kuypers, Thomas O., O91306.
Kwasny, Philip M., O90334.
La Blonde, George T., O90177.
La Sala, Robert J., O89086.
Labat, Roger J., O91307.
Lacquement, Richard, O89533.
Ladd, Eddie B., O99899.
Ladehoff, Harold L., O90913.
Lahde, Frank U., O91623.
Laird, William R., O90180.
Lamb, John C., O96693.
Lambert, Harold E., O91624.
Lamont, John R., O94602.
Land, Vincent J., OF105458.
Landry, Larry J., O89534.

Lang, Neil B., O89535.
Langseth, Leslie G., O90916.
Lanphear, Paul J., O95350.
Lanzotti, Robert E., O94101.
Lapins, Juris, O87541.
Laposata, Joseph S., O90183.
Larkins, James M., OF100306.
Larson, Christian M., O94480.
Laurence, Edward J., O90917.
Lawlor, James, O86405.
Lawson, Billy R., O90188.
Lawson, Edward K., O90189.
Layton, Charles M., O97149.
Lazdowski, Walter P., O92702.
Lazzaro, Gerald J., O89537.
Le Febvre, John A., O90918.
Le Gath, Joseph S., O91313.
Leary, Paul E., O94314.
Lee, Gene H., O90912.
Lee, George B., O89089.
Lee, Henry, O90919.
Leech, Robert L., O90920.
Lehrer, Glenn H., O90921.
Lemmer, John F., O96431.
Lemoine, Jarod J., O95657.
Lenti, John M., O90922.
Leonard, Charles F., O90195.
Leonard, Theodore J., O90196.
Leonard, William E., O99678.
Lethcoe, Gerald E., OF106172.
Letonoff, Victor T., O90924.
Leuty, Ray S., O90197.
Lew, James R., O93052.
Lewis, Billie G., O99680.
Lewis, Cleophus C., O88125.
Lewis, Jerome X., II, O90925.
Lewis, Larry M., O88126.
Lewis, Ronald D., OF102353.
Lewis, Sterling M., O91443.
Lewis, Terris C., O99905.
Liberatore, Samuel, O94873.
Lid, Dennis W., O86417.
Liddle, Jack W., O90330.
Lillie, Warren T., O95064.
Lincoln, James B., O90926.
Lind, Richard W., O99906.
Line, Edward D., O95063.
Linebaugh, John M., O90202.
Linn, David L., O89540.
Linton, James E., O90203.
Little, Allan G., OF103871.
Littlewood, Arthur, O90204.
Livingston, Gordon, O90927.
Logsdon, Lawrence, O91631.
Lombardo, Roy S., O90209.
Loomis, Leonard J., O91446.
Lorimier, Joseph M., OF102960.
Losa, Gene A., O86426.
Lott, George B., Jr., O90212.
Lotz, Reinhard, M., O90213.
Love, Heilbron B., Jr., O89541.
Love, William H., OF102182.
Lovell, James A., O86431.
Lovsnes, Neal W., Jr., O90216.
Lowrey, Mark P., O90929.
Lowry, Mark, II, O90931.
Lowry, Robert C., O89542.
Lozier, Gary O., O95066.
Luberacki, Robert J., O92469.
Lucas, Joseph C., O90932.
Luck, Gary E., O89543.
Luck, Michael W., O97006.
Lusky, Harold H., O90934.
Luton, Charles G., O90935.
Lyell, Richard L., O92470.
Lyerly, Edward D., OF102539.
Lyman, Donald R., OF105744.
Lynch, David F., O90223.
Lynch, David J., O97940.
Lynch, Thomas H., Jr., O90400.
Lynn, Frederick J., O90936.
Lyon, Paul W., O91914.
MacAulay, David J., O90937.
MacGregor, Harry G., O99345.
MacLachlan, Peter, O90938.
Maddox, Edward R., Jr., O90229.
Magee, Michael C., O86443.
Maguire, Michael E., O91450.
Majhan, Thomas, OF102966.
Maksimowski, Ferdinand, Jr., O90232.
Malinoski, Joseph C., OF101825.
Mallardi, Robert N., O91451.
Malmberg, James E., O97325.
Malo, Armand E., O93461.
Maloney, William H., O90940.
Mandelbaum, Charles, O90941.
Manely, James E., O92219.
Mangum, Robert A., O89546.
Marcinkowski, Robert B., O90943.
Marcy, Spencer D., O90944.
Marecek, George O94615.
Marek, James A., O99685.
Markham, William E., O92725.
Marks, Samuel L., O91452.
Marmon, Herman S., O90945.
Marotta, Joseph R., O90236.
Marsh, Nelson L., O99687.
Marshall, Jerry V., O86460.
Marti, John H., O94616.
Martin, Ernest L., O97156.
Martin, Geary D., OF105475.
Martin, John A., O90946.
Martin, Robert G., O89103.
Martin, Williams S., O90947.
Martinson, Juri, O86464.
Martz, John R., O90948.
Marvin, Charles G., O95357.
Marwitz, Carl E., O89548.
Mashburn, Richard, O90241.
Mason, John T., O90242.
Mason, Leslie P., Jr., O90949.
Mason, Robert W., O89549.
Masterson, Peter H., OF105750.
Matthias, Harold L., O88436.
Matthis, Earl N., O91697.
Mattox, James I., O99915.
Mattson, Gerald E., O99348.
Maurer, Raymond W., O91453.
May, Billy W., O89551.
May, Karl E., O92482.
Mayhew, Ronald E., O99349.
Mays, Jack M., O91922.
Mayville, William C., O89552.
McAllister, Robert, OF106179.
McAlpin, George R., O86484.
McBennett, John P., O90251.
McCahan, Alan R., O90253.
McCann, Walter P., O91327.
McCarthy, Daniel J., O90256.
McColl, Archibald, OF102222.
McCollum, James K., O90950.
McCormick, James P., O91638.
McCormick, Michael, O90262.
McCoskey, James L., O99918.
McCown, John E., O90263.
McDade, Richard R., O90265.
McDonough, William, OF106183.
McDowell, James I., O90269.
McElroy, George J., O90951.
McEvoy, Edward B., O91926.
McFarland, James W., O89554.
McFaul, William N., O90952.
McGaw, Hugh R. L., OF101885.
McGeary, Martin N., O90271.
McGough, James B., O90272.
McGowan, James J., O99920.
McGrede, Aubrey J., O97566.
McGushin, Edward F., O90274.
McHugh, Richard K., O99921.
McInerney, Richard, O90954.
McKenzie, George R., O94109.
McKinney, John J., O90955.
McKisson, Raymond, O87851.
McKnight, James G., O88148.
McLeod, Ingram B., O91642.
McLeod, Norman F., O87852.
McMahon, Robert W., O96778.
McManus, George H., O90957.
McMaster, Ronald R., OF105759.
McNamara, William, O90958.
McPeek, Donald F., OF105760.
McPhaul, Malcolm G., O88150.
McPherson, Thomas, O91456.
McQuaid, Ronald J., O94321.
McQuillen, George, O90959.
McSlarrow, James E., OF105761.
McWain, James T., O90282.
Mease, Jennings H., O90960.
Medenbach, Philip C., O90287.
Meder, Gene L., O99354.
Meder, William A., O90961.
Medley, Ted, O86508.
Mehrtens, Frederick, O95070.
Melcher, John F., Jr., O90288.
Melton, Kenneth F., O89557.
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Mercado, Robert K., O90963.
Meriaux, Richard D., O90293.
Merlick, Carroll W., O90294.
Merlino, Carl S., OF106187.
Merrill, William B., O87853.
Merski, Norman R., O86517.
Middleton, Robert D., O90300.
Mierau, Michael D., O90964.
Miles, Paul L., Jr., O90965.
Miller, Carl D., O90966.
Miller, Dyson R. C., O90967.
Miller, George P., O90303.
Miller, Gerald C., O90304.
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Miller, Russell E., OF100093.
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Mills, David E., O93359.
Miner, James F., O88837.
Minutoli, John R., O99927.
Mirkovich, Richard, O99928.
Misura, John P., O90971.
Mitchell, Stuart G., O91462.
Mitchell, Tilden A., O91463.
Mitts, Edwin S., Jr., O97332.
Miyamasu, Paul K., O97333.
Moats, Bruce E., Jr., OF102563.
Moeller, Lawrence B., O86534.
Moldaschel, William, O96899.
Molskow, Thomas S., O90309.
Monroe, Mark A., 099693.
Montagne, Ernest R., O88447.
Montgomery, Robert, O90972.
Moody, John W., O88157.
Moore, Charles L., O92739.
Moore, Emmett, O88158.
Moore, Frederick T., O90312.
Moore, James L., III, O99694.
Moore, John E., Jr., O94116.
Moore, John W., O86540.
Moore, Laurence V., OF100139.
Moore, Thomas P., Jr., O90313.
Morabit, Joseph L., O91466.
Morgan, Kearney H., O90315.
Morgan, Lowell E., OF102357.
Morin, Reynold, O90975.
Moritz, Thomas W., O86547.
Morris, Edward D., OF102985.
Morris, Jimmy R., O90317.
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Morrison, Don R., OF105493.
Morse, Thomas M., O90318.
Morton, John A., O90319.
Mosbrooker, Michael, O91467.
Mosburg, Henry L., OF102571.
Mosher, Robert L., O86556.
Mosley, Howard R., O92100.
Mostek, Donald S., O91336.
Mowery, Hartman B., O90977.
Muehlberger, Albert, O90321.
Mueller, Harold B., O86560.
Mulholland, Robert, O90322.
Mullin, Robert E., O98518.
Mulvihill, William, O92998.
Mumford, Jay C., O96784.
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Murchison, Richard, OF100321.
Murphy, William F., O90978.
Murray, Louis J., Jr., O95366.
Murray, William B., O88453.
Murrill, Fredrik H., O90329.
Musmanno, Francis J., O95307.
Mussells, John D., OF100395.
Myers, Charles T., O92229.
Naatjes, Clarence S., O90331.
Naftzinger, Joseph, O90981.
Narath, Helmar, OF101851.
Naumann, Walter E., O93285.
Neal, George W., O99699.
Neal, Paul G., OF104506.
Neesmith, Delmus M., O90337.

Nehammer, Karl F., O90339.
Nelson, Charles R., O90983.
Nelson, Hugh R., Jr., O99098.
Nichols, John W., O91341.
Nichols, Lester D., O90344.
Nickerson, John M., O93065.
Nicotra, Andrew P., OF102996.
Nix, John U., O90985.
Nixon, Charlie J., OF102579.
Noack, Richard R., O88462.
Noble, George P., III, O90345.
Nobles, Charles S., O90986.
Noel, Thomas E., III, O90987.
Nolen, James T., O86578.
Northcutt, Melvin E., OF105779.
Nutt, Robert M., OF104508.
Oakes, William E., O86581.
O'Connell, James T., O90988.
O'Connell, Thomas R., O94326.
O'Connor, Patrick M., O95076.
O'Connor, Thomas H., O97016.
O'Dwyer, Roger, P. J., OF106197.
Oelschig, Carl H., OF102237.
Oerding, James B., O90993.
Ogg, Paul C., O99368.
O'Hara, Thomas C., O92196.
O'Kane, Michael L., O90355.
O'Keefe, Edward T., Jr., O86590.
O'Keefe, Joseph D., O90990.
Oliver, John H., O91482.
O'Malley, Thomas K., O90992.
Orr, Danford M., O90994.
Orsini-Navas, Mario, OF105785.
Osborn, Larry N., OF102693.
Ostick, Charles T., O89569.
Ostien, Douglas B., O90360.
Oswandel, Robert E., O90995.
Otstott, Charles P., O90996.
Oura, Donald M., OF103887.
Overgard, Richard N., O97178.
Overholser, William, O91968.
Owens, Bobby L., O90997.
Owens, William B., O97341.
Painter, Donald E., O90362.
Palsha, Robert J., O86603.
Paquette, Edward H., O93336.
Parker, Eliot V., Jr., O90999.
Parker, Frank W., O90367.
Parker, Henry B., O90368.
Parker, Neal G., O91000.
Parkhurst, Henry A., O90369.
Parnell, William C., O95079.
Parr, Gary K., O94329.
Parsley, Benjamin L., O91350.
Parsons, Donald L., O95375.
Partlow, Frank A., Jr., O91001.
Pate, Rupert E., Jr., OF102238.
Patten, Jerry W., O90370.
Patterson, Robert J., O94881.
Patty, J. W. III, OF103004.
Paul, Bruce O., OF102587.
Pauli, John T., OF100328.
Paulsen, Hans W., O90372.
Payne, Guy H., O99374.
Payne, Herbert M., Jr., O86618.
Pearce, David L., O90376.
Pearson, John E., Jr., O94949.
Pelino, Philip E., Jr., O99947.
Pellicci, Jack A., O91004.
Pendarvis, Donald R., O90378.
Pepe, Michael J., O90379.
Peppers, John S., O88469.
Perez-Lebron, Hector, OF102241.
Perkins, Randall A., O91005.
Peters, Shelton V., O96845.
Phalen, James R., OF102689.
Phelan, Frank J., O97958.
Phillips, Alan B., O87310.
Phillips, Henry A., O91006.
Piatak, John R., O95081.
Pierce, Harlan L., O86633.
Pike, Gerald D., O86639.
Pike, Thurston E., O86641.
Pingry, Thomas E., O86643.
Piper, Larry D., O99436.
Place, Darman C., O89573.
Plaster, Roy C., O99442.
Plummer, Frederick, O91009.
Plummer, Michael T., O91010.
Polk, Burley R., O95083.
Polk, John A., O89574.
Pollard, Thomas L., O99712.
Pool, Russell F., O88474.
Pope, Fred R., O90390.
Porter, Norman A., O89575.
Post, Elwyn D., Jr., O91011.
Post, Richard B., O88475.
Potter, Anthony D., OF102597.
Potter, Donald C., O99957.
Powers, Richard J., OF106210.
Pozzi, Ronald J., OF102249.
Prall, Eric L., O90393.
Prestorius, Charles, O88476.
Presley, John R., O91014.
Preston, Edward G., O97185.
Proctor, Michael J., OF102250.
Pursel, Terry C., O90396.
Queeney, Richard K., O91016.
Quickel, Jacob C., O89578.
Quinlan, John G., O91487.
Rabon, Jim D., O89279.
Race, Gary L., O88481.
Rader, Allan L., OF103013.
Radike, David N., O90401.
Raley, Michael D., O96713.
Ralphs, William J., O92515.
Ramirez, Arnoldo R., O91489.
Ramos, James R., O91017.
Ranney, Thomas A., O94335.
Rapp, Edward G., O90407.
Rappaport, Arthur N., O90408.
Rau, Raymond R., O91491.
Ray, Thomas L., Jr., O96849.
Raymond, Charles W., O90410.
Raymond, William M., O91018.
Ream, David W., OF102606.
Reber, John L., O91019.
Redden, Thomas W., OF103015.
Redemann, David H., O91493.
Reece, Frank S., O90413.
Reed, David B., III, O92118.
Reed, Henry M., II, O90415.
Reedy, Clyde M., O90416.
Reeves, Troy, Jr., OF102252.
Rego, Chris F., O89583.
Reiber, Carl F., Jr., O92758.
Reid, John C., O91021.
Reuter, Neil G., O86674.
Reynolds, Buddy L., O86676.
Reynolds, Joseph C., O90422.
Reynolds, Sonny D., O88305.
Rhoads, David G., OF102609.
Rhynsburger, Robert, O86679.
Rice, Bert L., O88187.
Rice, Frederick C., O91023.
Rice, Howard P., Jr., O91499.
Rice, Leonard E., Jr., OF103718.
Rice, Paul J., OF104523.
Rich, Terrence L., O91024.
Richards, Donald R., O88484.
Richardson, Charles, O94952.
Richeson, Alfred K., O91025.
Richard, Wayne R., O89585.
Rider, Frank W., O91990.
Riley, Donald A., O89136.
Riley, Frank J., O89350.
Riley, James M., O95381.
Riley, Larry L., O97964.
Rippetoe, Joe F., O89588.
Risley, Dannie J., O94639.
Ritchie, William L., O91026.
Rizzo, Charles, OF103720.
Robbins, Chandler P., O91028.
Roberts, James E., Jr., O86688.
Roberts, Paul A., O91029.
Robertson, Edward H., O90429.
Robins, Philip L., OF100338.
Robinson, Charles D., O88901.
Robocker, William W., O91031.
Rochester, James V., O90431.
Roeder, Helmut A. G., O89843.
Rogers, Jack D., O99977.
Rogers, Martin M., O94210.
Rogers, Robert C., O98045.
Rose, Louis, O90433.
Rose, Wilbur V., O95384.
Ross, Barry D., OF102615.
Rossi, Arnold T., O99721.
Rossman, Jack, O97029.
Rovan, William P., O90440.
Rowe, James N., O91033.
Rowland, Jerry D., O95093.
Roy, Daniel S., O94338.
Rudesill, Robert S., O91034.
Ruedel, William P., O91035.
Russell, Donald A., OF102618.
Ruszkiewicz, John J., OF103722.
Rux, William A., II, O91038.
Ryan, Michael T., O91039.
Ryan, Roger M., O91040.
Rydberg, Carl R., O88908.
Saathoff, Donald I., O99982.
Safford, Donald B., O90451.
Sartori, Victor P., O99725.
Sasai, Calvin Y., O96793.
Savio, Paul J., O91043.
Scanlon, Charlie F., O99181.
Schaaf, James C., Jr., O90455.
Schafer, Donald D., OF102624.
Schatzman, Thomas F., O91045.
Scheel, Clarence A., OF103026.
Schiemann, Robert J., O91046.
Schimming, James L., O99096.
Schlaak, Thomas M., O89594.
Schmidt, Jackie E., O88197.
Schmidt, Leroy A., O91047.
Schmidt, William A., OF102265.
Schmidtman, Michael, O90460.
Schooff, Maury W., O92004.
Schrauth, Michael R., OF103727.
Schroeder, Frederick, O91052.
Schrum, James R., OF100978.
Schuetz, Terry L., O89595.
Schuler, William D., O97971.
Schumaker, John R., O96795.
Schumann, Lawrence, O90471.
Schumpert, Gilbert, O90472.
Schwan, Richard J., OF104536.
Schwartz, Daniel, O86738.
Schwarzenbach, Malcolm P., Jr., O90475.
Schwoob, James F., O91053.
Scott, Engle W., O89598.
Scott, Ernest K., O88198.
Scott, Hugh J., O89599.
Scott, Stephen H., O91054.
Scott, Walter S., O86739.
Scudder, William I., O91055.
Searles, Jonathan W., O91056.
Seaver, James R., O86741.
Seaward, Richard S., O91057.
Seiler, Robert B., O89601.
Sellers, Robert P., O88199.
Sexton, William T., O91059.
Seymour, Roger G., O91060.
Shachnow, Sidney, O98057.
Shafer, Harold S., O96799.
Shalikashvili, John, O92121.
Shaul, Charles D., O89602.
Shaw, Gene C., O88200.
Sheldon, Thomas K., O98078.
Shepherd, Billy J., O90481.
Sheppeck, Michael L., O91062.
Sherman, William M., O89604.
Sherrod, Dale E., OF102630.
Shevlin, George L., O90482.
Shimek, Daniel W., O91064.
Shine, Joseph P., O88930.
Shirley, William A., OF103905.
Shost, Alan T., O91065.
Shuey, Richard P., O91066.
Siebert, Edward M., O89606.
Siegel, Herbert, OF104541.
Siegling, William A., OF100350.
Sills, Edward G., O90485.
Simmons, Denis L., O90487.
Simon, Benjamin J., O88205.
Simpson, Andrew R., O90488.
Simpson, Felix D., O94342.
Simpson, Leoren, O86765.
Simpson, William C., O90489.
Sines, Kenneth A., OF106230.
Skamser, Harold P., O86769.
Skillings, James A., O92562.
Skinner, William J., O91067.
Slaby, Charles O., Jr., O99279.
Slattery, Stephen M., O90493.
Sloan, Jimmy B., O98143.
Slovacek, Anthony S., O90494.
Smallen, Ray H., O95752.
Smathers, Sam T., O90495.
Smayda, William A., O98142.
Smith, Curtis, S., O89717.

Smith, Daniel A., O91068.
Smith, Donald E., O91511.
Smith, Harold B., O91069.
Smith, Harold L., O95394.
Smith, Horace A., OF100351.
Smith, John R., O91575.
Smith, Richard A., O94500.
Smith, Vernelle T., O94501.
Snow, Edward F., Jr., O97038.
Sodano, Guy R., O96720.
Soland, Donald J., O86789.
Soli, Thomas R., O87387.
Solliday, Charles W., O94963.
Sorensen, Ralph L., O91386.
Sorini, Laurence F., O86792.
Southern, Kermitt E., OF105829.
Southworth, James V., O91625.
Sowell, James L., O90506.
Sowle, Peter H., OF103740.
Spain, William H., Jr., O90508.
Spak, Michael I., OF105830.
Spann, Juan W., O94893.
Speedie, John C., Jr., O89612.
Spigelmire, Michael, O90512.
Spillane, Robert B., O95106.
Spitzer, Joel S., O96721.
Spivy, Berton E., III, O91070.
Sponseller, James M., OF105552.
Sprengeler, Ronald, O91517.
Springer, Anthony T., O87927.
Squire, Joseph W., O91071.
Stafford, Benjamin, O89615.
Stahlman, John R., O94136.
Stanfill, James H., O97042.
Stang, Arthur C., III, O93082.
Starling, James D., O91073.
Stauber, Jerome E., O91519.
Stearns, Raymond L., O99398.
Steed, John H., O94894.
Stehling, Joseph M., O91075.
Steiger, Donald W., OF102638.
Stem, David H., O91076.
Stephens, Donald G., OF100008.
Stephens, William J., O91695.
Stetson, Sterling L., OF101245.
Stewart, James M., O97044.
Stewart, Randall J., O86816.
Stiepock, Robert C., O86818.
Stiles, Charles E., OF103743.
Stilwell, Joseph W., O91077.
Stocker, William L., O87393.
Stockman, William L., O90522.
Stofft, William A., OF102640.
Stokes, Orville P., O97985.
Stone, James E., OF102276.
Stout, Louis E., O89618.
Stovall, Rayburn C., O90524.
Stowe, Wain W., O89619.
Straetz, Donald F., O91078.
Straight, Kaye R., O94897.
Strimbu, George, O99738.
Strong, Edward M., O94350.
Strother, James O., O86826.
Struck, Larry D., O98530.
Strzelecki, Leonard, O90528.
Stuart, Robert L., O86827.
Stulga, Charles A., O91396.
Sturek, Walter B., O90529.
Sturgeon, Charles E., O91080.
Sugdinis, Joel E., O91081.
Sullenger, Lawrence, O86831.
Sullivan, Anthony D., O90532.
Sullivan, Gordon R., O92127.
Sullivan, James A., O90533.
Summers, Don A., O91082.
Sumner, John H., O86834.
Suter, William K., O97210.
Sutton, Richard O., O91084.
Swart, Oura L., OF103748.
Swygert, John F., Jr., O99739.
Symons, John W., O89149.
Symons, Rodney W., OF102643.
Szabo, Richard M., O92812.
Taggart, Homer G., O90537.
Tamplin, William F., O91087.
Tancreti, Roger J., O90539.
Tanner, Junius I., O88967.
Tanner, Walter D., OF102280.
Taylor, Horace G., O90542.
Taylor, James E., O86845.
Taylor, John N., O91088.
Taylor, Robert P., O87942.
Taylor, Vernon K., O94351.
Teates, Bryan W., Jr., O92570.
Tenbrook, James J., O91090.
Terry, Frederick G., O91091.
Teska, Thomas E., O89624.
Thacker, James F., O90544.
Theofanous, Angelo, OF103752.
Thomas, Bobby F., O91706.
Thomas, Donald W., O90054.
Thomas, James E., O94143.
Thompson, Francis J., O91092.
Thompson, James B., OF105841.
Thompson, Richard A., O91527.
Thornton, William F., O90549.
Throckmorton, Thomas B., O91094.
Thurgood, Leon C., O89625.
Thurston, Joe B., Jr., O91708.
Tichenor, James R., O91095.
Timmerman, Benjamin, O91528.
Titus, Charles M., O91096.
Todd, John J., OF102282.
Totolo, Robert C., OF105848.
Totten, Robert G., O91097.
Touhey, Henry J., OF105565.
Tozer, William S., O91099.
Tracy, Lawrence L., O94795.
Trang, Myron L., OF102651.
Trauner, Ronald F., O91100.
Trautmann, Eugene O., O90557.
Traver, Donald J., O87952.
Trebbe, John M., O97652.
Trickett, Frederick, O91101.
Trodella, Robert A., O91104.
Trout, Nelson C., OF102652.
Trudell, John A., O97214.
Tudhope, Lawrence K., O99749.
Tudor, Robert W., O95109.
Tuxill, Richard W., O90563.
Ulm, Donald S., O94149.
Vaglia, James E., O88511.
Valente, Thomas E., O91106.
Valliant, Charles M., O91107.
Van Amburgh, Gordon, O90569.
Van Dine, Peter W. H., O94506.
Van Eynde, Donald F., O89631.
Van Zee, James L., O88988.
Vanderslice, Gary E., 91529.
Vargosko, Michael A., O88219.
Varnon, Jerry R., O92266.
Vela, Rena A., O99753.
Vencill, William A., O91109.
Vercellone, Joseph, O99754.
Vermilyea, Carl P., O90572.
Vespia, Vincent, Jr., OF105856.
Vickers, Anthony M., O90573.
Vigelis, Eugene R., OF100026.
Vinci, Joseph F., O86894.
Volponi, Anthony A., O88221.
Von Kiparski, Hans, OF103764.
Wacloff, Robert L., O86898.
Waddell, Ralph L., O90576.
Waghelstein, John D., O94902.
Wagner, Fred L., O99755.
Waldhour, Louis G., O90578.
Waldrop, William R., O90579.
Walker, Byron G., OF100029.
Walker, Frederick A., OF103064.
Walker, James M., O87962.
Walker, Philip A., Jr., O91113.
Walkup, Larry R., O92035.
Wallace, Richard B., O94150.
Wallace, Woodrow W., O97994.
Waller, Calvin A. H., O86906.
Walsh, Daniel P., O86908.
Walsh, Thomas A., O95468.
Ward, Jerido, O88518.
Ward, Joseph G., II, OF100033.
Ward, Olin S., Jr., OF105576.
Ware, William M., O95115.
Warren, James A., OF103066.
Washington, Charles, O90584.
Waters, Russell A., O91115.
Watkins, Charlie C., O91116.
Watkins, John A., OF104015.
Watson, Henry C., III, O91117.
Watts, Pitt M., III, O90587.
Weaver, Charles R., O87965.
Weaver, James H., O90588.
Webb, Gerald E., O90589.
Webb, James M., Jr., O86913.
Webster, Carl S., O87428.
Webster, Grady F., O89636.
Weening, Otto, O86918.
Weinhold, Robert W., O91532.
Weir, David E., O89638.
Welch, Jerry F., O90069.
Welch, Michael N., O90594.
Wells, Herbert D., O90595.
Wendt, Robert L., OF102293.
Wente, David O., OF102666.
Wesneski, Carl A., O89005.
Westmoreland, Verlon E., O99971.
Whaley, Max, O89639.
Whatley, David T., O97269.
White, Donald R., O91720.
White, Harry N., O91120.
White, James M., O91121.
White, Jerry A., O95176.
White, Jerry D., O90600.
White, Walter S., Jr., 94662.
Whitehead, Floyd D., O91122.
Whitlaw, Nathaniel, O90604.
Whitley, Wade H., II, O89640.
Whitworth, David C., O86933.
Wicker, Rush R., Jr., O90605.
Wicksell, Harry H., O89641.
Wilder, William B., O86936.
Wiley, Noble J., III., O91125.
Wilhelm, Robert S., O91422.
Wilkes, John S., III., O91126.
Wilkie, David G., O91127.
Willauer, John H., O91128.
Willey, Frank G., Jr., O87668.
Williams, Cary E., O89011.
Williams, Charles R., OF105872.
Williams, David K., O92046.
Williams, Donnie H., OF102673.
Williams, Frank K., OF101867.
Williams, John S., O88229.
Williams, Lonnie B., O91424.
Williams, Michael K., O99534.
Williams, Paul E., O97054.
Willis, Jerry T., O88231.
Willison, Darryl L., OF100044.
Willoughby, William, O91130.
Wilson, Bruce E., O89647.
Wilson, Daniel H., O91132.
Wilson, David G., OF100366.
Wilson, Gene R., O91133.
Wilson, John H., O91426.
Wilson, Walter K., O91134.
Windsor, Humphrey F., O91135.
Winfree, Wesley C., OF105876.
Wisby, James M., O90619.
Witcher, Robert A., O91539.
Witherspoon, Jerry, O91137.
Wolton, John B., Jr., O97273.
Wolff, James W., O91429.
Wollmering, Lawrence E., O91430.
Wolpert, Robert A., O93102.
Wolstenholme, Donald E., O93542.
Wood, Anthony B., O91138.
Wood, John W., Jr., O91140.
Wood, William A., O92050.
Woodbeck, Charles A., O91542.
Woods, Lawrence D., O92051.
Worlund, Shyron L., O91543.
Wright, Jackie V., O89649.
Wright, Jerry T., O97224.
Wright, Raymond J., OF105595.
Wrockloff, George E., O91141.
Yamaguchi, Phillip, O90628.
Yeagley, John P., O91143.
Yeomans, William A., O94907.
Yeosock, John J., O86964.
Yersky, Ronald E., O86965.
Yetman, Robert R., O106259.
York, Dennis J., O89651.
York, Donald, O90631.
York, James J., O91144.
Zebarth, Roger L., O95251.
Zingle, Paul R., O89653.
Zoller, Harvey F., O88237.
Zook, Neil J., OF100631.
Zorn, Burl A., O93105.

To be captains, Chaplain

Bezanson, Ronald S., OF102140.
Heim, Richard L., OF102198.

Johnson, Paul E., OF100633.
Martin, Richard K., OF104250.
Piskura, Joseph H., OF102366.
Woehr, David J., OF103782.

To be captains, Women's Army Corps

Albright, Barbara L., L611.
Ball, Elizabeth C., L600.
Burbank, Arlene G., L597.
Cascone, Joan C., L628.
Klainer, Joyce I., L621.
McCord, Patricia A., L595.
Slater, Suzanne, L603.
Tilden, Carol J., L617.

To be captains, Medical Corps

Anderson, James R., OF105315.
Bigelow, Charles R., OF103799.
Bilbrey, Gordon L., OF105621.
Bingham, Korth E., OF104376.
Blalock, James C., Sr., OF104378.
Bobitt, John R., OF104380.
Bogart, John N., OF102412.
Bowe, Richard G., OF105332.
Brazinsky, John H., OF101156.
Brobeck, Alan, OF105335.
Buhrow, William L., OF106066.
Cipriano, Frank J., OF105354.
Clark, Robert W., OF105649.
Coats, David A., OF103813.
Cobb, Tyson C., OF103814.
Conroy, Robert W., OF104402.
Davis, William R., OF105374.
Dawson, John T., Jr., OF105655.
Demtrak, Christofer S., OF105656.
Evans, Roger W., OF105384.
Feldman, Melvin L., OF105667.
Firestone, Marvin H., OF105387.
Fossum, Dale R., OF103826.
Geschke, Dietrich W., OF105678.
Glasser, Stephen P., OF105407.
Greer, Thomas D., OF105412.
Gunther, Robert C., OF103619.
Hall, Ronald R., OF103838.
Hallee, Theodore J., OF105415.
Hecht, Manfred H., OF103844.
Hill, John C., OF104450.
Hinckley, Marshall, OF103847.
Hooper, Robert L., OF103850.
Irby, Benjamin F., Jr., OF103852.
James, Charles F., OF103855.
Kimball, James D., OF105720.
Kowalski, Leonard R., OF105454.
Lane, Charles D., OF104472.
Lefko, Andrew G., OF106170.
Light, Jimmy A., OF105466.
Lung, John A., OF104479.
MacDonald, Robert, OF103873.
Marrin, Daniel J., OF105474.
McAninch, Jack W., OF104485.
Morrisseau, Paul M., OF103883.
Neel, Donald R., OF104507.
Nevarez, Leonard J., OF105778.
Powell, George K., OF103954.
Rapp, Robert S., OF105514.
Renn, John S., III, OF105522.
Rodriguez-Garces, Francisco, OF103896.
Ruark, Sylvan R., OF104528.
Sabol, Edward D., Jr., OF104530.
Shaw, Jon A., OF106227.
Smith, Alvin E., OF105547.
Smith, Carl R., OF105548.
Smith, Donald W., OF105827.
Smith, Gerald E., OF105828.
Stephens, Robert O., OF104548.
Strait, Gail B., OF104552.
Taylor, Robert R., Jr., OF104558.
Thomason, William B., OF103913.
Travis, Richard T., OF105850.
Wagner, Kenneth J., OF103765.
Wearn, Joseph H., OF105581.
Welch, Melton J., Jr., OF105584.
Wheeling, James R., OF105587.
Williams, Reginald, OF103921.
Williams, Troy H., OF105874.
Zindel, Barry L., OF103516.

To be captains, Dental Corps

Alexander, Bassell, OF105604.
Dean, Richard J., OF106093.
Dowdy, Thomas S., OF105660.
Spano, Donald M., OF103909.
Ward, James P., OF105859.
Zehngraff, Paul E., OF105888.

To be captains, Veterinary Corps

Fairchild, David G., OF100265.
Fruin, John T., OF104421.
Shroyer, Emerson L., OF103036.
Sims, James E., OF103734.
Taylor, James F., OF100014.
Vandercook, Richard, OF100023.

To be captains, Medical Service Corps

Baker, George D., O91546.
Baker, Harlan H., Jr., O97035.
Barnes, Perry A., O96666.
Barnes, Walter, Jr., O90167.
Belcher, David R., O85879.
Bell, John H., OF102813.
Bennett, Winston R., O87475.
Black, Baxter F., III, O89321.
Braddock, Thomas E., O89185.
Brown, Wallace J., O94916.
Burn, Joseph J., Jr., O94572.
Carlson, Carl E., O89800.
Carnahan, Robert P., O94279.
Coleman, Jerry B., O92300.
Creighton, James P., OF100949.
Danhouser, David C., O88251.
De Los Santos, Carlos, Jr., O91574.
Delane, Charles E., O89888.
Derrickson, William, O93035.
Dixon, Richard N., O91811.
Dominguez, Roberto, OF102854.
Donehew, Gerald R., O99309.
Ellingson, Mayo K., O89474.
Elsarelli, Leon E., O95015.
Evans, Harold L., O95596.
Forrer, Dennis B., O89957.
Frate, Joseph A., O89331.
Fulton, Robert B., O89487.
Goodman, Dorris C., O88700.
Gorby, Richard J., OF105680.
Graydon, Donald M., O96329.
Greene, Frederick L., O90005.
Greenhalgh, Donald, O95026.
Grider, Donald A., O89064.
Hahn, Ruediger, O95030.
Hale, Arnold W., O91594.
Hamilton, John C., O90024.
Hansen, Louis J., O86221.
Harris, Cecil B., O90034.
Harris, Jon N., O86229.
Heggers, John P., O97129.
Heitzman, Lawrence, O94760.
Herber, William E., O92918.
Hill, Walter B., O89507.
Holcomb, Robert E., OF101183.
Houston, William E., O91701.
Howell, Lawrence C., O94469.
Iber, Peter K., OF101247.
Jessen, Gary C., O89228.
Jones, Ronald C., O92683.
Kearns, William J., O92684
Keller, Thomas E., O96994.
Kestner, James C., OF104466.
Lanier, Jack O., O94605.
Lassiter, Charles S., O89556.
Lingle, Kenneth C., O97321.
Lynch, George R., O97152.
Mallory, Lloyd M., O88426.
Malone, Richard L., OF102540.
Marchand, Francis W., O96852.
Marine, Wayne E., O95248.
McCurley, Robert L., O89359.
Meiers, Richard E., O91331.
Mendell, James M., O90290.
Merritt, Thomas E., O89258.
Miller, Roger C., O90306.
Osborne, Edward J., O90359.
Peacock, James L., O95080.
Pedersen, Edward R., O90377.
Penick, Norman D., O91973.
Phillips, Harry V., O97182.
Plaatsman, James P., O89370.
Pollock, Archie D., O86655.
Powell, Larry G., O90391.
Quillin, Robert M., O97630.
Rasmusson, James A., OF103715.
Reuter, Leroy H., O91499.
Roach, Roy S., O90428.
Sandleback, Eugene, O95095.
Schlaak, James R., O88915.
Schwindt, Philip C., OF104537.
Shannon, Sam Jr., O97258.
Sinnot, George W., O89608.
Soles, Elmer M., O97357.
Solomon, Richard C., O89385.
Stone, Leland M., O92256.
Summary, James J., O92128.
Thompson, George E., O90547.
Travis, Edward E., O92138.
Trumbla, Thomas E., O92028.
Turner, John W., Jr., O90562.
Vallandingham, James W., O89630.
Webb, Byron D., Jr., O91414.
Wergeland, David A., O92144.
Zell, Matthew N., OF100053.

To be captains, Army Nurse Corps

Christ, Nancy M., N3110.
Clifton, Mary R., N3064.
Condon, Kathleen T., N3202.
Dennis, Carmen R., N3084.
Garfall, Gloria M., N3114.
Glor, Beverly A. K., N3111.
Goodwin, Nancy C., N3085.
Heer, Edith J., N3131.
Hiers, Frances A., N3195.
Jims, Madeline P., N3119.
Kucha, Deloros H., N3043.
Mantooth, Jerry M., N3225.
Marsh, Carolyn J., N3093.
McCaffrey, Mary G., N3209.
McKenzie, Nancy J., N3107.
Nagelhout, Anna J., N3124.
Nolfe, Vera A., N3178.
Skinner, Fay J., N3120.
Sullivan, Barbara A., N3210.
Vineys, Eugenia A., N3062.

To be captains, Army Medical Specialist Corps

Boyd, Kattie A., R10183.
Lucas, Mary E., M10194.
Uemura, Norma M., J98.

WITHDRAWAL

Executive nomination withdrawn from the Senate October 11, 1966:

The nomination sent to the Senate on September 26, 1966, of David K. Burkhart to be postmaster at Del Mar in the State of California.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 11, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

God has not given us the spirit of fear; but of power, and of love, and of a sound mind.—II Timothy 1: 7.

Eternal God, our Father, who art the refuge of Thy people in every age and our strength in this present hour—make Thyself real to us as we bow humbly in Thy presence. Help us to recognize our dependence upon Thee, our constant need of Thy strength, Thy guidance, and Thy love. Give us to know that Thou art always with us and that with Thee we can be made ready for every responsibility and equal to every experience.

We pray for peace in our world, for good will among our people and for a faith in Thee which makes us strong, gives us courage and helps us on our upward way.

May Thy spirit touch each one of us with healing power. Kindle our faith, make sensitive our consciences, dedicate our strength, fortify us in our difficulties and send us out strong in Thee and in the power of Thy might. In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3104. An act to authorize the Secretary of the Interior to convey certain lands in Plumas County, Calif., to C. A. Lundy, and for other purposes;

H.R. 9520. An act to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael;

H.R. 14754. An act to authorize the Secretary of the Interior to reinstate a certain oil and gas lease; and

H.R. 16813. An act to transfer to the Atomic Energy Commission complete administrative control of approximately 78 acres of public domain land located in the Otowi section near Los Alamos County.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 14644. An act to amend the Higher Education Facilities Act of 1963 to extend it for 3 years, and for other purposes; and to authorize assistance to developing institutions for an additional year; and

H.R. 17637. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 14644) entitled "An act to amend the Higher Education Facilities Act of 1963 to extend it for 3 years, and other purposes; and to authorize assistance to developing institutions for an additional year," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MORSE, Mr. HILL, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. KENNEDY of New York, Mr. WILLIAMS of New Jersey, Mr. PROUTY, Mr. JAVITS, and Mr. DOMINICK to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17637) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. SYMINGTON (ex officio), and Mr. SALTONSTALL to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 3460. An act to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 84. An act to provide for reimbursement to the State of Wyoming for improvements made on certain lands in Sweetwater County, Wyo., if and when such lands revert to the United States; and

S. 2358. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands.

MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING JUNE 30, 1967, AND FOR OTHER PURPOSES

Mr. SIKES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 17637, an act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Florida? The Chair hears none, and appoints the following conferees: Messrs. SIKES, MCFALL, PATTEN, LONG of Maryland, MAHON, CEDERBERG, JONAS, and BOW.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 11, 1966.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 5:35 P.M. on October 10, 1966, and said to contain H.R. 7546, An Act for the relief of Gilmour C. MacDonald, colonel, United States Air Force (retired), and a veto message thereon.

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

VETO MESSAGE RE BILL FOR THE RELIEF OF GILMOUR C. MACDONALD, COLONEL, U.S. AIR FORCE, RETIRED (H. DOC. NO. 520)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I regret that I must return without my approval H.R. 7546, a bill "For the relief of Gilmour C. MacDonald, colonel, United States Air Force (retired)," which would, in part, confer upon the Court of Claims jurisdiction to render judgment upon an "equitable" claim.

The Acting Attorney General has advised me that this bill is unconstitutional. In his opinion, in the special sphere of private claims, "equitable" connotes what the Government should do as a matter of moral, as distinguished from legal, responsibility; as a constitutional court, the Court of Claims cannot receive and exercise such a jurisdiction, and the power to determine what the Government should do in such circumstances is legislative in nature and nondelegable.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 10, 1966.*

The SPEAKER. The objection of the President will be spread at large upon the Journal.

Mr. ASHMORE. Mr. Speaker, I move that the bill and message be referred to the Committee on the Judiciary, and ordered to be printed.

The motion was agreed to.

AUTHORIZING THE PRINTING OF THE REPORT ON INTERNATIONAL EDUCATION BY THE HOUSE EDUCATION AND LABOR COMMITTEE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up the resolution (H. Con. Res. 1007) authorizing the printing of a report on "International Education" by the House Education and Labor Committee, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 1007

Resolved by the House of Representatives (the Senate concurring), That the document entitled "International Education: Past, Present, Problems and Prospects," a report by the Task Force on International Education of the Committee on Education and Labor, House of Representatives, be printed as a House document and that an additional five thousand copies be printed for the use of the Committee on Education and Labor of the House of Representatives.

With the following committee amendment:

On line 6, strike out the word "five" and insert "seven".

The committee amendment was agreed to.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL HEARINGS AND OTHER MATERIALS BY THE COMMITTEE ON AGRICULTURE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up the resolution (H. Con. Res. 1017) to authorize the printing of additional hearings and other materials by the Committee on Agriculture, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 1017

Resolved by the House of Representatives (the Senate concurring), That there shall be printed an additional one thousand copies of the hearings of the Committee on Agriculture entitled "World War on Hunger" parts 1, 2, and 3, together with a committee print entitled "World War on Hunger—Staff Summary of Testimony Presented by Public Witnesses at Hearings on World Food and Population Problems." All of such copies shall be for the use of said committee.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING AS A HOUSE DOCUMENT THE PAMPHLET ENTITLED "OUR AMERICAN GOVERNMENT—WHAT IS IT? HOW DOES IT FUNCTION?"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up the resolution (H. Con. Res. 1022) to authorize the printing as a House document the pamphlet entitled "Our American Government—What Is It? How Does It Function?", and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. CON. RES. 1022

Resolved by the House of Representatives (the Senate concurring), That, (a) with permission of the copyright owner of the book "Our American Government—1001 Questions on How It Works", with answers by WRIGHT PATMAN, published by Scholastic Magazines, Incorporated, there shall be printed as a House document, with emendations, the pamphlet entitled "Our American Government. What Is It? How Does It Function?"; and that there shall be printed one million eighty-four thousand additional copies of such document, of which two hundred and six thousand copies shall be for the use of the Senate, and eight hundred and seventy-eight thousand copies shall be for the use of the House of Representatives.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PUBLIC PRINTER TO PRINT FOR AND DELIVER TO THE GENERAL SERVICES ADMINISTRATION AN ADDITIONAL COPY OF CERTAIN PUBLICATIONS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up the bill (S. 3809) to authorize the Public Printer to print for and deliver to the General Services Administration an additional copy of certain publications.

The Clerk read the title of the bill.

The Clerk read the Senate bill, as follows:

S. 3809

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Printing Act of January 12, 1895 (28 Stat. 601), as amended by the Act of June 17, 1935 (ch. 267, 49 Stat. 386; 44 U.S.C. 215a), is hereby amended by striking that portion of the first sentence preceding the colon and by inserting the following in lieu thereof: "There shall be printed and delivered by the Public Printer to the General Services Administration for official use, including use by the Presidential Library established for the President during whose term or terms the documents were issued, three copies each of the following publications which shall be chargeable to the Congress:". The Act is further amended by striking the word "two" where it appears in the last phrase of that portion of the first sentence following the colon and inserting in lieu thereof the word "three".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE CIVIL SERVICE RETIREMENT ACT TO PROVIDE INCLUSION OF PERIODS OF REEMPLOYMENT OF ANNUITANTS

Mr. DANIELS. Mr. Speaker, I ask unanimous consent for immediate consideration of the bill (S. 699) to amend the Civil Service Retirement Act so as to provide for inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of their surviving spouses, which was unanimously reported out by the Committee on Post Office and Civil Service, with amendments, and ask for its present consideration.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

S. 699

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13(b) of the Civil Service Retirement Act, as amended, is amended by striking out the third sentence and inserting in lieu thereof the following: "In the case of any annuitant who upon termination of employment is married to a wife or husband potentially entitled to annuity as surviving spouse by virtue of the annuitant's retirement, the benefit described in the proviso shall be reduced by 10 per centum and such wife or husband shall be paid an annuity equal to 55 per centum of such benefit commencing and terminating at the same times as the survivor annuity payable by virtue of the annuitant's retirement, unless at time of claiming the benefit under the proviso the annuitant notifies the Commission in writing that he or she does not desire the wife or husband to receive such annuity."

SEC. 2. The amendments made by this Act shall apply only with respect to reemployed annuitants whose periods of reemployment expire on or after the date of enactment of this Act.

SEC. 3. The provisions under the heading "Civil Service Retirement and Disability Fund" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85-844), shall not apply with respect to benefits resulting from the enactment of this Act.

The **SPEAKER.** The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That section 8344(a) of title 5, United States Code, is amended by striking out the last sentence and inserting in lieu thereof the following: 'If an annuitant on termination of employment is married to a spouse potentially entitled to annuity as surviving spouse by virtue of the retirement of the annuitant, the benefit described in the second sentence of this subsection is reduced by 10 per centum and the spouse is entitled to an annuity equal to 55 per centum of that benefit commencing and terminating at the same times as the survivor annuity payable by virtue of the retirement of the annuitant, unless the annuitant notifies the Civil Service Commission in writing, at the time of claiming that benefit, that he does not desire his spouse to receive this annuity.'."

"SEC. 2. The amendment made by the first section of this Act applies only with respect to reemployed annuitants whose periods of reemployment expire on or after the date of enactment of this Act.

"SEC. 3. For the purposes of section 18(b) of the Civil Service Retirement Act as enacted by the Act of September 27, 1965 (79 Stat. 840; Public Law 89-205), and section 1101(b) of the Postal Service and Federal Employees Salary Act of 1962 (76 Stat. 868; Public Law 87-793), the annuity of each congressional employee and each Member whose annuity commences between December 31, 1966, and February 1, 1967, both dates inclusive, shall be increased from its commencing date as if the commencing date of such annuity were December 31, 1966.

"SEC. 4. Section 8348(g) of title 5, United States Code, does not apply with respect to benefits resulting from the enactment of this Act."

AMENDMENT OFFERED BY MR. DANIELS

Mr. DANIELS. Mr. Speaker, I offer an amendment, which is technical and simply to make a correction.

The Clerk read as follows:

Amendment offered by Mr. DANIELS: On page 3, line 1, strike out the word "second" and insert in lieu thereof the word "fourth".

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An Act to amend title 5, United States Code, to provide for inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of their surviving spouses, and for other purposes."

A motion to reconsider was laid on the table.

PERMISSION TO SIT DURING GENERAL DEBATE TODAY—COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. CLARK. Mr. Speaker, I ask unanimous consent that the Committee on

Merchant Marine and Fisheries may sit this afternoon at 2 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, has this been cleared with the ranking minority member of the committee?

Mr. CLARK. Yes.

Mr. GERALD R. FORD. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

DEPARTMENT OF TRANSPORTATION ACT

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill, H.R. 15963.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PROVIDING REPORTING OF CONGRESSIONAL REFERENCE CASES BY COMMISSIONERS, U.S. COURT OF CLAIMS

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill, H.R. 1665, to amend title 28, entitled "Judiciary and judicial procedure of the United States Code to provide for the reporting of congressional reference cases by commissioners of the U.S. Court of Claims," together with the Senate amendments thereto.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

"That section 1492 of title 28, United States Code, is amended to read as follows:

"'§ 2509. Congressional reference cases

"'Any bill, except a bill for a pension, may be referred by either House of Congress to the chief commissioner of the Court of Claims for a report in conformity with section 2509 of this title.'

"SEC. 2. Section 2509 of title 28, United States Code, is amended to read as follows:

"'§2509. Congressional reference cases

"'(a) Whenever a bill, except a bill for a pension, is referred by either House of Congress to the chief commissioner of the Court of Claims pursuant to the section 1492 of this title, the chief commissioner shall designate a trial commissioner for the case and a panel of three commissioners of the court to serve as a reviewing body. One member of the review panel shall be designated as presiding commissioner of the panel.

"'(b) Proceedings in a congressional reference case shall be under rules and regulations prescribed for the purpose by the chief commissioner who is hereby authorized and directed to require the application of the pertinent rules of practice of the Court of Claims insofar as feasible. Each trial commissioner and each review panel shall have authority to do and perform any acts which may be necessary or proper for the efficient performance of their duties, including the power of subpena and the power to administer oaths and affirmations. None of the rules, rulings, findings, or conclusions authorized by this section shall be subject to judicial review.

"'(c) The trial commissioner to whom a congressional reference case is assigned by the chief commissioner shall proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitation should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of fact conclusions sufficient to inform Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

"'(d) The findings and conclusions of the trial commissioner shall be submitted by him, together with the record in the case, to the review panel of commissioners for review by it pursuant to such rules as may be provided for the purpose, which shall include provision for submitting the report of the trial commissioner to the parties for consideration, exception, and argument before the panel. The panel, by majority vote, shall adopt or modify the findings or the conclusions of the trial commissioner.

"'(e) The panel shall submit its report to the chief commissioner for transmission to the appropriate House of Congress.

"'(f) Any act or failure to act or other conduct by a party, a witness, or an attorney which would call for the imposition of sanctions under the rules of practice of the Court of Claims shall be noted by the panel or the trial commissioner at the time of occurrence thereof and upon failure of the delinquent or offending party, witness, or attorney to make prompt compliance with the order of the panel or the trial commissioner a full statement of the circumstances shall be incorporated in the report of the panel.

"'(g) The Court of Claims is hereby authorized and directed, under such regulations as it may prescribe, to provide the facilities and services to the office of the clerk of the court for the filing, processing, hearing, and dispatch of congressional reference cases and to include within its annual appropriations the costs thereof and other costs of administration, including (but without limitation to the items herein listed) the salaries and traveling expenses of the commissioners serving as trial commissioners and panel members, mailing and service of process, necessary physical facilities, equipment, and supplies, and personnel (including secretaries and law clerks).'

"SEC. 3. Section 792(a) of title 28, United States Code, is amended by adding at the end thereof the following new sentence: 'The Court shall designate one of the commissioners to serve at the will of the court as chief commissioner.'"

Amend the title so as to read: "An Act to amend title 28, entitled 'Judiciary and Judicial Procedure', of the United States Code to provide for the reporting of congressional reference cases by commissioners of the United States Court of Claims."

Mr. ASHMORE. Mr. Speaker, I offer an amendment to the Senate amendment.

The Clerk read as follows:

Mr. ASHMORE moves to concur in the Senate amendment with an amendment as follows: In section 1 of the amendment of the Senate, strike out "S. 2509" and insert "S. 1492".

The amendment to the Senate amendment was agreed to.

The Senate amendment as amended was agreed to.

A motion to reconsider was laid on the table.

DUTY TREATMENT OF BAGPIPES

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 1035) to amend the Tariff Act of 1930 to provide that bagpipes and parts thereof shall be admitted free of duty, which was reported unanimously by the committee with amendments, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. CURTIS. Mr. Speaker, reserving the right to object, and I shall not object, I should like to ask the gentleman from Arkansas briefly to explain the bill.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, the purpose of the pending bill, which was introduced by our colleague, the Honorable CHARLES S. GUBSER, of California, is to amend the Tariff Schedules of the United States to make duty free the importation of bagpipes and parts thereof.

The bagpipe, a reed musical instrument of great antiquity, has become increasingly popular in the United States in recent years, with numerous bagpipe bands having been organized in various parts of the country. The Committee on Ways and Means was advised that there is no known commercial production of bagpipes in the United States, and all the departmental reports received by the committee on H.R. 1035 were favorable.

The committee is unanimous in recommending enactment of the bill.

Mr. CURTIS. Mr. Speaker, I withdraw my reservation of objection.

Mr. DUNCAN of Oregon. Mr. Speaker, we know man does not live by bread alone. We know that through his history man has sought to interpret surroundings and to express these insights and feelings. There is a bit of the artist in all of us. The Muses appeal to us in varying degrees. Of all the arts, the one with broadest appeal down through the ages is music. One of the oldest instruments is the bagpipe. Its lineage may be traced back into the first century, B.C. There is an apparent reference to pipers in the plays of Aristophanes.

Scholarly music books tell us there is no inhabited continent where the bagpipe is not played—whether by those of

Scottish descent or by native musicians irresistibly attracted by its frankly primitive musical character.

Bagpipes may be identified in the paintings of Hogarth and the junior Brueghel. And Queen Victoria's armies marched more smartly because of the sonority of the bagpipe and the pomp of its players. A famous account of D-day, June 1944, when the allied invasion of Normandy was launched, tells of bagpipers marching ashore at the head of a Scottish regiment into the face of enemy fire. Indeed it has been referred to as an instrument of war from time to time instead of a musical instrument.

And just recently I read about the physician in England who prescribed strengthening exercises by blowing on a bagpipe for a patient with a lung ailment. So there are therapeutic as well as cultural benefits attached to the bagpipe.

Now, of course, there are always scoffers. Old Samuel Johnson scoffed at things Scottish. Modern detractors of today may scoff. There is, I am told, in a certain land just south of Scotland, a misguided definition of a gentleman—"a person who knows how to play a bagpipe but doesn't." Well, we Scottish have borne much abuse in respect to the bagpipe, Mr. Speaker, but it is a thrifty instrument and plays a bonnie tune. I do not believe, for example, that I have campaigned for the Senate without being accompanied on most days by my piper friend in Portland, Phil Gray.

It is with this introduction that I rise to support H.R. 1035 that would remove import duties on bagpipes which, I am assured, are not manufactured within the United States. Lifting of the duties would provide the widest possible circulation of the bagpipe to all our advantages. The 89th Congress is moving toward its final days, Mr. Speaker, and what better evidence of our receptiveness to creating the Great Society in all its aspects than to approve this musical measure.

Mr. IRWIN. Mr. Speaker, I have checked with Mr. Shewmaker regarding possible importation of bagpipes from behind the Iron Curtain.

Separate statistics are not available with respect to bagpipes, as they are classified in a "basket clause" along with all other woodwinds—except for clarinets and saxophones. However, Mr. Shewmaker checked the statistics available and said that importations of any woodwinds that could include bagpipes from Communist-controlled countries has been negligible, and, of course, there is nothing to indicate that this negligible amount did actually include any bagpipes.

Mr. FASCELL. Mr. Speaker, I fully support this legislation which would remove the tariff on bagpipes. At present, the rate on imported bagpipes is 15 percent ad valorem. Inasmuch as bagpipes are not produced in the United States in commercial volume, this puts an unfair burden on bagpipe players in this country.

The bagpipe is a very ancient instrument, said to have been introduced by the Romans in England. From England the instrument was introduced in Ireland and Scotland. In both of these countries the instrument is still popular and, with the large number of Scottish and Irish immigrants in the United States, there are numerous bagpipe bands on this side of the Atlantic. The truth of the matter is that in recent years, with an increase in leisure time, more and more bagpipe bands have been organized. One of the better Scottish bagpipe bands is in Miami, Fla., under the outstanding leadership of Scotty Draper.

However, the increased interest in bagpiping has not been limited to those of Irish and Scottish ancestry; indeed, as a case in point, I should like to bring to your attention the exploits of a Jewish friend of mine, Mr. Wyn Samuels, who became interested in playing the bagpipes and performing with a band.

Not only did Wyn Samuels become interested in the bagpipes but he also learned to play the pipes under the tutelage of Pipe Major Scotty Draper. As Mike Morgan of the Miami Herald pointedly remarked in one of his articles:

> Wyn did a lot of do-it-yourself instruction with a book entitled "The Highland Bagpipe Tutor."

Not easily discouraged, Mike notes:

> Wyn persisted and finally passed the test laid down by the pipe major. He was able to play the five tunes, all of different tempos, which made him eligible to join the band and get his piper's badge and kilts—Royal Stuart tartan. The tunes were "Scots Sha Hae Wie," "Brown-Haired Maiden," "Barren Rocks of Aden," "Scotland the Brave," and "Bonnie Dundee." Since then he has added extensively to his repertoire. "What's the hardest thing about the pipe," I asked, "besides developing the lung capacity?" "It's the marching and playing. There you are pumping and squeezing and blowing and marching in step. Lots of pipers can play well standing still, but aren't worth a puff if they have to march."

Mr. Speaker, from personal experience I can verify that Wyn Samuels has mastered the art of bagpipe playing. The Scotty Draper Band has performed for the entertainment and enjoyment of all.

A recent performance by Scotty Draper and his kilted bagpipers was rather unique because one of the band members was a Jewish piper in a Scottish band playing "The Wearing of the Green" at a picnic for an American of Italian extraction where American hot dogs with English mustard and a Greek salad were the feature of the day's menu.

If the bagpipes are responsible for this important step in the direction of mutual understanding and brotherhood, I believe that barriers to further enjoyment of them should be removed. Furthermore bagpipes are not manufactured in the United States, so that removal of the tariff, while adding to the possibility of enjoyment of that blood-stirring music of the kind which can only come from well-played bagpipes, will not cause economic harm to any American.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the bill, as follows:

H.R. 1035

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 359, Aug. 17, 1963) is amended by striking out item 725.24 and inserting in lieu thereof the following:
>
> | | | | |
> |---|---|---|---|
> | “ | Wood-wind instruments: | | |
> | 725.24 | Bagpipes | Free | Free |
> | 725.25 | Other | 15% ad val. | 40% ad val.” |
>
> (b) Title I of such Act (Tariff Schedules of the United States; 28 F.R., part II, page 360, Aug. 17, 1963) is amended by striking out item 726.70 and inserting in lieu thereof the following:
>
> | | | | |
> |---|---|---|---|
> | “ | Parts of wood wind instruments: | | |
> | 726.70 | Parts of bagpipes | Free | Free |
> | 726.72 | Other | 15% ad val. | 40% ad val.” |
>
> SEC. 2. The amendments made by the first section of this Act shall apply only with respect to articles which are entered, or withdrawn from warehouse, for consumption, on or after the date of the enactment of this Act.

With the following committee amendment:

> Page 2, immediately after line 2, strike out—
>
> | | | | |
> |---|---|---|---|
> | “ | Woodwind instruments: | | |
> | 725.24 | Bagpipes | Free | Free |
> | 725.25 | Other | 15% ad val. | 40% ad val.” |
>
> and insert in lieu thereof the following:
>
> | | | | |
> |---|---|---|---|
> | “ | Woodwind instruments: | | |
> | 725.24 | Bagpipes | Free | Free |
> | 725.25 | Other | 15% ad val. | 40% ad val.” |

AMENDMENT OFFERED BY MR. MILLS

Mr. MILLS. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

> Amendment offered by Mr. MILLS: On page 2, after line 2, strike out "Free" in the last column and insert: "40% ad val."
>
> On page 2, after line 6, strike out "Free" in the last column and insert: "40% ad val."

Mr. MILLS. Mr. Speaker, the amendment to the committee amendment restores the column 2 rate which, in drafting, was inadvertently eliminated by the original reported bill. This has been corrected by the committee and is the matter which is involved in the amendment to the committee amendment.

The SPEAKER. The question is on the amendment of the gentleman from Arkansas to the committee amendment.

The amendment to the amendment was agreed to.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INCOME TAX TREATMENT OF CERTAIN STRADDLE TRANSACTIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill H.R. 11765 to amend section 1234 of the Internal Revenue Code of 1954, which was reported to the House unanimously by the Committee on Ways and Means, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. CURTIS. Mr. Speaker, reserving the right to object, and I shall not, I should like to ask the chairman of the committee to explain briefly the bill.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, this bill, H.R. 11765, is intended to permit the netting of gains and losses resulting from the granting of certain types of options to buy and sell corporate stock.

The transactions I have referred to in stock market parlance are known as "straddles." Briefly, a straddle is a combination of an option to buy and an option to sell the same quantity of a security at the same price during the same period of time. The option to buy is known as a "call." The option to sell is known as a "put." Typically, the combination—the straddle—is written by a person who owns the stock and does not believe that it is likely to fluctuate in value very much over the long run. The inducement to write the straddle is the receipt of a premium for it. A straddle is sold by the writer to a dealer, who then normally separates out the component options and sells the put—the option to sell to the writer—to one investor and the call—the option to purchase from the writer—to another investor. Normally, if the market in that security moves upward, the call is exercised and the put option is allowed to lapse. If the market in that security moves downward, then the put is apt to be exercised and the call allowed to lapse. Sometimes—generally about 10 to 15 percent of the time—the movement in the stock is so slight that neither option holder exercises his option. Rarely—less than 1 percent of the time—the stock fluctuates so much that both component options are exercised. This bill is intended to have its primary effect in the overwhelming majority of the cases—where one component option is exercised and the other is not.

Under the 1939 Internal Revenue Code and under the 1954 code until January 1965, it was the usual practice for the writer of a straddle to treat the entire premium as either an increase in the amount received for the stock when the call was exercised, or as a decrease in the writer's cost of the stock when the put was exercised. As a result, the premium merely increased a capital gain or decreased a capital loss.

Under a ruling issued in January in 1965, the Internal Revenue Service has been requiring the writer of a straddle to apportion his premium between the put option and the call option. That part of the premium allocated to the option that ultimately is exercised would continue, as in the past, to either increase the writer's capital gain or decrease his capital loss. The part of the premium allocated to the option that ultimately lapses is treated as ordinary income. Consequently, a single straddle transaction now might well result in the writer realizing both ordinary income and a capital loss. Since net capital losses can be used to offset ordinary income only to the extent of $1,000 a year, a writer's straddles transactions may well result in both ordinary income and capital losses which could not be netted against each other.

Straddles are viewed by those who write them as giving rise to a single transaction. This seems to be borne out by the facts in these cases, for example, the premium received by the writer of the straddle is less than the premium received by the writer of an option to buy plus a completely separate option to sell. Also, the stock exchange company that endorses the option—guarantees that it will be honored if it is exercised—will require considerably less collateral from the writer of a straddle than it will from the writer of a separate option to buy and a separate option to sell.

Because of this combination of characteristics, the Ways and Means Committee concluded that some method ought to be found to permit the gains and losses resulting from the straddle transactions to be netted against each other.

This bill permits just such netting by treating the option lapse income in these cases as short-term capital gains. Since all the gains and losses from a straddle would be capital gains and losses, they could be netted gainst each other. However, any net profits would normally result in short-term capital gains, and would be taxed generally as ordinary income.

The problem giving rise to this bill was examined by the staff of the Joint Committee on Internal Revenue Taxation at the request of former Senator Harry F. Byrd and myself, in our capacities as vice chairman and chairman last year of the joint committee. The requested study was announced in a press release dated January 27, 1965. This staff has consulted with Treasury staff on this bill. This bill, reported unanimously by the Ways and Means Committee, is consistent with the suggestions of the joint committee staff; and the Treasury does not object to the bill.

The joint committee staff report on this bill stated:

> Since Rev. Rul. 65–31 applies only to transactions entered into after January 25, 1965, and since the staff study of the problems arising out of the ruling began at about that time, it is suggested that any legislation along the lines suggested probably should apply to straddles written after January 25, 1965. This will minimize the number of changes in applicable law.

This bill specifically adopts that suggestion.

This bill is not expected to have any appreciable effect on revenues. However, this bill will bring the tax laws into greater conformity with the economic considerations that move people to write straddles and buy options. It will remedy an unfair quirk in the tax laws. It should be adopted.

Mr. CURTIS. Mr. Speaker, I thank the gentleman. I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1234 of the Internal Revenue Code of 1954, relating to options, is amended as follows:

Subsection (c) is redesignated as subsection (d) and the following new subsection (c) is added at the end of subsection (b).

"(c) SPECIAL RULE FOR CREATORS OF STRADDLE.—

"(1) GAIN ON LAPSE.—In the case of gain on lapse of an option that was granted as part of a straddle (as defined in paragraph 2), the gain shall be deemed to be gain from the sale or exchange of a capital asset held for less than six months on the day that the option expires.

"(2) DEFINITIONS.—

"(A) For purposes of this section a 'straddle' is defined as a combination of an option to buy and an option to sell, giving the holder the right to both buy and sell a specified quantity of a security at a fixed price for a stated period of time.

"(B) For purposes of this paragraph 'security' shall not include contracts to buy or sell commodities.

"(3) EXCLUSION OF DEALERS.—This subsection shall not apply to any person who holds securities for sale to customers in the ordinary course of his trade or business."

EFFECTIVE DATE

SEC. 2. This Act shall apply to options granted after January 25, 1965.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That section 1234 of the Internal Revenue Code of 1954 (relating to options) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

" '(c) SPECIAL RULE FOR GRANTORS OF STRADDLES.—

" '(1) GAIN ON LAPSE.—In the case of gain on lapse of an option granted by the taxpayer as part of a straddle, the gain shall be deemed to be gain from the sale or exchange of a capital asset held for not more than 6 months on the day that the option expired.

" '(2) EXCLUSION OF DEALERS.—This subsection shall not apply to any person who holds securities for sale to customers in the ordinary course of his trade or business.

"'(3) DEFINITIONS.—For purposes of this subsection—

"'(A) The term "straddle" means a simultaneously granted combination of an option to buy, and an option to sell, the same quantity of a security at the same price during the same period of time.

"'(B) The term "security" has the meaning assigned to such term by section 1236(c).'

"SEC. 2. The amendments made by the first section of this Act shall apply to straddle transactions entered into after January 25, 1965, in taxable years ending after such date."

Mr. MILLS (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 348]

Albert
Andrews, Glenn
Ashley
Aspinall
Bandstra
Brooks
Broyhill, Va.
Callaway
Celler
Cleveland
Clevenger
Collier
Conte
Conyers
Cooley
Corman
Craley
Culver
Davis, Ga.
Devine
Dickinson
Diggs
Dingell
Dorn
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Evans, Colo.
Feighan
Fisher
Flynt
Foley
Frelinghuysen
Fulton, Tenn.
Fuqua
Gilligan
Gross
Hagan, Ga.
Hansen, Iowa
Harvey, Ind.
Hicks
Holifield
Huot
Jennings
Jones, Ala.
Keith
Long, La.
Love
McDowell
McVicker
Martin, Ala.
Martin, Mass.
Matsunaga
Moorhead
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Ottinger
Powell
Purcell
Reinecke
Rivers, Alaska
Rogers, Tex.
Roncalio
St Germain
Schmidhauser
Scott
Steed
Stephens
Stratton
Taylor
Teague, Tex.
Thompson, Tex.
Toll
Trimble
Tuten
Vigorito
Walker, Miss.
White, Idaho
Whitten
Wolff

The SPEAKER. On this rollcall 343 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CLEAN AIR ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes, together with House amendments, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, JARMAN, O'BRIEN, ROGERS of Florida, SPRINGER, and NELSEN.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1967

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2215)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15941) "making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes." having met, after a further full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 15, 16, 18, 19, 25, 26, and 31.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 12, 20, 22, 23, 28, 30, 32, and 33; and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,943,100,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,017,300,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$24,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 10, 13, 24, and 27.

GEORGE MAHON,
ROBERT L. F. SIKES,
JAMIE L. WHITTEN,
GEO. W. ANDREWS,
DANIEL J. FLOOD,
GLENARD P. LIPSCOMB (except amendments Nos. 1, 2, 3, and 4),
MELVIN R. LAIRD (except amendments Nos. 1, 2, 3, 4, and 5),
WILLIAM E. MINSHALL (except amendments Nos. 1, 2, 3, 4, and 5),
FRANK T. BOW,
Managers on the Part of the House.

RICHARD B. RUSSELL,
LISTER HILL,
JOHN L. MCCLELLAN,
ALLEN J. ELLENDER,
JOHN STENNIS,
STUART SYMINGTON,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on the amendments of the Senate in the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

(Except as to amendments nos. 5 and 24 the following statement of action recommended on Senate amendments is identical to that set forth in H. Report 1886, dated August 24, 1966.)

TITLE I—MILITARY PERSONNEL

Military personnel, Army

Amendment No. 1: Appropriates $6,164,400,000 as proposed by the Senate instead of $6,429,400,000 as proposed by the House.

Military personnel, Navy

Amendment No. 2: Appropriates $3,652,100,000 as proposed by the Senate instead of $3,736,100,000 as proposed by the House.

Military personnel, Marine Corps

Amendment No. 3: Appropriates $1,183,200,000 as proposed by the Senate instead of $1,214,200,000 as proposed by the House.

Military personnel, Air Force

Amendment No. 4: Appropriates $5,015,800,000 as proposed by the Senate instead of $5,204,800,000 as proposed by the House.

Reserve personnel, Army

Amendment No. 5: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment. The amendment of the Senate as amended will read:

"*Provided further*, That—

"(a) Notwithstanding any other provision of law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who—

"(1) is not assigned to, or participating satisfactorily in, a unit in the Selected Reserve, and

"(2) has not fulfilled his statutory reserve obligation, and

"(3) has not served on active duty or active duty for training for a total of twenty-four months.

"(b) Notwithstanding the provisions of any other law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who had become a member of a reserve component prior to July 1, 1966; and who

"(1) has not served on active duty or active duty for training for a period of one hundred and twenty days or more, and

"(2) has not fulfilled his statutory reserve military obligation.

"(c) A member ordered to active duty under this section may be required to serve on active duty until his total service on active duty or active duty for training equals twenty-four months. If the enlistment or period of military service of a member of the Ready Reserve ordered to active duty under subsections (a) or (b) of this section would expire before he has served the required period of active duty prescribed herein, his enlistment or period of military service may be extended until that service on active duty has been completed.

"(d) In order to achieve fair treatment as between members in the Ready Reserve who are being considered for active duty under this section, appropriate consideration shall be given to—

"(1) family responsibilities; and

"(2) employment necessary to maintain the national health, safety, or interest.

"(e) Notwithstanding any other provision of law, until June 30, 1968, the President may, when he deems it necessary, order to active duty any unit of the Ready Reserve of an armed force for a period of not to exceed twenty-four months."

Reserve personnel, Navy

Amendment No. 6: Appropriates $112,600,000 as proposed by the Senate instead of $111,900,000 as proposed by the House.

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army

Amendment No. 7: Appropriates $5,122,427,000 as proposed by the Senate instead of $5,132,200,000 as proposed by the House.

Operation and maintenance, Navy

Amendment No. 8: Appropriates $3,980,300,000 as proposed by the Senate instead of $3,982,900,000 as proposed by the House.

Operation and maintenance, Air Force

Amendment No. 9: Appropriates $4,943,100,000 instead of $4,948,600,000 as proposed by the House and $4,937,100,000 as proposed by the Senate. It is the intent of the conferees that the $6,000,000 addition to the amount proposed by the Senate be used to keep the total current active number of B-52 aircraft in operation through June 30, 1967, as proposed by the House.

Operation and Maintenance, Defense Agencies

Amendment No. 10: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment to appropriate $806,500,000 instead of $808,100,000 as proposed by the House and $806,900,000 as proposed by the Senate. The conferees agreed that only $1,600,000 shall be available for management studies.

Operation and maintenance, Air National Guard

Amendment No. 11: Not in conference. The House in earlier action agreed to the Senate amendment providing language requiring the retention of the present twenty-five airlift squadrons.

TITLE III—PROCUREMENT

Procurement of equipment and missiles, Army

Amendment No. 12: Appropriates $3,483,300,000 as proposed by the Senate instead of $3,484,500,000 as proposed by the House.

Procurement of aircraft and missiles, Navy

Amendment No. 13: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment providing that no part of the funds in this bill shall be available for the procurement of F-111B aircraft, with an amendment which will permit advance procurement of equipment, the total cost of which shall not exceed $7,800,000.

Shipbuilding and conversion, Navy

Amendment No. 14: Appropriates $1,756,700,000 as proposed by the House instead of $1,909,700,000 as proposed by the Senate.

Amendment Nos. 15 and 16: Delete language proposed by the Senate to provide that, of the funds appropriated under this heading, $130,500,000 would be available only for the construction of a nuclear powered guided missile frigate and $20,000,000 would be available only for the procurement of long leadtime items for an additional nuclear powered guided missile frigate.

Aircraft procurement, Air Force

Amendment No. 17: Appropriates $4,017,300,000 instead of $4,032,300,000 as proposed by the House and $3,992,300,000 as proposed by the Senate. The committee of conference in agreeing to this sum has approved the amount of $55,000,000 for the F-12 aircraft program, as proposed by the House, and have agreed to the reduction of $15,000,000 in the A-7 aircraft program as proposed by the Senate.

Amendments Nos. 18 and 19: Delete language proposed by the Senate that, of the funds appropriated under this heading, $30,000,000 would be available only for the F-12 aircraft program and $16,000,000 would be available only for the procurement of CX-2 (aeromedical transport) aircraft.

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research, development, test and evaluation, Navy

Amendment No. 20: Appropriates $1,758,600,000 as proposed by the Senate instead of $1,753,600,000 as proposed by the House. The $10,000,000 provided above the budgeted amount is the sum of an increase of $7,500,000 for antisubmarine warfare development and an increase of $2,500,000 for the deep submergence systems project.

Amendment No. 21: Makes the total amount of $24,000,000 provided for the deep submergence systems project, including the $21,500,000 budgeted and the $2,500,000 increase, available only for the deep submergence systems project instead of $26,500,000 as proposed by the House and $21,500,000 as proposed by the Senate.

Research, development, test, and evaluation, Air Force

Amendment No. 22: Appropriates $3,112,600,000 as proposed by the Senate instead of $3,062,600,000 as proposed by the House. The $50,000,000 increase is for the Manned Orbiting Laboratory program.

Amendment No. 23: Provides that the total sum of $200,000,000 provided for the Manned Orbiting Laboratory program, including the $150,000,000 budgeted and the $50,000,000 added, shall be available only for the Manned Orbiting Laboratory program as proposed by the Senate.

TITLE VI—GENERAL PROVISIONS

Amendment No. 24: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide a per-pupil limitation of $490 for the dependents overseas education program. The amendment will include language preserving pay rates in effect on June 30, 1966.

Amendment No. 25: Strikes language proposed by Senate relating to purchase of milk.

Amendment No. 26: Restores monthly reporting requirement as contained in House bill relating to use of section 612 authorities.

Amendment No. 27: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide quarterly reports to Congress on the use of deficiency authorities contained in section 3732 of the Revised Statutes.

Amendment No. 28: Strikes language proposed by House providing differing allowances for the shipment of household goods for differing pay grades leaving a single maximum allowance of 13,500 pounds as proposed by the Senate.

Amendment No. 29: Not in conference. The House in earlier action had agreed to the Senate amendment permitting appropriations to be used for the purchase of house trailers solely for the purpose of relieving unusual individual losses occasioned by the relocation of personnel from installations in France.

Amendment No. 30: Provides limitation of $11,746,000 as proposed by Senate instead of $12,647,300 as proposed by House on funds available for the hire of motor vehicles.

Amendment No. 31: Strikes language proposed by the Senate and restores House language concerning research grant costs.

Amendment No. 32: Inserts language as proposed by Senate providing that none of the funds shall be available for expenses of the special training enlistment program.

Amendment No. 33: Changes section number.

George Mahon,
Robert L. F. Sikes,
Jamie L. Whitten,
Geo. W. Andrews,
Daniel J. Flood,
Glenard P. Lipscomb (except amendments Nos. 1, 2, 3, and 4),
Melvin R. Laird (except as to 1, 2, 3, 4, and 5),
William E. Minshall (except as to 1, 2, 3, 4, and 5),
Frank T. Bow,
Managers on the Part of the House.

Mr. MAHON. Mr. Speaker, we have before us a second conference report on the Defense Department appropriation bill. The first conference report was before us August 25 last in identically the same form it is before us today and a full discussion, together with tabulations of the appropriations, appears in the Record of that date.

We had a rollcall vote on the conference report at that time, and it was approved by a vote of 383 to 1. Therefore, I do not believe further discussion is necessary and I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5, on page 3, after line 22, insert the following: *"Provided further,* That notwithstanding any other provision of law, until June 30, 1968, the President may order any member in the Ready Reserve of an armed force, who has not served on active duty other than for training, to active duty for not more than twenty-four consecutive months less the number of months such member has previously served on active duty for training: *Provided further,* That in order to achieve fair treatment as between members in the Ready Reserve who are being considered for active duty under this section consideration shall be given to—

"(a) family responsibilities; and

"(b) employment necessary to maintain the national health, safety, or interest."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 5 and concur therein with an amendment, as follows: In lieu of the matter proposed insert:

"Provided further, That—

"(a) Notwithstanding any other provision of law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who—

"(1) is not assigned to, or participating satisfactorily in, a unit in the Selected Reserve, and

"(2) has not fulfilled his statutory reserve obligation, and

"(3) has not served on active duty or active duty for training for a total of twenty-four months.

"(b) Notwithstanding the provisions of any other law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who had become a member of a reserve component prior to July 1, 1966; and who—

"(1) has not served on active duty or active duty for training for a period of one hundred and twenty days or more, and

"(2) has not fulfilled his statutory reserve military obligation.

"(c) A member ordered to active duty under this section may be required to serve on active duty until his total service on active duty or active duty for training equals twenty-four months. If the enlistment or period of military service of a member of the Ready Reserve ordered to active duty under subsections (a) or (b) of this section would expire before he has served the required period of active duty prescribed herein, his enlistment or period of military service may be extended until that service on active duty has been completed.

"(d) In order to achieve fair treatment as between members in the Ready Reserve who are being considered for active duty under this section, appropriate consideration shall be given to—

"(1) family responsibilities; and

"(2) employment necessary to maintain the national health, safety, or interest.

"(e) Notwithstanding any other provision of law, until June 30, 1968, the President may, when he deems it necessary, order to active duty any unit of the Ready Reserve of an armed force for a period of not to exceed twenty-four months."

Mr. MAHON. Mr. Speaker, it will be recalled that on August 25 the House had before it the conference report on the Defense Department appropriation bill. At that time, an amendment in technical disagreement was considered by the House, was rejected, which would have authorized the calling up of certain individual members of the Reserves. That proposal, as I said, was rejected by the House.

We have since met in a further conference with the other body, and an agreement has been worked out. We present to you now a substitute for the proposal which was rejected by the House on August 25.

The vehicle which made it possible for this agreement to be reached with the other body was the so-called Reserve bill of rights (H.R. 17195) which was passed by the House on September 21 of this year by a vote of 322 to 6.

The conferees on the Defense appropriation bill took the portions of the bill to which reference has been made and wrote them into an amendment which has been read by the Clerk. This amendment substantially gives the President the right to call up reservists under certain circumstances. If they are in units, they cannot be called up unless the whole unit is called up. Individuals who are not assigned to units can be called up if they have not performed a certain service heretofore.

This is a compromise arrangement worked out in conference. It is not perfect, but it is the best agreement we could reach. This Congress is almost ready to adjourn and the funds needed by the Department of Defense must be appropriated. I would like to think of it as an interim settlement of this problem.

The House, as will be remembered, passed the Reserve bill of rights bill on September 21. It went to the other body and it developed, in our conference with the other body, that the Members did not have the time to conduct the detailed review needed to complete action on that bill, which was handled by Mr. HÉBERT of the Committee on Armed Services, as you know, when it was on the House floor. However, we were given assurances by the other body that early next year the whole matter of Reserve legislation would be brought before the Committee on Armed Services of the other body and an effort would be made to work out substantive legislation dealing with this subject.

So, Mr. Speaker, this is substantially the agreement that was reached in conference. Its effect is to provide a permissive authority. We are not advocating that any reservists be called up, or that any reservists not be called up. We are giving the option to the executive branch to call up reservists under certain circumstances as are set forth in the amendment which has been read here. In taking this action, the Congress will not be in the position of stating that the Reserves should be called up or should not be called up. Our position is that the President should be able to call up the Reserves quickly if it becomes necessary to do so. The amendment is permissive in effect.

Now, Mr. Speaker, I yield to the distinguished gentleman from Louisiana [Mr. HÉBERT] such time as he may require.

Mr. HÉBERT. Mr. Speaker, this matter is perhaps one of the most important matters to come before the House. Those of us who have been personally involved with the members of the Committee on Appropriations, headed by the distinguished gentleman from Texas [Mr. MAHON] have worked very diligently and very hard on it. I do not rise to object to this amendment, but, Mr. Speaker, I only rise to ask certain questions in order to make the legislative history positive and definite in this connection. In order that there be no misunderstanding as to exactly what we direct our remarks to, I have reduced to writing four or five questions, Mr. Speaker, which I shall ask in order and then ask the distinguished gentleman from Texas to reply so that we may have a very definite and a crystal clear understanding of this matter. The first question I ask the gentleman from Texas is this:

First. Is not the substitute amendment, for practical purposes, the language originally contained in section 105 of H.R. 17195, the Reserve bill of rights, with the following changes:

Deletion of the certification requirement to the Congress, and

The addition of substantive language which would permit the President until June 30, 1968, authority to order to active duty units of the Ready Reserve for a period not to exceed 24 months.

Is that not correct?

Mr. MAHON. The answer to that question is, "Yes." The gentleman is correct.

Mr. HÉBERT. The second question I will ask the gentleman is this:

Second. The legislative language contained in this substitute amendment is, therefore for practical purposes, the House language approved by a record vote of 322 to 6 on September 21, 1966.

And, am I correct in stating that the House conferees were persuaded to accept the Senate substitute of the language formerly in H.R. 17195, because they were told that the other body could not, because of the lateness of the session, take final action on the entire bill, that is, H.R. 17195; and, therefore, the conferees accepted an amendment which was repetitious, Mr. Speaker, but I want to be sure that we understand it.

Mr. Speaker, we were assured that the other body would give early consideration to the remaining provisions of H.R. 17195 shortly after the convening of the 90th Congress.

Mr. MAHON. The gentleman from Louisiana is correct. We were assured by the highest authority on the Armed Forces Committee of the other body that the provisions of H.R. 17195 would be given consideration by that committee early in the next year.

Mr. HÉBERT. In other words, the chairman of the Armed Services Committee and the ranking member, both concurred in giving early hearings to the bill which the House of Representatives passed overwhelmingly during this session of the Congress?

Mr. MAHON. The gentleman from Louisiana is correct.

Mr. HÉBERT. Does the term "Selected Reserve" as used in the context of this amendment bear the same meaning as was contained in H.R. 17195—that is, a paid drilling unit in the Ready Reserve?

Mr. MAHON. The gentleman from Louisiana has asked a very pertinent question and the gentleman's interpretation is precisely correct, in the opinion of the House conferees.

Mr. HÉBERT. Mr. Speaker, if the gentleman from Texas will yield further, the next question of the gentleman from Texas is this:

If the President elects to use this authority to call individuals to active duty, will this in any way affect mandated personnel strengths of the Reserve components?

Mr. MAHON. The answer to that question is that it would not. The answer is "no."

The mandated personnel strengths remain in the bill and will be contained in the law.

Mr. HÉBERT. It is in the bill now?

Mr. MAHON. Yes. The mandated strengths are in no way affected by the amendment which we are now considering.

Mr. HÉBERT. Mr. Speaker, the next question is as follows:

If the President orders units to active duty under this authority, will this not result in a compensating reduction in mandated personnel strengths?

Mr. MAHON. As a practical matter, the answer is "yes."

Mr. HÉBERT. And, Mr. Speaker, if the gentleman from Texas will yield further, the last question is this:

In subsection (e) of the substitute amendment, the term "unit"—and I emphasize the term "unit"—of the Ready Reserve means, as I understand it, those organizations in the Ready Reserve components structure which are established upon a table of organization under which a unit is expected to function operationally when ordered to active duty?

Is that a correct statement?

Mr. MAHON. The gentleman from Louisiana is absolutely correct. I want to thank the gentleman for cooperating in undertaking to make the record crystal clear as to the intent involved here in the consideration of this amendment.

Mr. HÉBERT. So, Mr. Speaker, if the gentleman from Texas will yield further, in a capsule summation this is the situation: the conferees took the House language, abandoning the language of the amendment which the House had previously rejected from the other body, and accepted the language of the House, and offered two amendments to it, notably, the deletion requiring the President to advise or certify to the Congress, and the other amended the unit strength for a callup, and in other words, protected the function of the unit as we have always sought to do? Is this not in fact what happened?

In addition, the distinguished chairman of the Senate Armed Services Committee, and the ranking member of the Armed Services Committee of the Senate, gave assurances that hearings would be held on the House-passed bill of this Congress early at the convening of the 90th Congress. Is that correct?

Mr. MAHON. The gentleman has made a correct statement. That is my understanding.

Mr. HÉBERT. In view of this, I want to say to the Members of this body, as the manager of the bill on the part of the House Committee on Armed Services which was passed, that on January 3 I will reintroduce the bill which the House has supported 322 to 6 in its identical language, as supported by the House and the Committee on Armed Services, with the assurance of the distinguished gentleman from South Carolina, the chairman [Mr. RIVERS], that it will be given immediate consideration. And this piece of legislation will be submitted to the House as quickly and as expeditiously as the parliamentary situation will allow us to, and we will send it to the other body. I do not think I am too far out in prognosticating, or being out too far on a limb, to say that the other body will have this piece of legislation before the year closes on the month of January.

Mr. MAHON. I thank the gentleman for his helpfulness. This was the best arrangement that could be worked out under the circumstances.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MAHON. Mr. Speaker, I would like to yield 10 minutes at this time to the gentleman from Wisconsin [Mr. LAIRD] and I will yield later to the gentleman from Missouri [Mr. HALL].

The **SPEAKER** pro tempore. The gentleman from Texas has consumed 12 minutes. The gentleman from Wisconsin [Mr. LAIRD] is recognized for 10 minutes.

Mr. LAIRD. Mr. Speaker, I take this time so there can be no mistake in the House today over the colloquy conducted by the gentleman from Louisiana and the gentleman from Texas, the chairman of the House conferees. The language in the first section of amendment No. 5 upon which we are about to vote regarding individual Reserve callups is almost the same language that was passed in the House Reserve bill with two minor exceptions. The new language, however, in the second section of the amendment was never approved by the House of Representatives in any legislation passed in this session of the Congress.

There have not been any hearings conducted with respect to the authority granted by Congress to the Executive in the second part of this amendment attached as a rider to this appropriation bill. Let there be no mistake about what we are voting on at this point. We are not voting on anything but the following amendment.

Part 1 reads as follows:

Provided further, That—

Notwithstanding any other provision of law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who—

(1) is not assigned to, or participating satisfactorily in, a unit in the Selective Reserve, and

(2) has not fulfilled his statutory reserve obligation, and

(3) has not served on active duty or active duty for training for a total of twenty-four months.

Notwithstanding the provisions of any other law, until June 30, 1968, the President may order to active duty any member of the Ready Reserve of an armed force who had become a member of a reserve component prior to July 1, 1966; and who

(1) has not served on active duty or active duty for training for a period of one hundred and twenty days or more, and

(2) has not fulfilled his statutory reserve military obligation.

(c) A member ordered to active duty under this section may be required to serve on active duty until his total service on active duty or active duty for training equals twenty-four months. If the enlistment or period of military service of a member of the Ready Reserve ordered to active duty under subsection (a) or (b) of this section would expire before he has served the required period of active duty prescribed herein, his enlistment or period of military service may be extended until that service on active duty has been completed.

(4) In order to achieve fair treatment as between members in the Ready Reserve who are being considered for active duty under this section, appropriate consideration shall be given to—

(1) family responsibilities; and

(2) employment necessary to maintain the national health, safety, or interest.

Part 2 reads as follows:

(e) Notwithstanding any other provision of law, until June 30, 1968, the President may, when he deems it necessary, order to active duty any unit of the Ready Reserve of an armed force for a period of not to exceed twenty-four months.

That particular language in part 2 gives to the President the authority to call out any National Guard unit, any Reserve unit in the Army, any Reserve unit in the Navy, the Air Force, the Marine Corps, without coming to the Congress, and without declaring a national emergency.

At the time of the Berlin crisis President Kennedy came to the Congress of the United States and he asked for authority to call selected Reserve units of the Army, Navy and the Air Force into active duty. This properly went before the House Committee on Armed Services and the Senate Committee on Armed Services, where it should have been considered, and where hearings should have been held, and were held, at the time of the Berlin crisis.

But the language in this conference report goes even beyond the language in the Berlin crisis callup. It provides that these individual units can be called up, not for 12 months, as was the limitation put on the callup language by the House Committee on Armed Services and the Senate Committee on Armed Services with regard to President Kennedy's Berlin request, it provides that these units can be called up for 24 months.

This authority is given to the executive branch of our Government even though no request had been made by the President or the Secretary of Defense or any other official of the executive branch of our Government, and with a statement to the effect: "give us the authority, and we will never use it," according to the Secretary of Defense. And this was brought up in conference: Why give them the authority if the Secretary of Defense says he will not use it anyway?

Well, it does not seem to me that this is the proper way to legislate by adopting this language, giving this authority to go beyond the Berlin crisis callup for our Reserve units all over the United States, whether they are the Navy, the Air Force, the Marine Corps, or any other Reserve component. We not only go beyond the language of the Berlin crisis callup, as far as the Reserve services of this country are concerned, but we give this authority to the President of the United States, rather than wait until the Hébert bill can pass the Congress and be enacted by the House and the Senate. This language could have been limited so as to cover the period when Congress will not be in session or even until the end of fiscal year 1967—next June 30—in order to give the legislative committees time to enact a bill.

But no, we grant this authority not only through this fiscal year, but go beyond it another 12 months and under this authority the executive branch has a commitment from the Congress until June 30, 1968.

I happen to be in support of the Reserve bill that passed the House of Representatives. There are many amendments in that bill that are necessary today.

Talk to some of these technicians who are working for the Reserve units around the country. They have no retirement benefits and very few, if any, other benefits at all. That particular problem was taken care of in the Reserve bill. Extending this authority through a rider to an appropriation bill takes the pressure off of the legislative committees to enact a bill in a timely fashion that will help, for example, these technicians.

Why go through item after item in that bill which is needed and necessary if you grant this authority for almost 2 years? If you want to keep the pressure on to get that kind of legislation, do not use a backdoor approach by an appropriation rider giving broader authority than has ever been given to any President of the United States in any crisis, especially when that President has never even requested such authority and when his Secretary of Defense says he will not use it.

It seems to me we should understand thoroughly what we are doing here by using the appropriation process in the closing weeks of this session to grant this kind of authority that has never been granted before.

At the very least, this amendment should be corrected to provide that if these units are called, their term of service should be limited to 12 months as it was in the Berlin crisis. If the Defense Department or others want to go beyond 12 months, they should have to come to the Congress and ask for it to keep those units in service longer than 12 months.

At the very least there should be some consideration given—as there was in the House bill and as there was in the original amendment—to these units that were called up during the Berlin crisis. My own State of Wisconsin and my own district contributed more in terms of manpower to the Berlin crisis than any other district in the U.S. Congress.

There should be some consideration given to members of the Reserves who are in these units who have had 4 and 5 years of active duty.

These are matters that should properly have come before a congressional committee and hearings should have been conducted on these matters. Yet, no hearings were conducted by the appropriations committee in this session of Congress on this grave and serious matter.

I do not want anybody to get the impression that the language of the second proviso of this bill is anything that was adopted by the House of Representatives at an earlier date, because it was not.

The House Committee on Armed Services did not include this kind of language in their bill and under present law these units can only be called if the President of the United States notifies the Congress and declares a national emergency.

It seems to me we should be following the same procedure that was used in the case of the Berlin crisis and not use the appropriations process to tag this amendment on in the last closing weeks of this session of the Congress—an amendment that is going to affect and which could affect millions of Americans. There is every right to expect that hearings would be conducted on such an important matter as this.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Is it not a fact that in the Reserve bill, the President had to certify that these Reserves were needed?

Mr. LAIRD. Yes, he had to so certify to the Congress. There is no such certification required here whatsoever, even on individual callups. This is the individual callup section that you are referring to, the first section of the Mahon amendment. The first section of the Mahon amendment follows closely the language of the Hébert bill. But there are several amendments—the Hall amendment which was stricken from it as well as several other provisions that were stricken. But they were not major provisions.

But the second proviso is not in the Hébert bill and was not considered by the House of Representatives. This is a provision which gives the executive branch the authority that it has never requested. Furthermore, it gives the executive branch this authority not until the committee might act—it gives the executive branch this authority until June 30, 1968.

I am for protecting the integrity of each guard and Reserve unit, but this could have been done without giving this blanket authority until June 30, 1968. One would think that legislation from the Armed Services Committees could be expected before then, especially if the President requests such authority in the interim.

In the conference we could not get any commitment about a bill being reported out. They have had the bill before the Senate committee all during this session of Congress, all during these many months. The only commitment we could get in the conference was that consideration—I repeat, consideration—would be given to it in the next session of Congress.

If consideration was going to be given to it in the next session of the Congress, this amendment should have been at least limited to June 30, 1967, and not extended until June 30, 1968.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. LAIRD. I am happy to yield to the gentleman from Indiana.

Mr. BRAY. There were several conferees, including yourself, who did not agree to amendment No. 5, I believe it is. Is that correct?

Mr. LAIRD. It is amendment No. 5. That is correct.

Mr. BRAY. I am very grateful that at least some members of the conference had respect for this House that passed almost unanimously this bill and turned down almost unanimously the rider placed on the bill by the Senate. I am certainly happy that some Members did stand up for the finding of the House and did not absolutely surrender without trying to bring about what this House almost unanimously voted for.

Mr. LAIRD. I thank the gentleman from Indiana.

I should like to add one further point, and that is that on such an important issue as this, affecting well over a million young men in America today, it seems to me that we are not so busy that we cannot afford to have at least a hearing, call the executive branch up, the Secretary of Defense, the Guard bureau, the State adjutant general's office; at least we should consider for a few moments the views of these people before we tack this kind of broad authority on an appropriation bill.

This legislative authority is a very, very serious matter, one which I do believe merits some attention in behalf of the Congress by a legislative committee, and not be considered by a few conferees in a House-Senate conference. This is not the way the House of Representatives should operate.

Mr. MAHON. Mr. Speaker, I yield such time as he may require to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I heard the very able statement by the distinguished gentleman from Wisconsin. But I am constrained to call the attention of the House to the fact that, in the action which is proposed today, Congress is simply facing the facts. We are in a war. We are seeking to insure that this Nation will be ready for whatever defense emergencies may arise.

Shortly this session of Congress will be ended. If a greater emergency should arise while we are away, legislative authority for a callup of the Reserves will be available. I think we can be certain this grant of power will not be abused. We have to trust to someone, and I am willing to trust those in positions of leadership who are responsible for the great decisions of our Nation in time of war.

Mr. Speaker, I should like to point out that there is nothing reprehensible about the action which is proposed. What we do is in keeping with the forward-thinking action on defense matters followed by the 89th Congress throughout its history.

This Congress has taken the lead in providing the Nation with a strong defense. This Congress has taken the lead in giving better pay, better living and working conditions, and improving the morale of those who wear the uniform.

Time and time again we have taken steps which were not requested by the Department of Defense but which we believed were necessary, from careful studies, to strengthen our forces in areas where greater strength was needed. And time has proved us right.

The Berlin crisis occurred under far different conditions, in a far different world. We were not then in a shooting war. There had been no buildup of strength in preparation for world crises, such as we have had in recent years. To meet that crisis, with its sudden expanding demand for air units, there had to be a callup of Reserves. Actually, in numbers, very few were called, but the authority to call them was essential.

We are now in a serious emergency. No one will gainsay that. We propose to take one more step in the Nation's defense by saying the Reserve components can, for a limited time, be called into service if needed.

May I remind the Members respectfully that the Reserve forces are maintained for use in national emergencies. They realize this. They expect to serve. That is why they spend months and years in training, in preparation for just such periods as this. They train so that they can be used when the Nation requires their services.

In this amendment we simply propose to make the Reserves available without the declaration of a national emergency. I believe everyone here recognizes the significance of this action. We live in an edgy world. Our State Department is seeking to maintain an atmosphere conducive to the search for peace. We are trying to maintain balance in world relations, trying to keep from frightening the daylights out of nations that are worried about what is going to happen in southeast Asia.

A declaration of national emergency under present circumstances could cause a very serious set of jitters throughout the world. It could even push Communist countries not yet fully committed into active support of the Vietcong in Vietnam. Regretfully I recognize, also, there are many nations which should be on our side but which are maintaining neutrality. The precarious negotiations progress with these powers could be upset by a declaration of national emergency.

We know we are treading a dangerous path. And we in Congress are trying not to rock the boat but to provide whatever support is needed to win in South Vietnam, and at the same time to help avoid a greater involvement.

This is not an action which has just been thought up out of thin air. The House already has acted on substantially the language which is before us. I refer to the Hébert bill, the Reserve bill of rights. On that bill there were extensive hearings. On that bill there was debate. And for that bill there was overwhelming support when it passed the House.

Now we are merely trying to face the facts. We are in a war. We want to be sure that our Nation is ready for any defense emergency that may occur until we come back here in January, when we can complete the enactment of permanent legislation to deal with Reserve problems.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to my good friend, the gentleman from Wisconsin.

Mr. LAIRD. I thank the gentleman from Florida for yielding to me.

I enjoyed listening to the gentleman's remarks. He states we are now in a national emergency so far as our country is concerned.

Mr. SIKES. The gentleman agrees, does he not?

Mr. LAIRD. I believe we are in such a position right now, and have been for the past 12 months. This is the reason why I believe the administration should come forward and declare a national emergency. It should come before the Congress and tell us exactly what it is spending in Vietnam and its future programed manpower needs. That decision is being postponed. Why?

If the situation in Vietnam has deteriorated to the point where this authority is needed between now and the convening of the 90th Congress, then this appropriations rider should be limited at most to the period ending June 30, 1967, and not June 30, 1968.

If, as the gentleman from Florida states, we are presently in a national emergency, we should not continue to follow the policy of doing business as usual. We should not continue to mislead the American people so far as the manpower needs and costs of this war are concerned. The Congress, representing an independent branch, should have the facts presented before writing blank checks. This is our responsibility to our country and our people.

By removing the requirement that the President of the United States should declare a national emergency or at the very least come to the legislative branch outlining our country's manpower needs, we do a disservice to representative government.

Mr. SIKES. My friend is not asking a question. I decline to yield further.

I have attempted to show some of the reasons that we have not had a declaration of national emergency.

I do not consider that the situation is worsening in Vietnam. I think the situation is definitely better in Vietnam. It has only been a short time since the head of our forces there said that we are now in a position where we will hold and police and secure the territory which we capture from the Vietcong. This is the first time we have had forces in sufficient number to do that. That is an extremely important thing.

There is no great mystery about the cost of the war in Vietnam. It involves a tremendous cost. It was brought out not long ago, in a public forum, that it is costing $2 billion a month. However, money already has been voted by Congress which is sufficient for the time being. There is no doubt but that within a short time the Department of Defense must ask for a supplemental. Any facts that we need to know on expenditures will be brought out at that time. All of this is well known. There is no mystery here; no attempt to hold anything back from the Congress.

Mr. LAIRD. Will the gentleman agree that the procedure we were using yesterday in the committee was borrowing from the third and fourth quarters in order to finance the emergency needs on a vital basis in Vietnam today? All we are doing is borrowing. We are not reprograming.

Mr. SIKES. There are alternative procedures, of course. I would have preferred a direct request for additional funds. It must be done within a short time anyway. But there is nothing wrong with using money in the manner the gentleman referred to in order to fulfill a present need. There will be a period of several months when the money will not be needed for the original purpose for which it was funded.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I am glad to yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, this is the situation before us. I am always enthralled by the eloquence at this time of the year of my friend from Wisconsin [Mr. Laird] for very obvious reasons. Now, we are talking about the Reserve components here. A lot of us have been here for a long time, and there is nobody in this body who knows more about the Reserve components than the gentleman from Florida [Mr. Sikes]. Let me assure you, I cannot imagine anybody else whose heart is going to bleed for the Reserves and take the position that papa knows best. Listen to me. If the gentleman from Florida [Mr. Sikes] supports this position taken by the gentleman from Texas [Mr. Mahon], who in the world, speaking for the Reserves, could say a nay? Nobody.

Mr. SIKES. Finally, let me say we have achieved substantive improvements in the language of this report with regard to the Reserves. It makes the Reserve readiness posture more in keeping with the needs of the hour. Great care had been taken by the committee, in the many weeks in which we labored, to provide the most effective Reserve Forces possible. We provided support for the Reserves of the Army, Navy, Air Force, and Marine Corps. A substantive increase is provided for the Army because its form and support have been in contention. Mandatory language was included to protect and preserve this indispensable part of our defense structure.

Now we have reached agreement on language which will make it possible for the callup of some elements of the Reserves without causing undue international unrest or interfering with the manning, training, or readiness of the Reserve units.

This amendment will make available for callup, to fill out the Active Army, thousands of Ready reservists, and will permit the President, when he deems it necessary, to call to active duty any unit of the Ready Reserves.

There are, of course, deficiencies in the law with regard to the Reserves. We need a general law to treat with all aspects of the Reserve problem. But we have received assurances that this matter will be handled promptly when the Congress reassembles in January. Under the circumstances, what is now contained in the language of the appropriations bill goes as far as we can go at this time.

Mr. MAHON. Mr. Speaker, I yield 5 minutes to the ranking minority member of the Subcommittee on Defense Appropriations, the gentleman from California [Mr. LIPSCOMB].

Mr. LIPSCOMB. Mr. Speaker, I rise in support of this amendment. I grant that it should probably come through regular legislative channels, but, as has been explained to the House already, time will not permit adequate consideration in the Senate of the Hébert bill, H.R. 17195. The language of section 105 of H.R. 17195 has been picked up and placed in this amendment with a couple of minor exceptions. If I understand the debate correctly today, the gentleman from Louisiana [Mr. HÉBERT], who is the author of H.R. 17195, has clarified his position before the House. He and his committee are the most knowledgeable in this area. We are taking that language with the clarifications and putting it in this bill.

Mr. Speaker, I feel that this amendment to the appropriation bill is necessary and is a responsible action for us to take at this time because of the gravity of the situation and present status of the Reserves.

Mr. Speaker, it is my hope that the House of Representatives will accept this amendment and get on with the conference report and get this bill over to the White House. I say this because action on this measure is long overdue. It represents a reflection upon the Congress. I feel that this bill, since it is still pending before us, represents just that at this time.

Mr. Speaker, this bill carries appropriations with which to finance not only the war in Vietnam, but it carries all of the appropriations for our worldwide commitments on which we are hoping to complete action.

Mr. Speaker, it should have been before the House and signed by the White House by July 1, 1966. The fact is that right now, at this moment, this House should be voting upon a supplemental appropriation for additional money for fiscal year 1967 with which to finance items that are needed by the Department of Defense, funds which the Secretary of Defense and the President of the United States should request at this time for the Congress to act upon.

Mr. Speaker, the Secretary of Defense uses the excuse that he does not know how much we may need, and that the amounts of money involved therein will be known later and that the request will come up later, probably early next year.

Mr. Speaker, this is the budget situation and in my opinion the important matter is to get this bill to the President for his signature so that the Department of Defense can continue to operate.

But, Mr. Speaker, instead of following good fiscal procedures, the Secretary of Defense is borrowing funds, reprograming funds, and manipulating appropriations that were made to the Department of Defense.

And, Mr. Speaker, the Defense appropriation bill, the conference agreement on which you are voting today, does not carry adequate financing for the Department of Defense for fiscal year 1967.

For instance, Mr. Speaker, there is not enough money in this bill for military personnel, for the pay of the actual force structure that is on board in the Department of Defense at this time.

Mr. Speaker, it does not finance the pay actions voted by this House of Representatives and the other body, and signed by the President; namely, pay increases for fiscal year 1967.

Mr. Speaker, it does not finance operations and maintenance for expanding operations in Vietnam and other worldwide commitments.

Mr. Speaker, it does not finance adequate procurement for the armed services to employ in our battle with which we are faced in Vietnam.

Mr. Speaker, it does not finance long leadtime on weapons, ammunition, and ordnance. And through the admission of the Secretary of Defense himself, he is going to have to reprogram over $400 million as contained in this bill, money on which you are acting today, to provide combat aircraft for the Department of the Navy.

Mr. Speaker, the Secretary of Defense is borrowing from funds contained in this bill to finance those reprograming actions.

Mr. Speaker, it is my contention that the Secretary of Defense should ask Congress for this money. Insofar as I am concerned, his method of handling this situation represents a poor and irresponsible manner in which to handle appropriations financing a Military Establishment.

Mr. Speaker, the Committee on Appropriations in my view, and the Congress, in the area of defense appropriations, might as well close up shop and go home if we allow things to continue in this way.

Mr. Speaker, Secretary of Defense McNamara and his computers could make all of the decisions and just let the Congress rubberstamp them.

In my opinion, this is wrong, and I believe it is time that the Committee on Appropriations and the Congress of the United States stepped up and did something about it.

The SPEAKER pro tempore (Mr. ROSTENKOWSKI). The time of the gentleman from California has expired.

Mr. MAHON. Mr. Speaker, I yield 5 additional minutes to the gentleman from California.

Mr. LIPSCOMB. I thank the gentleman from Texas.

Mr. Speaker, I am sorry to take the time of the House of Representatives at this time on an amendment with reference to this Reserve matter, but I believe it is important that we look at what we are doing in this conference report and with these amendments, because some other action must be taken by those who join in my opinion.

Mr. Speaker, all of the estimates were based upon the unrealistic premise that the war in Vietnam would be over by June 30, 1967.

The Secretary of Defense now has changed, and recognized that this is still an optimistic assumption. New ground rules have been established for the budget, and new estimates have been sent to the Secretary for the rest of this year.

Mr. Speaker, I believe that Congress should once again call upon the Secretary of Defense and the President of the United States to send to the Congress the necessary requests for funds that they know now are needed so that we can appropriate that money before we leave in a supplemental bill. This will let the American people know, at least, what this war is costing them and what they are expected to do. They are entitled to know that.

Mr. Speaker, I support this amendment pertaining to the Reserves. As I said, I think it is a necessary and responsible move. But let us get on with this business; let us give the military the funds they really require to operate our Defense Establishment. Let us demand of the President that he submit proper figures so we can appropriate adequate funds for the support of our Military Establishment and the war in Vietnam.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman.

Mr. BOW. I would like to say to the gentleman that I join with him in support of his amendment, having to do with the Reserve components.

There have been some who questioned whether the President should be required to declare a national emergency before calling the Reserves, rather than to have the Congress provide the language that is in this amendment. I might say that it was not necessary for the President to declare a national emergency in order to draft the boys that are being drafted today. It seems to me that we have this Ready Reserve and the Reserve is ready after all these years of buildup and training. We have these Reserves for occasions such as this. There is no more reason that there should be a requirement for a declaration of emergency by the President in order to properly utilize the Reserves than there is to require the declaration of an emergency by the President in order to utilize the draft.

It seems to me this gives an opportunity to call up the Reserves under the same method by which we are drafting men today.

The men now in the Reserves are there voluntarily, knowing that they might be called up, knowing that their services might be required. This bill gives the President the opportunity to use them. I support the amendment and the conference report.

Mr. LIPSCOMB. I thank the gentleman.

The SPEAKER. The time of the gentleman has expired.

Mr. JONES of Missouri. Mr. Speaker, I will vote against the adoption of amendment No. 5 as a protest against the procedure followed by the Senate in including legislation on the Department of Defense appropriation bill which would have been ruled out of order had such an amendment been offered in the House of Representatives.

This procedure, wherein the House is being asked to concur in an amendment offered as a substitute for an amendment adopted in the Senate, is an excellent example of an increasing tendency on the part of the other body to accomplish by a back-door approach that which is impossible under the rules of the House of Representatives.

You will recall, Mr. Speaker, that, prior to the opening of the 89th Congress, I attempted, in the caucus of the majority, to secure a change in the rules of the House which would in effect make subject to a point of order any amendment adopted by the Senate in the consideration of a bill passed by the House when such a bill is returned to the House for concurrence in Senate amendments, if such amendment adopted by the Senate would have been subject to a point of order if introduced originally in the House.

Mr. Speaker, I feel that it is time that the Members in both branches of Congress are placed on an equal footing. I appreciate the fact that as a matter of expediency we are often willing to make exceptions, but in this particular instance which involves an important national policy, and not overlooking the controversial nature of the amendment, I feel that the issue should not be resolved as an incidental amendment which has no reason to be considered in this appropriation bill.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Missouri [Mr. HALL] for a question.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's yielding to me. I am actually interested in the armed services Reserve personnel portion of the bill. I understand that it is an interim measure. In fact, the amendment offered by the gentleman from Texas, the distinguished chairman of the Committee on Appropriations itself, says it will be June 30, 1968, although the appropriation bill only goes to the end of fiscal year 1967; therefore, an interim or stopgap measure is necessary. The purposes at the time of the so-called bill of rights for the reservists, whether they be the Guard or armed Reserve units, was to insist on training Reserves, especially those who have found a safe haven and had avoided the selective service, without being trained.

My first question is: Does this amendment, in the opinion of the gentleman from Texas, insist that those who find themselves saved from the selective service in the Reserves, have total adequate training so that they are ready?

Mr. MAHON. May I say that men who are in the Reserves, whether they are in organized units or not, and who are called up, will have received, or will have to receive, a certain level of training, as is the case with all men called into the active services.

Did I understand your question correctly?

Mr. HALL. Mr. Speaker, I do not believe I stated my question correctly concerning the enlistment of people who are now in the Enlisted Reserve, and the Reserve enlistment program, who have not had 120 days of requisite training, but who have completed their duty in an organized T.O. & E. group, or a composite control group.

The responsible legislation applies directly to them because there are at least 56,000 who have received no training under the circumstances, and yet who are no longer liable for the draft. Is it the purpose of the legislation here—we have all admitted we are legislating on the appropriation bill here because of the urgency of the situation—to see that they are drilled, and that they have the training spaces available for the first 120 days before they go into the 6-year Reserve program; in the opinion of the gentleman does this do that, therefore, and plug the loophole of the safe-haven from the draft?

Mr. MAHON. I do not see how this amendment would guarantee that those men in the Reserves who have had no training will be trained. If they are called up to active service, they would have to be trained before they would be assigned to a combat unit. That is required elsewhere in the law of the land.

Mr. HALL. If that is the answer, Mr. Speaker, then the amendment is deficient, admittedly, as far as the carrying out the intent of the bill of rights for the reservists, and for the strengthening of the armed services of our land.

Of course, the second great deficiency is that this fails of any notification of the Congress.

Would the gentleman not agree with me that at the present time we are exceeding our authorized troop strength of the regular active duty army—of the Army of the United States—which, of course, is set by the Congress at 2.6 million and that we now have well over 3 million on extended active duty?

Second, would the gentleman not admit with me that there are just four ways of handling this emergency situation:

The first, is the way we are doing it, simply by the draft call, which is the most expensive in personnel and in dollars, of filler replacements that you can find for any war effort, without notifying the Congress;

Second, notify Congress and do it as was originally written into the bill, and as has been stricken out by the conferees, simply saying that the President on certifying the need to Congress could do this; and

Third, a Presidential emergency; and

Fourth, a congressional declaration of emergency or war.

It seems to me that we are in a poor position and I hope the gentleman will agree with me and say that it is only because of the urgency and the need for getting some such defense appropriation measure signed, that we have relegated the responsibility of the Congress to raise armies and to support the national defense and determine policy; by saying that he can order either filler replacements—or now even units—to duty without notifying the Congress, and that he may exercise this authority which according to the Constitution rests with the Congress.

I think this is a very serious situation.

I hope the gentleman and the entire Committee on Appropriations will join with the Committee on Armed Services as the distinguished chairman of the subcommittee, the gentleman from Louisiana has said, in a 1967 reserve bill of rights involving notification of the Congress, and not involving the use or the calling up of filler replacements who have not received training.

It is Mr. McNamara who stuck his neck out when he said the reserves should be disbanded and then due to embarrassment, refused to order the Reserve units or the filler replacements to active duty from the National Guard and/or the organized Reserves.

Mr. Speaker, I would hope that this legislation, its amendment—and so far as the legislative record we're making here is effective—could emphasize to the Secretary of Defense that he must place these calls on the selective service and training system as authorized. This should not be done at the expense of such as these who are untrained, but that these fillers be used only after they have had adequate training spaces provided with housing and all requisites.

Mr. Speaker, I believe that these people should be provided with trainers and personnel to train these people in Reserve or regular armed service units, rather than resort to the draft for filler and unit replacements.

Mr. MAHON. The gentleman has asked a series of questions which I shall not undertake to comment on at length.

With respect to the number of men in the active services, there is presently no effective ceiling except that of the availability of funds for pay and allowances of troops.

With respect to the matter of notification, it would seem to me that the call-up to duty is in itself a notification of the necessity for the callup.

What this amendment seeks to do is to show the position of the Congress in making available any necessary tool or vehicle to assist the President, if he thinks such tool or vehicle is required, to prosecute this war in which we find ourselves engaged and to prosecute it to a successful conclusion.

I hope that this compromise arrangement which has been worked out, and which, as we have said, is an interim settlement of a very difficult technical situation, will be agreed to by the House.

Mr. Speaker, I ask for a vote on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. MAHON].

The question was taken.

Mr. RYAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 305, nays 42, not voting 85, as follows:

[Roll No. 349]

YEAS—305

Abbitt
Abernethy
Adams
Addabbo
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Ayres
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Burke
Burleson
Cahill
Callan
Carey
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conyers
Corbett
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Dole
Donohue
Dow
Dowdy
Downing
Dulski
Duncan, Tenn.
Edwards, La.
Erlenborn
Everett
Evins, Tenn.
Fallon
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Flood
Fogarty
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Grover
Gurney
Hagen, Calif.
Haley
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hardy
Harsha
Harvey, Mich.
Hathaway
Hawkins
Hays
Hébert
Hechler
Helstoski
Henderson
Herlong
Holifield
Holland
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, N.C.
Karsten
Karth
Kee
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
McCarthy
McClory
McCulloch
McDade
McEwen
McFall
McGrath
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Morgan
Mosher
Multer
Murphy, Ill.
Natcher
O'Hara, Ill.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Pool
Powell
Price
Pucinski
Quie
Quillen
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stanton
Stubblefield
Sullivan
Sweeney
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Thompson, N.J.
Todd
Tuck
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vivian
Waggonner
Waldie
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Tex.
Whitener
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wright
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—42

Adair
Berry
Bray
Brown, Calif.
Buchanan
Burton, Calif.
Burton, Utah
Byrnes, Wis.
Cameron
Carter
Conable
Davis, Wis.
Derwinski
Edwards, Ala.
Edwards, Calif.
Gubser
Hall
Halleck
Horton
Jones, Mo.
Kastenmeier
Kupferman
Laird
MacGregor
Morse
Morton
Nedzi
Nelsen
O'Hara, Mich.
Poff
Race
Robison
Roudebush
Roybal
Rumsfeld
Ryan
Smith, Calif.
Stalbaum
Talcott
Thomson, Wis.
Utt
Younger

NOT VOTING—85

Albert
Andrews, Glenn
Aspinall
Bandstra
Brooks
Broyhill, Va.
Byrne, Pa.
Cabell
Callaway
Celler
Clevenger
Collier
Conte
Cooley
Corman
Craley
Culver
Davis, Ga.
Devine
Dickinson
Diggs
Dingell
Dorn
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Ellsworth
Evans, Colo.
Farbstein
Fisher
Flynt
Foley
Frelinghuysen
Fulton, Tenn.
Fuqua
Gilligan
Gross
Hagan, Ga.
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hicks
Huot
Jennings
Jones, Ala.
Keith
Love
McDowell
McMillan
McVicker
Macdonald
Martin, Ala.
Martin, Mass.
Matsunaga
Moorhead
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Purcell
Reinecke
Rivers, Alaska
Rogers, Tex.
Roncalio
Scott
Steed
Stephens
Stratton
Taylor
Thompson, Tex.
Toll
Trimble
Tunney
Tuten
Vigorito
Walker, Miss.
White, Idaho
Whitten
Wolff

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Albert with Mr. Martin of Massachusetts.
Mr. Foley with Mr. Dickinson.
Mr. Matsunaga with Mr. Callaway.
Mr. Hicks with Mr. Harvey of Indiana.
Mr. Bandstra with Mr. Reinecke.
Mr. Byrne of Pennsylvania with Mr. Ellsworth.
Mr. McVicker with Mr. Martin of Alabama.
Mr. White of Idaho with Mr. Glenn Andrews.
Mr. Murphy of New York with Mr. Keith.
Mr. Rivers of Alaska with Mr. Conte.
Mr. Moss with Mr. Frelinghuysen.
Mr. Davis of Georgia with Mr. Devine.
Mr. Love with Mr. Collier.
Mr. Jennings with Mr. Broyhill of Virginia.
Mr. Aspinall with Mr. Walker of Mississippi.
Mr. Cabell with Mrs. Dwyer.
Mr. Corman with Mr. O'Konski.
Mr. McDowell with Mr. Diggs.
Mr. Morris with Mr. Duncan of Oregon.
Mr. Evans of Colorado with Mr. Farbstein.
Mr. Fulton of Tennessee with Mrs. Hansen of Washington.
Mr. Nix with Mr. O'Brien.
Mr. Wolff with Mr. Scott.
Mr. Stratton with Mr. Stephens.
Mr. Steed with Mr. Roncalio.
Mr. Brooks with Mr. Celler.
Mr. Clevenger with Mr. Cooley.
Mr. Culver with Mr. Dorn.
Mr. Dyal with Mr. Hansen of Iowa.
Mr. Edmondson with Mr. Hagan of Georgia.
Mr. Gilligan with Mr. Olsen of Montana.
Mr. Tunney with Mr. Trimble.
Mr. Taylor with Mr. Toll.
Mr. Whitten with Mr. Vigorito.
Mr. Macdonald with Mr. Thompson of Texas.
Mr. Craley with Mr. Tuten.
Mr. Moorhead with Mr. McMillan.
Mr. Purcell with Mr. Dingell.
Mr. Fuqua with Mr. Fisher.
Mr. Flynt with Mr. Huot.
Mr. Jones of Alabama with Mr. Rogers of Texas.
Mr. Morrison with Mr. Murray.

Mr. DAGUE changed his vote from "nay" to "yea."

Mr. ROONEY of Pennsylvania changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10, page 11, line 25, strike out "$808,100,000" and insert "$806,900,000".

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$806,500,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13, page 17, line 1, insert ": *Provided*, That no part of the funds provided in this Act shall be available for the procurement of F–111B aircraft."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein with an amendment, as follows: at the end thereof, add the following: ", but this proviso shall not apply to advance procurement of equipment the total cost of which shall not exceed $7,800,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24, page 28, line 8, strike out "(a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the Navy by section 7204 of title 10, United States Code, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents;" and insert in lieu thereof: "(a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the Navy by section 7204 of title 10, United States Code, in amounts not exceeding an average of $455 per student, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents: *Provided*, That notwithstanding any other provision of law the Secretary of Defense shall establish rates of compensation for teachers in the Overseas Dependents Schools System in accordance with the per pupil limitation established in this section;".

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "490", and at the end thereof strike out the semicolon and insert the following: ", but in no event at less than the rates of compensation in effect on June 30, 1966;".

Mr. MAHON. Mr. Speaker, the amendment involves education, overseas, for the dependents of the military. It is a subject which was discussed in the House when the first conference report was before us on August 25.

I take pleasure in yielding to the gentleman from Arizona [Mr. Udall] at this time for a question.

Mr. UDALL. Mr. Speaker, I thank the gentleman for yielding.

We had a little ruckus back here in August when the conference report was first before us. A number of us objected to the motion on the part of the managers of the House at that time because we felt it did great violence to the overseas school system, and we felt it did great violence to a law we had passed in the House and that had been signed by the President in April this year. I am not disposed to object to the amendment the gentleman has offered, but for the record I would like to clarify two points.

The original Senate amendment would have imposed a $455 per pupil limitation. The amendment which the House managers proposed in August would have raised this from $455 to $475. As I understand it, now there will be a per pupil limitation, but it will be $490 per pupil. Is that correct?

Mr. MAHON. The gentleman's statement is entirely correct. In the opinion of the committee, the $490 figure will meet the requirements of the pay of the teachers, in line with the wishes and recommendations of the gentleman from Arizona.

Mr. UDALL. It came actually within $2. In the colloquy and discussion we had in August it was pointed out that it would take a $492 per pupil limitation. We now have $490.

Mr. MAHON. We rounded the figure off at $490. As the gentleman knows, this issue was raised in the other body, where an amendment was added. This is a compromise that was worked out. I believe that the gentleman from Arizona will be satisfied now with this compromise, insofar as the bill is concerned for this fiscal year.

Mr. UDALL. I have a further question, if the gentleman will yield?

Mr. MAHON. I yield.

Mr. UDALL. I understand that this limitation will be in effect only for this 1 year. This is a 1-year amendment?

Mr. MAHON. This is not permanent law. It will apply only to 1 year.

Mr. UDALL. Let me say that I believe this settlement is something we can live with. I am disposed—and I believe some others who objected in August, with whom I have talked, are also disposed—to accept this for 1 year. I know the great difficulties the gentleman from Texas faced in conference and I congratulate him on doing an exceptional job for the House position. However, I wish to make it clear that I believe this whole procedure is deficient in at least two respects.

First. We are legislating on an appropriation bill in a field in which the gentleman from Pennsylvania [Mr. Dent] and his select subcommittee and my own subcommittee have made extensive studies. They have gone to Europe and to other places to study these schools. I believe it is wrong, when we have permanent legislation from two committees which have studied the matter, to proceed in this fashion.

Second. The amendment still will not correct the situation. It will provide the salaries which were in effect on June 30, 1966, but it will not put into effect the permanent law we wrote, which we thought was very sound, which every year would have given these teachers salaries comparable to those in the United States. Under our bill they would have had salaries in effect for the United States for the 1966–67 school year instead of the one previous.

I wish to go on record as saying that I strongly object to this kind of procedure and I hope it will not occur next year, because I believe that many of us will want to have something to say, should that be the case.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Pennsylvania.

Mr. DENT. I wish to join the gentleman from Arizona in saying I believe you have done a magnificent job with the tools with which you had to work. I also concur in the statement that this is not the proper method.

However, since we are stuck with that kind of situation, you have done a magnificent job.

We are faced with a situation which is realistic. The figure of $490 will cover this situation because in the three branches we are controlling and managing overseas, with regard to schools—namely, the Army, the Navy, and the Air Force—there was a differential in the per pupil total they were expending, running from $437 to $465. So the $490 figure will cover the situation.

The special select committee studying this problem intends to further explore this matter, because it is a volcanic situation which might erupt at any time, because of the restrictions that are not a part of this proposal.

In the face of the present situation, I commend you for the job you have done.

Mr. MAHON. I thank the gentleman very much. Let me refer back to the comment of the gentleman from Arizona [Mr. Udall] for a moment. I would like to point out that the $490 per pupil limitation now provided in the bill is intended to be effective from the beginning of the fiscal year and will permit an increase in overseas teachers salaries of about $216 for the 1966–67 school year. Such an increase would be in accordance with the provisions of Public Law 89–391, approved on April 14, 1966. This increase, together with the two salary increases granted during the last school year, will amount to about a $1,000 increase in teacher salaries since July 1, 1965. In my opinion, this is a sizable increase with which the overseas teachers should be very happy.

Mr. WILLIAM D. FORD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Michigan [Mr. William D. Ford].

Mr. WILLIAM D. FORD. Mr. Speaker, as one of those who joined with the gentleman from Arizona [Mr. Udall], the gentleman from Pennsylvania [Mr. Dent], and the gentlewoman from Hawaii [Mrs. Mink] in the debate on this amendment on a point of disagreement between the House and Senate when last it was before us, I rise at this time to support the compromise now being put forth by the conferees on behalf of the House in the form of amendment No. 24 as it appears on page 6 of report No. 2215 now before us.

I wish to associate myself with the remarks of the gentleman from Arizona [Mr. Udall] and the gentleman from Pennsylvania [Mr. Dent], who preceded me in the well today, and emphasize our continued concern for the ultimate removal of the unrealistic per pupil limitation contained in past bills appropriating funds for our overseas dependent schools.

I observe that, as a result of the action taken by the House when the conference report was first presented to us, we rejected the Senate's per pupil limitation of $455 per pupil and further rejected the House conferees' offered compromise of $475 per pupil.

At that time, we called the attention of the House to the fact that in the fiscal year 1967 budget prepared on the basis of an expected school enrollment of 182,869 pupils, the Department of Defense estimated their needs to be $492 per pupil to maintain the system.

The $475 per pupil compromise would have resulted in a reduction of $3.11 million in the funds which those administering this school system believe to be absolutely essential for its continuance and would have had the following results—that is to say, the following alternatives would have been available as methods of operation for the school system to reach the lower figure.

One possible alternative would have been the elimination of all summer school, which could have saved $300,000. As we stated before, the special problems of the students in this school system convince us that this would be a disaster.

A second alternative would have been the reduction of expenditures for textbooks, library books, and teaching equipment, which could result in a saving of $1 million. It is clear to me, as a member of Congressman Dent's committee which made the investigation in 1965 of our overseas school system, that one of the greatest deficiencies in this system is the shortage and, in some instances, a total lack of adequate textbooks and teaching materials. We found, much to our disgust, that in many parts of the world American schoolchildren were being taught such important subjects as social studies from textbooks then 15 years old. We were shocked to note, for example, that at this time, when understanding by our people of the Asiatic countries and their relationship to us is so important, our elementary school students were being taught from textbooks which still told them of French Indochina, an area we now know as Vietnam.

Even these drastic cuts would have saved less than half of the funds required to be cut to meet this restrictive per pupil limitation, and the additional $1.8 million cut would, of necessity, be accomplished through either a reduction of 400 teachers from a system which already has its classrooms overloaded by every fair standard, or an unconscionable rescinding of the salary schedule authorized for fiscal year 1967 under Public Law 89-391, previously passed by this House. This latter course of action would have resulted in an average reduction of $250 for every teacher now teaching in the system for the current school year, notwithstanding the fact that they were recruited and contracted with their Government to teach on the basis of an expectation of compensation under Public Law 89-391.

I believe that the compromise we have accomplished, the $490, will enable the Department of Defense to carry on with its obligation to the dependent children of our military personnel around the world. However, together with those with whom I have joined in this fight, I want to promise the House that we recognize this to be a 1-year proposal and the best that we could accomplish at this time. We also recognize a continuing obligation on our part to press in the 90th Congress for further improvements in the financing of overseas schools and the improvement of the quality of educational opportunity afforded by them.

Even now, those of us on the conference committee for the Elementary and Secondary Education Amendments of 1966 are fighting to preserve the amendments we made to title II, the textbook and teaching materials title, and title III, the supplemental educational centers title which included this year for the first time our overseas dependent children as a category of children eligible for funds under this legislation.

Each and every one of us who participated in the Dent study, previously filed with this House in March 1966 as a report from the Committee on Education and Labor, remain convinced that under the able leadership of the Honorable Lynn M. Bartlett, Deputy Assistant Secretary of Defense for Education, who, I am honored to say is a former State superintendent of public instruction from my own State of Michigan, this school system has made great progress. Nevertheless, we feel that the effort we are making in providing education for our overseas school dependents falls far short of that which we can and should make and borders on being an international disgrace. We must remember that, aside from our concern for the education of these American children, we should have some concern for the impression we create throughout the world in the eyes of the people of foreign lands who evaluate us on the basis of our apparent commitment to the education of our youth.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from Hawaii.

Mrs. MINK. Mr. Speaker, I should like to join in the comments made by the chairman of our select committee, the gentleman from Pennsylvania [Mr. Dent] and also the distinguished gentleman from Arizona [Mr. Udall]. I concur that the amendments which have been recommended to the House are in substantial agreement with the proposals we made in our committee.

I express also my disappointment that the per pupil limitation is to be retained.

I join the committee in commending the gentleman from Texas for the efforts he has put forth in behalf of the overseas schoolteachers and the educational system in general.

I ask the House to concur in the gentleman's motion.

Mr. MAHON. I thank the gentlewoman from Hawaii.

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. Mahon].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27, on page 34, after line 14, insert the following:

"(e) Section 3732 of the Revised Statutes (41 U.S.C. 11) is amended as follows:

"Designate the existing paragraph as '(a)' and add the following paragraph:

"'(b) The Secretary of Defense shall immediately advise the Committees on Appriations of the Congress of the exercise of the authority granted in subsection (a) of this section, and shall report quarterly on the estimated obligations incurred pursuant to the authority granted in subsection (a) of this section.'"

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein with an amendment, as follows: Delete the following words: "Committees on Appropriations of the".

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the conference report in the Record, as well as on the amendments acted upon by the House in connection with the Defense Department appropriation bill, and that all Members be permitted to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PUBLIC WORKS APPROPRIATIONS BILL, 1967

Mr. KIRWAN. Mr. Speaker, I call up the conference report on the bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2216)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17787) "making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 22, 23, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 12, 18, and 19; and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$32,450,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$967,460,000; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$87,135,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$149,000,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,075,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$13,473,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$192,375,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,950,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 6, 7, 8, 9, 13, 16, and 20.

MICHAEL J. KIRWAN,
JOHN E. FOGARTY,
JOE L. EVINS,
EDWARD P. BOLAND,
JAMIE L. WHITTEN,
BOB CASEY,
GEORGE MAHON,
JOHN J. RHODES,
HOWARD W. ROBISON,
FRANK T. BOW,
Managers on the Part of the House.

ALLEN J. ELLENDER,
RICHARD B. RUSSELL,
JOHN L. MCCLELLAN,
LISTER HILL,
WARREN G. MAGNUSON,
SPESSARD L. HOLLAND,
JOHN STENNIS,
ALAN BIBLE,
JOHN O. PASTORE,
JENNINGS RANDOLPH,
ROMAN L. HRUSKA,
MILTON R. YOUNG,
KARL E. MUNDT,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF DEFENSE—CIVIL

Department of the Army

Cemeterial Expenses

Amendments Nos. 1 and 2: Appropriate $15,098,000 as proposed by the House instead of $15,348,000 as proposed by the Senate.

The conferees have agreed to delete the increase of $250,000 proposed by the Senate for acquisition of additional land at five of the national cemeteries pending outcome of the current legislative review of the future Federal policy with respect to the continued operation of the national cemetery system. Conferees urge that this review be expedited during the next session of Congress because of the critical situation facing many of the cemeteries.

Corps of Engineers—Civil

General Investigations

Amendment No. 3: Appropriates $32,450,000 instead of $31,730,000 as proposed by the House and $32,575,000 as proposed by the Senate. The increase over the House bill includes $220,000 for navigation studies; $425,000 for flood control studies; $45,000 for beach erosion cooperative studies; and $30,000 for the Great Lakes deicing special study.

The increase provided over the House bill shall be allocated to the following projects:

ALASKA	
(N) Bethel	[1] 6,000
(N) Cape Nome	6,000
(BE) Dillingham	8,000
(FC) Fort Yukon	10,000
(BE) Point Hope	12,000
CALIFORNIA	
(N) Cambria and San Simeon Bay	10,000
(BE) Point Mugu-San Pedro	15,000
(FC) San Francisquito Creek	15,000
(N) Trinidad Harbor	15,000
(FC) Whitewater River	10,000
DELAWARE	
(N) Delaware Bay-Cape May to Lewes, Del	18,000
GEORGIA	
(N) Brunswick Harbor	[1] 15,000
(FC) Ogeechee River	30,000
(FC) Ogeechee-Altamaha area	20,000
(FC) Savannah River Basin	75,000
HAWAII	
(FC) Kaneohe-Kailua area	[1] 20,000
IDAHO	
(FC) Salmon River, Challis	[1] 10,000
ILLINOIS	
(FC) Bay Creek	10,000
KANSAS	
(FC) Grand Neosho River Basin	10,000
(FC) Verdigris River Basin study, Oklahoma and Kansas	20,000
(N) Verdigris River Basin study, Oklahoma and Kansas	17,000
LOUISIANA	
(BE) Holly Beach	10,000
(FC) Mississippi River, Jefferson Parish between Mississippi River and Bayou Barataria and Lake Salvador	5,000
MAINE	
(N) Camden Harbor	7,000
(N) Union R. Ellswork	6,000
MASSACHUSETTS	
(N) Boston Harbor	5,000
MICHIGAN	
(Spec) Great Lakes deicing study (lengthening navigation season)	30,000
(N) Manistee River	5,000
(FC) Marquette County	[1] 10,000
(N) Misery Bay Harbor	5,000
MINNESOTA	
(FC) Red River of North, Minn. and N. Dak	[1] 5,000
MISSOURI	
(FC) Osage River, Mo. and Kans	5,000
MONTANA	
(FC) Flathead and Clark Fork	[1] 30,000
NEBRASKA	
(FC) Neobrara River, Nebr. and S. Dak	[1] 5,000
(FC) White River, S. Dak. and Nebr.	10,000
NEW JERSEY	
(N) New Jersey coastal inlets and beaches	[1] 10,000
NORTH CAROLINA	
(FC) Eastern North Carolina above Cape Lookout	23,000
(N) Roanoke River	5,000
NORTH DAKOTA	
(FC) Cannonball River	10,000
PENNSYLVANIA	
(N) Delaware River channel dimensions	[1] 10,000
PUERTO RICO	
(N) Aguadilla Harbor	15,000
SOUTH CAROLINA	
(N) Murrels Inlet	10,000
TENNESSEE	
(FC) First Creek	2,000
(FC) Mill Creek	[1] 5,000
TEXAS	
(N) Matagorda ship channel	15,000
VIRGINIA	
(N) AIWW Virginia Beach	15,000
(FC) Potomac River, streams draining into the Alexandria area, Virginia	10,000
WASHINGTON	
(FC) Chehalis River	[1] 30,000
(N) Hoquiam and Chehalis Rivers	15,000
WEST VIRGINIA	
(FC) Middle Island Creek Basin	[1] 25,000
WISCONSIN	
(N) Brown, Kewaunee, etc., counties	10,000
(FC) Upper Mississippi River, Nav. flood control, prevention of ice jams	20,000

[1] Increase in House bill figure.

Construction, General

Amendment No. 4: Appropriates $967,460,000 instead of $953,715,000 as proposed by the House and $971,358,000 as proposed by the Senate. The funds appropriated under this heading are to be allocated as shown in the following tabulation:

	Construction, general, State and project	Budget estimate for fiscal year 1967 (as amended)		Conference allowance	
		Construction	Planning	Construction	Planning
	Alabama:				
(N)	Alabama River Channel			$800,000	
	Aquatic plant control. (See Louisiana.)				
(N)	Claiborne lock and dam	$7,500,000		7,500,000	
(N)	Holt lock and dam	3,000,000		3,000,000	
(R)	John Hollis Bankhead lock and dam (spillway)	1,300,000		1,300,000	
(MP)	Jones Bluff lock and dam	3,000,000		3,000,000	
(MP)	Millers Ferry lock and dam	13,500,000		13,500,000	
(N)	Perdido Pass				$54,000
	Tombigbee River and tributaries, Alabama and Mississippi. (See Mississippi.)				
(MP)	Walter F. George lock and dam, Seaboard Airline RR., relocation, Alabama and Georgia	700,000		700,000	
	Alaska:				
(MP)	Snettisham power project			750,000	
	Arizona:				
(FC)	Alamo Reservoir	2,500,000		2,500,000	
(FC)	Painted Rock Reservoir (Dateland Crossing)			100,000	
(FC)	Phoenix and vicinity		$200,000		200,000
(FC)	Pinal Creek				100,000
(FC)	Winslow				100,000
	Arkansas:				
(N)	Arkansas River and tributaries, Arkansas and Oklahoma:				
	(a) Bank stabilization and channel rectification	7,500,000		7,500,000	
	(b) Navigation locks and dams	85,000,000		85,000,000	
(MP)	Dardanelle lock and dam	400,000		400,000	
(MP)	Degray Reservoir	8,000,000		8,000,000	
(FC)	DeQueen Reservoir	1,000,000		1,000,000	
(FC)	Dierks Reservoir			500,000	
(FC)	Garland City	250,000		250,000	
(FC)	Gillham Reservoir	1,400,000		1,400,000	
(FC)	Maniece Bayou, upstream extension	400,000		400,000	
(MP)	Narrows Dam, addition of 3d power unit	450,000		450,000	
(N)	Ouachita and Black Rivers, Ark. and La	6,500,000		7,600,000	
(MP)	Ozark lock and dam	11,700,000		11,700,000	
(FC)	Pine Mountain Dam		75,000		75,000
(FC)	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex	200,000		2,000,000	
	California:				
(FC)	Alameda Creek, Del Valle Dam	2,600,000		2,600,000	
(FC)	Buchanan Reservoir		321,000		321,000
(FC)	Corte Madera Creek	850,000		850,000	
(N)	Dana Point Harbor	1,200,000		1,200,000	
(FC)	Dry Creek (Warm Springs) Reservoir			2,700,000	
(FC)	Eel River (reimbursement)	1,800,000		1,800,000	
(FC)	Eel River (delta area) 1965 act		150,000		150,000
(N)	Half Moon Bay and Harbor	1,248,000		1,248,000	
(FC)	Hidden Reservoir		222,000		222,000
(FC)	Los Angeles County drainage area	14,200,000		14,200,000	
(FC)	Lower San Joaquin River and tributaries	1,350,000		1,350,000	
(FC)	Lytle and Warm Creeks (1965 act)		100,000		100,000
	Martis Creek Reservoir, Calif. and Nev. (See Nevada.)				
(FC)	Merced River Reservoirs (New Exchequer Dam)	4,232,000		4,232,000	
(FC)	Mojave River Reservoir			1,000,000	
(N)	Monterey Harbor		81,000		81,000
(FC)	Mormon Slough	500,000		500,000	
(FC)	Napa River (1965 act)		100,000		100,000
(FC)	New Bullards Bar Reservoir			1,000,000	
(MP)	New Melones Reservoir	2,500,000		2,500,000	
(N)	Oakland Harbor	2,500,000		2,500,000	
(FC)	Oroville Reservoir	[1] 11,400,000		7,695,000	
(N)	Port San Luis		125,000		125,000
(FC)	Redwood Creek	1,340,000		1,340,000	
(FC)	Russian River Basin (Coyote Valley Dam)	100,000		100,000	
(FC)	Sacramento River and major and minor tributaries	500,000		500,000	
(FC)	Sacramento River bank protection	2,500,000		2,500,000	
(N)	Sacramento River deep water ship channel	200,000		200,000	
(N)	San Francisco Bay to Stockton				100,000
(N)	Santa Barbara Harbor		20,000		20,000
(FC)	Santa Paula Creek		85,000		85,000
(FC)	Tahquitz Creek				100,000
(BE)	Ventura-Pierpont area (reimbursement)	94,000		94,000	
(FC)	Walnut Creek	3,400,000		3,400,000	
	Colorado:				
(FC)	Chatfield Reservoir		481,000	6,000,000	
(FC)	Las Animas		75,000		75,000
(FC)	Trinidad Reservoir	1,300,000		200,000	
	Connecticut:				
(FC)	Ansonia-Derby	400,000		400,000	
(FC)	Black Rock Reservoir	2,200,000		2,200,000	
(FC)	Colebrook River Reservoir	5,300,000		5,300,000	
(FC)	Danbury		30,000		30,000
(FC)	Derby		100,000		100,000
(FC)	Hop Brook Reservoir	1,800,000		1,800,000	
(FC)	Mystic		130,000		130,000
(FC)	New London Barrier	300,000		300,000	
(FC)	Stamford	2,800,000		2,800,000	
(FC)	Sucker Brook Reservoir	915,000		915,000	
	Delaware:				
	Delaware River, Philadelphia to sea, anchorages, Delaware, New Jersey, and Pennsylvania. (See New Jersey.)				
(N)	Inland Waterway Delaware River to Chesapeake Bay (Chesapeak and Delaware Canal), pt. II, Delaware and Maryland	15,500,000		15,500,000	
	Florida:				
	Aquatic plant control. (See Louisiana.)				
(N)	Apalachicola River channel improvement	350,000		350,000	
(N)	Canaveral Harbor	100,000		100,000	
(FC)	Central and southern Florida	[1] 13,700,000		13,700,000	
(N)	Cross-Florida Barge Canal	16,000,000		16,000,000	
(N)	East Pass Channel at Destin	150,000		150,000	
(FC)	Four Rivers Basins	1,000,000		2,000,000	
(N)	Intracoastal Waterway:				
	Caloosahatchee River to Anclote River	648,000		648,000	
(N)	Jacksonville Harbor				80,000
(N)	Key West Harbor			600,000	
(BE)	Palm Beach County, Lake Worth Inlet to South Lake Worth Inlet (reimbursement)	10,000		10,000	
(N)	Palm Beach Harbor	1,800,000		1,800,000	
(N)	Ponce de Leon Inlet		60,000		60,000
(BE)	Virginia Key and Key Biscayne	200,000		200,000	

See footnote at end of table.

	Construction, general, State and project	Budget estimate for fiscal year 1967 (as amended)		Conference allowance	
		Construction	Planning	Construction	Planning
	Georgia:				
	Aquatic plant control. (See Louisiana.)				
(MP)	Carters Dam	$8,600,000		$8,600,000	
(MP)	Lazer Creek Dam		$300,000		$300,000
(N)	Savannah Harbor			400,000	
(N)	Savannah Harbor (sediment basin)		135,000		135,000
(MP)	Spewrell Bluff Dam		500,000		600,000
	Walter F. George lock and dam, Alabama and Georgia. (See Alabama.)				
(MP)	West Point Reservoir, Ala. and Ga.	5,200,000		5,200,000	
	Hawaii:				
(N)	Barbers Point Harbor		100,000		100,000
(BE)	Haleiwa Beach (reimbursement)	252,000		252,000	
(N)	Honokahau Harbor		33,000		33,000
(N)	Hawaihae Harbor		118,000		118,000
(N)	Maunalua Harbor				32,000
	Idaho:				
(MP)	Dworshak (Bruces Eddy) Reservoir	20,000,000		20,000,000	
(FC)	Heise-Roberts extension	430,000		430,000	
(FC)	Portneuf River and Marsh Creek	2,000,000		2,000,000	
(FC)	Ririe Reservoir			200,000	
	Illinois:				
(BA)	Calumet River, bridges	[1] 1,800,000		1,800,000	
(FC)	Campbell's Island				50,000
(FC)	Carlyle Reservoir	2,031,000		2,031,000	
(FC)	Columbia Drainage and Levee Districts No. 3		45,000		45,000
(FC)	District No. 21 levees between Cowden and Vandalia				100,000
(FC)	England Pond levee	400,000		200,000	
(FC)	Freeport	100,000		100,000	
(FC)	Harrisonville and Ivy Landing Drainage and Levee District		50,000		50,000
(FC)	Henderson County Drainage District No. 1	750,000		750,000	
(FC)	Henderson County Drainage District No. 2	590,000		590,000	
(N)	Horse Island and Crescent Bridge (Mississippi River), Illinois and Iowa	600,000		600,000	
(FC)	Hunt Drainage District and Lima Lake Drainage District	[1] 200,000		200,000	
(N)	Illinois Waterway Calumet-Sag modification, part I, Illinois and Indiana	6,300,000		6,300,000	
(N)	Illinois Waterway, duplicate locks, Illinois and Indiana				200,000
(FC)	Indian Grave Drainage District	800,000		800,000	
(N)	Kaskaskia River	1,500,000		3,500,000	
(FC)	Lincoln Reservoir		150,000		220,000
(N)	Mississippi River between Ohio and Missouri Rivers, Ill. and Mo.:				
	(a) Regulating works	2,000,000		2,000,000	
	(b) Chain of Rocks	250,000		250,000	
(N)	Mound City lock and dam, Illinois and Kentucky		250,000		360,000
(FC)	Mount Carmel	950,000		950,000	
(FC)	New Athens	1,200,000		1,200,000	
(FC)	Oakley Reservoir		240,000		240,000
(FC)	Peoria		75,000		75,000
(FC)	Prairie Dupont Levee and Sanitary District			300,000	
(FC)	Rend Lake Reservoir	5,050,000		5,050,000	
(FC)	Richland Creek	200,000		200,000	
(FC)	Rochester and McClearys Bluff levee	400,000		400,000	
(FC)	Rock Island		75,000		75,000
(FC)	Saline River and tributaries			300,000	
(FC)	Shelbyville Reservoir	6,300,000		6,300,000	
(N)	Smithland (Dog Island) lock and dam, Illinois and Kentucky		225,000		300,000
(FC)	Sny Island Levee and Drainage District	2,000,000		2,000,000	
(FC)	South Quincy Drainage and Levee District	800,000		800,000	
(FC)	Tri-Pond levee	100,000		100,000	
	Indiana:				
(FC)	Big Pine Reservoir				150,000
(FC)	Brookville Reservoir	3,200,000		3,200,000	
(N)	Burns Waterway Harbor		25,000		55,000
(N)	Cannelton locks and dam, Indiana and Kentucky	9,000,000		9,000,000	
(FC)	Clifty Creek Reservoir				100,000
(FC)	Evansville	320,000		320,000	
(FC)	Greenfield Bayou levee		70,000		70,000
(FC)	Huntington Reservoir	5,000,000		5,000,000	
	Illinois Waterway, Calumet-Sag modification, part I, Illinois and Indiana. (See Illinois.)				
(FC)	Lafayette Reservoir		125,000		125,000
(FC)	Levee unit 5, Wabash River	1,750,000		1,750,000	
(R)	Michigan City Harbor	450,000		450,000	
(FC)	Mississinewa Reservoir	5,160,000		5,160,000	
(N)	Newburgh locks and dam, Indiana and Kentucky	6,070,000		6,070,000	
(FC)	Patoka Reservoir		175,000		325,000
(FC)	Salamonie Reservoir	3,467,000		3,467,000	
(N)	Uniontown locks and dam, Indiana and Kentucky	9,500,000		9,500,000	
	Iowa:				
(FC)	Ames Reservoir				100,000
(FC)	Ames Reservoir (road relocation)	830,000		830,000	
(FC)	Des Moines	750,000		750,000	
(FC)	Dubuque		145,000	250,000	
(FC)	Guttenburg	100,000		100,000	
	Horse Island and Crescent Bridge, Mississippi River, Ill. and Iowa. (See Illinois.)				
(FC)	Iowa River Flint Creek Levee District No. 16	100,000		100,000	
(FC)	Marshalltown		100,000		100,000
(FC)	Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska	2,200,000		2,200,000	
(N)	Missouri River, Sioux City to mouth, Iowa, Kansas, Missouri, and Nebraska	7,100,000		8,300,000	
(FC)	Rathbun Reservoir	6,000,000		6,000,000	
(FC)	Red Rock Reservoir	9,500,000		9,500,000	
(FC)	Saylorville Reservoir	5,500,000		5,500,000	
(FC)	Waterloo				100,000
	Kansas:				
(FC)	Atchison	1,500,000		1,500,000	
(FC)	Clinton Reservoir		205,000		205,000
(FC)	Clinton Reservoir (land acquisition, Richland)	645,000		645,000	
(FC)	Cow Creek, Hutchinson		120,000		120,000
(FC)	Dodge City		75,000		75,000
(FC)	El Dorado Reservoir				100,000
(FC)	Fort Scott Reservoir		180,000		180,000
(FC)	Grove Reservoir		200,000		200,000
(FC)	Hays		50,000		50,000
(FC)	Hillsdale Reservoir (restudy)		30,000		30,000
(FC)	Kansas City, Kans. (1962 modification)		100,000		100,000
(FC)	Lawrence	1,400,000		1,400,000	
(FC)	Marion Reservoir	4,600,000		4,600,000	
(FC)	Melvern Reservoir	1,000,000		1,000,000	
(FC)	Merriam	[1] 0		0	
(FC)	Milford Reservoir	3,600,000		3,600,000	

See footnote at end of table.

	Construction, general, State and project	Budget estimate for fiscal year 1967 (as amended)		Conference allowance	
		Construction	Planning	Construction	Planning
	Kansas—Continued				
	Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
	Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC)	Osawatomie	[1]$200,000		$200,000	
(FC)	Perry Reservoir	10,500,000		10,500,000	
(FC)	Topeka	1,800,000		1,800,000	
	Kentucky:				
(MP)	Barkley Dam, Ky. and Tenn	3,484,000		3,484,000	
	Cannelton locks and dam, Indiana and Kentucky. (See Indiana.)				
(FC)	Carr Fork Reservoir	4,800,000		4,800,000	
(FC)	Cave Run Reservoir	4,500,000		4,500,000	
(FC)	Fishtrap Reservoir	9,600,000		9,600,000	
(FC)	Frankfort, North Frankfort area	790,000		790,000	
(FC)	Grayson Reservoir	7,558,000		7,558,000	
(FC)	Green River Reservoir	8,700,000		8,700,000	
(MP)	Laurel River Reservoir	2,500,000		2,500,000	
(FC)	Martins Fork Reservoir		$100,000		$100,000
	Mound City lock and dam, Illinois and Kentucky. (See Illinois.)				
	Newburgh locks and dam, Indiana and Kentucky. (See Indiana.)				
(FC)	Paintsville Reservoir		100,000		200,000
(FC)	Red River Reservoir	400,000		400,000	
	Smithland lock and dam, Illinois and Kentucky. (See Illinois.)				
(FC)	Sturgis	710,000		710,000	
	Uniontown locks and dam, Indiana and Kentucky. (See Indiana.)				
(FC)	Yatesville Reservoir				200,000
	Louisiana:				
(N)	Aquatic plant control, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas	882,000		882,000	
(FC)	Bayou Bodcau, Red Chute and Loggy Bayous, Black and Cypress Bayous				150,000
(BA)	Berwick Bay Bridge	1,800,000		1,800,000	
(FC)	Caddo Dam	100,000		100,000	
(N)	Calcasieu River and Pass	1,600,000		1,600,000	
(N)	Calcasieu River, saltwater barrier	1,800,000		1,800,000	
(FC)	East Point levee	114,000		114,000	
(N)	Freshwater Bayou	1,400,000		1,400,000	
(FC)	Grand Isle and vicinity				200,000
(FC)	Lake Pontchartrain		450,000	1,600,000	
(FC)	Mermentau River				85,000
(N)	Mississippi River, gulf outlet	2,300,000		2,300,000	
(FC)	Morgan City and vicinity				140,000
(FC)	New Orleans to Venice hurricane protection	400,000		400,000	
	Ouchita and Black Rivers, Ark. and La. (See Arkansas.)				
(N)	Overton-Red River Waterway				64,000
	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex., (See Arkansas.)				
	Maine:				
(MP)	Dickey-Lincoln School Dam and Reservoirs		1,200,000		1,100,000
(N)	Pepperell Cove (sec. 107)			(264,000)	
	Maryland:				
(N)	Baltimore Harbor and Channels	200,000		200,000	
(FC)	Bloomington Reservoir, Md. and W. Va.		665,000		1,265,000
	Inland waterway, Delaware River to Chesapeake Bay, Del. and Md. (C. & D. Canal), pt II. (See Delaware.)				
	Massachusetts:				
(N)	Andrews River (sec. 107)			(141,000)	
(N)	Marblehead Harbor	[1] 0		0	
(R)	Newburyport Harbor	300,000		300,000	
(N)	Plymouth Harbor	765,000		765,000	
(R)	Plymouth Harbor	300,000		300,000	
(N)	Provincetown Harbor		29,000		29,000
(N)	Weymouth Fore and Towne Rivers		90,000		190,000
	Michigan:				
(N)	Alpena Harbor				40,000
(N)	Cedar River Harbor		40,000		40,000
(R)	Charlevoix Harbor (piers and revetments)	170,000		170,000	
(R)	Grand Marais Harbor	300,000		300,000	
(N)	Great Lakes connecting channels	100,000		100,000	
(FC)	Kalamazoo River		75,000		75,000
(N)	Leland Harbor	90,000		197,000	
(N)	Mackinac Island breakwater extension (sec. 107)			(332,000)	
(N)	New Buffalo Harbor	485,000		485,000	
(N)	New Poe lock, St. Marys River	8,000,000		8,000,000	
(FC)	River Rouge	1,800,000		1,800,000	
(N)	Rouge River	395,000		373,000	
(FC)	Saginaw River (flood control)	1,000,000		1,000,000	
(N)	Saginaw River (navigation)	1,545,000		1,545,000	
	Minnesota:				
(FC)	Bigstone Lake-Whetstone River, Minn. and S. Dak		80,000		80,000
(N)	Duluth-Superior Harbor, inner harbor, Minnesota and Wisconsin	1,000,000		1,000,000	
(FC)	Roseau River				50,000
(FC)	Rushford	370,000		370,000	
(FC)	St. Paul and South St. Paul	2,000,000		2,000,000	
(FC)	Winona	1,100,000		1,100,000	
	Mississippi:				
	Aquatic plant control. (See Louisiana.)				
	Jackson and East Jackson	2,506,000		2,506,000	
(FC)	Okatibbee Creek Reservoir	2,900,000		2,900,000	
(FC)	Tombigbee River and tributaries, Alabama and Mississippi	750,000		850,000	
	Missouri:				
(FC)	Chariton and Little Chariton Rivers including Shoal Creek				100,000
(FC)	Chariton River	1,000,000		1,000,000	
(MP)	Clarence Cannon (Joanna) Reservoir	1,500,000		1,500,000	
(FC)	Des Moines and Mississippi Levee District	600,000		600,000	
(MP)	Kaysinger Bluff Reservoir	12,100,000		12,100,000	
(FC)	Meramec Park Reservoir		400,000		400,000
	Mississippi River between Ohio and Missouri Rivers, Ill. and Mo. (See Illinois.)				
	Missouri River agriculture levees, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
	Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC)	Pattonsburg Reservoir (highway construction)				50,000
(FC)	St. Louis	10,000,000		10,000,000	
(FC)	Smithville Reservoir (including channel at Smithville)		50,000	75,000	50,000
(MP)	Stockton Reservoir	13,500,000		13,500,000	

See footnote at end of table.

	Construction, general, State and project	Budget estimate for fiscal year 1967 (as amended)		Conference allowance	
		Construction	Planning	Construction	Planning
	Montana:				
(FC)	Great Falls	$500,000		$500,000	
(MP)	Libby Reservoir	32,000,000		32,000,000	
	Nebraska:				
(FC)	Gering Valley	1,100,000		1,100,000	
(FC)	Little Nemaha River				$25,000
(FC)	Little Papillion Creek	1,000,000		1,000,000	
	Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
	Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC)	Norfolk	1,275,000		1,275,000	
(FC)	Salt Creek and tributaries	2,000,000		2,000,000	
	Nevada:				
(FC)	Martis Creek Reservoir, Calif. and Nev	400,000		400,000	
	New Jersey:				
(BE)	Atlantic City (reimbursement)	150,000		150,000	
(N)	Delaware River, Philadelphia to sea (anchorages), Delaware, New Jersey, and Pennsylvania	4,400,000		400,000	
(FC)	Elizabeth River		$150,000		150,000
(R)	New Jersey Intracoastal Waterway, Point Pleasant Canal	[1]690,000		690,000	
	New York and New Jersey Channels, Kill Van Kull entrance, New York and New Jersey. (See New York.)				
(FC)	Rahway River at South Orange				50,000
(FC)	Raritan and Sandy Hook Bays	1,000,000		1,000,000	
(N)	Shrewsbury River Inlet				100,000
(MP)	Tocks Island Reservoir, Pa., N.J., and N.Y		975,000		975,000
	New Mexico:				
(FC)	Albuquerque	5,500,000		5,500,000	
(FC)	Cochiti Reservoir	5,000,000		5,000,000	
(FC)	Galisteo Reservoir	2,500,000		2,500,000	
(FC)	Rio Grande Floodway, Espanola Valley unit		50,000		50,000
	New York:				
	Allegheny River Reservoir, Pa. and N.Y. (See Pennsylvania.)				
(FC)	East Rockaway Inlet to Rockaway Inlet and Jamaica Bay				200,000
(BE)	Fire Island Inlet to Jones Inlet (1962 act)		225,000		225,000
(N)	Great Lakes to Hudson River Waterway	2,850,000		3,900,000	
(N)	Irondequoit Bay Harbor		52,000		52,000
(FC)	Ithaca, Cayuga Inlet	450,000		450,000	
(FC)	Lackawanna	1,240,000		1,240,000	
(N)	Lake Montauk Harbor	200,000		200,000	
(N)	Little Neck Bay	550,000		550,000	
(N)	Moriches Inlet				100,000
(N)	New York-New Jersey Channels, Kill Van Kull entrance, New York and New Jersey	1,000,000		1,500,000	
(FC)	Nichols			163,000	
(FC)	North Ellenville	150,000		150,000	
(N)	Oak Orchard Harbor				25,000
(FC)	Rosendale	1,115,000		1,115,000	
(FC)	Salamanca	300,000		300,000	
(FC)	South Ellenville		90,000		90,000
(FC)	Staten Island, Fort Wadsworth to Arthur Kill		150,000		150,000
	Tocks Island Reservoir, Pa., N.J., and N.Y. (See New Jersey.)				
	Wellsville	200,000		200,000	
	North Carolina:				
	Aquatic plant control. (See Louisiana.)				
(N)	Cape Fear River above Wilmington				51,000
(FC)	Falls Reservoir		200,000		360,000
(BE)	Fort Macon State Park (reimbursement)	208,000		208,000	
(FC)	New Hope Reservoir			2,600,000	
(N)	Topsail Inlet (sec. 107)			(100,000)	
(FC)	Oracoke Island		115,000		115,000
(N)	Rollins Channel	280,000		280,000	
	Wilmington Harbor, 38- and 40-foot depth (1962 act)	2,700,000		2,700,000	
	North Dakota:				
(FC)	Bowman Haley Reservoir	1,095,000		1,095,000	
(FC)	Missouri River, Garrison Dam to Oahe Reservoir	800,000		1,000,000	
	Oahe Reservoir, S. Dak. and N. Dak. (See South Dakota.)				
(FC)	Pipestem Dam				130,000
	Ohio:				
(FC)	Alum Creek Reservoir		225,000		225,000
(N)	Ashtabula Harbor			200,000	
(FC)	Athens		175,000		175,000
(N)	Bellville locks and dam, Ohio and West Virginia	10,400,000		10,400,000	
(FC)	Big Darby Creek Reservoir	1,900,000		1,900,000	
(FC)	Buck Creek Reservoir	1,700,000		1,700,000	
(FC)	Caesar Creek Reservoir			450,000	
(N)	Cleveland Harbor: Bridge replacement widening Cuyahoga and Old Rivers (1958 act)	1,300,000		1,300,000	
(N)	Conneaut Harbor	1,300,000		1,300,000	
(FC)	Deer Creek Reservoir	7,300,000		7,300,000	
(FC)	East Fork Reservoir			500,000	
(FC)	Eastlake-Chagrin River				75,000
(FC)	Freemont	200,000		200,000	
(N)	Hannibal locks and dam, Ohio and West Virginia	3,300,000		3,300,000	
(N)	Lake Erie-Ohio River Canal, Ohio and Pa				500,000
(N)	Lorain Harbor	[1]1,000,000		1,000,000	
(FC)	Mill Creek Reservoir, Scioto River Basin		100,000		100,000
(FC)	North Branch Reservoir (Kokosing River)			700,000	
(FC)	Paint Creek Reservoir	3,100,000		3,100,000	
(N)	Racine locks and dam, Ohio and West Virginia	17,700,000		17,700,000	
	Shenango River Reservoir, Ohio and Pa. (See Pennsylvania.)				
(N)	Vermillion Harbor				35,000
(N)	Willow Island lock and dam, Ohio and West Virginia	1,800,000		1,800,000	
(FC)	Youngstown, Crab Creek	1,000,000		1,000,000	
	Oklahoma:				
	Arkansas River and tributaries, Arkansas and Oklahoma. (See Arkansas.)				
(MP)	Broken Bow Reservoir	9,000,000		9,000,000	
(FC)	Copan Reservoir		201,000		201,000
(FC)	Crutcho Creek				50,000
(FC)	Hugo Reservoir		129,000	721,000	129,000
(FC)	Kaw Reservoir	2,000,000		2,000,000	
(MP)	Keystone Reservoir	5,000,000		5,000,000	
(FC)	Lukfata Reservoir		100,000		100,000
(FC)	Oologah Reservoir	550,000		550,000	
(FC)	Optima Reservoir	1,500,000		1,500,000	
(FC)	Pine Creek Reservoir	2,900,000		2,900,000	
(MP)	Robert S. Kerr (Short Mountain) lock and dam	27,000,000		25,600,000	
(FC)	Shidler Reservoir				50,000
(FC)	Skiatook Reservoir		160,000		160,000
(FC)	Waurika Reservoir		75,000		185,000
(MP)	Webbers Falls lock and dam	19,300,000		19,300,000	

See footnote at end of table.

	Construction, general, State and project	Budget estimate for fiscal year 1967 (as amended)		Conference allowance	
		Construction	Planning	Construction	Planning
	Oregon:				
(FC)	Applegate Reservoir		$200,000		$200,000
(FC)	Blue River Reservoir	$8,700,000		$8,700,000	
(MP)	Bonneville lock and dam (2d power unit) Oregon and Washington		100,000		100,000
(FC)	Cascadia Reservoir		200,000		200,000
(N)	Chetco River		30,000		30,000
(N)	Columbia River and lower Willamette River, 35- and 40-foot projects, Oregon and Washington	4,400,000		4,400,000	
(N)	Columbia River at the mouth, Oregon and Washington		75,000		75,000
(FC)	Elk Creek Reservoir		150,000		150,000
(FC)	Gate Creek Reservoir		195,000		195,000
(MP)	Green Peter Reservoir	12,200,000		12,200,000	
(MP)	John Day lock and dam, Oregon and Washington	42,000,000		41,294,000	
(FC)	John Day River		50,000		50,000
(MP)	Lost Creek Reservoir			500,000	
(FC)	Lower Columbia River bank protection, Oregon and Washington	500,000		500,000	
(N)	Port Orford			350,000	
(FC)	Reedsport (sec. 205)			(494,000)	
(R)	Rogue River (north jetty)	500,000		500,000	
(MP)	The Dalles lock and dam, Oregon and Washington (additional power units)	700,000		700,000	
(N)	Tillamook Bay (south jetty)				30,000
(FC)	Willamette River Basin bank protection	500,000		500,000	
(N)	Yaquina Bay and Harbor	2,200,000		2,200,000	
	Pennsylvania:				
(FC)	Allegheny River Reservoir, Pa. and N.Y.	7,500,000		7,500,000	
(FC)	Aylesworth Creek Reservoir	300,000		300,000	
(FC)	Beltzville Reservoir	6,700,000		6,700,000	
(FC)	Blanchard Reservoir	8,500,000		8,500,000	
(FC)	Blue Marsh Reservoir		220,000		220,000
(FC)	Chartiers Creek		310,000		310,000
(FC)	Cowanesque Reservoir		400,000		500,000
(N)	Dam 4, Monongahela River	3,818,000		3,818,000	
	Delaware River, Philadelphia to sea, anchorages, Delaware, New Jersey, and Pennsylvania. (See New Jersey.)				
(N)	Erie Harbor (1962 modification)	211,000		211,000	
(N)	Lake Erie-Ohio River Canal, Ohio and Pa. (See Ohio.)				
(FC)	Latrobe	1,193,000		1,193,000	
(FC)	Muddy Creek Reservoir		110,000		110,000
(BE)	Presque Isle Peninsula (reimbursement)	430,000		430,000	
(FC)	Prompton Reservoir (modification)		200,000		200,000
(FC)	Raystown Reservoir			1,500,000	
(FC)	Sandy Lick Creek, Du Bois local project				30,000
(FC)	Scranton	850,000		850,000	
(FC)	Shenango River Reservoir, Ohio and Pa.	2,300,000		2,300,000	
(FC)	Tioga Hammond Reservoir		645,000		645,000
	Tocks Island Reservoir, Pa., N.J., and N.Y. (See New Jersey.)				
(FC)	Trexler Reservoir		275,000		275,000
(FC)	Turtle Creek	3,300,000		3,300,000	
(FC)	Union City Reservoir	1,400,000		1,400,000	
(FC)	Woodcock Creek Reservoir	500,000		500,000	
	Rhode Island:				
(FC)	Lower Woonsocket	824,000		824,000	
(FC)	Point Judith, hurricane barrier	200,000		200,000	
(N)	Providence River and Harbor			800,000	
	South Carolina:				
	Aquatic plant control. (See Louisiana.)				
(BE)	Hunting Island Beach			350,000	
	South Dakota:				
(MP)	Big Bend Dam-Lake Sharpe	1,950,000		1,950,000	
	Big Stone Lake-Whetstone River, Minn. and S. Dak. (See Minnesota.)				
(FC)	Cottonwood Springs Reservoir			400,000	
(MP)	Oahe Reservoir, S. Dak. and N. Dak.	6,500,000		6,500,000	
	Tennessee:				
	Barkley Dam, Ky. and Tenn. (See Kentucky.)				
(MP)	Cordell Hull lock and dam	6,800,000		6,800,000	
(MP)	J. Percy Priest Reservoir	9,300,000		9,300,000	
	Texas:				
(FC)	Abilene Channel improvement		150,000		150,000
	Aquatic plant control. (See Louisiana.)				
(R)	Brazos Island Harbor (jetties)	[1]0		0	
(FC)	Buffalo Bayou and tributaries	4,200,000		4,200,000	
(FC)	Cooper Reservoir and Channels (Sulphur River)	[1]0		0	
(FC)	El Paso		150,000		150,000
(FC)	Fort Worth Floodway, Clear Fork extension	600,000		600,000	
(FC)	Fort Worth Floodway, West Fork extension	1,114,000		1,114,000	
(FC)	Freeport and vicinity	1,700,000		1,700,000	
(N)	Galveston Harbor and Channel, 36-foot project	[1]250,000		[1]250,000	
(FC)	Highland Bayou				150,000
(N)	Houston ship channel (Greens Bayou)	485,000		485,000	
(FC)	Lake Kemp Reservoir			1,000,000	
(FC)	Lavon Reservoir modification and channel improvement	800,000		800,000	
(FC)	Pat Mayse Reservoir	2,175,000		2,175,000	
(R)	Port Aransas-Corpus Christi Waterway (jetties)	1,195,000		1,195,000	
(FC)	Port Arthur and vicinity (hurricane flood protection)	4,100,000		4,100,000	
	Red River levees and bank stabilization, below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
(N)	Sabine-Neches Waterway, 40 feet and channel to Echo	3,300,000		2,000,000	
(FC)	San Antonio Channel	1,350,000		1,350,000	
(FC)	San Gabriel River tributary to Brazos River		418,000		418,000
(FC)	Somerville Reservoir	[1]2,342,000		[1]2,342,000	
(FC)	Stillhouse Hollow Dam	3,500,000		3,500,000	
(FC)	Taylor's Bayou				100,000
(FC)	Texas City, hurricane protection	3,500,000		3,500,000	
(N)	Texas City Channel 40-foot project	[1]725,000		[1]725,000	
(N)	Trinity River (restudy)		200,000		200,000
(FC)	Vince and Little Vince Bayous	1,600,000		1,600,000	
(N)	Wallisville Reservoir, Trinity River	1,000,000		1,000,000	
	Vermont:				
(FC)	Bennington				50,000
	Virginia:				
(N)	Bonum Creek, Westmoreland County (Sec. 107)			(200,000)	
(FC)	Gathright Dam			1,500,000	
(N)	Hampton Roads	5,000,000		7,000,000	
(BE)	Virginia Beach (reimbursement)	85,000		85,000	

See footnote at end of table.

	Construction, general, State and project	Budget estimate for fiscal year 1967 (as amended)		Conference allowance	
		Construction	Planning	Construction	Planning
	Washington:				
	Bonneville lock and dam (2d powerplant, Oregon and Washington). (See Oregon.)				
(FC)	Calispell Creek				$25,000
(WP)	Chief Joseph Dam (additional power units)		$400,000		400,000
	Columbia River at the mouth, Oregon and Washington. (See Oregon.)				
	Columbia River and lower Willamette River, 35- and 40-foot projects, Oregon and Washington. (See Oregon.)				
(FC)	Cowlitz County Consolidated Diking and Improvement District No. 2	$500,000		$500,000	
(R)	Grays Harbor and Chehalis River (south jetty)	2,300,000		2,300,000	
	John Day lock and dam, Oregon and Washington. (See Oregon.)				
(FC)	Kalama River south area		35,000		35,000
(MP)	Little Goose lock and dam	39,000,000		39,000,000	
	Lower Columbia River bank protection, Oregon and Washington. (See Oregon.)				
(MP)	Lower Granite lock and dam	14,000,000		14,000,000	
(MP)	Lower Monumental lock and dam	32,000,000		32,000,000	
(FC)	Raymond (restudy)		20,000		20,000
(FC)	Skagit River, Avon bypass		100,000		100,000
(N)	Swinomish Channel-March Point (sec. 107)			(450,000)	
(N)	Tacoma Harbor	183,000		183,000	
	The Dalles lock and dam, Oregon and Washington. (See Oregon.)				
(FC)	Wahkiakum Diking District No. 4		35,000		35,000
(FC)	Wynoochee Reservoir			250,000	330,000
	West Virginia:				
(FC)	Beech Fork Reservoir			500,000	
	Belleville locks and dam, Ohio and West Virginia. (See Ohio.)				
	Bloomington Reservoir, Md. and W. Va. (See Maryland.)				
(FC)	Buckhannon	702,000		702,000	
(FC)	Burnsville Reservoir		290,000		290,000
(FC)	East Lynn Reservoir	4,800,000		4,800,000	
	Hannibal locks and dam, Ohio and West Virginia. (See Ohio.)				
(N)	Opekiska lock and dam	2,550,000		2,550,000	
(FC)	R. D. Bailey (Justice) Reservoir	800,000		1,500,000	
	Racine locks and dam, Ohio and West Virginia. (See Ohio.)				
(FC)	Rowlesburg Reservoir		400,000		780,000
	Willow Island lock and dam, Ohio and West Virginia. (See Ohio.)				
	Wisconsin:				
	Duluth-Superior Harbor inner harbor, Minnesota and Wisconsin. (See Minnesota.)				
(FC)	Eau Galle River, Spring Valley	2,000,000		2,000,000	
(N)	Green Bay Harbor (1962 act)	[1] 1,750,000		1,750,000	
(R)	Kenosha Harbor	500,000		500,000	
(FC)	La Farge Reservoir and Channel improvement, Kickapoo River		267,000		267,000
	Wyoming:				
(FC)	Sheridan	253,000		253,000	
	Miscellaneous:				
(FC)	Emergency bank protection	500,000		500,000	
(FC)	Small projects for flood control and related purposes not requiring specific legislation (sec. 205)	6,000,000		6,494,000	
(FC)	Snagging and clearing	500,000		500,000	
(N)	Small navigation projects not requiring specific legislation costing up to $500,000 (sec. 107)	1,500,000		2,987,000	
(BE)	Small beach erosion control projects not requiring specific legislation costing up to $500,000 (sec. 103)	250,000		250,000	
	Recreation facilities, completed projects	5,000,000		5,000,000	
	Fish and wildlife studies (U.S. Fish and Wildlife Service)	550,000		550,000	
	Aquatic plant control (1965 act)			300,000	
	Employees compensation	225,000		225,000	
	Reduction for anticipated savings and slippages and availability of carryover balances	−95,700,000		−127,700,000	
	Grand total, construction, general	944,909,000	18,327,000	943,573,000	23,887,000
		(963,236,000)		(967,460,000)	

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[1] Original budget amount revised as shown in budget amendment submitted in H. Doc. 441.

The conferees have deleted the $1,690,000 included in the Senate Bill for initiation of dredging of the Mantua Creek Anchorage under the Delaware River, Philadelphia to the Sea project pending the outcome of current negotiations by the Corps of Engineers to obtain easements on suitable disposal areas and completion of the independent staff investigation being conducted of the problem by the House Committee on Appropriations. As soon as the necessary information is available to assure that appropriate competition will prevail on bidding on Federal dredging contracts in the area, it is agreed that the committees will consider a reprogramming within available funds to initiate the subject dredging.

Amendment No. 5: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment inserting language authorizing the Chief of Engineers to provide a new four-lane high level bridge as a replacement for the United States Highway No. 64 bridge immediately west of Fort Smith, Arkansas.

Amendment No. 6: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment inserting language authorizing, at the discretion of the Chief of Engineers, that funds appropriated for the Robert S. Kerr Lock and Dam, Oklahoma, may be used to provide appropriate navigational clearances for bridges crossing the Sans Bois Creek which are to be relocated under the existing project.

Amendment No. 7: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment inserting language providing that the Lost Creek Project in Oregon and the Wynoochee Project in Washington shall not be operated for irrigation purposes until such time as the Secretary of the Interior makes the necessary arrangements with non-Federal interests to recover the costs, in accordance with Federal Reclamation Law, which are allocated to the irrigation purposes.

Amendment No. 8: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment inserting language providing that appropriations under this head shall be available to the Chief of Engineers for the purposes authorized by section 6 of the Flood Control Act of 1946 and providing that the authority shall be extended to include the Libby Dam and Reservoir project in Montana.

Operation and Maintenance, General

Amendment No. 9: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment inserting language pertaining to the financing of the United States share of the cost of pumping water from Lake Okeechobee to the Everglades National Park in connection with the Central and Southern Florida Flood Control project.

Flood Control, Mississippi River and Tributaries

Amendment No. 10: Appropriates $87,135,000 instead of $84,950,000 as proposed by the House and $87,350,000 as proposed by the Senate. The increase provided over the House Bill consists of the following: study of the Obion and Forked Deer Rivers and Tributaries, Tennessee, $10,000; Mississippi River levees, $175,000; and Channel improvement, $2,000,000.

Administrative Provisions

Amendment No. 11: Provides a limitation of $149,000,000 on the capital of the revolving fund, Corps of Engineers, instead of $147,000,000 as proposed by the House and $151,000,000 as proposed by the Senate.

The Panama Canal

Canal Zone Government

Amendment No. 12: Appropriates $33,404,000 for operating expenses as proposed by the Senate instead of $33,300,000 as proposed by the House. The increase provided over the House Bill is for pay act costs.

Amendment No. 13: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment inserting language authorizing the apportionment of funds for operating expenses of the Canal Zone Government to the extent necessary to permit the payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law which are not in excess of statutory increases

granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

TITLE II—DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

General Investigations

Amendments Nos. 14 and 15: Appropriate $15,075,000 instead of $14,270,000 as proposed by the House and $15,325,000 as proposed by the Senate. The increase provided over the House Bill includes: San Pedro-Santa Cruz project, Arizona, study, $30,000; for reconnaissance study of Cache Creek project, Oklahoma, $25,000; and for atmospheric water resources engineering and research, $750,000.

Amendment No. 16: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment inserting language providing for not to exceed $35,000 to be available for payment to the Salt River Pima-Maricopa and Ft. McDowell Indian tribes for economic studies in connection with the potential construction of the Orme Dam on the Salt River in Arizona.

Construction and Rehabilitation

Amendment No. 17: Appropriates $192,375,000 instead of $187,055,000 as proposed by the House and $192,475,000 as proposed by the Senate. The net increase provided over the House Bill consists of the following: For advance planning on the Southern Nevada Water Supply project, Nevada, $1,000,000; for advance planning of the Lower Teton Division, Teton Basin Project, Idaho, $300,000; deletion of the House item for the Colorado River Front and Levee system due to the availability of carryover funds, a decrease of $3,055,000; Fryingpan-Arkansas project, Colorado, $800,000; Pecos River Basin Water Salvage project, New Mexico-Texas, $250,000; drainage and minor construction (Eden project, Wyoming), $100,000; Missouri River Basin project-Transmission division, for planning of the 345 kv transmission line from Ft. Thompson, South Dakota to Grand Island, Nebraska, $450,000. The conferees are in agreement that this approval shall not be construed in any way as a future commitment for the planning and construction of an extension of the line from Grand Island, Nebraska to Springfield, Missouri; feasibility investigation of Ft. Thompson and Grass Rope Units, South Dakota pumping division, $80,000; feasibility investigation of the Mitchell Section, James Division, Oahe unit, South Dakota, $25,000; reconnaissance study of facilities to provide municipal and industrial water to Minot, North Dakota, $15,000; reconnaissance investigation of the Moorhead Unit, Montana and Wyoming, $80,000; for continuing preconstruction planning on the Mid-State division, Nebraska, $125,000; and a reduction of $5,200,000 in the undistributed reduction based on anticipated delays.

Upper Colorado River Storage Project

Amendments Nos. 18 and 19: Appropriate $50,198,000 as proposed by the Senate instead of $48,948,000 as proposed by the House. The increase provided over the House Bill is to be applied to the item for undistributed reduction based on anticipated delays.

Administrative Provisions

Amendment No. 20: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the language provision inserted by the Senate providing for full reimbursement by the Office of Emergency Planning of funds expended by the Bureau of Reclamation for disaster relief under P.L. 81–875.

Southwestern Power Administration

Amendment No. 21: Appropriates $3,950,000 for construction instead of $4,500,000 as proposed by the House and $3,910,000 as proposed by the Senate. The decrease in the House Bill amount results from the deletion of funds for initiating construction of the Stockton Dam-Carthage line ($10,000); Norfolk Dam-West Plains line modification ($280,000); West Plains substation ($180,000); and Norfolk substation addition ($80,000) pending further study of whether the current and future transmission requirements can be met adequately through the facilities of the REA generation and transmission cooperatives in the area. A total of $40,000 has been included within the amount allowed for the purpose of making this study.

TITLE IV—INDEPENDENT OFFICES

Tennessee Valley Authority

Payment to Tennessee Valley Authority Fund

Amendment No. 22: Authorizes the purchase of not to exceed 240 passenger motor vehicles as proposed by the House instead of 285 as proposed by the Senate.

Amendment No. 23: Appropriates $63,700,000 as proposed by the House instead of $63,635,000 as proposed by the Senate. The amount allowed reflects the following changes in the budget estimate: an increase of $2,000,000 for the Tims Ford Dam and Reservoir; a disallowance of $75,000 for the purchase of 45 additional passenger motor vehicles; a disallowance of $500,000 for trucks and heavy mobile equipment; and a reduction of $1,360,000 for anticipated delays and savings in the capital outlay program. None of the latter reduction shall be applied to the land acquisition program.

TITLE V—GENERAL PROVISIONS

Departments, agencies, and corporations

Amendment No. 24: Deletes language proposed by the Senate providing for the acquisition and installation of air conditioning equipment in passenger motor vehicles and station wagons in certain areas in the United States.

MICHAEL J. KIRWAN,
JOHN E. FOGARTY,
JOE L. EVINS,
EDWARD P. BOLAND,
JAMIE L. WHITTEN,
BOB CASEY,
GEORGE MAHON,
JOHN J. RHODES,
HOWARD W. ROBISON,
FRANK T. BOW,
Managers on the Part of the House.

Mr. KIRWAN (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent to dispense with further reading of the statement of the managers.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The **SPEAKER**. The gentleman from Ohio [Mr. KIRWAN] is recognized for 1 hour.

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include charts and tables.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KIRWAN. Mr. Speaker, I believe the bill agreed to in conference is a good bill. The total for the bill is $4,134,511,000, including $2,257,030,000 for the Atomic Energy Commission. It is $32,562,000 below the budget request and $190,981,800 below the appropriations for last fiscal year. It should be noted that the decrease in the budget estimate would have totaled $44,762,000 had it not been necessary for the committees to provide an additional $12,200,000 for the budgeted programs of the Bureau of Reclamation to cover the shortages incurred by the Bureau in meeting contractors' earnings during June 1966.

The bill makes provision for only the highest priority requests for new construction starts. The conference action adds only 10 additional new construction starts over those provided in the House bill. The emphasis in the bill has been placed on funding of projects in the study and planning stage because of the small current expenditures involved and in order that they might be ready for the initiation of construction as soon as larger capital expenditures in the economy are warranted. With the large backlog of authorized projects that are urgently needed for essential water resources development, I hope that at an early date we will be able to provide more adequate appropriations to accelerate the program.

I want to express my appreciation for the cooperation which I have received from the members of the subcommittee throughout the many months we have labored to come up with an adequate bill and yet remain under the budget estimate and below last year's appreciation. I regret that Mr. WHITTEN could not be with the rest of our subcommittee here on the floor today but he had to leave town right after the conference meeting yesterday to meet an important prior commitment in his district.

Mr. Speaker, I include the following table in further explanation of the report:

Summary table—Public works appropriation bill, 1967

	Appropriation 1966	Budget estimate 1967 (as amended)	Passed House	Passed Senate	Conference action	Conference action compared with—			
						Appropriations 1966	Budget estimates	Passed House	Passed Senate
Title I—Department of Defense, Civil	$1, 378, 476, 500	$1, 333, 516, 000	$1, 324, 343, 000	$1, 345, 585, 000	$1, 341, 097, 000	−$37, 379, 500	+$7, 581, 000	+$16, 754, 000	−$4, 488, 000
Title II—Department of Interior	452, 999, 300	441, 252, 000	459, 224, 000	466, 359, 000	466, 049, 000	+13, 049, 700	+24, 797, 000	+6, 825, 000	−310, 000
Title III—Atomic Energy Commission	2, 426, 720, 000	2, 321, 200, 000	2, 257, 030, 000	2, 257, 030, 000	2, 257, 030, 000	−169, 690, 000	−64, 170, 000		
Title IV—Independent offices	67, 297, 000	71, 105, 000	70, 335, 000	70, 270, 000	70, 335, 000	+3, 038, 000	−770, 000		+65, 000
Grand total, all titles	4, 325, 492, 800	4, 167, 073, 000	4, 110, 932, 000	4, 139, 244, 000	4, 134, 511, 000	−190, 981, 800	−32, 562, 000	+23, 579, 000	−4, 733, 000

Mr. Speaker, I yield such time as he may need to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I support this conference report and congratulate the chairman of the House conferees and all of the House conferees on what I think is a workmanlike job. This is not an austere bill, Mr. Speaker, by any stretch of the imagination, but neither is it an extravagant bill. As the gentleman from Ohio so well stated, we come back with a figure which is considerably under the budget and even more under the amount appropriated last year, which I think is certainly in line with the fiscal situation in which the country finds itself with regard to the Vietnamese war and the other expenditures which the House and the Senate have already voted.

Therefore, Mr. Speaker, I support this bill and yield back the balance of my time.

Mr. KIRWAN. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Speaker, I feel that this is a time when the Members of this Congress must exercise a great deal of restraint with respect to commitments of added spending, and I submit that this bill as it passed the House of Representatives, reflected very little restraint in that respect, and the bill as it passed the other body, even less of that restraint.

Mr. Speaker, the additional $20 million included in this conference report, but which did not appear in the House bill, may not loom large in terms of dollars in a $4 billion plus bill. But I do submit, Mr. Speaker, that these dollars do loom large in terms of the commitments of our spending over the next few years that are involved in the projects which are included in this conference report, but which were not included in the House bill.

Mr. Speaker, I feel that the people of this country are entitled to a demonstration of restraint and are waiting for that demonstration of restraint with respect to spending commitments.

Mr. Speaker, today we have pending before us a conference report, which represents another group of civil works projects, "as usual."

Last week we had pending before us a multibillion-dollar education bill which represented huge commitments over these next years.

The week before that it was the antipoverty bill, another multibillion-dollar program, in terms of commitments over the next few years.

Mr. Speaker, there is not any secret that all of these extra dollars that we are appropriating or authorizing to be expended are borrowed dollars.

Everyone knows that we are operating on a deficit basis and that we do not now have available, either in terms of dollars or in terms of appropriations, the money with which to finance the war in Vietnam.

And, Mr. Speaker, it is no secret that because of this lack of restraint, this continuation of spending, that inflation is here, and that it is a real and present danger to this Nation, and to its people and to its economy.

Yet, Mr. Speaker, we have continued to go on our spending way.

We know that we are facing a decision within a few weeks on probably a $10 billion tax bill, and it will be enacted in the name of the "war in Vietnam" and not in the name of "big spending." It will not be enacted in the name of big spending upon new and overly expanded domestic programs.

Oh, I know it will be said that this conference report is under the total dollars that were contained in the President's budget, and that is true for one reason only—because of the cut that was made in the Atomic Energy Commission funds. This is not true with respect to any other of the titles contained in this bill.

Mr. Speaker, what we can do here today is limited. We can only deal with $28.3 million, the amount that was added by the other body to this bill.

But, at least, Mr. Speaker, we can do what we can, and that is to substantially restore the bill insofar as we practically can to the form in which it passed the House of Representatives.

I have prepared a motion to recommit this conference report, with instructions to the managers on the part of the House, to do substantially that. It goes as far in that direction, at least as the rules relating to conference reports on appropriation bills will permit.

The effect of such a motion would be to restore and insist upon the House figures for general investigations, for planning, and for construction, for the Corps of Engineers. It would restore with respect to the Mississippi River and its tributaries, the House figure, a figure that is already $7 million over the budget. It would restore the figures for the Bureau of Reclamation investigations, for the Bureau of Reclamation construction and rehabilitation to the figures at which they were included in the House bill.

In the Corps of Engineers' revolving fund it would restore that to the figure of $147 million, and it would do it on the basis that this is what the representatives of the Corps of Engineers told our subcommittee would be needed to carry us through this fiscal year.

I submit that we ought not to assume that we are going to fiddle around with appropriation bills the next year the way we fiddled around with them this year. And to give them more for this revolving fund than was included in the House bill is to assume that we are not going to have this appropriation bill through the House by the first of July next year.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman from Ohio, the ranking minority member of our committee.

Mr. BOW. Mr. Speaker, to clarify the gentleman's motion to recommit, may I ask him this question: If the motion to recommit were to carry, as I understand it, it would take these figures back to the House figures, as the bill passed the House. Am I correct?

Mr. DAVIS of Wisconsin. That is substantially correct. It could not even go quite that far because of some practical limitation in the parliamentary situation, but in no case would it affect anything that was in this bill at the time that it passed the House.

Mr. BOW. I wanted to make this clear. In other words, there would be nothing affected that was in the bill when it passed the House; the figures would remain the same as they were when the bill passed the House?

Mr. DAVIS of Wisconsin. With one single exception, and that is with respect to the proposal relative to amendment No. 23 only. I am glad the ranking minority member of the committee brought that to the attention of the House.

In that connection it is suggested that we accept the Senate figure, which is slightly smaller, and there the effect would be to cut back on an unbudgeted amount for the Tennessee Valley Authority that was included in the bill, because it was substantially over the budget figure. So we would be cutting back about $65,000 below the House figure, but that is the only instance anywhere in this proposed motion to recommit.

Mr. BOW. And no project that was in the bill, or anything a Member might have had in the bill when it left here would be affected by the gentleman's motion to recommit?

Mr. DAVIS of Wisconsin. That is true, with the single exception that I pointed out.

Mr. BOW. I thank the gentleman for yielding.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Wisconsin. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. In this one instance where, if the motion to recommit prevails, the figure would be $65,000 less than the House figure, would the gentleman from Wisconsin tell the House how the $65,000 figure relates to the total figure for that particular project, or program?

Would the gentleman recollect?

Mr. DAVIS of Wisconsin. It would be exactly at the budget figure, and $65,000 less than the amount that was carried when it passed the House.

Mr. GERALD R. FORD. Does the gentleman recollect the figure that was involved in that particular project? Was it a $10 million amount, or a $5 million amount?

Mr. DAVIS of Wisconsin. The total amount was something in excess of $63 million.

Mr. GERALD R. FORD. In other words, it is a $65,000 reduction related to a $63 million item?

Mr. DAVIS of Wisconsin. That is correct. It would result in some shifting of funds within that total amount.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman.

Mr. JONAS. If I misunderstood the gentleman, I beg his pardon, but I thought I understood the gentleman to assure the House that the motion to recommit would almost entirely bring the figures back to the figures as contained in the House-passed bill.

Mr. DAVIS of Wisconsin. That is correct.

In summary, Mr. Speaker, I think this country needs a gesture of restraint in spending. Perhaps that is what this $20 million is. Maybe it is only a gesture. But I submit it is a gesture that this country needs. It is a gesture that this House of Representatives needs to make. Because of parliamentary limitations that prevent it, I cannot now attempt any more than this $20 million gesture on this $4.1 billion conference report.

Mr. Speaker, I hope the majority of the Members of the House will support the motion to recommit.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Wisconsin has expired.

Mr. KIRWAN. Mr. Speaker, I yield such time as he may require to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to ask the chairman of the committee or one of the members of the committee a question with regard to the Dickey-Lincoln School Reservoir project in Maine.

I was one of 11 Members from the State of Massachusetts who voted on this item a year ago and 10 of us opposed it.

I know that I still feel exactly the same way—that the Dickey-Lincoln project is an obsolete program. Yet, I note that the conference committee has increased the item from $800,000 to $1,100,000.

We had no serious opposition to the $800,000 at the time the bill passed the Congress because it was my belief that there was going to be an independent study made by the Committee on Appropriations and that the majority of us who had sat down on this bill had agreed that if an independent study showed that the Dickey-Lincoln Reservoir was necessary that we from New England would go along with it.

While there is nothing that spells out in the bill that there will be study, is it still the feeling of the House side of the committee that there will be a study on the Dickey-Lincoln project?

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman.

Mr. BOLAND. I think I may be able to answer the question that the gentleman has put.

As the gentleman from Massachusetts has said, the conferees did increase the amount in this bill for the planning for the Dickey-Lincoln School Reservoir project from $800,000 to $1,100,000.

As the gentleman knows, the conferees function and operate in an area of compromise. The distinguished gentlemen from the State of Maine [Mr. HATHAWAY and Mr. TUPPER], asked the House conferees to go along with the Senate position. We came out with a good compromise. There is a staff study which has been set up and is in the process of now being established for the Dickey-Lincoln School Reservoir project.

Let me say further to the gentleman, that the investigative staff of the House Committee on Appropriations is made up of Federal Bureau of Investigation agents. These agents, who are now of the investigative staff of the House Committee on Appropriations, will have available for this study some of the best talent in the field of power and hydroelectric projects. In this investigation I would hope that they would pull from the various departments and agencies downtown—plus whatever extra they need from the outside—the best available team to answer some of the questions that this committee is propounding to the investigative staff.

Let me say to the gentleman from Massachusetts that the investigation will include a number of points. To be specific, the House Appropriations Committee is asking for these six points to be covered in the investigation:

First. A review and appraisal of the completeness and adequacy of the study conducted by the Corps of Engineers and the Department of the Interior on which the report was based recommending the project for authorizations.

Second. An analysis of the soundness of the cost estimate of $218.7 million.

Third. An analysis of the soundness of the estimated allocation of the annual project benefits to power, flood control, and area redevelopment.

Fourth. An appraisal of the plans for the marketing of power including the proposed power rates to be charged and the payout schedule.

Fifth. A comparison of the estimated cost of power production under the project with costs under alternative means, including steamplants, nuclear plants, and pumped storage and nuclear combinations.

Sixth. An overall appraisal of the need and significance of the project in meeting power requirements in the light of the expansion program planned by the New England utilities.

It would seem to me that on the basis of the particular recommendations that this committee has suggested to the investigative staff, this will be a project which will be studied in depth and we hope to get an impartial, complete, and well-balanced study by the investigative staff of the House Committee on Appropriations.

Mr. O'NEILL of Massachusetts. I, for one, am perfectly satisfied with that and intend to abide by the decision that was made. I hope those who are advocating legislation will also abide by the decision in the same way.

Mr. BOLAND. I think the gentleman would agree with me that if the investigative staff comes up with a recommendation, or if recommendations indicate that this project ought to be built, we in New England will support it.

Mr. O'NEILL of Massachusetts. I agree with the gentleman.

Mr. CLARK. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Pennsylvania.

Mr. CLARK. I wish to compliment the committee for making this study at this time, because that was my objection to it in the first place. If the study comes up favorable to the project, I for one will not oppose it.

Mr. JONES of Missouri. Mr. Speaker, ordinarily, I might be expected to oppose amendment No. 21, whereby the Senate has deleted funds for initiating construction of several projects by the Southwestern Power Administration affecting West Plains, Mo., one of the principal cities in the 10th Congressional District. However, Mr. Speaker, I could not be consistent in my position of insisting on nonduplication of facilities, if I opposed this amendment, particularly since the House conferees have insisted upon, and obtained, approval of an appropriation of $40,000 for the purpose of financing a study of whether the current and future transmission requirements can be met adequately through the facilities of the REA generation and transmission cooperative in the area. I have been assured that, with the approval of the $40,000 for the study, it will proceed without delay and, if the need is shown for the construction of additional lines, or the increasing of capacity on existing lines, such construction will be approved, and the necessary funds provided.

Mr. HANSEN of Idaho. Mr. Speaker, in consideration of the conference report on the public works appropriation bill, may I call the attention of the House to two items, which have been approved by the House and Senate conferees, most important to my district.

The first item pertains to funds to begin construction on the Lower Teton Dam in Fremont County, Idaho. This dam is a multipurpose development, designed to make maximum use of available water resources in this area. The first stage of construction would provide urgently needed supplemental water for 114,000 acres of land. The project would also provide substantial flood protection to a highly developed area in the Upper Snake River Basin which has suffered from severe flooding in recent years. This particular area has suffered not only from flooding, but from droughts in several years; and this project should eliminate both of these problems.

Appropriation of these funds would permit the Bureau of Reclamation to proceed immediately with foundation exploration at the dam site, field topographic surveys, ground water exploration, land classification studies, right-of-way appraisals, and repayment contract negotiations.

I know the farmers and residents in this area appreciate the favorable action by the conferees in recommending approval of the $300,000 for this project.

I am also very pleased to note that the conferees accepted the Senate recommendation of $200,000 for the Ririe flood control project which is urgently needed to avoid serious losses in this section of the Snake River.

I urge the House to accept the conference report because of the critical need for these projects

Mr. KIRWAN. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. Mills). The question is on agreeing to the conference report.

MOTION TO RECOMMIT

Mr. DAVIS of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. DAVIS of Wisconsin. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Davis of Wisconsin moves to recommit the conference report to the committee of conference with instructions to the managers on the part of the House to insist on disagreement to the amendments of the Senate numbered 3, 4, 5, 10, 11, 12, 14, 15, and 17; and in respect to amendment numbered 23, that the managers on the part of the House concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin to recommit the conference report.

The question was taken; and the Speaker pro tempore announced that the "nays" appeared to have it.

Mr. DAVIS of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 91, nays 255, not voting 83, as follows:

[Roll No. 350]

YEAS—91

Adair
Adams
Anderson, Ill.
Arends
Ashbrook
Ayres
Bates
Bell
Betts
Bingham
Bow
Bray
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clawson, Del
Cleveland
Conable
Corbett
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Dole
Duncan, Tenn.
Erlenborn
Findley
Fino
Ford, Gerald R.
Fraser
Fulton, Pa.
Goodell
Grover
Hall
Halpern
Harsha
Harvey, Mich.
Hosmer
Hutchinson
Joelson
Johnson, Pa.
Jonas
Kunkel
Laird
Latta
Lipscomb
McClory
McCulloch
McDade
McEwen
MacGregor
Mailliard
Mathias
Minshall
Moeller
Morse
Morton
Mosher
Nelsen
Ottinger
Pelly
Pirnie
Quie
Reid, Ill.
Reid, N.Y.
Rumsfeld
Saylor
Schneebeli
Schweiker
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stalbaum
Talcott
Todd
Vivian
Watkins
Whalley
Widnall
Wilson, Bob
Wyatt
Wydler

NAYS—255

Abbitt
Abernethy
Addabbo
Anderson, Tenn.
Andrews, George W.
Andrews, N. Dak.
Annunzio
Ashley
Ashmore
Baring
Barrett
Battin
Beckworth
Belcher
Bennett
Berry
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brown, Calif.
Broyhill, Va.

Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Callan
Cameron
Carey
Casey
Celler
Chelf
Clark
Clausen, Don H.
Cohelan
Colmer
Conte
Conyers
Cramer
Cunningham
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Donohue
Dow
Dowdy
Downing
Dulski
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Ellsworth
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Fogarty
Ford, William D.
Fountain
Friedel
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Gubser
Gurney
Hagen, Calif.
Haley
Halleck
Hamilton
Hanna
Hansen, Idaho
Hardy
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Holifield
Holland
Horton
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Jarman
Johnson, Calif.
Johnson, Okla.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kupferman
Landrum
Langen
Leggett
Lennon
Long, La.
Long, Md.
McCarthy
McFall
McGrath
McMillan
Machen
Mackie
Madden
Mahon
Marsh
Martin, Nebr.
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Mink
Mize
Monagan
Moore
Morgan
Multer
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Poff
Pool
Powell
Price
Pucinski
Quillen
Race
Randall
Redlin
Rees
Reifel
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan
Satterfield
St Germain
St. Onge
Scheuer
Schisler
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Stafford
Staggers
Stanton
Stubblefield
Sullivan
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Thompson, N.J.
Thomson, Wis.
Tuck
Tupper
Udall
Ullman
Utt
Van Deerlin
Vanik
Waggonner
Waldie
Walker, N. Mex.
Watson
Watts
Weltner
White, Tex.
Whitener
Williams
Wilson, Charles H.
Wright
Yates
Young
Younger
Zablocki

NOT VOTING—83

Albert
Andrews, Glenn
Aspinall
Bandstra
Brooks
Byrne, Pa.
Cabell
Callaway
Clevenger
Collier
Cooley
Corman
Craley
Culver
Davis, Ga.
Devine
Dickinson
Diggs
Dingell
Dorn
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Evans, Colo.
Fisher
Flynt
Foley
Frelinghuysen
Fulton, Tenn.
Fuqua
Gilligan
Gross
Hagan, Ga.
Hanley
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hébert
Hicks
Huot
Jennings
Jones, Ala.
Keith
King, N.Y.
Love
McDowell
McVicker
Macdonald
Mackay
Martin, Ala.
Martin, Mass.
Matsunaga
Moorhead
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Purcell
Reinecke
Rivers, Alaska
Rogers, Tex.
Roncalio
Schmidhauser
Scott
Steed
Stephens
Stratton
Sweeney
Taylor
Thompson, Tex.
Toll
Trimble
Tunney
Tuten
Vigorito
Walker, Miss.
White, Idaho
Whitten
Willis
Wolff

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Albert with Mr. Martin of Massachusetts.
Mr. Foley with Mr. Harvey of Indiana.
Mr. Byrne of Pennsylvania with Mr. Frelinghuysen.
Mr. Schmidhauser with Mr. Dickinson.
Mr. Love with Mr. Reinecke.
Mr. Stratton with Mr. Callaway.
Mr. Wolff with Mr. King of New York.
Mr. Moss with Mr. Martin of Alabama.
Mr. Mackay with Mr. Devine.
Mr. Jennings with Mrs. Dwyer.
Mr. Aspinall with Mr. Collier.
Mr. Bandstra with Mr. Keith.
Mr. Hébert with Mr. Glenn Andrews.
Mr. Sweeney with Mr. Walker of Mississippi.
Mr. White of Idaho with Mr. O'Konski.
Mr. Morris with Mr. Macdonald.
Mr. McVicker with Mr. Cooley.
Mr. Davis of Georgia with Mr. Dingell.
Mr. Dyal with Mr. Huot.
Mr. Hicks with Mr. Roncalio.
Mr. Steed with Mr. Scott.
Mr. Matsunaga with Mr. Diggs.
Mr. Evans of Colorado with Mr. Duncan of Oregon.
Mr. Murphy of New York with Mr. Nix.
Mr. O'Brien with Mr. Olsen of Montana.
Mr. Gilligan with Mrs. Hansen of Washington.
Mr. Hanley with Mr. Whitten.
Mr. Rivers of Alaska with Mr. Willis.
Mr. Moorhead with Mr. Tuten.
Mr. Tunney with Mr. Thompson of Texas.
Mr. Edmondson with Mr. Craley.
Mr. Corman with Mr. Rogers of Texas.
Mr. Clevenger with Mr. Jones of Alabama.
Mr. Culver with Mr. Fisher.
Mr. Fulton of Tennessee with Mr. Hansen of Iowa.
Mr. Fuqua with Mr. Toll.
Mr. Purcell with Mr. Trimble.
Mr. Hagan of Georgia with Mr. Vigorito.
Mr. Taylor with Mr. McDowell.
Mr. Stephens with Mr. Brooks.
Mr. Cabell with Mr. Flynt.
Mr. Dorn with Mr. Morrison.

Mr. MOORE changed his vote from "yea" to "nay."

Mr. ASHBROOK changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5, page 5, line 6, insert ": *Provided further,* That the Chief of Engineers shall, in lieu of altering the existing obsolescent bridge, provide a new four-lane high-level bridge as a replacement for the United States Highway Numbered 64 bridge immediately west of Fort Smith, Arkansas".

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Kirwan moves that the House recede from its disagreement to the amendment of the Senate numbered 5 and concur therein.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. Mr. Speaker, I feel that the Members of the House should be advised as to the effect of this amendment. The existing authorization would permit the replacement of the bridge in the area of Fort Smith, Ark., at a cost of approximately $2.5 million, of which $1.5 million would represent a contribution by the State or local communities. The effect of the proposed amendment would be to double the cost.

I am not prepared to argue the merit as to whether an inadequate bridge should be restored or whether a new, more adequate bridge should be constructed. But the point which I think the Members of the House should be aware of is that in the restoration of the old bridge for $2.5 million there would be a contribution by local interests of one-half million dollars, but that in the construction of the proposed new bridge costing $5.5 million there would not be a dime of local contribution to be made.

I do not think that is quite a fair way to treat the taxpayers of this country. Yet, I am sophisticated enough to know the very difficult circumstances under which this amendment was accepted by the conferees. I am not in a position to oppose the amendment as such, but I simply wish to have my colleagues know of the circumstances under which this amendment is brought to the floor.

Mr. KIRWAN. Mr. Speaker, the House conferees made every effort to include a provision in the language providing that the local interests would share in the cost of the bridge to which the gentleman refers. However, we were advised that a plan had finally been worked out between the Corps of Engineers and the local interests involving cost sharing on several bridges on the Arkansas. Although there is no local cost on this bridge, local interests are contributing funds at other locations, including the new bridge at Pine Bluff, Ark.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. KIRWAN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6, page 5, line 10, insert the following: *"Provided further,* That at the discretion of the Chief of Engineers, funds appropriated for the Robert S. Kerr Lock and Dam, Oklahoma, may be used to provide appropriate navigational clearances for bridges crossing the Sans Bois Creek which are to be relocated under the existing project".

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KIRWAN moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. KIRWAN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7, page 5, line 15, insert the following: *"Provided further,* That the Lost Creek Project in Oregon and the Wynoochee Project in Washington shall not be operated for irrigation purposes until such time as the Secretary of the Interior makes the necessary arrangements with non-Federal interests to recover the costs, in accordance with Federal Reclamation Law, which are allocated to the irrigation purpose".

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KIRWAN moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. KIRWAN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8, page 5, line 22, insert the following: ": *Provided further,* That appropriations under this head shall be available to the Chief of Engineers for the purposes authorized by section 6 of the Flood Control Act of 1946: *Provided further,* That the authority contained therein is extended to include the Libby Dam and Reservoir project in Montana: *Provided further,*".

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KIRWAN moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. KIRWAN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9, page 6, line 17, insert the following: "; financing the United States share of the cost of pumping water from Lake Okeechobee to the Everglades National Park;".

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KIRWAN moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. KIRWAN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13, page 11, line 15, insert the following: "Funds appropriated for operating expenses of the Canal Zone Government may be apportioned notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law which are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions."

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KIRWAN moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. KIRWAN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16, page 12, line 21, insert the following: ": *Provided further,* That not to exceed $35,000 of this appropriation shall be available for payment to the Salt River Pima-Maricopa and Mt. McDowell Indian Tribes for economic studies in connection with the potential construction of Orme Dam on the Salt River in Arizona: *Provided further,*".

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KIRWAN moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. KIRWAN].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20, page 21, line 11, insert the following: "Any appropriations made heretofore or hereafter to the Bureau of Reclamation which are expended in connection with national disaster relief under Public Law 81-875 as administered by the Office of Emergency Planning shall be reimbursed in full by that Office to the account for which the funds were originally appropriated."

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KIRWAN moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. KIRWAN].

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the

RECORD, and to include extraneous matter and tables.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PRIVATE CALENDAR

The **SPEAKER** pro tempore. Pursuant to the unanimous consent agreement of September 30, 1966, this is the day for the call of the Private Calendar. The Clerk will call the first bill on the Private Calendar.

COMPENSATION FOR CANCELLATION OF GRAZING PERMITS

The Clerk called the bill (S. 1375) providing a method of determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

S. 1375

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds and declares that Claudius C. Toone, of Morgan, Utah; W. E. and David Dearden, of Henefer, Utah; Robert Byram and Sons, of Ogden, Utah; Joseph O. Fawcett, of Henefer, Utah; and Richins Brothers, of Henefer, Utah, are equitably entitled to compensation for damages sustained by them because of the cancellation of their grazing permits by the United States Air Force as a result of a need for additional land for the Wendover bombing range.

SEC. 2. The Secretary of the Air Force is hereby authorized and directed to determine and pay the amount of compensation to which such persons are equitably entitled for damages because of the cancellation of their grazing permits. Such determination shall be made in accordance with criteria established in the usual cases where grazing permits are canceled as the result of withdrawals by a Federal department or agency.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED E. STARR

The Clerk called the bill (S. 1068) for the relief of Fred E. Starr.

There being no objection, the Clerk read the bill, as follows:

S. 1068

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Air Force is authorized and directed to provide for the transportation of the household goods and personal effects of Fred E. Starr, a former employee of the Department of the Air Force assigned to Headquarters, Pacific Air Force, Hawaii, from his last oversea duty station, Honolulu, Hawaii, to his permanent residence in Menomonee Falls, Wisconsin, and to pay, out of any funds available for the payment of transporting household goods, any unpaid storage charges which may be due on such household goods and personal effects at the time of shipment.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Fred E. Starr, the sum of $1,095.28 in full satisfaction of all his claims against the United States for expenses incurred by the said Fred E. Starr in storing the household goods and personal effects referred to in section 1 of this Act prior to the shipment thereof authorized by this Act.

With the following committee amendment:

On page 2, line 10: after the word "Act.", insert the following: "No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. RAISLA STEIN AND HER TWO MINOR CHILDREN

The Clerk called the bill (H.R. 1945) for the relief of Mrs. Raisla Stein and her two minor children.

The **SPEAKER** pro tempore (Mr. MILLS). Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. HALL objected and, under the rule, the bill was recommitted to the Committee on the Judiciary.

ARLINE AND MAURICE LOADER

The Clerk called the bill (H.R. 2016) for the relief of Arline and Maurice Loader.

There being no objection, the Clerk read the bill, as follows:

H.R. 2016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $20,000 to Arline and Maurice Loader of Half Moon Bay, California, in full settlement of their claims against the United States based upon the deaths of their sons, Maurice G. Loader and Frederic M. Loader, on October 15, 1944, as the result of the explosion of a 37 millimeter armor-piercing shell found by children on the Montara firing range.

No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEMETRIOS KONSTANTINOS GEORGARAS

The Clerk called the bill (H.R. 2146) for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras).

The **SPEAKER** pro tempore (Mr. MILLS). Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. MELBA B. PERKINS

The Clerk called the bill (H.R. 3275) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of Mrs. Melba B. Perkins against the United States.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROBERT A. HARWELL

The Clerk called the bill (H.R. 6039) for the relief of Robert A. Harwell.

There being no objection, the Clerk read the bill, as follows:

H.R. 6039

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $25,000 to Robert A. Harwell in full settlement of his claims against the United States to compensate him for the amount equitably due for approximately sixty acres of land in Haskell County, Oklahoma, and described as that part of the east half of the northwest quarter lying north of Oklahoma State Highway Numbered 9, in section 24, township 9 north, range 18 east of the Indian base and meridian, Haskell County, State of Oklahoma. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD G. BEAGLE, JR.

The Clerk called the bill (H.R. 13909) for the relief of Edward G. Beagle, Jr.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. HALL objected and, under the rule, the bill was recommitted to the Committee on the Judiciary.

CHARLES J. ARNOLD

The Clerk called the bill (H.R. 13910) for the relief of Charles J. Arnold.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. HALL objected and, under the rule, the bill was recommitted to the Committee on the Judiciary.

USE OF THE VESSEL "JOHN F. DREWS"

The Clerk called the bill (H.R. 14517) to amend Private Law 86-203 to permit the use of the vessel *John F. Drews* in the coastwide trade while it is owned by a citizen of the United States.

There being no objection, the Clerk read the bill, as follows:

H.R. 14517

Be it enacted by the Senate and House of Representatives of the United States of America assembled, That Private Law 86-203, approved September 21, 1959 (73 Stat. A89), is amended by inserting immediately before the period at the end thereof the following: "or by any other citizen of the United States within the meaning of section 2 of the Shipping Act, 1916 (46 U.S.C. 802)".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IOANNIS A. VASILOPOULOS

The Clerk called the bill (S. 2621) for the relief of Ioannis A. Vasilopoulos.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ERNEST BUILLET

The Clerk called the bill (H.R. 3879) for the relief of Ernest Buillet.

There being no objection, the Clerk read the bill, as follows:

H.R. 3879

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ernest Buillet shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Ernest Buillet may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Paul Grisel, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL P. BUCKLEY

The Clerk called the bill (H.R. 1890) for the relief of Michael P. Buckley.

There being no objection, the Clerk read the bill, as follows:

H.R. 1890

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Michael P. Buckley, of Pittsfield, Massachusetts, is hereby relieved of liability to the United States in the amount of $503.83, the amount of the balance, as of August 11, 1964, of his liability to the United States on General Accounting Office Claim Number Z-2250627. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

With the following committee amendment:

Page 1, line 5, strike "$503.83" and insert "$389.50".

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS SYLVIA KRONFELD

The Clerk called the bill (H.R. 7885) for the relief of Miss Sylvia Kronfeld.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

J. M. PENDARVIS, JR.

The Clerk called the bill (H.R. 9036) for the relief of J. M. Pendarvis, Jr.

There being no objection, the Clerk read the bill, as follows:

H.R. 9036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $30,000 to J. M. Pendarvis, Junior, of Edgefield, South Carolina, in full settlement of his claims against the United States based upon the injuries and disabilities he suffered as the result of an assault by members of the United States Army on August 6, 1963, at the time of the Army maneuvers designated Swift Strike Operation. This claim is not cognizable under the tort claims provisions of title 28 of the United States Code by reason of the exception provided in subsection (h) of section 2680 of that title. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike "$30,000" and insert "$15,000".

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ARTHUR ANDERSON

The Clerk called the bill (H.R. 11946) for the relief of Arthur Anderson.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CECIL A. RHODES

The Clerk called the bill (H.R. 13459) for the relief of Cecil A. Rhodes.

There being no objection, the Clerk read the bill, as follows:

H.R. 13459

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the employment of Cecil A. Rhodes of Jacksonville, Florida, in a civilian position by the Post Office Department during periods of service on active duty with the United States Navy beginning on March 27, 1960, and ending October 4, 1965, shall be deemed lawful, and he shall be entitled to all of the compensation and other benefits to which he would have been entitled had he not been serving on active duty during such period.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DINO J. CATERINI

The Clerk called the bill (H.R. 17259) for the relief of Dino J. Caterini.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. **HALL.** Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. BIENVENIDO BENACH CARRERAS

The Clerk called the bill (H.R. 6226) for the relief of Dr. Bienvenido Benach Carreras.

There being no objection, the Clerk read the bill, as follows:

H.R. 6226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Bienvenido Benach Carreras may be naturalized upon compliance with all the requirements of title III of the Immigration and Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required, in addition to his residence and physical presence within the United States since August 26, 1961.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Doctor Bienvenido Benach Carreras shall be held and considered to have been admitted to the United States for permanent residence as of August 26, 1961."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. HILDA WENCESLAA PEREZ DE GONZALEZ

The Clerk called the bill (H.R. 6658) for the relief of Dr. Hilda Wenceslaa Perez de Gonzalez.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. **ASHMORE.** Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2587, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

S. 2587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Hilda W. Perez de Gonzalez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 6658) was laid on the table.

DR. MYRIAM DE LA CARIDAD ARES Y FERNANDEZ DE BOSCH

The Clerk called the bill (H.R. 6899) for the relief of Dr. Myriam de la Caridad Ares y Fernandez de Bosch.

There being no objection, the Clerk read the bill, as follows:

H.R. 6899

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asesmbled, That Doctor Myriam de la Caridad Ares y Fernandez de Bosch may be naturalized upon compliance with all the requirements of title III of the Immigration and Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required, in addition to her residence and physical presence within the United States since July 28, 1960.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Doctor Myriam de la Caridad Ares y Fernandez de Bosch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 28, 1960."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. **HALL.** Mr. Speaker, inasmuch as all of these bills, beginning with Calendar No. 554, which the Clerk shall commence to read next, through Private Calendar No. 558, have been carefully checked on both sides of the aisle, and which have been reported out of the Committee on the Judiciary, and which are somewhat similar or identical, I ask unanimous consent that they be considered en bloc and passed by the House of Representatives.

The SPEAKER pro tempore. Are there any amendments to any of these bills that the gentleman from Missouri asks unanimous consent be considered en bloc?

I shall request the Clerk to report these bills by title and then shall ask unanimous consent to the gentleman's unanimous consent request that Private Calendar No. 555 through Private Calendar——

Mr. **HALL.** Mr. Speaker, Private Calendar No. 583, and a motion is included in the unanimous-consent request to take care of such necessary modifications in order to adapt previously passed Senate bills, substitutions, and correcting the title, et cetera.

The SPEAKER pro tempore. Let the Chair suggest, for the convenience of the Chair, in putting the question, that we go through and including Calendar No. 555 first, and then take the others up in a separate request.

The Clerk will report the titles of these bills under Private Calendars Nos. 555, 556, 557, 558, 559, 560.

DR. ALLAN BAUMAL

The Clerk called the bill (H.R. 10259) for the relief of Dr. Allan Baumal.

There being no objection, the Clerk read the bill, as follows:

H.R. 10259

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Allan Baumal shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. PEDRO RAPHAEL

The Clerk called the bill (H.R. 11224) for the relief of Dr. Pedro Raphael.

There being no objection, the Clerk read the bill, as follows:

H.R. 11224

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Pedro Raphael shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 17, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JACINTA LLORENS

The Clerk called the bill (H.R. 11590) for the relief of Dr. Jacinta Llorens.

There being no objection, the Clerk read the bill, as follows:

H.R. 11590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jacinta Llorens shall be held and considered to have been lawfully admitted for permanent residence as of June 13, 1960.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. AUGUSTO J. FERNANDEZ-CONDE

The Clerk called the bill (H.R. 12317) for the relief of Dr. Augusto J. Fernandez-Conde.

There being no objection, the Clerk read the bill, as follows:

H.R. 12317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Augusto J. Fernandez-Conde shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 11, 1961.

With the following committee amendment:

On page 1, line 6, strike out the date "August 11, 1961." and insert in lieu thereof the date "August 10, 1961."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIO P. NAVARRO, M.D.

The Clerk called the bill (H.R. 13101) for the relief of Mario P. Navarro, doctor of medicine.

There being no objection, the Clerk read the bill, as follows:

H.R. 13101

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mario P. Navarro, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 28, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ANTONIO RONDON DELGADO

The Clerk called the bill (H.R. 16610) for the relief of Dr. Antonio Rondon Delgado.

There being no objection, the Clerk read the bill, as follows:

H.R. 16610

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Antonio Rondon Delgado shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 4, 1957, upon payment of the required visa fee.

With the following committee amendment:

On page 1, line 6, after the date "July 4, 1957" change the comma to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING AND DIRECTING THE SECRETARY OF THE TREASURY TO CAUSE THE VESSEL "ELVA L.," OWNED BY HAROLD BUNKER, OF MATINICUS, MAINE, TO BE DOCUMENTED AS A VESSEL OF THE UNITED STATES WITH COASTWISE PRIVILEGES

The Clerk called the bill (S. 1275) to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges.

There being no objection, the Clerk read the bill, as follows:

S. 1275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), the Secretary of the Treasury shall cause the vessel Elva L., owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade so long as such vessel is owned by a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GABRIEL A. NAHAS AND VERA NAHAS

The Clerk called the bill (S. 405) for the relief of Gabriel A. Nahas and Vera Nahas.

There being no objection, the Clerk read the bill, as follows:

S. 405

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Gabriel A. Nahas and Vera Nahas have resided in the United States since their lawful admission for permanent residence on March 2, 1960, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MARSHALL KU

The Clerk called the bill (S. 769) for the relief of Dr. Marshall Ku.

There being no objection, the Clerk read the bill, as follows:

S. 769

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Marshall Ku shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1951, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Doctor Marshall Ku shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1951."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RAFAEL PEDRO MARTINEZ TORRES

The Clerk called the bill (S. 1137) for the relief of Dr. Rafael Pedro Martinez Torres.

There being no objection, the Clerk read the bill, as follows:

S. 1137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Doctor Rafael Pedro Martinez Torres has resided in the United States since his lawful admission for permanent residence on March 5, 1950, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Doctor Rafael Pedro Martinez Torres shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 25, 1961."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JOSE JOAQUIN DIAZ FRANQUIZ

The Clerk called the bill (S. 2106) for the relief of Dr. Jose Joaquin Diaz Franquiz.

There being no objection, the Clerk read the bill, as follows:

S. 2106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose Joaquin Diaz Franquiz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 7, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JORGE AJBUSZYC VOLSKY

The Clerk called the bill (S. 2457) for the relief of Jorge Ajbuszyc Volsky.

There being no objection, the Clerk read the bill, as follows.

S. 2457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jorge Ajbuszyc Volsky shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 22, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. GUILLERMO RODRIGUEZ

The Clerk called the bill (S. 2640) for the relief of Dr. Guillermo Rodriguez.

There being no objection, the Clerk read the bill, as follows:

S. 2640

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Guillermo Rodriguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 18, 1960.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. EZZAT N. ASAAD

The Clerk called the bill (S. 2738) for the relief of Dr. Ezzat N. Asaad.

There being no objection, the Clerk read the bill, as follows:

S. 2738

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ezzat N. Asaad shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 11, 1958, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. BLANCHE L. ASAAD

The Clerk called the bill (S. 2739) for the relief of Dr. Blanche L. Asaad.

There being no objection, the Clerk read the bill, as follows:

S. 2739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Blanche L. Asaad shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 16, 1958, and the periods of time she has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JULIO SANGUILY, JR.

The Clerk called the bill (S. 2761) for the relief of Dr. Julio Sanguily, Jr.

There being no objection, the Clerk read the bill, as follows:

S. 2761

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Julio Sanguily, Junior, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 13, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAZEL LOUISE SCHUMAN STRUNK

The Clerk called the bill (S. 2771) for the relief of Hazel Louise Schuman Strunk.

There being no objection, the Clerk read the bill, as follows:

S. 2771

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hazel Louise Schuman Strunk shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 1, 1923.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELENA GILBERT MADDAGIRI AND HEATHER GILBERT MADDAGIRI

The Clerk called the bill (S. 2801) for the relief of Helena Gilbert Maddagiri and Heather Gilbert Maddagiri.

There being no objection, the Clerk read the bill, as follows:

S. 2801

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Helena Gilbert Maddagiri and Heather Gilbert Maddagiri may be classified as children within the meaning of section 101(b)(1)(F) of the said Act, upon approval of a petition filed in their behalf by Wanda Schickling Maddagiri, a citizen of the United States, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Helena Gilbert Maddagiri shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Aswath Maddagiri, a lawfully resident alien and a citizen of the United States, respectively.

"SEC. 2. In the administration of the Immigration and Nationality Act, Heather Gilbert Maddagiri may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Aswath Maddagiri, a lawfully resident alien and a citizen of the United States, respectively.

"SEC. 3. The natural parents or brothers or sisters of the beneficiaries shall not, by virtue of such relationship be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ALBERTO L. MARTINEZ

The Clerk called the bill (S. 3106) for the relief of Dr. Alberto L. Martinez.

There being no objection, the Clerk read the bill, as follows:

S. 3106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alberto L. Martinez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1960.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS MATSUE SATO

The Clerk called the bill (S. 3238) for the relief of Miss Matsue Sato.

There being no objection, the Clerk read the bill, as follows:

S. 3238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Miss Matsue Sato, the fiancée of Mr. Mark R. Edelberg, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided,* That the administrative authorities find that the said Miss Matsue Sato is coming to the United States with a bona fide intention of being married to the said Mr. Mark H. Edelberg and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Miss Matsue Sato, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Miss Matsue Sato, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Miss Matsue Sato as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MILLS). For what purpose does the gentleman from Missouri [Mr. HALL] rise?

Mr. HALL. Mr. Speaker, I ask unanimous consent for the consideration en bloc of the bills on the Private Calendar, Nos. 575 through and including 588, in the interest of expediting the consideration of these bills by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. JORGE IGNACIO MIQUEL FRANCA

The Clerk called the bill (H.R. 5622) for the relief of Dr. Jorge Ignacio Miquel Franca.

Without objection, the Clerk read the bill, as follows:

H.R. 5622

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Jorge Ignacio Miquel Franca shall be held and considered to have satisfied the requirements of section 316 of the Immigration and Nationality Act relating to required periods of residence and physical presence within the United States and, notwithstanding the provisions of section 310(d) of that Act, he may be naturalized at any time after the date of enactment of this Act if he is otherwise eligible for naturalization under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Doctor Jorge Ignacio Miquel Franca shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 23, 1961."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RAUL R. MORFFI

The Clerk called the bill (H.R. 5969) for the relief of Dr. Raul R. Morffi.

Without objection, the Clerk read the bill, as follows:

H.R. 5969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Raul R. Morffi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 29, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ANTONIO U. CATASUS

The Clerk called the bill (H.R. 6443) for the relief of Dr. Antonio U. Catasus.

Without objection, the Clerk read the bill, as follows:

H.R. 6443

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Antonio U. Catasus shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 3, 1959.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RICARDO R. FUSTE

The Clerk called the bill (H.R. 7341) for the relief of Dr. Ricardo R. Fuste.

Without objection, the Clerk read the bill, as follows:

H.R. 7341

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ricardo R. Fuste shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 12, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. LUIS CRESPO

The Clerk called the bill (H.R. 10151) for the relief of Dr. Luis Crespo.

Without objection, the Clerk read the bill, as follows:

H.R. 10151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Luis Crespo shall be held and considered to have satisfied the requirements of section 316 of the Immigration and Nationality Act relating to required periods of residence and physical presence within the United States and, notwithstanding the provisions of section 310(d) of that Act, he may be naturalized at any time after the date of enactment of this Act if he is otherwise eligible for naturalization under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

That, for the purposes of the Immigration and Nationality Act, Doctor Luis Crespo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 17, 1961."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. LUIS E. BENCOMO

The Clerk called the bill (H.R. 10253) for the relief of Dr. Luis E. Bencomo.

Without objection, the Clerk read the bill, as follows:

H.R. 10253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Luis E. Bencomo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 5, 1961, upon payment of the required visa fee.

With the following committee amendment:

On page 1, line 6, after the date "June 5, 1961" change the comma to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JUN BECKY

The Clerk called the bill (H.R. 11617) for the relief of Jun Becky.

Without objection, the Clerk read the bill, as follows:

H.R. 11617

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jun Becky may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Richard Allen Ginther and Mary Jeanette Ginther, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Jun Becky may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Richard Allen Ginther, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JUAN ANTONIO DUMOIS

The Clerk called the bill (H.R. 11640) for the relief of Dr. Juan Antonio Dumois.

Without objection, the Clerk read the bill, as follows:

H.R. 11640

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan Antonio Dumois shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 19, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA KARIDAKIS

The Clerk called the bill (HR. 11952) for the relief of Maria Karidakis.

Without objection, the Clerk read the bill, as follows:

H.R. 11952

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Maria Karidakis may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in her behalf by Mr. and Mrs. George N. Karidakis, citizens of the United States, pursuant to section 204 of that Act, subject to all the conditions in that section relating to petitions in behalf of a child as defined in section 101(b)(1)(F).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MURIEL WILLIAMS

The Clerk called the bill (H.R. 11957) for the relief of Muriel Williams.

Without objection, the Clerk read the bill, as follows:

H.R. 11957

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 301(a)(7) of the Immigration and Nationality Act, Muriel Williams shall be held and considered to have been physically present in the United States for a period of five years after attaining the age of fourteen years.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of section 201(g) of the Nationality Act of 1940, Muriel Williams shall be held and considered to have been residing in the United States for a period of five years after attaining the age of sixteen years."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MARIO ORLANDO SANTOS-ESTEVEZ

The Clerk called the bill (H.R. 12781) for the relief of Dr. Mario Orlando Santos-Estevez.

Without objection, the Clerk read the bill, as follows:

H.R. 12781

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Mario Orlando Santos-Estevez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 21, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEXANDER FRANCIS SAKER, M.D.

The Clerk called the bill (H.R. 12920) for the relief of Alexander Francis Saker, M.D.

Without objection, the Clerk read the bill, as follows:

H.R. 12920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Alexander Francis Saker, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 10, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTONIO BARQUET CHEDIACK

The Clerk called the bill (H.R. 14173) for the relief of Antonio Barquet Chediack.

Without objection, the Clerk read the bill, as follows:

H.R. 14173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Antonio Barquet Chediack shall be held and considered to be lawfully admitted to the United States for permanent residence as of May 26, 1961.

With the following committee amendment:

On page 1, line 4, strike out the name "Antonio Barquet Chediack" and substitute in lieu thereof the name "Antonio Barquet Chediak".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Antonio Barquet Chediak."

A motion to reconsider was laid on the table.

ESTEBAN FERNÁNDEZ NODA

The Clerk called the bill (H.R. 14174) for the relief of Esteban Fernández Noda.

Without objection, the Clerk read the bill, as follows:

H.R. 14174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Esteban Fernández Noda shall be held and considered to be lawfully admitted to the United States for permanent residence as of October 13, 1960.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill on the Private Calendar.

MRS. ELEANOR ROBLEDO DIAZ MARTINEZ

The Clerk called the bill (H.R. 14233) for the relief of Mrs. Eleanor Robledo Diaz Martinez.

Without objection, the Clerk read the bill, as follows:

H.R. 14233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 301(a)(7) of the Immigration and Nationality Act, Mrs. Eleanor Robledo Diaz Martinez shall be held and considered to have been physically present in the United States for a period of five years after attaining the age of fourteen years and prior to the birth of her daughter Beatriz Diaz.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Beatriz Diaz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 17, 1951."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Beatriz Diaz."

A motion to reconsider was laid on the table.

MARIE DEL CARMEN BERMUDEZ

The Clerk called the bill (H.R. 14920) for the relief of Marie del Carmen Bermudez.

There being no objection, the Clerk read the bill, as follows:

H.R. 14920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Marie del Carmen Bermudez may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mr. Arsenio Bermudez, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, line 8, at the end of the bill, change the period to a colon and add the following: "*Provided,* That the natural brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAN DROBOT

The Clerk called the bill (H.R. 15197) for the relief of Jan Drobot.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DR. ALI HAJI-MORAD

The Clerk called the bill (H.R. 15488) for the relief of Dr. Ali Haji-Morad.

There being no objection, the Clerk read the bill, as follows:

H.R. 15488

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ali Haji-Morad shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1956.

With the following committee amendment:

On page 1, line 6, strike out the date "June 29, 1956." and insert the following: "June 28, 1956, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and a motion to reconsider was laid on the table.

VINCENTE FERNANDEZ MARINO

The Clerk called the bill (H.R. 16522) for the relief of Vincente Fernandez Marino.

There being no objection, the Clerk read the bill, as follows:

H.R. 16522

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Vincente Fernandez Marino shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 8, 1961.

With the following committee amendment:

On page 1, line 6, strike out the date "November 8, 1961" and insert the date "November 7, 1961".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES W. ADAMS AND OTHERS

The Clerk called the bill (S. 231) for the relief of James W. Adams and others.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

NORMAN J. PITMAN

The Clerk called the bill (S. 690) for the relief of Norman J. Pitman.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PUGET SOUND PLYWOOD, INC., OF TACOMA, WASH.

The Clerk called the bill (S. 1347) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MERRITT A. SEEFELDT AND AUGUST C. SEEFELDT

The Clerk called the bill (S. 1572) for the relief of Merritt A. Seefeldt and August C. Seefeldt.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JAMES A. TODD, JR.

The Clerk called the bill (S. 2500) for the relief of James A. Todd, Jr.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. WILLIFRED S. SHIRLEY

The Clerk called the bill (H.R. 1333) for the relief of Mrs. Willifred S. Shirley.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. GEORGE H. EDLER

The Clerk called the bill (H.R. 1404) for the relief of Dr. George H. Edler.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ROSE MINUTILLO

The Clerk called the bill (H.R. 1944) for the relief of Rose Minutillo.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

MRS. ROSE THOMAS

The Clerk called the bill (H.R. 5349) for the relief of Mrs. Rose Thomas.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ELMER O. ERICKSON

The Clerk called the bill (H.R. 7241) for the relief of Elmer O. Erickson.

There being no objection, the Clerk read the bill, as follows:

H.R. 7241

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the laws, rules, and regulations pertaining to the seniority rights of employees of the Post Office Department, Elmer O. Erickson, of Minneapolis, Minnesota, an employee of the postal service assigned to the Saint Paul and Aberdeen railway post office, Minnesota, shall be entitled to receive credit for service performed by him in the postal service during the period from August 12, 1940, through January 13, 1961, in like manner as if the provisions of sections 748.1 through 748.17 of the Postal Transportation Service seniority rules, Post Office Department Publication 31, dated August 18, 1958, under which certain employees who transfer from and later reenter an occupational group subject to such rules will have service seniority based upon the seniority they had attained before transferring from such group, had been applicable with respect to the said Elmer O. Erickson during the period from January 14, 1961, the date he transferred from the clerical group, which is the occupational group into which he and all other former employees of the Postal Transportation Service were placed when such Service was merged into the post offices, to April 29, 1961, the date he retransferred to such group, the said Elmer O. Erickson not having been advised prior to his transfer from such group that the Postal Transportation Service seniority rules had been terminated.

With the following committee amendment:

Page 1, line 6, after "postal service", insert "formerly".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JESSE W. STUTTS, JR.

The Clerk called the bill (H.R. 10090) for the relief of Jesse W. Stutts, Jr.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MR. ROBERT A. OWEN

The Clerk called the bill (H.R. 10481) for the relief of Mr. Robert A. Owen.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ADEL LESSERT BELLMARD, CLEMENT LESSERT, JOSEPHINE GONVIL PAPPAN, JULIE GONVIL PAPPAN, PELAGIE GONVIL FRANCEOUR DE AUBRI, VICTORE GONVIL PAPPAN, MARIE GONVIL, LAFLECHE GONVIL, LOUIS LAVENTURE, ELIZABETH CARBONAU VERTIFELLE, PIERRE CARBONAU, LOUIS JONCAS, BASIL JONCAS, JAMES JONCAS, ELIZABETH DATCHERUTE, JOSEPH BUTLER, WILLIAM RODGER, JOSEPH COTE, FOUR CHILDREN OF CICILI COMPARE, AND JOSEPH JAMES, OR THE HEIRS OF ANY WHO MAY BE DECEASED

The Clerk called the bill (H.R. 10596) for the relief of Adel Lessert Bellmard, Clement Lessert, Josephine Gonvil Pappan, Julie Gonvil Pappan, Pelagie Gonvil Franceour de Aubri, Victore Gonvil Pappan, Marie Gonvil, Lafleche Gonvil, Louis Laventure, Elizabeth Carbonau Vertifelle, Pierre Carbonau, Louis Joncas, Basil Joncas, James Joncas, Elizabeth Datcherute, Joseph Butler, William Rodger, Joseph Cote, four children of Cicili Compare and Joseph James, or the heirs of any who may be deceased.

There being no objection, the Clerk read the bill, as follows:

H.R. 10596

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated to the following named people the sums of money set opposite their names:

Adel Lessert Bellmard	$----
Clement Lessert	-----
Josephine Gonvil Pappan	-----
Julie Gonvil Pappan	-----
Pelagie Gonvil Franceour deAubri	-----
Victoire Gonvil Pappan	-----
Marie Gonvil	-----
Lafleche Gonvil	-----
Louis Laventure	-----
Elizabeth Carbonau Vertifelle	-----
Pierre Carbonau	-----
Louis Joncas	-----
Basil Joncas	-----
James Joncas	-----
Elizabeth Datcherute	-----
Joseph Butler	-----
William Rodgers	-----
Joseph Cote	-----
Four children of Cicili Compare:	
First	-----
Second	-----
Third	-----
Fourth	-----
Joseph James	-----

Said sums is full satisfaction of all claims against the United States growing out of the loss of Indian lands allotted to them and the failure of the United States to protect the right of possession of the original allottee and their being deprived of the use of said lands; the said allotments being the halfbreed Kaw allotments allotted under article 6 of the treaty of June 3, 1825, in the Territory of Kansas.

The Secretary of the Interior is hereby directed to determine the heirs at law of the above named individuals in accordance with the laws of interstate succession of the State of Kansas. Upon the finality of such determinations under the rules and regulations which the Secretary of the Interior may prescribe, the Treasurer of the United States shall pay each above named individual's funds to be divided among all persons determined to be his heirs free and clear of any obligations, debts, or claim of that individual or his successors in interest. The sums of money paid hereunder shall not be subject to State or Federal taxes of any kind: *Be it further provided,* That in the event the Secretary of the Interior shall find that as of the effective date of this Act any of the above named individuals have no living heirs at law, he shall make a formal determination of this fact. Such determinations of the nonexistence of heirs at law shall be final and conclusive at the expiration of a date two years from the date of this Act. Upon the finality of such determination of the lack of surviving heirs at law, the share or shares of the above named individuals shall be divided equally among all persons otherwise sharing under the proceeds of this Act. The Treasurer shall distribute the sums accruing to individuals having no heirs based upon the previous determinations made by the Secretary of the Interior or to their successors in interest as determined in appropriate State court probate procedure in the State of residence of any subsequently deceased heir.

The payments provided for hereunder, when accepted by the parties named or their heirs as determined herein, shall be in full and final settlement of any and all claims of the allottees or their heirs of any nature whatsoever concerning the allotments involved.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the persons determined by the Secretary of the Interior to be the heirs of the following named individuals their proportionate intestate share of the amount shown opposite their ancestor's names:

"Adel Lessert Bellmard	$3,200
Clement Lessert	3,200
Josephine Gonvil Pappan	3,200
Julie Gonvil Pappan	3,200
Pelagie Gonvil Franceour de Aubri	3,200
Victoire Gonvil Pappan	3,200
Marie Gonvil	3,200
Lafleche Gonvil	3,200
Louis Laventure	3,200
Elizabeth Carbonau Vertifelle	3,200
Pierre Carbonau	3,200
Louis Joncas	3,200
Basil Joncas	3,200
James Joncas	3,200
Elizabeth Datcherute	3,200
Joseph Butler	3,200
William Rodgers	3,200
Joseph Cote	3,200
Four children of Cicili Compare:	
First	3,200
Second	3,200
Third	3,200
Fourth	3,200
Joseph James	3,200

"The amounts paid under the authority of this Act shall be paid in full and final satisfaction of all claims of the named individuals or their heirs against the United States based upon the loss of Indian lands included in the twenty-three halfbreed Kaw allotments granted the above named individuals under article 6 of the treaty of June 3, 1825 (7 Stat. 244) in the Territory of Kansas and in full satisfaction of any claims of the original allottees or his heirs for the consequent loss of use of the land.

"SEC. 2. The Secretary of the Interior is authorized and directed to determine the heirs at law of the above named individuals in accordance with the laws of intestate succession of the State of Kansas. Persons asserting rights to share in the distribution of amounts as provided in this Act as heirs of the persons named in section 1 shall file their claims with the Secretary of the Interior within one year of the effective date of this Act and in accordance with such regulations as the Secretary may prescribe. In the event that the Secretary determines that any of the individuals named in section 1 had no living heirs at law on the effective date of this Act, he shall make a formal determination of this fact, and his determination of the absence of heirs at law shall be final and conclusive as of the date of the expiration of the time for the filing of claims under this Act. Upon determination of heirship as provided for herein, the Secretary of the Interior shall certify the names of the persons entitled to payment to the Secretary of the Treasury together with the amounts he has found to be due in each instance and his determinations as to the amount and the person entitled to receive it shall be final and not subject to appeal.

"SEC. 3. The amounts paid under the authority of this Act are to be free and clear of any obligations, debts or claims of the original allottees or any successors in interest and are not to be subject to State or Federal taxes."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KATHERINE M. PERAKIS

The Clerk called the bill (H.R. 14749) for the relief of Katherine M. Perakis.

There being no objection, the Clerk read the bill, as follows:

H.R. 14749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of determining the entitlement of Katherine M. Perakis to child's insurance benefits under section 202(d) of the Social Security Act on the basis of the wages and self-employment income of George Perakis (Social Security Account Number 011-16-8534), of Peabody, Massachusetts, the said Katherine M. Perakis shall be deemed to have been the legally adopted child of the said George Perakis, and to have been dependent upon him, at the time of his death on August 20, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD DE BUTTS

The Clerk called the bill (H.R. 15446) for the relief of Edward de Butts.

There being no objection, the Clerk read the bill, as follows:

H.R. 15446

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edward de Butts of Malibu, California, is relieved of liability to the United States in the amount of $871.27 representing the net amount of an overpayment of compensation made to him as a result of administrative error for his services as a rural letter carrier during the period November 9, 1963, to February 2, 1966 inclusive. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward de Butts an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 4: Strike "$871.27" and insert "$865.27".

Page 1, line 8: Strike "to February 2, 1966" and insert "through February 11, 1966".

Page 2, line 9: Strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. HAROLD G. WILMARTH

The Clerk called the bill (H.R. 9348) for the relief of Capt. Harold G. Wilmarth.

There being no objection, the Clerk read the bill, as follows:

H.R. 9348

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Harold G. Wilmarth, captain, United States Air Force (AN 3112602), is hereby relieved of liability to the United States in the amount of $4,233.99 the amount of an overpayment of his pay as an officer in the United States Air Force in the period beginning April 5, 1961 and ending March 30, 1964, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Harold G. Wilmarth, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike "$4,233.99" and insert "$3,610.98".

Page 1, line 7, strike "April 5, 1961" and insert "March 10, 1961".

Page 1, line 8, strike "March 30, 1964" and insert "March 10, 1964, inclusive".

Page 2, line 8, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES R. KEMP

The Clerk called the bill (H.R. 11570) for the relief of James R. Kemp.

There being no objection, the Clerk read the bill, as follows:

H.R. 11570

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James R. Kemp, of Juneau, Alaska, is hereby relieved of all liability for repayment to the United States of the sum of $4,932.01, representing overpayments of salary which he received as a civilian employee of the Alaska communications system, Department of the Air Force, for the period from April 22, 1962, through June 26, 1965, as a result of administrative error in establishing his basic salary at the rate of GS-12, step 6, plus cost-of-living allowance, when he was released from a wage board position at Ketchikan, Alaska, in order to accept a position under the Classification Act of 1949 at Juneau, Alaska, effective April 22, 1962, the said James R. Kemp having consulted officials of the Alaska communications system prior to his change of position and been erroneously assured that his basic salary would be established at such rate, plus such cost-of-living allowance. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said James R. Kemp the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike "$4,932.01" and insert "$5,142.81".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OPPOSING THE GRANTING OF PERMANENT RESIDENCE IN THE UNITED STATES TO CERTAIN ALIENS

The Clerk called the resolution (H. Res. 1030) opposing the granting of permanent residence in the United States to certain aliens.

There being no objection, the Clerk read the resolution, as follows:

H. RES. 1030

Resolved, That the House of Representatives does not approve the granting of permanent residence in the United States to the aliens hereinafter named in which cases the Attorney General has submitted reports to the Congress pursuant to section 244(a)(1) of the Immigration and Nationality Act of 1052, as amended by Public Law 85-885 (8 U.S.C. 1254(a)(1)):

A-11481354, Villarba-Reyes, Junior, Florencio.

A-8864128, Wang, Rita Shih-Yu.
A-10639006, Kim, Joo Il.
A-8940396, Bandoy, Tarcila Dagampat.
A-11299861, Casil, Hipolito S.
A-6972696, Chen, Chao Chiung.
A-10222556, Hasan, Syed Shams-Ul.
A-11290297, Kassir, Nabil Daoud.
A-11004695, Perez-Pacheco, Maria De Los Milagros.
A-10198903, Rhee, Hi Joon.
A-10811113, Rhee, Ae Suk.
A-10075032, Soon, Ock Cha.
A-7110849, Wu, Lai Chun.
A-10490420, Lee, Shook Hin.
A-10464721, Soon, Leslie Gon Fay.
A-10395381, Byong, Chon Choi.
A-8902680, Goto, Atsushi.
A-11294299, Goto, Kyoungwoun Kim.
A-10681821, Nakayama, Kenji.
A-6960418, Flores-Rosal, Bienvenido.
A-10862076, In, Jong Park.
A-10855670, Myung, Ja Park.
A-11577716, Camerini, Miryam.
A-10499330, Doo, Whan Park.
A-10515860, Funaki, Toshihiro.
A-8956291, Gonzalez, Jose Encanto.
A-10795481, Gonzalez, Florentina.
A-11771544, Grashian, Anahid Nerses.
A-10023810, Lee, Hong Kyu.
A-10144390, Lee, Chung Soon.
A-10144975, Portela, Maria Amparo Pombo.
A-11204746, Shihadi, Michael Isa.
A-11896410, Tou, Shu Yin.
A-10401920, Young, Shick Shu.
A-10828454, Wong, Bing Lin.
A-10392807, Chen, Shiao-Chin Andrew.
A-11902950, Ly, Yeen Ai.
A-10610766, Martinez-Gonzalez, Manuel.
A-10736467, Pechdimaldji, Edward.
A-8300262, Sabidales, Eulogio Sadsad.
A-11836667, Toschi, Carmela.
A-10840868, Fernandez-Piquero, Concepcion Aurina.
A-11554048, Han, Hong Chai.
A-12572917, Bock, Hee Chai.
A-10031169, Hyun, Ho Park.
A-11291059, Orfanoudis, Fotini.
A-11278850, Pedersen, Ejnar Christian.
A-10894175, Sancher, Amir C.
A-10389782, Yun, Jai Liong.
A-10805644, Klobcar, Josip.
A-10589943, Ming, Hubert Shiu Chung.
A-11435979, Oneto, Yolanda.
A-10842912, Chi, Anh Hua.
A-10447582, Chan, Debbie Dah-Teh.
A-6431183, Gallardo-Gonzalez, Jose Luis.
A-3845727, Martinez-Rangel, Jose Juan.
A-10497959, Woo, Jook Hong.
A-3556165, Rodriguez-Candia, Manuel.
A-8948275, Woo, Chew Sheck.
A-12641961, Pagdilao, Manuel Pascua.
A-14222326, Lee, Kay Sue.
A-13711149, Louie, Seow Din.
A-13130839, Tong, Goon Lo.
A-10489383, Wong, Park Jum.
A-10833481, Leong, Tuck Young.
A-5206525, Giova, Filippo.
A-10186017, Zen, Saleh.
A-11554073, Zen (nee Salmiah), Saripah.
A-13431371, Domingos-Martins, Albina.
A-13843840, Bruschetti, Giacomo.

The resolution was ordered to be engrossed and read a third time, was read the third time, and was passed, and a motion to reconsider was laid on the table.

DR. FIDEL RODRIGUEZ-CUBAS

The Clerk called the bill (H.R. 18033) for the relief of Dr. Fidel Rodriguez-Cubas.

There being no objection, the Clerk read the bill, as follows:

H.R. 18033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Fidel Rodriguez-Cubas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 1958, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

With the following committee amendment:

On page 1, line 6, strike out the date "January 1958" and substitute in lieu thereof the date "January 15, 1958".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AUTHORIZE AND DIRECT THE ADMINISTRATOR OF THE FARMERS HOME ADMINISTRATION TO QUITCLAIM CERTAIN PROPERTY IN JACKSON COUNTY, ALA., TO SKYLINE CHURCHES CEMETERY, A CORPORATION

The Clerk called the bill (H.R. 10876) to authorize and direct the Administrator of the Farmers Home Administration to quitclaim certain property in Jackson County, Ala., to Skyline Churches Cemetery, a corporation.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

WINSTON LLOYD McKAY

Mr. MOORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5213) for the relief of Winston Lloyd McKay, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That, for the purposes of the Immigration and Nationality Act, Winston Lloyd McKay shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee."

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AUTHORITY TO FILE CONFERENCE REPORT ON H.R. 13448, MAILING PRIVILEGES OF ARMED FORCES AND OTHER GOVERNMENT PERSONNEL OVERSEAS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on the bill (H.R. 13448), to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON AGRICULTURE

The SPEAKER laid before the House the following communication from the chairman of the Committee on Agriculture, which was read and, together with the accompanying papers, referred to the Committee on Appropriations:

Committee on Agriculture,
Washington, D.C., October 11, 1966.
Hon. John W. McCormack,
The Speaker, The House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture on October 7, 1966, considered and unanimously approved the work plans transmitted to you by Executive Communication and referred to this committee. The work plans involved are:

Watershed: Vanar, Wash. Executive communication: 705, 89th Congress.

Watershed: Prides Creek, Ind. Executive communication: 2583, 89th Congress.

Sincerely yours,
Harold D. Cooley,
Chairman.

INDIANA DUNES NATIONAL LAKESHORE

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1024 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1024

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 51) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 51, the Committee on Interior and Insular Affairs shall be discharged from the further consideration of the bill (S. 360), and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 51 as passed by the House.

The **SPEAKER**. The gentleman from Indiana is recognized for 1 hour.

Mr. **MADDEN**. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1024 provides for consideration of H.R. 51, a bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes. The resolution provides an open rule with 2 hours of general debate. After passage of H.R. 51 the Committee on Interior and Insular Affairs shall be discharged from further consideration of S. 360, and it shall be in order to move to strike all after the enacting clause of the Senate bill and insert in lieu thereof the House-passed language.

H.R. 51 proposes the creation of a new national lakeshore on Lake Michigan. This area, when established, will be designated the "Indiana Dunes National Lakeshore."

Fifty years ago the value of the 40-mile stretch of dune-covered lakefront at the southern end of Lake Michigan was recognized and the establishment of a national park in the area was recommended. Roads and railways, factories, and homes were located upon much of the land included in that first proposal. Large areas remain in a relatively natural state to make a new national park effort worth while.

The estimated cost of land acquisition under the bill is currently estimated at $21,700,000, but this is subject to change in the event of substantial increases in land values in the vicinity during the purchase period. Actual costs might be less than this amount, however, because of the provisions which suspend the authority of the Secretary to acquire improved residential property by condemnation in certain instances.

Visitor and user fees for the Indiana Dunes National Lakeshore will be subject to the provisions of the Land and Water Conservation Fund Act.

The Indiana dunes area on the extreme south shore of Lake Michigan is the only fresh-water beach adjacent to century-old sand dunes and vegetation of all types left on the American Continent.

Ten or twelve years ago I made a speech on the floor of Congress in behalf of establishing a park on the south shore of Lake Michigan.

The Indiana dunes area is located contiguous to the greatest concentration of industry and manufacturing, per square mile, than any similar location in the United States. I refer to the Calumet industrial region of Indiana and the southern part of the city of Chicago.

Northwest Indiana, and especially the Calumet region, has expanded in population and industrially during the last 25 years more than any urban area in the United States. In 1943 Lake County numbered approximately 340,000 people and today the approximate population is around 600,000. In another 10 years a million people will be living in the Calumet region immediately adjacent to the dunes land area. The erection of a national park on the south shore of Lake Michigan would accommodate in the Calumet and Chicago land area, including suburbs, 7 million people. This number of people does not include millions more from northern, southern, and northeastern Indiana and southern Michigan. These people would be within a 1-hour drive of the dunes land national park.

As the Nation's population increases through the coming years, this expansion will naturally call for additional industry and development to provide jobs for future generations. The Federal Government could set aside an area for a national park which would merely take up approximately 6 percent of the 40-mile Indiana Lake Michigan shoreline. Plenty of space will remain for industrial expansion in the future to provide jobs and employment. Vacation and recreational spots will be more scarce as the years pass and it is necessary that we of our generation look into the future and preserve nature's recreational areas for future generations.

Our Federal Government has spent millions in developing parks many hundreds of miles from centers of population and to my knowledge this is one of the few areas where natural wide beaches and recreational space is available close to the center of dense urban population.

Very few of our working families can afford to drive to Alaska, Canada, Maine, and the northern lakes for vacations and recreation.

An internationally known traveler and conservationist has stated that the Indiana Dunes is one of two similar natural combination sand dunes and sand beaches located on fresh inland waters throughout the globe. He testified that the other location was in Europe along the shores of the Baltic Sea. Nature took centuries to bring about the formation of the beautiful Indiana Dunes on the south shore of Lake Michigan. Plenty of space remains along the south shores of Lake Michigan for mills, factories, and other industries, and the setting aside of this national park area would not completely hamper or curtail the expansion of industry in this region.

Legislation has passed Congress this session on air and water pollution which will bring about curtailment and eventual elimination of industrial waste pollution from the waters of southern Lake Michigan and other fresh-water lakes and rivers throughout the Nation. Modern science has already accomplished the methods to eliminate air pollution. With the Federal Government already having taken steps and appropriated money for air and water pollution, it will be but a few years until the waste from the mills and industries located in this area will not, in any way, affect the bathing beaches and open-air recreation qualities in this area.

The State of Indiana is estimated as 23 million acres of land. The present bill calls to set aside 11,000 acres for Federal park purposes—a mere postage stamp when compared with the 2½ billion acres of land throughout the Nation.

Since the Dunes State Park was authorized over 40 years ago inaction and neglect on the part of the State has left this area in about the same condition it was in, with the exception of a few buildings, 40 years ago. On weekends during the summer months in recent years, automobiles were barred from entry after 10 or 11 o'clock in the morning because of lack of parking space. Plenty of space still remains in the area which could be converted into space for automobile parking. Entertainment and recreation buildings which exist in some national parks throughout the Nation have not been built in the Dunes State Park area. Children and youngsters have no amusement such as enjoyed in many other national parks.

The president of the Isaac Walton League in testifying before the committee stated that his organization and all conservation organizations throughout the Nation have endorsed a national lakeshore park in the Indiana Dunes area.

President Johnson not only has endorsed the park in the past, but has reiterated his support in the past week for the establishment of a Dunes State Park.

The Senate, some months ago, has passed the legislation to establish an Indiana Dunes State Park by a large majority. I hope that the pending legislation, H.R. 51, will receive an overwhelming endorsement by our national House of Representatives.

Mr. **SMITH** of California. Mr. Speaker, House Resolution 1024 does provide for an open rule with 2 hours of debate for the consideration of the bill H.R. 51, known as the Indiana Dunes National Lakeshore.

According to the information I have, the purpose of the bill is to create a national lakeshore on the southern shore of Lake Michigan.

The proposed site is less than 50 miles from the Chicago-Gary industrial complex. Nine and a half million people live within 100 miles. By 1980 this figure is expected to grow to 11.5 million.

Included within the proposed park boundaries are some 6,000 privately owned acres. A small park of about 3,200 acres is enclosed within the proposed boundaries, and may be donated to the Government.

The proposal is to acquire about 6 miles of beach in addition to about 3.5 miles of State park, and 2 miles of right-of-way.

Except for the State park, almost all lands within the proposed national lakeshore park are privately owned. It is mostly open space. Land acquisition is estimated to cost $21.7 million, but the report indicates that this figure may be substantially higher before all land is acquired. Owners who desire to remain users of their property for 25 years may do so, and sell their property to the Government.

Park development costs are estimated at $3,292,260. Swimming, camping, and picnicking facilities are planned. Annual operation and maintenance costs are estimated at $375,000 by the fifth year of operation.

I know there is considerable support for this legislation, and I know there is some objection to it. The gentleman from Indiana [Mr. HALLECK] is strongly opposed to the measure.

One of the things that confuses me about such legislation is the statement made, and from the information that has been given to us, that for 25 years the State of Indiana has not done anything about developing this park, and I would think that they would have done so before this vast amount of money or, rather, this sizable amount of money is requested from the Federal Government.

The only other comment I have to make is that I think we have been very generous this year in our park appropriations, and in the various programs that we have set aside, and I have been pleased to cooperate in them, and to spend a lot of money. And I am wondering if we should not get out of here pretty soon, and put some of these things over until next year, and perhaps the gentleman from Indiana may have some other projects to bring up next year.

So in view of that I will not object to the rule, and I urge its adoption.

I personally propose to vote against the bill.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. SMITH] has expired.

Mr. SMITH of California. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I do not think I will use the 10 minutes at this time. I hope to have some time under general debate at which time I will go into this matter at some length. But I have been around here long enough to know that probably when we get into debate on this measure, there will not be many people here just as right now there are not many people here.

In the hearings before the committee, we tried to demonstrate that this is not a sound proposal. I thought that the showing of the opponents of this proposition were on the preponderant side. But the committee decided otherwise. That is their responsibility and I abide by their actions.

I will say at the outset, I am not opposing this rule, making in order the consideration of the bill. We can go ahead and adopt the rule and go on then to the consideration of the bill itself.

I would like to have it understood before we vote on this bill that what is really important here—all of this proposal that really is important is in the congressional district that I have been privileged to represent for many, many years.

Sometimes it has been said that you do not put national parks in the districts of Members of Congress who do not want them. Perhaps that is not the whole truth in this case.

I want to say at this time that to call this a national lake shore dunes bill is a misnomer. I have some books up there if you care to see them.

These are photos of much of this land that is to be taken, and I can say to you that it is not a lakeshore and it is not a dunes.

Of course, there are differences of opinion, as my friend, the gentleman from California, pointed out on this bill. But at this point I want it clearly understood that in this opposition that I have expressed through the years, that the county government in the area that is affected stands with me—they are against it.

The local governments, the county and city governments stand with me—they are against it. They have all so testified.

The Indiana Farm Bureau and the District Farm Bureau appeared and testified against it.

Organized labor representatives—reputable people—they appeared and testified against it.

The chambers of commerce in the affected area are against it.

The Indiana township trustees are against it. I have a telegram from them which just reiterates their position in opposition to this.

The county commissioners of Porter County, and that is where this park is to be located, are against it. They sent their representative, the chairman of their board, down here several times to testify against it.

I might remind my colleagues that I have not gone through the whole list, but in addition to those whom I have mentioned, there are hundreds and hundreds of property owners up there who are going to be vitally affected—and they are against it.

At the outset, I want to make clear that I voted for the wilderness bill which was reported out of this committee. I voted for the land and water resources bill. If this bill is passed, I do not know how long the people involved are going to be hanging in midair waiting for the time to come when they are neither fish nor fowl, saying, "when are we going to sell our property to the Government—where do we stand?"

I do not know how long it will take. We have had a great battle for our port. We were up there as the gentleman from Indiana [Mr. MADDEN] said, and he is one of my great friends and one of the most respected Members of this House, and I say that advisedly, but we were there yesterday when Indiana finally after a long time of frustration put up the money and assessed themselves and taxed themselves to build our port.

One of the roadblocks we have had has been this proposal for a park.

I cannot quite agree with my good friend from Indiana that the State of Indiana has been negligent about preserving dunes or providing recreational facilities.

First, 50 years ago my State acquired 3 miles, 2,200 acres of the best dunes up there. You talk about saving the dunes. Indiana does not need anyone to save those dunes.

What is the situation further about that? The gentleman says that Indiana has been remiss. Well, in the hearings—and this was not a recent thing—our Governor, Governor Branigin, who is not of my political party, but who is a great Governor and doing a good job, said:

> We have drafted a plan of action in relation to Indian Dunes State Park. They are going to acquire 180 acres at one end of the park and 320 acres at the other end of the park with supporting facilities.

Then he talks about an ultimate intensive use by 32,000 people of the beach there at Lake Michigan. Why, there is talk here about the area provided for dunes industrial development and beaches. Indiana has only 40 miles of shoreline on the Great Lakes. About 10 miles of it is public beaches. Believe it or not, right now 10 miles of it is private beaches, just like some of you people up in Illinois have private beaches on Lake Michigan. Only 20 miles are involved for industrial development. It seems to me we have done very well with that.

One final word at this juncture. We had a hearing about a landfill. The hearing was held in Valparaiso, Ind., in my district. There were a lot of people who appeared there. I was there, Governor Branigin was there. As a result of that hearing an Associated Press story printed in many papers after the hearing said:

> Indiana can preserve its Lake Michigan dunes without help from Uncle Sam, Governor Roger D. Branigin said Thursday. The Governor in Washington for a White House conference of governors on inflation control responded to remarks by the Secretary of the Interior that the Secretary is ready to throw in the sponge on a proposed $23 million National Lakeshore Park in the dunes.

Then the Secretary said:

> Maybe the thing we should do is to abandon the national park idea and simply help Indiana establish a larger State Park. I would be willing to provide assistance on this, but there is no State in the Union which has shown less zest for a National Park than Indiana, and I do not have much zest myself for people that do not have the zest in this field.

Then the Governor responded to that by saying that the State of Indiana would include $2.5 million to expand our parks in the next budget.

The Governor said:

> We can take care of our own problems. We never asked for anything in the first place. We expect little and we are rarely disappointed.

If you know our Governor, that is typical of him. So at this juncture, folks, we do not need this bill. I want you to understand it is a two-edged sword with me. There are people who want it, some of them up there; but I have told you about the official representatives of the people involved, and they are against this proposal. I will have a little more to say in more detail later on, but I just hope that when the time comes you will vote with us against this proposal.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. RESNICK].

(By unanimous consent, Mr. RESNICK was granted permission to speak out of order.)

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, everyone is familiar with the old saying that "One good turn deserves another."

It is in the spirit of that old saying that I rise today to return a favor which one of our Republican colleagues recently did for the Democratic Party.

All of this altruism centers around the business of political fundraising.

When my Republican colleagues talk about political fundraising as carried out by the Democrats it suddenly has dark undertones. There are strings attached. The inference is that any contributor to the Democratic Party, regardless of his integrity or amount of personal wealth, gives only if he is assured of getting something in return. The Republicans imply that if a man gives the Democrats a thousand dollars he is getting a fat Government contract in return.

The clever spokesmen for the GOP never really narrow down the accusations. They only allege and imply and infer. In a recent press conference, three Republican Members of the House presented their so-called facts to the press. They alleged wrongdoing all over the place. But when members of the press asked for specific facts, the accusers backed off. They had all kinds of excuses. They said they did not have the money or power to investigate and so on until it must have been obvious to members of the press that if there was any wrongdoing anywhere the GOP had failed to find it.

It was implied that the Democratic President's Club was the brainchild and pet project of Mr. Cliff Carter, former executive director at the Democratic National Committee. Fortunately, one member of the press attending the conference was kind enough to point out to our Republican colleagues that Mr. Carter was nowhere around during the first 3 years of the club's existence. Surely my Republican colleagues recall that the President's Club was started during the Kennedy administration.

I find it interesting that in all the press conferences and speeches the Republicans have been making about Democratic fundraising, not one of them has said one word about contributions to the Republican Party.

One might suppose that if the Democratic political contributions are all so tainted, the Republicans would hold themselves up as some sort of good example. But since they have remained so suspiciously quiet about how the GOP gets its "bread," to use the vernacular, I can only assume that perhaps our friends of the Republican Party do not know anything about their own business. Indeed they must not or surely they would put their own house in order before casting stones at the Democrats.

If they will give me their attention, I will gladly enlighten them about Republican political contributions. I will, by chapter and verse, give them some information they certainly should have. I will as I indicated earlier, return the favor which they most recently did for the Democratic Party by letting the world and their own colleagues know something about GOP finances.

In the first place, I think my Republican friends should know that their party has an organization that, like the Democratic Presidents' Club, has a $1,000 membership fee. The Republican organization is called the Booster Club.

May I say in all fairness that membership in the GOP Boosters Club, like the President's Club, does not guarantee an invitation to the White House. The best they can promise is a handshake with Richard Nixon. And why anyone would pay $1,000 for that is beyond me.

But there is something that arouses my curiosity even more: If my Republican colleagues feel no one can give $1,000 with honest and sincere interest in good politics to the Democrats, why do hundreds give the same amount to the Republican Party?

Now, at the press conference I mentioned earlier, the Republican spokesman alleged that contributors to the President's Club had been rewarded with a Government architectural contract.

One reporter thoughtfully pointed out that the contributions to the President's Club had been made months before the contract was awarded.

Well, as one might expect, having the facts pointed out to the Republican spokesmen did not let a simple matter of the truth get in their way. They merely explained that contributions are sometimes given with the understanding the return favor will be along somewhere down the road.

Perhaps, then, this explains why the Boosters Club received $11,000 from the Pew family of Sun Oil Co. Or why it got $19,000 from the Olin family of Olin Mathieson Corp. Or why the Republicans in a very short period of 2 years received some $50,000 from various persons associated with the Du Pont Chemical Co.

If the logic offered by the Republican spokesmen to the reporter at the press conference holds true, then could those major contributors I have just named be looking down the road until the day when a Republican administration can give them contracts?

The second piece of information I want my Republican colleagues to know is that their leadership is somewhat inconsistent in its refusal to accept contributions to the GOP.

In a press conference more recent than the one to which I have been referring, the minority leader made a major production of returning a check to a member of the John Birch Society who also had his contribution returned by the Democratic Party.

If the minority leader had been consistent, he might well have returned a good many more contributions to the Republican Party by those supporting the John Birch Society.

He might, for example, have returned $1,000 contributed to the Boosters Club by Mr. Fred Loock of Milwaukee, Wis., a member of the John Birch Society's finance committee. That, by the minority leader's criteria, was tainted money.

He might have returned $2,000 given to the boosters club by Mrs. Harry Bradley of the Allen-Bradley Corp., which buys the full-page back cover advertisement of the Birch Society magazine. That was tainted money.

He might have returned all those thousands of dollars given by Mr. Pew, who is a member of the John Birch Society's editorial advisory board. That was tainted money.

And so on down the membership list of the contributors to the Boosters Club are those clearly identified with the John Birch Society.

Finally, I come to the real favor I want to do for my Republican friends.

They have been so kind as to insert into the CONGRESSIONAL RECORD the list of members to the President's Club that I feel I must reciprocate. So that every Republican will have the opportunity to see who is providing at least part of the "bread" to the GOP, I am asking unanimous consent to insert in the RECORD the membership list of the Boosters Club.

And may I say to my Republican friends that if they are concerned about the number of John Birch Society members they may find among the Boosters Club list, do not fret. I am certain that if the money is to be returned because it is tainted it will not take anything away from their share of the campaign funds. For surely the minority leader in a great and magnanimous gesture will deduct all that tainted money from the contribution he would have received from the Boosters Club for his own campaign.

BOOSTER RECEIPTS, JANUARY 1, 1965 THROUGH AUGUST 31, 1966

ALASKA

Burgess, Lloyd A, Fairbanks, $1,000.

COLORADO

Maytag, L. B., Colorado Springs, $1,000.

GEORGIA

Barge, Alvin, Atlanta, $1,000.
Martin, B. A., Atlanta, $1,000.

IDAHO

McClory, James D., Boise, $1,000.

LOUISIANA

Williams, L. Kemper, $500.

MARYLAND

Jones, Mrs. W. Alton, Easton, $3,000.
McAllister, C. J., Waldorf, $1,000.
McAlpin, William R., Chestertown, $1,000.
Sherwood, Donald H., Towson, $1,000.

ARIZONA

Bloomhardt, Mrs. S. I., Scottsdale, $500.
England, R. T., North Scottsdale, $1,000.
Gardner, Leigh O., Phoenix, $500.
Gillett, John Alanson, Scottsdale, $1,000.

Isbell, Marion, Phoenix, $1,000.
Kieckhefer, Herbert, Scottsdale, $1,000.
Kieckhefer, John, Phoenix, $1,000.
Kieckhefer, Robert, Phoenix, $1,000.
Lewis, Donna Ruth, Phoenix, $1,000.
Lewis, Donna Ruth, Phoenix, $1,000.
Louis, Herbert J., Phoenix, $1,000.
Louis, Herbert J., Phoenix, $1,000.
Louis, Mr. and Mrs. H. J., Scottsdale, $1,000.
Moller, Joseph, Scottsdale, $1,500.
Moller, Mrs. Joseph, Scottsdale, $1,500.
Moller, Mr. and Mrs. Joseph A., Scottsdale, $1,000.
Murdough, Charles P., Tucson, $1,000.
Pritzlaff, Mary Olin, Phoenix, $1,000.
Speiden, J. G. F., Tucson, $1,000.
Staggs, Ralph, Phoenix, $1,000.
Sturgis, Henry S., Scottsdale, $500.
Sturgis, Henry S., Scottsdale, $500.
Trailor, Dell, Phoenix, $1,000.

ARKANSAS

Bynum, W. H., Dermott, $500.
Eisele, Garnett M., Hot Springs, $1,000.
Hinshaw, Jerry E., Springdale, $500.
Rockefeller, Winthrop, Little Rock, $1,000.
Rockefeller, Winthrop, Little Rock, $1,000.
Smith, Mrs. Geo., Little Rock, $1,000.

CALIFORNIA

Aerojet Good Citizenship Committee, Azusa, $1,000.
Allen, Bewley, Balboa Island, $1,000.
Awes, Gerald, San Leandro, $1,000.
Awes, Gerald A., San Leandro, $1,000.
Baumhefner, C. H., San Francisco, $1,000.
Baumhefner, C. H., San Francisco, $1,000.
Beaver, R. F., Fullerton, $1,000.
Bechtel, S. D., San Francisco, $1,000.
Bechtel, Stephen D., San Francisco, $1,000.
Beckman, A. O., Corona Del Mar, $1,000.
Beckman, Arnold O., Corona Del Mar, $1,000.
Blomquist, Agnes, Newport Beach, $1,000.
Booth, Frank, Laguna Beach, $1,000.
Bramstedt, W. F., San Francisco, $1,000.
Brawner, A. H., San Francisco, $1,000.
Brawner, W. P. F., San Francisco, $1,000.
Brock, Margaret Martin, Los Angeles, $1,000.
Brokaw, C. S., Corona Del Mar, $500.
Burns, Robert S., Los Angeles, $1,000.
Cameron, Mrs. Helen Dey, Burlingame, $500.
Carter, Joseph J., San Francisco, $1,000.
Carter, Jos., Orinda, $1,000.
Checkering, Sherman, San Francisco, $1,000.
Checkering, Sherman, San Francisco, $1,000.
Clark, Mrs. Alfred B., Santa Barbara, $3,000.
Cochran, Dwight M., San Francisco, $1,000.
Coldwell, Colbert, San Francisco, $1,000.
Copley, James S., La Jolla, $1,000.
Copley, James S., La Jolla, $1,000.
Cortese, Ross W., Seal Beach, $1,000.
Crocker, Roy P., Los Angeles, $1,000.
Daley, Don, San Diego, $1,000.
Davies, Paul L., San Jose, $1,000.
De y Cameron, Helen, Burlingame, $1,000.
DiGrorgio, Robert, San Francisco, $1,000.
Disney, Walter E., Burbank, $3,000.
Duffield, Marshall, Newport Beach, $500.
Early, Harry J., Los Angeles, $500.
Fluor, J. S., Los Angeles, $500.
Fluor, J. S., Los Angeles, $1,000.
Folger, J. A., San Francisco, $1,000.
Frelinghuysen, George G., Beverly Hills, $1,000.
Friden, Stanley M., San Francisco, $1,000.
Friden, Stanley M., San Francisco, $1,000.
Giorgio, Robert D., San Francisco, $1,000.
Goldwater for President Committee, San Francisco, $2,096.24.
Guggenheim, Robert, Jr., Dover Shores, $1,000.
Haag, George, II, Newport Beach, $1,000.
Haas, Walter, San Francisco, $1,000.
Harris, Stanley A., Woodside, $1,000.
Havard, Mr. and Mrs. Edward, Atherton, $2,000.
Hellman, Marco F., San Francisco, $1,000.
Hewlett, William R., Palo Alto, $500.
Hewlett, William R., Palo Alto, $500.
Hills, Leslie, San Francisco, $1,000.
Hoag, George II, Newport Beach, $1,000.
Holstein, George M., III, Costa Mesa, $1,000.
Hope, Frank L., San Diego, $1,000.
Hotchkis, Preston, Los Angeles, $500.
Hotchkis, Mrs. Preston, San Marino, $500.
Howard, Dr. and Mrs. Edward, Atherton, $500.
Hume, Jaquelin H., San Francisco, $1,000.
Hume, Jaquelin H., San Francisco, $1,000.
Jameson, Frank G., La Jolla, $1,000.
Jameson, Frank Gard, La Jolla, $1,000.
Johnson, Leland H., Atherton, $1,000.
Kaiser, Leland, San Francisco, $2,000.
Kaiser, Leland M., San Francisco, $1,000.
Keith, Willard W., Los Angeles, $1,000.
Keith, Willard W., Beverly Hills, $1,000.
Kelly, Mrs. Paul B., Santa Rosa, $1,000.
Knott, Walter, Buena Park, $1,000.
Knott, Walter, Buena Park, $1,000.
Knudsen, Mrs. Valley, Los Angeles, $500.
Knudson, Thomas R., Los Angeles, $1,000.
Knudson, Thomas R., Los Angeles, $2,000.
Launder, E. J., Whittier, $1,000.
LeMasters, Earle H., San Francisco, $500.
LeMasters, Earle H., San Francisco, $1,000.
McBean, Antholl, San Francisco, $1,000.
McBean, Antholl, San Francisco, $500.
McIntosh, John, Santa Ana, $1,000.
McKee, R. L., San Francisco, $3,000.
McPherson, Stewart S., Santa Ana, $1,000.
MacLeod, John, Newport Beach, $1,000.
Norris, K. T., Los Angeles, $1,000.
Madison, Mr. and Mrs. Marshall P., San Francisco, $1,000.
Medd, Henry J., Los Angeles, $1,000.
Moore, Joseph, Jr., San Francisco, $1,000.
Mosher, Samuel B., Los Angeles, $1,000.
Nohl, Louis E., Olive, $1,000.
Norris, K. T., Los Angeles, $1,000.
Odell, Robert S., San Francisco, $1,000.
Oliphant, Ken, La Habra, $1,000.
Packard, David, Los Altos Hills, $500.
Palmer, P. A., Newport Beach, $1,000.
Peters, Mr. and Mrs. Herbert, Beverly Hills, $500.
Peterson, T. S., San Francisco, $500.
Richard, O. W., Newport Beach, $500.
Roth, Mrs. S. William P., San Francisco, $1,000.
Roth, Mrs. William P., San Francisco, $1,000.
Russell, Henry P. (Mrs.), San Francisco, $1,000.
Schmid, W. R., Garden Grove, $500.
Schmid, Walter R., Garden Grove, $500.
Sesnon, Porter, San Francisco, $1,000.
Smith, William French, Los Angeles, $1,000.
Smith, C. Arnholt, San Diego, $1,000.
Toupin, Arthur V., San Francisco, $1,000.
Volt, Willard D., Balboa, $1,000.
Wheeler, Charles S., Corona Del Mar, $1,000.
Whitman, Frederick C., San Francisco, $1,000.
Winnett, P. G., Los Angeles, $1,000.
Wood, Adrian G., Santa Barbara, $1,000.
Wood, Mrs. Paul W., San Francisco, $750.

CONNECTICUT

Barney, Austin D., Farmington, $1,000.
Barney, Austin D., Farmington, $500.
Cole, A. L., Greenwich, $1,000.
Deeds, Chas. W., Farmington, $1,000.
Deeds, Chas. W., Hartford, $1,000.
Deeds, Mrs. Chas. W., Hartford, $1,000.
Fitzgerald, Clifford, Greenwich, $1,000.
Fuller, Alfred C., Hartford, $1,000.
Fuller, Alfred C., Hartford, $2,000.
Harris, Mr. and Mrs. David, Salisbury, $1,000.
Harris, David, Salisbury, $1,000.
Harris, Wm. R., Salisbury, $1,000.
Holden, Reuben A., New Haven, $500.
Hufty, Page, Bethesda, $1,000.
Linen, Jas. A., III, Greenwich, $1,000.
Meek, Samuel W., Greenwich, $1,000.
Merck, Mrs. Geo. W., Greenwich, $1,000.
Newington, Barbara, Greenwich, $1,000.
Newington, John C., Greenwich, $1,000.
Patterson, Robert L., Greenwich, $1,000.
Simmons, Grant G., Greenwich, $1,000.
Stubbs, Merrill, Essex, $3,000.
Teagle, Mrs. Walter C., Byram, $1,000.
Teagle, Mrs. Walter C., Byram, $1,000.

DELAWARE

Beadle, Walter J., Wilmington, $500.
Beadle, Walter J., Wilmington, $500.
Brayman, Harold, Wilmington, $600.
Bredin, J. Bruce, Greenville, $1,000.
Buck, Mary S., Wilmington, $976.35.
Carpenter, E. N. II, Wilmington, $1,000.
Carpenter, W. S., Jr., Wilmington, $500.
Carpenter, W. S., Jr., Wilmington, $1,000.
Copeland, Lammont duPont, Wilmington, $3,000.
Copeland, Mrs. Lammont duPont, Wilmington, $1,000.
Copeland, Lammont duPont, Greenville, $3,000.
Downs, Robert N., Wilmington, $1,000.
Downs, Robert N. Wilmington, $500.
Downs, Robert, Wilmington, $1,000.
Downs, Mrs. Robert N., III, Wilmington, $1,000.
Du Pont, Reynolds, Wilmington, $1,000.
Du Pont, Reynolds, Wilmington, $1,000.
Du Pont, Reynolds, Wilmington, $1,000.
Flint, Mrs. Robert B., Wilmington, $500.
Flint, Mrs. Robert B., Wilmington, $500.
Grasselli, C. A., II, Wilmington, $1,000.
Grasselli, C. A., II, Wilmington, $1,000.
Greenewalt, Crawford H., Wilmington, $1,000.
Greenewalt, Crawford, Granville, $1,000.
Harrington, Charles J., Wilmington, $3,000.
McCoy, C. B., Wilmington, $1,000.
May, Mrs. Ernest N. Wilmington, $1,000.
Raskob, William F., Wilmington, $1,000.
Raskob, William, Wilmington, $1,000.
Riegel, Mrs. Richard, Montchanin, $1,000.
Ross, Donald P., Wilmington, $1,000.
Sharp, Bayard, Wilmington, $1,000.
Sharp, Bayard, Wilmington, $1,000.
Sharp, Hugh R., Jr., Wilmington, $1,000.
Worth, William A., Wilmington, $1,000.

DISTRICT OF COLUMBIA

Bayne, Mrs. J. Breckinridge, $1,000.
Bayne, Mrs. J. Breckenridge, $1,000.
Brock, William E., III, $1,000.
Brock, William E., $1,000.
Cox, Mrs. Raymond E., $1,000.
Cox, Mrs. Raymond, $1,000.
D.C. Republican Dinner Committee 1965, $20,693.
DuPont, Marcella Millu, $1,000.
Gardner, A., $1,000.
Gardner, Arthur, $1,000.
Gardner, Mrs. Arthur, $1,000.
Gardner, the Honorable and Mrs. Arthur, $2,000.
Gardner, Suzanne A., $1,000.
Garrett, George A., $500.
Garrett, Mrs. George, $1,000.
Hanway, John, II, $1,000.
Kunkel, John C., $1,000.
Know, Katherine McCook, $1,000.
Lankford, Thomas J., $1,000.
McBalir, William, $500.
Marriott, J. Willard, $1,000.
Marsh, John D., $1,000.
Munson, Mrs. Curtis, $1,000.
Nevius, John A., $1,000.
Patterson, Jefferson, $1,000.
Patterson, Jefferson, $1,000.
Patterson, Jefferson, $1,000.
Warner, Mr. and Mrs. John W., $1,000.
Watts, Philip H., $500.
Wilson, Orme, $500.
Wilson, Orme, $500.

Wrather, Alice D., $1,000.
Wrather, Mrs. W. E., $1,000.

FLORIDA

Aubinoe, Mrs. Alvin L., Delray Beach, $500.
Brown, Robert Andrew, Palm Beach, $1,000.
Carpenter, William K., Fort Lauderdale, $1,000.
Carpenter, William K., Fort Lauderdale, $1,000.
Davies, Mrs. Charles S., Palm Beach, $1,000.
Duberg, Mr. and Mrs. H. P. T., Hobe Sound, $1,000.
Du Manoir, Mr. and Mrs. George, Hobe Sound, $1,000.
Kelley, Russell P., Palm Beach, $1,000.
Kelley, Mrs. Solon C., Jr., Hobe Sound, $1,000.
Kelley, Mrs. Solon C., Jr., Hobe Sound, $1,000.
Lattner, Forrest C., Delray Beach, $1,000.
McConnell, Robert E., Hobe Sound, $500.
Markey, Mrs. Gene, Miami Beach, $3,000.
Marsten, Hunter S., Hobe Sound, $500.
Marsten, Hunter, Hobe Sound, $1,000.
Merck, Mrs. George W., Hobe Sound, $1,000.
Meyeringh, Petrus W., Hobe Sound, $1,000.
Noyes, Mrs. N. H., Hobe Sound, $1,000.
Ordway, Ellen G., Palm Beach, $1,000.
Ordway, Ellen G., Palm Beach, $1,000.
Pelton, C. S., Palm Beach, $500.
Pelton, Clyde S., Palm Beach, $500.
Richards, Bartlett, Jupiter, $1,000.
Runnello, Mrs. Clive, Hobe Sound, $1,000.
Seyburn, Mrs. Wisson, Palm Beach, $1,000.
Sullivan, Bolton, Hobe Sound, $1,000.
Swenson, Edward F., Jr., Miami, $1,000.
Trout, Thaddeus R., Palm Beach, $1,000.
Woddell, C. Emmett, Palm Beach, $500.

ILLINOIS

Archambault, Bennett, Chicago, $500.
Armor, Mrs. Laurance, Lake Forest, $1,000.
Armour, Lester, Chicago, $1,000.
Armour, Lester, Chicago, $1,000.
Bard, Ralph A., Chicago, $500.
Bard, Ralph A. Sr., Chicago, $1,000.
Bent, John P., Lake Forest, $1,000.
Bent, Mrs. John P., Lake Forest, $1,000.
Buchanan, D. W., Chicago, $1,000.
Carney, William Roy, Lake Forest, $500.
Carney, Mrs. William Roy, Lake Forest, $500.
Clarke, Philip R., Chicago, $1,000.
Coleman, Mrs. John Sr., Lake Forest, $500.
Cowles, Mrs. Alfred, Lake Forest, $1,000.
Cowles, Mrs. Alfred, Lake Forest, $1,000.
Cummings, Dexter, Chicago, $1,000.
Cummings, Dexter, Chicago, $500.
Dick, Edison, Chicago, $1,000.
Dick, Edison, Chicago, $500.
Dick, Edison, Chicago, $500.
Dixon, Arthur, Chicago, $500.
Dixon, Arthur, Chicago, $500.
Donnelley, Elliott, Chicago, $500.
Donnelley, Gaylord, Libertyville, $1,000.
Douglas, Jas. H. Jr., Chicago, $500.
Douglas, Jas. H., Chicago, $500.
Farr, Newton C., Chicago, $1,000.
Farr, Newton C., Chicago, $1,000.
Felzer, Wade Jr., Chicago, $500.
Felzer, Wade Jr., Chicago, $500.
Fentreso, Mrs. Calvin, Lake Forest, $500.
Field, Joseph N., Lake Forest, $1,000.
Gardna, Addison Jr., Evanston, $1,000.
Gaylord, Clayton R., Rockford, $500.
Gwinn, Robert P., Chicago, $500.
Hales, Mrs. Marion J., Winnetka, $1,000.
Harris, Stanley G., Winnetka, $3,000.
Hoffner, Mrs. Charles C., Jr., Lake Forest, $500.
Hubachek, Chicago, $1,000.
Hutckins, John C., Chicago, $500.
Kelley, Mr. and Mrs. Russell P., Lake Forest, $1,000.
Keith, Mrs. Stanley, Lake Forest, $1,000.
Kiddoo, Gay D., Winnetka, $500.
Langhorne, Mrs. George Tayloe, Chicago, $1,000.
Leslie, John W., Chicago, $1,000.
Leslie, John W., Chicago, $3,000.
Leslie, John Woodworth, Chicago, $1,000.
Leslie, Mrs. John W., Evanston, $1,000.
Louis, John J. Jr., Chicago, $1,000.
Louis, John J. Jr., Chicago, $1,000.
Louis, Mrs. John J., Evanston, $1,000.
Louis, Mrs. John J., Evanston, $2,000.
Louis, Mrs. John J., Evanston, $3,000.
Louis, Michael W., Evanston, $1,000.
Louis, Michael W., Evanston, $1,000.
Lourie, Donald B., Chicago, $1,000.
Lunding, Franklin J., Chicago, $500.
Lunding, Mrs. Virginia, Wilmette, $500.
McCone, Fairfax, Chicago, $1,000.
McCormick, Fowler, Chicago, $1,000.
McDermott, E. H., Chicago, $500.
McGaw, Foster G., Evanston, $1,000.
McGaw, Foster G., Evanston, $1,000.
McNally, Andrew, III, Chicago, $1,000.
Mathews, Harry B., Jr., Alton, $3,000.
Mathews, Harry B., Jr., Alton, $2,500.
Mathews, Mrs. Harry B., Jr., Alton, $3,000.
Mathews, Harry B., Jr., Alton, $2,500.
Milligan, Robert L., Evanston, $1,000.
Mitchell, William, Chicago, $1,000.
Mitchell, William, Chicago, $1,000.
Morrison, Paul L., Evanston, $500.
Nielsen, Arthur C., Sr., Chicago, $500.
Nielsen, Arthur C., Sr., Chicago, $1,000.
Olin, John M., East Alton, $2,500.
Olin, John M., East Alton, $1,000.
Olin, John M., East Alton, $2,000.
Olin, Spencer T., East Alton, $3,000.
Patterson, William A., Chicago, $1,000.
Pirie, Mrs. Gordon L., Chicago, $1,000.
Pirie, Nancy Palmer, Chicago, $1,000.
Peterkin, Daniel, Jr., Chicago, $1,000.
Rayniak, Joseph L., Waukegan, $500.
Reid, Robert H., Chicago, $1,000.
Roberts, J. M. Sr., Franklin Park, $1,000.
Rockefeller, J., Prentice, $1,000.
Runnells, John, Lake Forest, $500.
Runnells, John, Lake Forest, $1,000.
Runnells, John, Lake Forest, $1,000.
Runnells, Mrs. Clive, Lake Forest, $1,000.
Ryerson, Edward, Chicago, $1,000.
Ryerson, Edward, Chicago, $1,000.
Ryerson, Mrs. Edward, Chicago, $1,000.
Ryerson, Mrs. Edward, Chicago, $1,000.
Searle, William, Chicago, $1,000.
Searle, John G., Chicago, $1,000.
Searle, John, Chicago, $1,000.
Searle, John, Chicago, $1,000.
Searle, William L., Lake Forest, $1,000.
Searle, John, Chicago, $1,000.
Slater, Mrs. Dennan J., Evanston, $1,000.
Smith, Edward Byron, Chicago, $500.
Smith, Solomon Byron, Chicago, $500.
Solinsky, Robert S., Chicago, $3,000.
Solinsky, Robert S., Chicago, $3,000.
Spencer, Gertrude, Chicago, $1,000.
Spencer, Gertrude White, Chicago, $1,000.
Stone, W. Clement, Chicago, $3,000.
Stone, W. Clement, Chicago, $3,000.
Stuart, R. Douglas, Chicago, $1,500.
Stuart, R. Douglas, Chicago, $1,500.
Stuart, Mrs. R. Douglas, Chicago, $1,500.
Stuart, Mrs. R. Douglas, Chicago, $1,500.
Stuart, John, Chicago, $1,000.
Stuart, John, Chicago, $1,000.
United Republican Fund of Illinois, Chicago, $1,000.
Vail, Derrick T., Chicago, $500.
Watt, Herbert J., Barrington, $1,000.
Waud, Morrison, Chicago, $500.
Waud, Morrison, Chicago, $500.
Waud, Morrison, Chicago, $1,000.
Wetmore, H. O., Chicago, $1,000.
Wetmore, H. O. Chicago, $1,000.
Wells, Edward K., Chicago, $1,000.
White, William P., Chicago, $500.
Willes, Donald P., Lake Forest, $500.
Willes, Donald P., Lake Forest, $1,000.
Willes, Donald P., Lake Forest, $1,000.
Wilson, John P. Jr., Chicago, $500.
Wilson, John P., Chicago, $1,000.
Wiman, Mrs. Chas. Diere, Moline, $1,000.
Wood, Robert E., Chicago, $2,573.80.
Wrigley, Philip K., Chicago, $1,000.

INDIANA

Beardsley, Walter, Elkhart, $1,000.
Carmichael, Oliver C., South Bend., $1,000.
Honeywell, Mrs. Mark, Wabash, $1,000.
Morris, Ella L., South Bend, $1,000.
Noyes, Mrs. Marguerite L., Indianapolis, $1,000.
Noyes, Marguerite L., Indianapolis, $1,000
Noyes, N. H., Indianapolis, $1,000.
Noyes, Nicholas, H., Indianapolis, $1,000.
Noyes, Nicholas H., Indianapolis, $1,000.
Pantzer, Kurt F., Indianapolis, $1,000.
Ransburg, Harold, Indianapolis, $1,000.
Reagan, Silas B., Indianapolis, $500.
Teetor, Ralph, Hagerstown, $1,000.

IOWA

Camp, Jas. M., Des Moines, $1,000.
Farver, Paul V., Pella, $500.
Hoerner, R. N., Keokuk, $1,000.
Ruan, John, Des Moines, $1,000.
Weissenburger, G. L., Keokuk, $1,000.
Whitfield, Allen, Des Moines, $1,000.

KANSAS

Cray, Cloud L., Atchison, $1,000.
Garvey, Mrs. Olive W., Wichita, $1,122.30.
Nichols, J. C. Jr., Prairie Village, $1,000.
Patterson, Robert M., Shawnee Mission, $1,000.
Wallingford, Sam P., Wichita, $1,000.
Williams, Robert L., Wichita, $1,000.

MAINE

Boyer, Mrs. Francis, Northeast Harbor, $1,000.
Ford, Mrs. Edsel, Seal Harbor, $3,000.
Gates, Thomas S., Northeast Harbor, $1,000.
Guckes, Mrs. P. Exton, Camden, $1,000.
Hutchins, Curtis M., Bangor, $1,000.
Langhorne, Mrs. George Tayloe, Northeast Harbor, $1,000.
McCabe, Thomas B., Northeast Harbor, $1,000.
McCabe, Mrs. Thomas B., Northeast Harbor, $1,000.
McWilliams, Mrs. Charles D., Seal Harbor, $1,000.
Norris, Jas. K., Northeast Harbor, $1,000.
Thacher, Mrs. Thomas D., Northeast Harbor, $500.
Webber, Oscar, Seal Harbor, $1,000.

MASSACHUSETTS

Adams, Chas. F., Dover, $1,000.
Ames, David, North Easton, $1,000.
Ames, Mrs. David, North Easton, $500.
Ames, John S., Jr., Boston, $1,000.
Anderson, O. Kelley, Boston, $1,000.
Anderson, O. Kelley, Boston, $1,000.
Brace, Lloyd D., Boston, $1,000.
Brewster, Wm. S., Boston, $1,000.
Bright, Horace O., Boston, $1,000.
Clapp, Eugene, Boston, $1,000.
Coolidge, Wm. A., Cambridge, $3,000.
Crane, Bruce, Dalton, $500.
Crane, Bruce, Dalton, $500.
Crane, Bruce, Dalton, $500.
Curtis, Laurence, Boston, $1,000.
Curtis, Lawrence, Boston, $1,000.
Gardner, G. Peabody, Boston, $1,000.
Gilbert, Carl Joyce, Dover, $1,000.
Gilbert, Carl Joyce, Dover, $1,000.
Greer, Don S., Winchester, $1,000.
Harte, Mr. and Mrs. Richard, Brookline, $2,000.
Hodges, Chas. E., Wakefield, $1,000.
Lewis, Thos. M. II, Raynham Center, $1,000.
Lewis, Thos. M. II, Raynham Center, $1,000.
Lodge, Henry Cabot, Beverly, $500.
McConnell, Wm. C., Jr., Medford, $500.
McConnell, Wm. C., Winchester, $500.
Peabody, Amelia, Boston, $1,000.
Peabody, Amelia, Boston, $1,000.
Robinson, Dwight, Jr., Boston, $500.
Robinson, Dwight P., Jr., Boston, $1,000.
Roland, Benjamin Allen, Lawrence, $1,000.
Saltonstall, Leverett, Boston, $1,000.
Saltonstall, Richard, Boston, $1,000.
Sprague, Robert C., North Adams, $1,000.
Sprague, Robert, North Adams, $1,000.
Vance, Henry T., Boston, $1,000.
Volpe, John A., Boston, $1,000.
Volpe, John A., Boston, $1,000.
Waring, Lloyd B., Boston, $1,000.
Webster, Mrs. Edwin S., Chestnut Hill, $1,000.

Webster, Mrs. Edwin S., Chestnut Hill, $1,000.
Weeks, Sinclair, Boston, $500.
Witherby, Mrs. Frederick, Boston, $500.
Witherby, Mrs. Frederick, Boston, $800.
Whitney, Geo. K., Concord, $1,000.
Wood, C. A., Andover, $1,000.

MICHIGAN

Bentley, Alvin M., Owosso, $1,000.
Beresford, Mr. and Mrs. Jas. A., Bloomfield Hills, $1,000.
Clark, Wm. Rieve, Detroit, $3,000.
Earhart, Richard, Ann Arbor, $1,000.
Fisher, Max M., Detroit, $1,000.
Ford, Mrs. Edsel B., Grosse Point, $3,000.
Gillmore, Mrs. Donald, Kalamazoo, $1,000.
Hill, Merritt, Union Lake, $500.
Holton, Addison, Grosse Point, $1,000.
Jones, Gordon M., Holland, $1,000.
Kanzler, Ernest, Detroit, $1,000.
McClure, Harold M., Jr., Alma, $1,000.
Raphael, Mrs. Theophile, Ann Arbor, $1,000.
Repub. State Finance Cmte., Lansing, $7,000.
Romney, Geo. W., East Lansing, $1,000.
Skinner, Sherrod E., Bloomfield Hills, $1,000.
Webber, Oscar, Grosse Point Farms, $1,000.

MINNESOTA

Bennett, Russell H., Minneapolis, $2,000.
Bennett, Russell H., Minneapolis, $1,000.
Brothers, Raymond J., Minneapolis, $1,000.
Budd, John M., St. Paul, $1,000.
Congdon, Dorothy Moore, Duluth, $1,000.
Congdon, Robert, Duluth, $1,000.
Gainey, Daniel James, Owatonna, $1,000.
Heffelfinger, F. Peavey, Minneapolis, $500.
Heffelfinger, F. Peavey, Minneapolis, $1,000.
McNeely, Donald G., St. Paul, $500.
Musser, John M., St. Paul, $500.
Myers, John H., St. Paul, $1,000.
Paper, William D., St. Paul, $1,000.
Polk, Louis Frederick, Jr., Minneapolis, $1,000.
Sieger, Walter G., St. Paul, $500.
Sieger, Walter G., St. Paul, $1,000.
Slade, G. Norman, White Bear Lake, $1,000.
Walker, A. D., Minneapolis, $1,000.
Walker, Archie D., Minneapolis, $1,000.
Weyerhaeuser, F. K., St. Paul, $1,000.
Weyerhaeuser, Frederick K., St. Paul. $1,000.
Whitney, Wheelock, Minneapolis, $500.

MISSOURI

Douthat, E. M., Kansas City, $1,000.
Gates, Robert H., Webster Groves, $1,000.
Gates, Robert H., Webster Groves, $1,000.
Higdon, J. C., Kansas City, $1,000.
Jones, Cliff C., Kansas City, $1,000.
Jones, Laurence R., Jr., Kansas City, $1,000.
Lyddon, Jack R., Kansas City, $3,000.
Olin, Spencer T., St. Louis, $2,000.
Olin, Spencer T., St. Louis, $2,000.
Orthwein, William R., Jr., St. Louis, $500.
Orthwein, W. R., Jr., St. Louis, $500.
Orthwein, W. R., Jr., St. Louis, $500.
Queeny, Edgar M., St. Louis, $500.
Queeny, Edgar M., St. Louis, $2,000.
Sunnen, Joseph, St. Louis, $1,000.
Sunnen, Joseph, St. Louis, $500.
Sverdrup, L. J., St. Louis, $500.
Williams, Eugene F., Jr., St. Louis, $500.
Young, Richard A., St. Louis, $1,000.

NEBRASKA

Batchelder, Mr. and Mrs. Clifton B., Omaha, $3,000.
Bekins, Marvin, Omaha, $1,000.
Curtis, Fred P., Omaha, $1,000.
Day, John, Omaha $1,000.
Gilmore P. L., Omaha, $1,000.
Hillmer, Duane H., Omaha, $1,000.
Hosford, W. D., Jr., Omaha, $1,000.
Jacobs, Maury Omaha, $1000.
Johnson, Richard W., Omaha, $1,000.
Mattson, Lloyd H., Omaha, $1,000.
Melia, F. J., Omaha $1,000.
Owen, E. F., Omaha, $1,000.
Paxton. Charles L. Jr., Omaha, $500.
Pettis, Donald L., Omaha, $500.
Schenken, John R., Omaha, $1,000.
Swanson, Gilbert C., Omaha, $1000.

NEW HAMPSHIRE

Weeks, Sinclair, Lancaster, $500.

NEW JERSEY

Bobst, Elmer Holmes, Morris Plains, $500.
Bobst, Elmer H., Morris Plains, $500.
Dorrance, John T., Jr., Camden, $1,000.
Dorrance, John T., Camden $1,000.
Marrion Louis E., Brielle, $1,000.
Pasons, Mr. and Mrs. Joseph Lester, Jr., Short Hills, $1,000.
Reisweber, G. B., Montclair, $1,000.
Reisweber, Mrs. G. B., Montclair, $1,000.
Rooke, Robert L., Newark, $1,000.
Sellars, Richard B., New Brunswick $1,000.
Shanley, Maureen S., Newark, $1,000.
Stuyvesant, Mrs. R. Pierrepont, Princeton, $1,000.

NEW MEXICO

McCune, Marshall, Tesuque, $1,000.
McCune, Marshall, Tesuque, $3,000.

NEW YORK

A Million Women for Goldwater Committee, New York City, $5,000.
Addinsell, H. M., New York City, $3,000.
Aldrich, Winthrop W., New York City, $3,000.
Aldrich, Mrs. Winthrop W., New York City, $3,000.
Aldrich, Mrs. Winthrop W., New York City, $1,000.
Alford, W. J., New York City, $1,000.
Ashei, John R., Buffalo, $1,000.
Astor, Mrs. W. Vincent, New York City, $3,000.
Bache, Harold L., New York City, $1,000.
Baker, George F., Jr., New York City, $1,000.
Bewley, George W., Lockport, $1,000.
Bewley, George W., Lockport, $1,000.
Beinecke, William S., New York City, $1,000.
Boscowitz, Mrs. H. Hubert, New York City, $1,000.
Bostwick, Mrs. Albert C., Westbury, $500.
Bourne, Mary Elizabeth, New York City, $1,000.
Bruce, Alisa M., New York City, $500.
Bruce, Alisa M., New York City, $1,000.
Burns, John L., New York City, $1,000.
Bush, James Smith, Fishers Island, $1,000.
Calder, Mrs. Louis, Jr., Armonk, $1,000.
Campbell, H. Donald, New York City, $500.
Chadwick, Mrs. E. Gerry, New York City, $1,000.
Champion, George, New York City, $1,000.
Champion, George, New York City, $1,000.
Cheatham, Owen R., New York City, $1,500.
Chenery, Christopher T., New York City, $1,000.
Clay, Lucius D., New York City, $1,000.
Clark, Mr. and Mrs. Van Alan, New York City, $1,000.
Clark, Mr. and Mrs. Van Alan, New York City, $3,000.
Davies, Gordon, White Plains, $500.
Dickinson, Hunt T., New York City, $1,000.
Dickinson, Hunt T., New York City, $500.
Dillon, Robert E., Buffalo, $1,000.
Dwision, F. Trube, Locust Valley, L.I., $1,000.
Dyson, Charles H., Scarsdale, $1,000.
Ellis, John, New York City, $1,000.
Fitzhugh, Gilbert W., New York City, $1,000.
Flanigan, Mrs. Horace C., Purchase, $1,000.
Garbusch, Col. Edgar W., New York City, $1,000.
Gates, Thomas S., New York City, $1,000.
Gelb, Richard L., New York City, $1,000.
Gerry, Edward H., Westbury, L.I., $500.
Gerry, Henry A., New York City, $1,000.
Gerry, Henry A., New York City, $1,000.
Gerry, Martha F., Westbury, L.I., $500.
Gerry, Mrs. Robert L., Jr., Long Island, $1,000.
Graustein, G. Archibald R., New York City, $1,000.
Haider, Michael L., New York City, $1,000.
Halsey, Van R., New York City, $1,000.
Halsey, Van R., New York City, $1,000.
Hanes, John W., New York City, $3,000.
Hanes, John W., New York City, $500.
Hannon, Kenneth H., New York City, $500.
Hannon, Kenneth H., New York City, $1,000.
Harriman, E. Roland, New York City, $3,000.
Harriman, Mrs. E. Roland, New York City, $1,000.
Harriman, E. Roland, New York City, $2,500.
Hickox, Mrs. Charles V., Long Island, $1,000.
Hickox, Charles V., Long Island, $1,000.
Hilson, Mrs. Edwin, New York City, $500.
Hinman, Edward, Jr., New York City, $500.
Hitesman, Walter W., Jr., Bedford, $1,000.
Holbrook, John, New York City, $1,000.
Holbrook, John, New York City, $1,000.
Holmes, Carl, New York City, $500.
Ireland, R. L., III, New York City, $500.
Jackson, H. Arnold, Fishers Island, $1,000.
Kappel, Frederick R., New York City, $500.
Kennedy, David O'D., Oyster Bay, Long Island, $3,000.
Kernan, Francis, New York City, $500.
Knox, Seymour H., Buffalo, $3,000.
Larmon, Sigrud S., New York City, $1,000.
Larmon, Sigrud S., New York City, $1,000.
Laughlin, Mrs. W. K., Southampton, $1,000.
Legendre, Gertrude S., Fishers Island, $1,000.
Levering, Walter B., New York City, $1,000.
Lewis, Hobart, Katonha, $1,000.
Lewis, Madison H., New York City, $1,000.
Lindsley, Thayer, New York City, $500.
Livingston, Goodhue, New York City. $1,000.
Loomis, Alfred Lee, Jr., New York City, $1,000.
Loomis, Alfred J., Jr., New York City, $1,000.
Loomis, Ellen F., New York City, $3,000.
Loomis, Mrs. Farnsworth, New York City, $3,000.
Lynch, Mrs. Esmund C., New York City, $1,000.
McConce, Mr. and Mrs. Thomas, Fishers Island, $1,000.
McCrary, Mrs. Douglas A., Long Island, $1,000.
McDonald, Mrs. Ian, New York City, $1,000.
McIntosh, Allan, New York City, $2,000.
McIntosh, Allan J., New York City, $1,000.
Mallory, Philip Rogers, Fishers Island, $1,000.
Mason, Randolph, New York City, $1,000.
Middendorf, J. William II, New York City, $1,000.
Meek, Samuel W., New York City, $500.
Milbank, Mrs. Jeremiah, New York City, $1,000.
Milbank, Jeremiah, New York City, $1,000.
Milbank, Jeremiah, New York City, $1,000.
Milbank, Jeremiah, Jr., New York City, $1,000.
Milbank, Mrs. Jeremiah, Sr., $1,000.
Moog, William C., East Aurora, $1,000.
Moore, William H. New York City, $1,000.
Morris, Arthur, White Plains, $1,000.
Morris, Edna, B., New York City, $1,000.
Morris, Mrs. John A., New York City. $1,000.
Morrison, Lydia M., New York City, $3.000.
Morrison, Thomas J., New York City, $3,000.
Morrison, Mrs. Thomas J., New York City, $1,000.
Morrison, Thomas J., New York City, $1,000.
Motley, Arthur H., New York City, $1,000.
Natelson, Morris, New York City, $500.
Norris, Mr. and Mrs. James K., New York City, $500.
Noyes, Jansen, New York City, $1,000.
Paterson, Mrs. Charles C., New York City, $1,000.
Peabody, Mrs. Paul E., Millbrook, $1,000.
Peabody, Mrs. Paul E., Millbrook, $1,000.
Peachy, J. R., Buffalo, $500.
Pennoyer, Mr. and Mrs. Paul G., New York City, $1,000.

Phipp, Lillian Bostwick, New York City, $1,000.

Phipps, Ogden, New York City, $1,000.

Phipps, Ogden, New York City, $1,000.

Power, Donald, New York City, $1,000.

Purcell, Robert W., New York City, $1,000.

Reed, Gordon W., New York City, $1,000.

Rentschler, Rita M., New York City, $1,000.

Rockefeller, David, New York City, $1,000.

Rockefeller, J. D., III, New York City, $1,000.

Rockefeller, Laurence S., New York City, $1,000.

Rockefeller, Mary Clark, New York City, $1,000.

Rockefeller, Mary C., New York City, $1,000.

Rockefeller, Nelson A., $1,000.

Rockefeller, Nelson A., New York City, $1,000.

Russell, Mr. and Mrs. Thomas W., Fishers Island, $500.

Scanlon, John J., New York City, $1,000.

Schiff, John, New York City, $1,000.

Schiff, John M., New York City, $1,000.

Schuster, Anne Storrs, New York City, $1,000.

Senior, Mrs. John J., New York City, $1,000.

Senior, Mrs. John J., New York City, $1,000.

Simmons, Grant G., Fishers Island, $1,000.

Simpson, Mrs. William, Glen Head, Long Island, $1,000.

Slater, Martha Lyon, New York City, $1,000.

Snyder, H. N., Buffalo, $500.

Stevens, Robert T., New York City, $1,000.

Stone, Mrs. Franz T., Buffalo, $1,000.

Swift, Harlan J., Buffalo, $1,000.

Thomas, Joseph, A., New York City, $500.

Thompson, Fred D., New York City, $1,000.

Thompson, Paul W., Chappaque, $1,000.

Tower, Mrs. Roderick, Locust Valley, $1,000.

Tucker, Mrs. Carill, New York City, $1,000.

Tucker, Mrs. Carill, Mt. Kisco, $3,000.

Voorhies, E. M., New York City, $1,000.

Voorhies, E. M., New York City, $1,000.

Wallace, DeWitt, Mt. Kisco, $2,000.

Wallace, DeWitt, Pleasantville, $1,000.

Wallace, DeWitt, Mt. Kisco, $2,000.

Wallace, Mrs. DeWitt, Mt. Kisco, $2,000.

Wallace, Edward R., Northport, $1,000.

Wallace, Lila Bell Acheson, Mt. Kisco, $3,000.

Washburn, Watson, New York City, $1,000.

Wertheim & Co., Partners of, New York City, $4,000.

Wilmerding, Henry A., Westbury, Long Island, $1,000.

Wilmerding, Henry A., Westburg, Long Island, $1,000.

Winthrop, Mrs. Robert, Old Westbury, Long Island, $1,000.

Wishnick, William, New York City, $1,000.

Wishnick, William, New York City, $1,000.

Wishnick, Robert I., New York City, $1,000.

Wyckoff, C. R., Jr., Fishers Island, $500.

Wyckoff, Mr. and Mrs. Clinton R., Jr., Fishers Island, $1,000.

NORTH CAROLINA

Broyhill, J. E., Lenoir, $500.

Cheatham, Lula S., Statesville, $1,000.

Greer, Walter E., Jr., Greensboro, $1,000.

Jackson, H. Arnold, Pinehurst, $1,000.

Morris, E. A., Greensboro, $1,000.

OKLAHOMA

Albert, E. R., Jr., Tulsa, $500.

Bartlett, David A., Tulsa, $1,000.

Blair, B. B. Tulsa, $1,000.

Blair, B. B., Tulsa, $1,000.

Calvert, F. Allen, Jr., Tulsa, $1,000.

Glass, Mrs. J. Wood, Nowata, $1,000.

Henry, James W., Tulsa, $1,000.

Hull, Robert C., Jr., Tulsa, $1,000.

Johnson, John C., Boise City, $1,000.

Johnson, John C., Boise City, $1,000.

Kaiser, Herman George, Tulsa, $1,000.

Kravis, Raymond F., Tulsa, $1,000.

McClintock, F. G., Tulsa, $1,000.

McCollough, E. H., Tulsa, $500.

McCone, John R., Oklahoma City, $500.

Martin, Floyd L., Tulsa, $500.

Vinson, Bailie W., Tulsa, $500.

Walker, Fay P., Tulsa, $3,000.

Wolfe, W. W., Tulsa, $500.

Wright, C. H., Tulsa, $1,000.

Young, Mrs. R. M., Tulsa, $1,000.

OHIO

Bardes, Oliver L., Cincinnati, $1,000.

Berry, Loren M., Dayton, $500.

Burton, Courtney, Cleveland, $1,000.

Burton, Courtney, Cleveland, $1,000.

Ford, Daniel B., Cleveland, $500.

Homan, Rudof, Cincinnati, $1,000.

Humphrey, G. M., Cleveland, $500.

Jones, Mr. and Mrs. Frederick E., Columbus, $1,000.

Lazarus, Charles Y., Columbus, $1,000.

Lewis, Mr. and Mrs. J. Preston, $1,000.

McElroy, Neil Hoster, Cincinnati, $1,000.

Patterson, Gordon, Shaker Heights, $500.

Reavis, John W., Cleveland, $1,000.

Scott, G. H., Lakewood, $500.

T. R. W. Good Government Fund, Cleveland, $3,000.

White, Charles M., Cleveland, $500.

PENNSYLVANIA

Alexander, Mr. and Mrs. J. Deaver, Coatesville, $2,500.

Alexander, John Deaver, Coatesville, $2,000.

Alexander, Mrs. John D., Coatesville, $1,000.

Baker, Milton G., Philadelphia, $1,000.

Boyer, Francis, Ardmore, $1,000.

Boyer, Francis, Philadelphia, $1,000.

Brown, Richard P. Jr., Philadelphia, $1,000.

Butcher, Howard, III, Philadelphia, $1,000.

Butcher, Howard, III, Philadelphia, $500.

Cherksey, Leon, Wyncote, $500.

Corson, Mrs. Philip L., $1,000.

Day, William L., Philadelphia, $500.

Delp, George C., Lancaster, $1,000.

Derry Township Republican Club, Hershey, $1,000.

Dickey, Charles O., Philadelphia, $1,000.

Foy, Fred C., Pittsburgh, $1,000.

Foy, Fred C., Pittsburgh, $1,000.

Frick, Helen Clay, Pittsburgh, $3,000.

Frick, Helen Clay, Pittsburgh, $3,000.

Hass, John C. and F. Otto, Philadelphia, $500.

Higgens, Mrs. Dunham, $1,000.

Johnson, Robert L., Wynnewood, $1,000.

Junge, Bethel P., Jenkintown, $700.

Junge, Vera, Jenkintown, $500.

Keady, G. Joseph, Philadelphia, $1,000.

Kline, C. Mahlon, Philadelphia, $3,000.

Lavino, Edwin M., Philadelphia, $1,000.

Lavino, Edwin M., Philadelphia, $1,000.

McCabe, Thomas B., Philadelphia, $1,000.

McCabe, Thomas B., Philadelphia, $1,000.

McCabe, Thomas B., Philadelphia, $2,000.

Mellon, Richard K., Pittsburgh, $3,000.

Myrin, Mable Pew, Philadelphia, $3,000.

Nesbitt, Albert J., Philadelphia, $1,000.

Pew, George T., Haverford, $1,000.

Pew, J. Howard, Philadelphia, $3,000.

Pew, J. Newton, Chester, $1,000.

Pew, Mr. and Mrs. James G., Bryn Mawr, $1,000

Pew, John G., Philadelphia, $1,000.

Pew, Mary Ethel, Philadelphia, $3,000.

Pitcairn, Michael, Jenkintown, $600.

Pope, Jack M., Rosemont, $1,000.

Purnell, Marguerite Hillman, Bryn Mawr, $1,000.

Rorer, Gerald F., Philadelphia, $1,000.

Scranton, William W., Dalton, $1,000.

Sharples, Philip T., Philadelphia, $1,000.

Sharples, Mrs. Philip T., Haverford, $1,000.

Sharples, Philip T., Philadelphia, $1,000.

Smith, Bradford, Philadelphia, $1,000.

Spahr, Boyd Lee, Philadelphia, $500.

Steinman, John F., Lancaster, $1,000.

Thacher, Mrs. Thomas D., Chestnut Hill, $500.

Toland, Alexander Dolan, Wynnewood, $500.

Toland, Mrs. Alexander Dolan, Wynnewood, $750.

Toland, Mrs. Owen Jones, Wynnewood, $500.

Van Alen, Elizabeth K., Philadelphia, $500.

Van Alen, William L., Philadelphia, $500.

Van Pelt, David, Philadelphia, $500.

Warden, Clarence A., Jr., Wynnewood, $500.

Widener, George D., Philadelphia, $1,000.

Widener, George D., Philadelphia, $1,000.

RHODE ISLAND

Cary, Mrs. Guy Fairfax, Newport, $1000.

Cary, Mrs. Guy Fairfax, Newport, $1,000.

Davie, Eugene Mary, Newport, $1000.

Ewing, Bayard, Providence, $500.

Foote, Mrs. Archibald, Newport $500.

Foote, Mrs. Archibald, Newport, $500.

Goddard, Mrs. R. H. I., Providence, $1,000.

Hudson, Mrs. Cecil Blaffer, Newport, $1,000.

Hudson, Mrs. Cecil Blaffer, Newport, $1,000.

Merriman, Mrs. E. Bruce, Providence, $1,000.

Merriman, Mrs. E. Bruce, Providence, $1,000.

Paterson, Mrs. Charles, Newport, $1,000.

Warren, Mr. and Mrs. George Henry, Newport, $1,000.

TENNESSEE

Ashe, Mrs. Robert L., Knoxville, $1,000.

Ashe, Mrs. Robert L., Knoxville, $1,000.

Cargile, Neil H., Nashville, $500.

Clarborne, Sam, La Follette, $1,000.

Dudley, Guilford, Jr., Nashville, $1,000.

Hannon, C. W., Nashville, $1,000.

Hoehn, T. W., Jr., Memphis, $1,000.

Ingram, E. Bronson, Nashville, $1,000.

Mountcastle, Paul Nashville, $1,000.

Potter, Mrs. Justin, Nashville, $1,000.

Wilson, Mrs. David K., Nashville, $1,000.

Wilson, Mrs. David K., Nashville, $1,000.

TEXAS

Agnich, Fred T., Dallas, $1,000.

Arnold, Isaac, Houston, $500.

Bond, Roland S., Dallas, $1,000.

Fay, Albert Bel, Houston, $1,000.

Forbes, D. W., Dallas, $1,000.

Garvey, Mr. and Mrs. James S., Fort Worth, $5,387.12.

Georges, Mrs. Basil, Dallas, $1,000.

Jonsson, Mrs. J. E., Dallas, $3,000.

Jonsson, Mrs. J. E., Dallas, $3,000.

Kidd, Mr. and Mrs. Barron, Dallas, $1,000.

Negley, Carolyn B., San Antonio, $1,000.

UTAH

Browning, Val, Ogden, $500.

Browning, Val, Ogden, $1,000.

Browning, Val A., Morgan, $500.

VIRGINIA

Doeller, William E., Warrenton, $1,000.

Hanes, Mr. and Mrs. John W., Jr., Great Falls, $500.

Mars, Forrest E., The Plains, $1,000.

Olsson, S. G., West Point, $1,000.

WASHINGTON

Clapp, Norton, Tacoma, $1,000.

Clapp, Norton, Tacoma, $1,000.

WISCONSIN

Benstead, Horace M., Racine, $1,000.

Bradley, Mrs. Harry L., Milwaukee, $1,000.

Bradley, Mrs. Harry L., Milwaukee, $1,000.

Buchanan, William E., Appleton, $1,000.

Buchanan, William E., Appleton, $1,000.

Carlan, Fisk W., Palmyra, $1,000.

Carpenter, Katherine Kearney, Milwaukee, $1,000.

Carpenter, O. W., Jr., Milwaukee, $1,000.

Carpenter, O. W., Jr., Milwaukee, $2,000.

Casey, Samuel A., Port Edwards, $1,000.

Coughlin, Charles L., Milwaukee, $1,000.

Groh, H. B., Milwaukee, $1,000.

Harbison, David S., Tomahawk, $1,000.

Harnischfeger, Henry, Milwaukee, $1,000.

Harnischfeger, Walter, Milwaukee, $500.

Harnischfeger, Walter, Milwaukee, $1,000.

Hill, Merritt D., Racine, $500.

Hill, Merritt D., Racine, $500.

Johnson, H. F., Racine, $1,000.

Johnson, Herbert F., Racine, $1,000.

Johnson, H. F., Racine, $1,000.

Johnson, Samuel C., Racine, $1,000.
Johnson, Samuel C., Racine, $1,000.
Keland, Willard H., Racine, $1,000.
Kieckhefer, Mrs. William H., Milwaukee, $1,000.
Kieckhefer, Mrs. William H., Milwaukee, $1,000.
Kimberly, John R., Neenah, $1,000.
Kohler, Walter J., Sheboygan, $1,000.
Kohler, Walter J., Sheboygan, $1,000.
Ladish, Herman W., Cudahy, $1,000.
Ladish, Herman W., Cudahy, $1,000.
Lindsay, Mrs. Thomas C., Hartland, $1,000.
Lindsay, Walter S., Milwaukee, $1,000.
Loock, Fred F., Milwaukee, $1,000.
Miller, Emily M., Wisconsin Rapids, $1,000.
Miller, Mrs. John N., Wisconsin Rapids, $1,000.
Moore, Harry, Beloit, $1,000.
Packard, Howard M., Racine, $1,000.
Philipps, Cyrus L., Milwaukee, $1,000.
Philipps, Cyrus L., Milwaukee, $1,000.
Pickard, Samuel N., Neenah, $1,000.
Pritzlaff, Mrs. Elinor G., Milwaukee, $1,000.
Puelicher, J. A., Milwaukee, $1,000.
Reiss, William A., Sheboygan, $1,000.
Schroeder, Mr. and Mrs. John E. Milwaukee, $1,000.
Schroeder, Walter, Milwaukee, $1,000.
Sherry, Avery, Thiensville, $1,000.
Sherry, Mrs. Avery, Thiensville, $1,000.
Sherry, Avery, Milwaukee, $1,000.
Siebert, R. L., Milwaukee, $500.
Slocum, Mrs. A. Lester, $900.
Slocum, Gertrude Smith, Milwaukee, $900.
Smith, L. B., Milwaukee, $500.
Smith, Lloyd B., Milwaukee, $1,000.
Steiger, Carl E., Oshkosh, $1,000.
Stielman, Julen R., Milwaukee, $500.
Stratton, Mrs. H. M., Milwaukee, $1,000.
Stratton, Mrs. H. M., Milwaukee, $1,000.
Stratton, John F., Milwaukee, $1,000.
Trane, Helen Hood, La Crosse, $2,000.
Trane, Helen Hood, La Crosse, $1,000.
Trecker, Francis J., Milwaukee, $1,000.
Vogel, Mrs. Charles P., Milwaukee, $1,000.
Vogel, Mrs. Charles P. Milwaukee, $1,000.
Vogel, Eileen K., Milwaukee, $1,000.
Vogel, William D., Milwaukee, $1,000.
Vogel, William D., Milwaukee, $1,000.
Wadewitz, W. R., Racine, $1,000.
Walker, Gordon R., Racine, $1,000.
Walker, Gordon R., Racine, $1,000.
Weyenberg, F. L., Mequon, $1,000.

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. MADDEN. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. PATTEN. Mr. Speaker, will the gentleman yield?

Mr. RESNICK. I am glad to yield to the gentleman from New Jersey.

Mr. PATTEN. Will the gentleman from New York tell me where the Republicans are going to get the $3 million they are going to spend to elect the Republican candidates for Congress? I read an article where they are spending $10 for every dollar that the Democrats are spending. Do you know anything about that?

Mr. RESNICK. I would imagine they are not looking over the checks that are coming in very carefully. At this point I understand there is $1.2 million already collected. I think maybe they might also be getting it from the sale of Boosters Club stationery. It seems if you join the Boosters Club, you get special stationery on which to write to your Congressman if you have a problem. So they might be getting it from the sale of that stationery.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MODEL SECONDARY SCHOOL FOR THE DEAF ACT

Mr. CAREY. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill, H.R. 17190, to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region, and ask for its consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HALL. Mr. Speaker, reserving the right to object, may we have an explanation of this plan, as to what is involved, what funds are concerned, and the projected expenditures for the future?

On the face of it, it certainly seems to be a worthwhile and a high priority project.

I believe, probably, the committee is to be commended for bringing this piece of legislation to the floor of the House for consideration. But, I certainly believe it well to have, even in these waning days of the 89th Congress, a little explanation as to what is involved therein, if we are to be asked to approve by unanimous consent or without objection.

Mr. CAREY. Mr. Speaker, I am delighted to comply with the request of my distinguished colleague, the gentleman from Missouri [Mr. HALL] if the gentleman will yield.

Mr. HALL. I am delighted to yield to the gentleman from New York.

Mr. CAREY. Mr. Speaker, the bill (H.R. 17190), which was reported unanimously by the Ad Hoc Subcommittee on the Handicapped and the full Committee on Education and Labor will establish a model secondary school for the deaf to be operated by Gallaudet College. The school will serve the deaf children of the Nation's Capital and nearby States, and also provide an exemplary program as a stimulus to the development of similar schools in other areas of the Nation.

At the present time, there are no first-quality high school programs for the deaf. As a result only 8 percent of any age group of deaf children go on to college as opposed to 40 percent in the normal hearing population.

The United States has in Gallaudet College the only college for the deaf in the world. Earlier in this Congress, I introduced a bill, now Public Law 89-36, to establish a National Technical Institute for the Deaf to join Gallaudet as a source of postsecondary education for the deaf. I am happy to report that the advisory committee to choose a university as a site for the institute has completed its survey and is now preparing its report to Secretary Gardner.

While we are making progress in this direction, we find a glaring omission in the secondary area itself. Mrs. Homer Thornberry, a member of the National Advisory Committee on Education of the Deaf, testified before the Ad Hoc Subcommittee on the Handicapped that not many more than 1 percent of deaf children are able to communicate well enough to attend regular high schools for hearing children.

Dr. Lloyd Ambrosen, superintendent of the Maryland School for the Deaf, reported that the average deaf child achieves only a seventh- or eighth-grade education.

Deputy Assistant Secretary of Health, Education, and Welfare Philip H. DesMarais, in presenting the Departmen's unqualified support for this bill affirmed these statements and also pointed out the need for a model program. He reported that educators of the deaf from the United States frequently traveled to Europe to see model elementary and secondary education programs.

In this connection, the bill has caught the attention of the President. When speaking to a group of foreign exchange teachers on August 25, 1966, concerning the interchange of ideas between nations, President Johnson remarked:

> The first thing I did this morning was to talk to a lady about building a model high school to serve as an experiment and a model for this nation, and for all the nations of the world, in how to help deaf people get a high school education.

Earlier, on June 13, speaking at Gallaudet College's 102d commencement, the President said:

> My greatest wish and prayer is that in the days ahead we will reach the day when every deaf person in our country and the world will have an equal opportunity and be able to get all the education he can possibly use.

Mr. Speaker, the high school proposed by H.R. 17190 is a legitimate concern of the Federal Government. It will provide a bona fide high school education for deaf children. Because there are relatively few deaf youngsters in any given area, and because a first-quality high school must have at least 300 to 500 students, the day and residential school I proposed, which can bring together students from several States, is essential. In addition, the successful operation of the school will provide a national and indeed international example of excellence in education of the deaf.

Mr. HALL. Mr. Speaker, do I understand from the gentleman of New York [Mr. CAREY], that at the present time we do not have a secondary school of education which would serve as a model along this line anywhere in the country, a model school from which could be forwarded students into Gallaudet College?

Mr. CAREY. Mr. Speaker, if the gentleman from Missouri will yield further, this is the apparent thinking. There is not a first-rate or for that matter any real secondary school program anywhere in the country for the deaf. As a result thereof, when they are admitted to Gallaudet College, actually they have to go through a full year of prestudy in order to prepare themselves for college work. So, they are really only doing one-fourth of the job over there at the present time.

Mr. HALL. Mr. Speaker, may I ask the gentleman from New York if the gentleman is familiar with the secondary school in elementary education for the deaf which is located in Fulton, Mo.?

Mr. CAREY. I am familiar with the Central Institute for the Deaf in St. Louis.

Mr. HALL. This is not correct. I refer to a high school for the deaf in Fulton, Mo. They certainly have a fine and sportsmanlike football team, for I played against them, and that is both unique and exciting.

Mr. CAREY. I would say to the gentleman from Missouri that this is one of the finest schools of its kind in the country. I am well familiar with its outstanding administrator. This, of course, is an oral school for those students who can accept oral instruction and who are able to partake of the full 4 years of instruction.

However, there are many who cannot partake or who cannot receive oral instruction and, as a matter of fact, they fall behind and cannot take or receive college instruction. That is why we are asking for the enactment of this bill.

Mr. BELL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am delighted to yield to the gentleman from California.

Mr. BELL. Mr. Speaker, I want to say that I rise in support of this bill and especially in view of the fact that, for example, only 8 percent of the deaf students are admitted to college; whereas 40 percent of the regular students are admitted to college.

Mr. Speaker, I feel that this is a necessary bill, and I believe it will prove to be a very successful program.

Therefore, Mr. Speaker, I support the bill wholeheartedly.

Mr. HALL. Mr. Speaker, further reserving the right to object, I presume there have been hearings, that there is a committee report, and that copies of the bill are available to the Members?

Mr. BELL. Mr. Speaker, if the gentleman will yield, we held considerable hearings, and all of the minority Members were in support of this on the subcommittee, and on the full committee.

Mr. SCHEUER. Mr. Speaker, if the gentleman will yield?

Mr. HALL. I yield to the gentleman from New York.

Mr. SCHEUER. Mr. Speaker, I would like to add in further answer to the question propounded by our distinguished colleague from Missouri, that on the Gallaudet College campus here in Washington there is a model elementary school. The college itself is a model institution of higher learning, but there is a gap in the secondary education years. This model school would fill that gap and would provide a model high school on these grounds in Washington, D.C., for elementary, secondary, and collegiate education. We would then have a working model complex of educational facilities for the deaf from primary through secondary and college levels in one place, for the Nation and the world to observe and study.

Mr. Speaker, I would like to thank the chairman of our subcommittee, our colleague Mr. HUGH CAREY, of New York, for his vision, leadership, hard work, and thoroughgoing knowledge of developments in the education of the disadvantaged child. His efforts have brought a new spirit of innovation and forward momentum to an area of compassionate need to which for too long we have given far less than our best.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CAREY]?

There was no objection.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Model Secondary School for the Deaf Act".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. For the purpose of providing day and residential facilities for secondary education for persons who are deaf in order to prepare them for college and other advanced study, and to provide an exemplary secondary school program to stimulate the development of similarly excellent programs throughout the Nation, there are authorized to be appropriated for each fiscal year such sums as may be necessary for the establishment and operation, including construction and equipment, of a model secondary school for the deaf to serve primarily residents of the District of Columbia and of nearby States, including sums necessary for the construction of buildings and other facilities for the school.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "construction" includes construction and initial equipment of new buildings, expansion, remodeling, and alteration of existing buildings and equipment thereof, including architect's services, but excluding off-site improvements.

(c) The term "secondary school" means a school which provides education in grades nine through twelve, inclusive.

AGREEMENT WITH GALLAUDET COLLEGE TO ESTABLISH MODEL SECONDARY SCHOOL

SEC. 4. (a) The Secretary, after consultation with the National Advisory Committee on Education of the Deaf (created by Public Law 89–258, 42 U.S.C. 2495) is authorized to enter into an agreement with Gallaudet College for the establishment and operation, including construction and equipment of a model secondary school for the deaf to serve primarily residents of the District of Columbia and of nearby States.

(b) The agreement shall—

(1) provide that Federal funds appropriated for the benefit of the model secondary school will be used only for the purposes for which paid and in accordance with the applicable provisions of this Act and the agreement made pursuant thereto;

(2) provide for utilization of the National Advisory Committee on Education of the Deaf to advise the college in formulating and carrying out the basic policies governing the establishment and operation of the model secondary school;

(3) provide that the college will make an annual report to the Secretary;

(4) provide that in the design and construction of any facilities, maximum attention will be given to excellence of architecture and design, works of art, and innovative auditory and visual devices and installations appropriate for the educational functions of such facilities;

(5) include such other conditions as the Secretary, after consultation with the National Advisory Committee on Education of the Deaf, deems necessary to carry out the purposes of this Act; and

(6) provide that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by Federal funds appropriated for the benefit of the model secondary school will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(c) The Secretary shall submit the annual report of the college (required by clause (3) of subsection (b)) to the Congress with such comments and recommendations as he may deem appropriate.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 3, after line 18, insert the following new paragraph:

"(4) provide that in the design and construction of any facilities, maximum attention will be given to excellence of architecture and design, works of art, and innovative auditory and visual devices and installations appropriate for the educational functions of such facilities;".

Page 3, line 18, strike out "(4)" and insert in lieu thereof "(5)".

Page 3, line 24, strike out "(5)" and insert in lieu thereof "(6)".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1310) entitled "An act relating to the National Museum of the Smithsonian Institution."

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. CON. RES. 112

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 1310) relating to the National Museum of the Smithsonian Institution, the Secretary of the Senate is authorized and directed to make section 1 read: "That this Act may be cited as the 'National Museum Act of 1966'."

COMMITTEE ON BANKING AND CURRENCY

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a conference report on the bill S. 3158.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. **McFALL**. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file conference reports on the bills H.R. 10304, H.R. 9985, and H.R. 3314.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL MUSEUM OF THE SMITHSONIAN INSTITUTION

Mr. **McFALL**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. Con. Res. 112) relating to the National Museum of the Smithsonian.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the resolution, as follows:

S. CON. RES. 112

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 1310) relating to the National Museum of the Smithsonian Institution, the Secretary of the Senate is authorized and directed to make section 1 read: "That this Act may be cited as the 'National Museum Act of 1966'."

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. **HALL**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **McFALL**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 351]

Abbitt
Albert
Andrews, Glenn
Ashley
Aspinall
Bandstra
Baring
Barrett
Bolling
Brooks
Cabell
Callaway
Carey
Celler
Clark
Clevenger
Collier
Conte
Cooley
Corman
Craley
Culver
Davis, Ga.
Dent
Devine
Dickinson
Diggs
Dingell
Dorn
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Evans, Colo.
Everett
Evins, Tenn.
Farnsley
Feighan
Fisher
Flynt
Foley
Fraser
Fulton, Tenn.
Fuqua
Giaimo
Gibbons
Gilligan
Goodell
Green, Oreg.
Gross
Grover
Hagan, Ga.
Hanley
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hébert
Herlong
Hicks
Holland
Howard
Huot
Jennings
Jones, Ala.
Keith
King, N.Y.
Kirwan
Kunkel
Long, Md.
Love
McDowell
McVicker
Macdonald
Mackay
Martin, Ala.
Martin, Mass.
Matsunaga
Mills
Moorhead
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Hara, Mich.
O'Konski
Olsen, Mont.
Ottinger
Patman
Pool
Powell
Purcell
Quie
Reid, N.Y.
Reinecke
Rhodes, Ariz.
Rivers, Alaska
Rogers, Colo.
Rogers, Tex.
Roncalio
Schmidhauser
Schneebeli
Scott
Smith, Calif.
Steed
Stephens
Stratton
Sweeney
Taylor
Thompson, N.J.
Thompson, Tex.
Toll
Trimble
Tunney
Tupper
Tuten
Vigorito
Walker, Miss.
White, Idaho
Whitten
Williams
Willis
Wilson, Charles H.
Wolff
Young

The **SPEAKER**. On this rollcall 301 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INDIANA DUNES NATIONAL LAKESHORE

Mr. **UDALL**. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 51) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes.

The **SPEAKER**. The question is on the motion offered by the gentleman from Arizona [Mr. UDALL].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 51, with Mr. McFALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN**. Under the rule, the gentleman from Arizona [Mr. UDALL], will be recognized for 1 hour, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 1 hour.

The Chair recognizes the gentleman from Arizona [Mr. UDALL].

Mr. **UDALL**. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, I regret that we have only begun at this late hour the debate on this bill, which was scheduled as the main order of business today.

The rule provides for 2 hours of general debate, followed by the 5-minute open rule.

On our side we will endeavor, because of the lateness of the hour, to expedite the debate this evening.

This bill will give the Members of the House a chance to stand up and be counted for conservation. It is a bill which is surrounded by some controversy, unlike many of the other fine conservation bills that the Committee on Interior and Insular Affairs has brought before the House. But the Indiana dunes is one of the great beauty and scientific areas of this country. We have delayed too long in having a day of reckoning on what should happen to the Indiana dunes. Today, at long last we will have it.

Twenty-five years ago it was proposed that a much larger area than is now included in the bill, be made a great national park. It would have been one of the great national parks of this country. But a great deal of the area has been chipped away by industry and the growth of towns, and residences, unavoidable consequences of the growth in that area, have cut down the size of the area that we now propose to be taken into a new unit of the national park system.

This unit will be known as the Indiana Dunes National Lakeshore. It is about 50 miles east of Chicago, and about 25 miles east of Gary, Ind.

Mr. **CLEVELAND**. Mr. Chairman, will the gentleman yield?

Mr. **UDALL**. I will be glad to yield to my friend from New Hampshire.

Mr. **CLEVELAND**. Mr. Chairman, I was very much interested in the gentleman's opening remark when he said this was a chance to stand up and be counted for conservation.

I consider myself as a conservationist, a practicing conservationist, but a great deal of the conservation mail that I have received this summer and last spring had to do with a proposal of the gentleman from Arizona to flood the Grand Canyon. I am just wondering where such as he who is in the well now, talking about conservation, here in September, were last May when we found our mail filled with mail from conservationists asking me to vote against a bill that the gentleman and my good friend had proposed and which threatened the Grand Canyon.

Mr. **UDALL**. I will tell my friend that perhaps my consistency index, as he may view it, will not be the highest in this Congress. But I think that the bill I proposed was one of the soundest conservation measures ever presented to this House, and in the best tradition of conservation. It is the misleading propaganda which has flooded this country and not the Grand Canyon by my bill.

I will tell my friend where I was when he had the St. Gaudens National Historic Site, a conservation measure. I was on his side, and I was on the side of most of the other of my friends, too, when they had sound proposals.

Mr. **CLEVELAND**. I appreciate that. I am glad to know that the St. Gaudens bill, which in my mind I thought was for artistic and humanity purposes, was also a conservation measure. I will be glad to add it to my list.

Mr. **UDALL**. I know my friend will also be glad to know that I stand here today as the spokesman for a number of organizations, including the Sierra Club.

Mr. **CLEVELAND**. I thank the gentleman for yielding, but I just wanted to make it clear that if some of us may vote against the bill, I hope he and his associates will not invoke legislation by labeling us and just crossing us all off as being anticonservationist. That is the only point I am trying to make. Legislation by label is a pet peeve of mine.

Mr. **UDALL**. I appreciate that the gentleman has a serious point, and I have a serious point too. Let me make it right now.

The gentleman from Indiana is opposed to this bill and there are others who are opposed to the bill. I recognize the sincerity of the gentleman from Indiana and have a great respect for him. But conservation has never been a partisan thing in this House. The gentleman from Pennsylvania [Mr. SAYLOR], who supports this bill, and the chairman of our committee, the great gentleman from Colorado [Mr. ASPINALL], in the greatest production of conservation legislation in a whole generation that has occurred in these past years, never raised the partisan flag and they never have taken their personal situations or friendships or desires of individual Members of this House into consideration. They have acted and we have acted on our side of the aisle on what is good for the country—what is good for conservation and what we should do to build up this wonderful American innovation, the national park system.

All I say to my friends in this House is if they honestly and sincerely feel that the Indiana dunes does not have the stature to be a part of the national park system, then vote against it and I will respect you. But let us not hesitate—let us not hesitate in the consideration of this legislation to take into account the Nation's interest. Because the Nation has an interest in whether or not we preserve the Indiana dunes.

I did not resent my friend, or any of my other friends here, and over here on this side, who gave me a lot of advice during the past 2 years about what we should and should not do in the Grand Canyon. The Nation is interested in the Grand Canyon and you have the right to speak out and Members should vote their conscience on that issue. Both the Grand Canyon and Indiana dunes belong to the Nation, and not just to the county or State where located.

But let us decide this question on conservation grounds and not make a decision on the ground of whether we like some particular Member or do not like him. Let us see who will stand up for conservation on both sides of the aisle.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. HALLECK. I thank my colleague for yielding. I am the gentleman's friend as I know he is my friend. But in my opinion, the conservation features of this bill have been abandoned. It is now a recreation bill. You have made arrangements here to provide for bathing beaches. Of course, I am for bathing beaches and I will have a little more to say about that a little later on. But the dunes that are left out there are still protected and they are going to be protected.

Mr. UDALL. It is the judgment of this Member of the House, and I went to Valparaiso in your district, in the great area that you represent, and I say it is the judgment of this Member of the House who sat through the hearings and the great debates that we had in committee that the Indiana dunes are one of the really precious scenic and scientific resources of this country. If we do not pass this bill, they are going to be destroyed.

The Indiana Dunes State Park that you refer to is one of the most overloaded parks in the country. Last summer the cars were backed up for 5 miles on a Sunday afternoon trying to get into the park.

The dunes are a very fragile thing. If you get these people chasing over these few dunes which are left, you are not going to have anything left. We need these bathing areas. We need the enlargement of this area, this national lakeshore area, to make sure that the fragile and delicate dunes are preserved.

If the House of Representatives wants to turn over this great shore of Lake Michigan to hotdog stands and steel mills and pizza joints and so on, this is a decision that the House can make. But I think it is time at long last that the Nation faced up to this problem to decide the future of the Indiana dunes. In my judgment, this is a very choice and a very unique area and ought to be preserved.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. MADDEN. Since the matter of conservation groups has been brought up, I might state that the following conservation groups have endorsed the Dunes National Lakeshore. They appeared before the committee and gave testimony. Some of these conservation groups are as follows:

The Izaak Walton League, the Audubon Society, the Prairie Friends of the American Landscape, the Indiana Federation of Women's Clubs, Garden Clubs of Indiana and Illinois, the Conservation Clubs of Chicago, the Wild Flower Society, and the Wildlife Preservation Society.

As I say, all these groups testified or sent in their testimony in favor of preserving the Indiana dunes by means of a national lakeshore park.

Mr. UDALL. In response to my friend's contribution, for which I thank him, I can say that I know of no major conservation or scientific organization that has studied this proposal and is not in favor of it.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman spoke about the needs of the growing population. He spoke of the fact that because there are so many people who are using the existing dunes, they may very well be destroyed unless this area is established as a national park. We are told that within the next few years, within another 10 or 15 years, there will be at least another 2 million people in the immediate area who will be in need of this as a recreational area. Is that correct?

Mr. UDALL. That is correct, and the testimony before our committee shows that it is correct.

Mr. BURTON of Utah. Mr. Chairman, will the gentleman yield?

Mr. UDALL. It is open season, I guess. I will yield to anyone who wants to speak. I yield to the gentleman from Utah.

Mr. BURTON of Utah. Would my friend agree that merely because groups like the Sierra Club, the Audubon Society, and some of these other ultraconservationist groups are in favor of the bill does not necessarily make it right or wrong? I would like your comment on what weight they had in consideration of the legislation.

Mr. UDALL. No, I would not simply say that because these groups have endorsed the bill that it is ipso facto good or bad. But I think this is a very important thing to take into account, and I think we ought not lightly to cast aside the combined judgment of scientists, outdoor-lovers, conservation groups and similar organizations. Having heard the testimony of witnesses on both sides, particularly having heard the testimony of the constituents of my friend from Indiana [Mr. HALLECK] against the bill, I conclude the passage of it is important to the country, and that in this case these groups are right.

Mr. SKUBITZ. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Kansas.

Mr. SKUBITZ. Is it not true that the dunes referred to are located in Indiana State Park, and the Indiana State Park would still remain under the control and supervision of the State of Indiana?

Mr. UDALL. It is a little more complex than that. Some of the best dunes are in the Indiana State Park, but in order to save those dunes—and these are the dunes that scientists want to save; these are the dunes that we want our children and grandchildren to see someday—we have to take the pressure off. If you have tens of thousands of people backed up there to see those dunes, in a few years we will not have any. If we can enlarge the park and take the pressure off the park, we will save them.

Mr. SKUBITZ. What you are saying is that the area we would save would not be the dunes area but areas that would be used for beach purposes?

Mr. UDALL. The gentleman did not ask me that. The gentleman asked me if some of the best dunes in the State are involved. They are some of the best dunes in the State. The other dunes we are going to save are right there.

Mr. SKUBITZ. Are not the dunes in that area protected by local ordinances?

Mr. UDALL. In some instances they are.

Mr. SKUBITZ. Can you name one where they are not?

Mr. UDALL. In some instances they are, but the way many people in Indiana feel about it, I would not be surprised if there are steel mills there before too many months or years go by. We need to preserve this stretch of Indiana dunes for the people of this country. This is a good bill and it ought to be passed.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I did not know that we were going to have a second go-around, but I will yield, and then I would like to get to some of the facts.

Mr. CLEVELAND. I was interested in your remarks about the fact that the dunes that are now owned by the State of Indiana are apparently in a State park. The implication of your remarks was that because the State of Indiana is letting the people come in and see the dunes and walk on them, they are being threatened. Is that correct?

Mr. UDALL. No; the gentleman badly oversimplifies.

Mr. CLEVELAND. You kept talking about the thousands of people backed up and flooding in and they are going to tromp these dunes down. At least, that was the impression that you gave to me.

Mr. UDALL. There is a great danger of that. That is part of the story.

Mr. CLEVELAND. If it were a Federal holding, could or would the Federal Government keep the people out?

Mr. UDALL. There are 10 million people living in that area. We have in the State park about 3 miles of shoreline and the dunes back behind them. If we get this Federal park, we will have a total of about 11 miles of dunes, 11 miles of that Lake Michigan shore in a national recreation area, run by the National Park Service. A part of that area will be preserved, because they will have necessary kinds of restrictions. If anyone has the know-how and expertise to save this area it is the National Park Service. I have no faith that Indiana or the local governments will do so.

I will conclude in just a moment and let others get in on this debate.

Let me tell my colleagues first that we will take in about 11 miles of beach and 8,250 acres of land if this bill is passed. We will have a fine addition, in the judgment of the Committee on Interior and Insular Affairs, to the National Park Service.

The cost of this bill, under our present estimates, will be about $21.7 million at current prices.

I should like to add that the residents in this area will be protected. The bill provides that if there is local zoning which, in the opinion of the National Park Service and of the Secretary of the Interior, is adequate to protect the area the owners may stay there and the right of condemnation may be withheld. Those owners who wish to sell may receive at their option an estate for 25 years or life if they choose to do so. So we have taken into account the needs and problems of the residents.

Again I urge that this is a real test case. This is one of the tough ones. A lot of conservation bills we have had here have been pretty easy. Everybody is for a wilderness area. Everybody is for one of these new national parks in Utah, where the interests of very few people are involved. But the tough one comes in the East. We in the West have all the good locations. We do not have the people, but we have the scenery. The Nation has been generous to us in establishing national parks.

One of the key directions we have turned in the past few years, with the help of my friend from Pennsylvania, has been to try to do things in the East—Tocks Island, the Fire Island in New York, Cape Cod, and the new national seashore in Carolina. We have tried to put some of the national park money where the people are.

This is where the people are. We need this one badly, and we need support in passing it.

The bill, H.R. 51, is probably the most controversial of the national park bills to come out of the Committee on Interior and Insular Affairs during the 89th Congress. I am glad, therefore, to have this opportunity to discuss the bill at some additional length so that the House may know what its merits are and what our committee has done and has not done with it.

This bill proposes to establish on Lake Michigan in the State of Indiana a new unit of the national park system. Its location is about 50 miles east of Chicago and about 25 miles east of Gary. A population of 9½ million live within 100 miles of the Indiana Dunes National Lakeshore. This is an important consideration, since one of the things on which our committee and the Congress has been laying emphasis for the last 5 or 6 years is that of providing national recreation areas as close to centers of population as possible. We all know that this is costly but all of us, particularly those who are from the East, are also fully aware of the perennial complaint that our national parks are where the people are not and that the people are where the parks are not. I think we were right in authorizing the Cape Cod National Seashore near Boston, the Fire Island National Seashore near New York City, and the Point Reyes National Seashore just north of San Francisco. Indiana Dunes fits into this same pattern and, costly though it will be, it is worth the price.

Now let me go on to the nature of the new national lakeshore as our committee proposes it. First, let me say that at least 50 years ago this area was so highly regarded by naturalists that it was proposed that a great national park be established here. It was then looked on by scientists and others as a unique outdoor laboratory which should be saved for all time to come. As Stephen Mather, the first Director of the National Park Service, then thought of it, the park would have included twice as much shoreline as the present proposal does and a much larger area. It is too late to carry out his recommendations in full—the growth of industry and cities and towns has made that impossible—but it is not too late to save some of the little that remains. This is what our committee is recommending.

As amended, the boundaries of the Indiana Dunes Lakeshore will include about 11 miles of beach and 8,250 acres of land. These figures include the 2,180 acres and the 3¼ miles of beach that are now in the Indiana Dunes State Park, an area which was established in 1926 and has not, I understand, been enlarged since then. The acreage which the committee recommends—8,250—I may add, contrasts with the approximately 11,300 acres which were included under the bill introduced. The committee has, in other words, stripped the proposal down to a minimum. All of us were sorry that the area had to be so drastically cut, but a number of considerations led to this action. One of the reasons was the desire of members of the committee to keep the lakeshore as compact as possible and to avoid including in it a number of detached areas. Another was their desire to avoid appearing to inflate the acreage by including in it a lot of high-priced property that could probably not be developed for recreation purposes in any event. A good example of this is the 660 acres in the town of Beverly Shores that have been omitted from the national lakeshore.

A question has been raised, I am told, worthy of national status. I think the answer to this is "Yes." We will still have an area which can accommodate thousands of the visitors from Indiana, Illinois, and elsewhere who will frequent it in the hot summer months. We will still have an area in which the ecologists and students of natural phenomena can do their work. We will still have an area which we can be proud of preserving for all time. It will be important, of course, for the National Park Service to see to it that recreational use of the area does not swamp its natural values, for this is the greatest of the dangers which the proponents of a larger national lakeshore foresee. I am confident that the Park Service will be able to do this. In any event—perhaps because I am too much of a half-a-loafer—I would still rather see this much of the southern shore of Lake Michigan preserved than to see it all pass into the dismal sort of industrial scenery that blocks it in to the west. Keeping this area in open space is just as important for the people who live and work there as it is for the rest of the Nation. If, however, the committee was wrong and it is the judgment of Members of the House that the area should be enlarged, they will be free to offer amendments at an appropriate time in these proceedings. I shall offer such an amendment.

The estimated cost of acquiring the land that is within the area recommended by the committee is $21,700,000 at current prices. This does not include acquisition of the Indiana Dunes State Park which will remain under jurisdiction of the State until it is donated to the United States, as the bill provides. We do not expect, however, that all of the land will be acquired since there are provisions in the bill to the effect that improved residential property which conforms to approved local zoning ordinances is not subject to condemnation. Likewise the bill provides that any owner of residential property who sells to the Government may retain a right of use and occupancy for 25 years or life if he chooses to do so. In this event the purchase price will be reduced somewhat. Both of these features of the bill are designed to give protection to individual property owners and are similar to provisions which we have written into law in the case of other national recreation areas.

Mr. Chairman, I want to add two more thoughts and then I will be through. The first is that the Indiana Dunes National Lakeshore will be subject to the entrance and user fee provisions of the Land and Water Conservation Fund Act. These fees will help to offset at least part of the cost of the facility, particularly the cost of operating it which is estimated at about $375,000 a year after it is fully established. The second is that the establishment of this Federal area will not interfere with the Burns Ditch project which was before the Congress in the last omnibus rivers and harbors bill 2 years ago. It will not stifle economic and industrial development in the vicinity, as has been charged. In fact, I am willing to assert that, a few years from now, everyone will be saying that enactment of this bill was a good thing and necessary to preserve some sort of balance between the heavy industrialization that characterizes the Chicago-Gary area and the need of the area's people for recreation as well as work. This metropolitan area now has much less acreage devoted to public recreation per thousand population than any comparable area in the United States—New York, Philadelphia, Detroit, Boston, San Francisco, or Los Angeles. This imbalance badly needs changing. H.R. 51 will help to do so in a modest way. I urge the House to pass the bill.

Mr. Chairman, I ask unanimous consent that the gentleman from Colorado [Mr. ASPINALL] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. ASPINALL. Mr. Chairman, the legislation which is before you authorizes the establishment of the Indiana Dunes National Lakeshore in the State of Indiana.

The Indiana Dunes National Lakeshore legislation is one of two remaining park-type bills which the Interior and Insular Affairs Committee is recommending in this session of Congress—the other is the proposed Sleeping Bear Dunes National Lakeshore in the State of Michigan.

At the outset of this session of Congress, the authorizing committee outlined the park program which it considered to be reasonable, in light of other Government programs and activities at home and abroad, and realistic, in terms of the Nation's needs for more outdoor recreation opportunities. Our objective was to round out the national park system by providing needed outdoor areas nearer the great population centers of the Nation—it is, in fact, to put more parks where the people are. With the exception of the two I have just mentioned—the present bill and Sleeping Bear—the House has acted on all of those that were in the program: Cape Lookout, Bighorn Canyon, Guadalupe, Oregon Dunes, and Pictured Rocks. I want to thank all of my colleagues in the House and on the committee for their great help in carrying through this program.

H.R. 51, if enacted, will be another important step in meeting the objective of putting more parks where the people are. This proposed recreation area is located in Indiana at the southern end of Lake Michigan. It is less than 50 miles from the Chicago-Gary industrial complex and is readily accessible to 9½ million people. By 1980, more than 11½ million people will probably be living in this region.

At the present time, there are no major national outdoor recreation facilities near this heavily populated region and only severely limited State and local recreation areas. All too often—at the peak of the season; in the heat of the summer—too many people are turned away from the overcrowded facilities which do exist. Testimony before the committee by a representative of the Governor of Indiana revealed that the Indiana Dunes State Park is now probably the most popular unit of the entire State park system. Materials submitted to the committee for its consideration tell of jammed parking lots and mile-long lines of traffic waiting to enter this attractive recreation area.

Indiana Dunes provoked the usual reaction to proposals of this sort. The greatest and most vocal opposition and the least support always comes from the locality immediately affected; there is less opposition and greater support when the population of the entire congressional district in which it lies is taken into account; on a statewide basis the support is still greater and the opposition quite small; and, if the proposal is one that has attracted attention beyond the State, the voices pro will almost completely drown out the voices con. In short, the closer you are to home, the more acutely sensitive people are to the impact that they think a new Federal park or recreation area may have on the resources that they are used to relying on or that they hope to develop themselves sometime in the future.

In spite of the opposition, the committee feels that the need for the Indiana Dunes National Lakeshore is apparent. Determining how to meet this need, however, has been no easy matter. Exhaustive hearings were held by the National Parks and Recreation Subcommittee—both in the field and in Washington. Every conceivable argument for and against the proposal was heard. After considering these views, the subcommittee worked out the details of H.R. 51 and the full committee reviewed those recommendations and made some significant changes before ordering the bill reported. I can honestly say, no other park proposal has been given more intense consideration in this session of Congress than has been given H.R. 51.

The recommendations of the committee call for the creation of a lakeshore totaling 6,061 acres in size. This is the minimum which we regarded as absolutely necessary to meet the massive need in this heavily populated area. In recognition of the controversy between those, living in the area, who desire industrial development and those desiring to protect this area for its natural and recreational values, the committee attempted to find a middle ground. Trying to resolve the dispute, the committee concluded that most of the controversial detached or noncontiguous areas should be deleted, thus reducing the size of the proposed lakeshore area by slightly more than 2,000 acres. This has the effect of deleting the so-called Inland Steel property—which incidentally, due to a clerical error in the report, involves only 852 acres rather than 3,398 acres. The committee is also recommending the deletion of 75 acres, which all seem to agree is needed for other purposes, and 660 acres of intensively developed land in the Beverly Shores area at the eastern end of the proposed lakeshore.

Mr. Chairman, in keeping with the usual policy of our committee providing that State lands shall not be taken without a consent, we are recommending that H.R. 51—like other recent park bills—be amended to require that State lands can only be acquired by donation. Our committee feels, Mr. Chairman, that these national park system facilities are a great asset to the States. Not only do they bring in many tourist dollars, but the national facility relieves the States of the burden of providing and maintaining comparable facilities. As a consequence of these facts, we sincerely feel that the States should, at least, be willing to reduce the burden on the Federal Treasury by donating State-owned lands to the project. If they do not want to—as may be the case in this instance—then Uncle Sam is not authorized to purchase them and they remain in State control and ownership.

Among the other recommended amendments are two more which should be mentioned. One involves the condemnation authority of the Secretary of the Interior. We recommend suspension of the Secretary's authority to condemn improved property—construction of which began before January 4, 1965—so long as an appropriate zoning ordinance, approved by the Secretary in accordance with regulations to be established, is in effect. The only improved property to which this provision would not be applicable would be those properties adjoining the beach or waters which are deemed necessary for public access and use.

The other amendment simply limits the amount authorized to be appropriated in accordance with the proposed alterations of the lakeshore boundary. In arriving at the $21,700,000 amount, the committee used the latest available estimates for land acquisition costs.

Mr. Chairman, I am sure that not everyone is satisfied with H.R. 51 as it has been reported. Some argued that the area encompassed in the proposal as it was introduced represented a nearly unreasonable compromise to begin with; others argued that the development of the full potential of the existing State park could adequately meet the future recreation needs in the area; few felt that there could be some happy middle ground. The committee was compelled to work out the details of a compromise.

The situation can be summarized by adapting the famous Lincoln quotation:

> You can please some of the people all of the time; and all of the people some of the time, but you cannot please all of the people all of the time.

In H.R. 51, as recommended, we have a sizable area suitable for a variety of outdoor recreation activities and we have an area with natural characteristics worthy of protection. We feel that the need for this kind of an area in this location is highly desirable and greatly needed now and that the need will become even more pressing in the years ahead. We fully recognize and appreciate the ambitions of those who see this area as another massive industrial complex on the Great Lakes, but we also know that there must be some place of adequate size and attraction where the teeming millions can relax and enjoy outdoor activities and the wonders of nature.

We have this in H.R. 51 as reported. There is room for some industrial development, but there is also protection for some of the best beach and natural area left in this region. If it is to be spared, then action is necessary—and necessary now. I therefore recommend favorable action by the House on H.R. 51, as amended.

Mr. UDALL. Mr. Chairman, I ask unanimous consent that the gentleman from Alaska [Mr. RIVERS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RIVERS of Alaska. Mr. Chairman, I support H.R. 51, the bill introduced by the gentleman from Indiana, [Mr. ROUSH] to establish the Indiana Dunes National Lakeshore.

I had the pleasure of visiting this area just a year ago when my Subcommittee on National Parks and Recreation held field hearings at Valparaiso. We not only listened to many, many witnesses, but we also inspected the area. Three things impressed me on that trip: the deep feelings of the witnesses, both pro and con; the great potential which the dunes area has both for scientific study and for outdoor recreation; and the great need for a Federal recreation area in this vicinity.

Those of us who come from parts of the country where land is plentiful and the outdoors is only a stone's throw from a man's front door cannot fail to appreciate the problems of a densely populated and highly industrialized region like the Gary-Chicago complex when we first see it. Land along Lake Michigan is extremely scarce and valuable, we all know, but we also know that life without some opportunity to get outdoors can be pretty intolerable.

If we had been foresighted enough to create an Indiana Dunes National Lakeshore 40 or 50 years ago, there is no doubt we would have done a better job than we can today. Much of the land and many of the dunes which should be included in this recreation area have been lost in the meantime. But there is still an opportunity—perhaps a last opportunity—to save what is left. The new park may not be all it should, but it will be all it can be at this late date.

All the figures that I have seen indicate that the Chicago metropolitan area has less acreage set aside for recreation per thousand population than any other large metropolitan area in the United States. In this region it is 11.6 acres per thousand, and none of this is Federal land. In the San Francisco area, on the other hand, it is 19.6 acres per thousand, in Detroit 18.4, in Boston 17.6, in New York and Philadelphia 17.2, and in Los Angeles an astounding 167.8, most of which is Federal. Surely figures like these must make clear to us the pressing need for H.R. 51.

Mr. Chairman, I earnestly recommend favorable action on H.R. 51.

Mr. SAYLOR. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I spoke on this proposition a little earlier under the rule. At that time I bemoaned the fact that sometimes these things of great and vital interest to great sections of the country and of local interest to States and municipalities and counties come up here when it is very difficult to get much of a hearing.

I realize that when we say "conservation" all at once everybody jumps. I have jumped a lot of times myself, because I am for conservation, and I have supported conservation measures.

But this is no longer a conservation bill. This is a recreation bill, for beaches.

Indiana has already devoted to public use 10 miles of beaches, out of Indiana's 40 miles of shoreline. That is all we have. We have 10 miles of private beaches, where people have riparian rights. Some of those riparian rights are going to be taken away under the provisions of this bill.

I have been with this thing for a long time. I am kind of tired of it.

I should like to go back just a little bit. I am not going to elongate this. I am not going to dwell on it. But I have been fighting for a public harbor in the State of Indiana for 30 years.

I may say to my friend from Indianapolis [Mr. JACOBS], I started with Governor McNutt almost before you were born. I have worked with every Governor of Indiana.

I sat next to our current Governor at the dedication of a port, for which Indiana has finally had to appropriate money, and to tax the people and raise the money, yesterday afternoon. There is an authorization for it now. When it went through the other body there was a proviso that we had to have a Dunes Lakeshore before we could get the money for the port.

That was an unprecedented action, completely unjustified. It came on before the Committee on Public Works, of which I am a member. That committee in its wisdom struck out that proviso and wrote in that the passage of the authorization bill should not prejudice the park bill. Who could have asked for anything more than that? Nobody. But there were people over on the other side who did. I will say this, with all respect to my friends outside of the confines of the State of Indiana: We have a lot of people, apparently, out of our State more interested in this park than the people of Indiana. In any event, we wind up with a proviso, which, as I say, is unprecedented, that we must have a vote on a park bill before we can get our money. Indiana has been building parks and ports all over the United States and helping to build them all over the country.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. Yes. I yield to the gentleman.

Mr. UDALL. Is it not true that the moment we vote on this bill in the House, at long last, that this authorization of $25 million for the Burns Ditch port which my friend has worked so hard for all these years is activated?

Mr. HALLECK. That is right. But I want to make it very clear at this point that if you vote it down, we will still get the money.

Mr. UDALL. That is right.

Mr. HALLECK. And that is what I am asking you to do, because it is right.

Mr. UDALL. Will the gentleman yield for one more question?

Mr. HALLECK. Yes. I will yield.

Mr. UDALL. Now that you have the port and we have had all the argument all these years as to whether you will have a port or a park, why not have both? We can have both, can we not?

Mr. HALLECK. I will tell you what. The Governor of my State appeared at a hearing at Valparaiso. We were all out there. Bethlehem Steel is going to build the outer breakwater. What happened? The people in support of this park said that you are putting a port for Indiana right in the middle of a park. They have never quit, and I do not think they will ever quit roadblocking Indiana's opportunity and potential for an industrial development, and that is something that the people of my State resent. I say to my friend, Mr. UDALL, I do not say you. But some of the people out there. Let me say this: I sat next to Governor Henry Shricker, of Indiana, a Democrat but a great person and a great American, yesterday afternoon. He was twice Governor of Indiana and is the only man in Indiana history who ever did that. He was standing with us for that port a long time ago. It is true we are finally getting it, but we got the authorization with a noose around our necks that I would have thought the Committee on Interior and Insular Affairs would have resented.

Mr. UDALL. Mr. Chairman, will the gentleman yield again?

Mr. HALLECK. Yes. And then I want to go on.

Mr. UDALL. I do not want to interfere with the gentleman giving his statement, but the suggestion that this is a noose around the port is one that I hope my friend does not really mean, because the fact of the matter is if you put down a stake in the entrance to that port in the middle of the water and drew a 15-mile radius around it, 96 percent of the land in that 15-mile radius would be outside of this proposed national lakeshore, and if you cannot have an industrial development in 96 percent of that 15 miles, then I do not know where you can have it.

Mr. HALLECK. Let me say this to my friend. I respect the Secretary of the Interior because he has always been a good friend although on the other side from me, but while we have had that hearing about this land fill which is an integral part of Indiana's port, he testified it was a matter of putting the industrial development right in the middle of a park. It is 2,000 feet from the first place where you get into this park, if it ever becomes the law, and I hope it does not.

Now I want to say one other thing while I am talking about the Secretary of the Interior. He said that he stretched all of the rules to provide that this be a national park. I say you have stretched them. You have stretched them real good, and there is no justification for this being a national park.

Now, Mr. Chairman, let me just hurry on here. With reference to our parks, in the congressional district, which it is my honor to represent, Porter County, Ind., this is one of the most rapidly growing counties in the country.

Mr. Chairman, some people say, "You do not put parks in the districts of people who do not want them."

Well, Mr. Chairman, I do not want this one but you are going to put it in here anyway, I guess.

Mr. Chairman, I wish the entire membership were here to hear this. Let me tell the Members of the Committee of the Whole House on the State of the Union that I stand with the opposition to this project, the representatives of the commissioners of Porter County, the town governing bodies of Portage and Beverly Shores, the Indiana Municipal League of Northwest Indiana, the Township Trustees Association of Indiana, to mention a few. These people, Mr. Chairman, represent the grassroots organizations of our government.

Mr. Chairman, further, I stand with the chambers of commerce, organized labor people, and hundreds of others. I could go on. That is not all of the list. It involves hundreds and hundreds of property owners who own some of the beautiful homes out there.

Mr. Chairman, if the Members of the Committee of the Whole House on the State of the Union really want to see some of the country out there I have with me some actual photographs. I am telling you right now that most of it is "puckerbrush" and you would not be caught dead on it.

Mr. Chairman, I want to make it clear, again, that I am not against conservation. I have mentioned the fact that I have been fighting for that port and we are finally moving along.

And, Mr. Chairman, I may say to my friend who is so hot for this park, I am really glad that this day has finally come and that, we are going to have a vote further on.

You know, Mr. Chairman, we had a lot of people out there who made up their minds to have this park saddled upon Indiana, because of the $25 million we were supposed to get back.

Mr. Chairman, we would never have that reimbursement, which I got written into the bill, if we had been given our just desserts, as we have had them.

But, Mr. Chairman, we have the proponents of this park who have been astraddle of our necks for 10 years before we started our efforts in behalf of the port and the park was not heard of.

So, Mr. Chairman, I wish to move along, and I do not want to filibuster this bill. I understand it is late. But I want the Members of the Committee of the Whole House on the State of the Union to understand why we are against this bill, and many, many people are against it.

I understand there are a lot of other people who are for it. But, up there, when one starts on the west side of this property we have, for instance, the Inland Steel Company. The committee took that out. You are going to put Inland's properties back in.

Well, if you want beaches, I suppose that is important. But that land has been sand-mined long ago. I guess 17 acres out of the 800 have some dunes on it. But you say you want that beach, and we shall hear about that later on.

Then, Mr. Chairman, we have the Ogden Dunes, some of the most beautiful dunes located up there. They are not included in this bill.

Mr. Chairman, please do not misunderstand me. I do not want them covered in this bill.

Mr. Chairman, you have different language in here for Beverly Shores than you have for Dunes Acres.

In the Dunes Acres you take access along the beach.

Mr. Chairman, I have a letter from the Interior Department—explaining what that means. They will have access in there. People are going up and down there. They will take the beach from the waterline, 100 feet back.

Mr. Chairman, let me tell you more. One of the most important questions involved here are the riparian rights. What are their values? When you start into this thing, one would think that it is about $21 million. That will not represent a drop in the bucket. We will take, for instance, the Inland Steel property. You could not buy it for $10 million. Land up there right now is selling for $100 a front foot.

Mr. Chairman, there has been testimony just last week to the fact that the land under water out there right now, is worth $10,000 an acre.

Now, folks, we have got the Indiana Dunes State Park, and do not let anyone tell you that the people of Indiana are not interested in those dunes, because they are.

When we had the hearings before the House committee, I do not know how much my good friend who speaks so eloquently for this now, realizes what it will take in and what will be a part thereof.

He was there part of the time, I was there all of the time, because this thing is of vital interest to me, and I listened to him.

But there the Governor of my State, Governor Branigin one of the—well, he is a Democrat, I should not brag on him too much, it might hurt him.

My State has mapped an aggressive plan of action, and a proposed major expansion of the Indiana Dunes State Park in a 10-year plan for acquisition. We have proposed early acquisition of 180 acres at the west edge of the existing park.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. UDALL. Talking about the Democratic Governor, does not the Governor support this bill? You do not mean to leave the impression that he is against the bill, do you,

Mr. HALLECK. If the gentleman will wait just a minute, I will get to that.

Specifically, Indiana has proposed the acquisition of 180 acres on the west, and 130 acres on the east. They are going to improve that for beach use—let me say to you folks, we have our park there, yes, our State park is there, but little of it is used for a beach. You must have lifeguards. There is an undertow in that water. You cannot turn people loose.

I am telling you right now: you pass this bill and you will not have many dunes left when people go tramping up and down them. When they know it is a national park they are going to go there.

The gentleman who has been talking here really knows that the worst enemy in the world of a sand dune is feet, human feet climbing over them.

So you will have to have lifeguards. You will have to have all sorts of parking facilities, sanitary facilities, dressing facilities. You cannot just go in there and throw the lakeshore open.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(By unanimous consent, Mr. HALLECK was permitted to proceed for an additional 5 minutes.)

Mr. HALLECK. The gentleman asked me what the Governor said. Well, we had that hearing out there about the land fill. I want to say with all respect to my friends from Illinois who are going to be speaking here, I suppose, in a little while, that you know we are getting our port out there at Indiana, and we are going to have to go at it alone if we have to, and we should not have to. But that sand has kind of been carried away, it went up to build an additional campus for Northwestern University. I did not hear anybody complaining about that. Most of that sand, or a lot of it, probably went to build the beaches in Chicago. I am all for it. I am glad it went there.

Now, Indiana—and this is an AP story, after the hearing out in Valparaiso, this last one, about the land fill, and Midwest Steel had a big land fill case that it won through the courts up there—but this thing for Bethlehem, no, that would not do, even though the greatest experts in the world testified—I was there—that it would not mean pollution, it would not mean anything 2,000 feet from where this park would be, and Governor Branigin said "Indiana can preserve its Lake Michigan dunes without help from Uncle Sam."

Mr. ROUSH. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. Yes, I yield to the gentleman.

Mr. ROUSH. Mr. Chairman, I understand that the gentleman was in Indiana yesterday at the ground-breaking ceremony.

Mr. HALLECK. Yes.

Mr. ROUSH. I have a UPI report quoting Governor Branigin of Indiana in a statement which he made on that very occasion, in which he said:

> We believe the port and the park are compatible, and that one day we will have a great recreational facility in this area.

Mr. HALLECK. I will tell you, my friend, I was there and you were not. The wind was blowing. Maybe it was the aftermath of the Inez hurricane. Some of it got up north from down south and they were afraid that it was going to blow the tent down. The winds got up to 50 miles an hour. You know we can have tornados and cyclones in Indiana. So, in the interest of safety, we moved outside.

I was there and I heard the Governor's speech. I did not hear him say anything like that. If that is in his prepared release, then all I can assume is that he was talking about Indiana's plans.

Let me go on with this.

Let me quote Secretary Udall who was a little upset apparently when a lot of us appeared out there on that land fill:

> Maybe the thing we should do is to abandon the national park idea and simply establish a larger State park there.

The Secretary said:

> I would be willing to provide assistance on this, but there is no State in the Union which has shown less zest for having a national park; and I haven't got much zest for people who lack zest.

Then the Governor said that his next budget would include $2½ million to expand our State park.

We are working at it, folks. Two-thirds or three-fourths of the cars that come to our park are from Illinois—and that is all right—we are glad to have them.

Here is what the Governor said:

> We can take care of our own problems. We never ask him [Udall] for anything in the first place. We expect little and we rarely are disappointed.

If you know my Governor Branigin—our Governor Branigin—that is typical of him. But he kind of laid it on the line—we do not need this.

Now look—Indiana has been preserving these dunes up there for 50 years. So you say you do not trust us. We say we will develop our State park and we will enlarge it and we will provide recreation. Do you believe that? Do you believe in a State having its own opportunity?

The Governor testified that Indiana would never give up its State park.

You wrote an amendment in there—and that is all right—which amendment said, if you get Indiana's park, why, it has to be donated.

Indiana is not going to donate that park. Why should we?

You might do worse with it with Federal control than we have done with State control. We have done very well. About 10 percent of it is used. We are saving these dunes for the scientists. We want them to have this. We have a bathing beach—and that is wonderful. We are going to have more.

Actually, the dunes we are talking about—and if anyone of you can dispute this, I wish you would stand up and say so—are Ogden Dunes, Dune Acres, and Beverly Shores and the State park.

Does anybody dispute that? I see my colleague, the gentleman from Arizona [Mr. UDALL] on his feet—does he want to dispute that?

Mr. UDALL. I will dispute that and say the dunes in those areas that you are talking about are going to stay permanently, so we will have some.

Mr. HALLECK. Wait a minute, that is not what I asked you. I said, "Where are the dunes we are talking about?" They are where I said they were.

There are about 17 acres in Inland Steel—that is all out of eight hundred and some acres.

Again I want to say, you are trusting in the people of Ogden Dunes to protect their dunes, are you not? They are not in this bill.

You are taking out the center of Dune Acres in your proposal. So you are trusting them, are you not?

Then you have Beverly Shores, clear over on the east. So you take the center out of Beverly Shores.

So what you have, folks, is a national park with the Indiana Dunes State Park in the middle of it. I will tell you about Beverly Shores, and that is a great growing community up there. You do not need to worry about steel mills. We have to have places for people to live. You have to have places to build houses. There are a great number of places left. But you are going to take them into this park and take them away from the town of Beverly Shores. What you have done is to put in the park the municipal building, the fire station, the schoolhouse—the whole ball of wax.

I want to tell you again that the governing body of Beverly Shores is against the proposal. The governing board of Portage is against it. The commissioners of the country are against it. All of the dunes that are left are either protected by the State of Indiana or they are protected by local zoning ordinances that are protected by the State of Indiana, and to assume that they are going to be destroyed, in my opinion, is just not fair.

There has been a lot of talk about economy, and I had not planned to say much about that. But we are supposed to hold down expenditures. In the committee someone said that it would be 10 years before property owners knew what the Government was going to do about their property. What would they do in the meantime? Is it fair to them?

What is being done about Assateague now? You are 10 years behind in those funds. Are we going to appropriate the money? I am telling you right now that if you start appropriating the necessary money for this project, it will cost you a great deal more than $21 million.

This is one of the great areas of the country.

Indiana is conserving its dunes and it is providing recreation. The State of Indiana is not asking for help. I stand with my Governor. I stand with my Governor that we can take care of the situation. We are going to extend our State park. Maybe in a moment of petulance the Secretary of Interior, who really never gets petulant, may have said, "Let's let Indiana do it." Perhaps he was a little exasperated.

Maybe we are going to have that landfill, but for that landfill you could not build Indiana's harbor and right now my friend from the Fifth District of Indiana and my friend from the First District, who have been up there, know that the cranes are going. We are building it to give Indiana its fair share of an opportunity on the Great Lakes.

So I ask your pardon for holding you so long. I feel deeply about this. I trust that the measure will be defeated.

Mr. UDALL. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. ROUSH].

Mr. Chairman, will the gentleman yield to me?

Mr. ROUSH. I yield to the gentleman from Arizona.

Mr. UDALL. Our distinguished friend from Indiana who just spoke has adverted here today on two or three occasions to the support of the local board of supervisors, county commissioners, chamber of commerce, and so on. I have no doubt that what he said is true. I heard his people come and testify.

It has been my observation from the extension of the remarks of Chairman ASPINALL, who has been through many of these fights, that you always have this is in a great national park battle. You have it every time—the local board of supervisors and the local people are against it. We would not have the Grand Canyon National Park which seems to be a favored spot tonight of some of my friends, if the Board of Supervisors of Coconino County had the say. We would not have Yellowstone National Park or any of the other great national parks if the local people had the final say.

I appreciate the gentleman's position. I am sure that if I represented his district I would have taken the same position he has. But I want to say about my friend who stands in the well now that he has stood up on this bill and has taken a lot of heat and a lot of pressure from people because he strongly believes that the national interest involves getting these national sea and lakeshore bills passed. I want to commend him for it.

I know what he has been through, because I have seen members of our committee go through the same thing.

I see some of them on the floor here tonight.

If the gentleman will yield further, I should like to ask him one question. The gentleman from Indiana [Mr. HALLECK] has couched this whole controversy in terms of destroying this great port, which I support. I want to see them get the port. I am glad they have the port. But the gentleman seems to say that if we have a national lakeshore we will destroy the port.

As the bill now stands, will the gentleman tell this House how far from the center of that port would be the nearest piece of this national lakeshore? How far would it be from the nearest point of the port to the nearest part of the national lakeshore?

Mr. ROUSH. My colleague catches me off guard.

Mr. UDALL. If I may refresh the gentleman's memory, would it not be about 2 miles?

Mr. ROUSH. It could not be more than 2 or 3 miles.

Mr. UDALL. Two or three miles?

Mr. ROUSH. That is correct.

Mr. UDALL. I thank my friend for yielding.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. I yield to my colleague [Mr. MADDEN].

Mr. MADDEN. I should like to clear up a kind of impression my good friend from the adjoining congressional district gave in regard to the State being so anxious to do something to develop this park for the north end of Indiana. For the benefit of my colleagues here who are not familiar with Indiana, for the past many years I know of the northern part of Indiana, whether the administration was Democratic or Republican, has generally been looked upon as a stepchild or an orphan child. They do not seem to be interested in the development, from the State angle, up in the northern part of Indiana.

When my good friend the gentleman from Indiana, [Mr. HALLECK] states that the State is anxious to go right ahead with this Indiana Dunes Park, 40 years ago, in 1924, the Indiana Dunes Park was inaugurated, and up to this hour about the only money that has been spent there is for an old broken-down place to put on bathing suits. Governor McNutt came up there some 35 years ago and built a home for the Governor. The Governor went up there and spent a few weekends, and I do not believe a Governor since has paid much attention to that home up there, for the past 40 years.

To prove that the State of Indiana has completely ignored the Indiana Dunes State Park, just 10 days ago the Department of Public Parks of the State of Indiana announced that they are going to spend $2.45 million on the Dunes State Park. Up to now I do not believe they have spent $2,500 on the Dunes State Park in 40 years. So if that is not a case of deathbed religion, I would like to hear one.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. I yield to my colleague.

Mr. HALLECK. Far be it from me to come to the defense of succeeding Democratic administrations in my State of Indiana, but I feel I must.

The fact of the business is that the people on the committee who listened to the testimony—and few were there—heard the report from the representative of Governor Branigin at that time, a long time ago, that the Vollmer report had been made. That was on the business of developing State parks. They then advanced this whole program which is only now being implemented. That is true.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. I yield to my colleague.

Mr. MADDEN. I agree with the gentleman, but the parks the gentleman speaks of are down in central and southern Indiana.

Mr. HALLECK. No. He specifically said the Indiana Dunes State Park was one of them. That is in the hearings. If I took a little time I could find it.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. I yield to the gentleman from Arizona.

Mr. UDALL. It has been suggested several times this evening that the people and the officials of Indiana are against this. Will the gentleman tell the House how many Members of the House of Representatives from the State of Indiana oppose the bill and how many favor it?

Mr. ROUSH. There are six Members who definitely favor the bill, and another Member on the Republican side submitted testimony on behalf of the bill. One Member is against the bill, and the other three I have not heard commit themselves. I believe that is out of deference to our good friend CHARLEY HALLECK.

Mr. UDALL. Tell us about the two U.S. Senators. What is their position on the bill?

Mr. ROUSH. The two U.S. Senators, Senator BIRCH BAYH and Senator VANCE HARTKE, sponsored S. 360, a similar bill, which passed the Senate last year. They still stand behind this proposal for an Indiana Dunes National Lakeshore.

Mr. UDALL. Finally, let me, because the gentleman from Indiana, my good friend who spoke here earlier, is not widely known as the spokesman for Governor Branigin, ask the gentleman what is his understanding of Governor Branigin's position as being for or against this bill.

Mr. ROUSH. The Governor, either himself or through his representatives, has testified before the Senate committee on behalf of this legislation. He sent his representative to Valparaiso at the full hearings, and the representative testified on behalf of the legislation, and he testified before the committee this last spring on behalf of the legislation. The Governor's position is that he favors both a port and a park, and if I ever get my own time, I would like to discuss it.

Mr. UDALL. Mr. Chairman, would the gentleman yield to me one more time, and then I will leave him alone?

Mr. ROUSH. I yield to the gentleman.

Mr. UDALL. It is a rule of the House that when your name is mentioned the other party has to yield. I do not think that applies to your relatives, but the suggestion was made here several times that an individual who currently heads the Interior Department was against the bill as it now stands. Will you enlighten the House on that?

Mr. ROUSH. I would like to say to the membership when I read the article that the gentleman from Indiana [Mr. HALLECK] referred to, of course, I was upset. I was the sponsor of H.R. 51, which is before the House today. I did not like what I heard, and I went back into the cloakroom within 10 minutes of that time and got the Secretary on the phone and asked him what his position was. He said:

> We are still behind this proposal for an Indiana Dunes Lakeshore.

I wrote him a letter the next day asking him to clarify his position, and I have his response here and I will read it to the House.

THE SECRETARY OF THE INTERIOR,
Washington, D.C., October 3, 1966.

HON. J. EDWARD ROUSH,
House of Representatives,
Washington, D.C.

DEAR MR. ROUSH: I do appreciate the opportunity your letter of September 29 presents to make clear the Administration's position regarding pending legislation dealing with the preservation and development of the Indiana shore of Lake Michigan. This position is outlined below:

1. The Administration would prefer the enactment of legislation as nearly like the Senate-passed bill as possible. I believe the Senate bill, S. 360, adequately reconciles the proposed industrial development with the preservation of the best portions of the Indiana Dunes as a National Lakeshore.

2. We regard the establishment of appropriate portions of the Indiana Dunes as a National Lakeshore as desirable in and of itself. While it is vital to avoid unnecessary industrial encroachment upon the Dunes area, it would be a tragedy not to preserve key portions of the Dunes for use by all citizens and by future generations.

In summary, the Administration favors the enactment of legislation establishing an Indiana Dunes Lakeshore, and along the lines of S. 360.

Sincerely,

STEWART L. UDALL.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. Yes. I yield to the gentleman.

Mr. HALLECK. You know, I was not dismayed but I was quite happy when I read the report in the papers and in the press all over the country about the statements made by the Secretary, because I thought, after all, he had come to recognize that Indiana could do its job itself.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. UDALL. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ROUSH. I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Now, in order to get at the real truth of what was said there, I called up down at the Interior Department, or had someone from my office call up, and requested a transcript of the press conference. Apparently there was something the matter down there, and I have not been able to get a copy of that transcript. All I can do under that circumstance is take at face value what the Secretary said. I happen to believe that the Secretary was saying what he really believed when he made these statements after the hearing out at Valparaiso.

Mr. ROUSH. I think what has happened here is that the Secretary and the Governor of Indiana got into a little tiff and words went back and forth which probably neither one of them meant. I am convinced of that. I know my Governor, and you know him, too, CHARLEY.

Mr. HALLECK. I know him real good.

Mr. ROUSH. Real good. I know you do. And you know a lot of give and take can take place when you are in the presence of the Governor. That little tiff took place and it got into the newspapers. But, I think we have clarified both the position of the Governor and the position of the Secretary of the Interior with regard to this proposal.

Now, Mr. Chairman, there has been a great deal said here about the bill and the opposition to this legislation.

Mr. Chairman, I have a great deal of respect for my colleague, the gentleman from Indiana [Mr. HALLECK]. The gentleman has been an eloquent spokesman for the people of Porter County.

Mr. Chairman, the gentleman from Indiana asked the question, "Why should someone interfere in my district in this situation?"

Mr. Chairman, if I could, I would like to tell the members of the committee the story or the history of this legislation, hoping that it might provide an answer.

Legislation has been in the minds of the people of Indiana to the effect that they should have a port on Lake Michigan for many, many years. It has been in the minds of those people who are great conservationists, that the Indiana shoreline of Lake Michigan should be preserved and that it should not have the industrial encroachment that a port would bring.

And these two great groups were at odds and neither could get anywhere.

Well, a few years ago, during the first year of the Kennedy administration, many of us worked toward bringing about a compromise and that compromise was wrought.

Mr. Chairman, the gentleman from Indiana [Mr. HALLECK], never agreed to that compromise, and I shall not attribute that to him; no, he did not.

But many people who believed strongly in one position or the other came to the conference table and agreed that there was room in northern Indiana for both a port and a park.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. If I could just finish my statement, then I shall yield to the gentleman from Indiana [Mr. HALLECK].

Mr. Chairman, the product of that compromise has come about, and upon yesterday, ground was broken for an Indiana port, and after the vote is taken upon this bill, funds will be freed for the reimbursement of the State of Indiana for its contribution to that port.

And, now we are about—I hope—to fulfill the other part of that compromise; that is to say, to see to it that a few thousand acres of this area—just a small portion of northern Indiana—a few thousand acres of precious Indiana dunes will be set aside and preserved, not just for my generation, but for generations to come.

Mr. Chairman, there is plenty of room in that area for industrial development.

The gentleman from Arizona [Mr. UDALL] pointed out the fact that if a circle with a 15-mile radius were to be drawn using the Indiana port as the center of that circle the park would only take about 4 percent of the area included in that circle, and that only if the Inland Steel property is included therein.

Most of this area is zoned, not for industry or for commerce, but for residential use or park use, and we want to keep it that way.

Of course, Mr. Chairman, I trust the people of the great State of Indiana. But the gentleman from Indiana [Mr. HALLECK] does not speak for all of the people of Indiana—by no means, does he speak for all the people of Indiana. You say you stand with your county officials and your township officials and your mayors.

Well, I stand with a few people too. I stand with one conservation group after the other in Indiana, and I do not know of a single conservation group which opposes this legislation.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. UDALL. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ROUSH. Mr. Chairman, I stand with at least five of my colleagues in this House of Representatives and with my two Senators.

I stand with Governor Welsh who was in the Governor's chair when this compromise was brought about.

I stand with my Governor who now sits in the Governor's chair today.

Mr. Chairman, I stand with a lot of other people too.

I stand with the editors of various newspapers all over the country who have agreed that this is a necessary compromise and that Indiana deserves both a port and a park.

Mr. Chairman, I am speaking of the Kokomo Tribune, the Hammond Times, the Fort Wayne News Sentinel, and, yes, even that great Republican paper the Indianapolis Star. Not only that, you spoke a moment ago of labor organizations which are opposing this bill. I grant you that there are some sincere organizations such as the Carpenters' Union, or the Carmen's Union who are located in your area who are opposed to this bill. But on the other hand the steelworkers in that area favor this bill. The AFL-CIO of the State of Indiana and, yes, of the United States of America, favor this bill. The UAW favors this bill. They have memberships which total thousands.

You have told this Membership that the people of Indiana are against this bill. Our colleague, the gentleman from Indiana, JOHN BRADEMAS, whose district lies adjacent to yours, recently conducted a survey of the people of his district, and he asked the question "Do you favor legislation which will provide for an Indiana port and an Indiana Dunes Park on Lake Michigan?"

He has tabulated those replies, and 73.9 percent of the people said "yes." Seven-point-something percentage did not answer, and the rest said "no".

These are Hoosiers. These are people of Indiana who see the value of saving a few thousand acres of dunes which, if we do not save them now—and someone suggested putting this bill off until next year—they will be lost forever. Next year will be too late, as far as the Indiana Dunes are concerned. I stand with those people who want to preserve them.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. I yield to the gentleman.

Mr. HALLECK. Mr. Chairman, the gentleman has spoken of the Third District, and I have nothing against the Third District, but the mayor of Michigan City testified for the mayors' association of all of northwest Indiana against the proposal of a compromise. And the gentleman very rightly said, and I appreciate it, that I was not a party to that compromise, but it just happens to be in my district, that my position about this has been known for a long time, but someone wanted to make a compromise.

All you did by your compromise was bring the 4,000 acres up to 12,000 acres. You talked about a compromise being made, and let us have a port if we are given the park. The people for this port have never given up. They came to the hearing at Valparaiso and had their say to try to stop the development and the building of the land fill, and the use of a breakwater that is integral to the port of Indiana.

So that the compromise is all one sided, in my opinion.

Mr. ROUSH. Would my colleague have been agreeable to a 4,000-acre national park?

Mr. HALLECK. When you started with a 4,000-acre national park you wanted to take the very land—well, you did not start it, somebody in the other body started it, and I shall observe parliamentary rules, and I will not name him. But somebody over there said he wanted to take the land our port is being built on right now. He wanted to take the land that Bethlehem Steel has spent $500 million on on a modern steel mill.

Mr. ROUSH. Mr. Chairman, I decline to yield further.

The gentleman would not have been in favor, and he is not in favor of a 6,000-acre park, and he would not be in favor of a 4,000-acre park. I doubt if he would be in favor of a 1,000-acre park. They asked why it is, and this has bothered my conscience, that someone would go into someone else's district and propose a park.

Well, what do you do when you have a man in a district—and we are friends—I hope we are—I have been here 8 years, and I have never had any personal difficulties with the gentleman from Indiana

[Mr. HALLECK]—who ignores an area that is crying out to be saved for conservation and recreation purposes, I felt that someone had to act. This compromise came along, and I joined in it, and I worked for it, and I will continue to work on behalf of this Indiana Dunes National Lakeshore, which in my mind will serve not just the people of Indiana, but all the people of this country.

I would like in closing to just turn to the Bible for a minute. I do think that it is time that we saved these precious acres, and in the Book of Isaiah you find this:

> Woe unto them that join house to house that lay field to field til there be no place that they may be placed alone in the midst of the earth.

Is this not what is happening? Luxury homes have been placed house to house in much of the area, denying the beach to the masses of people. Commercial interests are gradually, but surely, eating away at the privacy that the area affords and, most tragic of all, industry is gradually, but surely, destroying the Indiana dunes.

I yield to my colleague.

Mr. MORTON. Mr. Chairman, will the gentleman yield?

Mr. ROUSH. I yield to the gentleman.

Mr. MORTON. I certainly appreciate the feelings the gentleman has about this proposition. I listened to the hearings at Valparaiso and I listened to all the testimony before the committee on this issue.

The question I would like to ask is this. Are we saving the dunes? That is the question. Most of the dunes are either in the Indiana State Park or they are in areas that now are completely controlled by zoning laws. If we turn this into a mass recreation area, and attract thousands of visitors to camp, swim, and to picnic and to climb over the dunes, are we really in effect conserving this area in the interest of science and for conservation? Or are we simply saying that we are putting the dunes into a new kind of ownership, but that there is no guarantee that under this ownership they will be saved? That is the point I think some of us would like really to have answered. I do not think the testimony on this bill answers that question. Are we saving the dunes? You say we have to save them now or never. Well, does this proposition save them and, if so, how?

Mr. ROUSH. Well, I will say to my colleague that I think this proposition does save the dunes.

I think it is going to take some very good and clever administration on the part of the people who plan and operate this park if we are going to save these dunes. I have confidence it can be done. I have been in the dunes area. I have seen the dunes areas. I have seen the dunes that exist outside of the Indiana dune park and in the area we contemplate for this lakeshore. They are there.

Indiana has approximately 45 miles of shoreline along Lake Michigan. In this area we propose to set aside just over 6,000 acres—approximately 8 miles of shoreline as a national lakeshore. Few spots on the Great Lakes have factors more favorably alined for combined recreational use of water, the lakeshore and the hinterland than the area of the proposed national lakeshore. Because of low latitude and shallow depth, the waters along the Indiana shoreline are the warmest in Lake Michigan. Wide, gently sloping beaches of clean, light-colored and fine-grained sand are free of debris. Inner marshes and ponds furnish an outdoor laboratory for either casual observation of plant and bird life or scientific study in geology, botany, and ornithology. Hiking, camping, picnicking, horseback riding, photography, fishing, boating, skiing, and tobogganing can be enjoyed here.

The proposed Indiana Dunes National Lakeshore has been found to satisfy the criteria for national recreation areas set forth in Policy Circular No. 1, adopted by the Recreation Advisory Council established by the President. The civilian Advisory Board on National Parks, Historic Sites, Buildings, and Monuments has endorsed this proposal on many occasions.

The Indiana dunes region is an unusual complex of exceptional sand dunes, numerous marshes, swamps and bogs, white sand beaches, and widely diversified flora and fauna—a natural, scientific, and scenic asset so diverse that it is difficult to equal anywhere in the country. Rising to heights of 200 feet in a series of ridges and valleys that simulate miniature mountain ranges, the Indiana dunes are intimately tied in with the geological and natural history of northwestern Indiana.

But like so many areas of the country, civilization is creeping in and pressing against these natural areas. The area is located adjacent to Gary and only 35 miles from Chicago and again only a short distance from South Bend, Ind. The proposed lakeshore presents a rare opportunity to improve the environment of millions of crowded city dwellers and to insure the enjoyment of this unusual lakeshore for future generations.

Today, 6½ million people live within a 50-mile radius of the Indiana Dunes; 9½ million within a 100-mile radius. It is predicted that the population living within a 100-mile radius will reach 11½ million within 15 years. It is estimated that 1.2 million people will visit the proposed lakeshore annually upon completion. By 1980, the annual visitation is expected to reach 2 million.

Over the past 40 years adverse interests have been eating away at the dunes. At every turn of the road we find civilization creeping over this beautiful area.

Because we are attempting something here today which, if successful, will prevent the further encroachment of these interests on a relatively small portion of the area, these interests and their spokesmen indignantly denounce this attempt.

To me, Mr. Chairman, these cries and the arguments used only serve to emphasize the need to preserve for future generations a small portion of that which this generation enjoys as the Indiana Dunes. Because this is a heavily populated area of the country, these acres should be preserved for the benefit of the millions who live in the area. Because the area is growing and promises to grow as rapidly as any area in America, it cries out for this lakeshore. Because northern Indiana is about to become one of the great industrial centers of this country, thousands upon thousands of workers will have the need for areas in which they might recreate themselves, enjoy the beauties of nature, and have a place in which their families might live and grow spiritually as well as physically.

Indiana does have a dunes park in the area. It is only 2,000 acres. I visited that park in June. At 9 a.m. on Saturday morning, not a single campsite was left. By the middle of the afternoon, the park was filled and the policemen were turning people away. What we propose today will complement the effort Indiana is making to provide at least a measure of recreation and conservation for the people of this country.

There are those who would say that we are hampering industrial expansion. This is the great hue and cry of those in Indiana who oppose this park. Now this is not true. I do not know of a single person who is a proponent of this bill who is opposed to industrial development. What we do say it this: Why take nature's most beautiful areas for this purpose? If you were to draw a circle with a 15-mile radius with the proposed Indiana Port as the center point, only 4 percent of the land we propose for a lakeshore would be within that circle. There is room for industrial development and for the development of this lakeshore. If we are wise, we will see to it that there is an orderly development of both. This is the position of the administration. The Bureau of the Budget regards both the Burns Harbor proposal and the Indiana Dunes National Lakeshore proposal as integral elements for a balanced development of the area. Just yesterday, at a ceremony breaking ground for the Indiana Port, the Governor of Indiana said—and I quote from a UPI report—"We believe the port and the park are compatible and that one day we will have a great recreational facility in this area."

For those of you who may feel that this is just a local issue let me assure you that this is not so. This proposal was conceived and designed with the thought that it will serve the national interest—just as do Yosemite, Grand Canyon, Cape Cod, and many other national parks. It has the support of national conservation groups as well as the support of other nationally oriented groups.

In conclusion, I would hope that the House might pass this bill today. The Indiana Dunes are a unique and beautiful work of nature located within one of the Nation's great population centers. Time is running out on us. This is not one of those instances when we can say let us do it tomorrow or next year. Unless we act now this area will be irrevocably lost. I would hope that each Member might ask this question of himself, "If the conservation effort of this country depends on what I do here today, what will be the result?"

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. SKUBITZ].

Mr. SKUBITZ. Mr. Chairman stripped of all its fancy language, what this bill attempts to do is to provide additional beach facilities at the expense of the State of Indiana—for the benefit of the people who reside in Chicago, Ill.

Like so many other bills presented to this body, it, too, flies under a false banner.

The slogan under which it rides—"Save the Dunes"—is a misnomer if I ever heard one.

The facts are that the dunes that are worth saving are already protected by the State of Indiana.

I have no objections to the enlargement of beach facilities which are contiguous to the State park which is really the heart of this project.

But we have been advised that the State of Indiana intends to do just that.

Furthermore, it seems to me that when land in one State is to be taken for the benefit of another, then it is incumbent upon the part of the Federal Government to respect the wishes of the State in which the land is located. And the proponents of this bill are not about ready to do this.

The State of Indiana made its position abundantly clear—it would support an enlargement of beaches, providing:

First, that it did not hamper the industrial development of this area.

Second, it opposed the addition of any area which was not contiguous to the present State park.

Third, that the State maintain control over the State park and be permitted to charge fees.

As a member of the subcommittee, I attended all the hearings here in Washington and in Valparaiso, Ind.

There were times that the proceeding reminded one of the hearings recently held by the House Un-American Activities Committee.

If you think the people in the area want this legislation, you are wrong.

If you think that the State government and local governments that are primarily affected want it—you are wrong.

I must admit that the people who reside in Ogden Dunes and Dune Acres want it.

But interestingly enough, the original bill excludes these areas—the most beautiful part of the area—Dune Acres. I understand that amendments will be offered to include Dune Acres and the Ogden Dunes area; if these amendments prevail, then no one in the area will support the bill.

The subcommittee in its deliberation, decided that, since Dune Acres adjoined the Indiana State Park, we should purchase in fee the beach area located in Dune Acres. This would treat the people of this area just as we were treating the citizens of Beverly Shores.

But at the last moment the full committee—with little or no discussion, and only a few moments before the committee adjourned—accepted an amendment to strike the purchase of the Dune Acres area and take an easement on the land which would permit beach users the right to walk across the area—but not go near the water.

The park authorities tell me that the difference between purchasing the land in fee and the easement right to walk across the land would be less than $200,000.

I understand that, now, those who supported the amendment to provide walking privileges on Dune Acres proper will now offer an amendment to purchase in fee; when they do, there goes the support of the people of Dune Acres for this proposal.

The full committee also adopted an amendment to strike from the bill the west beach area—Beverly Bay—an area that is located approximately 4½ miles away from the remainder of the lakeshore—and rightly so.

I understand that amendments will be offered to include it, and it should be defeated.

You have received a letter from some of my colleagues on the committee which included a pamphlet entitled, "West Beach and Burns Bogs—Keys to the Indiana Dunes Lakeshore."

During the discussion before the committee it was referred to as the "heart of the project."

Well, it is the first time I know of that the heart of anything could be located 4 miles away from the rest of the body. I guess that is the reason they now call it the key to the proposal.

I was quite interested in the pictures that were placed in this pamphlet—they are beautiful—but, frankly, I do not know how far the photographer had to travel to get them.

This area was de-duned 40 years ago. Basically it is nothing but small sand dunes, cattail swamps and weed patches.

Let me read you what the chairman of our full committee said about this particular area:

> All of our pictures, Mr. Hartzog, show that this has been de-duned—if that is the word—as there is comparatively no acres at all back of that—that is dunes area at the present time.
>
> A little bit has gone back, I understand. But over a period of almost a quarter of a century or longer than that these dunes have not come back—and they will not come back as long as you have a railroad track there. That country has grass and no dunes at all—that is what it is.

I am surprised that one of the signers of this letter, my colleague from Arizona, in the name of conservation, is willing to deny the State of Indiana its right to expand and grow and provide jobs for its people—and yet he is willing to flood the Grand Canyon so that his State of Arizona can grow and prosper.

Mr. Chairman, I have been on the committee 4 years. As a rule, the committee really does its homework.

But this bill is the most botched up piece of legislation we have ever reported.

It should be defeated or recommitted to the committee with instructions to do its homework.

Mr. UDALL. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. ANNUNZIO. Mr. Chairman, I rise to express wholehearted and vigorous support for the enactment of H.R. 51 which would authorize the establishment of an Indiana Dunes National Lakeshore on the south shore of Lake Michigan in northern Indiana.

Congressman J. EDWARD ROUSH, who introduced this measure, and Senator PAUL H. DOUGLAS, who has for many years been a tireless advocate of the move to preserve the Indiana dunes, are to be commended for their efforts to save one of the last great natural assets of our Nation.

I want to congratulate the Honorable WAYNE N. ASPINALL, the chairman of the House Interior Affairs Committee, the Honorable RALPH J. RIVERS, the chairman of the Subcommittee on National Parks and Recreation, and the other distinguished members of the committee, whose forthright action has brought to the floor a progressive and urgently needed measure.

America's need for the preservation of shorelines for public enjoyment has long been recognized. Action by Federal, State, and local governments to reserve or acquire additional water, beach, and shoreline areas, particularly near the centers of population, is one of the most pressing community needs of our times. It is a particularly urgent matter with respect to our Great Lakes shoreline where recreational resources are in heaviest demand because of the high density of population.

The Indiana dunes would provide a place for swimming, sunbathing, hiking, picnicking, camping, fishing, and other recreational activities. The dunes are easily accessible to about 10 million people living within a 100-mile radius. Many thousands of these people are from my own congressional district, located in the heart of Chicago. They are working people and cannot afford long and expensive trips to distant recreational areas. The Indiana dunes are only 25 miles from the outskirts of Chicago and are within easy reach of both the pocketbooks and the automobiles of these working people.

John A. Carver, Jr., Under Secretary of the Interior, has reported that inadequate facilities exist to meet even the present day outdoor recreational needs of the people in the area. The population explosion is serving to intensify and multiply these very real needs and wants of the people.

Botanists and biologists feel that the dunes would be ideal for scientific research and study. They are urging immediate conservation of the area because the dunes are rich in both northern and southern species of plants, a rare occurrence in most parts of our Nation.

The uniqueness of the Indiana dunes was best expressed by Merrill D. Ames, vice president of the Save-the-Dunes Council, when he said:

> It is the only place east of New Mexico in which cactus grows—the only place south of the Arctic Circle where certain types of pines are to be found—and one of the three places in the world where singing sand is located.

As early as 1916 the National Park Service recommended the Indiana dunes area for a national park. Our involvement in World War I, however, delayed our Government's action in acquiring the property. In the intervening years, a good portion of the dunes, originally comprising a strip of marshes and beaches about 25 miles long, has been irretrievably lost to industrial and residential development. Today, the dunes left that are suitable for acquisition are only a little over 10 miles long. What is left must be saved now, or there will be nothing left to be saved.

Legislation to establish the Indiana Dunes National Lakeshore has the support of the President, the Bureau of the Budget, the Department of the Interior, the Department of Defense, organized labor, newspapers, scientists, and local residents.

Such an overwhelming mandate should and must be heeded by the legislators of this Nation who have the best interests of the people in heart and in mind. Unless the natural beauties and resources of our country are preserved now, in our generation, it will be too late. Only a barren land will be left to our children and to posterity.

In conclusion, Mr. Chairman, I wish to emphasize that no conservation legislation is more worthy of the support of the 89th Congress than H.R. 51 which would create an Indiana Dunes National Seashore for the enjoyment of all our people and would preserve for future generations the beauties and wonders of nature.

Mr. UDALL. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I shall support this bill. I believe with the gentleman from Indiana [Mr. ROUSH], that this area should have a port as well as a park in accordance with the understanding reached years ago. We now have a park. It was dedicated only yesterday. It would be unfair, grossly unfair, if the port were not now established.

But apart from the question of that agreement, solely upon the question of the need for protecting this beautiful area in its positive beauty for generations to come—the growth of the cities threaten it. The glass, the concrete, the steel, the asphalt of the cities are reaching out to overrun this natural wilderness. Only if we act now to preserve this area will there be a retreat from the pressures and noise of everyday living.

We who live in the Midwest have been waiting a long time for this day.

For if we fail today to pass H.R. 51, authorizing the establishment of the Indiana Dunes National Lakeshore, we will find that not only are the sands of time running out on us. We will find that the very sands of the lakeshore are running out on us. Already the proposed park has dribbled down to a mere 8,243 acres.

Surely this is little enough to settle for. Surely the people of the dunes area have already waited far too long to assume their natural birthright.

When Stephen T. Mather first set eyes on the dunes, the entire population of Illinois and Indiana was 9½ million. Today, there are more people than that living within a radius of 100 miles of the Indiana dunes—and by 1980 it is estimated that there will be at least 2 million more.

Existing facilities for rest and recreation are already terribly inadequate for this thriving urban-industrial complex. Imagine what the situation will be by 1980—1990—the year 2000.

Do you gentlemen who oppose H.R. 51 think that Americans will have less need for national parks in the years to come? Every sociological study I have read proves exactly the opposite—proves that people will have infinitely more leisure, infinitely greater need to fill that leisure with health-giving recreation out of doors. Then where, pray, are those desperately needed parks to come from?

Obviously, it is now or never—unless we propose to build our parks on orbiting space platforms.

I cannot believe that we as a nation have learned the lesson of conservation so poorly that we will let our present opportunity slip through our fingers, as the sands of the Indiana dunes slipped so lazily through my own fingers as a boy.

Yes, Mr. Chairman, I know the worth and wonder of the Indiana dunes from personal experience. My birthplace was Chicago, my home has always been Chicago, and man and boy I have spent some of the happiest days of my life on those dunes.

Are future generations of boys and girls, men and women, to be denied the peace and pleasure, the rest, and recreation afforded by the dunes?

And for what? Just what reason would those who persist in voting against the lakeshore give those future generations? That the steel companies needed still more lake frontage?

No, I hardly think they would be able to say that.

Yesterday, October 10, 1966, back there on the Indiana dunes, the Burns Waterway Harbor—an industrial port authorized by Congress a year ago at a cost of $25 million—was dedicated.

Now, let us think of the people. Let it be the public's turn. Let us protect this natural retreat as a heritage for the generations to come. Let the House follow the lead of the Senate, which has already twice voted for the establishment of a lakeshore of far more generous acreage. Mr. Chairman, I call for passage of H.R. 51 in the name of conscience as well as conservation.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. YATES. I am glad to yield to my friend from Indiana.

Mr. HALLECK. Did the gentleman read in the papers that Mayor Daley has just brought about an appropriation of $15 million to extend McCormack Place out into the lake and take some of the beach?

Mr. YATES. I believe the gentleman may have read in the papers that there is under consideration at the present time the question as to whether or not McCormack Place will be expanded. That has not been approved. That is under study at the present time, I say to the gentleman.

Mr. UDALL. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I rise in support of this legislation.

It is my privilege to be one of the cosponsors of a bill dealing with this legislation, H.R. 4412. I grew up on the sand dunes of Indiana. As a matter of fact, the first job I ever had in my life was down at the sand dunes at a hot dog stand many years ago. I know the area well, and I can fully appreciate the fact that this is a great recreation area and conservation area for all of the people of the Midwest. Our colleague, the gentleman from Indiana [Mr. HALLECK], talks about this project as if the area only belonged to the people of Porter County. The fact of the matter is that for many, many years and for decades people have been moving out to the Indiana dunes for the summer, the fall, and the winter from Illinois, Indiana, and Michigan.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I will in just a second.

I think it is wise to keep in mind, Mr. Chairman, that this area, the metropolitan Chicago-Gary area, stretching from Waukegan clear around to St. Joseph, Mich., is rapidly becoming the largest complex of diversified industry in the world. I think by the early 1970's it will be the largest complex of diversified industry in the world, housing a population well in excess of 10 million people. As the gentleman who just preceded me, who is the sponsor of this bill in the House, and the senior Senator from Illinois, the sponsor of the bill in the Senate, stated, one of the great problems of our times is going to be that of providing adequate areas for the people of these highly congested communities to go and mingle with Nature. So I think it would be very cruel for us now to close our eyes to this great natural wonderland. The assurance has been given here—and I take at face value the statements made by industry, by the Department of the Interior, by the sponsor of this bill, and by witnesses who testified before the committee—that there is no conflict between the port that the gentleman from Indiana [Mr. HALLECK] wants to develop and this national park. As a matter of fact, they complement each other. So I am not surprised that the labor movement, the steelworkers, and all of the other people in that area and the whole Midwest are solidly behind this proposal. We know well that by 1970 to 1980 the people of that time and that generation are going to thank the good Lord that there were Members in the Congress of the United States who had the foresight to preserve this great conservation area.

Mr. Chairman, I would like to point out that this is a young country. When we look at the history of all the major powers of the world with their histories dating back 1,000, 2 000, 3,000, and even 4,000 years in the case of the Greeks and when we look at America, which is an infant in comparison to all of the other countries, we see that America is yet the most glorious country in the world. That is simply because Members of the Congresses before us have had the foresight to preserve this great wonderland of our Nation. I say that we cannot think of this program in terms of what it will do today or tomorrow. I think we should recognize what it is going to do for generations to come. This area is a vitally needed area for the development of the Midwest. I say to you for us to turn this legislation aside would, indeed, be to deny generations to come a magnificent wonderland; an area that the good Lord has blessed and which we are going to need. We need it now. We have used it for many years.

Mr. Chairman, I believe that the real issue at stake here—and we ought not to conceal it—but one of the great oppositions to this national park is generated because of the fact it is believed it would have a deterrent effect upon the question of the pollution of Lake Michigan and other areas.

Mr. Chairman, the great President of this country stated not too long ago that we must marshal all the resources of America and to also preserve the Great Lakes.

Well, I say to you that this national park will certainly play a vital role in not only helping the industrial development of the area, but at the same time would prevent some of the pollution problems with which we are faced.

Mr. Chairman, I do hope that this legislation will be approved. I feel it is vital and important legislation, and it is presented to the House in good faith.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. UDALL. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Chairman, I feel very much at home and amongst home folks. I was born at St. Joe, Mich., which is not very far from Indiana.

Mr. Chairman, I do not believe that this bill is going to have much trouble. I am a little surprised when my good friend from Kansas speaks against it. I have always had a great affection for Kansas. It is a great State.

I do not know why anyone could come from Kansas and say that the people of Chicago—the boys and the girls, along with their parents—could not go down into Indiana to a national park or seashore. I do not know why the voice of Kansas should be raised in that direction.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. Morton].

Mr. MORTON. Mr. Chairman, after the last speaker castigated the "voice of Kansas," it humbles me a little bit to interject the "voice of Maryland." Mr. Chairman, I have been to the Great Lakes, and have spent 2 or 3 days at Valparaiso. Also, having heard all the testimony before our committee on this issue, I feel that some of the things that were brought out in that testimony have not been said on the floor of the House today which cast some light upon this issue.

Mr. Chairman, the first question, the question of saving the dunes is at stake. I am not convinced, and I do not believe that any member of the committee is convinced, that the passage of this legislation in any way guarantees the preservation of the dunes, and the other biological and geological phenomena located there which has some scientific value.

Mr. Chairman, we have stricken out of the bill two or three external areas of great biological importance.

Mr. Chairman, this is a recreation area, and perhaps it is justified on this basis.

The pcint is that the inholding communities of Ogden Dunes, Dune Acres, and Beverly Shores, and the Indiana State Park actually will have the trusteeship of the dunes. The land that is being acquired here by the Federal Government is not a dune area, it is land that will be used for campsites, the beaches, and the like. And that is also true of the Inland Steel property, if it is added.

So let us not feel that this is any type of conservation bill.

When I flew from northern Indiana up to Michigan to visit the Sleeping Bear area, there was a great, red cloud—talk about pollution—coming from the steel mills of Gary, and floating along the water's edge and depositing silt, or ash, on this area.

Now, if you want to save it you had better clean the air up. You had better put the devices in those steel mills that will guarantee clean air, because constantly there is an overburden of ash being deposited not only on the dunes, but in the lungs of all those who live along that area.

Talk about pollution, where is the force and what is being done besides talk about pollution?

During my lifetime one of the Great Lakes has become a dead sea. We are fighting at the very edge of the Chesapeake Bay and other estuaries. Let us really do something about pollution, if we are going to do it, and let us really do something about conservation if we are going to do it.

This is not a conservation bill. It is a reclamation area bill. The reason why I am opposed to it is this: since the Assateague National Seashore was established the Federal Government has purchased 1 acre of land. Some 3,500 property owners are wondering what is taking place, when do we get our money? Who do we deal with? We cannot simply authorize these areas and then turn our backs. And until we can create a revolving trust fund that can be used to purchase this land within a reasonable time after its authorization, we are simply going to create havoc and confusion.

Let us regroup on this whole area, and get a total plan for this northern Indiana section that will include the port of Indiana, including the industrial development area, and will include the necessary open spaces and beach areas, and not simply inject under the guise of conservation a recreation bill which is confusing, which is not wholeheartedly supported, either by the local governments and the State. I know the problem that Chicago has because I know the problems that Baltimore has are similar.

This may be the area to do this job in. But these people must have an integrated plan, and there must also be efforts to clean up the air. There is no point in going to the beach and breathing in the red silt that is coming from the steel mills in Gary.

As I flew north from this area, there is a stretch of nearly 120 miles of absolutely undeveloped beach land. Perhaps we should look at some of that. Already the State of Michigan owns a great deal of that area. Perhaps we should look at that.

But I think that at this particular instant, at this particular time we should respect the views of Charlie Halleck, who has lived with this problem and lived with the people who have fought and have the one desire to control the destiny of our own neighborhoods. I just hope this bill is defeated, because it is not complete. It is not a conservation bill, and it is incomplete as a recreation bill.

Therefore I think it has political overtones that are also unnecessary. I think we should look again at this area—either recommit it, or defeat it.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. MORTON. I yield to the gentleman from Florida.

Mr. HALEY. I agree with the statement just made by the distinguished gentleman from Maryland. The gentleman sat for days and days on this particular matter. This is the area that originally the gentleman from Arizona started off as a conservation measure. But here is a recreation area and I think the gentleman has hit the nail on the head. We should make a thorough study of all of this shoreline.

I just wonder if the gentleman from Maryland will tell me this. You have little enclaves here on this map that is on display here, where you have little cities where the people have built homes. They have streets and they have water systems and so on. They have bonded their communities for these improvements. What is going to happen? This is just a start toward acquiring a large section of land here and taking away homesteads and destroying little communities.

When you say you need this for conservation and for recreation, I agree with the gentleman that we should look at the whole picture and I suggest to every Member of this Congress that I will never and I hope you will never vote to wish onto a sitting Member of this Congress something that he does not want in his own district.

Think about that a little bit. The gentleman who represents the district involved happens to be of the other party, but I shall never vote for a bill that will wish on to you as a sitting Member of the Congress something that you say you do not need and that you do not want. Think it over a little bit because you may be faced with it sometime yourself.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MORTON. I yield to the gentleman.

Mr. HALLECK. I can appreciate the solicitude of my friends over the line in Illinois with respect to this area. But I cannot help but remind you of this fact. This bill, if it becomes law, takes away the riparian rights of the homeowners in Dune Acres and in Beverly Shores. Some of those homes are worth $100,000 or $150,000. I do not know what the riparian rights would be worth.

But may I in all humility suggest this to my colleagues. If I went up to Illinois from my State of Indiana and I said, let us take the riparian rights away from the private beaches of Winnetka, Evanston, Glencoe and I do not exactly remember the exact sequence of the different communities there, but I dare say that these gentlemen, and they are estimable and fine gentlemen, of course, but I doubt that they would be very much enthused about that kind of proposition.

That is just what is involved here. I want to point out again, we have beaches galore. We have 10 miles of beaches right now devoted to public use out of 40 miles of shore line. That ought to be sufficient.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this legislation to establish the Indiana Dunes National Seashore and for other purposes.

Let me straighten something out in the beginning. We are not attempting to establish a national park. We are not attempting to establish a national monument. We are not attempting to establish a recreation area.

But we are attempting to establish a seashore or lakeshore area.

These are the classifications of areas under the jurisdiction of the National Park Service that the House Committee on Interior and Insular Affairs has established and which we have used as criteria in all parts of the country.

Now what you Members must understand is that this is the culmination of a debate which began over 65 years ago.

Before that time Stephen Mather, who was the first Director of the National Park Service, and before that time a great conservationist and a man active in the conservation movement, suggested that this entire area—not merely the area included in this bill and not just the area included in the Indiana State Park—but the entire area within the confines of the State of Indiana be set aside and preserved for future generations.

The people of the United States turned a deaf ear on Stephen Mather. From time to time in the intervening years other people have tried to establish a national park in this area. But because of the influx of industry into the area, because of the inroads that have been made on the dunes by developers and others, this area no longer qualified as a national park, no longer qualified as a national monument.

What we are now trying to do is to establish a national seashore.

I undertake this endorsement with the full knowledge of a vociferous and determined opposition to this proposal. However, I wish to point out to my colleagues that opposition to this proposal results, I believe, from the failure to approach the controversy of a national seashore or a port in an intelligent and farsighted manner. I would ask my colleagues to look at this legislation in such an intelligent and farsighted manner.

Simply stated, the controversy which surrounds this legislation involves two separate pieces of legislation proposed for the State of Indiana—a deepwater public port and the Indiana Dunes National Lakeshore. Advocates of each project have for many years embarked on a collision course without obtaining authorization for either project.

In 1963 the administration sought to resolve this conflict and officially endorse both projects for the State of Indiana. In the spring of 1965 the Indiana General Assembly passed legislation authorizing $25 million to start construction of the public port.

In October of 1965 this Congress enacted Public Law 89–298, the 1965 omnibus rivers and harbors bill, which contained a $5 million reimbursement for that part of the port which the Federal Government would usually construct. However, the conference committee in reporting the 1965 omnibus rivers and harbors bill inserted a proviso, as follows:

> No appropriation is authorized to be made for the construction of this project until the Indiana Dunes National Lakeshore has been voted upon by both Houses of Congress during the same Congress.

This has been some of the legislative history and controversy surrounding this legislation.

Mr. Chairman, this bill establishing the Indiana Dunes National Lakeshore has arrived at that point in the legislative process where there can be compliance with the conference committee's proviso and establishment of a much-needed recreational area providing a balanced development in the lands in northern Indiana.

This bill proposes the establishment of the Indiana Dunes National Lakeshore on the shores of Lake Michigan. The establishment of the lakeshore will preserve for the public use and enjoyment the selected remaining portions of the Indiana dunes and related areas of scenic, scientific, historic, and recreational value.

This proposed national lakeshore will be located primarily in Porter County and partially in La Porte County, Ind., at the southern end of Lake Michigan. Within a 100-mile radius of the Dunes National Lakeshore at the present time live 9½ million people.

And by the time this area is fully developed for use by the National Park Service, between 11½ and 12 millions of people will live in this area.

The land area to be included within the boundaries of the proposed national lakeshore involved initially approximately 11,000 acres. Unfortunately—and I say this advisedly—the committee saw fit, by an amendment, to delete from this proposal 5,276 acres of land, mostly in detached units, comprising lands ideally suited for their ecological, scenic, and recreational values.

The proposed lakeshore bill, as amended, now contains some 6,000 acres of land, including 11 miles of beach, to be kept available for public use and enjoyment. It is true that most of these lands are in private ownership. An additional 2,182 acres of land may be added to the proposed lakeshore by the donation of the Indiana Dunes State Park by the State of Indiana.

The estimated cost of the acquisition of these lands is $21 million plus, and the development costs are currently estimated at $3,292,000.

Mr. Chairman, the need for a national recreation area in this part of our Nation is without question. As always, the questions surrounding such projects are: How big? And, what lands should be included?

The Committee on Interior and Insular Affairs has labored and wrestled with these problems. It is my hope that some of these detached areas deleted by the committee will be restored by this committee.

In 1962 the Outdoor Recreation Resources Review Commission recommended the acquisition of beaches and shoreline areas, particularly near the centers of population, to meet the recreational preferences of our citizens. The passage of this bill will be a significant step forward toward meeting the recreational needs and preferences of our citizens in that area.

In conclusion, Mr. Chairman, I wish to point out to my colleagues that I, for one, have long acknowledged the fact that man must have a place to work and a place to play. There are those who will argue that this legislation will stifle the economic and industrial development of northern Indiana. That argument has no merit so far as I am concerned with regard to this legislation.

This bill recognizes the economic and industrial growth of northern Indiana and seeks to preserve for those who are engaged in such economic and industrial pursuits an area in which to enjoy the pleasure of recreation close at hand during their leisure time.

I firmly believe that the establishment of this Indiana Dunes Lakeshore will provide a balanced development for northern Indiana.

Mr. Chairman, I urge the passage of this piece of legislation.

Mr. UDALL. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. FARNSLEY].

Mr. FARNSLEY. Mr. Chairman, as some of you know, I think most of the things the U.S. Government has done internally have been mistakes, but this is one I very deeply believe in.

My father taught me, when I was a boy, that the land, all the waterfronts of all the oceans and rivers and streams and lakes, should belong to all of the people, and that when industry needed space it should rent it.

This is just a little bit of waterfront. I surely hope we save it for the people of the United States.

Mr. UDALL. Mr. Chairman, I yield myself such time as I may consume for the purpose of conferring with the ranking minority member of the committee.

I have no further requests for time, and I am prepared to yield back all the time on this side, if the gentleman is agreeable.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

Mr. UDALL. That will be with the suggestion that the Clerk read the first line or two of the bill, and after that I would propose that the Committee rise.

The **CHAIRMAN.** There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 51

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the educational, inspirational, and recreational use of the public certain portions of the Indiana dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana, the Secretary of the Interior is authorized to establish and administer the Indiana Dunes National Lakeshore (hereinafter referred to as the "lakeshore") in accordance with provisions of this Act. The lakeshore shall comprise the area within the boundaries delineated on a map identified as "A Proposed Indiana Dunes National Lakeshore," dated July 1964, and bearing the number "LNPNE 1003 ID", which map is on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior.

SEC. 2. (a) Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise. In order to enhance the recreational benefits of this Act, the Secretary also is authorized to acquire such easements or other interests as he deems necessary to assure public access to the beach and waters of Lake Michigan continuously from the western boundary of the lakeshore in section 21 township 37 north, Indiana base, range 6 west, second principal Indiana meridian, to the easternmost point of intersection of the lakeshore boundary with the shoreline.

The Indiana Dunes State Park may be acquired only with the consent of the State of Indiana, and the Secretary is hereby directed to negotiate with the State for the acquisition of said park. In exercising his authority to acquire property by exchange for the purposes of this Act, the Secretary may accept title to non-Federal property located within the area described in section 1 of this Act and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary. Properties so exchanged shall be approximately equal in fair market value, as determined by the Secretary who may, in his discretion, base his determination on an independent appraisal obtained by him: *Provided,* That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(b) The Secretary of the Interior is authorized to seek such cooperative arrangements with the State of Indiana, political subdivisions thereof, and property owners as are required to provide public access to segments of the Little Calumet River and the adjacent river banks between the lakeshore boundary and the east line of section 31, and the Secretary may acquire, other than by condemnation, such easements and other interests in lands or waters as he deems necessary to further the purpose of this subsection.

SEC. 3. As soon as practicable after the effective date of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area described in section 1 of this Act which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Indiana Dunes National Lakeshore by publication of notice thereof in the Federal Register. Following such establishment and subject to the limitations and conditions prescribed in section 1 hereof, the Secretary may continue to acquire lands and interests in lands for the lakeshore.

SEC. 4. (a) The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within the boundaries of the lakeshore for one year following the effective date of this Act. Thereafter such authority shall be suspended with respect to all improved property located within the boundaries of the lakeshore during all times when an appropriate zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary in accordance with the provisions of section 5 of this Act.

(b) The term "improved property", whenever used in this Act, shall mean a detached one-family dwelling, construction of which was begun before October 21, 1963, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of the land so designated shall in every case be not more than three acres in area, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided,* That the Secretary may exclude from the land so designated any beach or waters, together with so much of the land adjoining such beach or waters, as he may deem necessary for public access thereto.

SEC. 5. (a) As soon as practicable after enactment of this Act, the Secretary shall issue regulations specifying standards for approval by him of zoning ordinances for the purposes of sections 4 and 6 of this Act. The Secretary may issue amended regulations specifying standards for approval by him of zoning ordinances whenever he shall consider such amended regulations to be desirable due to changed or unforeseen conditions. The Secretary shall approve any zoning ordinance and any amendment to any approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of such ordinance or amendment by the zoning agency. Such approval shall not be withdrawn or revoked, by issuance of any amended regulations after the date of such approval, for so long as such ordinance or amendment remains in effect as approved.

(b) The standards specified in such regulations and amended regulations for approval of any zoning ordinance or zoning ordinance amendment shall contribute to the effect of (1) prohibiting the commercial and industrial use, other than any commercial or industrial use which is permitted by the Secretary, of all property covered by the ordinance within the boundaries of the lakeshore; and (2) promoting the preservation and development, in accordance with the purposes of this Act, of the area covered by the ordinance within the lakeshore by means of acreage, frontage, and setback requirements and other provisions which may be required by such regulations to be included in a zoning ordinance consistent with the laws of the State of Indiana.

(c) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development, in accordance with the purposes of this Act, of the area comprising the lakeshore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment.

(d) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under or exception to such zoning ordinance, or is subjected to any use, which variance, exception, or use fails to conform to or is inconsistent with any applicable standard contained in regulations issued pursuant to this section and in effect at the time of passage of such ordinance, the Secretary may, in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation.

(e) The Secretary shall furnish to any party in interest requesting the same a certificate indicating, with respect to any property located within the lakeshore as to which the Secretary's authority to acquire such property by condemnation has been suspended in accordance with provisions of this Act, that such authority has been so suspended and the reasons therefor.

SEC. 6. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of twenty-five years, or for such lesser time as the said owner or owners may elect at the time of acquisition by the Secretary. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

(b) The Secretary shall have authority to terminate any right of use and occupancy retained as provided in subsection (a) of this section at any time after the date upon which any use occurs with respect to such property which fails to conform or is in any manner opposed to or inconsistent with the applicable standards contained in regulations issued pursuant to section 5 of this Act and which is in effect on said date: *Provided,* That no use which is in conformity with the provisions of a zoning ordinance approved in accordance with said section 5 and applicable to such property shall be held to fail to conform or be opposed to or inconsistent with any such standard. In the event the Secretary terminates a right of use and occupancy under this subsection, he shall pay to the owner of the right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination.

Sec. 7. (a) In the administration of the lakeshore the Secretary may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

(b) In order that the lakeshore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing or with the preservation of such historic sites and structures as the Secretary may designate: *Provided,* That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features within the lakeshore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further,* That the Secretary may develop for appropriate public uses such portions of the lakeshore as he deems especially adaptable for such uses.

Sec. 8 (a) There is hereby established an Indiana Dunes National Lakeshore Advisory Commission. Said Commission shall terminate ten years after the date of establishment of the national lakeshore pursuant to this Act.

(b) The Commission shall be composed of seven members, each appointed for a term of two years by the Secretary, as follows: (1) one member who is a year-round resident of Porter County to be appointed from recommendations made by the commissioners of such county; (2) one member who is a year-round resident of the town of Beverly Shores to be appointed from the recommendations made by the board of trustees of such town; (3) one member who is a year-round resident of the towns of Porter, Dune Acres, Portage, Pines, Chesterton, Ogden Dunes, or the village of Tremont, such member to be appointed from recommendations made by the boards of trustees or the trustee of the affected town or township; (4) one member who is a year-round resident of the city of Michigan City to be appointed from recommendations made by such city; (5) two members to be appointed from recommendations made by the Governor of the State of Indiana; and (6) one member to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expense reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall, from time to time, consult with the Commission with respect to matters relating to the development of the Indiana Dunes National Lakeshore and with respect to the provisions of sections 4, 5, and 6 of this Act.

Sec. 9. Nothing in this Act shall deprive any State or political subdivision thereof of its civil and criminal jurisdiction over the lands within this lakeshore, or of its right to tax persons, corporations, franchises, or other non-Federal property on the lands included in such lakeshore.

Sec. 10. There are hereby authorized to be appropriated not more than $23,000,000 for the acquisition of land and interests in land pursuant to this Act.

Mr. UDALL. Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with and the bill in its entirety be printed at this point in the Record and be considered as open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

Mr. SAYLOR. Reserving the right to object, Mr. Chairman, and I will not object, I do this for the purpose of making inquiry of my colleague from Arizona [Mr. Udall]. It is my understanding that when this bill is completed tomorrow, because of a commitment heretofore made by the Members, there will be no votes tomorrow and that if there is a record vote, it is to go over and be the first order of business on Friday, the 14th.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. UDALL. I am advised that this is the case by the leadership on this side. However, to make it very clear, it is my further understanding in the proceeding under the 5-minute rule any teller votes or votes on division on particular amendments would occur tomorrow. Is that correct?

Mr. SAYLOR. That is correct.

Mr. UDALL. Then we understand each other perfectly, and that is agreeable.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and, the Speaker having resumed the chair, Mr. McFall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 51) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER VOTES ON H.R. 51 ON FRIDAY, OCTOBER 14

Mr. McFALL. Mr. Speaker, I ask unanimous consent that any votes on the bill H.R. 51 be the first order of business on Friday, the 14th of October.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. HALL. Mr. Speaker, reserving the right to object, it seems uncommonly strange to me that in view of the unanimous-consent request that was granted not to have rollcall votes tomorrow and in view of no action beyond 1:30 p.m. yesterday and in view of the so-called rush to adjourn, that first, we are rising at this time tonight instead of completing this bill; and second, we are putting off votes until Friday, which is a time when some of us made commitments months ago and therefore cannot be present. I shall not object to this unanimous-consent request, but this is another in the long list of examples of deterrent procedures and delaying tactics on the part of the leadership that has made this a long Congress. Personally I resent it.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Indiana.

Mr. HALLECK. I appreciate the fact that the gentleman is not going to object, but in fairness to the Speaker, I should say to the gentleman I was unaware of the arrangement about tomorrow until just this evening. The matter of bringing the vote up on Friday was an accommodation to me.

Mr. HALL. Again I am delighted, Mr. Speaker, under my reservation, to accommodate the gentleman from Indiana. As I said to the Speaker, I will not object, but my point well stands. I think if anyone had been truly interested in adjourning this Congress sine die, they would not have given the consent, even in honor of Columbus, the discoverer of America, not to have a substantive vote on tomorrow, October 12.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 51 just considered by the House.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

IS U.S. AID FINANCING THAILAND'S ECONOMY?

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, I have been disturbed by recent allegations implying that the United States is singlehandedly attempting to solve the economic problems of Thailand. I think it important, therefore, to set the record straight. The Thai economy is a going concern on its own. U.S. assistance is of only marginal importance. Finally, countries other than the United States, and international institutions are providing more economic aid to Thailand than the United States.

Thailand is a country with a population of about 31 million, living in an area about the same size as France. It is not overpopulated, being well endowed with natural resources. Boasting a literacy rate of over 60 percent, one of the highest in all Asia, and benefiting from Government programs which have reduced malaria, and other tropical diseases, the general health of the population is good and is being steadily improved. Despite a 3.3-percent yearly increase in population, Thailand's per capita gross national product in real terms has been growing at about 3 percent annually. Real per capita income has increased by 25 percent in the past 8 years. Since 1960, the annual growth rate of Thailand's gross national product in constant prices averaged 7 percent, the highest rate in all southeast Asia.

Based on a primarily agricultural economy, Thailand is the world's third largest producer of rubber and since 1965 has been the world's leading exporter of rice. Compared with agriculture, manufacturing holds a minor place, being centered chiefly in industries which process agricultural products for domestic use and export. However, the industrial sector since 1961 has been growing at better than 11 percent a year. Thailand has made notable strides in diversification of its economy. Within the past decade, corn, tapioca, and kenaf have become important export earners, supplementing the traditional products of rice, rubber, and tin.

Foreign trade, a vital part of Thailand's economy, has grown from 1960–64, both in imports and exports, at about 9 percent per year. The Thai currency in recent years has been characterized by great stability and free convertibility. Although during the past decade Thai Government budgets, a high proportion of which have gone for economic services, education, health and public services, have risen steadily, prices have remained relatively stable.

Thailand thus is in an excellent state of economic health. How important has U.S. assistance been and is it largely responsible for Thailand's economic progress? We can get some reliable indication by examining our grant economic aid. Our grant economic aid for the last 3 years totaled $12 million in fiscal year 1964, $19 million in 1965, and $43 million in fiscal year 1966. Thailand's gross national product in 1964 amounted to $3.4 billion, in 1965 to $3.8 billion, and in 1966 an estimated $4.1 billion. Our grant economic aid thus represents approximately one-half of 1 percent of the 1964 gross national product, one-half of 1 percent in 1965 and about 1 percent in 1966. It should be clear that Thailand's economic progress was achieved because of Thailand's economic and industrial development policies and programs and because of its sound monetary and fiscal policies.

The interest and confidence displayed by other countries in Thailand's economic prospects is another indication that the Thai performance is not a function of U.S. aid. Prior to 1960 the United States was the principal source for Thai economic and social development efforts. Since 1960 the situation has changed dramatically to the point where loans and grants from international agencies and third countries are greater than U.S. developmental loans and grants. In the period from 1959 to 1965, U.S. development grants and loans amounted to $196 million, while loans and grants from third countries and international agencies to Thailand totaled $222 million. There are at present 18 countries, in addition to the United States, which are providing aid to Thailand.

IMPORTANCE OF OCEANS TO NATIONAL DEFENSE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, the importance of the oceans to our national interest has required Congress to give increasing attention to the science of oceanography since 1959. In June of this year, congressional interest in this subject culminated in the enactment of the Marine Resources and Engineering Development Act of 1966. That act, for the first time, establishes national policy for development, encouragement, and maintenance of a coordinated, comprehensive, and long-range national program in the marine sciences for the benefit of mankind, to assist in protection of health and property; enhancement of commerce, transportation, and national security; rehabilitation of our fisheries; and increased utilization of all the resources of the sea.

The National Council on Marine Resources and Engineering Development, which was created by the act, has already, under the capable chairmanship of the Vice President, begun work to translate this mandate of Congress into action. This is a temporary council, which will cease to exist after it has laid the foundation for the Nation's future oceanographic activities. Its work over the next year and a half will therefore be of the utmost importance to the future of oceanography in the United States.

One of the problems which must be faced up to at the present time is the need to develop more scientists capable of carrying on the oceanographic research and development work that is contemplated. The Congress has faced up to this problem already, and both Houses have recently passed legislation to establish and operate sea grant colleges and programs by initiating and supporting programs of education, training, and research in the marine sciences. I am pleased that this legislation has been enacted, so that steps can be taken to implement the necessary programs.

We are indeed fortunate to have, at the University of Miami, an Institute of Marine Science that epitomizes the type of institution that I believe is needed if we are to have the type of practical program that will advance the Nation's interest. The Miami Institute is under the direction of Dr. F. G. Walton Smith, an internationally known oceanographer and a practical man of science.

Dr. Smith recently presented a paper in New Orleans on the "Role of the Universities in Ocean Science and Technology," in which he discusses some of the problems facing our universities today in meeting their obligations for marine education and research. All of our aspirations with regard to the sea depend upon our universities. We need them to develop scientists and engineers adequate in quality and quantity to meet our national needs in the field of oceanography.

Dr. Smith is eminently qualified to discuss this subject, by virtue of his long and distinguished career which has carried him to all parts of the world in pursuit of his scientific interests.

Mr. Speaker, because his proposals for possible solution to oceanographic problems are so convincing, under unanimous consent I insert Dr. Smith's comments in the CONGRESSIONAL RECORD and commend them to the attention of my colleagues:

ROLE OF THE UNIVERSITIES IN OCEAN SCIENCE AND TECHNOLOGY

(By F. G. Walton Smith, director, Institute of Marine Science, University of Miami)

DEVELOPMENT OF OCEANOGRAPHY

The present status of oceanographic research and teaching in the Universities to a considerable extent reflects the history of the development of scientific interest in the ocean. Before the existence of marine science institutes, the earlier explorers such as Frobisher, Hudson, Bering, Cook, Franklin and Amundsen were primarily motivated by geographic, navigational or commercial objectives. Information regarding the biological and physical phenomena of the seas was relatively incidental. Even later explorers, such as Nansen or Shackleton, who undertook scientific observations, were still concerned with territorial aims and navigational objectives.

Independently of these expeditions, a second source of interest in the oceans began to develop in the nineteenth century as naturalists extended their observations more and more from the museum and laboratory into the field. Ehrenberg, Hooker, Örstedt, Darwin and Müller were some of the foremost amongst these. Physicists and mathematicians, including Kepler, Vossius, Fournier, Varenius and Laplace helped to provide the background for modern theories of ocean waves, currents and tides. For the most part, however, scientific interest in the ocean itself was still secondary and incidental to the desire to broaden basic scientific disciplines. It was only after the middle of the nineteenth century that a few scientists began to be interested in the ocean as a scientific objective per se. Forbes, Maury, Wyville Thompson, Murrary, Hjort were among the early ones, followed by Sars, Shun, Otto Petterson and Gustav Ekman. These helped to found the interdisciplinary attitude to oceanography which in recent years has taken as its objectives the elucidation of the large and small scale processes of energy exchange, and of material transformations and movements within and across the boundaries of the oceans, thus encompassing a broad integrated range of biological, chemical and physical phenomena.

The early marine laboratories were either interested in the practical problems of the fisheries or were essentially biological stations, acting as extensions of university biological departments. The latter are exemplified by the Naples Zoological Station and the Marine Biological Laboratory at Woods Hole, among others. Visitors to such stations, rather than a permanent staff, have contributed enormously to the development of biology not only in systematics and descriptive research but also in the biomedical fields of embryology, physiology and biochemistry. It is only comparatively recently that laboratories directed to the ocean itself, rather than to the principles of a basic science, have developed. Among the earliest of these were the Scripps Institution of Oceanography and the Woods Hole Oceanographic Institution.

PRESENT DAY SITUATION

Research

Research in the marine sciences today reflects these diverse origins and scientific interests. There are still summer marine biological stations at which investigations are carried out upon marine organisms in an effort to solve biomedical problems. Since the greater part of biological evolution has taken place in the sea and since many marine organisms offer relatively simple and unspecialized material for experimental study, these stations are at least as important now as they were in the past to the development of the basic (non-oceanographic) sciences. Many of these facilities are part of, or associated with, universities.

During the past thirty years, there has also been a marked increase in the number of oceanographic institutes with a permanent staff, drawn from a wide range of basic scientific disciplines and concerned with the exploration of the ocean and the elucidation of the processes taking place within and across its borders. Most of these are associated with universities.

In addition to the traditional marine biological stations and the oceanographic institutes, fishery laboratories have continued to develop for the most part as federal or state organizations, although a small number exist in universities and private research institutions. This type of research activity, ostensibly directed to and justified by practical missions, now exists in a number of government agencies, charged with various objectives such as development or control of marine resources, naval purposes, weather prediction and control, coastal engineering, recreation and so forth. Some research of this nature is carried out in a few universities also.

Finally the sudden explosion of interest on the part of industry in the oceans as a source of profit has led to a considerable growth of engineering research and development directed towards naval and navigational applications, submarine vehicles, instrumentation, environmental control, and the exploitation of marine resources. Undoubtedly, a strong factor in this phenomenon is recognition of the possibility of an eventual cut-back or limitation to the costly and unrewarding space program and the probability that organized exploration of the oceans will be used as a partial economic buffer.

Education

These four main activities, basic science, oceanography, mission-oriented research and oceanographic engineering, all necessitate the training of specialized personnel. This in turn requires that the students shall acquire instruction and experience in the kinds of research activity which correspond to their future careers. Thus, the universities have an obligation to provide not only graduate training but also research opportunities for students interested in each one of these four main activities. This is accomplished today in two ways, one of which is essentially traditional, the other comparatively modern.

In the traditional training of an oceanographer or oceanographic engineer, he enters graduate school in a branch of engineering or basic science. He may or may not acquire a limited experience in the problems and techniques of oceanography during this period by taking summer courses at a marine station. In many cases, however, with no special training or experience in the field, he enters an oceanographic institution or engineering industry as an assistant and proceeds to gain his experience by "on-the-job" training, by internship, as it were.

Until comparatively recent years the only method of recruitment for oceanographers was by internship, but a growing number of institutes are now offering special graduate curricula, leading to degrees in oceanography, usually with concentration in a field related to one of the basic scientific disciplines or in a field such as "fisheries" which is usually the applied biology of fishes. The student is generally expected to have a strong undergraduate preparation in at least one of the basic sciences. This system of graduate specialization in oceanographic science has its counterpart in engineering, in which one or two schools have already introduced graduate "ocean engineering" specialization.

Still further in the direction of oceanographic specialization is the situation where curricula and even bachelors' degrees in oceanography, fisheries, or ocean engineering are offered to undergraduate students. The extreme example of this trend is to be found in at least two high schools which, to my personal knowledge, are planning to introduce oceanography as a major part of the science curriculum and to make biology and physics subordinate to it! This extreme attitude is plainly ridiculous and does not warrant further discussion.

Problems

One of the problems facing universities today is the pressure to train oceanographers and oceanic engineers. There is a danger of overtraining as well as of underproduction. Training in the traditional manner requires no special oceanographic facilities, since the student earns a Ph. D. in the basic sciences and only later enters an oceanographic institute as an intern or research assistant. On the other hand, specialized graduate training in oceanography does demand the elaborate facilities of an institution with oceanside laboratories and sea-going ships, or at least properly equipped coastwise craft. There are proponents of both methods of recruitment.

In The Effective Use of the Sea, the report of the President's Science Advisory Committee Panel on Oceanography (PSACPOO), the traditional, nonoceanographic approach is favored. Paradoxically the same report suggests that a hopeful development would be the establishment of educational programs in the broad area of environmental sciences. It states that traditional training ensures that a sound education in the basic sciences will not be neglected in favor of specialized training in the oceanic environment. On the other hand, the second suggestion favors the other extreme in which both basic science and the oceanic environment are neglected in favor of a training spread thinly out over many environments. The only advantage in both recommendations is that the student, by not specializing in oceanography, is fitted for a wider range of occupation and therefore the danger of training more specialists than the demand requires is avoided.

To many of us who were, perforce, recruited by the traditional or internship path, a specialized oceanographic training is the preferred approach. The danger of weakening basic scientific training does exist, but is not necessarily a serious one. After all, the principles of ecology are at least as well demonstrated in teaching the ecology of the seas as in teaching the ecology of forests or lakes. Graduate work in oceanography, if properly taught, following a sound undergraduate training in the basic sciences, involves a continued development of their concepts and principles, using the ocean rather than other environments as a principal source of demonstration material.

From a positive point of view, the study of the ocean, even more than other areas of scientific research, involves special techniques and methods, an understanding of a complex environment and an ability to appreciate the limitations of work at sea. To withhold these practical aspects of training until after completion of the Ph. D. hardly seems practical.

Experience has indicated that the traditionally trained scientist who only later enters oceanography is more apt to be concerned with narrow and theoretical aspects of the ocean than with the interactions of biology, chemistry and physics in the broad and complex patterns of material and energy transformations of the marine environment. At the same time it has always seemed that the atmosphere most productive of ideas is one in which the oceanographic specialist is in close communication with the non-oceanographic scientist, and that the two points of view complement rather than hinder each other. Thus, the best of both approaches is found, for instance, at the Marine Biological Laboratory at Plymouth and is strongly encouraged in my own institute, through close relations with the basic science departments of the University, and through visiting investigators who are not always oceanographic specialists.

There is a third tendency in education that appears to retain the virtues of neither the traditional nor the specialist approach, and that is the effort to offer oceanographic curricula leading to higher degrees in inland universities. Even with access to oceanographic institutes for field experience in the summer, students recruited in this fashion can have neither the peculiar practical knowledge of environment and methodology of the oceanographic specialist nor the concentrated expertise of the traditional graduate in the basic discipline.

What has been said for the specialized training approach to ocean science applies equally well to the training of engineers for careers in "oceanics." It seems desirable that such parameters as corrosion, wave stress, biological deterioration, and the techniques of operation at sea should be inculcated as part of graduate training program, specially designed for this purpose.

The one conclusion against which there can be little argument is that the development of graduate training in oceanography and oceanographic engineering should not preclude but rather encourage the closest possible relationship between the institutes of oceanography and the basic science and engineering departments of a university.

A need that has only been partially filled is that of training personnel for the mission-oriented agencies. Only in fishery management has a real effort been made to meet this. Even among fishery biologists, however, there has been a tendency to be preoccupied with isolated biological problems and to be basic science oriented, rather than to strive towards the objectives of development and maintenance of an industry. In spite of the efforts of one or two outstanding schools, there is, in many cases, insufficient opportunity for the student to become acquainted with the legal, engineering, food technology, economic and marketing problems of the fisheries, which more often than not outweigh the purely biological ones.

What has been true of the fisheries may be even more true of other government objectives which require scientific personnel who are primarily oriented to practical applications rather than to pure science. Great improvements have taken place already as the agencies have grown, but the primary difference between the philosophy of pure science and that of serving a practical mission should certainly be carefully considered by the universities in the development of their graduate programs. As a corollary to this it is equally desirable that mission-oriented agencies continue to scrutinize the gray area of their operations that lies between research that is pertinent to the mission and that which is pure science. Obviously the remedy for the foregoing is for a much closer cooperation between university schools of oceanography and related sciences and the government agencies. The requirements of engineering industry likewise necessitate some input of a knowledge of the ocean environment into engineering schools. Surprisingly, industry has not shown any great interest in supporting the few programs that meet these requirements.

With the expansion of government support for research in oceanography some of the government granting agencies, especially those concerned with biological and biomedical sciences, have become involved in the support of oceanographic projects, but have not in all cases become fully cognizant of the techniques and logistical problems involved in such projects. The situation has improved, but it is clearly desirable that personnel with an understanding of the oceanographic environment and its associated problems should continue to be available to such agencies for a proper evaluation of the projects they support.

The financial problems of oceanographic institutions in the universities have not been lessened with the increase in the total funds available for research. Rather, with new institutes appearing at a great rate and with biomedical marine stations being drawn away from their original functions by the lure of oceanography and with inland universities seeking to join the popular trend, the competition for funds has become even more severe. In addition, the actual funds available to universities are much less than generally supposed. Between 1963 and 1967 the total expenditures for the National Oceanographic Program increased from $155 to $312 million, according to The Effective Use of the Sea. The amount spent on basic research in academic institutions and government laboratories increased from $23.9 to only $27.5 million. The ratio of basic research expenditures to the total thus dropped from 13% to 9% during this period. (These do not include ship operating costs.) It is believed that the ratio of basic research support in academic institutions to that in government institutions and agencies has also dropped. The Universities have not found, so far, an authoritative body adequately to represent their role and interests in the National Oceanographic Program.

The problem that is probably most frequently discussed among the directors of academic oceanographic institutes is that of financing ship operations. Until recently much of the financial support for operating research vessels consisted of partial amounts contained in individual research grants. It was an exercise in accounting to make sure that the actual days of ship operating time were properly apportioned among the various projects, especially as the course of research and ship operation usually necessitated changes in scheduled operating days and prorated cost per day. Two ships were later funded en bloc, for the purpose of general usage in biological research and training, without the requirement that specific research projects be justified and approved in advance. This has worked reasonably well, although there have not always been sufficient applicants and projects for continuous full time operation. It is to be hoped that a similar system can in future be extended to institutions with a long record of useful operation, with projects already justified and approved, on similar block-funding terms to those of the ships of general usage. Above all, it is desirable that, in the future, when the building of research vessels is approved and funded, ample provision be made for operation as well, lest the ships become subject to involuntary lay-up. The agencies concerned have made notable progress in this direction, but there are still problems.

A source of irritation to some scientists is the growth in number of organizations, meetings, symposia, and publications which has been prompted by the rapid development of oceanography. Both meetings and publications are generating an increasing amount of redundancy, more particularly in engineering fields, but also to lesser extent among the scientific disciplines of oceanography. Possibly the addition of a few more will reduce the situation to a degree of absurdity sufficient to eliminate some of the excess.

The future

Since many of the problems faced by the academic oceanographic institutions are a result of rapid growth, it may be assumed that a more orderly atmosphere will develop as time goes on and the curve flattens out. There will undoubtedly be an increase in educational efforts and it is to be expected that some of this may take place in universities which are removed from adequate ocean laboratory and ship facilities, as well as in existing oceanographic institutions. There will also continue to be increasing numbers of graduates trained in the traditional basic sciences. The latter will ensure an adequate pool from which oceanographers can be recruited as interns to supplement those receiving specialized oceanographic training, so that there will be no great need for extending existing academic oceanographic institutes or founding new ones. As the same time it is to be expected that more of the existing oceanside institutes will expand their facilities to admit graduate students from other universities on a cooperative basis. The building of new institutes will probably be kept within reasonable bounds on account of the cost and the shortage of trained and long experienced senior personnel to man them, although pressure may be expected to develop in this particular direction.

The development of oceanographic curricula in universities remote from ocean facilities may be expected to lead to demands for the provision of such facilities. This is the most probable manner in which overproduction of graduates may occur. The more aggressive universities may, either singly or in groups, yield to the natural temptation to build and own their own institutes at the nearest convenient oceanside locality, rather than to make use of existing laboratories, or existing laboratories may become inadequate for their needs. As previously pointed out, reliance upon a pool of students, trained in the basic sciences, provides a buffer against overproduction, whereas a general increase in the number of universities offering oceanographic curricula provides no such control. Probably the most useful growth in facilities will be in order to provide for joint use by oceanographers and visiting, non-oceanographic scientists.

Research experience in mission-oriented projects must be provided in universities in order to train personnel to man the agencies and industry. Training in mission-oriented fields such as engineering and fisheries will therefore improve as cooperation is developed between industry, government agencies, and the universities. Visiting committees are one possible way of accomplishing this. This type of cooperation and coordination may also serve to minimize in-house training and research which could be done better within universities. In these and in the other problems referred to, there is likely to be improved liaison and understanding if and when a suitable machinery is set up which can advise Congress and the government and which has the benefit of information input from the universities, industry, government agencies, Congress and the granting agencies. It is particularly desirable that the universities be adequately represented.

An existing trend which will undoubtedly continue is the organization of groups of universities into cooperative groups or corporations for the purpose of strengthening requests for funds, and for efficiency in the operation of large and expensive facilities. Those that have a strong underlying and specific purpose, such as a large drilling operation (JOIDES), will probably be most effective. Those that organize for promotional purposes will probably find increasing competition as other institutions seek to do likewise or as they become large and unwieldy.

A JOINT JET AIRPORT TO SERVE SOUTHERN WEST VIRGINIA

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, the regional concept of planning is a particularly sound one when it applies to a large airport. To build an airport in West Virginia is an expensive proposition, involving as it does the leveling of ridges and valleys in most cases. To accommodate the jets of the future, longer runways are necessary. And airports will play a vital role in helping to insure that every State in the Appalachian area has the opportunity to escape economic and commercial isolation.

The two largest cities in West Virginia, Charleston and Huntington, are located 50 miles apart in the southwestern section of West Virginia, close to the Kentucky and Ohio borders. Although both cities now have airports with runways between 5,000 and 6,000 feet in length, and the cities are being joined by an interstate highway, there are some individuals in both Huntington and Charleston who feel that separate airports can be maintained in the future. Mr. Speaker, this is not only impossible to finance, but it does not make sense from the standpoint of airline scheduling, service, and the proximity of the cities.

THE GREATEST GOOD FOR THE GREATEST NUMBER

Accordingly, there are many farsighted citizens who look hopefully for the day when the two communities can pool their efforts and join to build a midway airport to serve the greatest good of the greatest number.

It is quite natural that the people of the State's capital city, Charleston, should wish to have an airport of their own, as close in as possible. For this reason, they have advocated and the Kanawha County Court has applied for funds from the Federal Aviation Agency to construct an airport at Guthrie, north of Charleston. The midway airport site, pinpointed on a ridge near Hurricane in the Cow Creek area, is actually closer to Charleston than to Huntington, and will be only 25 minutes driving time from downtown Charleston upon completion of the interstate highway into Charleston.

It is an accident of geography and administration that it is simply easier to submit an application to the Federal Aviation Agency on behalf of the Guthrie site, since it is entirely within Kanawha County. Because the ruling interests of Kanawha County adamantly refuse to discuss or even accept an invitation to hear the presentation on behalf of the economic and engineering advantages of the midway site, it is difficult to reach an agreement between Charleston and Huntington. Furthermore, the midway site is in Putnam County, and Huntington is located in Cabell County. It takes two to tango, but Charleston refuses to accept the invitation to dance and accuses Huntington of, first, failure to have an application on file; second, inability to raise the money in matching funds; and third, having the bad grace to want an airport which is not located 100 percent within the administrative boundaries of one county, as Charleston wants.

ENTER OHIO AND KENTUCKY

Now come along southeastern Ohio and eastern Kentucky to express their interest in a midway airport. All four U.S. Senators from Ohio and Kentucky, and Representatives Carl Perkins, of Kentucky, and Walter Moeller, of Ohio, enthusiastically endorse the midway airport. In response to criticisms of Tri-State—Huntington—Airport officials that Ohio and Kentucky residents would prefer Tri-State Airport over driving to the midway airport, the Ohio and Kentucky officials state quite emphatically that they would prefer driving the extra distance to a midway site. At this point, the Charleston newspapers charge that such support constitutes meddling by out-of-Staters in a West Virginia problem. Tensions rise. Tempers flare.

How can this difficult situation be resolved in the best interests of the greatest number of people? Only through intelligent leadership which can raise the thinking above the narrow provincialism which has all too often characterized the arguments of the past. We cannot afford to accept what one community demands, or another community demands. It is an abdication of responsibility to hope that everything will work itself out at the grassroots. West Virginia waits and hopes that the magic formula of broad vision and constructive statesmanship will in some manner help supply the answers.

PULASKI DAY

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, today, October 11, is Pulaski Day.

Mr. Speaker, I feel it is wise that we pause in our very busy schedule to pay tribute to this great warrior who came to America and fought in the American Revolution.

Mr. Speaker, 187 years ago on this day, October 11, 1776, Pulaski fell in battle at the Battle of Savannah in defense of freedom for our country.

I feel that it is also perhaps significant to point out on this day that there are those who have tried to leave an impression that, perhaps, some of those who have followed Pulaski have been less understanding of many of the problems that confront our country. Mr. Speaker, I would like the Record to show that, in this millennium year when the Poles are observing their 1,000th anniversary, Pulaski is but one glorious history in that long and glorious and heroic struggle for human decency; and, for those who would like to try and leave a different impression, let them just look at the record of Poland and they shall see a long series of heroic battles and great sacrifices on the altar of human dignity.

RIGHTWING CONSERVATIVES IN THE GOP

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. Stalbaum] is recognized for 60 minutes.

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STALBAUM. Mr. Speaker, and Members of the House, one of the most disturbing items this year in this election campaign is to note the resurgence of the conservative element.

Mr. Speaker, there was much speculation and belief in 1964 that there would be a change in their operations and in their activities. Yet as we analyze the internal workings of the Republican Party and the candidates whom they are putting forward this year, we find that the Goldwater element, that element which we believed had been so resoundingly defeated in 1964, is still dominant in the Republican Party and is continuing to control the party.

Mr. Speaker, it has been pointed out in various newspaper articles and through other media that in 1968 it can be expected at the convention that this conservative Goldwater group will again control most of the delegates.

I am more interested, of course, Mr. Speaker, in 1966, and I wish to point out the fact that this conservative group is still the dominant group in our loyal opposition to the Democrats here in the Congress and who will be campaigning during the fall, that they are still closely allied with various far-rightist extreme groups where they have been operating in the country.

Mr. Speaker, I was particularly impressed by a story which appeared in the Congressional Quarterly on July 6, and which article appeared in a number of papers, headed "Conservatives Bouncing Back in Primary Polls."

Mr. Speaker, that article points out the various districts where there is well-known Goldwater support for ex-Members of Congress who were defeated in the 1964 great victory, but who are again running, where they have been challenged by well-known moderate candidates, but are opposed by the Goldwater conservative, reactionary candidates and where they have usually been the victors.

Mr. Speaker, I would like to incorporate this article, "Conservatives Bouncing Back in Primary Polls" in my remarks at this point in the Record.

The SPEAKER pro tempore. Without objection it is so ordered.

The article referred to follows:

CONSERVATIVES BOUNCING BACK IN PRIMARY POLLS

(By Congressional Quarterly)

Washington.—Rock-ribbed conservatives identified with the political ideology of former Senator Barry Goldwater, many of whom went down to defeat in the 1964 elections when Goldwater headed their ticket, are showing remarkable powers of recovery in Republican congressional primaries around the country.

The victories for the conservatives, who have emerged triumphant in virtually every contest where moderate or liberal Republicans opposed them, testify to the superior resources and energies of the conservative wing of the GOP in the crucial area of party organization.

Backing up the conservatives with issues and staff assistance, and sometimes cold cash, has been a grouping of forces that includes conservatives in Republican staff positions on Capitol Hill, the right-wing Young Americans for Freedom and Citizens for Goldwater-Miller. Citizens for Goldwater-Miller saved over $300,000 to be used in 1966 election races for conservative candidates. Goldwater forces refused the request of GOP National Chairman Ray C. Bliss to turn over the funds, left over from the 1964 campaign, to the Republican National Committee for regular party use.

Moderate and liberal GOP contenders, on the other hand, generally have been required to satisfy themselves with press release endorsements by groups like Republicans for Progress and the Council of Republican Organizations. Both groups are allied with the anti-Goldwater wing of the party, but they have had virtually no financial resources to pump into the crucial primary contests.

The most recent conservative victories came in the June 28 New York congressional primaries. Former Rep. Steven B. Derounian, one of the few New York Republicans to back Goldwater for the 1964 presidential nomination, defeated moderate GOP contender William J. Casey by a lopsided vote of 22,542 to 15,956 on Long Island. In addition to help from conservative GOP forces from numerous areas, Derounian was aided by a promise by House Republican Conference Chairman Melvin R. Laird of Wisconsin that Derounian would get back his old seat on the tax-writing Ways and Means Committee if reelected to Congress.

Among other leaders who lined up on Derounian's side were Goldwater himself, House Minority Leader Gerald R. Ford of Michigan, and William F. Buckley Jr., the 1965 Conservative party candidate for mayor in New York City.

Casey, a wealthy law partner of former Republican National Chairman Leonard W. Hall, received last-minute endorsements from a number of moderate leaders including New York Sen. Jacob K. Javits. The moderates, however, were reported not to have backed up their endorsements with positive staff assistance or contact with opinion leaders within the district.

In the fall, Derounian will face Democratic Rep. Lester L. Wolff, the man who edged him by 2,620 votes in the 1964 election. The district encompasses the northern section of Nassau County on Long Island and is normally Republican.

In another New York congressional primary, former Rep. John R. Pillion, a stanch conservative and also a Goldwater backer in 1964, upset the officially endorsed Republican candidate, banker Kenneth J. McIlraith. Pillion had claimed that McIlraith's selection by party leaders was "dictated in New York City by the Rockefeller machine and big banking and money interests."

The vote in the Pillion-McIlraith race was 13,656–11,939 in favor of the former incumbent. Freshman Democratic Rep. Richard D. McCarthy beat Pillion by 11,301 votes in 1964 in the suburban Buffalo district.

Previous 1966 primary victories for GOP conservatives have included:

Kentucky 4th District (Louisville suburbs)—Former Rep. M. Gene Snyder, another strong Goldwater supporter in 1964, defeated James Thompson, choice of the moderate Republican leadership in Louisville, by a vote of 9,332 to 5,534 in the May 24 primary. Speaking for Snyder during the primary campaign was Frank J. Kovac, finance chairman of the right-wing Americans for Constitutional Action, who told area Republicans that Snyder had the endorsement of a number of conservative GOP congressmen including Reps. James B. Utt of California, and Albert W. Watson of South Carolina. Kovac also claimed Ford had endorsed Synder, but Ford subsequently professed neutrality in the contest.

Pennsylvania 19th District (South Central-York)—Former Rep. George A. Goodling, another congressman who endorsed Goldwater for the 1964 nomination and then went down to defeat with him, overcame the opposition of Republican leaders in his district to win the 1966 GOP House nomination over five challengers. Goodling, who is 70, had refused the request of local GOP chieftains to step aside in favor of a younger man. In November he will face popular freshman Democratic Rep. N. Neiman Craley, 38, who beat Goodling by 2,689 votes in 1964.

Maine 1st District (South-Portland-Augusta)—Former Rep. Peter A. Garland, an outspoken conservative, who served in Congress in 1961–62 but who had been upset by Rep. Stanley R. Tupper, a GOP liberal, in the 1962 Republican primary, staged a comeback in the June 20 primary by defeating six opponents. The strength of the conservatives in the district was demonstrated by the ability of Garland and another conservative in the race to win 49 per cent of the vote between them, while the strongest running liberal polled only 21 per cent. The way was opened for Garland's comeback by Tupper's retirement from Congress.

Ohio 24th District (Southwest-Middletown)—Though he had never before served in Congress, right-wing Young Republicans leader Donald E. (Buzz) Lukens was able to score a stunning primary victory over the choice of the regular Ohio GOP organization, state Rep. Charles H. Jones, in the May 3 primary. Intensive campaigning, effective precinct organization and a gift of $5,000 from Citizens for Goldwater-Miller helped Lukens score his upset in the newly created safely Republican district.

Comeback tries by five additional conservative Republicans all of whom lost out in the 1964 Johnson landslide, are scheduled for later this summer. They are former Reps. Henry C. Schadeberg in the Wisconsin 1st District, J. Edgar Chenoweth in the Colorado 3rd District, General P. Meader in the Michigan 2nd District, Louis C. Wyman in the New Hampshire 1st District, and William Henry Harrison in Wyoming. Schadeberg is unopposed while Chenoweth, Meader and Harrison all face significant opposition.

A lesser number of moderate Republicans were defeated in 1964, but two of them—former Reps. Abner W. Sibal of the Connecticut 4th District and Fred Schwengel of the Iowa 1st District—are making comeback tries. Sibal already has won renomination, and Schwengel is not expected to encounter significant opposition in the Sept. 6 primary.

Mr. STALBAUM. Mr. Speaker, I have another article which delves into the same area and which appeared at about the same time, an article which appeared in the Milwaukee Sentinel, our leading Milwaukee morning paper, headed, "Resilience in GOP."

Mr. Speaker, the article begins by referring to "Ronald Reagan's solid victory in the California Republican Governor's primary has captured the lion's share of the attention, but it is by no means the only sign of a GOP conservative comeback."

The article goes on to state that "Conservatives identified with the political ideology of Barry Goldwater, including some who were buried in the 1964 landslide, are showing remarkable powers of recovery in congressional primaries around the country."

It concludes by saying that "many voters who were spooked by the smear campaign against Goldwaterism and stampeded into voting Democratic may now be returning to the fold."

While I do not accept their findings, I do recognize the fact that the evidence shows that Republican voters and the far-right organizations are able to manifest a great deal of power in the Republican primaries throughout the country.

I would like to ask unanimous consent to incorporate this article, "Resilience in GOP," taken from the Milwaukee Sentinel of July 6 in my comments on this particular point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

RESILIENCE IN GOP

Ronald Reagan's solid victory in the California Republican governor primary has captured the lion's share of the attention, but it is by no means the only sign of a GOP conservative comeback.

Conservatives identified with the political ideology of Barry Goldwater, including some who were buried in the 1964 landslide, are showing remarkable powers of recovery in congressional primaries around the country.

GOLDWATER BACKERS WIN

In New York, former Rep. Steven B. Derounian, one of the few New York Republicans to back Goldwater for the 1964 presidential nomination, defeated moderate GOP contender William J. Casey, 22,542 to 15,956. In another New York congressional primary, former Rep. John R. Pillion, also a Goldwater backer in 1964, upset the officially endorsed Republican candidate, banker Kenneth J. McIlraith, 13,656 to 11,939.

Previous 1966 primary victories for GOP conservatives have included:

In Kentucky, former Rep. M. Gene Snyder, another strong Goldwater supporter in 1964, defeated James Thompson, choice of the self-styled moderate Republican leadership in Louisville, 9,332 to 5,534.

In Pennsylvania, former Rep. George A. Goodling, another congressman who endorsed Goldwater for the 1964 nomination and then went down to defeat with him, overcame the opposition of Republican leaders in his district to win over five challengers.

In Maine, former Rep. Peter A. Garland, a conservative who had been upset by a liberal Republican in the 1962 primary, staged a comeback in the June 20 primary by defeating six opponents.

In Ohio, Young Republicans leader Donald E. (Buzz) Lukens, although he had never before served in congress, scored a stunning primary victory over the choice of the regular Ohio GOP organization, state Rep. Charles H. Jones, in the May 3 primary.

Comeback bids by five additional conservative Republicans who lost out in the 1964 Johnson landslide are scheduled for later this year. The group includes Rep. Henry C. Schadeberg in Wisconsin's 1st district.

Noting the resurgence of conservatism, Congressional Quarterly editorial services says the victories of conservative candidates in virtually every contest where moderate or liberal Republicans opposed them "testifies to the superior resources and energies of the conservative wing of the GOP in the crucial area of party organization."

Doubtless this is part of the explanation. The liberal wing of the Republican party simply can't seem to coalesce its forces or begin to match the conservative wing for enthusiasm and dedication.

But superior resources and energies are not the only factors working for the recovery of conservatism. For one thing, conservatives are managing to shake off the cockleburs of extremism; the extremist burs are sticking to the liberals now. For another thing, thinking people, as they become disillusioned with failing liberal solutions, are beginning to turn to conservatism for better answers. Finally, many voters who were spooked by the smear campaign against Goldwaterism and stampeded into voting Democrat may now be returning to the fold.

Mr. STALBAUM. Of course, what we are attempting to point out at this stage is the fact that they are still closely alined with various extremist groups throughout the country. Other colleagues of mine have noted this in their particular campaigns, and I am sure have something to offer in this particular respect.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. STALBAUM. I will be pleased to yield to the gentleman from New York.

Mr. McCARTHY. Mr. Speaker, I thank the gentleman for yielding. I would like to put in the Record several items about the gentleman, first of all, who: accused Eisenhower administration of appeasement over Antarctic Treaty; warned of spread of communism at the South Pole; traveled there for on-the-spot search for Communists.

Who hailed such extremist groups as the Minutemen, opposed by most Republicans. The Young Americans for Freedom, banned from a university in New York, the Niagara University, for views "not only contrary to the American way of life, but also to sound Catholic principles," and named their local chapter after this gentleman.

Who went counter to Republican policy by urging Atomic Energy Commission to increase its production "not of clean bombs, but of maximum radioactive bombs with low ceilings."

Who charged that "Communists exist in our churches, our schools and colleges, in the movies, on the radio, on television, in the newspaper field and in our Government."

Who charged that President John F. Kennedy's "pro-Communist State Department" was "in the process of selling out West Berlin," introduced a bill to abolish the State Department.

Who voted against President Kennedy's bill to establish the Peace Corps.

Who declared that the United States is "fanatically and foolishly obsessed with disarmament and peace" and that the fear of nuclear war has been "highly inflated and grossly exaggerated."

Who said that the steady decline of U.S. views and prestige and the increase in Soviet Communist power is leading us to the "grim and desperate alternative of either: surrender, or a preventive thermonuclear war."

Who rejected as a "puny gesture" and "a whistle in the darkness of our own cemetery" President Kennedy's call for authority to activate 150,000 reservists to deal with crisis in Berlin.

Who urged the United States to develop the neutron bomb and manned earth-orbiting space ship with nuclear launching capability.

Who went counter to Republicans like President Eisenhower and Senator DIRKSEN in 1963 by his opposition to limited nuclear test ban treaty.

And who, before the Warren Commission's report on the assassination of President Kennedy was issued, predicted that it would be a "whitewash," and would reflect the State Department's policies of appeasement of communism.

The Commission members included such distinguished Republicans as Chief Justice Warren and U.S. Senator JOHN SHERMAN COOPER.

Mr. Speaker, I know that responsible Republicans of the caliber of President Eisenhower and Senator DIRKSEN do not share views like these. One might expect that statements such as these, such as suggesting that we can either surrender to the Communists or start a preventive thermonuclear war; or to urge that we put atomic planes or atomic satellites in orbit around the earth or that the State Department is selling us out in West Berlin—as I say, one might expect suggestions such as these to be made by a man who would go to the South Pole for an on-the-spot search for Communists. You might wonder where you would find such a person. Well for 12 years you found him right here in this Chamber. Now he is making an effort to return here.

I think the resurgence of this kind of wild, extremist philosophy is and should be a matter of serious concern for all Americans.

I would think that those of us who do not wish to have irresponsible statements of this type to be made had better wake up and find out what is happening in this country.

Mr. Speaker, I thank my colleague for yielding.

Mr. STALBAUM. Mr. Speaker, I want to thank my colleague, the gentleman from New York, for giving us such a vivid description of the type of candidates, a matter which is of concern to us, in this particular campaign year.

What my colleague from New York has said emphasizes and makes stronger the point that I indicated we are making here, which is that the conservative forces in the Republican Party are still strong and able to put their candidates on their ticket.

I am truly pleased that my good colleague and friend, the gentleman from New York, was able to make this illustration for us and place it before us at this time.

Mr. KING of Utah. Mr. Speaker, will the gentleman yield?

Mr. STALBAUM. I yield to the gentleman from Utah.

Mr. KING of Utah. Mr. Speaker, current national surveys show that although the Democrats have lost some of the bloom of their 1964 popularity, due to the inevitable irritations that are associated with incumbency, the remarkable fact is that that bloom has not been transferred to the Republicans, but rather to the independents. In other words, although the Democrats have suffered the temporary and partial loss of popularity which is the lot of the party in power, the Republican popularity has not gained correspondingly, if at all.

Current Gallup polls show that only about 25 percent of the people in this country are willing to stand up and count themselves as Republicans, whereas almost twice that number are willing to identify themselves as Democrats. The remainder of the people, who equal or exceed the entire number of Republicans, remain politically unaffiliated. They have sampled Republicanism, and have found it bitter to their taste. They have preferred remaining outside the mainstream of American politics to joining the "minority party."

If American history affords a parallel phenomenon, at least within recent times, I do not recall it.

Political philosophers may debate this matter ad infinitum, but the real reason for present day Republican ineffectiveness is not difficult to find. It may be thus simply stated: the Democrats have a program, and the Republicans do not.

Nature and politics abhor a vacuum. Problems can pile up just so high, and then their solution becomes literally a matter of life or death. It is like sweeping dirt under a rug. For a while you can get away with it, and then, finally, you cannot.

People understand this. They would rather put their faith in a party that candidly recognizes the problem, and produces a program to deal with it, even though that program may be interlaced with mistakes, than in a party that refuses to acknowledge the existence of the problem, or that merely shuts its eyes until the problem goes away.

The case of the gentleman who is now running against me for my seat in Congress is typical. For weeks he has been harpooning me for my constructive votes: calling me a "rubber stamp," a "yes man," a "Socialist," and a "spendthrift." Yet I scan his record in vain to find a constructive suggestion to help solve the massive problems which the pressures of modern technology and population have created.

It is true that the conservative Republicans will continue to enjoy a certain amount of hard core, militant support, and it will come from those who have an unpleasant experience with the Federal Government or from those for whom the payment of taxes is particularly distasteful, or whose native conservatism and resistance to change constitute an inevitable anti-Federal rallying point.

I must confess there are things which the Federal Government has done which have almost driven me to distraction, and I would be the last person to ascribe to it the virtue of infallibility.

But what I am saying is that no political party worthy of survival can be built up solely on discontent, the frustrations, and the ill will of those who suffer from a sense of injured innocence, and as long as the Republican Party caters especially to this group, they will continue to remain the minority party and will deserve to so remain.

In my opinion, Republicans are not performing their function as the loyal opposition when they offer nothing but criticism rather than constructive alternatives.

Recently, the Republican Coordinating Committee presented to the Nation some recommendations that had all the earmarks of a constructive alternative. These recommendations included such things as automatic cost-of-living increases in social security benefits, more Federal aid to build hospitals and nursing homes, more Federal aid to cities channeled through the States, et cetera.

This would have been impressive but for the sobering fact that all the evidence indicates that the Republicans themselves do not take these suggestions seriously. One of the members of the committee stated that it was necessary to use a facade to get the factions of the Republican Party back together again.

As I understand it, the facade is the front or facing of the structure placed there more for decorative purposes than for support.

Mr. Goldwater himself has made snarling and contemptuous references to the so-called leftwing of the Republican splinter groups who are attempting to undermine all that he has stood for. He has stated categorically that the 1968 Republican Convention will be controlled from 75 to 80 percent by the same group who controlled it in 1964, and that any presidential aspirant who does not think so should take a long second look. He has certainly made indications that his own first choice would be Ronald Reagan, if he should win his test for the governorship of California, and that almost his last choice would be Gov. George Romney.

Mr. Speaker, I have noticed that the Council of Republican Organizations which, as I understand it, is a group of Republicans who are moderate in their political thinking and are forward-looking and who are attempting to put the Republicans back on a more constructive course—that this organization has now apparently accepted the inevitable.

I have read several statements coming from their office to the effect that they have finally agreed that Mr. Goldwater is probably correct in his estimate that the 1968 Republican Convention will be controlled 75 to 80 percent by those who controlled it in 1964.

Perhaps I could read two or three sentences from Mr. Goldwater that appeared in the Philadelphia Evening Bulletin on September 9:

> Our Republican Party's left-wing fringe is at it again. They are still moaning and groaning over the fact that even though they are a tiny minority in the party, everybody in the party is out of step except them. They are still trying to use the Republican Party as a base from which to launch political programs that are little more than carbon copies of Democratic Party programs.
>
> Currently, the case in point is a report put out by a group calling itself the Council of Republican Organizations. This group, of indeterminate membership, describes itself as representing ten "progressive" Republican groups. What they mean, of course, is ten little welfare-state splinter groups, all dedicated in one way or another to using the Federal Government as an instrument to regiment, rule and reconstitute every individual.
>
> It is an obvious fact that the Republican Party basically is opposed to collectivist programs, stands for the individual against state coercion and can be termed conservative in today's mixed-up political labeling.
>
> From this fact, I drew another perfectly obvious conclusion: that at least three-fourths of the delegates to the Republican Party's next presidential nominating convention also would be conservative, just as they have been year after year (and just as Democrat delegates have tended to be liberal, despite the existence in their party of conservative splinter groups).
>
> Lo and behold, the Council of Republican Organizations has looked around the country and found that what I said was all true. Their report, which commanded attention far beyond that warranted by the group's actual stature, makes particularly painful noises about the fact that conservatives have "consolidated" power in the House of Representatives under Congressman MELVIN LAIRD, the Republican Conference chairman.

Mr. Speaker, at this time I should like to read from a recent article by Edward P. Morgan which I believe summarizes very adequately the point I am trying to bring out at the present time. This article appeared in the AFL–CIO News bearing date of August 13, 1966.

> The Republican Party, like its opposite number, the Democratic Party, has no viable future outside the middle ground of the national political spectrum.
>
> The extremes, whether racist, radical right or far left, are expensive but unavoidable luxuries of the two-party system in an open society but they are the refuge of nuts and nuisances, not the foundation of a triumphant new political order. The great bulk of American voters are moderate, some a little right, some a little left of center.
>
> The pros of both parties know this but the Democratic pros are more successful in putting this axiom to work and one of the big reasons for this is that the Republican Party has failed to modernize its human structure. Not long ago Barry Goldwater said, in effect, that any GOP presidential aspirant who thought the Republican convention of 1968 would be controlled by different kinds of people than the delegates who nominated him in 1964, that aspirant was in for a shocking surprise.
>
> As of now ex-Senator Goldwater is right. The grassroots party organization across the land is still largely in the hands of decent, respectable, hard-working businessmen, lawyers, real estate operators and others with astigmatism in their political vision. They know little or nothing about the art of government and politics, partly because they have always regarded government as the enemy.
>
> The party needs not a man on horseback but a modern moderate who knows the difference between planning and socialism, recognizes that the computer has done more than to revolutionize cost-accounting and has a face that doesn't scare babies on television. The Republicans can count some highly intelligent political talent on their side. The trouble is that when these forward-looking figures start generating a little momentum, as if they were really going somewhere, the party's organizational rank and file slips a banana peel in their path.

In conclusion, the evidence is overwhelming that the trend of the Republican Party at the present time is to continue the course which it charted in 1964. It is essentially a course of criticism, of negativism, and is barren of constructive suggestions. Because of this I believe the American people, in going to the polls on November 8, should be very careful and cautious as to whom they select.

I feel, Mr. Speaker, that on November 8 the American people will decide as they have decided so many times before that the safety of this Nation will lie in the hands of those who present a constructive program.

Mr. STALBAUM. I thank my esteemed colleague from Utah for his very valuable contribution to this point which we are attempting to make in the record this evening.

There is no question, as we analyze these statements, that throughout the country—I have had colleagues join me from the East and the West, and, of course, I represent the central part of the Nation—we are seeing conservative candidates following the Goldwater philosophy rising again. I shall have more to say on that in a few moments.

Perhaps the best illustration of this is in the State of California, where we find a candidate running for Governor, an actor by the name of Ronald Reagan, who I feel is putting on the best act right now he has ever put on in attempting to become Governor of that State. He has a long background of supporting right-wing groups. The evidence and file on this is big. I wish to take only a few items, to place in my remarks, to cover this.

Emmet John Hughes on June 27 in Newsweek in an article entitled "The Squandering Republicans" went on to state: "And if the prospect tells much about the State of California, it tells still more about the state of the Republican Party."

It goes into great detail to point out that the Republican Party has not learned from the campaign of 1964 by coming forward with candidates of this type.

Mr. Speaker, I ask unanimous consent to place this article at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

THE SQUANDERING REPUBLICANS

(By Emmet John Hughes)

The idea of an actor named Ronald Reagan becoming the next governor of America's largest state evokes a political vision approximately as radiant as a nomination of Rock Hudson to be the next Secretary of State. And if the prospect tells much about the State of California, it tells still more about the state of the Republican Party.

Perhaps only the capricious California electorate of 8 million could stage such a political jest. Mercurial in judgment, the state's voters practice a notorious disdain for serious issues. In 1964's Presidential primary, Nelson Rockefeller narrowly lost to Barry Goldwater, by the view of most GOP analysts, essentially because the birth of the governor's child on election eve provoked enough Californians to vote their censure of his second marriage. Now in 1966's gubernatorial primary, the contest won by Reagan was clumsily fought by the rule of the GOP state chairman: "Thou shalt speak no evil of other Republicans." This injunction was issued as "the Eleventh Commandment," and it seems possible that only a GOP public-relations office could conceive a slogan so witless and so tasteless.

A veteran with decades of service in B movies and TV commercials, the victorious Reagan attests a special freedom from discrimination in Republican politics: no man should be barred from a rich prize of power merely on grounds of his desperate poverty of thought. Ruddy of cheek and white of tooth and blue of eye, he projects a Technicolor study in patriotic imagery. For 30 years, he has dabbled in politics with a delight unspoiled by contemplation or consistence. Long a New Deal Democrat, he joined the GOP only in 1962, and he livened the 1964 Presidential campaign by preaching Goldwaterism with all the zest earlier reserved for Borax. He has now shown himself a quick master of the empty gospel of the radical right. Evangelically, he divides the nation into the black legion of "politicians" and the sublime host of "the people themselves." Suddenly, he hears himself hailed as a potential leader of all the nation's Republicans.

And the wonder rises: how can such nonsense be?

IN THE RED

The event simply dramatizes the virtual bankruptcy, politically and intellectually, of a national party. This has taken many years and follies to achieve. And they have wrought a memorable irony: a Republicanism tirelessly decrying all Federal waste of economic resources has largely passed the last fifteen years in reckless squandering of its own political resources.

For these have been years rich in opportunity for a rational Republicanism. There are historically two obvious ways to win the Presidency: with a man or with an issue. And the striking fact is that the GOP—through all its time of political drought—has never been in want of either men or issues.

Of the men, it suffices to note but two: Dwight Eisenhower and Nelson Rockefeller. Their failures were complementary: the first man had the power to revitalize his party but lacked the will; and the second had the will, but his party denied him the power. The Eisenhower Presidency became a partisan tragedy because the general left his party exactly where he found it. As for Rockefeller, it can be charged that he contributed mightily to his own failure. But the political truth remains as John Kennedy stated it after winning the 1960 election: "Nelson would have clobbered me."

Of the issues, it suffices to note but two: civil rights and Vietnam. The two most explosive issues of the 1960s, *both* could have been seized by a spirited and conscientious Republicanism. After 1960, the Kennedy Administration advanced on civil rights with a sluggishness that had Negro leaders fuming against both the President and the Attorney General. What could have been more politically logical than the party of Lincoln proclaiming this cause its own? The GOP met the chance with the same want of courage now repeated with respect to Vietnam. What would have been more politically rational than a Republican opposition sharply questioning from the outset a military commitment so carelessly calculated? In both critical cases, the GOP chose to greet its chance simply by taking no chance.

ON THE RUN

Alike by the measure of men or issues, then, the modern history of Republicanism reads as a prolonged act of abdication. And the legacy now governs the politics of the land. On the West Coast, the vacuum is filled by the windy rhetoric of a Ronald Reagan. On the East Coast, it is filled by a Robert Kennedy whom all politicians of both parties view as the only living threat to the futures of Lyndon Johnson and Hubert Humphrey. For the Democratic senator—only a few years ago regarded with such distaste by most civil libertarians—has shrewdly etched his own independent identity in terms of the very issues so foolishly blurred by the GOP—civil rights and Vietnam.

The political point could not be more sharp. Some men learn from history. Some men run from it. And the GOP has chosen feckless flight.

Mr. STALBAUM. An even more interesting article is one from the Los Angeles Citizen of September 2 entitled "Ronald Reagan: An Extremist at Work" by Robert L. Coate. It starts out by stating that here are examples of Ronald Reagan's proextremism. It goes on for perhaps more than two newspaper columns just detailing items and statements which this man has made supporting the far right position and the far right groups during the recent past in his move to come to the fore in the Republican Party. In 1964, for instance, he attacked moderate Republicans as traitors for failing to back Barry Goldwater and at a meeting of the extremists of the Los Angeles Young Republicans he said:

> We don't intend to turn the Republican Party over to the traitors in the battle just ended.

This is the belief of the man who has succeeded in getting the nomination to be the Republican candidate for Governor of our largest State.

Mr. Speaker, I ask unanimous consent that this article be placed at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Ronald Reagan: An Extremist at Work

(By Robert L. Coate)

Here are examples of Ronald Reagan's proextremism:

Reagan joined forces with a score of top members of the John Birch Society's National Council and other extremists two years ago on a committee to keep the ultra-rightwing magazine, "Human Events" afloat. (1)

Reagan told the Chicago American, in an interview published on March 21, 1965 (2), that if he decided to run for Governor of California he would accept support from the John Birch Society. The Hartford Courant reported last October that Reagan "said frankly in New Haven that he would welcome its (the Society's) support." (3)

Reagan serves on the national advisory board of the right-wing "Young Americans for Freedom" (4) together with a dozen nationally prominent John Birch Society leaders. The Y.A.F. advocates state right-to-work laws; Newburgh, New York-style welfare reforms; student loyalty oaths; continued nuclear testing; opposes Federal Aid to Education. (5)

Reagan was a speaker at planning sessions of the violently rightist "Project Alert," together with Bircher John Rousselot and other extremists. (6)

Reagan was the main speaker on May 26, 1965, at the right-wing "Town Meeting for Freedom, Inc." in Burbank as the organization presented awards to D. B. Lewis, the late Birch leader, patron of extremists and contributor to Reagan's campaign. (7)

Reagan journeyed to the Deep South in 1964 to campaign and raise funds for the GOP segregationist candidate for Governor of Louisiana, oilman Charlton H. Lyons (8), against Democrat John J. McKeithen. McKeithen was elected.

Reagan attacked moderate Republicans as "traitors" in 1964 for failing to back Goldwater. U.S. Senator Kuchel, who had refused to endorse Goldwater, was his prime target. At a meeting of the extremist Los Angeles County Young Republicans, Reagan said:

"We don't intend to turn the Republican Party over to the traitors in the battle just ended. We will have no more of those candidates who are pledged to the same goals of our opposition and who seek our support: . . . turning the Party over to the so-called moderates wouldn't make any sense at all." (9)

Reagan starred in special film recordings attacking "State Welfarism" distributed by the Church League of America (10), of Chicago, another extreme right wing group which maintains over 850,000 cross-referenced index cards of organizations and individuals suspected of "subversion." The League supports a program of "Christian Americanism."

Reagan condemns the graduated income tax as "Marxist," (11) a position identical with that of the sponsors of the "Liberty Amendment."

Reagan campaigned in 1962 for the election of his "warm personal friend," Congressman John Rousselot (12), who was running as an avowed John Birch Society member. Rousselot is now the national public relations director of the Society.

Reagan appeared as a speaker in Los Angeles in 1961 in support of Fred Schwarz' "Christian Anti-Communist Crusade." (13)

Reagan was state campaign chairman for Loyd Wright (14), extremist who tried to unseat Senator Kuchel in 1962 as an alleged Socialist. Wright called for preventive war with the Soviet Union and all out endorsement of the John Birch Society during the Reagan-directed campaign.

Reagan has not repudiated the endorsement of his candidacy by the leader of the neo-facist "Soldiers of the Cross," which collaborates with the para-military "Minuteman." Kenneth Goff, extremist leader of the "Soldiers of the Cross," meeting in Kansas City with 300 extremist leaders last July 3-4, at the call of Minuteman organizer Robert B. DePugh, told the press his organization's 20,000 membership in California would back Reagan for Governor. (15)

Although Goff's salute to Reagan was prominently published in newspapers, the actor-politician has remained silent.

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7. Monrovia News—May 20, 1965
8. Press reports from Louisiana
9. L.A. Times, Nov. 11, 1964
10. Church League Leaflets
11. Speech before U.S. Savings and Loan League, Nov. 7, 1963
12. Reagan statement to Downey Young Republican meeting, Aug. 27, 1965
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15. L.A. Times, July 5, 1966; National Observer, July 11, 1966

Mr. STALBAUM. A few weeks ago Drew Pearson in his Washington Merry-Go-Round had an article entitled "An Actor Is Groomed To Be President." This is an article which ends by saying:

> This is the Republican candidate, ruddy and rugged of face but faceless on issues, who may be the next Governor of California.

Mr. Speaker, I ask unanimous consent that this article be placed at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

An Actor Is Groomed To Be President

(By Drew Pearson)

Los Angeles.—Out here in California, conservative Republican leaders are carefully grooming a Hollywood actor to be President of the United States.

For the moment they are not advertising that this is their long-range goal. They are taking a step-by-step approach, and the first step is to make their man, a likeable, B-picture star and former TV announcer, Governor of California.

This strategy is probably the most important development inside the Republican Party and is almost certain to rip it wide open. For while Ronald Reagan, the rightist, was getting votes from the anti-Negro backlash in California, the Republican Party in Massachusetts was nominating a Negro, Edward Brooke, to run for Senator; and in Michigan, George Romney announced for reelection as Republican Governor on a militant platform of fighting rightwingism.

In Tennessee, Howard Baker, Republican candidate for the Senate and son-in-law of Sen. Everett Dirksen, (R-Ill.), has a chance of defeating Gov. Frank Clement, Democrat, if he gets enough of the Negro support which he is trying desperately to win.

Such is the problem which Reagan's candidacy poses for the Republican Party around the Nation.

MODERATES BOW OUT

Here in California, Reaganism has already split the Republican Party wide open. When Reagan was scheduled to announce his candidacy formally on Sept. 9—a date he picked after consulting the stars—it was planned that former Gov. Goodwin Knight, a highly respected Republican, would appear publicly to introduce the candidates.

But Knight refused. He told Reagan leaders, "If you bother me I'll blast the hell out of your candidate. I'll vote the Republican ticket but I'll have no part of Reagan."

Mrs. Henry Salvatore begged Knight to change his mind. Her husband is chairman of the Reagan finance committee and she has been a Knight supporter in the past. But the former Governor stood pat.

Another Californian made poignantly unhappy by Reagan's right-wingism is Sen. Tom Kuchel, Republican whip of the Senate.

In the last election, Kuchel, a moderate, rolled up the second biggest vote in California history, exceeded only by the record vote of his friend Earl Warren when running for a third term as Governor. Today, Reagan backers make no secret of the fact that they are out to defeat Kuchel when next he comes up for election. He is much too moderate for them.

This brings up the question of what Reagan stands for, what his experience is, what policies he would follow if elected governor.

Governing a state of this size and with such complicated problems is not easy. Yet Reagan is the only candidate for Governor of California who has never held any kind of government office, never even been a member of a State commission or State committee.

REAGAN'S RECORD

If you look up what Reagan has stood for you'll find that he is against the progressive income tax, believes that Medicare is "one of the first steps in imposing statism on our people," considers Chief Justice Earl Warren a "lousy justice," has described Federal aid to education as "a tool of tyranny," and welfare recipients "a faceless mass waiting for a handout."

Of conservation he once said, "A tree's a tree. How many more do you need to look at?" And of the John Birch Society which other Republican leaders, from Nixon to Dewey, have repudiated, Reagan said, "I don't believe I have any moral justification for repudiating them."

That is a cross-section of the Reagan basic philosophy of government. But under shrewd coaching by his right-wing handlers, who have hired the public relations firm of Spencer & Roberts, he has succeeded in blurring this image.

Today he veers away from the blunt right-wingism that used to feature his statements. Recently when asked what he thought of Chief Justice Warren he parried: "You mean Earl Warren the Governor or Earl Warren the Chief Justice?" Then he proceeded to draw a distinction between the two, though Warren as Chief Justice has followed exactly the same liberal philosophy which he followed when Governor.

This blurring of the Reagan image is the result of a decision by the Reagan brain trust that Barry Goldwater's chief mistake was in being too honest. Goldwater called a spade a spade, even when unpopular.

Reagan's handlers have coached him to avoid this, and like a good actor he has carefully followed the cue of his director. "Human Events," organ of the right wing, reports that he has given a "blueprint for conservatives" by "purposely staying clear of issues."

This is the Republican candidate, ruddy and rugged of face but faceless on issues, who may be the next Governor of California. If he wins, it will be the first step toward making him President of the United States.

Mr. STALBAUM. Mr. Speaker, perhaps the most interesting point which can be made on this candidate in the State of California is the fact that he has flatly refused to turn his back on the John Birch Society. We find this is typical of this kind of candidate throughout the Nation. Those who have joined me in remarks this afternoon I am sure will find, as I have, that candidates in their own districts have refused to repudiate this secret group, a group that is so far right that one would think they would have no influence. Yet they are out to influence strongly the next election.

I have before me an article from the Washington Post of September 17 entitled "Nixon Defends Reagan's Decision To Accept Birch Society Support." This evidences the fact that not only is the candidate for Governor of California willing to accept support from this far-right group, but here is a man who aspires to move on and hopefully get the nomination for President and is also catering to this group and defending Mr. Reagan in his position.

Mr. Speaker, I ask unanimous consent that this article be placed at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

NIXON DEFENDS REAGAN'S DECISION TO ACCEPT BIRCH SOCIETY SUPPORT

(By William Chapman)

Burbank, Calif., September 16.—Richard M. Nixon stepped back into the enduring California Republican wrangle over the John Birch Society today by strongly defending gubernatorial candidate Ronald Reagan's controversial decision to accept Birchite support.

Nixon thus backed a more pliable approach to the Birch Society than he had taken himself four years ago, although he said he saw no basic differences between his position and Reagan's.

Nixon told a California press conference that Reagan's position was justifiable because the former movie star had repudiated the Society's philosophy.

Reagan, who is running a close race with Gov. Edmund G. (Pat) Brown, has said he will accept support from all California Republican candidates, even those who are members of the ultra-conservative organization.

In 1962, in the Governor race with Brown, in which he was defeated, Nixon repudiated the Society and said he would never endorse its members or appear with them in public.

He repeated that vow today in what he jokingly described as the 115th news conference in which he had encountered the question.

The California Democrats hope to make considerable mileage this fall by pinning Reagan to his conservative past, and his statement on the John Birch Society has renewed their zeal.

That statement, Nixon said, showed that Reagan "has rejected the positions of the leaders of the John Birch Society. He didn't reject their support—they could vote for him if they wanted to—but he made it clear that he was not accepting their positions."

Barnstorming through the West for Republican Congressional candidates, Nixon flew into the Los Angeles area tonight on a commercial airliner after his charter plane developed engine trouble and had to be abandoned in Salt Lake City.

In Salt Lake City, Nixon spoke to an enthusiastic audience of 1400 Republican Party workers in a motel ballroom. Despite the warm reception, local Republican leaders said Nixon is demonstrably less popular in Utah than his possible rival for the 1968 presidential nomination, Gov. George Romney of Michigan.

A recent poll conducted by professors at Brigham Young University for the Utah Republican organization showed that Romney, a Mormon, would receive 57 percent of the total vote in a contest with President Johnson in this area, which has a large Mormon population.

If Nixon ran, the poll showed, he would receive 42 per cent of the vote, as against 43 percent for Mr. Johnson. The University's polling organization also found that Nixon trailed Romney by similar or larger margins in three other Western states.

The former Vice President appeared in Salt Lake City to endorse former Congressman Sherman Lloyd, who is in a tight struggle to unseat Rep. David S. King (D-Utah).

Nixon once again found loud applause for appeals to get the war in Vietnam over sooner than the five years he estimates present policy would require. His loudest response came when he demanded that foreign aid be ended for those countries that continue trading with North Vietnam.

"Our fighting men in Vietnam come first, and any nation that trades with the enemy should have its aid cut off and cut off now," he declared.

Mr. STALBAUM. That the John Birch Society is still active hardly needs to be stated. Shortly after the 1964 election an article appeared in many of the papers. I have a reprint here from the Boston Herald dated March 2, saying, "Birchers Plan Political Action in 325 Districts—Welch Seeks $12 Million for '66 Elections." That refers to Robert Welch, the president of the John Birch Society. Now, if you divide $12 million by 325 districts, this is some $40,000 per district, if my arithmetic is correct. I have here a tear sheet from the AFL–CIO Committee on Political Education which I would like to place in the Record at this point. The article is entitled "They're Playing for Keeps."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

THEY'RE PLAYING FOR KEEPS

The extremist John Birch Society is taking a $12 million gamble on the crucial 1966 congressional elections.

Its goal: To take over Congress—or, at the very least, to destroy the present liberal majority.

The Birch Society is betting on three things:

Its own proven effectiveness. (It became a powerful force in a major national political party in 1964, and it has been supremely effective at the local level in capturing control of PTAs, school boards and even some city councils.)

The pattern of off-year congressional elections which sees a swing away from the party in control of the White House. (Average loss over the past 60 years has been 37 seats in the U.S. House of Representatives, five seats in the U.S. Senate. Any comparable loss of liberal congressmen this year would achieve the Birch Society goal.)

The usual voter drop-off in congressional election years from presidential years, a drop-off that's heaviest among working people and their families. Average drop-off in recent congressional election years has been more than 15 percent.

Mr. STALBAUM. Mr. Speaker, a haven for many of these far-right spokesmen has now become the Americans for Constitutional Action. It is interesting to note that after the 1964 election, this group expanded its board of directors to take onto that board a number of former national legislative officeholders both here in the Congress and the U.S. Senate.

Mr. Speaker, the Americans for Constitutional Action are well known as a far right group. They have opposed such programs as medicare, expanding the education program, the civil liberties program, they opposed the antipoverty program, the Food Stamp Act, and they opposed civil rights legislation, and almost all the programs designed to help the low-income groups.

Mr. Speaker, I want to only by reference indicate the names of the new directors and some of their background, people who were added to their group since the 1964 election.

I find, first, Mr. Bruce Alger, who served in this House of Representatives for nearly 10 years.

Also added to their board of directors was Ralph Beerman, from Nebraska and who served in the House of Representatives for 4 years.

There was also added Joe H. Bottum, who was appointed U.S. Senator from the State of South Dakota, but who was unsuccessful in his efforts for reelection.

There was added James C. Davis, who served in the Congress for 15 years and who has an ACA rating from the State of Georgia; Charles B. Hoeven, an Iowa attorney, but who served in the House of Representatives for 22 years and who had a 92-percent ACA rating.

There was added Edwin L. Mechem, three times Governor of the State of New Mexico, and who was appointed to the Senate to fill a vacancy left by the death of Senator Chavez, but who was defeated in his bid for reelection.

He had an ACA rating of 97 percent.

There was Katherine St. George who served in the House of Representatives for many years, but who is one of the new directors of the Americans for Constitutional Action and many other conservative groups.

Also, Mr. Speaker, there was Henry C. Schadeberg from my district but who was defeated in the 1964 election. He was added to the board of directors among this group of conservative ex-Congressmen and ex-Senators.

Mr. Speaker, these people in my opinion were added to give them a forum and to give them a base from which to operate in the 1966 elections and subsequent thereto. Several of these men are again running for reelection.

Mr. Speaker, along with the others I have previously mentioned, there were other interesting parties added to the board of directors at the same time, such as Clarence B. Carson, professor of American history at Grove City College, whose social view can be summarized as follows, and I quote from the statement he made in his series on "The American Tradition":

> Let me be more specific. Remove the welfare and unemployment program, and nature will take over shortly. For men grow hungry in only a brief interval, and this will be a sufficient prod to drive them to seek remunerative employment. Repeal the minimum wage laws and the onerous bookkeeping imposed on employers, let the hungry man make himself attractive to an employer, and the "unemployed" will soon be busy doing the millions of jobs that are not now done because it is too expensive or too troublesome to hire someone to do them.
>
> Remove the exemptions and protections from labor unions, rigorously and impartially enforce the law, and they will no longer be able to create crises in the Nation.

Others, of course, have made similar statements, but it is interesting to note those directors on the board who are former Members of either the House or the Senate, were brought together at the same time along with the other directors who were brought in and are the type which I previously mentioned.

Mr. Speaker, other Members of Congress have joined me in this colloquy this evening.

I have a statement by a colleague of mine, the gentleman from New York, Mr. LESTER WOLFF, on the extremist influence in our schools. It is a very well done and documented statement in this regard.

I would ask unanimous consent that it be incorporated in the RECORD at this point.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

EXTREMIST INFLUENCE IN OUR SCHOOLS

Mr. WOLFF. Mr. Speaker, the youth of America, indeed of any nation, is its greatest asset. The future of civilization as we know it rests in the hands of our young people.

No task is of greater importance than that of nurturing the minds of our young people, of cultivating the source of ideas and actions from which the future is fashioned. Traditionally, we have entrusted our public education system with this vital responsibility.

Education is the tool with which future leaders are enabled to build a better world. Anything that threatens to dull that tool or to prevent a progressive improvement of it is to be regarded with the utmost concern.

Regrettably, there exists today in our nation a grave threat to our basic system of public education. It conspires to capture the free minds of our nation's school children.

That threat is extremism—of the right and of the left. Presently, it is reaching proportions that require our utmost vigilance, lest it subvert our education system and destroy one of America's most precious institutions.

Our educational system is, in fact, in danger of subversion from within by the lies, the scare tactics, and the vicious distortions perpetrated by members of extremist groups who are determined to impose their various brands of ideology upon the susceptible minds of our school children.

The importance of eliminating the insidious influence of these extremist groups from our local boards, parent teacher associations, and other local educational organizations cannot be overemphasized.

I am not suggesting that the sacred right of free expression be denied these purveyors of extremist ideas. Their right to dissent from the mainstream of thought and belief in our nation is unquestioned. As Cardinal Richard Cushing said recently, "the right to dissent is among the most precious of our national values and must continue to be preserved at whatever cost."

But these radical groups have not been content merely to register their disapproval with our society; they have forcibly and in the most devious manner hampered the legitimate function of our school board. They have created unwarranted fear with highly subjective appeals to our patriotism, to our basic loyalty, by levelling charges of "subversion" by their extremist opposites.

Tragically, their invidious schemes have been all too frighteningly successful to date. And their methods—intimidation and coercion—are often as destructive as their goals.

Moreover, during the past few years, these extremist groups have revised their tactics to render them more effective, more devastating. At one period, their main objective had been to gain control of the local PTA. This they accomplished through parliamentary delay, disruption—often employing character assassination, bigotry, harassment, sometimes even violence. No community was immune to their efforts.

Recently, they have begun to aim at capturing positions of control on local school boards. With control, they realized, they are able to choose school superintendents who, in turn, pick teachers, books, and select curricula.

The National Education Association completed studies in 1965 that revealed attempts by extremist groups on both fronts—control of the local PTA and through the school board—had been more successful, more prevalent than ever.

NEA estimates are that one out of every 30 communities 'had experienced some sort of attack, opposition or attempt to infiltrate the schools by extremists and dissident critics." School districts damaged by these incursions rose from nine percent in 1957 to sixteen percent in 1965, and the overall increase of this kind of dissent for the same period from forty-nine percent to fifty-six percent.

According to the NEA, in 1965 these efforts were centered in California, Michigan, and Ohio. These states suffered from fully ninety percent of the extremist charges of "subversion" in their schools. Also, these three states experienced the greatest right-wing book censorship activity.

Attacks on our school system emanate from the entire radical spectrum, right to left. For some reason, the extreme left groups tend to aim at our colleges and universities. The ultra-right groups concentrate on local school boards.

The arsenal of weapons ruthlessly employed by the radical right has been hinted at by the Director of Public Relations for the Arizona Education Association, Joseph Stocker, "extremists of their right may be expected to continue their thrust at the public schools with the object, plainly and simply, of controlling the curriculum and brainwashing children . . . they will continue to seek these ends through election to school boards, control of PTA and censorship of the content of education."

A pamphlet entitled, "Extremist Groups", published by the National Congress of Parents and Teachers, documents some of the devious techniques employed by these rampant extremist organizations.

According to this informative pamphlet, an almost universally used subterfuge employed by extremist groups to effect control of local educational organizations and school boards is the front organization. It is the purpose of these front organizations to avoid the odium which would attach to the extremist group by the forthright use of its identifying name. Characteristically, a front organization adopts an inoffensive, preferably noncontroversial civic name. The purpose of the misnomer is to disguise narrow, unenlightened views.

Because of this deception, many unsuspecting, well-intended and civic minded citizens are duped into supporting a power grab by a group whose real beliefs and intentions they would find repugnant. In effect, they are led to believe that they are preserving our schools when actually they have become the unwitting tools for their destruction.

Another fraudulent technique used by a front organization for an extremist group is the so-called speakers bureau. Under the camouflage of the respectable name, for example, better schools association, community taxpayers organization, Committee for the Preservation of Suburban Schools, the front supplies those who, under the guise of objectivity, effectively peddle extremist propaganda.

The tactics used by the extremists and their shadow or screen organizations are many; infiltration is undoubtedly responsible for their major successes.

A favorite trick is to capture the key posts (for example, policy or program offices) of a PTA or other democratically structured organization. Front group representatives attend PTA meetings and harass the speakers with loaded questions. They heckle, obstruct, prolong meetings and make minority decisions after exasperated opponents have departed. They appear as indignant parents critical of the activities or comments of teachers. They proffer extremist literature to school libraries and criticize texts and school curricula.

Targets of their criticism are usually labeled with the epithets "communist" or "atheist" or "unpatriotic".

Evidence of extremist activity in a local school can be identified: A sharp rise in school board meetings attended; an influx of out of town critics of school activities and PTA meetings; sudden, excessive criticism of individuals, school officials; children using concealed tape recorders in class rooms; the receipt by school personnel of anonymous letters or threatening phone calls; the dissemination of hate literature among children, parents, and school board members.

The favorite strategy of extremist groups and their front organizations is the classic one of divide and conquer. By deprecating state and national organizations and culminating their leadership, they isolate local associations and take them over.

By encouraging irrelevant debates and programs within a school or civic organization, extremist agents disrupt the legitimate function and purpose of the organization.

The pattern of divisiveness is described by the national school boards association "when extremists launch an attack on the schools, it is aimed at dividing the community for the purpose of gravely hampering the educational progress of the children. Administrative teaching staffs sometimes quit; school board members are frequently forced to resign after controversy and harassment; parents become suspicious of teachers; children are instructed to spy on teachers."

The result of these tactics is to generate confusion, discontent and distrust among the citizens. Doubt and suspicion become rampant and, gradually, support for the school board is eroded. The use by the extremists of innuendo, invective, distortion, and half-truths can cause the most intelligent citizen to entertain doubts about school authorities.

Another divisive tactic employed by the extremists is the use of a black list and the fear label. The personal histories, political affiliations and private lives of educators, clergymen, civic and community leaders are researched and differences are exploited by labeling the public figure "subversive", "un-American", "radical", "pinko", and the like. Augmenting the smear campaign with the distribution of literature, poison pen pamphlets, the extremist element wreaks havoc in the community.

Where civic groups, local government and competent school boards have created a good, progressive educational system to save their children, divisiveness and the resultant take-over is often accomplished by the "straw man" tactic, in conjunction with the methods already mentioned.

The "straw man" tactics consist of injecting fanciful, non-existent or extraneous issues.

A classic example of this is evident in the recent injection of the so-called "school busing" issue in the current political campaign. The principal target for this attack of the extremist was our suburban areas. By spreading rumors of a Federal attempt to destroy local school autonomy by forced inter-district and long distance busing in order to bring about racial balance in the schools, the extremists and their front organizations succeeded in generating considerable publicity for the candidates they support—and activating the so-called backlash. They pushed their fear and smear campaign in the face of the truth, despite the continued reassurance by responsible Federal authorities that no such busing plan existed.

They persisted even in the face of the existence of firm congressional safeguards against a federal attempt to destroy local school system autonomy.

On numerous occasions the Congress has made it perfectly clear that it intends to preserve local control of our schools. Title I of the 1965 Elementary and Secondary Education Act specifically states that: "In the administration of this section, the Commissioner (U.S. Commissioner of Education) shall not exercise any direction, supervision, or control over the personnel, curriculum, or program of any school or school system."

The extremist cries of alarm continued even in the face of U.S. Commissioner of Education Harold Howe II clarification and assurances on the matter. In a communication to me on September 23, 1966, he stated: "Thank you for calling to my attention an allegation that the U.S. Office of Education is planning to introduce legislation to require busing of students to achieve integration or for any other purpose. This is not true. Additionally, I want to reaffirm clearly and explicitly our conviction that educational decisions reside in the local community as they traditionally have over the years. The role of the Office of Education in these matters is to stimulate innovative planning and to help support local schools in their search for better methods to create quality and equality of education for all youngsters in their community. The means to these ends are completely within the discretion and control of the local community itself."

Despite this widely-publicized statement by Commissioner Howe, the extremist element continued, indeed intensified, its cynical campaign of defeat, fraudulent assertion, misrepresentation and outright lie.

Nor did the recent act of the House of Representatives in adopting amendments to the 1966 Elementary and Secondary Education Act which clearly restates and reaffirms, in the most definitive language possible, the intent of the Congress to safeguard traditional local school autonomy, deter the extremist element from their determination to confuse and frighten the public.

In my own District, the bogeyman conjured by an extremist front group is still abroad.

An extremist is one who tries by any and every means to prevent the expression of views counter to his own. In the words of the PTA, they are committed to "rule by their own minority."

Miss Mary Anne Raywid of Hofstra University in my District has commented that "they are unwilling to permit the majority to rule, and indeed recognize no obligation to do so."

The dire threat to the Democratic principle posed by these extremist elements is clear. Our political system assumes, first the continuance of disagreement and conflict. Second, it assumes that disagreement and conflict will be carried on according to ground rules agreed to by all.

Only by observing these ground rules can we carry on the dialogue, the exchange of ideas from which progress emerges.

Obviously, the extremist groups in our nation are not willing to abide by these ground rules. Therein lies their destructiveness.

Their shameful attack on our school system is doubly dangerous because it threatens to destroy the institution charged with inculcating these ground rules in our youth.

Our public schools have the responsibility of engendering in our youth the understanding of the importance of the free exchange of ideas—according to the ground rules.

When we allow radical forces to erode the caliber of our educational system, to hamper the education of our children, we permit them to strike at the very roots of our democratic society.

We cannot afford to permit this attack upon the very basis of our democratic society. The education of our children must continue in an atmosphere free from the pollution of extremism.

I end by quoting the words of Senator CLIFFORD CASE of New Jersey on extremism. Senator CASE has said: "There are only two ways to meet extremism: full exposure to the full light of day and demonstrated competence by those who oppose extremism to deal with the problems and concerns of the American people. Extremists can gain no standing as champions of American interests, unless we abdicate our responsibilities."

Mr. STALBAUM. I mentioned the financing which the John Birch Society will be giving to the campaign this year, and I mentioned the figure of $12 million. We have not seen figures as to how much they have contributed, because they give it to various groups, although much of it is coming through the Republican Boosters Club. I would particularly like to call the attention of the Members to a statement of a colleague of mine that he made on this floor only last week on Monday, October 3, the distinguished gentleman from Michigan [Mr. O'HARA], on campaign finances in which he clearly shows the money which is coming from some of the John Birch groups. I will not—in order to avoid duplication—reprint his statement here at this point, but I would like to include in the RECORD a story on it from the Washington Post of October 5, entitled "GOP Gets Twitted on Bircher Gifts."

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The material referred to follows:

GOP GETS TWITTED ON BIRCHER GIFTS

Rep. JAMES G. O'HARA (D-Mich.) twitted Republicans yesterday for accepting financial support from John Birch Society members for the fall elections.

GOP complaints of a Bircher's contributions to the Democrats, O'HARA charged, were akin to "Mrs. O'Leary's cow voluntarily bringing up the subject of the Chicago fire."

House Republicans had complained of a $6,000 contribution by J. Edward Martin, a Birch Society member from Los Angeles, to the Democratic fund-raising President's Club. They sought to link the contribution to Government contracts for Martin's architectural-engineering firm.

House Minority Leader GERALD FORD (R-Mich.) added last week that he had returned a subsequent $1,000 contribution Martin sent him for the Republicans.

O'HARA called this a good start, but challenged FORD about other contributions.

He said $2,000 was given to the Republican Congressional Boosters Club by Mrs. Harry Bradley of the Allen-Bradley Corp., which regularly buys full-page ads in the John Birch Society's monthly magazine, "American Opinion."

Among the other Boosters Club contributions O'HARA listed were $2,573 from Gen. Robert E. Wood, whom O'HARA linked to groups "somewhat to the right of Louis XIV," and $12,000 from J. Howard Pew and his family.

Pew, O'HARA said, has been regularly listed as a member of "American Opinion's" editorial advisory board.

In returning Martin's $1,000 GOP contribution, FORD had said conditions attached by Martin made it unacceptable. He also told a reporter yesterday he did not consider contributions to the Democratic President's Club comparable to those given the GOP Boosters' Club. "We are in no position to offer any favors," FORD said.

Mr. STALBAUM. All of the evidence we see this year shows that the Republicans are going to be easily able to outspend the Democrats in spite of all the hue and cry they make as to the Democrats about the amount of funds that they have available.

On Sunday, September 25, the Washington Post had an article whose heading sums it up well when it says "GOP Spending Heavily on Campaigns in Congressional Races, Democrats' Dollars Are Outnumbered Almost 10 to 1," and then the details on this particular point.

It seems odd, Mr. Speaker, that the Republicans are making a big hue and cry about the President's Club when they are going to be able, according to this article, to outspend the Democrats almost 10 to 1 in the current campaign.

Mr. Speaker, I ask unanimous consent that this article may be incorporated in my remarks at this point.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

The material referred to follows:

GOP SPENDING HEAVILY ON CAMPAIGNS—IN CONGRESSIONAL RACES, DEMOCRATS' DOLLARS ARE OUTNUMBERED ALMOST 10 TO 1

(By George Lardner, Jr., Washington Post staff writer)

If money makes the man, Republicans should have no trouble at the polls this fall. The GOP is pouring more money into congressional races than ever before.

In the House, a spokesman for the Democratic Congressional Campaign Committee sadly observes, Republican dollars outnumber the Democrats' by almost 10 to 1.

Political spending reports filed with the clerk of the House for the first eight months of the campaign year bear him out.

They show, for example, that House Republican campaign committees had spent more money on four Iowa races by Sept. 1 than their Democratic counterparts had invested in every House contest in the country.

The GOP Congressional Boosters Club, which concentrates on bumping incumbent House Democrats, and the Republican Congressional Campaign Committee, which sends money to GOP incumbents, reported a combined war chest of $2.33 million so far this year. They have spent $1.84 million with roughly $475,000 more, primarily in Boosters' Club money, left for the final stretch to election day.

By contrast, the Democratic Congressional Committee, which has to finance both incumbents and Democratic hopefuls, reported income of only $239,000 for the year. By the start of the month, it had spent only $38,050, almost all of it in earmarked funds contributed with the understanding that it be passed on to a particular candidate.

Perhaps the best measure of the Democrats' plight is the fact that, aside from the funds raised at the big Democratic congressional dinner this May, the biggest single contribution on the House side came from the American Medical Association's Political Action Committee.

AMPAC, which made a similar $5,000 contribution to the Republicans, made it clear it wanted none of the money going to Democrats it doesn't approve of.

All of the Democratic money for House races reported so far has gone to incumbents in 46 congressional districts. Only two Congressmen. JAMES MORRISON (D-La.) and WILLIAM D. HATHAWAY (D-Maine), got as much as $2,000 for the fall campaigns. Most had received only $500.

Meanwhile, the GOP Boosters' Club, the records show, has singled out 127 congressional seats—those held by Democrats, vacant or newly created—for top priority spending. These are the districts where GOP hopes are highest. Twenty-four of the Republican challengers have gotten as much as $10,000 each so far, with more on the way.

FIVE THOUSAND DOLLAR INSTALLMENTS

The contributions are split into $5,000 installments, directed to separate committees for each candidate, to maintain a semblance of observing Federal laws limiting spending by House candidates to $5,000 each. Only state laws limit spending for the candidates by local political committees.

The Republican Congressional Committee has done its share by sending money to 103 GOP House members seeking re-election. For them, $2,000 contributions are the rule, not the exception. Rep. JAMES B. UTT (R-Calif.), an ultraconservative Republican in perhaps the safest Republican district in the state, got $5,000.

"It's my impression this is the most the Republican party has ever put into individual campaigns," said Kenneth Harding, director of the House Democratic Campaign Committee.

The Republicans agree. But they add that with only 139 seats in the 89th Congress, they have to make that extra effort, to show their devotion to the two-party system.

For the Senate races, the disparity isn't so great, but the GOP still shows a decided edge.

The Republican Senatorial Campaign Committee reported income up to Sept. 1 of $591,000, with $379,000 spent so far. The Democratic Senate Campaign Committee shows income of $310,000 and spending of $244,000.

DEMOCRATS FEEL PINCH

The Senate Democratic Committee says it's feeling the pinch most in helping to finance candidates who aren't incumbents. The Senate Republican Committee, for example, has sent Wyoming Gov. Clifford Hansen $7000 so far. The Democratic Committee has scratched up only $1000 for Hansen's opponent, Rep. TENO RONCALIO, in what shapes up as a toss-up race.

The Booster Club reports show GOP spending concentrated on the 63 House seats the Republicans lost in 1964 by margins of five per cent or less, and many others that promise to be close contests.

Former Rep. Steven B. Derounian (R-N.Y.) has been given $10,000 to do battle against the man who unseated him, Rep. LESTER WOLFF, who holds perhaps the shakiest seat in the New York Democratic delegation.

The Republicans are also going all-out to bring Iowa back to the fold. Four GOP candidates, including former Reps. John Kyl and Fred Schwengel, have been given $10,000 each to win seats the party lost. A fifth candidate, William J. Scherle, who won the GOP nomination only last week, can probably expect a check soon. Only the opponent of veteran Rep. NEAL SMITH (D-Iowa) seems to have been written off.

In North Carolina, the Republicans have also invested $10,000 to unseat Rep. HAROLD COOLEY (D-N.C.), Chairman of the House Agriculture Committee, who won in a close race in 1964. The four Republican candidates for the House from Mississippi have received $2500 each.

In Georgia, where GOP prospects are bright with Rep. HOWARD H. (Bo) CALLAWAY running for Governor, five Republican candidates for House seats have been sent $5000 each and another, $2500.

Contributions totaling $10,000 were forwarded to Alaska for Republican Howard W. Pollock's campaign against Rep. RALPH J. RIVERS (D), the State's only Congressman. RIVERS won by only 2000 votes in 1964 over Lowell Thomas Jr.

The Boosters' Club has poured $66,000 into California, $67,500 into New York, $41,000 into Michigan, $45,000 into Pennsylvania, $37,000 into Texas, $30,000 into North Carolina and $27,500 into Connecticut in the all-out drive to win new districts or recapture old ones.

All the campaign reports show that contributions are being doled out with a money-changer's impartiality.

The Senate Republican Committee has given $1000 to Rep. PRENTISS WALKER (R-Miss.) in his campaign against Sen. JAMES EASTLAND (D-Miss.) although Committee Chairman THRUSTON MORTON (R-Ky.) had said that WALKER wouldn't get a penny.

The Senate Democratic Committee expressed its preference for incumbents by giving more than $10,000 to Sen. ROSS BASS (D-Tenn.) before his primary battle with Democratic Gov. Frank Clement.

BASS, who campaigned as an all-out supporter of the Great Society, lost to Clement in August but Clement has yet to get any money. Sen. JOHN L. MCCLELLAN (D-Ark.) also got $10,000 although he faces no Republican opposition.

A spokesman for Democratic Committee Chairman WARREN MAGNUSON (D-Wash.) said the money was raised primarily "to help incumbents."

Mr. STALBAUM. Mr. Speaker, another article on this point appeared in the Wall Street Journal of September 22, 1966, giving a complete rundown on campaign stories entitled "Campaign Cash," and the subheading, "GOP Bests Democrats as Parties Seek Funds for Congress Races."

It goes on, and makes a comparison in this particular article on the Republican Congressional Boosters Club stating that it has quietly collected $1 million from its fat cats, and earmarked all this money for nonincumbent candidates in close House races.

With a statement like this from the reputedly well-known conservative paper, the Wall Street Journal, it is interesting to note that the Republicans apparently like to work quietly in this direction, but that they have been very quick to point out the efforts that the Democratic Party has made in this area in collecting funds.

I would like to include this article entitled "Campaign Cash" in my remarks at this point.

The **SPEAKER** pro tempore. Without objection it is so ordered.

There was no objection.

The material referred to follows:

Campaign Cash—GOP Beats Democrats as Parties Seek Funds for Congress Races—Republicans in Close Contests Due More Aid Than Foes; President's Club Stirs Ire—Cocktails for Contributors

(By Norman C. Miller)

Washington.—The underdog Republicans have already won an important contest that may well have wide influence in November's Congressional elections—the race for campaign cash.

With big and little GOP contributors coming through handsomely, Republican candidates in close House races can now expect to receive from the national party perhaps five times as much money as the Democrats will shell out to their standard-bearers.

In Iowa the five GOP challengers seeking House seats—Robert Johnson, Wiley Mayne, William Scherle and former Reps. John Kyl and Fred Schwengel—are scheduled to get as much as $15,000 each, "far more than we've ever been able to give any House candidates before," says one party official.

Victory on the fund-raising front, of course, doesn't necessarily lead to triumphs at the polls. But Republican strategists are convinced the party's well-heeled condition at this stage of the campaign gives GOP candidates an important jump on their Democratic foes in many of the 67 House races that have top priority in the Republican comeback attempt. The situation is a sure source of comfort for National Chairman Ray Bliss, Congressional Campaign Chairman Bob Wilson, and scores of party candidates.

NERVOUS FRESHMEN

Whether or not the GOP analysis is correct, the Republicans' comfortable cash position is giving many Democratic Congressmen, particularly freshmen facing close contests, a bad case of the jitters. Loud wails about a shortage of money and bitter bickering over fund-raising techniques are rocking the party. Some Democrats warn the party's skimpy financial support of its candidates indicates a dangerously complacent attitude about the elections.

Generally, though, high Democratic strategists contend the publicity, patronage and pork-barrel advantages enjoyed by incumbent Democrats will enable almost all of them to solve their money problems themselves. "If a Congressman can't raise his own campaign money, maybe he doesn't deserve to come back to Washington," says one flint-hearted guardian of the party's funds.

In any event, the current financial situation is presenting considerable irony.

Item: The hullabaloo about the President's Club, which by some accounts has netted the Democrats over $2 million from sales of memberships at $1,000 and up, is an embarrassment particularly hard for Democratic Congressmen to tolerate. It's not that they worry so much about Republican charges of influence peddling to "fat cat" contributors; what really galls them is that Democratic Congressmen haven't got their hands on a cent of the President's Club cash. The Democratic National Committee says that most of the money has been used to reduce the party's huge 1964 campaign debt.

THE GOP WORKS QUIETLY

Meanwhile, the Republican "Congressional Boosters Club," GOP counterpart of the President's Club, has quietly collected $1 million from its fat cats and earmarked all this money for non-incumbent candidates in close House races. And the Republican Congressional Campaign Committee has raised another $1 million for publicity services and direct cash aid to incumbent GOP Congressmen.

Item: The Republicans have successfully tapped small contributors for funds through massive direct-mail appeals, while the Democrats have leaned increasingly on big givers. The Republican National Committee says it now gets 70% of its operating funds from contributors of $10 to $20; gleeful GOP officials say the flood of small checks is adding up to as much as $40,000 a day. But the Democrats, according to recent estimates, are receiving only 30% of their money from small givers. Belatedly, the Democratic National Committee is cranking up its own direct-mail campaign and last week party workers across the nation went doorbell-ringing to appeal for "dollars for Democrats." But the grass-roots drive is more of a public relations gesture, to shine up an image of "the party of the people," than a serious fund-raising effort, Democrats concede.

Item: All the emphasis by the Democrats on contributions from big givers hasn't wiped out the party's 1964 campaign debt of some $4 million: National Committee officials says the party still owes "under $1 million." The debt is particularly bothersome because the National Committee since last December has been sitting on $600,000 that it's afraid to spend for any party purpose.

"SHAKEDOWN" CHARGES

The $600,000 was netted from corporate advertising in a party booklet entitled "Toward an Age of Greatness." Charges that the publishing venture was a "shakedown" of companies caused such a flap that Congress felt compelled to ban tax deductions for ads in party publications, thus effectively ending the practice. The Democrats are still wondering how they can spend $600,000 without risking another flap.

While the Democrats are pondering their financial problems, the Republicans already are dishing out substantial sums to their candidates. The GOP is convinced that the early availability of large amounts of money can give its candidates a crucial edge. "Money is second in importance only to the candidate himself," says a top Republican strategist. "With our contribution, a candidate can hire a campaign manager, buy billboard space, reserve air time for commercials and get his own fund-raising appeal off the ground."

Moreover, he says, firm assurances of hefty contributions from the national party were decisive in persuading "at least a half-dozen of our best candidates" to run for House seats. (The identity of these men is a closely guarded secret, as party leaders fear the candidates could be vulnerable to Democratic charges that they were "bought.")

Cagey GOP chieftains aren't passing out all the money as fast as it comes in, however. After an initial $5,000 allotment, candidates in key races are required to demonstrate they're running strong before they get another installment. A good deal of money will be held in reserve for the campaign climax and then poured into districts where strategists figure a blitz effort might tip the scales for the Republican candidate. "A quick $5,000 for more TV time can make the difference," figures one GOP official.

Such talk is having a decidedly unsettling effect on Democrats. The party's National Committee has promised Congressmen facing tough races that it eventually will give them some money, but Election Day is less than seven weeks away and on Capitol Hill these promises are being written off. "All I hear is 'yak, yak, yak' from the National Committee, but I don't expect to see one damn nickel," says a disgruntled freshman Representative supposed to be high on the committee's aid list.

Democrats can expect little more help from the party's Congressional campaign committees, which parted company from the National Committee early this year to run independent fund-raising campaigns. An official of the House Democratic Campaign Committee glumly says the group has only "tidbits" of money to hand out to selected Congressmen, a situation particularly irksome to many Democrats who grumble that crusty Rep. Michael Kirwan of Ohio, the committee's chairman, has a habit of passing out money more on the basis of friendship than need.

DEMOCRATS MISS GOLDWATER

Democrats are hoping that current fund-raising appeals by various liberal groups, plus contributions from labor's political war chests, will ease their financial pinch. But these organizations aren't likely to match their 1964 performances. "I can't see how we'll do as well as two years ago," says Rep. James G. O'Hara of Michigan, the fund-raising chairman of the Democratic Study Group, an organization of House liberals that hopes to aid some 50 of its Members running in closely contested districts. In 1964 the Study Group raised almost $100,000, but, says Mr. O'Hara, "All we had to do then was link a Republican candidate to Barry Goldwater and the liberals reached into their pockets."

The paucity of money from regular party sources has led to a proliferation of individual fund-raising appeals by incumbent Democrats. In Washington Democrats have been holding so many dinners, cocktail parties and cookouts at which the lucky guests are asked to cough up as much as $100 each that one party official who helps arrange such affairs remarks: "If I had to go to these things myself, I'd have to give up my job to find the time and steal to find the money."

The lobbyists who attend these affairs apparently feel they can justify their expense accounts more easily by reserving big donations for veteran members of Congress. This situation frequently leaves many first-term Democrats, who feel they have the greatest need for money, grasping at straws. Freshman Rep. Raymond Clevenger of Michigan recently staged a fund-raising "non-event," appealing to 2,500 Washington Democrats for $15 each for the chance to "avoid the gruesome ritual . . . of gulping a few drinks and gobbling a few raw shrimp" at a party he promised not to hold. Unfortunately for Mr. Clevenger, his non-event was good for only $2,000, far less than he hoped for.

Fund-raising gimmicks also are multiplying at the grass roots. At the state level the ban on tax deductions by companies advertising in party publications struck hard at both parties and left politicians scrambling for alternatives.

SETBACK IN CALIFORNIA

"There isn't anything that will replace our almanac," complains Craig Truax, chairman of the Pennsylvania Republican Committee, which normally grossed $300,000 a year from ads in its "Pennsylvania Almanac." The demise of the "California Yearbook" formerly published by the state Democratic Party "set back our fund-raising by 50%," laments Eugene Wyman, California's Democratic National Committeeman.

With campaign costs rising sharply, however, most state parties feel forced to think up new fund-raising gimmicks. The Wisconsin Republican Party is selling cookbooks at $2.50 each, and last Saturday Connecticut Republicans auctioned off such items as old baseballs autographed by Babe Ruth.

But these efforts are scarcely replacements for the lucrative ad booklets. The fund-raising problem on the state and local level is likely to lead to a serious drive in the next Congressional session for tax incentives to encourage contributions by ordinary people to political parties. President Johnson's proposal for individual tax deductions of up to $100 arrived too late on Capitol Hill to get anywhere this year.

The current success of the national Republican Party in reaping significant sums from small contributors, even without the enticement of a tax incentive, has led to new enthusiasm in both parties for such schemes. Our Democratic Party official cites a survey indicating that only 15% of all voters have ever been asked to contribute to a political party and enthusiastically declares that "the potential of direct-mail fund-raising campaigns is almost unlimited."

Of course, mass-mail campaigns risk infuriating some voters. The Republicans acknowledge that they have got back at least one letter filled with mud instead of money. And the Democrats got nothing but a horselaugh from South Carolina's Republican Sen. Strom Thurmond, who switched parties in 1964, when he received a Democratic appeal this year to "back your beliefs with money" to help "re-elect the legislators who can complete the job of making the Great Society a reality."

Mr. STALBAUM. Mr. Speaker, it is particularly interesting to note the specific areas where this money is being spent. There are 16 Republican candidates for reelection this year who were defeated in 1964. And I wish to incorporate as a part of my remarks at this point a rundown of these 16 Congressmen showing their name and their State, the amount of money they have received from the Republican Boosters' Club, and a brief résumé of the voting record they had while they served in Congress.

Suffice it to say their records are extremely conservative; that all of them voted against virtually all of the major forward-looking legislation of that time. We have, in the interest of brevity, taken only the major legislation which they voted against.

I would like, Mr. Speaker, to incorporate this summary in the Record at this point.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

The material referred to follows:

Rundown on 16 Republicans Defeated in 1964 Showing (1) GOP Contributions to Their Districts and (2) Major Negative Votes in 1963 and 1964:

BROTZMAN, COLORADO

(1) Received $10,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill, Urban Mass Transportation Act of 1964, Anti-Poverty bill.

(3) 1963: Voted against tax cut.

SIBAL, CONNECTICUT

(1) Received $10,000 from Republican Boosters Club. ($5000 to Sibal and $5000 to Sibal Committee)

(2) On list for $1,000 from Miss Frick.

(3) 1964: Voted against Food Stamp bill.

KYL, IOWA

(1) Received $10,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill, Urban Mass Transportation Act of 1964, Anti-Poverty bill.

(3) 1963: Against Clean Air Act.

SCHWENGEL, IOWA

(1) Received $10,000 from Republican Boosters Club.

(2) On list for $1,000 from Miss Frick.

(3) 1964: Against Food Stamp bill, anti-poverty bill.

(4) 1963: Against tax cut.

SNYDER, KENTUCKY

(1) Received $10,000 from Republican Boosters Club.

(2) 1964: Voted against Civil Rights Act of 1964, Food Stamp bill, Urban Mass Transportation Act of 1964, anti-poverty bill, Housing Act of 1964.

(3) 1963: Against Clean Air Act, Higher Education Facilities Act, Tax Cut.

WYMAN, NEW HAMPSHIRE

(1) No contribution listed from Republican Boosters Club.

(2) 1964: Against Civil Rights Act of 1964, Food Stamp bill, Urban Mass Transportation Act of 1964, Anti-Poverty bill.

(3) 1963: Paired against Clear Air Act; against Tax Cut.

OSMERS, NEW JERSEY

(1) $5,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill; paired against Anti-Poverty bill.

BARRY, CALIFORNIA (ORIGINALLY FROM NEW YORK)

(1) Received $5,000 from Republican Boosters Club.

(2) 1964: Against Food Stamp bill and Anti-Poverty bill.

DEROUNIAN, NEW YORK

(1) $10,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill.

(3) 1963: Voted against Tax Cut.

PILLION, NEW YORK

(1) $5,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill, Urban Mass Transportation Act, Anti-Poverty bill, 1964 Housing Act.

(3) 1963: Voted against Clean Air Act and Tax Cut.

TAFT, OHIO

(1) $5,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill, Urban Mass Transportation Act, Anti-Poverty bill.

(3) 1963: Voted against Clean Air Act and Tax Cut.

GOODLING, PENNSYLVANIA

(1) $5,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill, Urban Mass Transportation Act, Anti-Poverty bill.

(3) 1963: Voted against Clean Air Act, Higher Education Facilities Act, Tax Cut.

WEAVER, PENNSYLVANIA

(1) $10,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill and Anti-Poverty bill.

LLOYD, UTAH

(1) $5,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill, Urban Mass Transportation Act, Anti-Poverty bill.

(3) 1963: Voted against Clean Air Act, Higher Education Facilities Act, Tax Cut.

SCHADEBERG, WISCONSIN

(1) $5,000 from Republican Boosters Club.

(2) 1964: Voted against Food Stamp bill, Anti-Poverty bill, 1964 Housing Act.

(3) 1963: Voted against Clean Air Act, Higher Education Facilities Act, and Tax Cut.

HARRISON, WYOMING

(1) $5,000 from Republican Boosters Club.

(2) 1964: Voted against Civil Rights Act of 1964, Food Stamp bill, Urban Mass Transportation Act, Anti-Poverty bill, 1964 Housing Act.

(3) 1963: Voted against Clean Air Act and Tax Cut.

GARLAND, MAINE (DEFEATED IN 1962)

(1) $5000 from Republican Boosters Club.

(2) 1961: Against Emergency Feed Grains Bill, Area Redevelopment Act, conference report of Minimum Wage bill, 1961 Housing Act, Peace Corps Act.

(3) 1962: Against establishing Urban Affairs Department, 1962 Tax bill, Trade Expansion Act.

Mr. STALBAUM. Mr. Speaker, another colleague of mine who had to leave earlier in the day, and who desired to make some comments on this entire matter, and on the moneys coming into this campaign, is Congressman Helstoski of New Jersey. He has left his statement, which I ask unanimous consent to have inserted in the Record at this particular point.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

The material referred to follows:

Mr. Helstoski. Mr. Speaker, we are only four weeks away from the election in which the people of the United States will decide whether our Democratic Party has presented a good program for the people or whether the conservative and ultra-conservatives of the Republican Party can do a better job in the Congress.

As we approach election day, the "true blue" conservatives are taking a more and more active part in the election campaign. Last year there was formed an organization which calls itself the United Republicans of America. This organization, through its executive director, D. Bruce Evans, announced that it would financially support any conservative Republican who was faced with liberal opposition. It has gone so far as to mark 77 liberal Democrats as their target for defeat during this Congressional election.

I object very strenuously to the statements made by these conservatives that this Congress is a rubber stamp for the President's proposals to assist the people of our Nation. I have voted for these programs because I felt that they were worthwhile progressive legislation. We cannot say that we are neglecting our schools and their educational potential. We cannot say that we have thrown the elderly citizens aside. We cannot say that we are unconcerned about clean air and clean water. These are but three of the proposals set out by this Administration for a better way of life of the people which we represent in this Congress.

Yet, in spite of the record we have made here, these conservative groups are committed to support the Republican conservative candidates through large donations to defeat the liberal candidates seeking to return to Congress.

The United Republicans of America, which, as I stated before, were organized last year, listed several Republican members of this House as members of their advisory board. Within a few days after this announcement was made, two of the Members of Congress announced that they have disassociated themselves from the group. Is it possible that these advisory board members were just drawn out of a hat, on a come be chance basis?

Now let me ask you where is this money coming from to finance these conservative candidates' campaigns? Well, the New York Times of Wednesday, June 8, 1966 told the story. It states that fifteen GOP hopefuls, chosen by the former Vice-President as prime prospects for victory this fall, have opened their mail in recent weeks and found unsolicited $1,000 checks from Miss Helen Clay Frick. Each check contained a note from Mr. Nixon expressing the hope that this money would be of aid to the candidate's campaign.

Miss Frick is the only surviving daughter of Henry Clay Frick, the multimillionaire industrialist who was the principal figure in the United States Steel, the Pennsylvania Railroad and other giants of the 19th century industrial expansion. She is a long-time supporter of Republican causes and her latest contributions to this cause failed to elicit any light on the reason for her "generosity" to Republican conservatives.

This Congress made sure that millions of Americans would not be deprived of the many substantial landmarks bills enacted in 1965 and thus far in 1966.

Obstructionism in the 89th Congress was exercised daily by ultra-conservative Republicans already in the House. If this group had been larger by some 30 more members, vital programs such as medical care for the aged and the anti-poverty program would not have been laws of the land today.

Just look at the record votes of some of these ultra-conservatives on the major legislation passed by this Congress. You will find a definite pattern to kill these programs. They would vote for recommital of legislation, which in many cases means the death knell to a bill, and, failing that, changed their mind and voted for the legislation. With this vote on the record, they can go back to their districts and, in honesty, say they voted for these liberal measures. But, there has never been any mention of the previous roll call on the killing of these programs.

Mr. Chairman, I ask that the Republican Party repudiate, once and for all, all ultra-conservative candidates attempting to attain or recapture public office with the support of right wing funds and workers.

Mr. STALBAUM. Mr. Speaker, one of the interesting items which the Republicans have attempted to throw at those of us who are serving in this Congress is our voting record.

I think it only fair that we show that even in this Congress, in spite of their defeat, as shown in my summary of 1964, that we have a tremendous record of obstructionism and negativism by those who are here. This can best be shown by tabulation of their voting records on the major legislation which has been before us during 1965 and 1966.

I have had summarized a tabulation record of obstructionism and negativism in the 89th Congress showing the percentage of votes of Republicans as against legislation both in the House and in the Senate on all of the major legislation we have had.

I ask unanimous consent that that be incorporated in my remarks at this particular point.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

The material referred to follows:

RECORD OF OBSTRUCTIONISM AND NEGATIVISM IN 89TH CONGRESS

HOW REPUBLICANS VOTED IN 1965

Antipoverty

Ninety percent of House Republicans to recommit bill.

Eighty-two percent of House Republicans against final passage.

Ninety-six percent of Senate Republicans against final passage.

Elementary-secondary education

Sixty-eight percent of House Republicans to recommit bill.

Seventy-three percent of House Republicans against final passage.

Forty-four percent of Senate Republicans against final passage.

Medical care-social security

Ninety-three percent of House Republicans to recommit bill.

Fifty-three percent of House Republicans against final passage.

Fifty-two percent of Senate Republicans against final passage.

Voting rights

Eighty-five percent of House Republicans to recommit bill.

Department of Housing

Ninety-six percent of House Republicans to recommit bill.

Ninety-three percent of House Republicans against final passage.

Sixty-six percent of Senate Republicans against final passage.

Omnibus housing

Ninety-seven percent of House Republicans to recommit bill.

Eighty-one percent of House Republicans against final passage.

Seventy-three percent of Senate Republicans against final passage.

Public works and economic development

Ninety-two percent of House Republicans to recommit bill.

Seventy-five percent of House Republicans against final passage.

Thirty-five percent of Senate Republicans against final passage.

Appalachia assistance

Sixty-eight percent of House Republicans to recommit bill.

Eighty-one percent of House Republicans against final passage.

Fifty-eight percent of Senate Republicans against final passage.

Omnibus farm program

Eighty-nine percent of House Republicans to recommit bill.

Eighty-five percent of House Republicans against final passage.

Forty-seven percent of Senate Republicans against final passage.

Foreign Assistance Act

Eighty-nine percent of House Republicans to recommit bill.

Sixty-six percent of House Republicans against final passage.

Thirty-four percent of Senate Republicans against final passage.

HOW REPUBLICANS VOTED IN 1966

Civil Rights Act of 1966

Sixty-three percent of House Republicans to recommit bill.

Forty-five percent of House Republicans against final passage.

Extension of 1964 Urban Mass Transportation Act

Fifty-three percent of House Republicans against final passage.

Department of Transportation

Ninety-six percent of House Republicans to recommit bill.

Minimum wage

Seventy-two percent of House Republicans to recommit bill.

Second supplemental appropriations bill for fiscal 1966

(Included funds for rent supplements and Teacher Corps)

Ninety-five percent of House Republicans to recommit bill.

Sixty-five percent of House Republicans against final passage.

Unemployment compensation

Seventy-one percent of Senate Republicans against final passage.

International Education Act of 1966

Fifty-four percent of House Republicans voted against final passage.

Food for freedom

Ninety-five percent of House Republicans voted to recommit bill.

Highway authorization

Ninety-six percent of House Republicans voted to recommit bill.

Tax Adjustment Act of 1966

Eighty-three percent of House Republicans voted to recommit bill.

Sixty-six percent of House Republicans voted against final passage.

Mr. STALBAUM. In spite of all this conservative background and development and control, the Republicans in this campaign apparently are intent on giving the impression that they are something other than what they are.

This was best illustrated by a secret campaign document which they put out in the State of Pennsylvania and which, unfortunately for them, fell into Democratic hands. It is my understanding that a similar statement was put out in the State of Colorado.

I do not have a copy of that statement before me at this time, but our colleague, the gentleman from Pennsylvania [Mr. RHODES], on September 29 has placed the Pennsylvania statement in the RECORD together with his comments.

Mr. Speaker, I ask only because it is so vital to the point we are making here that only the statement itself be reprinted at this particular point.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

The statement is as follows:

REPUBLICAN CAMPAIGN STRATEGY

OUR YEAR IS 1966

The year 1966 is one of victory—of reckoning—of setting right the errors of the past and restoring a proper sense of values to the American scene.

While the opportunity is national in scope, realistic estimates for victory in Pennsylvania exceed all hopes of previous years.

The breaking of the strangle-hold of entrenched unionism is a prospect that is imminent—if we do not make the mistakes which have characterized our efforts in the past.

Not all that we have done has been wrong. Even the Goldwater fiasco has had its useful and productive aspects.

One thing is clear—from a political view, at least. It is more hazardous to advocate the conservative view than it is to implement it.

The voters may have rejected Goldwater—but not the Goldwater viewpoint.

Actually, the margin for Johnson nationally and in Pennsylvania, as well, came about by reason of a shift of the large body of voters in the center. The center—or moderate—group was reluctant to hazard support for a man who so vigorously advocated a course of action and a set of public values with which they—the people—had much sympathy.

One must recognize that our tradition has its roots in a set of laws and moral standards which cannot be defied or flaunted—no matter how irksome or irritating they may be in terms of personal comfort, desires or preferences.

IMPLEMENTATION VERSUS ADVOCACY

Thus the public figure who advocates a public policy which runs counter to the "proper" concepts of justice and equality imperils his cause—even though there may be sympathy on the part of an overwhelming majority of the voters for such a position.

To be sure—these concepts of justice will vary from area to area. Nevertheless, the proposition applies to Pennsylvania—providing of course that adjustments are made to accommodate local tradition, history and circumstances.

In terms of these considerations, we can better evaluate the various factors in Pennsylvania which are pertinent to our over-all objective, namely—to this state and for the uninhibited growth of industry and commerce.

WHAT IS IT WE SEEK?

Perhaps it would be prudent for us to restate our goals.

The enactment of Right-to-Work legislation in Pennsylvania is not an ultimate goal—but rather a step—albeit a large one—in the right direction.

What we want is to change the climate—the atmosphere—so that membership in a union is not regarded as necessary or desirable. What we want is the creation of social standards under which union membership by the working man is unnecessary, if not actually undesirable.

Of course—legislation banning the union shop must be regarded as important—and perhaps necessary. But by no means can we view this as the ultimate goal toward which we strive.

The Indiana story is an appropriate and timely illustration of shortcomings of such a limited objective.

The solutions to our problems are to be found in the political arena. It is here where we must devote our major efforts and resources.

The immediate goal, it recurs, is the political victory which will combine the understanding of a friendly Governor with the cooperation of a friendly General Assembly.

Such a victory is now in the making through a combination of circumstances, some of which the Democratic and labor bosses helped to create and others which the Republican leadership—finally aware of the realities of political life—have skillfully, intelligently, and carefully preserved.

We need to make certain that no intervening recklessness or blundering will derail such a victory.

PROSPECTS FOR 1966

As has been already reported, our surveys reveal that Republicans can win the November 1966 elections as follows:

A Republican Governor.

A Republican Secretary of Internal Affairs.

Two Republican Superior Court Judges.

A Republican Congressional Delegation consisting of at least 4 to 7 seats in addition to the 12 already held by Republicans.

General Assembly—Under any reasonable reapportionment plan, firm control of both chambers as follows:

A Republican State Senate consisting of from 33 to 36 seats instead of the 28 now held by Republicans. (26 are needed to pass legislation.)

A Republican House of Representatives consisting of from 120 to 135 seats instead of the 93 now held by Republicans. (102 are needed to pass legislation.)

These are not assured gains—they are however, realistically attainable—if we do not yield to the usual tendency to become careless in the face of apparent success.

A SUMMARY OF CONCLUSIONS

A number of conclusions, previously discussed, bear repetition—in summary form:

1. Political victory is essential to our goals. Hence, the emphasis should be on winning—and in doing what it takes to win.

This means that, if an honestly conservative position will not produce victory in Pennsylvania (and the record is clear on that score) our candidates must present themselves as moderates or "center-of-the-road" liberals.

2. We have had repeated demonstrations of the effectiveness of the course followed by the "Pennsylvanians for Right-to-Work." It will be remembered that we counseled against the selection of a well-known Pennsylvanian to head up this activity. The choice of James Scott—unknown in this state until his appointment, and the selection of an equally undistinguished group of Pennsylvanians as officers and directors has proven to be effective in a most critical manner. It has made it possible for our friends in office to disclaim any affinity with our objective—or at least to maintain silence.

This has deprived the Democrats and the labor bosses of an otherwise valuable political weapon in a state where the proportion of union members to the total labor force is so high. The value of this position was evidenced in the 1962 elections. It will be even more important in 1966.

It is a foregone conclusion that Section 14(b) of the Taft-Hartley Act will not be repealed in 1966. Thus, the emphasis will shift to the Pennsylvanian scene and we must safeguard the imminent victory against any effective intrusion of this issue into the campaign.

In this connection, it is hoped that the right candidate is selected to head the ticket. Every effort should be made to blunt the thrust of the Schweiker forces and to make secure the Shafer nomination. In any event, even Schweiker, at the head of the ticket, will not be too damaging if we can head off the emergence of a vigorous anti-Schweiker hostility among our friends. This would only serve to strengthen Schweiker's prejudices and perhaps make him rigid and intractable should he be elected Governor.

3. The Democrat mess in the House of Representatives could not have been more complete if we had planned and manipulated their actions. To be sure, the 1965 session, despite the image it has gained, is not without merit or accomplishment. But the Democrats have failed to gain such identification in the public eye and remain, instead, "guilty" of obstruction, insincerity, partisan selfishness, etc. We could not have planned it better, had we written the script.

The best weapon at our disposal is the tag of "big-city-bossed" control of the Democrat majority in the House. This should be constantly invoked—at every turn. It is clear that if we can't connect it up—the Smith-Lawrence axis will help us. The role of the press, which had expected quite a different show, has been most helpful.

Our candidates must, for their own part, seek to be free of such an identification. There should be frequent public dissent and disagreement—so that individual candidates can be free of the charge of domination. Demonstrations of this in Dauphin, Montgomery, Delaware, Allegheny, and other counties as well as the suggested differences between the Republican leadership, the Governor himself, have benefitted all concerned.

The "labor" factor must be properly understood and dealt with. First of all, there is no need to molest the leadership of unions in Pennsylvania. These leaders are, in the main, vain, insecure, and frequently too lazy to undertake genuine, effective, political activity.

The State AFL–CIO is in reality a "paper tiger." It has no real teeth of its own. Its effectiveness lies with the local rank and file members with whom it has only a casual relationship. And, deprived of real issues, it can do little to arouse the locals throughout the state to any appreciable degree.

As previously indicated, only an issue as basic as the U.C. revision could enable the state organization to promote such intensive local stimulation. Without a similar "cause" the State AFL–CIO would find it impossible to approach anything reminiscent of the "March on Harrisburg." It is important that we avoid creating such an issue around which local leadership and membership could be rallied.

(There is general agreement that it was then correct to avoid entrapment in another U.C. fracas. We observed pointedly that all the "steam" had gone out of the ardent push by the state labor bosses to rally support for a return to previous U.C. standards. There is an apparent lack of interest in pushing H.B. 1147, and the paucity of "mail-from-home" is a demonstration of such indifference. We again recommend that the Governor and his associates, together with the Republican legislative leaders, take pains to avoid involvement in unwarranted, unnecessary debates with the labor bosses. Any reference to a favorable balance in the U.C. fund should be casual, at best, and always, without variation coupled with a report on full employment, decreased joblessness, and declining Public Assistance rolls. This is really not an issue that the Democratic leaders can or even want to exploit and they know it. We should not forget this—particularly in the heat of the '66 Campaign.)

At the local level, where the strength of labor lies, we have an opportunity to do our best work. There is no reason for Republicans to be at odds with local union leaders. There are many opportunities for the establishment of rapport.

With a little imagination and resourcefulness, labor leaders at the local level can be neutarlized—if not actually won over. The offer of jobs or "bribery" in any of its forms is worthless—it just doesn't produce the desired results.

Quite to the contrary, a little recognition—not necessarily of Republican labor leaders—but of the established, recognized leadership—will do the trick simply and effectively.

There is no reason for our friends in the service clubs to avoid bringing these leaders into such groups—as members. There is no reason for our friends to avoid public demonstration of friendship and recognition. A little of this will go a long way in neutralizing the leadership in many communities where open hostility now exists.

5. With respect to public posture on Right-to-Work, it is totally unnecessary for Republican candidates to say anything at all. Moreover, the statewide position of Republican leaders is fairly well established and can be referred to when a challenge is made. The action of our Republican women was most imprudent and hazardous—particularly since it was gratuitous and unnecessary. By all means—we must be vigilant against any recurrence of such unprovoked, unnecessary enthusiasm for a cause—no matter how valid—when silence would have served our purposes so much better.

6. We should have learned by now that we can oppose programs and policies without the need to denounce or otherwise agitate against them.

We do not need to oppose Medicare—rather—we must attack the manner in which it is being administered.

We should not be fighting the Appalachia programs or the "War on Poverty." We can more effectively denounce the waste and incompetence which characterize the implementation of these programs.

Under no circumstances should we be drawn into a quarrel with President Johnson on Vietnam. It will gain little for us—and in addition—Senator DIRKSEN and the Republican National Committee can and will be doing a far more effective job in this field.

We should do more—constantly—to destroy the hold of the Democrat effort, we will have the help of the leadership of Minority groups. In this effort we will have the help of the Democrats who are unable to cope with the demands of the minority groups on one hand—and the fears of the big city white groups who are resisting what they regard as capitulation of the Democrats to these minorities. Wherever possible we should not become involved in integration problems as they affect schools and housing. It should be remembered that the big-city Democrats are responsible for the solutions—(which do not come easily)—and it is our right to appropriately call them to account for vacillation, evasion, and insincerity.

> Adroitly handled—with appropriate restraint—Republicans can make huge inroads in the so-called Democrat strong-holds among Negro, Italian and Irish Catholics and Jewish sections of the large cities.
>
> The imminence of a Specter victory in Philadelphia and a Lindsay win in New York should be the basis for a careful review and evaluation of our posture with respect to these minority groups.
>
> Finally, we should avoid joining publicly in denouncing the United States Supreme Court. We should be careful not to become embroiled in the "one man—one vote" imbroglio. The State Supreme Court will apportion Pennsylvania and the rest is academic. There will probably be no return to the old days—and we should seize present opportunities to win in 1966—particularly because we can win.
>
> It should be remembered that the public referendum route is not the way to win abolition of the union shop. Ohio, Oklahoma, Washington, and California have all provided us with enough evidence of such folly. (Remember Knowland and Bricker?)
>
> We can accomplish more by virtue of friendly control of the Governor's office and the General Assembly.

Mr. STALBAUM. Mr. Speaker, I have attempted not so much by words or statements but by documentation and by the documentation of those of our colleagues who have also participated in showing that the Republican Party and the leadership of the Republican Party is still having a love affair with the far right extremist groups and that this has not minimized itself at all since 1964 but rather it is as strong as ever.

It is high time, and this is the purpose for my taking this time today, to show the American people that in spite of anything that might be said, the Republican Party is still the same conservative group that nominated Barry Goldwater in 1964; and that in almost every instance where a challenge has been made to this conservative group in the country, they, the conservative group have been successful in getting their candidates nominated.

Let no one be deluded into thinking that there is a new Republican Party, or a forward-looking Republican Party, or a Republican Party of ideas because the efforts of any such groups as my colleague, the gentleman from Utah [Mr. KING] has pointed out as well as my colleague, the gentleman from New York [Mr. MCCARTHY]—the efforts of those groups are usually beaten down within the Republican Party. Furthermore, we can see from the voting record, which I have filed as a part of my statement here today, that even in this Congress the voting record of the Republican Members is far more reactionary than one would believe from the statements that they attempt to put out.

THE HUNGARIAN REVOLUTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Virginia [Mr. MARSH], is recognized for 1 hour.

Mr. MARSH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARSH. Mr. Speaker, I have asked this special order for the purpose of calling to the attention of the Members of the House and to others the approaching 10th anniversary of one of the most significant events in the 20th century. I refer to the Hungarian revolution which erupted 10 years ago in Budapest on the 23d day of this month. It is a date that should not be overlooked in our country and in the Western World. It is a date that free men should not ignore although there are those who would wish to forget and permit it to slip by unnoticed.

Kipling in his immortal "Recessional," in that oft-quoted verse, would observe:

> The tumult and the shouting dies,
> The Captains and the kings depart,
> Still stands Thine ancient sacrifice,
> An humble and a contrite heart.
> Lord God of Host, be with us yet,
> Lest we forget, Lest we forget.

I mentioned that there would be those to whom the 10th anniversary of this revolution would have special meaning. It will have special meaning for different reasons. I would like to discuss some of these reasons and some of the interested parties who are tied into this great historical event.

First. It will have deep and perhaps tragic meaning to thousands of Hungarians who for a brief instant in history threw off the shackles of a tyrant. It will have meaning to those who felt the devastation of war and resulting imprisonment because of their actions. It will have meaning to those Hungarians whose relatives gave their lives to a noble cause.

It will have special meaning to thousands of Hungarians who fled their country and sought refuge in the West. To them, it will recall moments of great risk, fear, courage, suspense, and terror.

This anniversary will have meaning to the Assembly of Captive European Nations, an organization who by its being symbolizes resistance to Soviet tyranny and which keeps before the free world the reminder of democratic regimes whose national destinies have been buried in a graveyard established and maintained by Lenin, Stalin, Khrushchev, Mao, Castro, and Ho Chi Minh.

Second. This 10th anniversary will have an ominous meaning to the Communist bloc countries and the Soviet Union in particular. It will haunt them and recall to mind how really fragile and shaky is their empire that holds hostage the people of East and Central Europe. As they look back over this event, and look at those who participated in the Hungarian cause, it will reaffirm again the distrust of creative freedom and the power of ideas. Because they know, notwithstanding all of their protestations to the contrary, that those who toppled the Hungarian Communist regime and for a few brief days challenged successfully the power of the Russian Army, included in this brave group the writers, the journalists, the engineers, the athletes, the students, and the artists.

As John McCormac from the New York Times on the 4th of November 1956, writing from Budapest, would observe in his column:

> This Hungarian revolution was not one from the top. It came from the bottom. It originated among the intellectuals. It was started by the writers and journalists, as was the Polish. The university students participated here, as they did in Poland. The workers—the base on which communism is supposed to be built—trailed behind.

Third. The Hungarian revolution should have a special meaning to America and to the Western World in their pursuit of freedom and international peace. Because the Hungarian revolution proves that international peace will only be obtained when it has been achieved so as to make men free. This is why we are in South Vietnam: to achieve peace and freedom.

We must not forget the words of Rousseau, who would write nearly 200 years ago in the 18th century:

> Man is born free, but everywhere he is enslaved.

For those of us in America, we must not forget that man is still enslaved and who enslaves him. How permanent can any peace be when you accept the Soviet version of peace with the muffled tramp of the boot in the police state that seeks to crush every human aspiration of creativity, individual opportunity, and basic justice?

The Hungarian revolution will always be remembered as one of the great events in history that needs no tribute that we might pay it here on the floor today; however, our tribute can best be paid by the lessons it teaches a decade later.

Now, 10 years later—10 short years—we find ourselves in the spirit of detente with the Russian Bear. Now the easing of tensions and detente can be a very good thing in a troubled world faced always with the terrifying specter of nuclear holocaust. But we must be certain it is not a one-sided detente and we must be certain that it does not involve a Trojan horse.

All of us are glad that the Soviets would release one of our Peace Corps volunteers, which has been described in the current issue of Newsweek, and I quote:

> In an obvious gesture of good will, Russian authorities last week released an American Peace Corps teacher named Thomas Dawson, after holding him for 21 days for mistakenly stumbling over the Soviet-Iranian border.

An obvious gesture of good will? What about the treatment of that other young American who ventured across a Soviet border? I refer to young Mott. Was that in the spirit of detente?

Mr. Speaker, I submit to you that we can only judge people by their actions, because their actions speak louder than words.

What has changed since Budapest, 1956? As we look at reassurances, and various overtures in reference to international air travel between our country and Russia; as we look at the possibility of a treaty with respect to the control of proliferation of atomic weapons; as we look at the spirit of fellowship that is genuine between our athletes and Soviet athletes in international games; as we view the talent of Russian ballet in cultural exchanges; as we note the sincere friendship and admiration that exists between American people and Soviet people when they can meet at a personal level; as we look at the test-ban agreement; as we look at the struggle between China and Russia—all of which and many more have been cited as evidence of detente—let us also look at some of the other aspects of the last decade since Budapest, which I feel run contrary to the spirit of detente and which actions, I feel, speak louder than words, as the intent of our so-called friends at the Kremlin.

What about East Berlin? Have the Soviets ever ceased for one moment to hold down the Iron Curtain of Red slavery on this lonely stage? What about the recent Berlin crisis? When it was necessary for this Nation to recall to active duty some of its Reserves to meet the threat that was being posed there? What about the Berlin wall—that ugly monument that casts its shadow across all of Western Europe—erected not to keep people out, but to keep people in? Would it not be a fitting gesture of Soviet sincerity of friendship to evidence their good faith in the search of international peace under freedom that they would first tear down and reduce to rubble this ugly pile of concrete that men and women have died seeking to climb?

What about Cuba? The infiltration of that revolution that would subvert the real aspirations of the Cuban people as Lenin and the Bolsheviks would subvert the real aspirations of the Russian people of their revolution during World War I. How does the spirit of detente coincide with the indictment of the late Ambassador to the United Nations, Adlai E. Stevenson, in describing the Cuban missile crisis using the following language:

> That shameful wall in Berlin, not to keep anyone out of the East but to prevent even greater numbers from fleeing to the West; and the Soviet Union's attempt in 1962, acting with stealth and deception, to transform Cuba into an offensive bridgehead of nuclear blackmail.

The Cuban missile crisis that nearly upset the balance of military power, that nearly outflanked the defenses of the Western World: What would our strategic situation be today had we not taken the vigorous action in this country we took under the leadership of the late President to meet that threat?

Has the Soviet Union, since Budapest, even in the last weeks, or last months or last year, reduced its worldwide espionage operations? Has it reduced its subversive activities in the various countries of the free world?

Have the leaders of the Soviet Union ceased to persecute the Jewish people of that nation? I submit that they have not.

Have they stopped building intercontinental ballistic missiles? In a recent publication of Orbis, a quarterly journal of world affairs, published by Foreign Policy Research of the University of Pennsylvania, was the following statement:

> Yet the Soviets appear to have embarked upon a major program to narrow and perhaps close the strategic gap. By 1968 they are expected to deploy more than 600 ICBM's. Moreover, it has been estimated that they have doubled their nuclear stockpile during the past year to about 12,000 megatons, while the United States has not increased substantially its nuclear stockpile of 25,000 megatons. Thus the Soviet Union, by 1968, may have reduced significantly the strategic margin that the United States enjoys. (Orbis, summer 1966, vol. 10, No. 2.)

Why do they continue to build with such earnestness an antiballistic missile system? Do they really believe that we would strike them first, or rather, are they developing their offensive and defensive missile capabilities in order to checkmate our retaliatory-strike capabilities and thereby upset the balance of nuclear power?

Have they, since Budapest, stopped their propaganda broadcasts containing repeated messages of hate and abuse of the United States and of the free world? In an article entitled the "Role of Intelligence in the Cold War," by Allen Dulles, former Director of the CIA, Mr. Dulles observes in the book, "Peace and War," published in 1965:

> With some of the most powerful transmitting stations in the world, they beam their messages to practically every major area of the world. They step up their propaganda to the particular target areas which they consider to be the most vulnerable, and adjust it as their policy dictates.

These messages, rather than carrying the message of peace and good will, are inflamed with prejudices, renew ancient hatreds, seeking to promote violence, revolution, and unrest. In the spirit of detente, why do they not cease and desist from this worldwide propaganda effort?

Then what of Vietnam? Are there evidences of detente, half a world away in this isolated piece of real estate that holds the destiny of all of southeast Asia? The evidence is to the contrary.

Is there a Soviet presence by way of support and assistance in North Vietnam? The answer is "Yes." That answer need not come from our own intelligence sources, because the Soviets have announced to the world that Russian antiaircraft equipment and military personnel are present in North Vietnam, assisting in taking the toll of American aircraft that we continue to lose at an alarming rate in that area of the world.

I read to you the following statement appearing in the News of the Week in Review section of the New York Times newspaper published Sunday last:

> Just before the aid agreements were announced, the Ministry of Defense released vivid reportage of how Soviet missile specialists are risking death side by side with the Vietnamese under U.S. bombing raids. The report in the military newspaper Krasnaya Zvezda (Red Star) confirmed what Washington had long known—that Soviet military support to North Vietnam includes personnel as well as materiel.
>
> These details of Soviet military aid to Hanoi come out only piecemeal and seemingly incidentally. Other indications come from Washington: that the number of batteries firing antiaircraft missiles has been increased from four last fall to 25 or 30 now; that the radar network over North Vietnam is more intensive than over Eastern Europe; that conventional antiaircraft batteries have more than trebled in the past year.

Is this the spirit of detente?

Since Budapest, have they given up their practice of economic warfare? Mr. Speaker, they have not. On the contrary, it is on the increase. Crude oil is one of the principal weapons of their economic offensive. In support of this, I call to the attention of the House a report of a special study mission to Europe chaired by the distinguished Member from New York [Mrs. KELLY] submitted to the House February 1963, which directed its attention to the "Soviet Economic Offensive in Western Europe"—the title, incidentally, of the study.

I direct particular attention to the manner in which prices of Soviet crude oil are reduced for markets that they seek to penetrate, and how these reduced prices are recouped by higher charges for crude oil furnished to the hostage satellite countries of Eastern Europe.

Has there been any letup of this economic offense?

What of the remark of the former Chief of State of the Soviet Union, Mr. Khrushchev, uttered since Budapest, "We will bury you." Khrushchev has been deposed, but has any responsible leader of the Soviet Union repudiated this remark? Mr. Speaker, they have not.

Since Budapest, are there free elections in Eastern Europe or in the Soviet Union? There are not.

How peaceful is peaceful coexistence? Does not this policy enunciated principally since Budapest aver that they will still pursue their aims of world domination, using means short of all-out general war, but specifically not excluding wars of "national liberation" of which Vietnam is a case in point? Have the Soviets not declared that they will support these types of conflicts, and does the record not show that they not only are supporting it by the supply of arms to North Vietnam, but seeking to inspire them in other places of the world and make us extend our forces and exhaust our resources?

In summary, Mr. Speaker, it seems to me that in the 10 years since Budapest, we have seen an acceleration of this conflict we call the cold war—a conflict waged economically, politically, psychologically, and militarily.

There are lessons for us in America and the West as we approach the 10th anniversary of the Hungarian revolution, and I submit to you that some of them are:

First. That this was a spontaneous outburst of a people disgusted with the abuses of a totalitarian regime;

Second. That within the satellite countries, there is a continuing restiveness and demand for freedom;

Third. That there is a popular support lacking in Communist countries for the Communist regime;

Fourth. That there is sham in the Warsaw Pact. Under the terms of the treaty of 1947 at the close of World War II, Russia was permitted to maintain occupation troops in Hungary in order to service lines of communication with Soviet forces in Austria. In the Austria Treaty of 1955, it withdrew Soviet forces from Austria. The Warsaw Pact was created for the purpose of maintaining Soviet forces in the satellite countries for the purpose of crushing local insurrection and for population control and not as they would have the world believe, to form a counterforce to the NATO defense establishment.

Finally, Mr. Speaker, the Hungarian revolution made plain that the foremost colonial power of the world today is the Soviet Union; that they are not really revolutionaries but are the forces of reaction. It is a shaky empire built on feet of clay that runs contrary to every human aspiration.

Budapest will always be remembered in the cause of freemen. We can best remember it and pay tribute to it by learning from it. In the article of Mr. McCormac of the New York Times which I mentioned previously, he closed his dispatch from Budapest with the following words:

> AGAINST COMMUNISM
>
> Although the demonstrators were mostly university students and admission to the university was restricted largely to the sons of workers and peasants, they demonstrated that theirs was not in any sense a Communist demonstration. The banners they carried, the songs they sang and everything they did showed that they were demonstrating against communism. It was communism they hated and they began to hate the Russians only when these were called in by their Communist rulers.
>
> From the first day of the revolution, the revolutionaries with whom the writer has talked have insisted that there must be a multi-party system in this country and that the Hungarian Communist party must participate in free elections. Their obvious intent is to demonstrate that, when the voter is given a free choice, he will vote against communism.

Why do not the Soviets give the people this choice?

Until they do, can we afford to take the risks that this may be a one-sided detente? Can we seek to establish normal international relations and agreements so long as they provide the sinews of war to forces that oppose us and other nations who seek freedom and international peace. We cannot engage in an Alice in Wonderland type of foreign policy by seeking accommodations with a regime that in other areas of the world seeks to do what it did in Budapest and what it has declared it seeks to do here.

I submit, Mr. Speaker, that these are some of the things that Americans and all freemen who want to continue to be free should keep in mind as we approach the 10th anniversary of the Hungarian revolution.

Mr. McCORMACK. Mr. Speaker, since the end of the last war many of the peoples of Central and Eastern Europe have lost their freedom and are being subjected to Communist totalitarianism. For more than two decades they have been suffering under Communist governments, imposed upon them by the Kremlin and kept in power by Soviet forces in these or in nearby countries. Because of this fact, the presence of Soviet troops in their midst, the peoples of these countries have not been able to throw out the detested Communist regimes and establish their own democratic governments. Up to now none of these captive peoples have succeeded in doing this, and only the Hungarian people made the daring attempt 10 years ago, only to find themselves worsted and literally smothered by the ferocious might of the Red army. Fortunately that sad fact has not robbed the Hungarian people of their right to freedom, and they are among the most dauntless champions of liberty in all Central and Eastern Europe today.

By mid-1956 the Hungarian people felt they had more than their share of Communist rule. On October 24 the uprising, a veritable revolution, began in Budapest, and before the end of that day it spread to many parts of the country. It was so carefully planned and well executed that in a matter of hours the Government in Budapest was overthrown; its leaders either fled the city or went into hiding. This initial phase of the uprising was successfully carried out. Government troops at once sided with the revolutionaries, and this happened in the case of garrisons in many military establishments. Then the new leaders of Hungary formed a new government. Thus in a little more than a day Communist totalitarianism ceased to exist in Hungary, and once more democratic forces were victorious. In the course of the next few days the new government was able to establish its authority over the entire country, and everywhere it had the solid backing of the people. Of course, everyone was overjoyed by their sudden success; no less jubilant were all friends of freedom and democracy in the free world. All eyes were fixed at these startling and heartening events in Hungary, and everyone was anxiously awaiting to see the behavior of Soviet forces in Hungary. And the free world did not have to await long for the bloody action of the Soviet troops.

As soon as the uprising proved successful and the new government was established in Budapest, it asked the Soviet authorities to withdraw the Soviet forces from the country. The initial and somewhat evasive reply of the Soviet authorities was that this would be done in due time. Meanwhile, however, it seems that Soviet commanders in Hungary had orders to maneuver for positions to attack the Hungarians as soon as stronger and fresh Soviet units were sent to Hungary. This was done by the second of November. The Hungarians, sensing the arrival of additional Soviet troops, called for immediate and effective foreign intervention. It was most important that action was not taken at that time by the United Nations. At that time I urged that representatives of the United Nations be sent to Hungary, but vision and courage was lacking. The Soviets, knowing this, ordered their bolstered forces in Hungary to go into action. This they did on November 4, and, as the Hungarians could not possibly cope with the overwhelming Soviet force, they died by the thousands, fighting for their freedom and democracy. Today, on the 10th anniversary observance of that uprising, and its glorious but short-lived success, we pay tribute to the memory of those gallant Hungarian fighters. The efforts for restorations for Hungary and her people of full sovereignty and freedom will continue until this great end is obtained.

Mr. GERALD R. FORD. Mr. Speaker, 10 years have passed since the courageous uprising against Communist tyranny by the freedom-loving people in Budapest, Hungary, on October 23, 1956. The events of the 13 days following that memorable event will always be remembered as one of the most vivid examples of patriotism and love of liberty in the world.

In the face of Soviet troops and tanks, these brave men fought with a few small arms, and whatever weapons they could muster; and for a brief period, they succeeded in throwing off the chains of totalitarian government, and established a democracy that truly represented the aspirations of the nation. The victory was short lived, for Communist oppression prevailed after a week's time.

However, the spirit of patriotism and liberty did not die with the suppression of the uprising. Although thousands died, and hundreds of thousands fled the country, there are still many freedom-loving Hungarians who hope that someday the tyrannical bonds will be broken and they can live in freedom, independence, and democracy.

I feel deeply honored to pay tribute to the courageous people who took part in this ill-fated revolution and sincerely hope that the future will bring a successful realization of the liberty-minded Hungarians' present hopes and dreams.

Mr. FLOOD. Mr. Speaker, the fire, the inspiration, the whole emotional impact of events fades with the passage of time. In some cases this is a healthy phenomenon. In others it is a danger to be avoided. The revolt of Hungary in October 1956 is one case which should never be forgotten.

At the time of the gallant and tragic rebellion against a horrible Communist dictatorship the world was thrilled by the efforts of the Hungarian heroes. As time passed, it would be quite understandable if free men, losing the fervor of the moments of high drama of late 1956, were to lose track of the importance, the glory, and the horror of those days. We who live on the free side of the various Communist curtains, should never let ourselves forget the suffering and the aspirations of the Hungarian people at that time. Nor should we allow the desire for freedom in such sorry lands as Hungary is today to die for lack of support.

In all parts of this land, and especially in these Halls of deliberation of the representatives of the American people, it is fitting that we recall the passionate emotions of those days a decade ago. More than that, it is incumbent upon us to keep faith with our own ideals, which so closely parallel those of the Hungarian patriots of 1956.

Let us never forget the perfidious actions of the aggressors against Hungary's national self-determination. By cunning lies, and cruel disregard for their own pledged word, the Soviet leaders at first raised high the hopes for Hungary's liberation. Then, when they were better prepared for their blitzkrieg, they ordered arrests of men promised free passage, and unleashed their tanks against the almost defenseless Hungarian people.

All classes of the populace rose up to fight against the reimposition of the shameful type of police state which had just been overthrown. The people of Hungary did not want a return to a rule by such men as they had just overthrown in righteous vengeance. The youth, the military, and the workers were in the forefront of the hopeless but determined fight against the Communists.

Thousands died in Budapest and other locales within the stricken nation. Thousands more were treated to that peculiar Russian device of punishment—banishment to the immense wastes of Russian Asia. Others were executed for wanting things which we Americans take lightly—human dignity and national freedom. Other tens of thousands were able to make an escape from the new barbarism descending upon their unfortunate nation. In sum, the toll in human suffering was terrible. It was inflicted by a brutal, merciless system which cannot abide dissent, especially when such threatens the power position of the ruling minority.

Mr. Speaker, on the 23d of October we celebrate the 10th anniversary of the great Hungarian revolution. As we recall the high aspirations of the patriots and their sad ending, it should leave us with a humble feeling toward those brave men and women, old and young, who showed that the human spirit is still strong enough to face all dangers for the very rights of human beings which we ourselves hold so dear. I wish to express my profound sympathy for the Hungarian people and my best wishes that very soon their great effort begun 10 years ago will be crowned with success.

Mr. KEOGH. Mr. Speaker, every American schoolchild knows of the words of Patrick Henry:

> Is life so dear, or peace so sweet as to be purchased at the price of chains and slavery?—Forbid it Almighty God!—I know not what course others may take, but, as for me, give me liberty or give me death.

Ten years ago, in October 1956, the Russian-enslaved Hungarian people asked themselves the same question, and their answer was the same as it has always been when subjugated people seek the universal end of man: freedom with human dignity.

Surprised by their decision and their action, the world watched as a nation chose liberty or death. Their effort, however, was not as successful as have been the efforts of other nations and, indeed, Mr. Speaker, the Hungarian people gained death and not liberty.

The history of the Hungarian people is marked with great achievement. The events of October 1956 take nothing away from these noble people, but rather adds to their reputation as lovers of liberty and freedom. By the end of October the Hungarian people had received from their Russian masters a conciliation; namely, they could have their own self-government. The world joined the Hungarian people in their joy. Soviet domination and enslavement in Eastern Europe had been broken. The future for not only the Hungarian people, but for the world, looked brighter.

We know now that those first waves of joy were premature, and that the world was to see again the treachery of the Communists. In early November the Red army received its orders:

> Hold back no longer—crush the revolution at all costs.

We all recall the gallant pictures of human determination in the face of overwhelming odds. Those pictures were in all the newspapers of the world to see: soldiers shooting into crowds; the "freedom fighters" facing Soviet tanks and machineguns with sticks and stones. The free air of Hungary was being replaced again by the stultifying air of oppression and slavery. The revolution of 1956 was broken.

While freedom lost the battle in Hungary 10 years ago, it did not lose the war, for if the Hungarian revolution did nothing else, it served to remind us of two important points—indeed, two lessons of modern history. One, the true stripe of the Communist mentality was exposed in both theory and practice as one that can neither tolerate nor accept the desire of men to be free, and two, it showed again the belief that men everywhere have a basic need to live their life in liberty with dignity.

On this 10th anniversary we send to the Hungarian people our best wishes and the thought that they also will someday live in freedom.

Mr. MORGAN. Mr. Speaker, I commend our distinguished colleague, the gentleman from Virginia [Mr. MARSH], for securing the special order which makes it possible for Members of the House to take note of the 10th anniversary of the Hungarian revolution against Communist tyranny.

I well remember the valiant effort of the Hungarian patriots which succeeded briefly in supplanting Soviet tyranny with a free government. Although that government was soon crushed by overwhelming Soviet military might, the struggle against fantastic odds proved that the brave Hungarians will never willingly submit to oppression.

Today, 10 years later, the Soviet has to still maintain large forces in Hungary to prevent another attempt by these courageous people to achieve their liberty. The people of Hungary have our sympathy and admiration. They have become a great symbol for freedom-loving peoples everywhere. In every true democracy, the wish is fervently held that someday this fine and gallant people will achieve the goal of their national aspirations.

Mr. PUCINSKI. Mr. Speaker, today the House commemorates the 10th anniversary of the Hungarian revolution.

All of us can remember that bleak October of 1956 when the world waited, hoped, and prayed for the valiant men and women who pitted themselves against the overwhelming forces of the Soviet Army in order to free their nation. They were fighting for all of us, and we knew it then and now.

The Hungarian freedom fighters became the symbol of man's unconquerable faith in himself and his future. Dreams of liberty cannot be quenched under a hail of bullets, bombs, and mortars. Man will endure privation, but ultimately he will be free.

As brutal as the Communist forces were in crushing the rebellion, this fact had to be acknowledged. The captives of the Communists, forced to live behind an Iron Curtain and shut away from the rest of the world, would never submit their free will to the dictators in power. This fact was abundantly clear to Moscow.

Today, 10 years later, Hungary, while still far from free, is slowly, gradually, inexorably becoming part of today's world.

Ideas cannot be suppressed forever; man's mind will not be chained to a common ideology or thought; man's curiosity about himself and his neighbors on earth can never be denied.

The Hungarian freedom fighters fought for all those who believe in honor and in liberty. They died shouting their belief in a better world to the four corners of the earth. Their cry of defiant faith was heard by all men, everywhere, slave or free.

That cry kindled a flame which swept the hearts of men. Dreams of liberty, as old as man's history, will persist as long as men try to force others to their will. Conquerors may never rest easy. Always there will be men to plan a new method to break the bonds of oppression; a more ingenious attack to secure freedom.

The Hungarian freedom fighters now are part of the magnificent history of man's struggle to free himself from tyranny. We honor them and their memory today, for they gave renewed strength to others to pick up the standard of liberty and press forward until that day when men of all nations are truly free to seek their own destiny.

I am proud to join with my colleagues in publicly commemorating this debt of honor to the Hungarian freedom fighters.

Mr. O'HARA of Illinois. Mr. Speaker, it is with deep feeling that I join my colleagues in tribute to the inspiring heroism of Hungary's freedom fighters and in warm commemoration of the 10th anniversary of the Hungarian revolution.

Ten years ago all men who cherished freedom looked with anticipation toward Budapest, filled with hope and expectation that the promise of the freedom fighters would be fulfilled.

The expectations of this revolution, the hopes of the freedom fighters, were not achieved, not because of any shortcomings on the part of the Hungarian people, but because of the overwhelming might of the Soviet military machine. Within a matter of hours after Soviet intervention, the revolution was crushed, and once again Hungary lapsed back into the status of a satellite state of the U.S.S.R.

In those few days of hope and catastrophe, of heroism and brutality, of promise and disillusionment, the world was given an object lesson that ought never to be forgotten. All mankind was shown that communism in Hungary was not a matter of free choice of the Hungarian people, but that it was a system imposed upon them by their Soviet conquerors and their political associates.

If peoples of the underdeveloped areas of the world had any doubts about the relationship between human freedom and communism, they were given a good case study upon which to make their judgment in the events in Hungary during early November 1956.

This, then, is one of the many lessons of the Hungarian revolution: it exposed the false claims of communism to speak for human freedom.

On this 10th anniversary of the Hungarian revolution, we in our land and the people throughout the free world send greetings of warm friendship to the people of Hungary. Resolutely we stand behind them and with confidence look forward to the day, not far away, when again they will be free.

Mr. RYAN. Mr. Speaker, few events have so stirred the hearts of man as the Hungarian revolution of 1956. Although 10 years have passed since that event, the world continues to marvel at the courage of a people who rose up to defy tyranny. In the courtroom of world opinion the Soviet Union stood condemned by the civilized world for its brutal suppression of the revolution and for its flaunting of United Nations action.

On October 23 several thousand Hungarian students gathered in Budapest before the monument to the Polish general, Bem, who was the hero of the Hungarian revolution of 1848. These students thus sought to express their hatred of the police state in which they lived and of foreign domination by the Soviet Union. Their peaceful appeal was shattered by shots, an action which transformed their gathering into a revolution.

As the police fired upon the innocent students, more and more Hungarian students and citizens joined the group. From the outskirts of the city came workers, armed with makeshift weapons. Suddenly the long years of oppression erupted into a great popular uprising. Budapest became a battleground between communism and freedom. From the workers' organizations, from the universities, from the young people erupted a great outpouring of emotion. The workers, in whose name the regime had claimed to govern, attacked. The scholars wrote diatribes, denouncing their oppression. The young threw themselves before bullets and tanks in order to win their freedom.

From the free peoples of the earth poured wonderment and sympathy for the embattled Hungarian patriots. As Sir Leslie Munro of New Zealand declared:

> All mankind has been reminded, at a time when many had lost the capacity to believe it, that cruelty, no matter how effectively and soullessly imposed, can never prevail over men determined to wait, to fight, for the restoration of freedom.

Mr. Speaker, the Hungarian people lost their fight for freedom. By the end of November the cold of winter and of oppression had once again frozen the beautiful land of Hungary. The daily tide of refugees flowing into Austria swelled until more than 200,000 people, about 2 percent of the entire population, had left their homeland. Sickening episodes of firing on peaceful gatherings and would-be fugitives continued to occur. In Budapest alone this 7 weeks' war was said to have rendered 40,000 families homeless and killed perhaps 25,000 Hungarian patriots. Hungary would never recover from the loss of her valiant children.

Although the Hungarian revolution was crushed, its meaning will always live in the hearts of free people. By their sacrifices in that tragic fall of 1956, the Hungarian people delivered a valuable message to the world. By their actions they laid bare the tyranny and hypocrisy of the Communist myth.

Mr. Speaker, I am pleased to join my colleagues in paying tribute to our Hungarian brothers on this anniversary of their revolution.

Mr. DELANEY. Mr. Speaker, 10 years ago this month, world opinion was profoundly moved when the Hungarian people rose in rebellion against a detested regime supported by the tyranny of a foreign power. This heroic action in the cause of liberty will stand as one of the landmarks in man's constant quest for political freedom.

Ever since the end of World War II, the Hungarian people had seen their country occupied by Soviet troops, their farmers and small businessmen expropriated, and their workers exploited to support the Soviet economy. By October 1956, their suffering and accumulated resentments could no longer be contained and, throwing caution to the winds, they rebelled against this oppression and planted the banner of freedom behind the Iron Curtain.

For days, an admiring world held its breath as the Hungarians dared what none had thought possible. And then, admiration for the courage of the Hungarian freedom fighters gave way to a sense of foreboding as Soviet intervention came—swiftly and brutally. As all the world watched, Soviet tanks and soldiers moved into Budapest to install a Soviet-picked regime to shore up by force their crumbling empire. The Hungarian revolt was crushed. But not before it had shaken the Soviet-imposed order in Eastern Europe, and had shaken the world as well. Nothing has been quite the same since.

Change is at work in Eastern Europe, and it is the kind of change that cannot be snuffed out by tanks and troops. In large measure, the sacrifices of the Hungarian people on October 23, 1956, prepared the way for this dramatic change. On this 10th anniversary of that heroic revolution, I am pleased to join my colleagues in paying tribute to the great Hungarian people for their steadfast courage, and their unfailing devotion to freedom.

Mr. ROONEY of New York. Mr. Speaker, October 23 marks the 10th anniversary of the gallant fight of the people of Hungary to rid themselves of their Communist captors. What started out to be a peaceful demonstration by workers and students seeking the removal of Erno Gero, the Hungarian Communist Party secretary, became in short order a bloody revolt when the secret police opened fire on the demonstrators. The Russian Army was summoned by the frantic Hungarian Communists who could not stop the revolt as it spread across the country. In 5 days it appeared that the revolt was a success. Premier Nagy announced that the Russians had agreed to withdraw their troops from Hungary and, indeed, the Red army started to pull out of Budapest. Hungarians were jubilant and the rest of the free world shared their happiness. But it was to be short lived.

In 3 days the Russian tactics became clear as a massive 200,000-man army equipped with 2,500 tanks ringed Budapest. Despite pleas and protests from Premiere Nagy and other officials on November 4 the Russians opened their attack on the city turning it into a gory battleground. Hungarian freedom fighters fought back with what they had—rifles against tanks; homemade fire bombs against armored cars. Despite a heroic stand the revolution collapsed and the Communists once again controlled Hungary. However, before the Communists could close the borders many thousands of these brave people made their way out of the country, most of them to eventually wind up in the United States. Mr. Speaker, the courage of these people stands as its own monument. On the slimmest hope of freedom they risked all, demonstrating once again that countries and bodies can be held in captivity, but minds cannot. Many of the refugees who made their way here are now proud to call themselves American citizens. I think, Mr. Speaker, that we should be the ones who are proud to call them Americans.

Mrs. KELLY. Mr. Speaker, a decade has passed since those fateful days of October 1956, when Soviet tanks rolled through the streets of Budapest, killing the flower of Hungarian youth, crushing that brave nation's bid for freedom.

Who amongst us will ever forget those tense and tragic days? The people of Eastern Europe seemed poised on the threshold of a new life. The days of suffering, of enduring repeated indignities at the hands of foreign-imposed Communist regimes, appeared to be coming to an end. All who treasured freedom looked to Budapest, waiting anxiously for the outcome of the revolution, believing that it had to succeed and bring independence to all of Eastern Europe.

Those hopes were to be disappointed. Soviet domination over Eastern Europe was not to be broken that quickly. More time had to pass, more efforts had to be exerted, before the character of Communist rule over Eastern Euprope was to be changed.

Yet change it did. And the Hungarian revolution, while failing in its immediate objectives, opened the door to a new era which, in the years that followed, witnessed the lessening of overt repression, an increase in travel and contact with the West, some modest improvement in the level of living, and some small progress on the road to a better life for the people of Eastern Europe.

All of those changes, while welcome, do not alter the fact that 21 years after the end of World War II, Europe remains divided and millions of people—from Estonia to Albania, from Czechoslovakia to the Ukraine—continue to be deprived of the right and the opportunity to fashion their own destiny.

Mr. Speaker, in addressing the National Conference of Editorial Writers in New York City on October 7, President Johnson said:

> The one great goal of a united West is to heal the wound in Europe which now cuts East from West and brother from brother.

I fully share in his sentiments on this subject.

As history has shown, however, the wound of Europe will not be healed, that breach repaired, until respect is shown once again for the basic human rights of the people of Eastern Europe—and until those people are given the chance to direct the destinies of their nations.

Mr. Speaker, on this 10th anniversary of the Hungarian revolution, I join with my colleagues in paying tribute to those who suffered—and those who died—for the cause of freedom.

May they know that we in the United States have not forgotten their courage and their sacrifices—and that we will continue to work for the cause of freedom, with justice, for all men.

Mr. MULTER. Mr. Speaker, this month we commemorate a sad occasion, the 10th anniversary of the heroic struggle of the people of Hungary against their Communist masters.

Is there anyone in this Chamber who can forget the agonizing hours the world spent during October of 1956, awaiting the latest news bulletin with respect to what was happening in Budapest?

The brutal suppression of the Hungarian freedom fighters by Soviet tanks and troops has become a symbol of the worst aspects of communism. The struggle against Communist totalitarianism goes on and we ourselves are now engaged in war to keep that totalitarianism from taking over another country—this one on the other side of the world.

I proudly join with our colleagues in commemorating today the magnificent efforts of the Hungarian freedom fighters 10 years ago and extend to their many friends and relatives who have settled in this great Nation the sympathy and respect for their courage which is so justly deserved.

Mr. WYDLER. Mr. Speaker, all peoples captive behind the Iron Curtain and held down by Communist totalitarian tyranny are naturally resentful and restive. They all hope for their freedom but they also know that only a miracle will enable them to attain their goals. In the fall of 1956 the Hungarian people believed that the miracle was in the making, and with their united efforts they thought they could attain freedom. So late in October they successfully overthrew their Communist overlords, established their own government, and then asked the detested Soviet troops to leave.

These startling events took place in a matter of days, and before the Russians were disposed to leave, Hungarians were in control of their destiny. But an unfortunate turn of events resulted from the presence of Russian troops. Russian commanders promised to leave, but instead of departing, they maneuvered for position and marked time until they were reinforced by additional Soviet troops. The Hungarians, anxious to see the Soviet troops retire, were suddenly faced with a formidable Soviet force. The Hungarian Government was then given short notice by the Soviet commanders to surrender. Of course the Hungarians refused to do this, and in the ensuing fighting, brave Hungarians went down like heroes, fighting for their lives and for Hungary's freedom. By the first week in November the country had experienced a veritable bloodbath in which Communist totalitarianism once more gained the upper hand. The freedom gained by the Hungarians vanished into thin air, and again they were subjected to Communist tyranny.

Today in observing the 10th anniversary of the Hungarian uprising of 1956, we show our admiration to these intrepid and gallant people and pay tribute to those who made the ultimate sacrifice for freedom and democracy.

Mr. CLEVELAND. Mr. Speaker, I am honored to add my voice to those other Members of the House on this 10th anniversary of the Hungarian revolution. Like many of history's earlier revolts, the Hungarian revolution erupted after a band of patriotic and gallant men could no longer abide by the forced tyranny and brutality imposed by an outside power. Those men, women, students, laborers, intellectuals, and all the rest valued life and security just as we do. But they valued one thing above anything else—the liberty of their beloved Hungary. To that end they saw no sacrifice too great; no expense too costly; no pain too extreme. True, their revolt was crushed, and many of Hungary's finest citizens were killed, jailed, or forced to flee the country. But their selfless efforts were not in vain, for they have carved out a place of honor in Hungary's long and glorious history. Their example of placing their country first is one which many others might do well to emulate.

The Hungarian revolution contained many lessons, but one which we should constantly keep before us is the fact that freemen will spare no sacrifice to achieve and preserve their country's freedom. The actions taken by the Soviet leaders in putting down the revolt once again demonstrated to us the fact that a dictatorship knows only one response when opposition is raised—brutal and naked force. The extreme and deceitful tactics employed reminded the world of the true face of communism, one which Hungary so desperately wanted to expel.

Mr. Speaker, in this month of October, a full decade later, we know that the Hungarian revolution, though an unsuccessful one, was instrumental in reviving the spirit of liberty and justice which have long persisted in Hungarian life. Those fallen Hungarian patriots will never be forgotten, and it is to their memory that I dedicate these words.

Mr. GALLAGHER. Mr. Speaker, the 10th anniversary of the Hungarian revolution should have special significance for Americans, for it stands both as a landmark and as a blight on the history of the free world since World War II. This revolution symbolizes not only the reality of Communist rule in these countries, but it also must stand as an example to us not to accept this kind of "peace" ever again. This 10th anniversary is particularly significant now, when nations around the world condemn our actions to stop a similar type of suppression of freedom which is being carried out in a similarly demonic fashion. Yet no one except the United Staes will recognize its existence and stand up to its challenge.

In 1956, the Hungarian people of themselves rose up in physical and moral condemnation of the system that was imposed upon them, and shouted out to the world of the freedom they wanted and of the liberty they lacked.

The shot fired round the world on this day 10 years ago has not and cannot be forgotten.

What has transpired in the 10 years that have gone by is a memorial to those people who were senselessly murdered in the streets of Budapest. These people cried out against the tyranny that they were subjected to, and though they did not completely bring to fruition the dream of freedom and liberty, the reality of which they once knew, they brought to the peoples of the world the truth of what Communist tyranny was like.

It was a shock and a surprise to many of us, at that time, and it served to increase our efforts on behalf of these poor enslaved peoples.

Now, 10 years later, the peoples of the Iron Curtain countries live much better than they ever have before. They are enjoying the fruits of economic and social progress made by the individual countries. Moreover, they are beginning to feel the freedom of movement within the Communist organization which they never felt before. This is a major accomplishment for them.

Yet, wherever one goes, and with whomever one speaks, a certain malaise can still be sensed. There is still the tension and the frustrations, still the bureaucracy and the police, still the limitations on freedom, and in one word, there is still the supression of freedom and liberty as we know it.

So as time passes, and as the Hungarian revolution grows further in the past, let us not forget what those people died for; let us not overlook the minor restraints on liberty, and the petty annoyances that they feel in their everyday lives, but rather let us remember them, and let us remember the Hungarian revolution as the all-inspiring symbol of a downtrodden people yearning to be free.

Peace reigns now in Hungary, as it does throughout the Soviet bloc in Europe. But it is not a true peace, it is a peace that is constantly calling for redefinition, for reevaluation.

These brave peoples fight no more in the streets, yet their desire to be free and independent has not been lost.

The cultural and historical heritage of these eastern countries cannot be dissolved by military might nor by bureaucratic edict.

Our concern for their independence is not forgotten in this period of quiet; it is intensified.

The memorial to the people of Hungary who died in the streets 10 years ago is living in our thoughts, and with their people in this country.

Let this day stand both as a reminder to us and as a warning to others, that the United States shall not let freedom disappear from this planet.

This is the message of the Hungarian revolution, and this is the hope of the world.

Mr. WILLIAM D. FORD. Mr. Speaker, a scant 10 years ago, a proud people, the Hungarians, arose as one body and took back the reins of their Government which for over a decade had been held by the Russian invaders in the name of communism. If the revolt had been successful, if these hard-fighting, gallant people had been able to retain their positions despite seven divisions of Russian troops, today a free Hungary would confront and inspire the remaining Communist-held countries.

But their freedom lasted only for 1 short week. Homemade bombs, confiscated handguns, and human flesh could not turn back the tanks and mobilized units of the Russian Army. Hungary was again and is today, ruthlessly submitted to the forces of militant communism.

However, despite the Hungarian people's failure to overcome those insurmountable odds, there remains to this day a story, an idea, a proven theory which marks this episode as one of the most significant in the 20th century. The real significance of the Hungarian revolt lies in the fact that it happened; that poorly armed, ill-equipped, supposedly converted, loyal Socialists can and always will rebel when their ideals, their hopes and their sense of humanity and dignity are being forcibly taken away. Freedom and independence cannot be eradicated from the mind of man.

Remember, this was a revolt and not a declaration of war. The Hungarians were not fighting as an arm of the West in order to switch to the other side of the Iron Curtain. They did, indeed, ask for realistic aid from the Western countries but only because they knew that without heavy arms they could not succeed. To the Hungarian people, this was simply an attempt to regain the control of the government for themselves; to decide themselves, which bloc, if any, they wished to join; to determine, themselves, which type of government and economic order they needed.

Today, the effects of this revolt are still felt and much discussed in both blocs, the East and the West. Many of these freedom-loving people escaped before the revolt was crushed and are in the Western countries contributing to the ideological fight against communism. The Eastern bloc of nations can be seen enjoying a limited freedom today which would not have evolved without the impetus of the Hungarians' bid for freedom.

That fight, that rebellion, is not yet ended. What man is satisfied with only the taste of freedom? These people cannot remain enslaved and will continually assert themselves until the freedom and independence which means more to them than life, is again their own.

I join my colleagues and all freedom-loving people in paying tribute to the Hungarian people, their heroic uprising and their continuing fight to regain their country and their independence.

Mr. BOLAND. Mr. Speaker, a decade has now passed since the people of Hungary rose up against Soviet oppression and imperialism. But the glorious deeds of those few days of liberty are as vivid in all of our minds as if they had happened yesterday.

The revolution began on October 23, 1956. Its rapid initial success, not only in Budapest, but throughout the country, was stirring testimony to the Hungarian people's intense desire for political freedom and national independence. The massive student demonstration of October 23 aroused an enthusiasm that the resistance of the authorities only amplified. A large crowd gathered in front of an important radio station and spokesmen for the demonstrators asked to be allowed to broadcast their message.

Then the first shots were fired. It was these shots that turned an appeal into a revolution. Soviet troops were powerless against the united might of people demanding their independence. The Hungarian people had risen and the revolution appeared victorious. Concession after concession was forced from those who sought to rule Hungary. On October 29 the imminent withdrawal of Soviet troops was announced.

Soviet humiliation was compounded by the destruction of certain Communist myths. For the regime fell victim to those very people on which it had tried to depend; the students, the intellectuals and the workers. The regime had offered money and honor to the intellectuals, had preached of a glorious Marxist future to the students, and like all Communist regimes, had supposedly governed in the name of the proletariat.

Such destruction of cherished Communist myths the Soviet Union could not endure. The Soviet fist had recoiled only to brutally hit and defeat the Hungarian revolution. Massive Soviet tanks thundered through the streets of Budapest accompanied by troops. In a campaign waged without mercy the Soviets tracked down and destroyed the Hungarian freedom fighters.

The bright flame of freedom was put out. But in a larger sense the Soviets failed to achieve their purpose and overcome their tremendous propaganda defeat. That such massive weapons and huge number of troops were necessary to defeat the Hungarian people only underlined communism's failure to achieve popular support. Two hundred thousand ordinary, but heroic Hungarians, from all walks of life, fled to the West and gave lie to the Communist claims that this was a rebellion of the old reactionaries.

The brave Hungarian people have not forgotten their days of glory. Nor have other peoples enslaved by dictatorial systems in Eastern Europe and elsewhere. Nor have we who enjoy the blessings of liberty.

For the success of the Hungarian people, however brief, showed the world that victory over totalitarianism is not an impossibility. We must continue to believe that lesson and to keep the flame of freedom alive in the hearts of men everywhere.

Mr. REINECKE. Mr. Speaker, in just a few days we shall be commemorating the 10th anniversary of the noble efforts of the Hungarian freedom fighters. Those gallant youths who tried so desperately to throw off the yoke of Soviet tyranny are mature men now. They probably live in just the same despair, and yet with just the same hope that drove them to try to fight off Russian tanks with sticks and rocks only 10 years ago.

We ought to ask ourselves, on this occasion, the question: "Why should we be concerned, as Americans, for the plight of people in such faraway places as Hungary?" We have many problems of our own to solve. We are engaged in a military action in southeast Asia. And besides, what can we do about the people of Hungary, short of a major war with the Communist world?

I think the answers to these questions come from the deepest roots of our country's history. For the work that was begun just 190 years ago is still going on today. It is spreading around the world.

I am reminded of the words of Emerson in his "Concord Hymn," when he said:

> By the rude bridge that arched the flood,
> Their flag to April's breeze unfurled,
> Here once the embattled farmers stood,
> And fired the shot heard 'round the world.

The sound of that shot still rings throughout the world. For in the goals of our revolution we crystallized the deep aspirations of every man in every nation and in every age. Our revolution is still going on. And so is theirs. And that is why we cannot turn our backs on them. They are following in our battle paths. And we dare not let them down. Our revolution, and their struggles to throw off the yoke of tyranny are part of the same universal battle of mankind for freedom, for spiritual fulfillment, for peace, for prosperity, and for progress.

And if we be true to our own principles of democracy and of individual responsibility and individual liberty, and to our own system of free enterprise, we must believe that every people should have the opportunity to choose for themselves a system of government. They must be allowed to adapt to their own cultures the universal concepts of free self-government.

We have often said in this country that if even one man lives in fear or in tyranny or does not enjoy the full opportunities afforded by our Constitution then we all live in fear and tyranny. In our free society if one man is robbed of his unalienable rights or of his dignity, then all men become victims of the same crime.

And this principle ought to be applied to the world as a whole. For if the freedom of one nation is destroyed then the freedom of all nations is in jeopardy. And if any people anywhere suffer from the burdens of captivity, then all people everywhere are in some measure held equally captive.

Therefore, we see that the plight of the captive peoples of Hungary, of all of eastern Europe, and even of southeast Asia, becomes the plight of free men everywhere. Their struggle becomes our struggle. Our stewardship of democracy becomes their hope of freedom. That is why we cannot neglect the millions of people held captive by Communist colonialism. That is why we must resolve on this 10th anniversary of the Hungary revolution to renew our efforts on all fronts to extend the frontiers of freedom. We have grown too accustomed to living in a world half free and half slave.

There can be no peace in the world; no peace among nations; no peace in the hearts of captive people until all the world—every nation—and each person is free.

Mr. BROOMFIELD. Mr. Speaker, the month of October 1966 is the 10th anniversary of the Hungarian revolution. It is right and just that we all pay tribute to the courageous Hungarians who gave their lives in the valiant but futile effort to extirpate the Communist tyranny which rules their nation.

We are mindful of our commitment to the purpose of the Hungarian revolution by the presence of nearly 50,000 refugees from that revolution who are now living in our country. These people by their presence add even greater wealth to our own national culture.

We are reminded of the more than 24,000 Hungarian freedom fighters who died in the revolution of 1956 and of countless thousands of other brave patriots who were jailed or deported by Soviet forces which overran Hungary and deterred her revolt against communism.

All freedom-loving people acclaimed the courage of the people of Budapest and prayed for their success at that time. Even though victory was not theirs, the spirit, heart, and mind of the Hungarian people will never be controlled or suppressed by the Communists. The spirit of freedom can never be extinguished in the Hungarian soul.

Mr. CUNNINGHAM. Mr. Speaker, for the peoples of Hungary and for freemen everywhere, this week marks the 10th anniversary of a monumental expression in the cause of liberty and justice—the Hungarian revolution of 1956. Those brave men and women who challenged oppression and the armed might of the Communist dictatorship have provided an example of courage, determination, dedication, and the never-ending quest for human rights and self-determination. This example is cherished in the hearts of democratic peoples everywhere. Today, may I join my colleagues in honoring the Hungarian freedom fighters who raised the gauntlet of democracy and cast it in the face of tyranny.

Since the 11th century, under the leadership of Stephen I, the Hungarian nation has continually and unremittingly sought those rights and privileges due all men which we in this Nation have enjoyed since our own revolution for independence. It is a tribute to the people of Hungary that they still pursue this struggle for liberty despite the awesome character of their modern adversary. Like tiny Davids armed with stones, rifles, and clubs, they faced a Goliath of armored tanks and cannon, but, in 1956, history failed to repeat itself. The strength of the Russian giant soon overpowered in 2 bloody weeks of brutal warfare the insufficient slings armed only with courage and hope. That voice of freedom died in 1956 but the spirit that motivated the voice still lives and it is to that spirit that we pay homage.

Those who died in Hungary and those who languish in prison have not relinquished their freedom in vain. They serve, Mr. Speaker, as an illustration to all men of the earth that liberty is worth the price. We shall look forward to the day when there is a free and independent Hungary, unencumbered by the shackles of a ruthless tyranny.

Mr. LANGEN. Mr. Speaker, it gives me a great pleasure to join my distinguished colleague from Virginia and other Members in commemorating the event 10 years ago which, for all times, destroyed the myth of the Communist monolith and gave hope to the weak hearted that human freedom and individual dignity cannot be extinguished in man's heart by brainwashing or even by crude terror.

This glorious event, restoring the faith of man in the eternal validity of the Judeo-Christian heritage on which Western society, including our Nation, was built, had been the Hungarian fight for freedom. Commencing on October 23, 1956, it reached its climax in the withdrawal of Russian troops from Budapest and other major cities and in establishing a regime committed to democratization and national self-determination. And it ended in the desperate, but unequal, struggle of the lightly armed freedom fighters against the rested and ruthless armies of the Soviet Union invading Hungary on November 4, 1956.

International politics changed somewhat since 1956, in part because, and in part despite the heroic fight of a small nation jealously guarding their rights to national independence and individual freedoms against the Eastern invaders. Today, both blocs are in the process of partial fragmentation, and freedom on other continents has been restored almost to all except the Hungarian people. This is the case despite over 20 resolutions of the United Nations demanding the withdrawal of Soviet Russian aggressor forces from Hungary and requesting that popularly elected government be restored to that nation which fought so valiantly for its freedom and dignity.

Popular resentment and conscious slowdown of work by the Hungarian people moved even the Kallai-Kadar regime put into power by Russian bayonets to extend a small degree of internal freedom while retaining ultimate control over political, economic, and societal life for a small party oligarchy alien to the traditions of the Hungarian nation.

Under such circumstances, free elections would be a travesty, even if the regime would change its one-party policy. There are still 75,000 to 85,000 well-equipped Russian troops in Hungary, ready to crush by overwhelming power any attempt to gain self-determination for Hungary.

Thorough economic reform rekindling the spark of initiative of the Hungarian worker, a must for increased productivity, is also impossible in an occupied country, as is the restoration of political freedom, and liberty of religious life.

The crux of the Hungarian question lies in solving the central issue: the withdrawal of the Red army units. The maintenance of armed forces in another country with which the state is not at war can only be based upon free consent of that country's government. Otherwise it becomes an act of aggression, a clear violation of international law and has been officially condemned as such by the United Nations. Today, there is no legally acceptable basis for the presence of Soviet Russian troops in Hungary, as there is no democratic basis for the existence of the Kallai-Kadar regime.

We, as Americans, both as a leader of the free nations of the world and as the recipient of so many Hungarian talents both in our history and as a consequence of the Hungarian revolution of 1956, have a special obligation to act in the direction of achieving a withdrawal of Red army units from Hungary.

Of course, it must be realized that such a withdrawal cannot take place in a political vacuum, but the issue must be raised with Moscow. The present time might not be inauspicious, for even some of our NATO allies and ourselves are forced by Communist aggression in Asia to open a dialog on a partial withdrawal of our troops from Western Europe. Seen in this context, the demand on Moscow to live up to U.N. decisions is not an inconceivable one, and its implementation would be the greatest victory of the forces demanding freedom and national self-determination in Europe. I hope that the administration will do its utmost to make this state of affairs come true.

Mr. BURKE. Mr. Speaker, 10 years ago this month, in late October 1956, the people of Hungary rose in revolt against their tyrants—domestic and foreign—who had held them in bondage since the end of World War II. Their revolt was not an isolated act of defiance by a small group of conspirators. It was the revolt of a whole people—of workers, peasants, intellectuals and even disenchanted Communist Party officials. Their revolt had not been carefully planned in advance; nor had it been anticipated in East or West. If it had been planned or anticipated the revolt would probably have never occurred. But it did occur. A united people suddenly rose in a spontaneous act of protest; an exasperated people took up arms to assert long-denied rights against overwhelming odds.

October 1956 was not the first time Hungarians had contested oppression. Only little more than a century before, in the revolutionary year of 1848, the Hungarian people had revolted against the rule of the Austrian Hapsburgs. Inspired by the words and deeds of the great Hungarian poet Sandor Petofi, they had asserted their right to freedom and independence, and had set up the Free Hungarian State. The odds against them at that time were also overwhelming, and the Free State soon fell before the advancing Russian and Austrian armies. It was not for another 20 years that the Hungarians were able to obtain at least autonomous status within the Austrian Empire. And only following World War I did they accede to true independence.

But during the long period when true independence was denied, the burning desire for self-government was never snuffed out. The words of the poet Petofi along with hopes for freedom were carried from generation to generation. It is easy to understand then why Hungarians could not sink into resignation and despair when a new and more terrible oppression descended on them following World War II. Even the techniques of Stalinists totalitarianism could not root out the cherished traditions of the Hungarian people. When it seemed that rule by puppets imposed by Moscow could no longer be borne; when it seemed that the stationing of Soviet troops in Hungary could no longer be tolerated; when it seemed that a halt must be brought to exploitation and expropriation, action became imperative and the consequences insignificant.

And thus in the waning days of October 1956, Hungarians young and old gathered about the statue of the poet Petofi in Budapest and took up arms in the cause of freedom and self-government. Today, 10 years hence, this historic event is still fresh in our minds. We have not forgotten and cannot forget the bravery and courage of the Hungarian freedom fighters. The Hungarian revolution of October 1956 was cruelly and cynically suppressed by Soviet Armed Forces. But it helped to set in motion forces of change in Eastern Europe that are still at work. And it showed to all the world that the Soviet Union had been unable to stamp out desires for independence and free government in Eastern Europe. Those desires, I am convinced will never disappear. And one day, Hungarians as well as other East Europeans will again taste the liberties for which the Hungarian freedom fighters fought and died so nobly in October 1956.

Mr. FINO. Mr. Speaker, the Hungarian uprising in October 1956 marks a very high stage in man's struggle against forces of tyranny, and as such it constitutes a landmark in East European postwar history. After being oppressed by a Communist regime for nearly a decade, the Hungarian people—brave and daring descendants of Hunyadi and Kossuth—openly challenged that regime, and in the course of 1 day overthrew it. This was done with relative ease because the people of Hungary were united in casting out the stooges of the Kremlin and then establishing their own democratic government.

The news of this startling uprising and its instantaneous success was flashed through the free world with great joy. But before the days of jubilation were over, there began the treacherous move of the Soviet Government. A few days after the uprising, the Soviet forces in Hungary were reinforced with additional soldiers, and by early November these ruthless troops far outnumbered the forces under the Hungarian Government. On November 4, the ferocious Soviet attack got underway, and as the Hungarians could not possibly withstand this onslaught, the best fighters among Hungary's youth gladly made the supreme sacrifice for the freedom of their country and for the cause of democracy.

Mr. HOWARD. Mr. Speaker, it is difficult for one to accept that fact that 10 years have passed since that terrible autumn when Russian military forces put down the Hungarian revolution. Yes, it is true that a decade has passed into eternity, but the spirit of the Hungarian freedom fighters will surely endure.

Their willingness to sacrifice and innumerable examples of courage demonstrated by the Hungarian people will stand as a landmark of human opposition to tyranny. Our times have witnessed many struggles against oppression, but few have had the poignancy and shocking effect as the abortive Hungarian revolution. For here was a nation whose history and culture dates back for many centuries and has been held captive by the Soviet Union since the end of World War II. Suddenly, the Hungarian people rose to challenge their captors, the most powerful state in Europe. No longer were the people willing to accept Russia's mastery over their beloved Hungary.

Surely the Hungarians were aware of the near impossibility of their goal. And though the goal was perhaps impossible, the Hungarians achieved one thing in that the world was able to witness Soviet reaction to a people's cry for freedom. Hungary had suffered psychologically and spiritually under Soviet domination and the freedom fighters decided to move. Russian might prevailed, but the example of the Hungarian patriots will live on through the ages to come.

Mr. Speaker, I am proud that Members of Congress have taken time out to recognize the attempt by the Hungarian people to regain their freedom. I hope that it will remind all free men how blessed they are and will teach them that freedom is not a cheap commodity to be taken lightly.

Mr. LOVE. Mr. Speaker, October 23 is the 10th anniversary of the Hungarian revolution and freedom fight. This great uprising marked by national heroism was doomed to failure when Soviet troops were permitted to crush the revolt. Therefore, on this 10th anniversary the Hungarian people remain in bondage. It is gratifying to note that Hungarian organizations across this country and throughout the free world are effectively working together toward the day when freedom can be restored to their homeland and a legitimate government once again created by the people of Hungary.

Mr. Speaker, the Iron Curtain remains as full evidence of the colonial practices of the Soviet Union. Hungary and the other non-Russian peoples of Eastern Europe are held in colonial bondage by the Communist rulers in Moscow.

As we near the close of a long congressional session, it would be most fitting for us to rededicate ourselves to the development of a foreign policy unlike the present one of coexistence; rather, a foreign policy based on the necessary redevelopment of freedom in Eastern Europe and wherever communism maintains dictatorial control.

Mr. WOLFF. Mr. Speaker, a decade has passed since the Hungarian Revolution took place, and yet it is as fresh in the memories of freedom-loving people as yesterday's events. Nor will that memory soon wither. It will remain an inspiration to all oppressed peoples, a reinforcement of the dedication of democratic peoples to the preservation of their freedom, for as long as Communist totalitarianism and oppression exist.

Today Hungarians throughout the world are commemorating the anniversary of that revolution, with grief for the many thousands of their countrymen who died before the Soviet onslaught and remorse at the stillness of many voices of American legislators not raised at this time of trial, with sympathy for those Hungarians who remain enslaved on Hungarian soil and with pride in the Hungarian commitment to liberty that the revolution so unequivocally demonstrated. And today we share with the Hungarians these sentiments, and in addition, wish to express the deep respect we hold for their valiant courage.

Indeed, the Hungarian people demonstrated an immeasurable courage when one recalls the events that transpired during that tragic period in their history. The revolution burst forth spontaneously, unplanned, and unexpected. It began with a peaceful student demonstration in Budapest and grew to encompass the entire nation. At first Hungarian security troops were ordered to fire on the demonstrators. As the demonstration erupted into a full-scale revolution the Soviet Union rushed in tanks and forces. According to later reports, over 1,000 Soviet tanks and around 10 Soviet divisions were used to crush Hungarian resistance, while the Hungarians continued to struggle, virtually unarmed, against these overwhelming odds for almost 2 weeks. The atrocities committed against the Hungarian people by the Soviet Union will forever remain an indelible stain on the world's image of communism, as well as a prime example of man's indignity to man.

The abortive Hungarian revolution ended in tragedy for the Hungarian people. Around 30,000 Hungarians were killed; nearly 200,000 fled in search of refuge; and those Hungarians who remained were subjected first to retributions by the Communists, then even more oppressive controls than those exercised against them prior to the revolution. Yet this further subjugation of the Hungarian people will never destroy the spirit of these brave people, nor their hope for and convictions in liberty and freedom.

May we once again express our limitless admiration for these proud people and add our moral support and prayers to theirs for the restoration of their independence, sovereignty, and human dignity, which they so unquestionably deserve.

Mr. DYAL. Mr. Speaker, often in the history of the world, men have revolted against the chains of slavery and oppression in order to secure their own freedom. In their search for self-determination, freedom-loving men have faced overwhelming odds at the risk of their lives in order to gain the most basic of human rights. Liberty is not confined to one nation nor is it the invention of one race, but has been pursued by the whole of humanity since the earliest record of civilized man.

As one reads history, he sees a recurring name among those peoples who have time and again challenged tyranny—the name of Hungary. The repelling of Romans, Mongols, and Turks, the courage of St. Stephen 10 centuries ago, and the revolt of 1848 serve as illustrations that Hungary regards its freedom as a sacred right. Here is a nation that has never relinquished its claim to freedom although overpowered by kings and dictators, overrun by armies and war machines, or subjected to degrading servitude by unfriendly and power-mad tyrants.

Just 10 years ago, on October 23, 1956, the Hungarian people added yet another chapter to their history of man's quest for freedom when outnumbered and without weapons, they revolted against the Russian dictatorship. The battle raged for 2 weeks before the superior Russian forces crushed the rebellion and extinguished the brief Hungarian vision of liberty. Hungary's losses were heavy—30,000 died in the streets, another 200,000 became refugees—but the world gained from the Hungarian example.

As long as men and women like those brave souls in Hungary continue to act in the name of freedom by revolting against unsolicited authority, then all men can continue to hope that one day the world will be totally free. On this 10th anniversary of the Hungarian revolution, we express our admiration for the courage, determination, and love of freedom of the Hungarian people.

Mr. COLLIER. Mr. Speaker, I want to join my able friend from Virginia in paying tribute to the heroism of the people of Hungary as we near the anniversary of their revolt against Soviet tyranny. It was 10 years ago this month that this small country attempted to throw off the foreign yoke and secure its independence from Communist colonialism.

Intensive fighting between October 25 and 30, 1956, took about 10,000 lives. Fighting then died down until after November 4, which was the day that Soviet troops invaded and overran Hungary and ruthlessly crushed the rebellion. A new, pro-Moscow puppet government was installed.

Following the abortive revolt, more than 2,000 Hungarian patriots were put to death by the Communists. About 35,000 Hungarians are believed to have been deported to the Soviet Union.

By November 30, 1956, about 100,000 refugees from Hungary had entered neighboring Austria; the number had grown to more than 130,000 by December 9. Within 12 months, by November 1, 1957, a total of 178,897 refugees had fled from Hungary into Austria.

Of the refugees who found asylum there, 152,605 were later assisted to leave in order that they could begin new lives in other nations, as tiny Austria obviously could not permanently accept more than a small number. Among the countries that took in sizable numbers were the United States and Canada, which accepted 34,712 and 22,558, respectively.

Mr. Speaker, let us contrast the colonial policies of the Soviet empire with those of the United States. While the Soviet Union keeps its colonies in subjection with tanks and guns and denies their people such fundamental liberties as freedom of religion, freedom of speech, and freedom of the press, the United States has, through the years, pursued much more enlightened colonial policies.

Alaska and Hawaii, both of which we acquired during the latter half of the 19th century, joined the American constellation as our 49th and 50th States. Five years after the war with Spain we gave Cuba her freedom. Puerto Rico today has commonwealth status, as the overwhelming majority of its inhabitants prefer this rather than statehood.

The Philippines, which during the dark days of World War II demonstrated their loyalty to the United States, have enjoyed two decades of independence. Recently their President appeared before a joint session of the Congress to express the determination of the Filipinos to again fight side by side with Americans, this time in Vietnam.

May God speed the day that Hungary will throw off the chains of colonialism and resume its rightful place among the free nations of the world.

Mr. BELL. Mr. Speaker, occasionally an event will unfold before our very eyes that will capture our imagination, arrest our thoughts, and shake or sustain our conception of man. Ten years ago this month such an event took place in Europe, the repercussions of which will, I am sure, profoundly influence the modern history of nations, states, and political ideologies.

I am, of course, referring, Mr. Speaker, to the glorious and partially successful Hungarian revolution of 1956.

Ten years ago we saw, for a brief moment in time, the empire built by the Soviet Army in Eastern Europe following World War II begin to crack. Demonstrations against the Soviet-installed puppet regimes in several countries took place, most notably in East Germany and in Poland, but it was in Hungary where the most violent, and most meaningful we should add, demonstrations against tyranny took place.

Ten years ago, the spirit of liberty and freedom was in the air in Budapest and in the countryside, and this spirit began to be felt by all who would turn their eyes and ears toward the East. The Hungarian people's demands for liberty and self-rule were heard in Moscow as well as in Washington, in Tokyo, as well as in London. For a brief moment, perhaps a week, these demands were met. The uprising had met with success. The world heaved a great sign of relief and expressions of joy were found everywhere.

Ten years ago that joy suddenly became sadness and the sighs of relief suddenly turned into grief, for as the new government began to be formed the Soviet Army, which had been standing in the wings all the while, was sent crashing onto the stage with but one order and one goal: crush the revolt at all costs and restore the Communist regime to power.

Ten years ago we saw the all too vivid pictures of what 20th century Communist tyranny is all about. The famous Hungarian freedom fighters, lacking the means but not the will, took to the streets with sticks and stones to do battle with the Red army tanks and machineguns. Demonstrators were killed or run down. Arrests were made during the night. Families were separated. Hungarians by the thousands fled their homes never to return. When the gunsmoke cleared away 20,000 Hungarians had lost their lives, tens of thousands had fled their country, and the Communists were back in power. The army had done its job: the revolution had been broken.

Ten years ago the Communist definition of freedom and people's democracies were shown by the events in Hungary to be exactly what they are: a topsy-turvy jumble of words, twisted thoughts, and perverted meanings that teach not democracy but tyranny, not virtue but inhumanity, not freedom but persecution. The revolution exposed the lie.

Ten years ago the revolution may have been broken, but it proved an inescapable conclusion; namely, that it is a universal goal of men everywhere to want to live their lives in human dignity with liberty. The Soviets, I think, learned what many of us have known for many years—the will to be free is a powerful force in the world today.

Today I join with my colleagues in sending best wishes to the great Hungarian people who have taught all of us a valuable lesson about freedom and liberty.

Mr. MURPHY of Illinois. Mr. Speaker, the 10th anniversary of the Hungarian revolt of October 1956 recreates vividly the mixed feelings of admiration and horror which an outraged world experienced in sympathy with the Hungarian people in that dark week between October 22 and October 28 a decade ago. More than that it offers occasion to review with some pride the actions of an aroused United Nations and the combined efforts of a number of individual nations to provide help, comfort, and even asylum for the victims—who numbered over 170,000—of the cruel repression by the Soviet Union of the brave effort of Hungarian patriots to restore the traditional freedom of their country.

Despite the small size of the nation, the independence of the Hungarian people had a history which could be traced back a thousand years when after World War II those proud people were brought under the yoke of communism. From the year 1001, when Pope Sylvester II sent the Holy Crown to St. Stephen, the King of the Hungarian people, while acknowledging that he was subject to the Pope in religious matters, had asserted the independence of the country in secular matters from the Holy Roman Empire. Down the centuries, despite the invasions of foreign princes and, at one time, the extinction of the national dynasty, Hungary managed to insist on government by its own laws and independence from the laws or interests of surrounding realms.

The independent thinking of the Hungarian people has been their dominant characteristic throughout their long history. With such a background it was not easy for the Hungarian nation to submit after World War II to the ruthless repression and tight control of Communists trained in Moscow who sought to pattern their country after the Soviet Union. Many Hungarians fled their homeland. But for those caught in the net of communism individual freedom and freedom of speech ceased to exist. Arbitrary imprisonment, methods of terror, and frequent executions became common where any opposition to the imposed regime was even suspected.

When in 1956, on a move from the U.S.S.R., there was a slight slackening in the police rule over Hungary, the response among the Hungarian people was immediate. With joy, enthusiasm, and what were at first peaceful gatherings they welcomed the announcement that certain student protestations and demands for more freedom were to be met with a relaxation of the unwelcome regime. The planned, peaceful demonstration drew some 200,000 persons, who showed no signs of other than peaceful dispersion. Suddenly, justly angered, they began to show their resentment. Then tear gas bombs rained upon them, and the secret police opened fire against them. An armed uprising ensued which lengthened into a 5-day battle. The casualties were numerous. The reprisals were brutal.

The world viewed with horror the treatment of this nation, which was but expressing its pent-up longing for the freedom it had known for centuries. The United Nations held special meetings passing resolutions condemning the use of Soviet military forces to suppress the efforts of the Hungarian people to assert their rights. The nations sent aid and comfort to the Hungarian nation, and provided homes around the world for the tens of thousands of refugees from the terror.

The courage and valor of the Hungarian patriots was hailed the world over, but more especially the evidence of the undying spirit of liberty which no amount of oppression could stifle. Ten years later we are honoring the occasion which illuminated the belief in freedom against all odds.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the Hungarian uprising of 1956 clearly demonstrates that the spirit of freedom cannot be oppressed and extinguished for long by sheer force. Often when there is little chance of attaining freedom, oppressed peoples will still resort to uprisings and revolutions in order to attain that supreme goal.

At the end of the last war the Hungarian people were brought under the tyrannical yoke of Communist totalitarianism and particularly after 1948 they suffered under an oppressive government. By the fall of 1956 they were set to throw out their dictatorial government and substitute a democratic one. This they did successfully during the last days of October, and their new government asked the Soviets to withdraw their troops from the country.

Unfortunately as it turned out, it was easier to overthrow the Communist regime than to get rid of the Soviet troops. And it was these troops, quickly reinforced with heavier tanks and other equipment, that subdued the Hungarian uprising and the resurgence of freedom, and once more imposed upon the Hungarian people a Communist dictatorship. This was done in a most brutal manner, with much bloodshed in many parts of the country, in which thousands of Hungarians gave their lives for the noble cause of freedom and independence.

Today marks the 10th anniversary of the Hungarian uprising against communism, and in observing its anniversary the people of the free world pay tribute to the memory of those gallant Hungarians who died fighting for the noblest of human ideals, for liberty and democracy.

Mrs. REID of Illinois. Mr. Speaker, we hold in commemoration this week, the 10th anniversary of a valiant struggle for freedom. Just one decade ago the Hungarian people, determined in the cause of freedom, attempted to throw off a tyrannous government, but they were crushed by Communist suppression. More than 25,000 of their number perished in this revolution—25,000 who, though they died in the cause of freedom, stand as a monument to that very cause.

Today there are millions still behind the Iron Curtain—millions who are held by the bonds of Communism. Many have escaped to freedom, but many more remain as captives of Communist oppression. No people of any nation should have to escape to freedom. It should be the natural birthright of all mankind to live in freedom. This is what the Hungarians sought 10 years ago, and we commemorate their revolution in the hope that one day they and, indeed, all the people of the world might gain these greatest possessions—freedom from tyranny and freedom of choice.

Mr. McGRATH. Mr. Speaker, this month marks the 10th anniversary of the Hungarian revolution of 1956, an event the entire free world can celebrate as a tribute to the indomitable spirit of freedom.

On October 23, 1956, dissident Hungarian workers and students sparked popular demand for the ousting of Erno Gero, Hungarian Communist Party secretary, and the formation of a new government by Imre Nagy. Their protest resulted in the appointment of Nagy, but demonstrations against Communist rule in Budapest developed into open revolution when the security police fired on the protesters.

Gero summoned Soviet Armed Forces to crush the rioting as revolutionary councils sprang up throughout Hungary. The insurrection appeared halted on October 28, when Nagy announced the Soviet Union had withdrawn its troops from Hungary. However, by November 1, Soviet forces had surrounded Budapest again and, despite Nagy's protest, launched a massive surprise attack against the Capital on November 4, with 200,000 troops and 2,500 tanks and armored cars.

Despite valiant resistance, the revolution was crushed and Hungary reverted to the satellite status in which it still remains today.

Mr. Speaker, we in the free world, watching with horror as those events unfolded in Hungary, were afforded a brief but stunning example of Communist beneficence in action during these October and November days a decade ago. While claiming to be the friends of the Hungarians, and while spouting vilifications of the Western imperialists and colonialists, the Soviets gave a naked display of their own type of colonialism for the entire world to see.

We note this anniversary of the Hungarian Revolution in order that the free world will not forget what took place in Hungary during that brief but inspiring uprising by men who would be free.

Mr. Speaker, in New Jersey's Second District, which I have the honor to represent, there now resides in the community of Linwood a man who has vividly described to the world the horrors of those autumn days of 1956 in Budapest.

Mr. Jozsef Kovago joined the Hungarian resistance movement when the Nazis occupied his country, became one of its leaders and was subsequently arrested by the Gestapo. Freed when the German occupation ended, he was elected mayor of Budapest in 1945 and served until the Communist coup of 1947 ended Hungary's short-lived experiment in democracy. In May 1950 Mr. Kovago was arrested by the Communists and suffered imprisonment and torture at their hands for 6 years.

He was released "provisionally" a few weeks before the 1956 revolution, and was again elected mayor of Budapest on November 1, during that short interim of freedom in the midst of the revolution. Even after the freedom fighters were crushed by the Soviet tanks and guns on November 4, Mr. Kovago remained in Budapest, hoping to save what little might be salvaged from the gains of the previous few weeks.

But when he realized the futility of further opposition to Soviet might, Mr. Kovago, his wife and daughter, escaped into Austria, partly on foot, through frozen mud, across mine fields, and in constant danger of discovery by Russian and Hungarian outposts along the border.

Since the 1956 revolution, Mr. Kovago has devoted much time and energy to pleading the case of his country before the United Nations, throughout the United States, and in Europe. His book, "You Are All Alone," published in 1959, can serve as a reference volume for all who would know the terror of a people "captured" by the Soviets and of the inextinguishable light of freedom which burns in the breasts of once-free men.

Mr. Speaker, freedom is the normal condition of man, and free men need not propagandize. Slavery is an alien condition, and, therefore, the enslavers must resort to propaganda in their efforts to distort the truth. Therefore, while the propaganda mills of the Communists reiterate their never-ending theme of "Western imperialism," we must never allow ourselves to forget that it is the Communists, not the free Western nations, who are the imperialists and colonialists; it is the Communists, not the free Western nations who, by force and terror, maintain their totalitarian grip on nations who wish no connection with them.

The Hungarian revolution of 1956 was brief and ended sadly, but it contains for us a lesson that we should not forget—the lesson that free men will always strive to maintain that freedom, and tanks, guns, torture nor privation can cause that flame of freedom, however dim, to die. Therefore, Mr. Speaker, I join in paying tribute to those heroic Hungarians who, without outside help, stood up to, and briefly routed, the Soviet Goliath 10 years ago.

Mr. RUMSFELD. Mr. Speaker, 10 years ago, on October 23, 1956, freemen throughout the world were deeply stirred by the revolt of the Hungarian freedom fighters against their Communist oppressors. With awe-inspiring courage, with heartbreaking tenacity, the Hungarian people fought the military forces of the Soviet Union in an attempt to overthrow tyranny and regain their cherished freedom. There was great anxiety in the hearts of men while for 7 days these heroic people faced a force more powerful than they. But such is the desire for liberty that men will die for it.

The 10 years that have passed since those dramatic and tragic days have not lessened the impact of the revolt. The world will long remember the valiant stand of the Hungarian people against a tyranny that was imposed upon them. World communism suffered a greater defeat than did the freedom fighters of Hungary, who turned the eyes of the world on the real nature of Communist oppression. The tyranny and cruelty of communism stood bare for all to see.

And today, the Hungarian Communist Party continues its suppression of basic human rights in Hungary—but the struggle to regain freedom continues. The battle for freedom is worldwide and will not cease. History has shown us that liberty cannot be taken for granted, but must be vigilantly guarded.

On this 10th anniversary of the revolt of the Hungarian people, we reaffirm our support of those who, though still under the yoke of communism, continue their fight for freedom. We join with all free men in prayer for the ultimate liberation of these courageous people.

Mr. SMITH of California. Mr. Speaker, October 23 will mark the 10th anniversary of the courageous effort of the freedom-loving people of Hungary to overthrow the Communist regime imposed upon them entirely against their will. It is one of the tragedies of history that this effort failed, not for want of strength or unity among the Hungarian people, but because of the ruthless intervention of the Soviet Union, which subdued the rebellion with hordes of troops and hundreds of tanks.

This 10th anniversary celebration, to be conducted here in the United States by the American Hungarian Federation, should serve a dual purpose as far as American understanding of the worldwide threat of Communist aggression and imperialism is concerned.

First, it should recall to our memory the savage brutality of the Russian invaders in their slaughter of the Hungarian freedom fighters in the streets of Budapest, and the subsequent execution of their immortal leaders, including Imre Nagy, who had succeeded in becoming installed as head of a free Hungarian government before its overthrow at the hands of the Kremlin.

Second, this anniversary should serve as a shining example of the dedication of a free people to carry on resistance to Communist oppression after a devastating defeat. The Hungarian people, and Hungarian refugees in our country and elsewhere, are determined to see the fight through until the day when their country is restored to freedom and independence.

There are two lessons here for the people of America: that the Communist goal of world domination will be pursued wherever it is deemed necessary by force and violence; and that we must stand firm and ever alert against the achievement of that goal, as well as in support of peoples in foreign lands who bear the brunt of Communist aggression.

Mr. AYRES. Mr. Speaker, 10 years ago in Hungary, the gallant citizens of Budapest defied the might of the Communist empire. Almost emptyhanded and against the most hopeless odds, they fought the tanks and machineguns of the Red army. And for a few days, to the astonishment of the entire world, the outcome remained in doubt.

Unfortunately, however, mere flesh and blood could not prevail against the storm of steel and fire which was launched against the courageous rebels. Their uprising was quenched in blood and of those who survived, many were forced to flee their native country.

We, in America, were fortunate enough to receive a number of these wonderful exiles. Just as did their fellow countrymen who came to the United States in the 19th century following the unsuccessful revolution of Louis Kossuth, they have taken their place among the most esteemed citizens of our own country. And it is precisely those qualities of courage, endurance, and refusal to bow to tyranny that has made them so valuable an element in our population.

A number of these refugees have settled in my own district, in and around Akron, and there they are making their own impressive contribution to American ilfe and progress. All of us, I am sure, feel the deepest sorrow at the martyrdom they experienced 10 years ago, but I am equally certain that we are grateful that so many of these magnificent human beings chose to make their homes among us. Their heroism, like their present participation in our society, will never be forgotten by the people of America.

Mr. HELSTOSKI. Mr. Speaker, this Nation is the most blessed in the history of the human race. We enjoy material benefices far beyond those of any people, of any era. We are the recipients of a system of government and a tradition of protection before the law which is as fine as has ever graced the lives of a people. While we must still work, and many must suffer to preserve and widen our blessings, still it is a fact that most of us have had our birth in this country with so fine a way of life, and so much hope for future betterment, as inherited aspects of our existence.

Familiarity may breed contempt. It may well breed indifference. For Americans it is all too easy to forget that our greatest fortunes, our freedoms today and our hopes for the future, are based on the validity and acceptance of certain very fundamental principles. These principles are general, they apply to all peoples, at all times. They are best summed up in the words of the Declaration of Independence:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights.

Mr. Speaker, the 23d of October marks the 10th anniversary of an event which dramatically demonstrated to all mankind that these rights are not universally applied. On that day in 1956 there occurred in the province of the Soviet Empire called Hungary a popular revolt against a native tyranny, sustained by foreign military power. The despicable nature of the regime which had brutally ruled the ancient nation of Hungary was subsequently revealed to the world. From the accounts of the more than 200,000 people who fled the terror erupting in Hungary as the Russians returned, and from the reports of foreign visitors who saw the evil Communist despotism unmasked, we have learned of the depths to which fanatical, power-mad men will go to humiliate and subjugate their fellows. One particularly terrifying set of personal accounts is given in the book by Robert Michener, "The Bridge at Andau."

The sickening story of the nature of the Communist totalitarian regime told by the victims should never have to be repeated. It is a sad fact that it has been. By outright treachery the Soviets restored the old form of tyranny. Thousands of brave Hungarian patriots were exiled. Two leaders, Gen. Pal Maleter and Premier Imre Nagy were seized after being promised immunity. By some accounts, at least 30,000 Hungarians were killed in the revolt and its suppression. In less than 3 weeks the tanks and deceit of the alien oppressors had implanted a new native regime to carry on the denial of fundamental human rights.

Mr. Speaker, this outrage, and the nature of Communist despotism must never be forgotten by freemen. It would be a dishonor to those who gave so much in a temporarily losing cause, and a sign of our own lack of dedication to our principles if we did not cry out in protest against the crime of 10 years ago. We must not forget. We must never cease to do our utmost to keep the hope of deliverance alive in the millions imprisoned behind the Iron Curtain.

It is with great respect that we must observe the gallant uprising of the Hungarian people. It is with equally great regret that we must observe that the task is still not completed. On this anniversary of that memorable day 10 years ago, it is with deep humility that I offer my congratulations to the Hungarian nation for their dedication to freedom and my sincere wishes that their days of trial may soon be over.

Mr. JOELSON. Mr. Speaker, the 23d of this month will mark the 10th anniversary of an event which must not be allowed to be forgotten. On that eventful day a decade ago there occurred in Budapest the beginning of a fatal crack in the monolithic ranks of communism. The people of Hungary rose against a hateful regime which had been imposed by brute force upon them by an alien state. The patriots of Hungary demonstrated to all the world that communism is not the wave of the future, that human freedom and national self-determination are the real motivating forces for peoples.

The Communists have always claimed to represent the interests of the laboring man. They have also believed that they could convince people of the validity of their creed if they could dominate the educational process. In Hungary they were given the opportunity. They were the absolute masters of that nation. They could organize society as they saw fit. Moreover, they could indoctrinate the youth with little fear of having to compete with conflicting views.

Mr. Speaker, with the outbreak of the national rebellion against the Communist puppets of Moscow the depth of the falsehood of these Communist tenets was exposed to an awe-struck world. Many of us can recall the poignant pictures of boys shouldering rifles to fight against the oncoming Soviet tanks. Such pictures are truly worth a million words. They should forever bury the myth put forth by the Communists and their apologists that communism is a rational system which can be appreciated by the youth of a country who have not been corrupted by the ideas of their elders.

The overt struggle for liberty was ended within a few tragic days. But, Mr. Speaker, the lesson is there for men to see and heed. The emptiness of Communist propaganda has been exposed. Men despise the cruel system which the followers of Marx and Lenin say they should love. We should take heart from the sacrifices of those forlorn heroes of Hungary. Their cause was not eradicated before 1956. And there is now no reason to believe it has since ceased to be held with a deep dedication by the Hungarian and other captive peoples.

Mr. McCARTHY. Mr. Speaker, last Sunday, the names of two brothers were prominent in the field of professional football. I refer to the Gogolak brothers, Pete and Charlie, placekickers for the New York Giants and the Washington Redskins, respectively. Now it just might be that these two excellent athletes would have been relatively unheard of in America had it not been for the abortive Hungarian revolution of October 1956. That tragic event which took the lives of more than 30,000 Hungarians led to the exodus of thousands of Hungarian citizens from their country, including the Gogolak family. This marks the 10th year since that revolt and it is proper that we remember it and reflect on what lessons are in it for each of us.

To me, the Hungarian patriots demonstrated before the entire world how a people who have once tasted from the wellspring of freedom will not be satisfied with a denial of that freedom. The freedom fighters taught the world that liberty and justice are not always bequeathed by a benevolent colonial power. They showed that independence is not always the result of a peaceful protest or a demonstration or condemnation from the United Nations. They showed that human beings will fight with rocks or bottles or whatever means are available to regain their political and civil liberty. The Hungarians demonstrated once again that sometimes it requires the supreme sacrifice for the attainment of a free society.

Their revolt was aborted by Soviet might, but the Hungarians gained the respect and sympathy of the entire world. Their deeds will ever be remembered in the annals of human resistance to tyranny. It is my honor to stand here today and praise the revolution for which so many thousands so willingly gave their lives.

Mr. ST. ONGE. Mr. Speaker, October 23 marks the 10th anniversary of the Hungarian revolution of 1956 and the 118th anniversary of the Hungarian revolution of 1848. Both of these uprisings were savagely suppressed by the intervention of massive Russian armed might. Even though history repeated itself in 1956, the sacrifices made then were not in vain, and very significant and lasting results come from this brave ordeal.

The revolution of 1956 at once dispelled the notion of the indivisibility and omniscience of the monolithic Soviet East European empire. Until this revolution, even serious students of European affairs tended to preach that this Soviet empire should be accepted as a de facto entity, and one which could be expected to last indefinitely. These experts failed to consider that no western people have ever been content to remain long under foreign domination, and certainly least of all the liberty-loving Hungarians.

The valiant actions of 1956 proved again the triumph of the human spirit, and that the desire for liberty can never be exterminated even in the face of enormous and unrestrained military power. This was an expensive lesson for the Kremlin masters and one which shook their empire to its foundations. It rekindled the desires for personal and economic freedom in the rest of Eastern Europe and started a drive for liberty which is ever increasing.

We may hope that in time the present Russian leadership will recognize that all people, those in the Soviet Union itself, as well as in its subject states, must be free to choose their own course, develop their economy and be guaranteed their national sovereignty. Until this comes about, the Soviet state will carry within it the seeds of its own ultimate demise.

The brave action of the Hungarian people in 1956 laid bare the true nature of Soviet imperialism for all the world to see. Thus, no longer could the Russian leaders divert attention from their ruthless brutality with a screen of falsehood and distortion concerning Western colonialism. The extent and severity of the Soviet imperialistic methods were shown in the persecution of patriots, secret trials and executions, unconscionable drives for collectivization of agriculture, violation of basic human rights, forced labor camps, and control and persecution of the clergy. While this created untold suffering for the Hungarian people, never again could there be any doubt of the lengths to which the Soviet Union would go in pursuing their own interests.

On the anniversary of this brave struggle for freedom, let us remember and honor the fallen heroes of 1956 and let us also rededicate ourselves to the ideals for which they died. The finest memorial we can create is to continue their struggle until all men are free.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. MARSH. I yield to the gentleman.

Mr. DERWINSKI. Mr. Speaker, I believe the gentleman from Virginia is to be commended for taking the time at this hour to call to the attention of the Members of the House the dramatic, historical consequences of the Hungarian revolution. It is unfortunate that so many people have such short memories, and that the oppression of the Communists that brought about this spontaneous revolution is now treated by the Department of State as a force worthy of coexistence. I think the gentleman has provided a very necessary and interesting review of history. I would certainly hope that in addition to the Members who are joining him in this special order, that our standing European experts in our State Department take heed. I believe the gentleman is entitled to the commendation of all the Members for the leadership he is exercising in calling our attention to this historic situation.

Mr. MARSH. I thank the gentleman from Illinois [Mr. Derwinski] for his complimentary remarks.

I am particularly pleased for his participation in the discussion that has taken place on the floor of the House of Representatives today.

The gentleman has long been recognized as an outstanding authority in reference to the problems of captive nations. He has been a vocal spokesman on their behalf and enjoys a well earned reputation as a champion of their cause.

HUNGARY 10 YEARS AGO

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I would like to incorporate as part of my remarks an article of the Central Europe Journal of October 1966, entitled "Hungary 10 Years Ago":

Hungary 10 Years Ago

(By Paul Auer)[1]

Henry R. Luce, editor-in-chief of Life magazine, wrote in December 1956 about the Hungarian revolution: "The story needs rehearing and retelling from man to man and generation to generation, so that the priceless thing fought for may keep its central place in our hearts." After a lapse of ten years a short "retelling" of the events of October 1956 and an analysis thereof should be inspiring and instructive.

After the death of Stalin, the riots in Pilsen, the East German uprising, and 20th Congress in Moscow, and Beria's fall, symptoms of strong oppositional forces were apparent in Hungary. The most active elements were the intellectuals who formed the "Petöfi Club", so named after the great Hungarian poet and leader in the Revolution of 1848 who died on the battlefield in 1849 fighting for freedom. The cry of the Petöfi Club was for "greater freedom" and more "humanism". Even the words "Down with the regime!" could be heard at one of their meetings. "A strong wind must not be rationed into gentle little breezes", said one of the writers at the meeting of the 27th of June. On October 6th there was a solemn re-interment of the former Communist Minister of the Interior, Laszlo Rajk, who had been executed and was rehabilitated after his death. According to the Communist paper *Szabad Nep*, "the silent demonstration of the hundreds of thousands of mourners was our pledge not only to preserve pure memories, but to remember the dark practices of tyranny, lawlessness, slander und defrauding of the people." Events in Poland accelerated the reform movement, but no one dreamed it would end in revolution.

Everybody hoped for a peaceful transformation. On the 22nd of October, at a students' meeting at the University of Budapest, it was decided that the young people should stage a "silent demonstration" the following day to express their deep sympathy and agreement with events in Poland. The Petöfi Club also passed a resolution asking "for the democratization of the youth movement" at the meeting of October 23rd. On the afternoon of the historic day of the 23rd of October 1956, university students gathered in front of the Petöfi monument carrying banners inscribed: "Long live the youth of Poland!" Some sang the Kossuth hymn. Then they marched over to the statue of Bem, a Polish general who fought in 1849 on the side of the Hungarian revolutionists. There they were joined by other students, workers, writers and journalists shouting: "Send the Red army home!" "We want free elections!" "We want new leaders!" But this was still a peaceful manifestation of people carrying no arms. Its character changed only when the demonstrators learned of the speech of party leader Gerö who refused to join forces with those of the political police. Later on the entire Hungarian army joined the demonstrators and let them have arms from the barracks. Some Russian soldiers also helped them.

Thus a peaceful demonstration became a bloody revolution, victorious until the Russian aggression. It happened on the 4th of November, when, disregarding the provisions of the United Nations Charter, fresh Russian tanks and troops entered the country in spite of the protests of the new government. Hungarian youth and workers again fought with heroic courage, yet it was a hopeless struggle. In three days everything was over. About 20,000 Hungarians lost their lives in the fighting between the 23rd of October and the 7th of November, and 200,000 left the country to join those other 200,000 who emigrated in 1947 and 1948 after the Communist take-over. Prime Minister Imre Nagy and his associates who took refuge at the Yugoslav Legation were arrested by the Russians—in spite of assurances of safety—when they left the Legation. They were later executed. A considerable number of freedom-fighters were either sent to Russian camps or imprisoned. Thousands of them are still in Soviet camps, while others are in Hungarian prisons.

When the present Communist leaders speak about these tragic events, they use the term "counter-revolutions". Counter what? There was no revolution in Hungary during or after the second world war until 1956. Communism was brought to the country by the Russian army. When the war was over, at the end of 1945, there were elections in Hungary in the presence of the Soviet occupation troops. Nevertheless, and although Hungarian voters did not yet know what Communism really means in practice, the Communist Party only won 17 percent of the votes. Radical agrarian and other social reforms were voted by a parliament in which the great majority was non-Communist. Therefore a revolution would not have been justified and did not take place. In the summer of 1947, the Communist Party, protected by the Russian troops, seized power. In 1956, the Hungarian people again voiced its will; 98 percent of the population wanted a change.

The revolution proved that: (1) In spite of the heavy indoctrination, youth remained anti-Communist; (2) the working-class was opposed to the so-called dictatorship of the proletariat which is nothing but the dictatorship of the leaders of a foreign party; (3) The theory of historic materialism is erroneous, because the revolution did not break out for materialistic reasons. People did not demand more bread, but more freedom and independence. Idealistic motives can still attract and inspire people, even in this materialistic age.

The revolution had no leader and no prepared program. It was only on the 23rd of October that university students drafted a paper of 15 points outlining their demands. The most important ones were: (1) withdrawal of Soviet troops; (5) free elections; abolition of the one-party system; right to strike; (12) freedom of the press; the right to speak and criticize freely. The Writers' Association also prepared a memorandum embodying similar ideas. It urged "an independent national policy", "political and economic conditions for free membership in co-operatives," the people must elect their representatives in parliament, in the councils, and in all the autonomous organs of administration by free secret ballots. The Revolutionary Committee of Hungarian Intellectuals, formed on 28th October, demanded "the withdrawal of Soviet troops," "general and secret elections," "the candidates must be nominated by the people," and "absolute freedom of press and assembly." The Students' Parliament of Miskolc declared on October 26th that Hungary "should become a member of a Danubian Federation." Prime Minister Imre Nagy declared in his radio speech of 3rd October that the one-party system had to be abolished. He was also in favour of withdrawal from the Warsaw Pact and of accepting a neutral status for Hungary, modeled on that of Austria.

Ten years after this tragic blood-bath, not one of the aims for which so many heroes sacrificed their lives, has been achieved. A considerable number of Soviet troops are still stationed on Hungarian territory. There is still only one political party. The fundamental freedoms and most of the human rights are still not respected.

The Hungarian revolution opened the eyes of the Western world. Statesmen realized what terrible mistakes were made at Yalta. There was no lack of manifestations of sympathy. The writer of this article received the following as yet unpublished letter dated 10th November 1956 from the then socialist prime minister of France: "Mr. Minister, Thank you very much for your letter of 2nd November which touched me deeply. Believe me, the help which the French people and their government are trying to bring to the Hungarian people will continue. As a democrat and a European, I am profoundly grieved by the martyrdom which your unfortunate country is suffering. I myself, as well as my government, salute with admiration the courage of the Hungarian people who, once again, shows how highly it values the respect due to the essential rights of human beings and of the nation. Please accept . . . Signed: Guy Mollet. The then Foreign Minister of Eire, Mr. McBride, spontaneously cabled me, asking what his country could do for us. In the humanitarian field everything possible was done. But that was all. The fear of a world war and the Suez problem paralyzed the Western leaders. As we know now, the Kremlin made the decision to send fresh troops to Hungary only after very long discussions and hesitation, on the pressing demands of China; it is probable that energetic diplomatic interventions would have changed the situation. The resolutions of the U.N. were not respected. A visa was refused to the secretary-general of this world organization.

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[1] The author, former Hungarian ambassador, is now living as an exile in Paris.

Discontent is still general, not only in Hungary, but everywhere in Eastern Europe. Spontaneous outbreaks are always possible, in spite of the lesson of the revolution. Historical events do not always occur in the same place, in the same way, under the same circumstances, and do not always have the same outcome. It is time for the Soviet leaders to reconsider the situation in Central and Eastern Europe and to try to avoid new catastrophes by granting the right of self-determination in Central and Eastern Europe and by creating in this area a situation in which peace and security would be guaranteed for all, and this for her neighbors' sake as well as for her own.

GENERAL LEAVE TO EXTEND

Mr. MARSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to revise and extend their remarks on the Hungarian revolution.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

GENERAL PULASKI: POLISH PATRIOT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, the month of October brings to mind the name of a valiant fighter for the cause of American freedom. October 11 is the anniversary of the death of a great man, the Polish patriot, Casimir Pulaski.

Pulaski fought for freedom in his native land, a country that existed as a nation hundreds of years before many of its present-day neighbors. But Pulaski's fight for his homeland did not succeed, for then, as now, the forces of Russia imposed their might upon the courageous people of Poland.

Pulaski, with a price upon his head, made his way to Paris, where he met Benjamin Franklin. Through Franklin it was arranged that Pulaski should come to North America. The cause of freedom attracted Pulaski to a land thousands of miles from his home. To Pulaski, the love of freedom was not restricted by national boundaries.

Gen. George Washington was greatly impressed with Pulaski. He recognized the Polish patriot's military and personal qualifications. Assigned to Washington's army, Pulaski shortly achieved the rank of brigadier general.

On September 11, 1777, the Battle of Brandywine occurred and Pulaski was able to demonstrate his worth. Here he performed with bravery and distinction.

Later, Washington asked Congress to permit Pulaski to organize a cavalry force. Congress agreed and Pulaski proceeded with his task. The result of this was the formation of a separate command known as Pulaski's legion. This small force became famous for its intrepidity and daring. Its successes were many and today General Pulaski is known as the Father of the American Cavalry.

In 1779, he commanded the cavalry of both the French and American forces at the Battle of Savannah. Wounded severely on October 9, he died 2 days later. General Pulaski gave his life in the cause of freedom, just as he spent his life in that same pursuit.

As we honor General Pulaski today, we must not forget that he was not only an American patriot, but a Polish patriot as well. As we remember the Polish people for their great contributions to our country in the past, we must recognize that today the voice of Polish freedom, though muffled, is not dead.

An old saying puts it this way, "You may swallow Poland, but you cannot digest her."

Well, I suspect that the Communist overlords in Poland have been having some severe attacks of acute indigestion lately.

Two years ago the then Attorney General of the United States, ROBERT KENNEDY, paid a visit to Poland. The Communists were embarrassed at having the brother of the late President in their land, so they made no mention of it on the radio, television, or in the press. Officially, ROBERT KENNEDY was not there.

However, the news of his arrival spread by word of mouth, and thousands and thousands of Polish people walked many miles to see this representative of the free world. As one report described it, it was like an American political campaign, with the multitudes chanting in unison, "KENNEDY, KENNEDY, KENNEDY."

You can imagine how Gomulka liked that. I hear he has not slept well since.

Just this past spring, as Poland's deeply religious people prepared to celebrate their millennium of a thousand years of Christianity, the Communist government announced a program of their own, one designed to conflict with and block off any sizable participation in the religious activities planned.

What happened then is another example of the Polish conviction that no man owns their minds. The Polish people fought the Reds and supported their church. Once again Gomulka found out that the country, though controlled through the force of arms, nevertheless is not subservient to those who would seek to dominate it.

The United States, in recognition of the ties that bind the Polish people to the Americans, issued a stamp honoring the Polish millennium.

I was proud to be at President Johnson's side when he signed the bill authorizing the stamp.

I will be prouder still when the principles for which General Pulaski so nobly fought rip back the ties of bondage and restore Poland once again to a place among the nations of freemen.

RECOMMENDATIONS FOR THE REORGANIZATION OF CONGRESS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, at the October 10, 1966, meeting of the House Republican policy committee, a policy statement regarding "Recommendations for the Reorganization of Congress" was adopted. As chairman of the policy committee, I would like to include at this point in the RECORD the complete text of this statement:

REPUBLICAN POLICY COMMITTEE STATEMENT ON RECOMMENDATIONS FOR THE REORGANIZATION OF CONGRESS, OCTOBER 10, 1966

We urge the immediate consideration of H.R. 17873, the Legislative Reorganization Act of 1966. This bill would implement the important recommendations contained in the final report of the Joint Committee on the Organization of Congress which was filed with the Congress on July 28, 1966.

The Joint Committee on the Organization of Congress was established by unanimous vote of both the House and the Senate in March of 1965. It has held 41 public hearings and received the views of 199 witnesses. The testimony, together with the statements, documents and an index, is contained in 16 printed volumes totaling 2,435 pages. Between January 19, 1966 and the filing of the report on July 28, 1966, the Committee and its staff met in over 50 executive sessions to consider the proposed reforms and to formulate its recommendations. The work of this Committee has been thorough and complete. Without question, the recommendations contained in this report, if enacted into law, would make Congress a more effective institution for carrying out its basic functions.

The recommendations of the Joint Committee, as implemented by H.R. 17873, include:

1. The establishment of a Joint Committee on Congressional Operations with continuing authority to study the structure and procedures of Congress and to recommend additional reforms and changes.

2. The protection of the rights of the minority through the provision of additional committee staff, the right to present minority views and reports, the provision of equal time on conference reports, and the right to schedule witnesses during at least one day of Committee hearings.

3. The creation of a House Committee on Standards and Conduct which would have an equal number of majority and minority members.

4. The authorization of measures designed to assist Members of Congress in the performance of their Congressional duties. Such measures would include enlarging committee staffs, strengthening and improving the Legislative Reference Service, and authorizing committees to employ consultants on an interim basis in order to take advantage of expertise in various fields of knowledge.

5. The implementation of fiscal controls and budgetary reforms that would include a greater utilization of the General Accounting Office, a multiple-year financial projection of programs and the updating of the budget on June 1 of each year, and the testimony of responsible Executive Department officials before the Appropriations Committee of each House within 30 days after the budget is presented to Congress.

6. The establishment of a Bill of Rights for committees that would: require the announcement of record votes; permit the majority to compel the filing of a report or a bill; prohibit the use of proxies; and

require the printing of committee rules at the beginning of each session.

The Republican Members of the House of Representatives long have been interested in Congressional reform. At the outset of this session of Congress, a task force of the House Republicans on Congressional Reform and Minority Staffing was appointed to study the matter of Congressional reform in depth. As a result of the work of this task force a book entitled "We Propose: A Modern Congress" has been published. The conclusions and recommendations contained in this book were presented in full to the Joint Committee and many of the recommendations of the committee stemmed from the work of the task force.

It is unfortunate that the Joint Committee rejected the recommendations by the Republican members that a Committee on Procedures and Policies be created. This Committee would be given the power to examine into and report back to Congress on the expenditure of Federal funds by the Executive Branch to insure that they are spent efficiently and in accordance with the law. The Chairman of the Committee would be a member of the minority party. This would insure that a thorough evaluation of the programs administered by the party in power would be made. It is difficult, if not impossible, for a committee of this type to conduct an effective investigation if the results are apt to reflect unfavorably on their own party's administration.

This is not a new idea. The House of Commons in Great Britain has a committee known as the Committee of Public Accounts whose chairman is by convention a leading member of the opposition. Also, in 1923, a Democratic Senator was designated to head the Teapot-Dome oil reserve investigation at a time when both Houses of Congress and the Executive Branch were controlled by the Republican Party.

We are also concerned by the fact that the Joint Committee failed to address itself to the problem of Executive Branch lobbying. Although the United States Code specifically prohibits the use of appropriated monies to influence Members of Congress "to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress," substantial sums have been used for this purpose. In the recent past, long and detailed telegrams have been sent by Executive Department officials to Members of Congress urging their support of certain legislation. Similarly, long distance calls have been made and Members have been personally canvassed regarding their intentions with respect to a particular bill. The loophole in the present law that permits this type of activity, or the failure to adequately enforce the present law, must be corrected.

This Congress should not adjourn until it has acted on the Congressional reform recommendations. This legislation must not be filed and forgotten. Congress needs strengthening and modernizing and time is of the essence. Reforms should be enacted now so that the next Congress may utilize the new institutions and procedures. We pledge our support and assistance in getting this important legislation enacted into law. We call upon the Democratic leadership to schedule H.R. 17873 for immediate House consideration.

FDA OVERSTEPS AUTHORITY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GURNEY. Mr. Speaker, today I am introducing a concurrent resolution to express the sense of the Congress that the regulations ordered by the Food and Drug Administration with respect to diet supplement should not be made effective until the Congress has conferred authority upon the FDA to make such regulations.

On June 13, 1966, Dr. James Goddard, Food and Drug Commissioner, told the Woman's National Democratic Club:

> The Government does not and must not attempt to dictate what is to be sold to people.

Just 4 days later, on June 17, he did precisely what he said the Government should not and does not do. He issued an order to be effective on December 15, 1966, which will severely limit the amount, number, and combination of vitamins available without a prescription.

In addition, the position and the attitude taken by the Food and Drug Administration is in opposition not only to informed opinion, but also to data and evidence compiled and evaluated by the U.S. Department of Agriculture and other governmental agencies. These data were assembled and published at substantial cost to the taxpayers.

I have received numerous letters from my constituents in Florida objecting to these changes in regulations relating to labeling and content of diet foods and diet supplements.

If certain safe and essential nutrients such as vitamins and minerals can be restricted as to kind and amount available, what is to stop the FDA from limiting our use of salt, sugar, and saturated fats on the grounds that they may be harmful?

A constituent of mine has projected this even further to the day that the FDA will tell us that Crispies are a more nutritious breakfast cereal than Friskies and thus take Friskies off our grocery shelves.

In any case, it seems that such regulations, if needed at all, should be imposed by Congress after debate and vote and not by the Food and Drug Administration.

These regulations, if put into effect, will hit hardest our senior citizens. These people often require special supplements in their daily diet and on a fixed income should not be burdened with the added expenses of doctors' visits and prescription fees. The retiree, whose pocket is already thinly worn by today's inflationary prices, can ill afford unnecessary expenditures.

This is just one more example in the growing list of the administration and its agents boldly taking it upon themselves to do whatever they please without regard to the consequences. Such significant decisions with such far-reaching effects should be the work of the Congress, if anyone. However, it is not clear here that any action needs to be taken. It is clear that such action should not be taken lightly by Dr. Goddard or any other bureaucrat. It is shocking that the President's own attitude of limitless power should serve as a model to so many others in his administration.

The implications of this sort of autocracy are frightening.

TAX CREDIT FOR EDUCATIONAL EXPENSES

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, Federal aid to students seeking educational training is not a novel concept in this body. Our recognition of the importance of higher education and the problem of increasing costs to obtain one has become an important area of concern for the growth and progress of our Republic.

Today I have introduced legislation to help continue the tradition of sponsoring and encouraging education. My bill would allow a credit against income tax to an individual for expenses of higher education when paid by him to provide an education above the 12th grade for himself or for any other individual for whom he has a dependent obligation.

Our Nation can be proud of the fact that in the last 10 years our college population has doubled. The importance of this figure is self-evident. The percentage of individuals in our society who receive a higher education can directly affect the position of leadership our country maintains in the world community.

However, while the number of students attending schools has increased, so have their expenses. The July 16, 1966, issue of the Washington Star reported in an editorial that since 1954 the average cost, of attending a public institution for higher learning, per year has risen from $1,190 to $1,600, and for a private college from $1,700 to nearly $2,500.

To meet these increasing costs, Federal and State agencies, along with private lending institutions, have provided loan programs to students in an effort to help defray education expenses.

According to Dr. Robert Hall, chief of the programs and services branch of the Office of Education, the national defense student loan program, administered by the Federal Government in fiscal 1965, loaned $164 million to 317,000 students on the undergrad and graduate levels. The 50 States and the District of Columbia have similar loan programs. For example, under Governor Rockefeller, New York State alone in 1963–64 loaned a total of $177,625,000 to 250,091 students.

The private sector of our economy has also shared the burden of the high costs of education. Dr. Charles E. Walker, executive vice president of the American Bankers Association, stated in a speech in October 1964, before the association's convention, that—

> It is estimated that the State and private guarantee plans generated $150 million in student loans during the 1965–66 school year. A conservative estimate for the next school year would be that these plans will guarantee well over $400 million in student loans. And this doesn't count the many thousands of personal, mortgage and business loans whose proceeds are in fact used to pay college costs.

This record of Federal, State, and private assistance to students is certainly an outstanding one, but the challenge of providing an education for all who are capable is a continuing one. By 1970, our college population is expected to be about 7 million compared with the current figure of 4,800,000. New answers to the financial plight of our students must be forthcoming. I do not believe the answer is simply to increase the amount of loans available to students.

A survey, conducted by the Northwestern Life Insurance Co., of placement officials at 100 colleges across the country illustrates the possible ramifications on our college campus of increased student indebtedness.

In a summary of responses of the placement officials, Fordham University reported:

> Considerable increase in indebtedness. As a result, some who graduate with heavy loan obligations are impelled to rate job opportunity solely on basis of immediate monetary return—particularly if they are compounding their situation with early marriage. Thereby career planning loses the flexibility it should have.

The University of North Carolina also reported that student indebtedness is increasing and that those from very low income families have difficulty repaying. Columbia University, notwithstanding a policy of encouraging students with debts to do part-time work, reported that student indebtedness, now 65 percent for males, is growing, with some problem cases occurring.

At a cost of $10,000 to $20,000 for 4 years of higher educational training, the student, upon graduation, may have incurred a debt averaging $15,000.

My bill, a copy of which follows at the end of this statement, would not solve this problem completely, but it would provide a significant contribution to education by aiding those students who are in need of financial help. The tax credit would help the student, regardless of whether the school is a public or private institution. This would eliminate the problem of increasing the Federal arm of control over the colleges and universities across the Nation.

To give assistance directly to the institutions themselves could be to create "federalized education." We want to aid education, not control it. Tax incentives help to create individual initiative to accomplish the goal of ability to pay for more higher education.

Senator RIBICOFF introduced a similar bill—Senate bill 12—in the Senate on January 6, 1965. Senate bill 12 provided a tax credit for individuals for expenses for a higher education paid by the individual to one or more institutions of higher education. My bill would expand this credit so as to make it applicable to individuals who are paying back to a Federal, State, or private loan agency the funds used for educational expenses before graduation.

Scholarships or grants may aid in paying for an education to some extent, but they may not be sufficient. The Commissioner of the Office of Education under the Department of Health, Education, and Welfare has stated that a family of four with a $13,000 income undergoes considerable financial strain if two children simultaneously attend a college or university. An estimated 24 percent of the family's income must be set aside before taxes to cover the expense. Thus, for many families, loans are the only answer.

This type of Federal assistance would not necessitate the formation of a new administrative agency and at the same time would allow private institutions to increase their loan assistance by making the student's burden somewhat lighter. Thus, my bill would not only provide direct financial help to individuals, but would also attract more private funds to subsidize the educational programs of our student population.

Mr. Speaker, there cannot be any doubt that more assistance must be forthcoming to offset the rise in educational costs. I was particularly disturbed with the Internal Revenue Service's proposed ruling on July 7, 1966, which eliminated some of the few tax deductions presently available for individuals for educational expenses. The Internal Revenue Service disallowed deductions for courses leading to a degree and for costs incurred for study or training to meet an employer's increases in occupational requirements. My bill would not only prevent an expansion of this rule, but it would completely overturn it. Revenue should not obtain a higher value rating in our society than education.

The proposed regulations have since been reconsidered by the Internal Revenue Service. The IRS revised proposed regulations and new set of proposed rules were published in the Federal Register, volume 31, No. 191, October 1, 1966, and follow at the end of this statement, together with an explanatory comment by the Internal Revenue Service. We should not allow this question to continue at the whim of the Internal Revenue Service, and the situation with regard to the deductibility of education expenses ought to be made clear in the law itself.

President Johnson stated in April 1964 that—

> We have entered an age in which education is not just a luxury permitting some men an advantage over others. It has become a necessity without which a person is defenseless in this complex, industrialized society . . . We have truly entered the century of the educated man.

I hope this body gives careful consideration to the bill I have introduced today. I believe the tax credit system will serve as the best instrument of Federal assistance to education in this, "the century of the educated man." It will provide the necessary help for the individual student while increasing the amount of private funds available for assistance.

It is a small premium for the Federal Government to pay, for the insurance that the people of our country will maintain a higher intellectual plateau than ever before. For therein lies the foundation upon which this country can grow to the heights visualized in the minds of men, but not yet attained.

A copy of the bill I have introduced today and the revised proposed Internal Revenue Service regulations and new set of proposed rules referred to above, together with explanatory comment, follow:

H.R. 18288

A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by redesignating section 40 as 41, and by inserting after section 39 the following new section:

"SEC. 40. EXPENSES OF HIGHER EDUCATION.

"(a) General Rule.—There shall be allowed to an individual, as a credit against the tax imposed by this chapter for the taxable year, an amount, determined under subsection (b), of the expenses of higher education paid by him during the taxable year to provide an education above the twelfth grade for himself or for any other individual to whom he owes a dependent obligation.

"(b) LIMITATIONS.—

"(1) AMOUNT PER INDIVIDUAL.—The credit under subsection (a) for expenses of higher education of any individual paid (whether in repayment of a loan or otherwise) during the taxable year shall be an amount equal to the sum of—

"(A) 75 percent of so much of such expenses as does not exceed $200,

"(B) 25 percent of so much of such expenses as exceeds $200 but does not exceed $500, and

"(C) 10 percent of so much of such expenses as exceeds $500 but does not exceed $1,500.

"(2) PROBATION OF CREDIT WHERE MORE THAN ONE TAXPAYER PAYS EXPENSES.—If expenses of higher education of an individual are paid by more than one taxpayer during the taxable year, the credit allowable to each such taxpayer under subsection (a) shall be the same portion of the credit determined under paragraph (1) which the amount of expenses of higher education of such individual paid by the taxpayer during the taxable year is of the total amount of expenses of higher education of such individual paid by all taxpayers during the taxable year.

"(3) Double credit prohibited.—In the case of a taxpayer who is allowed a credit against tax under this section for amounts paid to an institution of higher education, such taxpayer shall not be allowed an additional credit against tax under this section for amounts paid to a financial or credit institution in repayment of a loan used to make those payments to such institution of higher education for which such credit against tax was allowed.

"(c) Definitions.—For purposes of this section—

"(1) The term 'expenses of higher education' means—

"(A) any amount paid by the taxpayer to one or more institutions of higher education for—

"(i) tuition and fees required for the enrollment or attendance of a student at a level above the twelfth grade at an institution of higher education, and

"(ii) fees, books, supplies, and equipment required for courses of instruction above the twelfth grade at an institution of higher education; or

"(B) an amount paid by the taxpayer in repayment of the principal of a loan made to him by a financial or credit institution (including an insurance company), subject to examination and supervision by an agency of the United States or of any State, which amount, under regulations prescribed by the Secretary or his delegate, is allocable to the portion of such loan used by the taxpayer to pay the expenses described in subparagraph (A).

In the case of amounts paid to an institution of higher education, such term does not include any amount paid, directly or indirectly, for meals, lodging, or similar personal, living, or family expenses. In the event an amount paid to an institution of higher education for tuition or fees includes an amount for meals, lodging, or similar expenses which is not separately stated, the portion of such amount which is attributable to meals, lodging, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

"(2) The term 'institution of higher education' means an educational institution (as defined in section 151(e)(4))—

"(A) which regularly offers education at a level above the twelfth grade, and

"(B) contributions to or for the use of which constitute charitable contributions within the meaning of section 170(c).

otherwise taken into account under subsec-

"(d) SPECIAL RULES.—

"(1) ADJUSTMENT FOR CERTAIN SCHOLARSHIPS AND VETERANS' BENEFITS.—The amount tion (a) as expenses of higher education of any individual during any period shall be reduced (before the application of subsection (b)) by any amounts received by such individual during such period as—

"(A) a scholarship or fellowship grant (within the meaning of section 117(a)(1)) which under section 117 is not includible in gross income, and

"(B) education and training allowance under chapter 33 of title 38 of the United States Code or educational assistance allowance under chapter 35 of such title.

"(2) NONCREDIT AND RECREATIONAL, ETC., COURSES.—Amounts paid for expenses of higher education of any individual shall be taken into account under subsection (a)—

"(A) in the case of an individual who is a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction for which credit is allowed toward a baccalaureate or higher degree, and

"(B) in the case of an individual who is not a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

"(3) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) to the taxpayer shall not exceed the amount of the tax imposed on the taxpayer for the taxable year by this chapter, reduced by the sum of the credits allowable under this subpart (other than under this section and section 31).

"(e) DISALLOWANCE OF EXPENSES AS DEDUCTION.—No deduction shall be allowed under section 162 (relating to trade or business expenses) for any expense of higher education which (after the application of subsection (b)) is taken into account in determining the amount of any credit allowed under subsection (a). The preceding sentence shall not apply to the expenses of higher education of any taxpayer who, under regulations prescribed by the Secretary or his delegate, elects not to apply the provisions of this section with respect to such expenses for the taxable year.

"(f) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section."

(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"SEC. 40. Expenses of higher education.
"SEC. 41. Overpayments of tax."

SEC. 2. The amendments made by this Act shall apply to taxable years beginning after December 31, 1966.

[Reprinted from Federal Register, Vol. 31, No. 191, Oct. 1, 1966]

PROPOSED RULEMAKING—DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE

[26 CFR Part 1]

EXPENSES FOR EDUCATION

Notice of proposed rulemaking

Pursuant to the Administrative Procedure Act, approved June 11, 1946, regulations proposed to be prescribed as § 1.162–5 and § 1.262–1(b)(9) were published in tentative form with a notice of proposed rule making in the FEDERAL REGISTER for July 7, 1966 (31 F.R. 9276). Notice is hereby given that such proposed regulations are withdrawn.

Further, notice is hereby given, pursuant to the Administrative Procedure Act, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:IR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at the public hearing which will be held on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. Notice of the time, place, and date of the public hearing is published simultaneously herewith. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

In order to provide more specific rules with respect to the treatment, for Federal income tax purposes, for expenditures for education, § 1.162–5 (relating to expenses for education) and § 1.262–1 (relating to personal, living, and family expenses) of the Income Tax Regulations (26 CFR Part 1) are amended as follows:

PARAGRAPH 1. Section 1.162–5 is amended to read as follows:

§ 1.162–5 Expenses for education.

(a) *General rule.* Expenditures made by an individual for education (including research undertaken as part of his educational program) which are personal or capital expenditures, or which have elements of both, are not deductible. Educational expenditures included within this category are described in paragraph (b) of this section. On the other hand, expenditures made by an individual for education (including research undertaken as part of his educational program) which are neither capital nor personal expenditures are deductible as ordinary and necessary business expenses (even though the education may lead to a degree) if the education—

(1) Maintains or improves skills required by the individual in his present employment or other trade or business, or

(2) Meets the express requirements of the individual's employer, or the requirements of applicable law or regulations, imposed as a condition to the retention by the individual of an established employment relationship, status, or rate of compensation.

(b) *Nondeductible educational expenditures*—(1) *In General.* Educational expenditures described in subparagraphs (2) and (3) of this paragraph are personal or capital expenditures, or have elements of both, and, therefore, are not deductible as ordinary and necessary business expenses even though they may maintain or improve skills required by the individual in his present employment or other trade or business or may meet the express requirements of the individual's employer or of applicable law or regulations.

(2) *Minimum educational requirements.* (i) The first category of nondeductible capital or personal educational expenses are expenditures made by an individual for education which is required of him in order to meet the minimum educational requirements for qualification in his present employment or other trade or business. The minimum education necessary to qualify for a position or other trade or business must be determined from a consideration of such factors as the requirements of the employer, the applicable law and regulations, and the standards of the profession, trade, or business involved. The fact that an individual is already performing service in an employment status does not establish that he has met the minimum educational requirements for qualification in that employment. Once an individual has met the minimum educational requirements for qualification in his present employment or other trade or business, he shall be treated as continuing to meet those requirements even though they are subsequently changed.

(ii) The minimum educational requirements for qualification of a particular individual in a position in an educational institution is the minimum level of education (in terms of college hours or degree) which under the applicable laws or regulations, in effect at the time this individual is first employed in such position, is normally required of an individual initially being employed in such a position. If there are no normal requirements as to the minimum level of education required for a position in an educational institution, then an individual in such a position shall be considered to have met the minimum educational requirements for qualification in that position when he becomes a member of the faculty of the educational institution. The determination of whether an individual is a member of the faculty of an educational institution must be made on the basis of the particular practices of the institution. However, an individual will ordinarily be considered to be a member of the faculty of an institution if (a) he has tenure or his years of service are being counted toward obtaining tenure; (b) the institution is making contributions to a retirement plan in respect of his employment; or (c) he has a vote in faculty affairs.

(iii) The application of this subparagraph may be illustrated by the following examples:

Example (1). General facts: State X requires a bachelor's degree for beginning secondary school teachers which must include 30 credit hours of professional education courses. In addition, in order to retain his position, a secondary school teacher must complete a fifth year of preparation within 10 years after beginning his employment. If an employing school official certifies to the State Department of Education that applicants having a bachelor's degree and the required courses in professional education cannot be found, he may hire individuals as secondary school teachers if they have completed a minimum of 90 semester hours of college work. However, to be retained in his position, such an individual must obtain his bachelor's degree and complete the required professional education courses within 3 years after his employment commences. Under these facts, a bachelor's degree is considered to be the minimum educational requirement for qualification as a secondary school teacher in State X. The following are examples of the application of these facts in particular situations:

Situation 1. A, at the time he is employed as a secondary school teacher in State X, has a bachelor's degree including 30 credit hours of professional education courses. After his employment, A completes a fifth college year of education and, as a result, is issued a standard certificate. The fifth college year of education undertaken by A is not education required to meet the minimum educational requirements for qualification as a secondary school teacher.

Situation 2. Because of a shortage of applicants meeting the stated requirements, B, who has a bachelor's degree, is employed as a secondary school teacher in State X even though he has only 20 credit hours of professional education courses. After his employment, B takes an additional 10 credit hours of professional educational courses. These courses do not constitute education required to meet the minimum educational requirements for qualification as a secondary school teacher.

Situation 3. Because of a shortage of applicants meeting the stated requirements, C is employed as a secondary school teacher in State X although he has only 90 semester hours of college work towards his bachelor's degree. After his employment, C undertakes courses leading to a bachelor's degree. These courses (including any courses in professional education) constitute education required to meet the minimum educational requirements for qualification as a secondary school teacher.

Situation 4. Subsequent to the employment of A, B, and C, but before they have completed a fifth college year of education, State X changes its requirements affecting secondary school teachers to provide that beginning teachers must have completed 5 college years of preparation. In the cases of A, B, and C, a fifth college year of education is not considered to be education undertaken to meet the minimum educational requirements for qualification as a secondary school teacher.

Example (2). D, who holds a bachelor's degree, obtains temporary employment as an instructor at University Y and undertakes graduate courses as a candidate for a graduate degree. D may become a faculty member only if he obtains a graduate degree and may continue to hold a position as instructor only so long as he shows satisfactory progress towards obtaining this graduate degree. The graduate courses taken by D constitute education required to meet the minimum educational requirements for qualification in D's intended trade or business and, thus, the expenditures for such courses are not deductible.

Example (3). E, who has completed 2 years of a normal 3-year law school course leading to a bachelor of laws degree (LL.B.), is hired by a law firm to do legal research and perform other functions on a full-time basis. As a condition to continued employment, E is required to obtain an LL.B. and pass the State bar examination. E completes his law school education by attending night law school, and he takes a bar review course in order to prepare for the State bar examination. The law courses and bar review course constitute education required to meet the minimum educational requirements for qualification in E's intended trade or business and, thus, the expenditures for such courses are not deductible.

(3) *Qualification for new trade or business, position, or specialty.* (i) The second category of nondeductible capital or personal educational expenses are expenditures made by an individual for education which is part of a program of study being pursued by him which will lead to qualifying him in a new trade or business, position, or specialty. A change of duties does not constitute a new position or specialty if the new duties involve the same general type work as is involved in the individual's present employment. For this purpose, all teaching and related duties shall be considered to involve the same general type of work. The following are examples of changes in duties which do not constitute new positions or specialties:

(*a*) Elementary to secondary school classroom teacher.

(*b*) Classroom teacher in one subject (such as mathematics) to classroom teacher in another subject (such as science).

(*c*) Classroom teacher to guidance counselor.

On the other hand, a change in duties from a classroom teacher to principal constitutes a new position. Thus, if a classroom teacher undertakes a program of study which will lead to qualifying him to become a principal, the expenditures for such education are nondeductible even though some or all of the courses in the program also satisfy requirements for the retention of his teaching position.

(ii) The application of this subparagraph to individuals other than teachers may be illustrated by the following examples:

Example (1). A, a general practitioner of medicine, takes a course of study which qualifies him as a specialist in pediatrics. A's expenses for such education are not deductible because of course of study qualifies him for a new specialty.

Example (2). B, a self-employed certified public accountant, attends law school at night and after completing his law school studies receives a bachelor of laws degree. The expenditures made by B in attending law school are nondeductible because this course of study qualifies him for a new trade or business.

Example (3). Assume the same facts as in example (2) except that B is employed by an accounting firm, rather than self-employed, and that his employer requires him to obtain a bachelor of laws degree. B intends to remain as an employee of the accounting firm. Nevertheless, the expenditures made by B in attending law school are not deductible since this course of study qualifies him for a new trade or business.

Example (4). C, a general practitioner of medicine, takes a 2-week course reviewing new developments in several specialized fields of medicine. C's expenses for the course are deductible because the course maintains or improves skills required by him in his trade or business and does not qualify him for a new specialty within his trade or business.

(c) *Deductible educational expenditures*—(1) *Maintaining or improving skills.* The deduction under the category of expenditures for education which maintains or improves skills required by the individual in his present employment or other trade or business includes refresher courses or courses dealing with current developments. In addition, a deduction may also be allowable under this category for expenditures for academic or vocational courses provided such expenditures are not within one of the categories of capital or personal expenditures described in paragraph (b) of this section.

(2) *Meeting requirements of employer.* An individual is considered to have undertaken education in order to meet the express requirements of his employer, or the requirements of applicable law or regulations, imposed as a condition to the retention by the taxpayer of his established employment relationship, status, or rate of compensation only if such requirements are imposed for a bona fide business purpose of the individual's employer. Only the minimum education necessary to the retention by the individual of his established employment relationship, status, or rate of compensation may be considered as undertaken to meet the express requirements of the taxpayer's employer. However, education in excess of such minimum education may qualify as education undertaken in order to maintain or improve the skills required by the taxpayer in his present employment or other present trade or business (see subparagraph (1) of this paragraph). In no event, however, is a deduction allowable for expenditures for education which, even though for education required by the employer or applicable law or regulations, are within one of the categories of capital or personal expenditures described in paragraph (b) of this section.

(d) *Travel as a form of education.* In general, an individual's expenditures for travel (including travel while on sabbatical leave which travel has no direct relationship to the conduct of the individual's trade or business) as a form of education are personal in nature and, therefore, not deductible.

(e) *Travel away from home.* (1) If an individual travels away from home primarily to obtain education the expenses of which are deductible under this section, his expenditures for travel, meals, and lodging while away from home are deductible. However, if as an incident of such trip the individual engages in some personal activity such as sightseeing, social visiting, or entertaining, or other recreation, the portion of the expenses attributable to such personal activity constitutes nondeductible personal or living expenses and is not allowable as a deduction. If the individual's travel away from home is primarily personal, the individual's expenditures for travel, meals and lodging (other than meals and lodging during the time spent in participating in deductible educational pursuits) are not deductible. Whether a particular trip is primarily personal or primarily to obtain education the expenses of which are deductible under this section depends upon all the facts and circumstances of each case. An important factor to be taken into consideration in making the determination is the relative amount of time devoted to personal activity as compared with the time devoted to educational pursuits. The rules set forth in this paragraph are subject to the provisions of section 162(a)(2), relating to deductibility of certain traveling expenses, and section 274 (c) and (d), relating to allocation of certain foreign travel expenses and substantiation required, respectively, and the regulations thereunder.

(2) *Examples.* The application of this subsection may be illustrated by the following examples:

Examples (1). A, a self-employed tax consultant, decides to take a 1-week course in new developments in taxation, which is offered in City X, 500 miles away from his home. His primary purpose in going to X is to take the course, but he also takes a side trip to City Y (50 miles from X) for 1 day, takes a sightseeing trip while in X, and entertains some personal friends. A's transportation expenses to City X and return to his home are deductible but his transportation expenses to City Y are not deductible. A's expenses for meals and lodging while away from home will be allocated between his educational pursuits and his personal activities. Those expenses which are entirely personal, such as sightseeing and entertaining friends, are not deductible to any extent.

Example (*2*). The facts are the same as in example (1) except that A's primary purpose in going to City X is to take a vacation. This purpose is indicated by several factors, one of which is the fact that he spends only 1 week attending the tax course and devotes 5 weeks entirely to personal activities. None of A's transportation expenses are deductible and his expenses for meals and lodging while away from home are not deductible to the extent attributable to personal activities. His expenses for meals and lodging allocable to the week attending the tax course are, however, deductible.

Example (*3*). B, a high school mathematics teacher in New York City, in the summertime travels to a university in California in order to take a single 3-hour mathematics course the expense of which is deductible under this section. A full course of study for the summer session is 12 hours. Since B is pursuing only one-fourth of a full course of study and the remainder of her time is devoted to personal activities the expense of which is not deductible, absent other compelling circumstances, the trip is considered taken primarily for personal reasons and the cost of traveling from New York City to California and return would not be deductible. However, one-fourth of the cost of B's meals and lodging while attending the university in California may be considered properly allocable to deductible educational pursuits and, therefore, is deductible.

PAR. 2. Paragraph (b) of § 1.262–1 is amended by adding a subparagraph (9) at the end thereof which reads as follows:

§ 1.262–1 Personal, living, and family expenses.

* * * * *

(b) *Examples of personal, living, and family expenses.* * * *

(9) Expenditures made by a taxpayer in obtaining an education or in furthering his education are not deductible unless they qualify under section 162 and § 1.162–5 (relating to trade or business expenses).

[F.R. Doc. 66–10800; Filed, Sept. 30, 1966; 12:51 p.m.]

[26 CFR Part 1]

EXPENSES FOR EDUCATION

Notice of hearing on proposed regulations

The proposed amendment to the regulations under section 162 of the Code relating to expenses for education appears in this issue of the FEDERAL REGISTER (supra).

A public hearing on the provisions of this proposed amendment to the regulations will be held starting on Tuesday, November 15, 1966, at 10 a.m. e.s.t., and continuing if necessary on November 16. The hearing will be held in the Auditorium of the Smithsonian Institution, Natural History Building, 10th and Constitution Avenue NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by November 10, 1966, telephone (Washington, D.C.—area code 202–964–3935).

LESTER R. URETZ,
Chief Counsel.
BY: JAMES F. DRING,
Director, Legislation and
Regulations Division.

[F.R. Doc. 66–10801; Filed, Sept. 30, 1966; 12:51 p.m.]

REVISED TREASURY-PROPOSED REGULATIONS ON DEDUCTIBILITY OF EDUCATIONAL EXPENSES OF TEACHERS AND OTHER TAXPAYERS

BACKGROUND

On July 7, 1966, the Treasury Department issued proposed regulations regarding the tax deductibility of educational expenses incurred by employees and self-employed individuals. The purpose of these regulations was to set forth clear and concise rules for determining the tax status of these expenses and thereby eliminate the inconsistencies which have developed, both at the administrative and judicial level, under the existing regulations.

Comments were received on the proposed regulations to the effect that they were an unduly restrictive interpretation of present law. Particular stress was put on the point that the proposed rules did not give adequate recognition to the fact that continuing education is inherent for those in the teaching profession and, therefore, realistically the costs of the continuing education represent an ordinary and necessary business expense which should qualify for a tax deduction under present law.

As a result of a re-evaluation of the proposed regulations in light of the comments received, the Treasury Department has withdrawn these proposed regulations and issued a new set of proposed rules in their place. These new proposed regulations were published in the *Federal Register* for October 1, 1966, along with a notice that a public hearing on them has been scheduled beginning on November 15, 1966. This action was taken because it is believed that this matter can be materially expedited by making available, prior to the public hearings, the revised proposal reflecting the Treasury Department's consideration of the comments received.

SUMMARY OF REVISED PROPOSED REGULATIONS

Basically, the revised rules would permit an income tax deduction for an individual's education expenses where the education serves to maintain or improve skills required in his present position or is undertaken to fulfill additional educational requirements imposed on him by his employer.

Under this general provision, if a state requires its teachers to continue to take educational courses or to obtain a higher level of education, the costs of this education will ordinarily be completely deductible for income tax purposes. Similarly, the cost of specialized courses which a state may require its teachers to take will usually be deductible if the teacher otherwise meets the basic level of education required for her position. If a teacher or other taxpayer voluntarily undertakes additional education to improve his skills, the costs he incurs for this will also generally be deductible. Moreover, unlike the first set of proposed rules, the revised rules do not measure the tax deductibility of particular educational courses by whether or not they will lead to a degree. In this regard, the proposed regulations recognize that continuing education is, in many instances, an essential tool in an individual's trade or business.

Two qualifications are provided to this rule of deductibility, under which an individual will not be granted a tax deduction for the basic or minimum education necessary initially to qualify him for his job or for education which will qualify him for a new trade or business, position, or specialty. The following is a more detailed discussion of these two qualifications as well as of the application of the revised rules in different situations.

(1) Minimum Educational Requirements for the Individual's Present Employment. The first category of non-deductible expenses are those incurred for education which is required of an individual in order for him to meet the minimum educational requirements for qualification in his present position. In the case of teachers, the rule for non-deductibility extends to courses which she must take to bring herself up to the minimum level of education (in terms of college hours or a degree) which is normally required of an individual initially being employed in such a position. For example, if a state normally requires that beginning teachers have at least a bachelors degree, but because of a shortage of applicants, hires an individual with only three years of college on the condition that she obtain her fourth year, the expenses incurred by this teacher in obtaining her fourth year of college would not be deductible. On the other hand, once she has obtained her bachelors degree, the expenses for any additional education, such as a fifth year of college, which she may be required to take by her employer in order to maintain her position or which maintains or improves her skills as a teacher would ordinarily be deductible. The one exception would be if this further education is part of a program of study which will lead to qualifying her for a new trade or business, position, or specialty, as explained below.

If an educational institution has prescribed no normal educational qualifications, then this non-deductible category covers the education which an individual is required to take in order to qualify as a member of the faculty of the institution. Once he has so qualified, expenses for any additional education which is required by the institution or which maintains or improves his teaching skills will also be deductible, unless the education is part of a program which will lead to qualifying him for a new trade or business, position, or specialty.

(2) Education Qualifying an Individual for a New Trade or Business, Position or Specialty. The second category of nondeductible educational expenses are those incurred by an individual for education which is part of a program of study being pursued by him which will lead to qualifying him for a new trade or business, position, or specialty. Thus, if a public school teacher should go to law school for a law degree, the expenses for this education would not be deductible. On the other hand, the mere fact that educational courses undertaken by a teacher may qualify her to teach a different subject or at a different grade level or will qualify her for a position related to teaching (such as a guidance counselor) will not disqualify the expenses for such education from a tax deduction.

* * * * *

In summary therefore, the revised proposed rules recognize that continuing education is an inherent and necessary aspect of many positions, especially those in the teaching profession. On the other hand, they would not extend the tax deduction to the basic or minimum education which an individual is taking in order to equip himself for his intended profession or to education which will qualify an individual for a new profession or specialty. These two instances represent types of education which all individuals must take to qualify themselves for their future profession or employment. If an individual takes such education before accepting employment, it is clear that he does not receive a tax deduction. It would appear to be an inequitable application of the tax laws if a tax deduction were allowed to an individual for this type of basic education merely because he accepts employment while still obtaining the basic education.

WARNING ON NONPROLIFERATION TREATY TALK

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOSMER. Mr. Speaker, today's headlines, "United States, Russia Near Nuclear Pact," "Push Treaty To Bar Spread of A-Weapons" developed out of talk yesterday at the White House between President Johnson and Andrei Gromyko, Soviet Foreign Minister, should not be allowed to generate a state of euphoria over the prospects of a nonproliferation treaty. It was only the latest of hundreds of sessions at Geneva, the United Nations, and elsewhere during which the two countries have kicked around the subject for the last 3 years.

My reasons for this assessment are the following:

First. The Soviets have consistently and solidly held out as the price for such a treaty the essential abandonment of the U.S. nuclear umbrella over Western Europe deterring Soviet armed aggression. If one side or the other has backed down on this issue, it is more likely Washington than Moscow. The cost of the treaty in this event would be by a large measure more dangerous to the peace of the world than continuing things as they are without a nonproliferation pact.

Second. Yesterday's conversation in the White House should be taken in the context of its timing—just 3 weeks and 1 day away from the November 8 election. Mr. Johnson has strived mightily to pull the Vietnam peace rabbit out of his hat to improve his party's prospects at the polls. Failing that, one reasonably might suspect some last-minute peripheral effort by the President to establish a peacemaker image by some other means. In the context of its timing, yesterday's event might well be such a move. This is particularly so since State Department spokesmen indicate any formal treaty negotiation lies far beyond the November 8 deadline.

Third. In any event the actual negotiation of a nonproliferation treaty would have little substantive effect on loosening basic world tensions. China has boycotted negotiations, likewise the French. Either of these powers have the capacity to make great mischief in the area of proliferation. At least 95 percent of the nuclear have-nots who would be signing such a treaty have not a chance to become nuclear powers anyway. They have neither the scientific, industrial, or financial resources to do so. It is unlikely nations which have the greatest potentiality to go nuclear would sign the treaty or, if they did so, take its prohibitions seriously when and if the chips were down.

I have in mind such countries as India and Pakistan, the UAR, Israel, Switzerland, Sweden, and others. As a matter of fact, any country depending on NATO for its existence might be induced to go nuclear to gain some measure of independent self-defense if the aforementioned price of abandoning the nuclear umbrella is, indeed, under serious discussion with the Soviets.

HS 820

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the New York Times for Monday, October 3, and the Chicago Daily News for Monday, October 10, both carried editorials in support of the efforts of our colleague the gentleman from Illinois [Mr. Paul Findley] for a congressional investigation of the Defense Department's purchase of the German machinegun, the HS 820. I have unanimous consent that both editorials be made a part of the Record:

[From the New York Times, Oct. 3, 1966]

STORY OF A GUN

Congressman Paul Findley of Illinois deserves high marks for his persistence and thoroughness in probing into the strange history of a 20-mm. gun, first urgently required by the Army almost six years ago and not yet delivered.

The gun—a small financial item in a defense budget of $60 billion—offers nevertheless a case history of what's wrong in the Pentagon. Long delays, in part caused by the layering of command and staff echelons; the influence of international political considerations upon what should have been purely military technological and procurement judgments; some poor decisions—and then *ex post facto* attempts to paint the lily have cast a long shadow over the new gun.

The weapon in question is the 20-mm. Hispano-Suiza, manufactured in West Germany and now scheduled for delivery in small quantities next spring or summer, many years after the threat it was intended to meet—a new Russian gun—has been in operation. The Army compiled a long "white paper" to rebut and refute the criticism, but as Mr. Findley has pointed out, it contains self-contradictions, half-truths or prevarications and does not answer some of the main criticisms. Most important: Why, six years after an urgent need was stated for a gun superior to a Russian model, is the United States purchasing a gun that is still technologically unsatisfactory and that when delivered will still be outranged and outperformed by comparable Soviet weapons?

[From the Chicago Daily News, Oct. 10, 1966]

STRANGE DEAL ON CANNONS

If there is one thing the Pentagon is more intent on than selling West Germany weapons that the Germans don't want, it must be buying German arms that Americans don't want.

The Germans have been trying to get out of their commitment to spend $675,000,000 every year on American arms, which is meant to offset the cost of stationing American troops in Germany. As a sweetener, the United States is supposed to spend more than $73,000,000 in Germany over the next three years for a 20-mm. cannon plus ammunition and parts for it. Since 1961, the need has been clear to replace the twin .50-caliber machine guns now carried on the M–114, the Army's armored, tracked scout vehicle.

Five years ago, the Army decided that a German weapon, the Hispano-Suiza 820 cannon, might be modified to fill the gun gap for the time being. But the modification of the HS–820 has been as honeycombed with flaws as a curbing on the Northwest Side. Rep. Paul Findley (R-Ill.) has aired a number of flaws in his tireless campaign to get a better weapon for American troops.

After five years of testing and at least three of modifying, the Army couldn't find targets big enough to test the accuracy of the HS–820's burst at a range of 1,000 meters. The HS–820 malfunctioned at the rate of 7.1 every thousand rounds when tested at Fort Knox and 4.7 every thousand at Aberdeen—an unacceptable ratio judged by the accepted standard of one malfunction every thousand.

The Army handled all complaints simply: It lowered the standards for the weapon and ordered its ordnance people to stop talking. Which may not improve the HS–820 very much, but does a lot for German-American relations.

Not all of us may be able to see that the principal function of a new weapon is to improve this country's relations with the Federal Republic of Germany. Somewhere on the list of priorities for a weapon, there ought to be room for its usefulness in protecting American soldiers and helping them to accomplish their mission.

The Pentagon's inflexible insistence on the HS–820, along with its highly flexible standards of performance for this weapon, do not inspire much confidence in its ability to put first things first.

According to Findley, the Pentagon is also planning to mount the HS–820 on the Marine Corps' new landing craft and on 300 of the Army's M–113 personnel carriers. The malfunction rate seems to be increasing—in the Pentagon.

ADDRESS BY REV. CORNELIAN DENDE, OFM

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. McDade] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. McDADE. Mr. Speaker, on Sunday last, it was my privilege to attend the annual banquet honoring Gen. Casimir Pulaski in Scranton, Pa. On that occasion an inspiring speech was delivered by Rev. Cornelian Dende. I commend it to the attention of my colleagues in the House and to the people of the country:

PULASKI DAY DINNER—SCRANTON, PA., OCT. 9, 1966

(By Rev. Cornelian Dende, OFM Conv. of Buffalo, N.Y., director of Fr. Justin Rosary Hour, a religious network program now in its 36th year)

I am delighted to be with you this evening at your annual Pulaski Day Dinner. I consider it a privilege to address you as you commemorate the 187th anniversary of the death at Savannah, Georgia of a hero of two continents: General Casimir Pulaski.

Each year your organization faithfully commemorates the memory of this great Polish General as a patriotic duty. This year however, his anniversary should be and is observed in the perspective of Poland's Millennium: the thousandth anniversary of Christianity in Poland.

A millennium—one thousand years—is indeed a very long period of time. Many generations have passed. During that time Poland—the land of our forebears—has lived through periods of great victories as well as disasters, ascents and falls, through periods of joy and suffering, through times of great hopes and moments of despair. In this way, the centuries have formed and shaped a special Polish character and spirit within the framework of Christian principles and ideology.

During the millennium year the person of General Pulaski emerges from history as a symbolic figure. General Pulaski stands before us here in America and before the world at large, as a typical representative of the Polish nation. His virtues, his traits, are indicative of the traits of the Polish soul engrained and nurtured in the same environments and Hardships of life.

Very often we of Polish ancestry are accused of being overly sentimental because of our constant referral to our religious and historical past. Such is the trait of the Slavic soul. Poles are very expressive of their sentiments, this is evident in our customs and traditions. In contrast with other nations, particularly those of northern and western Europe we might at times be even accused of being irrational as we dwell on our past. We are oftentimes told that we focus so much of our attention on our past that we lose vision for the future.

Yes, the Polish soul is sentimental but nevertheless it is intelligent, imaginative and colorful in its sentimentality. Our emotional side complements our personality and is indeed a beautiful trait envied by those who by nature are more conservative and restrained. This is one reason why today we see a growing interest on the part of the West in the slavic nations of central and eastern Europe . . . the two largest of which are Poland and Russia.

Delving into the past, delving into history is not sentimentality nor a waste of time. Roman philosophers time and again pointed out that history is the magistra vitae—the teacher of life. President Kennedy repeatedly reminded us to study our past and benefit from its lessons, lest we repeat the mistakes of the past in the future. However, the most eloquent exhortation to examine our past—our Polish past in particular—was offered by His Holiness Pope Paul VI during the Millennium Mass at St. Peter Basilica in Rome several months ago—on May 15th to be exact. Speaking to thousands of Polish pilgrims from all parts of the world who like himself were barred entry into Poland by the Communists, Pope Paul stressed that "it is a most noble obligation to listen intently to the voice of centuries past."

This voice carries an eloquent message from one generation to another. Thrilling indeed is this voice which reechoes our glorious past. Its penetrating sound rises from every Polish town, from every historic monument, from every Polish grave. It is a voice which proclaims: Poland still lives! A voice which sings out: Poland is ever united! A voice which laments: Poland suffers. A prayerful voice which humbly confesses: Poland is Catholic! It is the voice of her most noble sons: the voice of heroes, scientists, statesmen, the voice of artists, the voice of youth. Especially during this millennium jubilee this voice of Poland's past breaks out into a solemn hymn of thanksgiving.

Each succeeding century bears eloquent witness to Poland's fidelity to God and Church repeating consistently: Blessed be God. . . . now and forever. Niech bedzie pochwalony Jezus Chrystus. . . . na wieki, wieków!"

Such were the fatherly exhortations of Pope Paul to his Polish children, admonishing them never to forget their splendid past, to always listen intently to the voice of their glorious Christian history which began in 966 when their first leader, Mieszko I received the gift of faith for himself and for his nation through the sacrament of baptism.

The millennium celebrations at Czestochowa and at St. Peter's in Rome launched similar celebrations in nearly every diocese throughout the civilized Christian world. Here in the United States, the highlight of the millennium celebrations was to have been the personal appearance of Poland's courageous Primate, Cardinal Stefan Wyszynski. Here again the Communists by their refusal to grant Cardinal Wyszynski a passport to come to our country attempted to undermine and frustrate the efforts of Polish-Americans to commemorate the Millennium. Unable to leave Poland Cardinal Wyszynski appointed as his representative to our country Bishop Wladyslaw Rubin, spiritual protector of Poles-in-exile residing in Rome. Just a few days ago I had the privilege of meeting Bishop Rubin and his party in Buffalo. He was extremely pleased with the enthusiastic welcome that he received where he traveled. I asked him what is impressions were following his two-month visit in America and Canada. He told me of the enormous throngs of faithful, many in traditional costumes, that crowded auditoriums, stadiums, churches. They reminded him of the wide expanses of Polish wheatfields swaying in the gentle wind . . . speckled with colorful wild flowers.

But all these external manifestations, the long parades, the pageants, the colorful floats which represented a panorama of scenes from Polish history, candlelight processions, banners and flags fluttering in the breeze and many other wonders that appealed to the eye and ear . . . all these are but an elaborate artistic frame bringing into perspective the real picture, the real meaning and essence of the Millennium celebrations . . . which is a prayerful thanksgiving by Poles in Poland and abroad for the gift of Faith received a thousand years ago.

Bishop Rubin noted that we who are privileged to live in these historic days when Poland celebrates its millenium, are aware of our obligation to speak in the name of generations past; in their name we now thank God solemnly for the treasured gift of Faith; in their name we humbly ask pardon for Poland's past transgressions and moments of weakness.

Bishop Rubin also pointed out that above the glitter and din of the receptions and celebrations he took part in, what stands out in prominence is the altar, the cross, the portrait of Our Lady of Czestochowa, Patronness and Queen of Poland. The highlight and climax of these religious and civic manifestations is always the holy Mass—the solemn sacrifice of Thanksgiving offered God on His altar through his Divine Son and through the intercession of our Heavenly Queen of Czestochowa . . . We thank God for granting Poland the grace, the strength and the courage during the past ten centuries to be ever faithful to God, to His Gospel, to His Cross and to His divinely instituted Church . . . and for the enviable and singular distinction of being the "Bulwark of Christendom", "God's Army on earth."

In retrospect we realize that the reception of baptism by Mieszko I ten centuries ago and the introduction of Christianity into Poland was the decisive factor in crystallizing and forming the Polish nation. Fidelity through the centuries to the Catholic Faith shaped the destiny not only of the Polish nation but also of the Polish soul. The grace of faith offered strength in times of trial, gave patience during persecution and occupation, courage in struggle, offered hope in times of despair, faith inspired the Polish soldier to champion the cause of liberty for himself and for his fellowman . . . within the boundaries of Poland and outside of Poland wherever liberty was threatened or suppressed.

This Polish spirit molded within the framework of Christian principles is especially evident in the Polish Constitution of May 3rd. In this millennium year we observe its 175th anniversary. It is no wonder then that when America was fighting for its survival and for its independence it found a kindred spirit in the hearts of men like Pulaski and Kosciuszko who crossed the ocean and offered their lives to champion the cause of liberty . . . in the New World.

As we consider our noble heritage during this millennium year we rightfully feel sentiments of pride. We realize that if we benefit from the lesson of history, namely, if after the example of our forebears we remain faithful to God, His Gospel, the Cross, His Church and to our Heavenly patronness, we need not fear for the future.

The millennial values that we hold as our heritage must continue to enrich us individually as citizens of this great country of ours.

I know that your organization has as its purpose to bring out in relief our Polish heritage and its contribution to your community and to our country. Your efforts, your intentions are specially expressed in your resolution to erect a monument in honor of General Casimir Pulaski, who as I mentioned at the beginning of my talk, manifests in his person the true spirit of the indomitable Polish nation.

Let this millennium year then be a year of renewed dedication to the Christian ideals that initiated, sustained and now and still continues to vitalize the nation of our forebears and these United States, both committed to freedom and justice for all. I thank you.

FEDERAL CONTROL AND THE NEIGHBORHOOD SCHOOL

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, early in October discussion of the Federal guidelines for education, busing, de facto segregation, and various allied topics was much in evidence in the press and here on Capitol Hill. To provide further background on this very hot issue, I inserted extensive material in the CONGRESSIONAL RECORD under the title "Don't Be Fooled—Bureaucrats Do Intend To Bus Your Children." Two days later on October 6 the House passed the Elementary and Secondary Education Amendments of 1966 bill after first eliminating proposals which would support the transportation of pupils to overcome racial imbalance. Thus, at least for the present, a major attempt by a Federal agency to effectively direct and revamp our national system of neighborhood schools has been thwarted. I repeat—at least for the present.

As I pointed out in the October 4 remarks, I am sure very fairminded citizens will agree with the Commissioner of Education, Mr. Harold Howe, when he stated that—

> The first priority is to make sure that the schools which serve our neediest citizens are at the very least equal to the schools that serve our most fortunate.

But I very much disagree with the methods proposed to attain this very worthy end. To tamper with our long-established neighborhood school system is hardly the approach to use in seeking a fair and equitable solution to the problem. That the neighborhood school was a real target in the Howe program is certain, judging from his remarks on May 13, 1966, in Chicago:

> And we are particularly interested in finding one or two great American cities that are adventurous enough to join us in planning the educational park of the future. These entities will house 20,000 or more pupils and will cut across all geographic, economic and social boundaries to draw students.

With specific reference to the neighborhood school, he continued:

> While such a park would deny the neighborhood school, it would express the vitality, the imagination, and the cultural mix that every vigorous city exemplifies. Students in such a facility would attend a genuine city school in the deepest sense instead of a school in one section of the city which is untouched by the broader influences of metropolitan life as a whole.

Those who have made light of the dangers of Federal control of education in the past should profit from this latest episode in the area of national education. Future Federal proposals on education must be viewed with a healthy and hardnosed objectivity. Better still, the merit of other approaches to educational assistance should be accorded consideration. Such proposals as tax credits and the retention of Federal taxes in the States would radically reduce the Federal Government's penchant for coveting State and individual responsibilities and jurisdictions.

On October 9, the Sunday Chicago Tribune summed up adequately the recent skirmish between Congress and the Office of Education. I insert this editorial, "Congress Instructs Mr. Howe," to be inserted in the Record at this point:

> CONGRESS INSTRUCTS MR. HOWE
>
> Both houses of Congress, in passing the multibillion-dollar school aid bills, reaffirmed the principle that the money may not be used to require the transportation of pupils to achieve racial balance. This action should dispose of the blueprints for vast educational parks and other fanciful schemes which Education Commissioner Harold Howe II and the federal office of education have been preparing.
>
> Democratic leaders in both houses agreed to strike from the school aid bill a provision that special consideration be given to schools desiring to correct racial imbalance. The House went further, adopting an amendment which prohibits the commissioner of education from requiring "assignment or transportation of students or teachers to overcome racial imbalance."
>
> Another House amendment requires a public hearing before funds may be withheld from a school district. This provision reflects the national indignation which arose a year ago when 31 million dollars was withheld without explanation, from Chicago schools.
>
> These efforts of Congress to spell out its intentions should have been unnecessary because the civil rights act of 1964 set precise limits on measures to end racial discrimination. The act provided that "nothing herein shall empower any official or court to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance."
>
> The act also provided that no federal assistance may be withdrawn until the federal agency involved files a written report of the circumstances to the committees of the House and Senate having jurisdiction over the program.
>
> The recent debate in Congress clarifies the intent of that body on the question whether federal laws prohibiting segregation imply a responsibility of federal agencies to force integration.
>
> The 1964 civil rights act forbids discrimination in public accommodations. Does this mean that a certain percentage of the rooms in every hotel must be reserved for Negroes and a certain percentage for whites?
>
> The law forbids discrimination in employment because of race, color, religion, sex, or national origin. Does this mean that every employer must integrate his working force by certain percentages of whites, Negroes, males, females, etc.?
>
> The law forbids racial discrimination in the schools. Does this command every school board to have the races mixed, according to a certain percentage, in every school?
>
> Nobody has suggested that Congress ever intended to require hotels or employers to have an affirmative policy of mixing white and Negro guests and employes. Nevertheless there has been much agitation that a law forbidding discrimination in the schools requires an affirmative policy of mixing pupils by race, even if it is necessary to transport them long distances.
>
> Twice the United States Supreme Court has refused to review lower court decisions upholding the policy of assigning pupils to schools according to the neighborhoods in which they live. One of these decisions, in a case originating in Gary, was cited in the 1964 civil rights act debate by Vice President Humphrey, then a senator.
>
> While the Supreme Court never has ruled explicitly whether school officials may transport children to a distant school for the purpose of ending "de facto" segregation, there is no question how Congress stands on the question. Congress is against using federal funds to achieve this purpose.
>
> The office of education now should try to administer the school aid law as Congress wants it to be administered. The billions of dollars in school funds come from the pockets of the taxpayers, not from the federal office of education.

THE REPUBLIC OF FREE CHINA CELEBRATES THE 55TH ANNIVERSARY OF THE REVOLUTION OF OCTOBER 10, 1911

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Buchanan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, on October 10, the Republic of Free China celebrated the 55th anniversary of the revolution of October 10, 1911, which resulted in the overthrow of the Manchu Emperor and the founding of the Republic of China in which Sun Yat-sen served as the first President.

The Republic of China established a government of elected officials, and following the final defeat of the war lords, the Republic prospered until the incident of the Marco Polo Bridge on July 7, 1937, when the Japanese war began, followed by World War II.

Communist agitation in China and the aftermath of World War II brought about the tragic rise of the Chinese People's Republic with the Republic of Free China carrying on from Taiwan under the courageous leadership of President Chiang Kai-shek.

Americans join with the people of Free China in observing the 55th anniversary of the revolution of October 10, and in their hope for the restoration of the Chinese mainland to the Republic of Free China.

COMMUNITY DEVELOPMENT DISTRICT BILL SHOULD BE DEBATED

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MATHIAS. Mr. Speaker, some legislation suffers from overexposure and some from underexposure. In my judgment, the much-lobbied, often maligned Community Development District Act—S. 2934—suffers from both maladies.

Throughout the Nation, the need for regional cooperation and comprehensive economic planning is greater than ever before. In the last several years, we have taken a number of significant steps to encourage and expand such planning in our great cities, in depressed areas, and in particularly troubled regions such as Appalachia. Our brief experience under these acts has shown us that self-help, coupled with the technical and financial resources of the States and the Federal Government, can make some measurable progress toward durable economic growth.

While we have focused on the problems of underdeveloped regions, and on the particular difficulties of our metropolitan areas, planning in our smaller towns and rural areas has grown somewhat haphazardly, under a variety of auspices and programs, and without the benefits of full congressional review. Citizens from Garrett County, Md., for example, were shuttled from office to office and from pillar to post when they sought help in water and sewage matters.

It now seems time to complete our review and provide guidance for future work by clarifying the congressional directives on how smalltown and rural planning should best be done. Debate over S. 2934 would be an appropriate occasion for such clarification, and for this reason I suggest that the majority leadership discharge its responsibility by providing for debate on the bill before adjournment.

Mr. Speaker, S. 2934 is designed to extend to rural communities, under the auspices of the Department of Agriculture, all the comprehensive assistance that is already available through the Department of Housing and Urban Development to large urban areas for regional planning. The bill as reported by the House Committee on Agriculture provides for local and State initiative in the designation and organization of a development district, and for the election of a planning board by the governing bodies of the localities comprising the district. When these requirements and others have been met, the district would be eligible for a 3-year planning grant from USDA out of funds appropriated for the 701 planning program of HUD.

It has been argued that adequate regional planning in districts embracing small towns and adjacent rural areas cannot be assured without the establishment of such new districts and new machinery. On the other hand, opponents of S. 2934 assert that sufficient planning programs are already available, through the 701 program itself, through the Economic Development Administration, through the community action programs of OEO, and through the technical and financial assistance offered by other agencies within USDA. Questions have also been raised about the compatibility of the proposed new districts with others set up under these other laws.

These are honest doubts and candid questions; they deserve answers. Neither the statements of the Secretary of Agriculture nor the debate in the other body has produced a consensus.

Mr. Speaker, without a full debate on S. 2934, we cannot determine whether this proposed program would encourage or hinder comprehensive planning; whether it would ease the burdens on local officials, or simply create new and cumbersome bureaucracy; whether it would complement or conflict with existing planning machinery; whether it would impose unduly on 701 funds; and whether this is indeed the best way to encourage expansion of rural community services.

The need for development of our rural areas is uncontested, but the way to this development is not clear. The challenge to constructive action is before the majority leadership and the administration, and the burden of failure to shape a positive program will find the same location.

TO PROHIBIT DESECRATION OF THE FLAG

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, as a cosponsor of the measure prohibiting desecration of the American flag, I would like to urge my colleagues to join in signing the pending discharge petition No. 6 so that, hopefully, the House can act on this meritorious proposal before final adjournment.

The legislation would outlaw public mutilation of the flag, and provides penalties of not more than 1 year imprisonment and a fine of not more than $1,000.

The petition, to discharge the committee from consideration, was filed last July 20. It seems to me that the merit of the legislation is so self-evident that the matter can be swiftly resolved.

It is unbelievable that we have no existing statute outlawing mutilation of the American flag, the very symbol of our national being and heritage. Congress should move swiftly to correct this puzzling and longstanding omission.

I do not see where and how opposition could possibly arise on legislation of this nature, and there is no justifiable reason for delaying full consideration by the House. I urge Members to join those of us who have signed the petition to help bring about House passage prior to adjournment.

DOCUMENT TITLED "1961-65—THE WORST 5-YEAR PERIOD FOR THE AMERICAN FARMER IN THE HISTORY OF MODERN AMERICAN AGRICULTURE"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. QUIE], is recognized for 20 minutes.

Mr. QUIE. Mr. Speaker, recently Mr. Frank LeRoux, 5 years General Sales Manager of the U.S. Department of Agriculture, issued a most remarkable document titled "1961-65—The Worst 5-Year Period for the American Farmer in the History of Modern American Agriculture."

This most complete document was released at the time that Mr. LeRoux resigned from the USDA in protest. I should like to quote Mr. LeRoux in his introduction:

> I came to Washington in February of 1961, having been asked to serve as general sales manager of the U.S. Department of Agriculture. I did not come because of the need of a job, but rather because this appeared to be a real opportunity to be of service to the American farmer.
>
> It was not long before I became increasingly alarmed at what I saw and learned in Washington. The direction in which agriculture was being administered raised many doubts in my mind. This report attempts no debate on the state of agriculture. It simply lays out the facts in an eye-opening graphic form so that you can form your own opinions. By almost every possible economic measurement that I can apply to our national agricultural situation, it all seems to come out about the same, the 1961-1965 period has been the worst five years in our modern agricultural history.

This remarkable document by Mr. LeRoux has not come from one who is uninformed about agriculture. He has had 30 years' experience as a farmer, businessman, and civic leader. His extensive farming experiences have included the production of both dry land and irrigated crops as well as livestock.

He owned several wheat, feed grain, hay, and livestock ranches in the Pacific Northwest which are now leased out. He was selected as one of two in December of 1960 by the Farmers for Kennedy Organization covering the 11 Western States to represent business and farm thinking in agriculture in Washington, D.C. So it is evident that Mr. LeRoux does not speak from a partisan point of view. He is a Democrat.

Mr. LeRoux in the 60-page document comes to these conclusions:

> From 1961-1965 the farmers had their worst five years in history. They received these remarkable lowest marks: lowest share of gross national products; lowest return in gross sales; lowest return in total capital investment; lowest return in capital investment per farm; lowest share of the consumer dollar; lowest share of the food dollar; lowest level of parity of income; lowest return for farmers versus government salaries; lowest return for farming versus other major businesses; and lowest performance on campaign promises.

He concludes the presentation by explanation and by graph of the worst 5 years for the American farmer in the history of modern American Agriculture by this interesting page:

> The Agriculture Secretary, speaking in Spencer, Iowa, on June 18, 1966, has this to say, quote:
>
> "Some misinformation may come to you innocently, passed on by the unknowing or the unthinking. Some misleading reports have appeared in certain big city newspapers. And still other faulty information has been exploited for political purposes, in the election year, by those who would like nothing better than to break up the effective working relationship between the farmers and their Government.
>
> "So beware of those who belittle the progress we've made these last five years. Remember that most of them are the same people who were telling you the farmer never had it so good in those bleak years between 1952 and 1960 when prices dropped through the floor and surpluses pushed through the ceiling. Their real purpose is not to improve the farmers' prices . . . but to destroy the voluntary programs we have struggled so hard to build. So beware!"
>
> The damaging flood of misinformation that has been passed on to the American public and to the world over the past five years is just what we have been covering in this report. The facts and figures clearly point out where most of the misinformation has been coming from and the detrimental effect it has had.
>
> The record has shown just what can happen when an agency of government is exploited for political purpose, and it has shown to what lengths this exploitation can be carried when success is written into almost every departmental statement regardless of the facts.
>
> It has been the lot of the farmer throughout history to face the many uncertainties of his profession. With but a bare minimum of protection, many of the unpredictable happenings of nature can wipe him out almost overnight.
>
> These things the farmer deals with as a matter of course. Only when he sees the economy of the nation as a whole continually moving ahead without him, and his own

agricultural officials dealing with his problems in an unfair, unrealistic and unfriendly manner does he become disturbed.

In spite of all this, the farmer has stuck to his task and has accomplished the most outstanding agricultural achievements in the history of the world and is entitled to more than just idle political chatter.

Thus concludes Mr. LeRoux in his remarkable exposé of how farmers have suffered under the present administration.

What Mr. LeRoux has outlined in such great detail is just what many of us have been saying for years. As you may recall, I addressed the House Members on this very subject on April 26, 1966.

Now, hard on the heels of Mr. LeRoux's disclosures, comes further proof of what he, my colleagues, and I have been saying for months.

In the past few weeks the price of wheat has dropped a dramatic 30 to 35 cents a bushel, one of the sharpest breaks in history. This gives proof to Mr. LeRoux's charges that the present administration is engaged in a deliberate campaign to depress the market price of wheat.

It came about this way. Leaks and rumors out of Washington by Secretary of Agriculture Orville Freeman and other administration leaders touched off that collapse.

There was the published report that the U.S. Government had informed its embassies abroad that 25 percent less wheat will be available under foreign aid programs this year and that recipient nations should not be encouraged to ask for larger allocations. There has been no official confirmation of this, but the rumor is apparently widely accepted in trade circles.

It seems strange that the market price remained strong until the majority of winter wheat farmers had planted their increased wheat acreage. Now that the crop has been planted in many areas, it would appear that the USDA is again pulling the rug out from under the wheat producers. The recent drastic decline would indicate that.

It is clear to me that the conspiracy to depress farm prices runs all through the USDA. It is a tragedy indeed that the USDA should be used as an economic tool by the present administration to try to take the heat off its inflation-producing policies.

IN DEFENSE OF THE AMERICAN WAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. BRAY] is recognized for 15 minutes.

Mr. BRAY. Mr. Speaker, I speak today in defense of the American way of life. It is with regret that I recognize the need for its defense. Today we are overwhelmed with criticism of America with no equating of what is good in America.

I personally am sickened by beatniks—educated in the greatest schools in the world on scholarships paid for by American taxpayers—debasing their flag and giving aid and comfort to the enemies of freedom.

I am disheartened by Americans in positions of national leadership who will take any position for a few words of condescending acceptance from our enemies and fair-weather friends, and disgusted by those who condone mob violence and make public statements calculated to bring disrespect to our great country and aid to the enemy.

I am fed up with nations saved from their own stupidity by the blood of American fighting men and American dollars—nations we have fed, clothed, and rebuilt—repaying our kindness by lecturing the United States as though it were a truant child.

Right here on Capitol Hill a few weeks ago we saw beatniks, Communists, hoodlums and self-styled intellectuals violently challenging a committee of the U.S. Congress. They tried to break up proceedings during which witnesses were being questioned on proposed legislation to make it illegal to send aid to our enemies or to block troop and military supply trains.

RACIAL TENSION AND ANTIWAR MOVEMENT

Some demagog occasionally compares the racial struggle in the United States with our involvement in Vietnam. There is no philosophical connection between the riots, murder, and arson in Watts, Cleveland, Chicago, and New York, and the war in Vietnam; but enemies of the United States—within and without—have encouraged both those riots and the antiwar demonstrations in a vicious plan to bring disrespect for America abroad and shame to the people at home.

The Communists have rephrased the old saying, "Whom the gods would destroy they first make mad," to "Whom the Communists would destroy they first make ashamed."

OLD-FASHIONED LAW ENFORCEMENT WOULD GAIN RESPECT

America should keep in mind that lawlessness begets lawlessness. We cannot tolerate the violation of law just because the violator does not approve of his country or its laws. Jesse James, Bluebeard, Jack the Ripper, Judas Iscariot, and Benedict Arnold obeyed the laws which they approved and disobeyed the laws which they did not approve.

Too many of our leaders have condoned violence and crime committed in the name of social or philosophical ills. This tendency toward approval of unrest certainly will bring chaos and anarchy if it continues. We cannot achieve the orderly society to which all law-abiding citizens are entitled until all law violators are treated the same—firmly but fairly—and no longer mollycoddled.

ANTI-AMERICAN DEMONSTRATIONS

Our immediate concern is with anti-U.S. demonstrations in this country. America is in Vietnam for a sincere and unselfish purpose. There can be honest argument on whether we should be there or whether we have bungled, but there can be no doubt that the American people and their Government are sincere in their effort to prevent the destruction of freedom in South Vietnam.

Demonstrations abroad can in most instances be discounted as directed by foreign governments or the Communist Party itself. But there is a strong tie between them all, in both purpose and procedure, no matter where they occur: Peking, Moscow, Budapest, Warsaw, Paris, London, Cleveland, Washington, Ann Arbor, Berkeley, or at the Communist convention in New York City. Regardless of the language, the signs all say the same thing: "End the War in Vietnam. Withdraw the Troops Now."

We have seen hundreds of student and nonstudent demonstrations in the United States, in all parts of the country, and in all sizes. It must also be added that some of these student demonstrations have had leaders who are in no way connected with student bodies or universities. Generally, student demonstrations get the most publicity.

The actions of the demonstrators have covered a wide range. They carry the Vietcong flag and spit on and mutilate the American flag. They have collected and sent money to Ho Chi Minh, along with messages of support and encouragement for the Vietcong. They have blocked troop and supply trains, publicly burned their draft cards, broken up patriotic award meetings, disrupted campus ceremonial functions, rioted in congressional committee hearings, staged sitdown strikes in the Department of State, and in the administrative offices of various colleges where they are being educated.

Ironically, a large number of them are being educated with Government aid. A University of California professor named Smale, who was active in protest work at Berkeley, was awarded a National Science Foundation grant, went to Moscow for a mathematics meeting and in front of the news correspondents from Hanoi, bitterly attacked his own country. Since the incident, the National Science Foundation has refused to withdraw Smale's grant and so he will return to Russia next year.

When Vice President HUMPHREY visited Australia recently, the leader of the anti-U.S. demonstration was an American woman studying in that country on a taxpayer-financed scholarship.

Some demonstrators are quiet and peaceful, neat and well-dressed. Others are threatening, vile, dirty and generally repulsive. But the demand is always the same: that the United States get out of Vietnam.

COMMUIST PRESS LAUDS ANTI-U.S. DEMONSTRATIONS

Anti-American demonstrations within the United States are of particular interest to the Communist news media, who waste no time in giving these demonstrations full publicity and take a special delight in quoting antiwar remarks made by prominent Americans.

The Communists appear to think that the wave of protest and demonstrations means that we cannot long withstand this heavy internal pressure. The enemy believes our will to fight is breaking down and they expect some mammoth social revolution to occur in the United States that will force our Government to withdraw from Vietnam.

The damage this totally wrong evaluation has done cannot be measured. It has encouraged the Vietcong to fight on, to pour more men into the fight, because to them we seem on the verge of internal collapse, unable to fight much longer.

Personally, I have too great a faith in the will and moral fiber of the American people to think that any significant number have been influenced by these demonstrations.

WHAT HAS AMERICA DONE TO JUSTIFY THESE ATTACKS?

Before believing and yielding to these anti-American attacks on our great and mighty country, we should ask ourselves, what has America done to deserve this?

In the last two centuries, the United States has produced the greatest, the most generous, the wealthiest, and most powerful nation on earth—a nation whose problems are those of surplus rather than those of scarcity, a nation that has attained for its citizens a higher standard of living than the world has ever known and a greater freedom for its people, a nation that has contributed more to the assistance of mankind than any other nation.

Let us also remember that four times in this century the United States has sent its finest young men abroad to protect the freedom of others and has later rebuilt the ravages caused by the war, restoring the economy of our friends and enemies alike. There are few nations on earth which have not received U.S. assistance in the feeding and care of their unfortunates. Every nation in the world today that is a sworn enemy of the United States has, at one time or another, accepted our assistance. Humbly proud of our great resources and of the great opportunity that God gave us, we have lent a helping hand. All of this has been done without desire for one foot of territory or one dollar of another country's goods.

America has certainly at times been foolish and too altruistic in overextending our aid, assisting those who do not merit our assistance, and trusting those who do not deserve trust, but our mistakes have been those of kindness and faith in those who do not measure up. Our actions are in absolute contrast to the insatiable greed and cunning manipulations of the Communist countries whose cause our demonstrators are supporting whether intentionally or unintentionally.

WHY DO AMERICANS DEMONSTRATE AGAINST THEIR OWN COUNTRY?

It has been difficult to understand why Americans should give aid and encouragement to our enemies. No doubt some of the demonstrators are, in plain language, traitors. It is a harsh word, but these are harsh times, and the consequences of these demonstrations are harsh. Every generation has its traitors. Christ had Judas among the Disciples; Washington had Benedict Arnold. Fortunately there are relatively few traitors, but often the treacherous acts of a few, if they are in a position of trust, seriously harm the actions of the many who are loyal.

Some people turn against their own country because they bitterly resent the success of others and are perpetually against everything. Others cannot appreciate, or adjust to, their native land. Others will join anything for the thrill of it, and lend their support without any real regard or concern for what it is or what it means. And some individuals who get involved with antisocial protest movements simply lack the courage and stamina that living in a hostile, unsettled world demands.

Some demonstrators are sincere. They believe that their marching and demonstrating will help to bring peace.

There was no battle at Valley Forge where the clash of arms might have stirred men to action. But enough of our poorly fed and poorly equipped troops had the courage and dedication to remain there throughout the terrible winter to carry our country through to its independence.

Can freedom be handed to posterity or must each generation go through its own Valley Forge to earn it? We cannot be sure. There are trying times in this period of our existence, just as there have been in the past. All we can be sure of is that freedom requires bravery and strength of heart, and the finest and best in those who would keep it.

SO-CALLED NEW LEFT IS NOT NEW

The name generally given to certain segments of the rebellious youth movement in this country is new left. Some persons are fond of thinking it is merely a spontaneous, amorphous collection of restless young people. It is not. Most of its leaders are activists, instigated, controlled, and manipulated by disciplined Communists adhering to Marxist philosophy.

The theories of the new left are not new; they are basically the theories of communism, as old as slavery and just as deadly. This ideology has been forced upon the people of Russia, China and other countries, and its leaders and exponents would force it on all mankind. It is a form of overall rule which our ancestors overthrew back in feudal days. A privileged few, under this system, dispense the necessities of life to the serfs.

Milovan Djilas, a Yugoslav, one of the most brilliant Communist leaders of all time and a Marxist student, finally realized that communism as practiced today is a selfish deviation from Karl Marx's famous dictum:

> From each according to his abilities, to each according to his needs.

In his book, "The New Class," Djilas, referring to the Communist elite, had this to say:

> In communism, power and ownership are almost always in the same hands . . . This is a class of Communist leaders whose power over men is the most complete known to history . . . Its methods of rule fill some of the most shameful pages in history . . . When the new Communist hierarchy leaves the historical scene—and this must happen—there will be less sorrow over its passing than there was for any other class before it. Smothering everything except what suited its ego, it has condemned itself to failure and shameful ruin.

NEW LEFT DEVELOPS COMMON CRIMINALS

The best-known student demonstrations originated at the University of California's Berkeley campus. It is a little difficult to see how some aspects of this so-called student revolt in 1964 could lead to higher student ethics as some of our starry-eyed liberals have maintained. I could not see a high moral tone in the filthy-speech movement and some other equally antisocial activities.

Many people looked fondly on the student revolt as a striving for higher ideals and individual identity. However, 1 year after the revolt, campus crime rose 39 percent, compared to the city's 11-percent increase. Almost one-half of all arrests in Berkeley in 1965 were students—3,000 of them.

Burglaries and thefts skyrocketed. The Maoist student group bragged about shoplifting. The head of the new left student party was found guilty of stealing from a bookstore and blamed it on the system, whatever that was supposed to mean. A nonstudent founder of the movement dedicated to obscenity was arrested for shoplifting. In the words of a detailed article in a national magazine:

> Guerrilla warfare was waged against small storekeepers, aged landladies, the university's grading system and selective service.

Now these are the acts of common criminals, dregs of society, who prey on their law-abiding fellow citizens. It is high time for our Government to stop making excuses for this sort of behavior—and all other law-breaking as well—and treat the question of maintaining a lawful society as a matter of strict law enforcement, not some sort of game with automatic handicaps put on the police.

NEW LEFT WOULD DESTROY AMERICAN HERITAGE, GREATNESS, AND PRIDE

The new left espouses change—any change—and would disregard all lessons of the past. It even has changed the accepted meaning of words. Just a few years ago, in the game of cops and robbers, the cops were the good guys and the criminals the bad guys. Apparently, the philosophy of the new left would reverse this. The goals of the new left would bring disrespect to law enforcement officers and scorn to the concepts which generations of American schoolchildren have been taught to revere as part of our heritage. Words such as "patriotism" become, in the mouths of the new left, an epithet to be coupled with the foulest of obscenities. Terms like "love of country, of home, and of church" are denounced as obsolete and parochial.

NEW LEFT FINDS NO WRONG IN COMMUNIST AGGRESSION

Members of the new left see nothing but unmitigated evil in America's involvement in Vietnam, yet keep silent on the Communist record of aggression which has destroyed the freedom of half the world. They ignore the millions in subjection under the Communist yoke and the thousands who died in the Hungarian revolt. There is nothing on the demonstration placards to show sympathy for the thousands of women and children murdered by the Vietcong.

Is theirs a sincere protest and dissent against evil in the world? No, it is not, and no amount of distorted logic can make it so.

WHAT WITHDRAWAL FROM VIETNAM WITHOUT ADEQUATE SAFEGUARDS WOULD REALLY MEAN

It has been made plain time and again that if North Vietnam would cease its aggression against South Vietnam, our troops, literally, would come home tomorrow. Our commitment there is of long standing and, if our enemies suddenly found our commitment and our word to be the false promise of a paper tiger—which is exactly what withdrawal would lead them to believe—America would truly become the paper tiger of all time. Our enemies would despise us and our friends would not trust us. The dangers that would face us then would make our present situation look safe and sound by comparison.

Mao Tse-tung has said that when the Vietcong defeats the United States, wars of liberation can succeed anywhere. More is at stake in South Vietnam than just the welfare of the countries now involved.

The new left demonstrators constantly demand that we negotiate with the enemy, ignoring the fact, as does the enemy, that we have requested such negotiations hundreds of times. They also ignore the fact that the North Vietnamese and Vietcong need only to withdraw north of the 17th parallel, as they agreed to do at the Geneva Conference in 1954. The new left offers no logical path to negotiations except our complete and total surrender.

ERRORS IN VIETNAM DO NOT DETRACT FROM ALTRUISTIC GOALS OF THE UNITED STATES

Much criticism of the Vietnam war is based on errors made in our prosecution of the war itself. Some aspects of the war have been inept causing embarrassment and loss of prestige at home and abroad for the United States. But none of this should overshadow our purpose for being in Vietnam, nor the unselfish goals that our commitment seeks to fulfill.

We have been assisting South Vietnam by supplies and training advice since the Truman administration, but not until December 1961—after the Bay of Pigs fiasco—were the first Americans deliberately killed by the Vietcong.

We have given justification to paper tiger charges from Peking and Hanoi by announcing a containment—which really means no win—policy to meet aggression. Any oriental military mind sees this at once as a clear indication of a physical and moral weakness which can only lead to ultimate surrender on our part.

The Secretary of Defense has often set certain dates by which the war would be ended. I am certain he was sincere and I believe that we could have had victory by these dates if our defense establishment had displayed the same will and determination that the enemy has shown. We have continually increased our troop strength but have not used them with sufficient force to bring victory and stop the war. Such action is like cutting off 1 inch of the dog's tail at a time so it will not hurt him so much.

A typical action by the Secretary of Defense that has injured the morale of our Armed Forces, disheartened our friends and allies, and encouraged our enemies was the refusal of the Defense Department to allow the destruction of enemy surface-to-air missile sites during the 3-month period in 1965 that they were being constructed. It was only a matter of time until missiles would be fired from those bases at American planes. But even today if an American plane is fired upon from one of those bases the pilot is forbidden to return fire if the base is located in the enemy sanctuary created by Secretary McNamara. Needless to say, the enemy has located a substantial number of its bases within that sanctuary.

UNLESS "NO WIN" POLICY IS CHANGED, WE WILL NEVER ACHIEVE A MEANINGFUL PEACE

This is a unique approach to warfare, this idea of containment, but it was warned against by the great Chinese military writer, Sun Tzu, over 25 centuries ago:

> When you engage in actual fighting, if victory is long in coming, the men's weapons will grow dull and their ardour will be damped . . . Thus, though we have heard of stupid haste in war, cleverness has never been seen associated with long delays.

The Pentagon planners have failed in several critical aspects including inadequate plans for procurement, transportation and delivery of sufficient supplies, ammunition, armament, and equipment; emasculation of our Reserve Forces; inability to approximate the extent of our involvement; closing of bases; cessation of manufacture of certain needed military items, such as planes; failure to properly train and build up adequate forces. This is not our grandest hour.

We are sincere in our search for peace, but we deal with an enemy whose goals and procedures seem to escape our understanding. The only thing our enemies respect is determination to use our available forces for victory. That is the only persuasion that our enemies understand; nothing else will bring the North Vietnamese and Communists to the peace table with any intention of working for real peace. Apparently the Pentagon does not understand this fact, or it chooses to ignore it.

ANTI-AMERICAN DEMONSTRATIONS PART OF ANCIENT PSYCHOLOGICAL WARFARE TO BREAK WILL TO RESIST

The Communist world has deliberately taken its present course—a psychological war of nerves—to break our morale and will to resist. This art of war was developed in China, where it became a way of life and was written down 25 centuries ago by Sun Tzu, the great Chinese military writer. This military philosophy was carried to Russia by the Mongols; it still dominates military planning in Peking and Hanoi.

Sun Tzu in his book, "The Art of War," once stated:

> Reduce the hostile chiefs by inflicting damage on them.

This statement was expounded upon 1,000 years ago by Chia Lin, another Chinese military writer, in his commentary on Sun Tzu:

> Introduce only traitors into his country, that the government policy may be rendered futile. Foment intrigue and deceit, and thus sow dissension between the ruler and his ministers. By means of every artful contrivance, cause deterioration amongst his men and waste of his treasure.

Sun Tzu's book, "The Art of War," treats the use of spies and traitors in some detail. Chapter 8 is entitled, "The Use of Spies," and its several subtitles include "Local Spies," "Inward Spies," "Converted Spies," and "Making Use of Officials of the Enemy."

Tu Mu's—another Chinese military writer—commentary on Sun Tzu enumerates the following classes—including both civilian and military officials—who do good service as spies:

> Men who are aggrieved at being in subordinate positions or who have been passed over in the distribution of posts, others who are anxious that their side should be defeated in order that they may have a chance to display their ability and talents, fickle turncoats who always want to have a foot in each boat.

Spies, subversion, it is all the same. I believe you could find many of the new left among such malcontents and traitors. Our country may have made mistakes over the years in the conduct of its foreign policy, but we certainly have done nothing that would justify such an outpouring of hatred and contempt that anti-American demonstrators heap upon us.

WE MUST NOT IGNORE THE PLANS OF THE ENEMY

We had sufficient warning in Hitler's "Mein Kampf" to give us a clear picture of what he would do and pretty much how he would do it, but we ignored it. The price of our ignorance was hideous.

As an officer in the Asiatic-Pacific theater during World War II, I became interested in and carefully read and studied Japanese military philosophy. This was of great help to me in understanding our adversary at that time.

It has been said that you must study your enemy to understand him. Today I subscribe to the Worker and the Peking Review. I have in my personal library the works of Mao Tse-tung and also "Primer for Revolt," the work of the North Vietnamese military writer Truong Chinh, which is probably the best book on the philosophy of guerrilla warfare ever written.

ENEMY "SONGS OF HATE" SHOULD GIVE US PRIDE

If every American would study the works, thoughts, and philosophies of our enemies—and their daily actions, statements and pronouncements—it would be clear that their main purpose and goal is to break us down from within. They cannot hope to vanquish us by their military or economic might, both of which are far less than ours. Once we see the role of anti-American demonstrations and all aspects of the hate America movement—at home and abroad—in this general pattern of strategy, then we could well consider it for what it is and know how to meet it. Our enemy's attacks against us should arouse pride in Americans rather than shame, for these vile attacks demonstrate their fear of our freedom and of our economic and military strength.

WE MUST RETAIN CONFIDENCE IN OURSELVES AND OUR COUNTRY

I believe all we have to fear today is loss of confidence in ourselves and in our country. We cannot and must not allow our enemies, by whatever means, to shake this faith. We must never allow the enemy to guide our actions or our destiny.

The experiences of the past form accurate guideposts for the road ahead. Many fail to look for or to read these guides. Some suffer from myopia that distorts the signs. Others do not see them at all, due to their own egomania. Even more are so involved in selfishness and greed that they see mirages, rather than realities. In each case, they are doomed to destruction.

In an address to Congress in 1793, George Washington said:

> There is a rank due to the United States among nations which will be . . . lost by the reputation for weakness. If we desire peace, it must be known that at all times we are ready for war.

ENEMY VICTORY AT THE CONFERENCE TABLE

It is becoming increasingly clear that the enemy soon will seek a victory at the conference table which they know they cannot win on the battlefield. American armed action in Vietnam, while principally a position of containment, has gradually expanded until there are battles going on over most of South Vietnam. As American forces have gained in battlefield experience they are proving themselves equal to the Vietcong in jungle fighting and certainly superior in all other facets of the war. The enemy has suffered heavy casualties and is finding it more and more difficult to supply food and ammunition to its guerrilla forces.

Because of the bloody purge going on within its own country and its problems of decreasing production, Red China will not enter the war in Vietnam unless convinced that the United States is a paper tiger. Other evidence that China is reluctant to increase her participation is the fact that while today she is as weak or weaker than she has ever been in several years, she has recently issued her most vile threats since the beginning of the war. China, for centuries, has followed the military advice of Sun Tzu, who said:

> All warfare is based on deception. When you are near you must make the enemy believe that you are far away; when ye are far away, you must make him believe that you are near.

Red China's friends in Europe are now placing increased demands on the United States to stop our bombing and try to negotiate peace, ignoring the fact that the enemy is proclaiming louder and louder that they will never reach agreement with the United States. It appears that the enemy will attempt to gain their conference table victory either during or soon after President Johnson's coming trip to southeast Asia.

MANILA CONFERENCE CAN WORK TO AMERICAN SUCCESS OR TO HER DISMAL FAILURE

There is mounting evidence that we are approaching the hour of decision in the Vietnam war. Despite our errors of the past, it is obvious that we can win a military victory. The slowly increasing confidence in America from the countries of southeast Asia is strong evidence of that fact.

The plan of President Marcos of the Philippines to hold an all-southeast Asia conference on Vietnam, and his invitation to President Johnson to attend, could be of great value. It could also be the groundwork for what would appear to be a satisfactory peace but what would be, in reality, another Communist victory at the conference table.

The countries of southeast Asia are vitally interested in the outcome of the Vietnam war, for on that outcome may depend their own freedom. They fear China's territorial ambitions and want her aggression blocked. Yet none of these countries, without unity with a power such as the United States, could withstand Chinese aggression. Because of their weakness and their concern over our reluctance to win, they have been cautious in showing friendship toward the United States or in taking a firm stand against China. They will not openly support our position in the defense of freedom until they are satisfied that we are sincere—the answer to which neither our friends nor our enemies are certain.

IS THE PRESIDENT'S TRIP SINCERE?

It seems harsh to question the sincerity of our President on a matter of such vital importance to America as a meaningful peace in Vietnam. But failing to recognize that the timing of the President's trip—just before an election in which his Vietnam policies are a leading issue—is being questioned by many Americans would be playing the ostrich and sticking our heads into the sand.

The fact that the Chief of State has the sounding board of the news media raises additional questions on the timing of this trip.

We are all aware that in the dramatic move he is making the President will dominate the news media for the entire month before the elections. Will he use that media to bring the truth to America or will it be used for partisan purposes to bring a selfish view to the American electorate?

Only time will bring the true answer. The American people can only hope that the President is sincere and that this is not merely a game to gain temporary political strength by pretending a peace which is in fact phony or a victory which is in reality a defeat.

Regardless of our personal views, we must trust the President in his trip to southeast Asia. Any open demonstration of a lack of trust at this time can avail nothing except further embarrassment to our country in foreign affairs. We must keep in mind that by our Constitution the President is the architect of our foreign policy and Commander in Chief of our Armed Forces. No one can act in this field except the President. We must pray that he will sincerely and prayerfully represent America and the interests of freedom; that he will remember the blood that American boys have shed in Vietnam; that he will keep ever in mind the errors of trust which were made at Teheran, Yalta, and Potsdam; and that he will not make commitments for the future which will give nothing to the cause of America and freedom except dissolution and despair. Let us pray that he will remember Santayana's words:

> Those who cannot remember the past are condemned to repeat it.

THE ROAD FOR THE UNITED STATES

Freedom is not a devisable thing, nor is it something to be carelessly and arbitrarily tampered with or restricted under the cloak of national necessity. We must—and we will—keep our tolerance of belief and our right of free speech. But tolerance must not extend to latent treason and subversion.

America is the strongest and greatest country on earth and there is no reason why we cannot keep it that way. We have the strongest economy and strongest military might that the world has ever known, but to properly utilize these forces to the benefit of ourselves and all mankind we must maintain our spiritual strength and keep it as great or greater than our economic or military strength. We must fulfill our responsibility and our destiny, but in doing this we must act with commonsense, keeping ever in mind our debt to our own country and our own people and not overextending our capabilities by mixing in controversies all over the world.

I have no fears for our country if we remain determined toward strength and freedom. I do not doubt the basic wisdom, good faith, and intentions of the American people. Above all, we must retain this faith in ourselves. I firmly believe that we will meet problems that arise in a manner that leaves us stronger within as well as without. Nor do I fear that in haste we will approve ill-considered, totalitarian measures that resemble those of our enemy and by their adoption defeat our very purpose.

As a nation and as a people we must and will move ahead. We must accept change when it is for the good but refuse it as a temporary expedient leading only to mediocrity or destruction. We must keep our eyes on the star of hope and dedication to a better world, but at the same time plant our feet on the solid ground of reality.

FLOOD INSURANCE

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BOGGS. Mr. Speaker, at this time Hurricane Inez has finally moved inland causing the destruction we all knew it would.

It has, as all hurricanes have, once again dramatically illustrated the need for a national program of flood insurance for our American homeowners who live along our coastlines that have proven to be in the path of killer hurricanes.

That such a program is needed today is clearly evident. You do not have to convince the thousands of homeowners on the Gulf of Mexico that flood insurance is needed.

The residents all along the southern part of the United States waited anxiously for 2 weeks in fear that their homes were in the path of the hurricane. Fortunately they were spared. Unfortunately many citizens of Mexico felt the brunt of the storm.

I have introduced a bill (H.R. 18213) that would provide a national program of flood insurance and I urge the support of it from all Members of the House.

I consider this one of the most important bills I have introduced in my 22 years in Congress.

The bill would create a joint Government-private insurance industry program of flood insurance for property owners. The Boggs bill springs from recommendations listed in a 9-month study ordered by Congress in the wake of Hurricane Betsy. The study was part of the Southeast Disaster Relief Act of 1965, which has provided more than $120 million in loans to more than 26,000 hurricane victims.

The legislation provides that the National Government:

First. Pay the difference between reasonable premium rates on policies of flood insurance issued under the bill and the actuarial cost of such insurance;

Second. Assume the obligation to pay all claims in excess of a fixed amount covered by insurance issued under the bill in return for the payment of a reasonable fee by the companies offering such insurance; and

Third. Make loans at reasonable rates to replenish the reserves of an insurance company which are depleted because of heavy losses on property covered by the bill.

The measure specifies that preference be given to those areas and States expressing positive interest in flood insurance and urges cooperation with State and local planning bodies in developing long-range, land-use plans.

The bill also provides that the Government agency directing the program, "to the maximum extent practicable, shall use the facilities and services of private organizations and persons authorized to engage in the insurance business under the laws of any State * * *." It does prohibit the issuance of new insurance on a home where flood insurance can otherwise be obtained at a reasonable cost.

In order to minimize the hardship caused by floods, the Government is directed to encourage private insurance companies to develop nonsubsidized flood insurance programs. The bill directs the Government to identify within 2 years all flood plain areas, including coastal areas, which have special flood hazards and vulnerabilities.

This bill is a means to plan ahead for future hurricanes, and that is what insurance is for. When private enterprise like the insurance industry cannot offer insurance at reasonable rates, it is time for the National Government to establish a program to protect potential victims from the devastation of flood waters.

VIETNAM IN THE BALANCE

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BINGHAM. Mr. Speaker, the lead article in the current issue of Foreign Affairs, entitled "Vietnam in the Balance," is by Bernard B. Fall, professor of international relations at Howard University. Professor Fall is a French citizen who served in the French underground during World War II. He has visited North and South Vietnam on various occasions and has written six books on the subject.

In my judgment, Professor Fall's article in Foreign Affairs is must reading for anyone who is trying to understand what is going on in Vietnam today. He points out with what seems to me to be irrefutable logic that the National Liberation Front is a major entity in the picture, whose interests and policies do not necessarily coincide with those of Hanoi, and he argues that a major element of our policy should be to "make the Saigon government and the Liberation Front leaders the center of all future negotiations, with the United States and North Vietnam in a backup position, just as was the case with the Laotian factions and third powers at the Geneva Conference of 1961–62."

Professor Fall's article was written before Ambassador Goldberg's recent outstanding address at the United Nations, but it remains a timely and cogent presentation of some of the basic realities in Vietnam. In my judgment, we will never be able to untie the bloody knot of Vietnam unless we face up to these realities.

Professor Fall's article follows:

[From Foreign Affairs magazine, Oct. 1966]

VIETNAM IN THE BALANCE

(By Bernard B. Fall)

It may well be the opinion of future historians that the small but fierce engagements which in late 1965 pitted newly-arrived American troops against the *Chu-Luc* (Main Force) units of the Viet Cong and of North Viet Nam were the First Battle of the Marne of the Vietnamese War. The Battle of the Marne in September 1914 halted the seemingly irresistible onslaught of the Kaiser and thus foreclosed the possibility of an immediate end of the war through a collapse of the French; but the Great War, with its immense human and material losses, still ground on for four years and the enemy would often again come close to victory. The same happened in World War II before Moscow in the winter of 1941, or at Guadalcanal a few months later: no "turning point" as yet, but a halt to the runaway disaster.

In South Viet Nam, after being stopped at Chu-Lai, Plei-Mé and the Ia-Drang, the Communist regulars lost enough of their momentum for the time being not to be able to bring about the military and political collapse of the Saigon government late in 1965—a situation which would have altogether closed out the American "option" of the conflict. But just as at the Marne 52 years ago, or before Moscow a quarter-century ago, nothing had been decided as yet. Years—perhaps a decade—of hard fighting could still be ahead. And the political collapse of the government in Saigon is still a distinct possibility. It is, however, important to assess in detail the military and political elements on which this precarious balance rests and what *real* possibilities for manœuvre (as against wishful thinking on one side or party rhetoric on the other) exist at present in the Viet Nam situation.

II

On the American and South Vietnamese side, two main events dominated the scene between the first deployment of major American combat units in September 1965 and the Saigon government's attempt at providing itself with the beginnings of a representative base in September 1966: the government of Air Vice Marshal Nguyen Cao Ky, by surviving for more than one year, provided planners both in Saigon and Washington with a political "peg" on which to hang some of the reform programs deemed essential to any counter-insurgency effort worthy of the name; and also the increasing effort by the United States to shift the whole main burden of the war as far north as possible. The latter was being achieved by committing the bulk of the American forces to the Central Vietnamese mountain and coastal areas under the jurisdiction of the South Vietnamese II Corps, and by "raising," in the words of President Johnson, "the price of aggression" which North Viet Nam would have to pay for her participation in the war. What this meant became clear on June 29, 1966, when American bombers attacked oil storage depots within the city limits of Hanoi and Haiphong and unleashed an air offensive outstripping in intensity most of the bombing operations of World War II.[1]

The decisions which led to this situation were based on the clear realization in Washington that, earlier optimistic predictions to the contrary notwithstanding, the South Vietnamese were in the process of being defeated in an operation which was a carbon copy *not* of the French defeat of 1954 but of the Chinese Nationalist defeat on the mainland in 1948–49. And exactly as in the case of China, it was American prestige which now was at stake. Opposite views were strong even within the American military, however, where advisory support for friendly local ground troops was considered with favor over the commitment of large American ground forces. As late as August 1964, that viewpoint was clearly expounded as official policy in a pamphlet jointly issued by the State and Defense Departments, which explained the Viet Nam problem in question-and-answer form. The answer to the then hypothetical question as to why no

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[1] According to Secretary of Defense McNamara, the 1966 "bombing plan" for Viet Nam involves an expenditure of 638,000 tons of aerial munitions. In comparison, the whole Pacific theater expended 600,000 tons throughout all of World War II.

American combat units were committed to Viet Nam reads in full as follows:

"The military problem facing the armed forces of South Viet Nam at this time is not primarily one of manpower. Basically it is a problem of acquiring training, equipment, skills, and organization suited to combating the type of aggression that menaces their country. Our assistance is designed to supply these requirements.

"The Viet Cong use terrorism and armed attack as well as propaganda. The Government forces must respond decisively on all appropriate levels, tasks that can best be handled by Vietnamese. U.S. combat units would face several obvious disadvantages in a guerrilla war situation of this type in which knowledge of terrain, language, and local customs is especially important. In addition, their introduction would provide ammunition for Communist propaganda which falsely proclaims that the United States is conducting a 'white man's war' against Asians." [2]

That perceptive statement of the basic liabilities involved in using massive numbers of white troops is beyond doubt as true today as it was in 1964. One can, therefore, only guess at the sudden deterioration inside South Viet Nam—or the suddenness with which the worsening situation was finally perceived in Washington—which compelled the Administration to do in 1965 what it felt was unwise only six months earlier. But the decision was made to commit large American forces to the land battle as being the lesser of two evils: 300,000 were in Viet Nam by September 1966, and another 100,000 could be there by the end of the current year.

The immediate net result of that American influx was that the brunt of the major encounters was now to be borne by the American troops instead of the South Vietnamese, just as on the other side infiltrated regular units of the People's Army of Viet Nam (PAVN) now assumed the larger part in engagements in the II Corps area and the northern section of III Corps. The argument that South Vietnamese forces still suffered heavy casualties—they suffered 11,000 dead and 21,600 wounded in 1965—must be modified to include the fact that the bulk of the South Vietnamese Army (ARVN) casualties are suffered passively, *i.e.* by units garrisoned in forts or ambushed on roads rather than engaged in offensive operations.[3] A 1965 net desertion rate of about 93,000 out of about 600,000 troops, which by all accounts further increased during the first half of 1966, also indicates that the ARVN has yet to become a stabilized force, let alone a diplomatically stabilizing factor in the way the South Korean Army became during the negotiations of 1952–53. How much indeed the war had become "American" is also shown by the relatively high casualties suffered by the U.S. combat forces in the field: out of a total of 240,000 troops in Viet Nam in the spring of 1966, about 50,000 at most were actual combat troops. Yet they had suffered, in less than one year, the bulk of America's 4,000 dead and 21,000 wounded. Losses of combat leaders were even more severe, as shown by statistics covering 1965 only, when it turned out that the officer death rate was 23 percent, as against 5 percent for U.S. Forces during the Korean and Second World Wars,[4] while the French officer death rate during the Indochina War amounted to about 3 percent.

On the civilian side, a thorough perusal of the testimony given by senior Administration officials before various Congressional committees shows that, like Abbé Sieyès during the French Revolution, the Saigon government had survived but had done little else besides. To be sure, some particularly optimistic observers already felt a year ago, a bare three months after Ky's rise to power, that "there is genuine enthusiasm generated by the imaginative programme worked out by [the government's] civilian advisers," and that "a social, economic, and political revolution" was finally under way.[5] The hard statistics and observed facts paint a somewhat different picture. Economically, the country experienced a 130 percent inflation in less than a year, which finally led to a strong devaluation of the South Vietnamese currency in an effort to keep prices from rising uncontrolledly. And while there are, as in the past, hopes of future improvement, they have as yet to materialize in Viet Nam for anyone who is not in the war-economy circuit—that is, working for the big building contractors who construct runways and bases, or, for instance, serving as a barmaid. Land reform has never gotten off the ground; there have been at least four distinct reforms, all of which stalled, over the past decade or so. While the Diem régime expropriated a total 457,000 hectares (2.47 acres per hectare) and the French Government gave South Viet Nam between 225,000 to 246,000 hectares of formerly privately French-owned land as early as 1958, only some 248,000 hectares have thus far been redistributed, according to a recent A.I.D. report,[6] *i.e.* the equivalent of the French-owned land. According to a recent American observer who was an adviser in Viet Nam, much of the unredistributed land was kept under government control and "commonly put up for rent to the highest bidder." [7]

While it is obvious that the middle of a war is not the best place to start such reforms, it must be realized that in Viet Nam the choice no longer exists, for the reforms are as essential to success as ammunition for the howitzers—in fact, more so, because the failures of land reform create an almost hopeless vicious circle. With only 25 percent of the non-urban population under effective government control, a large mass of landless peasants stands to lose a great deal the day Saigon reëstablishes control over the countryside and thus restores the old tenant-landlord relationship, as invariably happened in the past wherever government troops reoccupied a given area. (In fact, in some such areas the landlords arrived in the supply trucks of the troops and some unit commanders could be persuaded to launch a clearing operation in an area where the returning landlords promised to share the proceeds with them.) Hence, the certitude of a genuinely "peasant-oriented" land reform, including a freeze on land holdings already distributed by the Viet Cong, would do more to change the allegiance of the peasantry than probably any other single counter-insurgency measure. And the much graver problem then arises as to whether the landlord-oriented leadership group in Saigon—regardless of whether it is made up of generals or medical doctors, as seems to be alternately the case—is *intellectually* capable of engineering that kind of revolution.

Finally, South Viet Nam must face up to political problems which, even in the absence of the Viet Cong insurgency, would leave it in the precarious position of the Dominican Republic a year ago. To blame the French colonial legacy for all the present ills has become a sort of ritual to which every writer in this field pays automatic homage. It does not, unfortunately, explain why North Viet Nam, similarly saddled with French colonial holdovers, does not suffer from administrative disintegration; nor does it explain how twelve years of extensive public-administration training in South Viet Nam—staffed and financed by America—has apparently made no dent in the problem. The reason is that South Viet Nam's ills are of a more fundamental nature.

Regionalism in Viet Nam is a fact of life which no amount of centralization can paper over. For some unfathomable reason, the decision was made in 1954 to replace what was on the whole a well-decentralized administrative system[8] by a truly French-patterned, highly centralized administrative structure. More and more power was heaped on the fragile shoulders of Saigon's central bureaucracy, while such "natural" units of government as the region or the district were either abolished or lost all effective power. The village, which had been the real cradle of a Jeffersonian type of representative government in the country (the French found a well-operating local election system and, like all colonial powers, left village life to its own devices), was deprived of its elected officials by Ngo Dinh Diem's fiat in June 1956 and for the first time felt the full brunt of central arbitrariness and maladministration without the relative compensations of a rapidly improving economic situation. On a broader plane, the Hoa-Hao and Cao-Dai sects were in a state of more or less overt anti-Saigon dissidence until Diem's murder in November 1963, and those two sects number about 3,000,000 people between them and live over a vast area north and west of Saigon. The mountain tribesmen of the vast plateau area which covers almost 65 percent of South Viet Nam were the object of political and economic oppression which American experts as early as 1957 considered tantamount to genocide. They formed an organization known as FULRO (Front Unifié de la Lutte des Races Oprimées) which, like "Black Nationalism" in the United States, has pathetic overtones of a curses-on-both-your-houses attitude, and which resulted in two major rebellions quelled in the nick of time by well-liked American advisers who found themselves in the strange position of being honest brokers between two "Vietnamese" ethnic groups.

But by far the most serious regional problem is that of Buddhism and Catholicism. The term "regionalism" is used advisedly, for in South Viet Nam today Catholicism is largely associated with the North Vietnamese civilian refugees of that faith (almost 600,000 out of a total of 850,000), while Buddhism, though practiced lackadaisically throughout Viet Nam, finds its most fierce and tradition-bound adherents in the Central coastal area around the ancient imperial capital of Hué. People are rarely tolerant about their religion, and the Vietnamese possibly less tolerant than most. This, added to the fact that the Catholics, though only perhaps 11 percent of the population, were in power under Diem for almost a decade and that the ARVN's officers corps is over 50 percent Catholic to this day, would be sufficient to create an explosive situation anywhere. In Viet Nam, in the absence of a broadly accepted government, people of necessity must fall back on the *one* structure of society they can trust—their religion. It was a foregone conclusion, then, that the Buddhists would attempt to gain power, just as far smaller groups have previously done with great success.

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[2] Department of State Publication 7724 (Dept. of Defense, Gen.-8), Viet Nam: The Struggle for Freedom. Washington: Government Printing Office, 1964, p. 21.

[3] According to the *Weekly Summaries* prepared by the Department of Defense, the average number of ARVN-initiated battalion-size operations has slightly decreased over the past year while the number of Vietnamese under arms went from 493,000 to 640,000. At the same time, the number of U.S.-initiated battalion-size operations has trebled.

[4] *The New York Times*, January 19, 1966.

[5] P. J. Honey, "Viet Nam Argument," *Encounter*, November 1965, p. 69.

[6] CONGRESSIONAL RECORD, March 10, 1966, p. 5559.

[7] Stanley Andrews, "Red Tape and Broken Promises," *The Reporter*, May 5, 1966.

[8] Cf. the little-known but excellent study by Vu Quoc Thong, *"La décentralisation administrative au Viet-Nam."* Hanoi: Presses Universitairies, 1952.

The argument that perhaps the Buddhists are not "ready" to assume the reins of government is by-and-large irrelevant. After all, Buddhists as individuals—including Premier Ky, who is a North Vietnamese Buddhist—have been in positions of power all along. What is, however, true is that the Buddhist political organization in Saigon, grouped around the *Vien Hoa Dao* (Institute for the Implementation of the Dharma), has yet to find a political program which it can openly proclaim. That is meant in the literal sense of the term, for many of the Buddhists are known to be in favor of a negotiated solution to the war, but under presently-existing legislation any utterance to that effect is likely to earn its maker a prison term of up to five years. Not being able to stand openly on a platform of moderation or neutralism, the Buddhists are condemned to vague utterances about "social revolution," "true democracy" and other similarly noncommittal slogans. But that is not the kind of program likely to rally the war-weary Vietnamese 'round the flag for a supreme effort against the Viet Cong, or, for that matter, against Saigon. And perhaps the supreme refinement of the dilemma came last spring when the Central Vietnamese Buddhists were cornered by ARVN troops into abject surrender: at that time there were better than five North Vietnamese regular regiments in the I Corps area which, had the Buddhists and the mutinous 1st ARVN Division chosen to go over to their side, could have wreaked utter disaster in almost half of Viet Nam, with incalculable consequences in Washington and Saigon, not to speak of the rest of the world. But the Buddhists chose the likelihood of political destruction and the detention of their key political and military leaders by Premier Ky against the highly speculative possiblities of entering into an alliance with the National Liberation Front (N.L.F.), the political arm of what is commonly called the Viet Cong.

Yet the very extremism which the government of Premier Ky showed late in July 1966 when he suddenly resumed harping on a theme dear in 1964 to one of his predecessors, General Nguyen Khanh, *"Bac Tien!"* ("Let's March North!") may have a maturing influence not only on the Buddhist leaders but also on the moderate Catholics of Father Hoang Quynh and lead to an alliance between the two religious groups. This in turn could become a base of political power owing nothing either to an alien ideology or to the massive presence of foreign troops.

III

It is against this South Vietnamese backdrop of frustration and upheaval that the military effort which has been made over the past year now must be measured, and *not* simply against it own abstract yardsticks of increasing troops present, ammunition expended, enemy killed, "structures" destroyed, rice confiscated, weapons captured and weapons lost or acres of rice fields defoliated. Not that such indicators are wrong per se; but they are simply meaningless in terms of what is going on.

First of all, the war must be judged against its progress toward its initial objectives. If the objective was—as was contemplated in 1961—to "pacify" South Vietnam with the help of an eighteen-month counter-insurgency plan, then the operation already has failed. This is also true if Vietnam is judged against Secretary McNamara's target date, announced on October 2, 1963: "The major part of the United States military task [in Vietnam] can be completed by the end of 1965. If the next set of objectives was to nip the rising insurgency in South Vietnam merely with an increased American advisory effort and perhaps with the "antiseptic" help of American-manned airplanes and naval craft, that policy failed in 1964. The same can be said of such tactical measures as the bombing of North Vietnam. It first was explained as a retaliatory measure against a guerrilla attack on the American base at Pleiku, then as a measure designed to cut off the flow of North Vietnamese manpower and supplies to the insurgents, and, finally, as simply a political measure designed to bring the North Vietnamese to the conference table.[9] Since it was clearly admitted that the retaliatory aspect of the raids was at best a temporary rationale, only the two other criteria need to be judged. Secretary McNamara, in explaining the bombing of the storage depots near the former Hanoi and Haiphong "sanctuaries," stated that during the previous year of bombing Communist supply deliveries had increased by 150 percent and troop infiltration by 120 percent, and President Johnson, two days later at Omaha, stated that what hitherto had been jungle trails had in many places become fully motorable "boulevards."

Obviously, then, as with operations "Strangle" and "Choke" in Korea 15 years ago, air operations failed to effect decisive results in spite of a 1965 bomb tonnage (255,000 tons) far exceeding what had ever been used before on so small a target area. As for the political effectiveness of the air operations, the record is plan: more intransigence from Hanoi and a gradual increase in the Russian commitments to Hanoi, at least in the field of air defense.

All this could well delineate the conditions for a stalemate, were it not for the fact that, contrary to what happened in Korea, the American build-up in Viet Nam is at the present moment open-ended. Neither budgetary nor manpower ceilings seem to have been arrived at and whatever limitations there are appear to be imposed more by the difficulties of finding suitable deployment areas and logistical support facilities than by a lack of will in Washington to provide massive reinforcements. Even so, manpower requirements are likely to become extensive this autumn: by late September, about 165,000 men now in Viet Nam will have fulfilled their one-year tour; that, added to the 400,000-man strength considered desirable for the end of 1966, would mean that at least a quarter-million new troops must be moved to Southeast Asia fairly rapidly.

All this, of course, is perfectly feasible for the United States, and so are the many "search-and-destroy" and spoiling operations which are said to have prevented the Viet Cong from launching a "monsoon offensive." (Ironically enough, the North Vietnamese claim that the American "dry-season 'counteroffensive' " had likewise met with failure.) [10] Enemy losses are heavy, and may well reach 60,000 dead this year; but the present infiltration rate may match this, and local recruitment inside South Viet Nam still amounts to 3,500 men a month, while the total number of Viet Cong and PAVN forces rose over the past year from 110,000 men to 270,000. The present American pincer operations, with their net results of a few hundred enemy killed in return for a commitment of often more than 10,000 troops for ten days, are by and large no more efficient than similarly large French operations were (the French using paratroop battalions where the United States uses helicopter-borne units). They are unlikely to achieve gains of strategic importance until a troop saturation ratio is attained which permits the permanent reoccupation of cleared areas in strengths which deter attack. Expert advocates of such tactics, notably Hanson W. Baldwin, feel that they can be the only logical conclusion of present policies and estimate that one million American troops would provide for an adequate saturation ratio. Interestingly enough, that view is likewise shared by the opposition. In an interview granted in January 1965 by the Chairman of the Liberation Front, Nguyen Huu Tho, he made the cogent point that "it is not bombs and artillery that win wars; it is infantry that can occupy territory." [11]

Let us then reconstruct the military-political landscape which the Communist planners in Hanoi or in the N.L.F.'s jungle headquarters might see before them. In spite of severe casualties, their troops and underground administrative structure have held on to much of what they held last year and, with minor tactical adjustments, they are still capable of attacking. Aerial bombardment, north as well as south, hurts but has yet to cut deeply into their supply and replacement system (they have Secretary McNamara's word for it). The American ground effort has foreclosed the chances of a headlong rush to victory, but is not yet of a size to make a Communist defeat certain. Saigon, for all the beautiful plans on paper, has yet to come through with effective reforms. And abroad, the dark outlines of more massive Soviet help (with a concomitant Russo-American worsening of relations) appear discernible.

If the Communist interpretation of the situation is *anywhere* near this estimate, as it is very likely to be, then it can be easily seen why both Hanoi and the N.L.F. would be highly reluctant to accept negotiations which offer them literally nothing but the complete and permanent dismantling of the whole South Vietnamese Communist apparatus in exchange for a minor share in an economic development plan which contemplates a total expenditure equivalent to the cost to the United States of fifteen days of war in South Viet Nam. Much depends, then, on whether Hanoi and the guerrillas in the south view the development of the war *exactly* in the same light, for the sacrifices they are expected to make at the conference table, as well as, for the time being, on the firing line, are of an entirely different nature.

IV

A major part of the whole Viet Nam argument revolves around a clear identification of the character of the enemy—for it is that identification which pins the label of "aggressor" on North Viet Nam (and thus justifies military action against it) or, conversely, makes the conflict largely a civil war, with the United States as the major foreign "interventionist."

A recent issue of *Foreign Affairs* presented an unusually well-argued and sophisticated case for the first view.[12] But precisely because it is so well argued, it unconsciously presents some of the arguments for the opposite viewpoint as well. And since it is almost impossible to discuss the possible rational outcomes of the Viet Nam situation as long as the true character of the adversary is in doubt—it is this writer's own belief that it lies somewhere between the two extremes presented above—the nature of the Viet Cong must be explored further before it can be definitively dismissed as "faceless."

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[9] Secretary McNamara's press conference of June 29, 1966.

[10] *Viet Nam Courier* (Hanoi), Nos. 60 and 61, May 26 and June 2, 1966.

[11] Wilfred Burchett, "Viet Nam: Inside Story of the Guerrilla War." New York; International Publishers, 1965, p. 240.

[12] George A. Carver, Jr., "The Faceless Viet Cong," *Foreign Affairs*, April 1966.

It can be conceded in advance that any Communist member of the National Liberation Front in South Viet Nam is likewise a member of the *Lao Dong*, the Vietnamese Communist Party, and that North Viet Nam, which had without a shred of doubt won the war against France in 1954, fully expected to gain control of South Viet Nam as well either by the elections slated for July 1956 or at a later date. I am, however, inclined to doubt that Hanoi's decision to intervene in South Vietnamese affairs was prompted by any "increasing disparity between political life north and south." For it became obvious even to the blindest of optimists that, unfortunately, the political lives of both Viet Nams, far from becoming "disparate," began to resemble each other as only two extremes can, with their gradual falsification of representative processes and, finally, with their concentration camps and persecution of religious groups. The existence of a "Central Reunification Department" in Hanoi of which much is made is surely revelatoy of something—until one becomes aware that West Germany, for example, has a Ministry for All-German Affairs to which, of course, East Germany and the Soviets ascribe equally sinister motives, even though it can be safely assumed that the *Ministerium für Gesamtdeutsche Fragen* is more innocuous than any Hanoi committee with the same purpose.

It is likewise very much open to question that the intervention of Hanoi was first evidenced by a terror campaign directed against small South Vietnamese officials. In actual fact, Diem began to become oppressive as early as January 1956, when a concentration camp ordinance (No. 6 of Jaunary 11, 1956) gave the régime almost unchecked power to deal with the opposition—and the non-Communist opposition, least inured to clandestine operations, was hit hardest. It took until May 1966 for a U.S. Government agency, the Public Affairs Office in Saigon, to state candidly what was a well-known fact all along—to wit, that some of the so-called "political-religious" sects provided the hard core of the early opposition:

". . . Ten of the eleven [Cao-Dai] subsects had opposed Diem, and their leadership fled to Cambodia or went into hiding. . . . The members of the other ten sects made up the bulk of the early NLF support, although the alliance was at all times an uneasy one . . .

". . . The [Hoa-Hao] sects in 1952 formed the Social Democratic Party as its political arm. It too challenged Diem, and its armies were smashed by ARVN in 1956. Like the Cao Dai, it was an early and major participant in the NLF, . . .

". . . The third of the esoteric sects of Viet Nam, the Binh Xuyen, which was also smashed by Diem, also worked with the NLF in its early days." [13]

The decision by Diem—probably his most pregnant in terms of its future consequences—to abolish elected village government in June 1956 (again before the July 1956 election deadline, at a time when the Communists were on their best behavior) did the rest. The hated appointees became a prime target for local resentment and by March 1958 over 400 had been murdered by guerrillas who indeed, as Carver points out, "harped on local issues and avoided preaching Marxist doctrine." When it is remembered that there were enough "local issues" around to cause the South Vietnamese Army itself to try at least three times to murder Diem, it becomes understandable why South Viet Nam appeared to Hanoi ripe for plucking. In other words, there can be no doubt but that Hanoi or even South Vietnamese stay-behind Communist elements, took advantage of Saigon's glaring weaknesses after 1959. But the Communists can hardly be held responsible for the incredible stupidity of the Diem régime and the somewhat surprising blindness to its faults of its American advisers. And it is equally hard to deny that there was plenty of motivation *inside* South Viet Nam, on the left as well as on the right, for a revolutionary explosion.

The next point which requires clarification is *not* whether the insurgency in South Viet Nam is abetted, directed and aided from North Viet Nam (it is to a large extent), but whether such outside controls preclude the existence of *real* objectives which are specifically those of the insurgents rather than of their external sponsors. Here, the recent British revelations as to the truly enormous extent of the control of the French Resistance in France by the Special Operations Executive (S.O.E.)—the 1940–1946 British equivalent of the Central Intelligence Agency—shows what is meant. According to the now-published official history of S.O.E. in France, "till 1944 the British had a virtual monopoly over all of de Gualle's means of communications with France," and the French "could not introduce a single agent or a single store" without Allied permission and help, and "anything [they] planned with marked political implications was liable to be vetoed by any of the three major Western allies." Yet, having substantiated exactly what both the Vichy French and the Nazis had said all along, *i.e.* that the French Resistance was nothing but an "Anglo-Saxon conspiracy" and the resisters (this writer included) nothing but foreign agents, the official history makes the key point: "All these victories by and through resistance forces in France had a common basis: overwhelming popular support." [14]

The hard historical facts which emerge from the French Resistance and which appear to apply to the Viet Cong are (a) that in spite of overwhelming technical control by the Allies, de Gaulle succeeded in winning political and military loyalty among the diverse guerrilla forces in France, and (b) that even de Gaulle's own views and desires had to accommodate themselves to those developed by the internal resistance in its four-year fight, in which it bore the brunt of the struggle and suffered the bulk of the losses. The differences of view between Viet Cong leaders who have now been in the fight for six years (and some of them for twenty!) and the Hanoi theoreticians and conventional military commanders go in many cases far beyond normal internecine party struggles or mere tactical disagreements.

A glance at factual examples is interesting: there have been three changes of N.L.F. secretaries-general at times when Hanoi was in the throes of no purge whatsoever. There was the N.L.F. five-point manifesto of March 22, 1965, whose "jungle version" was rebroadcast later by Hanoi with 39 extensive amendments or text changes, softening some of the N.L.F. statements. There were the spontaneous reactions of N.L.F. leaders when faced with respected Western observers on neutral ground, openly explaining why they disagreed with the "narrow-minded commissars in Hanoi." And there is the fact that while the United States and Hanoi are now officially wedded to a return to a Geneva-type conference (and, presumably, its two-year election clause), the N.L.F. has thus far left Geneva out of its program, preferring a flexible formula of eventual reunification in negotiated stages.

It is easy to dismiss those differences as being mere camouflage (after all, some people believe that the Sino-Soviet split is nothing but a grand deception foisted on the easily-fooled West) and to belief the N.L.F. is indeed nothing but "a contrived political mechanism with no indigenous roots," as Carver avers. But in that case, the 220,000 Viet Cong who fight side-by-side with 50,000 PAVN regulars, and who over the past three years are said to have suffered almost 100,000 dead and 182,000 wounded, fight rather well for what must be a vast mass of remote-controlled and force-drafted recruits. Otherwise, desertion would be just as easy on the Viet Cong side as it is on the ARVN side, but thus far the V.C. desertion rate simply seems to keep pace with the increase of manpower on the Communist side.

That leaves, lastly, the argument of "facelessness": the N.L.F. leaders are men of little stature in their own society; they are unknowns. But four years ago only a few Vietnamese military men knew who General Ky was, and no one thought of him even two years ago as being of presidential timber. Clandestineness is not attractive to the sort of men who are national figures: aside from Jugoslavia's Marshal Tito, it takes real expertise to recall the names of European resistance leaders. In any case, N.L.F. propaganda has seen to it that its leaders should not remain anonymous: at least forty senior leaders' biographies have been published, along with their photos.[15] Their background shows the normal social background of Vietnamese leadership in general, from medical doctors and pharmacists, to lawyers and even army officers (though the sprinkling of Montagnards and women is more typical of the likewise classic "united front" picture). And they have one remarkable common characteristic which thus far no Saigon government has been able to match: they are all from south of the seventeenth parallel.

None of the foregoing justifies Hanoi's claim that the N.L.F. should be the "sole legitimate voice of the South Vietnamese people." But nothing justifies the opposite claim either, to the effect that without Hanoi's full support, the N.L.F. would disappear into thin air like a desert mirage. There can indeed be no quarrel with Carver's statement that "the Viet Cong organization is unquestionably a major factor in the South Vietnamese political scene." In that case, however, it must be treated as what it is—a political force in South Viet Nam which cannot be simply blasted off the surface of the earth with B–52 saturation raids, or told to pack up and go into exile to North Viet Nam.

There is one further consideration which argues against the likelihood of Hanoi being able (assuming it were willing, and it does not seem to be) to turn off the southern guerrilla movement like a water tap: Hanoi has, since March 1946, made four separate deals with the West at the expense of the South Vietnamese. The French-Vietnamese accords of March 6, 1946, provided for a Vietnamese "free state with its own government, armed forces and foreign relations" but left South Viet Nam proper (*i.e.* Cochin China) under French control and, as it turned out, severe anti-Viet Minh repression. The French-Vietnamese *modus vivendi* signed by Ho Chi Minh in Paris, September 14, 1946, further confirmed this seeming abandonment" of the South. In the Geneva Accords of July 1954, it was South Viet Nam which was left to the tender mercies of the Diem régime for at least two years, and we have Nguyen Huu Tho's own word in an interview with Wilfred Burchett to the effect that "there were mixed feelings about the two-years' delay over reunification." And when neither Hanoi nor Peking (nor the Soviet Union) made strong representations against dropping elections in 1956, it must have become obvious to even the most obtuse pro-Hanoi elements south of the seventeenth parallel that the North Vietnamese Communists are somewhat unreliable allies.

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[13] U.S. Mission in Viet Nam, JUSPAO Planning Office, *A Note on the Vietnamese Sects*, May 1966, p. 2–3.

[14] M.R.D. Foot, "SOE in France." London: Her Majesty's Stationery Office, 1966, p. xix, 33, and 442–443, *passim*.

[15] Commission for Foreign Relations of the N.L.F., *Personalities of the South Viet Nam Liberation Movement*, n.d. [1963], 44 pp.

V

These are simple historical facts, not extrapolations of obscure paragraphs in three-hour speeches of Communist leaders. They make it somewhat difficult to explain by the tenets of the all-out "aggression" theory why the same Communist leaders (in Hanoi and at least Peking) should have chosen in 1958 to fight a highly risky guerrilla war in preference to trying to win South Viet Nam by a bitter political fight in 1956 (a call to the U.N. or for the reconvening of the 1954 Geneva Conference, or for the interpretation of the Agreements by the International Court of Justice; or simply by a vast propaganda offensive).[18] The fact of repeated abandonment goes a long way to explain why North Viet Nam is somewhat reluctant to come to the conference table: Washington has sometimes seemed to feel that a sudden convening at a conference table might well bring about the collapse of the South Vietnamese government's spirit of resistance, for the South Vietnamese as a people know only too well what their military posture would be without all-out American help. But, vice versa, in view of past performance, *any* peace conference in which Hanoi would once more speak for the southern insurgent elements and in the absence of their own full representation would raise among the Viet Cong the spectre of yet a fifth sellout of the southern guerrillas. Other countries too have "credibility gaps."

Yet is it precisely that symmetrical weakness which, in this writer's view, opens new perspectives on how to approach the Viet Nam problem as a whole. And while lapidary formulations have in the past been more confusing than helpful, it would perhaps be useful to say that a major attempt must be made to "politicize" rather than to further "militarize" the Vietnamese conflict and to treat it as what it really is—a local conflict with outside support which has gotten out of hand, not the Stalingrad or El-Alamein of a worldwide cold-war confrontation.

There is no more reason to believe that a free-world "victory" in Viet Nam is going to deter other revolutionary guerrilla wars than there was to have hoped that the Kaiser's defeat in World War I would teach Nazism a useful lesson in 1938; or to have expected that Communist guerrilla setbacks in Greece, Azerbaijan, the Philippines, Malaya or the Congo would "teach" guerrillas something in Cuba, Venezuela, Laos, Burma, Thailand or South Viet Nam. If it "teaches" them anything at all, it may well be this: that unless the local régime undertakes a measure of true reforms, even the hugest military power in the world can be successfully stalemated for a long period of time by lightly-armed peasant guerrillas and the infantry of a tiny underdeveloped country. That point might well be left somewhat less substantiated than it has recently been.

In that case, the present balance, including the American and PAVN forces in South Vietnam, can be used to establish a political starting point from which to approach the whole problem anew, perhaps along the following lines:

1. Make the Saigon government and the Liberation Front leaders the center of all future negotiations, with the United States and North Viet Nam in a back-up position, just as was the case with the Laotian factions and third powers at the Geneva Conference of 1961–62. (It will be recalled that the 1954 Geneva Conference on Indochina was a *military* cease-fire conference, like Panmunjom in Korea.)

2. Have the United States restate in less prolix language the promises contained in the State Department's 14-Point Declaration of January 1966, notably with regard to the non-permanence of American bases in South Viet Nam and the disengagement of *both* Viet Nams; and have this declaration filed with the United Nations as proof of good faith.

3. Prepare the Saigon government forcefully and publicly—just as Premier Ky informed the United States of his desire to carry the ground war to North Viet Nam—for the coming *political* contest with a well-organized native left-wing minority which can neither be evacuated nor exterminated. (*Vide*, France and Italy in 1945–47 having to face the stark fact of heavily-armed Communist ex-partisan forces, which to this day in 1966 have not really surrendered all their weapons.)

4. Encourage Liberation Front leaders to commit themselves to specifically *South* Vietnamese political and economic options in preference to North Vietnamese desires (again as was the case of the West European Communists in the early 1950's, in relation to Moscow) in exchange for a legal participation in the political life of the country.

5. Encourage the eventual creation of a "plastre common market" (as advocated two years ago by Prince Norodom Sihanouk of Cambodia) which would include North Viet Nam and thus satisfy its legitimate desire for contacts outside the Communist world, but which would include 26,000,000 people from non-Communist states as against North Viet Nam's 19,000,000. Postwar international organizations—even the Warsaw Pact—have shown that small strong-willed countries succeed far better in holding their own within such organizations, even when they include a large predatory country, than they can individually.

6. On the basis of President Johnson's Baltimore speech, restate and expand the idea of a flexible area-wide rehabilitation program, taking into account the immensely increased destruction which has taken place since last year. Include proposals for political normalization, such as those which the United States implemented in Germany and Japan, Britain in Israel, and France in Algeria. In that case, Viet Nam could set the pattern of a détente applicable to other divided countries as well.

None of the above is likely to produce a miracle cure for South Viet Nam's ills. If Saigon is still grimly determined to botch its land reform or to falsify its elections, not even a million American troops can stop it from doing so. Of course those troops at least could crush the opposition even if it were at the price of which Tacitus spoke when he said of the Romans in Britain, "You have made this a desolation and you call it peace."

It would indeed be a pity if so much ingenuity, diplomacy, blood and treasure should have been spent on trying to persuade Hanoi to abandon the insurgents in South Viet Nam, without a solid attempt ever having been made at getting the insurgents to modify their relationship with Hanoi in return for a specifically South Vietnamese solution that could be as honorable all around as it would be realistic. The only alternative to such an approach would be a further escalation both in terms of battleground and participating countries. And if Munich is not a good example of how to settle the Vietnamese conflict, neither is Guernica, or Sarajevo.

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[18] It is totally forgotten today by those who support the "unilateral-aggression" theory that North Viet Nam on March 7 and December 22, 1958, addressed two long notes to President Diem conceding the temporary division of the country and offering a 4-point program involving interzonal trade, travel and nonaggression. Saigon refused to reply to the notes.

"THE LABOR MOVEMENT AND IMMIGRATION," BY PETER J. KELLEY, S.S.S.

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I have recently seen a report on the subject of the "American Labor Movement and Immigration" policy which I found to be quite interesting and very well documented. It was written by the Rev. Peter J. Kelley, S.S.S. of the Blessed Sacrament Fathers Seminary in Cleveland, Ohio, and shows evidence of much effort and concentrated research.

In the thought that it might be of interest to other Members of this body, Mr. Speaker, under unanimous consent I insert it at this point in the RECORD:

INTRODUCTION

The American labor movement is intimately concerned with immigration. AFL founder Sam Gompers was an immigrant. So were Eugene V. Debs and Philip Murray, not to mention a great proportion of the rank and file union members, especially in the past generation.

Immigration presents, on a theoretical plane, a dilemma to organized labor. The effect of large-scale immigration on American unemployment statistics would tend to make the big unions favor restriction of immigration. On the other hand, the vast number of immigrants in the labor movement, even today, might well be offended by such tactics. This rather a priori consideration raises the question—what has been labor's stand on immigration, and what factors led to the adoption of this policy?

The point of departure for this study was the immigration law signed by President Johnson on October 3, 1965. The major concern therefore, was with labor's attitude toward's that bill's most important innovation, the rejection of the National origins quota system. Closely related with this problem was the refugee relief question. A third aspect of labor policy on immigration, the bracero or temporary alien farm labor program, had to be included for the sake of completeness.

A full understanding of American labor's view on present immigration policy, it was found, had to begin with the post-World War II era. After a twenty year lull in immigration due to several factors, new pressure to open the gates began to force a rethinking of American policy at that time.

Secondary sources of information turned out to be entirely lacking. Rather little, in fact, could be found even in the way of primary source material. What did turn up, however, sufficed to establish the official labor position on the three major immigration problems—quota system, bracero program, refugee relief—as it developed from 1946 to 1965.

CHAPTER I. THE SITUATION AFTER THE WAR

The years of World War II saw a radical decline in international migration, for reasons which are obvious. The dip in immigration volume beginning in 1931, was partly due to the national quota system, which went into effect in 1929. But in large measure, the lull was the result of the Great Depression which then gripped this country.[1]

As World War II drew to a close, both labor and government leaders foresaw rising pressure for massive immigration into the United States.[2] The postwar scene revealed more than 800,000 displaced persons in camps throughout the devastated lands of Europe.[3] Some 250,000 of these people were the remnants of the Jewish population of Nazi-dominated lands.

On the home front, the wartime manpower shortage had drawn large numbers of alien laborers into the United States. The bracero program, importing agricultural laborers from Mexico, began to swell. By 1950, the volume of Mexicans entering this country, generally for work in the Southwestern States, reached 116,052, with another 5,121 men arriving from the British West Indies and a small number of Canadians (1,503) to make a total of 122,676 for that year. By 1960 this program was to swell to 447,207 entries.[4]

Government policy

The basic government immigration policy in effect during the late 1940's dated from the frequently-amended immigration restrictions enacted in the early 1920's. The principal elements of that legislation were a rigid limitation on the number of aliens permitted to enter the United States for permanent residence, the barring of orientals from eligibility for such entry or even from naturalization in cases where a person from the Asia-Pacific Triangle area had managed to immigrate, and the establishment of the national origins quota system. This system determined the number of immigrants allowed to enter from any given country by a fixed ratio of immigrants to foreign-born persons of the same nationality in the United States at a given date.

The 1921 Act, which was the first to set such a ceiling on immigration, based itself upon the 1910 census. This Act set the quota for each nation at 3 percent of the number of United States residents who were born in that nation. The 1924 Act reflected dissatisfaction with the "racial mix" of the 1910 census, and based its calculations upon the 1890 census, which was taken before the turn-of-the-century influx of immigrants from Latin and Slavic nations. Instead of a 3 percent allowance, which had resulted in a total quota of 356,995, the 1924 legislation set each national quota at 2 percent of the United States residents born in any given nation. However, when the Act took full effect in 1929, the system properly called "National Origins Quota System" took over. The number of immigrants in a foreign nation's quota was set at the same percentage of 150,000 (the approximate total quota) as the residents of the United States born in that nation in relation to the total United States population, based on the 1920 census.

This, in effect, meant the lowering of the quota to one-sixth of one percent of the foreign-born population from any given nation. A minimum quota of 100 was extended to all nations, with the exception of oriental states, whose citizens were entirely refused admission to the United States.[5]

In addition to race becoming a criterion for admission to the United States, the total barring of certain races from this country, and the low total annual quota, the overall immigration itself remained low because of an added factor: there was no machinery whereby quotas not filled by a nation within the fiscal year could be pooled for the benefit of low-quota nations where there were waiting lists of persons seeking entry into the United States. Nor could unused quota numbers be credited to the following year. Consequently, when the postwar situation made it imperative, for the first time since the restrictive immigration laws were passed, to open American doors to some proportion of those who had suffered under Nazi or Communist rule, the United States found itself without the machinery to accomplish the task. Rather than create such machinery within the existing legislative framework—which would have been equivalent to entirely rewriting American immigration laws—the next twenty years would produce an increasing stream of exceptions legislated to enable the United States to fulfill what has traditionally been considered one of its fundamental obligations: providing asylum for political and religious refugees.[6]

Labor opinion

At the close of the war American organized labor was split into two camps: the American Federation of Labor under William Green and William Schnitzler, and the Congress of Industrial Organizations led by Philip Murray, Allan Haywood, and James Carey. In 1946, when the first postwar mention of concern over immigration laws appeared in a labor convention of the AFL, George Meany was far down the list of Vice-Presidents—No. 14—and John L. Lewis was still in the AFL fold. The following year Lewis and his United Mine Workers were out of the AFL, and out of the scope of this paper, since no indication of UMW policy on immigration could be discovered from official non-official published sources in this union.

The 1946 convention of the American Federation of Labor set the pace for the labor picture on immigration in the postwar period. In the report of the Executive Council this statement summed up the AFL's official policy:

"When more shipping facilities are available, there no doubt will be large numbers of immigrants desiring to enter this country. The Executive Council recommends that any lowering of the immigration bars be opposed and the present restrictive measures continued.

"The Executive Council recommended to the 1944 convention 'that all phases of the traditional immigration policy of the American Federation of Labor be maintained.' This recommendation is reiterated and particularly stressed in regard to the so-called 'barred races who cannot be assimilated.'"[7]

The resolution was unanimously passed by the Convention. However dissenting voices, destined to grow louder as years passed, were heard at this meeting: A rival resolution by David Dubinsky and others representing the International Ladies Garment Workers' Union (ILGWU) urged the AFL to support President Harry S. Truman's effort to open the United States to the displaced persons of Europe. Truman asked for the admission of 50,000 DP's annually, and urged an additional 40,000 unused quota numbers to be put at their disposal each year. The ILGWU resolution cited the principle that we should share the burden of rehabilitation we demand of other nations, and appealed to the AFL as traditionally anti-Nazi and pro-minorities "regardless of creed, race, and national origins."[8]

The Committee on Resolutions revised the motion to harmonize it with the Executive Council's policy statement. Speaking of the plight of the refugees, especially of the Jews, the committee noted that civilized nations had a duty to give them the opportunity to start life again. However, the Committee demanded that such aid be in the form of immediate, temporary relief measures, and not by fundamental modification of the American immigration policy. The resolution, adopted unanimously, urged that the unfilled wartime quotas be validated for the use of displaced persons.[9] Slight attention was paid to the bracero question at this convention. A strongly anti-bracero resolution was watered down by the Committee on Resolution to a request for investigation of the matter by the Executive Council.[10]

Official CIO sources do not reveal any concern with American immigration policy or the displaced persons problem at this point. Not until the 1948 convention does the CIO enter the immigration scene.

Summary

The wartime lull in immigration to American shores was followed by an acute need for the means of admitting a fair proportion of the hundreds of thousands of displaced persons and refugees uprooted by World War II. The legal apparatus of the United States at this period could not provide for this need. As a result of the 1924 legislation, immigration to the United States was governed by the national origins quota system; some nations were entirely barred on racial grounds; and the total quota allotted annually hovered between 153,000 and 154,000; there was no way of transferring unused quota numbers from one nation to another.

A further immigration problem growing acute at this time was the bracero program, admitting thousands of Mexican agricultural workers to the harvest fields of the Southwest.

Labor's policy, judging from the AFL convention of 1946, urged the conservation of the current American legislative provisions. The need for helping the distressed in Europe was recognized to some extent. But little concern was shown regarding bracero competition with American farm labor.

CHAPTER II. REFUGE FOR REFUGEES

The 1945 congressional ledger included some 700 immigration bills, ranging from the ever-increasing plethora of private bills for hardship cases to full-scale revisions of policy. Out of this mountain of proposed legislation the AFL convention for 1947 could announce with satisfaction that the 79th Congress had passed only five public laws and thirteen private bills—with no injury to the national origins quota, the barred races policy, or other elements of the AFL-backed federal immigration policies.

Dead in committee after the 1947 session was the first attempt to provide for the entry of displaced persons. But the Senate did pass a resolution to investigate the matter. The McCarthy era was beginning, with its new awareness of Soviet hostility and its consequent security-consciousness. Deportation rules were stiffened.[11]

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[1] U.S. Department of Commerce, Bureau of the Census, with the Social Science Research Council, *Historical Statistics of the United States, Colonial Times to 1957* (Washington: G.P.O., 1961) tables C–88 to C–283 Bureau of the Census, *Statistical Abstract of the United States, 1963*, tables 120–131; figures vi and vii.

[2] American Federation of Labor, *Report of the proceedings of the 65th Convention* (Washington: Ransdell, 1946) p. 201, 204.

[3] A conservative estimate. Other writers set the figure as high as 1,500,000.

[4] *Statistical Abstract of the U.S., 1963*, table 128.

[5] *Statistical Abstract of the United States, 1963*, p. 95–96.

[6] Congressman EMANUEL CELLER, in: U.S., Congress, House, Committee on the Judiciary, Subcommittee No. 1, *Hearings on H.R. 7700 and 55 identical bills* (88th Congress, 2nd Session), 3–4.

[7] American Federation of Labor, *Report of the proceedings of the 65th Convention.* (Washington: Ransdell, 1946), p. 201.

[8] *Ibid.*, p. 294.

[9] *Ibid.*, p. 521.

[10] *Ibid.*, pp. 134, 544.

Labor policies

In 1947 the American Federation of Labor continued to be the only segment of organized labor actively concerned with immigration policy. In February, President William Green called for the admission of 400,000 to 600,000 DP's, as well as for American pressure on Britain to open Palestine to Jewish refugees. "There is only one answer to the heavy problem of the displaced Jews of Europe," said Green. "It can be summed up in two words—Palestine and America."[12] The AFL argued in favor of Truman's request for 400,000 DP visas as America's "fair share" of Europe's postwar burden. Out of the 850,000 persons in DP camps two years after the war's end, there were some half-million Catholics and a quarter million Jews. Half or more of the total were women and children—over 150,000 under the age of 17. The remainder would not constitute a serious problem of job competition with American laborers. The courage and love of freedom which led these thousands to refuse to return to Communist-ruled homelands despite ties of affection and UNRRA pressure, certified their worthiness to enter the United States.[13]

When the AFL convention met in San Francisco that October, the policy lines closely paralleled the stand of the 1946 convention.[14] Again David Dubinsky and the ILGWU delegation urged support of a liberal DP bill.[15] This year, the Committee on Resolutions presented a long brief on the immigration resolution, favoring H.R. 2910, which would allow 400,000 of the 900,000 unused wartime quota numbers to be validated for displaced persons.[16]

Meanwhile, the CIO's President, Philip Murray, had come out in favor of the displaced persons legislation in July, repeating the AFL argument that this influx of immigrants would not result in increased job competition.[17]

The first Displaced Persons Act, 1948

The Stratton Act, a half-loaf arrangement passed in 1948, allowed 202,000 displaced persons to enter this country over a two-year period. The measure immediately drew cries of anguish from all who had favored DP legislation, as well as from opponents of the bill.

Even before the impracticality of the measure could be shown by experience, the AFL had campaigned against several of its provisions. At the hearings for the Stratton Bill the AFL had pointed up a number of discriminatory clauses in the proposal. Among these shortcomings, the Stratton Act set Christmas, 1945, as the qualification date for displaced persons. No person entering a DP camp after that time could be considered eligible for a visa under the Stratton Act. Moreover, the Act required guarantees of employment and housing before a visa application would be considered. In addition, the new law did not provide sufficient time for processing so many visas, nor did it open the gates wide enough to accept what the AFL and numerous other groups considered America's first share of these refugees.[18] The Hatters' Union, led by Max Zaritsky, together with Reuben Soderstrom, head of the Resolutions Committee, pushed through a motion to demand that all 900,000 quota numbers not used during the war be available to displaced persons.[19]

At this point the CIO entered the scene—with vigor.

Philip Murray, who had favored a liberal DP bill in mid-summer, included a strong policy statement in his President's Report to the CIO's 1948 convention in Portland, Oregon. He called the 80th Congress's Stratton Act "unworkable" and affirmed that this measure would do more to exclude than to aid displaced persons. In addition to the principal objections voiced at the AFL convention the week before, Murray accused the Act of discrimination against Jews and Catholics, especially those from Baltic regions. A further sore point was the "mortgage" requirement, whereby the visas granted under the 1948 Act were subtracted from a nation's future quotas.[20]

The Celler amendments

The 1948 DP Act, however, weathered the storms of the following session of Congress. Senator Pat McCarran of Nevada, heading the powerful Judiciary Committee, delayed hearings on a series of amendments by Congressman Emanuel Celler of New York until passage was impossible before adjournment.

The American Federation of Labor briefly took cognizance of this maneuver in the Executive Council's report to the 1949 convention in early October.[21] A month later the CIO convention in Cleveland heard Philip Murray denounce McCarran for obstructionism.[22] Both conventions lent their weight to the Celler Bill, H.R. 4567.

The new legislation for displaced persons passed only in 1950. Again, however, the result was a compromise. Once more the national origins quota system was ignored in order to aid the many East Europeans in the DP camps. But the mortgage provisions were kept. The date for qualification as a displaced person was set at January 1, 1949, and over 400,000 persons were to be admitted by 1951.

The AFL Executive Council devoted six pages of its annual report for 1950 to immigration questions. The report took pleasure in announcing the passage of the AFL-backed DP amendments, and noted approvingly that their lobby in Washington had by and large succeeded in blocking any substantial change of U.S. policy.[23] Significantly, this report made the first formal plea from organized labor for the codification of the ever-increasing mass of immigration legislation encumbering the federal law books.[24]

The CIO convention, on the other hand, was not so sanguine in its view of the recent DP developments. While the new Act's provisions were satisfactory in general, the time limit set on the granting of visas needed to be extended. Due to the complex administrative requirements of the law, the United States would not be able to issue all 400,000 visas by July 30, 1951.[25]

On a somewhat lower level, 1950 brought an indication of dissent within labor ranks with regard to immigration policy. A sizeable group at the National Farm Labor Union's convention in January felt that an influx of displaced persons on such a large scale would depress the wage scale for farm labor. This dissent was overridden, but in the resolution endorsing the new bill the convention called for provisions to channel only professional persons, especially qualified nurses and physicians, to rural areas rather than flood the farms with surplus labor.[26]

The call for revision

The 1950 AFL convention had commissioned the Executive Council to produce a study of the McCarran proposals for revision and codification of American immigration legislation.[27] This report was presented to the following convention at San Francisco, held in late September of 1951. The fundamental position of the AFL remained unchanged. The organization clung to the national origins quota system, endorsing minor revisions to eliminate the more blatant forms of discrimination against orientals and to improve administrative procedures.[28]

The same report announced AFL opposition to the pooling of the unused quota numbers at the end of each fiscal year for the benefit of low-quota nations, since this "would have a tendency to disturb the ethnic equilibrium of this country."[29] The Executive Council recommended that the mortgage system introduced by the recent DP laws be eliminated, and that effective controls be instituted to curb illegal entries into the United States, which then amounted to some 500,000 each year, mostly from across the Rio Grande. On the basis of this policy, the report stated, the AFL had supported the McCarran omnibus bill at the hearings held the previous March and April.[30]

The Congress of Industrial Organizations did not consider immigration at their 1951 convention in New York City. The testimony in Congressional hearings of Hoyt S. Haddock, executive secretary of the CIO Maritime Committee, was not a policy statement on behalf of the CIO as a whole, but merely a request for consideration of the special needs of aliens serving aboard American vessels.[31]

The AFL stand on immigration and the CIO's apparent indifference contributed to the passage of the Walter-McCarran Act in 1952. This legislation left the refugee problem right where it was. Any provision for displaced persons or refugees continued to be made as an exception to the basic American policy. The national origins quota system became the more firmly entrenched, and security precautions were increased.

The result of this policy was soon to become evident. By 1953, only eight months after the McCarran Act became law, the Refugee Relief Act had to be passed to circumvent the national origins quota and allow the entry of 220,000 refugees into this country. No mortgage of future quotas was involved in this Act. 1957 saw the advent of another refugee act to convert thousands of first, second and third preference visas to non-quota status, and to validate all visas left unused at the expiration of the 1953 Refugee Relief Act. 40,000 Hungarian refugees had their status in this country changed from parolee to alien resident by a further act of Congress in 1958. The same

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[11] AFL, *66th Convention, 1947*, p. 250.

[12] *The New York Times*, 20 February, 1947, p. 17, col. 4.

[13] Robert J. Watt, "America and the displaced," *American Federationist* 54 (May, 1947), p. 32.

[14] *AFL, 66th Convention, 1947*, pp. 250–252.

[15] *Ibid.*, pp. 36–37.

[16] *Ibid.*, pp. 611.

[17] *New York Times*, 10 July, 1947, p. 1, cols. 6–7.

[18] *AFL, 67th Convention, 1948*, p. 138.

[19] *Ibid.*, pp. 327, 468.

[20] Congress of Industrial Organizations, *Proceedings of the 10th Constitutional Convention*, Portland, Oregon, November 22–26, 1948 (Washington: CIO, 1948), pp. 83–84.

[21] AFL, *68th Convention*, 1949, p. 206–207.

[22] CIO, *11th Convention*, 1949, p. 119.

[23] AFL, *69th Convention*, 1950, pp. 179, 181.

[24] *Ibid.*, pp. 176–178.

[25] CIO, *12th Convention*, 1950, p. 337.

[26] *New York Times*, 16 January, 1950, p. 10, cols. 6–7.

[27] AFL, *69th Convention*, 1950, pp. 181, 453, 495.

[28] Walter J. Mason [AFL Representative], "Statement on proposed amendments to the immigration and naturalization laws," in: U.S., Congress, Subcommittees of the Committees on the Judiciary, *Joint hearings on S. 716, H.R. 2379, and H.R. 2816* (82nd Congress, 1st Session, 1951), pp. 661–666.

[29] AFL, *70th Convention*, 1951, p. 103.

[30] *Ibid.*

[31] *Joint hearings*, 1951, pp. 544–552.

year Congress legislated relief for homeless Portuguese in the Azores disaster and for the Dutch expelled from Indonesia. In 1959, immigration waiting lists were shortened when Congress gave non-quota status to all names that had been on the lists more than ten or fifteen years. The tally sheet of exceptions to the quota system grew in this vein year by year. By 1963, only 33% of those coming to our shores annually—103,000 out of 306,000 immigrants—arrived under the provisions of the national origins quota system.[32]

The story of the McCarran Act of 1952, presented here with relation to labor's views on the refugee problem, will return in succeeding portions of this paper, principally in the consideration of the evolution of labor policy on the national origins quota system. At that point the change in labor's policies on the refugee problem will become clearer. Until the McCarran era, refugee relief was considered a duty of the United States above and beyond its normal immigration policy. When reverence for the national origins system dissolved, the role of refugee relief in the total American policy picture was bound to change.

CHAPTER III. MEXICAN LABORERS IN THE UNITED STATES

The problem of temporary imported labor, especially from Mexico and Jamaica, took some time to become a full-fledged thorn in the side of American labor. But by 1950, the bracero program had taken its place alongside refugee relief and the national origins quota as one of the principal elements in AFL immigration policies.[33] The CIO was soon to join the fray.

The 1950 convention of the AFL was strong in its protest against bracero and wetback labor in American harvest fields.[34] The farmers who called for importation of seasonal labor based their demands on a false premise, the Executive Council reported. Actually, the shortage of field hands was caused by a wage scale and living conditions that no American laborer would endure, not by the lack of available manpower.

The 82nd Congress did pass remedial legislation in 1952. Both the AFL and the CIO conventions protested vigorously that the new law's teeth had been pulled because of "big farming" pressure.[35] The only reason for even this innocuous bill was that the Mexican Government had threatened to cut off the bracero program at the root unless labor conditions improved. The new law merely provided some feeble tightening of controls against illegal or "wetback" immigration.[36]

The following year saw very little action in the area of the bracero question. The enabling legislation was up for renewal. For the first time, labor made some headway in opposing the program, as Congress reduced the proposed continuance from three years to two.[37]

1954 represents a turning point in the labor approach to the matter. Both major union groups began giving the bracero program detailed consideration, and set more weight on this question in their policy statements to Congress.

In a review of the situation, the CIO's 1954 resolution urged the launching of a broad program to coordinate all the forces that opposed the importation of temporary agricultural workers. Among the measures suggested were:

(1) cooperation with other reform groups;

(2) support of legislation hitting at labor contractors, the housing situation, and educational opportunities for migrant workers;

(3) legislation to allow contract workers into this country only under a formal agreement and written contract;

(4) legislation to make it a felony to hire, transport or exploit wetbacks;

(5) legislation forbidding unilateral American determination of work conditions for foreign workers;

(6) laws requiring equal conditions and wages for all farm laborers, whether American or foreign.[38]

By December, 1955, when the American Federation of Labor held its 74th and last convention, Congress had passed a further extension of the Mexican Farm Labor Act, setting the expiration date at mid-1959. Labor contractors were allowed to recruit right at the Mexican border, encouraging illegal entry, rather than having to send to the interior of Mexico for labor. The volume of braceros in 1954 had risen to 309,033, an increase of 33% over 1953.

The AFL had sought a plan whereby, among other provisions, employers would be obliged to offer jobs to Americans before opening them to Mexicans, and ensuring that the terms for native or alien were the same, namely: (1) a written contract; (2) free transportation; (3) housing; (4) subsistence allowance; (5) guarantee of employment; (6) the right to representation for the maintenance of contract; (7) health and accident insurance; (8) medical care; (9) wages based on the prevailing scale.

Again, labor scored a limited victory in a compromise bill signed by President Eisenhower on August 9, 1955.[39]

The trend was by this time fairly well established. Succeeding conventions of the merged AFL–CIO recorded in dry, formal resolutions labor's continued opposition to foreign seasonal labor in American harvest lands. Meanwhile, the labor group on Capitol Hill continued to urge Congressional opposition to the bracero program.[40]

In 1964, the immigration reform legislation recommended by the late President John F. Kennedy allowed the admission of seasonal labor on a permanent visa basis under a "labor shortage" provision. The AFL–CIO policy statement presented at the House hearings requested that the law require that the jobs to be filled by aliens as a basis for their entry into the United States should be of a permanent nature, not merely seasonal or temporary.[41]

In the following session of Congress the same bill appeared under the sponsorship of Senator Philip A. Hart and Congressman Emanuel Celler. The 1965 hearings elicited the same response from the AFL–CIO as the previous inquiries. The Executive Council issued a statement on February 25th, embodying the same points as Meiklejohn, the head of the AFL–CIO lobby, had presented to the subcommittee in 1964.

Among several labor leaders who testified at the 1965 Senate hearings was James B. Carey, President of the International Union of Electrical Workers (IUE) and Secretary-Treasurer of the AFL–CIO. In the course of his repartee with Senator Sam J. Ervin of North Carolina, Carey managed to make it quite plain that the AFL–CIO did not want the bracero program. And the reason for that was that the bracero program depressed the agricultural workers' wage scale.[42]

Three months later, in the course of the same hearings, Senator Jacob Javits of New York suggested to Meiklejohn that the AFL-CIO ought to see to it that adequate labor is available to supply the needs of American agriculture when and if the bracero program should be terminated.[43]

In a final recapitulation, AFL–CIO lobbyist Andrew J. Biemiller had outlined at the House hearings the basic big-labor policy:

(1) no braceros;

(2) alien labor for American jobs only when there is a real shortage and the jobs are permanent;

(3) discretion for determining labor shortage conditions to be vested in the Secretary of Labor directly, not merely by delegation from the Attorney General. Biemiller put it forcefully:

"Yet I say on behalf of the AFL–CIO, that our members are willing to pay higher prices for agricultural commodities if that is necessary to assure fair wages to those who work in the fields and in the plants."[44]

He then cited figures to show how small a fraction of food costs were due to the field labor element.[45]

Success came on October 2, 1965. Section 212 (a) of the Celler Bill embodied all labor had asked for regarding temporary alien laborers.

CHAPTER IV. THE NATIONAL ORIGINS QUOTA SYSTEM

The second chapter of this paper brought out the fact that the basic American problem regarding the displaced persons and refugee programs stemmed from the inflexible national origins quota system. Legislation to aid refugees from 1948 until the 1960's resulted in such a mass of exceptions to the national origins rules that the system could be considered to have been defunct long before it was supplanted by the 1965 legislation.

How organized labor came to hold this conclusion long before the law was changed is the subject of this chapter.

Oriental quota restored

At the end of World War II the AFL position on the "barred races" of the Asia-Pacific Triangle was made quite clear in the policy statement already cited.[46] Along with many other groups, the union leaders considered the orientals so culturally alien to the American way of life that they were "unassimilable".

However, consideration of the results of such discrimination upon America's image in foreign eyes led the AFL to favor a 1948 proposal to establish quotas for the eastern nations.[47]

The Congressional efforts in this direction dragged on into 1949. The new bill introduced that year was designed to give oriental nations nominal immigration quotas of 100, and to allow the naturalization of aliens of oriental extraction. At the AFL convention in October, held while Congress was still in session, the Executive Council continued to sponsor the yet unpassed legislation. The AFL recognized, the report said, that some concession was needed to protect America's image abroad. On the other hand, the present bill would have negligible effects upon the American culture and "racial mix".[48]

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[32] Emanuel Celler, *House Hearings,* 1964, pp. 4–6.

[33] AFL, *66th Convention,* 1947, p. 252; *67th Convention,* 1948, p. 139; *68th Convention,* 1949, p. 207.

[34] AFL, *69th Convention,* 1950, p. 181.

[35] AFL, *71st Convention,* 1952, pp. 27–28.

[36] CIO, *14th Convention,* 1952, p. 126.

[37] CIO, *15th Convention,* 1953, p. 199.

[38] CIO, *16th Convention,* 1954, pp. 525–526.

[39] AFL, *74th Convention,* 1955, pp. 127–129.

[40] American Federation of Labor and Congress of Industrial Organizations, *Proceedings of the 2nd Constitutional Convention,* 1957 (Washington: AFL–CIO, 1957), vol. I, p. 295; *4th Convention,* 1961, vol. II, p. 223.

[41] Kenneth A. Meiklejohn, Legislative Representative, AFL–CIO, [Statement] in: U.S., Congress, House, Committee on the Judiciary, Subcommittee on Immigration and Naturalization, *Hearings on H.R. 7700 and 55 identical bills* . . . (88th Congress, 2nd Session, 1964), p. 709.

[42] James B. Carey, [Statement] in: U.S., Congress, Senate, Committee on the Judiciary, Subcommittee on Immigration and Naturalization, *Hearings on S. 500* (89th Congress, 1st Session, 1965), p. 472.

[43] *Senate hearings,* 1965, p. 645.

[44] Andrew J. Biemiller, [Statement] in: U.S., Congress, House, Committee on the Judiciary, Subcommittee on Immigration and Naturalization, *Hearings on H.R. 2580* (89th Congress, 1st Session), p. 322–324.

[45] *Ibid.*

[46] Cited on page 4.

[47] AFL, *67th Convention,* 1948, p. 141.

Orientals in the Walter-McCarran Act

The movement for the codification and possible revision of American immigration statutes resulted in a number of alternate omnibus bills before Congress in 1951 and 1952. The AFL submitted a lengthy policy declaration at the joint hearings in 1951. Among the reasons for opposing the pooling of unused quota numbers was found the fear of "a tendency to disturb the ethnic equilibrium of this country." [49]

Yet the AFL supported the grant of quotas to the nations of the Asia-Pacific Triangle, and even took exception to the McCarran Bill's section 202(a)(5), which based the immigration of orientals on their race, while other ethnic groups were judged solely on the basis of national origin. This support was due not only to humanitarian motives, but more especially on the fear that the Communists could capitalize upon this discrimination and harm our foreign relations with Asiatic countries.[50]

After the Walter-McCarran Act passed into law over the veto of President Harry S. Truman, the AFL Executive Council prepared a report on the matter for the 71st AFL convention in September, 1952. Pleased at having picked a winner, and pointing out among the new law's achievements the provisions that eliminated race as a bar to immigration and naturalization, the AFL policy makers noted approvingly that despite the relaxation of the total ban on Asiatics, "fixed limitations are provided to prevent an influx of Orientals." [51]

Ironically, a decade later, AFL-CIO representatives at a new set of immigration hearings would cite these same provisions as a major obstacle in relations between the United States and her closest Far Eastern ally, Japan, both on the government level and in the area of international labor union relations.[52]

"Traditional policy" of the American Federation of Labor

The demand for restricting immigration at the turn of the century was indeed backed by organized labor, and by the American Federation of Labor in particular, but the reason for labor's support was not primarily racial. The AFL, with a large immigrant membership, did not endorse the literacy test until 1897. From about 1906, Gompers and the AFL encouraged this and other methods of slowing the torrent of "new immigration" for economic reasons.[53]

The founder of the American Federation of Labor was urging the adoption of a literacy test, a head tax, the requirement of some visible means of support, and the abolition of the Distribution Bureau. Gompers observed that although laborers generally thought the United States would continue its policy of unlimited immigration, several considerations militated against such a policy. First, big business was taking advantage of the situation to import cheap labor and strikebreakers. The resulting fierce competition for employment between new arrivals and the older immigrants led to the deterioration of wage and living standards in many communities.[54]

However, Gompers was not entirely free from racial considerations. He wrote: "We recognize the noble possibilities in the poorest of the children of the earth who come to us from European lands. We know that their civilization is sufficiently near our own to bring their descendants in one generation up to the general level of the best American citizenship." [55]

After World War II, "traditional policy" became a sacred phrase in the AFL. This vague term covered many elements, based on the provisions of the 1924 legislation the organization had supported, especially the preservation of the national origins quota system and the oriental exclusion policy. This "traditional policy" was invoked in support of the AFL's stand in 1947, 1948, and 1949, frequently in the same breath as references to the need for offering the victims of war-torn Europe asylum in the United States.[56]

The Congress of Industrial Organizations only mentioned race in connection with the Displaced Persons Act of 1948, in a request that Congress "remove from the Act those features which discriminates [sic] against groups or individuals on the basis of race, religion or origin." [57] There is no attempt to base the CIO policy on a "tradition" of the ten-year-old organization.

The call to codify leads to reappraisal

The first plea from labor to organize the welter of legislation on the books came in 1950. Pat McCarran, as has been noted, introduced an omnibus bill that session. The AFL convention in 1950 requested a study of immigration policy. The CIO had already expressed its opinion of McCarran and of his attitude towards the national origins system,[58] but no formal statement on the proposed codification was issued by its 1950 convention.

At the 1951 AFL convention the "traditional policy" line continued to dominate: "Our main emphasis now is not only to substantially maintain the existing framework, but to strengthen and unify procedures. . . ." [59] A year later the AFL leadership announced its policy favoring the newly passed McCarran Act. What the AFL claimed it had opposed was not the national origins quota system but

(1) pooling (out of concern for the "ethnic equilibrium of this country");

(2) wetbacks and other illegal entries;

(3) the mortgage system;

(4) unlimited Western hemisphere immigration quota.

The AFL rejected the Humphrey-Lehman substitute bill because it was based on the 1950 census, which would have increased the total immigration quota by 70,000, and because it allowed pooling. Finally, the Executive Council listed six of the new measure's advantages:

(1) elimination of race as a bar to immigration;

(2) ending of discrimination by sex;

(3) giving of preference status for special skills;

(4) institution of broader grounds for deportation or exclusion;

(5) establishment of judicial review and changes in red tape;

(6) empowering of the President to suspend immigration at any time.[60]

The contrast between this position and that of the CIO is startling. The "President's Report" read to the 1952 CIO convention was written by Philip Murray, before his death less than a month previously. Murray stigmatized the McCarran Act as "one of the most severe blows to civil liberties, as well as to American relations with citizens of foreign nations. . . ." He went on to charge the new law with:

(1) racial discrimination;

(2) unreasonable new grounds for exclusion, deportation and even loss of citizenship;

(3) "star chamber" abuses, weakening the right to judicial review;

(4) smearing the foreign image of the United States.

Murray followed up with an accusation that the Judiciary Committees had avoided discussion of the Lehman Bill while rushing McCarran's proposal through Congress.[61] The convention responded with a resolution calling for the immediate repeal of the McCarran Act. At very least, Congress must provide for the pooling of unused quota numbers until such time as the national origins quota system could be totally abolished.[62]

The super-union emerges

"What's wrong with the McCarran Act" became a regular theme in CIO circles after 1952.[63] In time, new defects were discovered in the law. The principal ones were:

(1) red tape and overlapping jurisdiction, especially between the State Department and the Department of Justice;

(2) ambiguous standards;

(3) second-class citizenship for naturalized citizens;

(4) lack of a statute of limitations on deportation;

(5) total quota insufficient (should be at least 250,000).[64]

After the 1954 Congressional uproar in the course of which both political parties called for drastic immigration reforms, the AFL Executive Council called for a thorough study of labor's policies in this regard. Two other groups at the same convention went further, filing resolutions to repeal the new legislation or drastically change it. David Dubinsky labeled the McCarran Act "discriminatory . . . unsound and unjust." Both these strongly worded resolutions were referred to sleep by the appropriate committee.[65]

The American Federation of Labor and the Congress of Industrial Organizations merged forces in mid-December of 1955. At the 74th and last convention of the AFL, held in New York City on December 1 and 2, the principal task in hand was putting the merger to a vote and ironing out the last-minute details. Among the details to be wrapped up was a spanking new look at AFL immigration policy.

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[48] AFL, *68th Convention*, 1949, pp. 206-207, 209.

[49] *Joint hearings*, 1951, p. 664.

[50] *Ibid.*

[51] AFL, *71st Convention*, 1952, p. 260.

[52] *Senate hearings*, 1964, p. 468; *House hearings*, 1964, pp. 721-727; *House hearings*, 1965, p. 329.

[53] Maldwyn Allen Jones, *American Immigration* (Chicago: The University of Chicago Press, 1960), pp. 222, 254-255, 268-269.

[54] Samuel Gompers, "Immigration—up to Congress," *The American Federationist* 18 (January 1911), pp. 17-21.

[55] *Ibid.*, p. 19.

[56] AFL, *65th Convention*, 1946, p. 521; *66th Convention*, 1947, p. 252; *67th Convention*, 1948, pp. 420, 121; *68th Convention*, 1949, pp. 209, 464.

[57] CIO, *10th Convention*, 1948, p. 386.

[58] CIO, *11 Convention*, 1949, p. 119.

[59] AFL, *70th Convention*, 1951, p. 103.

[60] AFL, *71st Convention*, 1952, pp. 259-260.

[61] CIO, *14th Convention*, 1952, pp. 131-132.

[62] *Ibid.*, pp. 277-279.

[63] Setting the pace within a month of the convention was "Why the McCarran Act is Unfair," *338 News* (December, 1952), pp. 18-20.

[64] CIO, *15th Convention*, 1953, pp. 543-544, contrast this with the AFL fear of opening the gates too wide with the Lehman Bill (1952 *Convention*, p. 259).

[65] AFL *73rd Convention*, 1954, pp. 109, 405, 421, 541.

The Executive Council reported on the study requested by the 1954 convention. In an unprecedented reversal of position, the report criticized the major elements of current legislation, particularly:

(1) the national origins quota system, under which 77% of the total quota went to five nations;

(2) the mortgage system; this had resulted in some quotas being halved for centuries to come;[66]

(3) a preference system that did not work: in theory, 50% of the total quota (over 77,000 visas) was reserved for skilled workers; actually only 1,429 aliens in this category immigrated in 1954;

(4) arbitrary powers to exclude or deport aliens vested in the Attorney General.

The report concluded with a request "that the traditional policy of the American Federation of Labor on this subject be reexamined."[67]

All the resolutions submitted to the 1955 AFL convention were referred to the proper committees of the coming first convention of the merged AFL–CIO. Nevertheless, this final gathering of the AFL produced a significant departure from "traditional policy" and established a new outlook in harmony with that of the CIO, which the new superunion would carry forward until the passage of the 1965 immigration reforms.

The AFL–CIO era

Congressional opposition to any alterations in the letter of the McCarran law with its national origins quota system continued through the next decade. The first AFL–CIO convention urged that "the McCarran-Walter Act be revised and liberalized, to reflect the democratic and humanitarian traditions of our country and to provide an immigration policy attuned to the present requirements of our own nation and of the entire free world."[68]

The following year saw some half-hearted attempts to pass reform legislation in Congress, but as the 1957 AFL-CIO convention put it in the Executive Council Report, Congress was "not ready to enact such basic reform."[69] Even President Dwight D. Eisenhower's compromise bill, further watered down in debate, failed to pass.

At the 1957 convention in Atlantic City, the unions set forth guidelines for immigration legislation:

(1) the United States can absorb at least 250,000 immigrants annually, without counting non-quota immigrants in this figure;

(2) the national origins system is discriminatory, and produces resentment abroad; it should be replaced by standards of family reunion, the technical and professional needs of America, refugee asylum, national interest in general, and resettlement;

(3) a balance must be struck between efforts to screen out subversives and fair, democratic administrative procedures, both for aliens and for naturalized citizens;

(4) temporary labor programs should be eliminated, or used as a last resort when the need is both genuine and great; such programs should be instituted "only under fully enforced international agreements"; the Mexican contract labor program needs a great deal of correction to protect both American and Mexican laborers.[70]

Finale

The evolution of labor's policy on immigration had reached its final stage by 1955, and the succeeding decade was merely to record the growth of similar opinions in Congress, influenced, no doubt, partly by big labor. In articles and statements in labor union magazines, in policy declarations by the Executive Council, in testimony before congressional hearings, the same policy recurs time and again until 1965. It took ten years, but America's immigration policy did finally change.

CONCLUSION

The immigration policies of the United States since World War II resolved themselves into three important issues: the national origins quota system, the bracero program, and the question of asylum for refugees.

The clear evolution in the immigration policies of the American Federation of Labor between 1946 and 1956 stand in sharp contrast with those of the Congress of Industrial Organizations, which remained stable in that period. From a position steadfastly advocating the "traditional policy" of national origins quota, oriental exclusion, and drastically limited immigration, the AFL came to adopt a liberal standard, after a reappraisal of policy in 1954–1955. The new policy called for the abolition of discriminatory provisions in the immigration and naturalization processes of this nation, and requested a substantial increase in the total immigration flow to the United States. This corresponded closely to the policy endorsed several years previously by the CIO, and the reappraisal that led to the new AFL policy was completed at the convention that ratified the merger of the two organizations.

Because of the limited sources available, the scope of this study has been confined to fluctuations in labor's official positions. The story of factions within the labor movement in regard to immigration policies did not emerge from the material thus far published.

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[66] The report cited as examples: Latvia, quota halved for 320 years, until A.D. 2274; Estonia until 2146; Lithuania until 2090; Yugoslavia until 2114; Poland (quota of 6,488) until 2000.

[67] AFL, *74th Convention,* 1955, pp. 124–126.

[68] American Federation of Labor and Congress of Industrial Organizations, *1st Constitutional Convention, 1955* (Washington: AFL–CIO, 1955), pp. 104–105.

[69] AFL–CIO, *2nd Convention,* 1957, pp. 294–295.

[70] *Ibid.*

GENERAL CASIMIR PULASKI—FATHER OF AMERICAN CAVALRY

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, today we honor the memory of a great Polish patriot, Count Casimir Pulaski, who 187 years ago gave his life in order that our country might be free.

Pulaski was only 31 when he died from wounds received in the Battle of Savannah. Despite his youth, he had established a brilliant reputation in the field of cavalry and was foremost in the ranks of those wholeheartedly dedicated to the cause of liberty.

Pulaski once said:

> Wherever on the globe men are fighting for liberty, it is as if it were our own affair.

And true to his words, Pulaski came to America to give his assistance to the colonists in their struggle for independence.

He first distinguished himself at the Battle of Brandywine, and then, in subsequent encounters with the enemy, he continued to demonstrate exceptional bravery and superb leadership under stress of fire. The Continental Congress, recognizing his contributions and ability, conferred on him the rank of brigadier general and placed him in command of all our cavalry forces.

General Pulaski then began the arduous task of reorganizing and improving the American cavalry. So thorough was he in discharging his responsibility that he even prepared a book of drill regulations and rules for officers and privates which still serves as the basis of cavalry drills in the U.S. Army.

Although he did not live to see America win her independence, Pulaski's gallantry in the field of battle and his complete devotion to the cause of freedom helped our country immeasurably in winning the ultimate victory.

In this millennial year, as the Polish people celebrate the 1,000th anniversary of Poland's nationhood and Christianity, it is especially fitting to remember Pulaski's courage in the face of tyranny, his patriotism, his warmth and generosity, for these are all characteristics that the Poles have demonstrated throughout centuries of strife and foreign domination.

I am particularly aware of these extraordinary qualities of the Polish people because in my own Seventh Congressional District of Illinois, there are over 30,000 Polish-Americans who, together with Americans of Polish descent throughout the United States, have contributed much to the advancement of our culture and the preservation of our Nation.

Pulaski was the embodiment of the best traditions of Polish courage and chivalry. The man who was destined to become the father of American cavalry and who twice saved General Washington's army from disruption, was a nobleman born to high social position and a life of ease and complacency. Yet he remained loyal to his ideals and chose a career of many hardships in order to advance the cause of liberty and uphold the fundamental rights of the individual. He is remembered as a hero of two hemispheres—in one for his valiant efforts to prevent the partition of Poland, and in the other for his outstanding contributions during America's war of independence.

With real pride and a deep feeling of gratitude, I join my colleagues in the Congress and my fellow Americans in commemorating the anniversary of General Pulaski's death. This great man made the supreme sacrifice in the age-old struggle for freedom. It now remains our task to rededicate ourselves to that noble cause.

THE FUTURE CITIES

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Barrett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BARRETT. Mr. Speaker, I have unanimous consent at this point in the Record to insert the splendid editorial in yesterday's Washington Post supporting the demonstration cities bill which will be before the House later this week. The article underscores the urgency of the need of our cities for this legislation and I commend the editorial to our colleagues for its cogent and convincing arguments in support of this bill.

The editorial follows:

The Future Cities

The rebuilding of the American cities is urgent business, and the Demonstration Cities Bill is urgent legislation. The Senate has recognized the necessity that attends this bill, and the House now has a clear duty to pass it. The Congressman who votes against this bill forfeits all future right to complain about the quality of city life, and the frustrations of city people.

The chief reproach against the Demonstration Cities Bill is simply that it is too small. It contains neither enough money nor enough public powers to do the whole job. But it at least makes a beginning, and requires both city and Federal authorities to take a far broader view of their responsibilities.

The reorganization of the urban programs is the truly essential purpose of this bill. City governments are being stunned by the multiplicity of new Federal programs, of which there are literally hundreds, and the complexity of each city's relationships with dozens of Federal agencies, of which each has its own peculiar internal procedures. The great service of this bill is that it begins to arrange the Federal programs for effective use by the cities, rather than for the convenience of tradition-bound Federal administrators. The passage of this bill is crucial to the new and sprawling Department of Housing and Urban Development; without this bill, HUD remains a conglomeration of agencies mainly interested in real estate and, particularly in the case of the Federal Housing Administration, mainly oriented to the suburban housing developers. The full public benefits of the creation of the new Department have not yet been felt because Congress has not yet passed the Demonstration Cities Bill.

The opponents of the bill, fearing defeat in any rational debate, have attempted to drag it into the race issue. The Republican Policy Committee charge, that the bill will lead to bussing school children, is wholly spurious and deserves only contempt.

The real issue is the determination and ability of Congress to fulfill its part in the Federal-local relationship, and to ensure that the American cities will be habitable and pleasant places to live in this time of great population growth. Most Americans are now city-dwellers; the Demonstration Cities Bill is a welcome and necessary new departure in building their world.

TWENTY-TWO LEADERS BACK MODEL CITIES BILL

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Barrett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BARRETT. Mr. Speaker, I have unanimous consent to include at this point in the Record, an article in this morning's Washington Post which gives us the most heartening news that many of the top business leaders in America support the demonstration cities bill which is scheduled for floor action this week. The 22 top business executives listed in the article comprise an honor roll of American business leadership and I wish to commend these splendid gentlemen for their forthright and statesmanlike position in supporting the President's demonstration cities bill which will give our cities and towns the helping hand they need to mount a successful attack on the critical urban problems which beset them.

The article follows:

Twenty-two Leaders Back Model Cities Bill

Twenty-two of the Nation's top business executives called for enactment of the Administration's demonstration cities bill yesterday in a statement terming the American city "the most pressing domestic problem of our time."

The legislation passed the Senate on August 19 and is slated for debate in the House on Thursday.

The group of businessmen said they are mindful of the need to hold down Federal expenditures but described the demonstration cities bill as "a fiscally responsible" measure that "America needs."

The statement was supported by:

Stephen D. Bechtel, chairman, Bechtel Corporation; Fred J. Borch, President, General Electric Company; Donald Cook, President, American Electric Power Service Corp.; Howard L. Clark, President, American Express Company; Justin Dart, President, Rexall Drug and Chemical Company; R. Gwin Follis, Chairman of the Board, Standard Oil of California; Henry Ford II, Chairman of the Board, Ford Motor Company; Thomas S. Gates Jr., Chairman of the Board, Morgan Guaranty Trust Company; Ben Heineman, Chairman of the Board, Chicago and North Western Railway; Edgar F. Kaiser, President, Kaiser Industries Corporation; David Kennedy, Chairman of the Board, Continental Illinois National Bank and Trust Company; Robert Lehman, Chairman of the Board, Lehman Brothers; Cyril J. Magnin, President, Joseph Magnin Company; John McCone, investment banker; Stanley Marcus, President, Neiman-Marcus; Alfred E. Perlman, President, Pennsylvania New York Central Transportation Company; Herman H. Pevler, President, Norfolk & Western Railway Company; David Rockefeller, President, The Chase Manhattan Bank; Stuart Saunders, Chairman of the Board, Pennsylvania Railway; Herbert R. Silverman, Chairman of the Board, James Talcott, Inc.; Jack I. Straus, Chairman of the Board, R. H. Macy, Inc.; and Thomas J. Watson Jr., Chairman of the Board, International Business Machines Corporation.

COORDINATION OF MANPOWER PROGRAMS

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, on September 19, when the House was considering H.R. 16715, a bill to amend the Manpower Development and Training Act, I made the following comments:

With the permission of the chairman of my subcommittee, the gentleman from Pennsylvania [Mr. Holland], I wish to make a further commitment to this House, on behalf of the subcommittee. We are concerned over the lack of coordination between the Manpower Development and Training Act and related programs, including the war on poverty and others. At the beginning of the next Congress, it is the intention of the present members of the subcommittee to embark upon a thorough, detailed, professional study of the manpower training and work-experience programs financed by the Federal Government, with a view to eliminating duplication, increasing efficiency and developing an overall policy in this vital area. In this study, as in the preparation of this present bill, we look forward to working in the closest cooperation with the minority members of the subcommittee. It is our hope that at some point in the next Congress, we may be able to present to the House a series of basic amendments to the legislation in question, if basic amendments are in fact required; recommendations for administrative rearrangements, if they are in fact needed; and a broad, overall report to the Congress on manpower policy for the years immediately ahead.

A few days later, when the House was considering H.R. 15111, the bill to amend and extend the Economic Opportunity Act, I again discussed the vital question of coordination of manpower programs—a goal which I believe the provisions of that bill will help bring closer.

The latest issue of the Monthly Labor Report, a publication of the Bureau of

Labor Statistics, contains, among other fine articles, a portion of a paper by Mr. Harold C. Taylor of the W. E. Upjohn Institute for Employment Research. Mr. Taylor has some constructive suggestions to make about the possibilities of greater coordination in the manpower area. I cannot make any definitive judgments on the merits of Mr. Taylor's suggestions, but certainly they are the kind of proposals our study next year should examine most closely.

Mr. Taylor's article reads as follows:

Coordination of Manpower Programs

(By Harold C. Taylor of the W. E. Upjohn Institute for Employment Research)

(Editor's Note.—The following is taken from Dimensions of Manpower Policy: Programs and Research, a compilation of papers prepared by the W. E. Upjohn Institute for Employment Research, to commemorate its 20th anniversary. The volume, edited by Sar A. Levitan and Irving H. Siegel, is to be published in mid-November by The Johns Hopkins Press, Baltimore, Md. (267 pp., $6.95). A portion of the author's paper, "Perspective for Public Understanding of Federal Manpower Programs", the article describes by analogy some of the coordinating problems that may arise and some of the solutions proposed.)

At the Federal level, it is certain that the need for coordination of manpower programs is recognized and that efforts to improve coordination will have a high priority. In these efforts, we can take for granted there will be, or there have been, interagency committees, corresponding reasonably well to the operating committee in the electronics firm used as an illustration. These will, however, be interagency committees on manpower programs, rather than one over-all operating committee.

In the light of our discussion of how to cope with the problems of functional organizations, it is natural to wonder whether there might be a Federal "product manager" for manpower development programs. Would he be in the Executive Office of the President, assigned full time to worry about the various manpower programs, to act by information and persuasion, and, where necessary, to seek directives from the President or new legislation from the Congress? A Presidential assistant could, of course, perform these functions without having any title designating him as the product manager, though there might be some advantage in his being acknowledged by all as the man assigned to these functions.

Following the first Watts incident in Los Angeles, the Federal Government carried on an expediter operation that deserves serious consideration as a coordinating device. A high-level interagency team went to Los Angeles to determine what programs were needed to cope as effectively as possible with the adverse conditions that preceded the outbreak of violence. This team used information and persuasion to improve the program efforts of the State and local agencies involved in the Watts area. They determined also, in some detail, the financing efforts needed from all relevant Federal agencies and returned to Washington with tangible recommendations. Program financing for the Watts area was made available very promptly. If these same programs had been developed solely by the Los Angeles people and had been sent to Washington through the usual channels, they would necessarily have been subject to a delay of several months or more.

The great potential of this type of expediter team approach is almost self-evident. The approach has been continued, but only within the Department of Labor itself, in a "selected cities" program, and is regarded as quite successful. One is forced to assume, however, that the device would be rated even more successful if it could be extended to include other Federal agencies, especially the Department of Health, Education, and Welfare, and the Office of Economic Opportunity. At this moment of writing, such interagency coordinating teams are being established in a number of metropolitan areas.

In our discussion of functional structures at the Federal level, we must observe that the Office of Economic Opportunity (OEO), in several respects, does not fit the usual mold. It is in part a product shop or problem-oriented organization. Thus, it operates Job Corps centers directly, with its own funds and under its own supervision, although most training and educational functions of the Federal Government are channeled through the Office of Education or through parts of the Labor Department. On the other hand, for the recruitment and referral of Job Corps applicants, the OEO relies substantially on existing public employment offices. There is nothing inherently irrational about this. For instance, the electronics firm [a hypothetical industrial analogue set up previously by the author] could decide that, although its functional shops are good for most purposes, the whole hearing aid business is really something special and should be set up almost entirely as a separate business. Even so, a single employment office could refer applicants to all parts of the company, including the hearing aid division.

The Office of Economic Opportunity departs from the usual Federal pattern also in that its activities cut directly from the Federal level to the local level (thus essentially bypassing State governments). Furthermore, at the local level, it deals with private nongovernmental agencies as well as with public agencies.

Are these differences desirable or not? Perhaps the attitude of the electronics company will help us decide. Certainly, with an already established and generally excellent series of functional shops, the company would be very reluctant to jerk out the hearing aid business and set it up elsewhere. There would be duplication. For example, more punch presses would be needed, and more people to run them; and "duplication" is a bad word in business just as it is in Government. Even so, if the company is forced to conclude that the hearing aid business is really something special, not readily meshed with the other parts of the business, it must set up this activity separately or give up the hearing aid business.

The structure of OEO is neither to be criticized nor to be lauded just because it is different. The issue is simply whether it works better this way. This point of view doesn't carry us far toward an answer, but at least it poses the right question.

Another observation should be made with regard to the separateness of the OEO from the departments previously carrying on the Federal manpower programs. Being new, and having no long-standing commitments in terms of objectives and established procedures, the OEO might be expected to come up more readily with some fresh thinking and innovative ideas. Some observers believe that such new thinking is already evident and that it is beginning to permeate the thinking of the "old-line" and perhaps somewhat rigid agencies. If so, this is a plus mark of considerable importance.

STATE LEVEL

Let us turn now from Federal organizational problems and possible devices for coping with them to the State level. The multiplicity of functions being carried on at the State level seems even more confusing, if possible, than at the Federal level. If, for example, an agency official in some community wants to understand everything going on in his State in the new field of manpower development, there will be a half-dozen to a dozen persons whom he will have to contact before his information is complete. These will include officers of the State government, State officers of Federal agencies, regional officers of Federal agencies, and, in some cases, persons in the Washington headquarters of agencies.

Manifestly, the sheer problem of ascertaining where to go and whom to see is very nearly insurmountable. A few devices for coping with this difficulty come easily to mind. First, in each State there could be a manpower programs information office. In this one office, an agency official from a community should be able to obtain all the information he needs to answer any specific question he may have in mind.

Second, the Governor of each State could appoint a manpower coordinator or product manager to worry about the conduct and coordination of manpower programs in the State. This coordinator or manager, it must be noted, would have an even more troubled existence than his counterpart in industry because some of the matters with which he must concern himself (OEO programs, for example) are not under the management of his boss, the Governor. The State manpower coordinator could, as a part of his job, operate the manpower programs information office referred to above.

An innovation now being tried in West Virginia and Hawaii is the manpower authority set up by statute and having defined powers. This legislative charter distinguishes it sharply from the product manager role. The "authority" device is too new to evaluate at this time.

All these devices illustrate, but surely do not exhaust, the list of possible procedures by which functionally diverse programs at the State level may be encompassed and coordinated. Let us turn now to local problems and instrumentalities for handling them.

LOCAL LEVEL

It is at the community level, of course, that all programs are actually being conducted. Federal and State roles are largely those of establishing requirements, of financing, and, to some degree, of monitoring performance.

The manifold character and complexity of functions performed therefore become most sharply apparent in the community. Some of these functions—notably in OEO programs—are based largely on directives from Washington. Some agencies are instruments of the State—the employment office, categorical aids, and others. Some functions are administered by counties, some by municipal governments, some by independent school districts, and many by private nongovernmental agencies. The diversity is staggering. Let us note a number of community experiences and devices, largely to make clear how greatly the problems stem from the inescapable fact that organizational structures are mostly functional.

At the local level, the device of the product manager, a person designated to worry about all of the community's manpower problems, has some definite merits. However, the device does not seem promising, because there is no boss who has administrative control over any sizable proportion of the total range of programs.

There is in most communities a community services council, which, year in and year out, has the job of bringing about voluntary coordination among all the agencies, both public and private. On the other hand, citizens who have worked on council committees are painfully aware of the modest success that usually attends their efforts to direct "functional shops" toward the solution of multifunctional problems or multiproblem groups. A few of the community experiences may offer some useful insights into what works and what doesn't.

In St. Paul, Minn., a fairly large-scale project was initiated in 1948 to focus the efforts of the functional shops in that city on the problems of the hard-core poverty families. This followed the discovery that about 6 percent of the city's families "were suffering from such a compounding of serious problems that they were absorbing well over half of the combined services of the community's dependency, health, and adjustment agencies."[1] The procedure, basically, was that each of the major functional agencies loaned a staff member to a task force, which directed its attention entirely to the 6,600 hard-core poverty families. This cadre of workers thus represented in part a little product shop, devoted to the hard-core poverty family. In part, also, this cadre had some of the advantages of an operating committee, since each member of the cadre could carry back to his own functional shop some good ideas whose conception was beyond his own limitations of time and scope.

The St. Paul voluntary cadre of functional agencies has long been regarded as a successful experiment and a useful pattern. Now, however, nearly two decades later, the procedure seems not to have inspired as much imitation as had been anticipated in 1950.

In December 1963, following the Studebaker shutdown in South Bend, Dr. Harold L. Sheppard of the Upjohn Institute staff was asked by the Area Redevelopment Administration to go to South Bend to act as Federal coordinator. The task was twofold: (1) to assist the people and agencies in South Bend to do all they could to cope with the emergency, and (2) to bring to bear quickly every pertinent Federal aid program. This role of Dr. Sheppard's will be seen immediately as analogous to that of the expediter in dealing with a large group of functional shops in South Bend, in regional offices of Federal agencies, and in Washington. Dr. Sheppard's report of his experiences displays considerable enthusiasm for the success of efforts within the South Bend community itself and considerable frustration and exasperation in moving the Federal agencies to action.[2]

In view of our earlier observation that community coordinating efforts usually meet with only modest success, why was the South Bend community successful in banding together? It has long been observed that communities do respond well to a crisis. The closing of the Studebaker plant certainly posed a crisis. While the crisis situation itself is not difficult, what is difficult is the slogging, year-in and year-out effort of inducing functional organizations to devote coordinated attention to hard problems when these problems do not involve a clear and present danger.

Why did Dr. Sheppard meet with frustration in his efforts to get prompt action from the Federal agencies? There are many reasons, no doubt. The process of getting things done in vast and ramified agencies is slow and tortuous at best. But, in terms of our analysis of organizational characteristics, we must note that a considerable amount of frustration is the inescapable lot of the expediter. In the electronics firm, the expediter of an order for hearing aids may have to go to the plastics molding department and try to persuade that department to drop whatever it is doing and put through a run of hearing aid cases. He believes that this is more important than the products being worked on at the moment, and, as we listen to the tribulations of the hearing aid expediter, we are inclined to sympathize with his point of view. But, if we could know the whole story, we might be forced to conclude that the order for hearing aid cases will just have to take its turn in the schedule. It is the expediter's job to push his order, but he will not always get what he wants.

THE NEIGHBORHOOD CENTER APPROACH

A coordinating device that offers perhaps more hope than any other at the community level is the neighborhood center. In the new manpower development and antipoverty programs, which express our present national concern for the seriously disadvantaged members of the population, such a center would be located in a geographic area characterized by high unemployment, poor housing, low incomes, low education, and so on. Its basic purpose is to consider all the problems of any particular client, and then to refer that client to whatever community service may exist to help him with each and every one of his problems. The client may, for example, need welfare payments, legal aid, medical attention, vocational counseling, vocational or other training, a job, or whatnot. Whatever his problem, the neighborhood center can "expedite" directing the client to the proper place for help.

The culturally deprived, and often suspicious, persons who compose the clientele of this neighborhood center require the expediter's duties to extend far beyond his physical office. He must seek out the clientele in "the field," often by ringing doorbells in the neighborhood. And he must go beyond referring the client to, for example, the public employment service. He may need to take the client to the employment office, take him to a job interview in a company, and take him to and from work for a few days. To return to our industrial analogy for a moment: this expediter is not dealing with the hearing aids that go through the factory in fine shape and come out as salable products. He is concerned with the ones that don't go routinely through the line—the ones that, except for his efforts, would wind up in the scrap pile and the reject bin.

The neighborhood center can operate exactly as just described—that is, as a fully client-centered agency, performing nothing but the expediter function we have set forth. On the other hand, it can go, step by step, beyond that minimum function if local attitudes permit such extensions. Let us illustrate. The public employment office can voluntarily send one or more of its own counselors or placement people to work in the neighborhood center 1 day a week, or oftener if the load requires. The welfare department can do the same, and so can the marital counseling bureau, the legal aid bureau, and other agencies too. The basic neighborhood center—the expediter service—can gratefully utilize whatever functional services are brought to it, and it can get along too when functional services are not or can't be brought close to the disadvantaged clientele in that neighborhood.

The important word characterizing these extensions, of course, is "voluntary." If the public employment service voluntarily assigns a man to work in the office of the neighborhood center and at the same time maintains its full complement of employees, its full budget, its flexibility, and its responsibility for the uniform conduct of public employment functions, its public image is undiluted and unconfused. Performance of all these is important not only to the manager of the public employment office but also to the community as a whole. Where community attitudes and agency interrelationships are favorable, the voluntary assembly of services operating in conjunction with a neighborhood expediter service has much to commend it.

Let us consider now a markedly different pattern for a local neighborhood center. This is one in which all the necessary functional services are under the management of the neighborhood center. The center runs its own employment service, its own family counseling, legal aid, and child guidance services, its own medical clinic, and so on. It is a little product shop. Perhaps this procedure is better than letting the whole job go undone; but, clearly, such a pattern would encourage much local criticism. It involves duplication, certainly. It breeds confusion since, for example, two local outfits would be running employment offices. It would stimulate interagency conflict since the two employment offices (or the two-family counseling services) would have somewhat different viewpoints and even engage in competition for clientele. The two sets of services would also be in competition for some of their funds, whether from Federal or from local sources.

Syracuse, N.Y., has had experience that may offer useful lessons to other communities.[3] Among many efforts in that city to give attention to the problems of youth, one was an organization called Crusade for Opportunity. This organization was set up [not only] to provide expediter services to youth (intake, counseling, and referral) but also to initiate and administer training programs, both institutional and on-the-job, for disadvantaged youth. The Crusade for Opportunity was, therefore, to some degree a product shop—that is, an operating organization devoted to the specific service of helping disadvantaged youth through the performance of various functions. Without detailing the woes of the Crusade for Opportunity directly, let us consider them in the context of our illustrative electronics company.

This company, largely organized as a series of functional shops, has concluded reluctantly through its leadership that the hearing aid business is so special as to require a separate establishment as a product shop; moreover, it has effectuated that decision. Within the hearing aid division, there is a training department devoted to selection, training, and placement of employees for that division. The head of the training department is responsible for carrying out these functions for the division. Down the street, however, is the big factory making everything else but hearing aids, and it has a big training department that is selecting, training, and placing people for every part of the business except the hearing aid division. The training department head in the hearing aid division now finds his ability to carry out his own plans severely limited. He cannot even get any money to run his programs without the approval of the big training department. He cannot select his own trainees: the management of the big training department thinks that it can do the job better. He cannot set his own personnel policies: for example, he cannot decide to dock his trainees for absenteeism unless the big training department agrees—and for several months it doesn't agree. He cannot pay his own trainees; the big training department insists that it must pay his trainees, that his trainees must even go to the office of the big department to get their money.

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[1] Bradley Buell and Associates, *Community Planning for Human Services* (New York; Columbia University Press, 1952), p. 9.

[2] Harold L. Sheppard, Closing of the Studebaker Plant, South Bend, Ind. (U.S. Department of Commerce, Area Redevelopment Administration, 1964), ARA Case Book No. 5.

[3] Sar A. Levitan, "Syracuse Faces Its Youth Unemployment Problems," in U.S. Congress, *1965 Manpower Report of the President; Joint Hearings before Senate Committee on Labor and Public Welfare and House Committee on Education and Labor* (89th Cong., 1st sess.), 381–393. Conclusions drawn in the present report are based on Dr. Levitan's description of conditions in early 1965, and do not take account of any developments that may have occurred in Syracuse since then.

The above list of tribulations is, of course, derived entirely from experience of the Syracuse Crusade for Opportunity. But let us continue for a moment with the electronics company. The big decision for the company, obviously, was the decision to set up a separate hearing aid division. We have already noted that the company would arrive at that decision only with great reluctance. The company would prefer to cope with the hearing aid problems simply with such devices as expediter services and a product manager. But if the company should decide to set up a hearing aid division, then it would certainly have to give that division autonomous decisionmaking powers and explicit funds.

CONTRACTING AUTHORITY

We must go one step farther. A hearing aid company, or division, could operate successfully if it possessed nothing but its own decisionmaking powers and its own money. It could contract to an engineering firm the design of its hearing aid device. It could contract all of its production to a job shop, all of its transportation to a trucking organization, and all of its selling to a commercial merchandising organization. Similarly, a disadvantaged-youth-oriented product shop (such as the Crusade for Opportunity was, in part) could operate successfully with not much else but its own decisionmaking powers and its own money. It could contract, for example, with a local school administration to provide desired courses for disadvantaged youth. The important point is that the youth agency would make such contracts on its own terms (that is, without divided decision-making powers) and would pay the school for services rendered. The youth agency would not have to own school buildings or hire teachers on its own payroll. Similarly, it could contract for family counseling services, or testing and vocational guidance services, or on-the-job training courses in industry.

The disadvantaged-youth agency, as a product shop, would have to run its own client-centered expediter service, search for its hard-to-reach clientele, ascertain what help the clients needed, persuade them to accept help, and lead them through the process of getting help. The actual help—psychiatric counseling, vocational counseling, medical aid, vocational training, basic education, job finding, and so on—would be provided by existing agencies either as part of their already available services or by special contract, as requested, and paid for, by the youth agency.

One more qualification is needed before our discussion of organizational schemes and their inescapable problems is concluded. In discussing why some programs don't work very well, we have said nothing about government red tape, bureaucratic hardening of the arteries, and interagency jealousies. We have no thought of denying that such things exist. When programs run into difficulties, such explanations as these are always forthcoming, and often with the implication that they are sufficient to explain the trouble. Our point in this discourse is that these factors are not sufficient to explain the problems of running programs expeditiously. Organizational frameworks and their inescapable difficulties are in the picture too; and one might even make a case that these difficulties are more important sources of trouble than are the frailties of human nature.

THE ANACOSTIA DISORDER OF AUGUST 15, 1966

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MULTER. Mr. Speaker, no fair-minded Member of the House wants to see any American denied his rights or an equal opportunity to participate in all aspects of our society. The way to equal rights and equal opportunities, however, does not lie in violence or in disobedience of the law.

The National Capital Area Civil Liberties Union, an affiliate of the American Civil Liberties Union, has issued a report on the disturbances which took place in Anacostia on August 15, 1966. This report contains their views on alleged deficiencies in the handling of those disturbances by the Metropolitan Police Department and an appendix with a summary of the incidents discussed in the report.

I have examined this report and written to the chairman of the National Capital Area Civil Liberties Union the following:

OCTOBER 7, 1966.

Mr. WILLIAM WARFIELD ROSS,
Chairman, National Capital Area Civil Liberties Union, Washington, D.C.

DEAR MR. ROSS: I have yours of September 21.

I have examined the report enclosed with that letter.

I am afraid that this report does not reflect the objectivity which has usually characterized the work of your organization. I believe one or two brief comments with reference to the report are in order.

I believe it is the duty of a police officer to make an arrest of a suspect whenever and wherever he sees that suspect. I also believe that it is the duty of every citizen whether in a crowd or alone to assist the police officer in making an arrest of a suspect. It is not for a citizen, in or out of a crowd, to determine whether the arrest is proper or lawful. This is for the courts to determine and, if we ever permit crowds to determine this question, law and order will disappear from this country and with it all of the liberties that we cherish.

There is all too much emphasis being placed upon what the police force should do and too little emphasis placed upon what the citizen should do. It is high time that we paid more attention to teaching the citizen community, in and out of crowds, to cooperate with the law enforcement officers and to let the courts make the decisions.

In the appendix attached to the report I find no mention of whether or not the staff workers and community organizers of an anti-poverty agency were the leaders or the organizers of these meetings and demonstrations, nor do I find any comment about what training, if any, these people had in teaching citizens their duties and obligations, as well as their privileges.

Why were these staff workers among the pickets?

How can any demonstration seeking the release by the police of persons who were arrested be lawful at any time? How can you overlook the fact that these demonstrators obviously were looking for trouble when you report that they were carrying stones, bricks and firecrackers? Were these demonstrators carrying them merely to play with? Isn't the conclusion inescapable that they were carrying these stones, bricks and firecrackers because they intended to throw them at the police and at the precinct house?

If this was to have been a peaceful demonstration, assuming for one moment that any crowd has the right to demonstrate against an arrest, except by a presentation to a court in a lawful manner, why didn't the staff workers in this crowd see to it that the stones, bricks and firecrackers were removed before they even arrived at the police precinct?

Why do you raise the question as to whether or not the facts are in dispute as to whether or not the crowd sitting in the intersection was orderly or disorderly? How can a crowd sitting in an intersection ever be orderly? They certainly are violating the law to sit in the intersection in the first instance. They had no right to be there, orderly or disorderly, whether they were noisy or not. They had no right to be there and that is the point you ought to make to these people.

You refer to the fact that the police officers, as they approached this crowd, were dressed in riot helmets. Was this intended as a criticism? Do you think these police officers should have gone in without riot helmets to disperse a crowd armed with stones, bricks and firecrackers? Could you look at a firecracker and determine from a distance whether or not it is a firecracker that may be harmless except for the noise it will make upon exploding or that it might actually be a much more effective weapon?

There may be plenty to criticize about some law enforcement officials but it is high time we gave them a little pat on the back when they deserve it and also a little support, both moral and legal.

Sincerely yours,

ABRAHAM J. MULTER.

IRS REQUESTED TO HOLD UP

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I have today introduced a bill which will provide that teachers may deduct from their Federal income tax obligation the expenses incurred in taking courses or pursuing programs of educational value which will improve their competency in their profession. This would apply to teachers and college members alike.

This Congress has enacted meaningful and extensive legislation to aid education and insure quality education to every child and youth of this Nation. However, for these new Federal programs to be truly effective it is necessary that teachers be encouraged, whether on their own initiative or by school board direction, to take courses designed to aid their understanding of the children they teach, as well as the many new methods which are being developed by local schools throughout this country.

I believe that it only stands to reason, that we should act to aid the teachers and by so doing also helping the students. Since 1958, the Department of the Treasury has followed a policy that Federal income tax deductions would be allowed for teachers taking courses or pursuing programs of educational travel and value which would improve their competency in their profession. However, on July 7, 1966, the Internal Revenue Service issued proposed regulations which, if enforced, would seriously curtail this practice.

Because of the reaction and overwhelming objection to those preliminary regulations, the Internal Revenue Service issued a modified version, which I still believe to be defective and unacceptable.

I am therefore requesting—and am hopeful—that the Internal Revenue Service revert to its original policy, until such time as Congress can enact definitive legislation.

THE 34TH ANNUAL MEETING IN ROME OF THE INTERNATIONAL BRIDGE, TUNNEL & TURNPIKE ASSOCIATION

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. KLUCZYNSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, the International Bridge, Tunnel & Turnpike Association held its 34th annual meeting in Rome during the last week in September, and it was my privilege, together with Representative KENNETH GRAY, of Illinois, and Representative JAMES HOWARD, of New Jersey, to represent the Congress of the United States at that meeting. The meeting was particularly significant to us, in light of the extensive hearings the Public Works Committee has held this year on toll roads in the United States.

Those hearings represent one of the most detailed and comprehensive studies of toll roads ever made, and their significance was recognized by the association, in an official invitation from the Italian Government to Mr. Salvatore D'Amico of our committee staff to attend the conference as a participant in the panel discussions. It was an interesting and enlightening meeting, and my colleagues will be reporting to you on various aspects of it.

One of the highlights of the conference was our special audience, along with the officials of the association, with His Holiness, Pope Paul VI, on September 26 in the Hall of the Consistory at the Vatican. The Holy Father addressed us in both Italian and English, emphasizing the significance of the work to which the conference was dedicated.

This gracious and gentle man reminded us that "Jesus himself defined himself as 'way, truth, and life,' thus giving the road itself a symbolic significance because all could thereby come to him."

Pope Paul recalled that 9 years ago, when he was still Archbishop of Milan, he had blessed the first stone of the Motorway of the Sun, the Italian description for their major expressway between Rome, Milan, and other points. The Holy Father also spoke of the value of the modern highway networks of the world in tending to reduce distances and thereby increase the comprehension, understanding, and brotherhood between peoples.

It was a particularly fruitful thought, for me, and I think it should be for most of us. We are so accustomed, here in our own country, to being able to travel great distances by automobile without inhibition or interference that we tend to forget, I think, the very real contribution highways can make to bringing people—even people in the same country—closer together.

GEN. CASIMIR PULASKI

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HOWARD. Mr. Speaker, the life of Gen. Casimir Pulaski, Polish patriot and American Revolutionary hero, reminds us that not in age alone, but sometimes in youth, is found that noble spirit expressed in the concluding line of Tennyson's poem, "Ulysses": "To strive, to seek, to find, and not to yield." When he came to join the American struggle for independence, at the age of 29, Pulaski was already a veteran leader of men and fighter for freedom. His brilliant generalship, and his inspiring political leadership, had brought the Polish revolt astonishingly close to success against the crushing force of Russian imperial oppression; and the final defeat of this strenuous and long-sustained effort had left Pulaski the idol of the freedom-loving youth of Europe. Having taken refuge in Paris, he could have taken advantage of this reputation, added to the advantages of noble birth and breeding, and, as a young and handsome man, lived gaily in Parisian society. But Casimir Pulaski was not the kind of man to waste his force and talents in trivial and self-serving activities. Forced to concede the final defeat of the cause of Polish freedom, for which he had fought so long and so well, Pulaski found his heart fired again by the same cause of human freedom, in the revolt of the American colonies against the oppressions of British rule. With the assistance of Benjamin Franklin, he made his way to America, and offered his services to the Revolutionary Army. With his training, experience, native ability and force of character, he soon rose to the rank of brigadier general, and was placed in the command of the American cavalry. In this post, he succeeded so well in the inculcating of cavalry tactics that he is regarded as "the father of the American cavalry." During the critical winter of 1777–78, the accomplishments of the cavalry under Pulaski, in skirmishing for supplies for the army encamped at Valley Forge, did much to make up for the disastrous deficiencies of the commissary department, and for the Continental Congress' failure to provide for the maintenance of the troops. The jealousies and bickering among his fellow officers, that plagued Washington throughout his command of the army, finally induced Pulaski to resign his command, but he soon was back in the saddle again, as organizer and commander of an independent corps of cavalry, the Pulaski Legion. This body, with Pulaski at its head, was sent in 1779 to the support of General Lincoln in South Carolina, and there played an important part in the defense of Charleston, and then in the assault upon the British works at Savannah, in which operation the French cavalry also were serving under his command. It was in leading this attack, on October 9, 1779, that Pulaski received his fatal wound. He was carried aboard the brig *Wasp*, and died, probably on October 11.

Pulaski's devotion to the cause of freedom, thrilling and inspiring to his contemporaries on two continents, has remained an inspiration to the youth of America, and a cause for just pride among Poles and Polish Americans. The story of his gallant devotion is a justly treasured part of the American heritage.

POLISH LEGION OF AMERICAN VETERANS 18TH NATIONAL CONVENTION

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PEPPER. Mr. Speaker, on September 4, I had the great honor and privilege of addressing the 18th National Convention of the Polish Legion of American Veterans, U.S.A., at the Fontainebleau Hotel in my district in Miami Beach. This was a great convention of a great organization which has done much to exemplify and to preserve the sentiments of patriotism in our country; to assure the appropriate care and consideration of our veterans by our Government and to keep America strong; to preserve our way of life in our country and to protect the cause of freedom in the world.

I was privileged to tell this 18th National Convention of the Polish Legion of American Veterans of the distinguished Members of the House who are of Polish descent and whose dedicated and eminent careers have honored their Polish Association and immeasurably contributed to the strength and greatness of America.

It was also my happy privilege to address on the same date and at the same place the Ladies' Auxiliary of the PLAV which is carrying on in a splendid way the noble aims and aspirations of the Polish Legion of American Veterans, U.S.A.

Mr. Speaker, I include in the RECORD, immediately following my remarks, a statement of the action taken by the Polish Legion of American Veterans, U.S.A., at this 18th convention, and the Ladies'

Auxiliary of the PLAV, meeting at the same time, in the election of their respective officers for the new year and a statement of convention highlights of this significant convention, including resolutions adopted by the convention; and I commend this statement and these highlights and resolutions to the consideration of my colleagues:

P.L.A.V. RE-ELECTS J. L. PUDLO, JR. AS NATIONAL COMMANDER; MRS. E. ROZANSKI, RE-ELECTED AUXILIARY PRESIDENT

On September 2, 3, 4 and 5, 1966, the Polish Legion of American Veterans, U.S.A., and Ladies Auxiliary, held its 18th Biennial National Convention in the Fontainebleau Hotel in Miami Beach, Florida.

The Convention re-elected, by acclamation, Joseph L. Pudlo, Jr., of North Chicago, Illinois, as National Commander. Pudlo, 35, the youngest National Commander in P.L.A.V. History, is the first to be returned to office by a unanimous vote.

Meeting concurrently, the Ladies Auxiliary of the P.L.A.V., returned Mrs. Eugene K. (Evelyn) Rozanski to office for a second term.

The other officers elected at the Convention were: National Vice-Commander, Edward C. Szymanowski of Wyandotte, Michigan; National Vice-Commander—Americanism and Youth Officer, Casey Jaworski of Cleveland, Ohio; National Auditor, Julius A. Dybicki of Dearborn, Michigan and National Treasurer, Fred S. Skowronski of Chicago, Illinois.

Mr. Skowronski begins his 8th term in this capacity and Mr. Dybicki, his 5th term as the National Auditor.

The Zone Commanders selected by their individual P.L.A.V. Zones were: Bronislaus J. Tencza, of Mineola, New York; Zone II, Stanley J. Sternik, of Cleveland, Ohio and Zone III, Ralph A. Wozniak of Milwaukee, Wisconsin. Wozniak will be serving a second term in this capacity.

The other officers of the Ladies Auxiliary of the P.L.A.V. are as follows: National Vice-President, Violet Paul of Garfield Heights, Ohio; National Secretary, Dorothy S. Kubit of Parma Heights, Ohio; National Financial Secretary, Mary Petraski of Wyandotte, Michigan and National Treasurer, Laverne Wozniak of Milwaukee, Wisconsin.

The Zone Presidents chosen by their individual P.L.A.V. Zones were: Zone I, Rosalie Misiur of Elizabeth, New Jersey; Zone II, Julia Wlodkowski of Wyandotte, Michigan and Zone III, Frances Pycior of Milwaukee, Wisconsin.

CONVENTION HIGHLIGHTS

This convention, one of the finest in PLAV history, was attended by nearly 1,200 members. Delegates heard National Commander Pudlo report that the organization had achieved its greatest membership and highest degree of solvency in its 47 year history. The convention banquet heard Deputy Administrator of Veterans Affairs, Cyril Brickfield, praise the P.L.A.V. for its support of the nations policy in Viet Nam. Mr. Brickfield also outlined future V. A. Programs and explained their effect on the veteran.

The convention adopted the following resolutions:

We believe that Democracy such as that practiced in the United States under our Constitution, is the best form of government ever devised by mankind. We have given of ourselves to protect this form of government and to fight communism on every front in all corners of the globe. Accordingly, we support our government's policies in fighting communism in Asia, Europe, South America and at home. Our domestic policies must be consistent with these goals.

Whereas Poland is currently observing one thousand years of its Christianity and its existence as a nation and Americans of Polish descent have joined in this observance;

Now, therefore, be it resolved, that the Polish Legion of American Veterans support these patriotic activities in the United States and participate in them in every manner possible.

We urge that our government adopt such policies as will make Poland and the other countries behind the Iron Curtain less dependent on Russia for economic and political support. This can best be done by selling non-vital goods to these countries, so that they will not develop these industries within their own country and will cease to be dependent on Russia. We should actively support recognition of Poland's western border on the Oder-Neisse line.

Our military service demands good fighting men to protect freedom and democracy. Any plans to weaken the existing draft laws under the guise of protecting free speech, should be discarded. At the same time draft dodgers must be dealt with severely.

We urge that any act of disrespect or desecration of the Flag of the United States be a federal offense with appropriate penalties for violation of the statute.

Whereas, our comrades in arms are defending liberty in many far flung corners of the world and are being asked to pay the supreme sacrifice in leaving widows and orphans behind, and

Whereas, the Polish Legion of American Veterans is concerned with the welfare of both our nation's fighting men and dependents and being mindful of the fact than the Federal government is not doing enough for them,

Now, therefore be it resolved that the Polish Legion of American Veterans urge the Congress of the United States to increase the pay for all military servicemen by a substantial amount rather than the three per cent enacted by Congress and that a substantial bonus be paid for re-enlistment and that pay for combat and hazardous service be increased substantially.

Be it further resolved that the allowance given to widows of servicemen be increased so that the widow of every servicemen, regardless of his rank, will receive the same death benefits. This should not be less than that presently provided for the widow of the lowest grade commissioned officer.

The Polish Legion of American Veterans is mindful of the horrors and hardships of war and the resultant suffering and privation. Nevertheless, we commend the action of our present administration in carrying on the defense of the people of South Viet Nam and the resistance to communism and Red Chinese in Southeast Asian countries. It is through the firmness demonstrated by President Johnson and Secretaries Rusk and McNamara that we can keep the world free from Communism and totalitarianism. It is our sincere hope that the military action will be followed by establishment of democratic assistance to the affected countries so that the standard of living be preserved.

We urge the enactment of pending legislation to increase compensation and pensions of Veterans and their dependents by such amounts as will reflect the increased cost of living since the last revisions of these benefits.

We extend our profound sympathy and condolence, inadequate as they are, to the Gold Star Mothers of the Nation, and to all persons who suffered loss of their loved ones in defense of our Country, and we want to assure them by this resolution that all members of the Polish Legion of American Veterans and their Auxiliary are devoted to the ideals and principles for which they paid the supreme sacrifice.

We vigorously oppose any and all efforts to convert the Veterans hospitals, domiciliaries and medical facilities to Federal facilities, for use of various domestic and international beneficiaries. Any such conversions would destroy the traditional concept of a medical system for veterans and would thereby deprive eligible veterans of needed care and treatment.

We have maintained a constant vigil against any drives to close existing V.A. facilities. We owe this to our comrades who are in need and we must not permit the Bureau of the Budget to advance any further plans such as its ill advised and arbitrary order to close 32 facilities on January 13, 1965. The V.A. is the best judge of this need.

We again call on the establishment of a standing committee on Veteran affairs in the United States Senate. This should be patterned after the House Committee on Veterans Affairs.

We urge the re-opening of National Service Life Insurance for all Veterans of World War II and Korea, providing they meet the health requirements and pay an additional amount to administer the program, this program has been successful for the disabled veteran and should now be expanded to include all who qualify.

The PLAV stand for liberalization of the pension program for aged and totally disabled veterans. Income limitations and limitation on private and public retirement plans must be increased so as to assure that programs such as Social Security will not reduce or cut off pension payments for Veterans and their widows.

The PLAV has and will oppose all efforts to slash funds for the operation of the Veterans Employment Service in the Department of Labor. We will further oppose any attempts to circumvent and/or eliminate Veterans preference in Civil Service for Veterans presently employed, or for veterans who may seek work under Civil Service in the future.

We favor establishment of a National Cemetery Program under the jurisdiction of the V.A. These cemeteries are presently under the national parks division of the Department of Interior and in the case of Arlington, under the U.S. Army. Available space is rapidly being filled up. Millions of new veterans have been recognized as such by a recent act of Congress. They, too, will be needing burial space. A well organized program is sorely needed, therefore, joining with the National Commanders of other major veterans organizations, we urge on Congress to pass such a law with expedience.

We voice total opposition to H.R. 13643, a pending proposal, which would deny veterans burial allowance if he be entitled to a burial allowance under Social Security. This legislation would have the effect of reducing veterans to second class citizens. We point out that the Veteran has a vested interest in his burial allowance by virtue of his military service. Further, the Social Security allowance is the result of the payroll deduction made by him as a wage earner during his life time. It is based on sound business and economic principles.

At the close of the Convention, New York City was selected as the site for the 19th Biennial National Convention which is planned for September of 1968.

THE HUNGARIAN UPRISING OF 1956

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PEPPER. Mr. Speaker, the Hungarian uprising of 1956 was the most startling and heartening political event in postwar Europe. It was at the same time the most shocking event in the Communist world. It marked the first instance in which a liberty-loving and proud people, singlehandedly and successfully, defied and then overthrew their Communist oppressors and instituted their own democratic government. All this took place late in October 1956, and before the end of the month the Hungarian people became once more masters of their own destiny in their homeland. It seemed that their dream had at last come true, and that they had succeeded, without any outside aid, in getting rid of their detested Communist oppressors.

To the outside world all this seemed too good to last, and under the circumstances, there seemed no other realistic way to look at this portentous event. It is true the internal situation of the country favored the Hungarians, but there was still a solid core of Soviet troops stationed in the country, and the question of getting them out proved to be impossible of solution. Eventually those troops, reinforced with larger additional Soviet units from Rumania, put an end to Hungary's 2-week-old freedom.

On November 4, the Soviet military machine began its attacks against the outnumbered and ill-equipped Hungarian force, and before the end of that day all seemed to be over. Turning the country into a bloodbath, the Soviets forced the Hungarian Government to flee; and the survivors of the gallant Hungarian fighters were literally smothered under the weight of heavy Soviet tanks. The last gasping voice of freedom from Budapest died out at the end of that day, and with it died freedom in Hungary.

Sad and tragic as was the end of their freedom, the Hungarians nevertheless proved once more to the peoples of the world that the spirit of freedom cannot be subdued and kept in chains for any length of time, if the people have the will and the determination to fight for its attainment. That is one lesson these gallant Hungarians meant to leave behind them, to other oppressed peoples. That is their legacy to the free world, and today on the 10th anniversary observance of that event, we express our admiration for their gallantry.

CONGRESSMAN CLAUDE PEPPER STRONGLY SUPPORTS S. 3035, A BILL TO PRESERVE OUR HISTORIC SITES

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PEPPER. Mr. Speaker, I wish to express my complete and enthusiastic support of S. 3035 which would establish a program for the preservation of historic sites. This 4-year program which would help the States and local communities of our Nation identify and preserve historic sites is a critically important one. In my own State of Florida there is ardent and extensive support for this measure, since Florida is so richly endowed with the sites and associations of time and place that extend back to the earliest days of Europeans in the Americas.

The significant and needed legislation failed of passage in the House only because we were proceeding under a suspension of the rules and a two-thirds vote was therefore needed. I was happy to see that by another vote, this time requiring a simple majority, we were successful in passing this legislation.

Under present law, Federal assistance for the preservation of historic sites is limited to natural and historic properties determined to be "nationally significant." It is clear to everyone that only a limited number of properties meet this exacting standard.

There are literally thousands of others which are worthy of protection because of their historical, architectural, or cultural significance at the community, State, or regional level. They are not only worthy of protection, they must have such protection, and they must have it at once if they are not to be bulldozed out of existence.

It is all very well to assure ourselves that because we are a young country our sites and historic shrines need a few centuries more of aging, of seasoning, of ripening in meaning, of maturing in shared memories and associations, but those bulldozers and wrecking balls will not wait for anything of the sort. To delay the passage of this legislation would have meant that it need never be considered again in the future, because the things it was designed to protect will all be gone by then, destroyed forever, lost irretrievably.

A TRIBUTE TO CASIMIR PULASKI

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, the occasion today is one of great significance, not to Polish-Americans alone but to Americans in general. For on this day we hail the name of Casimir Pulaski—hero of the democratic revolutionary cause in Poland, his native land, and in America, the land of his adoption.

Unlike the Boston merchant or the farmer in the Piedmont, unlike the fisherman on the Carolina coast or the backwoodsman in western Pennsylvania, Casimir Pulaski was not himself a victim of British oppression in the year 1776. Indeed, he was at that moment far removed from oppression of any kind. Of noble birth, of wealth, and family distinction, he was free to live in peace wherever he chose. And yet, in those tumultuous times, peaceful complacency was not the mark of a man, and Pulaski was in truth a giant among men.

Having fought as a cavalry officer against the Russian domination of Poland, and having as a result been driven into exile, Pulaski ventured to France where he was advised of the impending American Revolution. Fired by the spirit motivating the American cause, and perceiving therein principles identical to his own, Pulaski offered his services to the Americans, who accepted them with gratitude.

By the summer of 1777, Pulaski was in America, ready for battle, and in September of that year took his place in the American line, as a volunteer at Brandywine, where his conduct earned him instant recognition as an outstanding military leader.

In the Battle of Germantown he was again prominent, and with all due haste he was appointed to a cavalry command. At Trenton, in the winter of 1777, Pulaski's cavalry fought brilliantly, and when the Colonial Army began its desperate foraging campaign of that dreadful winter, once again Pulaski played a major role.

It was noted by everyone concerned that Pulaski was a fiery spirit and a master organizer. Working well with fellow officers, he urged along the Revolutionary cause, bolstering the cavalry morale and ever confident of victory. Primarily, he was a demon in battle; a horseman of consummate skill, a swordsman of savage intensity, and a leader with a knowledge, intuition, and daring sufficient to the needs of the moment.

At Valley Forge Pulaski organized the cavalry force that was to become known as Pulaski's Legion. Stationed at Baltimore for a time, Pulaski grew impatient for battle and asked for a transfer to the scene of war. The request was granted and the legion moved north engaging the enemy in frequent battles, throughout New Jersey. When once again a lull developed, Pulaski asked again for transfer, and was dispatched quickly to the South, where the British were operating effectively out of Savannah.

In several sharp encounters in northern South Carolina Pulaski reinforced his reputation as a fighter of furious nature and great courage. And when the Americans moved against Savannah, Pulaski was foremost in the vanguard of the attacking columns.

Urging forward his men, in the midst of withering fire, he fell, seriously wounded. Removed at once to an American ship in Savannah Harbor, he was examined by doctors, but his wounds proved fatal.

So it was for this great man, Casimir Pulaski, whose dream of freedom was to benefit millions and millions of Americans to come, including a host of immigrants from his native land and their descendants. To men of such caliber we of this period must pay our respects, in the knowledge that without their insight, their fire, their courage, and their determination, we in America would have today far fewer sacred freedoms than we do. And as freedom-loving people we would find this intolerable.

Pulaski was indeed a hero in the classic tradition. If he had any shortcomings as a soldier, they were not apparent to any but the most severe critic—for his gallant death served to ennoble even his mistakes in the eyes of posterity.

GENERAL PULASKI'S MEMORIAL DAY

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. RODINO. Mr. Speaker, today we, as a nation, are paying special tribute to the heroic and honored memory of one of the great patriots of the American Revolution, Count Casimir Pulaski. Each year, by Presidential proclamation, the 11th of October is set aside in remembrance of this valiant Polish soldier, who gave his life and fortune in a fight for liberty which spanned two continents. I would like to join with the many others who will be expressing, today, our continuing gratitude as a people for his invaluable contribution to our heritage and our continuing determination to uphold the ideals of human freedom for which he died.

Count Pulaski was born into a period of political turmoil in Poland. After almost a century as one of the most enlightened and progressive countries in Europe, she had suffered the intervention of foreign powers led by the powerful hand of Russia's Catherine the Great. As the son of one of Poland's most able jurists, Pulaski had learned early the meaning of the struggle for freedom. Because of his father's part in the formation of the famed Confederation of the Bar, pledged to the redemption of Poland from foreign domination, the older Pulaski was arrested and put to death.

Determined to pursue the struggle for freedom, the struggle for which his father had sacrificed his life, Casimir became the life and leader of the Polish rebellion. He became famed as a cavalry officer and as Poland's leading military patriot. But despite the courage, bravado and daring of Pulaski and his followers, the Russian might was too great.

With death imminent and a price on his head, because of his devotion to liberty, Casimir Pulaski made his way to the New World. The year was 1777.

At the age of 28, this young, but experienced young soldier came to America to share in our struggle for freedom and independence, because, as he once said:

> Wherever on the globe men are fighting for liberty, it is as if it were our own affair.

His services to the Continental Army were immense. The valor and distinction which he displayed to George Washington in the Battle of Brandywine earned him the rank of brigadier general and the acclaim of Congress and the people. His successful reorganization of the colonial cavalry caused him to be immortalized as "the Father of the American Cavalry." The famed Pulaski Legion, which he organized as an independent corps of cavalry and light infantry and which he equipped and fed with the assistance of his own private fortune offers one of the most colorful chapters in the history of the Revolution.

With this legion he prevented the siege of Charleston, and later led it, together with the American and French cavalry, against the British at Savannah, Ga. It was at the head of this charge that Casimir Pulaski was fatally wounded on October 9, 1779. He lost his life 2 days later, on the day we are commemorating today.

This great Polish patriot had given a lifetime to the cause of liberty, and though exiled from his beloved Poland, he continued to fight for the kind of independence he hoped someday could be hers. He died on foreign soil, but his sacrifice helped to make the dream of a free and independent nation, one conceived in liberty a reality.

But as we remember the spirit of General Pulaski today, we must also turn our thoughts to his homeland, to the indomitable spirit of the Polish people and their relentless pursuit of liberty. For over 20 years these proud people have suffered the subjugation of Communist tryanny. Yet, they have steadfastly refused to relinquish their hope.

The year 1966 marks the Polish millennium, the 1,000th anniversary of the introduction of Christianity into Poland. The tremendous strength of Poland's religious conviction has failed to be diminished by Communist rule. Her religion and her hope for freedom have proved inextinguishable.

As we express our gratitude for the services of Count Casimir Pulaski, let us also express our hope that the people of Poland can soon enjoy the individual liberty and free participation in the community of nations which he helped us to achieve.

CARING FOR OUR SENIOR CITIZENS

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, one of the glories of an affluent society is its ability to adequately care for its senior citizens—to care for those citizens who generously contributed toward the greatness of our Nation and who have now reached the sunset of their lives and, consequently, have been removed from active participation in the further economic development of our Nation.

We are greatly indebted to them and subsequently, for the most part, are responsible for their well-being. And this, I might add, is the way it should be.

Because of its wealth and greatness, our Nation has progressively assumed greater responsibility for large numbers of people throughout the world. However, though we are making an admirable contribution to our foreign friends, we must always remember that our first obligation must be to our own citizens—particularly those whose past labors largely account for the strong position that we hold in the world. These are the people who are most worthy to receive the fruits of their labor in the form of adequate security benefits provided by a grateful nation.

You will note, Mr. Speaker, that I have said "adequate" benefits. There is no reason why an affluent society such as ours cannot provide adequate benefits to our senior citizens. When we can afford to send billions of dollars overseas, we have no excuse to offer for any failure to adequately provide for our deserving senior citizens. And, Mr. Speaker, much to my dismay, I think that we have failed to provide adequate security benefits to our senior citizens. We have failed to give them a just return for their labors.

Though our intent has been good, we have failed through the years since the inauguration of the social security program to make adequate and timely adjustments of benefits in accordance with changes in the cost of living.

Yes, we have made periodic increases in an effort to maintain the purchasing power of social security beneficiaries through the years, but such periodic adjustments have been far too few, too little, and too late.

How can we expect our senior citizens to get by on payments that were set at a time when the cost of living was far below that which we now know?

What is needed is a realistic and elastic system of social security payments that will closely adhere to our cost-of-living index. The bill that I am introducing today will, in my mind, provide such a system of payments. It accomplishes this by providing an escalation clause whereby any 2½-percent rise in the cost-of-living index will be accompanied by a matching rise in social security benefits.

Mr. Speaker, I realize that the hour is late, that there is little probability that substantial action can be taken on this legislation so late in the Congress. Nevertheless, in view of the soaring costs of living that confront us, I feel, along with my other colleagues who have introduced similar bills, that this matter should be brought to the attention of the Congress at this time. It should be brought to the attention of the Congress at this time so that the matter can be placed in proper perspective, so that my colleagues can better appreciate the agony of trying to sustain oneself on a fixed social security pension while the cost of living leaps far ahead.

These increases in the cost of living create an extreme hardship for our senior citizens who must rely on a small fixed pension. It is our task to come forth with legislation that will effectively alleviate this problem.

During a 7-year period, beginning in 1958, we experienced an increase of over 8 percent in the Consumer Price Index while the cost of services, which mostly affects the elderly, increased over

16 percent. However, during this same period social security beneficiaries received no increase in social security benefits to offset these increases.

Let us begin to take the first step now while the matter is clearly in focus. Let us not stand idly by while inflation robs our social security beneficiaries of a decent standard of living.

SWEENEY CITES NEED FOR FEDERAL LAWS DEALING WITH MAIL-ORDER SMUT PEDDLERS

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Sweeney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I should like to call the attention of the House to the mailing activities of one Louis Wolff Linetsky.

Recently, I have been contacted by a mother from Fostoria, Ohio, who directed my attention to the fact that her 14-year-old daughter had been receiving unsolicited mail, advertising certain obscene sex devices. I, in turn, took the matter up with the Office of the General Counsel, U.S. Post Office Department.

In their reply, the U.S. Post Office Department indicated that it was quite aware of the fact that Louis Wolff Linetsky was one of the biggest mail-order smut peddlers known to the Department.

I am simply appalled and amazed that the Post Office Department has received over 150,000 complaints concerning this man's activities insofar as advertising, sale, and publication of sex devices is concerned. This man uses 12 to 14 trade names and styles to obscure his identity.

In 1962 he was indicted under the postal obscenity statute in the eastern district of Michigan. However, the Federal court granted a motion to dismiss the indictment on the grounds that sex devices were not obscene.

In 1963 he was again indicted for violation of the postal obscenity statute in the district of Kansas involving certain books and phonographic records. Once again the indictment against him was dismissed by the Federal courts on the basis that the exhibits were not obscene.

This man is still under surveillance by the U.S. Post Office Department.

Another smut peddler, Edward I. Winkler, ought to be identified. He belongs in the top 10 of certain peddlers in this country. He, too, operates under trade names and styles, and makes his money in the promotion of a variety of sex devices. The Post Office Department has presented the devices and promotional materials to the U.S. attorney at Los Angeles in an attempt to prosecute Mr. Winkler under current postal obscenity statutes.

The U.S. district attorney has concluded that this obscenity prosecution could not be successfully pursued under present law.

These pornographic practices apparently still go unchecked while the Federal as well as State authorities seem impotent to do anything about it.

The most startling fact of all is that in 1963 Mr. Linetsky spent approximately $225,000 in postage which represents the mailing of several millions of items of unsolicited smut to the kids of this country.

It is amazing that the ability of the Federal and State authorities to curb these pornographers is so limited.

DEAN OF THE WOMEN IN CONGRESS, THE HONORABLE FRANCES P. BOLTON

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. Kelly] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mrs. KELLY. Mr. Speaker, it is my honor to place in the body of the Record an article which appeared in the Washington Star of Sunday, October 9, 1966. This article, written by Barbara Kober, a Star staff writer, is about the dean of the women in Congress, the Honorable Frances P. Bolton—the ranking Republican on the Committee on Foreign Affairs of the House of Representatives. I am privileged to serve on this committee with the gentlewoman from Ohio [Mrs. Bolton].

One may wonder why I insert this article in the Record, in view of the fact that Mrs. Bolton is quoted in it as asserting that there is some disenchantment not only with our President and the administration, but also with the record of this great 89th Congress.

I believe in the right to dissent and I believe in a strong Republican Party and a strong Democratic Party. Therefore, as the dean of the Democratic women in Congress, I have no reservations about placing in this permanent Record of the Congress a well-deserved tribute which our colleague has earned many times over by her outstanding service to her district, to our Nation, and to the cause of human welfare.

At 81, Mrs. Bolton Is an Active Campaigner—Dean of Women in Congress Says Public Disenchanted With Administration

(By Barbara Kober)

The dean of women in Congress, Mrs. Frances Bolton, foresees Viet Nam and the "escalation of prices" as the main issues in current election campaigns.

"People are concerned about rising prices—how can they help it when the cost of vegetables, flour, eggs and other products have almost doubled in the past year," said the veteran of 26 years in the House of Representatives.

The two issues are running a "pretty even race for importance in the minds of the public," said Mrs. Bolton who has served longer than any of the other nine women in the House and longer than all but 17 of the 425 men.

But, for herself, issues are no issue as she campaigns every weekend in her suburban Cleveland District to capture her 15th consecutive term.

"I don't bring up issues unless they are thrown at me," she said. "I talk America—what it means to be an American and the responsibilities of being an American."

CONSTITUENTS ASK

After more than a quarter century of service to her constituents, Mrs. Bolton feels her people know what she thinks and if they don't, they ask.

At 81, Mrs. Bolton is still an active campaigner—but only on weekends when the House is in session.

She usually flies out of Washington Friday night for speaking engagements before a variety of groups ranging from small community political clubs to a 1,000 guest testimonial dinner.

The chipper legislator, who used to practice yoga daily but now stands on her head only occasionally, speaks to as many men's groups as she does to women's groups. And miles of city driving going from one engagement to another.

Her estate in suburban Cleveland is the setting for clambakes and picnics. And when it gets too cold to picnic on the lawn, guests move into the barn.

"I like campaigning because I see my people," she said and added that during the weekend she may speak to anywhere from 2,500 to 5,000 constituents.

When confronted with questions about her stand on Viet Nam, the congressman, who avoids the word "congresswoman" like a scourge because "I was not elected as a congresswoman," takes a hard line.

"We must win," she declared.

Asked if she would condone the use of nuclear weapons to achieve victory, the ranking Republican member of the House Foreign Affairs Committee said:

HORRIFIED BY HIROSHIMA

"I was horrified at what the U.S. did in Hiroshima and Nagasaki and I have never gotten over that feeling. I don't really know whether we should use nuclear weapons in Viet Nam. If it were the only way to get victory, then perhaps I might go along with it."

Mrs. Bolton described the change in attitude of American servicemen who are sent to Viet Nam.

"They are disgruntled and don't want to go," she said. "But when they get there they are glad they are there because they realize this is a war for freedom and they see the abject poverty of the people and the way they have been treated."

In a scathing attack on the Johnson administration, Mrs. Bolton charged that the public is "beginning to be disenchanted with the President and predicted that the Republicans will 'win quite a few seats in Congress.' "

AN EMOTIONAL JAG

The Johnson landslide was the result of an "emotional jag" left over from the assassination of President Kennedy.

"A lot of freshmen in the House are trembling in their boots," she said.

Mrs. Bolton asserted that the Great Society is not successful and never has been. When asked what is wrong, she said:

"Everything."

She continued:

"Everything is war to this man in the White House—war in Viet Nam, war on poverty. He has the idea that if we put out enough money, we can stop poverty. But no amount of money will stop poverty. Only changing the individual will help alleviate poverty."

THE PERSECUTION OF SOVIET JEWRY

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. Kelly] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mrs. KELLY. Mr. Speaker, on Sunday, October 2, a public demonstration was held at the borough hall in Brooklyn, N.Y., to protest the persecution of Jews living in the Soviet Union and in other Communist countries.

I had the honor of participating in that moving profession of sympathy for Soviet Jewry—and that public appeal to the Soviet authorities to honor the guarantees of religious freedom embodied in the Soviet Constitution.

It is a strange occurrence, indeed, when citizens of the United States appeal to the Soviet Government to live up to its own Constitution.

Yet this is precisely what happened in Brooklyn the other Sunday—and in many other American cities as well. And it happened because of the contradictions which characterize life under communism.

Let me say a word or two about those contradictions.

Most of us see only the public image of communism. We see the attractive mask fabricated by Soviet propagandists which is customarily shown to the outside world.

That pretty mask is made up of propaganda themes about the equality of men, democracy, human dignity, justice and freedom, hard work and progress. We are told that these virtues characterize the Soviet society—and that they are, in fact, enshrined in the Soviet Constitution.

That Constitution, for example, guarantees each and every Soviet citizen freedom of conscience and of religious belief. To a gullible person, that constitutional guarantee is a part of the good life which allegedly exists in the Soviet Union.

But does it?

There is another dimension of life in a Communist society—but you can only see that dimension from the inside. This is the reality of life under communism.

You see this reality, where Soviet citizens of Jewish faith are concerned, not in the Soviet Constitution, but in the fact that the number of synagogues in Russia has declined from 450 to 80.

You see it in the fact that all Yeshivas and Talmud Torahs have been closed.

You see it in the numerous Jewish cemeteries which have been desecrated—or completely destroyed.

You see it in the suppression of the Jewish language, and in the prohibitions which the Soviet Government places on the manufacture and import of religious articles.

This is what life is really like in the Soviet Union. It is a hard life—especially for Soviet Jews, who are the object of a deliberate campaign on the part of the Soviet authorities to obliterate Judaism from the face of the Soviet society.

Mr. Speaker, I have seen enough of both faces of communism to know that the public face—those pretty images painted by Communist propagandists—bears only the vaguest resemblance to the reality of life under communism.

I have been behind the Iron Curtain. I also talked to hundreds of persons who lived in Communist-dominated countries—but who subsequently escaped to freedom.

It is because of that firsthand exposure to problems resulting from the Communist takeover of Eastern and Central Europe that I sponsored legislation in Congress which paved the way for the establishment of ICEM, the Intergovernmental Committee for European Migration.

As of this year, that Committee has helped nearly 1.5 million persons—many of them refugees and escapees from behind the Iron Curtain—to relocate and to find the opportunity for a useful life in freedom.

My good friend, Walter Besterman, the longtime professional staff assistant of the Committee on the Judiciary, headed by my distinguished colleague, Congressman EMANUEL CELLER, is serving presently as the U.S. Director of ICEM.

As chairman of the Subcommittee on Europe, of the Committee on Foreign Affairs, I also brought facts about Soviet communism to the attention of the American public—in the hope that, in this manner, we could bring the weight of public opinion to bear on the conduct of the Soviet Government.

Last year, for example, we held hearings on the persecution of Jews in the Soviet Union and on the treatment of other religions in Communist-dominated lands.

Those hearings, carried out with the help of Rabbi Meir Felman, of the Synagogue Council of America; Rabbi Joachim Prinz, of the American Jewish Conference on Soviet Jewry; Mr. Eric Goldhagen, director of the Institute on East European Jewry at Brandeis University; Mr. Monroe Sheinberg, of the Jewish War Veterans of the United States of America, and many other informed persons, helped to expose the mistreatment of Jews in the Soviet Union.

Those hearings were helpful in securing unanimous approval by the Committee on Foreign Affairs, and then by the entire U.S. House of Representatives, of Senate Concurrent Resolution 17, the so-called Ribicoff resolution.

And they also may have been helpful in prompting the Soviet Government to relent a bit. For, as we all know, this year, for the first time in our memory, thousands of Soviet Jewish boys and girls in Moscow were permitted to celebrate the festival of Simchat Torah, the day of rejoicing in the law. They celebrated it publicly, in the streets and in the synagogues, with dances and songs—and the regime allowed them to do so.

Mr. Speaker, I am proud of the fact that I was able to play some small part in these developments.

I hope that our public demonstration at the borough hall in Brooklyn, and similar demonstrations throughout the country, will further help the cause of Soviet Jewry by prevailing upon the Soviet Government to abandon its harsh policies of discrimination and persecution, and to start paying some attention to the religious freedom guarantees of the Soviet Constitution.

CONGRESSWOMAN MARTHA W. GRIFFITHS REPORTS TO THE PEOPLE OF THE 17TH DISTRICT OF MICHIGAN

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. GRIFFITHS] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, the 1st session of the 89th Congress convened at noon, January 4, 1965, and adjourned October 23, 293 days later. The second session convened on January 10, 1966, and is still at work with no definite date for adjournment.

The length of time Congress stays in session each year is increasing. Part of the reason is the multifold problems of the Nation; part of the reason is the technicality of legislation. However, the limitation on time now demands that Congress give serious consideration to the responsibilities of its Members. A Member must have time to study; to perform legislative work; and to meet constituent obligations. The 89th Congress has created a joint committee to study the organization and operation of Congress. There is need for reform. I might add that we are going to have a House Ethics Committee. We expect that it will pass the House this week.

The 89th Congress has been termed the most productive Congress in history. During the last 2 years, it has enacted far-reaching legislation responding to national and community needs. The programs that have been established are not ends nor do they represent perfected answers. They are the efforts of a people to meet their problems. What remains is the challenge of development.

It is a great privilege for me to review some of the major domestic legislative enactments of the 89th Congress.

In 1961, the rate of unemployment stood at 7 percent. To counter persistently high unemployment, Congress cut taxes. The Revenue Act of 1964 made the largest tax reduction in U.S. history—$11.5 billion in individual income and corporate taxes. With some surprise, it did the job. Increased purchasing power put into the hands of the consumer increased demand, spurred growth, reduced unemployment, and helped to produce prosperity.

Last year, Congress further supplemented efforts in this direction. An excise tax cut was passed amounting to $4.7 billion annually when fully effective January 1, 1969. It immediately eliminated $1.7 billion of excise taxes on such items as cosmetics, wallets, pocketbooks, furs, jewelry, cameras, radios, and televisions. On other items, it established a phaseout schedule. The 10-percent tax on automobiles was reduced in stages until reaching 1 percent in 1969. The telephone excise tax was similarly reduced, but to elimination in 1969.

Unemployment now stands at a low of 3.9 percent. The economy significantly has been directed toward expansion by tax policy. Yet, somewhere in the interim, a new problem has developed—the spiraling costs of inflation.

From 1961 to 1966, the cost-of-living indicator rose only 1.6 percent per annum. From mid-1965 to the middle of this year, the cost of living has gone up 2.8 percent. The Federal Government is now moving to curb investment and to hold the line on Federal expenditures. The House recently passed a 16-month suspension of the 7-percent tax credit on business investment and the allowance of accelerated depreciation in the case of certain real property. As early as March, Congress cleared the Tax Adjustment Act, suspending the scheduled reductions in automobile and telephone taxes until 1968, and providing a new system of graduated withholding rates for individual income taxes, and accelerated payments of corporate taxes.

One of the main aims and one of the chief problems of this Nation today is a high employment rate with stable prices. It is obvious that people will not tolerate either high unemployment or rising prices.

The Social Security Amendments Act of 1965 contained the most sweeping revision of social security in 25 years. The legislation provided a health care insurance program for the aged; increased social security benefits; and liberalized provisions of the social security law.

The medicare portion of the bill establishes two insurance programs for persons 65 and older—a basic hospitalization plan financed through a separate payroll tax and trust fund under social security; and a voluntary supplementary plan providing payments for doctor bills and other related health services, partly paid for by the user and partly subsidized out of the Federal funds of the Treasury. Major benefits of the basic hospitalization plan include 90 days of hospital care for each period of illness—60 days with a $40 deductible and an additional 30 days with a $10 deductible; posthospital extended care in a qualified nursing home totaling 100 days; postoutpatient diagnostic services; and posthospital health services with a maximum of 100 visits by a nurse. Major benefits of the voluntary supplemental plan include payment of 80 percent of the cost of doctor bills, after a $50 deductible, on services provided by physicians, surgeons, radiologists, pathologists, and other doctors in hospitals, clinics, and homes.

Changes in the old-age, survivors, and disability insurance program raised benefits by 7 percent affecting 20 million social security beneficiaries; permitted widows to receive an actuarially reduced benefit at age 60 rather than 62; permitted the extension of children's insurance benefits for those eligible attending school full time from age 18 to 21; liberalized eligibility requirements to provide benefits to persons 72 and older with only 3-5 quarters of social security coverage instead of the minimum of 6 quarters; authorized a wife's and widow's benefits to a divorced wife 62 or older if she had been married to a social security worker for at least 20 years; continued benefits to widows 60 and over and to widowers 62 and over who remarry; liberalized the disability eligibility requirements to permit payment of benefits to persons with a disability lasting 12 months rather than that the disability be of long duration or expected to result in death; exempted the first $1,500 that an individual can earn a year without losing social security benefits.

The enactment of this legislation has strengthened the economic security of every American family. In our 17th District, 41,000 became eligible for medicare, July 1 of this year.

Health problems were given special attention by Congress. The staggering toll of human life and suffering bears the urgent need to assure the advance of medical knowledge and to remove the barriers to health care.

The heart disease, cancer, and stroke amendments establish a 3-year program of grants for the planning and operation of regional medical centers to fight heart disease, cancer, and stroke, which account for 70 percent of the deaths in the United States each year. The encouragement of cooperation between medical schools, research institutions, and hospitals is to make available to doctors and their patients the latest developments in diagnosis and treatment of these diseases.

The health research facilities amendments extend the matching grant program for the construction of health research research facilities. Within the 6-year lifetime of this program, 1,236 construction grants totaling $320 million have gone to 399 institutions in every State.

Evidence produced by years of medical study on the consequences of prolonged tobacco consumption led to passage of the Federal Cigarette and Labeling Act, requiring the cautionary labeling of cigarette packages. The act provides warning to the public of the potential hazards of smoking.

Growing misuse of drugs is a daily contributor to deaths on our highways, juvenile delinquency, suicides, and crime. The Drug Control Amendments Act places stricter control over certain depressant and stimulant drugs to reduce illicit use and distribution. At congressional hearings, it was brought out that approximately 50 percent of the 9 billion barbiturates and amphetamine pills produced annually in the United States are sold illegally.

Each year, 120,000 disabled persons are being rehabilitated under the Vocational Rehabilitation Act. Congress now has approved legislation to expand vocational rehabilitation services to reach the goal of rehabilitating 200,000 annually.

In the field of mental health, grants have been authorized to meet initial staffing costs of professional and technical personnel in community mental health centers. In addition, Congress has expanded the grant program for the training of teachers of the mentally retarded and handicapped. It is hoped that the number of these teachers can be increased from the present 60,000 to the needed 300,000.

As a related part of its health program and conservation program, Congress launched an offensive attack on air and water pollution and the depletion of natural resources. The twin pressures of increased population and industrial growth have created critical problems for this generation. The facts are frightening. Every major river system is now polluted. Air, water, soil, and wildlife are being blighted by the poisonous chemicals of technology. Five million Americans, many of them in suburbs, have no sewers. President Johnson warned:

> The hour is late, and the danger is large.

The Water Quality Act strengthens control over water pollution by providing water quality standards for interstate streams. The bill, requested by the President, increases Federal aid for construction of sewage treatment plants and creates a Water Pollution Control Administration to concentrate the combined efforts of Federal, State, and local agencies, including conservationists, in the fight for clean water. The Water Resources Planning Act increases the maximum development of natural resources through coordinated, intergovernmental planning.

The Saline Water Conversion Act extends the life of saline water conversion program authorizing $185 million between now and 1972 to perfect processes for converting sea water into fresh water. Desalting is no longer a dream. Three of our cities already pressed for water depend on desalting plants for water supply. Our problem now is to find how to do it economically and on a larger scale.

The Clean Air and Solid Waste Disposal Acts attack two problems affecting the public health and welfare: First, air pollution, and second, solid waste disposal—garbage, rubbish, and waste from manufacturing plants. Machinery is established for controlling motor vehicle air pollutants; air pollution research is accelerated. A new program is created to find methods of disposing of solid waste, which is accumulating in urban communities at an astonishing half billion pounds a day.

In his natural beauty message to Congress, the President emphasized the importance of preserving the beauty of nature in an urbanized society. The purpose of the Highway Beautification Act is to see that the Nation's roads not only serve the flow of commerce, goods, and people in transportation, but human needs to touch and come close to nature. It provides for the gradual control of billboards and junkyards along Federally aided highways and fosters roadside and landscape development along such highways.

Mounting tragedy on our Nation's highways brought congressional action on highway and auto safety legislation. Automobile accidents last year cost the life of 48,000 persons—and this number does not include the injured, maimed, and disabled for life. The Highway Safety Act provides Federal assistance for the development of State highway safety programs, covering such areas as driver education, testing, licensing, accident record system, traffic control, and vehicle registration and inspection. The Traffic Safety Act authorized the establishment of motor vehicle safety standards which are binding on manufacturers.

The 89th Congress directed the combined resources of the Federal Government, the States, and localities in a strengthened partnership to improve the quality of American education and to guarantee opportunity of learning. The scope of the educational effort is sketched in the following legislative enactments:

The Elementary and Secondary Education Act marks the first commitment by the Federal Government to improve elementary and secondary education. Aid is authorized to local school agencies for projects to meet the special needs of children from low-income families. Also authorized are programs to assist States in the purchase of textbooks, library resources, and other instructional material for the benefit of all children, and to develop supplemental education centers providing educational services not otherwise available in a community. Out of the Nation's elementary and secondary schools, only one-half contain libraries. There are schools lacking in science laboratories. These deficiencies mean the difference between a good and a poor education; they are costly to the student and damaging to his future.

The Higher Education Act strengthens our institutions of higher learning and provides assistance to students in meeting the cost of a college education. The act doubles funds for the construction of academic facilities; provides aid to college libraries and developing institutions; authorizes a new program of educational opportunity grants ranging from $200 to $800 for exceptional but needy students; provides Government-guaranteed, reduced-interest student loans for students from middle-income families; broadens the college work-study program now providing 300,000 student part-time jobs; provides a new program of graduate fellowships for persons pursuing teaching careers; and initiates a National Teacher Corps composed of former teachers who will work under the direction of local school authorities in city slums and areas of rural poor.

The National Foundation on the Arts and Humanities Act promotes support for cultural development. The act authorizes $20 million annually for a 3-year program of endowments for the creative and performing arts and scholarships in the humanities.

The Health Professions Assistance Act expands existing construction programs for medical and health teaching facilities and loan programs for students in health profession schools. The need for qualified health personnel is acute. Current health needs demand the education of 50 percent more doctors by 1975.

The Library Services and Construction Act Amendments authorize a 5-year, $700 million program of assistance to public libraries. In 1965, 363 local public library construction projects, costing $99.6 million, were approved. The Federal share of this cost is $29.8 million.

The Manpower Act broadens the provisions of the Manpower Development and Training Act. Congress enacted the job retraining program in 1962 to train workers—the unemployed and the underemployed—with skills necessary to find employment. While the Federal Government has contributed $95.8 million for Manpower Development and Training Act training programs, 53 percent of this sum already has been returned to the Treasury in taxes by trainees who have become working and taxpaying citizens.

National welfare is dependent upon the orderly growth and development of our urban areas. Today, 70 percent of the Nation's population live in 220 metropolitan areas. Interrelated are the problems of rising population, urban sprawl, housing, transportation, crime, and decaying central cities.

The Housing and Urban Development Act is one of the most comprehensive measures passed by the 89th Congress. Among its provisions, this $7.5 million act gives added strength to the FHA mortgage insurance program, and continues urban renewal for the redevelopment and rehabilitation of slum and blighted areas. Improved standards of housing are provided through new public housing for elderly and low-income families. In addition, a new program of rent supplements is authorized to pay part of the rent for persons with insufficient incomes unable to provide decent housing. It is estimated that 375,000 people including the handicapped and the elderly are eligible for this supplement.

To coordinate Federal programs and activities affecting urban-suburban problems and to assure sound development planning in our metropolitan areas, Congress created a Cabinet-level Department of Housing and Urban Development. The office will give vital force and effectiveness to the growing effort in our cities.

In other areas affecting cities, Congress authorized increased funds for research and development in mass transit systems. It also extended the present law to assist communities in the development of programs to control and prevent juvenile delinquency and youth crime.

The 89th Congress has continued the war on poverty. In 20 months of its operation, it has reached the poor of this country with jobs, job training, and educational services. Administrative difficulties in the program have been recognized and Congress is attempting to correct them.

In general, the poverty program has created three-quarters of a million part- and full-time jobs for the poor; it has enrolled 720,000 preschoolers in Headstart projects for medical and education services; it has provided jobs to more than 500,000 youngsters through the Neighborhood Youth Corps, permitting them to remain in school, return to school, or improve their employability; it has established 103 Job Corps centers for vocational training of youth 16 to 21; and it has provided adult basic education programs in 45 States, now providing jobs and incomes to 100,000 family heads previously on relief.

Legislative steps were taken by the 89th Congress to insure the 15th constitutional amendment guarantee of the right to vote. The Voting Rights Act suspends literacy and other tests and devices in areas where such tests have been used to systematically deny the right to vote, and authorizes the appointment of Federal examiners in such areas to register otherwise qualified voters.

The assassination of President Kennedy awakened dormant interest to correct ambiguities in provisions affecting Presidential inability. Congress cleared for ratification by the States a proposed constitutional amendment which would permit the Vice President to become Acting President if the President were unable to perform his duties, and would allow the President to name a Vice President subject to confirmation by Congress if a vacancy were to occur in the Vice-Presidency. The proposed 25th amendment to the Constitution requires the approval of 38 States to become effective. At this time, 31 States have ratified the amendment.

The minimum-wage bill was passed amending the Fair Labor Standards Act. The law stepped up the nonfarm floor hourly wage rate from $1.25 to $1.60 by 1968 and extended minimum-wage coverage to an estimated 8 million additional workers.

Legislation to revise the Federal unemployment compensation system to extend coverage and broaden benefits cleared both the House and Senate. Amendments attached to the bill by the Senate have necessitated further action by both Chambers.

Pay raises averaging a 2.8- to 2.9-percent increase were effected for 1.8 million Federal employees including postal workers.

Military action in Vietnam focused attention on the problems of the serviceman and veteran. Major legislation approved included: a 10.4-percent pay raise for members of the uniformed services; free first-class postage for servicemen in Vietnam combat zones—this covered provisions of a bill I had introduced; a $10,000 life insurance policy for members of the Armed Forces serving on active duty; an increase in the amount of education assistance paid to the sons and daughters of deceased or permanently and totally disabled service-connected veterans under the war orphan's educational assistance program; a compensation increase for service-connected disabled veterans averaging 10 percent.

In addition, Congress passed a new permanent GI bill patterned after the successful GI bills of World War II and the Korean conflict, to provide educational and other benefits, including guaranteed home loans, Federal job preference, and VA medical assistance for veterans who have served in the armed services since January 31, 1955. Approximately 10,000 in our 17th District are eligible for the benefits and services of this program.

The House recently sent to the Senate the Veterans' Pension Act of 1966, providing increases averaging 5.4 percent in rates of non-service-connected disability and death pensions payable to veterans and their survivors. The bill did not raise income limitations and did not include my proposal to provide a full social security exclusion in determining income eligibility for a pension.

This has been a most productive and busy session of Congress. As you are aware, I spend most weekends in the city of Detroit. I would like to remind you again that my Detroit office is open from 9 to 12 and 1 to 5 daily, except Saturday. The Detroit office telephone number is Broadway 3–9151; the Washington office number is area code 202, 225–4961. I am available to help you, and I am available by appointment on Saturdays.

LEAVE OF ABSENCE

Mr. Fountain (at the request of Mrs. Mink), for Monday, October 10, 1966, on account of official business.

Mr. Cooley (at the request of Mrs. Mink), for today, on account of official business.

Mr. Brooks (at the request of Mr. Young), for October 11 and October 12, 1966, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Hutchinson) to revise and extend their remarks and include extraneous matter:)

Mr. Halpern, for 10 minutes, today.

Mr. Quie, for 20 minutes, today.

Mr. Bray, for 15 minutes, today.

Mr. Quillen, for 15 minutes, October 18.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Hutchinson) and to include extraneous matter:)

Mr. Clancy.

Mr. Hutchinson.

Mr. Mathias.

Mr. Rumsfeld.

Mr. Wyatt.

Mr. Fino in two instances.

(The following Members (at the request of Mr. Marsh) and to include extraneous matter:)

Mr. Blatnik.

Mr. Rooney of New York in two instances.

Mr. Callan.

Mr. Powell.

Mrs. Kelly.

Mr. Matsunaga.

Mr. Sweeney.

Mr. Randall.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2358. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 722. An act to amend certain provisions of existing law concerning the relationship of the Environmental Science Services Administration to the Army and Navy so they will apply with similar effect to the Air Force;

H.R. 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians;

H.R. 5297. An act to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes;

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes;

H.R. 8664. An act to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes;

H.R. 10633. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes;

H.R. 10674. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes;

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes;

H.R. 12437. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes;

H.R. 15098. An act to amend Public Law 89–284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes;

H.R. 16646. An act to amend title 10, United States Code, to authorize the award of Exemplary Rehabilitation Certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes;

H.R. 17119. An act to amend title 10, United States Code, to permit members of the Armed Forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce; and

H.R. 17788. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 3423. An act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes;

S. 3460. An act to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes;

S. 3704. An act to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.; and

S.J. Res. 153. Joint resolution to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On October 10, 1966:

H.R. 15662. An act to amend the Federal Seed Act (53 Stat. 1275), as amended.

On October 11, 1966:

H.R. 8664. An act to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes; and

H.R. 17788. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

ADJOURNMENT

Mr. MARSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 12, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2812. A communication from the President of the United States, transmitting an amendment to the request for appropriations transmitted in the budget for the fiscal year 1967 for the Department of Health, Education, and Welfare (H. Doc. No. 521); to the Committee on Appropriations and ordered to be printed.

2813. A communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims and judgments rendered against the

United States as provided by various laws (H. Doc. No. 522); to the Committee on Appropriations and ordered to be printed.

2814. A communication from the President of the United States, transmitting a determination in the national interest that the Export-Import Bank issue guarantees in connection with the sale of U.S. products and services to various foreign countries, pursuant to title III of the Foreign Assistance and Related Agencies Appropriation Act, 1966; to the Committee on Foreign Affairs.

2815. A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to repeal language relating to the liability of contractors for the repair of new pavements in the District of Columbia; to the Committee on the District of Columbia.

2816. A letter from the Assistant Secretary for Administration, Office of the Assistant Secretary of Commerce, transmitting the annual financial report on the commissary activities outside the continental United States of the Department of Commerce, as represented by the Weather Bureau, during the fiscal year 1966; pursuant to the provisions of 5 U.S.C. 596; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Committee on House Administration. Additional views on H.R. 17239. A bill to limit contests of elections of Members of the House of Representatives to contests brought by duly qualified candidates whose names appear on the official ballots (Rept. No. 2199, pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 1007. Concurrent resolution authorizing the printing of a report on international education by the House Education and Labor Committee; with amendment (Rept. No. 2218). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 1017. Concurrent resolution to authorize the printing of additional hearings and other materials by the Committee on Agriculture; without amendment (Rept. No. 2219). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 1022. Concurrent resolution to authorize the printing as a House document the pamphlet entitled, "Our American Government. What Is It? How Does It Function?" without amendment (Rept. No. 2220). Ordered to be printed.

Mr. HAYS: Committee on House Administration. S. 3809. An act to authorize the Public Printer to print for and deliver to the General Services Administration an additional copy of certain publications; without amendment (Rept. No. 2221). Ordered to be printed.

Mr. GRAY: Committee on Public Works. S. 3389. An act to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes; without amendment (Rept. No. 2222). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 17588. A bill to amend section 8(g) of the Soil Conservation and Domestic Allotment Act with respect to assignments; without amendment (Rept. No. 2223). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 18225. A bill to amend title XIX of the Social Security Act; without amendment (Rept. No. 2224). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 15304. A bill to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes; without amendment (Rept. No. 2225). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRISON: Committee of conference. H.R. 13448. An act to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes (Rept. No. 2226). Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. House Concurrent Resolution 313. Concurrent resolution to endorse the concept of World Farm Center; without amendment (Rept. No. 2227). Referred to the House Calendar.

Mr. WHITENER: Committee of conference. H.R. 3314. A bill to require premarital examinations in the District of Columbia, and for other purposes (Rept. No. 2228). Ordered to be printed.

Mr. ABERNETHY: Committee of conference. H.R. 9985. A bill to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons (Rept. No. 2229). Ordered to be printed.

Mr. MULTER: Committee of conference. H.R. 10304. An act to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children (Rept. No. 2230). Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. Report entitled "Strengthening Wage-Price Guideposts" (Rept. No. 2231). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee of conference. S. 3158. An act to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes (Rept. No. 2232). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLARENCE J. BROWN, JR.:

H.R. 18275. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 18276. A bill to amend the Civil Service Retirement Act, as amended, with respect to survivor annuities; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 18277. A bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

H.R. 18278. A bill to provide a statute of limitations with respect to the deportation of aliens lawfully admitted to the United States for permanent residence, and to remove certain distinctions made in the Immigration and Nationality Act between native-born and naturalized citizens; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 18279. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 18280. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 18281. A bill to amend title II of the Social Security Act to provide an alternative method of crediting earnings for purposes of determining an individual's insured status and benefit amount; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 18282. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 18283. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. CELLER:

H.R. 18284. A bill to authorize the Attorney General to adjust the legislative jurisdiction exercised by the United States over lands within the Federal Reformatory at Chillicothe, Ohio; to the Committee on the Judiciary.

By Mr. DOWDY:

H.R. 18285. A bill to provide for the establishment and development of the Kenilworth National Park in the District of Columbia for the benefit of the people of the United States; to the Committee on Public Works.

By Mr. GONZALEZ:

H.R. 18286. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 18287. A bill to authorize grants to States for assistance to homeowners and businesses suffering property losses as a result of riots or other civil disturbances; to the Committee on Banking and Currency.

By Mr. KUPFERMAN:

H.R. 18288. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MOELLER:

H.R. 18289. A bill to assist local school districts in those depressed areas previously determined by the Congress and known as the Appalachian area to raise the salaries of those teachers whose salaries are currently below the average of all public school teachers in their State to the State average as a minimum; to the Committee on Education and Labor.

By Mr. MULTER (by request):

H.R. 18290. A bill to authorize the Board of Commissioners of the District of Columbia to acquire, transfer, convey, and lease certain property in the District of Columbia for use as a headquarters site for the Organization of American States as sites for other international organizations and as sites for governments of foreign countries and for other purposes; to the Committee on the District of Columbia.

H.R. 18291. A bill to provide for the establishment and development of the Kenilworth Anacostia National Capital Park and Aquatic Gardens in the District of Columbia for the benefits of the people of the United States and in particular children; to the Committee on Public Works.

By Mr. ST GERMAIN:

H.R. 18292. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 18293. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. REINECKE:

H.J. Res. 1315. Joint resolution to create a joint congressional committee to study and report on problems relating to industrywide collective bargaining and industry wide strikes and lockouts; to the Committee on Rules.

By Mr. GURNEY:

H. Con. Res. 1036. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMER:

H. Res. 1046. Resolution providing for consideration of H.R. 17642, a bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on Rules.

By Mr. HAYS:

H. Res. 1047. Resolution authorizing the Committee on House Administration to sit, hold hearings, and issue subpenas in carrying out its duties; to the Committee on Rules.

By Mr. HENDERSON:

H. Res. 1048. Resolution authorizing the Committee on Post Office and Civil Service to conduct certain studies in Far Eastern and Western European countries; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 18294. A bill for the relief of Domenica Carlucci; to the Committee on the Judiciary.

H.R. 18295. A bill for the relief of Rao Palumbo; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 18296. A bill for the relief of Mrs. Ng Ho Chun; to the Committee on the Judiciary.

Mrs. HANSEN of Washington:

H.R. 18297. A bill for the relief of Harold Gilbertson, Raymond Nelson, Lawrence Powell, Marvin Holland, Erling Ellison, Haakon Pederson, Marvel Bilx, all of Cathlamet, Wash., and Charles F. Gann of Westport, Oreg.; to the Committee on the Judiciary.

By Mr. KING of Utah:

H.R. 18298. A bill to direct the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0310090); to the Committee on Interior and Insular Affairs.

By Mr. KUPFERMAN:

H.R. 18299. A bill for the relief of Lourdes Ysit; to the Committee on the Judiciary.

By Mr. MOELLER:

H.R. 18300. A bill to provide for the free entry of a strobsynchronolaryngoscope for the use of Ohio University; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 18301. A bill for the relief of Mate Jericevic; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 18302. A bill for the relief of Calogero Tardanico; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 18303. A bill for the relief of Nobuyoshi Higashi; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 18304. A bill for the relief of Thomas Hung Tang; to the Committee on the Judiciary.

H.R. 18305. A bill for the relief of Louie Pon; to the Committee on the Judiciary.

H.R. 18306. A bill for the relief of Vito Barone; to the Committee on the Judiciary.

H.R. 18307. A bill for the relief of Martino de Benedetto; to the Committee on the Judiciary.

H.R. 18308. A bill for the relief of Magdalina Karabatsos; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 18309. A bill for the relief of Vasilios Alexopoulos; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 18310. A bill for the relief of John Kondros; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 18311. A bill for the relief of Iain Colquhaun Macleod; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.J. Res. 1316. A joint resolution proclaiming Thaddeus Kosciusko and Casimir Pulaski as honorary citizens of the United States of America; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Praise for House Publications Distribution Service Chief

EXTENSION OF REMARKS

OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. BLATNIK. Mr. Speaker, one of the chief functions of a Congressman is to communicate with his constituents. Especially does the Congressman have a duty to make a regular report to the district giving points of special interest to the people he represents. The physical distribution of this material is done through the House Publications Distribution Service. At the helm of this enormous operation is Eli Bjellos. Mr. Speaker, few men approach a job with more determination and dedication than this hard-working, most cooperative gentleman from Minnesota.

I am sure every Member at some time or another transacts business with the House Publications Distribution Service and somehow through the rush of it all Mr. Bjellos and his team get the job done. I think it is time that we in the House give public notice and due credit to this exceptional operation which already has sent out nearly 90 million pieces of mail this year. There is no doubt that this is a necessary service to the Members and on their behalf I want to salute the great job that is being done in our Publications Distribution Service.

This work somehow gets done, even though some of our machinery is antiquated and the repair of other machines has taken what seems like ages to repair, especially in face of the rush jobs and deadlines that have to be met.

Vincent J. DiMattina

EXTENSION OF REMARKS

OF

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. ROONEY of New York. Mr. Speaker, I was deeply saddened last Friday to learn of the passing of Vincent J. DiMattina, New York State commander of the Veterans of Foreign Wars. Vincent DiMattina was an extraordinary man and a good friend. He was a man who fought his way up from the Brooklyn docks to become a community leader and an outstanding citizen. At the time of his death he was counsel to the speaker of the New York State Assembly on military and patriotic affairs. He will be missed sorely by his many colleagues and friends. To his widow, Mary, his parents, and all his family I extend my deepest sympathy and prayers.

A Salute to the Business and Professional Women of America

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. CALLAN. Mr. Speaker, because women are playing an ever-increasing role in our Nation's economy, as well as in civic and community activities, I would like to take a brief moment to salute the business and professional women of this Nation.

Next week will mark the annual observance of National Business Women's Week by the National Federation of Business and Professional Women's Clubs, Inc. I urge each of my colleagues to join me in wishing well the 177,500 members of the national federation.

Composed of more than 3,750 local clubs in all 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands, the national federation has perhaps done more than any other single group to dramatize the contributions of women to the business and professional life of our country.

It is appropriate that we have 1 week each year dedicated to the contributions our business and professional women are making to our Nation. It is my hope this designation will bring fuller awareness to the American public of the contributions being made by the women of our Nation to the pattern of freedom for all humanity.

Statement Commending National Business Women's Week, October 16 to 22, 1966

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. FINO. Mr. Speaker, it is a genuine privilege and pleasure to congratulate the business and professional women of my congressional district, as well as all the business and professional women around the Nation. October 16 to 22 marks the designation of National Business Women's Week and it is appropriate that it is sponsored by the National Federation of Business and Professional Women, Inc.

Women are today exerting great influence, not only on our national economy, but on our social, political, and cultural life as well. Womanpower is one of our country's greatest resources. Women's skills and abilities are being used more fully and more creatively than ever before—in the home, in the community, and on the job.

Since 1940 American women have been responsible for the major share of the growth of the labor force. They accounted for more than 60 percent of the total increase from 1940 to 1964, and their representation in the labor force has risen from one-fourth to more than one-third of all workers.

We recognize that women have been freed for work outside the home by scientific and technological advances that have simplified home chores. The growth of new industries in a dynamic economy and expanded activities in others, as in commerce and trade, have opened new doors for women in business, the professions, and the production of goods and services.

The National Federation of Business and Professional Women recognizes the necessity to elevate the standards for women in business and the professions and has made this one of their objectives. Since its inception in 1919, the federation has made many successful efforts to bring about cooperation among business and professional women of the United States and around the world.

We find BPW clubs in active operation in every congressional district in the United States with over 3,750 local clubs under 53 State federations, including all 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands.

Columbus Day, 1966

EXTENSION OF REMARKS

OF

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. ROONEY of New York. Mr. Speaker, a year ago I and many of my colleagues introduced a bill which would make Columbus Day a legal holiday. Unfortunately, the press of business has kept this legislation from consideration on the floor. I think it is a sad thing, Mr. Speaker, for I believe that we should honor our discoverer as much as we honor those who made us free. I earnestly hope that the appropriate committees of both Houses will act on legislation which will be reintroduced in the next session of Congress to establish October 12 as a holiday throughout the entire country as it is now in some States and cities. In New York City tomorrow the day will be marked by a massive, colorful parade and a score or more banquets.

Several weeks ago I had the privilege of being present when the President signed a proclamation designating October 12 as Columbus Day. The President took the occasion to hail the new immigration law which was passed last year and which has done so much to halt previous inequities in our immigration system. In conclusion the President said:

> When Columbus day comes in 1966—or a century from now—our American Revolution will still be going on. We will still be building. Men from Italy and a hundred other lands will be among us building. And any man who has the courage and a will to work and who loves liberty will be free to join our ranks as a fellow immigrant.

Mr. Speaker, I am proud to have been a sponsor and supporter of the immigration legislation to which the President referred.

Mr. Speaker, this is why it is important that Americans pay adequate attention to the day marking the anniversary of the birth of Columbus. Our indebtedness to him should serve to remind us of the indebtedness we have to all those patriots who lived, fought, and died that we might have the Nation we have today. It should also serve to remind us of the rock upon which this country is built—the ideals, wisdom, courage, and determination of the tens of thousands of immigrants who adopted this country as their own and of the generations which followed them.

This, then, is what we must never take for granted—the blessings of freedom and the terrible price paid for it. We must never forget that as we must never forget the eternal debt we have to our forefathers through whose veins flowed the blood of more than a score of alien nationalities.

Mr. Speaker, tomorrow when we salute Christopher Columbus I think we should also salute the members and officers of the many loyal and patriotic Italian American societies who are doing so much to honor Columbus. Their efforts serve not only Americans of Italian ancestry but all Americans, for their focusing of attention on Columbus reminds us all of our heritage.

Results of Fourth Missouri District Opinion Poll

EXTENSION OF REMARKS

OF

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. RANDALL. Mr. Speaker, during the summer our office mailed out approximately 40,000 opinion polls to the 9 counties in our Fourth Missouri District. Several thousand constituents answered the poll. Approximately 15 percent of those receiving a questionnaire responded. I was much encouraged by the response because other offices say the average returned is lower than 15 percent. The replies come back somewhat slowly and I was reluctant to make a final tabulation until we were sure all were given ample time to answer the questionnaire. I am most grateful to those who took the time to let me know their views.

An analysis of the returns on Vietnam will show that our respondents by 2 to 1 favored firmness or expansion over withdrawal or negotiation with the Communists.

The unpopularly of the "war on poverty" pointed up the fact that those who would decrease the appropriation when added to those who would abolish the program make up a total of about 73 percent or nearly three-fourths of those answering the poll. In other words, the poverty program is rejected about 3 to 1. It is interesting to note that on the question involving inflation, over three-fourths of our people prefer reduction of nondefense Government spending as a means of controlling inflation instead of an increase in individual and corporate taxes.

Many interesting replies were received and handwritten notes added to the questionnaire card on the question of Federal safety standards for automobiles.

While these standards were approved by a margin of 3 to 1, the most common and oft-repeated comment was the belief of our people that most motor vehicle accidents today are not caused by the "nut on the wheel but by the nut behind the wheel."

The results as tabulated were as follow:

POVERTY PROGRAM

In fiscal year 1966, $1.5 billion was allocated to the War on Poverty. In fiscal year 1967, do you favor—

1. Increasing the appropriation, 4.2 percent.
2. Appropriating an equal amount, 22.3 percent.
3. Decreasing the appropriation, 30.5 percent.
4. Abolishing the program, 43 percent.

INFLATION

To halt inflation, do you favor—

1. Reduction of non-defense government spending, 75.9 percent.
2. An increase in personal and corporate taxes, 4.3 percent.
3. A combination of reduced spending and tax increases, 19.8 percent.

VIETNAM

Do you favor—

1. Standing firm in Vietnam until aggression is repelled, internal security is established and free elections are held there, 42.8 percent.
2. Expanding the war to seek military victory, 23.3 percent.
3. Withdraw our armed forces, 18 percent.
4. Negotiations with the Viet Cong and North Vietnamese Communists, 15.9 percent.

OTHERS

1. Should additional tax deductions be allowed parents of college students? Yes, 56.2 percent; no 43.8 percent.
2. Do you believe Federal safety standards for automobiles should be established by law? Yes, 65 percent; no 35 percent.

Hawaii State Society Awarded Haines Trophy

EXTENSION OF REMARKS

OF

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. MATSUNAGA. Mr. Speaker, among Washington's most active organizations is the Conference of State Societies. And if State society activities seemed just a little more enthusiastic and a little happier last year, it could have been partly due to the infectious spirit of the Hawaii State Society, of Washington, D.C.—winner of the Roy C. Haines Memorial Award for the outstanding State society of the 1965–66 season.

Under the capable leadership of President William W. Graham, the island society chalked up an unprecedented 95 points out of a possible 100 points which are based on community services, organization growth, and participation in conference activities. This was the second year that the Haines Trophy was awarded in a competition among all State societies in the Nation's Capital. It is a perpetual trophy which replaced the President's Award previously awarded annually. The Hawaii State Society had also won the President's award in 1963 under the presidency of Mr. David Peters.

Receiving special recognition for their part in the society's activities last year were: Mrs. Jeanne Rozamus, Mrs. Lani O'Connor, Mr. Harold Bailey, Mr. Takeshi Kumagai, and Mr. Orvin L. Nelson. The president of the Hawaii State Society for the 1966–67 season, Mr. Clifford Paulson, said every effort will be made to keep the Haines Trophy for a second year.

"Demonstration Cities" and "Metropolitan Planning"

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. FINO. Mr. Speaker, I would like to insert in the RECORD today the following excerpts from the "Demonstration Cities" and "Metropolitan Planning" titles of the omnibus housing bill. Interspersed among the legislative quotes are quotes from Secretary Weaver's testimony before the Housing Subcommittee earlier this year.

I hope that the Members of the House will read this material carefully. This bill is one of the most far-reaching measures ever proposed, both in the sense of reweaving the American social fabric and granting unprecedented power to the Federal Government. I believe that a reading of this material will damn this bill in the eyes of almost anyone.

EXCERPTS FROM OMNIBUS HOUSING BILL AND SECRETARY WEAVER'S STATEMENT TO HOUSING SUBCOMMITTEE

The following sections and quotations show how the bill is designed to give the Department of Housing and Urban Development and the Office of Education power over urban and metropolitan areawide education patterns, rent supplement location, zoning laws, local taxes, and open-occupancy ordinances.

TITLE I—DEMONSTRATION CITIES

Sections 103(2) and 103(3) require "demonstration cities" to "provide educational services necessary to serve the poor and disadvantaged in the area." Nothing prohibits HUD from insisting that such planning meets the "racial balance" ideas of U.S. Education Commissioner Howe and the "Equal Educational Opportunity Act of 1967." Here is the language of the bill; sections 103 (2) and (3):

> (2) the program is of sufficient magnitude to make a substantial impact on the physical and social problems and to remove or arrest blight and decay in entire sections or neighborhoods; to contribute to the sound development of the entire city; to make marked progress in reducing social and educational disadvantages, ill health, underemployment, and enforced idleness; and to provide educational, health, and social services necessary to serve the poor and disadvantaged in the area, widespread citizen participation in the program, maximum opportunities for employing residents of the area in all phases of the program, and enlarged opportunities for work and training;
>
> (3) the program, including rebuilding or restoration, will contribute to a well-balanced city with a substantial increase in the supply of standard housing of low and moderate cost, maximum opportunities in the choice of housing accommodations for all citizens of all income levels, adequate public facilities (including those needed for education, health and social services, transportation, and recreation), commercial facilities adequate to serve the residential areas, and ease of access between the residential areas and centers of employment;

On February 28, page 45 of hearings, Secretary Weaver told the Housing Subcommittee that a demonstration program must provide for education:

> Third, the general criteria for a comprehensive city demonstration program require that the program must provide for educational and social services necessary to serve the poor and disadvantaged in the area; widespread citizen participation in the program; maximum opportunities for employing residents of the area in all phases of the program; and enlarged opportunity for work.

Here is a list submitted to the Housing Subcommittee—pages 107–108 of hearings—of Office of Education programs to be included in the demonstration cities program. Note that it includes "supplementary education centers and services," Commissioner Howe's experimental racial balance fund:

> Department of Health, Education, and Welfare, Office of Education:
>
> 1. Education of low-income families, 20 U.S.C. 241a–231l.
> 2. Library services and construction, 20 U.S.C. 351–358.
> 3. Adult basic education, 42 U.S.C. 2801–2807, 2831.
> 4. Supplementary educational centers and services, 20 U.S.C. 841–848.
> 5. Community services and continuing education programs, 20 U.S.C. 1001–1011.
> 6. Guidance testing and counseling services (National Defense Education Act), 20 U.S.C. 481–484.
> 7. College work study program, 42 U.S.C. 2751–2757.
> 8. Higher education academic facilities, 20 U.S.C. 701–733.
> 9. Vocational education—Apprentice and general training and retraining, 20 U.S.C. 15j.
> 10. Vocational education—Work-study program and educational facilities, 20 U.S.C. 35–35m.
> 11. Instruction in critical subjects and institutes (National Defense Education Act), 20 U.S.C. 441–445, 591–592.
> 12. Vocational education—Training in specified occupations (Smith-Hughes Act and George-Barden Act), 20 U.S.C. 11–15, 16–28; and 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg, 35g, 35l.

The language of section 103(4) of the demonstration cities title gives Secretary Weaver the power to insist that cities redraw local laws as a condition of being chosen demonstration cities. Dr. Weaver has elaborated on the language below:

> Substantive local laws, regulations, and other requirements are, or can be expected to be, consistent with the objectives of the program;

In Secretary Weaver's own words, cities must come up with an acceptable "open occupancy" law to qualify—page 46 of the hearings:

The physical rebuilding and restoration of our cities should be accompanied by appropriate actions to narrow the housing gap between the poor and disadvantaged and the rest of the community. Nondiscrimination in any housing assisted under a demonstration program is a legal requirement. In some cities, however, the mere requirement of nondiscrimination will not be sufficient to resolve the manifold problems to which rigid, and often longstanding, patterns of housing segregation have given rise. More affirmative action is needed to eliminate these patterns, to reduce the squalid concentrations of racial minorities and the economically deprived, and to assure that equal opportunity in the choice of housing will in fact be available to people of every race and income.

Fifth, indicate that the projects and activities carried on under the program are consistent with comprehensive planning for the entire urban or metropolitan area.

On page 45 of the hearings, the Secretary told how demonstration cities will have to redraw housing codes and zoning laws:

Even though a city demonstration program meets the statutory criteria described, other actions may be expected of the city if new Federal aids are to be provided, under this legislation. Consideration will be given to the extent and nature of purely local actions which encourage more rational and efficient urban development. In preparing their demonstration programs, cities will have to—

First, examine their substantive laws to determine the extent to which those laws impede substantial progress in carrying out their demonstration programs and to take appropriate action, if necessary, to make those laws consistent with the objectives of their programs.

In many localities, the structure of real estate taxes, inadequate and often obsolete housing codes and zoning laws, and artificial restraints on building practices retard the prompt and proper development of the city's physical characteristics. Stimulating local efforts to remove these restrictions can be one of the major benefits of the city demonstration program.

TITLE II—METROPOLITAN PLANNING

Via this title, communities within a metropolitan area are to be required to submit most Federal aid requests to a "metro government," which is to plan the "location, financing and scheduling" of all publicly assisted facilities and pass on aid requests according to whether they meet these plans. This title provides for "bonus grants" to communities that participate—how could they not?—in planning all facilities according to Federal criteria. Section 205(b) of the legislation tells how communities get "bonus" grants:

(b) Grants may be made under this section only for metropolitan development projects in metropolitan areas for which it has been demonstrated, to the satisfaction of the Secretary, that—

(1) metropolitanwide comprehensive planning and programing provide an adequate basis for evaluating (A) the location, financing, and scheduling of individual public facility projects (including but not limited to hospitals and libraries; sewer, water, and sewage treatment facilities; highway, mass transit, airport, and other transportation facilities; and recreation and other open-space areas) whether or not federally assisted; and (B) other proposed land development or uses, which projects or uses, because of their size, density, type, or location, have public metropolitanwide or interjurisdictional significance;

(2) adequate metropolitanwide institutional or other arrangements exist for coordinating, on the basis of such metropolitanwide comprehensive planning and programing, local public policies and activities affecting the development of the area; and

(3) public facility projects and other land development or uses which have a major impact on the development of the area are, in fact, being carried out in accord with such metropolitanwide comprehensive planning and programing.

Now this language obviously encompasses school planning as schools are public facilities, but the planners wanted to pretend that schools were not in the bill. But Secretary Weaver, in his testimony, told how educational planning would be a condition of metro grant money:

ELIGIBILITY OF METROPOLITAN AREAS

Before supplemental grants can be made for projects in a particular metropolitan area, it will have to be shown that (1) metropolitanwide comprehensive planning and programing provide an adequate basis for the location, financing, and scheduling of public facilities and land developments of metropolitanwide or interjurisdictional public significance; (2) adequate areawide arrangements exist to carry out such planned and coordinated development; and (3) public facility projects and other land developments having a major impact on the development of the area are in fact being carried out in accord with comprehensive planning and programing.

The required metropolitanwide comprehensive planning and programing would include such elements as areawide population and employment forecasts; forecasts of where and under what conditions residential areas, employment centers, and other major land uses will be located throughout the area; and comprehensive short-range programs for the provision of needed facilities and services, taking into account both the needs and financial capabilities of the various communities within the area. Planning and programing would generally cover at least land use; transportation; water, sewer, and other public facilities; housing and relocation; education, health, and other institutions and services; parks, recreation, and other open space; and air and water pollution.

The emphasis in title I is on planned development, rather than planning for its own sake, and an additional requirement for eligibility of metropolitan areas would be the existence of arrangements for carrying out such plans on a coordinated basis. This would entail findings that adequate institutional or other arrangements exist in the area to coordinate local public policies and activities. Similarly, a metropolitan area would be eligible only if projects and developments of major areawide significance—whether federally assisted or not—are actually being carried out in accordance with metropolitanwide planning and programing.

Report on 2d Session, 89th Congress

EXTENSION OF REMARKS
OF
HON. EDWARD HUTCHINSON
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 1966

Mr. HUTCHINSON. Mr. Speaker, like many Members of Congress I make periodic reports to the people of my congressional district, expressing my views on issues of current interest. Under leave to extend my remarks, I include the text of my report dated October 1966:

A year ago, as the first session of the 89th Congress ended, we were assured that the 1966 session would be comparatively short and that we would have the chance this fall to return to our Congressional districts to discuss with the people the disquieting problems which are besieging America today. These promises and predictions—so confidently made—have not materialized. This second session of the 89th Congress continues in mid-October without having completed its work on essential appropriation measures. It was my hope that I might present to the people of the Fourth District of Michigan a complete summary of the work of this Congress in time to be of assistance to them during the fall campaign. But the failure of the Congress to complete its work makes that impossible. I must be content with the following commentary on several categories of governmental activity . . . .

SPENDING AND INFLATION

It is likely the federal government will spend $130-billion this fiscal year, while its revenues will approach $117-billion. The remaining $13-billion will have to be borrowed and the national debt increased. Yet this has been a year of peak prosperity, a year of economic boom, and it is the kind of a year in which the government should be accumulating a surplus rather than a deficit. My votes have been for economy and a balanced budget. I was proud to recently receive the "Watchdog of the Treasury" award from National Associated Businessmen because of my votes for saving taxpayers' money. Incidentally, this was my second Watchdog award, having received it in 1964 for my record in the 88th Congress.

Inflation is a rapid decrease in the purchasing power of money, and it is evident in a rapid increase in prices. It is caused when demand for goods and services greatly exceeds the supply. It will stop when supply is increased to meet demand, or when demand is reduced to equal supply. High interest rates result when the demand for credit is greater than the economy can supply.

When prices go up faster than earnings, our wage earners and salaried persons feel the pinch. Retirees and others living on fixed incomes find they cannot buy as much as they could before. Inflation is the robber of the poor.

Economic policies of the Kennedy and Johnson Administrations have been aimed at increasing demand throughout the economy. Where the private sector of the economy failed to generate greatly increased demand, the federal government pumped in demand by accelerating welfare and defense programs. In this regard, these Administrations have been all too successful. Total demand has run away from supply and the fires of inflation are raging.

To correct the situation, the budget should be balanced and provision made for reducing the national debt. Federal spending should be reduced substantially. During the four years I have served in Congress I have voted against many of these inflationary spending plans. These are "no" votes on the record, but they are "yes" votes for fiscal sanity.

VIETNAM

Our involvement in Southeast Asia runs back to Truman's time. In those days postwar France was engaged in reasserting her sovereignty over Indo-China which the Japanese had captured in World War II. Anti-Communist France was battling Communist nationalists and Truman aided these French-led forces. Eisenhower continued the same policy. When France was defeated there in

1954, by the Communists, Vietnam was divided. The anti-Communists of Vietnam moved south. The Communists moved north. The Eisenhower Administration continued its policy of assistance to South Vietnam and during the 1950's the South Vietnamese appeared to be making both economic and political progress. The progress was so evident, in fact, that Communist North Vietnam cast envious eyes on the south. During the closing months of the Eisenhower Administration the Communists began their campaign of infiltration into the south.

Until that time the character of American assistance to South Vietnam was more economic than military. In order to counteract Communist infiltration, the Eisenhower Administration sent in a few military advisors. When the Kennedy Administration began, there were only 700 American personnel in South Vietnam.

President Kennedy stepped up our involvement there by sending in helicopters and men to fly them. When President Johnson came into office there were some 16,000 American personnel in Vietnam. Now we have 300,000.

Notwithstanding this history of increasing involvement, the American people seemed unaware of it until the Presidential campaign of 1964. Escalation of the war became an issue in that campaign and those who opposed further involvement there thought they had won the day on that issue when the votes were cast.

American boys are fighting in Vietnam, suffering more casualties in many battles than the Vietnamese themselves. The character of our involvement has greatly changed during the past two years. Against the counsel of General MacArthur and many other military strategists, we are fighting an Asian land war.

Where do we go from here? I credit the President with his determination to stay there until an honorable truce can be obtained. I disagree with him in his No-Win policy. Wars are either won or lost, and one way of losing them is to pursue those policies which encourage the enemy to keep trying harder. I am sure the President's goal is not to lose the struggle. But his failure to fight boldly to win has confused the American people and has split his own political party.

PEACE AT HOME

The American people are deeply disturbed over the marching in the streets and the rioting that has spread across the land. They are concerned about the obstacles which recent Supreme Court decisions have thrown in the way of criminal law enforcement. They are alarmed at the sudden increase in the crime rate. I share these deep concerns.

As a member of the House Committee on the Judiciary, I am working with these problems continually, and believe much more needs to be done to popularize law-obedience and respect for those whose duty it is to enforce the law throughout the land.

CONSTRUCTIVE SOLUTIONS

During this second session I have sponsored a variety of bills offering what I firmly believe to be constructive solutions to some of the major problems facing our nation today:

To help retirees offset the effects of inflation, I offered HR 16603, which would provide for an automatic 3% increase in Social Security and Railroad Retirement benefits whenever the cost-of-living index rises three points.

In the field of civil rights I sponsored two bills. The first was a resolution opposing the President's plan to transfer the Community Relations Service from the Department of Commerce to the Justice Department. I did so because I felt the move would change the nature of the agency—which has been extremely successful—from of conciliation to one of enforcement. Despite opposition from many of us on both sides of the aisle, the change was permitted. More recently I sponsored HR 17725 which would make it a federal crime to travel in or make use of interstate or foreign commerce with intent to incite riots or other types of civil disturbances.

Convinced of the need for an all-encompassing review of federal crime laws, I sponsored HR 16422, a bill to establish a National Commission on Reform of Federal Criminal Laws. Under this bill, the Commission would be directed to make its recommendations directly to Congress rather than to the Executive Branch. A bill similar to mine was passed by the House.

After a thorough study of on-the-scene reports of Unidentified Flying Objects in the Fourth District and elsewhere in the nation, I offered House Resolution 866 which calls for an Armed Forces Committee study of present methods of investigating such reports. In some cases, it appeared that the conclusions of investigators were based on cursory investigation and preconceived theories.

I also sponsored HR 12686, a bill designed to prohibit shipping to or from the United States by any foreign vessel belonging to firms involved in trade with Communist North Vietnam.

But the legislation sponsored by me during this session which seems to have attracted the most attention was House Joint Resolution 1281. This proposed a Constitutional Amendment which would establish a 12-year term for Justices of the U.S. Supreme Court. At present they are appointed for life. My amendment is intended to bring the Court under our system of checks and balances. I received considerable mail regarding my proposed amendment and many who wrote expressed the view that 12 years was "too long."

CREEPING CENTRALISM

One reason why Congress is in session most of the time is that it is being called on to legislate in constantly widening fields of activity. Your National Congress is asked to legislate on matters which previously were left to state and local government.

Not long ago, for example, a proposed amendment on sewer laterals crossed my desk. Now sewer laterals always have been within the province of city governments and one wonders why the federal Congress should be occupying its time with such questions.

FARMERS' WORST FIVE YEARS

A high ranking Agriculture Department official has confirmed something many of us have been saying all along: That the 1961–65 period covered by the Kennedy-Johnson Administrations has been the farmers' "worst five years." In resigning from his post as general sales manager for the Department in disposing of farm surpluses, Frank LeRoux—a lifelong Democrat—said that farm policies under Presidents Kennedy and Johnson were designed to pull down farm and food prices to court the more politically powerful consumer vote.

He said that in the 1933–40 period farm income averaged 81% of parity. During the Truman years this increased to an average of 107.5%. From 1953 to 1960—when Ezra Taft Benson was Secretary of Agriculture, the average was 84.5%. But, during the administration of Secretary Orville L. Freeman, the farmer's average income has dropped to 78% of parity.

Mr. LeRoux should know what he's talking about. As the Agriculture Department's "sales manager" he was in charge of selling off our nation's surplus crops in a way calculated to force food prices down at a time when the old economic law of supply and demand was threatening to put farm prices in line with the rest of an expanding economy.

SOME PERSONAL NOTES

There were 383 rollcalls and quorum calls during the first session and—as this is being written—there already have been more than 340 this year. Thus space does not permit listing a complete record of my votes in this report. During the 88th Congress my record for attendance at rollcall votes was well over 90%. During the present Congress my record has continued to be considerably above 90% and this—as you may know—is considered to be far above the average for all Members of the House of Representatives.

"Big Government" gets bigger every year. The fact that the federal government is reaching into the lives of more and more of us is brought home to me each time the postman stops at my office here. While many of the letters offer your views on pending legislation, a larger percentage by far recounts the difficult problems many of us have with federal agencies. Literally thousands of you have written and called for help and information relating to military service, veterans' affairs, social security, immigation, taxes, education and other matters. This is help that I'm glad to be able to provide. It is one of the major satisfactions of my job as your "man in Washington".

Increases in both the legislative and office work-loads thus have effected many changes in the life of a Member of Congress in recent years. Not too long ago, a Representative could count on being able to spend nearly a third of his time in his District, discussing legislation and related matters with people at first hand. This is no longer possible. In order to maintain a measure of personal contact, Mrs. Hutchinson and I have become "weekend commuters" between Michigan and Washington. During the last year we have traveled nearly 28,000 miles in order to "keep in touch". Even so, the press of duties has made it necessary to forego opportunities to meet with many groups in the District during the year, something I sincerely regret. More and more, I am dependent on reports such as this and on the various news media to let you know my thinking on the issues of the day; and on your letters and your responses to my public opinion surveys to keep me posted on how you feel about these same issues.

Salute to Uganda: Fourth Independence Anniversary

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. POWELL. Mr. Speaker, it is a pleasure for me to extend greetings and congratulations to the people of Uganda on the commemoration of their fourth year as an independent state. I would like to take this opportunity to send warmest felicitations to His Excellency, A. Milton Obote, President of Uganda; and to His Excellency, E. Otema Allimadi, Uganda's Ambassador to the United States.

Like many of the newer states, Uganda has experienced some sporadic upheavals, but it now appears that the Government will make steady progress and continue to achieve stability.

Paramount in the future of a strong Uganda is economic achievement. In this regard, the "Work for Progress" second 5-year development plan for 1966–71 should play a vital role. Officials hope to double the country's per capita income by 1981. Another objective of the plan is to end Uganda's dependence on two cash crops—coffee and cotton. Agricultural growth is projected at 5 percent yearly, though industry should be able to make even greater increases. Plans also call for greater use of nitrogenous fertilizer, chemicals, iron and steel and synthetic fabrics. The Uganda Government will bear a large share of the financial burden while assistance from international organizations and private foreign investment is also expected. It is a welcome sign to witness the new Africa begin to revert from the source of primary products and now undertake to utilize her products at home and thereby create more jobs and a stronger money economy.

I am proud that the United States through its AID program of educational assistance has been a factor in Uganda's program for development. Once again I congratulate the Ugandan people and wish them every success in their plans for a strong and prosperous nation.

Coast Guard Helicopter Crew Saves More Lives

EXTENSION OF REMARKS

OF

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. WYATT. Mr. Speaker, the helicopters of the Astoria, Oreg., Coast Guard Station at the mouth of the Columbia River in Oregon have made a truly phenomenal record since being stationed there. I do not have the total figures for lives saved and persons rescued but I can state that it is a very substantial number in both instances. Some of the rescues have been really sensational in scope.

I would like to make the highest commendation to the men stationed at the Astoria Coast Guard Station and especially to their new commanding officer, Comdr. James T. Maher.

I would particularly like to bring to the attention of the Congress the rescue made in late summer this year involving a disabled charter sports fishing vessel at the mouth of Netarts Bay. The *Tillamook* motor lifeboat was unable to reach the vessel which was in trouble because the boat was anchored in water that was too shallow. The vessel was bouncing in shallow surf at the mouth of the bay. The owner, Frank Moch, of Netarts, had anchored the boat in the shallow water so that it would not drift into the beach and be broken up by pounding waves.

The Coast Guard helicopter from Astoria, piloted by Lt. Comdr. Roger Shannon, was airborne 13 minutes after receiving the call, and arrived at the scene 32 minutes later. All eight persons in the boat were airlifted to safety in 30 minutes, the helicopter taking two persons at a time and making four trips. There were no injuries reported. This is truly a remarkable feat, and the crew of the helicopter, including Copilot Lt. Ronald Addison and Crewman Charles Calhoun, should be highly commended.

Rescues of this order are now getting to be routine. The Astoria Coast Guard Station truly performs an outstanding service to residents of our area.

Representative Cramer Addresses 36th Annual Meeting of the Institute of Traffic Engineers on Highway and Traffic Safety Legislation

EXTENSION OF REMARKS

OF

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. CLANCY. Mr. Speaker, yesterday afternoon, October 10, the gentleman from Florida, Representative WILLIAM C. CRAMER, addressed the 36th annual meeting of the Institute of Traffic Engineers in Cincinnati on the subjects of highway and traffic safety legislation and the role the Congress has played in developing these related programs into a Federal-State-local partnership approach over the past 2 years.

As the ranking minority member of the Committee on Public Works, which rightly has jurisdiction over the Federal-aid highway programs and consequently over highway safety legislation, and as the ranking minority member on both the Subcommittee on Roads and the Special Subcommittee on the Federal-Aid Highway Program of that committee, Representative CRAMER has unchallenged congressional expertise on the matters with which he dealt before the institute's main session yesterday.

Representative CRAMER has made an enlightening presentation to the institute not only of the provisions of the recently enacted Highway Safety Act of 1966, Public Law 89-564, and the National Traffic Safety and Motor Vehicle Act of 1966, Public Law 89-563, but he has also accurately set forth the role of Congress in the highway and traffic safety programs and the intent of Congress with respect to what programs should be instituted to reduce deaths, injuries, and property damage resulting from highway accidents through the enhancement of safety features on the highways themselves, by the improvement of the vehicles driven on those highways, and by the improvement of driver and pedestrian performance.

As Representative CRAMER has pointed out in his address, the Congress, not the executive, was the body responsible for the principal impetus behind accelerated highway and traffic safety programs on the Federal-aid highway systems this year, for the Congress had taken decisive action last year in the enactment of the Baldwin amendment to Senate Joint Resolution 81, the Federal-Aid Highway Act of 1965, which was offered by our colleague of late, John F. Baldwin, of California, who was himself an outstanding Republican leader in the field of highways and related programs. The enactment of the Baldwin amendment came months before highway and traffic safety legislation became one of the administration's high-priority programs.

Mr. Speaker, for the benefit of all Members and all Americans concerned with the multitudinous problems of highway and traffic safety, under unanimous consent, I include the full text of Representative CRAMER's remarks at this point in today's deliberations:

THE CONGRESS AND HIGHWAY AND TRAFFIC SAFETY LEGISLATION

(Address of Hon. WILLIAM C. CRAMER, Member of Congress from Florida, before the 36th annual meeting of the Institute of Traffic Engineers, Netherland Hilton Hotel, Cincinnati, Ohio, Oct. 10, 1966)

On September 9th of this year, the President signed into law both the Highway Safety Act of 1966 and the National Traffic and Motor Vehicle Safety Act of 1966. The signing of those two Acts, which are designed to make this Nation's highways safer by the enhancement of safety features on the highways themselves, by the improvement of the vehicles driven on those highways, and by the improvement of driver and pedestrian performance, represented the final legislative step in the enactment of those two important bills.

The shockingly critical situation on our Nation's highways does not need to be discussed at great length with you today. As authorities in the field of traffic engineering, you are cognizant of the startling statistics on the carnage on our highways. It is bad enough that 50,000 people will die this year in highway accidents and that a total of over 1.5 million Americans have died on this land's highways over the years, but it is even more disturbing that 100,000 lives a year will be lost by 1975 on our highways unless effective measures are taken to stop this slaughter.

It was with these statistics in mind and with a sincere concern for greater highway and traffic safety that no less than five Congressional Committees held public hearings this Session on some phase of the needed overall effort to improve highway and traffic safety.

While the enactment of the bills did represent a great step toward enhanced highway and traffic safety, it did not represent the first recognition by the Congress of highway and traffic safety problems nor did it constitute the first effort by the Congress to enact Federal statutes aimed at greater highway and traffic safety. The Congressional effort to enact legislation to enhance safety on this Nation's highways did not begin this year with the President's declaration to the Congress that he sought the enactment of highway safety legislation. The efforts of the Congress to improve highway and traffic safety began long before the Chief Executive made known his wishes for an accelerated highway safety program to the Congress and the American people in his State of the Union Message of this past January. It began long before the American people became aware that automobiles are supposedly unsafe at any speed. The Committees of Congress which dealt with safety legislation this year and the Members of those Committees had been well aware of the increasing need for accelerated highway and traffic safety measures on a nationwide basis long before it was conceived of in the Executive Offices of the White House. As a matter of fact, the recommendations made by the Executive to enhance highway and traffic safety stemmed from the enactment during the last Session of the Congress of the Baldwin Amendment to Senate Joint Resolution 81, the Federal-Aid Highway Act of 1965.

THE BALDWIN AMENDMENT

The Baldwin Amendment, as modified in conference with the Senate, provided that after December 31, 1967, each State should have a highway safety program, approved by the Secretary of Commerce, designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom, on highways on the Federal-aid systems. The Committee stated its intention in the report on S.J. Res. 81 that the programs of every State should include some measures calculated to improve driver performance, vehicle safety, highway design and maintenance, traffic control, surveillance of traffic for detection and correction of high or potentially high accident locations, and such other aspects of safety as might have been deemed advisable by the Secretary, adapted to the particular conditions existing in each individual State.

The Baldwin Amendment was the impetus behind this year's so-called safety crusade.

THIS YEAR'S FIRST STEPS

On March 2nd of this year, the President submitted a message to the Congress proposing the creation of a new Department of Transportation. As part of that larger proposal, the President recommended enactment of a highway traffic safety act. In that message, the President outlined a number of steps that he had already set in motion under existing law all of which were highly desirable and all of which, by the way, had been incorporated in the original Baldwin Amendment.

The Committee endeavored to build a truly aggressive highway safety program from the general recommendations in the proposed legislation submitted to the Congress by the Administration. The Committee, after extended hearings, research, and working conferences with a wide variety of interested groups and officials, reported a bill which it believed to incorporate the best of the Administration's recommendations and at the same time correct their weaknesses. Outside of the spotlights of publicity on what's wrong with American automobiles, highways, drivers, and pedestrians, the Committee arrived at a decision on a bill which it believed to be the best possible answer to the critical needs of accelerating highway safety.

Although well-meaning and public spirited citizens, including influential public officials, differ in good faith as to what course is best to follow under the circumstances, and although everyone is eager to participate in the safety dialogues, there is a curious reluctance to face up to and shoulder the actual burden of reducing highway accidents.

The House Committee on Public Works, in my opinion and I am sure in the opinion of many others, has faced up to its responsibilities and has set forth a realistic program. The Committee made it clear in its report that the answer for the immediate future lies in what the individual citizen is determined it shall be. The Committee felt, after having relied for years on the States to undertake safety programs on their own, that mandatory programs through Federal legislation was at last inescapable.

THE HIGHWAY SAFETY ACT OF 1966

The Highway Safety Act, Public Law 89-564, represents a great step forward in reducing highway accidents, deaths, injuries, and property damage resulting therefrom.

The Highway Safety Act, as it was signed, adds a new chapter 4 to title 23 of the United States Code, which new chapter is appropriately entitled "Highway Safety." After a general statement of authority and direction to the Secretary of Commerce to assist and cooperate with the States and all interested parties, public and private, to increase highway safety, the heart of the Act is the new section 402 of title 23 of the Code.

Section 402 requires, as did the Baldwin Amendment, that each State shall have a highway safety program approved by the Secretary which is in accordance with uniform standards to be promulgated by the Secretary. The section requires the Secretary to work with the States, their political subdivisions, appropriate Federal departments and agencies, and public and private organizations in developing these standards. Although the Baldwin Amendment had been law for over a year when this year's Act was signed, no meaningful progress had been made by the Secretary in the development of the standards called for under that legislation.

The Committee made it clear in its report that the Secretary shall substantially broaden his avenues of consultation, that he shall seek the guidance of people who are experienced in the many aspects of highway safety, that he shall, as required in the Act, submit his proposed standards to review by the National Highway Safety Advisory Committee established by the Act. While the Federal government can and must assume a position of leadership in this field, the actual working programs must remain in the hands of the States. These safeguards are sufficient to insure that the Federal program, working through the Secretary of Commerce, will enhance, not impair, the responsibilities of the States.

The Act requires that the standards shall be expressed in terms of performance criteria. They must be written in language sufficiently specific to be susceptible of evaluation as to their success or failure in actual application under the State programs.

The Secretary is specifically authorized to amend or waive standards on a temporary basis for the purpose of evaluating new or different highway safety programs instituted on an experimental, pilot, or demonstration basis for one or more States when the Secretary finds the public interest would be served thereby.

In discussing these standards in its report, the Committee on Public Works did not intend to be limiting but rather it intended to put forth a discussion to serve as guidelines to what the Congress intends should be included among the minimum elements of the State highway safety programs.

MEASURES CALCULATED TO IMPROVE DRIVER PERFORMANCE

One of the areas which the Act requires the standards to cover is measures calculated to improve driver performance, including driver education, driver testing to determine proficiency in operating motor vehicles, driver examination—both physical and mental, and driver licensing.

There is widespread agreement that driver education in our high schools can be a significant influence in reducing highway accidents. While we have been investing billions of dollars educating our children, we have not been willing to spend the relatively small additional amount it would take to teach them how to stay alive to use that educational experience. The bill permits the States to channel their driver educational activities through both the public schools and commercial driver training schools which meet licensing and certification requirements. The Committee feels that better written and road test examinations, changes in renewal procedures, more stringent physical and mental testing, periodic review of licensed drivers for renewals, greater uniformity in licensing procedures among the States, refresher training programs, and greater concern about licensing of drivers under 18 years of age will contribute to greater safety within the States.

IMPROVED PEDESTRIAN PERFORMANCE

Another important area to be included in the State highway safety programs pertains to improved pedestrian performance. It is the view of the Committee on Public Works that no safety program will be adequate which does not include requirements for pedestrian education, beginning at the elementary school level, as well as for signs and traffic signals specifically designed for pedestrian protection, construction of sidewalks as part of residential protection, continuing enforcement of pedestrian traffic laws, and any other related facet of the program that can be devised to keep both drivers and pedestrians aware that all the fatalities on our highways are not inside the automobile.

EFFECTIVE RECORD SYSTEM OF ACCIDENTS AND ACCIDENT INVESTIGATIONS

An effective record system of accidents, including injuries and deaths resulting therefrom and accident investigations to determine the probable causes of accidents, injuries, and deaths, is another important phase of safety programing which the Committee envisages should be included in State highway safety programs.

Though improved accident investigation procedures and the establishment and maintenance of effective accident record systems are two separate subjects for action, they necessarily go hand in hand. The most efficient computerized record system that can be devised will only be as good as the accident investigation that supplies it with raw data. Conversely, the most definitive, objective, and specialized accident investigation of which we are capable will be useless unless its results can be fed into a record system, correlated with other relevant data, and made to serve some purpose other than mere accumulation.

Uniform, complete, and accurate accident reports, stored in one center in every State, subject to rapid access and analysis, and compatible with a national record system at the Federal level, can tell us not only how many accidents we have, but what kind of accidents they are, where and when they occur, the physical circumstances, and the injuries, deaths, and damages they involve, what emergency services and enforcement agencies responded and how, and what judicial actions resulted, to mention only the most obvious possibilities. This information, at both the State and Federal level, can help us to determine which safety program elements need strengthening and which ones are good prospects for productive expansion. It can be useful for education, licensing, traffic engineering, highway design and maintenance, vehicle inspection, traffic surveillance, and virtually every other aspect of highway safety.

HIGHWAY DESIGN AND MAINTENANCE, AND DETECTION AND CORRECTION OF HIGH-ACCIDENT OR POTENTIALLY HIGH ACCIDENT LOCATIONS

Those factors relating to highway design and maintenance, including lighting, marking, and surface treatment, and detection and correction of high accident or potential high accident locations are among the most important in the enhancement of safety on our highways.

Despite the fact that millions of dollars have been spent in both the public and private sectors of the economy to achieve maximum safe highway design standards, most of the mileage on our highways is, nevertheless, substandard with respect to safety design. While the 41,000 mile, divided-lane, limited access Interstate System is acknowledged to be the best engineered and finest highway system in the world, it constitutes only slightly more than 1 percent of the total road mileage in the United States; however, when completed, it will account for 20 percent of all vehicle travel. Furthermore, while most of our accidents occur in urban areas, most of the fatalities occur in rural areas.

Of course, all of the problems are not in the rural areas. As each of you well knows, increasing traffic congestion in urban areas is a serious problem. Heavy, high-speed, freeway traffic volumes dumped into narrow, poorly controlled city streets is another.

Our long-range problem is not so much that we need more roads as that we need better roads. We need to rebuild a vast percentage of the roads we already have to design standards that will provide for safe operation.

The Committee set forth some suggestions as to what we can do, however, to enhance highway safety. Inasmuch as they are clearly set forth in the Committee report for the benefit of informing those who will have to administer and implement this highly important program and its contents, I would like to dwell for a few moments on them.

There are a number of things which can be done in highway design, maintenance, and construction to improve safety, which should be given serious consideration.

First. We can require that all new construction and reconstruction, regardless of where it is, be built to no less than Federal-aid primary design standards, even if this does mean building fewer miles, and we can require that those primary geometric design standards be substantially raised.

Second. We can require wider rights-of-way; flatter slopes; broad, even shoulders; less severe curves; removal of all obstructions of all kinds from the right-of-way; the installation of traffic control at intersections; and the inclusion of turnout or slow lanes in all mountainous or other limited visibility areas.

Third. We can require that median barriers and guardrails be constructed of impact absorption materials that return cars with the least possible damage to positions parallel to traffic, and we can require that this be done immediately. We can also start replacing the present impact-dangerous barriers and guardrails with improved types.

Fourth. We can require the construction of sidewalks whenever we construct streets, and we can require that when residential housing development permits are granted, they require that the development be planned to include sidewalks and to eliminate steep grades and sharp curves.

Fifth. We can require that maintenance standards and practices be high enough to keep highways up to original construction standards.

Sixth. We can require that pedestrian protection features be incorporated in our roads and streets.

Seventh. We can require that lighted advance signs, lighted barricades, and many other known or potential devices be used on construction projects where traffic must be maintained, and we can require that there be continuous competent traffic direction through construction areas during working hours.

Eighth. Further on this point, the Committee report stated:

"We should require that the recommendations of the Institute of Traffic Engineers and the Illuminating Engineering Society be considered in developing standards of highway lighting. Adequate lighting, properly designed, installed, and maintained, effects a significant reduction in night accidents. More than half of our traffic fatalities occur at night, when traffic volume is only one-third that of daytime hours. * * *

"This is a specific area in which the highway engineers should defer to the expertise of the traffic and illuminating engineers, not only on the aforementioned changes in standards but on future development as well. The Committee expects that the Bureau of Public Roads will take immediate steps to improve highway lighting standards."

Other factors to be included in the highway design and maintenance aspects of State highway safety programs are surface treatment, such as grooving, to reduce skidding and spinning on wet surfaces; the improvement of highway technology; and the improvement of highway signs and markings.

The Bureau of Public Roads and the State highway departments are already conducting a program for the detection and correction of high or potentially high accident locations, and it should be continued and expanded; however, it is the Committee's recommendation that the Bureau should exercise substantially increased supervision over the selection of projects approved for this program. The Committee made it clear, however, that while the cost of surveillance of traffic to detect high accident locations is properly a highway safety program cost, the cost of the construction to correct the high accident location is properly chargeable against highway construction funds and not against highway safety funds.

TRAFFIC CONTROL AND VEHICLE CODES AND LAWS

Those aspects of State highway safety programs relating to traffic control are, of course, of particular importance to this group. As you well know, traffic control involves, first, traffic surveillances to provide a sound basis for traffic control programs and devices. Traffic surveillance is properly within the province of traffic engineers and traffic police who must cooperate to effectuate an orderly program. As you also know, traffic safety personnel are in short supply and part of the safety program will have to include grants to States and institutions to develop adequate numbers of them. Increasing traffic volumes demand new and improved methods of dealing with movement and congestion and the hazards they create.

Considerable experimental work is already being done on electronic communications and control systems, closed circuit TV surveillance systems, and other major innovations. Advanced traffic control techniques should be applied as soon as they become available. Existing techniques should be expanded. Here again, substantial improvement can be made in traffic signals and highways signs.

When new highway construction or reconstruction is planned, routing should be carefully correlated with traffic control requirements so as not to adversely affect adjoining areas. Installation of the necessary traffic controls in adjoining areas should be made concurrent with completion of the construction. Traffic control devices, signs, and signals on all highways and streets should be uniform, and standards should be continually reviewed and upgraded.

A major element of traffic control is the police force, be it city, county, or State. Few, if any, jurisdictions have traffic police forces of adequate size and training. States must appraise and revise their traffic court systems and traffic courts should be a regularly established part of the State judicial system, with full-time judges and staffs, assigned quarters, and operating procedures which insure justice. Unpopular as the requirement may be, the Committee suggested that basic motor vehicle codes and traffic ordinances should meet certain minimum requirements throughout the Nation.

Other aspects of State highway safety programs which the law requires and the Committee recommends be included in safety programs are vehicle registration, vehicle inspection, and emergency services.

Let me make it clear that the Congress is not interested in having the Federal government issue drivers' licenses, or title and register motor vehicles, or conduct driver education courses, or manage highway police forces, or sit as traffic courts, or operate any of the other safety programs outlined in my above remarks for the States, but if, with the leadership and financial assistance which the Highway Safety Act will provide, the States do not act, promptly and decisively, some future Congress may, unfortunately, find it is faced with such an unpleasant alternative. With the earnest efforts of the highway departments at all levels of government bringing forth more effective highway safety programs which result in the reduction of deaths, injuries, and property damage resulting from highway accidents, such an alternative should never arise.

AUTHORIZATIONS AND ALLOCATIONS

As signed into law, the Highway Safety Act authorizes for allocation to the States a total of $267 million for three fiscal years 1967, 1968, and 1967.

The House-passed bill supported the recommendation of the Committee that an effective nationwide attack on unsafe highways and related elements was impossible without the direct participation of the States and their political subdivisions. Your Institute appeared before the House Committee on Public Works in support of State and local participation in the highway safety program. The Committee agreed with the recommendations made by your Institute and witnesses from other organizations. The Act provides that at least 40 percent of all such Federal funds shall be expended by political subdivisions of States in carrying out local highway safety programs.

The law provides that the Secretary may not apportion funds to a State not implementing a highway safety program and further provides for a reduction of 10 percent of Federal-aid highway funds apportioned on or after January 1, 1969, to any State not so implementing a highway safety program. The Secretary is also authorized to waive any or all of the 40 percent local expenditure requirement if there are not enough local programs in a State to justify the allocation to political subdivisions of the full 40 percent. Any amount withheld from apportionment to any State under section 402 shall be reapportioned to the other States in accordance with the applicable provisions of law.

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

The Highway Safety Act established a National Highway Safety Advisory Committee to be composed of the Secretary or his designee as Chairman, the Federal Highway Administrator, and 29 other members, not more than 4 of whom shall be Federal officers or employees. These members shall be selected from among representatives of State and local governments, of public and private institutions contributing to, affected by, or concerned with highway safety, and other public and private agencies, organizations, or groups demonstrating an active interest in highway safety, as well as research scientists and other individuals expert in this field.

OTHER FEATURES OF THE ACT

The law provides for the establishment of a Highway Safety Agency to be headed by a Highway Safety Administrator to be appointed by the President by and with the advice and consent of the Senate. The law also authorizes the President to carry out the National Traffic and Motor Vehicle Safety Act through this same Agency and Administrator.

The law requires the Secretary of Commerce to report to Congress, not later than July 1, 1967, all standards to be initially applied in carrying out the new Highway Safety Programs.

In addition, the law provides that the Secretary of Commerce shall make a thorough and complete study of the relationship between the consumption of alcohol and its effects upon highway safety and drivers of motor vehicles, in consultation with such other government and private agencies as may be necessary, and to report the results of this study, including recommendations for legislation if warranted, on or before July 1, 1967. I offered the amendment for this study and I am glad to see that the Congress, in enacting this requirement, has recognized the relationship between the alcoholic consumption and driving and feels that something more decisive needs to be done about it.

The law further requires that the Secretary shall make a detailed estimate of the cost of carrying out the provisions of this Act and submit a report thereon to the Congress not later than January 10, 1968.

I have dealt at some length on the Highway Safety Act because it is of great importance and has relevancy to traffic engineering. The bill acted upon by the Committees on Public Works may bear the title "Highway Safety Act," and the bill acted upon by the Committees on Interstate and Foreign Commerce may bear the word "traffic" in its title, but it is the bill with which I have just dealt that is of the greatest importance to this group.

NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966

A product of substantially more fanfare and publicity is the National Traffic and Motor Vehicle Safety Act. This Act is designed to protect the public against risk of accidents occurring as a result of the design, construction, or performance of motor vehicles, and to minimize deaths, injuries, and property damage when accidents do occur. The law provides for a coordinated national safety program and the establishment of safety standards for motor vehicles in interstate commerce to reduce accidents involving motor vehicles and to reduce the deaths and injuries occurring in such accidents.

The Act authorizes the Secretary of Commerce to reach such a goal through the establishment of appropriate Federal motor vehicle safety standards; through the requirement that whenever a Federal safety standard is in effect that no State or political subdivision shall have authority either to establish or to continue in effect, with respect to any other motor vehicle or item of equipment, any safety standard applicable to the same aspect of performance of such vehicle or item of equipment which is not identical to the Federal standard; by requiring the Secretary to consult with the Vehicle Equipment Safety Commission; through the establishment of a National Motor Vehicle Safety Council; by granting the Secretary authority to conduct such investigations as may be necessary to enforce Federal safety standards; by the creation of a National Traffic Safety Agency in the Department of Commerce and the appointment by the President, by and with the advice and consent of the Senate, of a Traffic Safety Administrator; through the establishment of a grading system for tires; through the prohibition of the selling, offering for sale, or introducing for sale or delivering for introduction in interstate commerce any tire, or any motor vehicle equipped with any tire, which has been regrooved; by authorizing the Secretary to make a complete investigation and study of the need for a facility or facilities to conduct research, development, and testing and by requiring him to report back to the Congress thereon not later than December 31, 1967; and by expansion of the National Driver Register.

The Secretary is required to issue initial Federal safety standards based upon existing public safety standards on or before January 31, 1967. On or before January 31, 1968, the Secretary is required to issue new and revised standards.

With respect to the National Motor Vehicle Safety Council, its members are to be representatives of the general public, including representatives of State and local governments, the remainder to include representatives of motor vehicle manufacturers, motor vehicle equipment manufacturers and motor vehicle dealers. The Secretary is granted authority to obtain a sound cross section of consultants from the public, State and local governments, manufacturers, and dealers since he will have full discretion in determining the makeup of the Council, subject to the overall requirement that a majority of its members must represent the general public.

CONCLUSION

From my remarks, I think the importance of the highway and traffic safety legislation is readily apparent, and it is obvious that the Congress is fully aware of the need for accelerated highway and traffic safety programs. As the reports required by these Acts are transmitted to the Congress and subsequently acted upon, we shall probably see some changes in specific aspects of safety legislation. One thing, however, remains abundantly clear: The American people through their Congress, have shown their determination to make the highways of America safer to drive on, to make the automobiles safer to drive in, and to make themselves and their fellow drivers and pedestrians more competent in the area of safety information.

The 89th Congress: 1965–66

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. RUMSFELD. Mr. Speaker, during the 89th Congress, over 26,000 bills and resolutions have been introduced. More than 950 of the measures considered have been enacted into law, each of which affects the course and direction of our Nation.

The following is a brief summary of my votes and positions on some of the measures which have come before the Congress during the past 2 years:

INTERNATIONAL AFFAIRS AND NATIONAL SECURITY

Toward our goal of world peace and freedom, the 89th Congress has considered a number of proposals. Yet, peace continues to elude us.

I have supported such measures as the food-for-freedom program, multilateral loan programs such as the Asian Development Bank, the International Monetary Fund, and the Inter-American Development Bank, as well as the Peace Corps, improvements in immigration and nationality laws, military pay increases, and special mailing privileges for servicemen in Vietnam. I sponsored a resolution in the House condemning religious persecution in the Soviet Union, and a resolution to establish a World Food Commission.

I opposed the foreign aid bills in protest against the continued failure to correct the lack of direction, lax administration, and wasteful practices in the present programs. Repeatedly, attempts to amend and improve the legislation were rejected. One bright spot was the passage of my amendment to the 1966 foreign aid authorization bill, which encourages full utilization of the private sector in our aid programs.

FEDERAL SPENDING—AN ABSENCE OF PRIORITIES

In the face of serious inflationary pressures, one must weigh with special care each vote on appropriations and domestic spending programs. Each Congressman has the solitary and painstaking responsibility of studying and evaluating the merits and costs of the many measures considered, and of assessing the urgency and priority of each in the entire legislative spectrum.

It is my conviction that this administration must establish priorities in Federal spending if inflationary pressures are to be successfully met. To date, this has not been done. One example of unnecessary Federal spending was the request to approve $750,000 to build an official residence for the Vice President. While most will agree that it might be nice for the Vice President to have an official residence, such a measure clearly has a low priority.

I voted in favor of reducing excise taxes in 1965 and against the administration bill to raise excise taxes in 1966. I opposed increases in the ceiling on the national debt, and voted "no" on the minimum wage bill, after modifying amendments were rejected, because an excessive increase at this time could contribute to inflation, threaten the existence of some small businesses, and because the minimum wage bill passed by the House went beyond the administration guidelines. I voted in favor of a bill giving flexible authority to deal with interest rates where feasible in light of the prevailing money market, and introduced a bill to allow increased earnings for those receiving social security payments.

EDUCATION—THE TOOLS FOR TOMORROW

The quality of our educational systems continues to be of prime concern to me. During the 89th Congress, I supported: Loan insurance to assist students to attend business, trade, technical, and vocational schools; assistance for colleges and universities; strengthening of American educational resources for international studies and research; books for handicapped persons; assistance for library construction and services; films for the deaf; assistance to elementary and secondary schools in areas affected by major disasters; and introduced a bill to correct the recent Internal Revenue Service ruling on teachers' deductions for expenses for continuing education.

I supported a substitute to the Elementary and Secondary School Aid Act to reduce the bill down to the President's budget request, and when that failed, opposed the bill. The bill I supported, H.R. 6349, coupled a tax credit proposal with a program to help educationally deprived children. Three hours before the vote, the President announced that any vote for bills in excess of the budget were, in fact, votes for higher taxes. I voted for a motion to recommit with an amendment to reduce the bill by $328 million. The motion failed, and I opposed the bill.

CONSERVATION

In the interest of conserving our national resources and reduce air and water pollution, I supported measures to: better utilize our water resources; provide State-Federal cooperation in solving water pollution problems; establish uniform policies for enhancing fish, wildlife, and recreation in Federal water resources projects; amend the Clean Air Act; and for water resource development.

I introduced a bill to authorize an incentive tax credit for partial costs incurred by business and industry in constructing air and water pollution control facilities. This bill, the Pollution Control Incentive Act of 1966, seeks to combine Government efforts with those of business and industry in the fight against pollution.

HEALTH AND WELFARE

Supported: curbs on abuses in the use of drugs; health services for older Americans; extension of coverage of the Public Health Services Act and the Community Mental Health Centers Act; extension of health research facilities; assistance to education for the health professions; funds for construction of medical library facilities; regulation of the treatment and sale of dogs and cats; and reform in narcotics laws.

Opposed: the administration's bill for aid to Appalachia, after a substitute bill failed; creation of a Department of Housing and Urban Development—HUD; the Economic Opportunity Act, and medicare. However, recognizing the problems in these areas, the minority party developed substitute approaches which I supported as more reasonable solutions than the administration bills. For example, on the medicare question, I supported a substitute approach providing for voluntary medical insurance and an expanded medical and hospital program under Kerr-Mills. Months before the vote on HUD, I introduced a bill which would have created an Office of Urban Affairs and Community Development under the President, rather than a new Cabinet department. I also introduced an alternative bill to the war on poverty, which would have placed emphasis on the VISTA and Headstart programs, eliminated waste and political favoritism in the present program, and reduced the cost of the poverty program. Regrettably, each of these alternatives was rejected.

GOVERNMENTAL

Voted "Yes" on: procedures for Presidential inability and succession; assistance to States for law enforcement; greater public access to Government information; establishment of a National Commission on Reform of Federal Criminal Laws; appropriations for the House Committee on Un-American Activities; and provision for refusing to accept obscene mail.

Voted "No" on the reduction of silver content in dimes and quarters, and introduced a bill to establish a National Commission on Public Management intended to examine the application of systems analysis techniques to Government.

MISCELLANEOUS

After the House reduced authorizations by $25 million, I voted in favor of the Urban Mass Transit Act. When these funds were added back in by the Senate, I voted against the conference report. Supported: Traffic and Highway Safety Acts, creation of the Federal Department of Transportation, the House version of the truth-in-packaging legislation, the bail reform bill, and Unemployment Compensation Act amendments.

Finally, I opposed repeal of section 14(b) of the Taft-Hartley Act, supported reasonable civil rights legislation after opposing the President's proposal to cover the individual homeowner, which was rejected and the bill substantially amended, and opposed tobacco marketing quotas, the Agriculture and Food Act, the Sugar Act, and cotton subsidies.

This summary covers more than 100 of the votes which were considered in the 89th Congress. Complete information on any aspect of the work of the 89th Congress is available on request through my Washington office, Room 241 House Office Building, Washington, D.C. 20515.

History of Damascus, Md.

EXTENSION OF REMARKS

OF

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. MATHIAS. Mr. Speaker, this year the good citizens of Damascus, Md., are observing the 150th anniversary of their town.

Damascus, like many other small towns in America, is rapidly finding itself at the center of an expanding regional business and economic growth. This appears to be the pattern for the future of the town, and its leading citizens are now busily engaged in planning and preparing for that future. Rather than "growing like Topsy," which has been the unfortunate pattern for too many other beautiful small towns in the United States, the people of Damascus want to control that growth and make their town a truly model community, blending the old and the new, in order to create the best possible way of life for one and all.

But, briefly, let me say something about the history of Damascus, and for this information I extend my grateful thanks to Mrs. Clarence M. Payne, Jr., a longtime resident of the town, who carefully researched the area's colorful history.

Damascus was founded in 1816, 150 years ago.

It was in that year that Edward Hughes laid out the new town, appropriately naming it after the original land tract, patented in 1774 by one Matthew Pigman, which referred to the area as the "Pleasant Plains of Damascus."

The 14 lots comprising the newly founded town in 1816 lay in the southwestern corner of this original tract and are on the south side of the present Main Street of Damascus. The Druid Theater and the Damascus Methodist Educational Building stand today on land which was part of the original town.

Damascus has since expanded onto other original patents—to name a few, DeLay, Very Good, Bite the Biter, Ray's Adventure, Pembroke, Kent, Stoney Range, Mount Pleasant, Hutchcraft's Range, Storey's Grove, Silent Valley and Baynes Good Luck, Mount Radnor, Point Lookout, and Friendship.

Most of the grants of land in the Damascus area were made during the period when Montgomery County was a part of Frederick County from 1748 to 1776, and some of the recipients of these early grants were not the earliest settlers but those who took up the land for resale.

Most of the early settlers in the Damascus area were descendants of prominent families who were the early settlers in the older Maryland counties. Some had come from Anne Arundel County and others had settled first in Lower Montgomery County before coming to the Damascus area as lands began to open up. Most of the original settlers remained in Damascus, but some of their sons and daughters, following their parents' example, later moved on westward to newer lands.

On April 30, 1816, the Congress of the United States approved a post road through Damascus, and the post office was established there, effective November 28, 1816, with founder Hughes as the first postmaster.

There were only a handful of post offices in Montgomery County prior to 1816—Montgomery Courthouse—later Rockville—Clarksburg, Brookeville, Middlebrook Mills, and Triadelphia. Colesville and Simpsonville—later called Sligo—became post offices in 1816 along with Damascus, which therefore was one of Montgomery County's earliest post offices.

The town of Damascus grew slowly over the years, but by 1890 had grown sufficiently for the citizens to decide that their best interests would be served by incorporating the community. Damascus was incorporated for a period of 24 years until 1914, when the corporation was dissolved in order that the first paved road—now Route 27—could be completed through the town without complications. This road through Damascus became the first completely paved road connecting Washington and Frederick. From 1914 to 1926, Damascus saw much heavy traffic passing through the town, particularly military, in connection with World War I.

The history of Damascus following World War II is quite well known, for it was then that Damascus began to push swiftly ahead, keeping pace with the growth and expansion of the whole Washington Metropolitan area. Once a sleepy crossroads, where grazing cows were more in evidence than automobiles, Damascus was becoming aware of its future as a satellite city of the Nation's Capital.

An extensive economic study of the area, made under the sponsorship of the local chamber of commerce, noted that the population of the area, at 2,079 in 1940, grew to 4,488 in 1960. This total is conservatively estimated to climb to 10,920 by 1970. More enthusiastic estimates put the population over the 30,000 mark within the next decade.

Bank deposits followed the same upward curve, according to the chamber study, from $1.8 million in 1951 to $4.9 million in 1961, with the figure now approaching the $10 million mark.

The study observed, "If properly developed, Damascus can continue to grow in this ideal satellite pattern, blending together city and county" indicating Damascus future.

One of the outward signs pointing toward that future, according to Jerry Cook, a Damascus realtor and business leader, is the large sign on the town's main street, which marks the site of a future 26-acre shopping center, a result of several years' planning.

> The site will be developed in stages—

Mr. Cook said.

> The first stage will cover about 10 acres and will include, among others, a Safeway Supermarket, a Drug Fair, a small department store, along with specialty stores.

The recently approved Maryland National Capital Park and Planning Commission sketch plan for the town, completed in April 1965, also saw the town as the traditional focal point of upper Montgomery County and the nearby portions of Carroll, Frederick, and Howard Counties. Overall, it saw the area, because of its strategic location and unusually good land resources, as a hub of future economic activity for the region.

This optimism, only more so, is also shared by Col. E. Brooke Lee, a Damascus resident and a longtime figure in Montgomery County affairs.

> With the right kind of planning, the area could easily absorb more than 30,000 people by 1975.

He said.

> This is what we have to expect. This is what we have to get ready for.

Colonel Lee, although it is not commonly known, runs the largest herd—some 970 head—of Poled Hereford cattle in the United States on his farm. It is visited, regularly, by cattle breeders from all over the world.

Farming, for many years, was the principal activity for the area, but this has declined steadily in recent years. In 1940, for instance, the farm population comprised 57 percent of the total. By 1960, this was down to 10 percent.

Damascus boasts the highest point of land in Montgomery County, rising to 846 feet. On a clear day, from this point, one can see the Washington Monument, the Washington Cathedral and the Capitol.

As Mr. Cook puts it—

> If you put an ear to any corner around here, you can almost hear the place grow.

That growth, it appears certain, will be picking up momentum in the months and years ahead.

Mr. Speaker, I sincerely hope that this story will serve other small towns in this great country to look hard at the future, as Damascus has done, and accept the work and the challenge it represents to make theirs a better place in which to live. This is the American way. It is spirit such as this which has moved our country forward since its founding.

Columbus Day

EXTENSION OF REMARKS

OF

HON. ROBERT E. SWEENEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 11, 1966

Mr. SWEENEY. Mr. Speaker, On Wednesday, October 12, we celebrate Columbus Day. Over 35 States of the Union are setting aside this date as a legal holiday. There is pending in the House of Representatives legislation to make this day a national legal holiday. The significance of the discovery of America by Christopher Columbus merits this designation to preserve the meaning of this day in the minds and hearts of every citizen of the New World.

Last Sunday evening, October 9, 1966, the Columbus Day Celebration Committee of Greater Cleveland, Inc., sponsored a banquet at the Sheraton-Cleveland Hotel, attended by over 1,500 Clevelanders of Italian descent. The purpose of this meeting was to raise funds for scholarships for deserving young students. Under this scholarship program, a 4-year college scholarship was awarded to Frank A. Mazzuco who plans to attend Case Institute of Technology. Also under this program, a 2-year scholarship has been awarded to Anthony Ianiro who plans to enter the priesthood after attending Borromeo Seminary.

The principal speaker on this occasion was my distinguished colleague, the Honorable CHARLES A. VANIK, Representative of the 21st District of Ohio, whose speech I would like to submit herewith for the RECORD:

> I am here today to reaffirm the great Discovery of America by Christopher Columbus. Before Columbus, there were legends of the Norse voyages and discoveries. The Irish claim a visit to America before the year 1000—but if it were so—and no Irishman would disprove it—nothing came of that visit. There is also a tale that Columbus had a son of Erin on his crew named McGuire—a crew member on the small boat on which Columbus was landing at San Salvador—who jumped out of the boat and hauled it ashore so that the Admiral, as Columbus was called, did not get his feet wet. As this story goes, McGuire claims to be the first white man to set foot on this island.
>
> It is rumored that the Russians, through the Leningrad Institute of Discovery and other Achievements, claim the Discovery of America, South America, Africa, Australia and New Zealand. There is no one in Russia who disproves this claim.
>
> I come from more modest strains; my ancestors in either Czechoslovakia, Austria-Hungary, Sudeten Germany, or Bohemia—depending on the moment in history you talk about, claim no such great discoveries for mankind. They claim only the discovery of Europe and the Bohemian way of life, which has more recently been rediscovered by the Beatles, the Rolling Stones, and the miniskirt brigade.
>
> That Columbus ventured out on a sea of darkness on August 3rd of 1492 with a fearful crew on an uncertain voyage, without insurance, on a mission of discovery, was the significant fact. His mission was organized and logistically supported, for the length of his journey was not known. It was successfully executed after ten weeks of sailing. He was not sure, but he was prepared, and he was confident.
>
> When Columbus landed at what we now know to be San Salvador, he was not greeted with a song that he had just entered Marlboro Country. Nor did Mable run over to him with a glass of Black Label. When he landed, he was greeted by people who discovered him and were waiting to be taken—the first friendly Indians.
>
> Before Columbus sold Queen Isabella and King Ferdinand on his plans for a voyage in scientific research, there were the skeptics who believed the world was flat. These people were the first or early "squares." These people were those who thought the mission a waste of money. "What was there to be gained in a new route to the Orient?" "What was wrong with the existing route?" "After all, what about the hungry and needy people of Lisbon and Barcelona." "Why should federal funds be wasted on such nonsense?"
>
> But Queen Isabella liked the determined plans of Admiral Columbus and hocked her jewels to send him on his way. But for her providence and hope, America might have missed discovery until 130 years later when the French and the English were tugged and pulled into the Age of Discovery!
>
> In the succeeding visits of Columbus to America, he landed on the Islands of the Caribbean, Cuba, Jamaica, Hispaniola, and what is now Haiti and the coast of South America.
>
> Columbus hoped he would find a new sea route to the Orient and the wonderful world described by the adventurer, Marco Polo. In this he lost out to Vasco De Gama, who sailed around Africa and the Indian Ocean. But while Vasco De Gama found the sea route to the ancient world of jade and silk of the Orient, Columbus found the world of maize, corn, tobacco, and, ultimately, freedom. He was the leader in a cultural interchange which made Spanish and Portugese the language of Latin America. He brought Christianity and its respect for humanity to two vast new continents and an island empire.
>
> Today, for those who have the time and the money, nothing is more enchanting than to retrace the Columbus Tour of the West Indies. San Salvador is unspoiled—almost like Columbus found it. While Cuba is temporarily closed and Haiti is troubled, the Dominican Republic is now reopened. In these places, and in Jamaica and Puerto Rico, there are Fifteenth Century forts and cathedrals which trace an organized, civilized culture as we know it, to a date almost a

century and a half before the Virginia colonies were the dream of Sir Walter Raleigh. Christopher Columbus talked the good Queen Isabella into the first Project Head Start. She gave him the first discovery-action grant.

Today, young people complain that they enter a world already fully discovered. They act as though the Age of Discovery has passed them by. They feel that the age of enlightenment is gone. To them we say that the Age of Discovery and enlightenment is ever-present, here and now.

America's navigators are today charting routes to the moon—to either its riches, if any, or its vantage point. If the trip were made solely for a view of the Earth from a ridge on the top of the moon, it would be worth it. Today we are spending $5 billion of your tax money every year to give some cosmonaut a chance some day soon to step out of his Apollo spaceship, stretch his arms and look down on the Earth which he has conquered and which could no longer contain or imprison him.

In Project Mohole, your Federal Government is spending hundreds of millions of dollars to probe the crust of the Earth at its thin point at the bottom of the sea. Some fear the sea will escape through the crevice and leave us dry. Scientists know that the Earth's center is filled with dynamic energy which may one day bring new warmth to the world. We have spent billions of dollars in agricultural research—which today is America's most outstanding achievement in the eyes of a hunger-threatened world. Our bread is made, a small percent anyway, from wheat that is raised on less acreage than we required in 1910. We have indeed made the lands bountiful.

Your Federal Government is spending $10 billion every year in various kinds of research in the basic sciences, in the technology of industry, agriculture, and in health.

Over 75% of health research today is publicly financed. We spend $2½ billion every year on atomic energy research. This energy may soon make life possible in the Polar North or on the bottom of the sea.

Some people say we should not spend their tax money this way. Some people say that we are forcing Uncle Sam to the wall; that he might soon have to divorce Auntie Poverty. I say we can and we must afford this experiments in social betterment, these adventures in space, these researches for humanity, these needs for equality and peace which strain our resources.

Like the good Queen Isabella, we must be willing to stake our jewels to conquer the seas of darkness and despair which begin only a few miles above us, only a few miles below us, and only a few miles around us.

Annual Report to the People of the 12th Congressional District

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 11, 1966

Mrs. KELLY. Mr. Speaker, it has been my policy to report to the people of the 12th Congressional District of New York on the progress achieved by each Congress—and on the record of my service as their representative in this body.

I believe that the people are entitled to have these facts.

The work of the 89th Congress is nearing completion. The bulk of major legislation has already cleared the House of Representatives, and is awaiting Senate agreement—conferee action—or the President's signature. It is appropriate, therfore, that we look at the record and see what this Congress has accomplished.

In my previous reports, I discussed in detail the legislation considered during the first session and part of the second session of this Congress. I will not attempt to duplicate that information at this time, particularly since those earlier reports are available on request. I will, instead, concentrate on the legislative highlights of the past 2 years.

HARD-WORKING CONGRESS

The 89th Congress has been, without doubt, one of the hardest working Congresses in our history. Its legislative record of nearly 150 major legislative bills enacted overshadows the accomplishments of most of the previous Congresses. We have made more progress in taking care of the needs of our people, in advancing the cause of human rights, and in strengthening freedom here and abroad, than any other Congress on record. The "Fabulous 89th" truly met its responsibilities in this era of change and world crisis.

The cost of meeting these responsibilities is high. The Federal Government's expenditures for the year amounted to around $106.9 billion, while revenues neared the $104.6 billion mark. The national debt limit, which is affected by temporary fluctuations, was increased from $328 to $330 billion. The interest on this debt was $12 billion. In comparison, during my first year in Congress, that interest charge was about $6 billion.

FOR OUR DEFENSE

Our defense budget, necessary to insure our national security, amounted to $58 billion. The major items in this budget include the cost of administration, of services, and of military materiel such as aircraft, missiles, and ships.

In addition to providing for these priority expenditures, the 89th Congress raised the basic pay for officers and enlisted men of our Armed Forces; increased allowances under the War Orphans Educational Assistance Act; enacted the cold war bill of rights for veterans with a minimum of 180 days of active duty since January 31, 1965; exempted from taxation the amount of servicemen's retirement annuity set aside for the benefit of survivors; provided improved health benefits for retired members and members of the uniformed services and their dependents; and granted a cost-of-living increase to beneficiaries of non-service-connected pensions.

TO SUPPORT OUR FOREIGN POLICY

The Foreign Assistance Acts of 1965 and 1966 provided the President of our country with the tools required to advance our foreign policy. While accomplishing this, these acts also terminated assistance to any nation failing to take preventive action against the destruction of American property and prohibited the sale of surplus foods to the United Arab Republic. A similar provision in the Food-for-Peace Act bars the sale of our farm commodities to any country which aids, or ships to, North Vietnam. The same prohibition, with certain minor exceptions, applies to Cuba also.

Additional progress in fields of international affairs was achieved through the enactment of amendments to the Peace Corps and the Arms Control and Disarmament Acts; provision of emergency food assistance to India; extension of the International Monetary Fund's loan program to private enterprises in underdeveloped countries; extension of the President's authority to control the export of strategic or scarce materials; and authorization for the President to carry out United States obligations under the International Coffee Agreement.

Another major measure—the Immigration and Nationality Act amendments—abolished the national origins quota system; provided for the admission of immediate relatives of American citizens; and fixed an annual limit of 170,000 immigrants from all former quota countries and 120,000 from the Western Hemisphere, with preference awarded to persons possessing skills and professional abilities needed in our country.

AN ERA OF TRIAL AND CHANGE

The era in which we live has been marked by revolutions at home and abroad. The aspirations for freedom and self-determination have been encouraged by all of us who live in this land of freedom. Our own Nation was founded in the belief that all men have the right to be free. This includes the right to dissent from the views held by the majority—so long as the dissent does not aim at the overthrow of our Government through violence.

One of the most controversial bills approved by the House and awaiting Senate action centered on the right to dissent. This bill drew its inspiration from the many unfortunate acts of violence occurring on our domestic scene. Proposing to amend the Internal Security Act of 1950, this bill was misunderstood by many because, in its original form, it made it a crime to dissent or to encourage others to dissent. As finally approved, however, the bill makes it a crime to interfere with the security of the United States by undermining the war effort—for example, by sending blood and money to the Communist North Vietnamese and the Vietcong who are presently engaged in battle with our boys in Vietnam.

TO SAFEGUARD THE RIGHTS OF ALL OUR PEOPLE

To safeguard the rights which have too long been denied to some of our citizens, the Congress enacted the Civil Rights Act of 1963. To enforce and implement the provisions of that law, the Voting Rights Act was subsequently approved. The latter statute authorized the appointment of Federal voting registrars in areas where discrimination prevails, barred literacy and other unfair voting tests, directed U.S. court suits to invalidate poll taxes, and fixed penalties for threats, intimidation, and violence designed to prevent our citizens from exercising their privilege of ballot.

It is regrettable that the 1966 Civil Rights Act, which continued our great effort to safeguard the civil rights of all our citizens, and which was approved by the House of Representatives, was filibustered in the Senate and died there. This bill proposed to prohibit racial discrimination in Federal and State jury selection and in the sale and rental of some housing; to authorize the Attorney General to sue to prevent intimidation of persons desegregating schools and other State facilities; and to outlaw the threatening or injuring of persons seeking or urging others to seek various social benefits.

FOR OUR YOUTH

The 89th Congress enacted a record number of education bills to open new opportunities for our youth. Among them were the Elementary and Secondary Education Acts, which set a 90-day limit on Federal deferment of funds to schools suspected of practicing discrimination; extension of the Youth Corps and Headstart—preschool—programs; the Higher Education Facilities Act; aid to community colleges and universities; establishment of a National Teachers Corp; emergency financial aid for the construction and operation of schools in districts affected by major disasters and the closing of military bases; matching grants for the construction of teaching facilities for physicians, dentists, and professional health personnel, including a 3-year student loan program; expansion of the National School Lunch Act to include a trial child-nutrition program for pupils in poor economic areas and those who must travel long distances; the setting aside of Federal public lands for needed school sites; and the extension of the Library Services and Construction Act. The latter should be of particular interest to the residents of our district because, under this act, funds have already been earmarked for a library in East Flatbush.

TO HELP OUR SENIOR CITIZENS

The 89th Congress, in 1965, established a program of hospital care for the aged, commonly called medicare. Some 57,000 people in the 12th Congressional District are already enrolled under this program, and an estimated 62,000 will be eligible to receive benefits in the near future. This Congress also increased social security benefits by 7 percent and provided coverage for persons not otherwise eligible who will be 72 years of age by 1968 and who will receive no other pension or relief.

In addition, we have enacted a research program to combat heart disease and cancer; expanded vocational rehabilitation programs for disabled persons; authorized the establishment of community mental health centers; amended the Drug Control Act; created the Water Pollution Control Administration; and passed the Clean Air and Solid Waste Disposal Acts to combat problems of air pollution and waste disposal.

TO HELP THE CONSUMER

During this session, the Congress has been deeply concerned about the rise in the price of consumer goods. Concerted effort was made to curtail inflation and to prevent runaway prices from skyrocketing the cost of living. These problems have been of continuing concern to me since my election to Congress in 1948. Years ago, I introduced legislation to create a select committee to study the farm price support program and other national policies which may hurt consumers. In the 83d Congress, I introduced a bill to create a Joint Committee on Consumers. I have continued to work for these measures over the years and I am delighted that we are finally beginning to make some progress.

A Fair Packaging and Labeling Act, to protect consumers, was passed this year.

A Special Assistant to the President on Consumer Problems has been working hard and the proposal to create a special Committee on Consumer Interests has been receiving active attention.

In addition, in order to dampen the fire of inflation, the Federal Government is now moving to curb investment incentives and to hold the line on Federal expenditures. The House recently suspended the 7 percent tax credit on business investment for 16 months. This followed the enactment of the Tax Adjustment Act which suspended until 1968 the scheduled reduction of taxes on automobiles and telephone service.

In addition, legislation designed to ease the taxation of foreign investments in this country was approved, with an amendment to increase the income tax deductions that doctors, lawyers, and other professional people may make on contributions to private retirement funds.

We hope these measures will be sufficient to meet our current problem; otherwise, next year we may face the prospect of price controls which no one wants, or—even worse—a tax increase.

How different are these conditions today from those which existed a year or more ago. Remember?—in 1961 the Democratic Congress was cutting taxes—some $12 billion—and enacting programs to boost economic activity. And we succeeded in reducing unemployment from 7 to 3.9 percent. We must now try to hold the line without allowing employment and incomes to decline.

TO BETTER PROTECT THE INTERESTS OF THE PEOPLE

The Renegotiation Act, which enables the Government to recover excess profits on defense contracts, was extended; provision was made for the establishment of a special board—at the request of either labor or management—to adjudicate disagreements under collective bargaining contracts in the railroad industry; the ceiling on the Small Business Administration's lending operations was raised and a separate disaster loan revolving fund set up; a scale of personal income tax withholding on a graduated basis was established; the Federal National Mortgage Association's borrowing authority was increased to stimulate the mortgage market and homebuilding; the minimum wage was increased and extended to many persons not previously covered; more than 2 million more workers were brought under the unemployment compensation system; new and uniform standards for bank merger approvals were established; and the interstate transportation of dogs and cats and other animals to be used for scientific purposes was brought under Federal regulations requiring humane treatment.

TO IMPROVE OUR GOVERNMENT'S MACHINERY

The Administrative Procedure Act was amended to require every agency to make information available to the public as to its policies and procedures, with certain exceptions for security reasons and for the protection of privacy; 10 additional circuit and 35 new district court judgeships were created; the Department of Housing and Urban Development was established at the Cabinet level; a new Department of Transportation, also at the Cabinet level, was created to consolidate transportation and safety functions of the Department of Commerce, the Federal Aviation Agency, the Civil Aeronautics Board, and the Interstate Commerce Commission; a 2.9-percent pay increase was provided for Federal employees; differential pay rates for Government employees engaged in hazardous work, or work involving unusual physical hardship, were established; bail practices in U.S. courts were revised to assure that no person is unfairly detained; and an official residence was authorized for the Vice President of the United States.

The Demonstration Cities Act, establishing projects to rehabilitate slum-blighted metropolitan areas and to improve educational, economic, and social conditions in such neighborhods, was approved after considerable struggle.

Federal safety standards for new cars, buses, and trucks were provided for the first time in history, and a 3-year highway safety program was enacted. A river and harbor and flood control bill, to provide projects for navigation, beach erosion, and flood control in 24 States—including New York—was passed.

CONCLUSION

It should be of interest to the residents of the 12th Congressional District of New York that our district has over 600,000 persons and is the largest congressional district in the State of New York. The House this year passed a bill which would establish Federal standards for the 435 congressional districts of the 90th Congress and require these districts to be contiguous, compact, and not more than 15 percent above or below 435,000 in population.

It has been my pleasure to represent you in Congress, and I wish to assure you that I have served you to the best of my ability. If I can be of any assistance to you, or if you desire detailed information on matters pending before Congress, please feel free to write to me at my Washington office, which is at your service throughout the year.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 12, 1966

The House met at 12 o'clock noon.

Rev. Marcus A. Earp, minister, Eutaw Methodist Church, Baltimore, Md., offered the following prayer:

Be watchful, stand firm in your faith, be courageous, be strong. Let all that you do be done in love.—I Corinthians 16: 13, 14.

Let us pray.

O Lord our God, we pause to praise Thee for the life and the love which Thou hast given us. We praise Thee for opportunities to serve Thee and our fellow men.

Today, we remember the faith and courage of Christopher Columbus, who was willing to venture across uncharted seas because of his willingness to put a theory to a test. May we have such faith and courage.

Help us rediscover America and the opportunities therein. Bestow upon us the grace to discover Thy plan for this Nation and the courage to follow it. We need Thy guidance for without it we can do nothing. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 7648. An act to authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes;

H.R. 8436. An act to amend the tariff schedules of the United States with respect to the dutiable status of watches, clocks, and timing apparatus from insular possessions of the United States;

H.R. 11775. An act to provide for the popular election of the Governor of Guam, and for other purposes;

H.R. 11777. An act to provide for the popular election of the Governor of the Virgin Islands, and for other purposes; and

H.R. 15748. An act to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3035. An act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of further conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15941) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17787) entitled "An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3314) entitled "An act to require premarital examinations in the District of Columbia, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9985) entitled "An act to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10304) entitled "An act to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2444. An act to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes.

COMMUNICATION FROM THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the Committee on Public Works, which was referred to the Committee on Appropriations:

COMMITTEE ON PUBLIC WORKS,
CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 7, 1966.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
The Capitol, Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959 for the construction and alteration of public buildings, the Committee on Public Works of the House of Representatives on October 6, 1966, approved the following projects which were transmitted to this committee from the General Services Administration:

Arizona: Tucson—(a) Federal Office Bldg.; (b) Post Office.

Arkansas: Batesville—Post Office, Courthouse and Federal Office Bldg.

California: Los Angeles—Federal Office Bldg. Parking Facility (Supplement). W. Los Angeles—Post Office. San Ysidro—Border Station.

Florida: Jacksonville—Post Office.

Georgia: Atlanta—(a) Courthouse and Federal Office Bldg.; (b) Post Office; (c) Post Office and Courthouse (Alt.). Griffin—Post Office and Federal Office Bldg. Rome—Post Office and Courthouse. Waycross—Post Office, Courthouse and Federal Office Bldg.

Idaho: Porthill—Border Station (Revised).

Illinois: Alton—Courthouse and Federal Office Bldg. Carbondale—(a) Post Office; (b) Post Office (Alt.). Chicago—GSA Federal Records Center.

Maine: Waterville—Post Office and Federal Office Bldg.

Mississippi: Oxford—Post Office, Courthouse and Federal Office Bldg.

Missouri: St. Louis—Post Office (Ext. and Alt.); Ordnance Plant (Alt.).

New Hampshire: Manchester—Post Office and Federal Office Bldg.

New York: Champlain—Border Station. Hyde Park—Franklin D. Roosevelt Library (Ext.). New York—Post Office (Ext.). Syracuse—(a) Post Office; (b) Courthouse and Federal Office Bldg.

North Carolina: Charlotte—(a) Post Office; (b) Post Office and Courthouse (Alt.).

Ohio: Cleveland—Post Office, Customhouse and Courthouse (Alt.). Dayton—(a) Post Office (Rev.); (b) Courthouse and Federal Office Bldg. Mansfield—Post Office and Federal Office Bldg.

Rhode Island: Woonsocket—Post Office and Federal Office Bldg.

South Carolina: Florence—Post Office, Courthouse and Federal Office Bldg.

South Dakota: Rapid City—(a) Post Office; (b) Federal Office Bldg.

Texas: Fort Worth—Federal Office Bldg. Parking Facility (Supplement); Federal Center (Formerly Army Depot) (Alt.). Tyler—Post Office and Courthouse (Ext.).

Virgin Islands: Charlotte Amalie—Post Office, Courthouse and Fed. Office Bldg.

Virginia: Roanoke—(a) Post Office; (b) Federal Office Bldg; (c) Post Office and Courthouse (Alt.).

Washington: Wenatchee—Post Office and Federal Office Bldg. (Rev.).

West Virginia: Morgantown—Post Office and Federal Office Bldg.

Wisconsin: La Crosse—Post Office and Courthouse.

Washington, D.C.: (a) Pa. Ave. Annex and Grand Plaza Parking Facility; (b) Internal

Revenue Bldg. (Ext.) (Federal Triangle); South Portal—Federal Office Bldg.

Sincerely yours,
GEORGE H. FALLON,
Chairman.

FAIR PACKAGING AND LABELING ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, FRIEDEL, MACDONALD, JARMAN, SPRINGER, and YOUNGER.

TO AMEND INTERNAL REVENUE CODE OF 1954 TO PROMOTE SAVINGS UNDER THE AUTOMATIC DATA PROCESSING SYSTEM

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6958) to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing system, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, KEOGH, BYRNES of Wisconsin, CURTIS, and UTT.

TARIFF TREATMENT OF ARTICLES ASSEMBLED ABROAD OF PRODUCTS OF THE UNITED STATES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11216) relating to the tariff treatment of articles assembled abroad of products of the United States with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, KEOGH, BYRNES of Wisconsin, CURTIS, and UTT.

TO EXTEND AND IMPROVE THE FEDERAL-STATE UNEMPLOYMENT COMPENSATION PROGRAM

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15119) to extend and improve the Federal-State unemployment compensation program, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, KEOGH, BYRNES of Wisconsin, CURTIS, and UTT.

TRIBUTE TO DR. GEORGE W. CALVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. My dear friends and colleagues, I know that, like myself, you will always remember with fond recollection—and he will always be a treasured part of our memory—our distinguished physician in the Capitol, Dr. George W. Calver.

After a long and distinguished career Dr. Calver, who is one of my dearest friends and a friend of hundreds and hundreds of Members of Congress past and present, has voluntarily retired and has earned the retirement, which takes effect today, as a result of which the Congress will be deprived of a beloved physician, a valued friend, and a dedicated naval officer. I honestly do wish that Dr. George W. Calver might never retire, but in the exercise of his judgment he has voluntarily done so. I know that in retirement he will lead an active life, because he is possessed of a dedicated mind. In talking with him I know he is going to lead an active life in medical research, in trying to probe into and contribute toward the benefit of mankind in connection with making progress in solving some of the ills which afflict human beings.

Dr. Calver has been the physician of the House since 1928. His arrival was far from being accidental. Before he was assigned here three Members of Congress collapsed in a single month. One Member died in his office after 2 hours without medical attention because there was no physician in the House or the Senate. Soon after this tragic incident Representative Fred Britten, of Illinois, the chairman of the House Naval Affairs Committee, conferred with Speaker Nickolas Longworth regarding the placement of a naval medical officer in attendance at the Capitol. On December 5, 1928, Chairman Britten submitted House Resolution 253 of the 70th Congress which was agreed to unanimously and which,

Resolved, That the Secretary of the Navy is hereby requested to assign a medical officer of the Navy to be in attendance at the Hall of the House of Representatives during the session of such House.

Lieutenant Commander Calver then—now vice admiral, receiving his last promotion only recently, which he richly deserved—Lieutenant Commander Calver then was serving at the old Naval Dispensary in Washington. He was assigned by the Secretary of the Navy to this duty on December 8, 1928. Three years later, in 1931, Congress prohibited Dr. Calver's transfer. I know about it because I was one of those who made a contribution in this respect. Thus he became the first physician to administer officially to Members of Congress. It is impossible for me at this time to go into all of the details of the wonderful life of our dear friend. I shall insert further remarks in the RECORD in this regard and for that purpose I now ask unanimous consent.

The **SPEAKER** pro tempore (Mr. UDALL). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. No office space was supplied to Dr. Calver when he was first assigned. He carried his office with him—in his medical bag; his center of operations was the Democratic cloak room. By 1930, when he was ordered by Secretary of the Navy Wilbur to report to the Vice President for duty as medical officer for that body, the essential nature of his service was widely recognized. Members of Congress began to make rooms in the Capitol available to the attending physician. Representative Finis Garrett of Tennessee donated the room where the present office is situated, where our late friend Bob Perry had his desk. Representative Tilson, of Connecticut, gave what is today the physiotherapy room; and Speaker Garner, of Texas, made available space which has been used as the drug room. Speaker Rayburn was instrumental in partitioning the corridor to make available space for the current laboratory. The enclosure of the air well in the west central portion of the Capitol has recently permitted further enlargement of the facilities.

Like all great physicians, he believes in preventing illness, although he has always been prepared for any emergencies.

By and large—

He has said—

> I deal with the major occupational hazard of Congress. I deal with nervous tension. Representatives and Senators are exposed to too much eating, too much talking, too much writing, and too many pressures from their constituents. As I meet new Members of Congress, I give them all the same advice. Give five percent of your time to keeping well, and you won't have to spend one hundred percent of your time getting over being sick.

He has given Members of Congress good care, good advice, and has always been a good friend, one who never breaks a confidence, a virtue on which men in public life place a very high value.

Heart ailments, aggravated by the periods of extreme tension which are part of the legislative process, as we all know to our sorrow, are by far the most common affliction in the Capitol, according to Dr. Calver. That is why he has been standing by during night sessions since 1928.

George Wehnes Calver was born in Washington, D.C., on November 24, 1887, the son of Dr. Thomas Calver and Mrs. Lizzie Wehnes Calver. He attended Eastern High School and George Washington University, and was graduated from the George Washington Medical School in 1912. Entering the U.S. Naval Reserve on June 18, 1913, he was appointed an assistant surgeon, lieutenant, junior grade, and was transferred to the Regular Navy in the same rank on April 10, 1914. He became a medical director with the rank of captain on May 30, 1934, and was promoted to rear admiral in the Medical Corps of the Navy on October 9, 1945. He was retired from the Navy on November 1, 1947, but continued on active duty as medical officer in attendance on the Congress.

His promotion to vice admiral, U.S. Navy, was confirmed by the Senate on September 30 of this year. It is from that post of duty and this high rank that he now retires.

His early naval career was one of achievement. In June 1913, he reported for instruction at the Naval Medical School, Washington, D.C., and on May 27, 1914, he joined the U.S.S. *Supply* for duty at sea. A year later he was ordered to Asiatic station, and served at Guam and Cavite, on Yangtze patrol on the U.S.S. *Palos* and U.S.S. *Galveston,* and at the naval hospital at Yokohama. During the First World War, he served at the Charleston, S.C., Naval Hospital.

He then served on the U.S.S. *Bridgeport,* the U.S.S. *Thomas,* and again on the *Bridgeport*. In Feburary 1922 he was ordered to the naval hospital, Norfolk, Va., where he remained until 1925. He then became senior medical officer on the U.S.S. *Henderson* for 2 years. On February 1927, he reported to the Naval Dispensary, Navy Department, Washington, D.C. There he served for 10 years, with additional duty from December 1928, in attendance at the House of Representatives during sessions of Congress.

From May 10, 1937, to July 14, 1941, he was assigned to the Naval Medical Center, Washington, D.C., with additional duty as attending physician at the Capitol. In 1941, he was relieved of duty at the Naval Medical Center, but continued to serve, first in the rank of captain, and from October 1945 in the rank of rear admiral, as medical officer in attendance upon the Congress. He also served as a consultant for the research division of the Bureau of Medicine and Surgery, Navy Department, before and during World War II.

He was transferred to the retired list of the U.S. Navy on November 1, 1947, but he has continued in an active duty status as medical officer in attendance upon the Congress.

Dr. Calver has received the World War I Victory Medal: The American Defense Service Medal; the American Campaign Medal; the World War II Victory Medal; and the National Defense Service Medal.

On March 15, 1916, Dr. Calver married Miss Jessie Willits, daughter of the late Rear Adm. and Mrs. Albert B. Willits, at Manila, Philippine Islands. Dr. and Mrs. Calver have two daughters.

Dr. Calver was elected a fellow of the American College of Surgeons in 1926, and a fellow of the American College of Physicians in 1931. He is a fellow of the American Medical Association, and a member of the District of Columbia Medical Society, the Southern Medical Society, the Association of Military Surgeons, the American Heart Association, and the Pan-American Medical Society. He holds a certificate from the American Board of Internal Medicine and is an honorary consultant of the Army Medical Library.

Dr. Calver's services to the Members of Congress have been invaluable. He leaves a host of patients and friends, a healthier Congress, an office far better equipped to serve the medical needs of the Members.

I speak for all of the Members of Congress when I thank Dr. Calver for his efforts and exertions in our behalf for so many years, for his unfailing good will and good spirits, and for his loyalty to us personally and to the great institution of which we are all a part.

May his utterly deserved retirement be a long, productive, and happy one. I wish him a fond goodby.

In Dr. Calver we have had a confidante, a friend, and one who has endeared himself to all. I know I extend the sentiment of all Members of the Congress of the United States in wishing for Dr. Calver and Mrs. Calver many years of future happiness and success. Happiness I know they will have, but I wish him success in his contributions toward relieving the ills of mankind and in bringing hope to those who are ill, sick, and suffering. I know I express your sentiments when I also say that we all hope that God in His infinite wisdom will continue to bless our dear friend Dr. Calver and bestow upon him and Mrs. Calver for countless years to come an abundance of His choicest blessings.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCormack], yielding to me at this time so that I may join with the gentleman in expressing our appreciation for the wonderful service Dr. Calver has given to the Members of Congress during his illustrious career on Capitol Hill.

Mr. Speaker, during my term of service in the House of Representatives, I, and hundreds of others in both the House and the other body, have been the beneficiaries of Dr. Calver's care and concern.

Mr. Speaker, I have seen the tremendous improvements that have been made in the office that Dr. Calver has headed. He has improved the facilities tremendously and he has consistently had associated with him a fine staff of young doctors, and others, to assist him in the professional care of the Members, care which is carried on so effectively.

Also, Mr. Speaker, I wish to express my personal best wishes to Dr. Calver and his wife in the months and years ahead. I hope and trust that they have many, many more years of a happy, healthy, and successful life.

Mr. Speaker, the House and the Senate, during the term of office of Dr. Calver, have been the beneficiaries of his concern and care during his service here at the Capitol.

Mr. Speaker, I join with the Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCormack], in the sentiments which the gentleman has so eloquently expressed.

Mr. McCORMACK. I appreciate very much the remarks of my friend, the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to my distinguished colleague, the gentleman from Louisiana [Mr. Boggs], the majority whip and acting majority leader.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include additional material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I appreciate the gentleman from Massachusetts [Mr. McCormack] yielding to me at this time.

In December 1928, Congressman Fred Britton introduced a resolution requesting the Secretary of the Navy to assign a medical officer to the House of Representatives. As a result of this resolution, the Secretary of the Navy, Dwight L. Wilbur, detailed Dr. George W. Calver to the Capitol. Dr. Calver was first given a locker in the Democratic cloakroom in which to keep his first aid equipment but after a relatively short time, was assigned the space which is now used as a reception room for his office. In 1929, Senator Copeland of New York introduced a Senate resolution requesting the services of a naval medical officer as physician to the Senate as well as the House. He specified a naval medical officer since a naval medical officer was already assigned to the House and he felt it desirous that the same medical officer be assigned to both Houses.

Dr. Calver recounts with some amusement the fact that 3 years following his assignment as Capitol Physician, his detachment for sea duty was requested by the Navy Department. It was at this point that Public Law 212, 72d Congress, contained the following statement:

> The detail of the present incumbent as Attending Physician to the Capitol shall be continued until otherwise provided by law.

Dr. George Wehnes Calver completed 53 years of continuous active duty in the Navy on August 4, 1966. He was commissioned on June 18, 1913, and entered active duty on August 4, 1913. He was promoted to the rank of rear admiral on October 9, 1945, and although was retired on November 1, 1947, he remained on active duty on the retired list. His interesting career prior to his attachment to the Capitol included service at the naval stations Guam and Cavite in the Philippine Islands; on the Yangtze patrol aboard the U.S.S. *Pelos* and the U.S.S. *Galveston.*

During World War I, he served as the executive officer at the U.S. Naval Hospital, Charleston, S.C. He again became the seagoing surgeon in 1919 with successive duty on the U.S.S. *Bridgeport*, the U.S.S. *Thomas*, and again the U.S.S. *Bridgeport*. He became the senior medical officer on the U.S.S. *Henderson* in May 1925 and then in February 1927 reported to the U.S. Naval Dispensary in Washington whence he was assigned as attending physician to the Congress.

Dr. Calver has served as a consultant to the Bureau of Medicine and Surgery and has continued his interest in medical research during his tenure at the Capitol. He is a member of the American Medical Association. He has the rare distinction of being a fellow of the American College of Physicians as well as a fellow of the American College of Surgeons. He is a past president of the American College of Cardiology and a fellow of the American Geriatrics Society.

As the medical needs of Congress and the facilities available have increased, Dr. Calver's staff has grown.

Mr. Speaker, I was very much interested in the remarks of the Speaker about Public Law 212, which the gentleman from Massachusetts helped pass in the 72d Congress. The gentleman from Massachusetts, the distinguished Speaker, was quite right about the language of the law. It said, and I quote:

> The term of the present incumbent as attending physician to the Capitol shall be continuing, until otherwise provided by law.

Now, Mr. Speaker, it has never been "otherwise provided by law," from the 72d Congress to the 89th Congress. The reason, of course, is quite obvious. Dr. Calver, over these many years, has endeared himself to the Members of this body and to the Members of the other body. He has served with dedication, way beyond the call of duty.

Mr. Speaker, I join with you and with the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], in wishing for Dr. Calver and Mrs. Calver, their children and their grandchildren, many years of happiness.

Mr. Speaker, I may say that I would like to include in the RECORD a copy of a letter addressed to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. MCCORMACK] by Dr. Calver, dated August 9, 1966, in which Dr. Calver outlines the outstanding qualifications of his successor, Capt. R. J. Pearson, Jr., who has been assigned to the office here at the Capitol.

Mr. Speaker, Dr. Pearson is indeed a renowned physician, with splendid training for the office that he will occupy. We are very sorry to lose Dr. Calver, but I am happy that he is being succeeded by a very able man indeed.

Mr. Speaker, I include at this point in the RECORD the letter to which I earlier referred containing the qualifications of Dr. Pearson.

The letter follows:

AUGUST 9, 1966.

HON. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Anticipating my retirement as Capitol Physician, some months ago I asked that Captain R. J. Pearson, Jr., be assigned to my office at the Capitol. I hope that Doctor Pearson's presence here will assure continuity of medical care of the Members of Congress. He seems to have been well accepted by the Members of both the House and the Senate.

Captain Pearson received his M.D. degree at Emory University, Atlanta, Georgia; interned at King's County Hospital, Brooklyn, New York, and trained in internal medicine at Grady Hospital, Atlanta, Georgia. Later, he trained for a year under Doctor Paul Dudley White at Massachusetts General Hospital in cardiovascular disease.

He entered the Navy in 1942 and upon his release practiced internal medicine in Jacksonville, Florida, for almost 5 years. He reentered the Navy during the Korean conflict in 1950 and has been on continuous active duty until the present time.

During his Naval career, Doctor Pearson has served as Chief of the Medical Service at the following Naval hospitals: Beaufort, South Carolina; Charleston, South Carolina; Portsmouth, Virginia, and as Chief of the Cardiology Service at the National Naval Medical Center, Bethesda, Maryland. He has written several papers on subjects related to heart disease. He has had teaching appointments on the cardiology staff of Georgetown University.

Doctor Pearson is a Member of the College of Physicians, College of Cardiology, American Medical Association and the American Heart Association.

He is certified by the American Board of Internal Medicine and by the Sub-specialty Board of Cardiovascular Disease. With his background as a practitioner, teacher and consultant in internal medicine and cardiology, I consider him well suited for the position of Attending Physician.

Sincerely yours,

GEORGE W. CALVER.

Mr. RIVERS of South Carolina. Mr. Speaker, I want to associate myself with the great remarks of our distinguished and gracious Speaker, as well as others of those who have made these well-deserved encomiums about our departing attending physician.

Mr. Speaker, in addition to what has been said, Dr. Calver has very assiduously inquired into the infections and the things which affect Members of Congress. He has become a heart specialist over the many years of great renown himself. Moreover, he has diagnosed those ailments which affect so many of us, such as the respiratory infections.

As the distinguished minority leader has said, he has provided young doctors and those of other competence who are authorities in these fields. Moreover, demonstrating the character of the fine physician he is, he has provided for us here, as our acting majority leader has said, the services of one of the outstanding heart specialists not only in the Nation, but in the world—Dr. Pearson.

Dr. Calver is leaving while he is vigorous, he is carrying out that admonition that he has told all of us to do, relax and enjoy it. And while he has a few years left—and I hope they will not be few, I hope they will be numbered in the tens and twenties—I trust that he will relax. But he is leaving us with a great doctor, a great physician, and one well worthy to follow in his footsteps.

Mr. Speaker, along with you and those others of us who have said these well-deserved things about Dr. Calver, I am so very happy that I can add my humble remarks because he has performed a job well done. I hope he will have following winds and nothing but fair and tranquil seas for the rest of his well-deserved life on this earth.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished Speaker—himself in the well of the House—yielding to me in order that, as one of the "doctors in the House," I might present greetings to Admiral Calver of the Medical Corps of the Navy on his retirement from active duty in attendance on the Congress. He is truly the St. Luke of the Congress.

Certainly Dr. George Calver for years has administered with competence, confidential communication, and with scientific acumen to the Members of Congress. He has worked in preventive medicine as well as in curative advice and prescriptions. He is a man of men. He is also a man of medicine.

I first knew him in association with a White House physician, Adm. Ross McIntyre, who introduced him when I served in the Office of the Surgeon General of the Army during World War II.

Dr. Calver knows the difference between clinical, bedside, and laboratory research. He has applied this to the point where he himself has become a great heart specialist, and a master of electrocardiography, and in the study of the myocardium of that vital organ, et cetera.

I think that much is to be said for caring for those who care for the ills of the Nation, and one of the greatest things that I can say as a member of his profession, is that Dr. Calver certainly understands the need for doctoring the Nation's collective ills of Congress, as well as those selected to carry out this responsibility individually.

May he and Mrs. Calver and his entire family have "fair winds and following seas," with a long opportunity to enjoy his much-deserved retirement.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the distinguished gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, I appreciate very much our beloved Speaker yielding to me at this time. I wish to join with the Speaker and the many others here who have paid tribute to the fine service that Dr. Calver has rendered to the Members of this body through the years, and to the operations of Congress, which I believe have contributed to our Nation.

You know in the practice of medicine, being in another profession myself—that is, in law—I have come to realize as most people do that confidence in your doctor is a big part of medical treatment. I do not think there is any question but that Dr. Calver's friendly attitude and the friendship he has had with Members of the House have played a big part in his success in rendering the much-needed services that Members of this body have received through the years.

I join with you, Mr. Speaker, and with our other colleagues today in wishing

Dr. Calver and Mrs. Calver many happy years, with the hope that he will have time to be with us on occasion so that we may continue to enjoy his fellowship.

Mr. McCORMACK. Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania [Mr. Flood].

Mr. FLOOD. Mr. Speaker, I have listened with interest and with complete approval to what has been said by my colleagues with reference to the retirement of Dr. Calver and his service here. Fortunately, I believe most of their observations were objective in nature.

As you know, Mr. Speaker, and as the Members know, 4½ years ago on a Good Friday, I had a most serious operation. I had the good wishes and prayers of every Member of this House, and you, Mr. Speaker, and I am sure they did much to pull me through what was not supposed even to be an even chance.

All my life I had paid no attention to doctors and people like that. I do not believe I ever had dandruff, let alone any serious illness. But 4½ years ago I learned two things—to admire and respect doctors and the great profession of medicine.

Second, I learned never to turn your back on a nurse—believe me. That being the case, when I came back to the House with the help of God and your interest, Mr. Speaker and my colleagues, Dr. Calver met me at the door. For years he had been urging me, as he has been urging you, to have a physical examination at least once a year. Of course, you pay no attention to it—and you do not—and I did not, either. Well, I do now. I learned the hard way. So every 6 months he has been on the telephone to be sure that I have a complete hospital checkup.

Yes, Mr. Speaker, I have resented during the last 3 or 4 years the efforts of certain amateur invalids in this House of Representatives to "queer my act." I insist on being the local invalid, but it is getting increasingly difficult. Thanks to Dr. Calver and the young men who have served with him, I am able to be on my feet and still breathing—and that puts me way ahead.

So my observations, and my admiration and tribute this morning, Mr. Speaker, to Dr. Calver are strictly and entirely personal. And it is from my heart.

Mr. McCORMACK. I yield to the distinguished gentleman from New Jersey [Mr. Joelson].

Mr. JOELSON. Mr. Speaker, I just want to add my small voice to what is being said on the retirement of Dr. Calver.

About 3½ years ago I had a stomach ailment and surgery was considered. I went to the good doctor and he said, "We are going to treat you conservatively." Although I might be a liberal politically, I am very happy that we have some conservative doctors when it comes to medicine because he put me in the hospital and he treated me without surgery and I am now walking around with one less scar. Since I have plenty of political scars, I do not relish any additional medical scars.

Mr. Speaker, Dr. Calver is a great and wise man. I think his wisdom is coequal with his medical skills and that is what makes a great doctor.

I certainly want to join my colleagues in wishing to him many more years and may they be golden years of contentment and happiness in his retirement.

Mr. McCORMACK. I yield to the distinguished gentlewoman from Texas [Mrs. Thomas].

Mrs. THOMAS. Mr. Speaker and Members of the House, I too would like to join with you, our beloved Speaker, and our colleagues in paying tribute to Dr. Calver.

I extend to him and Mrs. Calver my very best wishes on his retirement.

Mr. McCORMACK. I yield to the distinguished gentleman from Pennsylvania [Mr. Morgan].

Mr. MORGAN. Mr. Speaker, I certainly want to add my voice to the tributes being paid here to a man who has devoted many years of his life to maintaining the health of the Members of this legislative body.

As a member of the medical profession myself, I have had a unique opportunity during my 22 years of service as a Member of the House, to observe Adm. George Calver's abiding interest and concern for the health of Members of the Congress.

I have been proud to consider myself both a friend and a colleague of Dr. Calver. Every Member of this House who has availed himself of Dr. Calver's services can truthfully say that he has done his best to live according to the Oath of Hippocrates. When not actually treating one of us in his office, he has been a constant visitor to the Speaker's Lobby where he could keep an eye on all of us. Many in this House have benefited by his timely observance and checking on little warning signals that have led him to prescribe either advice or medicine in time to avert serious illness. By so helping to keep Members in health and on the job, he has rendered great service to the Congress and to the country.

Admiral Calver in leaving us, will carry with him the gratitude of not only his friends who serve here today, but also the appreciative memories of the many former Members who benefited from his skilled practice. It is a great honor for me to join in paying tribute to this selfless man who has devoted the greater part of his medical career to both the military service and this great legislative body. May his future years be filled with the happiness he deserves for himself and his family.

Mr. McCORMACK. During the course of a chat I had the other day with Admiral Calver I said, "Admiral, you are voluntarily retiring, but you will always be a part of the House. I hereby confer upon you the designation and title of 'Physician-Emeritus of the House of Representatives.' "

Mr. PATMAN. Mr. Speaker, the remarks made by the able and distinguished gentlemen preceding me, the Honorable John W. McCormack, Speaker of the House, the Honorable Hale Boggs, majority whip and now acting majority leader the Honorable Gerald R. Ford, minority leader, and others expressed my feelings concerning our great friend, Adm. George W. Calver.

Dr. Calver was being considered for the place, "House Physician," when I came to Washington the latter part of 1928, preceding my being sworn in as a Member in early 1929. It has been 38 years that Dr. Calver—first as "House Physician," next as "Physician for the Congress," and next as "Attending Physician for Congress"—has served the Members of Congress in such a fine, patient, considerate, and professional way. He has always been available when a physician was needed. It would be almost impossible for anyone to enumerate the number of instances that Dr. Calver has been of great help to the different Members of the Congress.

I believe that the greatest tribute that a Member of Congress can pay concerning a colleague is that "he is highly regarded and highly respected by the Members of Congress who have served with him." In this case, I can say the same thing about Dr. Calver. He is held in high esteem—highly regarded and highly respected—by every Member of Congress since he first accepted the place.

We are all anxious for Dr. Calver to get a much needed rest and enjoy retirement and for this reason we cannot insist that he continue to serve us after so many decades of honest and faithful service. Since Dr. Calver is leaving us, we are fortunate in that another fine physician is being assigned to take his place—Dr. Rufus Judson Pearson, who has a distinguished career as a member of his profession as well as a great citizen of our country. I am glad to join others in welcoming Dr. Pearson to this important place.

Mr. EVINS of Tennessee. Mr. Speaker, permit me to join with others in expressing best wishes to our friend, Dr. George W. Calver, our esteemed Capitol Physician, as he takes leave from the position he has filled with such outstanding professional skill during these past many years.

Dr. Calver is known by every Member of this House as a wise and kindly physician—a professional man of great learning and competence—who has zealously sought to protect and preserve the health of all of the Members for many years.

The wisdom and experience of Dr. Calver are apparent in these sage suggestions—"The Commandments of Health"—which appear on a plaque on the wall of his office:

I. Eat Wisely
II. Drink Plentifully (of water)
III. Bathe Cleanly
IV. Exercise Rationally
V. Accept Inevitables (Don't worry)
VI. Play Enthusiastically
VII. Relax Completely
VIII. Sleep Sufficiently
IX. Check Up Occasionally

P.S. Give 5 percent of your time to keeping well so that you won't have to give 100 percent getting over being sick.

I know that the admiral—my good friend, Dr. Calver—will himself henceforth apply these rules and that he will enjoy many more years of good health and happiness.

We wish for him all the best and every success as he leaves us.

Mr. O'HARA of Illinois. Mr. Speaker, as the oldest Member of this body, hale and hearty at 84, I am especially indebted to Adm. George W. Calver.

As physician to the Congress he has been the dependable protection of the Members of this and the other body against the tugs and stresses of a job that keeps no hours and never goes on vacation. Every Member of every Congress since Dr. Calver came to Capitol Hill has been the beneficiary of his keen watchfulness.

I look back over the years since I came here in 1949, even then 67 years old, and I wonder if I would be here in the flesh in the closing days of the 89th Congress if it were not for Dr. Calver.

In the fall of 1949 I was victim of the first serious illness since the Spanish-American War. For 7 weeks I was at the naval hospital at Bethesda, and almost every day Dr. Calver came to see me. I cannot forget his care, his attention to my every need. Dr. Bartholomew Hogan, later Surgeon General of the Navy, was then the head of the naval hospital, and Dr. James Fitzgerald, now in private practice in Washington, was on the hospital staff. During the years they have remained close in my regard, warm in my affection, and it was through Dr. Calver that I came to know them.

I look back over the years and there is not a time since I came to the Congress that Dr. Calver was not at my side, when some impairment of my health threatened, slight or more serious.

With such a stalwart engineer of wholesome living by my side, Mr. Speaker, it is not strange that I bounded gaily into the eighties and held the pace of the years with health and cheer. I owe so very, very much to Admiral Calver. His image is enthroned in my heart as surely it is in the heart of all my colleagues. Our good wishes and our prayers will go with him and his wife in the years of a retirement so richly and so nobly earned.

Mr. SIKES. Mr. Speaker, I welcome the opportunity to join with my colleagues in paying tribute to a very fine and outstanding gentleman, our distinguished congressional physician, Dr. George W. Calver. His many years of unfailing dedication to our health, his good spirits and good will, have earned him the warm friendship and affection of the entire Congress. He has indeed been a good friend to every Congressman who has served since Dr. Calver assumed his responsibilities at the Capitol.

Dr. Calver has been the "Doctor in the House" since 1928, when his base of operations was the Democratic cloakroom.

Although we will no longer have the cherished services of Dr. Calver, we can be grateful that he is leaving us as monuments of his efforts a fine staff of young doctors and assistants, and greatly improved facilities to help maintain our health.

I have been proud to consider myself a friend and a colleague of Dr. Calver and wish to express my personal best wishes to both him and Mrs. Calver and pray that they have good health, happiness, and good fortune in abundant measure in the years ahead.

Mr. MAHON. Mr. Speaker, my good friend Dr. George W. Calver, our longtime distinguished physician in the Capitol, has retired, but pleasant memories of him and his good work will long remain.

It has been my privilege and pleasure to have known Dr. Calver throughout my service here.

Mrs. Mahon and I will continue to treasure our friendship with Dr. Calver and his charming wife. We hope they will have a long and pleasant future of relaxation and enjoyment.

We all hope and feel certain that Dr. Calver will carry with him a great deal of personal satisfaction derived from the knowledge that he has been of so much help to so many people for so many years.

He knows more about lawmakers than lawmakers know about themselves. I join in the salute to Dr. Calver.

Mr. ROONEY of New York. Mr. Speaker, it is always sad to say goodby to an old friend and today is no exception as we mark the retirement of Dr. George W. Calver, our distinguished physician. For the more than 22 years that I have been privileged to be a Member of this body I have also been privileged to know Dr. Calver. I do not mean in a strict professional sense only, I mean as a warm person who is deeply concerned about his fellow man. He and the Navy have given us the best in medical care and at the same time devoted many hours to helping us relieve the tensions and strains that go with the job. And always we knew that in dealing with him we never had to fear a breach of confidence—a rare thing in this city. Mr. Speaker, Dr. Calver now leaves us and retires from the Navy as a vice admiral after serving with distinction for some 53 years. Let us wish him Godspeed and many happy years of retired life. He has my thanks once again for the many nice things he did for me over these years.

GENERAL LEAVE TO EXTEND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of Dr. Calver's retirement.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SHIPMENTS TO EASTERN EUROPEAN COMMUNIST COUNTRIES

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the wire services report that the Commerce Department has listed 400 commodities that may now be shipped to Russia and other Eastern European Communist countries, including machinery, chemicals, and other manufactured items. This, of course, includes Czechoslovakia, Bulgaria, Hungary, and Poland.

I would like to call attention to a State Department report, which shows that in 1965 Poland exported $4 million worth of goods to North Vietnam, twice the export level of the year before. In 1965 Czechoslovakia shipped $9.7 million worth of goods to North Vietnam, and that, too, was twice the level of 1964. And we may reasonably expect that these countries are increasing trade at a rapid rate with North Vietnam.

To me it is unbelievable that at this time we are dropping trade barriers to the countries which form the veritable arsenal for the North Vietnam forces our boys must fight.

Here are the official recent figures on trade with North Vietnam by Czechoslovakia and Poland:

[In millions of dollars]

Year	Exports	Imports
Poland:		
1962	1.9	2.9
1963	1.3	2.9
1964	2.1	5.2
1965	4.0	5.1
Czechoslovakia:		
1962	4.7	7.4
1963	5.7	4.9
1964	4.5	5.0
1965	9.7	7.2

SPEECH OF BELOVED SAM ROSE AT UNITED SPANISH WAR VETERANS ENCAMPMENT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, due to the demands of the 2d session of the 89th Congress, running deep into October, I was unable to meet with my comrades at the 68th national encampment of the United Spanish War Veterans at Lansing, Mich. This was a great disappointment to me. The bonds that unite us in the oldest of the Nation's active veteran organizations is very strong.

James H. McElroy, the able and tireless adjutant general of the United Spanish War Veterans, has sent me a copy of the speech of Sam Rose at the encampment and this I am including in my remarks. General McElroy writes:

> Mr. Rose had been with the Veterans Administration more than 48 years at the time of his retirement on October 31, 1965, and had been the personal representative of the Administrator of Veterans Affairs of the Veterans Administration at our National Encampment for the past 20 years. He is known as "Mr. VA," and has received the highest award for exceptional meritorious service in the Veterans Administration.
>
> You and I know that he has been the best friend that the United Spanish War Veterans has ever had and we will never be able to repay him for all the services he has rendered

our comrades and their dependents these many years.

The address of the beloved Sam Rose follows:

This is an occasion I have been looking forward to for some time. When an organization as important in American life as the United Spanish War Veterans reaches its 68th National Encampment, any man as deeply interested as I am in Veterans' Affairs would feel both proud and honored to be a part of such an Encampment.

First, I would like to take just a moment of your time to pay my respects to a great man—your fine Adjutant General, James H. McElroy. He has given you such splendid leadership in the Nation's Capitol. He is a wonderful combination of youthful energy with wisdom of maturity. I have been privileged to know him well for a number of years. His friendship is one of the treasures I shall always value most devotedly.

Now, let's talk about the United Spanish War Veterans. I have always had a warm spot in my heart for the United Spanish War Veterans. I can tell you that the Nation salutes you, the Nation honors you and it holds you in great esteem! Is it any wonder? Yours is a proud heritage! You belong to a Volunteer Army that rushed to your country's service. You served with valor and distinction. You earned your place in the annals of American History.

I have a very special feeling about coming here. I don't consider the United Spanish War Veterans as just another veterans' organization. I think of you as something very special, very unique. There is not another organization such as yours! Therefore I feel privileged to address your National Encampment. Your organization has made so many significant contributions to the life of our nation—and has given added dimensions to the word "patriotism."

The way I see it, you are both "Old Timers" and the "New Timers" of America.

Sure, you are "Old Timers" and proudly so! The war you fought is more than two-thirds of a century in this country's past. That's not yesterday by any means. But even though your war was a long time in the past, I still consider you "New Timers" because that war really ushered in the modern era in which we now live. It really was a turning point in American history. It marked the end of one era and the beginning of another. It was page one of an exciting drama that is still going on . . . a drama that began with you, each of you!

It is the drama that includes the development of the automobile and the development of the airplane, and we all know how those two means of transportation have changed human life. It is the drama of flights to outer space and to the moon, and who knows where next? It is the drama of the development of the atom and the development of the United Nations . . . and who can tell which of the two is really more important? It is the drama of better health and longer life for the people of this country. It is also the drama of the potential for bigger and more devastating wars, a dream that defies all our dreams, and outshoots the wildest flights of our imagination.

This is the drama that you had so much to do with, by your outstanding service around the turn of the Twentieth Century. You helped bring about this exciting new age. No wonder you are different! No wonder I call you "New Timers" as well as "Old Timers"!

But that's not your only claim to fame. There is something even deeper and longer lasting than that. Let me quote something that is familiar to all of you:

"Americanism is an unfailing love of country; loyalty to its institutions and ideals; eagerness to defend it against all enemies; undivided allegiance to the flag and a desire to secure the blessings of liberty to ourselves and posterity."

How many times have you repeated those simple but stirring words? How many hundreds of times?

Those words, which you repeat in unison at every meeting of a Camp, symbolize another side of the greatness of the United Spanish War Veterans. It is the greatness of stability, of lasting values, of a deeper meaning of America.

Those words mean the same today as they meant when they were first penned many, many years ago. Those words represent the very opposite of change in America. They represent the stability of America, the eternal truths of America, the greatness that George Washington dreamed of, that Thomas Jefferson wrote of, that Abraham Lincoln gave his life for and that our own great President Lyndon Baines Johnson strives night and day to achieve.

No matter how many drastic changes occur on the face of this land, the stability represented by these words shines forth eternally.

Wars come and wars go. Political parties rise and fall. Styles change. Attitudes of our citizens change. The ebb and flow of history go on and on and on—and thru it all remains the underlying stability of our land, as represented by your great words and great sacrifices.

And so you and your organization stand for the changes of American life. And you also stand for the eternal verities of American life. That is why America thinks so highly of you and thru a system of Veterans' Benefits, a way has been provided for your health and welfare.

You have earned your place in the hearts of your countrymen and in the history books that will continue to be written long after all of us are gone. You will forever be a part of our Nation and a reason for her greatness.

Now, I must stop. I don't want to be like the speaker who went on and on until he eventually emptied the hall. There was only one man left, and he said to that man, "You're a real southern gentleman," to which the man replied, "I'm not; I'm the next speaker."

I take my hat off to the United Spanish War Veterans and to all that you represent. May you always be blessed in all that you do.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 352]

Adams
Albert
Andrews, Glenn
Annunzio
Arends
Aspinall
Baring
Bingham
Brock
Brooks
Cabell
Callaway
Carey
Cederberg
Celler
Clancy
Clevenger
Collier
Conyers
Corman
Craley
Culver
Davis, Ga.
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dyal
Edmondson
Ellsworth
Evans, Colo.
Fallon
Farbstein
Farnum
Fisher
Flynt
Foley
Fulton, Tenn.
Giaimo
Gilligan
Goodell
Gross
Grover
Hagan, Ga.
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hébert
Helstoski
Herlong
Hicks
Holland
Howard
Huot
Irwin
Jacobs
Johnson, Calif.
Keith
Kelly
Keogh
Long, Md.
Love
McCarthy
McDowell
McMillan
McVicker
Macdonald
Machen
Mackay
Martin, Ala.
Martin, Mass.
Mathias
Matsunaga
Minish
Moore
Moorhead
Morrison
Morton
Moss
Multer
Murphy, N.Y.
Murray
Nix
O'Brien
O'Hara, Mich.
O'Konski
Olsen, Mont.
Ottinger
Powell
Price
Pucinski
Purcell
Reinecke
Resnick
Rivers, Alaska
Rodino
Rogers, Tex.
Roncalio
Rosenthal
Roudebush
Schmidhauser
Scott
Sickles
Steed
Stephens
Stratton
Sweeney
Taylor
Teague, Tex.
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Tunney
Tuten
Waggonner
Walker, Miss.
White, Idaho
Wilson, Charles H.
Wolff
Wydler

The SPEAKER. On this rollcall, 308 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUR OF MEETING 11 A.M., THURSDAY

Mr. McFALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock a.m. tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FILING OF REPORTS FROM COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INDIANA DUNES NATIONAL LAKESHORE

Mr. UDALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 51) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 51, with Mr. McFALL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday, it had agreed that the bill be considered as read and open for amendment at any point.

The Clerk will report the first committee amendment as printed in the reported bill.

The Clerk read as follows:

On page 1, line 10, through page 2, line 6, strike out the last sentence of section 1 and insert in lieu thereof the following: "The lakeshore shall comprise the area within the boundaries delineated on a map identified as "A Proposed Indiana Dunes National Lakeshore", dated July 1966, and bearing the number "LNPNE 1007-ID", which map is on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior."

AMENDMENT OFFERED BY MR. UDALL

Mr. UDALL. Mr. Chairman, I offer an amendment in the nature of a substitute for the first committee amendment.

The Clerk read as follows:

Amendment offered by Mr. Udall as a substitute for the committee amendment: On page 2, line 6, strike out "the Committee amendment." and insert "The lakeshore shall comprise the area within the boundaries delineated on a map identified as 'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE-1008-ID', which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior."

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes in support of his substitute amendment.

Mr. HALLECK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALLECK. As I understand it, the amendment is offered as a substitute for the first title. The area of the proposed national park is established by reference to a certain map. The question in my mind is this: Possibly the Chair cannot state it, but maybe the gentleman who has offered the amendment can make it clear. I do not know, from simply referring to another map, what additional lands, if any, would be included within the confines of the national park, if the same is finally adopted.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. Yes, I yield to the gentleman from Arizona.

Mr. UDALL. In recent years it has been customary for the Interior Committee, in reporting bills of this kind, rather than to have a several-page metes and bounds description, to describe new national park units by means of an official map on file with the Department of the Interior. That is what my amendment would do. I have asked that the map that the amendment refers to be brought into the Chamber. It has been out in the Speaker's lobby.

I will explain, if I am recognized to do so, what lands are added by the amendment.

Mr. HALLECK. Mr. Chairman, I must add that while what I am about to say is not quite a parliamentary inquiry, a lot of people who live up in that area will take a look at the map and they will not know whether they are in or out of the park. I do not want to quarrel with the Interior Committee. I have had plenty of quarrels with them already. But I must say, even though it may take a little more time, that we ought to let people know exactly who is in and who is out. I think that would be a good idea.

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes in support of his amendment.

Mr. UDALL. Mr. Chairman, let me make it clear as I begin that this is not an official committee amendment. The chairman of our committee could not be here today. The chairman of the subcommittee is not in the Chamber today. This is an amendment which I had always proposed to offer. It is an amendment which I sponsor in my own individual capacity. I do not present this as an amendment approved by the committee or a majority of the committee.

I am happy to say that the amendment is supported by the gentleman from Pennsylvania [Mr. Saylor], the ranking minority Member, and the amendment is supported by the chairman of the subcommittee, the gentleman from Alaska [Mr. Rivers].

Now, what will the amendment do? To my right is the official map to which the amendment refers. If the amendment carries, the boundaries of the national lakeshore will be as delineated by this map. As the bill now stands, the units shown in orange on this numbered map are in the lakeshore.

My amendment would add the so-called Inland Steel property or west beach property here together with approximately 1 mile of beach frontage along through the town of Ogden Dunes.

So, in addition to the areas now in the lakeshore, if this amendment is agreed to we would have another 2 miles of beach front added to the lakeshore, as well as the 478 acres of the Inland Steel land.

This Inland property, let me make clear, is vacant land. It is unoccupied. There are no structures on it. The Inland Steel Co. has held it for many years.

The point was made yesterday that some sand had been hauled off and taken off into Illinois, which I regret, but that was about 50 years ago. This is beautiful dune lakeshore land.

We are displaying pictures here in the Chamber which I hope the Members will look at before they vote on this amendment, for they will give some idea of what this amendment will do.

In addition to that, the amendment will make one minor change, I will say for the benefit of my friend from Indiana. The Furnessville Cemetery, which is a slight indentation in the back part of the proposed lakeshore, will be taken out, so we will not have any cemetery in the lakeshore. I know that will be a comfort to my friend.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Indiana.

Mr. HALLECK. Are you going to take out that Swedish church which has been there for about 100 years?

Mr. UDALL. I am not familiar with the Swedish church. We tried, in the committee, to make improvements and changes, and to take out things which should not be in. I believe the bill is far improved from the Senate version.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Florida.

Mr. HALEY. As the bill now stands, there is the right of access to the people now. Why go further than that?

Mr. UDALL. As the bill is now written, this area is totally out.

Mr. HALEY. I understand that.

Mr. UDALL. The lakeshore would end at this point.

Let me say further that this will not interfere with the port. The port is at this point. There would be a corridor of almost 3½ miles wide for industry.

There is a steel mill here. There is a steel mill in this area.

This is really the key to a meaningful national lakeshore, because this will take off the pressure from the dunes over here and will enable the mass use of the lakeshore in this area, so that we can really preserve the essence of the Indiana dunes up through the State park and up through the areas which will be preserved.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Indiana.

Mr. HALLECK. This is going to take Ogden Dunes Beach?

Mr. UDALL. We will take a right-of-way through Ogden Dunes, about 1 mile.

Mr. HALLECK. How wide a beach?

Mr. UDALL. Approximately 100 feet deep.

Mr. HALLECK. Does the gentleman have any idea what the Inland Steel property is worth or what the riparian private rights are worth to those people?

Mr. UDALL. The cost of this amendment has been estimated by the National Park Service appraisers at something like $4.7 million for the Inland Steel property and about $700,000 for the necessary easements through Ogden Dunes. We would add something on the order of $5½ million to the cost of the bill.

I will have an additional amendment to cover that, if this amendment should be agreed to.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield for a question?

Mr. UDALL. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. I want to ask about the Swedish church. Will that be torn down?

Mr. UDALL. I will check with the staff on that. I am not sure of the status of the Swedish church. Perhaps the gentleman from Indiana [Mr. Roush] could answer that. I would be happy to yield to him, to do so.

Mr. ROUSH. Mr. Chairman, in any event the church would not be torn down.

Mr. UDALL. The National Park Service would preserve the church, and perhaps do as good a job as is being done now. It would be in the national lakeshore.

Mrs. BOLTON. How old is the church?

Mr. UDALL. I cannot answer the lady's question. I know it is very old and very valuable.

Mrs. BOLTON. Some of these national park systems and Army Engineers and all the rest have all too little regard for the old things they destroy.

Mr. UDALL. The National Park Service does?

Mrs. BOLTON. It certainly means to have. To that I agree.

Mr. UDALL. If this is in the lakeshore it will be preserved.

Mrs. BOLTON. I thank the gentleman.

Mr. UDALL. Let me make two or three additional points before I conclude.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

(By unanimous consent, Mr. UDALL was allowed to proceed for 2 additional minutes.)

Mr. HALL. Mr. Chairman, will the gentleman yield before he leaves that point?

Mr. UDALL. I yield to the gentleman from Missouri.

Mr. HALL. My question is very simple. I should like to have the gentleman relate the acreage involved in the Inland Steel property and the riparian rights through the Ogden Dunes Park on the shoreline, to the dollar estimate he gave for the acquisition.

Mr. UDALL. The 478 acres is $4.7 million for the Inland Steel property. The Ogden Dunes strip is about 100 feet wide and 1 mile long. I do not have the acreage. It will cost about $700,000 for the necessary fee rights.

Mr. HALL. That would be a total of what?

Mr. UDALL. $5.4 million.

Mr. HALL. $5.4 million for roughly, let us say, 500 acres, which, of course, comes out to more than $10,000 an acre. Is that correct? For acquisition costs?

Mr. UDALL. We are told by the appraisers that these are the current values in the area. This is what we will have to pay if we are going to save this area.

Mr. HALL. Thank you, that is too expensive at best.

Mr. SKUBITZ. Mr. Chairman, will the gentleman yield to me?

Mr. UDALL. Let me make these points first, and then, if I do not have any time left, my colleague, I am sure, can get time himself under the 5-minute rule.

This area that I propose to add was in the Senate bill. It was a part of the compromise, the great compromise, where we would have a port and a lakeshore. This is vacant land. Inland Steel will not lose anything. They will be paid in full. We will not lose anything, but we can save by putting this in the national lakeshore. It will take pressure off and really save this as a beautiful national lakeshore area and enable us to save the dunes. I urge all my colleagues to support us in the passage of this amendment.

Mr. MURPHY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. UDALL. If I have any time left, I will be glad to yield to my good friend from Illinois.

Mr. MURPHY of Illinois. Thank you for yielding. May I ask this question: From Gary eastwardly in Indiana what percent of the beach shoreline is private and public? I understand in the city of Gary you have Marquette Park, which has a public beach. I know because I used to go there when I was a boy.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. UDALL. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. I yield to the gentleman from Illinois.

Mr. MURPHY of Illinois. It was the highest dune in point of altitude along the southerly shores of Lake Michigan. I know they have a public beach there and a State park with a beach in Indiana and they also have a public beach at Michigan City. However, I do not know nor can I recall whether there is any other public bathing area from Gary, Ind., along Lake Michigan to St. Joseph, Mich.

Mr. UDALL. Let me answer this question, because this is a very crucial point. Our testimony showed that in 44 miles Indiana has on this beautiful lake, 65 percent of that acreage, 65 percent of it, is now zoned or used for industries, steel mills, and things of that kind. Another 30 percent is in private hands with "Keep Off" signs, and only 5 percent of that 44 miles is available for public use. That is what we are trying to correct here.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Chairman, will the gentleman yield to me on the subject of public beaches?

Mr. UDALL. I yield to the gentleman from Indiana.

Mr. HALLECK. I have the figures here from the Coast Guard maps on the public beaches. Hammond has four-tenths of a mile. Whiting has four-tenths of a mile. East Chicago has four-tenths of a mile. Gary, from U.S. Steel to Porter has 3.5 miles. Johnson Beach has one-half of a mile. Dunes Park has 3 miles and Michigan City 1 mile. Beverly Shores has four-tenths of a mile. That adds up to 9.6 miles of public beaches on Lake Michigan out of Indiana's 40 miles of shoreline.

Mr. UDALL. Much of which is polluted, and if we do not pass this bill, a lot more will be polluted, I am told.

Mr. HALLECK. I do not know how much is polluted over there, but let me lay that one thing to rest right here. The Gary-Hobart Water Co. draws its water from a point next to this.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. UDALL. I continue to yield to the gentleman from Indiana.

Mr. HALLECK. The Gary-Hobart Water Co. draws its water from the very area those people were arguing up there the other day at the hearing on our port would be polluted. You do not dare to pollute that water. In addition, it has been demonstrated and proven that Bethlehem Steel, which is adjacent, will put the water back in the lake more pure than it came out. So all of this talk about pollution is just a bunch of baloney.

Mr. SKUBITZ. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, one of the major points of discussion during consideration of this legislation concerned the inclusion and administration of the noncontiguous areas.

In the subcommittee, I offered an amendment to strike the Mud Lake unit—and that title describes it well—the Billings Lake unit, the Blue Heron unit, and Pin Hook Bogs; but it was defeated.

Interestingly, the Department of Interior is willing to pay more money per acre for these mudholes and swamps than the Corps of Engineers is willing to pay for the best river bottom land in the Melvern Reservoir area in the State of Kansas.

In the full committee the chairman, the gentleman from Colorado [Mr. ASPINALL], offered an amendment to strike all of these units with the exception of Pin Hooks Bogs. Lo and behold—it carried.

In the subcommittee I offered an amendment to strike the West Beach unit, the Burns Bog unit and the Ogden Dunes area. This area is 4 miles away from the remainder of the lakeshore. That amendment was defeated.

In the full committee the chairman of the committee offered an amendment to strike the Burns Bog unit—and it carried—and my amendment to strike the West Beach unit also carried.

The exclusion of these noncontiguous areas reduced by 5,276 acres the land to be acquired at a savings of approximately $11,170,000 to the Federal Government.

The facts are that the cost will at least double this amount—witness what has happened with respect to the Point Reyes project in California—originally authorized for $14 million—now up to approximately $60 million.

Today we are getting a demonstration of what the proponents of this bill want to do.

By amending this bill—and referring to the map LNPNE-1008-ID, my colleague from Arizona is attempting to make the West Beach unit a part of the lakeshore.

Mr. ROUSH's amendment adds the Burns Bog unit.

Now, why did the committee delete the West Beach unit and the Burns Bog unit? This land is now owned by the Inland Steel Co.

I have no interest in Inland Steel—I am interested in trying to give Indiana a lakeshore—and also preserving that area not needed and not contiguous to the remainder of the lakeshore for industrial development and for the State of Indiana.

Now the question arises: Does Inland Steel intend to develop this area? All I know is what Inland has told the committee, and I must assume that the officials of that company are honest men.

On April 7, 1966, Mr. Frederick Jaicks, president of Inland Steel, testified as follows:

> It is our present intention that by or shortly after the time that the proposed Burns Waterway Harbor is in commercial operation as a public port, Inland Steel's property will be devoted to industrial use.

If you will examine the map, you will find that one major highway and three major railroad lines separate the West Beach area and the Burns Bog unit.

Hundreds of freight trains and passenger trains travel over these lines each day.

Anyone trying to use the West Beach unit must pass over these lines each day.

Now what are we going to do—relocate the railroad lines and highway—of course not; that would be prohibitive. Build underpasses and overpasses? Well, that would be the sensible thing to do.

But let me tell you something—the Department witnesses estimated that 80,000 people and 8,500 cars would use the West Beach unit each Sunday.

I submit that it will take a dozen overpasses and underpasses to meet this problem.

Yesterday, my colleague from Arizona told you there were times when the traffic was backed up for 5 miles trying to get into the State park.

I submit that if West Beach is added, it will be backed up to the Chicago Loop.

Yesterday I advised the committee that in the Interior Committee the proponents agreed that West Beach unit was the heart of the project but since the so-called heart is separated from the remainder of the project by 4 miles—they now refer to it as the key to the project.

To include it would call for dual administration. The State of Indiana opposes its inclusion and so do I.

Now, let us examine the Burns Bog unit.

You have seen some snapshots—presumably taken in this area. The Department says it wants to save the dunes—it wants to create trails.

Let me read you what the chairman of our full committee said about this particular area:

> All of our pictures, Mr. Hartzog, show that this has been de-duned—if that is the word—as there is comparatively no acres at all back of that—that is the dunes area at the present time.
>
> A little bit has come back, I understand. But over a period of almost a quarter of a century or longer than that, these dunes have not come back—and they will not come back as long as you have a railroad track there. That country has grass and no dunes at all—that is what it is.

And then Mr. ASPINALL added:

> What would you have trails in that kind of place for?

The proponents are trying to sell you this project under the label "we are saving the dunes."

Mr. Chairman, 738 acres are involved in this amendment—and the Department witnesses tell us that in fact there are only 17 acres of so-called dunes in the whole area.

The amendment and the substitute should be defeated.

Mr. ROUSH. Mr. Chairman, will the gentleman yield?

Mr. SKUBITZ. Mr. Chairman, I yield to the gentleman from Indiana.

Mr. ROUSH. Mr. Chairman, I know that there has been much said in this debate about saving the dunes, and I seem to note from the debate some sort of odium attached to the proposition that recreation areas should be preserved.

Is the gentleman opposed to preserving recreation areas in this part of Lake Michigan?

Mr. SKUBITZ. No. In fact, I have supported the establishment of a lakeshore project there, but I am opposed and was opposed to these additional areas that we would add.

The CHAIRMAN. The time of the gentleman has expired.

AMENDMENT OFFERED BY MR. ROUSH

Mr. ROUSH. Mr. Chairman, I offer an amendment to the substitute amendment offered by the gentleman from Arizona [Mr. UDALL].

The Clerk read as follows:

> Amendment to the substitute amendment offered by Mr. ROUSH: Page 2, line 6, strike out the period at the end of Mr. UDALL's amendment and add the following: "excluding therefrom the one mile of lakefront known as Ogden Dunes Beach and adding thereto the area known as the Burns Bog Unit as shown on a map with the same title, dated January 1965 and bearing the number 'NL–ID–7001A' which map is also on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior."

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. ROUSH].

Mr. HALLECK. Mr. Chairman, will the gentleman yield for the purpose of propounding a parliamentary inquiry?

Mr. ROUSH. I yield to the gentleman from Indiana.

The CHAIRMAN. The gentleman from Indiana will state the parliamentary inquiry.

Mr. HALLECK. Mr. Chairman, in view of the fact that all of the units of this proposed national park are fixed by reference to a map, is it in order to offer language in indefinite terms that would undertake to alter that?

The gentleman from Arizona offered an amendment which referred to another map, which is a matter of record.

I do not know and I do not know whether anybody else knows just what is meant when reference is made to Ogden Dunes or Burns Bog units.

The CHAIRMAN. The Chair would reply that the Chair is not in a position to construe the amendment. The amendment technically is in order and it is up to the Member offering an amendment to construe the amendment for the benefit of the Members.

Mr. ROUSH. Mr. Chairman, I do have here a copy of the map referred to in my amendment.

My amendment does two things with regard to the substitute amendment offered by the gentleman from Arizona [Mr. UDALL].

First of all, my amendment deletes from his proposal the area known as the Ogden Dunes Beach.

My amendment also causes to be included in the lakeshore, the area known as Burns Bog.

This means an additional 374 acres to that which the gentleman from Arizona [Mr. UDALL] proposes to be included in the bill.

This would cause the bill to more nearly conform to the bill which passed the other body.

It provides a larger area for recreation and conservation in the particular unit that we have come to know as the Inland Steel property.

I do not want to mislead the House. But the Governor of Indiana has testified that he is for a Dunes Park. He is for a port. He is not for a park which would include noncontiguous areas. This would include the Inland Steel property which is a noncontiguous area.

In this regard some of us who are proponents of this park are at odds, as far as our opinion is concerned, with the Governor of Indiana. It is an honest difference of opinion.

But this is a valuable addition to the proposal which is before the House at this time. This particular area lies closest to the population center.

I would call your attention and refer to the aerial photo which is the chart at the far end on my right.

You will observe that there are no improvements in this area. There are no buildings. There has been nothing done by Inland Steel except during the early course of their ownership they mined the dunes.

There are still dunes remaining. One of the purposes of securing these color photos which you see before you, all of which describe areas and portray areas within the Inland Steel property, is to show to you that there are still valuable dunes to be saved.

I have in my file also copies of letters from Dr. Jerry S. Olsen and Dr. William C. Ashby who have received their doctorates in ecology from the University of Chicago on work done in the Indiana dunes. Both of these men call attention to the scientific and conservation features of this particular area and say they are worth saving.

The question has been raised that this would be difficult to administer. This is certainly not unique in the history of national parks; to have a noncontiguous area or to have several noncontiguous areas involved in one of these parks.

I call your attention to the list of parks which can be found on page 419 of the hearings before the Subcommittee on National Parks and Recreation which began on April 4 of this year. They list many of them—Acadia National Park in Maine, Cape Cod National Seashore, Cape Hatteras National Seashore, Channel Islands National Monument.

And there are numerous others which have the same problem to contend with. I believe we cannot say they have been delinquent in their administration nor have they been too difficult to administer.

I think it is important that we include—I might say I think it is very important that we include—in this bill this property known as the Inland Steel property.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Chairman, I rise in opposition to the Roush amendment and in favor of the Udall amendment. In reference to the Roush amendment, which I oppose, it startles me that anyone who would be in favor of this national lakeshore would offer such an amendment.

The gentleman from Indiana [Mr. ROUSH] by his amendment would take out a mile of beach for lakefront, which the gentleman from Arizona [Mr. UDALL] is attempting to put in. He would add several hundred acres of ground which are south of the railroad tracks, and separated by all of those main railroad lines which were referred to by the gentleman from Kansas [Mr. SKUBITZ]. The amendment offered by our colleague, the gentleman from Arizona [Mr. UDALL], is really in preservation and establishment of a lakeshore, which is what the bill would do. It is an attempt to provide an area on Lake Michigan where people from the great metropolitan area can come. There is absolutely no reason for including the lands of the Inland Steel Co., south of the main line of the railroad tracks. That area could provide very little in the way of recreation.

But the part that the gentleman from Arizona [Mr. UDALL] wants to put in, and the reason I support his amendment, is that his amendment would actually preserve some of the dunes that have been referred to. I certainly hope that the Members of this Committee will defeat the Roush amendment, because most of the property that he wants to put in is not contiguous, and the property that the gentleman from Arizona [Mr. UDALL] wants to put in, is on the lakefront and will be available for the recreational enjoyment of all the people.

It is true that it is expensive. Our colleague from Kansas has said it costs more money for this land than for good bottom farmland in Kansas. I can tell my good friend from Kansas, that if he had his farmland up on this lake, he would get a lot more money for it. Location is what makes this land valuable.

Some people say we should not take Inland Steel's property. Inland Steel has owned this property for, I understand, over 60 years, and they have never done anything with it except take sand off it. Now, they come along and say that one of the reasons we should not take it is because we should give them 5 years to develop it. If they have had this land all that time and have not been able to develop it, it is time the Federal Government should step in and make it available to the people.

Mr. SKUBITZ. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to my colleague, the gentleman from Kansas.

Mr. SKUBITZ. My colleague misunderstood my statement. When I spoke of $400 an acre, I was talking about the Mud Lake unit and the Pin Bog unit, which are nothing but swamps 2 or 3 miles from the lake shore. The Department of the Interior was willing to pay over $400 an acre for that land. That is more than river-bottom land in my State costs.

Mr. SAYLOR. Mr. Chairman, I certainly hope the Roush amendment is defeated and the Udall amendment is adopted.

Mr. HALLECK. Mr. Chairman, I rise in opposition to the amendment. Just in case any of the Members now present were not here yesterday and did not hear some of the things that I had to say at that time, I am going to say again very briefly—and I hope my friend from Chicago will listen; I am sure he will—that the proposed national park is altogether located in my district except one little unit way over in La Porte County, which is 4 or 5 miles from the park.

Why anybody put that in I do not know. That is just like when they started this measure and it passed the other body. It had a lot of these back line areas 3 or 4 miles away, with absolutely no use for anything in it, but it is good, expensive property that one day we can use out our way. The State of Indiana has been protecting 3 miles of the best dunes for more than 40 years. The other dunes that are left are already protected by zoning and ordnances. This expensive bill is not needed to save the dunes.

I am against the bill.

I am against this amendment.

These conflicting views here have put me back of the eightball, in a way. I am not for putting the Ogden Dunes Beach in here. I am not for putting the Beverly Shores Beach in here. I am not for putting in the Dunes Acres Beach.

If the Members will look at the map, they will see they are just about equal types of communities.

But I certainly am not for this amendment.

The gentleman from Indiana referred to what our Governor had to say. He made it real plain. He said:

> The tract of land just east of the Lake Porter County line now owned by Inland Steel Co. is not contiguous to the major portions of the Indiana Dunes National Lakeshore project and therefore the State of Indiana is not interested in having this land acquired.

Let me add one further word at this juncture. When the Inland Steel representatives appeared and testified they said they were for the park but, "We do not want in it. We do not think we belong in it."

That did not quite fit my view about what ought to be done in this circumstance, but in any event that was their position.

For them it must be said that, if anyone wants a bathing beach, I guess they have a bathing beach. As I pointed out, right now there are almost 10 miles of public bathing beaches in existence in Indiana. We are getting ready, if this bill is passed—and I hope it is not—to take miles and miles of what are now private beaches.

If we should take away the riparian rights from those property owners—and some of those homes are worth $150,000 or more—we can get our pencils out and figure what this is going to cost.

If we should ask Inland Steel about a price, if we should say, "We want your property,"—800 acres, or whatever acreage the gentleman from Indiana would take—and asked them to put a price on it, they would not put a price on it. If they did, it would not be $4 million. It would be closer to $10 million, in my estimation.

And what about these private beaches? Nobody can tell for sure what sort of valuation is going to be placed upon this frontage. I know that those lakefront lots up there are selling now at fabulous prices.

I just hope that all these amendments will be defeated. In saying that I certainly do not want to be in the position of urging that Ogden Dunes Beach be placed in here. That would be just compounding the whole situation and making it worse.

As a matter of fact, if these amendments should be adopted and if all of these areas should be put back in the bill it would be much worse. The committee in its wisdom did not.

A while back I received a letter from the president of the board of trustees, town of Ogden Dunes, in which the writer said, among other things:

> Hundreds of our citizens took little or no interest in "Save the Dunes" or for that matter, far more important public issues than these. Now, however, when we are suddenly, and for the first time, threatened with the loss of our beach front, which could have a tremendously detrimental effect on all the aspects of our community life, particularly on our property values, our citizens are not expressing themselves, and surely they have a right to be heard before this sudden inclusion in the bill becomes law.

This letter was written at a time when the Committee on Interior and Insular Affairs was considering the bill, but the comment is as timely now as it was then.

I am sorry that the great chairman of this committee is not here. I am sorry that the chairman of the subcommittee is not here. They were in attendance at the hearings. They know what it is all about. When they reported this bill they did not have any of those areas in it.

Now, something was said here yesterday about how I am just a provincial guy and I just represent a few people up there in my bailiwick. That is not quite true. The Secretary of Interior said he never saw less zest for a national park than there is in respect to this one, and I believe that is exactly right.

Mr. UDALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hope we can vote shortly on this very important matter and resolve once and for all what I think is at the heart of and is the key to this whole proposal. Before we do I believe that something should be made clear with regard to this amendment. The gentleman from Indiana suggested that it is too bad the chairman of the subcommittee and the chairman of the full committee are not here, and it is too bad. However, if you are suggesting that there is doubt about their position on this bill, yesterday both of them requested me to extend their remarks in the Record. You will find that in the very first part of the debate yesterday afternoon. They both support the bill. Let us have that very clear.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I am glad to yield.

Mr. HALLECK. I did not mean to indicate that they are not supporting the bill, because I know they do. They voted to report the bill. But the point that I wanted to make, I would like to say to the gentleman and to the Members here, is that apparently they were not averse to the amendments that were adopted in the committee to take out some of these areas.

Mr. UDALL. I was there, and I would quarrel with my friend from Indiana particularly with reference to the gentleman from Alaska [Mr. Rivers], who signed a letter 2 days ago saying that he supported the Udall amendment, which we are now considering. The suggestion was made, also, that we are going to buy up a lot of homes. In Cape Cod, at Point Reyes, at Padre Island, and I am reminded by my friend, the gentleman from New York [Mr. Pike], at Fire Island, we worked out a very nice procedure, which says that all we take is an easement down to the water. We take the shoreline for public use and people can keep their homes, and in this bill they can keep them forever. If they want to sell to the Government, they can still do it and keep up to a 25-year interest or a lifetime interest in the property. We will not be buying up a lot of expensive homes.

The question here really is, as the gentleman from Pennsylvania [Mr. Saylor] pointed out, whether we will have a meaningful lakeshore and take these 2 additional miles. My Indiana friends have complained about Chicago being for this bill. The testimony showed that in Chicago 80 percent of the waterfront is publicly owned, whereas in this beautiful 40 miles or at least what was once a beautiful 40 miles of lakefront we already have 65 percent in industrial use, according to the testimony given in the hearings, and 35 percent more being private homes with those "Keep Off" signs. They are just as thick as a forest in here. This bill would change that. Only 5 percent of all the Indiana land in Lake Michigan is available for the public. I cannot understand—I simply cannot understand—why some of the people of Indiana—they are a minority I am sure—when the Federal Government is willing to come in here and spend up to $26 or $27 million to save one of the really choice and beautiful areas of this country and provide them with really gorgeous lakeshore bathing beaches, would come in here and fight the bill. I will never know quite why they have fought the bill as hard as they have.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I am glad to yield to my friend from Indiana.

Mr. JACOBS. I think it should be made clear that the people of Indiana have not come in here and fought this bill or fought this idea of a national park which down through the ages will do American honor to our State. Some people from Indiana have opposed it and not many.

Mr. UDALL. Not at all, and your colleague from Indiana [Mr. Roush], yesterday made it very clear in what I thought was one of the fine speeches made in this Congress when he stated that two Senators and five Members of the House and many organizations and conservation groups and citizens of Indiana have supported this bill. It is just a small group in one area that is against it.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I am glad to yield to the gentleman from Indiana.

Mr. BRADEMAS. Following what Mr. Jacobs said, I would like to say that I took a survey, which I do every year in my congressional district, and sent out about 165,000 postcard questionnaires which contained 10 questions. One of the questions in the Third District of Indiana, which touches upon the area under consideration, was this: Do you favor legislation that would make possible both a national dunes park and a port in northern Indiana? Seventy-three and nine-tenths percent of the citizens in five northern Indiana counties answered yes to that question. I think that is an indication that in this part of the State there is strong support for both a national dunes park and a port.

Mr. UDALL. I thank the gentleman for that contribution.

Let me make one other quick point here. We are now finally trying to do something here in the Midwest and in the East in the way of national parks. We have largely done it in the West before. In Chicago, for every 1,000 people in the Chicago metropolitan area within 40 or 50 miles, there are only 11 acres of public outdoor recreational areas which these people can use.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. UDALL. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Chairman, in this great area, for every 1,000 people, there are only 11 acres provided for public outdoor recreational areas.

Mr. Chairman, one would think that New York City would be in the very poorest position in relation to the acreage involved. However, New York and Philadelphia have not 11 acres; they have 17 acres. San Francisco has 19 acres for every 1,000 people.

And, my friends, the city of Los Angeles has 167 acres.

Mr. Chairman, this area is one of the neediest as for areas of public outdoor recreation in the country. We are trying to do something about it.

Mr. Chairman, reluctantly, I must oppose the Roush amendment. I was previously for including the south area, and made efforts trying to get it back in.

Mr. Chairman, the gentleman from Pennsylvania [Mr. Saylor] and I decided that the best approach was to take the most acres and shoreline available to the people involved, and I urge that the Roush amendment be voted down and that my amendment be agreed to.

Mr. SKUBITZ. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Kansas City if I have any time remaining.

Mr. SKUBITZ. Mr. Chairman, will the gentleman from Arizona [Mr. Udall] tell the committee what the cost would be if we were to adopt the Roush amendment?

Mr. UDALL. I think it is substantial. The cost of my amendment is $5.4 million.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. SKUBITZ. Mr. Chairman, I ask unanimous consent that the gentleman from Arizona [Mr. Udall] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SKUBITZ. Mr. Chairman, if the gentleman from Arizona will yield further, how much is the cost involved?

Mr. UDALL. It will cost an additional $3,740,000 for the Burns Bog unit from which you have to subtract $700,000 for the Ogden Dunes frontage because the Roush amendment, if adopted, would take that out.

Mr. SKUBITZ. Now, Mr. Chairman, if the gentleman will yield further, how much would it cost if we adopted the amendment which has been offered by the gentleman from Arizona [Mr. Udall]?

Mr. UDALL. It would cost—the total cost of my amendment, if adopted, is $5.4 million. The total cost of the Roush amendment would be $8.4 million.

Mr. SKUBITZ. And, Mr. Chairman, if the gentleman will yield further, this bill authorizes the expenditure of $23 million, I believe, and it is now up to $31 million, if this amendment is adopted?

Mr UDALL. Mr. Chairman, if the gentleman will yield further, it is $21 million now and if my amendment carries, it will be $27,900,000. However, if the Roush amendment carries, that involves another $4 million and, so, the total would be up to $31 million.

Mr. SKUBITZ. Mr. Chairman, if the gentleman will yield further, the Ogden Dunes area is involved.

Mr. Chairman, will the gentleman yield further?

Mr. UDALL. I yield further to the gentleman from Kansas.

Mr. SKUBITZ. If, therefore, we accept this bill, what we are doing is purchasing really a part of the Ogden Dunes area; is that not correct?

Mr. UDALL. No; we are actually purchasing an area of about 100 feet wide through the town of Ogden Dunes, in order to make this a public beach property under supervision of the National Park Service.

Mr. SKUBITZ. And, if the gentleman will yield further, is it not true that this area is 4 miles away from the remainder of the lakeshore?

Mr. UDALL. It is approximately 3.5 miles away from the Ogden Dunes area.

Mr. SKUBITZ. And, the Inland Steel property is involved therein?

Mr. UDALL. Yes, and those represent the best dunes in the entire area, and we cannot have them unless we adopt this procedure.

Now, Mr. Chairman, we would like to have a little bit, just a little bit, of those dunes preserved for future generations.

Mr. SKUBITZ. Mr. Chairman, if the gentleman will yield further, is it not true that there are only 17 acres of dunes in the West Beach area?

Mr. UDALL. I do not know that the committee said that, but in all of our national parks we have buffer areas, in order that we may be able to protect them. Also, the dunes as an ecological unit is not just the shore, sand, and beach. There is a real, vital progression of life and flora and fauna, all based on the lake, but proceeding back from it. This is the totality the scientists want saved.

Mr. WILLIAMS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I know very little about this dunes controversy. I come from the State of Mississippi, and I doubt that I shall ever have an opportunity or occasion to visit this dunes area.

But, Mr. Chairman, there is one thing which I have learned during the 20 years that I have been a Member of Congress, and that is "congressional courtesy." Another thing, Mr. Chairman, with regard to this bill I learned, as stated by the gentleman from Kansas [Mr. SKUBITZ], yesterday, if this bill is passed, you are going to take over property located in the State of Indiana, at the expense of the Federal Government, and appropriate it to the use and enjoyment of the people of Illinois.

And you are doing it over the objection of the Representative who is the only voice in the Congress the people of that area have.

Mr. UDALL. Mr. Chairman, will the gentleman yield on that point?

Mr. WILLIAMS. Of course I will yield.

Mr. UDALL. Mr. Chairman, I might say the people of that area also have two Senators, two U.S. Senators who, incidentally, are for the bill.

Mr. WILLIAMS. Let me say that the State of Indiana has two U.S. Senators, to speak for the State, but the affected area must speak through its Representative in this body. Over in that other body they indulge in a practice known as senatorial courtesy. I think it is about time we started doing the same thing, and give the same indulgence to our colleagues in the House that they give each other in the other body.

Regardless of how much merit or how little merit there might be in this bill, the mere fact that the Representative from the area in which this national lakeshore park is intended to be located rises in opposition on behalf of his people and says "Do not put it here," I intend to vote against this legislation.

Now, whether or not he has correctly interpreted the wishes of his people in the affected area, the people in his area will have a chance to express their views on November 8, 1966, when he comes up for reelection. And until they express themselves otherwise, I intend to oppose this kind of legislation.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. UDALL. The philosophy the gentleman has expressed is interesting to me. I raise this hypothetical question: Suppose a fellow Congressman had in his State an area with a big hole in it, and it was called the Grand Canyon, and you had a project to build a dam near that area, and other Members of Congress came in and wanted to give you advice on whether or not you could build a dam in that area. Would the gentleman think they would have no right to give advice on that?

Mr. WILLIAMS. I would say that if the Representative was opposed to the dam being built in his district at Federal expense I would oppose it.

Mr. UDALL. I thank the gentleman for yielding.

Mr. WILLIAMS. The gentleman from Arizona had something else that he was pretty much interested in recently. I recall that he briefed us on that project in the Rayburn Building recently, and he sold me on the merits of his project, and I intend to support it if and when it comes up in the House.

But if the gentleman had stood up and said "This is in my district, and I oppose it, and you will be forcing it on me and on my people, and they do not want it," then I think as a matter of courtesy, we should defer to the wishes of his people, as expressed by their Representative in this body.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

(By unanimous consent, Mr. MADDEN was allowed to proceed for an additional 5 minutes.)

Mr. MADDEN. Mr. Chairman, I first want to say that I am very much in favor of a Dunes National Park, and a port on the south shore of Lake Michigan. I am very much in favor of protecting adjacent areas for expansion of industry. I am also very much in favor of preserving the few remaining miles of available beach for present and future enjoyment and recreation of the public. About 9 million people will concentrate in an area within 1 hour's drive of the Dunes National Park when it is created.

I think this bill is one of the most important bills, as far as the Indiana Calumet and Chicagoland region is concerned, of any bill you have voted on in this session, or in many previous sessions.

I was comptroller of Gary, Ind., back in 1935 and 1936, and we had a small city park located on Lake Michigan beach. In the summer evenings traffic would extend almost half a mile, bumper to bumper, on roads leading to the park. The Dunes State Park was inaugurated in 1924. In the last 40-odd years the State of Indiana has neglected and omitted any expenditures of any consequence to provide a suitable Dunes State Park for the millions living in the adjacent area.

During the summer and into the fall, if you drive to the present Dunes State Park and try to get in, you will be blocked off because the cars are bumper to bumper stretching out for a mile or more away from the entrance. Today there is acre upon acre in Dunes State Park that the State of Indiana should have converted into parking space many years ago.

The people from northern Indiana have tried to persuade different State administrations to expand, improve, and modernize the park. Many State administrations, both Republican and Democratic have ignored the requests.

Two weeks ago after this agitation and discussion of National Dunes Park, legislation became active our State government announced, quote. "We are going to spend $2,250,000 on Dunes State Park." End quote: After 40 odd years—if that is not deathbed religion, I would like to see an example of it.

I have every confidence in Governor Branigan but Governor Branigan will be going out of office in 2 years. Only a 4-year term of office is allowed the Governor in the State of Indiana. Who is going to follow Governor Branigan? What is going to happen after Governor Branigan retires? We will be back in the same situation that we are in today.

Here is this magnificent beach and dunes area that is being neglected and its full benefit is being denied to the people. There are thousands of acres for industry in this area without taking over 94 percent of the beach and dune area south of the Inland property.

There are only two fresh-water beaches that can compare with the dunes area—one is on the Baltic Sea in Europe and the other one is in the northern part of Italy. That statement was made by one of the witnesses who testified for this Dunes State Park.

Let me clear up another statement that was made here by my good friend, the gentleman from Indiana [Mr. HALLECK].

Yesterday he made a statement about labor groups being opposed to establishing this Dunes State Park.

I have a statement here from the head of the AFL-CIO in the State of Indiana which was submitted to the Interior Committee. Dallas Sells, Indiana president of the AFL–CIO testified before the Interior Committee, I hereby submit this statement:

INDIANA STATE AFL–CIO,
Indianapolis, Ind., April 11, 1966.
Hon. RALPH J. RIVERS,
Chairman, Subcommittee on National Parks and Recreation, House Committee on Interior and Insular Affairs, Longworth House Office Building, Washington, D.C.

DEAR CONGRESSMAN RIVERS: The Indiana State AFL–CIO believes strongly that the creation of a Federal port and the Indiana Dunes National Lakeshore Park is essential to the economic growth of northern Indiana.

It is uncertain whether the dunes area will get the additional recreation space it needs if there is not cooperation between Federal and State Governments. Indiana government has shown no interest in expansion of facilities in that area in the past decade.

The Louisville Courier-Journal, April 6, 1966, said editorially "The State's sudden interest in expanding its dunes park comes at a critical time. It comes when a national park is close to reality. The timing must be more than a coincidence. Never mind their value as a recreational area; never mind their unique value to naturalists; never mind the pressing need for open space and recreational facilities for an expanding population; never mind the strategic location of the Indiana dunes as a recreation site for large concentrations of population; never mind tomorrow."

Union-management collective bargaining contracts now make it possible for more leisure hours through shorter workweeks and pension programs. This alone warrants the preservation of historic acreage such as that contained in the Indiana Dunes National Lakeshore Park site.

If there is a question concerning the right of easement by Secretary of Interior for national trails, this could be easily clarified in the law.

We look with some misgivings about the raping of the land that took place during the time of our forefathers, and can expect future generations to have somewhat the same misgivings about our actions and decision if we allow all of the natural resources and beauty of this country to be placed beyond their reach.

If positive action is not taken by this session of Congress in regards to this proposal for a national park, it may be too late. It is imperative that we consider the needs of tomorrow as well as the desires of today. We feel it is regrettable that certain individuals and groups with financial interests in the lakeshore area are spreading misformation and distortion as to the legislation now under consideration. The proposals are at best nothing more than a compromise between those who have little interest in recreational facilities and those conservationists who see the growing need in our society for such additional facilities.

We agree with Congressman ANDREW JACOBS, JR., in his statement "that the bill with the changes suggested by the Honorable J. EDWARD ROUSH would in his words '* * * allow maximum development of the areas while providing an overall plan for recreation, and conservation to supplement the industrial area.'"

I would be grateful if this letter were made a part of the official record of your hearings on H.R. 51.

Sincerely,
DALLAS SELLS, *President.*

Yesterday I called the attention of the Members to various conservation organizations not only in the State of Indiana but throughout the country that have endorsed the Dunes State Park.

They are as follows: Izaak Walton League, the Audubon Society, the Prairie Club, the Sierra Club, Nature Conservancy, Chicago Academy of Sciences, Friends of American Landscape, Indiana Federation of Women's Clubs, Garden Clubs of Indiana and Illinois, Conservation Club of Chicago, Wild Flower Preservation Society, Wildlife Preservation Society.

Millions of people all over Indiana and the Nation belong to those organizations.

The gentleman from Mississippi [Mr. WILLIAMS] has made the point that passage of the bill would be an offense to our good friend, CHARLIE HALLECK, because a section of the dunes is in his congressional district.

A very narrow piece of land, called Porter County, protrudes north from the main part of Congressman HALLECK's district and provides contact with Lake Michigan.

Part of the district of my colleague, Congressman BRADEMAS, is in this dunes park or beach area. So I do not take too seriously statements about encroaching upon CHARLIE HALLECK's district.

I predict it will not be many years until air pollution and water pollution problems will be completely solved. I do not think it will make much difference in a few years whether a park is located next to an industry, because those problems will be troubles of the past.

A few minutes ago my good friend, CHARLIE HALLECK, said that we drink the Lake Michigan water we are taking from the lake. But I point out that the Gary Hobart Water Co. have pipelines extending way out into the lake about 4 miles to get away from the industrial waste and pollution.

In deference to my good friend, Congressman ROUSH, I should like to say that the most practical amendment offered here is the amendment offered by my colleague, the gentleman from Arizona [Mr. UDALL]. I think it is a sensible amendment because it would retain more of those beaches along the lake and less of the hinterland which could be utilized for industry and business.

Mr. PIKE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Indiana [Mr. ROUSH].

I have some sympathy for the position of the gentleman from Indiana [Mr. HALLECK], because I have traveled this path personally. There is a new national seashore called the Fire Island National Seashore in my district. I have some sympathy for the position that the gentleman from Mississippi [Mr. WILLIAMS], took when he spoke about congressional courtesy. I want to assure you the first bills to establish the Fire Island National Seashore were not introduced by me. I wanted it controlled locally. I wanted the local government to have the park and preserve the area. But I found, as I think I see in this situation, that the local government was not doing that which the local government might have done. I opposed extending that national seashore in my own district, and having done that, as I look at the developments, as I look at the population pressures, as I look at the increasing population and the lack of recreational facilities, I am not all so darned sure I am right.

Mr. ROUSH in his amendment is seeking to expand the size of this national lakeshore. That is what he is seeking to do. Of course, it is going to cost more money when you expand the size of this lakeshore. But if it costs more today, it will cost twice as much more in a decade and four times as much more in a generation.

When we legislate on the national level recreation areas we have to think not just of what it will cost today, but we have to think of what it will mean in a decade and what it will mean in a generation. I believe the amendment of the gentleman from Indiana will mean a tremendous benefit to the people of this area.

I am not going to visit this lakeshore. I am not going to be one of those who will benefit from it. But if we can expand this lakeshore at this time I believe the money will be well justified, and I support the amendment.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I want to tell my good colleague from New York that if the Roush amendment would do what he said it would, I would support it and so would the gentleman from Arizona [Mr. Udall]. What the Roush amendment would do is to take away from this bill a mile of lakeshore. That is what we are trying to preserve. This is what the Udall amendment would accomplish.

Mr. PIKE. I have walked this path before.

The gentleman is absolutely correct. It would take away a strip 100 feet wide and 1 mile long. I also have walked this path in my own national seashore, and I know that a strip of lakefront in front of a developed community largely will be used by the inhabitants of that developed community and will not mean much to the population at large.

The area is what is important, in my opinion. The area is what is to be added by the Roush amendment.

I urge the adoption of that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROUSH], to the substitute amendment offered by the gentleman from Arizona [Mr. UDALL].

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 13, noes 40.

So the amendment was rejected.

The CHAIRMAN. The question now occurs on the substitute amendment offered by the gentleman from Arizona [Mr. UDALL].

The question was taken; and on a division (demanded by Mr. HALLECK) there were—ayes 42, noes 25.

So the substitute amendment was agreed to.

Mr. RYAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. RYAN. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The point of order is withdrawn.

The question now occurs upon the committee amendment, as amended by the substitute.

The committee amendment, as amended, was agreed to.

Mr. RYAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 353]

Albert
Andrews, Glenn
Annunzio
Arends
Aspinall
Baring
Bingham
Blatnik
Bolling
Bow
Bray
Brooks
Callaway
Carey
Clancy
Clevenger
Collier
Corman
Craley
Culver
Davis, Ga.
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Ellsworth
Evans, Colo.
Fallon
Farbstein
Farnsley
Fisher
Flynt
Foley
Fulton, Tenn.
Giaimo
Gilligan
Goodell
Grabowski
Gross
Grover
Hagan, Ga.
Hanley
Hansen, Idaho
Hansen, Wash.
Harvey, Ind.
Hébert
Helstoski
Henderson
Herlong
Hicks
Holland
Howard
Huot
Irwin
Keith
Kelly
Keogh
Long, Md.
Love
McCarthy
McDowell
McMillan
McVicker
Macdonald
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Miller
Minish
Moeller
Morrison
Morton
Moss
Multer
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Konski
Olsen, Mont.
Ottinger
Pickle
Powell
Price
Pucinski
Purcell
Reinecke
Resnick
Rivers, Alaska
Rodino
Rogers, Tex.
Roncalio
Rosenthal
Roudebush
Schmidhauser
Scott
Sickles
Smith, Va.
Steed
Stephens
Stratton
Sweeney
Taylor
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Tunney
Tupper
Tuten
Walker, Miss.
White, Idaho
Williams
Willis
Wilson, Charles H.
Wolff
Wydler

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. McFall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 51, and finding itself without a quorum, he had directed the roll to be called, when 305 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, lines 7 through 19, strike out the first two sentences of section 2(a) and insert in lieu thereof the following:

"Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the 'Secretary') is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise. This authorization includes, in the case of lands adjacent to Lake Michigan in the town of Dune Acres, the acquisition of easement only, such easements being those that the Secretary deems necessary to assure public access along the beach adjacent to the waters of said lake."

Mr. UDALL (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the committee amendment be dispensed with and that it be printed in the Record at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

SUBSTITUTE AMENDMENT OFFERED BY MR. UDALL

Mr. UDALL. Mr. Chairman, I offer an amendment in the nature of a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. Udall as a substitute for the committee amendment:

On page 3, line 1, strike out "the committee amendment," and insert "Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the 'Secretary') is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise."

Mr. UDALL. Mr. Chairman, this is a simple, technical and conforming amendment necessitated by the passage of the substitute amendment we voted upon just before the quorum call.

There are three populated areas: Beverly Shores, Dune Acres, and Ogden Dunes. In the original bill we actually took beach frontage through the town of Beverly Shores. In the amendment just passed we took the beach frontage through Ogden Dunes. This amendment will make sure we treat Dune Acres in the same fashion and actually take the beach frontage there instead of merely having access to it, as in the present bill.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. The purpose of the substitute amendment is to provide uniform treatment for all three communities affected by this bill?

Mr. UDALL. The gentleman is correct.

The CHAIRMAN. The question is on the substitute amendment to the committee amendment, offered by the gentleman from Arizona [Mr. Udall].

The substitute amendment was agreed to.

The CHAIRMAN. The question now occurs on the amendment as amended.

The amendment as amended was agreed to.

Mr. UDALL. Mr. Chairman, I ask unanimous consent to dispense with further reading of the remaining committee amendments except for the last one which occurs on page 12, line 24. I ask unanimous consent further that all of the remaining committee amendments be considered en bloc and be printed at this point in the Record and be considered subject to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read the committee amendments, as follows:

Page 3, lines 11 and 12, strike out "with the consent" and insert "by donation".

Page 3, line 19, strike out "Secretary." and insert in lieu thereof: "Secretary which he classifies as suitable for exchange or other disposal within the States of Indiana or Illinois."

Page 4, lines 3 through 11, strike out all of subsection (b) and insert in lieu thereof the following:

"(b) In exercising his authority to acquire property under subsection (a) of this section, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized to be appropriated by section 10 of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred."

Page 5, lines 4 through 14, strike out all of subsection (a) and insert in lieu thereof the following:

"(a) The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within the boundaries of the lakeshore during all times when an appropriate zoning agecny shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary in accordance with the provisions of section 5 of this Act."

Page 5, line 17, strike out "October 21, 1963," and insert "January 4, 1955,".

Page 6, line 5, strike out "amount of the" and insert "amount of".

Page 6, line 13, strike out "thereto." and insert "thereto or public use thereof.".

Page 10, line 6, strike out the last sentence of section 7(a).

Page 12, lines 11 through 15, strike out all of section 9 and insert in lieu thereof the following:

"Sec. 9. Nothing in this Act shall deprive the State of Indiana or any political subdivision thereof of its civil and criminal jurisdiction over persons found, acts performed, and offenses committed within the boundaries of the Indiana Dunes National Lakeshore or of its right to tax persons, corporations, franchises, or other non-Federal property on lands included therein."

The committee amendments were agreed to.

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk read as follows:

Page 12, line 24, strike out "$23,000,000" and insert "$21,700,000".

AMENDMENT TO THE AMENDMENT OFFERED BY MR. UDALL

Mr. UDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Udall: Page 12, line 24, after "than", strike out "$21,700,000" proposed to be inserted by the Committee amendment, and insert "$27,900,000".

The amendment to the amendment was agreed to.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. McFall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 51) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes, pursuant to House Resolution 1024, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. HALLECK. Mr. Speaker, I demand a separate vote on the first so-called Udall amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the so-called Udall amendment on which a separate vote has been demanded.

The Clerk read as follows:

Page 2, line 6, strike out "the Committee amendment," and insert "The lakeshore shall comprise the area within the boundaries delineated on a map identified as 'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE–1008–ID', which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior."

The SPEAKER. The question is on the amendment.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. HALLECK. Mr. Speaker, on that I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. However, the Chair will call the attention of the Members of the House to the unanimous-consent request which was made by the gentleman from California on Tuesday that any votes on the bill, H.R. 51, be the first order of business on Friday, October 14, 1966.

And, according to that unanimous-consent request, which was adopted, further consideration of the bill is postponed until Friday next.

Mr. HALLECK. Mr. Speaker, in view of the statement of the Speaker, I withdraw my point of order.

The SPEAKER. The gentleman from Indiana withdraws his point of order.

FINANCIAL INSTITUTIONS SUPERVISORY ACT OF 1966

Mr. PATMAN. Mr. Speaker, I call up the conference report on the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 2232)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with the following amendments (page and line references refer to the House-engrossed amendment):

Conference amendment number (1): Page 14, line 9, strike "Such" and all that follows through the period in line 12 and insert: "Such hearing shall be private, unless the Board, in its discretion, after fully considering the views of the party afforded the hearing, determines that a public hearing is necessary to protect the public interest."

Conference amendment number (2): Page 20, strike lines 17 through 19 and insert:

"(2) The term 'State' includes the Commonwealth of Puerto Rico.

"(3) The term 'territory' includes any possession of the United States and any place subject to the jurisdiction of the United States.

"(4) The terms 'district', 'district court', 'district court of the United States', and 'judicial district' shall have the meanings defined in section 451 of title 28 of the United States Code."

Conference amendment number (3): Page 35, line 21, strike "Such" and all that follows through the period in line 24 and insert: "Such hearing shall be private, unless the Corporation, in its discretion, after fully considering the views of the party afforded the hearing, determines that a public hearing is necessary to protect the public interest."

Conference amendment number (4): Page 47, strike lines 4 through 6 and insert:

"(B) The term 'State includes the Commonwealth of Puerto Rico.

"(C) The term 'territory' includes any possession of the United States and any place subject to the jurisdiction of the United States.

"(D) The terms 'district', 'district court', 'district court of the United States', and 'judicial district' shall have the meanings defined in section 451 of title 28 of the United States Code."

Conference amendment number (5): Page 61, line 11, strike "Such" and all that follows through the period in line 15 and insert: "Such hearing shall be private, unless the appropriate Federal banking agency, in its discretion, after fully considering the views of the party afforded the hearing, determines that a public hearing is necessary to protect the public interest."

Conference amendment number (6): Page 70, line 17, insert: "in connection with the granting of any application or other request by the bank," immediately before "or any written agreement entered into".

Conference amendment number (7): Page 73, strike line 18 and all that follows down through line 9 on page 75 and insert:

"TITLE III—INCREASE IN INSURANCE LIMIT

"Federal Deposit Insurance Corporation

"Sec. 301. (a) The first sentence of section 3(m) of the Federal Deposit Insurance Act (12 U.S.C. 1813(m)) is amended by changing '$10,000' to read '$15,000'.

"(b) The first sentence of section 7(i) of the Federal Deposit Insurance Act (12 U.S.C. 1817(i)) is amended by changing '$10,000' to read '$15,000'.

"(c) The last sentence of section 11(a) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)) is amended to read: 'The maximum amount of the insured deposit of any depositor shall be $15,000.'

"(d) The fifth sentence of section 11(i) of the Federal Deposit Insurance Act (12 U.S.C. 1821(i)) is amended by changing '$10,000' to read '$15,000'.

"(e) The amendments made by this section shall not be applicable to any claim arising out of the closing of a bank where such closing is prior to the date of enactment of this Act.

"Federal Savings and Loan Insurance Corporation

"Sec. 302. (a) Section 401(b) of title IV of the National Housing Act (12 U.S.C. 1724 (b)) is amended by changing '$10,000' to read '$15,000' each place it appears therein.

"(b) Section 405(a) of title IV of the National Housing Act (12 U.S.C. 1728(a)) is amended by changing '$10,000' to read '$15,000'.

"(c) The amendments made by this section shall not be applicable to any claim arising out of a default, as defined in section 401(d) of the National Housing Act, where the appointment of a conservator, receiver, or other legal custodian as set forth in that section becomes effective prior to the date of enactment of this Act.

"Administrative Authority

"Sec. 303. (a) Section 3(m) of the Federal Deposit Insurance Act (12 U.S.C. 1813 (m)) is amended by adding the following new sentence at the end: "For the purpose of clarifying and defining the insurance coverage under this subsection and subsection (i) of section 7, the Corporation is authorized to define, with such classifications and exceptions as it may prescribe, terms used in those subsections, in subsection (p) of section 3, and in subsections (a) and (i) of section 11 and the extent of the insurance coverage resulting therefrom."

"(b) Section 405(a) of title IV of the National Housing Act (12 U.S.C. 1728(a)) is amended by adding the following new sentence at the end: 'For the purpose of clarifying and defining the insurance coverage under this subsection and subsection (b) of section 401, the Corporation is authorized to define, with such classifications and exceptions as it may prescribe, terms used in those subsections and in subsection (c) of section 401 and the extent of the insurance coverage resulting therefrom.' "

Conference amendment No. (8): Page 75, line 14, strike "1968" and insert "1972".

And the House agree to the same.

Wright Patman,
Abraham Multer,
William A. Barrett,
Leonor K. Sullivan,
Thomas L. Ashley,
Henry S. Reuss,
William B. Widnall,
Seymour Halpern,
James Harvey,
Managers on the Part of the House.

A. Willis Robertson,
John Sparkman,
Paul H. Douglas,
William Proxmire,
Harrison A. Williams, Jr.,
Edmund S. Muskie,
Edward V. Long,
Wallace F. Bennett,
John Tower,
Strom Thurmond,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

In addition to technical and clarifying changes, the House amendment made several substantive changes in the Senate-passed bill. The substantive changes, and the action of the conferees thereon, were as follows:

The House amendment would have terminated the supervisory powers conferred by the bill on June 30, 1968. Under conference amendment number (8), the termination date is postponed to June 30, 1972, but this is by no means intended to preclude early congressional scrutiny of operations under the provisions of the bill and further amendment of the powers of the agencies or extension of the expiration date.

The House amendment would have increased the maximum insurable amount of accounts and deposits in Federally-insured banks and institutions to $20,000 per account. Under conference amendment number (7), the maximum insurable amount is increased to $15,000. It is the understanding of the conferees that the adequacy of this increase should be given further congressional attention within a reasonable time.

The House amendment would have provided that administrative hearings under the provisions of the bill be public unless the agency concerned, in its discretion, determined that private hearings would be in the public interest. Under conference amendments Nos. (1), (3), and (5), it would normally be expected that hearings will be private, but the agency is granted authority, in its discretion, to hold public hearings where necessary to protect the public interest.

Conference amendments Nos. (2), (4), and (6) make technical or conforming changes in the amendment of the House. Conference amendment No. (7), in addition to containing the substantive change from $20,000 to $15,000 in the insurance limit, also contains a clarifying change with respect to the effective date of the new insurance coverage, providing that the increase in insurance would be effective with respect to savings and loan institutions for which a conservator or receiver was appointed after date of enactment, and to banks closing after such date.

WRIGHT PATMAN,
ABRAHAM MULTER,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM B. WIDNALL,
SEYMOUR HALPERN,
JAMES HARVEY,

Managers on the Part of the House.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and ask unanimous consent that all Members be permitted to extend their remarks and include extraneous matter on this conference report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, we have before us the conference report on the bill to strengthen the regulatory and supervisory authority of Federal agencies over insured savings and loan associations and insured banks. This bill was passed by the House on October 4, after an amendment substituting the language contained in H.R. 17899. H.R. 17899 was substantially similar to the bill passed by the other body, except for title III increasing the Federal deposit insurance from $10,000 to $15,000. Also, title IV of H.R. 17899 provided for a termination date of June 30, 1968. The bill was amended on the floor in several respects. The most important amendment was further increasing deposit insurance to $20,000.

Because of the opposition to titles I and II, providing for cease and desist and officer removal authority, advanced by the Independent Bankers Association of America, the National League of Insured Savings Associations, and the National Association of Supervisors of State Banks, the House approved this legislation on the understanding that it would be temporary except for the insurance increase. While supporting the insurance increase, these organizations made the very valid observation that legislation as important as this should be thoroughly investigated by the Congress because of its far-reaching effects. In order to accommodate the supervisory agencies who are very anxious for this increased authority, the House acted without further delay.

The bill as passed by the other body provided for this new authority on a permanent basis and made no provision at all for an insurance increase. Yesterday, after agreeing to a conference requested by the other body, the House conferees unanimously agreed that the new authority would expire on June 30, 1972, and that the deposit insurance increase, which of course would be permanent, be $15,000 instead of the $20,000 as provided in the House-passed bill. While preferring a shorter trial period for the cease and desist and officer removal authority than as agreed upon by the conferees, I must remind my colleagues that the bill as passed by the other body contained no insurance increase and the $15,000 agreed upon is the same as that reported out by your Committee on Banking and Currency on September 24. So, I think that this is certainly a reasonable solution to the differences between the two houses. I also bring to the attention of my colleagues the language in the conference report, insisted upon by the House conferees, that the Congress will carefully scrutinize administration of the new law as experience is gained, as well as considering a further increase in the insurance ceiling without necessarily waiting until 1972.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DEPARTMENT OF TRANSPORTATION ACT

Mr. HOLIFIELD submitted a conference report and statement on the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes.

CHAMIZAL BOUNDARY BETWEEN THE UNITED STATES AND MEXICO

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11555) to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico, with a Senate amendment thereto, and disagree in the Senate amendment, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CRAMER. Mr. Speaker, reserving the right to object, I should like to ask my distinguished colleague, the gentleman from Illinois [Mr. KLUCZYNSKI], since the Committee on Public Works is now in conference on water pollution legislation, and has been for the past 2 weeks, could the gentleman from Illinois indicate when the gentleman contemplates a conference with the other body on this bill?

Mr. KLUCZYNSKI. Mr. Speaker, if the gentleman from Florida will yield, on either Monday or Tuesday, we have to go to conference with the Committee on Foreign Affairs and the Committee on Foreign Relations of the other body.

Mr. CRAMER. Well, Mr. Speaker, I would hope this would be done in a manner so that it will not interfere with completing these lengthy water pollution conferences presently underway.

Mr. KLUCZYNSKI. Mr. Speaker, if the gentleman from Florida will yield further, we hope to do that.

Mr. CRAMER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

The Chair hears none and appoints the following conferees: Messrs. KLUCZYNSKI, WRIGHT, and CRAMER.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file certain reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NARCOTIC ADDICT REHABILITATION ACT OF 1966

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, with Senate amendments thereto, disagree to the

Senate amendments, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

Mr. CRAMER. Mr. Speaker, reserving the right to object, I am sure that the distinguished chairman has cleared this request with the ranking minority member, the gentleman from Ohio [Mr. McCULLOCH]?

Mr. CELLER. Yes, he has.

Mr. CRAMER. The gentleman has cleared it?

Mr. CELLER. Yes, the gentleman from Ohio [Mr. McCULLOCH] has conferred with me on all of this.

Mr. CRAMER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

The Chair hears none, and appoints the following conferees: Messrs. CELLER, ASHMORE, GILBERT, McCULLOCH, and McCLORY.

CALL OF THE HOUSE

Mr. BROWN of California. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. HAYS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 354]

Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Annunzio
Arends
Aspinall
Baring
Barrett
Bingham
Blatnik
Boland
Bow
Bray
Brooks
Burke
Cahill
Callaway
Carey
Clancy
Clark
Clevenger
Collier
Cooley
Corman
Craley
Culver
Davis, Ga.
Davis, Wis.
Dent
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Elsworth
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Farnsley
Feighan
Fisher

Flynt
Fogarty
Foley
Fulton, Tenn.
Gilbert
Gilligan
Goodell
Grabowski
Green, Pa.
Gross
Grover
Hagan, Ga.
Hanley
Hanna
Hansen, Idaho
Harvey, Ind.
Hébert
Helstoski
Herlong
Hicks
Holland
Howard
Huot
Irwin
Jarman
Keith
Keogh
King, N.Y.
Long, Md.
Love
McCarthy
McCulloch
McDowell
McEwen
McMillan
McVicker
Macdonald
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Matsunaga
Miller
Minish
Morrison
Moss
Multer
Murphy, N.Y.
Murray

Nix
O'Brien
O'Hara, Mich.
O'Konski
Olsen, Mont.
Ottinger
Pickle
Pike
Powell
Pucinski
Purcell
Quie
Reid, N.Y.
Reinecke
Resnick
Rivers, Alaska
Rodino
Rogers, Tex.
Ronan
Roncalio
Rosenthal
Roudebush
St Germain
Schmidhauser
Scott
Slack
Steed
Stephens
Stratton
Sweeney
Taylor
Tenzer
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Tunney
Tuten
Vigorito
Walker, Miss.
White, Idaho
Widnall
Willis
Wilson, Charles H.
Wyatt
Wydler

The SPEAKER. On this rollcall 289 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CALL OF THE HOUSE

Mr. BURTON of California. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 355]

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Annunzio
Arends
Ashley
Aspinall
Bandstra
Baring
Barrett
Belcher
Bell
Bingham
Blatnik
Boland
Bolling
Bow
Brademas
Bray
Brooks
Brown, Calif.
Cahill
Callaway
Carey
Celler
Clancy
Clevenger
Cohelan
Collier
Conte
Conyers
Corman
Craley
Culver
Daddario
Davis, Ga.
Dent
Denton
Derwinski
Dickinson
Diggs
Dingell
Dorn
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Feighan
Fisher
Flynt
Foley
Ford, William D.
Fraser

Frelinghuysen
Fulton, Tenn.
Gathings
Giaimo
Gilbert
Gilligan
Goodell
Grabowski
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Hagan, Ga.
Halleck
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harvey, Ind.
Hawkins
Hébert
Helstoski
Herlong
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Kastenmeier
Keith
Kelly
Keogh
Kirwan
Kluczynski
Krebs
Long, Md.
Love
McCarthy
McDowell
McEwen
McMillan
McVicker
Macdonald
MacGregor
Mackay
Mackie
Madden
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
May
Meeds
Minish
Moorhead
Morrison
Mosher
Moss
Multer
Murphy, N.Y.
Murray
Nix

O'Brien
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Pepper
Pickle
Pike
Poage
Powell
Pucinski
Purcell
Quie
Rees
Reid, N.Y.
Reinecke
Resnick
Reuss
Rivers, Alaska
Robison
Rodino
Rogers, Tex.
Ronan
Roncalio
Rosenthal
Roudebush
Roush
Roybal
St. Onge
Scheuer
Schisler
Schmidhauser
Scott
Senner
Shriver
Slack
Steed
Stephens
Stratton
Sullivan
Sweeney
Taylor
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vigorito
Vivian
Walker, Miss.
White, Idaho
Widnall
Willis
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler

The SPEAKER. On this rollcall 227 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

OBSTRUCTION OF ARMED FORCES

Mr. COLMER. Mr. Speaker, I call up House Resolution 1007 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 1007

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12047) to amend the Internal Security Act of 1950. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Un-American Activities, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the gentleman from California [Mr. SMITH]. Pending that, Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have been around here long enough to know what is going on. I have had some previous experience in this matter of filibustering. But I must say that I think this is not a very appropriate subject to practice the art.

Mr. Speaker, certainly I raise no objection to any man exercising his privileges as a Member of this House of Representatives.

However, I do feel that a matter of this importance, affecting the security of these United States, and offering the type of support—insofar as the internal affairs of this country are concerned—to over 300,000 of our splendid young men who are fighting on the ground, in the swamps, and in the air and on the sea and in the jungles of Vietnam is overriding.

Mr. Speaker, I recognize the fact that this war is not the most popular war in which this country has fought. Some people believe we should not be involved in it. Perhaps we should not. But, that is not the question involved here.

The question involved here is are we going to sustain these young men that we are drafting and sending over there into that miserable land to fight?

Mr. Speaker, I wonder how many of you have read even one page of the hearings before the Committee on Un-American Activities and who have seen there on the record what happened and what was carried out and perpetrated upon that committee by a well-organized, but a very small minority group in this country?

Mr. Speaker, this is a very simple bill. This bill proposes to do only one thing.

And, I am going to read that purpose, with your permission. It is very short:

> The purpose of the bill is to protect the United States and its Armed Forces against intentional injury by prohibiting and prescribing penalties for certain conduct, including (*a*) the solicitation, collection, and delivery of any money, property, or thing to or for the use of any foreign power or organization involved in armed conflict with the United States, whether or not a formal state of war has been declared by Congress, and (*b*) the obstruction of the movement of personnel or supplies of the Armed Forces of the United States.

Mr. Speaker, that is the aim toward which this legislation is directed.

Now, Mr. Speaker, the Members of this great House of Representatives are elected by the people of their respective congressional districts; we all have neighbors at home who have been sent over there to fight this war, who among us are willing to say by their vote here that they do not want to give these splendid young men our wholehearted support? Well, they say that this is not a war.

But, Mr. Speaker, I implore the Members of the House to go with me in their mind's eye—and one does not even have to do that, because one sees the television, for instance.

You see it televised. We are fighting this war now in our living rooms, we are getting the reports, we are viewing the scenes, and we see these boys going through these swamps and these marshes, and being shot down out there.

Ask them whether this is a war or not. They do not raise any question whether it has been declared or not. So, my friends, what they are asking for is that you who are responsible—and we are responsible—for sending them over there, give them the support they are entitled to.

I happen to be one of that group in this country, maybe it is small, but who believes that if this country is to be destroyed, if this Republic is to pass into oblivion with all of its freedom and its heritage, it is going to come from within rather than from without.

You are just asked to pass upon this simple and plain question: Are you going to give them that support?

I do not know what you are going to do, but I do not want to go back into my congressional district in a few days from now and face the mothers and fathers and the loved ones of these boys who are over there fighting under the flag of the United States. I do not want to go back there and tell them that the Assistant Attorney General, as will be pointed out, I am sure, said that we had laws that would cover this, and therefore we did not need it.

Yet, neither the Attorney General of the United States, nor anyone else who appeared before this committee during these hearings, pointed out that any prosecution has ever been made or attempted to be made of these acts of vandalism and of obstructionism of our Armed Forces by these Communists and their sympathizers.

I would rather be on the safe side and pass the law, whether it is necessary or not, than take any chances on it.

My friends, again I want, in conclusion, to call your attention to the reprehensible conduct of this small but well-organized group out on the west coast. According to the testimony before the committee they tried to sabotage not only the delivery of the necessary essentials of warfare, but actually laid down upon the railroad tracks and tried to obstruct the movement of troops.

If this were a declared war that would be treason, and subject to the penalty of death. Yet we quibble about this thing.

If this bill serves no other purpose, if it is passed by this Congress, it would serve notice upon this group that they could no longer get away with this sort of thing.

My friends, I do not know what those others may think in this matter, but there has certainly been no debate in my own mind about it. I am going to vote every opportunity I have to back those boys up as long as they are over there.

Mr. Speaker, I urge the adoption of the resolution.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as stated by the distinguished gentleman from Mississippi, the resolution, House Resolution 1007, will provide an open rule with 2 hours of general debate in the consideration of the bill, H.R. 12047, entitled "Obstruction of Armed Forces."

The purpose is clearly set forth in the report on the bill, which is to prevent injury to the Armed Forces of the United States by prohibiting certain conduct including the solicitation, collection and delivery of money, property, or anything for the use of any foreign government or organization involved in armed conflict with the United States, whether or not a formal state of war exists; and the obstruction of movement of personnel or supplies of the Armed Forces of the United States.

Penalties are imposed by the bill upon conviction for either: first, rendering assistance to hostile forces, or second, obstructing military personnel or transportation of supplies.

The Department of Justice opposes the bill, contending that current laws, the Trading with the Enemy Act and Foreign Agents Registration Act, are sufficiently broad to prevent the movement of either money or other property from the United States to the Viet Cong.

They also believe that the Federal and States laws are currently adequate to stop anyone from interfering with the movement of either troops or supplies.

The Treasury, the Army, and the Departments of Commerce and State have all indicated that they believe the bill is unnecessary and that current laws are adequate.

There are no minority views.

I join with the gentleman from Mississippi in taking the position rather to be safe than sorry.

I think if the bill is not necessary, we cannot harm anything by passing it.

Mr. Speaker, I will go back a number of years to relate my experience when I was with the FBI teaching national defense matters throughout the United States to law enforcement officers. One of the subjects was sabotage. This was before we had actually declared war.

The sabotage statute starts out with the words: "When we are at war."

I remember one day in school when one of the officers said, "Mr. SMITH, we are not at war." It did not dawn on me that we were not at war. At that time we were investigating all over the United States in connection with national defense industries. Had anybody blown up a plant such as happened in the Black Tom case before the First World War, we could not have prosecuted them under the sabotage statute. But nobody thought of that during the many years that we were teaching this particular statute.

A call was made to Washington and within a few days the Congress of the United States passed a National Defense Act. I suppose some of you were here at that time. The act was directed toward injury to a national defense facility regardless of the fact that "war" had not been declared.

Maybe we do not need this law, but we cannot always foresee everything that is going to happen. I cannot see how this is going to harm anything and, of course, it might help in case we get into a situation where the present laws do not provide for the kind of action that this bill will provide for.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. JOELSON. Mr. Speaker, under the terms of this bill, if the President of the United States were able to arrange that all of our war prisoners in North Vietnam could be released in return, let us say, for a few cases of polio vaccine; would that be illegal?

Mr. SMITH of California. I cannot answer your question.

Mr. POOL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. POOL. That would be the action of the Commander in Chief of the Armed Forces and it would not be subject to this act.

Mr. JOELSON. Federal officials are definitely exempt from this?

Mr. POOL. The Chief Executive of the United States—the President of the United States—certainly.

Mr. JOELSON. I have one more question, and I am only asking this for the purpose of information. Is there anything in this act that would inhibit or prohibit the activities of the Red Cross?

Mr. POOL. No.

Mr. JOELSON. At the proper time I will offer some amendments, and I hope they will be agreed to.

Mr. SMITH of California. Mr. Speaker, I urge the adoption of the rule and I will support the bill.

CALL OF THE HOUSE

Mr. COHELAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 356]

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Annunzio
Arends
Ashley
Aspinall
Baring
Barrett
Bell
Bingham
Blatnik
Boland
Bolling
Bow
Brademas
Bray
Brooks
Brown, Calif.
Cahill
Callaway
Carey
Clancy
Clevenger
Collier
Conyers
Corbett
Corman
Craley
Culver
Daddario
Davis, Ga.
Davis, Wis.
Dent
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnum
Feighan
Fisher
Flynt
Fogarty
Foley
Ford, William D.
Friedel
Fulton, Tenn.
Gallagher
Giaimo
Gilbert
Gilligan
Goodell
Grabowski
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Hagan, Ga.
Halleck
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Herlong
Hicks
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Kastenmeier
Keith
Kelly
Keogh
King, N.Y.
Kirwan
Kluczynski
Latta
Long, Md.
Love
McCarthy
McDowell
McMillan
McVicker
Macdonald
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Mathias
Matsunaga
Meeds
Minish
Mize
Moorhead
Morrison
Morse
Morton
Moss
Multer
Murphy, N.Y.
Murray
Nix
O'Brien
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neill, Mass.
Ottinger
Pepper
Pickle
Pike
Powell
Pucinski
Purcell
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Resnick
Reuss
Rivers, Alaska
Robison
Rodino
Rogers, Tex.
Roncalio
Rooney, Pa.
Rosenthal
Roudebush
St. Onge
Scheuer
Schmidhauser
Scott
Slack
Smith, N.Y.
Smith, Va.
Steed
Stephens
Stratton
Sweeney
Taylor
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vigorito
Walker, Miss.
Watts
White, Idaho
Widnall
Willis
Wilson, Bob
Wolff
Wyatt
Wydler

The SPEAKER. On this rollcall 248 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

GENERAL LEAVE TO EXTEND REMARKS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IN THE COMMITTEE OF THE WHOLE

Mr. POOL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12047) to amend the Internal Security Act of 1950.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 12047, with Mr. KING of Utah in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. POOL] will be recognized for 1 hour and the gentleman from Ohio [Mr. ASHBROOK] will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas [Mr. POOL].

Mr. POOL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the bill, H.R. 12047, would, in short, prohibit the solicitation, collection, and delivery of any money or property for the use of any foreign power engaged in armed conflict with the United States, and would prohibit the obstruction of the movement of personnel and supplies of the Armed Forces, where the intent is to injure the United States or its Armed Forces.

At the outset, let me emphasize what should be apparent on the face of the bill. This bill is concerned with overt criminal activity only, not mere expressions of opinion. Sending aid, or attempting to send aid, to an enemy of the United States is an overt act; it is not mere dissent. Obstructing the movement of Armed Forces personnel and supplies is an overt act; it is by no stretch of the imagination mere dissent. The sponsors of this bill recognize the right of every citizen to disagree with and to criticize the domestic and foreign policies of the U.S. Government. We do not believe, however, that the Constitution gives any citizen in a time of actual, though undeclared, war, the right to assist the enemies of this country by sending aid to them, or at any time to sabotage the movement of personnel and supplies of the Armed Forces.

The committee held several days of hearings upon this bill, both investigative and legislative. Both phases of the hearings were revealing and informative.

You will undoubtedly recall the particularly well publicized accounts of the hearings. Some of the press reports, I believe, were misleading, if they conveyed the impression that the committee permitted itself to be baited, learned nothing, or failed to maintain itself with dignity. On the contrary, despite the planned disruptions which occurred—despite the efforts of seven lawyers to confuse the issues and the committee—I think it can be fairly said that the committee had the hearings under control at all times. Indeed, the conduct of the hostile witnesses and their lawyers was most enlightening. It was a type of visual evidence described by Professor Wigmore as "demonstrative evidence," which was very convincing.

The investigation reveals the existence of a well-organized and concerted effort by Communist groups, and their affiliates, to solicit and deliver money and property to North Vietnam and the Vietcong, and in certain instances to obstruct the movement of supplies and personnel of the Armed Forces.

I will not at this time review the evidence in detail. The record has been printed and you have before you the committee's report. I do wish to point out, however, that despite the positive evidence of the activities related, the Department of Justice has instituted no prosecutions. Although the executive agencies have taken the position that there is "no need" for new legislation, they have confessed their inability to prosecute. Our review of the existing Federal law makes clear that present law is inadequate to provide an enforcible base for many of the activities described. It is evident to us that, quite apart from any question of the Department's disposition to prosecute, a basic reason for the failure to prosecute was the absence of effective legislation and regulations. These weaknesses have been pointed out in the committee's report and are further revealed in the record of interrogation of witnesses who appeared for the executive agencies.

This bill in no way prohibits the giving or sending of gifts or aid to our captured personnel. Nor does it prohibit the giving of medical or other aid for humanitarian purposes, provided it is channeled through the U.S. Government or its Armed Forces. In no other way can we be assured that such aid will be applied for proper purposes.

The International Committee of the Red Cross has no delegate in North Vietnam. It is not even permitted to inspect prisoner of war camps. If gifts, money, or aid is transmitted to the International Red Cross for the Vietcong-occupied areas they have said that they can only pass such aid on through the Vietcong representative in Moscow. If such gifts are intended for North Vietnam they are turned over to Hanoi.

The facts indicate that medical aid, even though intended for the civilian population of North Vietnam, is applied for the use of the Communist armed forces. Experience over the years with Communist dictatorships demonstrates that foreign aid is applied not for humanitarian but for political purposes only. Moreover, the sending of aid for the use of the North Vietnamese will release equivalent supplies for its armed forces.

Let me give you a case in point. I have before me a report dated August 18, 1966, appearing in the Los Angeles Herald Express Examiner. Lance Corporal George R. Carter, age 19, of Anaheim, Calif., a member of L Company, 3d Batallion, 3d

U.S. Marine Division, took part in Operation Hastings. Company K had been decimated, and Company L, to which Carter belonged, went in to remove the bodies of American dead which had been lying in a rain-soaked field for 3 days. Here is what Carter wrote to his wife:

> The next morning, we moved over to K Company area. And you won't believe this.
>
> We found medical supplies marked Berkeley, Calif., that the V.C. were using. Good American men were dying over here because of the V.C. and Berkeley is helping them.
>
> What a low piece of scum they are.

Commenting on this letter, Carter's mother said:

> At other times, he's written criticisms of the marchers. It really upsets him to get newspapers over there and read about it.
>
> He knew about the marchers before he went into the Marines, but he didn't notice it then as much as since he's gone overseas.

Mr. Chairman, I say that we cannot in good conscience permit this situation to continue.

There is no reason to believe that these initial efforts, by the fifth column within, to defeat and demoralize our troops and our people, have run their full cycle. On the contrary, there is every reason to believe that we have witnessed only the beginning. As the situation of the enemy abroad becomes more critical, we may assume that their cohorts in our midst, who aid and abet them, will intensify their efforts. Unless we take preventive measures, we cannot predict, nor shall we who propose this legislation assume responsibility for, the devastating yet probable consequences that may ensue because of the failure to take timely action.

Mr. Chairman, in reporting this bill, the members of the House Committee on Un-American Activities have been unanimous in urging passage of the bill as amended. We have not had one dissenting vote as to the contents of the bill or its necessity. There are no differences between the majority or minority members of the committee on this serious issue. General Hittle, who testified in support of the bill on behalf of the Veterans of Foreign Wars, said that in a sense the only thing wrong with this bill is the fact that it is long overdue.

If this Nation were involved in a formally declared war, the legislation proposed by the bill would probably be unnecessary. However, in the present situation of actual as distinguished from declared war, it is a startling fact that our Nation and our Armed Forces are not protected against certain deliberate activity intended to defeat and destroy our Nation and its Armed Forces

Existing legislation appears in part to be geared to a by-gone stage in international relations. In the present epoch, however, we are faced with somewhat novel concepts to which we must adjust our laws.

The Communist strategy is to expand the area of conquest by deceit and subterfuge rather than open confrontation. This is so because Communist forces are presently inferior to those of the free world. By a process of piecemeal conquest, the Communists hope eventually to shift the balance of power. It is a long-range program and a goal toward which, we must agree, they have moved with some measure of success.

A principal technique of Communist aggression is the so-called "war of national liberation," for which elaborate doctrines have been evolved and adopted by Communist powers. It involves the clandestine financing and arming of Communist cadres previously established within target nations, and the secret infiltration thereto of troops and revolutionary cadres from adjoining or neighboring Communist bases. It is in fact naked aggression by one state upon another, but concealed by an appearance, although not the reality, of civil war.

A curious situation has resulted. The aggressor does not declare war, because by such a declaration he would be openly confessing his aggression. We on the other hand, do not declare war in defense of the victim, because we do not want to prolong the war. Meanwhile, our troops wage war without the protection of the wartime treason and other statutes.

I believe we may reasonably assume that our Nation will be afflicted with the consequences of this strategy for decades to come. We must update our laws, just as we have done in the instance of our military training and strategy, to cope with these efforts by those who would destroy us.

What is at issue, of course, is the security of the United States. In resisting these aggressors, our armed forces have been employed at great sacrifice. Upon their success depends all that we hold dear in life. The bill H.R. 12047 would extend to our Armed Forces the protection to which they are entitled.

I repeat, as is apparent on the face of the bill, this bill does not seek to stifle criticism of the Government or its policies. It in no way infringes upon the process of debate. It does, however, seek to stay the hand of him who would wield the dagger and plunge it in the backs of our sons while their faces are turned toward the enemy.

General Hittle made this point clear when he said:

> What is actually involved here is a very simple equation in military power and that is: That if an enemy is stronger, the extent to which he is stronger means that he can kill more of our troops and to the degree therefore that assistance to the enemy helps him and strengthens him, that results in killing U.S. troops, and that is not an abstract thing. That is somebody's son perhaps in this room, perhaps the kid next door or the boy down the street, and when we think of it in these terms nobody has that right.

Mr. ABBITT. Mr. Chairman, will the gentleman yield?

Mr. POOL. I yield to the gentleman.

Mr. ABBITT. Mr. Chairman, I strongly support H.R. 12047, which would amend the Internal Security Act of 1950 to protect the United States and its Armed Forces against those who would impede, hamper, and obstruct our war effort in Vietnam.

This is a most urgent matter and Congress has a duty to act before we adjourn. The House Un-American Activities Committee has amply demonstrated the need for this legislation and the American people overwhelmingly support the purposes of the bill. It is interesting to see who and which organizations are opposing this bill. It is the same minority of our citizens which opposed the Internal Security Act in the beginning. It is the same vocal, leftwing element which always seems to find justification for coddling the enemy, playing footsies with communism, and seeing weaknesses in our own national policy.

It is incredible to me that while much of our national energy is directed toward prosecuting the war and our Defense and State Departments are devoting so much toward carrying out our national policy, the Justice Department is opposed to congressional efforts to bring to justice those who are interfering with the prosecution of the war. This is the same Justice Department which has refused to prosecute these peaceniks and leftwingers who have been causing disturbances in various parts of the country. The Department has taken no action either because they do not have the laws or because they will not take action. We are proposing here to give them the law—and Congress should see that it is used.

This is a problem which is bigger than the war in Vietnam. We have in this country today a group of people whose first love is not America but who seek every way they can to undermine the great institutions which we hold dear. Their interest is not in seeing that these are preserved but some of them actually seek to undercut our form of government. What kind of person would turn his back on American boys in Vietnam and help the enemy? What is the motivation of those who seek to send money and supplies to the people who are waging the war against us? We are in Vietnam supposedly to help the South Vietnamese maintain their freedom; we seek no gain ourselves. Yet, those who oppose this bill would have these "freethinkers" continue to aid, support, and encourage our enemy while our boys in Vietnam remain under fire. In my opinion, this would be criminal.

I commend Chairman Pool and the members of his subcommittee for their diligence in bringing up and preparing this all-important bill and particularly the manner in which this investigation was conducted.

We must stop coddling subversive elements and organizations in our country whose real purpose is to cripple our war effort and help the Communist conspiracy in their effort to take over the free nations of the world.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POOL. Mr. Chairman, I yield myself 3 additional minutes.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. POOL. I yield to the gentleman from Illinois.

Mr. YATES. The bill would be operative against foreign powers, organizations, or groups which are engaged in armed conflict with the Armed Forces of the United States. To what countries or organizations or groups does that refer? Are there other nations than North Vietnam to which the bill would refer?

Mr. POOL. It would apply also to the Vietcong.

Mr. YATES. Suppose Russia had sent men to North Vietnam, to train them in the use of the SAM sites, and the Russians actually were firing at our planes as they came over. Would this be applicable to Russia?

Mr. POOL. What kind of case are you talking about now?

Mr. YATES. Russia has supplied North Vietnam with so-called SAM ground-to-air missiles. Suppose the Russian technicians were firing at our planes. Would it apply to Russia, then?

Mr. POOL. No. I do not think it would apply to Russia because Russia has stated that these men are not permitted to fire at our planes.

Mr. YATES. Suppose there were Russian volunteers who went into action?

Mr. POOL. If they were Russian volunteers it would not be an action of the Russian Government.

Mr. YATES. It would have to be an action by the government, then?

Mr. POOL. Well, if you want to use the Russian Government as an example, yes, it would have to be an action of the Russian Government.

Mr. ASHBROOK. Mr. Chairman, I yield myself as much time as I may consume.

Mr. DEVINE. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Ohio.

Mr. DEVINE. Mr. Chairman, I rise in favor of this bill.

Mr. Chairman, notwithstanding the position of the Justice Department, legislation designed to prevent irresponsible conduct by "peaceniks" and other publicity-hungry misfits is certainly in order as it relates to the movement of essential war material much needed by our Armed Forces.

H.R. 12047, recommended by the House Committee on Un-American Activities, applies to situations such as developed on the west coast where some of these characters stretched themselves out in front of supply trucks and trains, in an effort to prevent the movement of supplies and troops.

If the Department of Justice has doubts as to the necessity of this bill due to present statutes, the question occurs why no prosecutions were authorized.

As long as this administration has committed our troops in Vietnam, this Congress has a duty to take whatever responsible steps are necessary to supply them, without interruption.

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. Mr. Chairman, I rise in support of this legislation.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Illinois.

Mr. YATES. May I ask the gentleman a question?

Mr. ASHBROOK. Certainly.

Mr. YATES. Some months ago one of our distinguished Senators said, if the newspapers reported him correctly, that he supported furnishing blood to the North Vietnamese or the Vietcong. Would that be permitted under this bill?

Mr. ASHBROOK. I would assume it would not be permitted under this bill if he directly solicited blood rather than offering an off-the-cuff opinion as I recall he did.

Mr. YATES. Suppose in a meeting of a group that was discussing the question as to whether or not blood or medical supplies might be sent to our adversaries and someone got up and said "We think blood ought to be sent to our adversaries," would that be prohibited by this bill?

Mr. ASHBROOK. No. As the gentleman from Texas said at the start, any inquiry or any discussion into these matters affecting the aiding of an enemy would not be prohibited by the bill but only direct and overt acts. If they raise money to be sent to the enemy, of course, that is covered, but you could discuss it all you want.

Mr. YATES. Would that be considered to be a solicitation under the act? What would be considered to be a solicitation under the act?

Mr. ASHBROOK. When a person or an organization would directly endeavor to induce or to raise money and then in turn turn the money over to one of the groups or nations considered in this bill.

Mr. YATES. An expression of an opinion by itself or a statement by the Quakers, for example to the effect that they thought they should send blood to the North Vietnamese, would this be a violation of this act?

Mr. ASHBROOK. It came up a number of times in the committee, and it is my clear understanding this would not in any way be so considered. For the legislative history, I also yield to the chairman of the subcommittee for his observation, which I am sure is the same.

Mr. ICHORD. Mr. Chairman, will the gentleman yield to me?

Mr. ASHBROOK. Yes. I yield to the gentleman.

Mr. ICHORD. I would say to the distinguished gentleman from Illinois that I offered an amendment in the committee which was adopted by the committee striking out all language referring to urging, counseling, or anything that might possibly violate the first amendment; that is, the freedom of speech guaranteed in the first amendment to the Constitution of the United States.

Mr. YATES. And the term "solicit" as used in the act refers not to verbal or written expressions by themselves but, rather, to an act?

Mr. ICHORD. That is right. The act of actually soliciting funds and collecting funds. It is the act that is referred to in the bill.

Mr. ASHBROOK. I would add for the benefit of the gentleman from Illinois that we have gone further, also, and have even said it has to be with the intent of aiding an enemy or impeding our Armed Forces. So even if it is for humanitarian purposes, it is not covered. It has to be with the intent of aiding the enemy.

Mr. YATES. Will the gentleman yield further?

Mr. ASHBROOK. Yes.

Mr. YATES. The phrase, however, appears in the language to which the gentleman just alluded, reading as follows: "or advantage such foreign power, organization, group, resident, national, member, or agent."

I would assume if such gift did get through, if it were some blood or some other thing of value, it would advantage the other side, would it not?

Mr. ASHBROOK. Only if that was with the intent of doing it. We might assume anything they would send there, if there is no Red Cross supervision, might be used by the enemy. But if it is not sent with that in mind, if the Quakers want to send it to boys in the prisoner of war camps and it finds its way into the Vietcong in some way, it certainly could not be sent with the intent of aiding the Vietcong.

Mr. NEDZI. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Michigan.

Mr. NEDZI. Mr. Chairman, I have one additional question which I would like to direct to the chairman of the committee.

Mr. Chairman, the gentleman from Texas [Mr. POOL] mentioned the fact that certain medical supplies had gotten into North Vietnam and did contain information indicating that they came from Berkeley, Calif.

Was there evidence as to how these supplies got there?

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Texas.

Mr. POOL. They had printed information on the packages showing that they came from Berkeley, Calif., information on the boxes of medical supplies, to the effect that they were designed for that destination and were found in a Vietcong camp. I do not know as to how they came to be there. That is a rather hard determination to make. That is why we ought to accept the evidence they offer instead of our own conjecture.

Mr. NEDZI. Mr. Chairman, if the gentleman will yield further, I agree that we should prevent this kind of thing, but the question is whether the supplies were actually sent in violation of the law.

Mr. POOL. Mr. Chairman, if the gentleman from Ohio will yield further, I do not know about that.

Mr. NEDZI. I believe that is a very crucial point in this determination and in the consideration of this legislation.

Mr. YATES. Will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Illinois.

Mr. YATES. May I ask the chairman of the committee, this question: Is it possible that the supplies he mentions were captured in one of the conflicts between the South Vietnamese and the Vietcong, or possibly through the black market?

Mr. POOL. No; they were found in Vietcong camps and they carried shipping labels marked "Berkeley, Calif.," and it was on all of the supplies in that particular batch.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from California.

Mr. COHELAN. May I say to the gentleman for his edification that we have one of the greatest research laboratories in the world located at Berkeley, Calif.; namely, the Cutter Laboratory, which deals in the very commodities about which the gentleman is talking, and I remember another question which was raised——

Mr. POOL. Mr. Chairman, if the gentleman from Ohio will yield further, the Cutter Laboratory's name was not on these boxes. I remember that very definitely.

Mr. COHELAN. Mr. Chairman, if the gentleman from Ohio will yield further, the point is this: If they were medical supplies, they could quite possibly have been from some research laboratory other than in Berkeley, Calif., but I insist upon the fact that it should be made quite clear that this would not condone it in any way, but if it were found in the hands of the adversary, this is one thing. It is quite possible that they could have been captured, this medical equipment.

Mr. POOL. Mr. Chairman, if the gentleman from Ohio will yield further, I believe the committee is confident of the fact that these articles came from Berkeley, Calif., and were found in the hands of the Vietcong. This is based upon the opinion of many who appeared before the committee and who have access to this information due to the fact that they have been collecting these things. And it is our best opinion that they came from that source.

Mr. YATES. Mr. Chairman, will the gentleman yield further?

Mr. ASHBROOK. I yield further to the gentleman from Illinois.

Mr. YATES. How did they get there?

Mr. COHELAN. If there is no evidence to that effect, I would merely say that the designation of "Berkeley, Calif.," is not overriding, but there has been some very serious activity and there has been some evidence of this participation, but can the committee be sure that it is limited to Berkeley, Calif.?

Mr. POOL. Mr. Chairman, if the gentleman from Ohio will yield further, I understand that and I appreciate the gentleman from California [Mr. Cohelan] defending his constituency. But in this instance, the supplies which were captured had "Berkeley, Calif." written out upon them, and they did not have anything with reference to the fact that they may have come from the Quartermaster Corps, the Army supply center, or anything like that, or from any medical depot.

Mr. ASHBROOK. Mr. Chairman, if the gentlemen of the House will permit me to discuss these matters during the course of my time, I shall be glad to do so.

Mr. POOL. Yes, Mr. Chairman, we are interested in a very good debate on this subject.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. KARTH. Mr. Chairman, there is some concern that in one way or the other, directly or indirectly, this bill may adversely affect labor-management relations and, specifically, that it may prevent a union from striking, or it may prevent a company from locking out its employees.

I understand that there was no such intent envisioned during the drafting of this legislation.

However, I would like to have the gentleman's assurance that this bill in no way will affect labor-management relations.

Mr. ASHBROOK. Mr. Chairman, I would say to the gentleman that it is very clearly not intended. However, I will yield to the chairman of the committee for further response to the question.

Mr. POOL. This question was brought up in the committee and based upon my understanding thereof, it does not touch upon any questions which the gentleman raises with reference to labor-management relations.

Mr. KARTH. Mr. Chairman, I thank the gentleman in the well very much for yielding.

Mr. POOL. Mr. Chairman, will the gentleman yield further?

Mr. ASHBROOK. I yield further to the gentleman from Texas.

Mr. POOL. Mr. Chairman, the point about labor-management relations—is that what the gentleman is talking about?

Mr. ASHBROOK. Yes.

Mr. POOL. There has been an amendment drawn up by the gentleman from Pennsylvania [Mr. Dent] and insofar as I am concerned, based upon the knowledge which I have of it, it is acceptable to us.

Mr. Chairman, we are not trying to get labor-management mixed up in this thing.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I will yield briefly to the gentleman.

Mr. COHELAN. Mr. Chairman, I just wanted to say in response to the gentleman from Minnesota that I have in my hand a letter from the Industrial Union Department in which they say that the International Security Act amendments embodied in H.R. 12047 are detrimental to the rights and liberties of the American citizens, and would do nothing to our Nation's ability to prosecute the war in Vietnam. They oppose the bill.

It is signed by Jack Conway, executive director.

Mr. KARTH. I might say, Mr. Chairman, that I am not really concerned in their position in regard to this bill and the intent of the bill. My question was directed to whether it affects labor-management relations.

Mr. ASHBROOK. It is the unanimous opinion of the committee that it would not and should not be covered in this legislation, and in support of that, in order to buttress this view, we will accept an amendment later that will clearly set this matter straight.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. YATES. I take this time to thank the gentleman for yielding, for permitting the House to get this exchange of information, on a bill that is so highly controversial and which many of us believe is so very ambiguous.

I read the report. In looking at the activities cited and efforts to collect funds, I was impressed that there was not a great deal of money collected.

The examples given are of a Haverford student who collected $200, and then returned the money because he felt it violated the Treasury regulations.

There was another group that collected the sum of $100. Another example is a group that collected $250. Then there is another example of the collection of $1,500, which was transferred to a bank in Czechoslovakia which in turn transferred it to the Far East.

Then our Treasury Department in turn charged the bank in Czechoslovakia the $1,500.

Is there actual evidence that the committee received that there was any substantial shipment of money that went to our adversaries, or things of any kind of value which would justify the type of penalties that are proposed in this bill?

What evidence did the committee have that does not appear in the report that anything of value were getting through?

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. Yes, I yield to the gentleman.

Mr. ICHORD. Mr. Chairman, I might say that when I am recognized, I will say to the gentleman from Illinois, that I will read into the Record three letters, one from the Wells-Fargo Bank and two from the Obchodni Bank in Czechoslovakia, which are proof that the money was transmitted to the Vietcong representatives in the city of Prague, Czechoslovakia.

Mr. YATES. Is that the item to which the report refers?

Mr. ICHORD. Yes. I shall read that into the Record when I am recognized.

Mr. ASHBROOK. Mr. Chairman, I would like to say that I think the gentleman from Illinois has raised several good points. And I think he must frankly realize that there is no possible way an investigating committee can know all of the amounts that have been collected or disbursed. And the fact that we can only name several instances—and that the total might well be $10,000 or $12,000—certainly would not derogate the need for the law.

We have no possible way to know how many comparable forms of aid have been received by the enemy. We do know that there are these efforts to try to raise the money and to put it into the hands of our adversaries.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. YATES. Mr. Chairman, the reason I think this is important is that the report shows clearly that all—and I use the word "all"—all agencies of our Government which are responsible for protecting our Government from the actions which this bill seeks to prevent are opposed to this bill. They say there are adequate laws on the books at the present time.

Is that not correct?

Mr. ASHBROOK. That is correct insofar as it is their position. It certainly would not be our position. For example, I would only add one point. The Export Control Act affords some degree of supervision over funds or materials to be sent outside of the country, yet there is nothing to prevent the soliciting of materials and funds within this country, which is one point to which this bill would direct itself. So there is a void there that is not presently covered by law which, in the judgment of this committee and, we hope, the mandate is going to be overwhelmingly, that this will be the view of this body.

So there are several areas that the present law does not cover. Then again some of us might have a different point of view as to how current regulations are being administered. I happen to think they are being administered in a way that would in fact encourage what the President has already said he wanted, and that is to increase east-west trade. That may not be what a majority of this Congress wants. But we should do what we think is right and not necessarily what a Government agency such as the Treasury or the Commerce Department or other agencies of the executive department determine to be right. We are a separate branch of Government and should act as such.

Mr. YATES. Mr. Chairman, would it not appear that the solicitation or collection of funds for the purposes stated in this bill that are limited to use in this country are not going to aid a foreign enemy?

Mr. ASHBROOK. I would not agree with that at all. I have no way of knowing. But we do have direct evidence that they are endeavoring to get it in the hands of the enemy. We run into certain kinds of road blocks. I, myself, happen to be one who believes that this body should say that it is illegal to raise money with the idea in mind of aiding an enemy of the United States.

Mr. YATES. But did this committee find from its examination of responsible officials of this Government any instances that present laws were being violated?

Mr. ASHBROOK. Mr. Chairman, I think they have received evidences of that—yes.

Mr. YATES. It does not appear in the report, if that is true.

Mr. ASHBROOK. It certainly came out in the hearings.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. POOL. The money that went to Czechoslavakia was a clear violation of the law.

Mr. YATES. Was that not corrected by an action of the Treasury?

Mr. POOL. It did not keep the $1,500 from going to the Vietcong and that is what we are trying to stop. That is the point. They might have a credit overseas but they got the $1,500.

Mr. WALDIE. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. WALDIE. I thank the gentleman for yielding and ask his forgiveness for the presumption. This is the first question I have ever asked in this House of Representatives.

Did I understand that it is the committee's sense as to the labor amendment to be adopted that you could stop military transportation, trains, or trucks carrying supplies to our men in Vietnam if it is done under color of a labor dispute?

Mr. ASHBROOK. That is, in effect, a strike?

Mr. WALDIE. Well, whatever it is—if the action that stopped a truck or a train taking the supplies to troops was in furtherance of a labor dispute, is it the understanding of the committee, and do I understand the committee says that is not within the provisions of this act and not prohibited thereby?

Mr. ASHBROOK. That is correct. The President would have other means of stopping that kind of activity at his command and other provisions of law. This provision of law, if enacted, would not cover that type of situation.

Mr. Chairman, I rise to give my wholehearted support to H.R. 12047 and to urge the House to enact this sorely needed legislation. I have an identical bill which I introduced with Mr. POOL, H.R. 16175.

No doubt there will be a small number of Members who will oppose it. One of their arguments, I am sure, will be that every executive branch agency which submitted a report on the bill said it was not needed, that we had all the laws needed in this area.

But the hearing record clearly shows that the reports on the bill from the executive agencies were not accurate in this respect, that there are serious gaps in existing statutes, gaps which permit both citizens of the United States and aliens resident in this country to engage in overt acts with the clear intent of aiding the enemies of the United States in this time of actual war.

In his testimony before the committee, the Deputy Attorney General stated that the Vietnam obstructionist movement is a propaganda effort. Of course it is, in part. Communists of all varieties and their fellow travelers in the United States have engaged in a massive propaganda effort on the subject of the war in Vietnam. This is clearly evident from the appendices in the committee's hearings, compiled by the staff, which contain numerous statements on the U.S. role in Vietnam by Communist Parties, groups and leaders, here and abroad, and Communist doctrinal statements on so-called wars of national liberation. These make it abundantly clear that propaganda on Vietnam is today one of the principal efforts of Communists everywhere.

But the thing I want to stress is that right here in the United States, it is much more than a propaganda effort. It is a carefully planned operation, with hard-core Communist revolutionaries at its core, bringing into direct action thousands of persons who have taken concrete steps to undermine our prosecution of the war in Vietnam and to give assistance to the Vietcong and the Communist government of North Vietnam.

What have these people done?

They have collected blood.

They have collected funds—funds, by the way, which have actually reached the Vietcong.

They have collected medical supplies—medical supplies which our troops have found on the battlefield in the hands of the Vietcong.

They have engaged in massive efforts to obstruct the movement of trains carrying Armed Forces personnel destined for Vietnam and trains and trucks transporting munitions of various types for Vietnam.

I, for one, cannot see how anyone can classify these large-scale operations as mere propaganda.

It is my view that the massive propaganda effort of the Communists in this country—and worldwide—has done more to injure the United States and help the Vietcong than the instances of overt aid I have mentioned. Yet, the bill before us does not touch these propaganda efforts. It has been most carefully worded to avoid attaching a criminal penalty to anything that could be construed as mere dissent or policy protest. Not a single witness called in the committee's hearings was subpenaed merely because he disagreed with our policy in Vietnam. Each and every one had engaged in overt acts to aid our enemies.

It was also stated by the Deputy Attorney General that the Department of Justice had no information indicating that funds collected for the Vietcong in this country actually reached the Vietcong.

But the fact of the matter is that medical aid committees in California deposited $1,500 for the Vietcong in a bank in Prague. When the Treasury Department learned of this and notified the U.S. bank through which the funds had been transmitted that this was a violation of regulations, the U.S. bank, as well as the Department of State, tried to correct the situation.

The U.S. bank wrote to the Prague bank, asking it to stop payment on the drafts totaling $1,500. The Communist-controlled bank in Czechoslovakia wrote back that the drafts had already been cashed. The U.S. bank asked the Prague bank to try to recover the money from the persons who had cashed the drafts. The Prague bank did this—or at least it said it did—and then wrote to the U.S. bank that the payees "have declined to repay the amounts in question."

The Deputy Attorney General testified:

> I would like to note, first, that this money did not in fact reach a hostile foreign power.

Obviously, however, this money, having been cashed in Prague by an agent of the Liberation Red Cross, must have reached the Vietcong. The fact of the matter is that the committee's hearing record makes it very clear that the only way we can be sure of halting aid to the Vietcong by Communist groups in this country is to make the initial collection of such funds a criminal offense. Trying to prevent these funds from reaching our enemies, after they have been collected, is just too difficult.

Being practical about it, how much chance does our Government have of preventing U.S. dollars from reaching the Vietcong as long as it permits Communists to openly collect funds for this purpose? It is all too clear that in a carefully planned covert operation, the Communists, through a series of cutouts, could easily get the money they had collected to some member of a Communist diplomatic delegation in the United States for transfer to the Vietcong through diplomatic pouch. The chances of uncovering an operation of this type and obtaining a conviction are indeed slim.

The only thing to do is to nip it in the bud, as I said before, by prohibiting the initial collection of such aid.

As far as interfering with the movement of our Armed Forces personnel and supplies is concerned, I do not feel that I need comment at any length. We cannot sit back and do nothing when Communist groups can contribute to the death and injury of our fighting men overseas by sabotaging, or attempting to sabotage, the flow of the weapons and munitions they need to prevent their being slaughtered by a ruthless enemy.

Mr. YATES. Mr. Chairman, will the gentleman yield for one more question?

Mr. ASHBROOK. I yield to the gentleman from Illinois.

Mr. YATES. I thank the gentleman for yielding. In the event the U.S. Armed Forces should become a part of a United Nations peacekeeping force, would the provisions of this bill still remain operative?

Mr. ASHBROOK. The point has not come up. I would have to defer to someone on the committee.

Mr. YATES. The gentleman knows that there is some discussion about providing a U.N. peacekeeping force in Vietnam. Certainly in the past the United States has furnished members of its armed services to peacekeeping forces in various parts of the world. In the event the other side of the peacekeeping force were to become engaged in an armed conflict with the United Nations peacekeeping force, of which the United States were a member, would this act apply?

Mr. ASHBROOK. On page 4 the language appears: "or group engaged in armed conflict with the Armed Forces of the United States."

Were our Armed Forces to be placed under U.N. command, I would assume that they would come under provisions of the proposed legislation; but I frankly admit, for purposes of legislative history, the point has not been brought up and I would not be sure.

I yield to the gentleman from Texas [Mr. POOL].

Mr. POOL. I was working here on another subject and was not paying attention. What was the question?

Mr. YATES. In the event a peacekeeping force is created by the United Nations, and the United States becomes a part of the peacekeeping force, would the bill be operative with respect to so-called enemies of that peacekeeping force to require the operation of this act against that group?

Mr. POOL. If it is an armed conflict, yes.

Mr. YATES. It would be an armed conflict against the United Nations force.

Mr. POOL. Still we would be involved. The chairman of the Armed Services Committee could probably answer that question better than I could. It is a question of what is armed conflict. What do you mean by the question?

Mr. YATES. Again what I am saying is that in the Congo and in Cyprus the United States lent its military assistance to a peacekeeping force of the United Nations. Our Armed Forces were involved in that. There was fighting against Congolese. This act would make operative certain actions in the event our Armed Forces should become involved. The question I am asking is whether or not the act would be operative against a United Nations peacekeeping force of which the United States was a member.

Mr. POOL. If there is no armed conflict, I would say no. If there is armed conflict, yes.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. I thank the gentleman for making a very persuasive speech in behalf of this legislation. This legislation does not apply to any speech that anyone might make regarding the prosecution of the conflict in Vietnam. Is that correct?

Mr. ASHBROOK. That is absolutely right. If any of the boys want to picket the President, as they did recently when he visited New York, saying "Hey, Hey, L.B.J.," there would be nothing wrong with that. That is part of the right of free speech, as much as we might disagree with that manifestation of it.

Mr. RIVERS of South Carolina. If Stokely Carmichael should appear in front of the Capitol, address 100,000 people, and tell them to lie down in front of trucks, and so forth, he would not be included in the provisions of the proposed legislation?

Mr. ASHBROOK. He would only be included in those provisions of section 402 if he did what the gentleman has described. That would not be an exercise of free speech. He would be encouraging them to take an action which in section 402 we are describing as illegal. Section 403 action of this type would clearly be unpunishable.

Mr. RIVERS of South Carolina. On numerous occasions I have written the Attorney General asking him why he did not prosecute Carmichael for violation of section 12 of the Selective Service and Training Act. He said he could not do so because, among other things, Carmichael was talking to a crowd and not persuading an individual, and that his action would have to be read in the light of article I of the Constitution, which provides for free speech.

So it is clear to me that the Attorney General has no intention of prosecuting—nor is he trying in any way to prosecute this fellow Carmichael.

I have a speech he made in Cleveland, Ohio, on August 5, where he has said everything under the sun against this country. Among other things he said, "When Johnson calls, you say 'Hell, no, I ain't going,' under the Selective Service Act."

So the great Attorney General, now the Under Secretary of State, says there is no provision under the law whereby Carmichael may be prosecuted under that act, because it abridges article I of the Constitution.

So this legislation here does not apply in any manner to any speech anyone can conceivably make.

Mr. ASHBROOK. It is our opinion that it would, with the idea of inducing action or soliciting funds in mind as set out in section 402.

Mr. RIVERS of South Carolina. If anyone made a speech which led to an overt act included in the items under this proposed statute, he would be violating the statute, in the gentleman's opinion?

Mr. ASHBROOK. I believe that would be the case.

Mr. RIVERS of South Carolina. Is this the opinion of the distinguished chairman of the committee [Mr. POOL]?

Mr. POOL. I think so, certainly. If he asked them to commit the overt act, then he would be guilty of the violation.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from California.

Mr. HOLIFIELD. I believe we are becoming confused. On page 4, line 22, there is language which has been stricken. The language which is stricken includes the words "urges, or solicits another to obstruct, impede."

Therefore, this is not the so-called free speech provision. This has been protected by striking out the language which would have impeded free speech, as I understand it. Therefore, I believe the gentleman's answer is wrong in relation to the meaning of the statute and the stricken language as we have it before us.

Am I right in that, Mr. ICHORD?

Mr. ICHORD. If the gentleman will yield, as the author of the amendment I would say that the gentleman from California is absolutely right, because I offered the amendment striking all the language dealing with "urging, counseling, or advising" so that we would not get into this grey area which might possibly infringe on the freedom of speech guaranteed by the first amendment.

Mr. HOLIFIELD. I am as much confused now, since the chairman of the committee and the ranking minority member have both given a different answer from that given by the gentleman from Missouri [Mr. ICHORD].

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Of course, I am for the bill.

Mr. ASHBROOK. Yes.

Mr. RIVERS of South Carolina. I do not think it goes far enough. Would our position be different if we had a declaration of war behind us in the prosecution of whatever this is in Vietnam?

Mr. ASHBROOK. There is no question about that. We would not need a bill like this were there a declaration of war. This is, in effect, trying to bridge the gap that we have in the so-called conflicts, training missions, military actions, and so forth, which have all the same effect as war but are not declared wars. The treason statutes would come into effect then.

Mr. RIVERS of South Carolina. In view of what the gentleman from Missouri said, then, there is a difference of opinion. If a man made a speech and urged a group to do overt acts, about which we speak, and which are included in the makeup of this proposed legislation—if anyone urged a person to do those things included in this proposed legislation he would not be in violation of the proposed legislation, in view of what the gentleman from Missouri has said. Is this the consensus of the committee?

Mr. POOL. I think I was wrong, in the fact that the original bill did provide that. With this amendment on, the gentleman from Missouri [Mr. ICHORD] is right.

Mr. RIVERS of South Carolina. I wish we had a saving clause to protect us, if any part of this is declared unconstitutional. Irrespective of the length to which it goes, we need something like this, because of things against the war effort. The morale of our troops is being seriously affected. I have gotten thousands of letters—thousands of letters—in our committee about the effects of what these people are doing. We cannot enact this too soon for me.

I thank the distinguished gentleman.

Mr. ASHBROOK. I would say I have a number of requests for time on my side, and I think I will yield the floor.

Mr. NEDZI. Mr. Chairman, will the gentleman yield for a question?

Mr. ASHBROOK. I do not want to, because we have taken most of the time on our side. I wish the gentleman would direct it to the chairman so he could take it on his time.

Mr. POOL. Mr. Chairman, at this time I yield as much time as he may need to the distinguished chairman of the House Committee on Un-American Activities, the gentleman from Louisana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I would like to point out what, in my opinion, the Pool bill deals with and what it does not; what it does and what it does not do. Then I want to give illustrations of the types of acts that are made unlawful and which ought to be punished by this bill. Finally, I will point out the extreme care that we took to protect every conceivable first amendment right in reporting this bill.

Now, Mr. Chairman, this bill would deal only with people who would commit open and overt acts of hostility against their Government and their country and, at the same time, would give aid and comfort to the enemy during open, hot, shooting war, declared or undeclared, such as we are involved in up to our necks in Vietnam at this time. Specifically this bill, the Pool bill, would make it unlawful for people, and would punish people, who interfered with the transport of troops, for example, to Vietnam. It would make it unlawful to, and it would punish people who would try to, stop boatloads and trainloads of supplies and ammunition and war materiel going to our boys fighting in Vietnam. Yes, my colleagues, some people have been doing just this sort of thing for a long time and nothing has been done about it. These people have been giving of their time, their money, and the prestige of their names to help the Vietcong and the Communists who are fighting our boys in Vietnam. Yes, some of these people have been giving of their blood to build up blood banks. For whom? For our boys? No. For the Vietcong and for the Communists fighting our boys in Vietnam during this war.

Now, my colleagues, let me refresh your memory. During the hearings on this bill you read article after article implying that this terrible Committee on Un-American Activities was fixing to make a law to send people to jail if they disagreed with the Johnson policy vis-à-vis Vietnam, or who advocated perhaps the stopping of bombing in North Vietnam, or pulling out of Vietnam.

Let me say affirmatively that under this bill people, of course, would still have the right to believe or not to believe in our policy vis-a-vis Vietnam or any other area in the world. They would still have the right to agree to disagree with that policy. They would still have the right to express that belief and that opinion freely, openly, and loudly and from the rooftops, from wherever they are, even from the top of this Capitol. The people would still have the right under this bill to dissent, to protest, to demonstrate, yes, and to remonstrate on any subject they please.

The fact of the business, Mr. Chairman, is that we bent over backward and stretched a point to protect every conceivable first amendment right in the Pool bill. Let me illustrate what I mean.

As drafted, the bill would have made unlawful those actions which I have described that people are doing and also would have made it unlawful to advise and counsel or urge or solicit others to do the same thing.

Mr. Chairman, the gentleman from Missouri [Mr. ICHORD], offered an amendment to delete and strike out the words, "advises, counsels, urges, or solicits another" to commit these specific offenses.

So, Mr. Chairman, now only those would be involved who would personally perform and give overt and open actions of hostility against their Government during a hot, open shooting war, and at the same time would give aid and comfort to the enemy.

Mr. Chairman, that is what the enactment of this bill would do.

Mr. Chairman, as I said during the hearings—and, oh, I used to go home every night and would hear on TV, and read editorials and comments of the various columnists, implying that what the horrible Committee on Un-American Activities was doing was attempting to interfere with right of expression and the right of dissent with reference to our policy in Vietnam.

Of course, my friends, this was bosh; it was hogwash. It was just as phony as a 2-foot yardstick and as phony as a $3 bill, and just as false as many other things to which I have to listen and endure as the chairman of this committee, with reference to matters said against this committee on other subjects.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. Of course I yield to my colleague, the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I wish to express my appreciation to the chairman of this committee, my colleague, the gentleman from Louisiana, ED WILLIS, and to the gentleman from Texas, JOE POOL, who chaired the subcommittee during the hearings on this legislation, and to the committee for bringing this legislation to the floor of the House for our consideration today. I have long urged action in this matter. I would like to go much further personally.

Mr. Chairman, the committee has a most difficult duty and it is my opinion that they have operated within their legislative authority.

Mr. Chairman, I believe this represents good legislation and is needed. No man can shirk his responsibility to our boys at war. As long as I breathe I never will. To me it is simple. We either support our boys or we support the Communists.

But, Mr. Chairman, the real purpose for which I arose is to say that I am particularly pleased to have ED WILLIS back in the saddle once again, speaking forthrightly for the good of these United States. He always does. His wisdom has been missed.

Mr. Chairman, we are all glad to have ED WILLIS really back at work in this House of Representatives again.

Mr. WILLIS. Mr. Chairman, I thank the distinguished gentleman from Louisiana [Mr. WAGGONNER] for his most flattering remarks.

Mr. ASHBROOK. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, last May it was my privilege to visit southeast Asia and to see with my own eyes, and walk among the magnificent young men who are fighting for human freedom in Vietnam. Their dedication and their faith in the rightness of their mission was an inspiration to behold.

Mr. Chairman, insofar as I am concerned, and insofar as the one-half million Americans whom I represent in this body are concerned, we regret that there is any American or any Member of either House of the Congress who would not give absolute support to these American soldiers who are fighting in what I, for one, consider to be a classic contest of good versus evil and freedom versus tyranny.

Mr. WILLIS. Will the gentleman yield?

Mr. BUCHANAN. I am glad to yield to my distinguished chairman.

Mr. WILLIS. Mr. Chairman, I have heard it said by a very good friend of mine in the other body—and I felt he was so right—that if this war should be lost—and it shall not be, but if it should be lost—it will not be on account of these boys who are fighting over there.

It would be lost right here in Washington, D.C., by certain people taking active steps and saying things contrary to the good of our fighting boys over there.

They will never lose a war, do not worry about that.

Mr. BUCHANAN. I thank my distinguished chairman for his contribution with which I absolutely agree, and would say that indeed there has been evidence that the Vietcong have been encouraged to believe that American people are tiring of this conflict, are growing weary, and will withdraw from it, on the basis of statements made in high places from the Congress and elsewhere.

I regret that this is the case. I regret that there is any group of Americans who would, however high minded, however pure their motives, seek to in any way support an enemy—for if, in any way, we support him to that extent we give him strength with which to fight against our American soldiers.

Mr. YATES. Mr. Chairman, will the gentleman yield on that point?

Mr. BUCHANAN. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, when the gentleman from Ohio was on the floor, and in the exchange that took place, it was clearly brought out that this bill in no way interfered with the right to dissent.

Do I understand that the gentleman is advocating eliminating the right to dissent?

Mr. BUCHANAN. Mr. Chairman, I thank the gentleman from Illinois for his question.

In answer to his question I would say absolutely not.

I regret that it is the situation that there is dissent, that there is protest, but this bill does not in any way move against the right to dissent, or the freedom of speech of any American citizen. I would say further that certainly one of the freedoms for which our servicemen are fighting is the first amendment, a very basic part of our Constitution, which does permit freedom of speech, to protest, to dissent. Indeed, this is one of the basic things for which they fight in Vietnam, and which we certainly would not seek to abrogate or to deny.

Mr. YATES. Mr. Chairman, would the gentleman yield further?

Mr. BUCHANAN. Yes, I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I thank the gentleman for yielding further.

I should like to point out that those of us who do not favor the Pool bill also support our fighting forces in Vietnam. The Pool bill is not a test of that support. And I suggest to the gentleman that he might want to refer to the speech that was made by the late Senator from the State of Ohio, Senator Robert A. Taft in 1951, when he said that the right to dissent, particularly in the field of foreign policy, is the privilege and the duty of every citizen of the United States. It is particularly applicable to the Members of Congress, he said. Members of Congress do have the responsibility of analyzing our foreign policy in our country and of speaking their views. And we have a right to dissent from this bill, as well.

Mr. BUCHANAN. Mr. Chairman, may I say to the gentleman from Illinois that I appreciate the questions he has raised today. I would never seek to imply that his questions are based on anything other than the desire for good legislation, nor would I by any means question the patriotism or the integrity of his questions. I believe the gentleman's desire is to do what is right for our country, just as it is my desire. So I appreciate the questions he has asked, not only of me, but of other Members today.

However, we are engaged in a war that is not popular, the conduct of which has been questioned by many Members on both sides of the aisle, many who feel we have not gone far enough, and fast enough, others who feel we should not be there at all.

I would simply say that while there is the right of freedom of speech, or to dissent from any Government policy, or to protest any policy of this Government, when such actions reach the point of actually interfering with the movement of American troops or supplies, or giving aid to an enemy engaged in armed conflict against the American forces, then we have gone past the point of the first amendment's exercise of free speech and are entering an area in which, in my judgment, no citizen has the moral right to move, nor should he enjoy such legal right.

This legislation does, as the chairman and others have clearly brought out, some very simple things. It prescribes penalties for moving against American forces, for impeding the movement of American forces and their supplies. It moves against acts to aid and abet a group or nation with which we are engaged in armed conflict.

It does not keep any citizen in any way from making a speech, whatever speech he may desire to make, or to lawfully assemble to protest any policy. Such a citizen can put on a Vietcong uniform. He can wave the Vietcong flag and march around the Capitol, and perhaps get 1,000 others to follow him; but if he does not interfere with the movement of troops and supplies, or actually solicit aid of some kind for the Vietcong or North Vietnam, this law would not touch him in any way.

Mr. YATES. Mr. Chairman, will the gentleman yield for a further question?

Mr. BUCHANAN. Gladly.

Mr. YATES. Do the provisions of section 403 of the act which provide against the obstruction of any member of the Armed Forces of the United States apply as well to members of the National Guard when the National Guard is federalized to deal with a local disturbance?

Mr. BUCHANAN. I would assume that these provisions would apply to the National Guard. But I will yield to the gentleman from Texas [Mr. POOL], the chairman, for a more expert answer.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I gladly yield to the distinguished gentleman.

Mr. ICHORD. If they are a part of the Armed Forces of the United States. Yes, I think it would apply.

Mr. YATES. Then I take it, it would be the purpose of this act and the purpose of the committee to make this act operative against any obstruction made against any member of the National Guard who had been activated to Federal duty?

Mr. BUCHANAN. The gentleman is making it too broad. I would say that the entire bill deals with the intent to obstruct the Armed Forces to aid an enemy with which we are engaged in armed conflict. The gentleman is making it pretty broad and I would say that the language does not go that far.

Mr. YATES. But there is no exception drawn in the act for deleting that. The act is broad enough to cover that; is it not?

Mr. BUCHANAN. Again I must yield to the chairman of the committee, the gentleman from Texas [Mr. POOL] for a more expert answer.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield while the chairman is waiting.

Mr. BUCHANAN. I yield to the gentleman.

Mr. HOLIFIELD. I am concerned about the same thing the gentleman from Illinois is concerned about. Section 403, in my opinion, and I am looking at the language of it because the language prevails over the colloquy on the floor here—the language clearly says that if any Armed Forces are carrying out military duty, let us say in a desegregation dispute in the South, for instance, and let us say they have been assigned to maintain order—if anyone—any citizen interferes with them while they are on foot or pushes them or in any other way impedes or obstructs them, that person is subject to a $10,000 fine or imprisonment for not more than 5 years or both.

Certainly this goes to the extent of being cruel and unusual punishment and you are really getting yourself into some trouble here. I am sure that people acting in an emotional situation and feeling very strongly that the National Guard should not be there or that the Armed

Forces should not be there might be so concerned that they will throw a pop bottle or do something in the way of an overt act that would be construed to be either impeding the free movement on foot or otherwise of these people while on duty.

Mr. YATES. I think the gentleman raises a very important point. Suppose a truck is in the path of one of the vehicles of the National Guard. In that case it would come within the provisions of the language that says: "operation, movement or passage of any facility of transportation.

Mr. POOL. Here is the language I want to call to the attention of the committee, and it is in black and white. They are trying to get this thing way out in left field here. This has to do with the intent to obstruct.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. Buchanan] has expired.

Mr. BUCHANAN. Mr. Chairman, will the gentleman from Texas yield me some time?

Mr. POOL. I yield 2 minutes to the gentleman from Alabama [Mr. Buchanan].

I want to ask you this question and point out what they are doing here. They are ignoring the plain language of the statute.

The bill says: "with the intent to obstruct, impede, or interfere with the United States, or any member of the Armed Forces, in preparing for, or carrying on, any military duty or activity."

Now, the National Guard is under the jurisdiction of the States.

Mr. YATES. But not when they are federalized.

Mr. POOL. I know but it says what I just read and if they are federalized, then they are a part of the Army.

Mr. YATES. That is correct.

Mr. POOL. Then they ought to be in it when that happens.

Mr. YATES. What does that mean?

Mr. POOL. They have to be considered as the Armed Forces of the United States when the National Guard becomes a part of the Army.

Mr. YATES. That is correct. When the National Guard is mobilized as it is at times to deal with rioting, this act would then become operative.

Mr. POOL. If they are trying to obstruct the Armed Forces, I do not care what they do, but if it is obstructing the Armed Forces, they will come within the act and it ought to be applied to them, certainly.

Mr. BUCHANAN. I think the gentleman from Texas [Mr. Pool] has given the gentleman the answer to his question.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman.

Mr. RYAN. I am very interested to hear the gentleman from Alabama [Mr. Buchanan] and the gentleman from Texas [Mr. Pool] tell us that they are supporting a bill which would make it illegal for anyone to interfere with or attempt to interfere with, the National Guard or any part of the Armed Forces that is called out to enforce the desegregation of schools.

Mr. POOL. Did you intend that to mean that I might have thought otherwise on that question without this kind of statute?

Mr. RYAN. I hope I left no inference.

Mr. BUCHANAN. I should like to make one additional point in the time I have remaining. Without this legislation, there would be no legislation to prevent a person from soliciting funds for the Vietcong all over Washington provided that he is not apprehended in the transmission of those funds to our enemy. Such a person could collect all over town thousands of dollars, and there would be no law which could touch him, unless and until transmission to a "blocked national" was attempted, and this proven in court. The bill would simply nip such acts in the bud and strike at the source. It would make sure that these activities would not begin, activities which I think most Americans would define in the area of crime, such as actively soliciting and collecting funds to aid an enemy with which we are engaged in armed conflict.

This war is very real to our fighting men. And to the widows and orphans of those who fall in battle, it is very real. Yet the penalties prescribed herein are mild compared to the penalties already prescribed by law for these same acts in a declared war. As a very minimum, we owe our soldiers in Vietnam and their families the support and protection provided by this legislation. I urge its passage by this body.

Mr. POOL. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. Ichord].

Mr. ICHORD. Mr. Chairman and Members of the Committee, I rise in favor of H.R. 12047, a bill which should receive the overwhelming support of the Members of the House.

Let me make clear at the outset for the benefit of the gentleman from Illinois and others that H.R. 12047 is in no way aimed at stifling legitimate dissent against this Nation's policy in South Vietnam. A prohibition of legitimate dissent would not only not be the American way, but it would be illegal and void under the Constitution of the United States.

We may not agree with voiced dissent. We may not agree with demonstrations. But so long as they constitute a valid exercise of the right of free speech and the right of freedom of assembly, each of us has a sworn duty to uphold the Constitution of the United States. We have a sworn duty to uphold the exercise of freedom of speech, dissent and actions, regardless of how offensive we may consider such speech and actions.

Each of us might have different interpretations as to how far the right of free speech and the right of freedom of assembly should extend. No doubt each of us has different ideas as to what constitutes legitimate dissent. But I hope, Mr. Chairman, that there is no Member of this body who believes or holds the view that the acts of raising funds, the collecting of blood, money, and supplies and sending them to the Vietcong and the North Vietnamese, who are now killing the flower of American youth, are legitimate dissent. That is what section 402 of the Pool bill would prohibit.

I know that no Member of this body holds the view that that would be legitimate dissent. Such could not be the position of a true libertarian. That could be only the position of a libertine masquerading under the guise of a libertarian.

H.R. 12047 is not directed at lawful speech or lawful assembly. It is directed only at overt acts specifically intended and for the purpose of aiding and abetting the enemies of the United States.

Mr. Chairman, there has been much said both inside and outside the Congress as to what is contained in H.R. 12047.

Some people have made statements that H.R. 12047 contains provisions which are not contained in the bill at all.

Some people have questioned the constitutionality of H.R. 12047 without any concept of what the bill contains.

Others have had their statements taken out of context and have been misrepresented.

I am sure, Mr. Chairman, that many people in America will be surprised by the final vote on this bill to learn that this is really not a controversial measure.

The bill as reported by the committee with amendments cannot possibly be construed as violating the Constitution of the United States. All language such as "advising, counseling and urging" has been stricken from the bill by the amendment which I offered in committee and which was adopted unanimously by the committee.

So the bill deals only with overt acts. These acts must be committed with specific intent. This deals with specific, intent crimes, the specific intent to aid and abet the enemies of the United States.

Mr. Chairman, the Department of Justice has said that this bill is not needed, that the existing law is adequate. I do not know whether the Department of Justice has changed its position since the hearings or not, but I unhesitatingly state at this time that the Department of Justice is in error. The present law is not sufficient. The present law is vague and inadequate.

I made the statement, when I received the report of the Department of Justice, that it was either in error or it constituted a prima facie indictment of the Department of Justice for failing to prosecute, because there have been transmissions of funds for the use of the Vietcong and there have been no prosecutions.

Now I can be more specific. The reason why there have been no prosecutions is that there is no statute to uphold a prosecution for the transmission of funds.

Before I yield to the gentleman, I want to clear up one error in the hearings. The representative of the Department of Justice, Mr. Clark, testified that to his knowledge there had been no funds transmitted to the Vietcong. I am sure that Mr. Clark at that time was not aware of what actually happened. I speak of the $1,500 in the form of two checks, money raised by the Medical Aid for Vietnam Committee in Berkeley, Calif. A draft was drawn in favor of a Vietcong agent in Prague, Czechoslovakia. The money was cleared through the Wells Fargo Bank and the Obchodni Bank of Prague, Czechoslovakia.

I read into the Record at this time, Mr. Chairman, a copy of a letter dated June 20, 1966, to the Ceskoslovenska Obchodni Banka of Prague, Czechoslovakia:

> Gentlemen: This refers to the following drafts drawn on you by our university office, in favor of Liberation Red Cross.

This is the Red Cross of the Vietcong.

> No. 119119; date, January 24, 1966; amount, $500.00; No. 119172; date, February 24, 1966; amount, $1,000.00.
>
> If payment of these drafts has not been made, we will appreciate your recording a stop payment thereon and arranging with the Union Bank of Switzerland, Zurich, to whom we remitted settlement, to refund the amounts to us.
>
> Should payment have been made please endeavor to recover the payments from the payee and advise us of the results of your efforts.
>
> We look forward to your report.
>
> Sincerely,
>
> Geo. W. Schmitz.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ICHORD. Mr. Chairman, will the gentleman from Texas yield me 5 additional minutes?

Mr. POOL. I can yield you 3 additional minutes. I am about to run out of time.

Mr. ICHORD. Then on June 29, 1966, a letter from the bank of Czechoslovakia which reads as follows:

> Gentlemen: We acknowledge receipt of your letter dated June 20 concerning the above mentioned drafts, and wish to inform you that they were already cashed at our counters: draft 119119 on February 10 and draft No. 119172 on March 17, 1966.
>
> As to your request that we endeavor to recover the payments from the payees we inform you that we have contacted the latter transmitting your request to them.
>
> We remain,
>
> Very truly yours,
>
> ______ ______.
>
> (Signed an agent of the Czechoslovakian Obchodni bank.)

Then a letter dated July 4, 1966, also from the Obchodni bank, reads as follows:

> Gentlemen: We wish to refer to our letter of the 29th ult. informing you that the above drafts were cashed at our counters in February and March, resp., 1966, and that your request to refund the funds concerned has been transmitted to the payees.
>
> After having contacted the latter, we regret to inform you that they have declined to repay the amounts in question.
>
> We remain,
>
> Very truly yours,
>
> ______ ______.
>
> (Signed an agent of the Obchodni National Bank of Czechoslovakia.)

So, gentleman from Illinois, the funds were transmitted. They were received by the Vietcong. Let me point out to the gentleman from Illinois that the reason why there have been no prosecutions is there was not a violation of the law in that case. The only possible law now covering such transactions as this is the Trading With the Enemy Act. At the time this money was transmitted, the Vietcong was not designated by the U.S. Treasury as a blocked country or group of persons. Since that time the regulations have been amended and the Vietcong are designated as blocked nationals. But there was no law which this case violated. Under the present law I can go out and solicit and solicit and solicit and collect and collect and collect funds for the Vietcong, for the North Vietnamese, but there is no possible penalty until those funds are transmitted to a blocked country or a blocked national.

Mr. ASHBROOK. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. Kupferman].

Mr. KUPFERMAN. Mr. Chairman, we are here today engaged in an exercise of futility and frustration with respect to this bill, H.R. 12047, to amend the Internal Security Act of 1950.

Senator Dirksen has made it clear that this bill will not pass the Senate. Further, he has stated that the hearings that brought it forth were a "spectacle" that could "do Congress no good".

The New York Times article of Sunday, August 21, on this follows:

DIRKSEN SCORES UN-AMERICAN ACTIVITIES INQUIRY

(By E. W. Kenworthy)

Washington, August 20.—"This spectacle can do the Congress no good," Senator Everett McKinley Dirksen of Illinois said today.

The Senate Republican leader was referring to the four raucous days of hearings this week by a subcommittee of the House Committee on Un-American Activities.

The announced purpose of the hearings, during which about 50 persons were arrested, was to provide the investigative basis for a bill to make it a felony to aid "any hostile foreign power" or person or group "acting in hostile opposition" to the United States armed forces.

Yesterday, after he had suddenly broken off the hearing, Representative Joe R. Pool, Democrat, of Texas, said that his bill would be reported out next week. He predicted it would quickly pass the House and Senate.

But today, Senator Dirksen made it plain that, regardless of the expected approval by the House, the chances of the bill's passing the Senate were exceedingly slim.

MANSFIELD SHARES VIEWS

Views similar to Mr. Dirksen's were also expressed by Senator Mike Mansfield of Montana, the majority leader. Mr. Mansfield expressed doubt that, considering the composition of the Judiciary Committee, the bill would ever reach the Senate floor.

Amid the tumult and the shouting of the subcommittee hearings the 50 persons later arrested were forcibly removed by Federal marshals from the caucus room of the Cannon House Office Building.

Among those arrested were several of the 12 witnesses; a lawyer for two of the witnesses, Arthur Kinoy; and many student spectators in the audience who time after time interrupted the proceedings.

The witnesses had been subpoenaed by the subcommittee to tell of their activities in opposition to the Vietnam war. The activities had ranged from attempts to halt United States troop trains to the collection of money for medical supplies for North Vietnamese forces and the Viet Cong.

Mr. Pool's bill would amend the Internal Security Act of 1950 and would provide penalties up to a 20-year jail sentence or $20,000 fine.

Senator Dirksen speaks with some authority on the prospects of the bill in the Senate because he is the ranking Republican member of the Judiciary Committee, to which the bill will be referred.

"When you draft a criminal statute that applies to the whole country, the utmost caution has to be exercised," Mr. Dirksen said.

"A criminal statute carries with it a penalty—a fine or prison sentence—and you don't lightly send a person to jail or fine him, you don't want a criminal statute to become a veritable dragnet."

The Republican leader went on to say that "when you talk about rendering aid to an enemy, or some country with which we are at hostilities, you must exercise caution to make sure it's carefully defined. This is a job for lawyers, and it is necessary to take a good look before a jump into the dark."

Mr. Mansfield noted that Senators loosely classified as "liberal" constitute a majority of the Judiciary Committee, and he doubted that they would report out a bill as vaguely drafted as the Pool bill.

Many Senators who are lawyers have the reservations and objections to the bill expressed last week by Henry J. Steiner, a Harvard law school professor.

The first section of the bill would impose criminal penalties on persons who give, or advise or solicit another to give, "money, property or thing" to "any hostile foreign power," or to any group of persons "acting in hostile opposition" to the armed forces.

Addressing himself to this section, Professor Steiner noted that there were several Federal laws that rigorously control export of money or goods to foreign countries or their nationals, including the Export Control Act of 1949 and The Trading With The Enemy Act. Both of these acts have criminal penalties.

Mr. Steiner also contended that the section was vague. The language, he said, does not make clear whether "the hostile foreign power" must be a nation that United States is actually fighting.

Does the phrase, he asked, encompass, "any country which actively opposes our policy in Vietnam?" And, he continued, "when is a group to which a person might contribute 'acting in hostile opposition' to the armed forces?"

Third, Mr. Steiner's chief criticism was directed at the inclusion within the bill's sanctions of those who "advise" others to give money or property in aid of a hostile foreign power. The bill thus reaches "behind conduct," he said, to speech, and this opens the possibility of a dangerous violation of constitutional rights.

The second section of the Pool bill provides penalties for those interfering with, or advising others to interfere with, the movement of troops or supplies.

Here again Mr. Steiner said that there were already laws dealing with such obstruction. If the present laws are inadequate, he said, they can be strengthened, but any new legislation should extend to overaction and not to "advice."

Many House members, as well as those in the Senate, take the same critical view of the Pool bill. However, House members have found it difficult—especially, in campaign years—to vote against bills favored by the Un-American Activities panel, particularly when the bills are directed against such activities as were definitely confessed last week by the witnesses.

To the utter confusion of the subcommittee, which had become accustomed to witnesses who took refuge from the outset in the Fifth Amendment's protection against self-incrimination, these young revolutionaries proclaimed their affiliations with the

Peking-oriented Progressive Labor Party and its former satellite, the May 2d Movement.

Unquestionably many House members believe, as Mr. Dirksen does, that the "spectacle" did not improve the House image, and they see little sense in providing the students of the New Left with a forum grossly out of proportion to its threat.

But few of those who feel this way will go so far as to demand that the committee be abolished or even to vote against the Pool bill. As in the past, they are expected to take the safe course of voting for a bill repugnant to them in the sure knowledge that the Senate will dispatch it to oblivion.

The Department of Justice says the bill is not necessary and legislation presently on the statute books will suffice. See committee report No. 1908 dated August 29, 1966, at page 8. The American Civil Liberties Union is depressed about the violations of civil liberties in repressing honest freedom of expression that could occur.

The New York Times in its editorial of August 22 has analyzed the House Un-American Activities Committee itself.

The editorial follows:

The Incurable Committees

It is a measure of how low the House Un-American Activities Committee has sunk in public esteem that Senator Everett Dirksen has joined those who condemn its unseemly spectacles and its legislative futility.

Senator Mike Mansfield, the majority leader, has agreed with Mr. Dirksen that the House committee's disorderly hearings last week did nothing for the good reputation of Congress. They also doubt the Senate would pass the bill which provided the legislative pretext for those hearings, presuming the House has the bad judgment to approve it.

Since members of the Senate rarely comment in this sharply critical vein about the work of "the other body"—as the House is termed in parliamentary discourse—they clearly recognize that the public is weary of the Un-American Activities Committee's antics. The Senators might well have extended their criticisms to include the Senate's own Internal Security Subcommittee which, though quiescent of late, is equally useless and has in the past conducted some unseemly hearings of its own.

The bill sponsored by Representative Joe R. Pool, Texas Democrat, who presided over last week's hearings, epitomizes what is wrong with the committee itself. Insofar as the bill to halt aid to the Vietcong deals with actions, its legal purposes have already been achieved by the Export Control Act, the Trading With The Enemy Act, and various statutes on treason and sabotage. Insofar as the bill deals with speech, it transgresses the First Amendment and is an unconstitutional invasion of the rights of citizens to express their ideas, regardless of what those ideas may be.

The House committee and the Senate subcommittee suffer from the incurable defect that in striking at what is "un-American" or harmful to "internal security," they strike at freedom itself. Since their hearings are superfluous in controlling overt illegal acts, they usually are devoted to attacking unpopular opinions and marginal political groups. Many of these very small organizations, like those which participated in last week's hearings, would never be heard of if the committees did not give them free publicity.

Any duly constituted committee of the Congress is entitled to respect. If a witness's rights are violated, there are remedies in the courts. But, as a practical matter, Congress cannot hope to command respect for a committee if that committee has a defective mandate and engages in political scrimmaging with witnesses who hope to profit by turbulence and publicity. Congress can cure this condition only by radical surgery that will get rid of these two committees.

Perhaps most difficult of all is the fact that a bill like this could have the effect of sending good Americans like the Quakers to jail simply because they act out of human motives. See the daily Congressional Record, August 30, 1966, page A4587.

I cannot support this bill, Mr. Chairman, and it should not even be before us. While I am opposed to the activities against which this bill is allegedly aimed, there is no need for the bill itself.

Mr. YATES. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Chairman, I rise today in opposition to H.R. 12047, which would amend the Internal Security Act of 1950. We are all by now aware of the fact that this bill is directed at activity of two types. First, it would prohibit the giving of assistance to any hostile foreign power. Second, it would prohibit obstructions to the movement of military personnel and supplies.

Our purpose as the most powerful nation in the world is without a doubt to preserve ourselves from within and without. To this end, we must prevent the flow of aid to hostile foreign powers during armed conflict and we must prevent interference with the movement of military troops and their supplies.

The question, however, is whether additional laws are needed for these purposes, and if so, whether H.R. 12047 best meets the need. The answer to both of these questions must be in the negative.

As to the first question, it need only be stated that there is no need for new legislation because already there are numerous laws, both State and Federal, which protect the national interest.

General criminal laws already in effect in the States, which would reach such conduct as is sought to be covered by H.R. 12047, include laws governing trespass, malicious mischief, assault and battery, unlawful assembly, disturbing the peace, and a host of others.

Federal laws adopted through the years and tailored to meet the different kinds and degrees of wrongdoings covered by the proposed legislation include our sabotage statutes, statutes concerned with trespass on military property, laws prohibiting movement in port areas during a national emergency, laws designed to prohibit or to regulate the dealings of American citizens or other people under U.S. jurisdiction with enemy countries, even to the making of gifts, statutes concerned with the exportation of articles, material, and supplies to any nation threatening the security of the United States, and a host of others.

I feel that these laws, both Federal and State, that are now in effect are adequate to protect the Federal interest and our Nation's security.

H.R. 12047, moreover, is undesirable for more reasons than the lack of necessity. In the first place, this legislation would inject Federal law and Federal enforcement into essentially State and local affairs. There is no need for this intrusion into traditionally State and local areas of jurisdiction. And since there is no Federal police force to enforce such a law, nor any indication in our country that State and local law enforcement will not meet its responsibility in the areas sought to be covered by H.R. 12047, the enactment of this legislation would create more problems than it would solve.

Second, H.R. 12047 reveals a dangerous potential for infringement on the constitutional right of free speech because it reaches advising, counseling, urging, and soliciting. The prohibitions in this legislation would raise serious first amendment questions.

Third, H.R. 12047 would severely damage the trade union establishment in our Nation, even though it is not aimed at it. When unions strike, their intention is to halt the manufacture and movement of goods until the strike is settled. Military material travels on every road and railroad and is being processed in half the factories of the United States. H.R. 12047, as a strikebreaking measure of tremendous potential, would hit a very large class of persons unintentionally.

Finally, the absolute prohibition against all assistance would prevent the arrangement of needed medical and other assistance for American prisoners of war. Medical and other assistance have proven to be valuable services in past conflicts when administered by such groups as the International Red Cross. Surely, we would not wish to outlaw or even curtail this humanitarian service.

Mr. Chairman, a tiny handful of extremists have been able to capture the headlines and propagandize as to their efforts, but what they have done can hardly be considered a threat to our efforts to protect freedom in Vietnam. The passage of this legislation can only serve to exaggerate and aid this handful of eccentrics in accomplishing their purposes. For these reasons I strongly oppose and urge my colleagues to oppose the enactment of H.R. 12047.

Mr. POOL. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. Edwards].

Mr. EDWARDS of California. Mr. Chairman, I am not going to make a long speech enunciating why this bill is deplorable. Indeed, I presume that this body has in mind a quick passage while holding its nose, secure in the knowledge that our indiscretion will be cured by quiet death in the other body; thus again reemphasizing the wisdom of our founders in providing a bicameral Congress.

Mr. Chairman, I suppose there are occasions when the executive branch of the Government is completely wrong, when the responsible members of the press are wrong, when the leading constitutional authorities are wrong, when the Senate leadership is wrong, but it seems to me that when all of them say a bill is bad, the House of Representatives ought to examine with care what they are about to do. I think we can all take pride in the record of accomplishment of the 89th Congress, but I would hate to see that record corrupted by passing a bill which we know to be unnecessary, unwise, unconstitutional, irrelevant, and unworthy of the time of this great body.

H.R. 12047 is ostensibly designed to stop shipments to our enemies and to stop interference with movement of our Armed Forces and materiel. Its real purpose is to throttle dissent. We have, as Mr. Ramsey Clark testified, a full panoply of laws to accomplish the stated purposes of the bill without the legal deficiencies of it, and without the dangers inherent to our own prisoners of war, to first amendment freedoms, and to labor's right to picket and strike.

This bill was the excuse for holding hearings which were an embarrassment to the United States and resulted in pictures, newspaper stories, editorials, and cartoons appropriate to such a fiasco. Following the so-called investigative hearings the Un-American Activities Committee received the views of the Treasury Department, the Department of Commerce, the Department of Defense, and the Department of Justice. Not a single witness from any of those Departments supported the committee's bill and indeed their opposition was unequivocal.

Mr. Fred Burton Smith, General Counsel of the Treasury, testified that section 402 is completely unnecessary because the Trading With the Enemy Act and the Foreign Assets Control Regulations are far more effective in dealing with such problems as exist than section 402. Section 402 would ban absolutely solicitations for the International Red Cross, which is in Mr. Smith's words—

> One of the very few ways we have have of helping our soldier prisoners of war over there, of getting some kind of assistance to them.

Mr. Smith also stated:

> This policy has been established in connection with the efforts of the Department of State to assist American military personnel who are prisoners of war in North Vietnam. A rigid ban against all solicitations of remittances such as is provided in the pending legislation might well interfere with this effort to assist our military people who are captives of North Vietnam.

Furthermore he said:

> It is the policy of the Treasury Department to administer these regulations very strictly in order to prevent any unauthorized foreign exchange accruals to blocked areas. We do not license any such transactions unless there is a clear-cut demonstration that it is in the national interest to do so, as in the example I cited earlier of assisting American prisoners of war.

Brig. Gen. William W. Berg, Deputy Assistant Secretary of Defense, testified that there was no necessity for the bill insofar as the effect on morale of the Armed Forces. He stated and I quote:

> We do not have any evidence available to us, or reports by commanders in the field, that indicate that the morale of our forces has been impaired by the demonstrations of dissent to United States policy, by the publicized assertions of intent to assist our adversaries, or by the gestures of impeding the military effort.

Now let me turn to the position of the Justice Department. Mr. Ramsey Clark, Deputy Attorney General, said:

> There is no need for new legislation because a panoply of laws State and Federal, presently protects the national interest.

Referring to the Trading With the Enemy Act, he said:

> Its provisions are better adapted to prohibit the activity contemplated by H.R. 12047 than is that bill itself. . . . Present law avoids the pitfalls, the frustrations, and the ineffectuality inherent in endeavors to limit expression.

Section 402 was amended in committee to remove the words "advise, counsel and urge" but the word "solicit" is in the bill before us and therefore the following statement of the Deputy Attorney General is still pertinent in references to section 402(1):

> Without adding any meaningful protection, this language would jeopardize the purposes of the bill and fundamental rights of Americans by risking infringement of constitutional rights of free speech.

I have been talking mainly about section 402 up to this point and I would now like to direct your attention to section 403 which would make it a crime to attempt or to obstruct, impede, or interfere with, the movement of any member of the Armed Forces while on duty, or the loading, provisioning, and so forth, of any facility of transportation being used, or intended to be used, in whole or in part, for the transportation of personnel, supplies, or material of the Armed Forces.

This section virtually outlaws strikes in the maritime or transportation industry. Under 403, if a privately owned truck carrying vegetables is impeded by a picket line, and one head of lettuce intended for the Army is delayed, then those pickets are subject to a fine of $10,000 and 5 years in jail or both. This is what section 403 provides, and as Mr. Lawrence Speiser of the ACLU says in his memorandum:

> If a union knows that even a single soldier or a single case of supplies is on a train or a bus or even a streetcar, and it called a strike which would have the effect of obstructing or impeding or interfering with such movement, then Section 403 would apply whether or not the union has any position on the war in Vietnam or not.

Now we all know that there has been no successful interference with troop or materiel movements. There have been a few attempts and there have been convictions. The Deputy Attorney General said that in every jurisdiction of the Nation there are scores of laws applicable to conduct directed at members of the Armed Forces or military supplies. He was opposed to section 403 as undesirable and unnecessary and, in his words—

> Its excessive and indiscriminate penalty which would attach the same severe sanctions to saboteurs and sit-ins alike.

In conclusion, let me urge my colleagues on both sides to reject emphatically H.R. 12047.

[From the Washington Post, Sept. 22, 1966]

BETRAYAL

The House leadership has foolishly scheduled the Pool bill for debate today—despite the fact that spokesmen for the Treasury, Justice and Defense Departments were unanimous in denouncing it as needless, senseless and of dubious constitutionality. The Pool bill, a characteristic expression of the philosophy of the House Committee on Un-American Activities, would penalize protests against the war in Vietnam as the rendering of aid to a hostile power against which the United States is engaged in armed hostilities. It would, in short adopt the techniques of totalitarianism in place of the American tradition of freedom. In a real sense, a vote for this un-American bill amounts, in itself, to a betrayal of American ideals.

[From the Washington Post]

HUAC HEARINGS: AID TO THE ENEMY?

(By Marquis Childs)

In assessing the damage done by the House Un-American Activities Committee the effect of that wrestling match on the foreign audience ranks high. Those televised scenes of witnesses and attorneys being dragged from the hearing room are even now being shown in Peking and North Vietnam.

In the propaganda drive to hold the North Vietnamese in the war they are offered as evidence that the brutal hirelings of imperialism will go to any length to suppress the true representatives of the American people. In this propaganda exercise these representatives being trundled off to jail speak for a majority of all Americans.

That is a measure of the harm the hearings have done. They give a tiny splinter of peaceniks—by their own admission not more than 5000 in the whole country—an opening for worldwide exposure and martyrdom. Before that opening their attempt to dramatize their opposition to the war had fallen off almost to zero.

Whether the masters at the top in Hanoi and Peking believe their own propaganda no one can say. Shut away in their airtight ideological prison they seem to have an infinite capacity for self-deception. But, belief or merely cynical propaganda, the uproar in the committee room was a godsend to the Communists bent on fighting the war in Vietnam to the bitter end. See, they are saying, here you have it—only force holds free Americans from revolting against the military and the capitalists waging a war of aggression against the Vietnamese people.

Underscoring the damage is the fact that active opposition to President Johnson's policy in Vietnam has with the exception of the peaceniks all but subsided. Sen. J. William Fulbright, the most articulate of the congressional critics, in an interview the other day said in effect that opposition was futile since the Congress was more warlike than the President. He was saying to Hanoi that the Johnson Administration means to go through with the war no matter what the cost in escalation.

Aside from the Communist capitals, the damage elsewhere in the world and here at home cannot be discounted. The scenes of disorder and violence will have a powerful impact in Western Europe where the long-drawn-out tragedy of the war is equated by critics with a quality of recklessness and savagery in the American temperament. The fact that the disorder was begun by the witnesses is irrelevant for the foreign audience, since their martyrdom in being brought before the committee in the first place is established by the past record of what appears in European eyes to be a sinister inquisitorial body with no objective other than to harass anyone whose views are to the left of center.

It may be that past experience with the committee's wild divagations has blunted the effect at home. What, they're at it again? This cannot, however, be taken for granted. Despite the disclaimer of the acting chairman Representative Joe Pool of Texas, that there was no intention to deny the right of dissent the line between intellectual criticism of Vietnam policy and acts such as trying to stop a troop train will be blurred.

In a climate of concern as the consequences of the war bite deeper and deeper with the number of American troops close to the 300,000 mark the emotions generated in the hearing room can be infectious. The short way with dissenters—bounce them out and put them in jail—that was the lesson of the hearings shown on television throughout the Nation.

As for the cast of characters the most vengeful and satirical film-maker could not have improved on it. Joe Pool looks like an Alabama sheriff ready at the drop of a bull whip to throw his deputies around the courthouse. He is said to be delighted by the whole affair since it cast him in the role of Communist destroyer and thereby put his right-wing Republican opponent in Dallas in the shade. Such exposure on television was a boon that couldn't have been bought with all the campaign funds in Texas.

The young peaceniks were cast with equal verisimilitude. They were brash, rude, obstreperous, bent on causing as much trouble as possible given a golden opportunity to discredit Congress and the democratic process. That they were given the opportunity is the saddest commentary of all.

[From the New York Times, Aug. 22, 1966]

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Senator Mike Mansfield, the majority leader, has agreed with Mr. Dirksen that the House committee's disorderly hearings last week did nothing for the good reputation of Congress. They also doubt the Senate would pass the bill which provided the legislative pretext for those hearings, presuming the House has the bad judgment to approve it.

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The bill sponsored by Representative Joe R. Pool, Texas Democrat, who presided over last week's hearings, epitomizes what is wrong with the committee itself. Insofar as the bill to halt aid to the Vietcong deals with actions, its legal purposes have already been achieved by the Export Control Act, the Trading With the Enemy Act, and various statutes on treason and sabotage. Insofar as the bill deals with speech, it transgresses the First Amendment and is an unconstitutional invasion of the rights of citizens to express their ideas, regardless of what those ideas may be.

The House committee and the Senate subcommittee suffer from the incurable defect that in striking at what is "un-American" or harmful to "internal security," they strike at freedom itself. Since their hearings are superfluous in controlling overt illegal acts, they usually are devoted to attacking unpopular opinions and marginal political groups. Many of these very small organizations, like those which participated in last week's hearings, would never be heard of if the committees did not give them free publicity.

Any duly constituted committee of the Congress is entitled to respect. If a witness's rights are violated, there are remedies in the courts. But, as a practical matter, Congress cannot hope to command respect for a committee if that committee has a defective mandate and engages in political scrimmaging with witnesses who hope to profit by turbulence and publicity. Congress can cure this condition only by radical surgery that will get rid of these two committees.

AND JUDICIAL PILLORY

Congressional annoyance at Federal Judge Howard Corcoran's short-lived attempt to enjoin hearings of the House Committee on Un-American Activities was predictable and even understandable. What is less defensible is the hysterical tone a number of Representatives have been taking over the incident.

The irate Congressmen seem oblivious to the fact that a serious constitutional issue is involved here, one that cannot be settled by abusing the court. That issue is whether or not the procedures of the Un-American Activities Committee are constitutional to begin with, whether or not in the light of its record injunctive relief is necessary to protect citizens from probable injury. All that Judge Corcoran tried to to do was to postpone the committee's tempestuous hearings until that issue could be properly presented to the court.

To argue that his action breached the principle of the separation of powers is to contend that each of the three branches of Government is sovereign, its powers in no way subject to checks and balances imposed by the other two. Obviously that is not the case. Congress has the power to check the courts by fixing their jurisdictions, by financing their operations, by passing on the appointment of the judges and, of course, by changing the very laws which they interpret. In turn the courts may—indeed must—pass on the constitutionality of Congressional actions.

As we have previously made clear, we are glad Judge Corcoran's order was overruled by a special appeals court. But for Congressmen to behave as if the Judge had committed lèse-majesté is to assume a pose of absolutism which does them no credit. Representative Claude Pepper did well to remind his colleagues of what another judge, Lord Coke, said to the King who wanted to sit on his court: "The King, too, is under the law."

[From the New York Times, Aug. 17, 1966]

Useless Hearings

The opening of the House Un-American Activities Committee hearings on left-wing aid to the Vietcong proved as disorderly and unproductive as the work of this committee usually is. There is little reason to suppose that any information developed in these hearings could form the basis of a constitutionally viable piece of legislation.

The free-speech guarantees of the First Amendment offer wide protection for radical, inflammatory and antiwar talk—and no one who understands the essence of a free society would have it otherwise. Insofar as demonstrations interfere with the movement of troops or war materials, they can be handled under existing law. No blanket new legislation is needed to deal with treason or sabotage.

Despite our belief that neither the hearings—nor the committee—serve any useful purpose, we are glad that the three-judge Court of Appeals vacated a lower court order enjoining the committee from conducting its inquiry. Federal Judge Howard Corcoran may well have been within his legal powers in issuing the original restraint. As Representative Claude Pepper of Florida reminded his incensed colleagues in the House yesterday, each branch of government is under the rule of law and the courts are the final interpreters of the law.

But the injunction would have been difficult, perhaps impossible, to enforce; and it placed the court in an unnecessarily awkward position in its relationship to Congress. The solution to the excesses of the Un-American Activities Committee must come from Congress, where the problem has its origins. The members of the House can expect an interminable round of futile and embarrassing controversies so long as they permit this committee to roam about with an inherently vague and unworkable mandate.

[From the San Francisco Chronicle]

House Probers' Narrow Escape

Not unexpectedly, the House Un-American Activities Committee finds itself awash in waves of television, radio and newspaper publicity arising from the disorderly antics of Vietnam war protesters in and around its committee hearing room. It would be naive to believe that such attention is unwelcome.

Quite unexpectedly, on the other hand, the committee found itself taken to court in Washington to show cause why it should not be enjoined from questioning the critics of the Vietnam war whom it had subpoenaed. The injunction was sought on the ground that to question dissenters against the war would infringe on their constitutional freedom of speech.

By venturing to entertain the petition of the American Civil Liberties Union for such an injunction, the Federal district court of Judge Howard F. Corcoran went up and over the fence separating the powers of the judicial and legislative branches of the Government. He thereby gave Congress and a good many other citizens quite a turn.

"A court telling a congressional committee it can't hold a hearing?" exclaimed Speaker McCormack. "We might as well not have any Congress at all."

While that is perhaps an unnecessarily despairing way to look at the matter, it is a good thing that the challenge to HUAC allowed by Judge Corcoran has been temporarily dissolved and its consideration by a panel of three Federal judges indefinitely postponed. A showdown between the courts and Congress on the right of a congressional committee to convene a hearing would be a conflict that in the end only Congress, as the source of the Judges' salaries and as the definer of their Jurisdiction to hear cases, could win.

Above and beyond that practical consideration is the principle that Congress itself should properly regulate and discipline the actions of its own committees when they trample on citizens' rights, as the Un-American Activities Committee has frequently done.

It is perfectly true, as the civil liberties lawyers urged, that inquisitional committees can inflict damage on witnesses and frighten other people into keeping silent while that is going on. But the preferable way to stop inquisitions by the Un-American Committee is for Congress to abolish it, not for the courts to attempt to do the duty of the House of Representatives.

[From the Detroit Free Press, Aug. 18, 1966]

As We See It: HUAC's Hearings Risk Stifling Vital Dissent

In all, the opening sessions of a hearing by the House Un-American Activities Committee (HUAC) on anti-Vietnam war protests have proved pretty much of a circus.

A federal district judge wholly misread the scope of his authority and tried to halt the hearings before they began, only to be overruled by a higher tribunal. A witness bounded into the hearing chamber Tuesday dressed as a Revolutionary soldier. The chairman swung his gavel with braggadocio as unruly spectators marched through corridors chanting slogans and scuffling with police. Federal marshals forcefully ejected an attorney yesterday.

That all this is so, however, should not obscure some of the fundamental issues which the hearing raises.

For the hearing appears clearly unnecessary and specifically aimed, as other HUAC hearings have been aimed, at harassing, intimidating and embarrassing those who hold views contrary to the committee's view.

Representative Joe Pool, the Democrat from Texas who serves as hearing chairman, has been candid enough about his purpose. Having introduced a bill making it a crime to aid the Vietcong and facing a stiff challenge in his home district back in Dallas, he wants to stir up some favorable publicity.

When the district judge mistakenly enjoined the hearing, Pool reacted angrily, asserting that he'd hold hearings anyway and that no federal judge could interfere with the Congress.

"I will go to jail and stay there until hell freezes over to prove my point," he announced to reporters.

Later, he confided that some friends told him he "couldn't do any better with the folks back home than by getting myself thrown into jail."

The decision of HUAC to hold hearings on anti-war protests follows the decision by the selective service system to reclassify college students who sit in at local draft boards as a protest against U.S. policies. This reclassification from 2–S and deferred to 1–A and eligible for induction is a palpable distortion of selective service laws and the Justice Department has hinted as much, but students reclassified have not yet been able to win reversals.

How wide will HUAC throw its net this time?

While this newspaper certainly doesn't favor aiding the Vietcong, it does favor free discussion which is vital to a free society. Will HUAC impinge on this freedom? To burn draft cards and to stop troop trains bound for Vietnam are clearly wrong, but there are laws enough on the books to take care of these things, as well as laws on sedition and treason.

For HUAC to hold hearings on anti-war protests risks stifling all forms of dissent about what even members of the committee must recognize to be one of the most controversial wars in American history.

And comical aspects of the sessions so far do nothing to reduce this risk.

THE CASE AGAINST HUAC

(By Robert F. Drinan, S.J., Dean, Boston College Law School

On the first day of the reconvening of Congress in January, 1945, a strange, unprecedented and tragic event occurred. On that day the first and only permanent investigating committeee was authorized by the House of Representatives.

Led by Mississippi's segregationist Cong. John Rankin, a coalition of Southern Democrats and Republicans made the House Un-American Activities Committee (HUAC) a permanent standing committee—over the dissenting votes of Cong. John McCormack and, in 1946, of Lyndon Baines Johnson.

From that day in early January, 1945, until last week HUAC has been engaged in some of the most unproductive and disorderly inquiries ever conducted by Congress.

The recent tumultuous hearings of HUAC on the activities of the "Vietniks" prompted even Sen. Everett Dirksen, in an unprecedented rebuke to a committee of the House, to state his firm disapproval of HUAC's tactics and his opposition to the legislation to be proposed by HUAC.

The injunctive relief given by Federal Judge Corcoran to the two individuals subpoenaed by HUAC was a last, desperate attempt to prevent the public harassment of American citizens because of their views on American foreign policy.

The reversal of Judge Corcoran's decision may have been erroneous; it certainly did nothing to resolve the grave question which Judge Corcoran faced: how can a citizen protect himself ahead of time from the devastating and irremediable harm to his reputation which will almost inevitably result from a session before the inquisitors of HUAC?

Despite the huge staff of HUAC and the protestations of its members and friends its achievements during the 21 years of its existence have been meager:

1—Only three pieces of legislation enacted in the last 20 years can be traced directly to HUAC.

2—The hundreds of pamphlets issued by HUAC have been consistently criticized by scholars and experts as misleading. The pamphlets have literally "fed" right-wing extremist groups.

3—In the last 15 years HUAC has asked and received House endorsement for its citations of contempt for 129 individuals but only nine of these citations have resulted in final conviction. The U.S. Supreme Court has reversed five convictions since 1961.

4—HUAC's abortive hearings on the Ku Klux Klan have led neither to new legislation nor effective prosecution of the Klan.

The reasoning which keeps HUAC in business comes to this: Communism is so terrible an enemy that any method of exposure is justified and should be retained.

It is this simplistic and indeed pernicious logic which prompts right-wing extremists and many others to brand anyone critical of HUAC as either subversive or "duped."

The fear of subversion and Communists appears to be so profound and even pathological among countless Americans that it submerges their beliefs in the right to a fair trial and the necessity of the separation of powers among the three branches of government.

It is, of course, these two key elements of American democracy which HUAC threatens to undermine.

The basic arguments against the continued existence of HUAC could be stated as follows:

1—If a person is to be accused of "un-American activities" (not merely opinions) he should be tried before a court of law and not before a congressional committee.

2—If Congress desires information about "un-American activities" (a term which Congress has never defined) it can acquire such information through its own committee on the judiciary and does not need a special roving group to inquire into "espionage," a subject which is already within the specific mandate of the House's Judiciary Committee.

Many well-informed Americans have long since concluded that the time has come for HUAC to be abolished. But political realities must be faced; on Jan. 27, 1966, HUAC received its requested appropriation of $425,000 from the House by a vote of 299 to 24.

In 1965 it received an appropriation of $370,000 by a vote of 358 to 29.

Congressmen think—perhaps erroneously—that voters back home would not approve of a vote to withhold funds from a House committee investigating "un-American" activities.

Indeed, it is humiliating to have to note that in both 1965 and 1966 not a single congressman from New England voted to diminish or eliminate the appropriation sought by HUAC!

Under the aegis of the long standing National Committee to Abolish HUAC a Massachusetts group has been reactivated in the recent past. Under chairmanship of Prof. Vern Countryman of the Harvard Law School the Massachusetts Committee to Abolish HUAC, based at 144A Mt. Auburn st. in Cambridge, is fighting an uphill struggle.

That struggle may possibly become a bit less difficult now that there is at least a discussion going as to the availability of an injunction by a Federal court against HUAC. But the widespread, emotion-laden and mountainous support in America for anything anti-Communist may well prevent the phasing-out of HUAC in the foreseeable future.

The least that the people of America can expect, however, is what Fr. Joseph Fichter, S.J., called for in the Boston Pilot on June 11, 1966—"a full and open debate in the Congress about the continued existence of HUAC."

After the unbelievable debacle staged by HUAC earlier this month the citizens of America are entitled to have at least an orderly inquiry by Congress into one of its committees, the very existence of which was described recently in a statement by 100 of the nation's leading constitutional lawyers as "unnecessary and unconstitutional."

[From the Pittsburgh Catholic,
Aug. 25, 1966]

UN-AMERICAN

(By Msgr. Charles Owen Rice)

Supposedly it exists to uncover facts that might guide the House of Representatives in enacting legislation. Actually, its time-honored function is to harry suspected radicals and subversives. It bears a charmed life because it is "patriotic."

Martin Dies, a Texas congressman, was its first chairman, and for years, it was known as the Dies Committee, but now it gets its formal name, the House Committee on Un-American Activities. Another Texan, Joe R. Pool, is today its happy, headline-making ring master.

Joe—I am not being unduly familiar, Joe is his name, not Joseph—Joe, white-haired, portly, anguished, indignant and patriotic, has been locked in televised combat with a prime mixture of oddities, idealists, headline-hunters of the left, and patriots of the left.

A few of these have engaged in un-American activities by anybody's definition, including their own, but hardly anyone would have heard of them, if Congressman Pool had not dredged them up and given them precious exposure on TV and the front page.

The pure patriots, right, left, or center, get small attention during these circuses. The extremists love HUAC although only the right-wingers among them admit it.

It suits the promoters of the ultra right that currency be given to the strongest and wildest statements and postures of the far left. They have a fine recruiting pitch as they declare: "We told you that such things went on. Our youth are being subverted and debauched, and you do nothing. Join your local chapter of 'Nuts and Riflemen for Defense' and save your country."

On the other hand the deadly serious ones of the left are also assisted in their recruiting efforts by the unfriendly publicity itself, although many of their idealists are sincerely outraged by the illegality and anti-Americanism of the whole HUAC process. It must be admitted, however, that among the victims of HUAC are those who get a lift out of the virtually painless, for them, martyrdom of being heaved out of the committee room.

Do not think for a moment that the committee is harmless merely because it misses the mark so often and is intellectually unspeakable. It has power and sharp teeth. It damages good people and good causes, and is a constant threat to the dignity and freedom of those who dare to dissent.

The excuse for last week's hearing was a package of legislation designed to suppress agitation against the fighting in Vietnam. The legislation is two-pronged. One prong, for those who would aid the enemy; another, for those who hold back our military or military supplies.

Since we are not at war it was hard to define the enemy, so the definition was made very broad, any country, group or person, "in hostile opposition to the armed forces of the United States." You could break that law by giving a glass of water to a rioter or by sending a food package to a starving family. You would not even have to give the aid, just advise someone else to do it. For many reasons that stringent statute appears to be certainly unconstitutional, and the committee was harassing citizens in order to promote a law that it had no business dealing with. That is part of the reason Judge Corcoran issued his short-lived injunction against the hearings.

No one alleges that any significant material aid is being given to the enemy, but the committee, and many citizens, are outraged that anyone at all would so much as contemplate helping the Vietcong or the residents of North Vietnam. No American, they feel, should want to feed, to heal, or to soothe the population which our military are trying to bomb into submission in an undeclared war. Dissent is being made equal to disloyalty.

We already have legislation to deal with those who would truly aid a real enemy, and the proposal is not only bad but unnecessary.

The second prong, which would prevent interference with materiel destined for military use, could turn out to be the worse of the two. It makes military goods virtually sacred.

If that should become law it would hit idealistic pacifist groups of the sort that are encamped near the nuclear submarine base in Groton and of the sort that will strongly protest any resumption of nuclear testing. These idealistic souls do not really interfere with the movement of men and materiel but they do annoy as they offer their tokens of dissent. It would be shameful to treat them as criminals, but they would be criminals if HUAC had its way.

There is another class of people who do interfere with the movement and manufacture of goods, and who would be hit by the legislation, although it is not aimed at them. When unions strike, their intention is to halt manufacture and movement of goods until the strike is settled. Military materiel travels on every road and railroad and is being processed in half the factories of the United States. Joe R. Pool has chanced upon a strike-breaking law of tremendous potential. What irony if it passes! The trade union establishment has never been more warlike and less pacifistic than it is now, but who cares? The labor lobby had better get busy.

The House Un-American Activities Committee functions not as a legislative instrument, but as the voice of a muddled and angry segment of the citizenry. Let them find their emotional outlet somewhere else, and let us rescue the legislative process from further degradation by ending an ignoble experiment in un-Americanism.

[From the Boston Sunday Globe, Aug. 28, 1966]

The Road to Loyalty

"It is a fair summary of history to say that the safeguards of liberty have frequently been forged in cases involving not very nice people." —Justice Felix Frankfurter.

The House Un-American Activities Committee's recent public hearings featured some of the most obstreperous witnesses imaginable—members of the pro-Peking Progressive Labor Party. Epithets like "murderer" and "fink" flew thick and fast from the witness stand. Other P.L.P. members, meanwhile, raised a hubbub in the audience.

Present and legal counsel for several of the witnesses were lawyers from the American Civil Liberties Union. A Globe reader (see Letters to the Editor column) asks why? Are the A.C.L.U. and the P.L.P. "birds of a feather,"? she inquires. "If P.L.P member Jeffery Gordon is a Communist and a traitor, what does this make A.C.L.U. members?" she asks.

The answer is that A.C.L.U. members are no more Communist than our correspondent.

The right of even the most despised person to legal representation under the Constitution apparently must be defended anew in every generation.

Consider that here in Boston, two men of the highest patriotism—John Adams and Josiah Quincy Jr.—were reviled for undertaking to represent British soldiers charged with murder in the Boston Massacre.

Quincy's own father was among those who questioned his action, writing that he was "under great affliction at hearing the bitterest reproaches uttered against you, for becoming an advocate for those criminals who are charged with the murder of their fellow citizens."

The son replied: "Let it be told, Sir, that these criminals, charged with murder, are not yet legally proved guilty, and therefore, however criminal, are entitled by the laws of God and man, to all legal counsel and aid. . . . I dare affirm that you and this whole people will one day rejoice that I became an advocate for the aforesaid 'criminals' charged with the murder of our fellow citizens."

Clarence Darrow, defending 20 members of the Communist Labor Party in 1920, stood fast against widespread hostility. He answered his critics in his summary to the jury:

"I shall not argue to you whether the defendants' ideas are right or wrong. I am not bound to believe them right in order to take their case, and you are not bound to believe them right in order to find them not guilty. I don't know whether they are right or wrong, and you don't know whether they are right or wrong. But I do know this—that the humblest and the meanest man who lives, I know that the idlest and the silliest man who lives, should have his say. I know he ought to speak his mind. And I know that the Constitution is a delusion and a snare if the weakest and the humblest man cannot be defended in his right to speak and his right to think as much as the greatest and the strongest in the land. I am not here to defend their opinions, I am here to defend their right to express their opinions."

The P.L.P. members haled before the House Un-American Activities Committee were not, of course, on trial for crime. But their need of legal counsel was no less imperative. Not only were they subject to possible criminal prosecution based on their testimony and conduct at the hearings, but the committee's free-wheeling inquiry placed in serious jeopardy their constitutional rights of expression, association, and privacy.

HUAC, in fact, is no friend of that freedom which our correspondent cherishes. The committee's coercive practices arouse not greater loyalty and patriotism among the people, but less. "You make men love their government and their country," Harvard's Zechariah Chafee Jr. wisely said, "by giving them the kind of government and the kind of country that inspire respect and love: a country that is free and unafraid, that lets the discontented talk in order to learn the causes for their discontent and end those causes, that refuses to impel men to spy on their neighbors, that protects its citizens vigorously from harmful acts while it leaves the remedies for objectionable ideas to counter-argument and time."

Mr. ASHBROOK. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. Watson].

Mr. WATSON. Mr. Chairman, I fail to see where my colleague from California is justified in the statement he made a moment ago when he said that he was surprised that the opponents of this measure were not given adequate time to express their opinions.

Certainly insofar as this side of the aisle is concerned—and the gentleman from Ohio needs no defense by me—but, as you will recall, of the one-half hour that he tried to speak, probably 20 minutes of that time was taken up by questions from those who oppose this particular measure.

I am sure the gentleman from California will further remember that the last speaker on this side of the aisle, and that speaker was opposed to the bill, was granted so much time as he may require, just a few moments ago. I am not going to take all of the 5 minutes allotted me because I presume that those who oppose this measure will have some further questions that they would like to propound to the committee.

But it appears that those who oppose this measure did not attend the hearings when the committee was considering this legislation. I was over there on a number of occasions. I do not think that this committee should be deceiving or deluding itself into the belief that we are dealing here with innocent, naive, idealistic kinds of people. They are purposely and maliciously committed to the Communist conspiracy.

I recall specifically that one young man in the hearings, who was a member of the Progressive Labor Party, or the May 2d Movement, admitted openly to the committee that he was a Communist, and he was proud of it, and he announced further that he was for the overthrow of the Government.

We are not dealing with innocent or eccentric people.

So I think, as we consider this legislation, it is not a matter of whether or not we are for free speech or whether or not a person has the right to dissent to the war in Vietnam.

I think this legislation really resolves itself into one simple proposition, and that is are we going to give support to our men who are over in Vietnam? Men who are over there because we, because this administration sent them there. They are not over there of their own volition.

I think it is absolutely incumbent that all of us support them to the "nth" degree, as far as I am concerned.

I have a member of my family over there. Forgive me for being deeply concerned about this, but God forbid that any Member would contribute whatsoever to the matter of demoralizing our men over there in what I think is one of the nastiest and dirtiest wars that we have ever been engaged in.

I do not think the question is "Why do we not pass this bill?" but I submit to the Chairman and to the Members of the Committee that the question—and it undoubtedly has been asked through letters written to the eminent chairman of the Committee on Armed Services and others on the part of these servicemen—the question of them is, "Why have we not passed it some time ago?"

I close with this comment, that it is ironic indeed, even tragic, that there should be young men contributing to the demoralization of men of their very same age who are over there fighting and dying for them.

And some people are worried about the penalties of this bill. Why, I do not even see why the committee reduced the 20 years to 10 years. Those men who are fighting over there in Vietnam are not facing merely 10 or 20 years in the penitentiary but are facing death itself. Why should we be so sympathetic toward those Communists and their sympathizers who impede or try to obstruct our efforts over there?

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Pool].

Mr. POOL. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. Cohelan].

Mr. COHELAN. Mr. Chairman, I thank the chairman of the subcommittee, the gentleman from Texas, for giving me this time.

Mr. Chairman, we are being asked to vote for this bill today despite the fact it has been labeled as unnecessary, unwanted, or undesirable by every executive department that has been asked to comment on it. We are being asked to vote on it despite the fact that the other body has given every indication that it will not even consider it.

The majority leader of the Senate, Mr. Mansfield, has stated that he doubted whether the Senate Judiciary Committee would report a bill so vaguely drafted.

The minority leader of the Senate, Mr. Dirksen, has warned that utmost caution must be exercised in drafting a criminal statute; that it must be carefully defined; that it must not become a "veritable dragnet." Unfortunately, this bill meets none of these tests.

Let me make it very clear, Mr. Chairman, that I am completely opposed to the efforts that have been made by a few people in this country to send aid to North Vietnam and the Vietcong. I am completely opposed to the attempts that have been made by a few misguided zealots and true believers to interfere with the movement of U.S. troops and military supplies.

As Members know, some of these attempts were made in my district. I hold no brief for any unlawful activity.

But the crucial question for us to consider today is not whether this activity was right or wrong. The answer to this, in my judgment, is clearly the latter. Rather, the crucial question today is whether new laws are needed to prevent it.

Despite the committee's assertions, there is absolutely no evidence that new legislation is needed. A wide range of laws, both Federal and State, already exists to protect the public interest.

Both the Treasury Department and Department of Justice have pointed out that the Trading With the Enemy Act already covers and prevents the flow of aid to hostile forces. The American Law Division of the Library of Congress confirms this finding.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I only have 3 minutes and if the gentleman can get me a little bit more time later, I will yield.

Mr. ICHORD. I refer the gentleman and Members of the House to page 1334 of the record in which Mr. Clark, the Deputy Attorney General, admits in response to my questioning that the law is not adequate. It does not punish collection and solicitation of funds.

Mr. COHELAN. The Justice Department, in fact, has pointed out that the Trading With the Enemy Act is better adapted to prohibiting the activity contemplated by H.R. 12047 than is that bill itself.

Similarly, specific and workable laws already exist to prevent obstruction in the movement of military personnel or equipment. The sabotage laws protect military material and installations. The Port Security Act regulates movement in port areas. Trespass on military property is a Federal crime, as is a conspiracy by two or more people to prevent, threaten, or intimidate any person from entering the military service, or from discharging his duty.

These and other Federal laws are bolstered by State and local laws that reach conduct properly within their jurisdiction.

And what has the Department of Defense had to say about the need for this bill? Gen. William Berg, Deputy Assistant Secretary for Military Personnel, told the committee:

> We do not have any evidence available to us, or reports by commanders in the field, that indicate the morale of our forces has been impaired by the demonstrations of dissent to United States policy, by the publicized assertions of intent to assist our adversaries, or by the gestures of impeding the military effort.

General Berg went on to state that literature which had been circulated to military personnel, with the intent of inducing refusal to serve or refusal to follow orders, had "clearly enjoyed little success."

Mr. Chairman, a very clear case is thus made that this legislation is not necessary. But this bill is undesirable for other reasons as well.

The committee has removed some of the more blatant constitutional objections, but the vagueness and ambiguity of some sections continue to raise serious questions of infringements on, and violations of, constitutional rights.

Statutes which are vague and indefinite are, in themselves, unconstitutional. As the Court stated in *Lanzetta* v. *New Jersey* (306 U.S. 451 (1938)):

> No one may be required at peril of life, liberty or property to speculate as to the meaning of penal statutes.

But what could be more vague and ambiguous in scope or meaning than phrases such as, "or in any manner prejudice the interest of the United States" and "advantage such foreign power"?

It is also worth noting that the Justice Department included "soliciting" as one of the words in the original bill which would jeopardize fundamental constitutional rights of free speech, but this word holds an important place in the bill before us today.

Section 402, as reported to the House by the committee, and unless it is amended would endanger contributions to international organizations such as the International Red Cross, which does not ordinarily designate where it will distribute its funds and supplies. It might very well prohibit sending medical or other needed supplies to members of the Armed Forces or civilians held prisoner by hostile forces. It would certainly prohibit programs such as the collection of funds for tractors to exchange for the release of Cuban prisoners of war.

Section 403, reported to the House by the committee, and unless it is amended, could be utilized to make it a criminal offense for any labor union to engage in a strike or a slowdown. It would virtually outlaw strikes in the maritime or transportation industries, for this bill encompasses the obstruction or interference with "any facility of transportation being used, or intended to be used, in whole or in part, for the transportation of personnel, supplies, or material of [the] Armed Forces."

For all of these and still other reasons, Mr. Chairman, this bill should be rejected. It is unnecessary, as expert witnesses have testified, and it could be dangerous, as constitutional lawyers have warned.

And in the process of rejecting this bill, let us also consider the unseemly spectacle of the hearings that accompanied it. Senator Dirksen, in commenting on this, stated very clearly:

> This spectacle can do the Congress no good.

Clearly the House has a responsibility and an obligation to consider matters affecting the internal security of the United States. But this obligation includes a responsibility as well to protect the constitutional rights of all witnesses that appear before its committees.

In my judgment, both obligations could be better met if this committee were dissolved and its functions assumed by the Committee on the Judiciary, as is the case in the other body. I hope that this proposal, which I have made before, will be considered when the House adopts its rules next year.

Mr. ASHBROOK. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Rumsfeld].

Mr. RUMSFELD. Mr. Chairman, last year the Committee on Government Operations considered a bill, as I recall, it was H.R. 5665, which was a request to give the President the power to pay salaries for certain friendly foreign armies under certain combat conditions.

During the discussion on that proposed legislation, which ultimately was passed by the House, it became clear that the Executive would have had this power under a declared war situation. But because there was, and is, an undeclared war situation, he lacked the power he felt he needed to conduct the war that we were in.

Earlier this week we dealt with an amendment to the defense appropriation bill dealing with the Reserves. The result was to give the Executive, again, certain powers to call up certain Reserve forces which he clearly could have, as I understand it, by a stroke of the pen—by Executive order.

We know that in the defense appropriation bill there are many billions of dollars currently being reprogramed with great flexibility by the Department of Defense because of the fact that the administration has underestimated the cost of the war in Vietnam. Here again we see the Congress yielding up its powers—this time power over the purse strings.

I cite these three things because I think the bill we are discussing here follows the same pattern. The bill today is another example of legislation giving the Executive greater power, greater flexibility, and greater authority in the absence of a declared war situation—in each case powers that the Executive clearly would have if this country were in a declared war.

How many other such examples of such legislation have been passed by this Congress and previous Congresses I do not know.

The penalties under this bill, I understand from the debate, would exist if there were a declared war.

The Congress is the people's branch of the Government. The drafters of the Constitution devised a delicate balance and check between the various branches of Government. When we in this Congress voluntarily continue to yield up what ultimately could be almost total authority to the Executive in any condition ranging from total peace to total war, we unnecessarily and unwisely deny the people of this country and our form of government the benefit of that check and balance which was so wisely put in our system.

I do not know what the desirable degree of congressional involvement in the whole foreign policy and national security decisionmaking process is. Or, conversely, I do not know precisely what specific powers the Executive requires under each different type of situation. I do know that the chairman of the Armed Services Committee of the House and his committee have been attempting to push the pendulum back toward the Congress, and I applaud their interest.

I also know that regardless of what the desirable degree of congressional involvement—the people's involvement—in these matters may be, it is unwise for us to have arrived at this point today without thought, without study, without attempting to determine what powers the President should have in these various situations, and you can call them anything you like—intervention, limited wars, police actions, or quasi-wars.

I know it is wrong to have arrived where we have without systematic study. I testified before the Joint Committee on the Reorganization of Congress in June of 1965 urging that they give some thought to the question of what powers the legislative branch should retain and what powers should be given to the Executive in these various situations ranging from total peace to total war, and there have been many such instances since World War II. Unfortunately, they did not look into the question. I think it was most unfortunate that their final report totally ignored this question.

I also feel that it is unwise for this Congress to fail to immediately undertake such a study.

We have always said that we feel our system can support greater flexibility on the part of individuals in nonwar situations. Throughout our history we have recognized and given the Executive the greater authority necessary to deal with international conflicts.

This bill seems to say that the nature of war today is different. That it is unconventional and not clear cut as were World Wars I and II. And, as I read the bill, the conclusion seems to be that because of these changes we are being asked to move the pendulum away from individual freedom and say that the people should be denied the flexibility that we normally would give them in a peacetime situation—in an undeclared war situation.

I find problems in the legislation. For example, on page 3, section 402 states:

> Whenever any element of the Armed Forces of the United States shall be engaged in armed conflict abroad—

I would like to know, for example, whether the term "armed conflict abroad" would include, for example, what transpired during the last administration when we had advisers in Vietnam but we were being told that they were not engaged in armed conflict, and yet everyone knew that they were engaged in fact in armed conflict? I would like to know the meaning and use of the word "solicits."

I support portions of this bill and hold no brief for the activities the bill is designed to make unlawful. On the other hand, I am disturbed about some portions of the bill, specifically the draftsmanship and the apparent inability of the committee to agree on responses to questions of interpretation. I am concerned that according to the debate every agency of the executive branch to take a position on the bill, opposed the bill, and not a single agency supports it.

I would hope that at the minimum, the committee will amend the bill to assure that individual freedoms are not unnecessarily restricted, and that neither the executive branch nor the Red Cross are unduly inhibited in their efforts to assist and free American prisoners of war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POOL. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. CABELL].

Mr. CABELL. Mr. Chairman, I rise in very definite support of this legislation and commend the committee for the very fine job that it has done. After having watched some of the hearings on this matter, it is inconceivable to me that anyone would support the type of scum, the type of trash that are seeking to undermine this United States of ours, and I certainly urge the passage of this legislation.

To respond to a question asked by the very distinguished chairman of the Armed Services Committee, the gentleman from Texas, along with 80-odd other Members, have a bill pending before the Committee on the Judiciary, that, if we can get it on the floor, will take care of Mr. Stokely Carmichael.

Mr. ASHBROOK. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, I should like to take this time to ask the chairman of the committee some questions to clear up some confusion in my mind on section 403.

It says here:

> Whoever, within the United States or elsewhere, owing allegiance to or subject to the jurisdiction of the United States, obstructs, impedes, or interferes with, or attempts to obstruct, impede or interfere with the free movement on foot—

And so on and so on—

> with the intent to obstruct, impede, or interfere with the United States, or any member of the Armed Forces, in preparing for, or carrying on, any military duty or activity, shall be fined not more than $10,000 or imprisoned not more than five years, or both."

I should like to give the chairman a hypothetical question. Let us assume that a member of the Armed Forces walked into a tavern and became inebriated. He refused to pay his bill, and the tavernkeeper obstructed or impeded that serviceman from leaving that tavern. Would the tavernkeeper be subject to a $10,000 fine or imprisonment for 5 years?

Mr. POOL. There are two things there. He is not on duty, for one thing, and there is no intent.

Mr. CONTE. Certainly he is on duty. He has a night off from his base, but he is on duty.

Mr. POOL. He is not on duty in the sense of carrying out a military assignment.

Also, there is no intent to obstruct or impede or interfere with the United States or any member of the Armed Forces while he is carrying out a military duty.

Mr. CONTE. Suppose that he were driving a truck in a convoy, and was drunk, and was stopped by a State trooper. Would the State trooper be subject to a $10,000 fine or imprisonment for 5 years, or both under the proposed legislation?

Mr. POOL. I do not think so. Definitely not.

Mr. CONTE. I believe you should tighten up the language. It seems very loose.

A great deal was said here about the Communists who appeared before the committee. I also went before the committee and I watched these witnesses and heard the hearings. I can certainly sympathize with the chairman of the committee on the job he was trying to do. But, believe me, these "kooks" you dredged up never would have had a forum if you had not brought them in. Any service that might have been afforded the American public was lost in the glare of coast-to-coast and worldwide publicity that ensued.

One news source described the committee as "locked in televised combat with a prime mixture of oddities, idealists, headline-hunters of the left and patriots of the left."

These rabid publicity seekers achieved their goal, but I am sure you did not learn one thing that the FBI does not have in its files downtown.

I include the following material:

[From the New York Times, Aug. 21, 1966]

Dirksen Scores Un-American Activities Inquiry

(By E. W. Kenworthy)

Washington, August 20.—"This spectacle can do the Congress no good," Senator Everett McKinley Dirksen of Illinois said today.

The Senate Republican leader was referring to the four raucous days of hearings this week by a subcommittee of the House Committee on Un-American Activities.

The announced purpose of the hearings, during which about 50 persons were arrested, was to provide the investigative basis for a bill to make it a felony to aid "any hostile foreign power" or person or group "acting in hostile opposition" to the United States armed forces.

Yesterday, after he had suddenly broken off the hearing, Representative Joe R. Pool, Democrat of Texas, said that his bill would be reported out next week. He predicted it would quickly pass the House and Senate.

But today, Senator Dirksen made it plain that, regardless of the expected approval by the House, the chances of the bill's passing the Senate were exceedingly slim.

MANSFIELD SHARES VIEWS

Views similar to Mr. Dirksen's were also expressed by Senator Mike Mansfield of Montana, the majority leader. Mr. Mansfield expressed doubt that, considering the composition of the Judiciary Committee, the bill would ever reach the Senate floor.

Amid the tumult and the shouting of the subcommittee hearings the 50 persons later arrested were forcibly removed by Federal marshals from the caucus room of the Cannon House Office Building.

Among those arrested were several of the 12 witnesses; a lawyer for two of the witnesses, Arthur Kinoy; and many student spectators in the audience who time after time interrupted the proceedings.

The witnesses had been subpoenaed by the subcommittee to tell of their activities in opposition to the Vietnam war. The activities had ranged from attempts to halt United States troop trains to the collection of money for medical supplies for North Vietnamese forces and the Viet Cong.

Mr. Pool's bill would amend the Internal Security Act of 1950 and would provide penalties up to a 20-year jail sentence or $20,000 fine.

Senator Dirksen speaks with some authority on the prospects of the bill in the Senate because he is the ranking Republican member of the Judiciary Committee, to which the bill will be referred.

"When you draft a criminal statute that applies to the whole country, the utmost caution has to be exercised," Mr. Dirksen said.

"A criminal statute carries with it a penalty—a fine or prison sentence—and you don't lightly send a person to jail or fine him, you don't want a criminal statute to become a veritable dragnet."

The Republican leader went on to say that "when you talk about rendering aid to an enemy, or some country with which we are at hostilities, you must exercise caution to make sure it's carefully defined. This is a job for lawyers, and it is necessary to take a good look before a jump into the dark."

Mr. Mansfield noted that Senators loosely classified as "liberal" constitute a majority of the Judiciary Committee, and he doubted that they would report out a bill as vaguely drafted as the Pool bill.

Many Senators who are lawyers have the reservations and objections to the bill expressed last week by Henry J. Steiner, a Harvard law school professor.

The first section of the bill would impose criminal penalties on persons who give, or advise or solicit another to give, "money, property or thing" to "any hostile foreign power," or to any group of persons "acting in hostile opposition" to the armed forces.

Addressing himself to this section, Professor Steiner noted that there were several Federal laws that rigorously control export of money or goods to foreign countries or their nationals, including the Export Control Act of 1949 and The Trading With The Enemy Act. Both of these acts have criminal penalties.

Mr. Steiner also contended that the section was vague. The language, he said, does not make clear whether "the hostile foreign power" must be a nation that United States is actually fighting.

Does the phrase, he asked encompass, "any country which actively opposes our policy in Vietnam?" And, he continued, "when is a group to which a person might contribute 'acting in hostile opposition' to the armed forces?"

Third, Mr. Steiner's chief criticism was directed at the inclusion within the bill's sanctions of those who "advise" others to give money or property in aid of a hostile foreign power. The bill thus reaches "behind conduct," he said, to speech, and this opens the possibility of a dangerous violation of constitutional rights.

The second section of the Pool bill provides penalties for those interfering, or advising others to interfere with, the movement of troops or supplies.

Here again Mr. Steiner said that there were already laws dealing with such obstruction. If the present laws are inadequate, he said, they can be strengthened, but any new legislation should extend to overt action and not to "advice."

Many House members, as well as those in the Senate, take the same critical view of the Pool bill. However, House members have found it difficult—especially, in campaign years—to vote against bills favored by the Un-American Activities panel, particularly when the bills are directed against such activities as were definitely confessed last week by the witnesses.

To the utter confusion of the subcommittee, which had become accustomed to witnesses who took refuge from the outset in the Fifth Amendment's protection against self-incrimination, these young revolutionaries proclaimed their affiliations with the Peking-oriented Progressive Labor party and its former satellite, the May 2d Movement.

Unquestionably many House members believe, as Mr. Dirksen does, that the "spectacle" did not improve the House image and they see little sense in providing the students of the New Left with a forum grossly out of proportion to its threat.

But few of those who feel this way will go so far as to demand that the committee be abolished or even to vote against the Pool bill. As in the past, they are expected to take the safe course of voting for a bill repugnant to them in the sure knowledge that the Senate will dispatch it to oblivion.

Analysis of the Pool Bill (H.R. 12047)

(By Henry J. Steiner, professor of law, Harvard University)

H.R. 12047, introduced by Congressman Joe Pool of Texas, is now under consideration by the House Un-American Activities Committee. This proposed legislation, which would amend the Internal Security Act of 1950 by adding new Sections 402 and 403, is unnecessary and unwise.

Section 402 is applicable whenever armed forces of the United States are engaged in hostilities abroad. It imposes criminal penalties upon persons who give (directly or indirectly, through intermediaries), or advise or solicit another to give, any "money, property, or thing" to "any hostile foreign power" or its national, or to any group or person "acting in hostile opposition" to the armed forces. Such persons must have the intent, or reason to believe, that their conduct will "interfere with" the operations of the armed forces, or "in any manner prejudice the interests of the United States," or "advantage" the foreign power, foreign national, group or person.

Insofar as this bill would block the transfer of any property to a country (or its national) with which the United States is engaged in hostilities, it is redundant. Several federal laws rigorously control exports to foreign countries or their nationals. The key laws are the Trading with the Enemy Act (particularly Section 5(b)), 50 U.S.C. App. 1–40, and the Export Control Act of 1949 (particularly Section 3), 50 U.S.C. App. 2021–2032. Both acts are backed by criminal sanctions. They delegate extensive powers to the executive branch to control the transfer of money, commodities and technical data to foreign countries or their nationals. Acting under these laws, the Treasury Department and the Commerce Department have issued lengthy and detailed regulations. They identify the kinds of exports and the countries or nationals which are covered by the requirement of a special license before transfers can be made.

A review of the regulations (31 Code Fed. Reg., Parts 500 and 505; 15 Code Fed. Reg., Parts 368–399) will indicate how broad a range of transactions they affect and how far they reach to curb indirect as well as direct transfers. As now administered, the two acts ban all transfers to North Vietnam and Communist China. There have been frequent amendments to the regulations to keep them responsive to current political and trade considerations. Any gaps that might develop in the existing regulatory scheme—whether relating to gifts or indirect transfers or aid to hostile forces in South Vietnam—could be filled in the same manner, by additional regulations. It is difficult to believe that departments of the executive branch, the branch of government directing our military operations in Vietnam, would not be alert to any such need. It is difficult to understand what new purpose would be served by those provisions of H.R. 12047 which regulate conduct.

Apart from its repetitive quality, the bill would substitute vagueness for the relative precision of the existing regulations. Criminal legislation should speak with as clear a voice as possible. The language of H.R. 12047 falls short of this goal. For example, it does not make clear whether the "hostile foreign power" to which (or to whose national) exports are banned must be a country with which the United States is engaged in combat. Is a hostile power any country which actively opposes our policy in Vietnam? Any Communist country affording aid to North Vietnam? Would an export to any such country or its national "advantage" the country or national? When is a group to which a person might contribute "acting in hostile opposition" to the armed forces? Only when engaged in combat?

The section thus creates certain ambiguities about the kinds of conduct that are proscribed. It reaches, however, behind conduct and penalizes those who "advise" others to give money or property for the stated purposes. Whereas the laws now in effect control conduct, overt acts of transfer of property, Section 402 here aims directly at speech. Such a proposal runs counter to the strong traditions of this country. Apart from the strict constitutional limitations upon laws that would penalize speech, our tradition has been to encourage debate, to view the expression of dissenting ideas as a sign of health. Only under circumstances of extreme and pressing danger has there been thought to be justification for controlling the expression of ideas of a political stamp. Is there now such justification for reaching "advice"?

The basic objective of Section 402 cannot be to discourage debate. It must be to prohibit exports that disserve this country's interests. That objective is met by statutes now on the books and by the regulatory scheme that has developed under them. This is a time for open discussion of controversial policies. Such debate may occasionally exceed what many would consider to be the boundaries of propriety. But acceptance of that debate is a mark of the strength of this society. There is a national interest in regulating exports, not in spinning an intimidating web of criminal legislation around "advice" and speech as such.

Section 403 visits criminal penalties on persons who interfere with, or advise another to interfere with, "the free movement on foot, or otherwise" of any member of the armed forces while on duty, or the loading or movement of any transportation facility being used for military purposes. Such persons must have the intent to interfere with the United States or any member of the armed forces in preparing for or carrying on military activity.

This section overlaps in part some existing laws insofar as it aims at conduct obstructing military operations. Various provisions of the Criminal Code, such as 18 U.S.C. 1381, 2153, and 2157, penalize sabotage or certain interferences with military personnel. Section 2153 penalizes anyone who injures war materials, premises or utilities (all broadly defined to include, for example, transportation facilities for troops or materials), with the intent to interfere with the United States in preparing for war or in its defense activities. To the extent that the present laws are inadequate, new legislation may of course be advisable. But for the reasons stated above, any new legislation should be held to the control of conduct and should not proscribe "advice" alone.

This country has for several years experienced intense debate, within and without the Congress, over Vietnam. The costs in lives and funds of our involvement are large. We should be wary that Vietnam does not raise costs in other directions, by exacting a toll of our own traditions. No doubt our internal debate, the symbol of a free society, gives some comfort to those we fight. Such is the minor price we pay for that society. One cannot say that the campus incidents that led in part to H.R. 12047 have hampered our military efforts. To direct towards them legislation that curtails speech evidences a fear that we need not have. It blurs the line between the closed societies that we oppose and the open society that we defend.

RELIGIOUS ACTION CENTER, UNION OF AMERICA HEBREW CONGREGATIONS,
Washington, D.C., October 7, 1966.

DEAR MR. CONGRESSMAN: On behalf of the Union of American Hebrew Congregations and the Central Conference of American Rabbis, we write to express our opposition to H.R. 12047 (known as the Pool Bill), to amend the Internal Security Act of 1950.

We firmly agree with all those witnesses from the Executive agencies who testified before the Un-American Activities Committee that this bill was either undesirable, unnecessary, or unconstitutional—in some cases all three.

We think the bill is unnecessary and unwise because there already exists a vast body of law, state and federal, which adequately protects the national interests in the subject matter with which the bill is concerned. The bill is unwise because it needlessly injects federal law and federal enforcement into state and local affairs. The bill prohibits no substantial criminal conduct which cannot be dealt with under existing law. Further, we question the excessive and indiscriminate penalty—fines up to $20,000, prison up to 20 years—which would apply, in Deputy Attorney General Clark's words, to "saboteurs and sit-ins alike."

As pointed out by the General Counsel of the Treasury Department, it may be in the national interest to allow both the solicitation and the actual sending (both of which would be prohibited by the bill) of some supplies to hostile areas. The bill could even interfere with sending medical and other needed supplies for American prisoners. Religious and other organizations engaged in international relief work are also affected and concerned.

We are particularly concerned that the bill violates civil liberties. It is vague, ambiguous, and indefinite. By prohibiting "solicitation," it violates freedom of speech without demonstrating any clear and present danger that this need be done. It may prevent the mailing of newspapers or magazines into hostile areas, if such written material contains a criticism of the war in Vietnam, on the ground that "the interest of the United States would be prejudiced." We agree with Deputy Attorney General Clark that the bill has a "potential for infringement of the constitutional right of free speech . . ."

We feel that the House Committee on Un-American Activities, in its hearings, abused orderly legislative processes and the dignity of the House. Legislation coming out of such hearings is seldom likely to be constructive—and the legislation in point is a keen example.

We can see no other need or purpose for this legislation except to intimidate dissent. At this difficult time, channels of discourse and even dissent would best be left open and undisturbed. Even though the national interest in the short range may sometimes appear to require acquiescence in government policy, the Administration has wisely recognized that in the long range, the repression of dissent may be a greater danger to our free institutions than the dissent or the dissenters.

Sincerely,

RABBI MAURICE N. EISENDRATH,
President Union of American Hebrew Congregations.

RABBI JACOB J. WEINSTEIN,
President, Central Conference of American Rabbis.

Mr. POOL. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, I congratulate the committee for its leadership for such legislation as we have up today which I feel is vitally needed by our country at the present time.

On the first day of the 2d session of the 89th Congress, January 10, 1966, I introduced H.R. 11864, a bill to provide criminal penalties for wrongful interference with or impairment of the operation or success of the military or naval forces of the United States during a period of war or armed conflict. I have introduced a companion bill to Chairman POOL's bill, in order to join him in behalf of such legislation.

During the adjournment of Congress last fall we had a great rush of anti-American demonstrations caused by our Government's firm stand in Vietnam and our Nation's involvement in the conflict in assisting the free South Vietnamese people in stopping aggressors from North Vietnam. The several demonstrations and events around the country during the last year or two have threatened our military activity and support of American troops in South Vietnam.

These demonstrations have threatened our national security. And many have been inspired by highly publicized misguided individuals, some of whom called for giving blood to the aggressor Communist forces from North Vietnam, who have killed over 5,000 of our American soldiers in the Vietnam war.

While some called for blood to the enemy, the distinguished acting chairman of this committee was leading a drive on Capitol Hill for blood to our friends, the South Vietnamese. At the same time I and others in my hometown of Jacksonville, Fla., and on Veterans Day gave blood for the South Vietnamese.

These demonstrators who seek to disrupt proper and important military activities of our Government are afforded license to act against the national interests of our country by encouragement to anarchy even by some who claim to do so for religious reasons.

Our Nation's involvement in the Vietnam war has caused serious debate throughout the country by many groups, individuals, inside and outside the Government, and in the news media. This is healthy and needed.

However, there are those persons who have gone beyond the constitutional bounds of freedom of speech and assembly and who have actually subverted the national interest of the United States and its efforts to protect the general population and preserve the peace.

In October 1965, for example, 11 demonstrators were arrested at Truax Air Force Base near Madison, Wis., when they tried to enter the installation to make a citizen's arrest of the base commander.

A group in Oakland, Calif., in the summer and fall of 1965, marched on the Oakland Army Base and attempted to stop troop trains going to the installation.

These and other illustrations point up the need for legislation now to make it clear that these acts with the color of treason be prohibited.

Mr. Chairman, I congratulate the chairman and the committee for looking into these matters which are harming our efforts to maintain freedom in southeast Asia. The country needs a law on the books to cope with these demonstrations when they threaten our national security, and I urge the House to adopt H.R. 12047.

Mr. POOL. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I rise in support of this bill. I want to compliment my distinguished colleague [Mr. POOL].

Mr. ASHBROOK. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I had not expected to say a word.

I do not want to discuss any of the problems of verbiage, expression, or anything of that kind. I merely wish to say that war is war, whether it is cold or hot.

I was brought up not to feed or equip my enemies. I was also brought up to take care of the wounded. That is a very different thing.

To collect money in a country like ours and to send it over to the Vietcong against our boys who are dying—and a good many of them are from my district, right now—to me is—I was going to use the word "sacrilege." How can we so misuse the very things for which this country stands—justice and honor? How can we get back to using the word "treason" where it belong, because there are many things today that, in the estimate of the older generation, are treason.

I hope very much that this bill will be passed. I agree with some of the remarks that have been made, that the language could be tightened. It could be done in a more careful way, but I shall vote for the bill even so.

Mr. POOL. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. WALDIE].

Mr. WALDIE. Mr. Chairman, I thank the gentleman from Texas for permitting me to address this body for my first time. I do so with considerable reservation.

I probably am the only Member of this House whose district has at this very hour, and has had for 2 months, for 24 hours a day, these demonstrations occurring within their district. There are demonstrators today at the naval ammunition depot at Port Chicago in my district. So my acquaintance with the problem is sufficient and I am not totally unaware of what is at stake in this particular bill and in this particular problem.

Mr. Chairman, I want to make my remarks and address myself, however, to the second portion of this bill. I have no great objection personally to the first portion of the bill. I share the contempt expressed on the floor for those who would do business by sending goods, money, or other things to the enemy in North Vietnam or the Vietcong. However, the second portion of the bill, I think, deserves some comment from one who has had some experience with it. I recognize that there was some tremendous pressure exerted during the hearings on this bill by discourteous and contemptuous witnesses before the House Committee on Un-American Activities. I do not know why they so conduct themselves, nor do I sympathize with those certain people who aline themselves with the objectives of picketing and demonstrating and obstructing military traffic, but I do know what we do in these instances in Port Chicago daily in my district. There are several things you ought to know about. When you are back here listening to oratory in a committee and are being subjected to the harassment and indignities you were, it is entirely possible your viewpoint and perspective becomes somewhat a little bit obscured. In Contra Costa County we have arrested 38 of these demonstrators over a 2-month period and just yesterday we arrested 3 more. We arrested them under State and local laws. Two of them were arrested under Federal laws. The laws we use are very simple. There are two State laws and one county law. The State law provides that if they stand or lie in front of a truck, they are obstructing traffic and are creating a nuisance and are subjected to a penalty of 6 months in the county jail and a $500 fine.

If they go limp when you seek to remove them from in front of a truck or if they chain themselves to a truck, as they have done, they are charged with resisting arrest and are subjected to a penalty of 1 year in the county jail and a $1,000 fine. In addition to that, if they are sleeping on the roadside, we have an act which we just passed in the county in the last week, a county ordinance, prohibiting sleeping on the roadside. If they do that, then they are subjected to a prosecution as a misdemeanor with a penalty of $500 fine and 6 months in the county jail. Of the 38 who were prosecuted 1 stood trial by a jury and was found guilty; 37 plead guilty and were sentenced. Every single one of these was sentenced by Judge Otto Lichty. I obtained these figures over the weekend. He is a gentleman that the people in our county respect, and he has been there for many years. He is not one of those up-in-the-air sort of fellows but is the sort that the members of this committee would appreciate for his hardheaded, realistic, and fair approach. Having the right to sentence these people to as much as 1 year in jail and subjecting them to a $1,000 fine, he sentenced them to 15 days in the county jail without possibility of probation and no fine. If they go limp and resist arrest, he gives them 30 days in the county jail without possibility of probation and gives them no fine.

The U.S. district attorney is Cecil Poole, in our area. I also called him over the weekend to find out what his attitude was toward this bill and how he was handling the situation in our county and found he has made two arrests for trespassing on the naval base. They are subjected to a penalty of 6 months in jail and a $500 fine.

Mr. ICHORD. Mr. Chairman, will the gentleman yield to me at that point?

Mr. WALDIE. May I have additional time if you use it all?

Mr. ICHORD. I do not control the time.

Mr. WALDIE. I would prefer to yield, then, when I am through.

So the Federal district attorney, Cecil Poole, tells me he believes this bill will not only not assist them in prosecution but it would hamper them, and he said it was so for this reason:

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALDIE. Will the gentleman from Texas yield me additional time?

Mr. POOL. I do not have any additional time to yield.

I ask unanimous consent that the gentleman have 1 additional minute.

The CHAIRMAN. The Chair will hold that the time is under the control of the gentleman from Texas.

Mr. ASHBROOK. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I take this time in order to ask a question of the chairman of the committee.

Mr. Chairman, I have a question with reference to section 403 as contrasted with section 402.

As I understand it, section 402 is limited to those cases where we are engaged in armed conflict abroad, while section 403 contains no such limitation.

Mr. Chairman, I wonder if the chairman of the committee might enlighten me as to why this limitation is contained in section 402 and is not in section 403.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Texas.

Mr. POOL. Mr. Chairman, in section 403, we specify and provide against interference with the free movement of troops and supplies.

In section 402, it has to do with the solicitation or the collection of funds.

Mr. DOLE. Mr. Chairman, I understand what the section, if adopted, would do, but am wondering if the gentleman from Texas [Mr. POOL] would have any objection to limiting section 403 to those periods of time when our country is engaged in armed conflict and to activities related to it?

Mr. POOL. Mr. Chairman, will the gentleman yield further?

Mr. DOLE. I yield further to the gentleman from Texas.

Mr. POOL. Mr. Chairman, I might point out to the gentleman from Kansas——

Mr. DOLE. Mr. Chairman, while the gentleman from Texas is studying that information——

Mr. POOL. Well, Mr. Chairman, it is a question of the manner in which the Armed Forces operate. They are operating all the time, whether we are in armed conflict or not. So, that is the consideration involved here. Section 403 applies at all times.

Mr. YATES. Including peacetime?

Mr. POOL. That is right.

Mr. DOLE. Would the gentleman from Texas have any objection to adding to section 403 language which would make it applicable when engaged in armed conflict?

What is proposed is to make it wide open. In its present form, section 403 would apply to demonstrations, riots, and all other instances where the National Guard was federalized or the Reserves called up.

Mr. POOL. Mr. Chairman, if the gentleman will yield further, I believe the

Armed Forces should be protected at all times, whether we are engaged in armed conflict or not. That is the reason why I express my response in this manner.

Mr. DOLE. Mr. Chairman, I certainly have no quarrel with section 402. However, I have some serious question about the meaning of section 403.

Mr. POOL. Mr. Chairman, if the gentleman will yield further, I was just trying to protect the armed services at all times, those forces that are standing at "ready" at all times, whether we are engaged in an armed conflict or not—whether it is wartime or peacetime.

Mr. Chairman, the armed services certainly should have the protection of this provision.

Mr. DOLE. I agree with the gentleman that the armed services ought to have protection. I spent a little time in the armed services myself.

However, I am wondering if section 403 does what the committee intended. It might be a mistake to make section 403 that broad.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, can the chairman of the committee, the gentleman from Texas [Mr. Pool], tell us whether the Joint Chiefs or the Secretary of the Army or that of Navy have asked for any help in this respect?

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. POOL. Mr. Chairman, at this time I yield 3 minutes to the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, I rise in opposition to H.R. 12047. This measure is the result of hearings held this summer by the House Un-American Activities Committee. It is the product of the hysteria generated by those hearings. In subpenaing people to testify as to their beliefs and associations, the committee utilized its typical trial-by-committee technique. I made my views known concerning the hearings at the time they were taking place, as did others. The New York Times published on August 17 an editorial entitled "Useless Hearings" in which it stated that the hearings "proved as disorderly and unproductive as the work of this committee usually is." We remember the photograph which appeared in many national newspapers of an attorney and Rutgers law professor being choked as he was bodily removed from the hearings while he was making a point of law. The bill which confronts us proves the New York Times statement that the disorderly hearings were unproductive.

This bill does not have the support of a single agency of the Federal Government. The Department of Justice has recommended against its enactment. The Treasury Department has said that it could interfere with our efforts to help American prisoners of war. And the Department of State has said it is unnecessary and undesirable.

Mr. Chairman, furthermore this is another example of the House Un-American Activities Committee trespassing upon the jurisdiction of an important legislative committee. The Judiciary Committee is the proper committee to consider a criminal statute of this nature.

H.R. 12047 purports to aid the Nation by establishing criminal penalties for activities aiding a foreign power, organization or group engaged in armed conflict with the Armed Forces of the United States. It also sets criminal penalties for obstructing the movement of troops or military supplies. No one will argue that the United States should be able to prevent certain activities which are clearly intended to aid a country engaged in armed conflict against the United States.

However, the Treasury, Justice, and State Departments are opposed to this measure. All three departments agree that, as the law stands today, the United States has ample power to deal with the situation intended to be covered by H.R. 12047 and that this bill is unnecessary at best and raises substantial constitutional questions at worst.

Section 402 of H.R. 12047 provides criminal penalties for giving, delivering, soliciting, collecting, or receiving "any money, property or thing" for delivery to or for the use of "any foreign power, organization or group engaged in armed conflict" with the U.S. Armed Forces. If these activities are carried out with "the intent, or having reason to believe, that such conduct will impede or interfere with the operation or success of the Armed Forces of the United States, or in any manner prejudice the interests of the United States, or advantage such foreign power," penalties of $20,000 or imprisonment for 20 years, or both, can be imposed.

There is no question that this section is unnecessary. The Deputy Attorney General told the committee in his testimony opposing this measure that the provisions of the Trading With the Enemy Act "are better adapted to prohibit the activity contemplated by H.R. 12047 than is that bill itself." A look at that statute proves the point.

The act which is directly applicable to the conduct proscribed by H.R. 12047 is 50 U.S.C. App. sec. 5(b). Section 5(b) provides:

> During the time of war or during any other period of national emergency declared by the President—
>
> The President may, by appropriate action:
>
> (A) investigate, regulate, or prohibit, any transactions in foreign exchange, transfers of credit or payments between, by, through, or to any banking institution, and the importing, exporting, hoarding, melting, or earmarking of gold or silver coin or bullion, currency or securities, and
>
> (B) investigate, regulate, direct and compel, nullify, void, prevent or prohibit, any acquisition, holding, withholding, use, transfer, withdrawal, transportation, importation or exportation of, or dealing in, or exercising any right, power, or privilege with respect to, or transactions involving, any property in which any foreign country or a national thereof has any interest, by any person, or with respect to any property, subject to the jurisdiction of the United States—

It is provided in section 5(b)(3) that anyone violating any provision of section 5 or of any license, order, rule, or regulation issued pursuant to section 5 shall, upon conviction, be fined not more than $10,000, or imprisoned for not more than 10 years or both.

Regulations under the act are set out in 31 C.F.R. part 500. These forbid any dealings with certain designated countries by persons subject to U.S. jurisdiction without a license issued by the Secretary of the Treasury. It is made clear that transactions prohibited include transfers by any means of property, including gifts, and that the property includes every type of property, real, personal, or mixed, tangible or intangible, or interest or interests therein, present, future or contingent—31 C.F.R. §§ 500.309, .310, .311.

North Vietnam is one of the countries specified in the regulations as being subject to the act. Because there was a problem of proving that the National Liberation Front and the Front's Red Cross, the Liberation Red Cross, were instrumentalities of North Vietnam and that transactions with these were covered, the regulations were amended as of June 17, 1966, to list specifically the Front and its Red Cross—31 Federal Register 8586, June 21, 1966, amending 31 C.F.R. § 500.306.

It should be noted that the section is applicable during times of national emergency declared by the President. At the beginning of the Korean war, President Truman proclaimed such an emergency—Proclamation No. 2914, 15 Federal Register 9029. Although the Korean armistice was signed on July 27, 1953, there has been no subsequent termination of the emergency by proclamation, nor has Congress approved a concurrent resolution prescribing an end to the emergency.

The committee report, without mentioning the severe penalties of the Trading With the Enemy Act, cavalierly dismisses the act and the Justice Department testimony by stating that it is a regulatory act and not a penal statute. The report fails to mention, however, that a violation of the statute is punishable by 10 years' imprisonment and $10,000 fine. It is a semantic fiction to complain that this statute is regulatory rather than penal. Its operation is identical, for example, to the operation of Federal statutes restricting trade in narcotics.

The Deputy Attorney General also pointed out in his testimony that the Trading With the Enemy Act is supplemented by the Foreign Agents' Registration Act requiring anyone soliciting or sending aid to any foreign government to register with the Attorney General. The Export Control Act and other Federal statutes are also pertinent—hearings, page 1426.

The committee in its attempt to justify this bill points out that soliciting is not covered by existing statutes. Even this last defense by the committee is not wholly accurate. Under the conspiracy statute—18 U.S.C. 371—it would be illegal for two or more persons to solicit aid for North Vietnam or the Vietcong in violation of the Trading With the Enemy Act if they did anything further to effectuate their aims. The conspiracy statute states:

> If two or more persons conspire either to commit any offense against the United States, or any agency thereof, in any manner or for any purpose, and one or more such persons do any act to effect the object of the conspiracy, each shall be fined not more than $10,000 or imprisoned for not more than 5 years or both.

It is true that mere solicitation with absolutely no other act is not covered by present law. In his testimony, the then Deputy Attorney General Ramsey Clark pointed out that the bill's attempt to control advising, counseling, urging, or soliciting would jeopardize the purposes of the bill and fundamental rights of Americans by risking infringement of constitutional rights of free speech. Evidently in an effort to meet that objection, the committee deleted "advises," "counsels," "urges," but retained the language "solicits," which still raises serious constitutional objections. Even if there were no constitutional question, it seems hardly appropriate to create an entire statute just to cover the case of soliciting aid.

Present statutes could be amended to cover this situation. That, too, however, is unnecessary for, as the General Counsel for the Treasury Department testified, even if a solicitation is made, the attempt to send aid is a Federal crime under present statutes. Under the conspiracy statute, the solicitation coupled with any other act to further the cause of the solicitator would be a crime.

In addition to being unnecessary, this bill may in fact be injurious to our national interest. Under the Trading With the Enemy Act and the Export Control Act, the Government has some flexibility in determining whether medical aid should be permitted. This statute would end that flexibility. The Treasury Department indicated in its testimony in opposition to this bill that there are times when such aid may reach U.S. prisoners.

In its letter of August 17, 1966, to the chairman of the committee, which appears at pages 10–11 of the report, the Treasury Department said:

> We believe a rigid ban such as that contained in H.R. 12047 would be undesirable, and that flexibility is essential. Under certain circumstances, it may be in the national interest to allow some solicitations for and indeed the actual sending of some types of supplies to hostile areas; for example, in connection with the Government's efforts to assist American military personnel who are prisoners of war in North Vietnam. A rigid ban could interfer with our efforts to help these American prisoners.

Just recently the Treasury Department permitted a group of Yale University religious leaders to send $300 worth of medical supplies to North Vietnam via Canada in the hope that the Canadian committee handling the supplies can make contact with U.S. prisoners.

It is clear that section 402 of this bill is unnecessary, may deprive U.S. prisoners of badly needed medical supplies, and raises serious constitutional questions.

Mr. Chairman, section 403 fares no better under analysis. Section 403 makes it a crime to obstruct, impede, or interfere with or attempt to obstruct, impede or interfere with first, the free movement on foot or otherwise of any member of the Armed Forces while on duty; or second, the loading, provisioning, manning, operation, movement, or passage of any facility of transportation being used, or intended to be used, in whole or in part, for the transportation of personnel, supplies or materiel of such Armed Forces. A violation carries a $10,000 fine, 5 years imprisonment, or both.

There are so many statutes covering the activities prohibited by this section that it is not possible to list every one. The Deputy Attorney General did mention several to show that this section is totally unnecessary. The Deputy Attorney General pointed out:

> It is difficult to conceive of either a major or successful effort to obstruct the movement of military personnel or equipment in this country. Of all movements, this is the most difficult to impede.

Rather than list the statutes applicable, I will quote from the Justice Department's testimony which is found on page 1327 of the hearings:

> For example, our sabotage statutes protect military material and installations, including buildings and grounds where such material is produced or stored, and utilities such as railroads, canals, bridges, vehicles, boats, aircraft, and power and communication lines used by the military. Severe penalties are provided. Of course, intensive investigation and prosecution would follow any act of sabotage. (See 18 U.S.C. 1362 and 18 U.S.C. 2151–2157.)
>
> Trespass on military property is a Federal crime. Entering any military reservation for any purpose prohibited by law or regulation or reentering after having been removed and ordered not to reenter subjects the offender to a fine of up to $500 and imprisonment up to 6 months (18 U.S.C. 1382). Where there are restrictions placed on a military area any person entering, remaining in, or leaving such area in violation of those restrictions and with knowledge of them is subject to a fine of $5,000 and imprisonment for up to 1 year (18 U.S.C. 1383).
>
> The Port Security Act, 50 U.S.C. 191–192, prohibits movement in port areas during a national emergency and provides high penalties.
>
> If two or more persons conspire to prevent by force, intimidation, or threat, any person from entering the military service, or from discharging his duty; or to leave the place where his duty is to be performed, or to injure him, or his property on account of his discharge of his duties, or while he is engaged in the discharge of his duties; or to molest, interrupt, hinder, or impede him in the discharge of his duties they are subject to a $5,000 fine and 6 years imprisonment (18 U.S.C. 372).
>
> To damage property of the United States, or being manufactured or constructed by it, is also subject to strict penalty. Where the property value exceeds $100, punishment of 10 years and $10,000 fine is authorized (18 U.S.C. 1361).

In addition to the Federal laws, the Deputy Attorney General pointed out:

> In every jurisdiction of the Nation there are scores of laws applicable to conduct directed at members of the Armed Forces or military supplies. One need only point to general statutes and ordinances proscribing assault, destruction of property, malicious mischief, traffic infractions, disorderly conduct, disturbing the peace, and parading without a permit.

Mr. Chairman, there are ample statutes on the books to deal with the situations covered in the bill. The measure may be harmful to our fighting men abroad and may erode our constitutional liberties at home. This bill is fresh evidence of the mischief which results from the survival of the House Un-American Activities Committee. Their hearings reflect discredit upon the House; their legislation is either unnecessary or unconstitutional. Under the rules of the House penal statutes should be considered by the Judiciary Committee and not by a committee which has consistently shown a disregard for the fundamental principles of our Constitution.

The passage of this bill by the House will have a chilling effect on dissent in this country. It is clear from the hearings that this is the real target of the committee. As the war continues, the temptation to curtail dissent will become increasingly stronger. We should not discourage debate and discussion by passing a bill which is clearly unnecessary. We should not let the fact that we are fighting in Vietnam lead us to pass this bill. At a time like this we must stand up for constitutional freedoms. It is always in times of crisis that our democratic way of life is most severely tested. Let us meet this test and defeat this ill-conceived and misbegotten bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POOL. Mr. Chairman, at this time I yield 3 minutes to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman and Members of the Committee, there have been a number of questions asked, and no matter from what side the question has come, no one has really gotten a coherent answer. I hope that I will be an exception.

If the chairman would listen to me, I would like to ask the chairman of the committee a question, and that is on the possibility that the President of the United States might want to try to get some of our captured prisoners back from the North Vietnamese, and for that reason would enter into some type of an arrangement to furnish drugs, as was done in the Cuban case a few years ago.

I asked you this when we were considering the rule, and you assured me that this bill would not prohibit that. You said it does not restrict the President.

Will you please tell me on what page and on what line the exemption is contained?

Mr. POOL. If the gentleman will yield, Mr. Chairman?

Mr. JOELSON. I yield.

Mr. POOL. It does not prevent it, it does not spell it out; but the sovereign powers of the President are already preserved. How many bills can you name that specifically exempt the President from their provisions?

Now, let me ask the gentleman a question.

Mr. JOELSON. I thought I was asking the question.

Mr. POOL. You asked me to answer a question, and that was what I was trying to do.

Mr. JOELSON. I am hopeful that you can answer it.

Mr. POOL. Do you want me to answer the question?

Mr. JOELSON. Yes; I do.

Mr. POOL. This bill does not prevent the Government from acting in its capacity, in all of its sovereign powers, to take any action to promote the interests of our prisoners of war.

Mr. JOELSON. May I ask the gentleman where is that in this bill? What section?

Mr. POOL. I am just saying that it does not bar it; it does not have to be spelled out in the bill.

Mr. JOELSON. The bill says that whoever shall give or deliver or attempt to give or deliver is guilty of a criminal act.

Mr. POOL. I will say to the gentleman that this statute is a penalty statute which would prohibit certain activities only if there is intent to aid the enemy. If the President is trying to aid our prisoners of war, he is not trying to aid the enemy.

Mr. JOELSON. Will the gentleman accept an amendment later tonight that will clear this matter up?

Mr. POOL. No. I think it is very clear. I do not think there is any problem at all.

Mr. JOELSON. If it is not even in existence there how can it be clear?

If you really mean what you say, you will accept an amendment which I intend to offer later tonight on it, and the same thing about the Red Cross about which you assured me also was not affected. I do not see it in the act.

I would yield to the gentleman for an answer.

Mr. POOL. I tried to answer the question.

Mr. JOELSON. I will offer my amendments later.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. Ashbrook] who has 2 minutes remaining.

Mr. ASHBROOK. Mr. Chairman, I yield the remaining 2 minutes of time to the gentleman from Maryland [Mr. Mathias].

Mr. MATHIAS. Mr. Chairman, at the time of the hearings before the House Committee on Un-American Activities, the very distinguished minority leader in the other body, said, and I quote from an article in the New York Times of Sunday, August 21, 1966, under the byline of the eminent journalist, E. R. Kenworthy:

> This is a spectacle that could do the Congress no good.

But the minority leader went on to offer a constructive suggestion about how we might remedy the damage to our reputation and he said, and again I quote:

> When you draft a criminal statute that applies to the whole country, the utmost caution must be exercised.

In the spirit of the minority leader's admonition, I would like to address a question to the chairman of the committee, the gentleman from Texas [Mr. Pool] with respect to a letter signed by Fred B. Smith, General Counsel of the Treasury Department, which appears on page 10 of the report in which he says:

> Under certain circumstances, it may be in the national interest to allow some solicitations for and indeed the actual sending of some types of supplies to hostile areas.

Then he says:

> A rigid ban could interfere with our efforts to help these American prisoners.

Was Mr. Smith called before the committee to explain that statement?

Mr. POOL. First, I want to state that Senator Dirksen has since said that he has been misquoted and that his statement was misinterpreted.

Second, the gentleman to whom you referred, Fred B. Smith, backtracked a good deal before the committee when he testified before the committee.

Mr. MATHIAS. Will the gentleman refer me to his testimony?

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman.

Mr. ICHORD. His testimony is on page 1279 of the hearings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MATHIAS. Mr. Chairman, I ask unanimous consent to suspend the rules and to proceed for 3 additional minutes.

The CHAIRMAN. Under the rules the time of the gentleman from Ohio has expired. The remaining time is under the control of the gentleman from Texas [Mr. Pool] who has 7 minutes remaining.

The Chair recognizes the gentleman from Texas [Mr. Pool].

Mr. MATHIAS. Mr. Chairman, will the gentleman from Texas yield me some time so that I might ask a question.

Mr. POOL. I am very sorry but the time has already been promised to other Members.

Mr. MATHIAS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 357]

Abernethy
Addabbo
Albert
Anderson, Ill.
Andrews, Glenn
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Bates
Belcher
Bell
Bingham
Blatnik
Boland
Bolling
Bolton
Bow
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Broyhill, Va.
Cahill
Callaway
Cameron
Carey
Celler
Clancy
Clark
Clevenger
Collier
Conyers
Corman
Craley
Culver
Curtin
Davis, Ga.
Delaney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, La.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Feighan
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gilbert
Gilligan
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Gross
Grover
Hagan, Ga.
Halleck
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harvey, Ind.
Hébert
Helstoski
Herlong
Hicks
Holland
Howard
Hungate
Huot
Irwin
Johnson, Okla.
Johnson, Pa.
Jones, Mo.
Karsten
Karth
Keith
Kelly
Keogh
King, Calif.
Kirwan
Landrum
Latta
Lennon
Long, La.
Long, Md.
Love
McCarthy
McDowell
McMillan
McVicker
Macdonald
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Minish
Minshall
Mize
Monagan
Morrison
Moss
Multer
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Ottinger
Passman
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Purcell
Quillen
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Tex.
Roncalio
Rooney, Pa.
Rosenthal
Roudebush
Schmidhauser
Schneebeli
Scott
Shriver
Slack
Smith, N.Y.
Smith, Va.
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sweeney
Teague, Calif.
Tenzer
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Tunney
Tuten
Ullman
Utt
Vigorito
Walker, Miss.
Watkins
Weltner
White, Idaho
Widnall
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. King of Utah, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12047, and finding itself without a quorum, he had directed the roll to be called, when 229 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from Texas [Mr. Pool] had 7 minutes remaining.

The Chair recognizes the gentleman from Texas.

Mr. POOL. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. Tuck].

Mr. TUCK. Mr. Chairman, let me apologize to the Members. I was not in any sense responsible for the calling of this quorum. I might further add that the trouble you took to come back here will not be repaid by anything that I may have to say.

My very lovable and friendly colleague, the distinguished gentleman from Maryland [Mr. Mathias] became somewhat offended because he thought he did not have enough time and he is responsible for the calling of the quorum, or for making the point of order of the absence of a quorum.

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I yield to the gentleman briefly.

Mr. BATTIN. I am glad that the gentleman did so that we could hear you, Governor Tuck.

Mr. TUCK. Thank you, sir. I appreciate that compliment. I get so few and it sounds so good to me.

Mr. Chairman, I rise in support of this bill, H.R. 12047.

Mr. Chairman, the hearings have revealed the existence of a concerted effort by Communist groups, their affiliates, and other disaffected and dissident organizations to obstruct the Government of the United States and its Armed Forces in carrying out their constitutional duties. This effort has not been limited to speech activity. If it were, needless to say, we would not be here debating this bill.

I hope that you will not consider my statement as one being made in a boastful spirit, but I come from the great Commonwealth of Virginia, and I favor freedom of speech and freedom of the press, as was so well declared in that matchless instrumentality penned by George Mason of Virginia, which has come down to us through the ages, stating that freedom of speech and freedom of the press shall constitute the great bulwarks of liberty and can never be restrained except by a despotic government.

Therefore all men shall have the right to write, publish, and declare their sentiments on all subjects, being responsible only for the abuse of the right.

Mr. Chairman, I would certainly be the last person to do anything to impinge upon the right of any American citizen, irrespective of his stature, to have freedom of the press and to declare himself.

We are concerned with overt criminal activity, the obstruction of the movement of troops and supplies intended for the battlefront. We are concerned with the solicitation, collection, and delivery of money and property in aid of enemy forces who are killing our soldiers, sailors, and marines. And I was a marine in World War I. I confess that. I am getting up in years. I am proud of having been a member of that organization. I have only one thing about which to boast in connection with my service in the war. I served for some 16 or 17 months. The only thing of which I can boast is that I never in that time suffered one single reduction in rank. I enlisted as a private and I was discharged in the same rank.

The question is, Are we to permit these activities to continue without reproach and punishment?

With the increasing strength and arrogance of Communist power, we have noted the concurrently intensified efforts by their agents and sympathizers within this Nation, particularly in this period of crisis. It is apparent that there are substantial deficiencies in existing legislation controlling the giving of aid and assistance to the enemies of the United States and other activities hostile to our national security.

With regard to that I dispute the question as to whether or not the law of the land is adequate or whether or not the State laws, to which the gentleman from California referred, are adequate. I might say also that they have not been declared unconstitutional yet by the Supreme Court of the United States, but when they get through with the question, we may not have any law.

But be that as it may, I am somewhat in the position of the man who lost his very unpopular mother-in-law in California. Someone sent him a telegram that said, "Your mother-in-law is dead. How shall we dispose of the body? Shall we embalm her, cremate her, or bury her?"

The man wired back and said, "Take no chances. Do all three."

That is the way I feel about this bill.

It is a melancholy fact that in the face of constitutional action taken by our Government to secure the safety and liberty of our people, there are certain persons and organizations within our midst who are acting to defeat the Government of the United States and our Armed Forces in the execution of their duties.

Secretary of State Rusk recognizes the danger of what is involved. I want to say to my colleagues on both sides of the aisle that I am not known as a supporter of the present administration. I have opposed measures of the present administration as much as any man in this body, regardless of whether he is a Republican or a Democrat. But I can say this. I do not know whether we ought to be in Vietnam or not. I am no student of international law. But I know we are there, and I believe we are there in accordance with the laws of this country. But whether we are or not, I think it is our duty as American citizens to support the President of the United States in his endeavors in regard to our safety in Vietnam and to support our soldiers, sailors, and marines as long as they are there and as long as the American flag is there.

Our Government and our soldiers are fulfilling their duties in the defense of the United States. It behooves us to stand by them.

In resisting aggression, our Armed Forces have been employed at great sacrifice. Upon their success depends all we hold dear in life.

We as members of the Committee on Un-American Activities have taken a lot of punishment. I never sought membership on the committee. So far as I know, no other one did. We vary in our views. It is a nonpartisan committee. But one thing we agreed wholeheartedly on was this bill.

I know the Washington Post has referred to us as "buffoons." Some of us may be buffoons. Probably I fall in that class, but I do say that some of the members of the committee, at least, are very distinguished and eminent members of the bar of this country who enjoy an unusually high degree of confidence and esteem both of the judiciary and of the bar.

Whether or not we are in those categories, we are all patriotic American citizens; and we stood together and reported this bill unanimously.

Mr. TEAGUE of Texas. Mr. Chairman, I rise in support of the bill, but it is my opinion that the bill does not go far enough. Last year and again in the early part of this year, I was privileged to visit in Vietnam and other parts of southeast Asia. Wherever I went, I invariably heard remarks by our officials that the demonstrations in this country were very definitely hurting our cause in southeast Asia.

Immediately upon return from my second trip, I introduced H.R. 12775 and House Joint Resolution 833, copies of which I wish to insert at this point as well as a copy of a news release I made upon the introduction of the bills. I wish to repeat that I will support this bill, but again do not believe it goes quite far enough.

Representative OLIN E. TEAGUE (D-Tex.) introduced in the House of Representatives today a bill and a constitutional amendment to prohibit certain public activities in time of armed conflict.

"Under legal authorities a state of war is a question of law rather than fact," TEAGUE said, "and it is my purpose to provide the same protection to our government and armed forces while engaged in armed conflict, which I consider to be a factual state of war, as they now have if engaged in a legal state of war."

The bill provides a $10,000 fine, 10 years imprisonment, or both, for any person who, without authority of the United States during a period of war or armed conflict, knowingly contributes, solicits, collects, or disburses money or anything of value directly or indirectly for the enemies of the United States. This provision of the bill would prohibit activities such as those recently engaged in by a group of individuals in Berkeley, California, who call themselves the Medical Aid Committee for Vietnam. "I am advised that under existing law there is no provision which directly prohibits such assistance to the communist forces with whom we are, in fact, at war," TEAGUE said.

The bill also makes it unlawful to make public speeches and lectures or to publicly picket, parade, rally or similarly demonstrate against any lawful measure of the United States related to the conduct of such armed conflict if such activities give aid or encouragement to the enemies of the United States and if they are done with intent to interfere with the successful prosecution by the United States of any armed conflict in which it is engaged.

"I am sure there will be some who consider this provision of the bill to be a violation of the first amendment of the constitution," TEAGUE stated, "but it should be noted that these public speeches and demonstrations are prohibited only if they give aid or encouragement to the enemies of the United States and if they are done with intent in interfere with the successful prosecution of the armed conflict."

"The freedom to dissent can be destroyed by its abuse because that freedom is dependent upon the survival of our government. If our government is to survive, it must be permitted to protect itself against those who give aid or encouragement to enemies who seek to destroy us," TEAGUE stated.

"If any part of the bill I have introduced is in conflict with the constitution, then I think the constitution should be amended to give Congress the power to protect our government against the activities of those who seek to aid our enemies. I think we should legislate now to curb certain current activities. The power of the Congress during a time of declared war appears to be adequate but, in my judgment, it is unlikely that the United States will ever again be in a declared war. The Korean conflict was not a declared war and so far the conflict in Vietnam is not a declared war. There will probably never be a declaration of war in any so-called 'brush fire' type of war and certainly an all-out nuclear war would be over before Congress could act. In my judgment it is therefore necessary to make such statutory or constitutional changes as are necessary to permit our country to survive under present-day conditions.

"For these reasons I have also introduced a constitutional amendment, the provisions of which would be applicable only during a period when the United States is at war or engaged in armed conflict. This amendment would make it unlawful to give aid or encouragement to enemies of the United States during such a period by opposing any lawful measure or policy of the United States related to the conduct of the war or armed conflict by public demonstrations, public writings, public speeches, or other means. This constitutional amendment, if adopted, would be enforceable only as provided by the Congress through appropriate legislation.

"We now use the police power of the state to draft young men into the armed forces where they are required to risk their lives in the pursuit of policies which our constitutionally-established government has adopted. When these young men are inducted into the armed forces they forfeit many of their constitutional rights and I think it is not only proper—BUT NECESSARY—that we restrain the beatnik types and the pseudo-intellectuals who insist that the constitution permits them to give aid and encouragement to our enemies and thereby further endanger the lives of those who are called upon to sacrifice so much for the nation."

H.R. 12775

A bill to amend title 18 of the United States Code to prohibit certain activities in time of war or armed conflict

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 115 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 2392. Activities prohibited during war or armed conflict

"Whoever, during any period when the United States is at war or engaged in armed conflict, without authority of the United States, knowingly contributes, solicits, collects, or disburses money or anything of value, directly or indirectly, for the enemies of the United States; or

"Whoever, with intent to interfere with the successful prosecution by the United States of a declared war or of any armed conflict in which the United States is engaged, shall give aid or encouragement to the enemies of the United States by opposing any lawful measure or policy of the United States related to the conduct of such war or armed conflict by public speeches, lectures, or other public utterances, by written or printed matter displayed or otherwise disseminated to the public, or by public picketing, parades, rallies, or similar public demonstrations—

"Shall be fined not more than $10,000 or imprisoned not more than ten years, or both."

(b) The analysis of chapter 115 of title 18 of the United States Code is amended by adding at the end thereof the following new item:

"2392. Activities prohibited during war or armed conflict."

H.J. Res. 833

Joint resolution proposing an amendment to the Constitution providing that certain activities shall be prohibited during a period of war or armed conflict

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States and shall be valid to all intents and purposes as a part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"Article —

"Section 1. During any period when the United States is at war or engaged in armed conflict, it shall be unlawful to give aid or encouragement to the enemies of the United States by opposing any lawful measure or policy of the United States related to the conduct of such war or armed conflict through public demonstrations, public writings, public speeches, or by any other means.

"Sec. 2. The Congress shall have power to enforce this article by appropriate legislation."

Mr. BINGHAM. Mr. Chairman, I rise in opposition to H.R. 12047. I do so for several reasons. First, this bill is unnecessary; second, in spite of its purpose, which is to protect the national security, it may, if enacted into law, have consequences harmful to our policy objectives in Vietnam and elsewhere; third, it poses a threat to basic constitutional rights; and, fourth, its enactment would tend to aggravate an atmosphere of suspicion and hate in this country which is already present to a regrettable degree.

I do not base my opposition to this bill on the character of the hearings in regard to it that were held by the House Committee on Un-American Activities. I have spoken of these hearings before. At this time I will say only that these hearings provided undeserved national publicity for the witnesses and their far-out supporters.

NO NEED

The various Departments of the executive branch, including the Department of Defense, the Department of State, and the Department of Justice are agreed that H.R. 12047 is unnecessary. Their views are set forth in the various communications reprinted in the committee report.

Section 402 of the bill, under the heading "Assistance to hostile forces," provides for a fine of up to $20,000 or imprisonment of up to 20 years, or both, for a person who seeks to send money or any commodity to any group or member of a group "engaged in armed conflict with the Armed Forces of the United States." The committee report makes clear that this is aimed at those who have sent or attempted to send money and medical aid to North Vietnam and the Vietcong, but the specific cases of such assistance referred to involved quantities of no significance whatever. The payments made to the "Liberation Red Cross" were obviously of symbolic, rather than real, importance. Certainly, they could have had no perceptible effect on the war effort of the Vietcong or the North Vietnamese.

The other operative section of the bill, section 403, provides heavy penalties for interfering or attempting to interfere with the movement of U.S. Armed Forces or supplies for the Armed Forces. The only incidents cited in the report to justify a need for new Federal legislation are a few demonstrations in Berkeley, Calif., about a year ago and an abortive attempt to stop munitions trucks in Port Chicago 2 months ago. The Berkeley demonstrations were all handled adequately by local officials and fall within the criminal laws of State government. There were 5 days on which attempts were made in the northern California area to interfere with troop trains and on only one of them did the demonstrators actually come close to stopping a train even for a moment. In the Port Chicago incident, the committee report notes that a few marines were able to prevent any interference with the movement of trucks.

It seems clear to me that Federal legislation is totally unnecessary to deal with such offenses if they are isolated. If they are more than that, the Deputy Attorney General of the United States has indicated that existing Federal laws dealing with conspiracy, treason, sedition, and subversive activity are adequate. Similar views have been expressed by the Defense Department.

HARMFUL AND OTHER UNINTENDED EFFECTS

Representatives of the executive branch have indicated that a rigid ban on sending of supplies to North Vietnam might interfere with our efforts to help American military personnel who are prisoners of war in North Vietnam.

In my view there is an even broader area in which passage of H.R. 12047 would be harmful to our national interests: it would give an entirely false impression to Hanoi and the Vietcong of the size and significance of the efforts being made in this country to send assistance to North Vietnam and to interfere with U.S. troop movements. If new legislation is needed to cope with these problems, Hanoi and the Vietcong might well reason, then they must be pretty extensive. Such a conclusion would only strengthen the stubborn refusal of Hanoi to respond in any constructive way to the President's efforts to get negotiations started.

Still another effect of this legislation, if enacted, would probably be to stimulate, rather than deter, the kinds of activities sought to be penalized. The reason for this is that those at whom the bill is aimed may welcome the chance at conspicuous martydom that prosecution under the provisions of the act would offer. The inevitable publicity attendant upon such prosecutions would, once again, focus national attention on an isolated, beleaguered and unimportant collection of generally antisocial people.

Finally, if this bill is enacted into law, it may rise to haunt some of those who now support it. The day may well come when they will be the ones who strenuously oppose an armed conflict that the United States is engaged in. For example, the bill would clearly apply to a situation such as prevailed in the Congo in the early 1960's when U.S. planes were ferrying United Nations forces and were being shot at by hostile elements in the Congo. If the bill had been law at that time, any person seeking to assist the forces of Moise Tshombe and Katanga would have been subject to the heavy penalties of this bill.

In this connection, it should be noted that, although the introductory paragraphs of the bill contain findings and a declaration with regard to the threat to the security of the United States posed by the world Communist movement, the operative paragraphs are not in any way limited to conflicts in which Communists are involved.

As the American Civil Liberties Union points out in its memorandum in opposition to H.R. 12047, the provisions of section 402 could make it a crime to send newspapers and magazines to North Vietnam, even though such newspapers and magazines are generally available to the public. It could be argued that the sender would have reason to believe that such conduct would prejudice the interests of the United States if the newspapers or mazazines included stories indicating dissatisfaction in the United States with the war in Vietnam.

The American Civil Liberties Union and the Industrial Union Department of the AFL–CIO point out that section 403 could be utilized to make it a criminal offense for any labor union to engage in a strike or a slowdown in the maritime or transportation industry.

CONTRIBUTION TO ATMOSPHERE OF HATRED

This bill represents, it seems to me, a kind of angry reaction to expressions of support by Americans for those who are fighting against our forces. The anger is understandable—indeed I share it—but it should not be allowed to give rise to unnecessary and probably harmful legislation.

This bill is not a practical answer to a practical problem; it is a symbolic answer to symbolic gestures. As such, it will do nothing to assuage the confusion and unhappy uncertainty that is so prevalent in this country on the subject of Vietnam; on the contrary, it will only stimulate and stir up the animosity and hatreds that already exist between the exponents of extreme views on this complex and difficult subject.

The proponents of this legislation insist that they are not trying to curtail or prohibit dissent. But the kinds of opposition and action which they are trying to prohibit are, in reality, only extreme expressions of such dissent.

In many areas of American life, we are seeing today a drastic departure from the traditional methods of the American system—discussion, debate, adjustment, and acceptance of the give-and-take of a representative democracy. A bill which could make a criminal of a Quaker who seeks to send medicine to a North Vietnamese child is, it seems to me, another expression of this trend away from our traditions of tolerance and kindness within the democratic process.

One final note: H.R. 12047 was carefully drafted to create an additional title in the Internal Security Act of 1950, so that it might be referred to and considered by the House Un-American Activities Committee. The provisions of law which are actually being amended, however, are the Trading With the Enemy Act and sections of the criminal code. Properly speaking, therefore, this legislation should have been considered by other committees of the House. Even though this bill is passed by the House, as it may well be, such an event will, in my judgment, in no way indicate the need for or desirability of the continued existence of the Committee on Un-American Activities.

Mr. ROSENTHAL. Mr. Chairman, I rise to express my strong opposition to H.R. 12047.

This bill is unnecessary. In the first place, there is a wide range of laws presently in existence which encompass the same areas covered by H.R. 12047. The Trading With the Enemy Act and the Export Control Act of 1949 are notable instances. Secondly, it presumes a threat which, in reality, does not exist. As Deputy Attorney General Clark said when he testified before the committee:

> Isolated instances of vain acts by a handful of extremists to aid the enemy or obstruct our Armed Forces have failed. There has been no assistance from within the United States to hostile forces. There has been no interference with the free movement of military personnel or supplies. We should not lend credence to the possibility by again prohibiting what has not and what will not happen.

Moreover, ambiguity in the language of the bill leaves open the way to interpretations which would make acts of compassion and humanitarianism punishable by harsh fines and imprisonment.

But more serious, by making it a crime to solicit any money, property, thing, or supplies for the use of any foreign power or any residents or nationals thereof engaged in armed conflict with the Armed Forces of the United States, the bill would, as Deputy Attorney Clark testified, "jeopardize fundamental rights of Americans by risking infringement of constitutional rights of free speech." The bill's terminology beclouds what should never be ambiguous; namely, the distinction between disloyalty and dissent.

To pass this bill would be equivalent to an endorsement of the hysterical atmosphere in which it was drafted. The committee had little cause to hold its hearings, and even less justification for drafting this bill. In attracting national attention, the committee invited vast exposure and publicity for a tiny and insignificant group of extremists, and, once again, raised the disturbing and unhappy specter of the McCarthy era.

Unnecessary and ambiguous legislation enacted in an artificially created atmosphere of hysteria does not reflect well on the House of Representatives. I strongly urge, therefore, that we join in defeating H.R. 12047.

Mr. FRASER. Mr. Chairman, it is important, in our consideration of H.R. 12047, that we remain as objective and as dispassionate as possible. We must weigh the merits of the bill on their own, without being swayed by the influence of the most emotion-packed, riotous subcommittee hearings that most of us can remember. There is danger, I fear, that memories of the August hearings, marked by frequently violent differences between the subcommittee and the witnesses and their attorneys, will influence the House in making a decision it will regret.

In my opinion the measure before us is a poor piece of legislation. It should be voted down. It is a poor piece of legislation because it is superfluous. Ample testimony from expert witnesses from the executive branch of Government, considered after the hysterical shouting had stopped ringing through the halls of the Cannon Office Building, supports this conclusion.

I am concerned, Mr. Chairman, that the House will do what press reports have indicated it might do: pass H.R. 12047 and leave the responsibility for killing it to the other body. Let us assume that responsibility ourselves and save the other body the time and trouble.

The committee report on this bill states:

> Existing law is clearly inadequate to provide an enforceable base for prosecuting the activities described above. Although the executive agencies have taken the position that there is no need for new legislation, they have in fact confessed their inability to prosecute, and when pressed have cited no statutes which would be clearly applicable or adequate to cover important aspects of the conduct involved.

My reading of the testimony leads me to quite the opposite conclusion.

Ramsey Clark, Deputy Attorney General, wrote:

> In general, proposed section 402 of the bill would duplicate the scope and effect of the Trading With the Enemy Act and the regulations promulgated thereunder.

Then, citing the Foreign Agents Registration Act, he added:

> In view of the foregoing, we see no need for the provisions of proposed section 402 of the bill.

Finally, Mr. Clark had this to say about section 403:

> In our view, present laws both Federal and State would seem to be adequate to protect society from any extreme effort at interference with the movement of military personel and property by severe penalties and from any minor interference by misdemeanor sanctions. Furthermore, such laws reflect a better balance in Federal-State relationships and do not inject the United States into law enforcement in what are essentially local activities, though they involve matters as to which the Federal Government has constitutional authority to act. In these circumstances we see no need for the provisions of proposed section 403 of the bill.

Fred B. Smith, General Counsel of the Treasury, wrote the committee regarding section 402, which would proscribe giving assistance to a nation with which the United States is engaged in armed conflict abroad:

> If it is your committee's view that legislation to deal with this problem should be enacted, we believe a rigid ban such as that contained in H.R. 12047 would be undesirable, and that flexibility is essential. Under certain circumstances, it may be in the national interest to allow some solicitations for and indeed the actual sending of some types of supplies to hostile areas; for example, in connection with the Government's efforts to assist American military personnel who are prisoners of war in North Vietnam. A rigid ban could interfere with our efforts to help these American prisoners.

As for section 403, which would prohibit obstructions to the movement of military personnel or supplies, Mr. Smith said:

> The only activity of which this Department is aware that has impeded the Coast Guard in the performance of its missions as an armed force concerns interference by

members of various organizations with launchings of naval vessels. In this regard, the Coast Guard has authority under the so-called Magnuson Act (50 U.S.C. 191 et seq.) to promulgate regulations establishing limited access areas in connection with the launchings of naval vessels.

Robert E. Giles, General Counsel of the Department of Commerce, said section 402 would overlap with present prohibitions imposed under authority of the Export Control Act on exports detrimental to the national security.

Stanley R. Resor, Secretary of the Army, noted that there are several existing statutes such as those included in chapters 105 and 115 of title 18, United States Code, concerning sabotage, treason, sedition, and subversive activities, which have possible application to acts like those addressed by H.R. 12047.

All the above statements are contained in the committee report. Yet the committee reached different conclusions based on what I regard as far less substantial evidence.

In a statement to the subcommittee that conducted the boisterous hearings, Brig. Gen. William W. Berg, Assistant Secretary of Defense, Military Personnel Policy, said:

> We do not have any evidence available to us, or reports by commanders in the field, that indicate that the morale of our forces has been impaired by the demonstrations of dissent to United States policy, by the publicized assertions of intent to assist our adversaries, or by the gestures of impeding the military effort.

Perhaps the most eloquent witness was Ramsey Clark, Deputy Attorney General, who testified:

> There is no need for new legislation because a panoply of laws, state and federal, presently protects the national interest. Moreover, however reprehensibly, indeed irrational, much of the conduct of those who endeavor to interfere with our efforts to protect world freedom in Viet Nam may be, it can hardly be considered a threat. Isolated instances of vain acts by a handful of extremists to aid the enemy or obstruct our Armed Forces have failed. There has been no assistance from within the United States to hostile forces. There has been no interference with the free movement of military personnel, or supplies. We should not lend credence to the possibility by again prohibiting what has not and will not happen.
>
> Essentially, the Viet Nam obstructionist movement has been a propaganda effort. What we do to exaggerate its dimension, which is minuscule, only aids it in the accomplishment of its purposes. That such a tiny handful of people could secure so much attention in so vast a nation by what has largely been eccentric behavior, is in itself a cause for concern.

The committee report criticizes Mr. Clark's dismissal of the obstructionists as "eccentric." It continues:

> The people of more than one nation have done so to their regret. If we are not prepared to suppress hostile activities in their infancy, we shall be faced with greater problems as they mature. If we value our liberties, as we do, we shall not permit any impairment of our national security while powerful forces, avowedly hostile to our society, are preparing to make us their victim.

Mr. Chairman, I think the statements of Mr. Clark and the other spokesmen for executive departments whom I have quoted from the committee report reflect admirably the levelheaded perspective that differs so sharply from the nearhysteria of the committee conclusion. I urge all Members of the House to join me in opposing this needless, ill-conceived bill.

Mr. PELLY. Mr. Chairman, let us be perfectly frank and admit that a lot of us do not want to be misunderstood and therefore intend to support H.R. 12047, which would prohibit the solicitation, collection, and delivery of any money or property for use of any foreign power in armed conflict, and likewise, would prohibit obstruction of our military personnel and supplies, where the intent is to injure the United States.

The Justice Department opposed the bill on the basis that the law already covers such matters, and it is widely said that this legislation is for political purposes.

But what I want to know is, if the law prohibits these un-American acts, why has the Justice Department not done anything about it?

In my support of this bill today, frankly I know it is not going through the Senate. My vote will be an expression of personal feeling that next year the committee will come out with a much better bill—a bill that is clear and that will protect all citizens regardless of their views, under the first amendment of the Constitution.

In the last hours and final days of this 89th Congress, why is this legislation keeping us here at this late hour? It seems to me unfortunate that the Democratic leadership has scheduled this bill at all.

But I do not approve of the leftwing lunatic fringe and so, reluctantly, I will vote "aye" on final passage.

Mr. DOLE. Mr. Chairman, under general leave to extend, granted yesterday, I wish to make further comments with reference to H.R. 12047, which would amend the Internal Security Act of 1950. I feel the House Committee on Un-American Activities has made a very real effort to deal with a highly emotional and serious problem. The hearings held by the committee on August 16, 17, 18, and 19 left something to be desired, but it does appear some legislation is necessary to protect members of the Armed Forces against intentional injury and that some legislation is necessary to penalize those who solicit, collect or deliver money, property, or any other thing of value to be used for the benefit of any foreign power involved in armed conflict with our country.

It seems certain this bill will not be acted upon by the Senate this year—and perhaps never. There is considerable speculation about bringing the bill to the House floor at this late date and also the real purpose of the hearings and the debate on the bill at this time.

There are inadequacies in existing law, but it is equally clear that enforcement of the proposed legislation will be a monumental task. Section 401 of the bill is clear and simply constitutes a finding by the Congress that additional legislation is needed. Section 402 is susceptible to many interpretations, but for the most part is clear and unequivocal and, I believe, necessary. Section 403, in my opinion, before the adoption of the amendment I submitted yesterday, was most ambiguous and much too broad in application. My amendment accepted by the committee sufficiently limits section 403. In its amended form, section 403 could serve some useful purpose. In its original form, section 403 would have vested in members of the Armed Forces unlimited power, whether or not our country was engaged in armed conflict or whether or not the activities of a member of the Armed Forces were in any way related to such armed conflict. The original section would have applied across the board, in peace, war, or armed conflict, and would have, in my opinion, vested far too much authority and power in the military.

If our country is engaged in armed conflict, then anyone who obstructs, impedes, or interferes with, or attempts to obstruct, impede, or interfere with the movement of any member or members of the Armed Forces while on active duty or with the loading or movement of any facility of transportation, or supplies and materiel, with intent to obstruct, impede, or interfere with our Government or any member of the Armed Forces, should be punished. Specifically, if the interference or obstruction or impediment relates to the armed conflict, in other words, movement of troops to a staging area, moving of supplies or materiel to ports for shipping to the area of hostilities or any other of literally hundreds of acts where there is some direct connection with the interference, obstruction, or impediment, and the armed conflict, then section 403 should apply.

On the other hand, the application of the original language contained in section 403 was limitless. Conceivably, it could have applied to any member of the Armed Forces, at any time, at any place, and would have, in my opinion, led to more abuse than any hoped-for benefit. It could have related to any activity involving Armed Forces or supplies not related to an armed conflict.

Members of the Armed Forces and the movement of supplies are entitled to protection, but again, in my opinion, there are adequate local laws to take care of any peacetime situation without setting up new, vast unlimited and unnecessary authority. The amendment I offered yesterday, which was accepted by the committee, is as follows:

> *Provided*, That nothing contained in this section shall apply unless the United States shall be engaged in armed conflict and unless the acts referred to herein are related to such armed conflict.

This amendment will properly limit the application of section 403 but still serve the real purpose intended by the Committee on Un-American Activities.

Mr. BROWN of California. Mr. Chairman, I rise to indicate my opposition to H.R. 12047, a bill to amend the Internal Security Act of 1950. Able and distinguished Members on both sides of the aisle, far more competent than I, have risen to question the need for and the constitutionality of this proposed legislation. The adverse testimony of every executive department witness has been cited. The comments of the Democratic and Republican leadership of the Senate to the effect that this bill would be doomed in that body, even if we were so ill advised as to pass it, have been reported. The adverse comments of distinguished attorneys and the editorial writers of the Nation's most respected newspapers are likewise in the record.

I can add little to these more able analyses. I can only say that I wish to associate myself with their remarks, and with their conclusions as to the complete undesirability of this bill, and the possible harm it will do.

I hope that this body will not succumb to the hysteria engendered by our unfortunate involvement in the tragic Vietnam war. Passage of this bill by this House, even though it never passes the Senate, would be one more small step toward extinguishing all dissent in this country toward the policies of an all-powerful Federal Government—a Government whose course is more and more determined by the executive branch, with little or no control or check by the Congress of the United States.

And as this great House of Representatives yields to hysteria, so will the mass of the people of this country yield, whipped into a frenzy by the voices of a false patriotism, overriding the bounds set by the Founding Fathers in the Constitution of the United States.

If this happens, we will then be set irrevocably on the course of all past empires, ruled by the laws of overwhelming power, and we must inevitably suffer their fate, to pass into history under the curse of all lesser peoples.

I seek a better fate for mankind. Let us turn back while there is yet time.

I urge all Members to vote against this bill.

Mr. GILBERT. Mr. Chairman, I rise in opposition to the bill before us today. This bill emerges not from careful deliberation but from a mistaken notion that it is somehow essential to the prosecution of the war in Vietnam. I do not regard this bill as necessary at all. It will not help the war effort. I think this bill is superfluous. It is totally unnecessary. Let us think this bill over. If we really want it, let us enact it next year. I think that if we put it off now, we will never enact it into law, because we will recognize—after a bit of reflection—that it is a bad bill.

Why do we need this bill? It is clear that there is ample legislation already in existence to handle the situations which, we are told, it is designed to correct. If the Government wanted, it could bring criminal action against anyone who violated this act under the longstanding Trading With the Enemy Act. There are other acts also on the books which could readily be applied. So it is not needed to cover the gaps which we have been told currently exist. There are no such gaps.

The administration has studied this bill carefully. Every department that has an interest has given testimony that there is no need for it. The Deputy Attorney General, Mr. Ramsey Clark, said:

> There is no need for new legislation, because a panoply of laws, state and federal, presently protects the national interest. Moreover, however reprehensible, indeed irrational, much of the conduct of those who endeavor to interfere with our efforts to protect world freedom in Vietnam may be, it can hardly be considered a threat.

I think Mr. Clark's testimony adequately makes the case.

There are many good reasons for voting against this bill, Mr. Chairman. It is carelessly drawn and could very well become the vehicle for political persecution. It uses words which threaten the constitutional guarantees of free speech. It is vague, although I concede that in its present form it is an improvement over the form in which it was introduced. But since it serves no purpose and since it does contain certain inherent dangers, I will vote against it and I urge all of my colleagues to join with me. In my view, the cause of Americanism will best be served by our rejecting this bill by a substantial margin.

Mr. TENZER. Mr. Chairman, I oppose the proposed amendment to the Internal Security Act for three basic reasons.

First. I am a member of the House Judiciary Committee and have been a practicing attorney for 36 years before coming to the Congress. It is my opinion that the proposed amendments require much more careful and objective consideration than that which was given to them by the committee which conducted the public hearings. I have read the hearings in detail and am convinced that the House Judiciary Committee would have been the proper forum for the public hearings and to have held executive sessions to study and review the language of the bill. The Judiciary Committee composed of 35 House Members, all lawyers, would have examined the questions involved in depth and with less public demonstration.

The distinguished minority leader of the Senate, the Honorable EVERETT MCKINLEY DIRKSEN has stated:

> When you draft a criminal statute that applies to the whole country, the utmost caution has to be exercised. A criminal statute carries with it a penalty—a fine or prison sentence—and you don't lightly send a person to jail or fine him, you don't want a criminal statute to become a veritable dragnet. When you talk about rendering aid to an enemy, or some country with which we are at hostilities, you must exercise caution to make sure it's carefully defined. This is a job for lawyers, and it is necessary to take a good look before a jump into the dark.

I associate myself with these remarks and sentiments.

Mr. Chairman, the hearings surrounding this legislation were not conducted in the manner which Senator DIRKSEN suggests as desirable and that is one of the reasons why I oppose congressional approval of the bill.

Second. My opposition is based on the fact that I do not believe foreign policy can be written on the floor of the House of Representatives without hearings and complete consideration of the possible adverse effect the proposed legislation would have on our foreign relations. We saw during the debate the many questions which were raised and the numerous amendments offered to the bill, because of the vague language and lack of definitions.

Third. The Internal Security Act, the Foreign Agents Registration Act, the Export Control Act, and other Federal statutes provide adequate protection to the security of the United States. Because of these existing laws we should not be rushing to pass a bill in such form. The bill has been criticized by the Acting Attorney General, by members of the Judiciary Committees of the Senate and the House, and by leading legal authorities.

The Deputy Attorney General, the Honorable Ramsey Clark, in his testimony before the House Un-American Activities Committee, stated that:

> There is no need for new legislation because a panoply of laws, state and federal, presently protect the national interest. Moreover, however reprehensible, indeed irrational, much of the conduct of those who endeavor to interfere with our efforts to protect world freedom in Vietnam may be, it can hardly be considered a threat.

Let me make it quite clear that I will vote against this bill with the full knowledge that some may say it was not "good politics."

To this I can only answer that I studied the bill and the hearings and follow my conscience on this matter. Let me also make it clear that I do not condone those who would aid the enemy in North Vietnam, but I agree with Senator DIRKSEN that "it is necessary to take a good look before a jump into the dark."

The Department of State, the Department of Defense, and the Department of Commerce also oppose the legislation.

The Treasury Department recently granted permission to a group of Yale University religious leaders to send $300 worth of medical supplies to North Vietnam via Canada in the hope that the Canadian committee handling the supplies could get them to the U.S. prisoners. Section 402 of the bill may deprive U.S. prisoners of war of badly needed medical supplies, thereby raising serious constitutional questions, this bill would seek to end the flexibility which the executive branch of the Government should have.

The statement by Msgr. Charles Owen Rice which appeared in the Pittsburgh Catholic, August 25, 1966, is worthy comment on the subject and I want to call it to the attention of my colleagues:

[From the Pittsburgh Catholic, Aug. 26, 1966]

UN-AMERICAN

(By Msgr. Charles Owen Rice)

Supposedly it exists to uncover facts that might guide the House of Representatives in enacting legislation. Actually, its time-honored function is to harry suspected radicals and subversives. It bears a charmed life because it is "patriotic."

Martin Dies, a Texas congressman, was its first chairman, and for years, it was known as the Dies Committee, but now it gets its formal name, the House Committee on Un-American Activities. Another Texan, JOE R.

Pool, is today its happy, headline-making ring master.

Joe—I am not being unduly familiar, Joe is his name, not Joseph—Joe, white-haired, portly, anguished, indignant and patriotic, has been locked in televised combat with a prime mixture of oddities, idealists, headline-hunters of the left, and patriots of the left.

A few of these have engaged in un-American activities by anybody's definition, including their own, but hardly anyone would have heard of them, if Congressman Pool had not dredged them up and given them precious exposure on TV and the front page.

The pure patriots, right, left, or center, get small attention during these circuses. The extremists love HUAC although only the right-wingers among them admit it.

It suits the promoters of the ultra right that currency be given to the strongest and wildest statements and postures of the far left. They have a fine recruiting pitch as they declare: "We told you that such things went on. Our youth are being subverted and debauched, and you do nothing. Join your local chapter of "Nuts and Riflemen for Defense" and save your country."

On the other hand the deadly serious ones of the left are also assisted in their recruiting efforts by the unfriendly publicity itself, although many of their idealists are sincerely outraged by the illegality and anti-Americanism of the whole HUAC process. It must be admitted, however, that among the victims of HUAC are those who get a lift out of the virtually painless, for them, martyrdom of being heaved out of the committee room.

Do not think for a moment that the committee is harmless merely because it misses the mark so often and is intellectually unspeakable. It has power and sharp teeth. It damages good people and good causes, and is a constant threat to the dignity and freedom of those who dare to dissent.

The excuse for last week's hearing was a package of legislation designed to suppress agitation against the fighting in Vietnam. The legislation is two-pronged. One prong, for those who would aid the enemy; another for those who hold back our military or military supplies.

Since we are not at war it was hard to define the enemy, so the definition was made very broad, any country, group or person, "in hostile opposition to the armed forces of the United States." You could break that law by giving a glass of water to a rioter or by sending a food package to a starving family. You would not even have to give the aid, just advise someone else to do it. For many reasons that stringent statute appears to be certainly unconstitutional, and the committee was harassing citizens in order to promote a law that it had no business dealing with. That is part of the reason Judge Corcoran issued his short-lived injunction against the hearings.

No one alleges that any significant material aid is being given to the enemy, but the committee, and many citizens, are outraged that anyone at all would so much as contemplate helping the Vietcong or the residents of North Vietnam. No American, they feel, should want to feed, to heal, or to soothe the population which our military are trying to bomb into submission in an undeclared war. Dissent is being made equal to disloyalty.

We already have legislation to deal with those who would truly aid a real enemy, and the proposal is not only bad but unnecessary.

The second prong, which would prevent interference with materiel destined for military use, could turn out to be the worse of the two. It makes military goods virtually sacred.

If that should become law it would hit idealistic pacifist groups of the sort that are encamped near the nuclear submarine base in Groton and of the sort that will strongly protest any resumption of nuclear testing. These idealistic souls do not really interfere with the movement of men and materiel but they do annoy as they offer their tokens of dissent. It would be shameful to treat them as criminals, but they would be criminals if HUAC had its way.

There is another class of people who do interfere with the movement and manufacture of goods, and who would be hit by the legislation, although it is not aimed at them. When unions strike, their intention is to halt manufacture and movement of goods until the strike is settled. Military materiel travels on every road and railroad and is being processed in half the factories of the United State. Joe R. Pool has chanced upon a strike-breaking law of tremendous potential. What irony if it passes! The trade union establishment has never been more warlike and less pacifistic than it is now, but who cares? The labor lobby had better get busy.

The House Un-American Activities Committee functions not as a legislative instrument, but as the voice of a muddled and angry segment of the citizenry. Let them find their emotional outlet somewhere else, and let us rescue the legislative process from further degradation by ending an ignoble experiment in un-Americanism.

Mr. O'HARA of Illinois. Mr. Chairman, this is an excursion in futility, a fact that is known to everyone on this floor, and with no effort to keep it secret. The distinguished gentleman from Ohio [Mr. Hays], and others have stated in the debate with no denial from any quarter, that there is no intention of pushing the bill to a vote in the other body. The 89th Congress is about to die.

If there were any serious thought of this bill becoming a law I am sure there would have been greater care in its drafting. I know of no better lawyer, and certainly no finer gentleman than our able colleague, the gentleman from Virginia [Mr. Tuck], who will go down in history as one of the outstanding Governors in the long and brilliant story of Virginia. I regard the gentleman from Missouri [Mr. Ichord], a former speaker of the Missouri House of Representatives, as a lawyer of the finest capacity, with a penetrating legal mind. There are others on the committee who could be depended upon to oversee a better job of legislative drafting if the product they were working on had any serious ambition of making the statute books.

I do not believe, Mr. Chairman, it is ever the part of wisdom, certainly not in the role of a statesman, to flirt with futility.

As I read the bill we have before us it could be interpreted to forbid the extension of medical aid through the International Red Cross to American prisoners of war. I would not want that on my conscience. It surely would make it a felony to give medicine to a dying enemy—and I do not know if any of us would want to go that far. After all, we do have some reservations.

The office of the Attorney General of the United States has assured us that our national security requires no further penal enactments to meet every demand of the present situation.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Internal Security Act of 1950 is amended by adding at the end thereof the following new title:

"TITLE IV—OBSTRUCTION OF ARMED FORCES

"Findings of fact

"Sec. 401. The Congress of the United States hereby finds and declares that—

"(1) There exists a world Communist movement having as its objective the destruction of free governments, including the Government of the United States.

"(2) The security of the United States is seriously threatened by the aggressions of Communist powers, groups and organizations.

"(3) The conduct of wars by such powers, groups and organizations has taken unconventional forms, in that armed hostilities are undertaken and initiated by them without prior declaration or such formalities as are recognized in international law as constituting a legal or political status of war.

"(4) The fact and consequences of such unconventional warfare constitute a present and long-range threat to the safety and security of the United States, and if not successfully resisted threaten total involvement of the United States and the world.

"(5) In defense of its national security and in the interest of world peace, the United States has been compelled on several occasions to engage in actual war, although of limited scope and sometimes designated as police actions, to insure its safety and to prevent full-scale international war.

"(6) There exist in the United States certain organizations, groups, and persons who adhere to the purposes and objectives of the world Communist movement, who seek to give aid, assistance, and comfort to forces hostile to the Government of the United States, and enlist others in support of the purposes and objectives of the world Communist movement, with the intent to obstruct and defeat the defense activities of the United States.

"(7) There also exist within the world other powers or forces which, although not identified as Communist, have committed or threatened aggressions, involving the interests and security of the United States and the stability of world peace.

"Assistance to hostile forces

"Sec. 402. (a) Whoever, within the United States or elsewhere, owing allegiance to or subject to the jurisdiction of the United States, whenever any element of the Armed Forces of the United States shall be engaged in hostilities armed conflict abroad—

"(1) gives, or attempts to give, or advises, counsels, urges, or solicits another to give or deliver, any money, property, or thing, or

"(2) solicits, collects, receives, or gives to another, any money, property, or thing for delivery, or

"(3) solicits, collects, receives, or gives to another any money or thing of value for the purchase or acquisition of any property, supplies, or thing, intended for delivery,

to any hostile foreign power, or agency or national thereof or to any organization, group, or person, acting in hostile opposition to the Armed Forces of the United States with the intent, or having reason to believe, that such conduct will impede or interfere with the operation or success of the Armed Forces of the United States, or in any manner prejudice the interests of the United States, or advantage such foreign power, agency, national, organization, group, or person shall be fined not more than $20,000 or imprisoned for not more than twenty years, or both.

"Obstructing military personnel or transportation

"SEC. 403. Whoever, within the United States or elsewhere, owing allegiance to the United States, obstructs, impedes, or interferes with, or attempts to obstruct, impede, or interfere with, or advises, counsels, urges, or solicits another to obstruct, impede or interfere with—

"(1) the free movement on foot, or otherwise, of any member of the Armed Forces of the United States while on duty, or

"(2) the loading, provisioning, manning, operation, movement or passage of any facility of transportation being used, or intended to be used, in whole or in part for the transportation of personnel, supplies or materiel of such Armed Forces,

with the intent to obstruct, impede, or interfere with the United States, or any member of the Armed Forces, in preparing for, or carrying on, any military duty or activity, shall be fined not more than $20,000 or imprisoned not more than twenty years, or both."

Mr. POOL (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 3, line 10, strike out "(a)"

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 11, immediately after "owing allegiance to", insert "or subject to the jurisdiction of".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 13, strike out "hostilities" and insert in lieu thereof "armed conflict".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, strike out lines 15 through 17, and insert in lieu thereof the following:

"(1) gives or delivers, or attempts to give or deliver, any money, property, or thing, or

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 4, beginning in line 1, strike out "to any hostile foreign power, or agency or national thereof, or to any organization, group, or person, acting in hostile opposition to the Armed Forces of the United States" and insert in lieu thereof—"to or for the use of any foreign power, organization, or group engaged in armed conflict with the Armed Forces of the United States, or to or for the use of any resident, national, member, or agent thereof".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 4, beginning in line 11, strike out "agency, national, organization, group, or person" and insert in lieu thereof "organization, group, resident, national, member, or agent".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 4, line 19, immediately after "owing allegiance to", insert "or subject to the jurisdiction of".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 4, beginning in line 21, strike out "or interfere with, or advises, counsels, urges, or solicits another to obstruct, impede,".

Mr. WATSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and Members of the Committee, I feel this is one of the most important pieces of language that we had in the original bill as introduced by the gentleman from Texas [Mr. POOL]. If the committee amendment prevails and we strike out this language, in essence what we are doing is virtually to punish the young person and to let the real culprit go free.

In my judgment, the one who gets up and encourages and solicits and gets another to go out and impede the movement of materiel or men of the Armed Forces is just as guilty as the person who actually chains himself to the truck or lies down in front of a railway train or a truck.

Mr. Chairman, I do not want us to make a mistake here. We are aware of the modus operandi of the Communists. They do not get out in front. They capitalize on the idealistic thinking of young people and those who might not perhaps be as realistic in facing up to the facts of life. If we strike this language out, we are going to say "Go ahead" to the hardened Communists and those who would capitalize on young people, "and you will go scot free. You will sit beside a troop train and tell the youngsters to go ahead and get on the tracks and get under the wheels and the Government can do nothing with you. If you are standing there urging these young people to commit these acts which will be punishable by severe fines under the terms of this bill, we will not be able to touch you."

I may say to my dear and distinguished friend, the gentleman from Texas [Mr. POOL], I know he had in mind exactly what I am speaking of right now when he proposed this language initially and wanted to subject the coconspirator, the hardened person, the adult, and the Communist who will go out and try to encourage young people to impede the movement of materiel and armed forces—he wanted them to be punished equally with those who actually commit the act. There are some who would say, "I know that, but one who sits on the sideline is just engaging in free speech, and should this amendment not be adopted, we are going to strike at the very freedom of speech or expression or dissent which we have in this country." I believe in freedom of speech, as I stated earlier during the general debate on this matter, but I submit that if we knock this language out of the bill, we are going to say not only do you have freedom of speech, but we are going to say that you can stand here and tell the young person and the person who is idealistic and a thinker and a naive person to get down and actually commit the act and you will be able to sit back and laugh and then move over to the next group of people and tell them to do the very same thing. If we mean business here, we are going to get the hardened criminals as well as the Communist-front movement. I submit here in this House that we should go along with the original intent of the gentleman from Texas [Mr. POOL], which I know he had in the language in the bill and apply the same penalties and provisions to the Stokely Carmichaels and the Otepkas or any of the rest of them who will get out and convince these young people and encourage them to get under the front of a troop train or anything such as that.

Mr. Chairman, that is why I oppose the amendment and hope that the Committee will refuse to go along with the suggestion in this committee amendment.

Mr. ICHORD. Mr. Chairman, I rise in support of the committee amendment.

Mr. Chairman and Members of the Committee, as the author of the amendment in the committee which strikes all language referring to advising, counseling, and urging, I rise to defend the committee amendment. I do agree with the gentleman from South Carolina [Mr. WATSON] that this language would probably be constitutional. However, here we are in a so-called gray area. There is some doubt as to whether this language would be constitutional. I strongly feel, in view of the many decisions that have been handed down by the U.S. Supreme Court, that the present court would hold such language to be unconstitutional.

Mr. WATSON. Mr. Chairman, will my dear friend yield to me at this point?

Mr. ICHORD. I yield to the gentleman.

Mr. WATSON. I am inclined to agree with my dear friend that perhaps in the present frame of mind the Supreme Court would probably declare this language to be unconstitutional. However, we can take care of that possibility or eventuality by simply putting at the end of the bill a saving procedure that should any part of this measure be declared unconstitutional, it will not affect the validity of any other.

And, so, I should like to see you now do the entire job and not be fearful of the fact that the Supreme Court might declare this section unconstitutional.

Mr. Chairman, we have a responsibility, and that is why I am urging that we go ahead and face our responsibility.

Mr. ICHORD. Mr. Chairman, I would point out to the gentleman from South Carolina that the regulations of the Commerce Department and the regulations under the Export Control Act do have language similar to the language that has been stricken.

Certainly, Mr. Chairman, one cannot do in a regulation what one could not do in a statute.

For example, Mr. Chairman, on page 1303 of the hearings, I pointed out to Mr. Meyer, the representative of the Department of Commerce, that the Commerce regulation contains the following language:

> No person may knowingly cause, or aid, abet, counsel, command, induce, procure or permit the doing of any act prohibited by, or the omission of any act required by the Export Control law or any proclamation, order, rule, regulation, or license issued thereunder.

I say, again, Mr. Chairman, certainly we cannot do this by regulation if we cannot do it by statute.

But, Mr. Chairman, I would respectfully request that the gentleman from South Carolina [Mr. WATSON] withdraw his opposition to this amendment, because the gentleman does admit that we are working in the so-called gray area here. And I feel that we should restrict the application of this act to overt acts, with the specific intention of aiding, and abetting an enemy of the United States.

Mr. WATSON. Mr. Chairman, will the gentleman yield further?

Mr. ICHORD. As we have the bill now drawn, with the committee amendment, a person has to have the specific intent, and he has to commit an overt act.

I now yield further to the gentleman from South Carolina.

Mr. WATSON. Mr. Chairman, may I say that there is no one in this body for whom I have a higher regard and with whom I prefer to deal than the gentleman from Missouri [Mr. ICHORD].

But, Mr. Chairman, I feel very strongly about this, and I want to make it emphatically clear that I believe the gentleman's feeling is just as strong as mine—

Mr. ICHORD. Certainly.

Mr. WATSON. That the gentleman wants to get the coconspirators as well as the one who actually commits the acts. We want to get the ones who urge the youngsters to commit the act as well as the youngster who actually performs the act.

And, Mr. Chairman, I shall not withdraw my objection to this committee amendment.

I hope we will have a division vote on this question.

Mr. Chairman, I feel that we have a responsibility to legislate in accordance with what we feel is right and constitutional. I feel that this language is constitutional, and I shall not back away from it simply because I feel the Supreme Court might decide that it is unconstitutional.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I am in wholehearted sympathy with what the gentleman from South Carolina is attempting to do. But, is it not true that the general statute relating to conspiracy—aiding and abetting a conspiracy—anyone who would intentionally violate this proposed act will be covered under the conspiracy statute?

Mr. ICHORD. The gentleman from Florida is correct.

Mr. MATHIAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the committee amendment proposes to strike certain words which include the word "solicit" in section 403.

However, in section 402, we have the word "solicit" remaining at least in two places—lines 20 and 22.

Mr. Chairman, I am wondering if the gentleman from Missouri might enlighten us as to the intent of the committee in the use of the word "solicit" in section 402, when it has very properly offered an amendment to strike it in section 403?

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. Certainly. I will yield to the gentleman.

Mr. ICHORD. Mr. Chairman, I would say to the gentleman from Maryland that the amendment was offered for the purpose of prohibiting the actual solicitation of funds for the use of the Vietcong or the North Vietnamese, which has happened many times within our own United States. Certainly if a person, with the committee amendment, if it is adopted, if he states "I think that you should give $10 for the use of the Vietcong," that would not be a solicitation. But if I came to you and stated "I am collecting money for the use of the Vietcong, will you give me $10?" that would constitute a solicitation.

Mr. MATHIAS. What the gentleman is saying is that the verb "to solicit" as used in section 402 is in the sense of actively raising money?

Mr. ICHORD. That is correct.

Mr. MATHIAS. And not solicitation in the sense of merely advocating or expressing or uttering or that kind of thing?

Mr. ICHORD. That is correct, if the amendment is adopted.

Of course, the gentleman from South Carolina is against the adoption of this committee amendment.

The CHAIRMAN. The question is on the committee amendment.

The question was taken; and on a division (demanded by Mr. WATSON) there were—ayes 45, noes 39.

Mr. WATSON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. POOL and Mr. WATSON.

The Committee again divided, and the tellers reported that there were—ayes 59, noes 27.

So the committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 5, beginning in line 11, strike out "$20,000 or imprisoned not more than twenty years" and insert in lieu thereof $10,000 or imprisoned not more than five years".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. POOL

Mr. POOL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. POOL: On page 5, line 13, immediately before the quotation marks insert the following: "The provisions of this section shall not be applicable with respect to any labor dispute (within the meaning of that term as used in the Act of March 23, 1932 (29 U.S.C. ch. 6))."

The CHAIRMAN. The gentleman from Texas [Mr. POOL] is recognized.

Mr. POOL. Mr. Chairman, this amendment was drawn by the gentleman from Pennsylvania [Mr. DENT] and in his absence I have offered the amendment for him. I agree with the amendment and I have taken it up with members of the committee and understand that the minority side also agrees; is that correct?

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. POOL. I yield to the gentleman.

Mr. ASHBROOK. I believe that the legislative record has made it abundantly clear that this amendment is not necessary. But to be sure even beyond what may be necessary, I am willing to go along with the amendment and we have no objection on this side.

Mr. POOL. I thank the gentleman.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I take this time to ask the committee a few questions with regard to this particular amendment.

As I understand it, the amendment is to protect members of organized labor who may be striking in a defense plant or who may be picketing a truck company or any other mode of transportation that is transporting material for the armed services against the penalties enumerated in this act.

May I have the response of the committee chairman to that question?

Mr. POOL. In this act we provide that "whoever obstructs, impedes, or interferes with, or attempts to obstruct, impede, or interfere with—"

They shall be covered by this act.

A labor dispute would not come under that and that is why I see no objection to the amendment.

Mr. HOLIFIELD. The language of the amendment would appear on page 5, line 13, before the quotation marks; is that true?

Mr. POOL. The gentleman is correct, yes. This additional language would be inserted in the bill on page 5, line 13, after the penalty provision.

Mr. HOLIFIELD. Then it applies to a section which does not contain the element of intent; is that not correct?

Mr. POOL. On line 8 the language appears "with the intent to obstruct, impede or interfere with the United States," and a labor dispute would not have that purpose. This is the way I look at it. I did not offer the amendment. It is the amendment of the gentleman from Pennsylvania [Mr. DENT]. I offered it for him as a courtesy.

Mr. HOLIFIELD. I understand. Then any labor union, whether it is dominated by Communists or not—and some of them we know, as the record shows, have been dominated by Communists—can obstruct the flow of goods to our Armed Forces in Vietnam without penalties and, on the other hand, some poor, benighted, half-witted person could lie down in front of a truck, be removed, and, as the committee report shows, he would be subject to a fine of not more than $10,000 or not more than 5 years. Is that correct?

Mr. POOL. I want to make it clear that in accepting the amendment it is my understanding that it is not designed to protect from prosecution a Communist-led trade union, or any Communist trade union leader, who might deliberately call a strike to obstruct the flow of goods in an undeclared war or sabotage a military operation of this country or aid the enemy.

Mr. HOLIFIELD. The language of the gentleman's amendment does not contain the language which the gentleman has just now enunciated.

Mr. POOL. It certainly does. This language is a provision of that section:

> This section shall not be applicable to any labor dispute within the meaning of that term as used in the Act of March 1932.

As I interpret that act, it does not mean with intent to impede or interfere with the flow of goods.

Mr. HOLIFIELD. But the union does intend to obstruct the flow of goods if it pickets.

Mr. POOL. I am glad you gave me this opportunity to read this legislative intent.

Mr. HOLIFIELD. I would like to have the legislation that this refers to read also, as there is nothing available to me.

Mr. POOL. Are you opposing the amendment?

Mr. HOLIFIELD. I am trying to clarify the language to find what the gentleman means.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I am glad to yield to the gentleman from Missouri.

Mr. ICHORD. I would point out to the gentleman from California that section 402 as presently drafted is a specific-intent crime; that is, the person has to first, give, deliver, or attempt to give or deliver; second, solicit——

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. YATES. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? The Chair hears none, and it is so ordered.

Mr. HOLIFIELD. I yield further to the gentleman from Missouri.

Mr. ICHORD. If I may continue to make the necessary legislative history, the person would have to commit these overt acts with the specific intent, as shown on page 4, that such conduct will impede or interfere with the operation or success of the Armed Forces of the United States, or in a manner that will prejudice the interests of the United States or advantage such foreign power or organization, group, resident, national member or agent.

Mr. HOLIFIELD. The gentleman is reading the language of section 402 and he is not reading the language of section 403, because the language is completely different. Line 9 of page 5 states: "any member of the Armed Forces, in preparing for, or carrying on any military duty or activity," whether it is peacetime or engaged in armed conflict. Therefore, the language does not apply to those people engaged only in armed conflict.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. YATES. Recently the machinists of the airlines struck in order to obtain certain advantages in working conditions and salary. They intended, in order to carry out their purposes, that the planes should not fly, planes that were carrying members of the Armed Forces and materiel bound for southeast Asia. Would this act be applicable to that kind of strike?

Mr. HOLIFIELD. I cannot answer the gentleman's question.

Mr. YATES. Can we get an answer to that question from the committee?

Mr. ICHORD. I would state to the gentleman from Illinois that it is not the intent of the members of the committee to have this apply to labor disputes. Personally, I do not believe that the amendment is necessary. I do not believe that the language of section 403 as contained in the bill would cover bona fide labor disputes. The gentleman wanted to make certain that labor disputes were not covered, so the gentleman from Texas agreed to accept the amendment.

Mr. HOLIFIELD. Mr. Chairman, I merely wish to say that I believe the section 1 is correctly drawn and I can support that with good grace and with good conscience. But I also say that section 403 is so ambiguous and covers such a wide territory that it goes far beyond military service in armed conflict and goes to any duty performed by a military person or unit in the United States. It strengthens the military power in the United States over and above civilian powers. It gives them protection against civilian powers, which civilian powers now have, in cases where military superior officers are not present to control actions of a member of the military. It provides penalties for such civilian exercise of legitimate authority; and, so far as I am concerned, unless section 403 is stricken or greatly improved in its nature, I shall vote against the bill.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Massachusetts.

Mr. CONTE. I want to compliment the gentleman. I asked questions during general debate on this very point. I want to associate myself with the gentleman's remarks. If this is not changed, I fear I shall have to vote against the bill, also.

Mr. HOLIFIELD. I believe that section 1 is acceptable, and I am willing to support it. But this is so poorly drafted and it will do so many things that we do not want to do and the committee does not intend to do that I shall support, if offered, a motion to strike that section; and if stricken I shall then vote for the bill. If it is not stricken or is not amended properly, I shall vote against the bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. POOL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. JOELSON

Mr. JOELSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. JOELSON: Immediately after the final section add the following and number it accordingly: "Nothing herein contained shall pertain to or provide a penalty for any action carried out pursuant to the order or directive of the President of the United States of America."

Mr. JOELSON. Mr. Chairman, I asked the chairman before where in this act there was any provision that would allow the President of the United States to allow drugs, let us say, shipped to North Vietnam in exchange for American prisoners.

I am sorry to say that I got no answer whatsoever. I would say to you that this bill may be setting a record because it is the shortest bill generating the most confusion than anything I have ever seen in my life.

We have heard a lot of concern expressed here—and it was expressed very sincerely—for our servicemen in Vietnam. Yet we have servicemen in prison in North Vietnam, and they can be kept there indefinitely in despair unless we make some kind of an arrangement to get them back. I do not want us to tie the hands of the President of the United States. We did not do it to John F. Kennedy when he wanted to negotiate for the return of Cuban nationals. Yet we are tying the hands of the President so that he cannot negotiate to return own own boys from North Vietnam. That is a pretty un-American contribution from the House Committee on Un-American Activities. We are turning our backs on them and saying that we cannot do anything to help them.

I would urge, not as a partisan matter or a sectional matter, but I would really urge and plead with the subcommittee chairman to accept this amendment.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. Yes. I yield.

Mr. ICHORD. Personally I have no particular objection to the amendment of the gentleman from New Jersey, but I really do not think it is necessary. The gentleman's amendment is applying to section 402.

Mr. JOELSON. It is applying to this act.

Mr. ICHORD. Again I would point out to the gentleman that there has to be specific intent to advantage such foreign power. Certainly in sending medical aid to our prisoners of war captured by the Vietnamese there cannot be that intent.

Mr. YATES. Are you sending it to North Vietnam?

Mr. JOELSON. That is right. We are sending it to North Vietnam.

Mr. YATES. In exchange?

Mr. JOELSON. And I say to you that we have heard before that if there is doubt, as to the need of this entire bill, we should resolve the doubt by passing it. Does not the same argument apply to my motion?

Mr. ICHORD. How would that be advantaging the North Vietnamese?

Mr. JOELSON. If there is any doubt, let us put it in. That is what we have been hearing all afternoon and all evening. So why take the chance? That is what we have been hearing all day.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the chairman of the committee.

Mr. POOL. There is nothing in this bill that prohibits the President from issuing any directive or order to that extent. So why have the amendment?

Mr. JOELSON. Because the bill says "whoever." "Whoever" gives anything to a foreign country engaged in hostilities with us is charged with the crime. It does not exempt the President or anybody acting under his orders. Again I urge the chairman to accept this amendment.

Mr. POOL. It is a needless amendment and, as far as I am concerned, I am opposed to it.

Mr. JOELSON. I guess that your opposition is just for the fun of it.

Mr. Chairman, I yield back my time.

Mr. O'HARA of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to comment with respect to the amendment offered by the gentleman from New Jersey [Mr. JOELSON]. It is a fine amendment, but it does not go far enough. As I recall it the Cuban arrangements of which he spoke were not conducted in accord with an order or a directive of the President of the United States. They were made by private citizens acting without any such order or directive. Even if his amendment is adopted, it would not cover that situation.

Mr. JOELSON. Will the gentleman yield for a second?

Mr. O'HARA of Michigan. Very briefly.

Mr. JOELSON. The President could issue an order or directive authorizing it.

Mr. O'HARA of Michigan. If you recall, that was something the President felt could not be done under such circumstances.

Mr. Chairman, I would like to comment very briefly on the hearings that led to this bill. I wish to state at the outset that I felt the witnesses who made such outrageous attempts to disrupt the hearings and their attorneys, who did everything they could to disrupt those hearings, should have been removed and should have been cited for disorderly conduct.

I would like to ask the chairman of the committee if these witnesses, or any of them, were the same persons or were associated with the same political organization as those witnesses who appeared during the committee's investigation of "Travel to Cuba?"

Mr. POOL. Mr. Chairman, if the gentleman will yield, they belonged to the progressive labor movement and that was the sponsoring movement behind the trips to Cuba. Castro provided the money to send the students down to Cuba and Castro entertained them and indoctrinated them in the Red Chinese philosophy of communism.

Mr. O'HARA of Michigan. Let me ask this further question: Did they not in those hearings use exactly the same tactics that they so effectively used in trying to disrupt these hearings and in their effort to heap ridicule and contempt upon the Congress of the United States?

Mr. POOL. That is correct. However, we obtained more information from them the second time, in some respects, than we did upon their initial appearance.

Mr. Chairman, seven of them admitted that they were Communists, and they were in a sense helpful to the committee in its work.

Mr. O'HARA of Michigan. Mr. Chairman, I want to make clear my contempt for these witnesses, people whom I consider to be a lunatic, left-wing fringe. At the same time, I have absolutely no sympathy with the decision to call these witnesses, in the full knowledge that they would not produce useful testimony, that they would use this hearing as an opportunity to make themselves appear to be a significant interest group in the United States, which they are not, and that they would use these hearings in an attempt to try to disrupt the business of the Congress and to heap ridicule and contempt upon the Congress of the United States, which is exactly what they did. Mr. Chairman, I believe the committee knew, or should have known, that that is what they would do, but the committee deliberately gave them that opportunity.

Mr. Chairman, I cannot approve of the committee's action in this regard.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. Yes, I yield to the chairman of the committee.

Mr. POOL. Mr. Chairman, I believe that after that statement, I should make this statement: These witnesses were called in an effort to develop information about their activities with respect to raising money to send to the Vietcong and to the North Vietnamese—actions which were clearly material and pertinent to this bill, on which the hearings were held.

Also, this was done in our efforts to show that these people are a part of the "May 2 movement," a part of the "Progressive Labor movement," and by their own testimony that they are in fact a part of the Communist movement; to prove that as a matter of policy and subversive intent, the Communists were behind these demonstrations in the United States and their organized activities demonstrated a need for legislation.

I believe, Mr. Chairman, it is helpful, in considering this legislation to have knowledge of the facts produced through the committee's hearings.

Mr. O'HARA of Michigan. I feel that we should have known that and that we should have been able to obtain that information from the cooperative witness, Mr. Luce, and from other cooperative witnesses called by the committee.

I do not believe you had any reason to expect useful information from the witnesses who deliberately disrupted the hearings.

Mr. POOL. Mr. Chairman, will the gentleman yield further?

Mr. O'HARA of Michigan. I yield further to the gentleman from Texas [Mr. POOL].

Mr. POOL. The record shows that we obtained useful information, information very helpful to the committee, and some of it came from some of these wild-eyed revolutionists.

Mr. O'HARA of Michigan. I have examined the record and I do not agree with the gentleman from Texas.

Mr. NEDZI. Mr. Chairman, I move to strike the requisite number of words.

Mr. SAYLOR. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-five Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 358]

Adair
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Bell
Bingham
Blatnik
Boland
Bolling
Bolton
Bow
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Burton, Utah
Callaway
Cameron
Carey
Carter
Cederberg
Celler
Clancy
Clausen, Don H.
Clevenger
Collier
Conyers
Corman
Craley
Culver
Curtin
Curtis
Dague
Davis, Ga.
de la Garza
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dorn
Dow
Dowdy
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Edwards, La.
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Feighan
Findley
Fino
Fisher
Flynt
Foley
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gibbons
Gilligan
Goodell
Grabowski
Green, Oreg.
Green, Pa.
Gross
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Halleck
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harvey, Ind.
Hébert
Herlong
Hicks
Holland
Horton

Howard
Hungate
Huot
Hutchinson
Irwin
Jarman
Johnson, Okla.
Johnson, Pa.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Keith
Kelly
Keogh
Kirwan
Kornegay
Kupferman
Latta
Lennon
Long, La.
Long, Md.
Love
McCarthy
McDowell
McMillan
McVicker
Macdonald
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Mills
Minish
Minshall
Mize
Monagan
Moore
Morris
Morrison
Moss
Multer
Murphy, N.Y.
Murray
Nelsen
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Pickle
Pirnie
Poff
Powell
Price
Pucinski
Purcell
Quie
Quillen
Redlin
Rees
Reid, Ill.
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Tex.
Roncalio
Rosenthal
Rostenkowski
Roudebush
Schmidhauser
Schneebeli
Scott
Shriver
Sickles
Smith, Va.
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sweeney
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Tupper
Tuten
Ullman
Utt
Vigorito
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Weltner
White, Idaho
Whitten
Widnall
Willis
Wilson, Bob
Wolff
Wyatt
Wydler

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KING of Utah, the Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12047), and finding itself without a quorum, he had directed the roll to be called, when 211 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. At the time of the quorum call, the gentleman from Michigan [Mr. NEDZI] had 2 minutes remaining.

The Chair recognizes the gentleman from Michigan [Mr. NEDZI].

Mr. NEDZI. Mr. Chairman, at the time the quorum was called, we were discussing the meaning of lines 4 through 8 on page 3 of the bill.

Will the gentleman from Missouri [Mr. ICHORD] describe what he understands the meaning of that paragraph to be?

His explanation seemed to be directed to "other force or forces."

Mr. Chairman, I would like to ask the gentleman at this time how the gentleman would define "other powers" as contained in that clause.

Mr. ICHORD. Will the gentleman yield?

Mr. NEDZI. I yield to the gentleman from Missouri.

Mr. ICHORD. Of course, I would point out to the gentleman from Michigan that this is merely a "finding of fact." That finding of fact has nothing to do with the penal sections whatsoever.

I am sure that the committee, however, did have in mind forces or groups such as the Progressive Labor movement.

Mr. NEDZI. Is the word "powers" meant to be a foreign power of any kind?

Mr. ICHORD. Mr. Chairman, if the gentleman will yield further, it is my understanding that it is meant to be a foreign power, yes.

Mr. NEDZI. The language says "There also exist within the world other powers or forces" at the present time.

To which power is the gentleman referring?

Mr. ICHORD. Mr. Chairman, if the gentleman will yield further, this is not my language. It is the language of the gentleman from Texas [Mr. POOL].

I do not know what particular power the gentleman from Texas has in mind.

Mr. NEDZI. Could the gentleman from Texas [Mr. POOL] define the word "powers" as contained in that clause?

Mr. Chairman, I am now addressing the chairman of the subcommittee.

Could the gentleman from Texas define what is meant by "other powers" as it appears on line 4, page 3, of the bill?

Mr. POOL. Nations, States, and political entities is what it means.

Mr. NEDZI. Which one, specifically?

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEDZI. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes in order that the question may be answered.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. CRAMER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. POOL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all other amendments to this bill be concluded at 9 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. JOELSON. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. RYAN. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. RYAN].

The question was taken; and on a division (demanded by Mr. RYAN) there were—ayes 29, noes 56.

So the motion was rejected.

Mr. POOL. Mr. Chairman, I move that all debate on this amendment and all amendments to the bill H.R. 12047 be concluded at 9 o'clock p.m.

The motion was agreed to.

Mr. HAYS. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the preferential motion offered by the gentleman from Ohio.

The Clerk read as follows:

Mr. HAYS moves that the Committee do now rise and report the bill back with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman is recognized for 5 minutes in support of his preferential motion.

Mr. HAYS. Mr. Chairman, I intended to support this bill, and I may yet, but I think probably the—I hardly know what adjective to use, so I will say the most insufficient answer I have ever heard in the 18 years I have been here to a perfectly legal and logical question was the answer the chairman gave when he opposed Mr. JOELSON's amendment.

When the gentleman asked him why, he said "Well, I am just against it."

Mr. Chairman, this is a perfectly good amendment, and could even, if this bill is interpreted later on, prevent the President of the United States from exchanging prisoners with the North Vietnamese.

Now, everybody knows, Mr. Chairman, that this bill is not going to be taken up in the Senate. And I will go as far as any man to elect the gentleman from Texas [Mr. POOL]. But this is a fantasy and a futility to be here on the 12th day of October at 25 minutes after 8. The last rollcall showed that there were 207 Members present. The next one is going to show that there are 206 present, because I am going home.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Ohio [Mr. HAYS].

The question was taken; and on a division (demanded by Mr. JOELSON) there were—ayes 37, noes 62.

Mr. RYAN. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Tellers are demanded. As many in favor of taking this vote by tellers will rise and remain standing until counted. An insufficient number have arisen. Tellers are refused.

So the preferential motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. JOELSON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DOLE

Mr. DOLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLE: On page 5, following line 13, after the period, add the following:

"*Provided*, That nothing contained in this section shall apply unless the United States shall be engaged in armed conflict and unless the acts referred to herein are related to such armed conflict."

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. DOLE. Mr. Chairman, I am simply attempting, by this amendment, to make section 403 conform in certain respects to section 402 and to limit its application. The amendment is self-explanatory.

Under section 403 its application is presently wide open. It does not just apply while the United States is engaged in armed conflict or to troops or supplies and activities related to armed conflict.

It applies to the Armed Forces on duty and movement of supplies, and a number of other things, anywhere at any time, whether in peace or while engaged in armed conflict.

I have discussed this amendment with Members on both sides and assure the committee that this is an effort to improve the bill.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman.

Mr. POOL. We see nothing objectionable to adding this language in the bill and we accept the amendment.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman.

Mr. RYAN. I understood earlier that the gentleman from Texas [Mr. Pool] had no objection to the provision which would prohibit interference with the National Guard or Armed Forces in enforcing the Supreme Court decision on school desegregation. Now if this amendment is accepted it will take that authority out of the bill.

Mr. DOLE. I am attempting to limit application of section 403 in accord with my understanding of the overall objectives of this bill.

Mr. ASHBROOK. Mr. Chairman, I can say for this side of the aisle, we accept the amendment. The intent of the amendment seems to be good and it is certainly offered with a good purpose in mind. I think it improves the bill and the amendment should be accepted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. Dole].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALDIE

Mr. WALDIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Waldie: On page 4, after the period on line 15, strike out all the balance of the language on page 4 and page 5.

Mr. WALDIE. Mr. Chairman, I wanted to continue explaining the situation in my county of Contra Costa, which, as I might reiterate for those who may not have been present on the floor when I attempted to speak the last time, is the only district in the United States in which, at this very hour, these demonstrations are occurring. They have been going on for 2 months in Contra Costa County. During that 2-month period there have been 38 arrests made in Contra Costa County of the demonstrators that have prostrated themselves before the napalm trucks coming into and going out of Concord Ammunition Depot.

Of the 38 arrests, there have been 38 convictions, 1 as a result of a trial, and 37 by plea. Of the 38 arrests, the judge sentencing the defendants had the right to sentence them to a maximum of 1 year in jail and a $1,000 fine. In every instance he has sentenced them to no less than 15 days in the county jail without probation and no fine.

The Federal authorities—and I talked to Cecil Poole, the district attorney, in our district, over the weekend—have made two arrests under a trespass law when the demonstrators trespass on the very base itself. Under that law the perpetrators of that crime are penalized—and both of those people, by the way, have been convicted—are subjected to a penalty of not to exceed 6 months in jail and $500 fine.

The Federal district attorney tells me that in his view that this bill would be most detrimental to obtaining prosecutions, because under the present statute they can obtain prosecutions as petty offenses, meaning the defendant is not entitled to a jury trial, and he is tried before a commissioner, and they expeditiously take care of these people. They are taking care of them in Contra Costa County.

The local authorities in Contra Costa County are as patriotic, understanding and hardnosed and hardheaded as any Member on this floor. They understand the problem in Contra Costa County, and they do not like the idea—and, frankly, I do not either—of the Federal Government telling them that they know better how to handle the problems in Contra Costa County. We do not want marshals in Contra Costa County. We can handle the problems there. We have been handling them. None of our people were called before the committee. Had they been called before the committee, they would have told you, "We know what we are doing in Contra Costa County. We feel we can handle the situation."

The committee has adopted an amendment which says that when a man is involved in a labor dispute and holds up a truck of napalm which is intended for our troops in Vietnam, that act is less reprehensible than the act of the young foolish kid—who, by the way, I hold no brief for and for none of these demonstrators; I think they are acting foolishly, immaturely, and in many instances even more seriously than that—but the laboring man who holds up that truck taking napalm for shipment to Vietnam is acting no less mean, no less unworthy, no less patriotic than is that young college kid who is a damn fool on a picket line, and yet we are declaring that that young college kid who is on the picket line is unpatriotic, unworthy, and is subject to punishment by a $10,000 fine or a term of 5 years in jail.

Mr. Chairman, what we have really done is to take the same act and we have said, "If you stop a napalm truck and you are a laboring man, you are not as reprehensible as the young college kid." That is not true. Those young fellows who stop the napalm trucks intended for shipment to Vietnam are just as reprehensible as the college kids, and what we are doing is to take the same act and, stripping the act of the ideological views involved, we are punishing the ideological views by this act. I think that is unworthy of this Congress.

I do not mean to tell you. I am fully cognizant and aware of the attitudes and the dignity of the House. I am proud to be a Member. I am proud, and I will continue to be proud to be a Member of this House. But I have had more pride in the attitude of the Senate with respect to this issue in this bill.

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. WALDIE. I am glad to yield to the gentleman from Montana.

Mr. BATTIN. There is a part of the gentleman's statement I do not quite fully comprehend; that is, for one group of people who might be offenders it would be all right to have a jury trial, but for another group it would be all right to handle them as having committed petty crimes and to have one man sit on the bench.

Mr. WALDIE. The United States District Attorney told me that one of the big problems in this area is to expeditiously handle these people and not to permit them the maximum publicity which they seek. That is the whole objective, to get on the television, to get in the newspapers and on the radio, and to call attention to themselves. He says that the faster we get them out and dispose of them the better off we are.

If we make it a felony, as this bill would do, we would subject them to grand jury indictment and a jury trial.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. Battin, and by unanimous consent, Mr. Waldie was allowed to proceed for 2 additional minutes.)

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. WALDIE. I yield further to the gentleman.

Mr. BATTIN. The gentleman is not suggesting that even under the procedure stated, which the U.S. attorney and the Federal judge might recommend, they could exclude from participation in the hearings the press of the United States.

Mr. WALDIE. I am not suggesting that at all. I am suggesting that under the present petty offense, which is what they consider a petty, unworthy, mean offense, they are not entitled under Federal law to demand a jury, so that entitlement is not theirs under existing law. Under this bill they would be entitled to demand a jury, and thereby it would encourage them to run this on and on to get the publicity they seek.

We are playing into their hands with this bill. They want this attention. They want to be martyrs. They want to feel important.

They are not important. They are irritating. They are nasty. But they are not important, and we should not make them important.

Mr. BATTIN. Does the gentleman not believe that 99 percent of the people of this country feel the same way he does?

Mr. WALDIE. I know they do in Contra Costa County, and we have handled this in accordance with that feeling. But the Congress, properly reflecting an irritation that was prompted by absolute discourtesy and extreme provocation during the hearings, reacted, from their far distant viewpoint, far more strongly than have the people at the local level. This just convinces me more and more that the people in the local communities know better what to do with the problems confronting them than we do.

Mr. BATTIN. Is the gentleman for or against the bill?

Mr. WALDIE. I am for the first portion of the bill. I believe the first portion of the bill is desirable. There are not, in my view, sufficient ways of preventing the transferring of blood, money, and goods to the enemy. I believe we ought to pass that.

I am asking that the second portion of the bill be stricken.

Mr. BATTIN. I thank the gentleman.

Mr. ICHORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there has been a great deal of confusion created today as to what the bill contains and what it does not contain. I would point out to the gentleman from California that if the amendment is adopted there is no law and there will be no law—still no law—on the books to protect the free movement of U.S. troops outside bases.

The gentleman from California, as he indicated, does come from a section of the country where there have been many incidents of interference.

I would point out to the gentleman that the assistant prosecuting attorney from Alameda County appeared before the committee and testified in favor of this section. Mr. Meese stated that there was no Federal law under which the Federal Government could prosecute for interference with a troop movement or the movement of supplies. He testified before the committee that the Federal district attorney in Alameda County had determined and decided not to prosecute because there is no Federal law. Now, it is true, as the gentleman from California has pointed out, that these acts could very well be in violation of the breach-of-peace statutes or ordinances on a local level or some of the disorderly conduct statutes that the local unit of government might have. However, I ask the gentleman from California, Is it the responsibility of the local units of government to protect the movement of Federal troops, or is that the responsibility of the Government of the United States?

Now, the assistant attorney of Alameda County testified that he did not feel that the local statues—I do not know what the gentleman has in his county, but he did not feel that the local statutes and ordinances provided sufficient penalty for the acts of these individuals. Mr. Meese testified before the committee that it had cost Alameda County alone—it had cost Alameda County alone—better than $100,000 just to provide police protection for these people interfering with the movement of Federal troops—$100,000 was his testimony before the committee.

I would point out to the gentleman from California that the penalty provided in section 403 is not a minimum penalty. This is just a maximum penalty. It is a maximum penalty of $10,000 or imprisonment for not more than 5 years or both. Under this statute the court, of course, should deal out the punishment in accordance with the gravity of the offense. Any fine could be levied from $5 up to $10,000 or from 5 days to 5 years. Certainly in the case of a young college student I would not be in favor of giving that student 5 years, but the section that the gentleman from Texas has here does not require that to be done. However, it could be done in the cases of members of the Progressive Labor movement who testified that they are opposed to the Government of the United States and that they are in favor of a Vietcong victory. When this group goes out and tries to interfere with a movement of troop trains and supplies, such a penalty could be handed down.

Mr. HOLIFIELD. Mr. Chairman, I rise in support of the amendment of the gentleman from California. I am perfectly willing to support the first section in the bill, which is section 402, as it is designated here, but we are moving far afield in section 403. In my opinion, there is not a clear and present danger to the United States in the actions of these emotional and disturbed people, yes, some Communists or maybe most of them. I do not know how many.

There may be some Communists, and probably are.

However, Mr. Chairman, I believe there are in this group a lot of deluded, emotional people who are very much concerned. I have them in the congressional district which it is my honor to represent. They are running a man against me in the congressional district which it is my honor to represent a man who is being backed by the Beatniks and the "peace at any price" type of people.

Mr. Chairman, no one in this House will say that I have not supported the war in Vietnam. I have supported it in every way possible. I have voted for and supported every appropriation and every piece of legislation in regard thereto.

But, Mr. Chairman, we are going far afield. We are becoming disturbed over something that is not of great importance, and we are using cruel and unusual punishments upon many people, who are as the gentleman from California [Mr. WALDIE] said, mentally disturbed about this thing.

And, Mr. Chairman, if they were of the judgment like we are in this House of Representatives, that would be one thing.

However, Mr. Chairman, I have talked to these people and to the mothers who are completely distraught and emotional and unreasonable because their boy has been drafted to go to Vietnam, or is about to be drafted to go to Vietnam.

Now, Mr. Chairman, what evidence does the committee give us?

Well, permit me to show to the Members of the Committee of the Whole House on the State of the Union some of the statements contained in the committee report thereon.

> Several of the pickets jumped in front of the train, which proceeded slowly at that point, and jumped away when it became obvious that the train would not halt.

Mr. Chairman, are we going to be this cruel in passing this legislation? These people were involved but no one was hurt and the train was not actually stopped.

Mr. Chairman, how many of us remember the "Perils of Pauline," and how someone was always rescued just about the time the train was to run over them?

Mr. PATTEN. Mr. Chairman, the gentleman from California is not that old.

Mr. HOLIFIELD. Mr. Chairman, let me continue to quote from the report:

> Demonstrators sat on the tracks, others lay down on the tracks, the train was forced practically to a halt—

Then, Mr. Chairman, we go to page 6 where there appears the following:

> Each time a truck approached the gate, demonstrators appeared and lay down in its path. A number of Marines were taken from their normal duties to carry off demonstrators.

Well, Mr. Chairman, a number of marines are taken away from their normal duties to do cooking duty in the general's kitchen and to mow his yard and to pick up cigarette butts and things like that.

Now, Mr. Chairman, let us be reasonable about this thing. There is no clear and present danger that has been proved by the committee.

Mr. Chairman, I realize that these people acted in a very objectionable way, and I hold no brief for them. I know that some of them did it through design, but do we in the United States want to go to the extreme, the extreme of taking these people, many of them emotional and incapable of wise judgment and give them these cruel and unusual punishments?

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I have a great deal of respect for the gentleman from California.

Mr. HOLIFIELD. And I have the same respect for each Member of this committee. However, I think they are going too far here in section 403 of the bill.

Mr. ICHORD. Mr. Chairman, I have every respect for not only the Member but the opinion of the distinguished Member who now occupies the well of the House.

Mr. Chairman, I agree with the gentleman that this group does not constitute any serious threat to the security of the United States.

But, is not the gentleman from California concerned about the cost to the local units of government involved?

Mr. Chairman, I pointed out a while ago the fact that the county of Alameda, Calif., had spent better than $100,000 in 1 year alone just to provide police protection for these people who were interfering with the orderly movement of military logistics.

Mr. HOLIFIELD. Mr. Chairman, when human rights are involved, I am not concerned with the cost.

Mr. Chairman, this democracy can pay the cost that is necessary to treat our people with humaneness. And, even though it is objectionable and it is irritating and I do not like it, I am still willing to pay the cost of preserving to those people, many of them incapable of wise judgment, I believe they should have, even though they act in a way which I do not approve, this protection.

Mr. LEGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to support the amendment which has been offered by my colleague the gentleman from California [Mr. WALDIE]. I know that this bill can be improved. I believe that we have many amendments pending here which do not really accomplish what we have set out to do.

Mr. Chairman, I commend the committee for what they are attempting to do, but I believe they are doing it in a very inexpert, poorly drafted piece of legislation.

I think that if you allow the Federal Government to occupy a field in the last section where you totally exculpate labor disputes from the effect of the section, why, the necessary result of that then would be to deprive the State of California of all of its injunctive powers with respect to control of labor disputes. There are only certain kinds of labor disputes which are recognized under California law, and many others are enjoinable by the Federal Government coming in and exculpating all other labor disputes, so you are expanding this area which can be used to disrupt military cargo and personnel I believe unreasonably.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman.

Mr. FRASER. The gentleman mentioned the problem of the draftsmanship of this bill, and I just want to ask him a question to see if he knows the answer, because the chairman of the committee apparently did not.

I wonder if the gentleman could tell me if the first section of this bill, section 402, would have applied to Vietnam during the years 1961 to 1963, or 1964, when all we had in Vietnam ostensibly were advisers? Does the gentleman have an opinion as to whether or not the criminal sanctions would have applied during that period when we said we had only advisers there, and we were not engaged in armed conflict?

Mr. LEGGETT. The gentleman makes a good point. It probably would have applied, although the bill does have prospective operations, I would say this to the first section of the bill: It would purportedly punish anybody who solicits. That is, everybody. And so far as I can see the mere transfer of a few college students of maybe a few thousand dollars to Vietnam would not constitute clear and present danger to the security and welfare of the United States. I think that section would be violative of the Constitution, and would be so interpreted by the Supreme Court.

I would also point this out: if you take the last section, section 403, the one we are seeking to strike, by its literal interpretation, which we must, according to its plain meaning, and not alluding to any of the arguments made on the floor, the necessary effect then would be to punish anybody who would attempt to impede the progress of any Vietnamese potential fighters, American soldiers, sailors, or marines, toward the front lines. So that if any judge were to issue a restraining order against a military defendant in a criminal case, the net effect then would be to violate this section. He would certainly be intending to impede the progress of that young military man toward the frontlines.

Or if a man sought to avoid a transfer or sought to transfer his billet, assuming he is billeted toward Vietnam, or if his wife consulted a Congressman to try to change his billet, and to try to impede his progress toward Vietnam, the wife definitely is in violation of this section, and so would the Congressman be.

And I submit that this is just a portion of some of the loose phraseology that is in this statute, if we are going to strictly interpret this bill and we are going to follow its plain meaning. So therefore, I submit this is meaningless. I submit that this act is going to be voided for vagueness, and still we are going through this futility on this floor. And I say the same arguments can be made with respect to section 1, because there, if a disinterested national were in the United States, of another country, who was in the United States promoting peace terms, seeking the support of some nationals of some other foreign power, eventually destined to get into the hands of the Vietnamese, and we intended this to the mutual advantage of the United States and also the foreign power because the offer would be to keep the foreign power from getting their heads blown off and to try to bring an end to the war, or to some kind of a reasonable conclusion, that would be covered by the plain meaning of the first section of this act.

I say that this legislation is not in the interest of this Congress. I think we can declare a sense of the Congress which will certainly declare this body against some of the reprehensible acts that have taken place in this country, but this is not the way to do it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. WALDIE].

The question was taken; and on a division (demanded by Mr. HOLIFIELD), there were—ayes 40, noes 51.

Mr. HOLIFIELD. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. WALDIE and Mr. POOL as tellers.

The Committee again divided, and the tellers reported that there were—ayes 43, noes 55.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. VIVIAN

Mr. VIVIAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VIVIAN: In section 402, page 4, line 10, strike out: "or in any manner prejudice the interests of the United States or advantage such foreign power, or organization, group, resident, national member or agent".

The CHAIRMAN. Under the motion of the House all debate ceases at 9 o'clock.

The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was rejected.

AMENDMENT OFFERED BY MR. VIVIAN

Mr. VIVIAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VIVIAN: In section 402, page 3, line 20, strike "solicits" and replace by "offers to collect"; on line 22, strike "solicits", and replace by "offers to collect".

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was rejected.

AMENDMENT OFFERED BY MR. FRASER

Mr. FRASER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRASER: In section 402, page 4, line 15, strike the period and insert a semicolon and the following new language: "*Provided*, That this section shall apply only if the fact that an element of the armed forces of the United States is engaged in armed conflict abroad has been publicly acknowledged by the President."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KING of Utah, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 12047) to amend the Internal Security Act of 1950, pursuant to House Resolution 1007, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. BURTON of California. Mr. Speaker, I demand a separate vote on the first amendment adopted by the Committee of the Whole.

The SPEAKER. Is a separate vote demanded on any other amendment? (After a pause.) If not, the Chair will put them en gros.

The amendments were agreed to.

Mr. BURTON of California. Mr. Speaker, I object to the last vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. On the question of the adoption of the sundry amendments?

Mr. BURTON of California. Yes, Mr. Speaker.

The SPEAKER. Pursuant to the unanimous-consent agreement of yesterday, further proceedings on this measure will be put over until tomorrow.

Without objection, the gentleman's point of order is withdrawn.

The Chair would like to get the attention of the gentleman from California. The Chair wants to be certain what the gentleman had in mind in demanding a separate vote is clearly understood, to protect the gentleman. Will the gentleman enlighten the Chair as to what particular amendment the gentleman had in mind? It is the understanding of the Chair that the first amendment was a committee amendment.

Mr. BURTON of California. As the distinguished Speaker once again demonstrates, he shows his most patience with the most junior Members of the House.

The point of order I raised was to the only vote taken by the House. As I understand it, that preserves this gentleman's right to raise any and all amendments adopted in the committee to question at the point in time when the bill will be before us, operating as we are now under the unanimous-consent situation and agreement.

The SPEAKER. The Chair desires to protect the gentleman from California. The Chair respectfully calls to his attention the fact that the first amendment, as the Chair understands it, is a committee amendment, that was unanimously agreed to. If the gentleman has some other amendment in mind the Chair would like to be enlightened, to protect the gentleman.

Mr. BURTON of California. I understood the parliamentary situation at the time I objected to the vote and made the point of order that a quorum was not present, the Speaker was in the process of ruling that the sundry amendments, all but the first, were to be adopted. At that point I raised my point of order. If I understand the parliamentary situation, that means all the amendments, including the first upon which I asked for a separate vote, will be subject, if under the rules of the House that procedure is desired and followed, to a rollcall vote by the membership of the House.

The SPEAKER. The Chair will state, so that there will be a clear understanding, that the gentleman demanded a separate vote on the first amendment adopted.

Mr. BURTON of California. Yes, Mr. Speaker. The Speaker then moved the remainder of the amendments, as I understood it.

The SPEAKER. The Chair then asked if there was a separate vote demanded on any other amendment. There was no request. Then the Chair put the amendments en gros and the Chair ruled that the remaining amendments, other than the one upon which the gentleman from California demanded a separate vote, were agreed to.

Now, if the gentleman from California had some other amendment in mind, instead of the first committee amendment adopted, the Chair would like to know, to protect the gentleman.

Mr. BURTON of California. Thank you, Mr. Speaker. The Speaker stated the situation exactly as I understood it but for the last clause of his statement. As I understand it, I fully intended—and I hope my rights are protected with respect thereto—to object to the vote on the adoption of the sundry amendments, as I believe they were described, and I made the point of order with respect thereto.

The SPEAKER. On that statement the Chair clearly understands the gentleman from California. Then, when the gentleman from California made the point of order, and so forth, we came back to the unanimous-consent agreement that any votes would be taken tomorrow. The Chair so announced. So tomorrow the question will be on the adoption of the sundry amendments en gros. The second vote will be on the amendment on which the gentleman from California demanded a separate vote.

Mr. BURTON of California. Thank you, Mr. Speaker.

The SPEAKER. The Chair understands that on the vote on the sundry amendments en gros, other than the No. 1, on which the gentleman demanded a separate vote, the gentleman's right to demand a rollcall will be protected or, if a quorum is not present tomorrow, his right to make the necessary point of order is preserved.

Mr. BURTON of California. Mr. Speaker, as I understand the parliamentary situation, tomorrow there will be two points at which it would be proper, in the event there is not a quorum, for the votes to be objected to and a point of order to be made that a quorum is not present. As I understand it, those two matters are, first, the first amendment adopted by the committee and, second, the balance of the amendments or the sundry amendments that the Speaker mentioned prior to my objecting to the vote on the ground that a quorum is not present.

The SPEAKER. The Chair will state that the sundry amendments, en gros, will be the first order of business. Then the other amendment with reference to which the gentleman has demanded a separate vote will follow.

Mr. BURTON of California. I deeply thank our venerable Speaker for his assistance in this matter.

Mr. CRAMER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRAMER. The Chair stated that the gentleman from California asked for a separate vote on the first amendment adopted.

The SPEAKER. That is correct.

Mr. CRAMER. The first amendment adopted was striking the letter (a) on line 10. Is that not correct?

The SPEAKER. That is correct. That is the Chair's understanding, and that is why the Chair was interrogating the gentleman from California.

Mr. CRAMER. I thank the Chair. That is what I understood the request was on. I thank the Chair.

Mr. BURTON of California. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair would like to hear a little further from the gentleman from California.

Mr. BURTON of California. Mr. Speaker, I think the record on this point is quite clear. I have preserved my rights with respect to this issue, and I have no more to say other than to thank you one and all for bearing with me.

Mr. BATTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BATTIN. As I understood the Chair, the sundry amendments were put as a unit.

The SPEAKER. That is correct, en gros.

Mr. BATTIN. And the vote will come on all of the sundry amendments and not a division of the sundry amendments. Is that true, Mr. Speaker?

The SPEAKER. That is correct.

Mr. BATTIN. Then we will have a vote on striking the letter (a) that the gentleman objected to?

The SPEAKER. The Chair's understanding is consistent with what the gentleman said.

GENERAL LEAVE TO EXTEND

Mr. POOL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 12047.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. HOLIFIELD. Mr. Speaker, on behalf of the gentleman from Connecticut [Mr. MONAGAN], I ask unanimous consent that the Committee on Government Operations may have until midnight tonight to file a report on foreign aid to Vietnam. I understand this has been cleared with the ranking minority member of the committee, the Honorable OGDEN REID.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

REQUIRING PREMARITAL EXAMINATIONS IN THE DISTRICT OF COLUMBIA

Mr. WHITENER. Mr. Speaker, I call up the conference report on the bill (H.R. 3314) to require premarital examinations in the District of Columbia, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2228)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3314) to require premarital examinations in the District of Columbia, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That all applications for marriage licenses shall be open to inspection as public records. All such applications upon which licenses have not yet been issued shall be kept together in a separate file readily accessible to public examination.

"Sec. 2. No application for a marriage license shall be received unless there shall be filed therewith a statement or statements; upon a form prescribed by the Board of Commissioners of the District of Columbia, signed by (1) a person in the District of Columbia certified by the Department of Public Health as duly qualified to administer and interpret a standard laboratory blood test, (2) a physician licensed to practice medicine or osteopathy in the District of Columbia, a State, or a territory or possession of the United States, or (3) a commissioned medical officer in the military service or in Public Health Service of the United States, that the applicant has submitted to a standard laboratory blood test within thirty days prior to the filing of such application, and that, in the opinion of such certified person, physician, or medical officer, based upon the result of that test, the applicant is not infected with syphilis in a stage of that disease in which it can be transmitted to another person. Such statement shall not disclose the technical data upon which it is based. Any such statement shall include the name of the person or laboratory administering the test, the name of the test administered, the exact name of the applicant, and the date of the test.

"Sec. 3. If a judge of the United States District Court for the District of Columbia determines that public policy or the physical condition of either of the persons applying for a marriage license requires the intended marriage to be celebrated without delay, he may waive the provisions of section 2 of this Act and section 2 of the Act of August 12, 1937 (D.C. Code, sec. 30–109), and a license may be issued without regard to such sections.

"Sec. 4. In any case in which a person is unable for financial reasons to obtain the services of—

"(1) a private physician, or

"(2) any other person in the District of Columbia, certified by the Department of Public Health as duly qualified to administer and interpret a standard laboratory blood test,

to conduct such test or sign the statement required by section 2 of this Act, any medical officer of the Department of Public Health of the District of Columbia is authorized to conduct such test and provide such statement at no cost to such person.

"Sec. 5. Any information obtained from any laboratory blood test required under section 2 of this Act shall be regarded as confidential by each person, agency, or committee who obtains, transmits, or receives such information.

"Sec. 6. Whoever—

"(1) knowingly divulges, other than in accordance with the provisions of this Act, any information, derived from the laboratory blood test required by section 2 of this Act, relating to any person suffering, or suspected to be suffering from, syphilis,

"(2) knowingly misrepresents any fact called for by the statement required by such section, or knowingly falsifies any material fact in connection with the laboratory blood test required by such section,

"(3) knowingly issues a marriage license without having received the statement required under such section or an order of the United States District Court for the District of Columbia issued under section 3 of this Act, or

"(4) otherwise fails to comply with any other provision of this Act, shall be imprisoned for not more than six months, or fined not more than $250, or both. Prosecutions for violations of this section shall be conducted by the Corporation Counsel for the District of Columbia.

"Sec. 7. This Act shall take effect upon the expiration of ninety days after the date of its enactment."

And the Senate agree to the same.

Basil L. Whitener,
John Bell Williams,
Frank Horton,
Richard L. Roudebush,
Managers on the Part of the House.

Wayne Morse,
Robert F. Kennedy,
Winston L. Prouty,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3314) to require premarital examinations in the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

Statement required to be filed with marriage application: The House bill required that an application for marriage license be accompanied with a statement signed by a designated person, (e.g., physician licensed to practice in the District of Columbia, and others specified) stating that the applicant has submitted to a standard laboratory blood test within 30 days of filing such application and is not infected with syphilis in such stage to be transmitted to another person. The Senate amendment required the said statement to be on a form prescribed by the Board of Commissioners of the District of Columbia, and amended the definition of physician to include a physician licensed to practice osteopathy. The conference substitute includes these provisions of the Senate amendment.

Waiver of required statement and of waiting period: The House bill prohibited the issuance of a marriage license until 24 hours following the filing of application therefor, and provided for waiver, for good cause, by a judge of the United States District Court for the District of Columbia of both the statement requirement and the 24-hour waiting period. The Senate amendment did not change present law 3-day waiting period but did provide for similar waiver as to the required statement. The conference substitute provides for waiver of both the required statement and the present law 3-day waiting period, on the grounds of public policy or the physical condition of either party.

Public Health may conduct blood tests and furnish statement without charge: The Senate amendment provided that at the request of any physician, the Department of Health should conduct the required laboratory blood test at no charge to the applicant; and if he be unable financially to employ a private physician to furnish the required statement, the Department of Public Health is authorized to provide same at no cost to him. The House bill did not contain such provisions. The conference substitute is the same as the Senate amendment, except that such statement and test will be provided at no cost upon the request of a person financially unable to secure the services of a person authorized to provide such statement of test.

Penalty provisions: The House bill made it a misdemeanor for any person to misrepresent the facts called for in the required certificate or otherwise fail to comply with the bill's provisions, or for a licensing officer to issue a marriage license without the certificate or court order. The Senate amendment modifies these provisions and includes the requirement that the blood test information be regarded as confidential and subjects any violator thereof to 6 months' imprisonment or a fine of not over $250 or both, prosecution to be conducted by the Corporation Counsel or his assistants. The conference substitute adopts the Senate penalties and more clearly defines the violations inviting same.

Basil L. Whitener,
John Bell Williams,
Frank Horton,
Richard L. Roudebush,
Managers on the Part of the House.

Mr. WHITENER. Mr. Speaker, this conference report was unanimously approved. It is a conference report on the bill which was introduced by my colleague, the gentleman from Indiana [Mr. Roudebush].

Mr. Speaker, I am sorry that the ranking minority member of the committee, the gentleman from Minnesota [Mr. Nelsen], is not personally present. But it was cleared with the gentleman.

The bill is, simply stated, one which will require premarital examinations by competent medical authority in the District of Columbia before marriages may be contracted in the future.

Mr. Speaker, the purpose of the bill is to require laboratory tests of persons who are contemplating marriage, with a view to ascertaining whether they are affected with syphilis in a communicable stage. The bill provides that no license would be issued without certification by a physician or authorized designated person that the parties contemplating marriage are not infected with such disease, or if infected, that such disease is not in such stage to be transmitted to another person.

The bill is based upon the Uniform Marriage Application Act proposed by the National Conference of Commissioners on Uniform State Law in 1950. Forty-five States now require by statute some form of premarital examination or routine serological testing for syphilis as a condition precedent to the issuance of a marriage license. Nearby Virginia has such a requirement although Maryland does not.

CONFERENCE ACTION

The Senate struck out all the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference:

STATEMENT REQUIRED TO BE FILED WITH MARRIAGE APPLICATION

The House bill required that an application for marriage license be accompanied with a statement signed by a designated person—physician licensed to practice in the District of Columbia, and others specified—stating that the applicant has submitted to a standard laboratory blood test within 30 days of filing such application and is not infected with syphilis in such stage to be transmitted to another person. The Senate amendment required the said statement to be on a form prescribed by the Board of Commissioners of the District of Columbia, and amended the definition of physician to include a physician licensed to practice osteopathy. The conference substitute includes these provisions of the Senate amendment.

WAIVER OF REQUIRED STATEMENT AND OF WAITING PERIOD

The House bill prohibited the issuance of a marriage license until 24 hours following the filing of application therefor, and provided for waiver, for good cause, by a judge of the U.S. District Court for the District of Columbia of both the statement requirement and the 24-hour waiting period. The Senate amendment did not change present law 3-day waiting period but did provide for similar waiver as to the required statement. The conference substitute provides for waiver of both the required statement and the present law 3-day waiting period, on the grounds of public policy or the physical condition of either party.

PUBLIC HEALTH MAY CONDUCT BLOOD TESTS AND FURNISH STATEMENT WITHOUT CHARGE

The Senate amendment provided that at the request of any physician, the department of health should conduct the required laboratory blood test at no charge to the applicant; and if he be unable financially to employ a private physician to furnish the required statement, the Department of Public Health is authorized to provide same at no cost to him. The House bill did not contain such provisions. The conference substitute is the same as the Senate amendment, except that such statement and test will be provided at no cost upon the request of a person financially unable to secure the services of a person authorized to provide such statement of test.

PENALTY PROVISIONS

The House bill made it a misdemeanor for any person to misrepresent the facts called for in the required certificate or otherwise fail to comply with the bill's provisions, or for a licensing officer to issue a marriage license without the certificate or court order. The Senate amendment modifies these provisions and includes the requirement that the blood test information be regarded as confidential and subjects any violator thereof to 6 months' imprisonment or fine of not over $250 or both, prosecution to be conducted by the Corporation Counsel or his assistants. The conference substitute adopts the Senate penalties and more clearly defines the violations inviting same.

Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. ROUDEBUSH] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. **ROUDEBUSH**. Mr. Speaker, I am pleased to report to the House that I am in complete agreement with the conferees on the part of the House and the Senate in their amendments to H.R. 3314, to require premarital examinations in the District of Columbia.

The conferees, I can say, have adopted substantially the provisions of H.R. 3314 as introduced by me, and the changes which were made are improvements, which, of course, I approve.

The House over 2 years ago passed the first bill I offered, and it is gratifying that the other body has finally agreed to the urgency, wisdom, and necessity of this legislation.

Mr. Speaker, for some time I have been disturbed by reports made of the high percentage of infectious syphilis cases reported in the District of Columbia.

From 1956 to 1963, the number of reported cases of infectious syphilis in the District of Columbia increased from 36 to 711. This was an increase from 4.3 cases per hundred thousand population to 92.3 cases. In 1963, among cities of 200,000 population or over, Washington, D.C., was second only to Newark, N.J., and there were only four other cities with a rate of over 50 cases per 100,000 population. During the period from 1956 to 1963, the national rate also increased, but not nearly so dramatically, from 4.1 cases per hundred thousand population to 11.9 cases.

While some of the indicated increase in the District of Columbia may be the result of better case findings and better reporting, the indications are that the major part of the increase is an actual increase. This is confirmed by reports from 63 cities throughout the country, 28 of which have attributed the major part of their own increase to an actual increase in cases.

How many cases exist which are not reported is not estimated, but the above figures are so impressive as to confirm the necessity of the enactment of legislation such as proposed in this bill. The District of Columbia Commissioners in the past have favored such legislation and it is certainly the hope of those concerned therewith that these tests will materially contribute to education of the public and to the avoidance and treatment of this disease, thereby curtailing its spread as well as materially contributing to the prevention of genital syphilis in the District of Columbia.

The Department of Public Health in the District of Columbia estimates that the enactment of the bill would require between 19,000 and 20,000 serologic tests each year, approximately 75 percent of which would be performed by this Department, the other 25 percent estimated to be handled by private or hospital laboratories.

The extra services and supplies required by the Department of Public Health is estimated to cost less than $10,000 per year, a very small price to pay for attempting to remove this disgrace from the Nation's Capital.

Mr. **WHITENER**. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CLEAN AIR ACT AMENDMENTS OF 1966

Mr. **STAGGERS** submitted a conference report and statement on the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes.

AIRLIFT FOR APO MAIL

Mr. **KREBS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **KREBS**. Mr. Speaker, I have introduced today a bill, relating to mailing privileges of members of the Armed Forces overseas, to carry out the two recommendations for legislation which are made in the report on my recent investigation and on-site inspection conducted of the postal systems of the U.S. Armed Forces for delivering mail to servicemen in Vietnam and Thailand. This report was adopted unanimously by the House Post Office and Civil Service Committee and filed with the House, House Report No. 2198, 89th Congress, 2d session.

The first section of this bill is intended to carry out recommendation No. 1, to the effect that free mailing privileges for first-class letter mail and transportation by air for small parcels, now authorized by Public Law 89-315, for servicemen in combat areas, should be provided for such servicemen while on rest and recreation outside the combat area.

Servicemen in combat areas are provided a rest and recreation trip for 5 days each 6 months at such places as Hong Kong, Tokyo, Bangkok, or Manila. Since these places are not within the combat areas to which the special mailing privileges apply under Public Law 89-315, the servicemen assigned to the combat areas, but on rest and recreation for 5 days outside the combat areas, are not granted either the free mailing privilege or the air transportation service for small parcels.

Such personnel assigned to a combat area are on temporary duty at the rest and recreation points. They should be entitled to the mailing privileges while on such temporary duty for a short period outside the combat area. Such a change in the law would not present insurmountable administrative difficulties as the servicemen very easily could exhibit their orders when mailing a package, or could show their permanent APO number in the return address.

Section 2 of the bill is intended to carry out recommendation No. 5. The recommendation and the justification are as follows:

> 5. Airlift of Mail for Servicemen in the Pacific: All mail addressed to or sent by servicemen in the Pacific area should be transported by air on a space-available basis.
>
> One of the major recommendations made by the House Post Office and Civil Service Committee in House Report No. 1226, 89th Congress, was that legislation should be enacted requiring that mail addressed to or sent by servicemen overseas be transported by the fastest means of transportation available. It was contemplated that airlift would be used wherever feasible.
>
> Public Law 89–315 has resulted in airlift being used for first-class letter mail and parcels up to 5 pounds mailed between the United States and the servicemen in combat areas. The administration has implemented this law by providing domestic airlift for all APO, San Francisco, and Seattle letter mail, because it is impossible to segregate APO-addressed mail at the local post office. The segregation of APO letter mail, for airlift to the combat area, is performed at the postal concentration centers in Seattle and San Francisco.
>
> Air transportation of the mail to Vietnam can be accomplished within a few days. Surface transportation requires weeks and sometimes months. Airmail from the United States to Japan takes 3 days. Regular letter mail takes an average of 18 days for delivery in Japan. Other mail averages delivery time to Japan in excess of 20 days. The airlifting of this mail could result in delivery within no more than 4 or 5 days. It is believed that this delay in the delivery of mail to the servicemen in the Far Pacific is inexcusable and completely unjustified. In the absence of action by the administration to provide airlift for mail to the servicemen in the Far Pacific vigorous action should be initiated to enact legislation requiring the airlift of all mail to servicemen in the Pacific area.
>
> During the 6-month period of January through June 1966 about 2,500 tons of personal surface mail was dispatched from CONUS to Army and Air Force personnel stationed in Vietnam. Approximately 1,050 tons of personal surface mail was shipped from Vietnam to the United States during the same period from our Army and Air Force personnel.
>
> The current cost for transporting surface mail between San Francisco and Vietnam is 10 cents per pound. Personal parcels weighing 5 pounds or less are airlifted on a space-available basis by commercial carriers between San Francisco and Vietnam at the rates of 49.2 cents per pound (from United States) and 41 cents per pound (from Vietnam).
>
> The personal surface mail was moved between the United States and Vietnam during the above-cited period at a cost of $710,000. Had this mail been airlifted at the space-available mail rate it would have cost the Department of Defense $3,321,000 or an additional $2,611,000. Based on the Army and Air Force strength in Vietnam, it would cost an additional $2.62 per man per month to airlift his personal surface mail at the space-available mail rate.

Mr. Speaker, I am very optimistic that this bill will receive favorable consideration.

FEDERAL RESERVE BOARD ATTEMPTS TO REPEAL STATE USURY LAWS—HOMEOWNER HIT AGAIN—REQUIRING 2 YEARS' WORK TO PAY EXTRA INTEREST ON $20,000 HOME LOAN

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the forces unleashed by the Federal Reserve Board's December action in raising interest rates are slashing away at State usury laws throughout the country.

State usury laws—when properly enforced—are protectors of the consumer, the small businessman, the homeowner and others who must borrow to meet their basic everyday needs.

Now throughout the Nation, these usury laws are under attack because the Federal Reserve Board has allowed interest rates to skyrocket to historical highs. The Federal Reserve Board, through its actions is attempting to repeal all of the State usury laws.

This week, the newspapers in Washington carried big headlines about efforts to convene a special session of the Virginia General Assembly to raise that State's present 6-percent ceiling on interest. Similar pressures are being put on other State governments.

These States should hold firm and not give in to the pressures of the Federal Reserve Board. The Federal Reserve Board should be forced to roll back interest rates rather than to have the States take the lid off the usury laws and set up the-sky-is-the-limit criteria on credit. If there are to be special sessions of legislatures on interest rates, I hope such sessions will be directed at lowering interest rates and tightening usury laws. The States should demand that the Federal Reserve Board change its policies and lower interest rates.

The State Governors and the State legislatures should not weaken and give in to this pressure from a Federal Reserve Board which is accountable to no one and which consistently ignores the public interest. The States should maintain and strengthen their usury laws.

In the current controversy in Virginia, it is interesting to note that some are recommending that the usury limits be raised from 6 to 8 percent. This represents an increase of 33⅓ percent—almost as high as the 37½ percent imposed by the Federal Reserve Board last December.

Those who propose a 33⅓ percent increase in the interest allowed under State usury laws should translate these percentage figures into dollars and cents. A 2-percentage-point increase, as publicly called for in Virginia, would cost the homeowner almost $9,500 extra interest on a 30-year, $20,000 mortgage.

In this morning's Washington Post, I note that Arlington County Delegate Harrison Mann has spoken up for the public interest and urged that Virginia not change the usury laws. Delegate Mann is to be commended for his stand and I hope that legislators throughout the country will take a similar position as the pressure grows on this issue.

I place in the RECORD two articles from the Washington Post which bear on this subject:

[From the Washington (D.C.) Post, Oct. 11, 1966]

GODWIN URGED TO CALL SPECIAL SESSION ON INTEREST RATE CEILING

(By George M. Kelley)

RICHMOND, October 10.—A legislative commission studying interest rates in Virginia was urged today to ask Gov. Mills E. Godwin for a special session of the General Assembly to raise the State's present 6 per cent ceiling on interest.

H. H. Crowell, Jr., an Arlington realtor and president of the Virginia Real Estate Association, sounded the special session call in testifying before the nine-member Money and Interest Study Commission. He was backed by banking and savings and loan organizations.

Del. Hardaway Marks of Hopewell, chairman of the study group, said a report by the Commission will be sent to the Governor in December. He said the Commission, however, would not get "involved" in moves to convene the Legislature immediately.

The Governor's office declined to comment on the special session proposal but it was apparent the testimony before the study group marked the start of an organized drive by lending firms to get legislative action. It was learned later in the day that savings and loan associations in the State have started a mail campaign urging the Governor to convene the Assembly.

INITIAL REACTION

Initial reaction at the Capitol was that calling a session solely on interest rates would be dangerous politically.

Interest rates could be considered at a special session called to revamp Virginia's election laws, although Godwin has indicated he has no concrete plans now to recall the Legislature for action on that subject. The Assembly will not have another regular session until January, 1968.

It is a bleak outlook for the building industry in Virginia unless the legal interest ceiling is raised, the study commission was told. A new ceiling of 8 per cent was suggested.

Crowell said the maximum of 6 per cent now allowed by State law for home loans has dried up mortgage loan money and this, in turn, is cutting deeply into home sales.

He said many real estate men are going out of business and in some areas sales volume is down as much as 50 per cent. In Northern Virginia, home building has skidded so drastically that a housing shortage and unemployment in the building trades is considered possible.

EIGHT PERCENT URGED

Mark W. Saurs, executive vice president of the Virginia Savings and Loan League, suggested that the Legislature could amend the State's present usury statute to allow a contract rate of 8 percent on homes. He said the present 6 percent could be kept in the statute and apply to short term loans.

Saurs said if something isn't done quickly there will be a drop of some $50 million in lending during the next year by savings and loans associations in Virginia.

"If funds are not available from the usual sources," he said, "the Federal Government will take over this vital phase of our economy and the resultant increased tax burden will far overshadow the cost of a small additional amount of interest on home loans."

Saurs said the limitation on interest rates in Virginia has made it impossible to compete with other states for loan money. He and other spokesmen for the banking industry said mortgage money naturally has gone to states where higher rates are allowed.

The impact, he said, is that home building activity is decreasing in Virginia and the economy of the state stands to be seriously affected.

John B. Siegel Jr., senior vice president of the Life Insurance Co. of Virginia, said that mortgage loans to individuals have become so unattractive as a medium of investment in the State that his company is no longer making new residential mortgage loans.

The hearing today was the first held by the study commission since it was created by the General Assembly early this year. Persons testifying were invited to appear. A second hearing open to all, will be held here on October 23.

[From the Washington (D.C.) Post, Oct. 12, 1966]

Mann Protests Call for Special Session

(By Helen Dewar)

Arlington Del. Harrison Mann issued a strongly worded objection yesterday to a proposed special session of the Virginia General Assembly to consider raising interest rates.

In a letter to Gov. Mills E. Godwin, Mann said the State should withstand pressure to increase the "usury rate to alleviate a wholly temporary condition" in the money market.

The call for the special session came Tuesday when Arlington realtor H. H. Crowell, president of the Virginia Real Estate Association, told a legislative commission that the 6 per cent ceiling set now by Virginia is drying up the mortgage loan market and cutting deeply into home sales.

Crowell, backed by banking and savings and loan organizations, suggested raising the limit to 8 per cent.

Mann said interest rates are now beginning to level off and should decline further in coming months.

"I recognize," he added, "that gradual declining interest rates will not satisfy some people who have been seeking a hike in the 6 per cent rate for a considerable period of time, and who are now attempting to capitalize on present circumstances to push for exorbitant rates."

He said the same people were lobbying four years ago when the limit was between 5¼ and 5½ per cent to raise it to 7 or 8 per cent.

Mann said it was "to the long-range benefit of the home construction and home sales industry to maintain a reasonable level of interest rates" and "essential for the State to protect consumers from . . . unjustifiably high rates."

The consumer, he said, is "often the last to know what he is actually paying for borrowed money, and while the great majority of lenders are fair and honest, there is the inevitable segment who will bilk the public, especially the uninformed, milking them for every cent they can get."

OPEN MARKET COMMITTEE'S ROLE IN HIGH INTEREST RATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the operations of the Open Market Committee of the Federal Reserve Board are among the least-known facts of the U.S. Government.

In the October 4 edition of the Los Angeles Times, Charles Neal writes about the Open Market Committee's role in the current high interest, tight money policies. Mr. Neal writes:

> Few persons have ever heard of this committee, yet in many ways it is the most powerful group of men in this country. It is accountable to virtually no one, and it operates in such secrecy that even the CIA must be envious.

Mr. Speaker, the Los Angeles Times and Charles Neal have performed an important public service in printing some of the facts about the Open Market Committee. I hope other newspapers across the country will follow this lead and put the true facts about monetary policy before the American people. I place in the Record this excellent article entitled "Federal Open Market Committee Gets Exposure":

[From the Los Angeles (Calif.) Times, Oct. 4, 1966]

Federal Open Market Committee Gets Exposure

(By Charles Neal)

Considering all the controversy over "tight money" and high interest rates, it is time to give the credit, or the blame, to whom it belongs. That would be the federal Open Market Committee.

Few persons have ever heard of this committee, yet in many ways it is the most powerful group of men in this country. It is accountable to virtually no one, and it operates in such secrecy that even the CIA must be envious.

MONEY SUPPLY

The committee is made up of the seven members of the board of governors of the Federal Reserve System, who are appointed for terms of 14 years, placing them beyond the reach of any President, plus five of the 12 Federal Reserve Bank presidents. In actuality, all 12 presidents of the Reserve Banks sit in on the meetings, although only five of them vote.

The committee deals in government securities, thus changing the nation's money supply at will. Thus some 12 men have the power to affect the cost of money as well as its availability. By purchasing U.S. government securities for the 12 banks, the committee has the power to increase the money supply overnight. By not buying such securities, or by selling them, the money supply can be made to dry up.

The New York City Federal Reserve Bank calls most of the shots, and it can influence the money supply, interest rates and reserve requirements of the entire nation. Most of the very large banks, of course, are in the East. Even our secretary of the Treasury must consult with these banks and bond houses before issuing new securities, otherwise he may find he has no market.

FINANCIAL CRISIS

To be sure, the secretary of the Treasury can be a pretty tough guy to deal with, and sometimes he is. But if he is a banker with intense loyalties in that direction (as Andrew Mellon was), the U.S. taxpayers can come out with bloodied noses.

We are, at this very moment, in a serious financial crisis. Our balance of payments is precariously out of balance. Our gold hoard is dwindling. Money is so tight and costly that small businesses are failing, and home building is in a depression. There is little or no money to finance homes. Yet giant corporations have all the money they need to expand, and bank profits in general are the highest in many years.

If we come through all this without serious harm to the economy and without ruining too many people, I guess we can thank the wisdom of our money managers, even if they are beyond our control. But if this degenerates into something more serious, it may be time to inject a little more democracy and representative government into the vital area of money and credit.

HIGH INTEREST RATES STOP HOUSING INDUSTRY IN WASHINGTON, D.C., AREA

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the tragic toll of high interest rates and tight money continues to grow across the country.

In recent days, the Washington Post has surveyed the housing and building situation in the Washington, D.C., area, clearly illustrating the destructive nature of high interest rates. The Washington, D.C., situation is not isolated. The same thing is happening all over the country and is, in fact, much worse in areas where the population generally is less affluent.

As the Washington Post articles illustrate, high interest rates and tight money are keeping decent housing out of the reach of millions of Americans, and at the same time, are forcing thousands of construction workers out of jobs.

Mr. Speaker, the problem of high interest rates is now being translated from the academic level of discussion into the hard cold facts of human misery.

This Congress votes billions of dollars to fight the war on poverty and sits by and watches the Federal Reserve Board force good hard-working citizens out of jobs. This Congress votes billions of dollars for housing programs and sits by while the Federal Reserve Board virtually stops housing construction throughout the country.

Mr. Speaker, I place in the Record two articles from the Washington Post which show what is happening in just one area of the country:

[From the Washington (D.C.) Post, Oct. 10, 1966]

Lean Winter Feared by Building Workers

(By Richard Corrigan)

Fears of future widespread unemployment among construction workers here are spreading as the pace of residential construction in the metropolitan area continues to nose dive.

Government employment officials, labor leaders, antipoverty workers and others are bracing for what might be a hard winter and an even harder spring.

Right now the employment statistics are glowing. But that is because most of the work now going on was financed last year or early this year before the tight money market began to cut sharply into future building plans.

Now with the cost of borrowing money reaching prohibitive rates for many builders and would-be buyers, the construction business is dropping sharply.

Building permits issued in the area during the last three months for new homes and apartments were valued at $64 million less than the permits granted over the same period last year. The permits, which are the standard indicator of the future construction market, are generally expected to drop even further this month.

Fred Z. Hetzel, director of the U.S. Employment Service here, said the slump already has had some effect on the job picture. "If it continues," he said, "it could of course become serious."

J. C. Turner, president of the Central Labor Council (AFL–CIO), said "The construction industry is like a roller-coaster anyway." On its present course, he said, "it might not come back up for another year."

The United Planning Organization, Washington's antipoverty agency, already is directing some job-seekers and would-be apprentices into other areas beside construction. "We don't want to train people for jobs if jobs aren't going to be waiting for them," said UPO manpower specialist Art Solomon.

Solomon added that a continued building slump in the area would most seriously affect unskilled and semiskilled, nonunion laborers—most of whom are Negroes living in Washington.

But such a slump would be felt in many other quarters as well. "It will have a bad effect on the entire area," Turner said. He estimated that for every on-site construction worker, three or four others depend on the industry for a living—equipment dealers, materials suppliers and the like.

A Washington architect reported that business is getting slow in his field. Sand, gravel and cement trucks are said to be standing idle in some company lots. A few bricklayers and cement finishers have showed up looking for work at the U.S. Employment Service office, an unusual event at this time of year.

The construction industry represents one of the Washington area's biggest employers, hiring about 7 per cent of the total labor force. In August, a record 78,000 persons were working in jobs directly related to building. About 60,000 of them are laborers and craftsmen.

Roughly a third of the 78,000 persons work in Washington, where the commercial building business is holding relatively steady. But the rest work in the Maryland and Virginia suburbs, where permits show that during the past six months the homebuilding business has been $32 million off the 1965 pace.

Earlier this year there actually were shortages of construction workers in some areas because the building boom still was on. So looking on the bright side, the USES's Hetzel said the slump would give skilled craftsmen a chance to "catch up" on their timetables. But Hetzel warned that if the slump persists, "we'll really have to start working" to find jobs.

[From the Washington (D.C.) Post, Oct. 6, 1966]

UNEMPLOYMENT THREATENED: AREA HOME BUILDING ONLY HALF OF 1965 PACE

(By Richard Corrigan)

Home building in the Washington area has skidded so drastically recently—due to tight money—that the outlook is now "grim" for a housing shortage and for possible unemployment in the building trades.

Statistics on building permits issued in Washington and its bedroom suburbs, compiled yesterday, show that building plans for the past three months are half of last year's.

September's figures show that the skid, which started early in the summer, is accelerating. The value of building permits issued last month dropped 60 per cent compared with September of 1965.

Since building permits are for future projects and most of the construction now in progress was financed last year, the slump is not yet evident to sidewalk superintendents or to most construction workers.

With many builders unable to raise money to finance new housing starts, because of high interest rates, the general forecast is for a further drop in building, which could bring on a shortage of new housing next year along with general unemployment in the building trades. Already there are reports of layoffs among some non-union men and of closings by some small contractors.

The outlook is "pretty grim," said a forecaster for the National Association of Home Builders. On the basis of the latest statistics, he predicted that the number of single-family housing starts for the area this year would be only 11,500 and next year only 8000. The 1965 total was almost 15,000.

For apartments, the NAHB official said the number of units would fall from 33,400 in 1965 to 29,800 in 1966 to 16,000 in 1967. Meanwhile, the Washington area population is growing faster than any other in the country.

The residential building permits issued in the three fastest-growing suburban counties—Fairfax, Montgomery and Prince Georges—all reveal a steady and substantial drop in single-family homes. The six-months totals from April through September were $32 million less than the 1965 totals.

A spokesman for the Suburban Maryland Home Builders Association said the drop is even sharper than those figures indicate. He estimated that in Prince Georges and Montgomery, roughly 30 percent of the permits are not being used because of the money shortage.

Apartments, which because of zoning questions, speculative financing and other factors are apt to fluctuate widely from month to month, follow the same trend.

Some examples of the slump, pinpointed by the statistics are:

In Montgomery last month, the value of apartment permits plunged from $11.8 million to $800,000. In the District of Columbia, they fell from $4.9 million to $300,000.

In Fairfax, the new-home permits skidded from $9.4 million in September of 1965 to $3.6 million last month. Apartment permits there are $11 million below last year's six-month totals.

The area's total economy will suffer from the construction cutback. Last year, during the summer, builders took out permits for $115 million in future construction. This summer, the total was $51 million.

The area's slump reflects a Nationwide pattern. The Census Bureau has reported that housing starts from March through August averaged 17 per cent less than the preceding six-months' rate.

Thousands of would-be buyers have had trouble getting Federally insured loans in recent months and lending institutions have been putting their money into other markets besides housing to get quicker and higher returns. The NAHB spokesman said money going into savings-and-loan institutions this year is 83 per cent below last year's figures.

Besides affecting construction of housing, the money situation here also is driving up the cost of used houses and some rental units. Loans are "few and far between," one mortgage banker said yesterday.

Houses

[Dollar value of building permits is shown in millions of dollars]

	Fairfax		Montgomery		Prince Georges	
	1965	1966	1965	1966	1965	1966
April	$7.2	$11.7	$9.2	$6.2	$7.0	$6.6
May	8.8	5.2	6.1	6.6	3.8	6.0
June	5.8	7.4	8.6	5.3	6.9	4.4
July	9.5	3.5	6.5	4.2	4.8	1.1
August	5.5	5.3	6.4	4.3	7.2	2.6
September	9.4	3.6	4.1	2.5	4.5	2.5
6-month total	46.2	36.7	40.9	29.1	34.2	23.2

Apartments

[Dollar value of building permits is shown in millions of dollars]

	Fairfax		Montgomery		Prince Georges		District	
	1965	1966	1965	1966	1965	1966	1965	1966
April	$5.5	$3.5	$0.2	$15.1	$2.3	$6.6	$2.6	$1.4
May	5.6	1.6	2.2	8.5	9.2	4.5	1.6	3.2
June	2.7	.7	8.0	11.2	3.9	22.0	9.2	5.4
July	2.9	.8	7.0	4.0	3.1	1.6	2.8	.9
August	4.7	1.9	5.7	5.3	2.0	2.2	3.4	1.3
September	1.4	2.5	11.8	.8	4.0	3.4	4.9	.3
6-month total	22.8	11.0	34.9	44.9	24.5	40.3	24.5	12.5

POSITION STATEMENT ON THE STATUS OF THE VIETNAM WAR

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of California. Mr. Speaker, as we approach the end of the 89th Congress I wish to review briefly again the status of the Vietnam war, as I see it, and state my position on it.

Today our military position is essentially the same as it was 2 years ago. At that time the Saigon government was unstable and had been gradually losing ground to the Vietcong. These losses continued through 1965. Efforts at internal political, social, and economic reforms to gain present support for the Government had failed.

The United States began a massive military buildup in late 1964 to save the situation. Premier Ky was brought from the South Vietnamese Air Force to head the Government. As of last February the United States has placed renewed emphasis on a massive program of economic and social rehabilitation. Efforts to democratize the Government have begun.

These efforts have succeeded in temporarily reversing the military deterioration, at an enormous cost in men and money to the United States. By the end of 1965, a year ago, the United States and South Vietnam position began to improve. We have again stabilized the war at a much higher level of involvement.

For a military victory, the war would have to be expanded still further. We would have to move from the current level of 400,000 men and $20 billion per year to 600,000 men and $30 billion per year. We would also have to move American troops into the heavily populated South Vietnamese Delta, now in precarious balance between the South Vietnamese Government and the Liberation Front. We would have to cut off completely the rapidly increasing infiltration from North Vietnam by putting a wall of troops across South Vietnam and Laos in the area of the demilitarized zone.

The United States has maintained a highly publicized position of willingness to negotiate while it continued its military buildup. Last December we initiated a bombing pause for over a month and sent emissaries to the far corners of the earth to explain our position. At the same time, we gave no indication of a change in our stand of not allowing any role for the National Liberation Front or Vietcong in a peaceful settlement.

Today there is a faint inkling of behind-the-scenes changes in the negotiating position of the two sides. These may lead to the conference table and an ultimate peaceful settlement. To hope for any sudden improvement in the situation would be extremely unwise.

For the past 2 years I have put my major emphasis on supporting stronger efforts at negotiation by the United States. While military force can prevent the collapse of South Vietnam, it cannot produce a stable political situation there. Only a negotiated peace, which recognizes political realities, and which is guaranteed by the great powers, can produce stability and progress in Vietnam—the goal we claim to seek.

This means we must give ground on our refusal to either negotiate with the National Liberation Front or allow them any role in the Government. The Liberation Front must give ground on their insistence that they are the only legitimate voice of the South Vietnamese people. Very small concessions on each side will permit the ending of hostilities and the beginning of realistic negotiations.

In my opinion we could have done this 2 years ago and saved the American people the $30 to $40 billion we have spent in the last 2 years, as well as several thousand U.S. casualties, plus preventing the untold destruction we have unleashed on all of Vietnam. But the past cannot be relived. By taking this course today we can save the American people the $50 billion or more that another 2 years of war will cost, with the associated rising casualties and continued destruction. And it must be added that there is not the slightest hope that this great cost would buy peace in Vietnam. It could be only the next step to a higher plateau of war, broadened to include the Chinese, as occurred in Korea.

The present military course we are following may bring a military victory, which should be distinguished from the peace and stability we claim to seek, but only at enormous cost. That cost must be estimated at around $100 billion, tens of thousands of American casualties, complete destruction of Vietnam, and a generation of American occupation, as we are still doing in Korea. The occupation and rebuilding will take additional tens of billions of dollars. In my opinion these estimates are realistic and conservative.

The alternative, which I advocate, is to recognize the National Liberation Front as a party to the conflict, negotiate with them as well as with North Vietnam, and provide a mechanism whereby the people of South Vietnam can determine for themselves what voice the Front should have in any future government. At a minimum, this means allowing the members of the Front to vote and to run candidates in an election, in return for a guaranteed commitment to refrain from terrorism and violence. The government so elected should have full power to reach whatever relationship it wishes with North Vietnam, which would certainly include the trade and communication which have been prohibited for the past 12 years. It may include, after a period of years, some form of federation or reunification.

I feel certain that an understanding of this nature will permit a cease-fire and the mutual withdrawal of United States and North Vietnamese troops. I would most emphatically include provisions for strong international guarantees against the further use of force in Vietnam, and all of Indochina. These guarantees must come from all the great powers, including Russia, and China, if possible. However, if China, refuses, the guarantees should be given without her.

The course I am advocating achieves American goals—self-determination and freedom for South Vietnam. It recognizes the fact that the Vietcong are largely South Vietnamese—more so than the Saigon government—and entitled to a voice in their own government, which they have never had. This course halts the tragic waste of American resources and manpower, and the horrible destruction we are bringing to all Vietnam. This course puts the United States back on the path of peace under law, guaranteed by the international community, as we have long sought through the United Nations.

This is my position, and one which I shall maintain.

DR. MARION W. PARKER

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, I wish to pay tribute to a great public servant, Dr. Marion W. Parker, who died suddenly on Saturday, October 9. He was an outstanding official of the U.S. Department of Agriculture who devoted his life to American agriculture.

He was known well and favorably to many of us here in Congress, especially those of us on the Agricultural Appropriations Subcommittee before whom he appeared each year in support of the Department's research budgets.

It is my privilege to include in the RECORD a short biographical statement on Dr. Parker prepared by his associates at the Department. On behalf of my colleagues, I extend condolences to his family, knowing the pride they must have in his fine life and many accomplishments.

The statement follows:

DR. MARION W. PARKER, USDA RESEARCH ADMINISTRATOR, DIES

Dr. Marion W. Parker, Associate Administrator of the U.S. Department of Agriculture's Agricultural Research Service, died October 8 of a heart attack while watching the Maryland-Duke football game at the University of Maryland. He was 58.

Dr. Parker was internationally recognized as a research scientist, particularly for his important contributions to the body of knowledge on photoperiodism, controlled environment, and the effect of light on plant growth. During the period 1936 to 1951 he published approximately 50 papers on photoperiodism or related subjects.

Dr. Parker was also recognized for his abilities as an administrator of research. Among his administrative positions with USDA were Head, Division of Rubber Investigations; Head, Weed Investigations Section; Assistant Director and Director, Crops Research Division.

Dr. Parker served as Director of USDA's Research Program and Development Evaluation Staff from October 1964 until he was named Associate Administrator of ARS in March 1965.

Born December 4, 1907, in Salisbury, Md., Dr. Parker received his bachelor's degree in botany at Hampden-Sydney College and his master's and doctorate in plant physiology at the University of Maryland. From February 1931 to June 1936, when he came to USDA, Dr. Parker was instructor in plant chemistry and microchemistry and assistant professor of plant physiology in the Graduate School of the University of Maryland.

Dr. Parker was active in community services. He was past president of the College Park Rotary Club; on the executive board of the National Capital Area Boy Scouts of America, and past chairman of the Southern Maryland District, Boy Scouts of America; Councilman, First District, College Park, and served four two-year terms as chairman of the Budget and Finance Committee of College Park; was a former president of Plant

Industry Station Employees Association; and a member of the USDA Welfare Association Board.

Dr. Parker served as a member of the editorial board of the Annual Review of Plant Physiology, was a member of the editorial board of Plant Physiology, and counselor of the Botanical Society of Washington. He was also a consultant for the Biological Division of the Argonne National Laboratory, Chairman of the Agriculture-Interior Weed Committee, USDA Representative to the Interdepartmental Chemicals and Rubber Advisory Committee, and Chairman of the ARS Training Committee.

A member of the Cosmos Club, Dr. Parker belonged to a number of honorary societies, including Phi Beta Kappa, Sigma Xi, Phi Kappa Phi, Chi Beta Phi, and Omicron Delta Kappa. He was also a member of the American Society of Agronomy, American Association for the Advancement of Science, American Society of Plant Physiologists, Botanical Society of America, Botanical Society of Washington, Biological Society of Washington, Washington Academy of Science, and the American Naturalists.

Dr. Parker is survived by his wife, Katherine H., 4504 Beechwood Road, College Park, Md.; a son, John C. of Derwood, Md.; a daughter, Mary P. Kern of College Park; a sister, Irene P. Todd of Salisbury; and two grandsons.

Burial was in Parsons Cemetery, Salisbury.

IMPACT OF IMPORTS ON THE PEOPLE OF FLORIDA

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I have permission to place in the CONGRESSIONAL RECORD a statement my colleague, the gentleman from Florida, the Honorable ROBERT L. F. SIKES, made today before the General Subcommittee on Labor, U.S. House of Representatives, regarding H.R. 17248, the Fair Labor Standards Foreign Labor Act.

I concur in what Congressman SIKES, the dean of our Florida congressional delegation in Congress, has said about the impact of imports on the people of Florida. What is true for the First Congressional District of Florida is also true for the Seventh District which I am privileged to represent and a district which produces more citrus fruit than any other in the State.

The imports of agricultural products directly in competition with Florida's principal products have reached a substantial level. The study the General Subcommittee on Labor is making into the impact of imports on employment is important to all agricultural States. The gentleman from Florida [Mr. SIKES] has stated well the importance of the study to Florida.

Congressman SIKES' statement follows:

STATEMENT OF REPRESENTATIVE ROBERT L. F. SIKES, BEFORE THE GENERAL SUBCOMMITTEE ON LABOR, U.S. HOUSE OF REPRESENTATIVES, REGARDING H.R. 17248

Mr. Chairman, and members of the Subcommittee, I appreciate very much the opportunity to tell the Subcommittee about the impact of imports on the people of Florida, and especially about its impact on the residents of the First Congressional District of the State, which I represent.

Florida is a remarkably versatile State in the production of goods. In fruits and vegetables, seafood, and manufactures, Florida's production makes an important contribution to the economic growth of the nation. In each of these areas of our economic activity, mounting imports are threatening to disrupt markets, depress prices, and impair our State's potential for full employment.

Let me illustrate this disturbing fact with some specifics.

FRUITS AND VEGETABLES

Florida is a leading State in the production of vegetables. Our commercial production of vegetables for fresh market of about 1.7 million tons per year exceeds that of the entire North Atlantic States, or the North Central States, the South Central States or the Western States, excluding California. The farm value of Florida's output of fresh vegetables exceeds $180 million per year. Our principal production is of lima and snap beans, cabbage, celery, cucumbers, eggplant, escarole, green peppers, spinach, and tomatoes.

Florida is, of course, the nation's leading producer of citrus fruits. The State is also a leader in the output of cantaloups and watermelons, and avocados. The citrus crop has a market value in excess of $500 million. The melons were valued in 1965 at $16 million; the avocados at about $2.5 million.

There are about 120,000 persons who earn their livelihood on Florida's farms. More than 10% of the State's farms and farm owners and operatives are located in the First Congressional District, which I am privileged to represent in the Congress.

From these data, I think it clear that both Florida and my district have an important stake in the stability of the nation's markets for fruits and vegetables. Foreign trade trends in fruits and vegetables are of fundamental importance to Florida's producers of fruits and vegetables.

FOREIGN TRADE TRENDS IN FRUITS AND VEGETABLES

In 1958 the United States had a favorable trade balance in fruits and nuts: exports of $270 million and imports of $178 million. By 1965 this favorable balance of $92 million was completely erased: exports and imports of fruits and nuts were each valued at $339 million. The imports had increased by 90 percent; exports only 26 percent.

The story on vegetables is quite similar. A favorable trade balance of $25 million in 1958 (exports of $122 million, imports of $97 million) was cut down to $9 million in 1965 (exports of $148 million, imports of $139 million). Imports rose 43 percent over the period, outpacing exports, which gained only 21 percent.

Imports of fruits and vegetables directly competitive with Florida's principal products have reached a very substantial level:

	1965		1st 6 months, 1966	
	Quantity (hundred pounds)	Value (hundreds)	Quantity (hundred pounds)	Value (hundreds)
Watermelons	71,467	$1,324	234,258	$8,500
Cantaloups	148,662	7,529		
Other melons	50,917	1,870		
Total	271,046	10,723		
Citrus fruit	83,340	4,481	37,589	2,342
Beans, fresh	3,409	1,039	3,997	637
Cabbage	3,430	146	(1)	(1)
Celery	278	15	(1)	(1)
Cucumbers	75,776	5,267	64,125	4,919
Eggplant	5,344	433	(1)	(1)
Peppers, fresh	19,075	2,120	(1)	(1)
Tomatoes	268,967	29,925	320,957	47,616
Total		54,149		64,614

[1] Not available.

In these products of direct and immediate concern to the fruit and vegetable producers of Florida, imports are being received in 1966 at an average rate 136% above 1965. Imports of melons are up 59% by value at an annual rate; cucumbers, up 87% by value, and tomatoes' imports have leaped an astounding 218%. The products listed at the annual rate for 1966 (based on the first 6 months) have a foreign origin value of $128 million. With freight, insurance, duty, and importer's markup, these foreign fruits and vegetables would be worth roughly $250 million in the U.S. market—equal to about one-third the value of Florida's fruit and vegetable crop. This degree of import penetration of the U.S. market is alarming, and the implications for the welfare of Florida's workers very disturbing.

SEAFOOD

Florida has nearly three thousand operators and employees engaged in commercial fishing operations—more than any other State in the Union except California and Massachusetts. Nearly 200 million pounds of fish are caught annually by Florida's commercial fishermen, with an ex vessel value of more than $30 million. These fishing boat captains and their small crews are among the most rugged of that fast-disappearing breed of stalwart Americans, the independent individualist who pits his courage and skill against the challenges of nature to produce food for his fellow Americans.

The principal catch from the point of view of value is shrimp, and by a misfortune which many Congressmen have sought to correct, shrimp caught by foreign fishermen are imported into the United States in rapidly rising volume absolutely duty free. It would seem that those least able to battle cheap foreign products in American markets because of the limited financial resources of the small independent shrimp boat owner-captain are given the least assistance from their Government in means of import regulation.

Imports of fresh or frozen shrimp in 1955 totaled 54 million pounds, valued at about $25 million. By 1965 this had leaped to 163 million pounds, valued at over $100 million. While imports were soaring more than 200%, the domestic catch of shrimp declined absolutely, from about 122 million pounds (heads off basis) in 1955 to 121 million in 1965. The imports have taken all of the growth in the market, and the unchecked inundation of the American market with foreign shrimp keeps prices of the domestic catch generally depressed.

On the border of my district, the important shrimp port of Apalachicola struggles with this unending market disruption caused by the ever-rising flood of shrimp imports. It is a matter of concern to the nation, to Florida, and specifically to my district. The Government has deliberately handed the U.S. shrimp market to foreign commercial fishermen, and turns its back on our own people. Look deeply into the plight of America's commercial fishermen and you will find unfair foreign competition at the bottom of it all. Small wonder that in the nation the number of persons employed in Fisheries has declined steadily, from 263 thousand in 1950 to 212 thousand in 1964. The number of fishing craft has also plunged downward, from 92 thousand in 1950 to 76 thousand in 1964. There is a strong inverse correlation between this trend and the unchecked rise in imports of fishery products, from 640 million pounds in 1950 to 1.3 billion pounds in 1964.

MANUFACTURES

The largest group of Florida's citizens engaged in the production of goods consists of the approximately 220,000 persons employed in manufacturing establishments. More than 16,000 of these live and work in the First Congressional District. Manufacturing payrolls total more than $1 billion annually in Florida, and nearly $100 million of this takes place in the First Congressional District.

One of the principal industries in my district is the production of man-made fibers. The world's largest nylon plant is located in Pensacola, and nearby a separate plant is engaged in producing acrylic fiber. Thus the First Congressional District of Florida—and the State—have a direct stake in the textile import problem. The failure of the Executive Branch to act on the man-made fiber textile import problem is especially ominous in its implications for my State and district.

A few facts will suffice to put this problem into perspective. When imports of cotton textiles reached about 5.4% of domestic consumption, President Kennedy instructed the State Department to negotiate an international agreement providing for the regulation of the rate of increase of cotton textile imports. Other nations were told that if the United States could not achieve a negotiated solution of the problem, the President was prepared to act unilaterally. The Short-Term and Long-Term Cotton Textile Arrangements were quickly drawn up and with the consent of the nations principally affected, put into force.

The problem is much more serious now for man-made fiber textiles, but no action seems forthcoming from the Executive Branch. I believe that the Congress should legislate an appropriate set of import controls if Executive action has not commenced by the next session of Congress.

How grave is the problem? Well, for the 12 months ended June 1966, imports of man-made fibers, filaments, yarn, fabric and apparel, on a pound equivalent basis, were equal to 8.2% of domestic consumption of man-made fibers—nearly twice the degree of import penetration that existed when President Kennedy properly and forthrightly moved into action on the cotton textile problem.

The rate of increase of imports of man-made fiber textiles is astounding. On a square yard equivalent basis, imports of yarn, fabric, and apparel leaped 108% during the 12 months ending June 1966 when compared with 1964. During the first 6 months of 1966, for the first time in many years the United States suffered a balance of trade deficit in dollar terms on these products. It also sustained a trade deficit in terms of quantity on the primary products, staple fiber, filaments and yarn, such as are produced by the plants at Pensacola.

The products of the plants in my district are now right on target for market disruption, depressed prices, and job curtailment caused by unregulated import increases. There is absolutely no logic to a situation which finds our Government encouraging ever more rapid increases in imports, the dismantling of such limited regulatory means for imports as existing duty rates provide, and the saturation of domestic supply with imports in clear excess of the capacity of the market to absorb the supply.

The tremendous investment of capital which created the man-made fiber plants in my district, and the thousands of jobs which my constituents have been provided in these plants, are threatened (1) by the apparent plan of the Executive Branch to reduce man-made fiber import duties still another 50%, and (2) by the reluctance of officials in key positions to set in motion the necessary initiatives required to secure the negotiation of a long-term arrangement on man-made fiber textiles to smooth out the rate of increase of imports of the staple fiber, filaments, yarn, fabric, and apparel made of man-made fiber.

CONCLUSION

Mr. Chairman, you are to be commended for taking the initiative to set up the Subcommittee's inquiry into the impact of imports on employment. I strongly urge that your Committee report favorably H.R. 17248 to protect the health, efficiency, and living standards of our fellow Americans from the unfair competition of goods produced abroad under conditions which we refuse to tolerate in this country. Your bill should dramatize the serious loophole which exists in the Fair Labor Standards Act through which low wage, long hours of work foreign goods pour in, in a clear defiance of the standards of decency which the Congress has sought to secure as a minimum for all Americans.

There is no logic in inviting foreigners to perpetrate the social and economic crimes in our midst which we have sought so earnestly to eliminate by the Labor Standards legislation handled by your Subcommittee.

Thank you for your attention to my remarks.

WHEAT PRICES SLUMP

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, there appear to be four major reasons for the sharp drop in wheat prices in the past few weeks. Cash prices have dropped from 20 to 30 cents per bushel in Kansas and other wheat producing areas.

President Johnson and Secretary of Agriculture Orville Freeman have clearly and repeatedly demonstrated their determination to keep the price of farm commodities low. Price depressing actions by this administration include limiting the export of hides, ordering the military to reduce pork purchases, dumping of Commodity Credit Corporation stocks of wheat and other grain on the open market.

With specific reference to wheat, the four primary reasons for the price drop are as follows:

First. Sharp curtailment of wheat exports under Public Law 480, the food-for-peace program. Secretary Freeman has not denied a report in the August 2 New York Times or statements by Democrat Senator George McGovern that Public Law 480 shipments would be reduced by nearly 25 percent.

Second. Another factor in depressing wheat prices recently has been the tampering with wheat export subsidies. The amount of export subsidies on wheat was always determined by what was necessary to meet the competition of other nations in getting wheat to world markets. There have been periods in the last month when the Department of Agriculture refused to meet competitive foreign prices. This has resulted in a sharp curtailment in wheat shipments to the west coast, for sales to Japan and other markets in this area. Tampering with export subsidies is discussed in the brochure entitled "1961–65: The Farmers' Worst Five Years," just published by Frank LeRoux, a $25,000-per-year USDA appointee, and a Democrat, who quit this administration on October 3 because of its antifarmer policies.

Third. Announcing increases in wheat allotments for 1967, of approximately 33 percent, without positive assurances to American wheat producers that Freeman and the USDA would not beat down the price next year by dumping Commodity Credit stocks.

Fourth. The overriding and major factor in the drop in wheat prices is the widespread recognition that the Johnson administration is determined to hold down farm prices as a means of combatting inflation resulting from vast expenditures for the war in Vietnam and further aggravated by the tremendous cost of countless multibillion-dollar Great Society programs. This policy has prevented farmers from sharing in inflated prices to the extent that other segments of our economy have.

It is strange indeed that when the price of bread advanced 1 to 2 cents a loaf, committees in both the House and the Senate held "urgent" hearings, but when the price of wheat drops 30 cents a bushel, not a single spokesman for the administration even suggests that Congress investigate the causes. Secretary of Agriculture Freeman continues to issue statements that market prices will remain strong, but at the same time does everything to weaken the market.

The USDA has become so consumer oriented that the American farmer, in effect, does not have a Cabinet-level spokesman.

COLUMBUS DAY

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

I know that many Members have recognized the indebtedness we all owe to our discoverer, Christopher Columbus, and I trust we will all join in this celebration.

Mr. RODINO. Mr. Speaker, when I was a boy, the celebration of Columbus

Day was always one of the great events of the year. We looked forward to it with impatient eagerness, for Columbus Day brought out the colorful bands, the spectacular floats, the long line of parade marchers, the stirring music, the rousing speeches. Columbus Day was a treat for the eyes and a treat for the ears. And most certainly it was a treat for the palate, for there was always the home-cooked banquet, the triumph of weeks of skimping and arduous preparation, my mother's loving contribution to the festive occasion.

The passing years have failed to dull the magic of Columbus Day for me. The electric excitement remains undimmed, the intensity of expectation undiminished.

But a new dimension has been added with the passage of time. For I now look forward to Columbus Day not only for the colorful parades and the dashing music, the traditional speeches and the festive dinner, but as a truly universal holiday, when all mankind can reaffirm, in the memory of the courageous admiral from Genoa, the determination to press onward through uncharted seas in the undaunted search for a better life for all.

Let us resolve, on this Columbus Day, to continue on our voyage of discovery, in our quest for a greater tomorrow for all mankind.

Mr. CUNNINGHAM. Mr. Speaker, the discovery of America on October 12, 1492, is something about which we have heard since we were children in school. Perhaps that is why we so seldom recognize it as among the most important events in the history of the world.

The circumstances of the end of that great first voyage of Columbus to the New World were dramatic. On October 8, the worried Columbus and his crews, out of sight of land and sailing on an unknown ocean for 30 days, saw land birds flying near their three small vessels. On the 11th, they fished out of the water a plank and a stick worked upon by human hands. That night, sighting by moonlight, a sailor on the *Pinta* saw white sand and trees behind it. Land at last been reached, and, on the 12th, Columbus set foot on an island of the North American Hemisphere.

One of our country's greatest historical scholars, Samuel Eliot Morison, has expressed his judgment of the importance of the achievements of Columbus in the following words:

> His four voyages—the first in 1492–93; the second, in which the Lesser Antilles and southern Cuba were discovered in 1493–94; the third, in which he first touched the mainland, in 1497–98; and the fourth, 1502–04, in which he discovered unknown shores of the western Caribbean—are the most important in modern history.

The magnitude of those achievements has haunted the imagination of men for centuries. Is it any wonder, then, that the latest evidence of the lasting renown of Columbus is the recent announcement of a new Meredith Willson musical called "1491," set in Spain in the crucial year before the famous first voyage. The author and composer of the musical, which will be presented in Los Angeles and San Francisco before being brought to New York, has said:

> My interest was awakened when I discovered primary sources that disclosed that the true life of Columbus was more exciting than the familiar, but generally false, textbook character drama by Washington Irving and other accepted schoolroom biographies.

Columbus was one of the great men of all time. Whether his memory is honored by musical comedy or the observance of Columbus Day, his fame is assured for all time.

I have introduced appropriate legislation in this regard. I am hopeful that Congress will act favorably on this legislation, making Columbus Day a legal holiday.

Mr. FEIGHAN. Mr. Speaker, we all share today with our many Italian-American friends in paying honor to that dauntless explorer and navigator, Christopher Columbus. Just 474 years ago Columbus established himself as our truly first "Italian-American." Since that day and with increasing fervor Americans have been commemorating that historical event.

I have supported our great Italian-American societies in seeking legislation to make this day a national holiday. I shall continue my efforts to secure for Christopher Columbus due and official recognition as the "Father of our Continent."

But even though this day has not been proclaimed officially as a national holiday, Columbus is being given great honor all over our land and simultaneously Americans are giving deep thought to the significance of this great day.

President Johnson in signing the Columbus Day proclamation said:

> Proclaiming Columbus Day is more than a ceremonial function. This event gives me a chance along with all my countrymen to reflect on the beginning of our Nation—and on the men who began it.

The President went on to remark that Columbus Day is a time for honoring not only the great explorer but all the Italians whose gifts over the centuries have been so freely given to enrich our science, our statesmanship, and our culture.

I am pleased that the President stressed the benefits accruing from the 1965 Immigration Act, for which some of us worked so untiringly and so long. We now find it much easier to assist our Italian-American friends in reuniting families than was possible under the old discriminating system.

I am sure that every Member joins me in paying tribute to our first immigrant, Christopher Columbus. I know, too, that they all join me in wishing the utmost success to the loyal and public service minded societies made up of those who so proudly claim Italian birth or descent.

I think it is fitting to call attention to the visit of a group of outstanding public officials from Salerno who are visiting various cities in this country. I know you will all join me in welcoming the following:

The Honorable Attilio Grimaldi, Minister of Communications and Transportation of the Sicilian Region;

The Honorable Giovanni Nigro, President of the Legislative Committee of the Sicilian Parliament;

Dr. Francesco Merendino, Regional Director of Transportation and Communications;

Dr. Filippo Jelo, City of Catania, Transportation and Communications;

Dr. Placido Bonaccorsi, press representative for the group; and

Mr. Vito Munaco, special assistant to the Honorable Attilio Grimaldi.

Mr. Vanni Montana, well known to many of us, is playing host to this group. I hope that all of them are made aware of the deep bonds of friendship which exist between all Americans and them as well as their countrymen. May they return home convinced of America's love and affection for all the Italian people.

Mr. MINISH. Mr. Speaker, on Columbus Day the world pays its tribute of honor to the memory of one of the greatest men in history. Italians, and all who can claim Italian ancestry, are proud to claim Christopher Columbus as a kinsman. Spaniards and Portuguese, and the Latin Americans who treasure their links with Spanish and Portuguese explorers, take just pride in the Portuguese share in Columbus' study and training in navigation, and in the fact that his great voyages were made in Spanish ships, and under authority of Ferdinand and Isabella, rulers of Castile and Aragon. But in honoring Columbus, we pay tribute not alone to the individual explorer, but to the great army of discoverers, settlers, and pioneers who were inspired by his example, and followed his pathways across the hitherto uncharted oceans.

The name of Christopher Columbus heads the list of those who have fared forth boldly into the unknown, dreaming of lands and peoples yet unseen by Europeans, and carrying to these new lands and people the heritage of European civilization.

The stains of greed and cruelty and broken faith that marked the career of some later discoverers and pioneers left unsmirched the character of Columbus. Generation after generation, down to our own time, have been inspired by his contagious courage and persistence, just as were the captains and crews of his three little vessels.

When we look today at replicas of those three ships, the *Nina*, the *Pinta*, and the *Santa Maria*, we are struck with wonder that anyone should venture in such little cockleshells across even a known ocean, let alone an ocean whose limits were only vaguely guessed at.

Christopher Columbus, who brought the hemispheres together, doubling the size of the known world, was a man of flawless courage, indomitable persistence, and unshakable religious faith. It is good to look back upon his accomplishment, and realize that he had a character of comparable grandeur. Well may the people of the Old World and the new alike set aside this day on which to do honor to his memory, and set his example before our youth for admiration and emulation.

Mr. KREBS. Mr. Speaker, at a time when there is heated controversy over recent claimants to the discovery of America, it is fitting that we should pause to honor the memory of the long established personality that historians recognize as the true discoverer of this hemisphere.

Christopher Columbus is rightfully credited with having done more than chart the new waterways to a new land. More so than perhaps any one other individual, it was his daring personal courage that enabled us to become the beneficiaries of western civilization.

His personal courage and farsighted vision were not deterred by the setbacks and discouragements of less adventuresome critics. And it is in emulating him that today's America continues to seek out and discover new frontiers.

The heritage which this son of Italy imparted continues to spark that adventuresome spirit which in our own days is extending the Old World's frontiers beyond oceans of space.

Christopher Columbus indeed not only discovered America, but lit a spark of American adventure that demonstrates confidence in man's wisdom and an abiding faith in the Almighty.

I join my colleagues in honoring this man's memory and the manly courage and spirit that brought him to our hemisphere's shores.

Mr. BURKE. Mr. Speaker, the memory of Christopher Columbus is a unifying symbol for us all. He it is whose achievement spanned the gulfs of ignorance and oceans that separated the hemispheres. He it is whose human courage and fortitude, whose religious faith and devotion, set an example fit for the emulation of every human being in the world today, of whatever race or nation, of whatever station in life or physical locality.

Columbus' triumph was a joining of imagination to logic, of idealism to practical good sense. Many before Columbus had thought and believed that the earth was round. It took the good sense, the courage, and the ambition that characterized Christopher Columbus to translate that thought and belief into action. The theoretical philosophers and mathematicians stayed home and figured out things, but took no action. The practical sailors hugged the coasts, and dreamed up fanciful excuses for not venturing into the unknown wastes of waters beyond the sight of land. Columbus, considering the roundness of the earth as proven, set out with all his energy and determination to translate his belief into action, and to reap benefit for all the world from his courageous persistence.

It makes a man feel that he stands a little higher, when he remembers that Christopher Columbus was also a man. There is an old saying:

> What man has done, man can do.

We all have our unknown dangers to face, our counselors of doubt and distrust, perhaps even our enemies and detractors, as Columbus had. Looking back to his shining example, we may often receive some strengthening of our moral stamina, of our intellectual conviction, of our physical courage.

The fact of new frontiers before us today is sufficiently obvious. In the power of nuclear fission, man has unimagined energy available for good or ill. In our ventures into outer space, we begin to see our way to speeds that were thought impossible a few years ago, to distances undreamed of, and perhaps to other planets, habitable or even already inhabited. We see new breakthroughs coming up in various fields of science and technology, such as the conversion of saline water to fresh, the tapping of new sources of nutrition in the ocean, new ways of using and storing energy from tides, sunlight, atmospheric changes. While new and more thorough ways of killing are being developed for warfare, the arts of healing and nutrition make simultaneous and equally spectacular advances.

We do not always think of what Columbus did in precisely this way, but in fact his achievement was a great contribution to the peace of his time, and an example deserving to be followed in our thought and action of today. In his day, the trade routes to the East, which had traditionally been followed by the Spanish and Portuguese and other merchants, were continually beset and harassed by the danger of war, and frequently rendered impassable by actual conflict or conquest by Mongol or Tartar, Turk or Arab—or sometimes by a rival European power. The essence of the plan of Christopher Columbus was to establish peace by making war unnecessary. A trade route to the Far East by traversing the Western Ocean would, as Columbus planned it, avoid the ports and passes, the hostile tribes and warlike rulers, and permit the peaceful replenishment of European stocks of spices, silks, and the other goods obtainable from the Orient. Had not the unexpected interposition of a whole hemisphere between Europe and the Indies, on this westward route, aroused the rival cupidities of the powerful European nations, many of them already involved in an ideological conflict, his project might well have brought, at least for a time, the peaceful state of things that Columbus envisaged. And it did, undoubtedly, reduce the incidence of robbery and murder along the well-nigh deserted overland trade routes between Europe and the Far East.

We share today's celebration with many other nations on our two American Continents, the fruit of Columbus' discovery. We celebrate together with Spain, in whose ships and for whose government Columbus sailed. We celebrate with the city of Genoa and the land of Italy, where he was born, and with Portugal, where he long lived and married his wife. With these, and with all others who honor Columbus as a man of intellect, determination, courage, and religious faith, let us observe this day as a day of patriotic rejoicing.

We all share in the heritage of Christopher Columbus, whether by national and racial inheritance, by sharing his faith in and devotion to God, or by benefiting from his great deed that brought the two halves of the world together. In gratitude and in emulation, let us work to bring together within our nation those various elements that make up our population, and endeavor to build a world in which all men may dwell in peace and friendship.

Mr. DANIELS. Mr. Speaker, today we commemorate the discovery of America by the intrepid Genoese navigator, Christopher Columbus.

Mr. Speaker, Columbus was a man centuries ahead of his time. His vision and his dream contrasted sharply with the prevailing views of Europe just awakening herself from the thousand years we know as the Middle Ages. At that time, Europe was divided into hundreds of tiny states each jealously guarding its own sovereignty. Against this backdrop, Christopher Columbus, under the flag of the recently united kingdoms of Castile, Aragon, and Leon, set sail east to the Indies. The result of this voyage was to make Spain the greatest nation of its time and, of greater import, to open up a new world where the teeming masses of Europe could build a new life for themselves.

Mr. Speaker, in conclusion, as we commemorate the discovery of America, it is time for the Congress to take action on the bill which I have introduced to make Columbus Day a legal holiday. Today more than four-fifths of all the States officially recognize Columbus Day.

Mr. Speaker, Columbus Day has a special meaning to the millions of Americans of Italian descent. By honoring Columbus, it would also serve as a fitting recognition of the great contributions made to this Nation by Italians and by persons of Italian descent. It is only fitting and proper that we do this.

Mr. BATES. Mr. Speaker, as you know, our home State of Massachusetts today, October 12, is celebrating Columbus Day with full legal holiday conditions. It is appropriate at this time, therefore, that we here consider a new appeal for this date annually to be set aside as a national holiday to honor the man who discovered this great land of ours, Christopher Columbus.

That goal is urged in a special Columbus Day tribute to this famed Italian explorer by Anthony Cama, a teacher, author, poet, and member of the New England executive council of Freedoms Foundation of Valley Forge, in the Lynn, Mass., Sunday Post of October 9, 1966. So that the broadest possible reading of this article may be assured, therefore, I wish at this point in the Record to insert the text, together with a poem by Mr. Cama which accompanied the article in the newspaper:

[From the Lynn (Mass.) Sunday Post, Oct. 9, 1966]

A Man of History, He Deserves Tribute

(By Anthony Cama)

(Teacher, Author, Poet, and Member of the New England Executive Council of Freedoms Foundation of Valley Forge, Penn.)

Columbus Day is a most memorable national event to honor the great Italian navigator and discoverer of the new world, Christopher Columbus. Born an Italian, he was destined to be forever the pride and glory of Italy and Italians all over the world! He charted the course for the old world to follow—an eternal flame of faith!

Let the dramatic voice of the whole world speak out on this Columbus Day, 1966. Let the words echo and re-echo from horizon to horizon from the tallest mountain peak to the deepest heart of the oceans.

The discoverer of this great new world was Christopher Columbus and he was and will be forever . . . Italian in body and spirit!

DISCOVERER

Every history book in America mentions Columbus as the discoverer of our splendid Republic. In the capital his portrait appears on the doors of the White House and the Capitol Building. As far as we know, 36 states have legally honored Columbus for his immortal discovery of America. In the crucible of the great struggle to make Columbus Day a national holiday, this writer is happy to present Alfred P. Adamo of Detroit, Mich., who has unceasingly spearheaded great battles in defense of Columbus as the discoverer of this new world.

He states: "We honor Christopher Columbus as one of the great souls that ever wore the clay of the earth about him. We honor ourselves by remembering to honor him. We can see backward across the centuries of the past, yet a few sunken mountain peaks just out of oblivion's sea. We can see through the telescope of time the historical horizon. We can see the great stars whose magnitudes are unabated thru the cycling ages. We can see among them Columbus. He was a man of faith. He acted by faith; he achieved by faith and he lived by faith. He became, by his faith in God, the divine instrument to blaze the pathway that marks the destiny of the centuries. He has brought to humanity a treasure house of God-given gifts beyond the wildest dreams of humanity." So speaks Mr. Adamo, who cries out like a stormy torrent . . . Columbus Day should be a national holiday!"

This writer has the singular honor to be a warm corresponding friend of the distinguished author and lecturer, writer and patriot, Peter T. Campon of Binghamton, N.Y., now 90 years young. This Italian immigrant has sparked a crusade of patriotism and enhancement of the Italian culture image that is beyond any parallel in our generation. He has been the recipient of many awards for his dynamic and dramatic lectures on Americanism and on Italy's contribution to the world. Just recently he was honored by the Italian government with the honor of "Cavalier of the Order of Merit of the Italian Republic." It was presented to him by Dr. Leopold de' Stefani of the Italian embassy in the office of the Italian consul general of New York, Hon. Vittorio C. Montesemolo.

Mr. Campon has traveled throughout this land inspiring audiences everywhere with his eloquence and magnetic personality. Recently, as he sat at the speaker's table at a Kiwanis meeting in Milwaukee, a man came up to him and blurted out; "I want to tell you that you have a hell of a nerve to come here on Ericson Day and talk about Columbus. (Oct. 9th is Ericson Day in Wisconsin). Mr. Campon replied that he had no intention of hurting the legend of Ericson. He told this story . . . of the chicken and the duck; When a duck lays an egg she usually goes to sleep. But when a chicken lays an egg the whole world is bound to know and to hear about it. And Columbus, evidently, was the chicken!

STANDS OUT

He continued: "However, I do somehow regard the claim of anyone who preceded Columbus as legendary because in no sense was there any actual contact established between the eastern and western parts of our planet until 1492. And we have since come to realize that the stream of human life which had flowed on for centuries apart, was henceforth to flow onward together, from 1492 forward. Assuming that Ericson touched Newfoundland, as it has been claimed because of a map, I ask, "What did he do about it?" Whatever claim is made of the discovery, I can only say that Columbus completed our world, and, while another gave it a name, the New World will ever be a monument to his memory."

States Campon: "In the American annals of history three men stand out, Washington, Lincoln and Columbus. The great Italian navigator might have lacked in formal education but he made up for it with his enthusiasm, determination and doing. In order to gain his end he knocked at the doors of several European royalties but was turned down. Finally his persistence was rewarded on April 17, 1492, when King Ferdinand and Queen Isabella of Spain agreed to subsidize his voyage. The signed contract between him and their Catholic majesties contained the provision that he was to become viceroy of all territories discovered by him and provided with other rewards, including an hereditary peerage and one tenth of all precious metals found within his jurisdiction. The lesson we learn from Columbus' life is that he was a man of determination. Although he was a dreamer he worked hard for the realization of his dream and succeeded. Result . . . the western hemisphere and the United States of America. Truly we can sing out unashamedly: proudly and fiercely . . . Columbus was an Italian! . . . Columbus discovered the New World. God bless America! God bless Christopher Columbus! There might never have been a Washington, the Maker or Lincoln the Savior and the Emancipator had there not been a Columbus the Discoverer!"

To quote another great Italo-American who has brought forth priceless documentary proofs of Columbus' discovery of this vast continent, so speaks, Giovani Schiavo, celebrated national and international scholar and author of numerous volumes on Italo-American histories. "No voyage in the history of the world ever surpassed in drama Columbus' plunge into the uncharted ocean. Danger lurking from every side, not only from the elements or from the mystery of the unknown, but also from the crew itself, superstitious and quick to mutiny, only a man with an almost superhuman character like Columbus could persist in what practically all his men soon came to consider a foolhardy adventure. But, had not Columbus possessed such an indomitable will, he would have not discovered America. God willed Columbus to weather the storms of both nature and men, amid sudden hopes and even more sudden disappointments, but always supremely confident of God's help and his own calculations."

RECORD OF GREATNESS

This writer calls on every Italo-American citizen, every lover of truth and of faith in the destiny of men like Columbus to rise up and to write letters and send telegrams to every senator and congressman that the nation make Columbus Day a national holiday. These words and this article are also directed to every Italo-American organization from the 150,000 membership of the Order Sons of Italy in America, to every large and small Italo-American group. Stand up and be counted. Stand up and be heard. The honor to Christopher Columbus is long overdue! The honor and tribute is not only for that immortal Genovese navigator and intrepid sailor of the oceans, but for the honor of Italy, immortal cradle and heart beat of the world.

Italy gave us her theme of freedom. She has given to exploration, a Columbus, a Vespucci, a Verazzano. She has given to sculpture and art, a Michelangelo; she has brought to painting, a Titian; she has given the incomparable Leonardo DaVinci; she has given to science a Marconi, Enrico Fermi, who helped split the atom; she has given to military art, Garibaldi; she has given to theology, a St. Thomas; she has given to education a Montessori; she has given to music a Toscanini, Caruso, Martinelli, she has given to the world a code of laws and the wonders of Roman civilization. She has brought forth upon this continent over 20 million Italo-Americans who have worked and sweated in every area of labor and business; whose forefathers have fought in every war and revolution of this land; from William Paca, signer of the Declaration of Independence and a chief justice of Maryland, to Philip Mazzei, political author and patriot, friend of Jefferson and Washington and Franklin; Paul Revere, senators like John Pastore, cabinet members like Anthony J. Celebrezze, Deputy Postmaster General James LaPenta, Jr., governors like LaSalle and Rosellini, our very own distinguished governor, John A. Volpe of Massachusetts, and for the 14 Congressional Medal of Honor winners who fought and died for this incomparable land of ours that it be perpetuated as a sanctuary for the millions of hungry, helpless peoples of the enslaved countries, victims of tyrannical communism and the ravages of famine and disease.

The incontrovertible record of this history cried out to America and to the world. Make Columbus Day a national holiday!

CHRISTOPHER COLUMBUS—OCT. 12, 1966

(A poetic symphony in tribute to the immortal Italian navigator and discoverer of America)

America, the lovely virgin, slept
  In fragrant woodlands, home of beast and bird,
Where faithful ages slowly, softly wept
  To hear the stranger's resurrecting word.
And then he sailed in 1492
  To open wide the gates for all of man.
He proved his faith, His dream at last came true,
  And all the world had bridged the fearsome span.
Out of the Roman earth Columbus came.
  The cradle home of Caesar, Pope and saint.
He vanquished fear and superstition's shame
  And cleansed the mind of doubts' degrading taint.
Let all the world rejoice that happy day
  And humbly thank the Lord for such a grace.
We must remember how to kneel and pray
  For men had found a new and hopeful place
Oh, blessed land. You torch of freedom's flame,
  Columbus gave his all to give you birth.
You should have borne his valiant haloed name
  But fate contrived to change your history's worth.
The blossomed world now celebrates his date.
  Columbus gave the blind a hope-filled sight,
And was the master of his destined fate
  That all of men shall never fear the night!

—ANTHONY CAMA.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on Columbus Day.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COLUMBUS DAY

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. McDade] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. McDADE. Mr. Speaker, today we celebrate one of the great days of the year, Columbus Day. It is a day known to every man, woman, and child in America, and the name of Columbus is as well known as the names of Washington or Lincoln.

It is a day that will be celebrated by every American, but it will be celebrated most particularly by the sons of Italy, because Columbus was one of the great Italians whose lives have made the world's history richer.

It would be fruitless for me to recount to this august body the story of the *Nina*, the *Pinta*, and the *Santa Maria*, of the fantastic voyage of these three tiny ships out into the vastness of the Atlantic Ocean, beyond all known limits of navigation. It would be fruitless to tell of the despondency which struck the crew as they sailed on, day after day, into the unknown, or of the courage of the man who stood on the commander's deck aboard the *Santa Maria*. Most of all, it would be fruitless to tell of the final moment of unbelievable triumph when Columbus walked ashore on the soil of the New World. The story is too well known for me to repeat it here before you.

But there is a significance to this which we should all note. Columbus may have been the first Italian to leave a mark of greatness on this country. He is certainly not the last. The country that produced Columbus, that produced Dante, that produced Petrarch, that produced Da Vinci, and a host of other great men, has enriched America most notably.

There was Fra Marco da Nizza, who explored what is today Arizona; Francisco Chino, who laid the foundation of the great cattle industry in the Southwest; Enroco Tonti, who founded the first trading post in Chicago; his brother, Alfonso Tonti, who helped Cadillac found the city of Detroit; Umberti Beltrami, who discovered the sources of the Mississippi; Dr. Filippo Mazzei, physician and counselor to President Thomas Jefferson, who was instrumental in having incorporated in the Declaration of Independence the words "That all men are created equal."

These are men who might well be called founders of our Nation.

The men of Italian descent have enriched our lives in other ways. Right in this very Capitol you will find that nearly 90 percent of the art work, the frescos, the paintings, and the sculptures are the work of such men as Constantine Brumidi, Joseph Franzoni, and John Andrei.

They have shown their bravery in war. In the Second World War nearly a million men of Italian descent were members of the American Armed Forces. They have won 20 of the Congressional Medals of Honor—one of them by our own Gino Merli of the 10th Congressional District.

They have shown their greatness in other ways, also. When the first atom bomb was exploded over the desert at Los Alamos, and when the first bomb was dropped to bring about the beginning of the end of the Second World War, the hand of Enrico Fermi was a major hand in the building of these bombs.

I join today the celebration of the discovery of America by Christopher Columbus. It is an event almost without equal in significance in the history of the world. Out of this discovery eventually came the birth of the most powerful nation the world has ever known. But more than this, I salute all the other great men of Italy who have given to Italy, to America, indeed to the world, a wealth of adventure, of culture, of religion, of philosophy, of science. I rejoice that they have done this in the past. I rejoice that they are doing it today. Most of all, I rejoice that we have among us great Italians who will enrich America as long as she will last.

MAJOR LEGISLATIVE ACCOMPLISHMENTS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. Berry] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BERRY. Mr. Speaker, again at the close of another session of Congress, it is my privilege to report to you on the major legislative accomplishments.

Adjournment of the 89th Congress marks another milestone—the 16th year of my service in Congress, exceeding the longevity of any Member of the House who has represented South Dakota's Second District, and I am grateful for the trust placed in me these many years. The experience and seniority thus achieved has, I hope, proven beneficial to the district and the State.

I am mailing under separate cover a résumé of my votes cast on all important legislation this past session. Through my annual questionnaire, regular trips to the district, radio reports, newsletters, and correspondence, I have endeavored to keep in close touch with all of the people of the district, and I feel this voting record reflects the views of the majority of you good people in the Second District.

The 89th Congress produced much legislation during its long 10-month second session. Many of the bills enacted were the result of compromise between measures requested by the administration and modified by congressional action. In a number of instances, however, the 295 Democratic majority to the 140 Republicans delivered to the President legislation much as he demanded. I shall endeavor to cover the highlights.

NATIONAL ECONOMY

To provide additional revenue for the Vietnam war and domestic spending, the Tax Adjustment Act of 1966 was passed providing for accelerated corporate and personal income tax withholding. In addition, the act reimposed the 10-percent excise tax on telephone service, and the 7-percent excise levy on automobiles, both of which had just been reduced January 1, 1966.

Late in the session the House agreed to the request of the President to suspend for 16 months the 7-percent investment credit as an anti-inflationary measure. An amendment beneficial to South Dakota farmers and small businessmen was added in committee to exempt $15,000 of machinery and equipment purchased.

Once again the administration asked Congress to increase the temporary ceiling on the national debt. This time Congress approved a rise from $328 to $330 billion. This increase has become an annual ritual, since the budget has not been balanced any year since President Eisenhower left office. Interest on the debt now costs $12.5 billion a year, or about $250 per taxpayer.

VETERANS

More than 3 million cold-war veterans with a minimum of 180 days' active duty since January 31, 1955, are receiving educational and housing benefits under the Peacetime Veterans Benefits Act. College and vocational training is provided, with an allowance of $100 per month for a single veteran taking a full-time course. Home loans are guaranteed up to $7,500.

A cost-of-living increase averaging 5 percent was also approved for many veterans and their dependents.

DEFENSE

Final action on the defense appropriation bill was held up until the closing days of the session because of the controversy over the Senate amendment dealing with the callup of individual reservists. The compromise worked out in conference empowers the President to call up entire units of the National Guard or Ready Reserve without a declaration of a national emergency. Individuals not assigned to active units who have not served at least 24 months on active duty and have not fulfilled reserve military requirements would also be subject to callup.

INTERNATIONAL AFFAIRS

Serving on the Foreign Affairs Committee, I have been directly involved in the hearings and drafting of a number of important bills in this field, including the foreign aid authorization. We were able to cut funds in the final appropriation to $2.94 billion, the lowest financing for this program in 9 years. The administration had requested a 5-year authorization, but Congress refused to abdicate its authority in this vital field, and held the authorization to 1 year.

The Peace Corps was also extended and $110 million authorized for it during fiscal 1967.

LABOR

Of far-reaching effect is the law increasing and extending minimum wage coverage to 8 million additional employees. For those now covered, the minimum wage will be boosted from $1.25 to $1.40 next February, and to $1.60 in February 1968. Coverage will be extended to workers in retail stores, restaurants, hotels and a number of other businesses with sales of $500,000 or more next February. This sales volume will be reduced to $250,000 on February 1, 1969. Newly covered employees will start at a minimum of $1 an hour, with annual increases of 15 cents until they reach $1.60 in 1971.

As this is being written, the bill extending unemployment compensation benefits to 3.5 million additional workers is stalemated in conference. The administration bill would have ignored 30 years of successful experience with a Federal-State coordinated program by superimposing Federal standards as to benefits, duration of eligibility, and disqualifications. The House-passed bill permits an additional 13 weeks of benefits under certain conditions, and also raises the tax rate and wage base which are wholly financed by the employer.

DEPARTMENT OF TRANSPORTATION

Another Cabinet-level agency was created establishing a Department of Transportation to which are transferred activities in this field now administered by the Department of Commerce and the Federal Aviation Agency, and safety functions of the Civil Aeronautics Board and of the Interstate Commerce Commission.

CIVIL RIGHTS

After more than 2 weeks of debate, the House passed the Civil Rights Act of 1966, banning discrimination on account of race, religion, color, or national origin in housing and in the selection of juries. Much controversy focused on title IV, the so-called fair housing section, and when the measure reached the Senate, a motion to invoke cloture and shut off debate failed. Faced with the threat of a prolonged filibuster, the measure was thus killed for this session.

AGRICULTURE

A 2-year $5 billion extension of the food-for-peace program was approved, but I was greatly disappointed that the conferees initially deleted the provision to prohibit the subsidized sale of food to those nations that trade with North Vietnam and Cuba. As passed by the House, any nation selling or shipping supplies to these Communist countries would not be eligible to receive our farm commodities at bargain prices. I fought for this because I could not see how we could conscientiously give our food to countries shooting American boys. As this is written the matter has been returned to conference after the House rejected the original conference report.

Of benefit to South Dakota especially was the measure increasing authorization under the Small Reclamation Projects Act from $100 to $200 million for use in the revolving fund. We are hopeful a project in the Wagner area with great potential for truck farming may qualify under this program.

EDUCATION

The Elementary and Secondary Education Act was extended for 2 more years after bitter debate over the issue of school desegregation.

Conferees are now resolving the differences between the House and Senate versions, but the authorization will be far in excess of the $1.75 billion requested by the President by fiscal 1967. The House authorized $2.18 billion, and the Senate $2.71 billion.

Also in conference is the college aid bill, and it, too, will probably be higher than the administration requested. The Senate version authorizes over $4 billion for 3 years, and the House earlier voted $2.9 billion.

RENT SUBSIDY

By a mere four votes, in spite of a 2 to 1 Democrat majority, the House restored funds to implement the rent subsidy program after the Appropriations Committee had refused to provide the necessary money. The program had been authorized last year as a part of the Omnibus Housing Act.

AUTO AND HIGHWAY SAFETY

In an effort to curb the mounting death toll on the highways, two bills were enacted—the National Traffic and Motor Vehicle Safety Act and the Highway Safety Act. The $381 million in Federal funds are provided over 3 years for setting auto safety and tire standards and research for State and local safety programs. Starting with 1968 models, new cars manufactured must carry as standard equipment such safety features as head rests, shoulder harness anchorage, dual braking systems, retractable steering column, safety door latches, and additional interior padding. Safety standards for used cars would go into effect by September 9, 1968.

VIETNAM

One of the first major bills enacted this session was a supplemental military appropriation authorization totaling $4.8 billion to meet our military needs in Vietnam. In addition to the regular defense appropriation bill, it is expected another substantial supplemental request will be sent to Congress early next year to meet the rapidly rising costs of the Vietnam war. A $415 million supplemental foreign aid assistance was also enacted in March, with the majority of the funds earmarked for Vietnam.

FREEDOM OF INFORMATION ACT

This measure was passed on the assumption that the American people have the right and the need to know more about the affairs of government. It clarifies and protects the right of the public to essential information and should help blaze a trail of greater truthfulness and complete disclosure of facts by our growing Federal Government.

PARTICIPATION SALES ACT

Congress gave President Johnson authority to sell $4.2 billion in Government-held securities to private investors. The proceeds from the sale of these securities goes back in cash to the agency involved, such as the Federal National Mortgage Association. This should help bring the budget for fiscal 1967 closer in balance, on the books, at least although it is using capital assets to help balance the 1967 budget. Although at the time of passage of the act the administration said the participation certificates would carry interest rates only one-quarter of 1 percent above the cost of Treasury borrowing, they have in fact been bearing 5¾ percent. I have, therefore, joined in the sponsorship of legislation to suspend this program.

FEDERAL SALARY ACT

An estimated 1.8 million Federal civilian employees were granted pay raises of 2.9 percent effective July 1, 1966. Members of the Armed Forces were also granted a 3.2-percent pay increase.

DAYLIGHT SAVING TIME

Daylight saving time would become automatic in all States beginning in 1967 except when a State legislature voted to keep the State on standard time. "Fast time" would go into effect the last Sunday in April and remain in effect until the last Sunday in October. My attempt to amend the bill to strengthen State control by permitting a State legislature to exempt any one of its time zones was rejected by the House, included in the Senate, but deleted in conference.

POVERTY

Conferees are now working on the $1.75 billion antipoverty program which has cleared both Houses. An attempt in the Senate to increase this figure to $2.5 billion was defeated.

A GREAT FUTURE

We have been fortunate in being able to obtain appropriations not only to maintain and improve the many Federal installations in South Dakota, but to finance new projects and new programs as well. South Dakota's greatest development project, the vast Oahe irrigation unit, will be up for authorization next year. I have the assurance of the gentleman from Colorado, Representative WAYNE ASPINALL, chairman of the important Interior and Insular Affairs Committee upon which I serve, that hearings will be started soon after Congress convenes in January, and he has assured me that, if possible, field hearings will be held this fall.

COMMITTEE FOR A FREE CHINA

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, for some months now, the irresponsible and un-American behavior of the so-called new left has dominated the headlines of our Nation's newspapers, giving the false impression to many citizens that most young Americans are contemptuous of American traditions and principles. While we all know this to be untrue and that the new left represents only the most minute percentage of our young people, the responsible activities of the overwhelming majority of students have not been widely publicized. After all, there is nothing very dramatic or sensational about attending classes, studying hard, reading goods books, or engaging in seminars and discussions about vital issues of the day. Constructive actions by our youth on campus are not played up as much as leftist rioting, war protest, blocking troop trains, and so forth.

To balance the picture, then, I am pleased to report the formation of an ad hoc student organization which is concerned about one of the most important problems of this decade—U.S. policy with regard to Communist China. The Student Committee for a Free China has been created under the auspices of the World Youth Crusade for Freedom to disseminate information, sponsor meetings, seminars, and conferences, and to cooperate with and help stimulate existing student organizations.

As part of its campaign to present the facts about Communist China to the American student and the Nation in general, the Student Committee for a Free China has prepared a memorandum about the question of Red China's admission to the United Nations. This memorandum is one of the most closely reasoned and carefully documented studies I have ever read. It is sober, it is sound, and it is convincing. I recommend it to my colleagues and their constituents.

The Student Committee for a Free China is headed by David Keene, a senior at the University of Wisconsin, who spent this past summer in South Vietnam talking and living with South Vietnamese students and leaders. He has prepared a brief report about his visit to Vietnam and the reasons for the formation of the Student Committee for a Free China. His report, too, deserves reading and reflection. As Mr. Keene states succinctly:

> The greatest single enemy of freedom in Asia is Communist China.

Mr. Speaker, under unanimous consent I include the Memorandum on Red China of the Student Committee for a Free China, as well as the report of its chairman, David Keene, in the RECORD following my remarks.

MEMORANDUM

Re: Report and prospectus.
From: David A. Keene.
To: Senior American Advisory Council, contributors and associates.

I have just returned from two months in Vietnam as one of the nine volunteers in the first pilot Freedom Corps project of the World Youth Crusade for Freedom. In addition to Vietnam, our volunteers worked in Free China; India; Australia; The Philippines; Singapore; Indonesia; Hong Kong; and Japan.

Our basic mission was three-fold: to meet with as many young people as possible, in the countries to which we were assigned, to let them know that the majority of American youth were anti-Communists; to learn as much as possible about the true situation in these areas so that we could report back to young Americans throughout the country; to lay the organizational groundwork for effective local anti-Communist youth action and—through the liaison activities of the WYCF—to provide the basis for coordinated anti-Communist youth action throughout the world. This was a challenging and difficult assignment. Great headway was made. You will be receiving a full and detailed report in a short time.

I learned a lot—as did all of us in the Freedom Corps. Now that we are back home again, we have the responsibility of making this knowledge and experience available to other young Americans on the campuses and in the communities of our nation. How to do this?

There is one thing that we all learned: the greatest single enemy of freedom in Asia is Communist China. It is Communist China that is supplying the enemy in Vietnam with guns, ammunition and trained Chinese officers and men which are used to kill young Americans and Vietnamese. It is Communist China that has spread its web of subversion and infiltration throughout all the free nations of Asia. It is Communist China that is the threat to the independent nations of Asia and the self-avowed enemy of our own country as well.

Since 1948, when Communists seized power on the mainland, there have been those in America who advocated policies of appeasement of Communist China. During the past 2 years, this advocacy has turned into a well-financed and well-publicized campaign.

Those who call for unilateral American concessions to Peiping seem to grow more desperate with each new defeat suffered by the Red Chinese in other parts of the world: when the Indonesians rejected Communist Chinese influence, some American church groups called for United States recognition of Peiping; when United States soldiers make any advances in Vietnam, some American business groups call for trade with Red China; when various African states expelled Communist Chinese diplomats and "technicians", some hurriedly-organized American academic groups called for the admission of Communist China to the United Nations. The Chinese Communists are losing ground everywhere in the world but in the United States. It is here—in our own country—that they seem to be gaining!

Two national organizations have recently been organized with the specific purpose of promoting appeasement of Red China: the National Committee on United States-China Policy and Americans for Reappraisal of our Far Eastern Policy. This latter group is of particular concern.

Americans for Reappraisal of our Far Eastern Policy was organized at Yale University early in 1965. It was set-up as a "student" group and aimed primarily at the nation's campuses. Through distortion of fact and the utilization of effective and expensive propaganda techniques—and under the umbrella of sponsoring professors—this group has begun to make an impact on the minds of young Americans. It is these same young Americans—the young men of our own generation—who will be called on to fight for their country wherever we are threatened. And if their minds are poisoned by the enemy, what can we expect of them?

After consultation with my Freedom Corps colleagues—and with various members of the Senior American Advisory Council—we have decided that the primary objective of the WYCF during the next several months is to make young Americans aware of the realities of Red China and of the great issues at stake. In order to concentrate our efforts on this urgent matter of consent, we have organized the Student Committee for a Free China (SCFC) as an auxiliary and affiliated group working with the American Secretariat of the WYCF.

Following is a brief outline of what we propose to do:

NATIONAL HEADQUARTERS AND AFFILIATION

In order to avoid duplication of effort and volunteer personnel, the SCFC will be established as an ad hoc organization affiliated with the WYCF. By so doing, the SCFC will have the benefit of an already established and sympathetic constituency—including the members of the WYCF Senior American Advisory Council—and will be able to utilize returning Freedom Corps volunteers, and their overseas contacts for speaking engagements on campuses throughout the country. Administration and policy, during the first months of operation, will be carried out in consultation with members of the WYCF Senior American Advisory Council.

National headquarters will be established in New York City with three major responsibilities: raising the funds required to carry out an effective program on the campus; providing direction, material and speakers for campus activities; serving as a spokesman for what we believe to be the sentiments of the overwhelming majority of the American students on America and Communist China. These headquarters will also be used to consolidate and continue the international program of the WYCF.

CAMPUS ORGANIZATION

The SCFC has no intention of establishing itself as another permanent organization. Instead, we hope to stimulate existing groups, both national and local, who agree with our basic position to carry out specific campus activities in the area of concern, i.e., Young Americans for Freedom, Intercollegiate Society of Individualists, College Young Republicans, the College Conservative Council, College Young Democrats, etc. Therefore, instead of setting up campus "chapters", we have already begun enlisting campus "representatives" of the SCFC who will undertake to stimulate the following type of activities on their own campus in cooperation with already-existing groups:

(a) Meetings: Campus representatives will stimulate the organization of meetings, seminars and conferences, in cooperation with other campus organizations, to discuss questions concerning the United States and Communist China. These meetings will be provided with knowledgeable speakers through the speakers bureau of the SCFC. Films and film-tapes on the subject of concern will also be made available for such meetings.

(b) Participation in other youth conferences: The pro-appeasement forces have organized any number of conferences and seminars on the campus. All of these have been completely one-sided. One of the functions of campus representatives will be to demand full participation in such meetings so that our side can be adequately represented.

(c) Literature: Literature and informational material will be made available for circulation on the campus which will be prepared directly by the SCFC or will be made available for circulation by other national organizations.

(d) Public action: The student left has had a monopoly on demonstrations of various kinds. We believe it is time for anti-Communist students to enter this field—albeit in a more responsible manner. Whenever necessary, campus representatives will stimulate appropriate student action which will focus public attention on the issues of concern.

NATIONAL ACTIVITIES

As of this writing, our preliminary plans call for the holding of several regional off-the-record seminars under the leadership of experts on various aspects of Communist China. These conferences will be restricted to SCFC campus representatives and will serve to provide them with the intellectual and political ammunition required to carry out their responsibilities in an effective manner on their own campus. In addition to these regional conferences, we are planning a National Student Conference on China, to be held in Washington, to which college newspaper editors and student government presidents will be invited. Representatives of all major youth organizations will also be invited to participate. This conference will be addressed by distinguished experts on China and will serve to educate and inform student leaders, who may not necessarily be committed to our point of view, on this question.

CONCLUSION

We have already begun to organize the preliminary stages of this undertaking. As of this writing, we have representatives on 67 college campuses. We want to emphasize again that the Student Committee for a Free China is not being established as a permanent organization. Rather, it is organized as the major project of the American Secretariat of the World Youth Crusade for Freedom during the coming school year. In addition to this work, the WYCF will also carry out other activities of importance, in the United States and throughout the world which, we hope, will merit your continued support and confidence.

We, who have undertaken this initial re- face. However, the stakes are high indeed. sponsibility, are aware of the problems we As young Americans, we are deeply concerned over the inroads made by the pro-appeasement forces on the thinking of our fellow students. We believe it is incumbent on us to do everything possible to counter this attack on the minds of American youth with constructive action. We are ready to do trust that sufficient support will be forth- a job that must be done and we hope and coming to enable us to do it.

MEMORANDUM OF STUDENT COMMITTEE FOR A FREE CHINA

OCTOBER 1966.

To: All concerned.
From: Student Committee for a Free China.
Re: Background on the question of the representation of China in the United Nations.

The so-called "question of the representation of China" will again be one of the most heatedly debated items on the agenda of the 21st session of the General Assembly. It involves not only the position of the Republic of China in the United Nations; the basic principles of the Charter and the very future of the Organization itself are involved.

The vital importance of this question has been recognized by the majority of the General Assembly since it was first raised some 16 years ago. At its 16th session (in 1961) the General Assembly, in resolution 1668 (XVI), formally declared that inasmuch as the representation of China is "vital and crucial" for the future of the Organization, of China is an important question" within "any proposal to change the representation the meaning of Article 18 of the Charter. This decision was reaffirmed by the General Assembly at its 20th session last year.

UNITED NATIONS THROUGH CHINESE COMMUNIST EYES

Through the years, the pro-Peiping protagonists have made light of Peiping's official pronouncements or else interpret them in such a way as to mislead an already bewildered world.

There is no doubt that Mao Tse-tung aims at the conquest of the world for the Communist system. The Chinese Communist regime has repudiated the most fundamental rules of established international law and is in the grip of an ideology which imbues it with unquestioning confidence in the invincibility of its cause. Yet no matter how plainly Mao Tse-tung and his cohorts speak and act, there are always those who simply refuse to be convinced of the danger posed by Chinese Communism.

Recent events, however, seem to indicate that the real nature and goals of Chinese Communism are beginning to be better understood. In Asia, Africa and Latin America a greater awareness is evolving of the danger posed by Peiping. Countries which were, only a short time ago, receptive to Peiping's blandishments are now wary of Peiping's gestures of friendship.

There is also a growing realization that the seating of the Chinese Communists could spell the ruin of the United Nations as a potential instrument for international peace and security. The torrent of words and deeds from Peiping have made it abundantly clear of the grave consequences which would follow if the Peiping regime were permitted to occupy China's seat. A few excerpts from Peiping's official press will suffice to show this.

"The 20-year record of the United Nations provides proof that this organization is nothing but the tongue of the serpent—U.S. imperialism—for preying upon other nations. Whichever country relies on the United Nations for its security and development runs the risk of being devoured by U.S. imperialism." (People's Daily, 1 February 1965)

"The Khrushchev revisionists have deliberately been trying to cover up the truth and spreading illusions about the United Nations . . . The reason is simply that they want the United Nations to be a center for political transactions between the Soviet Union and the United States, and a tool for paving the way for Soviet-U.S. cooperation to dominate the world." (People's Daily, 25 June 1965)

A more grotesque distortion of the facts would be difficult to imagine.

Such being the Chinese Communist view of the United Nations, it follows that a "thorough reorganization" of the United Nations according to Peiping's specifications must be effected.

"The United Nations has gone from bad to worse as a result of the collaborations between the Soviet leaders and the U.S. imperialists to use the United Nations to oppose the people's revolutionary struggles. . . . How to cure it? First aid measures will certainly not do. What it requires is adequate clinical treatment—a thorough reorganization." (People's Daily, 26 June 1965)

"The United Nations has committed too many mistakes . . . It must be reorganized. . . . In these circumstances, another United Nations, a revolutionary one, may well be set up so that rival dramas may be staged in competition with that body which calls itself the United Nations but which is under the manipulation of U.S. imperialism and therefore can only make mischief and do nothing good." (Chou En-lai's speech at a banquet honoring Indonesian Foreign Minister Subandrio in Peiping, 24 January 1965)

This so-called "revolutionary United Nations" was to be set with Peiping, Indonesia and possibly Cambodia as founding members. In fact, it was due to Peiping's pressure on Jakarta that Indonesia withdrew from the United Nations. But this projected "revolutionary United Nations" never progressed beyond the verbal stage. Subsequent political upheavals in Indonesia prevented Peiping from translating the plan into reality.

STRATEGIES OF WORLD REVOLUTION

The stress on its role in the struggle for "national liberation" has been the unvarying theme of Peiping's declarations. The eventual objective, however, is the establishment of the Communist system on a worldwide basis through three basic tactics: revolutionary subversion and overthrow of all non-Communist governments; display of military might in order to gain recognition as a major world power and a model for revolution in all developing countries; exploitation of every conflict situation in order to create confusion and disorder.

In the developing countries, the strategy to accomplish the goal of revolutionary subversion and seizure of power follows two main lines of attack: support of local Communist Parties which, whenever and wherever feasible, forment revolutions to bring about a direct accession to power, alone or in alliance with whatever discontented or "progressive" elements can be exploited; alliance with national revolutions in "colonial" or "semi-colonial" countries in the struggle for national liberation. Both lines have been applied by Peiping in Asia, Africa and Latin America.

In Indonesia, where a strong Communist Party (the PKI) existed, Peiping used the first line. With Peiping's support and encouragement, the PKI had long been prepared to take over the political apparatus of Indonesia. It was with this objective in view that the coup of October 1965 was staged. The coup, however, proved abortive and the Indonesian people have since turned against Peiping.

The Chinese Communists are firm believers in the efficacy of force and violence. "The key question in the proletarian revolution," said Red Flag (3–31–64) ideological organ of the Chinese Communist Central Committee, "is the seizure of state power and the smashing of the bourgeois state machine by violence, the establishment of the dictatorship of the proletariat and the replacement of the bourgeois state by the proletariat state." "Marxism," it goes on to say, "has always openly proclaimed the inevitability of violent revolution. . . . The seizure of power by armed force, the settlement of issues by war, is the central task and the highest form of revolution. This Marxist-Leninist principle of revolution holds good universally, for China and for all other countries."

This is an elaboration of Mao Tse-tung's often quoted dictum: "Political power grows out of the barrel of a gun." And this dedication to violence and bloodshed forms the core of Maoism. "The sacrifice of a small number of people in revolutionary wars," declared Peiping's Defense Minister Lin Piao on September 3, 1965, "is repaid by the security for whole nations, whole countries and even the whole of mankind; temporary suffering is repaid by lasting, even perpetual peace and happiness. War can temper the people and push history forward."

The world was shocked by Lin Piao's brazen advocacy of so-called "people's war." In essence, Lin stated that the Communists and their allies must first of all establish revolutionary bases in the rural areas, and then move to encircle the cities in order to achieve victory. "The countryside, and the countryside alone, can provide the revolutionary bases from which the revolutionaries can go forward to final victory." He made it clear that the Chinese Communists intend to incite a series of guerrilla wars in the developing countries of Asia, Africa and Latin America for a twofold purpose: to struggle against the "imperialists" in a national revolution; to complete the proletarian revolution by the overthrow of established governments.

"Taking the entire globe," Lin continued, "if North America and Western Europe can be called 'the cities of the world,' then Asia, Africa and Latin America constitute 'the rural areas of the world.' "

This nightmarish blueprint for world conquest is no new invention of Lin Piao. It has long been the central thesis of the Maoist strategy of world revolution.

PEIPING'S SETBACKS IN 1965

Responsible leaders in Asia, Africa and Latin America do not regard the "people's war" as an empty threat.

The present Indonesian leaders certainly are not complacent about the threat posed by Peiping. Nor are the leaders of Thailand, the Philippines and Malaysia. If the October coup in Indonesia had been successful—and it came close to succeeding—it would have been followed by an intensification of the "crush Malaysia" campaign, which was first formulated by the PKI with the approval of Peiping; Thailand and the Philippines would have been caught in a pincers; and the security of all of Southeast Asia would have been jeopardized.

Africa has high priority on the Chinese Communist agenda. Chou En-lai, in his speech at a mass rally in Dar es Salaam, Tanzania in June 1965, spoke of Africa as the region of the world "exceedingly favorable for revolution." Communist Chinese missions to Africa have been frequent and varied, and there have been generous offers of economic and technical aid. For a time, it seemed that Peiping had achieved considerable success in that important region of the world.

However, the Chinese Communist push in Africa has recently received a series of major setbacks. Its agents were unable to persuade Asian and African countries to accept their views on a number of substantive questions in regard to the second Afro-Asian Conference in Algeria. Their diplomatic missions have been expelled from Burundi, Dahomey and the Central African Republic. Their technicians have been expelled from Ghana. The Governments of Kenya and Tunisia have warned them against fomenting revolution in Africa. More and more African leaders are realizing that the Chinese Communists are in Africa not to promote stability but to sow the seeds of instability and confusion.

In Latin America, even Fidel Castro has turned against Peiping. He has accused the Chinese Communists of trying to subvert the Cubans "in a cunning and subtle manner." The very fact that they do not even hesitate to subvert a fellow Communist country is food for thought for the rest of the world.

Here is what some outstanding African leaders have to say about the Chinese Communists.

Former President Maurice Yameogo, of Upper Volta, said at a news conference at San Francisco International Airport, April 2, 1965:

"The case of Burundi is clear. As soon as the Government realized what was happening, they expelled the Chinese (Communists). Wherever the Communists get in, not only does subversion set in, but also a backward movement set in. I am one of those who are strongly opposed to such interference."

Mr. Yameogo said on another occasion September 27, 1965 in Upper Volta:

"We continue to oppose the CPR's entry into our country, because wherever the CPR is allowed to enter there is always trouble and confusion and even plots to overthrow the government."

According to a UPI dispatch (March 13, 1965) President Hamani Diori of Niger was quoted as saying that "Africans have been taken to (Communist) China and given training in Marxism, Leninism and military training." They then returned to Africa and tried "to teach the new doctrines with machine guns."

Dr. Kamuzu Banda, Prime Minister of Malawi, said on October 1, 1965:

"It is not only Chiume that the country is facing but it is in fact the Chinese (Communists). Chiume is a tool in the hands of the Chinese (Communists). The Chinese (Communists) are training Malawians for Chiume, some in Peking and others in Cuba and Algeria. . . . They will be sent back to this country during the rainy season."

After the downfall of Kwame Nkrumah in Ghana, further evidence of Chinese Communist subversion in Africa came to light. A broadcast from Accra (January 28, 1966) reported that over 30 local and foreign correspondents had visited a secret Communist training camp in Ashanti. The camp was staffed by Chinese Communist instructors who trained nationals from other African states in guerrilla warfare, the use of weapons, and the handling of explosives. "Asked why the Cameroonians are also undergoing such training, a spokesman of the trainees, Ballerino Anama, said that they were sent by the leader of their party and that they hope to return to their country to overthrow their lawfully constituted government through subversion."

President Bokassa of the Central African Republic said at a rally on January 7, 1966:

"After the coup d'etat, my Government and I discovered the existence of a popular army. We also discovered some arms bearing foreign marks and ammunition."

Dakar radio announced on January 21, 1966 that the Director of the Central African National Police had presented to President Bokassa "a pile of documents which were found at the former residence of the Chinese (Communist) diplomats who were expelled after the coup. These documents are illustrated leaflets intended to popularize guerrilla methods. Competent sources think they were to be used for educating the people's army."

The evidence is incontrovertible. It is thus clear that Chinese Communist subversion in Africa is directed not so much against the "imperialists" and "colonialists" as against independent African governments.

The Peiping regime has no more tolerance for the non-aligned nations than it has for the so-called "imperialists." It has tried to exploit the non-aligned nations for its own advantage but, when the chips are down, it has not hesitated to revile them for treachery and hypocrisy. Thus, when 17 non-aligned nations appealed last year to Peiping for peace in Vietnam, the People's Daily (April 23, 1965) charged that the action was inspired by Tito and went on to say:

"For years the Tito clique has pretended to uphold peace and maintain neutrality under the mask of non-alignment. In practice, it has been working as a Trojan horse for U.S. imperialism to undermine the struggle for the peoples for winning and safeguarding national independence."

India, the architect of modern non-alignment, was mercilessly attacked in connection with its dispute with Pakistan. Chou En-lai, in a speech on September 9, 1965, said: "India's armed aggression against Pakistan thoroughly exposed the Indian reactionaries' vaunted nonsense about their policy of non-alignment and peaceful coexistence."

The late Prime Minister of India, Shastri, and Tito of Yugoslavia, were smeared as "lackeys and precious pets" of U.S. imperialism.

THE UN-CHINESE NATURE OF MAOISM

The doctrines of Mao Tse-tung represent the most militant and aggressive form of Communism. Maoism is alien to Chinese culture and tradition; it is, in fact, at war with them. It attempts to break all the loyalties and beliefs of the past and to replace them with loyalty to the Party and to Mao Tse-tung himself. The un-Chinese nature of Maoism has recently been made clear in the antics of the so-called "Red Guards" who are out to wipe out "old ideas, old culture, old customs and old habits" and who plunged mainland China into chaos and turmoil. It is significant to note that the terrorism unleashed by the Red Guards has already provoked determined resistance from the masses of the Chinese people. Foreign observers in China have reported disorder in many localities—including such cities as Peiping, Tientsin, Canton and Tsinan.

Some of Peiping's apologists tell us that Chinese Communist aggressiveness is a continuation of the old Chinese imperial tradition. Nothing can be further from the truth. The Chinese emperors of yore did not seek to impose their administrative structure, their economic system or social order on territories outside China proper. Their control over other ethnic groups was for the most part shadowy and ritualistic. They never attempted anything like what Peiping has been doing in, say, Tibet—or, in fact, wherever they operate.

Tibet has for centuries been part of the Chinese Empire. After the downfall of the imperial Manchu Dynasty in 1911, the Tibetan people became one of the five great ethnic groups forming the Chinese nation. In theory as in fact, they enjoyed complete freedom of religion, they had their own system of government, and they maintained a social structure which was totally different from that which prevailed in China proper. In every sense of the word, Tibet was self-governing.

The Communist purpose in Tibet has been entirely different. They seek not merely political domination; they are out to destroy the Tibetan way of life. By means of terror and violence, Tibet has been transformed out of all recognition. The traditional cultural, social, economic and religious foundations of the Tibetan people have been razed to the ground. The "feudal" and "reactionary" elements of Tibetan society have been ruthlessly and systematically liquidated. The totalitarian Communist system has replaced Tibet's immemorial theocracy. What has happened and is still happening in Tibet can only be described as genocide.

Thus, the Chinese Communist goal is vastly more far-reaching than that of the imperial Emperors. It is vastly more ruthless and frightening than anything that European colonialism has done. Nor can this be accurately described as Communist "imperialism." Western imperialism, in its heyday, never attempted to obliterate the cultural and social traditions of the subject peoples. To call Chinese policy in Tibet imperialism is to underestimate its real purpose.

What has happened in Tibet has implications for all Asia—and the world.

THE MEANING OF THE PEIPING-MOSCOW "SPLIT"

Basically, both Moscow and Peiping adhere to the same Marxist-Leninist ideology. They both seek to conquer the world for Communism. In Stalin's day, the leadership of the international Communist movement was exercised by the Soviet Union. Other Communist Parties had to accept the dictates of the Kremlin with unquestioning obedience. Khrushchev, conscious of the dangers of general war in this nuclear age, tried to camouflage the Stalinist line and proffer "peaceful coexistence" and "peaceful competition." Khrushchev did not abandon the overall goal of world Communism; he only launched a new strategy.

The Chinese Communist leadership challenged this new strategy. The rift between Peiping and Moscow, which has come to a head since 1958, is a power struggle for authority to decide the strategy for the camp. As is inevitable in such a conflict, both sides claim the right to interpret the doctrine and to be the true repository of Marxism-Leninism. It is only in this sense that the split can be said to be ideological.

But the ideological aspect of the quarrel is no more than window-dressing. The substance is more strategic than ideological. Mao Tse-tung does not take kindly to the strategy of "peaceful coexistence," even though it is, in fact, neither "peace" nor "coexistence." He wants the international Communist movement to be more militant and aggressive. He does not think that the Communist camp should try to live with the "imperialists," who are mere "paper tigers." He believes that "the East Wind has already prevailed over the West Wind," and that the days of the imperialists are numbered.

The removal of Khrushchev from the Soviet political scene has not in any way mollified Peping's anti-Moscow stand. Mao Tse-tung and his cohorts continue to carry on a bitter verbal war with the new Soviet leaders. "Khrushchev's downfall," commented the People's Daily on June 14, 1965, "was a signal victory for Marxism-Leninism. But it meant neither the disappearance of Khrushchev revisionism nor the end of the struggle against Khrushchev revisionism. As a matter of fact, the new leaders who have replaced Khrushchev are Khrushchev's old cast. They say they want to oppose U.S. imperialism, but at the same time they declare that there exist 'sufficiently broad areas for cooperation' between the Soviet Union and the United States."

The war in Vietnam has furnished the leadership of the Chinese Communist Party with an additional reason for lashing out at the Soviet Union. The Soviet leaders are not only being attacked for their failure to give the Viet Cong and Ho Chi Minh sufficient aid; they are being accused of cooperating with Washington "to bring about peace negotiations in a painstaking effort to find a 'way out' for the U.S. aggressors." It is not without reason that Moscow has retorted by saying that Mao Tse-tung would not be content until he has pushed the Soviet Union into a war with the United States. Thus in a letter to other Communist Parties, the Soviet Party said:

"It becomes clear that the Chinese (Communist) leaders need a lengthy Vietnam war to maintain international tension, to represent China as a 'besieged fortress.' There is every reason to assert that it is one of the goals of the Chinese (Communist) leadership in the Vietnam question to originate a military conflict between the USSR and the United States. They want a clash between the USSR and the United States so that they may, as they say themselves, 'sit on the mountain and watch the fight of the tigers.'" (The New York Times, March 24, 1966).

Surely no one could have spoken more convincingly about the designs of the Chinese Communists than their comrades in the Kremlin.

PEIPING AND THE UNITED NATIONS CHARTER

In the light of the facts briefly outlined in the foregoing pages, it is clear that Peiping's promotion of war and violence, its subversive and aggressive activities in various parts of the world, and its disregard of every standard of law and decency, negate all the principles and purposes of the United Nations Charter. To seat such a regime would be to encourage aggression, to act as accomplices of the aggressor, to undermine the rule of law in international relations, and to undercut whatever claim the United Nations may have to being a moral force in this conflict-ridden world.

The Charter, in Article 4, lays down specific conditions for membership—being "peace-loving," and willing and able to carry out obligations.

It may be difficult to define and determine what is meant by "peace-loving," but it is certainly not difficult to know who are breakers and disturbers of peace. Even the Soviet Union is alarmed by the bellicosity and aggressiveness of Peiping.

As to obligations, Article 2 of the Charter reads, in part, "All members shall settle their international disputes by peaceful means," and "All members shall refrain in their international relations from the threat to use force against the territorial integrity or political independence of any state, or in any matter inconsistent with the purposes of the United Nations." Peiping, by virtue of its ideology, is incapable of carrying out these obligations.

The Charter is the basic law of the Organization. When one or two members break the basic law of an organization, it may not prove fatal to the existence of that organization. But if the organization itself votes to disregard its own rules and standards in order to accommodate some lawless elements, it is starting down the road to its own destruction. It is hard to understand how some members of the United Nations who advocate the maintenance of international peace through world law can, at the same time, advocate brazen violation of the nearest approximation of world law that we have—the United Nations Charter.

THE SO-CALLED "RESTORATION OF LAWFUL RIGHTS"

But, it is argued, the question is not one of admitting a new member. China is already a member, a permanent member of the Security Council at that. The question is simply the "restoration of their lawful rights."

The fact is that China's seat in the United Nations is not unoccupied; it is held by the Government of the Republic of China which is a founding member and which, in the eyes of the Chinese people, including those on the mainland of China, is the legally constituted Government of China.

The Government of the Republic of China is no exile government; it is based on Chinese soil. The fact that it does not, for the time being, physically control the mainland, does not in any way affect its legal status. Nor does the armed occupation of the mainland confer any legality on the rebel regime in Peiping.

The criterion of legality is whether a given regime does or does not truly represent the will and aspirations of the masses of the people over which it exercises control.

China is primarily an agricultural country. Over 85% of its population are peasants depending on their livelihood on the produce of the land. Since the establishment of the Peiping regime the peasantry has been ruthlessly collectivized. Individual peasants have nothing they call their own. Since the "Big Leap Forward" campaign in 1958, they have suffered untold misery and privation.

Like all peasants, the Chinese masses are a home-loving people. Under the Communist regime, families have been torn asunder. The principle of "struggle" has been applied in family relations, and it is not uncommon for children to betray against their parents, wives against their husbands, brother against brother.

The Chinese people are being deprived of every elementary freedom—freedom from arbitrary arrest and from interference with privacy; freedom of movement and residence; freedom of opinion and expression, of conscience and religion; freedom to own property, to choose their work and to enjoy the fruits of their labor.

The Communist regime has kept itself in power by bloody purges and by unlimited terror and ceaseless intimidation. In the name of class struggle, millions have been liquidated. The purpose has been to eliminate all elements of society who, in the Communist view, constitute a threat or potential threat to the regime.

The Communist regime does not have the support of the masses of the Chinese people. To seat this regime in the United Nations would be to put the stamp of acceptance on tyranny and oppression, to give it an aura of legitimacy, and to tell the suffering Chinese masses that the world community is accepting their subjugation. This would be to fly in the face of one of the basic purposes of the United Nations, namely, to promote and encourage "respect for human rights and for fundamental freedoms for all."

RECENT PURGES AND THE BANKRUPTCY OF MAOISM

The regime's sense of insecurity is such that it has lately felt it necessary to wage a nation-wide campaign against "anti-Party" and "anti-Socialist" elements within the ranks of the Chinese Communist Party. This has been carried out in the name of a "cultural revolution." The first victims of the purge have been writers and workers in the cultural and educational fields. The avowed purpose has been to root out the "remnants of bourgeois ideology" which has been "poisoning" the minds of the masses and which is "antagonistic to Marxism-Leninism and the thought of Mao Tse-tung." These elements are said to be "more dangerous than open enemies because they oppose the red flag with a red flag, and Marxism-Leninism and the thought of Mao Tse-tung under the cloak of Marxism-Leninism and the thought of Mao Tse-tung." (Liberation Army Daily, June 7, 1966)

Among the victims of the cultural purge are some of the leading intellectual ornaments of the regime. They have been accused of using "various covert and devious means to propagate bourgeois and revisionist ideas" in the media of mass communication. They have even been condemned for "plotting restoration."

Thus, after 17 years of unremitting indoctrination and repression, the regime is still quite unsure of itself. Guilt-ridden by awareness of their own crimes, Mao Tse-tung and his gang labor under special fears. Themselves masters of intrigue and duplicity, they know better than any others, that even a relatively small group of "internal enemies," given propitious conditions, can overturn a seemingly impregnable system. It is not without reason that they are in constant dread of being effectively plotted against. It is not without reason that they regard the current purge as "a life-and-death struggle between the bourgeoisie plotting for restoration and the proletariat fighting against such restoration." (People's Daily, June 6, 1966.)

The purge has been extended to the schools and universities. Lu P'ing, President of Peking University, has been dismissed on the ground that he and his professors have failed in the task of arming the students with Mao's ideas and of "cultivating successors to the cause of the proletarian revolution." Kuang Ya-ming, President of Nanking University, has met with a similar fate; he has been accused of trying to "divert the serious class struggle of the great cultural revolution and to conceal the black anti-Party and anti-Socialist line." Thus, the universities are no longer institutions of higher learning; they have become battle-grounds in the class struggle.

The Central Committee of the Communist Party and the State Council of the regime issued on June 13, 1966 an order postponing all admissions to colleges and universities for six months in order to "insure the thorough and successful carrying through of the cultural revolution." Entrance examinations are to be abolished. Admission is to be based not on the basis of scholastic aptitude but on the basis of political reliability. Special consideration is to be given to "revolutionary young people from among the workers, peasants and soldiers."

The impact of the purge has been felt in political and military circles as well. Among the prominent political and military leaders who have fallen victim are Peng Ch'in, Mayor of Peiping and a leading Member of the

Politburo; Lo Jui-ching, Chief of the General Staff and ex-Chief of the Secret Police; Lu Ting-i, Vice Premier and Minister of Culture; and Chou Yang, Vice Minister of Culture. Even so exalted a personage as Liu Shao-chi, who has until very recently been looked upon as the most likely successor to Mao Tse-tung, has become the target of veiled attacks. "If a person acts against the thought of Mao Tse-tung, regardless of how high his position is and what kind of 'authority' he may be," declared an article published in the Liberation Army Daily, "we must expose him, bring him to light and refute him till he stinks . . . Those who oppose the thought of Mao Tse-tung will be destroyed by our whole Party and denounced by the whole country." (Reproduced in People's Daily, June 6, 1966.)

The current purge has been interpreted by foreign observers as a struggle for succession. It is much more than that. It is the outward manifestation of a gigantic clash between rival groups of men over domestic and foreign policies. Judging by the role he has played, Lin Piao seems to be the prime mover of this purge. He is presently riding high. But the end of the struggle is not yet in sight. There is no telling what eventually might happen. The fact that the anti-Party and anti-Socialist deviation has even penetrated the highest echelons of the Party indicates that the regime is faced with a crisis of unprecedented magnitude.

THE ARGUMENT OF "UNIVERSALITY" AND "REALISM"

The so-called "principle of universality" has been much resorted to as one of the principal arguments for seating the Peiping regime in the United Nations. Whatever may be the merit of this principle, it is certainly not a principle of the Charter. Indeed, at San Francisco in 1945, the concept of "universality" was substantially discussed and was rejected.

The framers of the Charter never intended to make the Organization universal; on the contrary, they sought to create a union of "like-minded" states in which members were expected to be motivated by common purposes. The Charter does not provide for universality. Article 4, providing conditions for admission to membership; Article 5, providing for the suspension of membership; and Article 6, providing for the expulsion of a Member State for persistent violation of Charter principles—all testify to a principle of selectivity rather than of automatic universality.

Universality of membership may be a desirable goal toward which the United Nations should move. But this does not mean, and should not mean, that vital principles of the Charter should be compromised and even abandoned in order to accommodate a regime which is under indictment by the United Nations as an aggressor in Korea, which violates every rule of international law, which makes violence and war its instrument of policy, and which has shown nothing but contempt for the Organization itself.

There is another familiar argument which is used: the existence of the Communist regime is an incontrovertible fact and it would be unrealistic to ignore it.

No one has ignored it. It is precisely because the Peiping regime is known to be a dangerous fact that it must be excluded from the United Nations. The strength of the United Nations lies in its moral authority. To take away this moral essence is to reduce it to a hollow shell. The "realist" of the 1930's mocked at the moral principles written into the Covenant of the League of Nations, and they paid a high price for their mockery. The United Nations, this second experiment in international cooperation, is still a fragile institution. It must not be allowed to go the way of the League of Nations.

The champions of the Chinese Communist cause are in the habit of shedding crocodile tears for the Chinese people who, they say, though more than 600 million strong, are not even represented in the United Nations. The Chinese people have no reason to be grateful to anyone who is bent on giving aid and comfort to their oppressors.

The "realists" are not unaware of the bellicosity of the Chinese Communist leaders. But they attribute this to the "isolation" in which Peiping now finds itself. They contend that once inside the United Nations, the regime would be exposed to the civilizing, restraining influence of the world community and would in time become less aggressive and more cooperative.

The Chinese Communists would be the first to challenge the validity of this argument. They categorically deny that they are isolated. Chen Yi, Peiping's Vice Premier and Foreign Minister, said on May 4, 1966, at a reception in Peiping:

"I, as the Foreign Minister of China, have not the slightest feeling of isolation . . . It is the U.S. imperialism and the reactionaries of various countries who have really become isolated. We see the question whether one is isolated or not from the standpoint of the masses of the people of the world. China has received sympathy and support from the people of the world . . . and has established diplomatic relations with 49 countries and economic, trade and cultural relations of friendship with more than 100 countries and regions . . . Our friends are all over the world."

It is clear that Peiping would not join the United Nations to help make it an effective instrument for the maintenance of international peace and for the pacific settlement of disputes. Its purpose for joining would be twofold: to transform the United Nations into an instrument of its own policy or, failing that, to hamper and obstruct its functioning.

PROPONENTS OF EXPEDIENCY

There is still another school of thought which gives top priority to expediency. They say that in this nuclear age the reduction of international tension must be the first consideration. Granting that the Chinese Communists are as intractable as they are said to be, they must nonetheless be admitted. It is less dangerous to have them inside the United Nations than outside the Organization. Moreover, without them many of the vital and crucial problems facing the world organization, problems affecting war and peace of the world, will not be resolved. Their presence is thus necessary and urgent. Whether they are qualified for membership or not under the Charter does not really matter.

Although the proponents of expediency do not say so, it is obvious that they are for the seating of the Chinese Communists unconditionally, Charter or no Charter.

It is fantastic that members of the United Nations who have solemnly pledged themselves to uphold the Charter can at the same time urge complete disregard of it.

It is difficult to see how the presence of the Chinese Communists in the United Nations could help resolve the problems with which the United Nations is confronted. One such problem is the war in South Vietnam. The United Nations has been approached by the United States and other powers to seek some sort of peaceful and just settlement. The efforts of the Secretary-General have been met with insults and arrogance from Peiping. The Secretary-General has been called a "political broker" for Washington who has "knocked at the wrong door." The appeal of the 17 nonaligned members of the United Nations has been summarily dismissed as the machinations of the "Tito clique." There is no reason to believe that as a member of the United Nations, the Peiping regime would be more amenable to reason.

Another urgent problem is disarmament. The wishful thinkers are forever saying that unless Peiping is a member of the United Nations and participates in the disarmament talks no agreement can be reached. But the fact is that Peiping wants no disarmament. It has repeatedly declared that it is "nonsensical and totally unrealistic" to talk about disarmament before "mankind has eradicated the system of imperialism-capitalism" from the world; that is to say, until Communism has triumphed all over the globe. The United Nations, it went on to say, is "absolutely incapable of settling the disarmament question or any other major international issues." (People's Daily, January 14, 1965)

Such being the Chinese Communist attitude toward disarmament talks, how can anyone expect them to contribute constructively to the whole question of reduction of armaments?

Peiping regards itself as a great power. It has assiduously tried to condition the world into believing that its military might is invincible. Its explosion of a third atomic bomb has helped to deepen that impression. But its embryonic nuclear capability has more of a political and propaganda value than a military one. Indeed, it is on the political significance of its bomb that the regime has laid its major emphasis. It has attempted to use the explosions to raise the morale and militancy of the revolutionary forces throughout the world, and to convince them of its continuing determination and increased ability to support the subversive forces in Asia, Africa and Latin America. It has blasted the "revisionist leading group of the Soviet Union" which, "in collusion with U.S. imperialism, is actively engineering a treaty on the 'prevention of nuclear proliferation' so as to maintain their nuclear monopoly, intimidate the oppressed nations and peoples and realize its dream of world domination through Soviet-U.S. collaboration." (Chou En-lai on Peiping's Third Nuclear Test, May 10, 1966)

APPEASEMENT NO ROAD TO PEACE

Weariness with the recurrent conflict of our time and fear of nuclear war have engendered a yearning for normalcy and a craving for final and formal settlements. Some world leaders seem ready to buy peace at any price. They are prepared to go to all lengths to appease Peiping. The free world has thus exposed itself as a ready, vulnerable and profitable target for blackmail.

Proponents of appeasement assess Peiping's intentions and ambitions in terms of their own reasoning. Just because they are anxious for normalcy and settlement, they believe Peiping must desire the same. Nothing could be more incorrect. Conflict to the bitter end is the stuff from which Communism, particularly the Maoist brand, draws its very sustenance. Maoism thrives on crisis. If there are no crises, they must be created. The last thing the Chinese Communists want are conclusive settlements.

This does not necessarily mean that Peiping wants to involve itself in a war with the United States. Such a war would endanger its very existence. The self-imposed limits set by the United Nations forces in Korea rescued Mao Tse-tung from the horns of a dilemma; either defeat or retreat with loss of face. Thanks to the military impositions applied on U.N. Forces, Mao was able to claim a victory. In Vietnam there are no such limits as yet. This accounts for the fact that, for all its bluster and bellicosity, Peiping has refrained from direct military embroilment. This is another proof that the language Peiping understands is not that of logic and reason but that of force. The danger of appeasement is that it may mislead the Chinese Communist leaders into believing that the world has neither the will nor the courage to face up squarely to their aggressions, direct or indirect, open or camouflaged. This could encourage them to embark on more and more dangerous courses of action until a time when there remains no tolerable alternative to war.

The Maoist strategy of protracted conflict seeks to avoid a general, direct and decisive encounter with the enemy until overwhelming physical superiority, sufficient to ensure the enemy's complete destruction, has been acquired. This, however, does not mean that the Chinese Communists will not do everything possible to push other contenders into war, so that (as has been made clear by the letter of the Soviet Communist Party already quoted), "they may sit on the mountain and watch the fight of the tigers," thus reaping the benefit of the conflict without danger to themselves.

In order to avoid direct military encounter, the Chinese Communists have placed the fullest possible reliance upon indirect, irregular and unconventional methods of attack—infiltration, subversion, promotion of guerrilla warfare and insurrection in vulnerable regions.

Recent setbacks have not daunted them in this enterprise. Indeed, they do not regard these setbacks as anything unusual. In revolutions there are bound to be ups and downs, rising tides and ebbing tides. Temporary setbacks may well be preludes to new upsurges. The actions taken by African leaders to check Communism have been attributed to the "counter-offensive" set in motion by the "imperialists and old and new colonialists headed by the United States" who, according to the People's Daily of May 6, 1966, "are attacking to regain their privileged colonial positions" and are "desperately maneuvering to stage a comeback and reshackle the African peoples." The paper added:

"On the surface these counter-attacks appear weighty, but in actuality they represent the important deathbed struggles of the imperialists and colonialists. Their efforts are only rousing the African peoples to greater awareness and strengthening their fight against the imperialists and colonialists."

Thus, the Chinese Communists have no intention to put a stop to their promotion of revolution and instability in Africa. Their revolutionary activities will in all probability be increased and intensified as time goes on. Lin Piao's "people's war" is no mere empty threat. It will be used, in Africa as in other parts of the world, whenever and wherever it is feasible.

Admission to membership in the United Nations would further convince Peiping of the invincibility of Maoism and encourage it, not only to redouble its subversive activities in Asia, Africa and Latin America, but to carry out its strategy of protracted conflict with the United Nations itself.

ALL THE NEWS THAT'S FIT TO TINT

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Allen Drury, the celebrated novelist whose recent book "Capable of Honor" deals with bias in the national press, refers obliquely in that book to the New York Times as "The greatest publication that absolutely ever was." Drury is being sarcastic, but it is true that the Times tries to perpetuate itself as the world's greatest publication by advertising immodestly on its front page "All the News That's Fit To Print."

A story in the October 10 edition of that newspaper under the byline of John Herbers has convinced me that the tagline should be changed to: "All the News That's Fit To Tint." Mr. Herbers' story had a three column headline which read: "GOP Moderates Call for 'Rebirth' of the Party." In 15 column inches of type, he reviews the paperback book recently published by the Ripon Society entitled "From Disaster to Distinction: The Rebirth of the Republican Party." I ask unanimous consent to insert Mr. Herbers' article at this point in the Record.

[From the New York Times, Oct., 10, 1966]

GOP Moderates Call for "Rebirth" of the Party—Ripon Society Book Critical of a Lack of Direction—Urges Appeal to the Young Who Remember Kennedy

(By John Herbers)

Washington, October 9.—The Ripon Society, a group of young Republicans who call themselves moderates, have taken a look at their national party two years after the great defeat of 1964 and found it totally unprepared for "the new order of American politics."

This evaluation is contained in a 126-page paperback entitled "From Disaster to Distinction: The Rebirth of the Republican Party."

The rebirth, the authors say, is yet to take place and, like Lincoln, they invite "all the shrewd, wild boys about town" to help start the process.

The society, organized on the campus of Harvard University in 1963, is composed mostly of students in the Boston area. Its name is derived from Ripon, Wis., one of several cities that claim to be the birthplace of the Republican party. The president of the society is Dr. John S. Saloma 3d, a professor of political science at the Massachusetts Institute of Technology.

According to the authors, the national party's chief mistake since 1964 has been to try to achieve unity without developing an ideology. They point out that Ray C. Bliss, the chairman, has "diverted the party's attention from ideological strife, concentrating it instead on organization and precinct politics."

As a result, the society says, the Republicans are a party "without direction" at a time when a new order in politics is about to usher in new issues, new ideas and even a new vocabulary.

The nature of what the society thinks the party ought to be is contained in its definition of a "moderate" who would provide the leadership:

"The moderate chooses the center, the middle road, not because it is halfway between left and right," the society says. "He is more than a nonextremist. He takes this course since it offers him the greatest possibility for constructive achievement."

The moderate, the society says, rejects the simple solutions and "cries out that such solutions do not exist."

It continues:

"The moderate holds the greatest danger for the extremist because he holds the truth and there is no absolute 'truth' that can make the complexities of man and his society simple.

"It is time to put away the tired old notion that to be 'real Republicans' we must be as different as possible from our opponents. If we let the Democrats pre-empt good positions on every issue while we simply react, then we are doomed to continuing futility."

The new party, the society says, must appeal to a younger generation that "remembers John F. Kennedy and cannot quite believe in Lyndon Johnson."

The new generation of voters, it says, "is waiting, searching for something it does not yet see. It is eager, receptive."

In addition to the young, according to the society, the new party must appeal to Negroes, urban voters, the burgeoning middle class and technicians.

"Republicans," the society says, "must leave behind the meaningless arguments of conservatism versus liberalism, public versus private, business versus labor, hard line versus soft line and come to terms with the truly new challenges."

To achieve this, the book says, the party must have an influx of new blood. It quoted from a letter that Lincoln wrote as a young Congressman to a supporter in Springfield, Ill., urging him to "gather up all the shrewd, wild boys about town" to help in politics.

"We believe that Lincoln also wrote that letter to us," the book says.

The Ripon Society, as many of my Republican colleagues know too well, is for the most part composed of a handful of college students who are being egged on by their liberal leaders to help shape a liberal Republican takeover of the GOP. They have been notably unsuccessful in trying to sell their nonphilosophy of "Amorphous Moderation" to any bona fide Republican organization. Their pronouncements, unfortunately, are given all the dignity of a major GOP policy statement in our Nation's most established newspapers. Thanks to plenty of money and the services of a talented public relations professional, the disorganized ramblings of their position papers and newsletters have been seriously reported in nationally syndicated columns and on the front pages of big metropolitan dailies.

National polls show that today 25 percent of all Americans consider themselves to be Republicans. While I deplore the fact that the GOP is a minority party, it would still seem that 25 percent is a very large proportion of the reading public. Would it not be fair to expect "the greatest publication that absolutely ever was" to present other views on the future of the Republican Party, views opposed to the destructive criticism of the Ripon Society?

In all fairness, I think any large daily newspaper has an obligation to do so. And yet, Mr. Herbers' story and a column by Mr. Thomas O'Neill of the Baltimore Sun on October 9 reviewed the Ripon paperback with no indication that a dissenting theory existed.

Of course, this is not the first time members of our party have noticed this lopsided view in the press. Ever since 1963, when the Ripon Society came into existence, news coverage of their activities has far outstripped their reputations within the GOP. For this reason, I felt that an exposé of the methods of this little group, which seeks to take over and make over my party, was in order. Accordingly, I asked that such a study be undertaken by the staff of the American Conservative Union, an organization of responsible conservatives with a serious interest in the preservation of the two party system.

The ACU Study on the Ripon Society was released to the press and to Republican Congressmen and Senators on September 23, 1966. News releases and copies of the study went out to Washington correspondents, editorial writers, wire services, and columnists. Under unanimous consent, I ask that a copy of the covering news release on that study be printed in the Record.

A.C.U. Issues Study on the Ripon Society; Cites Lack of GOP Support for Liberal Group

Washington, D.C., Sept. 23, 1966.—The Ripon Society, self-styled liberal Republican "research" organization, has been critically analyzed in a study issued today by the American Conservative Union.

Representative John M. Ashbrook, Republican of Ohio, Chairman of the ACU, says in an introduction to the 26-page study that the Ripon Society represents the "intellectual elite" of the liberal minority wing of the GOP. ACU's study charges that the positions taken by the Ripon Society have no grass root Republican support.

"Many Republicans," Ashbrook said, "have gotten the false impression, mainly through news stories, that the positions of the Ripon Society represent the thinking of the national leadership of the party. They do not! Every signpost thus far in 1966 indicates to us that the Republican Party is very much the conservative party. We think it is important, therefore, that all Republicans have the facts about this little group that seeks to reshape our party in a liberal image. They represent only themselves."

The Ripon Society is headquartered at Cambridge, Mass., and has issued papers on the 1964 election, on tax sharing, on U.S. China Policy, and civil rights. Its membership consists primarily of graduate students.

The ACU study on the Ripon Society challenges the liberal positions taken by the Society, and cites its links with other groups, such as Republicans for Progress, the now defunct Advance magazine, and the eastern liberal wing of the GOP.

"Most of the material in our study comes straight from the public record," Ashbrook stated. "We do not accuse the members of the Ripon Society of fomenting any sinister plot, but Republicans concerned about the future of their party ought to consider carefully the source of the Society's attacks on conservatives.

"This study of the Ripon Society, its methods, its leaders, and its supporters, provides an accurate picture of the current strength of liberal Republicanism today."

Two nationally syndicated columnists, David Broder and William F. Buckley, Jr., wrote columns on the ACU study on September 27, 1966, and September 28, 1966.

The Ripon Society paperback went into the mails the first week of October. And yet, neither Mr. John Herbers, of the New York Times, nor Mr. Thomas O'Neill, of the Baltimore Sun, mentioned in their stories on the Ripon book that the ACU had released an exhaustive study on that group. What would a rank-and-file Republican be led to believe? I am very much afraid that he or she might think that conservative Republicans had somethow fallen silent. The only group that is concerned about the future of the Republican Party, he might surmise, is the liberal wing of the party. And yet, as Mr. O'Neill does point out in his column, the voters in Republican primaries this year have turned down bids by liberal Republicans for party nominations. Mr. O'Neill uses the old liberal smear line and calls those who won the nominations "Goldwater neanderthaloids." The fact is that among those so-called "neanderthaloids" are some of this body's most respected Members, whose absence from this Chamber during the 89th Congress is only temporary.

There can be doubt that Mr. O'Neill is in complete sympathy with the desire of the Ripon Society to alter radically the foundations of the Republican Party. His choice of words betrays him. Under unanimous consent, I ask that his column, "Politics and People," from the October 9 edition of the Baltimore Sun, be inserted in the Record at this point.

Politics and People: Taking Stock

(By Thomas O'Neill)

Washington.—One group of active Republicans finds so many things wrong with their party that they have made a book out of them.

Coming off the presses this week from the pens of university Republicans who believe their party must modernize or perish, the book is described in advance reports as tracing Republican woes to the dominance of an old order leadership which scampers to fallout shelters at the threat of a new idea. It is the product of the three-year-old Ripon Society, named for the town in Wisconsin at which Republicanism was born as a party of radical ideas, 112 years ago.

The work is timely at the close of a series of primary elections which on balance amounted to decided victories for the old order.

Strikingly, the way out of the electoral woods pointed by the progressives is almost word for word that of a July report of the conservatively tilted Senate Republican Policy Committee—go where the votes are, adapt to changing conditions. The parting comes at the point of prescribing what to do after going where the votes are.

The Ripons want the GOP shaken to its foundations, challenged, renewed and rejuvenated. The Senate policymakers think the party need only keep its eye on the ball as the United States becomes increasingly a nation of young people, of a greater proportion of women, of increasing concentration of population in metropolitan areas, and adjust to these.

After what happened at the election two years ago, of course, it would be surpassing strange if Republicans of whatever stripe failed to sense that something is wrong, excepting Barry Goldwater, who has taken to insisting that the disaster to him was no judgment upon the outlandish collection of notions he presented in the name of conservatism.

Yet there are strong indications that the party rank and file is unconcerned about adjusting to a position closer to public opinion.

Voters in the party primaries this summer gave nominations to Goldwater neanderthaloids from New England to California, most of them political castaways of the 1964 election, now restored to party eminence. Only in Michigan were they thrown back.

Most important of the Old Guard victories was the nomination of Ronald Reagan for governor of California over a moderate. Mr. Reagan is wearing sneakers in his general election campaign as he glides away from the past. His admirers of the far right are undisturbed. A party official in South Carolina, tuned to Senator Strom Thurmond, for example, provisionally supports Richard Nixon for the next presidential nomination, subject to change should Mr. Reagan win in California and so become an eligible.

Against the Reagan advance, the party moderates took a severe blow when their strongest voice in party councils, Gov. Robert Smylie of Idaho, was turned down for a new nomination in favor of a John Birch type.

The old order seems pretty secure. Whether its thinking that the attitudes which kept the GOP dominant during 80 years of the nation's history is the sort of thing to excite a changing electorate in the last third of the Twentieth Century is something else again. First voters this year, born in 1945, know nothing of those bygone years, and the squeals and jumping at sight of Bobby Kennedy suggest they look ahead rather than backward. By 1970 half the population will be in the age range under 27 years.

Senator Hugh Scott, of Pennsylvania, a contributor to the Ripon blueprint for revival, has advice for his fellow Republicans.

Says Senator Scott: "Politics in a free society is influenced heavily by the survival of the fittest. Those in the Republican party who best represent the public view will survive—and prevail."

He leaves unmentioned the consequences of a standoff, which is possible. It is conceivable, for instance, that Howard Callaway, of the Goldwater wing, will best represent the public view in Georgia and win the governorship there, while Governor Rockefeller best represents it in New York and is reelected there.

In such circumstances, the title of the Ripon book would be a mite overly hopeful. It is: "From Disaster to Distinction: the Rebirth of the Republican Party."

The downward course of the Republican party as a major force in American affairs traces to 1912 and a schism between progressives and standpatters in that year. The standpats prevailed, but the schism has never healed.

Senator Scott, a former chairman of the Republican National Committee, believes the party would be better served if it vested greater authority in that committee and its chairman, now Ray Bliss, who is neutral between the contending wings. Archaic rules make him subject to an executive committee which, in the present case, was named by the discredited party leadership of two years ago.

Mr. Herbers and Mr. O'Neill are supposed to be political writers. Their stock in trade is a thorough knowledge of the intricate workings of national and intraparty politics. Yet, neither one of these writers recognized the sloppiness of the Ripon Society book. Anyone who regularly reads the Ripon Society's special reports, position papers, and the Ripon Forum—newsletter—can immediately recognize that the book is essentially a pasting together of old Ripon Society reports and Ripon Forum editorials. They are clever fellows, but not clever enough, because there is not a shred of fresh, new thinking in this entire 128 page booklet. Nearly all of it has appeared before in Ripon publications. The first two-thirds of the book is devoted to a vicious attack on former Senator Barry Goldwater and his campaign for the Presidency. Almost all of it is directly lifted from their Election '64 Report, issued last year. The final third of the book is devoted to their ideas on how to change the party. And page after page of the copy is easily recognizable as having first appeared in previous Ripon publications. Apparently, anything published by the Ripon Society is immediately accepted as bearing on the great debate going on within American politics today. Yet, so self-confident are the political writers of the Times and the Sun that a comprehensive study of the origins, leaders, financing, and techniques of the Ripon Society is completely ignored. For the record, I would like to ask unanimous consent that a column by Mr. William F. Buckley, Jr., on the ACU Study on the Ripon Society be inserted in the Record at this point.

[From the Washington Daily News, Sept. 28, 1966]

ASHBROOK ON THE RIPONS

(By William F. Buckley, Jr.)

Congressman John Ashbrook, who is by all odds the most exciting young man in the Republican Party, has completed a study for the American Conservative Union on the activities and interests of The Ripon Society, an organization of liberal eastern seaboard intellectuals which will not rest until the Republican Party becomes an exact duplicate of the Democratic Party, give or take a shadow here or there.

The study is particularly interesting reading midway through the congressional campaign, which reminds us of the fracture within the Republican Party and its consequent incapacity to strike out with a single voice against the deficiencies of the present Administration.

The reason for the prevailing impotence is less a lack of imagination by Republican conservatives or the strength of Republican liberals, than the fact of the Republican torment issuing out of the defeat of 1964: the great fear to speak out as Barry Goldwater did lest, like Barry Goldwater, the Republicans should once again be overwhelmed.

That is the great handle of The Ripon Society and Republican liberals throughout the country—the disastrous consequences of the Goldwater nomination. Congressman Ashbrook looks at the figures for 1964 and furnishes a moderate historical context which serves to put them in focus; after which he draws a significant conclusion.

In the year of the Great Defeat under the leadership of Goldwater, the GOP lost: 2 governors—but on the other hand elected 3, for a net gain of 1. The GOP also lost 2 Senators, and 38 Congressmen.

But go back to 1948, when the Party was being led by Thomas E. Dewey, a 24-karat representative of the liberal wing of the GOP. The GOP lost: 7 governors; 9 senators; 75 congressmen.

The year 1958 was late in the golden summer of the Eisenhower Administration—six years for the country to bask in progressive moderation, as President Eisenhower triumphantly called it. That November the GOP lost: 5 governors, 13 senators, 48 congressmen.

What happened to the GOP nation-wide, Congressman Ashbrook suggests, cannot then be blamed so easily on Goldwater, unless we are also to blame Mr. Dewey and Gen. Eisenhower for losses more spectacular—in which case what have we learned from this conscientious allocation of blame?

What is happening, says Representative Ashbrook bluntly, is that the Republican Party is losing strength as a national Party. Yet what is remarkable—he goes on to show—is that altho liberal Republicans here and there score publicized victories, little by little, state by state, congressional district by congressional district, the grass-roots GOP voters are emphatically indicating their preference for a conservative politics, as against such politics as the big thinkers of The Ripon Society are endorsing in the name of the future of the Republican Party.

There is a great deal of interesting material in the report, a fair summary of which is (a) the Republican Party is diminishing in strength, but the convictions of the majority of Republicans are not altering; and (b) the reform-Republicans have shown neither that the Party would increase in strength by becoming more liberal, nor in allure to young voters or activists or even intellectuals. The Ripon people have in effect proved only that if the whole lot of them went over to the Democratic Party, the Republican Party would not even feel the tremor.

CASIMIR PULASKI

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, today marks the 187th anniversary of the death of Count Casimir Pulaski, the Polish patriot who fought valiantly and sacrificed his life in the American struggle for independence.

Born in Poland in 1748, he was the eldest son of Count Joseph Pulaski and a member of the Polish nobility. Pulaski fought with his father in the popular uprising against King Stanislas in 1769 after Poland had been partitioned by Germany, Russia, and Austria. When it became evident that the forces of freedom who had fought so gallantly against enormous odds and with inadequate equipment would be slaughtered by the Russians, Pulaski chose to disperse his men and seek aid for their cause abroad. Although a penniless refugee, and having lost his father and brother in the fight for freedom, he sought help in Prussia, Turkey, and then France. In Paris, Pulaski met Benjamin Franklin, who told him of the need for trained soldiers and leaders in the American Revolutionary War. The Polish hero traveled to the United States, seeing our struggle as another opportunity to fight for freedom, and presented a letter of introduction from Franklin to General Washington.

Pulaski distinguished himself in the battle of Brandywine and was commissioned a brigadier general by Congress. He was given command of the entire American cavalry. He believed fervently in the cause for which he was fighting and led his men for 2 years before being struck down during the siege of Savannah. Seriously wounded on October 9, he died 3 days later on October 12 at the age of 31, having made an outstanding contribution to the success of the American Revolution. He has gone down in history as the "Father of the American Cavalry." His heroic death has been an inspiration to all Americans who have studied our history.

In paying tribute again this year to General Pulaski, we who now enjoy American freedom must rededicate ourselves to the restoration of freedom to Pulaski's homeland, Poland, which still suffers under the foreign domination of Russian imperialism.

SOCIAL SECURITY BENEFITS

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, the Johnson administration has had an opportunity for the past year to do something about social security cash benefits, but has refused to act upon or even consider bills introduced by 80 Republican Members of Congress, to provide a "cost of living" increase under social security, as recommended by the Republican, Task Force on Aging on which I served, as confirmed by the National Republican Coordinating Committee.

Instead the President has waited until Congress is about to adjourn, and with an obvious eye on the election, to talk about an increase in social security benefits. An increase which would not even go into effect until 1968, which, by strange coincidence, just happens to be an election year.

This is a disservice to millions of older Americans who have suffered a 3.5-percent loss in purchasing power because of inflation in the past year. Most of the last benefit increase already has been wiped out by inflation.

I think the American people have a right to know just why the Johnson administration refused to give consideration to the bill I, and others have introduced which would have done something about curbing the loss of purchasing power to people on social security.

I would remind the administration that the Chief Actuary of the Social Security Administration has said our proposals to provide a cost-of-living increase, without a new tax increase, are actuarially sound.

The President has had an entire year to do something, but he apparently chose to ignore a serious problem. Now, belatedly, with Congress about to adjourn, and only 4 weeks before election, he talks magnanimously about a raise in benefits. Only when one reads past the headlines does he find out that this increase will not come about until 1968. By that time, at the present rate of inflation, senior citizens would have suffered a further loss of purchasing power, possibly as much as 4 percent. These facts are clear for one to see.

FREEMAN VERSUS SCHNITTKER AND GORDON

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from

Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. NELSEN. Mr. Speaker, today's Washington Post carries a short article in which Secretary of Agriculture Orville Freeman is said to have called for a halt in the migration of farmers from the farm to the cities. This is in direct contrast to earlier statements by former Budget Director Kermit Gordon and Under Secretary John Schnittker.

In 1965, Mr. Gordon said that there was room in our farm economy for only 1 million farmers. On August 22 of this year Mr. Schnittker said essentially the same thing. When Mr. Gordon made his statement we had 3.5 million farmers. Eighteen months later and 200,000 farmers shorter, Schnittker admitted that the administration's farm programs were being administered so that the 1 million farmers Gordon referred to were receiving the major benefits.

Now it does not take a bureaucratic expert to realize that if the administration's programs are successfully kicking the farmers off their land, that these farmers are going to have to go somewhere. Mr. Freeman has deplored their movement to the cities. In this matter, I join the Secretary emphatically: Farmers should not be forced to abandon their livelihoods. But what are they to do when the administration continues to lower their returns from farming? What are they supposed to believe when the administration tells them to get off the farms and then tells them to stay out of the cities, too? People either live on farms or they live in cities, and no amount of "riding stables, fish preserves, and vacation farms" is going to change that fact.

The Post article continues:

> Freeman urged improving economic and educational opportunities in rural areas to counteract the pull of the cities.

I suggest that if the Secretary would stop his actions which lower the prices farmers receive for their labor and allow these prices to rise in response to demand, this action alone would counteract not "the pull of the cities" but the push from the farms.

CHICAGO'S COLUMBUS DAY PARADE

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, October 12, 1492 is the memorable day that Christopher Columbus, the great Italian navigator, discovered America. All our people throughout the United States, regardless of age, race, or creed, will join together enthusiastically to celebrate this momentous discovery which resulted not only in the development of our great country but of the whole Western Hemisphere as well.

Why is it, then, that we have neglected all these many years to set aside October 12 as a national legal holiday? In order to correct this oversight, I introduced in the Congress H.R. 1754 which would make October 12 a legal public holiday.

Today we are all joining together to observe the 474th anniversary of Columbus' spectacular discovery. I take this opportunity once again to urge my colleagues in the Congress to support this legislation in order that national recognition may at last be given to Columbus' faith, vision, and courage which made the discovery of America possible.

In my own city of Chicago, Columbus Day is celebrated every year with a gigantic parade on State Street. Over 225 units will march in the parade, representing every branch of the U.S. military forces, school bands, marchers, and drum and bugle corps. More than 50 floats depicting the various regions of Italy will participate in this annual patriotic event. Women and children wearing authentic native costumes of Italy will ride on the floats and march in the procession, adding to the color and pageantry of the occasion.

The parade, which attracts over 1 million people, will be televised for 1½ hours and will have an estimated television audience of an additional 2 million people. Sponsors of the telecast are Anthony Paterno of the Pacific Wine Co., Dominick Di Matteo, of Dominick's Finer Foods; and Frank Armanetti, of Armanetti Liquor Stores.

The theme of the 1966 parade will be, "America—The Land of Columbus." Joseph A. Califano, Jr., Special Assistant to the President, will be the guest of honor and will lead the gigantic parade. Joining him in leading the parade will be the honorary chairmen of the parade, Hon. Richard J. Daley, mayor of Chicago, and Dr. Augusto Russo, consul general of Italy in Chicago. And that fabulous entertainer who has endeared himself to all Americans, the inimitable Jimmy Durante, will also be at the head of the parade. Following the leaders in the line of march will be political dignitaries, civic leaders, and businessmen from the community. The procession will be preceded by a huge tank spraying lavender perfume into the air in all directions.

Some of the leaders in the Italian community who are participating in the parade are Vincent Ferrara, president of the Joint Civic Committee of Italian-Americans; Rev. Armando Pierini, P.S.S.C., chaplain; Arthur S. Pullano, general chairman of the parade; and Dr. Mario O. Rubinelli, Frank Armanetti, Fred Bartoli, Martin R. Buccieri, Victor J. Failla, Nello V. Ferrara, and Anthony Paterno, who are cochairmen of the parade.

Also participating are Robert S. Tomaso, Mrs. Serafina Ferrara, and Joseph Fusco, cochairmen of the finance and souvenir book committee; John G. Rovetto and Joseph Rovetto, cochairmen of the floats committee; Victor A. Arrigo, chairman of the program and arrangements committee; Dr. Mary Ellen Batinich, chairman of the authentic Italian costumes committee; Domenick DiFrisco, chairman of the publicity and queen contest committee; Victor J. Failla and Frank Esposito, cochairmen of the labor committee; Marco DeStefano, parade grand marshal; Anthony Bottalla and Dr. James F. Greco, cochairmen of the bands and marchers committee; and Joseph DeSerto and Frank Aliotta, cochairmen of the Italian organizations committee.

The other members of these committees are: Frank Catrambone, N. R. Dispenza, Peter Lavorata, Vincent Lucania, Fred Mazzei, Umberto Mugnaini, Charles C. Porcelli, Lawrence Spallitta, Dr. Joseph DiLeonarde, Dr. August F. Daro, Louis Farina, Peter R. Scalise, Horatio Tocco, Thomas C. Baratta, Vincent F. Lucchese, Henry Coco, Paul Iaccino, Alfred Rota, Peter Barbero, Rudolph Bilotta, Frank C. Bottigliero, Dr. Nicholas J. Bruno, Jordan Canzone, Michael Epifanio, Livio Petricca, Daniel A. Becco, Dominick Dolci, Carl Ferina, Michael R. Fortino, Fred Parisi, Dr. Michael Abene, and John Spatuzza.

Miss Linda Lucatorto, who is 17 years old, was chosen as queen of the Columbus Day parade. She resides at 2900 West 55th Street, Chicago, Ill. The prize awarded to the queen is a free trip to Italy sponsored by the Joint Civic Committee of Italian Americans via Al Italia Airlines.

Chosen as members of the queen's court were Miss Kathy Mattio, 2100 South Seventh Avenue, Maywood, Ill.; Miss Janice Juliano, 1533 North Keeler, Chicago, Ill.; Miss Carol Volpe, 1212 South Wenonah, Berwyn, Ill.; and Miss Margaret Caputo, 4159 North Mozart, Chicago, Ill.

The judges for the queen contest included Maurice Fisher, assistant managing editor of the Chicago Daily News; Mr. Al Burcover, assistant editor, travel section, Chicago Tribune; Dr. Mary Ellen Batinich, principal of the Walsh Elementary School in Chicago; and Miss Anna Mae Smith, instructor at Barat College in Lake Forest, Illinois.

The winners this year in the authentic Italian costumes are first prize, Miss Della Garvey, 637 Waveland Avenue, Chicago, Illinois, $150 savings bond; second prize, Mrs. Tena Amico, 5127 West Gladys Avenue, Chicago, Illinois, $100 savings bond; third prize, Mrs. Fran Kokinis, 525 East Turner, Roselle, Illinois, $50 savings bond; fourth prize, Mrs. Marie Pedi, 5459 West Grace Avenue, Chicago, Illinois, $25 savings bond; and fifth prize, Mrs. Elena Frigoleti, 7212 West 62nd Street, Summit, Illinois, $25 savings bond.

The judges for the authentic Italian costumes contest, in addition to Mr. Fisher, Mr. Burcover, Dr. Batinich and Miss Smith, included Mr. Carmen Duro, Mr. Fred Mazzei, and Mr. Lawrence Pucci, who are leading businessmen in the Chicago metropolitan area.

The prizes for the costume contest have been donated by the Joint Civic

Committee of Italian-Americans which sponsors the Columbus Day parade each year and is the civic organization representing over 700,000 Italo-Americans in the Chicago metropolitan area. Mr. Anthony Sorrentino is the hard-working and able consultant for the Joint Civic Committee of Italian-Americans.

The Columbus Day celebration will begin with solemn high mass at 9 a.m. at Our Lady of Pompeii Church in Chicago, after which a 9-foot, 14-ton bronze statue of Christopher Columbus will be dedicated in Vernon Park opposite the church. At noon the parade will begin at State and Walker Streets. Following the parade, there will be the annual wreath-laying ceremonies at Columbus Monument in Grant Park. The festivities will be brought to a close with a reception in honor of Joe Califano beginning at 3 p.m. at the Sherman House in Chicago. Leaders of the Italo-American organizations from Illinois, Indiana, and Michigan will be at the reception, together with the Honorable Paul H. Douglas, the senior Senator from Illinois, and officials from the city of Chicago and from the State of Illinois.

I am proud and happy that Americans of all ethnic origins are taking part in our Columbus Day parade and in celebrations throughout our Nation to honor the memory and the achievements of the great navigator. The varied ethnic pattern of the United States was foreshadowed even in Columbus' voyages, for he was an Italian who used Spanish ships and Portuguese charts to achieve the most important geographical discovery in modern history—the discovery of the New World.

Perhaps Columbus' achievement in sailing into the trackless Atlantic is more meaningful for us today than it was for previous generations because we face the vastness of outer space in the same way that Columbus faced the expanse of the uncharted ocean. Columbus' stubborn persistence despite discouragement and danger, his indomitable will, his faith in God and his absolute fearlessness insured his triumph over what seemed to others insurmountable odds.

It gives me great pleasure to join my friends in Chicago, my colleagues here in Washington, and my fellow citizens all over the United States in honoring America's first and perhaps greatest immigrant—Christopher Columbus.

FARM PRICES

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Stalbaum] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STALBAUM. Mr. Speaker, the American farmer is recognized the world over as having no peer in the field of agriculture. He produces more, and he produces it faster and cheaper than any other farmer in the world. Millions around the globe have been kept from starvation solely because of the fabulous productivity of American agriculture.

The American farmer has not always received the reward for his labors to which such outstanding achievements certainly entitle him. In fact, throughout most of our history, it has only been in times of great national crises that farm prices have remained at a high enough level to assure the farmer a fair income. Even today, in time of great prosperity, there are some inequities. The farmers of America, on the average, still earn only about two-thirds of what nonfarmers earn. Nevertheless, the gap is narrowing and I think it would be appropriate to emphasize just how much we have accomplished.

During the past 6 years, the trend in farm income has been dramatically and significantly up. Net farm income, today, is up some $4 billion above what it was in 1960. It is expected to reach a total of $15.7 billion this year.

At the risk of being accused of talking politics, I have to add that by comparison, in the 8 years between 1952 and 1960, farm income dropped more than $2 billion.

In contrast, since 1960, the average net income per farm in the United States has risen 60 percent. It has climbed from $2,956 in 1960, to an estimated $4,785 in 1966. Per capita farm income, in that same time, has risen from $1,108, 6 years ago, to $1,670 this year. We have a right to be proud of that record. This is the first time since the Civil War that farm income has continued a steady, upward climb, except in times of great world emergencies such as the two World Wars and Korea. Furthermore, we have been able to do this while reducing the huge farm surpluses which burden our taxpayers with unnecessary costs of billions of dollars for decade after decade.

Much of the credit for this achievement belongs to the five major farm bills passed in the 6 years of this administration, culminating in the far-reaching Food and Agriculture Act of 1965. They have helped us take unneeded acres out of production, stimulate the export trade in agricultural commodities, increase farm income and establish the first truly balanced agricultural economy in half a century.

When he signed the last of those administration farm bills, the Food and Agriculture Act of 1965, President Johnson said:

> With this legislation, we reap the wisdom acquired during three decades of trial and error.

I believe that we will continue to reap that wisdom for decades to come. And I am proud to have had the opportunity to make my own modest contributions toward the creation of the most successful and most sensible farm program ever enacted into law in this country.

THE PROBLEM OF A NEW CANAL: THE BEST SOLUTION

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENT. Mr. Speaker, over the past decade there have been published many articles on interoceanic canal problems. No Member of the Congress has ever made a more brilliant clarification of this complicated subject than my distinguished and most scholarly colleague from Pennsylvania [Mr. Flood]. The value of his contributions was recognized on August 18, 1966, by the Congress in its adoption of a concurrent resolution, which I had the honor to sponsor, authorizing the publication of a collection of Representative Flood's addresses as House Document No. 474, 89th Congress.

Though the canal subject has been neglected by most organs in the mass news media, I have noted that some of our important patriotic organizations have been active in its study. Among them are the American Legion and the Military Order of the World Wars.

At its 48th Annual Convention in Washington on September 1, 1966, the American Legion adopted a notable and forthright resolution dealing with the canal subject in realistic manner and reflecting mature consideration.

The September-October 1966 issue of the World Wars Officer Review, published by the Military Order of the World Wars, featured a very able paper by Capt. C. H. Schildhauer, U.S. Navy Reserve, retired, which he delivered before the Panama Canal Society of Washington, D.C. The occasion was the honoring by this society of the memory of his uncle, Edward Schildhauer, who was one of the most distinguished builders of the Panama Canal in the design of electrical and mechanical operating machinery of the locks.

Those two actions by the American Legion and the Military Order of the World Wars, which obviously followed informed congressional leaderships, are the best indexes of the growing public interest in the vital canal subject.

In order that they may be better known in the Congress and throughout the Nation, I quote the indicated paper by Captain Schildhauer and the American Legion resolution as parts of my remarks:

Resolution No. 547 of the 48th Annual National Convention of the American Legion

PANAMA CANAL

Whereas, in a joint statement on September 24, 1965, Presidents Johnson of the United States and Robles of Panama announced that the two countries were negotiating new treaties with respect to the existing Panama Canal and a new "sea-level" canal which might be constructed across Panama; and

Whereas, that statement made clear that the 1903 treaty "will be abrogated" and that its replacement "will terminate after a specified number of years or on the date of the opening of the sea-level canal whichever occurs first;" and

Whereas, there is no assurance at this time that the construction of a sea-level canal will be determined to be feasible, either in Panama or elsewhere in the area, or that a satisfactory treaty respecting such new canal can be secured so as to provide the United States with the necessary rights for its effective operation and protection; and

Whereas, in the interim, this situation places in serious jeopardy the rights of the United States respecting the existing canal; and

Whereas, the Congressionally authorized Commission currently studying the feasibility of constructing a new interoceanic canal is restricted to studies relative to a "sea-level" canal; and

Whereas, various proposals, such as one known as the "Terminal Lakes Plan," have been advanced for the modernization of the existing Panama Canal, based upon study by competent students of many years experience in maintaining and operating the Canal; and

Whereas, such proposals would not require a new treaty with the Republic of Panama and would not jeopardize the U.S. rights in the Canal Zone; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Washington, D.C., August 30, 31–September 1, 1966, That The American Legion (1) reaffirms its support of the basic and still existing provisions of the 1903 treaty, and the continued, indispensable sovereign control by the United States over the Canal Zone; (2) urges the enactment of legislation (similar to the Anderson-Flood-Bow bills of the 89th Congress) to establish an independent, broadly-based "Interoceanic Canals Commission," having as its mandate the examination of *all* tangible possibilities for improving and increasing trans-Isthmian transit capacity, followed by appropriate recommendation, and (3) urges that, until such a commission is duly created and makes its report, all further negotiations with the Republic of Panama be deferred.

[From the World Wars Officer Review, September-October 1966]

THE PROBLEM OF A NEW CANAL: THE BEST SOLUTION

(Address by Capt. C. H. Schildhauer, U.S. Naval Reserve, retired, before the Panama Canal Society of Washington, D.C., May 21, 1966)

Mr. Toastmaster, distinguished guests, ladies and gentleman: Naturally, the thoughts of all of us are directed to the question of a new Isthmian Canal, either at the present route or at some other location. Because of the grave importance of the subjects involved, I venture to give you my own views on the matter of the best solution trusting that they will be considered objectively. Notwithstanding the fact that there has been legislation providing for consideration of only one solution, the canal matter is of such vast consequence that any inquiry purporting to be comprehensive should consider other treatments. In so doing, the key issues are site and type; and I shall express views which, I believe, reflect the judgment of most of the survivors of the construction of the present canal, including engineers so engaged. All these can appraise the problem realistically because of their intimate experience with, and knowledge of, the extreme difficulties which accompanied the original construction. In this connection, I especially refer to the tremendous question of slides, which would be vastly enlarged in any effort to go deeper into the earth for a so-called "sea level" project if the present site should be recommended as now seems most likely or in any other area.

In recent years much has been published about inter-oceanic canal problems. Writers have vied with one another to make the subject appear new but, as experienced students of Isthmian history well know, the major questions involved are old. The only new feature in the equation is a new crop of advocates and diplomats who have ignored the lessons of experience and have proceeded purely on the theoretical considerations.

The Panama Canal was opened to traffic on August 15, 1914, yet, within ten years, the subject of the type of canal, despite a most careful evaluation of the matter, was still being agitated. In a letter on May 31, 1924, to former Chief Engineer John F. Stevens, who had designed the Panama Canal and brought the project to a point where its success was certain, Governor Jay J. Morrow, one of its ablest governors, made this incisive and prophetic statement:

"The sea-level project is a hardy perennial, and apparently there will always be someone to argue for it, no matter how often the impossibility of realizing any such scheme within practicable limits of time and cost may be demonstrated."

The years passed. With the approach of World War II, our authorities became concerned about the problems of the Panama Canal and sought legislation for increasing its capacity through the construction of what was described as the Third Locks Project. Authorized in 1939 at a cost of $277,000,000 after insufficient study and inadequate investigations, this proposal provided for one set of larger locks (140′ x 1200′ x 50′) near each of the existing locks but somewhat removed from them and for connecting the new locks with the existing channels by means of by-pass channels. (H. Doc. No. 210, 76th Cong., 1st Session.)

The proposed arrangement at the Atlantic end of the canal was logical because it duplicated a sound layout that has been tested by more than 50 years of successful operation at Gatun. At the Pacific end, however, the original third lock channel plan had three sharp bends that would have created operating problems and navigational hazards of the gravest character. This appraisal is based on navigational experience, study and observation, including many transits of the Panama Canal on naval vessels. Also, it should be especially noted that this project had undisclosed features for converting the canal to sea level according to a plan that had been neither comprehensively studied nor specifically authorized by the Congress.

Active construction started in 1940 and was placed on a rush basis until it was suspended in May 1942 after an expenditure of more than $75,000,000 mostly on lock site excavations at Gatun and Miraflores. Fortunately, no excavation was undertaken on the Pacific side at Pedro Miguel, which left the way open for a re-examination of the project in the light of marine experience before it was too late.

The Panama Canal at that time was the scene of tremendous activities in connection with its military protection and the transit of our naval vessels to and from combat areas in the Pacific. These demands created keen interest among canal authorities, both operating and engineering problems with regard to planning as derived from lessons learned under war conditions.

Eventually, these efforts inspired the development in the Panama Canal organization itself of what today is known as the Terminal Lake—Third Lock Plan, which proposal would consolidate all Pacific locks in one set south of Miraflores similar to the existing layout at Gatun and provide a summit-level lake anchorage in the Pacific sector to serve as a traffic reservoir.

Recognized immediately by respected canal engineers as the greatest single contribution in the way of canal planning since the removal of the Bohio Dam and Locks to Gatun to form Gatun Lake, the proposal attracted wide support from navigation interests that use the canal, including local naval authorities and, eventually, Fleet Admiral Ernest J. King and Secretary of the Navy Knox.

In its study of the plan, the Navy Department sent the Assistant Secretary of the Navy and a member of the General Board to the Canal Zone to look it over in the field. The General Board recommended strong Naval support of the plan and, in its principal report, made this significant statement: "The General Board is much impressed by the great preponderance of evidence in favor of the lock-type and considers that the opinions presented, supported as they are by experience, fully justify the abandonment of the idea of a sea-level canal across the Isthmus of Panama." (CONGRESSIONAL RECORD, vol. 111, pt. 5, p. 6758.)

Extensive studies at the time in the Canal Zone, and later in the Navy Department, showed the lake-lock design to be the best canal plan for the transit of vessels practicable of achievement, and at "comparatively low cost," estimated in 1943 at less than $300,000,000 and without the necessity for negotiating a new treaty with Panama. The last is a paramount consideration.

Eventually, the terminal lake proposal was submitted on September 7, 1943, by the Secretary of the Navy to President Franklin D. Roosevelt, who indicated his approval of it as a post-war project. It was subsequently approved in principle by two Governors of the Panama Canal as the preferred form for the modification of the authorized Third Locks Project to meet future navigational needs.

Upset by the wide acceptance of the terminal lake idea for a new lake-lock type canal, advocates of the old and rejected "sea-level" plan, after the startling advent of the atomic bomb in 1945, seized upon that nuclear development as the psychological lever for obtaining legislation for a canal inquiry under a statute, the bill for which was drafted by themselves at the height of public hysteria.

The ensuing act of the Congress (Public Law 280, 79th Congress, approved December 28, 1945) directed the Governor of the Panama Canal to make a comprehensive investigation of the means for increasing its capacity and "security" to meet future needs of interoceanic commerce and "national defense"; and also for a restudy of the Third Locks Project, and a study of canals at other locations.

Taking advantage of the "security" factor inserted in the bill by advocates of the "sea-level" type, the 1946–7 investigators interpreted this factor as paramount and controlling, and money costs not a "governing consideration" and sympathetic propagandists urged it as a "mandate of the Congress!" According to informed members of the Congress at that time, this was a far more extreme interpretation of the statute than was intended by the Congress which enacted it.

The report of this inquiry was submitted in 1947. As expected, it recommended only the so-called Sea-Level Project in the Canal Zone on an alignment different from the existing channel for major canal construction, initially estimated to cost $2,483,000,000 primarily on the basis of its alleged greater "security." It ignored such matters as the vital treaty question involved, and what would be its costs for a huge indemnity to Panama, a greatly increased annuity, and the effect on tolls, all of which would have to be borne by maritime interests that use the canal or by our over burdened taxpayers. No wonder, such report failed to receive Presidential approval! When President Truman transmitted it on December 1, 1947, to the Congress, he did so without comment or recommendations, and the Congress took no action thereon, not even authorizing its printing. Three years later, in the Act of 1950, the Congress, on its own initiative, reorganized the Panama Canal enterprise, placing it on a self-sustaining basis.

As time passed, transits through the Panama Canal increased, and by 1964 its capacity was approaching saturation. On Executive recommendations, without adequate hearings, debate or information, the Congress enacted Public Law 88-609, 88th Congress, approved September 22, 1964, under extraordinary circumstances for so gravely important a matter.

In the Senate, the bill for this law was passed by voice vote without debate; in the House, under a rule procedure that prevented adequate debate on the vital issue. Moreover, the House acted without the benefit of published hearings before the Committee on Merchant Marine and Fisheries that conducted them and those hearings to this day have never been printed!

The statute authorized the President to appoint a so-called "commission" of five men not subject to Senate confirmation to determine the feasibility of constructing only a "sea-level" canal connecting the Atlantic and Pacific Oceans. This action, unwisely restrictive and unprecedented in character, served to exclude from consideration the solution that many competent independent and experienced engineers and other experts considered to be the best and most economic solution when the problem is evaluated from all key angles.

This body is now functioning. It is not the independent and broadly-based commission that the situation requires and as was employed in the building of the present canal. The sea-level interests because of the alleged vulnerability of the present high-level lake-lock type canal are using the 1964 enactment to advance the 1947 "sealevel" recommendations with utter disregard of costs of consequences as a "mandate from the Congress" for the second time since World War II.

Meanwhile, the proper handling of the overall inter-oceanic question has been complicated by a series of developments affecting the Isthmus that started when Alger Hiss of the State Department in 1946 listed the Canal Zone as an "occupied area," thereby classifying it as a non-United States possession. Then followed in 1953 the negotiation of the Eisenhower-Remon treaty of 1955, which was supposed to end Panamanian demands for years to come. But efforts to appease, as was foreseen by informed members of the Congress and others, only resulted in greater efforts to extort. Today we are n the process of negotiation with Panama for new treaties affecting the canal that would cede back to that country full sovereignty over the Canal Zone. As to that, I can think of no greater disaster for the continued efficient maintenance and operation of the Panama Canal or to Panama itself. It would be far better for Panama if the United States stayed on the Isthmus in perpetuity, for our presence there is the only guaranty for its continued independence.

It is pertinent to observe that the United States would never have undertaken to construct the Panama Canal except under conditions of complete and perpetual control. Moreover, long experience on the Isthmus shows that the present canal could not have been built nor subsequently maintained and operated with requisite efficiency with less authority than our government has exercised under the 1903 Treaty. This is in no sense imperialism but plain common sense, for our responsibilities require adequate authority.

As to the original decision of our government for the high-level lake-lock plan, the wisdom of it has been completely established. It was not a fly-by-night action by irresponsible and incompetent officials or a political compromise as claimed by some propagandists but a reasoned decision after the fullest consideration by some of the best engineers and ablest statesmen that our country ever produced, after extensive debates in the Congress.

The principal arguments used by "sea-level" advocates during United States control have always been of hypothetical military character "security" and "national defense"; not the actual problems of navigation and operations.

During the 1904-06 "battle of the levels," it was the alleged "vulnerability" of the high-level plan to naval gunfire, which was an important factor in causing the division of the Pacific locks into two sets separated by the intermediate level Miraflores Lake—the major error in the design of the Panama Canal. Parenthetically, I may add that the consolidation of the two sets of Pacific locks were originally urged by Chief Engineer John F. Stevens in 1906 and later attempted by Colonel William L. Sibert but was not done because of public pressure in the United States for immediate action.

In 1939, it was the alleged danger of enemy bombing attacks that led to the hasty authorization of the Third Locks Project and its hazardous channel layout, and, as previously indicated, without adequate study of the crucial navigational and operational features involved.

In 1945, it was the alleged greater "security" of the "sea-level" type against destruction by nuclear attack, which fallacious premise has been extensively exposed in the Congress.

In 1964, it was the alleged greater "vulnerability" of the high level plan to destruction, even by "two sticks of dynamite."

Thus, it is abundantly evident that advocates of a "sea-level" canal adjust their terminology and justifications to their needs for advancing their predetermined objectives. They never mention the obvious facts that nothing can be constructed of indestructible proportions, that the greatest dangers in any type of canal in the entire Canal Zone are massive slides, that the critical slide area is in the high central mass, and that any canal, regardless of design, can be destroyed by nuclear attack. Nor do these advocates ever give the costs and complications involved in negotiating a new treaty with Panama to determine the specific conditions for constructing a "sea-level" undertaking in the Canal Zone, which project is not covered by existing treaty and would require a new one.

It is to be noted also that "sea level" advocates ignore the fact that the design that they have in mind is not, in any sense, an open strait, such as the Strait of Magellan, but that tidal locks and many miles of lateral dams, diversion channels, and flood control structures on both sides of the ship channel, would be necessary. They also ignore these facts: that a greatly deepened cut required by the so-called "sea-level" design would present a greater peril for nuclear attack than the existing canal and (2) that, as warned by the Board of Consultants, Isthmian Canal Studies, 1957-60, there would be "serious danger of a long interruption of traffic . . ." (H. Rept. No. 1960, 86th Cong. 2nd Sess., p. 5, para. 16). Such lack of forthrightness in a matter so grave, is indeed, incomprehensible and, in fact, constitutes a betrayal of our own and Western Hemispheric interests, including those of Panama itself.

In following the canal subject closely over a period of years, I have read extensively in the Congressional Record many of the thoughtful objective addresses and statements of Representative Daniel J. Flood of Pennsylvania, as well as the writings and utterances of distinguished and informed authors. In the quality of their documentation, clarity of expression and force of arguments, Congressman Flood's contributions on the canal question are unique in our history and should be studied by all who wish to understand the canal problem. As summarized by him in a statement to the House of Representatives on March 1, 1966, the key issues in the Isthmian question are obvious and simple.

First, the transcendent responsibility of our Government to safeguard the indispensable sovereign rights, power, and authority of the United States over the Canal Zone territory as granted under the 1903 Treaty.

Second, the subject of the major increase of capacity and operational improvement of the existing high-level lake-lock canal through modifying the Third Locks Project to provide a summit lake and anchorage at the Pacific end of the canal to correspond with the layout at Gatun, on which, as previously stated, some $75,000,000 of the taxpayer's money has been spent on lock site excavations only at Gatun and Miraflores. The major part of these excavations can be utilized under the proposed lake-lock plan.

Third, the matter of a new Panama Canal of so-called "sea-level" design to replace the present canal, which, in addition to other structures previously mentioned, requires tidal locks near the Pacific end of the canal where the tidal range has a maximum of 22 feet.

Fourth, the question of a new canal at another site in Panama or Columbia or Nicaragua.

Despite the enactment of the 1964 canal statute, three bills were introduced in the present Congress by Representatives Anderson of Tennessee, Bow of Ohio and Flood of Pennsylvania to create an independent and broadly-based Inter-oceanic Canals Commission. The Commission would be authorized and directed to make and conduct a comprehensive investigation and study of all problems involved or arising in connection with plans or proposals for:

An increase in the capacity and operational efficiency of the present Panama Canal through the adaptation of the Third Locks Project (53 Stat. 1409) to provide a summit-level terminal lake anchorage in the Pacific end of the canal to correspond with that in the Atlantic end, or by other modification or design of the existing facilities;

The construction of a new Panama Canal of sea-level design, or any modification thereof;

The construction and ownership, by the United States, of another canal or canals connecting the Atlantic and Pacific Oceans.

You will note that these bills include consideration of the major improvement of the present Panama Canal through modification of the Third Lock Project. This is not included in the 1964 statute which only refers to a "sea-level" canal to meet future requirements. The enactment of these bills include consideration of increasing the capacity and efficiency of the present canal, should be included in the full and complete investigation and study of canal problems. The increase of capacity and operational improvement of the less expensive and functionally superior high-level lake-lock canal to meet the basic requirements mentioned in the statute cannot be overlooked in any inquiry that purports to be "full and complete." Moreover, it should be independent.

The high-level lake-lock type of modernization, when considered from all angles, offers the best solution. Besides it could pay its way while the necessary improvements are made. In contrast, a "sea-level" tidal lock canal must be completed to full dimensions at once and its enormous construction cost would be a substantial addition to the national debt for a very long time, to which must be added the diplomatic costs for a new treaty.

Indeed, meeting the canal problem by the major improvement of the existing lock-type canal would inure to the very great advantage of Panama by keeping the canal on the Isthmus, preventing the destruction of Panamanian economy, and insuring the continued independence of Panama itself.

My uncle and his top level associates in building the Panama Canal were not men moved by sentiment in making crucial decisions but tough-minded realists. They, like those who follow the sea, had a great respect for the powerful forces of nature, so often exhibited at Panama in the form of massive slides. Were they here today, they would not be influenced by any sentimental feeling evoked by saving their own work but only by the intrinsic realities of the situation that they so well understood. I have every reason to believe from many conversations with him that they would favor the lake-lock plan that I have discussed as the proper solution and would oppose the resurrected idea of a so-called "sea-level" canal, which would require an unprecedented expenditure of the taxpayer's money and open a veritable box of Pandora of difficulties of every character. I, therefore, believe that the wisest and best solution is to keep the present canal and enlarge its capacity and improve its operations to meet future needs of shipping by means of the indicated high-level lake-lock design.

FEDERAL FUNDS, PROJECTS, AND PROGRAMS FOR SEVENTH CONGRESSIONAL DISTRICT OF IOWA

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, I have had the honor and pleasure of representing the Seventh Congressional District of Iowa in Congress for the past 2 years. As this historic session draws to a close, I believe that it is only fitting and proper that I express my appreciation to my colleagues in the House of Representatives and the Senate and in the many Government agencies in Washington, who have cooperated with me in obtaining unprecedented benefits for the people of my district.

It has been a great satisfaction for me to have been responsible for securing a full measure of Federal funds, projects, and programs for the benefit and advancement of southwest and western Iowa. With your assistance, and that of others here in our Nation's Capital, our Seventh Congressional District of Iowa has experienced progress and economic growth that has not been achieved for years.

For the sake of the record, and as an expression of my appreciation, I desire at this point to set forth both the projects and the funds that have been allocated to our district:

ADAIR COUNTY

LOCATION, PROJECT, FUNDS, OR STATUS

Adair—New post office: pending.

Orient—New sewer system: $69,000 grant, $87,000 loan.

Fontanelle—New post office: pending.

Greenfield—Urban planning: $7,738.

County—Library grant: $200.

County—3-mile creek watershed: $1,364,490.

County—12-mile creek watershed: pending.

County—Agricultural research: $28,663.

County—Extension service: $20,000.

County—SCS: $44,764.

County—Consumer service: $69,841.

County—ASCS: $604,319.

County—C.C.C.: $4,763,991.

County—F.C.I.C.: $3,715.

County—FHA: $1,460,410.

County—Medicare: $106,000.

County—Added social security: $134,000.

ADAMS COUNTY

LOCATION, PROJECT, FUNDS, OR STATUS

Corning—Neighborhood center: $35,893.

Nodaway—New water system: $10,000 grant, $55,000 loan.

County—Library grant: $400.

County—W. Douglas watershed: $243,170.

County—Walters Creek watershed: $1,074,920.

County—Agricultural research: $14,332.

County—Extension service: $27,300.

County—SCS: $59,866.

County—Consumer service: $37,990.

County—ASCS: $375,819.

County—C.C.C.: $2,977,569.

County—F.C.I.C.: $7,588.

County—FHA: $778,323.

County—Medicare: $72,000.

County—Added social security: $100,000.

AUDUBON COUNTY

LOCATION, PROJECT, FUNDS, OR STATUS

Exira—New post office: $47,018.

Exira—Davids Creek Dam: Pending.

County—Blue Grass Reservoir: Planning stage.

County—Library grant: $900.

County—Blue Grass Creek watershed: Under study.

County—Agricultural research: $28,663.

County—Extension service: $20,000.

County—SCS: $196,545.

County—Consumer service: $118,301.

County—ASCS: $517,219.

County—CCC: $4,616,745.

County—FCIC: $4,920.

County—FHA: $1,021,130.

County—Medicare: $95,000.

County—Added social security: $147,000.

CARROLL COUNTY

LOCATION, PROJECT, FUNDS, OR STATUS

Arcadia—REA telephone: $165,000.

Templeton—New sewer system: $88,000.

Carroll—Urban renewal: $89,500.

Carroll—Civil defense radio: $11,305.

Carroll—Civil defense center; $6,500.

Carroll—New post office: Pending.

Carroll—Greenspan progress: $4,682.

County—Library grant: $6,300.

County—Agricultural research: $33,440.

County—Extension service: $48,650.

County—SCS: $46,207.

County—Consumer service: $354,784.

County—ASCS: $511,175.

County—CCC: $6,948,032.

County—FCIC: $1,862.

County—REA: $165,000.

County—FHA: $285,740.

County—Medicare: $180,000.

County—Added social security: $297,000.

CASS COUNTY

LOCATION, PROJECT, FUNDS, OR STATUS

Anita—New post office: $23,892.

Atlantic—Remodel post office: $38,000.

Cumberland senior citizen housing: $50,000.

Massena—REA telephone: $165,000.

Massena—Senior citizen: $36,000.

Atlantic—Remodel hospital: $610,000.

County—Library grant: $950.

County—Agricultural research: $23,885.

County—Extension service: $54,350.

County—SCS: $89,169.

County—Consumer service: $171,735.

County—ASCS: $571,397.

County—C.C.C.: $4,896,752.

County—F.C.I.C.: $36,618.

County—REA: $165,000.

County—FHA: $1,114,700.

County—Medicare: $174,000.

County—Added social security: $293,000.

CRAWFORD COUNTY

LOCATION, PROJECT, FUNDS, OR STATUS

Deloit—New sewer system: $42,000 grant, $88,000 loan.

Denison—Midwestern College library: $5,000.

Denison—Midwestern work study progress: $30,000.

Denison—Hospital expansion: $106,000.

Denison—Sewer system: $7,500.

Denison—Urban planning: $6,894.

Denison—Eventide expansion HHFA loan.

Dow City—Dane Ridge watershed: $900,000.

Dow City—Sewage treatment: $14,742.

Manillia—Sewage treatment: $17,070.

County—Urban planning: $39,000.

County—Agricultural research: $33,440.

County—Extension service: $53,000.

County—SCS: $146,191.

County—Consumer service: $527,526.

County—ASCS: $557,241.

County—C.C.C.: $9,151,001.

County—F.C.I.C.: $4,931.

County—FHA: $1,609,461.

County—Medicare: $155,000.

County—Added social security: $239,000.

DALLAS COUNTY

LOCATION, PROJECT, FUNDS, OR STATUS

Adel—Flood control: $50,000.

Granger—Remodel post office: $5,000.

Van Meter—Urban planning: $1,034.

County—Saylorville Reservoir planning stage.

County—Urban planning: $12,000.

County—Library grant: $2,800.

County—Agricultural research: $33,540.

County—Extension service: $20,000.

County—SCS: $45,308.

County—Consumer service: $473,205.

County—ASCS: $641,191.

County—C.C.C.: $10,067,080.

County—F.C.I.C.: $4,857.

County—FHA: $516,090.

County—Medicare: $230,000.

County—Added social security: $410,000.

FREMONT COUNTY

LOCATION, PROJECT, FUNDS, OR STATUS

Hamburg—Senior citizen housing: $405,000.

Hamburg—River barge lock: $25,000.

Hamburg—Remodel Federal building: $283,000.

Hamburg—New hospital: $435,000.

Hamburg vicinity—River bank: $781,364.

Sidney—Low rent housing: $345,000.

Bartlett—Farm levee: $967,517.

Bartlett vicinity—River bank: $862,991.

Thurman—Levee repairs: $130,000.

Farragut: Housing development: $4,000.

County—Library grant: $700.

County—Ledgewood Creek watershed: Pending.

County—Agricultural research: $14,332.

County—Extension service: $15,100.

County—SCS: $94,333.

County—Consumer service: $147,848.

County—ASCS: $590,292.

County—C.C.C.: $10,728,211.

County—F.C.I.C.: $5,023.

County—FHA: $290,370.

County—Medicare: $100,000.

County—Social security added: $155,000.

Greene County

LOCATION, PROJECT, FUNDS, OR STATUS

Jefferson—Semen barn and laboratory: $37,411.

Jefferson—REC loan: $442,000.

Jefferson—Urban planning: $6,656.

Jefferson—Adult education: $5,960.

Jefferson—Public library: $187,880.

Rippey—New post office: Pending.

County—Jefferson dam: Under review.

County—Agricultural research: $40,701.

County—Extension service: $26,050.

County—SCS: $37,123.

County—Consumer service: $173,395.

County—ASCS: $406,165.

County—C.C.C.: $11,249,130.

County—F.C.I.C.: $466.

County—REA: $422,000.

County—FHA: $406,367.

County—Library grant: $6,800.

County—Medicare: $134,000.

County—Social security added: $217,000.

Guthrie County

LOCATION, PROJECT, FUNDS, OR STATUS

Casey—New sewer system: $10,500.

Casey—Remodel post office: $8,500.

Bayard—Senior citizens housing: $48,000.

Guthrie center—New post office: Approved, funds pending.

Panora—New post office: Funds pending.

County—Library grant: $7,900.

County—Bear Creek watershed: Pending.

County—Agricultural research: $72,980.

County—Extension service: $18,500.

County—SCS: $93,707.

County—Consumer service: $199,208.

County—ASCS: $785,110.

County—C.C.C.: $6,660,812.

County—F.C.I.C.: $2,335.

County—FHA: $743,511.

County—Medicare: $142,000.

County—Social security added: $228,000.

Harrison County

LOCATION, PROJECT, FUNDS, OR STATUS

Logan-Magnolia—Headstart project: $4,527.

Missouri Valley—Youth Corps: $21,740.

River Sioux—River bank work: $665,469.

Missouri Valley—River bank work: $481,959.

Missouri Valley—Sewage treatment: $81,600.

Mondamin—New post office: Pending.

Woodbine—Sewage treatment: $25,590.

Dunlap—Sewage treatment: $33,900.

County—Erosion control: $101,625.

County—DeSoto recreation: $45,144.

County—DeSoto wildlife: $85,000.

County—DeSoto roads: $54,629.

County—Home mortgage loans: $74,000.

County—Urban planning: $15,000.

County—Library grant: $1,500.

County—Agricultural research: $30,885.

County—Extension service: $27,500.

County—SCS: $245,587.

County—Consumer service: $221,286.

County—ASCS: $897,585.

County—C.C.C.: $13,250,945.

County—REA: $360,000.

County—FHA: $1,137,890.

County—Medicare: $164,000.

County—Social security added: $262,000.

Madison County

LOCATION, PROJECTS, FUNDS, OR STATUS

Truro—Senior citizen housing: $36,000.

Earlham—Senior citizen housing: $36,000.

Earlham—Nursing home: $105,600.

Earlham—Manpower training: $83,066.

Winterset—Neighborhood center: $18,648.

County—Home mortgage loans: $115,000.

County—Library grant, $400.

County—Agricultural research: $33,440.

County—Extension service: $30,250.

County—SCS: $205,090.

County—Consumer service: $144,184.

County—ASCS: $547,448.

County—C.C.C.: $5,205,154.

County—F.I.C.A.: $18,649.

County—FHA: $415,720.

County—Medicare: $127,000.

County—Added social security: $194,000.

Mills County

LOCATION, PROJECT, FUNDS, OR STATUS

Glenwood—New post office: pending.

Glenwood—Headstart program: $2.490.

Glenwood—Hospital work program: $18,155.

Glenwood—Manpower training: $242,679.

Glenwood—School training grant: $25,000.

Malvern—Headstart program: $3,656.

Malvern—Senior citizen housing: $4,000.

County—Adult education: $11,500.

County—Community planning: $16,452.

County—Home mortgage loan: $536,000.

County—Library grant: $1,000.

County—Agricultural research: $14,332.

County—Extension service: $30,650.

County—SCS: $251,893.

County—Consumer service: $126,170.

County—ASCS: $406,863.

County—C.C.C.: $7,407,708.

County—F.C.I.C.: $4,876

County—FHA: $373,630.

County—Medicare: $99,000.

County—Social security added: $172,000.

Monona County

LOCATION, PROJECT, FUNDS, OR STATUS

Blencoe—Sewer treatment plant: $13,000.

Blencoe—New water and sewer system: $35,000 grant, $72,000 loan.

Onawa—River erosion repairs: $67,810.

Onawa—REC loan: $254,000.

Mapleton—Senior citizen housing: $186,000.

Mapleton—Airport development: $105,808.

Onawa—Industrial railroad spur: $75,000.

County—Nagel drainage improvements: $15,000.

County—Home mortgage: $153,000.

County—Library grant: $650.

County—Agricultural research: $33,440.

County—Extension service: $30,440.

County—SCS: $4,869,994.

County—Consumer service: $194,197.

County—ASCS: $765,681.

County—C.C.C.: $10,293,195.

County—REA: $254,000.

County—FHA: $293,310.

County—Medicare: $126,000.

County—Added social security: $189,000.

Montgomery County

LOCATION, PROJECT, FUNDS, OR STATUS

Red Oak—Airport development: $64,065.

Red Oak—SBIC license: $153,000.

Red Oak—Learning resource center: $258,000.

Stanton—Community planning: $3,300.

Stanton—Senior citizen housing: $310,324.

Villisca—Headstart program: $2,610.

Elliot—New sewer system: $20,100.

County—Home mortgage loans: $295,000.

County—Urban planning: $43,000.

County—Library grant: $400.

County—Agricultural research: $16,719.

County—Extension service: $27,950.

County—SCS: $106,144.

County—Consumer service: $90,665.

County—ASCS: $414,509.

County—C.C.C.: $4,614,846.

County—F.C.I.C.: $7,658.

County—FHA: $430,820.

County—Medicare: $156,000.

County—Added social security: $237,000.

Page County

LOCATION, PROJECT, FUNDS, OR STATUS

Braddyville—Water sewer system: $23,000 grant, $55,000 loan.

Braddyville—Post office improvements: Pending.

Clarinda—College library grants: $62,876.

Clarinda—College work study program: $28,160.

Clarinda—Mental health training: $25,000.

Clarinda—New post office: Pending.

Clarinda—Headstart program: $2,791.

Shenandoah—Headstart program: $3,656.

County—Home mortgage loans: $621,000.

County—Library grant: $1,200.

County—Mill and Longbranch Creek watershed: Pending.

County—Agricultural research: $14,332.

County—Extension service: $37,950.

County—SCS: $117,112.

County—Consumer service: $127,178.

County—ASCS: $505,523.

County—C.C.C.: $5,103,615.

County—F.C.I.C.: $6,997.

County—FHA: $736,596.

County—Medicare: $229,000.

County—Added social security: $351,000.

Pottawattamie County

LOCATION, PROJECT, FUNDS, OR STATUS

Council Bluffs—Storm sewers: $948,000.

Council Bluffs—Urban renewal: $93,058.

Council Bluffs—School grant for military children: $52,876.

Council Bluffs—Urban plan: $70,746.

Council Bluffs—Nursing student loans: $4,180.

Council Bluffs—Levee repairs: $56,960.

Council Bluffs—River bank work: $811,223.

Council Bluffs—Federal building expansion: Estimated $58,000, pending.

Council Bluffs—Youth Corps programs: $72,510.

Council Bluffs—Urban renewal: $4,910,000.

Council Bluffs—Swimming pool grant: $45,000.

Carter Lake—School grant for military children: $14,350.

Carter Lake—Postal branch established.

Walnut—Post office expansion: $11,800.

Oakland—New post office expansion: $11,800.

Neola—Headstart program: $2,304.

Macedonia—Remodel post office: $5,805.

Treynor—Treynor recreation area.

County—Adult education: $8,270.

County—Other Headstart programs: $70,465.

County—Training unemployed: $201,111.

County—North Pidgeon watershed: Pending.

County—Home mortgage loans: $5,617,000.

County—Indian Creek project: $300,000.

County—Library grant: $850.

County—Simon Run watershed: Pending.

County—Agricultural research: $19,112.

County—Extension service: $67,900.

County—SCS: $462,818.

County—Consumer service: $657,113.

County—ASCS: $709,409.

County—C.C.C.: $13,000,258.

County—F.C.I.C.: $19,218.

County—FHA: $852,760.

County— Medicare: $540,000.

County—Added social security: $895,000.

Shelby County

LOCATION, PROJECT, FUNDS, OR STATUS

Harlan—New post office: Pending.

Harlan—Medicare alert: $12,732.

Irwin—Youth Corps: $4,400.

Defiance—Water sewer: $13,000 grant, system: $100,000 loan.

Earling—New post office: Pending.

Elk Horn—Remodel post office: $80,000.

Elk Horn—Greenspan project: $700.

County—Home mortgage loans: $123,000.

County—Agricultural research: $28,885.

County—Extension service: $33,950.

County—SCS: $83,773.

County—Consumer service: $263,993.

County—ASCS: $545,312.

County—C.C.C.: $8,588,413.

County—F.C.I.C.: $4,922.

County—FHA: $1,179,387.

County—Medicare: $132,000.

County—Added social security: $207,000.

Taylor County

LOCATION, PROJECT, FUNDS, OR STATUS

Bedford—Flood control: $264,500.

Clearfield—New water system: $15,000 grant, $160,000 loan.

Gravity—Water system: $11,000 grant, $65,000 loan.

Gravity—Remodel post office: $500.

Lenox—Greenspan program: Pending.

County—Library grant: $1,000.

County—Agricultural research: $14,332.

County—Extension service: $23,450.

County—SCS: $226,860.

County—Consumer service: $91,698.

County—ASCS: $560,134.

County—C.C.C.: $3,841,377.

County—FHA: $445,400.

County—Medicare: $125,000.

County—Added social security: $181,000.

Multicounty Projects

LOCATION, PROJECT, FUNDS, OR STATUS

Page, Montgomery, Cass, Mills, Fremont—Program development: $26,869.

Crawford, Harrison, Monona, Shelby—Farm training program: $60,642.

Harrison, Shelby—Mosquito Creek levee repairs: $1,117,900.

Audubon, Dallas, Guthrie—Study grant: $25,624.

Madison, Adair, Taylor, Union, Ringgold, Adams—Study grant: $40,994.

Carroll, Greene, Calhoun, Sac—Development project improve economic level: $36,516.

Harrison, Shelby—Mosquito watershed: Approval.

Fremont, Harrison—Headstart program: $13,191.

Pottawattamie, Harrison, Mills, Page—Headstart program: $79,583.

Audubon, Cass, Adair, Guthrie—Turkey Creek watershed: $2,632,120.

Crawford, Delaware, Des Moines, Polk, Washington—Assoc. Retarded Children: $35,570.

Adair, Adams, Guthrie—5 x 80 recreation.

Mills, Fremont—Urban planning: $45,000.

Greene, Madison—Urban planning: $11,000.

Harrison, Pottawattamie—Allen Steer watershed: Pending.

Guthrie, Audubon, Cass—Troublesome Creek watershed: Pending.

Mills, Freemont—Waubonsie Creek watershed: Pending.

Pottawattamie, Mills—Ponies watershed: Pending.

Page, Fremont, Montgomery—West Tarkio Creek watershed: Pending.

Crawford, Harrison, Monona, Shelby—Visitation service shut-ins: $64,856.

Crawford, Harrison, Monona, Shelby—Headstart project: $29,032.

Calhoun, Carroll, Sac, Greene—Headstart project: $3,106.

Boone, Dallas, Guthrie, Madison—Work experience and training: $229,040.

Harrison, Monona—Ox-Bow Lakes Recreation: $2,500,000.

Harrison, Adair and 28 other counties—Emergency flood repair: $500,000.

Dallas, Madison—Ext. Badger Creek: $213,000.

Greene, Crawford—Scranton, Schleswig Jefferson Plan assistance: $25,000.

Districtwide Projects

PROJECT, FUNDS, OR STATUS

Rehabilitation of blind: $110,000.

Allocation disaster relief: $5,000,000.

Outdoor recreational area: $1,283,894.

Rehabilitation flood property: $2,000,000.

Aid elementary and secondary schools: $2,800,000.

A REPORT ON THE WORK OF THE HOUSE SMALL BUSINESS COMMITTEE—89TH CONGRESS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVINS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, as we approach adjournment of this, the 89th Congress, I want to provide you and the Members of the House with a brief report of the work and activities carried out by the Select Committee on Small Business during these past 2 years.

As you will recall, shortly after the opening of the 89th Congress, the Members of the House of Representatives voted again to reestablish the Small Business Committee. This time, however, the House directed that the membership of the committee should be increased from 13 to 15 members.

During the 89th Congress you, Mr. Speaker, appointed me as chairman to serve along with the following Members:

WRIGHT PATMAN, Democrat, of Texas.

ABRAHAM J. MULTER, Democrat, of New York.

TOM STEED, Democrat, of Oklahoma.

James Roosevelt, Democrat, of California.

JOHN C. KLUCZYNSKI, Democrat, of Illinois.

JOHN D. DINGELL, Democrat, of Michigan.

NEAL SMITH, Democrat, of Iowa.

CHARLES L. WELTNER, Democrat, of Georgia.

ARCH A. MOORE, JR., Republican, of West Virginia, ranking minority member.

H. ALLEN SMITH, Republican, of California.

RALPH HARVEY, Republican, of Indiana.

SILVIO O. CONTE, Republican, of Massachusetts.

JAMES T. BROYHILL, Republican, of North Carolina.

FRANK J. HORTON, Republican, of New York.

During September 1965, Representative James Roosevelt resigned from the committee. Representative JAMES C. CORMAN, Democrat, of California, was selected to take his place. During October 1966, Representative CHARLES L. WELTNER resigned and he was replaced by Representative DONALD J. IRWIN, Democrat, of Connecticut.

These Members, Mr. Speaker, which you appointed, are Members of unusual ability and are steadfast in their devotion and dedication to the principles proclaimed clearly and forcefully by the Congress that the security and well-being of our Nation can be realized only if the small business sector of our economy remains viable and vigorous—that small business must be protected and encouraged in order to preserve our free-enterprise system.

Prior to January 1966 the committee had never been privileged to have a home of its own. The committee staff was housed in rooms scattered throughout the Cannon House Office Building. Our hearings were held in committee rooms provided by other committees. Mr. Speaker, with your assigning a hearing room and staff quarters in the Rayburn House Office Building, as a permanent home for the House Small Business Committee, our physical facilities became greatly improved. Our thanks to you, Mr. Speaker, and let me say also that this expression of thanks is likewise voiced by the Nation's small business community.

Our committee is also grateful to the Architect of the Capitol, the Honorable J. George Stewart, and to his dedicated Assistant, Mr. Mario B. Campioli.

SMALL BUSINESS AND THE ECONOMY

The economy of our country is enjoying the sixth straight year of growth and prosperity. Small business has shared in these good times, but even so, all of us recognize that these good times have brought with them important and far-reaching changes in the structure of our economy. All of these changes, it seems, have brought new and special problems for small business. In the opening days of the 89th Congress, therefore, the committee was required to deal with a variety of challenges in order to carry out the duties and responsibilities assigned to the committee by the House of Representatives. It is a pleasure to be able to report, Mr. Speaker, that the committee moved firmly and resolutely to face up to these problems—serious problems with which small business is compelled to contend.

ORGANIZATION OF THE COMMITTEE

In carrying out the work of the committee, these subcommittees were established:

Subcommittee No. 1, Foundations: Their Impact on Small Business, under the chairmanship of Representative WRIGHT PATMAN, Democrat, of Texas inquired into the operation of tax-exempt foundations and their impact upon small business. Other Members appointed to this subcommittee were Representatives Roosevelt, Democrat, of California, WELTNER, Democrat, of Georgia, RALPH HARVEY, Republican, of Indiana, and H. ALLEN SMITH, Republican, of California. Due to the resignation of Representative Roosevelt in September 1965, Representative CORMAN, Democrat, of California was assigned to the subcommittee.

Subcommittee No. 2, Small Business and Government Procurement, was placed under the chairmanship of Representative ABRAHAM J. MULTER, Democrat, of New York. The other Members appointed to this subcommittee were Representatives STEED, Democrat, of Oklahoma, Roosevelt, Democrat, of California, H. ALLEN SMITH, Republican, of California, and CONTE, Republican, of Massachusetts. Due to the resignation of Representative Roosevelt in September 1965, Representative CORMAN, Democrat, of California was named in his place on the subcommittee.

Subcommittee No. 3 on Taxation was headed by Representative TOM STEED, Democrat, of Oklahoma. Other Members named were Representatives MULTER, Democrat, of New York, NEAL SMITH, Democrat, of Iowa, JAMES BROYHILL, Republican, of North Carolina, and CONTE, Republican, of Massachusetts.

Subcommittee No. 4 on Distribution Problems Affecting Small Business was established under the chairmanship of Representative James Roosevelt, Democrat, of California. Other Members assigned to this subcommittee included Representatives KLUCZYNSKI, Democrat, of Illinois, DINGELL, Democrat, of Michigan, MOORE, Republican, of West Virginia, and HORTON, Republican, of New York. Following the resignation of Representative Roosevelt in September 1965, the unfinished work of this subcommittee was carried forward to completion by the Subcommittee on Regulatory and Enforcement Agencies.

Subcommittee No. 5 on Small Business Problems in Urban Areas was placed under the chairmanship of Representative JOHN C. KLUCZYNSKI, Democrat, of Illinois. Other Members assigned to the subcommittee were Representatives MULTER, Democrat, of New York, WELTNER, Democrat, of Georgia, RALPH HARVEY, Republican, of Indiana, and HORTON, Republican, of New York.

Subcommittee No. 6 on the Activities of Regulatory and Enforcement Agencies Relating to Small Business was created and placed under the chairmanship of Representative JOHN D. DINGELL, Democrat, of Michigan. Other members of this subcommittee are Representatives NEAL SMITH, Democrat, of Iowa, WELTNER, Democrat, of Georgia, CONTE, Republican, of Massachusetts, and JAMES BROYHILL, Republican, of North Carolina.

Subcommittee No. 7—the Subcommittee on Special Investigations of Small Business Problems—operated under the chairmanship of Representative NEAL SMITH, Democrat, of Iowa. Other members of this subcommittee are Representatives STEED, Democrat, of Oklahoma, DINGELL, Democrat, of Michigan, HORTON, Republican, of New York, and JAMES BROYHILL, Republican, of North Carolina.

HELP FOR MEMBERS OF THE HOUSE

Throughout the 89th Congress—as in preceding Congresses—the House Small Business Committee operated as a service committee for all Members of the House. The committee staff is expert in handling small business problems and in dealing with the Government agencies involved. Many Members of the House called upon our committee for such assistance, and the number of personal services provided the Members has continued to increase. In all instances these matters received immediate attention.

Many of the requests for assistance involved the financial assistance program of the Small Business Administration. Some Members wanted their constituents helped with procurement problems. Antitrust matters also were handled, as were numerous other situations covering a wide variety of problems faced by a wide variety of businesses which the constituents owned and operated.

The committee's staff is available at all times to serve all Members of the House. This will be equally true following adjournment for the committee's office will continue to be open each day of the week when the House is not in session.

HEARINGS AND INVESTIGATIONS, SMALL BUSINESS ADMINISTRATION

As provided in the Small Business Act, the House Small Business Committee has a special duty and obligation to keep itself informed regarding all of the operations of the Small Business Administration. Accordingly, during the 89th Congress the committee held two series of hearings covering the organization and operation of the Small Business Administration.

The first set of hearing were held during April of 1965. Later sessions were held during the entire week of July 18, 1966.

Mr. Bernard L. Boutin became SBA Administrator 2 months before the July hearings. Administrator Boutin testified in some detail regarding the various programs offered by the agency in aid of small business.

Testimony was also received from representatives of small business associations, small businessmen, and officials of small business investment companies. The Director of the Budget Bureau appeared before the committee to discuss budget policies of the administration as they relate to small business programs. A reply to questions concerning business loans under the Economic Opportunity Act was received from the Director of the Office of Economic Opportunity for the record of the hearings.

Although a complete review of SBA's operations was conducted, special emphasis was placed on three specific areas of responsibility charged to the agency—first, the recent loan curtailments, policies, and funding of the agency; second the small business lending program under title IV of the Economic Opportunity Act which is under the joint administration of the Office of Economic Opportunity and the Small Business Administration; and third, the operations of small business investment companies under the Small Business Investment Act of 1958, as amended. The full scope of these programs were reviewed. Similarly, attention was given to the reorganization of the agency and the resulting changes in personnel assignments.

A field investigation into the operation of title IV of the Economic Opportunity Act was conducted in Detroit. The information thereby adduced together with the evidence developed during the course of the hearings indicated to some members of the committee that the small business lending program of the Office of Economic Opportunity should be transferred to the Small Business Administration. During the debate on this bill in September 1966, the chairman and other members of the committee supported an amendment offered by Representative DINGELL to carry out this transfer, which amendment was adopted by the House.

Much criticism had been received concerning the investment program. The committee devoted a good portion of the hearing to this problem. As a result of these hearings and hearings by other committees pertaining to the small business investment program, legislation was introduced and is presently being considered which will enable the Small Business Administration to more properly supervise these companies and enhance the effectiveness of the program.

Complete reports on the scope of the work of the several subcommittees is being prepared, with recommendations, for submission to the House.

TAX-EXEMPT FOUNDATIONS

One of the subcommittees, under the chairmanship of Representative WRIGHT PATMAN, has continued to gather facts regarding the impact of privately-controlled, tax-exempt foundations on the Nation's economy—dealing, in part, with foundation-controlled enterprises in competition with taxpaying small businessmen.

The object of the study is to determine whether legislation is needed in order to provide effective supervisory controls over such organizations. Information has been gathered from approximately 600 foundations and charitable trusts. The subcommittee's study has brought to light many instances in which the tax-exempt privilege has been abused; instances in which unfair practices were applied in a manner prejudicial to small business and to other businesses not enjoying tax exemption.

The work of the subcommittee has been noted by the Treasury Department and the Internal Revenue Service. Indeed, President Johnson recognizes the problem of foundation-controlled enterprises in competition with taxpaying businessmen, and has called upon the Congress "to deal with abuses of tax-exempt private foundation." See the President's Economic Report to Congress, January 27, 1966, page 18.

One measure of the subcommittee's accomplishments is that the Treasury has transmitted a number of recommendations to the Ways and Means Committee with respect to the problem areas among tax-exempt private foundations. These problems cannot be resolved under present law and, therefore, a number of legislative measures have been recommended by Treasury.

Another measure of the subcommittee's accomplishments is the fact that the Internal Revenue Service has assessed large amounts of taxes resulting, in part, from the data published by the subcommittee. Five of the foundations which have been under study by the subcommittee were assessed $28 million by the Internal Revenue Service.

PROCUREMENT

The Subcommittee on Small Business and Government Procurement, under the chairmanship of Representative ABRAHAM J. MULTER, has been quite active and effective during the 89th Congress. This subcommittee possesses a high degree of expertise regarding small business problems associated with the procurement practices and programs of the various agencies of the Federal Government.

The subcommittee held public hearings in the 89th Congress relating primarily to small business subcontracting and set-aside programs. These are the major programs to which small business looks for a fair proportion of the procurement dollar.

The subcommittee's hearings were held in the wake of a change made by the then Administrator of the Small Business Administration in transferring the responsibility for set-asides from SBA to the procurement agencies and eliminating SBA's procurement center representatives. Testimony was taken from representatives of Department of Defense, the Departments of Army, Navy, and Air Force, Defense Supply Agency, Bureau of the Budget, and SBA. Representatives of small business firms and their associations testified in the subcommittee's hearings in protest against SBA's change. The subcommittee also developed a great deal of information through staff conferences, correspondence, and other informal procedures.

In connection with the subcontracting aspect of the hearings, the subcommittee took testimony from representatives of major prime contractors regarding their small business subcontracting programs established under Public Law 87-305 and their participation in the voluntary small business subcontracting program.

Additional testimony regarding the set-aside change was taken from SBA following the appointment of Bernard L. Boutin as the new Administrator. He requested an opportunity to study his predecessor's change in the set-aside program and to return to the committee with recommendations at the beginning of the 90th Congress. The Director of the Bureau of the Budget also testified that the change would be reconsidered and reported to the committee at the same time.

TAXATION

The Subcommittee on Taxation under the chairmanship of Representative TOM STEED has conducted, through its staff, a continuing study of the various aspects of the Federal tax structure and its impact upon small business.

Chairman STEED has requested the Internal Revenue Service to investigate the activities of nonprofit tax-exempt organizations in conjunction with the sale of air transportation. In response to Chairman STEED's request, the Internal Revenue Service has instructed its Manhattan field office to conduct a thorough study of this matter.

DISTRIBUTION SUBCOMMITTEE

AIR TRANSPORTATION

The Distribution Subcommittee held hearings on the role of small business in the air transportation industry. These hearings were primarily concerned with the problems of small business travel agents, particularly with respect to the sale of air passenger transportation, and the problems confronting small business airfreight forwarders. Evidence was also received concerning the need for small businessmen to receive continuing scheduled helicopter service in Metropolitan Los Angeles.

Seven hearings were held, including sessions in Los Angeles, Chicago, and Washington. Over 100 witnesses testified or filed statements.

At the opening session of the hearings, the vice president of the Air Traffic Conference, during cross-examination by Subcommittee Chairman Roosevelt, informed the subcommittee of the air carriers' willingness to join with the travel agents in forming a joint committee to study ticketing costs. This project, which had long been sought by travel agents, has since become a reality and is well on the road to completion.

The carriers, shortly after the announcement of the hearings, also withdrew a new proposed schedule for commissions which had been vigorously opposed by the travel agents because it reduced by 40 percent the commissions they would receive on the largest single category of tickets. Another byproduct of the hearings has been the granting, on a regular basis, of reduced-rate air transportation to travel agents for the purpose of allowing them to become familiar with tourist and vacation areas and facilities.

Shortly after Representative JOHN C. KLUCZYNSKI became acting chairman of the subcommittee, due to the resignation of Representative Roosevelt, it was called to his attention that the new standards committee working with the Secretary of Commerce on the proposed new plywood standard was composed exclusively of members of the American Plywood Association. Congressman KLUCZYNSKI wrote the Secretary of Commerce calling this to his attention and requested that representatives of the independent sector of the industry be appointed to the committee. Shortly after the letter was sent, the committee was enlarged to include independent representation.

URBAN SMALL BUSINESS PROBLEMS

Hearings were held by the Subcommittee on Urban Small Business Problems under the chairmanship of Representative JOHN C. KLUCZYNSKI in Chicago, Rochester, New York, Atlanta, and Washington. Testimony was received from over 200 witnesses, the bulk of whom were small businessmen. The witnesses also included such notables as the mayors of New York, Chicago, Rochester, and Atlanta, and the Secretary of the Department of Housing and Urban Development. Hearings were held in small business shopping centers, small business retail outlets in areas scheduled to be demolished, and shopping plazas, as well as the more usual formal hearing rooms. A wealth of new information concerning the problems actually confronting the Nation's urban small businessmen was compiled. Round table discussions by members of the academic community, the planning profession, city managers and consultants were also held, during which these problems were subjected to intense analysis and scrutiny.

As a result of the hearings, the new Administrator of the Small Business Administration issued directives to all field offices that they are to establish at once close liaison with the field offices of the Department of Housing and Urban Development and those units of local government in charge of urban renewal. The purpose of this liaison will be to see that every small businessman who is displaced by urban renewal is personally informed of the programs available to him in conjunction with urban renewal.

The subcommittee has also received assurances from the Secretary of the Department of Housing and Urban Development and the Administrator of the Small Business Administration that several programs which have been enacted by the Congress but have not been implemented by these agencies will, in the immediate future, be fully operative.

SUBCOMMITTEE ON ACTIVITIES OF REGULATORY AND ENFORCEMENT AGENCIES

Throughout the 89th Congress, Representative JOHN D. DINGELL has been chairman of the Subcommittee on Activities of Regulatory and Enforcement Agencies Relating to Small Business. During the first session of the Congress, testimony was developed by the subcommittee from representatives of the Federal Trade Commission and the Antitrust Division, Department of Justice, and appropriate divisions of the Department of Agriculture.

During the second session of the Congress, hearings were held on the activities of the Federal Communications Commission relating to small business. Testimony was received from spokesmen for small business florists concerning the entry of Western Union into the direct sale of flowers in intercity markets. They were fearful this would deprive them of a large portion of their market because of Western Union's access to the contents of messages sent for congratulatory purposes and other factors. The Commission, subsequent to inquiry lodged by the subcommittee, has instructed Western Union to prohibit its employees from using the contents of messages for the purpose of soliciting orders for flowers.

Testimony was also received concerning the allegedly discriminatory rate structure of the television networks for advertising purposes. During testimony before the subcommittee, ABC and NBC announced the abandonment of their former rate structure and the issuance of a new rate card which eliminated the alleged discriminatory practices.

Testimony was also received from spokesmen from small businessmen desiring the designation of additional radio spectrum so that they might make fuller usage of land mobile radio. Subsequent to an inquiry lodged by the subcommittee with the Commission, field studies of the feasibility of assigning additional spectrum for this purpose, which had long been sought by land mobile users, were commenced.

Testimony was also received from the proprietor of a proposed common carrier microwave system and spokesmen for small businessmen shared time computer center regarding the necessity of additional facilities, at reasonable cost, for the transmission of data. Subsequent to the receipt of this testimony by the subcommittees, the Commission has ruled that microwave may now be used for common carrier purposes and that a number of smaller firms may share the same facilities.

Testimony was also received from the telephone answering industry, independent producers of television programs, independent marketers of telephone equipment, radio and television station representatives, the National Association of Broadcasters, the community antenna television industry, and other small business communication interests.

Chairman DINGELL appeared before the Committee on Science and Astronautics, presenting the small business problems inherent in programs of industrial standardization. Subsequent to his testimony, he was asked by members of the science committee for specific views on additional points which were also presented.

Chairman DINGELL has engaged in conferences with both General Motors and the Ford Motor Co. seeking to have those firms eliminate certain allegedly discriminatory practices with regard to the distribution of so-called captive parts. Further conferences are scheduled on this matter and it is expected that a resolution to the controversy will be obtained.

SUBCOMMITTEE ON SPECIAL INVESTIGATIONS

THE EFFECT OF CORN MARKETING BY THE COMMODITY CREDIT CORPORATION UPON SMALL BUSINESS

During June 1966 the Subcommittee on Special Investigations of Small Business Problems, under the chairmanship of Representative NEAL SMITH, Democrat, of Iowa, conducted 5 days of hearings concerning the effect of corn marketing by the Commodity Credit Corporation upon small business.

The subcommittee had received numerous complaints concerning price discrimination and other marketing factors which alleged that country elevators and other small businessmen had not been allowed to equitably participate in the purchase of Commodity Credit Corporation corn. The complaints dealt specifically with an extremely heavy sale of corn by CCC during the first several months of the 1965 corn marketing year which began on October 1, 1965.

Following a rather comprehensive field investigation, public hearings were held at which testimony was received from cooperative associations and independently owned elevator and warehouse operators from the Iowa and Minnesota grain marketing areas. Witnesses from the Department of Agriculture also testified.

Based upon the subcommittee investigations and hearings, the subcommittee adopted a unanimous report, House Report No. 2082, which contains the findings, conclusions and recommendations of the subcommittee. This report has been filed with the House. Indicative of the interest in this report is the fact that the committee's supply of the printed record of the hearings has been depleted and the report has been widely accepted.

PROBLEMS OF THE TOOL, DIE, AND MACHINE TOOL INDUSTRIES

The Subcommittee on Special Investigations of Small Business Problems conducted hearings on July 26 and 27, 1966, concerning problems of the tool and die industry and associated problems of manufacturers and distributors of machine tools.

For some time the committee had received information from these industries that they were faced with important problems involving the inability to expand and modernize because of a lack of capital and the inability to meet production requirements because of a lack of skilled manpower. This matter was referred to the Subcommittee on Special Investigations of Small Business Problems and hearings were conducted.

At these hearings representatives of tool and die manufacturers, machine tool producers and machine tool distributors appeared before the subcommittee. Testimony was also received from officials of the Small Business Administration, the Department of Commerce and the Department of Labor. Special emphasis was placed on the tool, die, and precision machine industries because all of the problems affecting these industries specifically affected the tool and die manufacturers. This entire industry is comprised of small businessmen.

A report based on these hearings is also being drafted and will be submitted to the House.

SMALL BUSINESS DAIRIES

During the 89th Congress numerous communications were received from small independent dairies in various parts of the country complaining about price wars which threatened their continued existence.

A preponderance of these complaints came from independent dairies in the State of Iowa, particularly in the Des Moines and Waterloo trading areas.

A comprehensive field investigation was conducted in the State of Iowa. Interviews by committee investigators were held with officials of many of the dairies—both small and large—doing business in the markets involved. This action by the subcommittee brought about the termination of most, if not all, of the objectionable pricing practices that had been applied in that area.

The work of the Subcommittee on Special Investigations of Small Business Problems has been effective and productive in solving a variety of problems confronting small business. Some interim reports have been filed, but reports covering the work of the full Committee of the House Small Business Committee will be submitted to the House within the next few weeks.

THE COMMITTEE STAFF

At this time, Mr. Speaker, I would like also to pay tribute to Mr. Bryan Haskell Jacques, the committee's hard-working staff director; to Mr. Richard L. Mitchell, the able and skillful general counsel; and to all other members of the staff. The committee is fortunate in having an excellent staff composed of efficient, loyal, and dedicated individuals, and I wish to give recognition and thanks to them for the capable manner in which they have helped the members carry out the work of the committee.

THE COMMITTEE'S RECORD OF ACCOMPLISHMENT

Mr. Speaker, over the years the House Small Business Committee, time and again, has proven its usefulness to the Members of Congress and to the small business community.

The committee has established a long and distinguished record of service and accomplishment.

Among the distinguished Members who have served on this committee over the years—who have been appointed by Speaker Rayburn, Speaker MCCORMACK, and Speaker MARTIN—include our colleagues, Representative CHARLES A. HALLECK, Republican, of Indiana, Representative EUGENE J. KEOGH, Democrat, of New York, and Representative WILLIAM M. MCCULLOCH, Republican, of Ohio; our former colleague, Representative Leonard W. Hall, Republican, of New York; the present majority leader of the Senate, the Honorable MIKE MANSFIELD; the distinguished Senator from the State of Washington, the Honorable HENRY M. JACKSON; the late, beloved Senator from Tennessee, Estes Kefauver; and several other Members who also served with distinction.

COLUMBUS DAY

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MCGRATH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McGRATH. Mr. Speaker, the Italian-American communities of the United States deserve the Nation's congratulations for taking the lead in making the annual observance of Columbus Day an occasion for taking stock of our heritage.

Columbus Day, celebrated on the anniversary of the great explorer's first Western Hemisphere landing, is by the very nature of the holiday a reminder that the New World, and particularly the United States, seemed intended by the Creator as the crucible in which the best in mankind would be welded into a viable society.

The very fact that it has traditionally been Americans of Italian descent who are in the forefront of this symbolic commemoration of the New World's discovery emphasizes the one-worldness of our Nation.

Christopher Columbus was a native of Italy. His voyages of discovery were sponsored by the monarchs of Spain. His epoch-making journey was in search of a route to India. His landing on October 12, 1492, was in what are now the Bahamas. He also discovered the island of Hispaniola, shared today by Haiti and the Dominican Republic. He discovered America.

His birthday and the dates of his discoveries are celebrated in many lands of our hemisphere. Several countries claim to contain his burial site.

All in all, his life, his voyages and the commemorations of these are considered today among the traditions of many nations, and this is in itself a tribute to the great Italian navigator and his supreme accomplishment.

We owe to our citizens of Italian descent a vote of thanks for their annual reminder of the origins of our culture and society, and I congratulate them for taking the lead in making Columbus Day a holiday of importance and deep meaning to us all.

EFFORT TO PREVENT MISTAKE BEING MADE IN OUR FOREIGN TRADE NEGOTIATIONS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MOELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOELLER. Mr. Speaker, since August I have been engaged in a strenuous effort to prevent a grave mistake from being made in our foreign trade negotiations.

Our highly valuable and significant synthetic organic chemical industry and particularly its benzenoid chemical segment is currently threatened by a proposal to remove the American selling price system of valuation of imported chemicals, in return for concessions at the forthcoming Kennedy round trade negotiations.

On September 20 I appeared before the U.S. Tariff Commission on this subject and made a strong appeal against this proposal. I should like to request unanimous consent to have my remarks of September 20 inserted in the RECORD. Yesterday, I am happy to report, I was joined by nine of my colleagues of both parties from our great State of Ohio in a letter to the President setting forth our views on this vital matter. Several other members of the Ohio delegation had expressed interest in joining in this effort but regrettably, due to previous commitments were out of town.

Mr. Speaker, I also respectfully request your permission to insert a copy of this letter in the RECORD at this point.

Remarks of the Honorable Walter H. Moeller, of Ohio, Before the U.S. Tariff Commission on Probable Impact of Concessions on Certain Products Now Subject to Duty on the American Selling Price Basis of Valuation, September 20, 1966

Mr. Chairman and Members of the Commission, I deeply appreciate the opportunity to appear this morning before you gentlemen on a matter of great concern to my 11-County Congressional District in Southeastern Ohio. This District, I just might add, is within Appalachia and has within recent years made great strides in industrial expansion and economic growth. Gentlemen, in a District like mine, new industry and jobs thus generated are valuable and critical to the economic survival of the area. It is on this note that I appear before you today.

Washington County and the City of Marietta in my District are in the forefront of this activity in our once depressed and neglected area of the State of Ohio. The extremely valuable American Cyanamid Plant at Marietta has contributed substantially to this progress. This activity employs well over 180 workers and has a payroll exceeding one million dollars a year. In addition, the Cyanamid operation at Marietta produces over 1.5 million dollars in taxes and collateral purchases. Cyanamid also operates an even larger plant in Willow Island, West Virginia where it employs approximately 825 people, with a payroll in excess of 5.5 million a year. This type of industrial activity in Appalachia must be encouraged and, if necessary, protected. Any threat to the continued operations and future expansions of these important economic generators in our once depressed area is totally unthinkable.

The other point I would like to just briefly touch on for the benefit of the Commission is that it is important to the security of the United States as a whole to maintain a viable and strong Benzenoid Chemical Industry within our shores. These chemicals, as I am sure you know, are used largely in the production of sulfonamides, dyes, pigments and many other important products. If the current system of valuation at the American selling price is removed, production of these important chemicals in the United States will no longer be profitable enough for our domestic industry to manufacture these chemicals in the United States. The low labor rates abroad and the monopolistic business practices conducted abroad will force the plants in this country to close down. The companies, although they will be hurt, will survive and in all probability take the necessary steps to establish similar facilities in foreign lands, employing foreign labor to continue production. The major harm from such a consequence will be to those American workers displaced and to the communities adversely affected from the loss of this type of valuable business activity. In addition, we shall see a further drop in our balance of payments and gold position.

In other words, gentleman, the companies will survive but the individuals and the communities who are dependent upon such industry will suffer. It seems to me at a time when our nation faces many crises at home and abroad that it is somewhat ridiculous that we would contemplate casting from our shores an essential job-producing, domestic industry for the slight prospect of an illusory benefit of a concession at some future trade conference.

I urge you, in the strongest possible terms at my command, not to take action to upset our current system of valuation, at the American selling price, of benzenoid chemicals imported into the United States.

Congress of the United States,
House of Representatives,
Washington, D.C., October 11, 1966.

The President,
The White House,
Washington, D.C.

Dear Mr. President: We, the undersigned members of the Ohio Congressional Delegation, feel compelled to call to your personal attention our grave concern regarding the possible elimination of the American Selling Price System of customs valuation for benzenoid chemicals which, if allowed, could result in severe economic injury to the substantial synthetic organic chemical industry in our State.

The U.S. Tariff Commission will shortly complete its investigation of the economic impact of a change in the current system of valuation and provide you with its findings and recommendations. While we are confident that these findings will fully support our position we feel it necessary to underscore for you the importance of this industry to the economy of our State.

There are over 14,000 workers in the synthetic organic chemical industry in Ohio, at 19 plants throughout the State. Almost 5,000 of these workers are directly engaged in the production of benzenoid chemicals. Nationally, the industry employs 116,000 workers and has an annual payroll in excess of $900,000,000. Any threat to this continued operation and expansion of these important industrial facilities in our state is unthinkable.

It is clear from the record before the Tariff Commission, as well as from the data made available by the industry, that its sales will be reduced by virtue of the massive increases in imports which will result from the abandonment of the American Selling Price System. The profitability of the domestic benzenoid industry is well below the national average and we do not believe it can absorb the price reductions that will flow from the importation of low-cost foreign benzenoids.

If the American Selling Price System of valuation is removed we could expect severe economic dislocation to take place in the State of Ohio. We cannot agree that Ohio's benzenoid chemical industry should be sacrificed to foreign manufacturers with labor rates that are but a fraction of those prevailing in our State. To do so would be to jeopardize the livelihoods of 5,000 Ohio families.

We understand that a number of Members of Congress have recently written to you on this subject. We wish to identify strongly with our other colleagues and respectfully urge that no commitment on American Selling Price be made by the United States at the forthcoming international negotiations at Geneva.

Sincerely yours,

Hon. Walter H. Moeller.
Hon. William H. Harsha.
Hon. Robert E. Sweeney.
Hon. Robert T. Secrest.
Hon. Wayne L. Hays.
Hon. John M. Ashbrook.
Hon. Jackson E. Betts.
Hon. William H. Ayres.
Hon. Donald D. Clancy.
Hon. Charles A. Mosher.
Hon. William H. McCulloch.

MAINE SUGAR REFINERY

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, today I wrote a letter to the Chairman of the Special Committee on Economic Development which I include in the RECORD at this point.

HON. ED EDMONDSON,
Chairman, Special Committee on Economic Development, Committee on Public Works, House of Representatives.

DEAR MR. CHAIRMAN: On Thursday, October 6, 1966, my good friend Congressman THOMAS P. O'NEILL, JR., raised some questions relative to the worth and feasibility of a sugar refinery that is nearing completion in Maine. The questions were good ones and deserve answers. I would like to do so at this time.

1. Did the applicants for the initial ARA loan submit data on the marketing potential for refined sugar in nearby New England states? If so, did these data indicate that Boston and environs, the locations of two established cane refineries—constituted the chief marketing potential?

Answer: Technical Assistance Project No. 677 of EDA shows that a market potential analysis for refined sugar was conducted before any money was loaned by ARA–EDA for a sugar refining plant in Maine. The market analysis showed the area from Boston North offered the best marketing potential.

2. In granting the initial ARA loan, did that agency give consideration to the possible impact on employment in the established refineries in Boston? If so, what were ARA's findings and conclusions?

Answer: Project No. 677 of EDA states the following: "Boston and New England are currently supplied with sugar from two large cane refineries—No other major sugar market area in the United States has a comparable lack of competition.

"Historically, the price of sugar for the wholesale and retail markets of New England is the highest in the country."

The 48¢ to 68¢ CWT cost differential between New England and Chicago has been the normal situation for the last five years. Large wholesale users in New England who distribute their products in the national market are at a continuing disadvantage to their Chicago competitors. This price disadvantage has caused an exodus of large sugar users from New England.

The Koffsky Special Study on Sugar to the United States Department of Agriculture projects the theory that New England will decline in sugar consumption until at least 1975. Since industrial use of sugar constitutes 58.4% of sugar usage and since New England is losing industrial sugar users because of high prices, it seems logical that something should be done to correct this situation. ARA–EDA by loaning money to a new sugar plant in Maine will make the New England sugar more competitive thus preserving jobs in the New England confectionary industry and existing cane refineries.

The following list of firms and associations have written letters to indicate their concern over the sugar situation in New England. These firms are:

New England Bakers Association, Needham, Massachusetts.

New England Manufacturing Confectioners Association, Boston, Massachusetts.

New England Association of Ice Cream Manufacturers, Worcester, Massachusetts.

New England Confectionary Company (NECCO), Cambridge, Massachusetts.

Deran Confectionary Company, Cambridge, Massachusetts.

James O. Welch Company, Cambridge, Massachusetts.

H. W. Powers Company, Inc., Boston, Massachusetts.

Maple Grove, St. Johnsbury, Vermont.

School House Candy Company, Pawtucket, Rhode Island.

Edgar P. Lewis and Son, Malden, Massachusetts.

H. P. Hood and Son, Malden, Massachusetts.

The Berwick Cake Company, Boston, Massachusetts.

James H. McManus, Quincy, Massachusetts.

Dorchester Ice Cream Corporation, Boston, Massachusetts.

S. C. Clayton Company, Inc., Boston, Massachusetts.

In conclusion—the addition of another sugar source will contribute towards the effort to bring New England sugar prices in line with the rest of the United States. This in turn will keep the confectionary industry from moving out of New England. A new sugar source such as the plant in Maine will actually preserve New England jobs rather than destroy any.

3. In the application by Maine Sugar Industries, Inc., for the EDA loan of $2,250,300, recently granted, how much additional employment did the applicants claim would be generated—over and above that claimed in the initial application for the ARA loan?

Answer: The chief difference in the number of jobs claimed for the original ARA loan and the number claimed in the EDA loan is in year-round permanent jobs. There are approximately 250 more year-round jobs as opposed to part-time employment.

4. Was any consideration given by EDA in approving a loan for the purchase of cane sugar refining machinery, of the impact on marketings of the two Boston refineries and hence on their employment? If so, what were the findings of fact by EDA and its conclusions?

Answer: The answer to question 4 is basically the same as the answer to question 2. EDA Technical Assistance Project No. 677 points out that without the introduction of another source of sugar then sugar use in New England would continue to decline with the continued exodus of large sugar users. A sugar refinery in Maine should bring New England sugar prices more in line with the rest of the United States.

5. Is Maine Sugar Industries, Inc., applying for still a third loan? If so, for what purpose and for what amount?

Answer: Easton, Maine was redesignated by EDA on June 30, 1966, because of the improving economy in Central Aroostook County, thus making Maine Sugar Industries ineligible for any more loans.

Sincerely,

WILLIAM D. HATHAWAY,
U.S. Congressman.

"KEEP A BOY IN SPORTS AND KEEP HIM OUT OF THE COURTS"

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIELS. Mr. Speaker, having served for many years on the municipal bench of the city of Jersey City, N.J., I know full well the truth in the old adage "Keep a boy in sports and you keep him out of the courts." Thus, I was very shocked this morning when I read the Potomac Watch column in the Washington Post by Mr. William Raspberry. Under unanimous consent, Mr. Speaker, I will have Mr. Raspberry's column inserted at this point in the RECORD so that all Members may read of the outrage which is going on very literally under our noses.

Mr. Raspberry's column follows:

U.S.-OWNED VACANT LOT BARRED AS PLAYING FIELD

(By William Raspberry)

St. Peter's Angels haven't exactly been told where to go, but they've been ordered to get the devil out of their former football paradise at 1st and C Streets se.

The Angels (top weight: 130 pounds) and a second St. Peter's team of 100-pounders had used the two-block lot for about five weeks. Police evicted them last Thursday.

The lot is the property of the U.S. Capitol, and there is a law against playing on the Capitol grounds. So now the lot—almost a park, really—just sits there, protected by battered signs that say "U.S. Property: No Trespassing."

"I don't know what we're going to do now," said the Rev. Patrick Durkin, pastor of St. Peter's Church. "We're sort of hung. We're trying to find out if maybe we can provide transportation for the kids to Turkey Thicket Park, at 10th Street and Michigan Avenue ne. The next closest vacant lot is in Anacostia."

The Capitol Hill lot once contained some of the area's most attractive row houses. They were torn down three years ago when the Government acquired the site for the proposed Madison Memorial Library, an annex to the Library of Congress.

Indications are that it will be at least a year or two before construction begins. In the meantime, the huge lot, a rarity in this crowded city, apparently will just sit there.

Philip Roof, executive assistant to Capitol Architect J. George Stewart, said there has been no particular problem with youngsters damaging the grounds. There is nothing, really, to damage.

"There's a law against using the Capitol grounds as a playground," he said. "The minute we acquired the lot for the library, it became a part of the Capitol grounds."

Principal objection to use of the lot as a play area, he said, is legal. "For example," he said, "if a child is hurt there while he's playing, the Government could be sued under the Federal Torts Claim Act."

Roof also noted that the Government "has spent a lot of money to seed that ground."

The lot is fairly attractive, even if the grass has only a slight ascendancy over the weeds. The shrubbery that once graced the rowhouse lawns gives it the appearance of a park.

But it is a park that no one uses, nor is there any encouragement to those who would. There are no benches, fountains, walkways or other enticements. And, too, there are those "No Trespassing" signs.

According to Father Durkin, the lot's major use is as a two-block restroom for dogs. "Nearly everybody on Capitol Hill walks his dog there," he said.

Young adults of the area have occasional pick-up softball games there on weekend afternoons, although that, too, is forbidden and presumably will be enforced now.

Father Durkin said police indicated there have been complaints from residents about youngsters playing there. But he has been unable to find any of the complainants.

"In fact, residents of the Coronet Apartment House and others are circulating a petition trying to get permission to use the lot for recreation," he said.

Others are seeking help from high places, including Members of Congress and the Vice President's office.

According to Father Durkin, St. Peter's two teams—some 40 youngsters aged 11 to 15—are the only tackle football teams for that age group between 1st and 15th Streets se., from East Capitol Street to the Anacostia River.

"It is because of this that the Catholic Youth Organization permitted us to take in non-Catholic boys," he noted.

Capitol Architect Stewart said someone was in his office last week to ask permission to use the lot as a play area. He hinted that he was miffed because "they had been using the lot already and only came to ask permission after they were chased off by police."

But he said he couldn't have granted permission anyway. "I haven't any authority to bypass the law," he said. "The only way permission could be given is through an act of Congress."

Waiting for an act of Congress, particularly where District problems are concerned, is not the city's most rewarding pastime.

Mr. Speaker, my office in the Cannon House Office Building is on the eastern side of the building and I have, in common with many other Members of the House, noted the presence of the future Bobby Mitchells and Sonny Jurgensens playing football on the empty lot which lies between First and Second Streets Southeast. Thus, to find our Government treating the young footballers from St. Peter's Church as trespassers, is a very serious situation.

I have introduced legislation today which would correct this situation and allow this conveniently located tract to be used as a recreation area until the new Library Annex is built on the site.

Mr. Speaker, I think this corrective legislation should be promptly passed by the Congress.

"HOW BRIGHT LIGHTS REDUCE CRIME"

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, I would like to include in the RECORD an article by Don Murray entitled "How Bright Lights Reduce Crime" that appeared in Coronet magazine in February of 1960:

HOW BRIGHT LIGHTS REDUCE CRIME

CITIES ACROSS THE UNITED STATES FIND BRIGHT STREET LIGHTS THE "MOST EFFECTIVE—AND INEXPENSIVE COP ON THE BEAT"

(By Don Murray)

A gang of young punks shuffled through the velvet thick shadows of the Manhattan playground last August to where five teenage boys and a girl were sitting in the muggy heat.

"You seen Frenchy?" the leader snarled.

The teenage boys hadn't, and the punks moved away. The teenagers thought the gang had left but, when they decided to go home, they were met at the park gate by the punks, hidden by the shadows. One of the teenagers suddenly felt pain, grasped his abdomen and ran, bent over, across the street. Minutes later he died of knife wounds in the stomach and groin. Gagging with pain and blood, one of his buddies ducked into a hallway, where he died holding a girl's hand. Their three companions were beaten and injured. None had a chance; they hadn't even seen a warning flash of steel in the darkness.

This crime, like many others, needed the cover of night. Across the U.S., shadowed streets breed murder, assault, rape, holdups, burglaries and gang fights as prolifically as uncovered garbage breeds disease.

A national survey shows that there are 12 times as many crimes of violence at night as in the daytime. Another study reveals that all the murders in Canton, Ohio, Binghamton, New York, Wilkes-Barre, Pennsylvania, and Hempstead, New York, were committed at night during the period studied. Nearly all the rapes in Baltimore occurred after dark, as did 90 percent of the robberies in Fort Wayne, Indiana.

In Salt Lake City, 96.5 percent of all aggravated assaults took place at night; in Minneapolis, 92 percent of the burglaries happened after dark; in Pittsburgh, 85 percent of stolen cars were taken under cover of darkness.

For centuries decent people didn't go out at night because thugs controlled the streets. Today, with modern electric lights, our streets can be made bright, shadowless—and *safe*. Too often, however, we won't spend the money—until it is too late.

After World War II Cleveland citizens were told by experts that they should spend a minimum of $1,000,000 a year for ten years to make their expanding city safe after dark. They voted only $100,000. Cleveland, for years a leader in street lighting, allowed many of its streets to become jungles of dark shadows. When her citizens went out at night they were targets for muggers, purse snatchers, holdup men and perverts who attacked from the shadows and escaped under cover of darkness.

A 27-year-old laboratory technician was raped in Cleveland one dark night by two men while a third used a gun to make her boy friend watch. From the description of the car and license number police picked up three men. But when these were brought before the victim she couldn't identify them—it had been too dark for her to get a good look at their faces.

In the same city, at 7:50 on New Year's night, 1948, eight-year-old Sheila Ann Tuley was sent to the corner drugstore. She had to walk only 375 feet. But her street was poorly lighted; Sheila never made it. Her body, mutilated by a fiend's knife, was found crumpled on a porch three hours later. No one had seen the attack, yet there was evidence she had fought her assailant on the sidewalk, across a lawn, up the steps and on the porch.

Horrified by Sheila's death and fearing for their own children, a group of Cleveland mothers stormed the mayor's office. They started such a fuss that a bond issue was passed in 1949, and Cleveland began to spend millions of dollars to light its streets properly. When only one-third of the lights were installed, assaults dropped a third. There were 17 percent fewer night crimes; purse-snatching was cut an astonishing 76 percent. Cleveland Police Chief Frank W. Storey is backed by solid experience when he says, "Light always works on the side of the law."

In Vancouver, Washington, tiny Jo Ann Dewey was dragged off the street into a car just after sundown. A number of people heard her terrified screams and rushed to help her. They were too late. It was so dark no one could tell the make of car or read the license number. A long time later, her nude, ravaged body was found outside of town.

On dark streets victims can't see their attackers or describe them afterward. When the police spot a crime they often lose the criminal in a maze of dim streets and black alleys.

But if darkness is the criminal's ally, light is his enemy. For example, New York City had tried every trick to eliminate crime—adding men on the beat, infiltrating areas with plain-clothes men, organizing squads of specially trained officers—with partial success. Then the police pinpointed 111 square blocks in the city where criminals were rampant. The lighting department bathed those 111 blocks in light.

Street lights, which had been 175 feet apart, were placed every 125 feet. They had been 24 feet high. They were raised four-and-a-half feet so the light poured down into the shadowed store fronts and the dark areaways and alleys. Incandescent lights were replaced with brilliant mercury vapor lamps giving 125 percent more light.

The results were spectacular. In one precinct juvenile delinquency was cut a third; in the whole 111 blocks all crime dropped, and crimes of personal violence—murder, rape, assault—were cut a fantastic 49 percent.

It cost $500,000 to buy and install the new equipment. But the new lamps use $9 *less* electricity apiece in each year to give more than twice as much light. "There's no way of comparing the cost of the lights or the savings on electricity and the cost of crime," said one official. "Who can put a cold cash price on a human life or a girl's innocence? We consider the money well spent."

New York is currently spending another $100,000 to light up 20 playgrounds, such as the one where the five teenagers were stabbed, which have had a high incidence of juvenile delinquency.

Results of relighting all over the country are just as impressive as in New York. Chattanooga, Tennessee, had a 12-block area with a fantastic homicide rate. The city flooded the area with light, and crimes of violence were cut 70 to 90 percent.

Denver cut assault complaints a third by relighting some streets; Brookings, South Dakota, and Marion, Indiana, virtually eliminated vandalism in certain areas by expanding lighting; in Austin, Texas, new lighting cut some categories of crime 90 percent.

In Winston-Salem, North Carolina, at least one telephone operator a week had been assaulted—and many weeks two or three—after they left work on late night shifts. New mercury vapor lights were installed. Police Chief Jim Waller reports. "This used to be a major problem. Now it is no problem."

A street lighting program in Flint, Michigan, cut felonies 60 percent in the downtown area. "The new street lighting helped decrease crime beyond our expectations," says Police Chief George Paul. The suburban city of Highland Park, Michigan, plagued by holdups was crisscrossed with dark alleys. Highland Park lit up the alleys. Chief Dewey Schultz said, "Since then we have not had one alley holdup."

McPherson, Kansas, has installed one of the most extensive street lighting programs in the U.S. Brightness was increased six times and enough street lights added so that there is now one for every two-and-a-half homes. There have been no burglaries since then, says Chief Paul Smith, "Our lights have just about illuminated residential crime out of existence."

Albuquerque, New Mexico, cut both auto thefts and thefts from autos by new street lighting. Detroit is attacking crime in its toughest neighborhoods with light. Police officials in Philadelphia, Washington, D.C., Kansas City, Missouri, Houston and Chicago report that street relighting programs have been a major weapon against crime in their cities.

Most police officials feel that bright streets not only make the police job easier but inhibit crime.

The *total* of crime in any town actually drops when adequate lighting is installed.

Still, many cities refuse to face the facts. Among the U.S. cities with the darkest, most dangerous streets are: Richmond, Virginia; Savannah, Georgia; Rochester, New York; Cincinnati; San Francisco; and Des Moines, Close behind are Boston, Memphis, and Charlotte, North Carolina. These cities lack minimum safe street lighting. The major reason they cite is cost, yet with modern fluorescent and mercury vapor lamps proper street lighting is 20 percent cheaper per unit of light than it was before World War II. It costs each citizen annually less than the price of a restaurant meal to bring the lighting on his street up to standard.

An engineer who specializes in street lighting, W. E. Schwanhausser of General Electric, has five questions you can use to judge the effectiveness of lights in your town:

1. Are the fixtures hanging at least 20 feet above the roadway?
2. Are the lights spaced no more than 150 feet apart?
3. Does the fixture direct the light *downward?*
4. Does the light illumine just the street and sidewalks or is light sprayed all around the pole, into house windows?
5. Is the lighting on the road and sidewalks fairly even and uniform, not a "puddle of light" under each pole with long stretches of darkness between fixtures?

If the answers are yes, then your streets are safe. If most of the answers are no, then you'd better start educating your neighbors so you can work together to make your street safe at night.

Good street lighting is your cheapest weapon against crime. Look at the case of Gary, Indiana, which started installing mercury vapor lights in 1952, half of them in dimly lit areas. Between 1953 and 1955, when the program was fulfilled, Gary's population *increased* 27 percent, yet assaults *decreased 75 percent* and robberies went down 65 percent. Police Chief John Foley explained why: "A good street light is as valuable as a good policeman—and a lot cheaper too."

MOTOR ACCIDENTS HAPPEN AT NIGHT

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, it is an established fact that 60 percent of all fatal motor vehicle accidents occur at night when vehicle and pedestrian traffic is lowest. In the cities the after-dark rate is twice that of the day experience. In the country or on rural routes the fatal accidents at night are three times as high as the day rate. It is indisputable that the reduced visibility at night contributes heavily to the alarming difference in day and night traffic fatalities.

Another significant disclosure is that the rural night accident rate—where little or no lighting exists—is appreciably higher than that in the city where some form of illumination exists on a majority of the streets. Of course, higher speeds in the country is also a contributing factor but records reveal that the greatest decrease of accidents in both the urban and rural areas have occurred at the intersections where adequate illumination has been installed.

URBAN PLANNING

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, the Library of Congress recently prepared a revised bibliography of books and articles on urban planning. Because of the great importance of this subject I would like to include this list in the RECORD so it will be available to all Members of Congress:

URBAN PLANNING: A BIBLIOGRAPHY OF BOOKS AND ARTICLES, 1955–1966

I. BIBLIOGRAPHIES

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A SALUTE TO CHRISTOPHER COLUMBUS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 10 minutes.

Mr. CONTE. Mr. Speaker, late in the 15th century, a Genoese sailor embarked on a historic and unprecedented voyage, hoisting his anchors in the familiar coastal waters of Portugal and landing 71 days later on the uncharted shores of San Salvador Island in the Caribbean Sea.

The sailor was Christopher Columbus, of course, and the story of that historic voyage is familiar to schoolchildren in every corner of the earth.

We can only try to imagine the kind of vision, the kind of courage, the kind of faith that stiffened the man's will and drove him to triumph over maddening setbacks and adversities. We can only wonder at the strength of this enlightened man whose conviction in what was then only a scientific theory, in his scorn for the superstitions that had guided men's lives since the dawn of civilization, led him to the discoveries and explorations that once and forever bridged the gulf between the Old World and the New.

One of the more curious and striking aspects of our history, to me, has always been the similarity in the character of Christopher Columbus and what we like to think of as the typically American character. It is curiously fitting that the similarities should exist between the national character of America and the man who brought civilization to these shores.

Columbus was a man of courage, and yet his courage was always tempered with wisdom and prudence, and with a careful appraisal of his chances so far as he could count them. He was a leader of almost mystical powers, compelling the several score crewmen of his three tiny ships to continue working westward into unknown waters and unknown perils, in spite of discomfort and hunger, in spite of their chilling dread of the unknown.

He was a man of science, as well; a navigator of consumate skill and ability. And he had sufficient faith and courage in his mathematics to follow their lessons around a circular globe instead of across a flat terrestrial plateau.

And as we search for the inevitable parallel between Christopher Columbus and modern man, we find him personified in each of the courageous astronauts who are carrying man and his knowledge across uncharted space to the very stars that guided Columbus almost 500 years ago.

How similar are our tiny cone-shaped space capsules to those tiny vessels of Columbus. How similar must the tough fiber of the astronaut be to the stiff spine that bore Columbus across the uncharted sea. And while we may have conquered the superstitions of the ages, there remains a great unknown void into which, sooner or later, a modern-day Columbus must venture in search of new worlds.

It is appropriate and fitting that each year on the anniversary of that October day when the longboats from the *Niña*, *Pinta*, and *Santa Maria* ground ashore at San Salvador, we pause to salute the memory of the captain who brought them. In so doing, we salute the sum total of man's knowledge and enlightenment that were focused so sharply in Christopher Columbus and in which we, as Americans, rightly take so much pride today. Columbus was a man for all men, symbolizing man himself, rather than a single nationality. He himself was Italian. His benefactors were Portuguese and Spanish. His crew included men of all European flags, including, legend has it, seafaring men from the British Isles.

And the land he discovered may truly be said to continue that focus, for we are truly a nation of all nations and of all nationalities.

In a sense, our salute of Columbus is a salute to mankind and a salute to the America that has sprung from the heritage of Christopher Columbus.

A LIVABLE REDWOOD NATIONAL PARK AND SEASHORE PLAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. DON H. CLAUSEN] is recognized for 40 minutes.

Mr. DON H. CLAUSEN. Mr. Speaker, over the Pacific coast range where it slopes down to the ocean lives a breed of giants. As far as the persistent Pacific fog rolls into the river canyons and up the mountainsides, the tall coast redwoods push skyward like giant, green-tipped lances.

Here, along some 500 miles of the rugged northern California coast, is the only place in the world where Sequoia sempervirens—the tall coast redwoods—grow. Here, in the canyon flats, feeding on centuries-old silt washed down from the mountains by torrential rains and drinking the persistent fog and mist, are the tallest living things in the world. Here is something unique and breathtakingly beautiful that we received as a heritage. We must bequeath an adequate preserve of these superlative groves to our grandchildren and their grandchildren.

I believe that if a referendum were held throughout the Nation today, at least 75 percent of the people would be in favor of designating selected virgin redwood groves as a Redwood National Park. If the Congress were to put this issue to a vote today, I believe the dissenters could be numbered on one hand.

Earlier this year, after the issue had been discussed for nearly 3 years, I sent out more than 200,000 questionnaires to my constituents on national issues. The first question was:

> Should a Redwood National Park be established in our area?

While I did not pretend it was a scientific poll, still some 20,000 of my constituents answered it and 60 percent answered "yes" on a national park, 31 percent answered "no," and 9 percent answered "no opinion."

Since this is the district in which a Redwood National Park would be located, there is naturally a great deal of fear and doubt regarding such a proposal. Many people are critical that the State of California has not developed the recreational potential of the more than 100,000 acres of cathedral like redwood forests it has held in State parks for many years. Because the timber products industry represents more than 70 percent of the local economy, others fear for their jobs. And still others, who pay property taxes, fear that the tax base will be seriously eroded by Federal acquisition of private lands, thereby increasing their own tax load. These are reasonable concerns that I, as their representative, also have voiced.

Later, when the administration proposed a bill to stop all timber cutting in the Mill Creek watershed of Del Norte County, one of the areas being considered for national park status, national wire services reported that 6,000 persons turned out in this small county for a protest rally. When one-third of a county's total population is disturbed to the point of public protest, this is a matter of local impact in the highest order.

I have stated my own position time and time again. When the administration made its own Redwood National Park proposal last February 23, I joined with Senator KUCHEL of California in introducing this proposal to the Congress. I did this for a number of reasons as I clearly stated:

> It has become clear that one of the rarest resources in the world, the tall coast redwoods, should be recognized as one of our great national assets and that suitable redwood forests be set aside under the care of the National Park Service. By my words and action today, I fully endorse this concept.

Further, I said that I introduced this bill with reservations. While I felt it was a step in the right direction in creating such a park and in making an effort to solve the loss of tax base by an in-lieu payment and had some job adjustment features, I spelled out these reservations. Regardless of my own thoughts, my position of responsibility is different from that of any other Member of Congress. Again, may I quote from my original statement when I introduced the administration's park bill:

> More than 400 Members of this honorable body may find it hard to question the protection of beautiful redwood forests, and that is understandable. But there is only one—the Congressman from the First District of California—who has the direct responsibility to protect also the legitimate interests of all the people who live there.

For everyone to see, I spelled out my major reservation the following day. On February 24, I introduced a second Redwood National Park bill which was similar to the administration's bill in every way except in the area covered by the park. The administration bill included Jedediah Smith Redwood State Park and Del Norte Coast Redwoods State Park plus 18,000 acres of the Miller-Rellim Redwood Co. lands in the Mill Creek watershed between the two State parks. In addition, it took in some small tracts to round out the park at the north end and added a separate unit extending from the town of Orick, Calif., upstream along Redwood Creek to the grove of tall trees discovered and documented by the National Geographic Society. Here was found the tallest tree in the world, reaching upward 367.8 feet. Since then, the discovery of two other tallest trees has been announced in other areas, and I presume that still more will be found. In all, the administration's proposal covered some 45,000 acres.

My own second bill covers the same areas as the administration proposal except that it eliminates the Mill Creek watershed, leaving only a narrow corridor to connect Jedediah Smith and Del Norte Coast Redwoods State Parks. The reason for this was that only one-third of the Mill Creek watershed contains virgin redwoods. In addition, this proposal would leave the Miller-Rellim Co.—the backbone of Del Norte County's economy with 250 employees now expecting to scale up to 600—still in business.

I explained this concept again to the Senate National Parks Subcommittee in its field hearing June 17 at Crescent City, Calif. I pointed out to the committee that both the administration bill, taking in the Mill Creek watershed, and the so-called Sierra Club bill, calling for a park of some 90,000 acres, mainly in the Redwood Creek watershed to the south, were based upon the doctrine of preserving a so-called ecological unit to protect the virgin redwoods downstream. I told the Senate committee:

> So it seems to me that one of the major issues before the Congress is this doctrine of federal acquisition of a ecological unit. I simply ask the academic question: Are there other ways to guarantee the protection of these cathedral-like forests other than authorizing the federal government to buy the entire watershed? It seems to me that the answer to this question reaches to the very heart of the crucial economic question before the Congress, not only from the standpoint of the federal cost in the time of extremely tight money, but also from a standpoint of economic damage to the local community.

From a recreation standpoint, the north coast of California is an oddity. This, in itself, may someday make it a major tourist and recreational attraction. In this general area the fog rolls in from the Pacific on the average of more than 175 days a year, feeding the giant trees. Up on the slopes where the fog reaches only seldom, the redwoods are smaller and mingle about 50-50 with Douglas-fir and other species. Still further up toward the mountain ridges, the redwoods are smaller still and make up only 25 percent of the forests covered. Foresters will tell you that the superlative groves grow down on the alluvial flats and the commercial type redwoods grow on the slopes. These are vital factors that must be considered in evaluating the various Redwood Park proposals. This is why I question costly Government acquisition—costly from the standpoint of the Government's ability to pay and the local government's ability to survive with a reduced tax base. The mountainsides and ridges are definitely not of park quality and their place in a national park should rightfully be questioned. Further, of the 18,000 acres of nonpark quality lands in the Mill Creek watershed considered for acquisition, nearly two-thirds of this acreage already has had selective logging on it by the owner. On Redwood Creek—the Sierra Club plan—nearly half the watershed has been logged off.

It is my sincere belief that neither the administration plan, espoused by the Save-the-Redwoods League, nor the Sierra Club plan are fully park quality, for the reasons just mentioned. Both are very costly—$50 to $100 million for the 45,000-acre administration proposal and $150 to $400 million for the Sierra Club plan. With the administration having suggested a figure of $50 million for the park, the land and water conservation fund, accumulating less than anticipated, and the large number of authorized yet unfunded conservation projects elsewhere in the Nation, we must all take a realistic look at the Redwood Park question. However, both proposals have great merit in some of their features.

Quite frankly, it has been my feeling for some time now that the finest park proposal we could offer would contain the best features of both the Save-the-Redwoods League and the Sierra Club plan. Everyone familiar with the entire situation agrees that a compromise must be worked out—everyone must give a little.

The industry must change from its original position of opposition to a Redwood National Park, and the conservation organizations must cooperate in determining the best combination of lands of park quality to be included in a Redwood National Park, worthy of its name.

Having lived in this area all my life, I feel somewhat qualified to offer a compromise plan—one that I have described as a livable park plan. It is so described because it fits the prescribed hope of the area's people—a Redwood National Park we can live with and further retains the integrity of the conservationists and the Congress, as they move toward the creation of a Redwood National Park of full park quality that they can live with and be proud of.

With this in mind, I wish to submit my recommendations for the consideration and acceptance of people interested.

Rather than confining my thoughts to the creation of a Redwood National Park, I have chosen to propose a Redwood National Park and Seashore plan that uniquely qualifies as a genuine redwoods to the sea conservation complex. The area selected is unique in that it is the only quantitative and qualitative strip of remaining virgin old growth redwoods that grow next to the Pacific Ocean. This, coupled with an extraordinary combination of seashore lands, provides us with an exciting and imaginative park proposal that should whet the appetite of all nature lovers. Parts of the included coastline are rugged and scenic, with an abundance of ocean spray as the blue Pacific pounds the rocky shoreline. However, these rocky bluffs and cliffs were only placed intermittently by the Creator along the seashore. The high percentage of this 46-mile coastal strip contains some of the finest beaches in northern California. Anyone with a sense of imagination, I am sure, can picture this beautiful and exceptional redwoods to the sea combination.

This combination will contain the best features of the Save-the-Redwoods League and the Sierra Club plans. It is of genuine park quality and will easily meet national park criteria. It will require the acquisition of lands from the State of California, the U.S. Forest Service, and the redwood industry, but, at the same time have a minimal adverse impact upon the local economy and will keep all the forest products companies, now threatened with extinction, in business. In fact, this plan is designed to make—not take—jobs.

Further, it should be carefully alined so as not to affect present homesites as long as they remain in the family and as long as their use is not changed. Also, it coincides with the comments made by former National Park Service Director Newton B. Drury, a highly respected leader of the Save-the-Redwoods League, when he said:

> Surely the coast Redwoods merit this designation (Redwood National Park). They are among the wonders of the world, but the fact is that the best and most representative of these forests are now in the California State Parks. They are being carefully and intelligently protected.

With the Save-the-Redwoods League just 2 years away from the 50th year since founding, I am hopeful we can have the Redwood National Park and Seashore established and adopted by the Congress. Would this not be a fitting tribute to a half century of effort by other dedicated conservationists like Robert Gordon Sproul, Walter Starr, the Merriams, Ralph Chaney, the Stouts, the Rockefellers, the hundreds of Save-the-Redwoods League donors, and the cooperating redwood industry? The area I have suggested would, I am sure, meet with their approval as to site selection.

I am announcing this plan now for a number of reasons.

First. The administration's proposal to stop all cutting in the park area created great fear in the local area. I feel that people should not be forced to live their lives, month in and month out, under the fear of economic disaster at any moment.

Second. Both Houses of the Congress have indicated their intent to consider creation of a Redwood National Park as one of the first orders of business next year, so any compromise proposal should be revealed now in order to have an honest chance for full consideration. While this is the political season and I fear that a proposal at this time may become a political football, I am willing to stand on it now as a reasonable compromise that may be imperfect in its parts, but I welcome reasonable and honest amendments from any quarter, and I urge bipartisan support.

I propose that a Redwood National Park and Seashore of some 45,000 acres be created.

I propose that this park include Jedediah Smith Redwood State Park and its breathtaking Stout Memorial Grove—one of the two or three most beautiful virgin groves in the Redwood empire—and its frontage along the Smith River, the most beautiful wild river in my experience.

It would extend southward and take in Del Norte Coast Redwoods State Park and follow along the wild beaches and the rocky coast to take in the Prairie Creek Redwood State Park and its Roosevelt Elk Sanctuary, Fern Canyon, and Gold Bluff Wild Beach. It would extend further southward along the Redwood Highway and the coast, including three large lagoons for water skiing, swimming, fishing, and other water sports. It would continue further southward from there to include the rocky coast to Patricks Point State Park.

It would also take in the so-called tall trees unit, with a right-of-way extending upstream on Redwood Creek to the tall trees and an easement along the creek to its mouth for scenic boat and road trips to the tall trees.

I propose that the connecting link between the two northern State parks be along the mountain ridge for the location of observation chalets for people interested in watching storms and fog forming at sea and just plain ocean viewers along the crescent-shaped beach, south of Crescent City. Such observation chalets could be located all along the Redwood Highway where it overlooks nearly 50 miles of shoreline. I propose additional space be included in the compromise plan for parking and access to the many miles of usable beaches.

The Redwood Highway—U.S. 101—would follow along the park for 54 miles from the rugged coast near Patricks Point past the lagoons to Orick and the tall trees unit and thence northward through conservation corridors to Prairie Creek State Park to the famous salmon and steelhead fishing of the Klamath River. Still farther it would travel through more redwood forests and parks, then over the ridge to Stout Memorial Grove in the Jed Smith Park and the equally famous and breathtaking scenery along the Smith River. Serious study should be given toward designation of both the Smith and Klamath Rivers as national scenic rivers.

Besides covering about 23,000 acres of virgin redwood forests, the 46 miles of rocky, scenic coastline with its high bluffs along some areas and sandy beaches in others is ideally suited for location of observation chalets.

Further, I propose that the northern redwood purchase unit, containing nearly 15,000 acres, now under the management of the U.S. Forest Service, be designated a Redwood National Forest. Located as it is along the Redwood Highway about midway along the proposed park, it would provide tourists with an educational experience into modern, efficient practices under the guidance of the Forest Service.

Watershed protection, one of the major points in the present proposals, is now available through the Water Quality Act of 1965 and the amendments of 1966. Under this act, the State and Federal Governments cooperate on a matching basis, with the State classifying streams for water pollution control and under the California Forest Practices Act, the State has the power to control forest practices of lumber products companies. These laws can be enforced to protect watersheds and stream quality. If these laws are believed to be inadequate for protection of a Redwood National Park, I am sure that other arrangements, short of outright Government acquisition, can be found to solve the problem.

In addition to the Redwood National Park and Seashore, I would further include in my regional conservation package for our redwood empire two other specific recommendations.

First, as recommended by the administration, the State could exchange their park lands for the 31,500 acres of federally owned lands in the King Range area of southern Humboldt County. With this exchange, the State of California could combine these lands with the Humboldt State Redwood Park and develop a State redwood park, recreation, and seashore complex. This concept was considered and proposed as a National Redwood Park by AFA and conservation associates. With the number of other State parks in this immediate vicinity, it appears to be a natural to expand the State recreation complex through this recommended exchange. I know this meets with the approval of the people of the area because many of the cattle and sheep ranchers are determined to retain the predatory animal control program under State jurisdiction.

If this proposed transfer is found to be unacceptable by the local residents, the county government or the State, the United States could continue to develop the Kings Range area for multiple-use conservation as it is now. Both my predecessor and I have introduced bills designating this the Kings Range conservation area, and the Humboldt County Board of Supervisors has endorsed the plan. This arrangement would be satisfactory to me and simply establish a State-Federal compact in the heart of the redwood empire.

Also, with the contemplated flood control and water conservation developments on the middle and upper Eel River complex, we can anticipate additional recreational facilities as the reservoirs are built.

Instead of suggesting the Redwood Park should be specifically located in Del Norte, northern Humboldt or southern Humboldt, my recommendation includes all three areas as important parts of the regional comprehensive conservation package that I outlined to the Senate Interior Committee when I testified in Crescent City in June, 1966.

I believe we should logically include all four major redwood parks in our State-Federal combination package. Certainly, the combined facilities will be available, under this plan, to all recreation-minded and outdoor-loving people.

Once finally adopted, I would hope that we can consider the State and Federal land acquisition in block—have them accepted by the Congress and the State legislature. This would then permit the forest products industry to move forward with its forest and land management programs with a minimal amount of harassment in the future. Certainly they too are deserving of this consideration because their plans for continuity and expansion demand the holding of adequate timber-growing acreage to successfully operate on a perpetual yield basis.

My final major conservation recommendation for our district comes as a reminder to everyone that we still must complete the land acquisition and development of the Point Reyes National Seashore. This will remain my first priority conservation project for the district until completed.

With the 53,000-acre seashore, the 2,404-acre Tamalpais State Park, the State beaches, and the beautiful John Muir Woods Redwood National Monument, we again have a unique opportunity to bring into focus a State-National Redwood Park and Seashore combination located conveniently to the major populated bay areas.

The Redwood National Park and Seashore in the north, the Redwood State Park and Seashore in the middle, and the combination State and National Redwood Park and Seashore, in the southern part of my district, plus the 24 other redwood State parks, all tied together by the Redwood Highway No. 101 and the State Scenic Road No. 1 up the coast, certainly provide the people of the Nation with an extraordinary array and selection of redwood park and recreation areas in the redwood empire of northern California.

This regional conservation and recreation package in itself would be the dream of conservationists anywhere. But, added to all this, are the 22 established redwood industry recreation areas. A variety of outdoor recreation opportunities are available for picnicking, swimming, hunting, fishing, hiking, water skiing, rock collecting, berry picking, photography, nature studies, and skin diving. All told, the redwood industry has opened up some 360,000 acres to the public for the purposes expressed above. The demonstration forests and the tree farms will provide added educational values to the redwood empire visitors. This exciting experience in the woods should serve as an excellent change of pace for the city dweller and his family looking for a refresher in the great outdoors.

Finally, in addition to the State and Federal preservation package of 200,000 acres, the redwood industry recreation and tree farm areas of 360,000 acres, we have on the north coast of California, immediately contiguous to these vast areas, the U.S. Forest Service multiple land-use—preservation, wild areas, timber harvesting, fishing, hunting, hiking, et cetera—areas of some 5.7 million acres.

All told this coordinated conservation and recreation complex contains over 6 million acres, all committed to the future enjoyment of American citizens and international visitors.

It is our purpose to retain this land use commitment through the adoption of this plan of redwoods forever, combining preservation, conservation in public ownership of an adequate reserve of magnificent, superlative, park-quality redwoods with proper forest management and reforestation practices of multiple-use conservation in the private and public sectors.

The overall acreage commitment should strike a responsive chord with preservation conservationists and multiple-use conservationists alike.

A few facts not recognized by many people are:

First. The existing State redwood park system acreage and the acreage pledge for acquisition and preservation by industry is now 123,000 acres.

Second. Managed forests provide the best food and habitat for most wild animals and birds. Dense, dark, overmature forests are veritable deserts of many animals and birds.

Third. Forests can be manipulated and harvested so as to increase water storage and yields, while protecting the watershed.

Fourth. Recreation is readily harmonized with tree farming, which has resulted in thousands of miles of forest roads opening up millions of acres to recreationists. Just this year the Congress doubled its commitment for forest access roads to an annual level of $170 million.

Fifth. Redwoods are not going to disappear from American forests.

Sixth. In the redwood region alone there are about 815,000 acres now certified in the American tree-farm system.

Seventh. By 1985, redwood growth will be about the same as it is being harvested. Some redwood companies are already on a perpetual yield basis.

Eighth. Redwood is just about the fastest growing tree in the United States, capable of attaining 240 feet of height in 100 years—commercial size in 60 to 80 years.

While good coastal weather should attract great numbers of tourists during the few months of favorable weather conditions each year, some others will visit the coast for brief periods for a quick look at the redwoods as they feed on the fog, watch the shoreline being lashed by storm and veiled by fog, during bad weather months. But the real attraction during these foggy weather months will be just a few miles inland where the sun still shines most of the year. While the giant redwoods feed on the heavy fog, the 8,000 square miles of national forests ranging from 10 to 40 miles inland from the coast will be clear and open for camping, fishing, and hunting, as well as pack trips and nature hikes.

Included in this gigantic area stretching in a giant ribbon from Lake County up into Oregon are the Mendocino National Forest, Trinity National Forest, Shasta National Forest, Whiskeytown-Shasta Recreation Area, Salmon-Trinity Alps Primitive Area, Klamath National Forest, Marble Mountain Primitive Area, the Middle Eel-Yolla Bolly Primitive Area, in the Six Rivers National Forest.

Three years ago, when I first came to the Congress, I projected a vision of the redwood empire as America's family playground. I also said that this could be done by helping the local economy rather than damaging it. I think this livable Redwood National Park and Seashore, combined into the Redwood Empire Park, Recreation, Conservation, and Seashore plan, as I have described it, is the road leading to this goal.

From the "island in time," as Point Reyes National Seashore is called, to the timeless redwood giants, 350 miles to the north, is the heritage many of us know well. Millions more should know this emotional experience, and I am convinced we can develop it into one of the great natural and recreational attractions of the world.

THE PRESIDENT'S SPEECH IN BALTIMORE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. Mathias] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, I was deeply honored today to be invited to accompany the President on his helicopter trip to Baltimore, and to be present when he addressed the Social Security Administration there on the subject of social security reforms.

I was especially pleased that, in his remarks, the President gave full recognition to the work and recommendations of the Republican Coordinating Committee's Task Force on the Aging, on which I served. This task force, chaired by Mr. John B. Martin, of Michigan, submitted a report in June which in many respects anticipated some of the suggestions made by the President today. Because the task force's study deserves wide attention, I would like to include it in the Record today, as follows:

A Republican Approach to the Needs of the Aging

(By the Task Force on Problems of Aging, prepared under the direction of the Republican National Committee, Washington, D.C., June, 1966)

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Charles McC. Mathias, Jr., Member of Congress from Maryland.

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Winston L. Prouty, United States Senator from Vermont.

Miss Ollie A. Randall, Member, Board of Directors of the National Council on Aging, New York City.

Herman T. Schneebeli, Member of Congress from Pennsylvania.

John M. Stuckey, Secretary to the Task Force.

The Republican Coordinating Committee is fully aware of the size of the task which it has undertaken and does not pretend to offer in this short paper solutions to all of the difficulties confronting the elderly citizen in 20th Century America. What is attempted here is a beginning. We have addressed ourselves to those problems in need of immediate solution, but promise continued study and attention to the whole of the problems of aging.

The recommendations contained in this paper are based on the traditional Republican philosophy which holds that the proper function of government is to do for the people only those things that need to be done, but cannot be done by individuals for themselves. We do not hold to the current view that "age-equals-indigence." The great majority of our senior citizens constitute a strong and independent segment of our society. They are people who desire only the opportunity to exercise their own individual initiative and abilities. Addressing ourselves to this segment of our aged population, we have sought to offer policies which will protect these people against circumstances that would destroy independence, dignity and a sense of purpose—policies that offer opportunity—opportunity for continued usefulness and meaningful activity, opportunity to participate in the life of family and community as fully as ability and desire dictate, opportunity to exercise a reasonable measure of individual choice in the way these needs are to be satisfied.

Conversely, we recognize the existence of a minority of our elderly citizens, who through no fault of their own, are in real and dire need of positive assistance. The old natural cushions and protections for the aged have largely disappeared in our modern society. Families are mobile and more loosely knit. People no longer are born, live, and die in one community, with their relatives and neighbors to act as buffers against the crises of life. Although the needs of the elderly are essentially the same as those of every adult, there is a difference in the older person's capacity to meet them independently because of the changes in biological, psychological and social functioning inherent in the aging process. Addressing itself to this segment of our aged population, the Republican Coordinating Committee has sought to offer policies that will not only protect, but support and reinforce the ability of the elderly to care for themselves while retaining the fullest measure possible of independence and dignity.

INFLATION

Inflation steals from everyone, young and old alike, but hurts especially those elderly Americans who live on pensions or other fixed incomes. Inflation has swept in upon us because of policies of the Johnson-Humphrey Administration and its controlled Congress. The Republican Coordinating Committee urges that steps be taken immediately at both the legislative and executive levels to stop multi-billion dollar Federal deficit spending which lays the foundation for inflation.

Inflation takes away purchasing power by increasing the cost of living and other goods and services, which means that the purchasing power of the dollar goes down. In 1939, our dollar had a purchasing power of 100 cents. By 1960 the purchasing power of the dollar had fallen to 46.9 cents. By 1965 it had fallen to 44 cents. As of April 1966, it was down to 43.2 cents and continuing to drop.

It is noteworthy that of the drop of 57 cents in the purchasing power of the dollar, 53.1 cents occurred during those years when the Democrats were in control of the Congress for the budgeting which ended during those years; and only 3.9 cents occurred while Republicans had control. Also, in the only 2 years (1949 and 1955) in which the purchasing power of the dollar increased, Republicans were in control of the Congress for the budgeting which ended during those years.

The foundation for inflation is laid when a majority of the Members of Congress vote to spend billions of dollars more than our Federal Government takes in, year after year. Such actions contribute to an excessive increase in the quantity of money and bank credit—beyond our production of goods and services. (See Table No. 1.)

In 1965, Congress increased Social Security pensions by 7 percent. But even with this increase, inflation has diminished the purchasing power of the pensioner's dollar below what it was in 1954 and 1958. The following table shows the increases in Social Security pensions legislated by Congress in order to enable pensioners to maintain their purchasing power in relation to the decline in the value of the dollar.

Perhaps the most graphic way to illustrate what inflation costs the American consumer is to use a sales tax equivalent. A sales tax operates the same as inflation, because it strikes at everyone and because it bears most heavily on the low income, large family groups and those living on fixed incomes. Since 1961, there has been an average annual inflation of over $10 billion. With the exception of the Federal income tax, inflation has taken more purchasing power away from the American people than any other item. It has been the equivalent of a three to five percent sales tax on the citizens of most of our States. (Table No. 2)

Year	Annual pension	Purchasing power of dollar compared to 1939 dollar worth 100 cents (in cents)	Real value of pension
1940	$499.20	99.2	$495.20
1950	870.00	57.8	502.86
1952	930.00	52.3	486.39
1954	1,062.00	51.7	549.05
1958	1,140.00	48.1	548.34
1965	1,220.00	44.0	537.00

(NOTE.—The example is a worker having a $3,000 annual income base, single at retirement and "fully covered." The 1940 year figure is for a worker retired under the 1935 act. Other figures are for a worker retired under successive acts for years indicated.)

The problem has been growing more serious. Inflation amounted to $16 billion for 1965, with a sales tax equivalent of from four to eight percent on the citizens of most of the States. (Table No. 3) During the first three months of 1966, inflation amounted to $7.5 billion so it is obvious that the trend is still worse.

TABLE 1.—*Purchasing power of dollar in relation to budget deficits*

Year	Purchasing power (in cents)	Budget deficits (millions of dollars)
1939	100.0	3,967
1940	99.2	3,823
1941	94.4	11,762
1942	85.3	41,461
1943	80.3	55,691
1944	79.0	53,650
1945	77.2	43,595
1946	71.2	2,512
1947	62.2	+(2,434)
1948	[1] 57.8	+(5,241)
1949	[1] 58.3	3,592
1950	57.8	422
1951	53.5	3,358
1952	52.3	5,842
1953	51.9	9,157
1954	[1] 51.7	3,683
1955	[1] 51.9	2,771
1956	51.1	+(3,779)
1957	49.4	(592)
1958	48.1	7,088
1959	47.7	7,040
1960	46.9	+(1,253)
1961	46.4	6,306
1962	45.9	7,199
1963	45.3	6,672
1964	44.7	8,248
1965	44.0	4,699
1966	43.2	

[1] Years in which fiscal years ended which were under control of a Republican Congress.

TABLE 2

State	Average yearly loss from inflation, 1961-65	Loss of purchasing power measured in sales tax equivalent
Alabama	$125,300,000	3.6 percent retail sales and use.
Alaska	16,200,000	5.7 percent retail sales.[1]
Arizona	70,400,000	2.5 percent general sales and use.
Arkansas	66,100,000	2.7 percent retail sales and use.
California	1,126,700,000	3.8 percent retail sales and use.
Colorado	100,900,000	3.3 percent retail sales and use.
Connecticut	181,900,000	5.8 percent retail sales and use.
Delaware	31,900,000	4.5 percent retail sales.[1]
Florida	266,100,000	3.5 percent retail sales and use.
Georgia	178,000,000	2.9 percent retail sales and use.
Hawaii	38,200,000	1.9 percent gross receipts and use.
Idaho	30,700,000	3.2 percent retail sales.[1]
Illinois	654,500,000	4.1 percent retail sales and use.
Indiana	261,700,000	2.2 percent retail sales and use.
Iowa	135,700,000	3.1 percent retail sales and use.
Kansas	113,900,000	3.3 percent retail sales and use.
Kentucky	123,000,000	3.4 percent retail sales and use.
Louisiana	138,000,000	2.6 percent retail sales and use.
Maine	42,200,000	4.1 percent retail sales and use.
Maryland	201,000,000	5.8 percent retail sales and use.
Massachusetts	306,300,000	4.1 percent retail sales.[1]
Michigan	468,600,000	3.5 percent retail sales and use.
Minnesota	176,800,000	3.9 percent retail sales.[1]
Mississippi	68,900,000	2.7 percent gross receipts and use.
Missouri	223,900,000	3.9 percent retail sales and use.
Montana	$32,200,000	3.3 percent retail sales.[1]
Nebraska	72,000,000	3.4 percent retail sales.[1]
Nevada	27,400,000	2.2 percent retail sales and use.
New Hampshire	32,600,000	3.7 percent retail sales.[1]
New Jersey	416,100,000	4.6 percent retail sales.[1]
New Mexico	43,400,000	2.2 percent gross receipts and use.
New York	1,110,000,000	4.6 percent retail sales.[1]
North Carolina	188,800,000	3.6 percent retail sales and use.
North Dakota	28,500,000	3.1 percent retail sales and use.
Ohio	546,600,000	5.5 percent retail sales and use.
Oklahoma	105,200,000	3.2 percent retail sales and use.
Oregon	100,600,000	3.8 percent retail sales.[1]
Pennsylvania	595,500,000	5.9 percent selective sales and use.
Rhode Island	47,500,000	5.5 percent retail sales and use.
South Carolina	88,500,000	3.1 percent retail sales and use.
South Dakota	27,400,000	3 percent retail sales and use.
Tennessee	145,200,000	3 percent retail sales and use.
Texas	468,900,000	4.6 percent retail sales and use.
Utah	42,900,000	2.7 percent retail sales and use.
Vermont	17,600,000	3.3 percent retail sales.[1]
Virginia	201,900,000	4.2 percent retail sales.[1]
Washington	162,200,000	2.1 percent retail sales and use.
West Virginia	68,900,000	1.3 percent retail sales and use.
Wisconsin	210,500,000	7.9 percent selective gross receipts, use.
Wyoming	16,000,000	2.5 percent retail sales and use.

[1] Percentages for the 13 States having no sales taxes as of Sept. 1, 1964, were based on assumption of a simple retail sales tax on lumber, building materials, hardware, farm equipment dealers; general merchandise group stores; food stores; automotive dealers; gasoline service stations; apparel accessory stores; furniture, homefurnishings equipment stores; eating, drinking places; drugstores, proprietary stores; other retail stores; and nonstore retailers.

TABLE 3

State	1965 loss from inflation	Loss of purchasing power measured in sales tax equivalent	State	1965 loss from inflation	Loss of purchasing power measured in sales tax equivalent
Alabama	$195,468,000	5.5 percent retail sales and use.	Montana	$50,232,000	5.2 percent retail sales.[1]
Alaska	25,272,000	8.9 percent retail sales.[1]	Nebraska	112,320,000	5.4 percent retail sales.[1]
Arizona	109,824,000	3.9 percent general sales and use.	Nevada	42,744,000	3.4 percent retail sales and use.
Arkansas	103,116,000	4.2 percent retail sales and use.	New Hampshire	50,856,000	5.8 percent retail sales.[1]
California	1,757,652,000	6 percent retail sales and use.	New Jersey	649,116,000	7.2 percent retail sales.[1]
Colorado	157,404,000	5.2 percent retail sales and use.	New Mexico	67,704,000	3.5 percent gross receipts and use.
Connecticut	283,764,000	9 percent retail sales and use.	New York	1,731,600,000	7.2 percent retail sales.[1]
Delaware	49,764,000	7 percent retail sales.[1]	North Carolina	294,528,000	6.6 percent retail sales and use.
Florida	415,116,000	5.5 percent retail sales and use.	North Dakota	44,460,000	4.7 percent retail sales and use.
Georgia	277,680,000	4.5 percent retail sales and use.	Ohio	852,696,000	8.6 percent retail sales and use.
Hawaii	59,592,000	2.9 percent gross receipts and use.	Oklahoma	164,112,000	5 percent retail sales and use.
Idaho	47,892,000	5.1 percent retail sales.[1]	Oregon	156,936,000	5.9 percent retail sales.[1]
Illinois	1,021,020,000	6.4 percent retail sales and use.	Pennsylvania	928,980,000	9.1 percent selective sales and use.
Indiana	408,252,000	3.5 percent retail sales and use.	Rhode Island	74,100,000	8.6 percent retail sales and use.
Iowa	211,692,000	4.8 percent retail sales and use.	South Carolina	138,060,000	4.9 percent retail sales and use.
Kansas	177,684,000	5.2 percent retail sales and use.	South Dakota	42,744,000	4.7 percent retail sales and use.
Kentucky	191,880,000	5.3 percent retail sales and use.	Tennessee	226,512,000	4.6 percent retail sales and use.
Louisiana	215,280,000	41.4 percent retail sales and use.	Texas	731,484,000	7.1 percent retail sales and use.
Maine	65,832,000	6.4 percent retail sales and use.	Utah	68,484,000	4.3 percent retail sales and use.
Maryland	313,560,000	9 percent retail sales and use.	Vermont	27,456,000	5.1 percent retail sales.[1]
Massachusetts	477,828,000	6.4 percent retail sales.	Virginia	314,964,000	6.6 percent retail sales.[1]
Michigan	731,016,000	5.4 percent retail sales and use.	Washington	253,032,000	3.3 percent retail sales and use.
Minnesota	275,808,000	6.1 percent retail sales.[1]	West Virginia	107,484,000	2 percent retail sales and use.
Mississippi	107,484,000	4.2 percent gross receipts and use.	Wisconsin	328,380,000	12.3 percent gross receipts and use.
Missouri	349,284,000	6 percent retail sales and use.	Wyoming	24,960,000	3.8 percent retail sales and use.

[1] Percentages for the 13 States having no sales taxes as of Sept. 1, 1964, were based on assumption of a simple retail sales tax on lumber, building materials, hardware, farm equipment dealers; general merchandise group stores; food stores; automotive dealers; gasoline service stations; apparel accessory stores; furniture, home furnishings equipment stores; eating, drinking places; drugstores, proprietary stores; other retail stores; and nonstore retailers.

COST OF LIVING INCREASES IN SOCIAL SECURITY AND RAILROAD RETIREMENT

The Republican Coordinating Committee recommends that the Social Security Act and the Railroad Retirement Act be amended to provide an automatic cost of living increase in the insurance benefits payable thereunder.

Congress has not been entirely unmindful of the impact of cost of living increases on Social Security pensions and has periodically increased them. Provisions of the Railroad Retirement Act raise benefits under that program to correspond with Social Security increases. But between these sporadic increases there has usually been a time lag of several years during which the pensioners have suffered from a drop in their purchasing power. For example, from 1958 through 1964, just before the 7 percent increase in pensions was legislated, inflation cost Social Security pensioners approximately $1.4 billion in loss of purchasing power.

There is a precedent for such a provision as here recommended. Congress, in the Federal Employees Salary Act of 1962, Sec. 1102, provides for an automatic increase in Civil Service retirement pensions when there has been an increase of 3 percent or more in the consumer retail price index.

An automatic increase in Social Security and Railroad Retirement benefits correlated to increases in the consumer price index involves no increase in costs as a level percentage of payroll. Wage increases usually precede increases in the other components comprising the consumer price index. Increases in the wage level bring more covered workers nearer the maximum Social Security wage base and thus result in increased tax revenues. Additionally, the benefits paid represent a smaller proportion of an individual's wages as his wages approach the maximum wage limit ($6,600). Because of these factors, there is no increase in the level cost of payroll (although there is an increased flow of dollars) involved in enacting an automatic benefit increase provision.

There is an urgent need for such a change in the law. Why should aged pensioners continue to suffer while run-away inflation further destroys the purchasing power of the pension dollar? Congress should provide for an automatic offset against the hardship inflation and its resulting rise in prices visit upon our senior citizens.

RETIREMENT TEST

The Social Security Retirement Test could more accurately be called an earnings test. It restricts the amount a person may earn without forfeiting a part or all of his Social Security benefits. The most recent amendments to the Social Security Act raised the exempted earnings to $1,500. The Republican Coordinating Committee believes this ceiling on earnings to be too low. A worker who has contributed to Social Security during his most productive years is entitled to his benefits without being unduly penalized because of his willingness and ability to earn.

It seems probable that a sizable number of senior citizens are forced to limit their earnings because the retirement test would make the losses in Social Security benefits excessive. According to the Department of Health, Education, and Welfare, in 1960 about 300,000 people getting full Social Security retirement benefits were earning just under the $1,200 exemption then in effect. HEW estimated that "a sizable proportion of these can be assumed to be deliberately holding their earnings to $1,200 or just under that amount in order to get full benefits."

In 1962, employment was the largest single source of income for the aged population. There is ample evidence to indicate that, in 1966, gainful employment is even more important as a source of income for the older worker.

OLD AGE ASSISTANCE

Many older persons receiving minimum or no benefits under Social Security are forced to rely heavily upon the old-age assistance programs of the States created with the help of Federal grants-in-aid. It is readily apparent that most States are failing to meet the minimum subsistence standards which they, themselves, set up as necessary for older people. The Republican Coordinating Committee is deeply concerned about these old-age assistance programs and urges action to assure their adequacy. We recommend that immediate action be taken by the States, and if necessary by the Federal Government, to see that the basic needs of our elderly citizens are met.

It is estimated that some 2 million persons 65 and over actually receive—from all sources—less money than any minimum decency budget would require. The reason for this is that many States have arbitrary ceilings for the payment of old-age assistance funds either in a dollar amount or in allowing only a percentage of a budget figure to be paid to the recipient. This, in effect, says to the old person: "It will cost you a certain amount for food, clothing, shelter and other absolutely necessary expenditures but we are only giving you this much, we are only giving you 60 percent or 70 percent of what you actually need."

It is shocking that such practices exist today when we are committed as a Nation to the alleviation of poverty. We believe that the States have a responsibility and an obligation to provide for their aged citizens a minimum decency standard of living. If the States do not take steps to fulfill their responsibilities and obligations, the situation will unquestionably provoke continuing demands that the Federal Government do the job. We are of the opinion that it is far better that the States handle their own problems.

PRIVATE PENSIONS

Private pensions are potentially one of the most important sources of retirement income. They are currently paying nearly $2,750,000,000 annually to almost 2,500,000 beneficiaries. They cover about 25 million Americans who have not yet retired constituting an estimated half of the employees in private nonfarm employment.

It is estimated that by 1960 the number of employees covered by retirement plans will have increased to 42 million, or three out of five employees then in private nonfarm employment. Projections for 1980 have 6,500,000 Americans receiving private pension benefits totaling approximately $9 billion annually.

Most of the persons currently in receipt of private pensions are also receiving OASDI benefits. They constitute about 23 percent of retired beneficiaries under Social Security. These persons are the economic elite among the retired OASDI beneficiaries. Their median total income of $3,400 was only one-sixth less than that of beneficiary couples with at least one member working at a full-time job. And for nonmarried beneficiaries, a private pension did as much as full-time employment to raise the average level of money income.

The improverished condition of many of our senior citizens today clearly indicates that unless adequate private retirement plans are extended to more people there will be increasing demands for other ways of helping the aged in retirement. The current financial structure of Social Security is not geared to provide a full retirement program.

The Republican Coordinating Committee recommends that the continued improvement, flexibility, and coverage of private pension plans be encouraged. Private programs should be viewed as one of the essential and interrelated elements of retirement security and emphasis should be placed on including more workers under their protection rather than trying to adapt governmental programs to provide a complete retirement income.

We urge prompt consideration of ways to amend present laws to further encourage the self-employed to establish pension programs both for themselves and their employees.

AGE DISCRIMINATION IN EMPLOYMENT

Considerable study has been devoted to the problems of age discrimination in the field of employment. The specter of an able-bodied man being refused employment solely on the basis of age is extremely disturbing. Idle older workers constitute a waste of productivity that our country can ill afford. (See Table No. 4)

Although it is not strictly within the purview of this report, the employment problems of workers between the ages of 45 and 65 are of great importance. A worker who is forced out of the labor market at age 45 is extremely hard pressed to prepare adequately for old age, and may later become a social and economic problem.

To the extent that enforced early retirement is a result of a fixed arbitrary retirement age and does not rest on actual job requirements, there is a need for a program to reduce age discrimination in employment. The Republican Coordinating Committee urges that the Administration on Aging, established under the Older Americans Act of 1965, undertake to initiate an educational and informational program to reduce resistance to employment because of age. The Department of Labor should intensify its efforts to provide specialized placement services for older workers through Employment Security Offices in each of the States. A dynamic America should be able to find a use for the experience and talents of its older people who are able and willing to work.

The importance of gainful employment to the older American can not be understated. Employment was the largest single source of income for the aged population in 1962—despite the fact that 3 out of every 4 persons 65 and over did not work during the year.

For many of the elderly, employment is part-time and earnings are primarily a supplement to retirement benefits. But for the 2.3 million who worked during 1962 at jobs that were usually full-time, earnings made up about two-thirds of total income.

With some effort and imagination, business, labor and other groups should be able to open up new fields for employment of the older worker. A great many of our senior citizens are willing and able to contribute to their own support and should be encouraged to do so if at all possible.

TABLE 4.—*Percentage of population, not in labor force, by age and sex, 1960*

[In percent]

Age	Female	Male
45 to 49	53	6
50 to 54	54	8
55 to 59	60	12
60 to 64	71	22
65 to 69	83	56
70 to 74	90	71
75 to 79	94	80
80 to 84	97	88
85 and over	98	93

HOUSING

The Republican Coordinating Committee recommends a reappraisal of governmental housing programs for the elderly to assure that they are serving the people they were intended to serve and doing the things they were intended to accomplish.

We have found that there is substantial overlapping in the markets served by these programs and that they are competing with each other and with private enterprise to the detriment of the entire effort to provide adequate housing for older people.

The ability to obtain, or retain, safe and sanitary housing in an acceptable environment is essential to a dignified and rewarding life for our senior citizens. Having established the President's Council on Aging under President Eisenhower, supported programs of housing for the elderly, proposed and supported the reduction of interest rates to 3 percent for needy elderly, the Republican Party can and does point with pride to its contributions to the provision of adequate housing for the elderly. But Republicans are disturbed by the failure of Democratic Administrations either to collect enough data or review it objectively enough to make possible reasonable evaluations of the program operations or accomplished needed improvements.

The four major government programs of elderly housing—the Public Housing Administration, the Community Facilities Administration, the Federal Housing Administration (Sec. 231.), and the Farmers Home Administration—are all designed to serve a specific market. The PHA, CFA, and FHA, are intended to serve respectively the low, low middle, and middle income elderly. The Farmers Home Administration serves the elderly in rural areas.

Figures show beyond doubt that a large percentage of government subsidized CFA projects are in a rental range that competes with nonsubsidized FHA propects. (CFA states that it attempts to build for the income range of $2,000 to $4,800 per year.) Conversely, many of the FHA projects offer low enough rentals to make the need for certain CFA projects questionable (see chart below). To further point up the confusion, the Senate Special Committee on Aging reported in 1965 that the median rental for housekeeping apartments under CFA (Sec. 202.) was $68.00 per month, but pointed out that the great area of need was in the range of $50.00 to $70.00 per month. Some 8 percent of FHA projects have already gone into default and are the subject of a Congressional investigation.

In a 1963 report of the income of 6,450 elderly residents, FHA reported a median income of $2,580.00. They break this down as follows:

	Percent of total
Without income	9
Under $1,000	8
$1,000 to $1,999	16
$2,000 to $2,999	29
$3,000 to $4,999	25
$5,000 or over	13

These figures indicate that 87 percent of FHA's project residents have incomes under $5,000 which is essentially the income range CFA is attempting to serve. Thirty-three percent had incomes under $2,000 which is below CFA's target range.

Administration of government housing programs—particularly the FHA—has been such as to deter their use by church groups, fraternal orders, labor unions, and other organizations to provide housing for the elderly. The Republican Coordinating Committee, recognizing the interest and capability of these groups, recommends that administrative procedures be amended to maximize the possibilities for their participation.

Certain regulations included in our government programs tend to stifle the elderly housing program by imposing restrictions with which private groups find it impossible to comply. Processing is cumbersome and requirements so high that costs are driven up out of all proportion. Costs of units—and thus rentals—could be reduced by relaxing unreasonable standards and removing the frills from some projects. Standards of the government subsidized CFA are actually higher than the non-subsidized FHA, requiring such things as kitchens in every unit while permitting group dining facilities.

Other artificial limitations such as the ban on the use of founder's fees—a well established procedure in church sponsored homes—should be relaxed in order that more progress can be made toward involving the private sector. There is a definite need for attention to this problem if the full potential of private enterprise to serve the housing needs of the elderly is to be developed. Programs which serve the elderly only at the price of their conformance to the programmers' standards will not grant the dignity of a free choice and the reward of a full life.

MEDICARE CRISIS

In the new field of Medicare the Johnson-Humphrey Administration is guilty of gross negligence.

The law became effective nearly a year ago and the Administration has failed tragically to prepare for the start of the program. The hospitalization program begins on July 1. The program of nursing care goes into effect January 1, 1967.

Still, today, extended medical care facilities called for under the Act are largely nonexistent.

Hardly more than 20 percent of the nursing homes of the country are equipped to provide the nursing care services promised by Medicare. There is no likelihood that any large proportion of the nursing homes will be ready to provide these services by January 1.

The Administration is now in a frantic, eleventh hour scramble to meet a crisis which it should have anticipated long ago. But this crisis cannot be "consensused" away. Hospitals are not built in a day. Doctors, nurses, and health aides cannot be trained overnight.

The hard and inescapable fact is that the Nation is short thousands and thousands of nurses and other health personnel, as admitted by HEW Secretary Gardner in his May 23, 1966, report to the President. The Medicare promises of the Administration will simply not be kept for thousands of older people for many months and perhaps years to come. For such people it will be a fraud and a political hoax. The President's failure to move in adequate time to avert this crisis is tragic.

The Republican Coordinating Committee urges the immediate implementation of already existing programs to provide such personnel, services, and facilities as may be necessary to care adequately for the health of our elderly citizens.

The Health Professions Educational Assistance Act of 1965 and the Nurse Training Act of 1964 can be used to provide more professional manpower. The Vocational Education Act of 1963 and the Older Americans Act can be used to correct the shortage of subprofessionals in the field of health. The President's 1967 budget request does not provide for full funding of the Vocational Education Act of 1963. Only through Republican efforts in the Congress has full funding been provided for the next fiscal year.

Construction of new facilities can be supported by the provisions of the Hill-Burton Act. Such additional funds as are needed to carry out programs under these laws should be requested and approved.

The Republican Coordinating Committee is shocked by the Administration's failure. Let the Nation hold fully accountable those responsible for the inaction of the Democratic Administration in the face of this crisis.

DATA COLLECTION

In the study of the problems of the aging, we were greatly handicapped by the lack of data relating to the effect of both public and private programs currently operating to help the elderly American. We strongly recommend that efforts be undertaken to provide for more frequent and improved quality of data collection on all programs directly or indirectly operating to alleviate the problems of our senior citizens.

Without the necessary information to evaluate current efforts, we are, in effect, flying blind in our attempt to improve our programs of assistance to the elderly. This situation is apt to lead us to overlook the shortcomings of some programs and ignore the potential of others. When we undertook to ascertain the needs of the elderly as they apply to cash income, it was found that the only complete figures relating to the problem were from 1960. The last official attempt to formulate a "modest but adequate" budget for an elderly couple was in 1959. Similarly, in the study of housing for the elderly, there are serious deficiencies of data. Every tenth year a census is taken in the United States. In between there are some samplings taken and projections are made from them but precise information comes only every ten years. The result is that accurate assessments of the success or failure of efforts to improve elderly housing are extremely difficult to make.

Through Medicare and Social Security, actual contact, or means of contact, with the elderly has been established. These channels should be utilized to provide an accurate picture of the problems of our older citizens.

STATISTICAL INFORMATION ON MINNESOTA SCHOOLS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. Quie] is recognized for 20 minutes.

Mr. QUIE. Mr. Speaker, I recently received a copy of a letter written by the Minnesota Commissioner of Education, Duane J. Mattheis, to U.S. Commissioner of Education Harold Howe. The letter concerns the direct mailing to Minnesota school districts of two inventory forms for elementary and secondary schools in which statistical information about the race composition of the student body is requested. Commissioner Mattheis has strongly objected to this mailing for several important reasons. Let me read that portion of his letter which covers these:

1. I believe that all communications from the U.S. Office of Education should be directed to the Commissioner of Education in a state, and he in turn will communicate with the school administrators of the state and send to them any forms necessary for data gathering. I am disturbed by this plan to bypass legally constituted state authorities.

2. State Department of Education personnel have been working with the U.S. Office of Education to develop a Basic Educational Data System (B.E.D.S.) and in cooperation with the U.S. Office of Education and the Council of Chief State School Officers Committee on Educational Data Systems (C.E.D.S.). Apparently no effort has been made to coordinate either of these projects with the collection of the information you now desire. It is inconceivable that someone in the U.S. Office of Education could not have known as late as June that such information was desired so that the states could have been asked to collect it at a time that would be most convenient for the states and the schools within the states.

3. The purpose of these forms is to collect data on school enrollment by race. We have a law in Minnesota which states in part, "No district (school) shall classify its pupils by race, color, social position, or nationality . . .". School districts do not keep records of the racial origins of either pupils or teachers, and it is not possible to accurately provide such information. Most school administrators would return such forms as OE–2247 and OE–2248 with a statement that it is illegal to provide such information. In Minnesota we do, however, have an Attorney General's Opinion that permits principals and teachers to make what has been interpreted to be a "sight count" of pupils of various races or colors so as to provide an estimate of racial groups. Schools are not permitted, however, to keep records indicating the race of either pupils or teachers. There is also the question of what constitutes a non-caucasian. The legal definition for various programs to aid Indians is that they must have 25 percent Indian lineage. Is there to be any such definition for this survey?

4. Minnesota school districts do not and have not maintained public schools for any racial or national origin group. School districts are established for all pupils residing in the district and attendance areas within districts are for all pupils residing in the attendance area. We have only a very small percentage of school attendance areas that have a substantial number of Negro pupils, and the "estimated" number of nonwhite students in attendance in these schools can readily be supplied without a statewide survey. It would not be necessary to conduct a statewide survey to supply the information that you are apparently going to request. I realize this varies greatly among the states and is only one more reason for turning to the states for assistance and guidance in matters such as the one you intend to propose.

5. We do not believe that there is any value of or need for collection of data on enrollments by race on a statewide basis. We see no urgent need for this type of information and we do not see how it will contribute toward compiling "a nationwide directory of public elementary and secondary schools". I think it would be proper at this time, prior to its collection, to enumerate in very specific terms the use that will be made of the data.

OE 2248 (9–66)—Budget Bureau No. 51–R536—Expiration Date: 10–31–66—U.S. Department of Health, Education, and Welfare, Office of Education, Washington, D.C.

INVENTORY OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS: FALL 1966

Name of School:

Address of School: Number and Street or Rural Route, County, City, State, Zip Code:

Name of School System:

A. General information regarding type of school: 1. Is this school (type an "X" in one box).

(a) A regular day school? If "regular day school," do you conduct—

(b) A school for exceptional children? (physically, mentally, emotionally handicapped, mentally gifted, etc.): (1) Special classes for handicapped children? Yes—. No—. (2) A vocational educational program? ("X" one): Yes—. No—.

(c) Another special school? (vocational, technical, etc.). Specify.

B. Grade span, enrollment, and staff information.

1. What is the lowest and highest grade in this school? ("X" one box on each line)

(a) Lowest grade:

(b) Highest grade:

2. Pupil enrollment?

Number of pupils enrolled in this school: White—. Negro—. Other[1]—. Total—.

3. Staff personnel (report each staff member only once):

Teachers: Full-time: Item—. White—. Negro—. Other[1]—. Total—.

F.T.E.[2] of part time: Item—. White—. Negro—. Other[1]—. Total—.

Principals: Full-time: Item—. White—. Negro—. Other[1]—. Total—.

F.T.E.[2] of part time: Item—. White—. Negro—. Other[1]—. Total—.

Other professional: Full time: Item—. White—. Negro—. Other[1]—. Total—.

F.T.E.[2] of part time: Item—. White—. Negro—. Other[1]—. Total—.

Name and title of person furnishing information:

Telephone No. and extension:

Date prepared:

1. Complete form and return original to Office of Education promptly.

2. Send duplicate to chief State school officer.

3. Retain one copy for your files.

OE 2247 (9–66)—Budget Bureau No. 51–R536—Expiration Date: 10–31–66—U.S. Department of Health, Education, and Welfare, Office of Education, Washington, D.C.

INVENTORY OF PUBLIC SCHOOL SYSTEMS: FALL 1966 UPDATE

(In the fall of 1965, the U.S. Office of Education received from your State department of education a complete listing of school systems in your State. This form has been designed to provide a rapid means of bringing our files up to date.)

Name of school system.

County, school system number, number of schools in system.

Address of school (number and street or rural route), city, State, zip code.

If name and address of system has changed since fall 1965, type an "X."

If you operate no schools, type an "X."

Name of chief administrative officer of this system.

A. Enrollment:

Pupils enrolled in this system: White —. Negro —. Other[1] —. Total —.

---

[1] Other: Should include any racial or national-origin group for which separate schools have in the past been maintained or which are recognized as significant "minority groups" in the community.

[2] F.T.E. (full-time equivalent) of part-time staff is intended to equate part-time staff with full-time positions. For example: If a teacher works two days a week and another works four days a week, together their services are the F.T.E. of 1.2 teachers (2 days=0.4 week; 4 days=0.8 week; sum=1.2 weeks). Report F.T.E. to one decimal point in all cases.

B. Staff personnel:

Number of full-time professional staff: White —. Negro —. Other[1] —. Total —.

Number of part-time professional staff: White —. Negro —. Other[1] —. Total —.

C. Total central office staff (not to be reported elsewhere): White —. Negro —. Other[1] —. Total —.

Name and title of person furnishing information.

Telephone No. and extension.

Date prepared.

Mr. Mattheis concludes his letter by offering several suggestions as to a more appropriate and feasible method of collecting the sought-after data on enrollments by race. I quote again:

> We do not presently plan to authorize the direct mailing of the forms to school districts in Minnesota from the U.S. Office of Education. If the forms are to be completed by local administrators in accordance with state law and Attorney General's opinions, a detailed letter of instructions by this office should accompany the forms to each local school district and this procedure will be followed.
>
> We further offer our full cooperation in working out a mutually acceptable plan for collecting data on enrollments by race if such information is necessary. We urge that the problem be submitted to C.E.D.S. for their study and recommendations and that nothing further be done about collecting such data until a more acceptable plan has been developed.
>
> I further suggest that, if a plan for the collection of the information you desire cannot be designed that will work *through* and not *around* the Minnesota State Department of Education, I intend to encourage local school district officials in Minnesota to not comply with a request for such information from your office.
>
> I trust that my letter indicates to you the strong concern I have for the maintenance of proper lines of communication between the U.S. Office of Education, State Department of Education and local school districts. Through the history of federal aid to public elementary and secondary education, and there are many programs, the proper federal, state and local relationships have been maintained, with the exception of Title III of Public Law 89–10 which I have discussed at length with you. I encourage you and all members of the U.S. Office of Education to work through the long and legally established channels of authority in any dealings with individual public school districts within the respective states.

In addition to the letter from State Commissioner Mattheis, I have here a copy of a letter also written to U.S. Commissioner Howe on the same subject by the executive secretary of the Minnesota School Boards Association, W. A. Wettergren, in which he points out that this incident is just another example of total disregard for the established methods of communication and the lack of understanding of education problems on the local level. Let me read the whole of his letter:

> MINNESOTA SCHOOL BOARDS ASSOCIATION,
> *St. Peter, Minn., October 10, 1966.*
>
> Hon. HAROLD HOWE II,
> *U.S. Commissioner of Education, Office of Education, Department of Health, Education, and Welfare, Washington, D.C.*
>
> DEAR COMMISSIONER HOWE: This office has received a copy of a letter sent to you dated October 5, 1966, by Minnesota's Commissioner of Education, Duane Mattheis. If it is your intention to have someone of the Office of the U.S. Office of Education go directly to the school districts of Minnesota to seek information, I must advise you that the Minnesota School Boards Association protests this action very strongly.
>
> We have just completed twenty-four area meetings throughout the state of Minnesota for school board members and superintendents of schools and we continually heard through these meetings a complaint from the districts over the application of the various programs under Public Law 89–10. I think all of their complaints can be summed up in this thought. Federal legislation and the rules and regulations to implement this legislation simply incorporate corrective measures for problems that are not existent in Minnesota's public school districts and therefore makes the relationship of Minnesota's public school districts and the State Department of Education to the U.S. Office of Education and Federal legislation almost impossible.
>
> May I suggest that as long as we will have greater and greater support from the Federal government to our great systems of education, that more consideration be given to the absolute fact that all problems are not the same in each state of the nation.
>
> I must support Commissioner Mattheis' position and in doing so I suggest as I have done many times before, that there is a great gap between the U.S. Office of Education and the local school boards and superintendents in Minnesota. It would seem to me that education could be provided with a great service if more attempt was made on the part of the U.S. Office to find out more about the problems of public education as they exist on a local level. I also suggest that your office has made very little attempt to do this other than appoint a few committees for more or less "window dressing purposes". This is not the real thing.
>
> Sincerely,
>
> W. A. WETTERGREN,
> *Executive Secretary.*

Mr. Speaker, I was shocked and disturbed when I read these letters and saw a copy of the inventory forms published by the U.S. Office of Education. Outside of the standard information on identifying the particular school, the only other information sought on the form is the race composition of the student body, staff personnel, and total central office personnel. Furthermore, the breakdown in classifying the race affiliations is white, Negro, and other. For example, the school superintendent is only to identify the number of white children, the number of Negro children, and the number of other children, and no area is left to identify what the "other" category may consist of. For instance in some parts of the country there are large numbers of Indian children, in other parts the percentage is larger for Mexicans, Orientals, or Asians. In every case you will probably find quite a mixture. If the Office of Education is so interested in finding out the racial characteristics of all the school districts, why have they so obviously singled out the Negro category? It would seem to me that they would want to know more than just how many Negroes and how many whites. After looking at these forms, I think you can draw your own conclusions.

Aside from wondering why the Office of Education wants to know the breakdown between Negro and white in the schools, I am doubly concerned as to the method they chose to obtain this information; namely, mailing the questionnaires directly to the school systems and completely bypassing the State departments of education, the channel through which the Office of Education constantly says the decisions with regard to Federal programs of education are being made, and the channel for which Public Law 89–10 set aside substantial funds under a separate title to upgrade.

Today, I wrote to U.S. Commissioner Howe protesting this action and asking for a complete explanation as to why racial information of this nature is desired by the Office of Education and why a method bypassing the State education departments was chosen. I think it will be interesting to see how Mr. Howe replies.

NATO TRADE COUNCIL NEEDED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY] is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, the slow pace of the tariff reduction negotiations points up the conclusions of Dr. Richard J. Goodman in a study of "Agricultural Trade Policy and the Atlantic Community."

The study was made for the House Republican Committee on NATO and the Atlantic Community, of which I am chairman, as part of its program of research on the future of the Atlantic Community.

Dr. Goodman, an economist for Great Plains Wheat, Inc., is an international trade specialist in agriculture and a GATT consultant on cereals. He is one of 26 foreign policy specialists cooperating with our committee. Here is his statement:

AGRICULTURAL TRADE POLICY AND THE ATLANTIC COMMUNITY

(By Richard J. Goodman)

An important initial economic objective of liberalized international trade is to increase world industry competition as a means of eventually rationalizing production more closely to the principle of efficient comparative advantage. This objective has significance as a national economic policy, in a peaceful world, as domestic industries become highly concentrated oligopolies within which the test of free competitive performance becomes abridged by monopolistic market behavior.

The result of tariff reductions, and the abrogation of non-tariff barriers of all kinds, is to broaden the competitive delineation of markets beyond national boundaries to include more firms competing within the same industry market structure. Liberal trade may also result in greater inter-industry competition, via market substitutes, as well as for scarce factors of production.

The application of the principle of liberal trade for competitive efficiency appears to be much easier to conceptualize for economic sectors that are not directly government supported or subsidized. Tariffs, quotas, licenses and import regulations are principally involved. Manufacturing industries have generally avoided domestic governmental subsidization by structural control and the resulting evolvement of market power—the same characteristics that provide persuasion for increasing competition through more liberalized international trade.

As an industry, agriculture does not generally possess structural control and, therefore, cannot alone affectively exercise market power on its own behalf. Because of agriculture's inherently unstable, atomistically competitive character, governments have extended commodity price support and marketing programs to enhance farmers' relative market power. Government support of agriculture, in varying degrees, in one form or another, is commonplace throughout the world, and has achieved the highest levels of sophistication in developed industrial economies.

However, there are great differences in the efficiencies of agricultural production among industrial developed countries, particularly those of the Atlantic community. The greatest differences in efficiencies appear to exist in the production of grains and oil seeds and less differences in livestock, dairy and poultry production, when adjusted for differences in feed grain prices.

The economic argument for liberal trade with high price, highly protected agriculture, such as that of Western Europe, can best be made on the basis of precipitating more rapid structural change for the achievement of greater productive efficiency through broader competition. This argument, of course, has its greatest political disadvantage for governments of countries with proportionally high farm and rural populations, even though these countries may be in greatest need for structural change in agriculture.

For export oriented agriculture the principle of liberal trade for greater competitive efficiency is also less than popular, even though agricultural production in exporting countries is generally more efficient by any comparison with net importing countries. Domestic government commodity price stabilization and marketing programs are more widely used to support farm income in agricultural exporting countries, and are erroneously believed by farmers to be jeopardized by more liberalized imports. Nevertheless, just as it may be in the long run national interest to promote liberal trade for greater competitive efficiency of national industrial oligopolies and to restructure inefficient agriculture, so may liberal trade be similarly important to keep efficient export agriculture growingly efficient within government commodity support programs. While liberal trade should in no way threaten the existence of national agricultural income stabilization measures, the terms of support within specific commodity programs could be effected by broader international competition.

The principal obstruction to reciprocal liberalized agricultural trade within the Atlantic Community remains the unwillingness of governments to commit their farmers and rural communities to structural and production adjustments clearly foreseen by subjection to closer and broader market competition. This unwillingness persists among major Western European governments in spite of economic logic, because their farmers sound a louder political voice on food policy questions than do their consumers; and because European political parties, particularly opposition labor parties, have long courted the rural vote as a road to majority power.

Thus, while the U.S. government may be politically able to extend liberalized agricultural trade, direct reciprocity with Western Europe agriculture appears distant and unpromising. What the European Economic Community and the European Free Trade Association may be looking for in the Kennedy Round of GATT negotiations is to offer general industrial tariff concessions in exchange for a mix of industrial and agriculture tariff concessions from North America. This would be nearly opposite to the formally stated Kennedy Round objections of the U.S., which set out for Western European agricultural tariff concessions in partial exchange for more general U.S. industrial tariff reductions.

Because the EEC employs highly protective variable import levies against major agricultural commodities, rather than traditional fixed tariffs or ad valorem duties, overall agricultural trade negotiations in the Kennedy Round are further complicated by the necessity of the GATT to establish special negotiating units for grains, fats and oils, dairy products, and meats and poultry. The approach in these special negotiations is toward formal world commodity trade agreements, at least clearly so in grains.

With Western Europe increasing its agricultural output toward greater self-sufficiency under high protected farm price guarantees and the expansion of comparatively inefficient production to the detriment of agricultural imports from the Western Hemisphere, particularly North America; what might be an effective agricultural trade policy for the U.S. to follow that could contribute to drawing Europe toward liberal world agricultural trade and a strengthening to the Atlantic Community? Contrary to the belief of some international economists, international commodity agreements embodying artificially high administered world price levels is not a satisfactory or dependable answer.

Conversely, it is my firm belief that a greater degree of success lies in a policy of aggressive export pricing of U.S. farm commodities at the most competitive levels that the efficiency of our commercial agriculture can afford, and the extension of this export policy without restriction to all markets of the world, particularly including Eastern Europe and the Soviet Union. Likewise, the U.S. should grant equal tariff and nontariff treatment on imported agricultural products regardless of country of origin. With this trade policy established, the U.S. government should stand ready, with necessary authority, to participate in regular, and perhaps extended negotiations in the GATT toward liberalizing international agricultural trade with a willingness to exchange tariff concessions in one or a group of commodities for similar concessions in another commodity or group of commodities.

This approach would essentially reject artificially high administered world prices or price ranges within international commodity agreements. Although international commodity agreements can importantly contribute to world trade and price stabilization, the U.S. as a world political leader, cannot hope to benefit or realize equal advantage from commitments to manage or administer world commodity prices at noncompetitive levels. The International Wheat Agreement provides some example.

The International Wheat Agreement (IWA) has significance to the world price of wheat to the extent of setting a minimum-maximum trading price range in terms of the best quality wheat, basis the head of the Great Lakes between the United States and Canada. The minimum trading price in the present IWA is $1.62½ per bushel for No. 1 Manitoba wheat in store at Port Arthur-Fort William. This minimum trading price was raised from $1.50 when the agreement was renegotiated in early 1962.

The IWA minimum trading price has been maintained from the very beginning of the Agreement in 1949, by governmental administered export pricing exclusively by the Canadian Wheat Board and the U.S. Commodity Credit Corporation. The U.S. and Canada have also been the only Agreement countries that have carried any significant surplus stocks of wheat in order to manage world wheat supplies in maintaining stable world wheat prices above the IWA price minimum.

Ignoring the unusual speculative demand conditions in the early part of the Korean War, and during the Suez Crisis, the world wheat price has generally averaged 10 to 15 cents per bushel higher under the present Agreement, until early 1965, than before 1962.

Of the four major exporting countries in the Agreement (U.S., Canada, Australia and Argentina), significant expansion of wheat acreage has taken place in all but the U.S. since the 1955–59 period. While wheat production has generally increased throughout the development world since 1955–59, outturn of wheat in Australia during the 1962–65 period was nearly doubled over that of the earlier period. Production also increased by one-third in Canada and France, by one-fourth in Argentina, by nearly one-half in Mexico between the two reference periods. Likewise, while wheat outturn increased in Western and Eastern Europe by about 18 percent, U.S. production climbed by only 11 percent, the smallest increase of the seven countries and regions mentioned.

Wheat production and acreage in specified countries and regions, 1955–59 and 1966–65

Country or region	Production			Acreage		
	1955–59 (millions of bushels)	1962–65 (millions of bushels)	Percent change	1955–59 (millions of acres)	1962–65 (millions of acres)	Percent change
Australia	168.3	328.7	+95.3	9.9	16.8	+70.0
Canada	465.6	627.3	+34.7	22.7	28.1	+23.8
Argentina	225.7	282.5	+25.2	11.6	12.6	+8.6
France	358.0	481.7	+34.6	10.4	10.7	+2.9
Mexico	44.6	65.8	+47.5	2.2	2.2	−.9
Western Europe	1,312.9	1,548.9	+18.0	46.6	46.0	−1.3
Eastern Europe	552.7	649.4	+17.5	25.3	24.9	−1.6
United States	1,095.4	1,221.0	+11.4	49.1	46.9	−4.5

Source: Wheat Situation, October 1965—USDA.

Of course a major reason for the much larger increases in wheat production in other parts of the world over that of the U.S. has been the domestic production control program in the U.S. and the absence of such acreage restraints elsewhere. Also, under the procedure of the U.S. and Canada bilaterally taking the responsibility of maintaining the world wheat price above the Agreement minimum, other exporting countries have commercially sold their entire wheat crops each year regardless of size. Canada has increased her sales by mass transactions and long term contracts with Mainland China and the Soviet bloc. The U.S. has for the most part looked toward concessional sales under PL 480 for major export increases.

Taking full account of recent world wheat production and trade history, one must conclude, at least in part, that increased world wheat prices between 1962 and 1965 stimulated wheat production in those freely producing countries, with these increased supplies more closely filling increased commercial world wheat demand at the expense of U.S. commercial export opportunities, and U.S. wheat producers continuing to be ever more increasingly dependent on concessional export sales arrangements.

Including barter transactions, CCC Credit and PL 480 Title IV sales, annual average commercial exports of wheat from the United States during the five years from 1955–59 were only slightly over 36 percent of our exportable production during this period, as compared to an average of over 68 percent for the total of the five major exporting countries (United States, Canada, France, Australia and Argentina). Whereas, we averaged only about 183 million bushels of commercial wheat exports during that five year period, equitable shares calculated on equal percentages of exportable production indicate that we should have averaged 340 million bushels of commercial exports. During the five year period 1960–1964, the United States commercially exported only about 42 percent of her exportable production as compared with over 72 percent for the average of the five major exporting countries. While we averaged only 260 million bushels of commercial exports during this most recent five year period, equitable shares indicate that we should have exported an average of 448 million bushels in the commercial category.

Of course, our total exports have been favorably maintained relative to other exporting companies by transactions under Title I, II and III of PL 480, all of which have been concessional sales outside of any usually expected commercial returns. These concessional transactions would have to be considered a financial burden to the United States if they have been carried out at the expense of an equitable share of the world commercial export market, as the data seems to clearly indicate:

5-year average wheat [1] situation, 5 major exporting countries, 1955–64

[In millions of bushels]

	United States	Canada	France	Australia	Argentina	Total
Carryover	1,031.0	617.2	62.6	62.1	68.6	1,841.5
Production and imports	1,104.1	465.7	387.8	168.3	225.7	2,351.6
Domestic disappearance	598.2	159.3	328.9	72.3	139.6	1,298.3
Exportable production	505.9	306.4	58.9	96.0	86.1	1,053.3
Total exports	450.4	293.8	59.9	102.3	91.7	998.1
Commercial exports [2]	183.2	281.9	59.9	102.3	91.7	719.0
Commercial exports as percent of exportable production	36.2	92.0	101.7	106.5	106.5	68.3
Equitable shares of total commercial sales	345.4	209.2	40.2	65.5	58.7	719.0
1960–64 AVERAGE						
Carryover	1,228.5	509.2	85.6	30.7	42.5	1,896.5
Production and imports	1,225.3	538.3	450.8	309.2	233.0	2,756.6
Domestic disappearance [3]	604.3	149.1	344.2	76.9	123.2	1,297.7
Exportable production	621.0	389.2	106.6	232.3	109.8	1,458.9
Total exports [3]	713.7	408.4	83.0	223.0	82.8	1,510.9
Commercial exports [2] [3]	260.0	403.9	83.0	223.0	82.8	1,052.7
Commercial exports as percent of exportable production	41.9	103.8	77.9	96.0	75.4	72.2
Equitable share of total commercial sales	448.0	281.0	77.0	167.5	79.2	1,052.7

[1] Includes flour in wheat equivalent.

[2] Includes barter and Public Law 480 title IV sales for United States, and East European insured credit and special China credit for Canada.

[3] 1960–63 for other than United States; 1964 partially projected for United States. All 1963 data preliminary.

Source: "Wheat Situation," October 1965, USDA.

The Atlantic Community cannot be strengthened by U.S. failure to fully compete with partner countries for commercial exports to other communities of nations, particularly for dollar sales of agricultural commodities. Such failure not only weakens the U.S. from a standpoint of balance of payments, but distorts the pattern and balance of economic and commercial relations of the Atlantic Community with the Soviet bloc and the rest of the world. Other major agricultural exporting countries of the Atlantic Community which freely trade with the East without competition from the U.S. may surely be expected to view their international political and security interests with less than full Atlantic Community spirit.

The Atlantic Community, in my view, can be strengthened by a U.S. agricultural trade policy that extends equal treatment to imports regardless of origin, and that fully extends export competition in farm commodities to all destinations.

A fully competitive world food trade policy on the part of the U.S. holds a far better chance of economically rationalizing world agricultural production and trade over time than does artificial administered commodity trade and pricing agreements.

WASHINGTON, D.C., *January 17, 1966*.

Mr. Speaker, our committee is indebted to the gentleman from Minnesota [Mr. QUIE], one of its valued members, for an analysis of Dr. Goodman's study. He is also a member of the Committee on Agriculture and the Committee on Education and Labor.

I now yield to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Speaker, Dr. Goodman's excellent study of inter-Atlantic trade relations comes at a most appropriate time. Within recent months we have witnessed one dispute after another which concern the nature and the future of the Atlantic community and the North Atlantic Treaty Organization. If possible, the fabric of NATO is in greater disarray than ever. If steps are not taken in the near future to avert the weakening of NATO, the future of that organization is in severe question. I commend the excellent study now being conducted by the Republican task force on NATO and the Atlantic community, and I am indeed impressed by the high caliber of the participating specialists.

In his paper, Dr. Goodman diverges in one important respect from the stand I have long taken with respect to agricultural trade. To quote Dr. Goodman:

> It is my firm belief that a greater degree of success lies in a policy of aggressive export pricing of U.S. farm commodities at the most competitive levels that the efficiency of our commercial agriculture can afford, and the extension of this export policy without restriction to all markets of the world, particularly including Eastern Europe and the Soviet Union. Likewise, the U.S. should grant equal tariff and non-tariff treatment on imported agricultural products regardless of country of origin (p. 6).

I do not believe that at the present time it is to the best interests of either the United States or NATO to engage in this kind of competitive trading with the Eastern European bloc and other Communist-controlled nations. I have often stated my support for the formation of a NATO Trade Council to supplant the present manner of dealing with these nations. I wish to reaffirm my support for this Council.

Much is to be gained from the formation of such a Council. All NATO nations would participate in an effort to arrive at a unified and well-directed trade policy. The present situation involves the governments of Communist countries dealing directly with private firms of Western nations. Often the resulting agreements work at cross-purposes to the broader free-world purpose. One result has been ill-will among various members of the EEC and the EFTA, and U.S. trade policy has been put in a foolish light by the flagrant disagreement that exists within the Atlantic Community regarding the expediency of such trade. American goods, or their equivalent, often end up in the very countries with whom we refuse to trade due to the zealous exploitation of every available market by our Western European allies. This puts U.S. trade policy in the role of "whipping boy" to the aspirations of other nations. A NATO Trade Council would avert this unfortunate situation, and would unite all trade policy behind an official trade medium.

I stand in full agreement with Dr. Goodman that the United States needs to compete more fully with partner nations for dollar sales of agricultural commodities. Our inability to compete in many instances has led to the deteriorating balance of payments problem as well as the unbalancing of our relations with and within the Atlantic community. But I limit my argument to non-Communist trade—if the NATO Trade Council is formed, the problem of unfavorable competition will be eliminated, and the best interests of NATO will be served. Only as a last resort should the United States join the competitive market-search in Eastern Europe. If this happens, the best interests of NATO are undermined, and the political interests of ourselves and our allies along with them. I might add that this is only one area in which there is a crying need for greater unity among Atlantic community nations. Developments in Europe or in the United States that weaken Atlantic unity are undesirable on numerous counts. The best interests of the Atlantic Community in the long run are often not best served by courses that seem the best in the short run. The United States must explore with its European allies, the fields, forms and degrees of unity which would be mutually advantageous. If Atlantic Community nations can agree that their best interests lie in unified efforts to reduce the effectiveness of Communist hegemony, it is imperative that they also realize that a central Council is needed to formulate this kind of policy on a day-to-day basis.

The United States, says Dr. Goodman, cannot hope to benefit or realize equal advantage from commitments to manage or administer world commodity prices at noncompetitive levels. I would also insert that there is always the danger that price levels can be driven too low, and that this too must be avoided in considering an expanded U.S. role in agricultural trade. I believe this is an economic consideration which must be evaluated along with political considerations.

I should like to quote the National Foreign Trade Council—NFTC—declaration, which was prepared at their 1965 convention:

> The convention emphasizes that any expansion of our trade with the communist countries of Eastern Europe and the Soviet Union should be based upon either genuine and mutual economic advantage or on demonstrable political benefits to the United States. Negotiations with each of these countries should involve realistic bargaining from which the United States should expect to receive satisfactory assurances regarding the removal of commercial obstacles arising from the differences in economic systems, reasonable settlement of outstanding financial claims, and procedures to avoid dumping and to protect property and contractual rights.

I believe that this is a very sensible approach to our trade policy with the Eastern European nations and the Soviet Union. I believe it emphasizes the need of political motivation in trading. I furthermore believe that it applies as well to the interests of all Atlantic Community nations as it does to the interests of the United States. "Demonstrable political benefits" provides a good starting point for the creation of a NATO Trade Council. The diverse trade policies now in effect have hurt the Atlantic Community in many ways. The fact that many NATO signatories have different—often widely diverging—political aims does not change the fact of a fairly common political purpose with regard to the Communist nations.

This brings me to another problem. The fact of political differences within the Atlantic Community is in itself not a bad thing—in fact, it is probably a very healthy thing. But the organization itself needs to have an effective medium to resolve political disputes that affect the organization as a whole. So far, the NATO Parliamentary Conference has not been effective in this role. It has been unable to cope with the many problems arising, for example, from the economic policies of EEC and EFTA. No doubt, many of these problems are reflective of growing pains which are to be expected in the radical changes that have occurred in the European economic picture in recent years. But if these growing pains are allowed to weaken the Atlantic Community more than they already have, the future is dim indeed. The action of France with regard to military participation in NATO is a prime example of this very problem. Misunderstandings and arguments arising from largely economic disputes have led to a potential withdrawal from the military alliance, a withdrawal that will drastically weaken the NATO structure when it happens.

Very often in the past the United States has been guilty of tactless and undiplomatic treatment of France and President de Gaulle. The present administration has largely overlooked the historic significance of France and De Gaulle's vision for rebuilding the French nation. In our robust zeal to achieve economic federalization—with the inevitable political federalization that follows—we have expected far too much submission and humility from a nation that has traditionally harbored great pride in its history of independence and achievement. It is small wonder that France has become as "ornery" as she has. And the problems now posed by France loom large and dark on the horizon of the Atlantic community.

Another failure has resulted from our inability to cope with the nuclear problem in the MLF. It is plain that within the presently constituted framework of NATO we will not see a real solution to this problem for some time. The implications of the problem are both military and political. A reappraisal of NATO goals and methods is urgently required in order to resolve this kind of dispute at the foundation level.

For this reason I have long advocated the formation of a "blue-ribbon" study panel to represent the United States in a major and significant convention of all NATO signatories. The Atlantic community deserves our very best diplomats and our very best diplomacy. The Republican Task Force on NATO Unity last year asked President Johnson to form such a panel, and further to appoint as cochairmen ex-Presidents Eisenhower and Truman. We met with Secretary Rusk about this proposal, and that was the last we heard of it.

This convention is needed to reevaluate the goals of the Atlantic community with an eye to the ultimate economic, political, military and even cultural implication of the community, and expressing specific intent with regard to each step visualized in the formation of a closer and more significant Atlantic community. A stronger unit to review and mediate political disputes is urgently needed. Better cooperation in economic differences needs to be promoted on all levels of trade.

Mr. FINDLEY. Mr. Speaker, our committee is also indebted to the gentleman from Utah [Mr. BURTON] for an analysis of Dr. Goodman's study. The gentleman is a member of the Committee on Agriculture and the Committee on Interior and Insular Affairs.

I now yield to the gentleman from Utah [Mr. BURTON].

Mr. BURTON of Utah. Mr. Speaker, I am happy to take the opportunity to comment on the thoughtful paper of Dr. Richard J. Goodman on "Agricultural Trade Policy and the Atlantic Community."

World economics and trade are so fluid in comparison with a generation or two ago, and they are so important to the health and well-being of every nation, that it is appropriate that we have a constant review of these important matters. Dr. Goodman has made a significant contribution to this goal. In this same context, the Republican Task Force on NATO and the Atlantic Community is to be commended, for by this activity they make a similar contribution to this searching reappraisal.

The paper presented by Dr. Goodman presents a concept of world trade based on comparative economic advantage, without any tariff protection or restriction as to the destination of our exports. Under the plan, countries the world over would trade and compete with each other for trade on the basis of pure economic advantage.

For the United States to adopt this plan would be to deny ourselves the use of our commercial and economic power in international affairs. The United States would embrace an agricultural trade policy that extends equal treatment to imports regardless of origin and fully extends export competition in farm commodities to all destinations. Dr. Goodman's proposal would abolish controls over exports and imports at the very time when we are trying to muster our strength and that of our allies, with our foreign aid program, for the conduct of our national security policy.

Under the Goodman plan, the United States would pull away from international commodity agreements such as the Wheat Agreement, and rely on across-the-board trade with all countries of the world in aggressive export pricing of U.S. farm commodities at the most competitive levels that the efficiency of our commercial agriculture can afford. It would also extend this export policy without restriction to all markets of the world, particularly including Eastern Europe and the Soviet Union. Likewise, the United States would grant equal tariff and nontariff treatment on imported agricultural products, regardless of country of origin, regardless of hostility of other countries toward us, and regardless of whether a foreign country is involved in aggression against another country.

The United States would have to abandon its restrictions on import and export trade with Communist and Communist satellite countries if this plan were adopted. But the Latta amendment to the Agricultural Act of 1961 stated that it was the sense of Congress that there should be no trade of subsidized export commodities with Communist countries. Other Republican Congressman have held that no food under Public Law 480 should go to Nasser of Egypt, that no wheat should go to Yugoslavia, and that no soft currency agreements—under title I of Public Law 480—should be entered into with any Communist countries—hence, no soft currency deals with either Yugoslavia or Poland.

Various laws generally favored by Republicans, such as the Battle Act, would be repudiated by the Goodman plan. Republicans also have favored most-favored-nation treatment whereby non-Communist countries are given special tariff and quota considerations not extended to Communist countries under general tariff laws. Particularly pertinent at this time, with American men fighting in Vietnam, is the Trading With the Enemy Act, which prohibits any trading with countries such as Cuba, Red China and North Vietnam.

The 1964 Republican platform clearly states our position; this position would be seriously eroded by the Goodman plan. The platform declares:

> We reject the notion that Communism has abandoned its goal of world domination, or that fat and well-fed Communists are less dangerous than lean and hungry ones. * * * Republican foreign policy starts with the assumption that Communism is the enemy of this nation in every sense until it can prove that its enmity has been abandoned. We hold that trade with Communist countries should not be directed toward the enhancement of their power and influence but could only be justified if it would serve to diminish their power.

To accept the Goodman plan, the United States would have to overlook the protectionist policies of the European Common Market, with the hope of breaking down these barriers by offering competition in world trade. Section 22 of the AAA of 1933 as reenacted and amended, which affords protection against imports of agricultural products that are part of stabilization programs in the United States, would have to be vacated. On this subject, the Republican view was given in the report of the House Republican Task Force on Agriculture, September 13, 1965:

> ADMINISTRATION'S POLICY FAILURE
>
> These shortcomings in our agricultural trade policies result principally from (a) the failure of the Administration to adopt a sound, positive agricultural trade policy that would resist the protectionist policies of other trading countries, and better serve this nation's agriculture and economy, and (b) the Administration's failure to comply with the directive of Congress, as expressed in Section 22 of the Agricultural Adjustment Act, to coordinate U.S. agricultural import policies with our domestic farm programs.

To accept Goodman's worldwide free trade policy would be to abandon Public Law 480's concessional sales, which in effect are discriminatory trade programs favorable to the United States. It is the Republican view that Public Law 480, essentially an Eisenhower measure, was instituted to develop agricultural trade and remove agricultural surpluses. Republicans, generally, have supported this program for a number of years.

Republicans in Congress contend that this Nation's import duties are moderate, averaging out only 10 to 12 percent ad valorem, which is considerably lower than the European Common Market, which imposes variable import fees on American feed, flour, poultry, pork products, and dairy commodities. These fees have caused considerable concern to American agriculture in recent years.

In summary, I believe we should not at this time adopt Dr. Goodman's recommendations for six important reasons:

First. It would deprive us of an important tool of foreign policy, namely the use of quotas and import restrictions;

Second. It would greatly expand trade with Communist states and on balance, this helps their economies far more than it does ours;

Third. It would undermine our Trading With the Enemy Act and undercut previously adopted most-favored-nation clauses;

Fourth. It would directly repudiate important sections of the 1964 Republican Party platform;

Fifth. It would destroy the concessional sales philosophy of Public Law 480, which is a beneficial way of aiding friendly states;

Sixth. It would be based on the pretense that other nations do not have certain protectionist policies or the dubious hope this action would eliminate them. In my judgment, neither premise is valid.

Mr. FINDLEY. Mr. Speaker, the other members of our committee are Representatives ADAIR, DON H. CLAUSEN, CLEVELAND, CHAMBERLAIN, ELLSWORTH, KEITH, MARTIN, MORTON, PIRNIE, and REID.

I yield back the balance of my time.

DO YOU VALUE YOUR SIGHT?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY], is recognized for 10 minutes.

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I would like to include the following letter I received from a good friend of mine, J. M. Ulmer, secretary of the National Foundation for Eye Research, together with the enclosures he mentions:

NATIONAL FOUNDATION
FOR EYE RESEARCH,
Cleveland, Ohio, September 30, 1966.

Hon. JOHN E. FOGARTY,
Congressman from Rhode Island,
House Office Building,
Washington, D.C.

DEAR MR. FOGARTY: Since last mid-December I have been laid up with a coronary and have not been able for that reason to spend the time I have for many years in doing what I always sought to do; namely, to help advance research and education in the blinding and other sensory diseases as well as in other disciplines. I have always tried to keep up with the reading of the volumes in which are spelled out the testimonies of the witnesses who appear before the Appropriations Committee of the House which was considering appropriations for the National Institutes of Health, of which Committee you have for a long time been chairman.

I marvel at the tremendous amount of effort that you and your Committee have patiently expended for long years, resulting in an outstanding record evidenced by appropriations made by the Congress to support education and research and expand manpower in seeking the cure and prevention of the multitude of diseases of which mankind is a victim. You have been praised many times for your outstanding efforts in this direction, and personally, on several occasions when I have had the pleasure of chatting with you, I have added my few words of praise for your efforts. Notwithstanding, I want you to know my sentiments on this subject, for in the past few months when I have been recovering from my own illness I have diligently read Parts 2 and 3 of the Record of the Appropriations Committee and have partially read Parts 4 and 5 of said Record covering the Second Session of the 89th Congress.

You merit my personal thanks, because I continue to understand and marvel at the excellence of your Committee's painstaking efforts so fully spelled out as I have read the testimonies of witnesses appearing before your Committee. May you continue in good health so that the nation will ever be proud of your exceptional devotion and your unceasing efforts to advise the Congress of the facts upon which the recommendations for appropriations are made.

With high regard and sincere thanks, I am,
Sincerely yours,

J. M. ULMER.

DO YOU VALUE YOUR SIGHT?

(J. M. Ulmer's talk to a committee of the Congress)

For a period of 22 months I could not read a line. During my long period of incapacity and after my sight was restored as a result of cataract operations, I studied the matters set forth in this statement. I shall relate these facts, to advance a cause too long forgotten. It is high time that something constructive be done to bring about proper fundamental and clinical research to determine the causes, the prevention and the cure of blinding eye diseases.

I am not a paid advocate. I determined that I would indicate my appreciation in part for the restoration of my sight by bringing attention to the results of a protracted study made on what is, or rather, what is not being done with respect to research in the diseases of the eye leading to blindness.

I contacted many leaders in the field of ophthalmology—outstanding scientists, members of research foundations, members of the staffs of universities and various governmental agencies. In the light of these contacts, I ask Do you value your sight?

When blindness strikes, you turn to medical science. You ask:

What causes the impairment of sight?

What can be done to prevent the loss of sight?

What is fundamental research in the eye field?

Is there a lack of teamwork between clinician and scientist in basic research in blinding diseases?

Is there a need for fundamental research in the eye field?

How can fundamental research for the causes, the prevention and the cure of blinding eye diseases be secured?

In one's study, you find that thousands have impaired sight or are totally blind and that thousands more become blind each year. There are only a very few outstanding eye research laboratories and, in this country, there are literally less than 20 men engaged full time in research studies designed to determine the causes of diseases leading to blindness and to provide new forms of therapy. You discover that in more than 75% of the blinding eye diseases, you are literally against a stone wall. Unless we act, thousands are faced with a future of darkness.

In studying the field of blinding eye diseases, time and again you find the phrase "unknown to science", "undetermined by physician" or "not specified." In the book on "The Causes of Blindness" by Ralph Hurlin, Sadie Saffian and Carl E. Rice, M.D., issued by the Federal Security Agency, it is stated:

"Little is definitely known of the underlying causes of diseases such as glaucoma, atrophy of the optic nerve, cataract, . . ." "Since the underlying causes of many eye defects are still obscure, a large proportion of causes are indicated under the heading "Unknown to Science."

For lack of research, there is no answer to the question "What can you do to regain your sight, or to prevent the loss of it, or to cure the diseases that caused you to lose your sight?"

You find that there are meager dollars available to support the few outstanding eye research centers in this country. Without money they cannot function properly. These few splendid eye research laboratories such as Howe at Boston, Wilmer at Johns Hopkins, the Department of Ophthalmology of the University of Pennsylvania, and a few other similar laboratories, if properly supported and expanded, will help find the answer to the problem of what can be done to find the causes to cure and prevent blindness. In these laboratories you have the beginning of the pattern of fundamental research in the blinding eye diseases. Other avenues of research can be found and supported to conduct research in this neglected field. Generally, you find that the field of research to discover the causes, the cure and prevention of blinding diseases is unplowed. You are frustrated when you make the inquiry and find the answer to the question that you have asked to be, "I don't know" or "Unknown to Science." You are challenged by these facts—at least I was.

You are faced by the harsh fact that the subject of fundamental ophthalmological research except in a few places has been lost in the study of diseases. Why so little attention has been paid to so vital a function of life as one's eyes, passes understanding. We must change these conditions. In this country of ours, we find that scant dollars have been made available to find the answer to blinding eye diseases. I must repeat that where the few qualified research groups are found, *all* need money to expand their activities and enlarge fundamental research so that the causes, the cure and prevention of blindness may be found. This statement I make unreservedly, I have written evidence from all over this great land to prove that eye research has not been made for lack of money. About one-half of the departments of ophthalmology in approved medical schools and eye research institutions have no funds for research, but only a very few have meager funds. Everywhere throughout the country, there is reported a great need for funds for eye research. Other eye research laboratories will be established if we provide the funds and scientists and professional men will rally to the cause if supported.

As the human life is lengthened, more and more people find their sight impaired or destroyed. New classes of blindness have been developed in the birth of children prematurely born. A good authority states that there are probably 800,000 persons with unrecognized glaucoma, a dread disease leading many to blindness, if not detected. Yet, for lack of plan and lack of dollars, science has not been able to find what causes many of these conditions and what to do to correct the same. Competent authority says that there are not three or four full time men in the entire country devoting their search to answer the questions, "Why glaucoma?" "How can it be prevented?"

You find that governmental agencies alone spend more than $50,000,000 each year to help those who are already blind, yet only about $300,000 per year from public and private sources is spent in research to prevent blindness. Of this, we are advised that the Federal Government spent less than $80,0000 last year in grants for fundamental research in eye diseases.

It is not necessary to supply further statistics, statements and general information which will serve only to fill out and amplify the conclusions here stated. This information should prompt your earnest consideration of a situation which demands that the Congress should provide the machinery and supply some of the money required, so that through fundamental research the causes, the cure and the prevention of blindness may be brought about. (*See Note at the end of this statement.)

Too long has this field been neglected. The restoration of sight and the prevention of blindness through medical research by discovering its causes is so fundamental and simple a concept that one need not labor the point. The time has come when something should be done to remedy this deplorable and long neglected problem.

With assistance of the Federal Government and especially under legislation providing for support of research under the Public Health Service Act, the way can be found, a pattern set up and some of the money provided to meet this situation. When there has been dollar support and a general process of education, both of which should be supplied at least in part by the Federal Government, then perhaps the State Governments and the public and the many groups and foundations interested in the welfare of the people will see to it that additional financial support will be provided, not only to aid the blind after they are blinded, but to help through fundamental research to attack the problem at its very roots.

The question of fundamental research in the clinical specialties is one of absorbing interest.

Everyone interested should read the book "The Furtherance of Medical Research" written by Dr. Alan Gregg, Director of Medical Sciences, Rockefeller Foundation. The paper "Fundamental Research in the Clinical Specialties", Science, Vol. 105, No. 2728, April 11, 1947, prepared by Dr. V. Everett Kinsey of Howe Laboratory of Ophthalmology, Harvard Medical School and the Massachusetts Eye and Ear Infirmary, Boston, is important and informative reading. In this way there will be spelled out the answers to the question, "What is fundamental research and what should be done to bring fundamental research about in the blinding eye diseases?"

These men are leaders in their fields and much is to be gained by reading what they have said so that you may understand the problem. We quote almost literally from the sources above referred to in order to tell in simple words some of the fundamentals which will assist you in your study of the problem before us.

It is difficult and perhaps not necessary to define what is medical research. A knowledge of physics and chemistry are of primary importance in their field. Nor is medical research limited at all to the study of diseases. By no means is research confined to the possessors of the M.D. degree. When Dr. V. Everett Kinsey made his survey of the studies of fundamental research in the clinical specialties at the large universities, he found the situation to be, in general unsatisfactory. Research programs were handicapped by inadequate funds and by the fact that neither the well qualified department heads nor the underpaid clinical staff members were in a position to devote full time to the research programs.

Dr. Kinsey calls attention to the fact that the number of investigators working in any given field is frequently pitifully small. And as heretofore stated, glaucoma, for example, is one of the principal causes of blindness in individuals past middle age. Yet, in the United States, there are not more than three investigators who are devoting half or more of their time to this problem. Dr. Kinsey says that as a result of halfway measures, the amount of fundamental research in the clinical fields is extremely small. He concludes that research is a full-time job if facilities and personnel are to be utilized efficiently and if the quality of the work is to compare favorably with that in other branches of science.

Dr. Gregg points out in his splendid work that research involves a critical examination of sources and ways of learning and what we describe as facts. "Research may lead to the discovery and proof of new principles, the breaking through the crust of already accepted doctrines and axioms. Scientific research involves and elaborates facts, relationships and interpretations. Mere recording of observations and reading dials of complicated instruments is not research. The compiler can be ignorant of his materials, but the researcher cannot."

Dr. Gregg says, "Confusion lies in mistaking the result for the cause. Research may lead to invention or invention may call for research, but invention is not research. Research in any field as a procedure consists of a sequence of activities, each of which contributes to, but cannot be substituted for, the whole process.

"Medical research is a part of medicine in the sense that it is one of the growing fringes of medicine. Medical research has left the medical profession itself somewhat behind, and at times clannishly resentful. Medical research, then, is in its youth, attentive, adaptable. It is only within recent times that universities and scientists have come to recognize that research is as important a part of the university as teaching, that the public does not understand or value medical research as much as it admires and praises it. The tragedy of every good cause is that it must accept praise in lieu of understanding and hospitality and words of welcome rather than sustenance."

Research, we must therefore agree, is the vital forerunner of all medical progress. And yet we are shocked to find that there is pitifully little research being conducted in the blinding eye diseases in the universities and independent research institutions of this country. There has been a steady improvement of medical research done in the laboratories of commercial companies. Instances will be found of part-time work in eye research sporadically done, but this should not come under the name of fundamental research in any scientific appraisal of the term, and is quite different from the research of a full-time scientist teamed with other scientists in a properly equipped laboratory such as is found at Howe Laboratory in Boston, Johns Hopkins at Baltimore, the University of Pennsylvania at Philadelphia, and a very few others throughout the country.

Dollars must be supplied to meet the challenge. Medical research in the diseases of the eye leading to blindness requires the efforts of well trained and zealous men who can devote their lives to the problem. These men must be trained in chemistry, physics, mathematics, anthropology, psychology, sociology, genetics, etc. We cannot ignore the importance of experienced, devoted and gifted men who can carry on this research until the problems are resolved and the answers found. These men must be supported in their life's work and others trained to fill the ranks of those brave men who are willing to follow the cause of research.

Dr. Kinsey in great detail and after thorough study and a countrywide investigation, states that there is and has been, save in a few quarters, a lack of fundamental research for the very simple reason that dollars have not been allocated to meet the situation. Dr. Kinsey has pointed out that by expanding the activities of research laboratories like Howe at Boston, at Baltimore, at Philadelphia, and by establishing other places like them, all of which can be done if the dollars are provided, you will have gone a long way to meet the problem.

Upon contacting various groups interested in the blind, institutions, ophthalmologists, scientists, clinicians and men in charge of our universities, all agree that the answer "I don't know" may be turned into "I do know" if money is supplied. Among the statements made to me are the following: "We have no information about what research may be going on." "We are in a position to carry on research in the various fields concerned with the blinding diseases provided funds are available to do so."

The head of one of the great universities says: "We have here a number of research problems which bear directly or indirectly on the causes of blindness and which are in need of funds to support them."

The Rockefeller Foundation has said that of course there are departments of ophthalmology associated with medical schools but relatively few of them have active programs of research. Ophthalmologists and scientists familiar with the field agree that literally no funds have been available for fundamental research.

The Federal Government has said, "Our work is entirely with persons who are already blind or nearly blind."

Competent authority has said, "It is needless to say that funds are inadequate to pursue studies like glaucoma in the intensive manner necessary."

A Federal Agency has said, "As is illustrated by the study in an unfortunately large proportion of cases of blindness, even when diagnosed by physicians skilled in diseases of the eye the cause of the eye defect cannot be defined either by inadequacy of information available to the physician at the time of the examination or because the cause of the condition is not yet known to medical science. Causes are generally recorded as unknown to science."

Inquiry has been made of the various states which indicates that help is given to the blinded but literally no dollars are devoted to fundamental research to find the causes of blindness.

The Federal Security Agency, as late as June 1, 1949, points out that during the Government fiscal year 1948-49 a total of $70,340.00 was all that was allocated to research in the field of ophthalmology. What more need one say to prove the point.

The Veterans' Administration has stated, "No studies at present are under way on the primary causes of blindness."

The New York Institute for the Education of the Blind says, "There is no single group interested in devoting its time and attention to raising funds to provide fundamental research required to find the causes to cure and prevent blindness."

Facts are here presented which should prompt action. It is needless to labor the point. If money is supplied to the few outstanding eye research laboratories in the country and these groups in time are expanded according to plan, and others interested in the eye research field are supported, past experience indicates that sooner or later the problem of blinding eye diseases in part at least, will be met. The discoveries in eye research will certainly be pooled and the findings will be for the common good. The support for medical research in the blinding eye diseases field by the Government, we trust, will increase, but up to the present time literally no dollars have been supplied for this purpose.

As late as November 4, 1948, the Institute of Ophthalmology, London, was opened. Dr. Alan C. Woods of Johns Hopkins Medical School, outstanding in the eye field, represented this country at the dedication of the Institute. After more than a century, the English set up an eye research laboratory in which is coordinated all that is best in England in eye research. With the help of the Parliament of England, there will be developed a research and teaching institute of the first magnitude which will permit Great Britain to continue as in the past in the grand part it has played in the development of ophthalmology and ophthalmological research. Notwithstanding great difficulty, much credit must be given for the enterprise and courage that prompted the establishment of a research institute of this type. The same is staffed by men able and willing to do research, supported by the Medical Research Council and coordinating general medicine and surgery as well as the fundamental and physical sciences, the experience and knowledge of hospitals and universities, which marks a new epoch in the advance of British Ophthalmology.

This challenge must be met in this country. The Government must take the lead in this cause. You can remedy the situation herein described by legislation of the kind that you are considering, if you include in it the much needed support for fundamental research in the blinding eye diseases. Then men trained in chemistry, physics, psychology, physiology, mathematics, anthropology, biochemistry, sociology, genetics, including pre-clinical sciences, clinical specialties and other sciences, may find the answer to the problem of blinding eye diseases and so provide resources of inestimable value to the research worker in medicine. "Medical research and its inseparable companion, medical education," says Dr. Gregg, "exist for the purpose of fighting diseases and ignorance." He further says, "From the study of diseases, medical research is moving forward to the study of health and the knowledge of what is essential to optimum performance and happiness."

The Government can direct certain kinds of medical research which otherwise will never be done. If the legislation pending before you, which provides for an amendment of the Public Health Service Acts, includes research into the causes of blinding eye diseases, is enacted, the general purpose of the Act, i.e., to improve the health of the people of the United States through the conducting of research, will be furthered. The States, the Universities, the Foundations and the People must be shown the way by the Federal Government. There must be a plan, a purpose and the money to meet the challenge now existing. If we do not do this, we shall deny sight to many yet unborn and refuse to cooperate in finding the causes for the cure and prevention of blinding eye diseases.

Only one who has lost his sight is conscious of that most precious gift. Only one who has seen the light and then is forced to give up the use of his eyes can appreciate what others take for granted. Any person could be stricken blind tomorrow only to find that "Unknown to Science" is the answer concerning the causes, the prevention and the cure. The shock of this discovery becomes greater when it is revealed that practically nothing is being done and very few are working to find the answers to the blinding eye diseases because of lack of funds, indifference or neglect. The process of education on this subject has been sadly neglected. The remedy is in our hands. The challenge must be met—if these facts help open the eyes of those who want *all* to see, then action will result and the purposes may even in our time be fulfilled.

NOTE

The foregoing statement was made by J. M. Ulmer to a Committee of the Eighty-first Congress on June 17, 1949, in an effort to secure necessary legislation which it was believed was required to stimulate fundamental research to find the causes, the prevention and the cure of blinding eye diseases. Others likewise interested made similar statements. The Congress enacted Senate Bill 2591 and Public Law 692 became effective August 15, 1960. Under this law, for the first time in the history of the blinding eye diseases field, there was established a national institute on blindness. This new member of the National Institutes of Health functions under the direction of Dr. Leonard Scheele, Surgeon General of the United States, as do the National Heart Institute, the National Cancer Institute, etc., and is known as National Institute of Neurological Diseases and Blindness.

Dr. Pearce Bailey is the Director of the new Institute. The Surgeon General selected a national Advisory Council of 12 to assist the new Institute in its work and appointed J. M. Ulmer as one of the members of the Council. The Congress will provide funds in part to further a cause which will, through research, make it possible that there be less blind people in the world. However, the development of research requires wide participation and support. Only by a process of education and by engaging public interest and that of individuals, organizations and foundations interested in the well-being of people, can an effort be made to bring the true story of the lack of research to the attention of all who value not only their sight, but have consideration for and an interest in hundreds of thousands whose sight is now—or may in the years to come—be impaired for the lack of fundamental research.

A non-profit organization, the National Foundation for Eye Research, was incorporated in the District of Columbia for the sole purpose of leading an organized drive for increased medical research for the purpose of preventing blindness. The Foundation has some of the most distinguished eye research men in the world on its Scientific Advisory Board. Funds for research will be allocated only with the approval of the Scientific Advisory Board, which is comprised of the following:

SCIENTIFIC ADVISORY BOARD

Chairman, V. Everett Kinsey, Ph. D., Professor of Ophthalmic Research, Wayne University College of Medicine; Kresge Eye Institute, Detroit, Michigan.

Frances Heed Adler, M.D., Professor of Ophthalmology, University of Pennsylvania School of Medicine; Wills Eye Hospital, Philadelphia, Pennsylvania; Chief Editor, A.M.A. Archives of Ophthalmology.

Edwin B. Dunphy, M.D., Professor of Ophthalmology, Harvard Medical School; Chief of Staff, Massachusetts Eye and Ear Infirmary, Boston, Massachusetts.

Jonas S. Friedenwald, M.D., Professor of Ophthalmology, Johns Hopkins Medical School; Wilmer Eye Institute, Baltimore, Maryland.

Kenneth C. Swan, M.D., Professor of Ophthalmology, University of Oregon Medical School, Portland, Oregon.

Alan C. Woods, M.D., Ophthalmologist-in-Chief, The Johns Hopkins Hospital; Professor of Ophthalmology, Johns Hopkins Medical School, Baltimore, Maryland.

The Chairman of the Board of Trustees of the National Foundation for Eye Research is Albert S. Hirshberg, writer for the Boston Post, Saturday Evening Post, and other publications; the Treasurer of the Foundation is Horace W. Cole, Secretary of the Boston Safe Deposit and Trust Company, and the Secretary of the Foundation is J. M. Ulmer. The Foundation's address is 100 Franklin Street, Boston 6, Massachusetts. It also maintains Box 70, Boston 1, Massachusetts, where contributions are accepted.

A great public service and world-wide benefit to all mankind can be rendered by supporting a cause which has for its purpose the cure and prevention of blindness through fundamental research. As you value your sight—and who does not—will you cooperate in this cause so there may be less blind people in the world?

Remarks by Sam Gaines—Dean Andrews Outstanding Alumnus Award, May 25, 1966

To the proper administration of justice and its inestimable service to people he has contributed mightily of his abundant talents and his impressive capabilities. With consummate fidelity and with marked success he participated on the firing line of committee work at every court level, local, state and federal, from the Municipal Court of Cleveland to the Supreme Court of the United States.

To improve local, county and school board government he labored diligently and effectively in the survey and surveillance of public administration and public finance. By those engaged with him in such endeavors, his apt perceptivity and his keen acumen were eagerly sought and as readily furnished.

Widely recognized are his uncommon attributes as an advocate and as a counsellor in business affairs. He helped most materially, on a national scale, to formulate a Code of Conduct for Investment Bankers dealing in mortgage bonds, standards which laid the groundwork for the Code of Competition for Investment Bankers itself precursor of the Securities Exchange Commission Act.

That teacher teaches well, 'tis said, who gives his pupils eyes.

Equally so has he striven, in most practical fashion, literally to give people eyes. Even as in the roles he played in fostering and nurturing the abler administration of justice, the more efficient administration of government and the honorable administration of business, here, too, he was and is on the firing line of performance. For him it has never been enough to lend lip service or monetary aid to an idea. And for now just short of twenty years, totally oblivious to geographical boundaries, he has devoted a very substantial portion of his time, his means and his abilities in the fostering and the nurturing of research, education and teaching in medical disciplines, particularly in the realm of ophthalmology, to the end that occular disability and blindness be prevented—to give people eyes.

This he has done with a zeal one must experience at close range to believe possible. The magnitude and the nobility of his accomplishments constitute a monumental contribution to people.

For outstanding and pragmatic devotion to ideals and accomplishments, typical of Dean Andrews, the selection committee has chosen as the 1966 Fletcher Reed Andrews Outstanding Alumnus Awardee—graduate of the class of 1908—cultivated gentleman, lawyer of excellence and superb soldier in the service of society—Jacob M. Ulmer.

Introductory Remarks to the Alumni, Western Reserve University School of Law, May 25, 1966

Prologue

Mr. Chairman, Dr. Millis, Dean Toepfer, Acting Dean Schroeder, Mr. Gaines, Members of the Faculty, Members of our Alumni, Class of 1966, Ladies and Gentlemen:

As I left the table to come to this podium, my daughter Janet, whom I dearly love and who sees that I always do the right thing, asked me: "What are you going to talk about?"

I said: "I will talk about two hours."

She said: "Don't you know the hour is late and it's way past your bedtime and the audience will walk out on you?"

I said: "Janet, don't worry."

I will talk extemporaneously and, as always, read a long speech which I have reduced to writing. When I get to the one-and-a-half hour mark, Mr. Chairman, please give me the stop sign. My in-conclusion remarks I should be able to finish in the half hour still left to me, as I plan to talk to you "about two hours."

Remarks to the Alumni, Western Reserve University School of Law, May 25, 1966

More than sixty years ago as a Freshman I walked through the portals of the old Law School on Adelbert Road. We are promised that this generation will build a new law school. All will welcome the great new building in which the tradition of the Law School earned in these long years will be continued. What a great opportunity for progress is in your hands!

My fifty-eight years as a lawyer have run by me very fast. Where the years have gone, I do not know. I have enjoyed all of the years. I was taught by my father to have reverence for education, for wisdom, for integrity, for humility, for justice, and early learned that one must be his brother's keeper. I trust I have deserved the many friendships I have found and cherish and the rewards that have come to me in my career at the law.

I have always respected my teachers and my elders. I well remember and owe much to our excellent faculty, among them Judge Alexander Hadden, Homer H. Johnson, and Dean Walter Dunmore, a great scholar who was for forty years a dedicated, devoted and outstanding teacher of lawyers. Always a fine gentleman, a good friend.

Without the understanding and help of my law partners and associates, I could not have carried on. For all through the years I have leaned on my partner, J. M. Berne, and on my other associates in the practice of law.

I have great regard for justice. I have tried always to help to further, advance and improve the cause of the administration of justice, which is the last great bulwark of our civilization. If there is no justice, there is no judge. I have tried to improve the administration of our government—city, state and nation.

In my recent years, by chance I have come to know of the diseases which lay men low, to understand that through furthering education and expanding research the causes of blindness and other crippling diseases may be found and eliminated. To aid as a layman and a lawyer to help find the causes of diseases and the cure of same through research has been a great and rewarding experience.

I have never asked for praise. I have tried to make this a bit better world. Emerson said: "Every true man is a cause, a country, and an age."

How can I best thank you for this honor you have so generously and graciously bestowed on me, save in the words of a great philosopher, Erich Fromm, who much better said what is in my heart tonight:

"Not of material things, but in the human realm, what does one person give to another? He gives of himself, of the most precious thing he has . . . he gives of his time, his joy, his interest, of his understanding, of his knowledge, of his humor, of his sadness—of all the expressions and manifestations of that which is alive in him . . . he does not give in order to receive—in truly giving, he cannot help receiving that which is given back to him." I think you for the honor that you have given me.

This I hope I deserve. I shall always cherish what you have done and will remember this night all of my life.

J. M. Ulmer.

Biographical Data

Name: J. M. Ulmer. Born in Shreve, Wayne County, Ohio, November 19, 1886.

Address: 1100 Keith Building, Cleveland, Ohio, 44115.

Residence: 13610 Shaker Boulevard, Cleveland, Ohio, 44120.

Law school: The Franklin Thomas Backus School of Law of Western Reserve University.

Graduated: 1908 with degree of L.L.B.

Present position: Senior member of the law firm of Ulmer, Berne, Laronge, Glickman & Curtis. Continuously engaged for 58 years in the practice of law, commencing in 1908 with the original firm of Ulmer and Berne.

Activities and affiliations with various court and other committees and organizations:

Member of the Cleveland Bar Association for more than 50 years.

Former member of its Executive Committee.

Former member of Committees of the following Courts: Supreme Court of the United States, Appellate Courts of the United States, District Courts of the United States, Supreme Court of Ohio, Courts of Appeals of Ohio, Probate Courts of Ohio, Common Pleas Courts of Ohio, Municipal Courts of Ohio, Juvenile Courts of Ohio.

Cooperating with the Courts and the public in seeking to improve the administration of justice.

Cooperating with various Ohio legislatures.

Working with various Ohio legislatures and their committees to obtain increased salaries for the Judges of the various Courts of Ohio.

Seeking to aid in the enactment of legislation to provide a Judicial Retirement Compensation System for the Judges of all the Ohio Courts.

To improve the government of the City of Cleveland and Cuyahoga County. For several years, as a member of the Common Pleas Court Public Relations Committee, aided in bringing about, through Griffenhagen & Associates, Consultants in Public Administration and Finance, a Survey and

Report of the activities of the government of the City of Cleveland, the School Board, and Cuyahoga County, directed toward improving same in cooperation with The Citizens League and related governmental groups.

Member of the Ohio State Bar Association. A member for more than 50 years of the Ohio State Bar Association.

The American Bar Association. A member for about 50 years of The American Bar Association. Cooperated with The American Bar Association in efforts directed toward securing increases in the salaries of the Judges of the Federal Courts and otherwise seeking to advance the administration of justice.

Member: Cleveland Chamber of Commerce, The City Club of Cleveland, The Mid-Day Club, Oakwood Club, Society of Benchers—The Franklin T. Backus School of Law of Western Reserve University, The Temple, Cleveland, Ohio.

1926–27

Member of a National Committee of the American Construction Council, Franklin D. Roosevelt, Chairman.

The Committee, organized by Franklin D. Roosevelt before he became President, to survey the general conditions of the First Mortgage Real Estate Bond business of the United States, worked out, with the aid of the National Association of Securities Commissioners, a "Code of Conduct" for the operation of Investment Bankers dealing in mortgage bonds throughout the country.

The month-long meetings of the Committee under the direction of Franklin D. Roosevelt laid the groundwork for the Code of Fair Competition for Investment Bankers as approved by the President of the United States on November 27, 1933.

These conferences and actions had much to do with the Congress, under the direction of President Franklin D. Roosevelt, bringing about the creation of the Securities Exchange Commission, commonly known as SEC, in 1933 and 1934.

Member of the Selective Service System of the United States During World War II. Appeal Agent of one of its Boards. Chairman and Co-Ordinator of the Selective Service Appeals Boards System.

1948–1966

Medical research and medical education activities

Expanding Medical Research and Aiding in Advancing Education as a Member of the United States Public Health Service.

Secretary of the National Foundation for Eye Research incorporated in the District of Columbia in 1948, to bring about the prevention of blindness through medical research and to discover the causes of ocular diseases and the means for their cure, to foster education in the medical disciplines, and seeking financial means and support for an expanded research program.

In 1950–3, a member of the National Advisory Neurological Diseases and Blindness Council of the Public Health Service.

Member of the Inter-Council Committee of all of the National Public Health Institutes under the Department of Health, Education, and Welfare.

In 1961–3, a member of the National Advisory Research Resources Council under the Department of Health, Education, and Welfare.

In 1962 appointed Honorary Member of the Association for Research in Ophthalmology, Inc.

International Cooperative Research to Advance Basic and Clinical Research and Medical Education. Travel and field studies throughout the world to help bring about international cooperation of various countries to advance the frontiers of medical knowledge and expand basic and clinical research for the purpose of the prevention of blindness and ocular and other diseases.

1949–66

Ohio—Institute for Research in Vision, Ohio State University, Columbus, Ohio. In 1949, aided in the formation of the Institute for Research in Vision at Ohio State University, and acting as an Advisor of the Institute.

Department for Research in Ophthalmology at the Medical School of Ohio State University. Long years of effort, with the aid of the Governors of Ohio and various Legislatures of Ohio and their committees, to secure appropriations for the creation of eye research and the support of same at the Medical School of Ohio State University.

Cooperating with Medical Schools, Foundations, organizations, the Ohio Lions Clubs, and the Knights Templar Eye Foundation, Inc. of the Grand Encampment Knights Templar of the United States.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DYAL (at the request of Mr. MCFALL), from October 10 through October 15, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HALL) to address the House and revise and extend their remarks and include extraneous matter:)

Mr. LIPSCOMB, for 60 minutes, on October 17.

Mr. CONTE, for 10 minutes, today, October 12.

Mr. DON H. CLAUSEN, for 40 minutes, today.

Mr. MATHIAS, for 20 minutes, today.

Mr. FINDLEY, for 30 minutes, today.

Mr. FINDLEY, for 30 minutes, tomorrow, October 13.

Mr. QUIE, for 20 minutes, today.

Mr. CUNNINGHAM, for 30 minutes, on October 18.

Mr. FOGARTY (at the request of Mr. MCFALL), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. SIKES (at the request of Mr. MCFALL), for 60 minutes, on October 17; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. KUPFERMAN during his remarks in the Committee of the Whole on H.R. 12047 and to include extraneous matter.

Mr. EDWARDS of California during his remarks while in the Committee of the Whole on H.R. 12047, and to include extraneous matter.

(The following Members (at the request of Mr. HALL) and to include extraneous matter:)

Mr. MINSHALL.

Mr. KUPFERMAN.

Mr. TEAGUE of California.

(The following Members (at the request of Mr. MCFALL) and to include extraneous matter:)

Mr. PUCINSKI.

Mr. FARBSTEIN.

Mr. ST. ONGE.

Mr. CULVER.

Mr. EVINS of Tennessee in three instances.

Mr. GATHINGS.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2444. An act to authorize the disposal of the Government-owned long-lines communications facilities in the State of Alaska, and for other purposes; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3104. An act to authorize the Secretary of the Interior to convey certain lands in Plumas County, Calif., to C. A. Lundy, and for other purposes;

H.R. 8678. An act to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes;

H.R. 9520. An act to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael;

H.R. 14754. An act to authorize the Secretary of the Interior to reinstate a certain oil and gas lease; and

H.R. 16813. An act to transfer to the Atomic Energy Commission complete administrative control of approximately 78 acres of public domain land located in the Otowi section near Los Alamos County.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 405. An act for the relief of Gabriel A. Nahas and Vera Nahas;

S. 1275. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 2457. An act for the relief of Jorge Ajbuszyc Volsky;

S. 2587. An act for the relief of Dr. Hilda W. Perez de Gonzalez;

S. 2640. An act for the relief of Dr. Guillermo Rodriquez;

S. 2738. An act for the relief of Dr. Ezzat N. Asaad;

S. 2761. An act for the relief of Dr. Julio Sanguily, Jr.;

S. 3106. An act for the relief of Dr. Alberto L. Martinez; and

S. 1310. An act relating to the National Museum of the Smithsonian Institution.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 722. An act to amend certain provisions of existing law concerning the relationship of the Environmental Science Services Administration to the Army and Navy so they will apply with similar effect to the Air Force;

H.R. 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians;

H.R. 5297. An act to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes;

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes;

H.R. 10633. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes;

H.R. 10674. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes;

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes;

H.R. 12437. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes;

H.R. 15098. An act to amend Public Law 89–284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes;

H.R. 16646. An act to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes; and

H.R. 17119. An act to amend title 10, United States Code, to permit members of the Armed Forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce.

ADJOURNMENT

Mr. McFALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 21 minutes p.m.) under its previous order, the House adjourned until tomorrow, Thursday, October 13, 1966, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

2817. Under clause 2 of rule XXIV, a letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of the act approved July 7, 1943 (57 Stat. 380) as amended by the act approved July 6, 1945 (59 Stat. 434), and the act approved June 30, 1949 (63 Stat. 377); to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ZABLOCKI: Committee on Foreign Affairs. S. 3675. An act to amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime; without amendment (Rept. No. 2233). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 11753. A bill to provide for the free entry of one mass spectrometer for the use of Indiana University; without amendment (Rept. No. 2234). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 11941. A bill to provide for the free entry of one Weissenberg rheogoniometer for use of Case Institute of Technology; without amendment (Rept. No. 2235). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee of conference. H.R. 5963. Department of Transportation, establish (Rept. No. 2236). Ordered to be printed.

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 4347. A bill for the general revision of the copyright law, title 17 of the United States Code, and for other purposes; with amendment (Rept. No. 2237). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 12110. A bill to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio, without amendment (Rept. No. 2238). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 12197. A bill to provide for the free entry of one rheogoniometer for the use of Tufts University, Boston, Mass.; without amendment (Rept. No. 2239). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 13035. A bill to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University; with amendment (Rept. No. 2240). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURKE: Committee on Ways and Means. H.R. 13190. A bill to provide for the free entry of a four-octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.; without amendment (Rept. No. 2241). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 13739. A bill to provide for the free entry of one broad-range multigap magnetic spectrograph for the use of the University of Pennsylvania, Philadelphia, Pa.; without amendment (Rept. No. 2242). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 14388. A bill to provide for the free entry of certain articles for the use of Princeton University, Princeton, N.J.; with amendment (Rept. No. 2243). Referred to the Committee of the Whole House on the State of the Union.

Mr. KARSTEN: Committee on Ways and Means. H.R. 14610. A bill to provide for the free entry of a double neutron diffractometer for the use of the University of Missouri, Columbia, Mo.; without amendment (Rept. No. 2244). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 14893. A bill to provide for the free entry of an ionosonde for the use of the University of Illinois; without amendment (Rept. No. 2245). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 15888. A bill to provide for the free entry of a carillon for the use of the University of California at Riverside; without amendment (Rept. No. 2246). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. S. 3887. An act to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes; with amendment (Rept. No. 2247). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 3391. An act to amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the act; without amendment (Rept. No. 2248). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOWDY: Committee on the District of Columbia. H.R. 16958. A bill to authorize the establishment of a public community and vocational college and a public college of arts and sciences in the District of Columbia; with amendments (Rept. No. 2249). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOWDY: Committee on the District of Columbia. S. 1319. An act to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes; with amendments (Rept. No. 2250). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG: Committee on Rules. House Resolution 1049. Resolution providing for the consideration of S. 390, an act to extend to volunteer fire companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations (Rept. No. 2251). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 1050. Resolution providing for the consideration of H.R. 13447, a bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes (Rept. No. 2252). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1051. Resolution providing for the consideration of H.R. 18176, a bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration (Rept. No. 2253). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1052. Resolution providing for the consideration of H.R. 18225, a bill to amend title XIX of the Social Security Act (Rept. No. 2254). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 1053. Resolution providing for the consideration of H.R. 18233, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes (Rept. No. 2255). Referred to the House Calendar.

Mr. STAGGERS: Committee of conference. S. 3112. An act to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes (Rept. No. 2256). Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. Report entitled "An Investigation of the U.S. Economic and Military Assistance Programs in Vietnam," 42d report (Rept. No. 2257). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE:

H.R. 18312. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 18313. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. DUNCAN of Oregon:

H.R. 18314. A bill to provide for a White House Conference on Indian Affairs; to the Committee on Interior and Insular Affairs.

By Mr. HANLEY:

H.R. 18315. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 18316. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 18317. A bill to amend the Economic Opportunity Act of 1964 to prevent certain employees of community action agencies and Volunteers in Service to America from engaging in pernicious political activities; to the Committee on Education and Labor.

By Mr. KREBS:

H.R. 18318. A bill to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROBISON:

H.R. 18319. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. SPRINGER:

H.R. 18320. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 18321. A bill to provide for a White House Conference on Indian Affairs; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK:

H.R. 18322. A bill to amend the Vocational Education Act of 1963 to strengthen the work-study program for vocational education students; to the Committee on Education and Labor.

By Mr. PEPPER:

H.R. 18323. A bill to provide for a White House Conference on Indian Affairs; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 18324. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 18325. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. SCHISLER:

H.R. 18326. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 18327. A bill to designate Columbus Day, the 12th day of October in each year, a legal holiday; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 18328. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 18329. A bill to permit the vacant land bounded by Independence Avenue, Second Street, C Street, and First Street SW., to be used temporarily for recreational purposes; to the Committee on Public Works.

By Mr. MORSE:

H.R. 18330. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. VIVIAN:

H.R. 18331. A bill to amend title 38 of the United States Code so as to increase to $25,000 the amount of servicemen's group life insurance which may be carried by members of the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. McCLORY:

H. Con. Res. 1035. Concurrent resolution expressing the sense of Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 18332. A bill for the relief of Mrs. Ana Augusta Lourenco Pereira; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 18333. A bill for the relief of Ibrahim Hassan Sadek; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 18334. A bill for the relief of Mr. Victorino Severo Blanco; to the Committee on the Judiciary.

H.R. 18335. A bill for the relief of Mr. Janos Peter Mate; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 18336. A bill for the relief of S & S Vending Machine Co.; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18337. A bill for the relief of Allessandro Carozza; to the Committee on the Judiciary.

H.R. 18338. A bill for the relief of Jure Donlic; to the Committee on the Judiciary.

H.R. 18339. A bill for the relief of Giuseppe Esposito; to the Committee on the Judiciary.

H.R. 18340. A bill for the relief of Giorgio Villaraut; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 18341. A bill for the relief of Constantine Athanasopoulos; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 18342. A bill for the relief of Mr. Cherubin Langenstein; to the Committee on the Judiciary.

H.R. 18343. A bill for the relief of Mr. Tah Wah Wong, also known as Tom Wong; to the Committee on the Judiciary.

SENATE

WEDNESDAY, OCTOBER 12, 1966

The Senate met at 10 o'clock a.m., and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

Rev. Haskell R. Deal, D.D., minister, Eldbrooke Methodist Church, Washington, D.C., offered the following prayer:

Eternal God our Father, Thou who hast blessed us with faculties of mind and reason and an abundance of all good things, we turn to Thee in praise and gratitude. We come to Thee for aid in

confronting the problems and perplexities of these days. Only in Thy wisdom can we meet our responsibilities. Thou hast seen fit to guide Thy servants who have so well served before us. Now grant to us that same wisdom and guidance to enable us to fulfill our great purposes for Thee and mankind in our day. We are the recipients of the great good and progress wrought through noble servants of our Nation, and may we with the best of our abilities show our gratitude by being faithful to our great ideals and humanitarian goals.

In these challenging days give us the grace of humility, reverence for the high and noble things, and courage to adventure with our best insights. Direct Thy servants here, by Thy great wisdom, to find ways and means for the solving of the problems, and meeting the needs of people in our land, and in all our responsibilities to the peoples of all lands. Wherever there is a desire for peace and good will among men, make us efficient and effective in cultivating it to the blessing of mankind, and to the glory of Thee our eternal God, we pray in our blessed Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., October 12, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Robert C. Byrd, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

Carl Hayden,
President pro tempore.

Mr. BYRD of West Virginia thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, October 11, 1966, was dispensed with.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of October 11, 1966,

The Secretary of the Senate, on October 11, 1966, received the following message from the House of Representatives:

That the House had agreed to the amendment of the Senate to the bill (H.R. 5213) for the relief of Winston Lloyd McKay.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes, and that the House receded from its disagreement to the amendments of the Senate numbered 5, 6, 7, 8, 9, 13, 16, and 20 to the bill and concurred therein.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker has affixed his signature to the following enrolled bills and joint resolution:

S. 3460. An act to authorize the Secretary of the Interior to enter into contracts for scientific and techpological research, and for other purposes;

S. 3704. An act to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.;

H.R. 226. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 722. An act to amend certain provisions of existing law concerning the relationship of the Environmental Science Services Administration to the Army and Navy so they will apply with similar effect to their Air Force;

H.R. 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians;

H.R. 5297. An act to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes;

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes;

H.R. 10633. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes;

H.R. 10674. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes;

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes;

H.R. 12437. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes;

H.R. 15098. An act to amend Public Law 89-284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes;

H.R. 16646. An act to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes;

H.R. 17119. An act to amend title 10, United States Code, to permit members of the Armed Forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce; and

S.J. Res. 153. Joint resolution to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of October 11, 1966,

The following reports of a committee were submitted on October 11, 1966:

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 11660. An act relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes (Rept. No. 1709);

H.R. 11782. An act to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes (Rept. No. 1710); and

H.R. 16774. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay (Rept. No. 1711).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 11256. An act to amend the Internal Revenue Code of 1954 with respect to the priority and effect of Federal tax liens and levies, and for other purposes (Rept. No. 1708); and

H.R. 13103. An act to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States (Rept. No. 1707).

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The ACTING PRESIDENT pro tempore announced that on today, October 12, 1966, he signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 3460. An act to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes;

S. 3704. An act to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.;

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 722. An act to amend certain provisions of existing law concerning the relationship of the Environmental Science Services Administration to the Army and Navy so they will apply with similar effect to the Air Force;

H.R. 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians;

H.R. 5297. An act to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes;

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes;

H.R. 10633. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes;

H.R. 10674. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes;

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes;

H.R. 12437. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes;

H.R. 15098. An act to amend Public Law 89-284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes;

H.R. 16646. An act to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes;

H.R. 17119. An act to amend title 10, United States Code, to permit members of the Armed Forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce; and

S.J. Res. 153. Joint resolution to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on October 11, 1966, the President had approved and signed the act (S. 3467) to strengthen and expand food service programs for children.

APPOINTMENTS BY THE VICE PRESIDENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to Public Law 89-617, appoints Senators BREWSTER and MURPHY to the Commission on Political Activity of Government Personnel.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

Determination on Issuance of Certain Guarantees by the Export-Import Bank

A communication from the President of the United States, informing the Senate of his determination that it is in the national interest for the Export-Import Bank to issue guarantees in connection with the sale of U.S. products and services to Bulgaria, Czechoslovakia, Hungary, and Poland; to the Committee on Appropriations.

Plans for Works of Improvement in Ohio, South Carolina, and Wyoming

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on the Little Auglaize River, Ohio, Middle Branch of the Little Auglaize River, Ohio, Prairie-Hoaglin Branch of the Little Auglaize River, Ohio, South Tyger River, S.C., and Star Valley-Dry Creek, Wyo. (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Reapportionment of an Appropriation

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Post Office Department for "Operations" for the fiscal year 1967, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriations; to the Committee on Appropriations.

Report on Commissary Activities Outside the Continental United States

A letter from the Assistance Secretary for Administration, Department of Commerce, Washington, D.C., transmitting, pursuant to law, a report on the commissary activities outside the continental United States of the Department of Commerce, as represented by the Weather Bureau unit of the Environmental Science Services Administration, during the fiscal year 1966 (with an accompanying report); to the Committee on Commerce.

Proposed Legislation Relating to District of Columbia

A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to repeal language relating to the liability of contractors for the repair of new pavements in the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

Adjustment of Legislative Jurisdiction Over Certain Lands

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to authorize the Attorney General to adjust the legislative jurisdiction exercised by the United States over lands within the Federal Reformatory at Chillicothe, Ohio (with an accompanying paper); to the Committee on the Judiciary.

Report on Tort Claims Paid by Federal Aviation Agency

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Agency, for the fiscal year 1966 (with an accompanying report); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Harry LeRoy Jones

A letter from a Member of the Commission on International Rules of Judicial Procedure, Washington, D.C., transmitting a draft of proposed legislation for the relief of Harry LeRoy Jones (with an accompanying paper); to the Committee on Post Office and Civil Service.

Plans for Works of Improvement in Delaware, Pennsylvania, Georgia, New York, and Texas

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Brandywine Creek, Del. and Pa. (supplemental), Big Cedar Creek, Ga., Conewango Creek, N.Y. (supplemental), and Rush Creek, Tex. (with accompanying papers); to the Committee on Public Works.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution of the General Assembly of the Commonwealth of Pennsylvania; to the Committee on Post Office and Civil Service:

"Resolution in the Senate, September 27, 1966

"About a year ago the House of Representatives in the United States Congress passed House Resolution 6277 which is known as the Hays Bill. Included in the bill is a section which would give the Secretary of State the right to hire and fire employees of the department solely on the basis of qualification and examination without regard to the veteran's preference.

"While this only affects one department in the entire Federal Government, it is a move that could eventually lead to the abolishment of veteran's preference in all areas of civil service.

"The purpose of veteran's preference is to compensate those men and women who sacrificed valuable time in defense of their country which otherwise would have been used to gain the work experience and education obtained by non-service job applicants.

"In the present situation, the Secretary of State already has substantial administrative latitude to deal with situations where unique qualifications are required for either foreign or domestic service.

"To deprive a veteran of his additional consideration in civil service examinations is to deny that he has rendered special service for his country and destroy the intent of legislation already enacted.

"House Resolution 6277 is now before the United States Senate; therefore be it

"Resolved, (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to delete from House Resolution 6277, known as the Hays Bill, that section which would abolish veteran's preference in civil service examinations and employment within the Department of State; and be it further

"Resolved, That a copy of this resolution be forwarded to each member of Congress from Pennsylvania and to the Honorable HUGH SCOTT and the Honorable JOSEPH S. CLARK.

[SEAL]

"I certify that the foregoing is a true and correct copy of Senate Resolution, Serial No. 124 introduced by Senators Stanley G.

Stroup, Albert R. Pechan, William G. Sesler, William J. Lane, Clarence D. Bell, John T. Van Sant, Paul W. Mahady and John H. Devlin and adopted by the Senate of Pennsylvania and concurred in by the House of Representatives the third day of October, one thousand nine hundred and sixty-six.

"MARK GRUELL, Jr.,
"Secretary, Senate of Pennsylvania."

A joint resolution of the Congress of Micronesia; to the Committee on Interior and Insular Affairs:

"A HOUSE JOINT RESOLUTION

"(Requesting the High Commissioner and, through him, the Secretary of the Department of the Interior to use their good offices to effectuate the designation of the government of these islands from the 'Government of the Trust Territory of the Pacific Islands' to the 'Government of Micronesia:')

"Whereas, the islands in the Western Pacific Ocean north of the equator, consisting of the Caroline, the Mariana, and the Marshall groups, are collectively known as Micronesia; and

"Whereas, these islands came to be known as the Trust Territory of the Pacific Islands after the Second World War when the United Nations placed them under a trusteeship arrangement with the United States as the Administering Authority; and

"Whereas, except for the trusteeship status, these islands historically and traditionally have been and are called the 'islands of Micronesia' and the inhabitants thereof are known as 'Micronesians' denoting certain common ethnic ties; and

"Whereas, the status of the islands in Micronesia as a trust territory is deemed to be transitional until the people of Micronesia make a decision as to their ultimate political status; and

"Whereas, as a step towards welding and uniting the islands of Micronesia into a viable political entity, it is desirable that a territory-wide government be designated as the 'Government of Micronesia'; *vice*, the 'Government of the Trust Territory of the Pacific Islands': now, therefore,

"Be it resolved by the House of Representatives of the Congress of Micronesia, Second Regular Session, 1966, the Senate concurring, That the High Commissioner and, through him, the Secretary of the Department of the Interior be and they are hereby respectfully requested to use their good offices to effectuate as soon as possible a change in the designation of the government of these islands from the 'Government of the Trust Territory of the Pacific Islands' to the 'Government of Micronesia'; and

"Be it further resolved that certified copies of this Joint Resolution be forwarded to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States Congress, the Secretary-General of the United Nations, the Trusteeship Council of the United Nations, the Secretary of the Department of the Interior, the Secretary of the Department of State, and the High Commissioner of the Trust Territory of the Pacific Islands."

Two joint resolutions of the Congress of Micronesia; to the Committee on the Judiciary:

"A HOUSE JOINT RESOLUTION

"(Requesting the United States of America to take immediate steps necessary to settle war damage claims for citizens of the Trust Territory of the Pacific Islands)

"Whereas, on December 17, 1920, the Council of the League of Nations confirmed a mandate of the islands in Micronesia to Japan, to be administered in accordance with Article 22 of the Covenant of the League of Nations; and

"Whereas, Japan controlled Micronesia up until the Second World War when control was relinquished to the United States of America, and then through the United States to the United Nations; and

"Whereas, the scourge of War not only left an indelible shock in the minds of Micronesians as innocent bystanders wedged in a chasm of hostilities between two warring camps of powerful nations but also directly affected and caused death and injury to Micronesians, deprived them the use of, and otherwise damaged, their property without just compensation; and

"Whereas, it is noted with deep regret that after almost 20 years these claims have still not been settled; now, therefore,

"Be it resolved by the House of Representatives of the Congress of Micronesia, Second Regular Session, 1966, the Senate concurring, that the United States of America be, and it is hereby respectfully requested to take such definite steps and prompt measures as may be necessary to settle war damage claims of citizens of the Trust Territory of the Pacific Islands; and

"Be it further resolved that certified copies of this Joint Resolution be forwarded to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Secretary of the Department of the Interior."

"A HOUSE JOINT RESOLUTION

"Requesting the United States of America through the High Commissioner and the Secretary of the Interior to make compensation to citizens and inhabitants of the Trust Territory who suffered damages incident to activities of the Armed Forces of the United States, during military occupation of the islands in the Trust Territory)

"Whereas, certain citizens and inhabitants of the Trust Territory of the Pacific Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the islands of Micronesia and before the creation of a civilian government; and

"Whereas, since the establishment of the civilian government in the Trust Territory no positive and specific attempt has been made to process these damage claims; now, therefore,

"Be it resolved by the House of Representatives of the Congress of Micronesia, Second Regular Session, 1966, the Senate concurring, that the United States of America through the High Commissioner and the Secretary of the Interior is hereby respectfully requested to make compensation to citizens and inhabitants of the Trust Territory of the Pacific Islands who suffered damages incident to the activities and operations of the United States Armed Forces, after the Japanese surrendered Micronesia and before the civilian government had been installed; and

"Be it further resolved that certified copies of this Joint Resolution be sent to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, to the Secretary of State, to the Secretary of Defense, to the Secretary of the Interior and to the High Commissioner of the Trust Territory."

A letter in the nature of a petition from the Moorish American Religious League, of Brooklyn, N.Y., signed by Jarad Faruck-Bey, representative and recorder of the Moslem Faith-in-Islam, in the United States, relating to disorders in American cities; to the Committee on the Judiciary.

A resolution adopted by the Iowa Natural Resources Council, Des Moines, Iowa, favoring the establishment of a committee to study and recommend an appropriate method or general relationship to be used for estimating flow frequency in all federal proposals for water resources developments; to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CLARK, from the Committee on Labor and Public Welfare, without amendment:

H.R. 16715. An act to amend the Manpower Development and Training Act of 1962 (Rept. No. 1712).

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

S. 3758. A bill to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region (Rept. No. 1713).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with amendments:

H.R. 3348. An act to authorize a program for the construction of facilities for the teaching of veterinary medicine and a program of loans for students of veterinary medicine (Rept. No. 1714).

By Mr. MORSE, from the Committee on Labor and Public Welfare, with amendments:

H.R. 14643. An act to provide for the strengthening of American educational resources for international studies and research (Rept. No. 1715).

By Mr. CLARK, from the Committee on Foreign Relations, with amendments:

S. 3101. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as "International Human Rights Year," and for other purposes (Rept. No. 1716).

By Mr. FANNIN (for Mr. HAYDEN), from the Committee on Interior and Insular Affairs, with amendments:

H.R. 13955. An act to establish the past and present location of a certain portion of the Colorado River for certain purposes (Rept. No. 1717).

PRINTING OF REVIEW OF REPORT ON PEQUONNOCK RIVER BASIN, CONN. (S. DOC. NO. 115)

Mr. MANSFIELD. Mr. President, on behalf of Senator RANDOLPH, I present a letter from the Secretary of the Army, transmitting a report dated September 1, 1966, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on Pequonnock River Basin, Conn., in partial response to a resolution of the Committee on Public Works, U.S. Senate.

I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORITY FOR SENATE SELECT COMMITTEE ON SMALL BUSINESS TO FILE REPORT DURING ADJOURNMENT

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized, during the adjournment of the 2d session of the 89th Congress, to file with the Secretary of the Senate the following report: "Potentials and Problems of Expanding U.S. Livestock Exports."

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL CONFEREE

Mr. STENNIS. Mr. President, H.R. 17637 is an appropriation bill for military construction which has already passed the Senate and is now in conference.

I ask unanimous consent that the Senator from Nebraska [Mr. HRUSKA] be added as a conferee on the part of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNITED STATES-PUERTO RICO STATUS COMMISSION PUBLICATIONS

Mr. JACKSON. Mr. President, for the information of the Senate and the general public, I am pleased to announce that the report of the United States-Puerto Rico Commission on the status of Puerto Rico has been printed as House Document No. 464. The report is also on sale from the Superintendent of Documents, Government Printing Office; Catalog No. Y3.UN3/5:1/966. In the near future, the hearings held before the Commission will be printed as Senate Document No. 180.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROUTY:

S. 3898. A bill to exempt from all taxation certain property of the Washington Psychoanalytic Society and Institute in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MONDALE:

S. 3899. A bill for the relief of Douglas Wong;

S. 3900. A bill for the relief of Keung Lik Toy; and

S. 3901. A bill for the relief of Toon Wing Chew; to the Committee on the Judiciary.

By Mr. PROUTY (for himself and Mr. COTTON):

S. 3902. A bill to amend the Social Security Act and related provisions of law to extend hospital insurance benefits to persons presently not insured therefor, to increase old-age, survivors, and disability insurance benefits payable under title II of such act, to provide minimum benefits to persons who, at age 65, are not insured for benefits under such title, to increase the amount of income individuals may earn without suffering deductions from benefits payable under such title, and otherwise to improve the social security program; to the Committee on Finance.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON (for himself, Mr. MONDALE, and Mr. PROXMIRE):

S. 3903. A bill to provide for the control and prevention of erosion and sediment damage on rivers and streams; to the Committee on Public Works.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported favorably the International Convention on Load Lines, 1966 (Executive S, 89th Cong., 2d sess.), and submitted a report (Ex. Rept. 9) thereon.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of Ross D. Davis, of New York, to be an Assistant Secretary of Commerce.

DEPARTMENT OF STATE

The legislative clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The legislative clerk read the nomination of Herbert Salzman, of New York, to be Assistant Administrator for Development Finance and Private Enterprise.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The legislative clerk read the nomination of Maj. Gen. John J. Davis, U.S. Army, of Kansas, to be an Assistant Director, U.S. Arms Control and Disarmament Agency, with the rank of lieutenant general.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

CONTROL AND PREVENTION OF EROSION AND SEDIMENT DAMAGE ON RIVERS AND STREAMS

Mr. NELSON. Mr. President, on behalf of myself, the Senator from Minnesota [Mr. MONDALE], and my colleague the senior Senator from Wisconsin [Mr. PROXMIRE], I introduce, for appropriate reference, the River and Stream Erosion Control Act, a bill which would give the Secretary of Agriculture authority to assist public and private organizations abate and control bank erosion on our smaller rivers and streams. I ask that it lie on the desk for 1 week so that other Senators who wish to do so may join me in sponsoring it.

Each year erosion of the banks of rivers and streams throughout the Nation results in substantial losses of land, increases in the polluting sediment load of carrying and receiving waters, and filling of channels, harbors, reservoirs, with attendant destruction of wildlife, scenic beauty, agricultural crops, and recreational resources.

While the Army Corps of Engineers is responsible for erosion control in harbors and on large rivers, erosion control on the upstream reaches of large rivers, on smaller rivers, and on streams has traditionally been a function of the Department of Agriculture. Under the agricultural conservation program of the Agricultural Stabilization and Conservation Service, bank erosion on agricultural land can be controlled through assistance to individual landowners. Payments to farmers under this program for erosion control work vary from 50 to 80 percent of total cost, depending on the kind of work done.

The small watersheds program of the Soil Conservation Service provides assistance to local units of government for community bank erosion control projects on both agricultural and nonagricultural land. The Service helps in the preparation of plans by local project sponsors and in getting congressional approval for projects. Cost-sharing for an approved project may be as high as 100 percent, depending on its purpose.

The agricultural conservation program and the small watersheds program have accomplished a great deal in bringing bank erosion under control. However, both programs have certain limitations which make comprehensive bank erosion control impossible.

Bank erosion problems cannot be successfully handled by individual landowners under the agricultural conservation program because such problems usually cover extensive segments of agricultural and nonagricultural lands along a watercourse and affect many landowners and communities. Experience has shown that attempts by individual landowners to deal with bank erosion are often ineffective and even damaging to the lands and communities along the rivers and streams involved. Projects under the small watersheds program include community action on both agricultural and nonagricultural lands, but the geographic scope of any single project is limited. Additionally, both programs have suffered from a shortage of funds. The Soil Conservation Service estimates that there are 8,000 small watersheds which need erosion control work, but so far only 786 have been authorized, because of lack of money.

A successful program of bank erosion control requires group and community cooperation, and a large continuing effort over a wide area of a watercourse for a period of several years. The experience of the Soil Conservation Service with small watersheds shows that such control programs are very effective. The River and Stream Erosion Control Act would make it possible for the first time to undertake bank erosion control for the entire course of a river or stream, or for extensive independent segments thereof, by giving the Secretary of Agriculture authority to—

Assist State and local governments, and other local nonprofit public and private agencies, in the preparation of plans for controlling bank erosion; and

Provide through cooperative agreements Federal technical assistance and financial aid up to 75 percent of the total cost for carrying out the bank erosion control plan.

It is expected that the Soil Conservation Service, with the knowledge and experience gained from the small watersheds program at its disposal, and already possessing the necessary technical and administrative resources, would administer the bank erosion control programs within the Department of Agriculture.

The erosion of river and stream banks is due to channel erosion caused by the concentration of runoff from rains occurring over a wide area. With the exception of rock channels, the stability of a channel depends almost entirely on the speed of the water and the material from which the channel is made. When the material in a bank is unable to withstand the high water speeds, it washes away. Sometimes only thin layers are eroded away, but frequently banks are undermined and large chunks cave in and are swept away by the current. The materials washed away vary from productive, well-textured farmland to coarse-textured, material of little productive value, such as sand and boulders.

Whether the land washed away is productive or not, it provides material which is transported by the river and stream to points where damage can be done. The first point of damage is the pollution by sediment of the carrying water. This continues throughout the length of the watercourse and into the receiving waters unless extensive dilution occurs. Sediment pollution seriously damages fish life, and creates conditions in which desirable fish species cannot survive. Water polluted with sediment wears down turbines if it is used for power generation, and must be purified before it can be used for municipal and industrial purposes. As it flows into reservoirs, estuaries, and harbors, the sediment drops out, resulting in a loss of reservoir capacity and filling of estuaries, harbors, and channels.

Rivers and streams carrying large amounts of sediment are also ugly, and destroy the beauty and recreational value of parks and countryside through which they pass. When they overflow during floods, sediment in the water settles out on productive farmlands, clings to the leaves of plants, reducing their yield or making them unfit for consumption, and fills in field drainage ditches. Sediment is also deposited on roads, streets, and lawns, clogs storm and sanitary sewer systems, and leaves a layer of filth in homes and buildings.

The direct and indirect losses from bank erosion are immense. They include the loss of productive agricultural land, destruction of fishing resources, loss of reservoir capacity, increased power generating costs, increased water treatment costs, crop losses, increased flood cleanup costs, business losses, and destruction of scenic beauty and recreation resources.

There is little information available on a national basis concerning the extent of bank erosion on smaller rivers and streams and the damages it causes. However, there are many more tributary rivers and streams than main-stem rivers: there is no doubt that a substantial number of watersheds have serious bank erosion problems. It is estimated that at least a billion tons of soil are carried to the ocean by rivers and streams each year and, of course, millions of tons are deposited before they reach the ocean.

There is no question that the bank erosion problem is a serious one in my own State of Wisconsin, and I am sure that a comparable situation exists in other States. Wisconsin has 66,000 miles of banks on its rivers and streams, of which an estimated 24,000 have critical erosion problems. More than 75 percent of these problem banks are located on agricultural lands. But the erosion of banks on nonagricultural lands alone produces 540,000 tons of silt annually, equal to 1 foot of soil on 240 acres of land. The damages from this uncontrolled erosion from nonagricultural lands alone cost the people of my State at least one-half million dollars annually.

Mr. President, this is a reasonable and inexpensive bill intended to meet an increasingly serious problem. The principal benefactors of the program it would establish would not be individual landowners, but the community as a whole. Among the many community benefits would be decreased pollution, lower power-generating and water-purification costs, enhanced recreational and scenic resources, lower costs for channel and harbor maintenance, restored fish and wildlife populations, and land conservation.

Mr. President, I ask unanimous consent that the text of the River and Stream Erosion Control Act be printed in the RECORD at this point in my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk and will be printed in the RECORD, as requested by the Senator from Wisconsin.

The bill (S. 3903) to provide for the control and prevention of erosion and sediment damage on rivers and streams, introduced by Mr. NELSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 3903

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "River and Stream Erosion Control Act of 1966".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. The Congress finds and declares that the rivers and streams of the United States form an important part of the national water distribution and drainage system and contribute significantly to the use and preservation of land and water resources. The Congress further finds and declares that the erosion caused by rivers and streams and the deposit of eroded material damages and destroys valuable land; alters and fills channels, estuaries, lakes, reservoirs, and harbors; undermines highways; destroys fish and wildlife; mars natural beauty; and pollutes the waters generally. It is, therefore, the policy of the Congress to provide Federal assistance to abate, prevent and control the erosion of rivers and streams and the deposit of eroded material in order to preserve agricultural and other lands, protect channels and basins, protect fish and wildlife, foster recreation and conservation, abate pollution, and enhance natural beauty.

AUTHORIZATION FOR ASSISTANCE

SEC. 3. (a) In order to effectuate the policy stated in section 2 of this Act, the Secretary of Agriculture is authorized:

(1) to assist States, and political subdivisions thereof, and local nonprofit public or private agencies such as soil and water conservation districts, in formulating plans for the prevention and control of streambank erosion on rivers and streams and the sediment damage resulting therefrom, and

(2) to assist in carrying out any such plan that has been agreed upon by the Secretary and a State, political subdivision, or local agency, by entering into cooperative agreements with any State, political subdivision, or local agency for periods not exceeding ten years, and to furnish financial, technical, or other assistance in connection with any such plan.

(b) The amount of Federal financial assistance furnished to any State, political subdivision, or local agency to carry out any plan agreed upon pursuant to this Act shall not exceed seventy-five per centum of the estimated total cost of carrying out such plan.

(c) Assistance furnished under this Act shall be subject to such terms and conditions as the Secretary of Agriculture may prescribe.

AUTHORIZATIONS FOR APPROPRIATIONS

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

EQUITABLE TAX TREATMENT FOR FOREIGN INVESTMENT IN THE UNITED STATES—AMENDMENTS

AMENDMENT NO. 959

Mr. YARBOROUGH proposed amendments to the bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States, which was ordered to be printed.

(See reference to the above amendment when proposed by Mr. YARBOROUGH, which appears under a separate heading.)

ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Under authority of the order of the Senate of October 6, 1966, the name of Mr. SCOTT was added as an additional cosponsor of the joint resolution (S.J. Res. 198) to establish a National Advisory Commission on Foreign Policy, introduced by Mr. PEARSON on October 6, 1966.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. HART. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, October 19, 1966, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Spottswood W. Robinson III, of the District of Columbia, to be U.S. circuit judge, District of Columbia circuit, vice George T. Washington, retired.

John Lewis Smith, Jr., of the District of Columbia, to be U.S. district judge, District of Columbia, vice Luther W. Youngdahl, retired.

Aubrey E. Robinson, Jr., of the District of Columbia, to be U.S. district judge, District of Columbia, vice Matthew F. McGuire, retired.

Philip Nichols, Jr., of Massachusetts, to be associate judge, U.S. Court of Claims, to fill a new position created by Public Law 89-425, approved May 11, 1966.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Michigan [Mr. HART], chairman; the Senator from North Dakota [Mr. BURDICK], and the Senator from Nebraska [Mr. HRUSKA].

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, October 12, 1966, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 3460. An act to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes;

S. 3704. An act to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.; and

S. J. Res. 153. Joint resolution to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States.

PRESIDENT'S RECOMMENDATIONS FOR IMPROVING THE SOCIAL SECURITY SYSTEM

Mr. AIKEN. Mr. President, I am very happy to see in the press this morning that the President expects to make a speech today in Baltimore, in which he will recommend some substantial improvement in our social security system and in other programs designed to help people who are very much in need.

As I understand, the President's recommendations will be to increase social security payments on an average of 10 percent. Of course, within the past year, Congress has demonstrated recognition of the fact that social security payments are very low—hardly at an existence level. So I am happy that the President is noticing that social security recipients need a further increment in their payments.

I also understand—from the press, again—that the President will recommend medicare benefits for about 1 million disabled social security recipients under 65. In this connection, I would say that I would not restrict these additional benefits to those who are entitled to social security, because there are yet many people who do not have social security status and who can be just as sick and just as much in need—through no fault of their own or because of their previous occupation—as social security recipients. I hope that the President will extend this recommendation to cover all people, whether or not they are entitled to social security benefits.

I notice also that the President is expected to recommend a minimum of $100 a month for social security recipients who have had 25 years under that program. I think $100 a month is little enough for them to live on, and I wish that everybody could be entitled to that much money.

The President also is expected to recommend an increase in outside earnings permitted social security recipients. I very much approve of this. For 10 years I have been attempting to encourage Congress to increase the amount that social security beneficiaries could earn without being penalized.

There is, however, one disturbing factor in the news reports this morning, and that is that the President will recommend that these increased benefits take effect in 1968. If these people are going to be in need in 1968, in all probability they will be in need in 1967. So I earnestly hope that the President will recommend that these added benefits become effective in 1967.

We still have quite a few cynics in this country, and I certainly do not want to hear them say that the President is making the recommendation at this time, just before the 1966 elections, and asking that the benefits become effective in 1968, just before the 1968 elections. But there are, as I say, so many cynics in this country, that I hope that in making these recommendations, the President asks that they become effective in 1967, rather than in 1968.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Mr. President, I am delighted that the distinguished Senator from Vermont has brought up the subject of the President's proposals in the field of social security. I am quite certain that the President, who has an extremely high regard for the distinguished senior Senator from Vermont, will take note of what the Senator has had to say this morning.

However, the reason I rise at this time is to remark, if I remember my facts correctly, that while the senior Republican in this body, the Senator from Vermont, was Governor of the State of Vermont, I believe he was one of the first Governors to inaugurate—or at least to endorse emphatically—the social security program; and very likely Vermont was the first State to put it into effect. Am I correct?

Mr. AIKEN. Vermont was the first State to authorize the cooperation with the Federal Government in all five phases of the social security program.

Mr. MANSFIELD. While the Senator was Governor of that State?

Mr. AIKEN. I was Lieutenant Governor at that time, but I endorsed the proposal.

Mr. MANSFIELD. I understand why the Senator became Governor.

Mr. AIKEN. I do agree with the recommendations that the President will make today. It is possible that he will recommend that the proposals become effective in 1968 because of his experience with delays in getting some of his other programs through Congress during this session.

PUBLIC WORKS APPROPRIATION BILL, 1967

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes. I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 11, 1966, pp. 26066–26074, CONGRESSIONAL RECORD.)

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, I am glad to state that the conferees agreed unanimously; there was no dissension; and all legislation is the result of compromise.

I believe that the Senate conferees did unusually well in upholding the position of the Senate. The conference report provides $4,134,511,000, which is $4,733,000 below the amount approved by the Senate; $23,579,000 above the House; $32,562,000 below the budget; and $190,981,800 below the appropriation for fiscal year 1966.

I ask unanimous consent to have printed at this point in the RECORD a summary table explaining the action of the conferees on the various items in the bill.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Summary table

Item	Budget estimate, 1967	House allowance	Senate allowance	Conference allowance
TITLE I—DEPARTMENT OF DEFENSE—CIVIL				
Department of the Army:				
Cemeterial expenses: Salaries and expenses	$15,098,000	$15,098,000	$15,348,000	$15,098,000
Corps of Engineers—Civil:				
General investigations	32,078,000	31,730,000	32,575,000	32,450,000
Construction, general	[1] 963,236,000	953,715,000	971,358,000	967,460,000
Operation and maintenance, general	183,158,000	179,000,000	179,000,000	179,000,000
Flood control and coastal emergencies	7,000,000	7,000,000	7,000,000	7,000,000
General expenses	17,898,000	17,550,000	17,550,000	17,550,000
Flood control, Mississippi River and tributaries	77,100,000	84,950,000	87,350,000	87,135,000
Total, rivers and harbors and flood control	1,280,470,000	1,273,945,000	1,294,833,000	1,290,595,000
The Panama Canal:				
Canal Zone Government:				
Operating expenses	33,762,000	33,300,000	33,404,000	33,404,000
Capital outlay	4,186,000	2,000,000	2,000,000	2,000,000
Panama Canal Company: *Limitation on general administrative expenses*	*(12,569,000)*	*(12,000,000)*	*(12,000,000)*	*(12,000,000)*
Total, the Panama Canal	37,948,000	35,300,000	35,404,000	35,404,000
Total, title I	1,333,516,000	1,324,343,000	1,345,585,000	1,341,097,000
TITLE II—DEPARTMENT OF THE INTERIOR				
Bureau of Reclamation:				
General investigations	13,685,000	14,270,000	15,325,000	15,075,000
Construction and rehabilitation	[2] 178,000,000	187,055,000	192,475,000	192,375,000
Operation and maintenance	41,297,000	41,000,000	41,000,000	41,000,000
Indefinite appropriation of receipts	*(5,331,000)*	*(5,331,000)*	*(5,331,000)*	*(5,331,000)*
Loan program	9,995,000	12,995,000	12,995,000	12,995,000
Upper Colorado River Basin fund	43,050,000	48,948,000	50,198,000	50,198,000
Emergency fund	1,000,000	1,000,000	1,000,000	1,000,000
General administrative expenses	11,404,000	11,300,000	11,300,000	11,300,000
Total, Bureau of Reclamation	298,431,000	316,568,000	324,293,000	323,943,000
Bonneville Power Administration:				
Construction	109,165,000	109,000,000	109,000,000	109,000,000
Operation and maintenance	17,010,000	17,010,000	17,010,000	17,010,000
Total, Bonneville Power Administration	126,175,000	126,010,000	126,010,000	126,010,000
Southeastern Power Administration: Operation and maintenance	1,000,000	1,000,000	1,000,000	1,000,000
Southwestern Power Administration:				
Construction	4,500,000	4,500,000	3,910,000	3,950,000
Operation and maintenance	2,115,000	2,115,000	2,115,000	2,115,000
Continuing fund (*indefinite appropriation of receipts*)	*(3,700,000)*	*(3,700,000)*	*(3,700,000)*	*(3,700,000)*
Total, Southwestern Power Administration	6,615,000	6,615,000	6,025,000	6,065,000
Total, definite appropriations	432,221,000	450,193,000	457,328,000	457,018,000
Total, indefinite appropriations	9,031,000	9,031,000	9,031,000	9,031,000
Total, title II, Department of the Interior	441,252,000	459,224,000	466,359,000	466,049,000
TITLE III—ATOMIC ENERGY COMMISSION				
Operating expenses	1,985,000,000	1,923,000,000	1,923,000,000	1,923,000,000
Indefinite appropriation of receipts	*(58,000,000)*	*(58,000,000)*	*(58,000,000)*	*(58,000,000)*
Plant and capital equipment	278,200,000	276,030,000	276,030,000	276,030,000
Total, Atomic Energy Commission	2,263,200,000	2,199,030,000	2,199,030,000	2,199,030,000
Total, definite appropriation	2,263,200,000	2,199,030,000	2,199,030,000	2,199,030,000
Total, indefinite appropriation	58,000,000	58,000,000	58,000,000	58,000,000
Total, title III, Atomic Energy Commission	2,321,200,000	2,257,030,000	2,257,030,000	2,257,030,000

See footnotes at end of table.

Summary table—Continued

Item	Budget estimate, 1967	House allowance	Senate allowance	Conference allowance
TITLE IV—INDEPENDENT OFFICES				
Atlantic-Pacific Interoceanic Canal Study Commission	[3] $4,310,000	$4,000,000	$4,000,000	$4,000,000
St. Lawrence Seaway Development Corporation: *Limitation on administrative expenses*	*(515,000)*	*(515,000)*	*(515,000)*	*(515,000)*
Tennessee Valley Authority: Payment to Tennessee Valley Authority fund	63,635,000	63,700,000	63,635,000	63,700,000
Delaware River Basin Commission:				
Salaries and expenses	45,000	45,000	45,000	45,000
Contribution to the Delaware River Basin Commission	115,000	115,000	115,000	115,000
Total, Delaware River Basin Commission	160,000	160,000	160,000	160,000
Water Resources Council:				
Water resources planning	807,000	600,000	600,000	600,000
Financial assistance to States	2,193,000	1,875,000	1,875,000	1,875,000
Total, Water Resources Council	3,000,000	2,475,000	2,475,000	2,475,000
Total, title IV, Independent Offices	71,105,000	70,335,000	70,270,000	70,335,000
Grand totals:				
Total, definite appropriations	4,100,042,000	4,043,901,000	4,072,213,000	4,067,480,000
Total, indefinite appropriations	67,031,000	67,031,000	67,031,000	67,031,000
Grand total, all titles	4,167,073,000	4,110,932,000	4,139,244,000	4,134,511,000

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[1] Budget amendment in accordance with H. Doc. 441, dated May 17, 1966, involving a net decrease in the amount of $7,490,000.

[2] Includes $3,000,000 for 3d powerplant, Grand Coulee Dam, submitted in H. Doc. 454.

[3] Reflects reduction of $2,190,000 submitted in H. Doc. 468.

TITLE I. CEMETERIAL EXPENSES

Mr. ELLENDER. Mr. President, the House conferees would not agree to the Senate increase of $250,000 for acquisition of additional land at five of the national cemeteries pending a legislative determination of the future Federal policy with respect to the continued operation of the national cemetery system. The Senate committee held no hearings on this amendment. During the conference it was pointed out that in addition to the 5 national cemeteries provided for in the amendment, there are 21 other national cemeteries in which grave spaces are not available. Information from the Department of Defense shows that the expansion of the five national cemeteries included in the Senate amendment would require additional money in future budgets. The conferees, as shown in the statement of the managers on the part of the House, urge the legislative committees to expedite their reviews of the national cemetery system because of the critical situation facing many of the cemeteries.

CORPS OF ENGINEERS, GENERAL INVESTIGATIONS

Mr. President, for general investigations of the Corps of Engineers, the bill provides $32,450,000, which is $125,000 below the amount approved by the Senate; $720,000 above the amount allowed by the House; $372,000 above the budget; and $6,985,000 above the appropriation for 1966.

I ask unanimous consent to have printed at this point in the RECORD a tabulation showing the details of the amount allowed for this item.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

General investigations, fiscal year 1967

Item	House allowance	Senate allowance	Conference allowance
GENERAL INVESTIGATIONS			
1. Surveys:			
(a) Navigation studies	$3,270,000	$3,540,000	$3,490,000
(b) Flood control studies	8,260,000	8,760,000	8,685,000
(c) Beach erosion cooperative studies	505,000	550,000	550,000
General reduction due to slippage	----------	----------	----------
Subtotal, navigation, flood control, and beach erosion studies	12,035,000	12,850,000	12,725,000
(d) Comprehensive basin studies:			
(1) Big Black River, Miss	69,000	69,000	69,000
(2) Big Muddy River, Ill	85,000	85,000	85,000
(3) California region	105,000	105,000	105,000
(4) Columbia North Pacific region	417,000	417,000	417,000
(5) Connecticut River Basin, Conn., Mass., Vt., and N.H	505,000	505,000	505,000
(6) Genessee River Basin, N.Y. and Pa	131,000	131,000	131,000
(7) Grand River Basin, Mich	261,000	261,000	261,000
(8) Kanawha River, W. Va., Va., and N.C	473,000	473,000	473,000
(9) Lower Colorado region	78,000	78,000	78,000
(10) Missouri River Basin	407,000	407,000	407,000
(11) North Atlantic region	471,000	471,000	471,000
(12) Ohio River Basin review	285,000	285,000	285,000
(13) Pascagoula River Basin, Miss	88,000	88,000	88,000
(14) Pearl River Basin, Miss	235,000	235,000	235,000
(15) Puget Sound area, Washington	361,000	361,000	361,000
(16) Red River below Denison Dam, La., Ark., Okla., and Tex	417,000	417,000	417,000
(17) Sabine River, Tex	75,000	75,000	75,000
(18) Susquehanna River Basin, N.Y., Pa., and Md	590,000	590,000	590,000
(19) Upper Colorado region	52,000	52,000	52,000
(20) Upper Mississippi River Basin	500,000	500,000	500,000
(21) Wabash River, Ind. and Ill	503,000	503,000	503,000
(22) White River Basin, Ark. and Mo	371,000	371,000	371,000
(23) Willamette River Basin, Oreg	549,000	549,000	549,000
GENERAL INVESTIGATIONS—continued			
1. Surveys—Continued			
(e) Special studies:			
(1) Appalachian region water resource study	$1,830,000	$1,830,000	$1,830,000
(2) Chesapeake Bay model study	100,000	100,000	100,000
(3) Coordination studies with other agencies (Public Law 566, Public Law 984)	316,000	316,000	316,000
(4) Great Lakes deicing study		30,000	30,000
(5) Great Lakes-Hudson River Waterway, N.Y	76,000	76,000	76,000
(6) Jersey Meadows, N.Y. and N.J	188,000	188,000	188,000
(7) Lake Erie-Ontario Waterway, N.Y	305,000	305,000	305,000
(8) Northeast water study	325,000	325,000	325,000
(9) Texas coast	509,000	509,000	509,000
(10) Water levels of Great Lakes	203,000	203,000	203,000
(11) J. Percy Priest Reservoir (Davidson County bridge)	30,000	30,000	30,000
(12) Texas Comprehensive water supply and pollution study	550,000	550,000	550,000
Subtotal, surveys	23,495,000	24,340,000	24,215,000
2. Collection and study of basic data:			
(a) Stream gaging (U.S. Geological Survey)	$312,000	$312,000	$312,000
(b) Precipitation studies (U.S. Weather Bureau)	571,000	571,000	571,000
(c) Fish and Wildlife Coordination Act studies (U.S. Fish and Wildlife Service)	441,000	441,000	441,000
(d) International water studies	104,000	104,000	104,000
(e) Flood plain studies	1,800,000	1,800,000	1,800,000
(f) Transportation studies	187,000	187,000	187,000
Subtotal, collection and study of basic data	3,415,000	3,415,000	3,415,000

General investigations, fiscal year 1967—Continued

Item	House allowance	Senate allowance	Conference allowance
GENERAL INVESTIGATIONS—continued			
3. Research and development:			
(a) Coastal engineering research and development	$2,030,000	$2,030,000	$2,030,000
(b) Hydrologic studies	196,000	196,000	196,000
(c) Civil works investigations	2,492,000	2,492,000	2,492,000
(d) Mississippi Basin model:			
(1) Mississippi River comprehensive study	217,000	217,000	217,000
(2) Maintenance	170,000	170,000	170,000
GENERAL INVESTIGATIONS—continued			
3. Research and development—Continued			
(e) Nuclear explosives studies for civil construction	$2,220,000	$2,220,000	$2,220,000
Subtotal, research and development	7,325,000	7,325,000	7,325,000
General reduction due to slippage	−2,505,000	−2,505,000	−2,505,000
Total, general investigations	31,730,000	32,575,000	32,450,000

CONSTRUCTION, GENERAL

Mr. ELLENDER. Mr. President, for construction, general, the conference bill provides $967,460,000, which is $3,898,000 below the amount approved by the Senate; $13,745,000 above the House; and $26,719,000 below the 1966 appropriation.

The House sent us a very good bill this year. As I stated earlier when the bill was before the Senate, the House added 24 unbudgeted items, which upon review by the Senate committee proved to be desirable projects, and the committee recommended their inclusion in the bill. The Senate concurred in that recommendation.

The House added 33 new planning starts, which were subsequently approved by the Senate. The Senate added 13 new planning starts, and the House approved 10 of these planning items.

The House added 24 new construction starts involving a future commitment of $331,188,000. These projects were accepted by the Senate. The Senate added 14 additional construction starts. The House accepted 10 of the new starts added by the Senate having a future commitment of $237,367,000. The budget provided for 25 new starts having a future commitment of $235,459,000. Thus, the conference bill provides for 59 new construction starts involving a future commitment of $804,014,000, which is less than 1 year's work at the current rate of appropriations.

I ask unanimous consent to insert at this point in the RECORD a tabulation showing the details of the amount allowed for this item.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Construction, general, fiscal year 1967

	Construction, general, State and project	Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Alabama:								
(N)	Alabama River channel improvement			$800,000		$800,000		$800,000	
	Aquatic plant contol. (See Louisiana.)								
(N)	Claiborne lock and dam	$7,500,000		7,500,000		7,500,000		7,500,000	
(N)	Holt lock and dam	3,000,000		3,000,000		3,000,000		3,000,000	
(R)	John Hollis Bankhead lock and dam (spillway)	1,300,000		1,300,000		1,300,000		1,300,000	
(MP)	Jones Bluff lock and dam	3,000,000		3,000,000		3,000,000		3,000,000	
(MP)	Millers Ferry lock and dam	13,500,000		13,500,000		13,500,000		13,500,000	
(N)	Perdido Pass				$54,000	625,000			$54,000
	Tombigbee River and tributaries, Alabama and Mississippi. (See Mississippi.)								
(MP)	Walter F. George lock and dam, Seaboard Airline R.R., relocation, Alabama and Georgia	700,000		700,000		700,000		700,000	
	West Point Dam, Ala. and Ga. (See Georgia.)								
	Alaska:								
(MP)	Snettisham power project					1,000,000		750,000	
	Arizona:								
(FC)	Alamo Reservoir	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	Painted Rock Reservoir (Dateland Crossing)					100,000		100,000	
(FC)	Phoenix and vicinity		$200,000		200,000		$200,000		200,000
(FC)	Pinal Creek						100,000		100,000
(FC)	Winslow				100,000		100,000		100,000
	Arkansas:								
(N)	Arkansas River and tributaries, Arkansas and Oklahoma:								
	(a) Bank stabilization and channel rectification	7,500,000		7,500,000		7,500,000		7,500,000	
	(b) Navigation locks and dams	85,000,000		85,000,000		85,000,000		85,000,000	
(MP)	Dardanelle lock and dam	400,000		400,000		400,000		400,000	
(MP)	Degray Reservoir	8,000,000		8,000,000		8,000,000		8,000,000	
(FC)	DeQueen Reservoir	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Dierks Reservoir					500,000		500,000	
(FC)	Garland City	250,000		250,000		250,000		250,000	
(FC)	Gillham Reservoir	1,400,000		1,400,000		1,400,000		1,400,000	
(FC)	Maniece Bayou, upstream extension	400,000		400,000		400,000		400,000	
(MP)	Narrows Dam, addition of 3d power unit	450,000		450,000		450,000		450,000	
(N)	Ouachita and Black Rivers, Ark. and La.	6,500,000		6,500,000		7,600,000		7,600,000	
(MP)	Ozark lock and dam	11,700,000		11,700,000		11,700,000		11,700,000	
(FC)	Pine Mountain Dam		75,000		75,000		75,000		75,000
(FC)	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex.	200,000		200,000		2,000,000		2,000,000	
	California:								
(FC)	Alameda Creek, Del Valle Dam	2,600,000		2,600,000		2,600,000		2,600,000	
(FC)	Buchanan Reservoir		321,000		321,000		321,000		321,000
(FC)	Corte Madera Creek	850,000		850,000		850,000		850,000	
(N)	Dana Point Harbor	1,200,000		1,200,000		1,200,000		1,200,000	
(FC)	Dry Creek (Warm Springs) Reservoir			2,700,000		2,700,000		2,700,000	
(FC)	Eel River (reimbursement)	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	Eel River (Delta area) 1965 act		150,000		150,000		150,000		150,000
(N)	Half Moon Bay and Harbor	1,248,000		1,248,000		1,248,000		1,248,000	
(FC)	Hidden Reservoir		222,000		222,000		222,000		222,000
(FC)	Los Angeles County drainage area	14,200,000		14,200,000		14,200,000		14,200,000	
(FC)	Lower San Joaquin River and tributaries	1,350,000		1,350,000		1,350,000		1,350,000	
(FC)	Lytle and Warm Creeks (1965 act)		100,000		100,000		100,000		100,000
	Martis Creek Reservoir, Calif. and Nev. (See Nevada.)								
(FC)	Merced River Reservoirs (New Exchequer Dam)	4,232,000		4,232,000		4,232,000		4,232,000	
(FC)	Mojave River Reservoir (West Fork)			1,000,000		1,000,000		1,000,000	

Construction, general, fiscal year 1967—Continued

	Construction, general, State and project	Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	California—Continued								
(N)	Monterey Harbor		$81,000		$81,000		$81,000		$81,000
(FC)	Mormon Slough	$500,000		$500,000		$500,000		$500,000	
(FC)	Napa River (1965 act)		100,000		100,000		100,000		100,000
(FC)	New Bullards Bar Reservoir			1,000,000		1,000,000		1,000,000	
(MP)	New Melones Reservoir	2,500,000		2,500,000		2,500,000		2,500,000	
(N)	Noyo River Harbor (mooring basin)					200,000			
(N)	Oakland Harbor	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	Oroville Reservoir	*11,400,000		7,695,000		7,695,000		7,695,000	
(N)	Port San Luis		125,000		125,000		125,000		125,000
(FC)	Redwood Creek	1,340,000		1,340,000		1,340,000		1,340,000	
(FC)	Russian River Basin (Coyote Valley Dam)	100,000		100,000		100,000		100,000	
(FC)	Sacramento River and major and minor tributaries	500,000		500,000		500,000		500,000	
(FC)	Sacramento River bank protection	2,500,000		2,500,000		2,500,000		2,500,000	
(N)	Sacramento River deep water ship channel	200,000		200,000		200,000		200,000	
(N)	San Francisco Bay to Stockton				100,000		100,000		100,000
(N)	Santa Barbara Harbor		20,000		20,000		20,000		20,000
	Santa Paula Creek		85,000		85,000		85,000		85,000
(FC)	Tahquitz Creek				100,000		100,000		100,000
(BE)	Ventura-Pierpont area (reimbursement)	94,000		94,000		94,000		94,000	
(FC)	Walnut Creek	3,400,000		3,400,000		3,400,000		3,400,000	
	Colorado:								
	Chatfield Reservoir		481,000	5,519,000	481,000	6,000,000		6,000,000	
	Las Animas		75,000		75,000		75,000		75,000
(FC)	Trinidad Reservoir	1,300,000		200,000		200,000		200,000	
	Connecticut:								
(FC)	Ansonia-Derby	400,000		400,000		400,000		400,000	
(FC)	Black Rock Reservoir	2,200,000		2,200,000		2,200,000		2,200,000	
(FC)	Colebrook River Reservoir	5,300,000		5,300,000		5,300,000		5,300,000	
(FC)	Danbury		30,000		30,000		30,000		30,000
(FC)	Derby		100,000		100,000		100,000		100,000
(FC)	Hop Brook Reservoir	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	Mystic		130,000		130,000		130,000		130,000
(FC)	New London Barrier	300,000		300,000		300,000		300,000	
(FC)	Stamford	2,800,000		2,800,000		2,800,000		2,800,000	
(FC)	Sucker Brook Reservoir	915,000		915,000		915,000		915,000	
	Delaware:								
	Delaware River, Philadelphia to sea, anchorages, Delaware, New Jersey, and Pennsylvania. (See New Jersey.)								
(N)	Inland waterway, Delaware River to Chesapeake Bay (Chesapeake and Delaware Canal), pt. II, Delaware and Maryland	15,500,000		15,500,000		15,500,000		15,500,000	
	Florida:								
	Aquatic plant control. (See Louisiana.)								
(N)	Apalachicola River channel improvement	350,000		350,000		350,000		350,000	
(N)	Canaveral Harbor	100,000		100,000		100,000		100,000	
(FC)	Central and southern Florida	*13,700,000		13,700,000		13,700,000		13,700,000	
(N)	Cross Florida Barge Canal	16,000,000		16,000,000		16,000,000		16,000,000	
(N)	East Pass Channel at Destin	150,000		150,000		150,000		150,000	
(FC)	Four River Basins	1,000,000		1,000,000		2,000,000		2,000,000	
(N)	Intracoastal Waterway: Caloosahatchee River to Anclote River	648,000		648,000		648,000		648,000	
(N)	Jacksonville Harbor (1965 act)				80,000		80,000		80,000
(N)	Key West Harbor			600,000		600,000		600,000	
(BE)	Palm Beach County, Lake Worth Inlet to South Lake Worth Inlet (reimbursement)	10,000		10,000		10,000		10,000	
(N)	Palm Beach Harbor	1,800,000		1,800,000		1,800,000		1,800,000	
(N)	Ponce de Leon Inlet		60,000		60,000		60,000		60,000
(BE)	Virginia Key and Key Biscayne	200,000		200,000		200,000		200,000	
	Georgia:								
	Aquatic plant control. (See Louisiana.)								
(MP)	Carters Dam	8,600,000		8,600,000		8,600,000		8,600,000	
(MP)	Lazer Creek Dam		300,000		300,000		300,000		300,000
(N)	Savannah Harbor, 40 feet (1965 act)			400,000		400,000		400,000	
(N)	Savannah Harbor (sediment basin)		135,000		135,000		135,000		135,000
(MP)	Spewrell Bluff Dam		500,000		500,000		600,000		600,000
	Walter F. George lock and dam, Alabama and Georgia. (See Alabama.)								
(MP)	West Point Reservoir, Ala. and Ga	5,200,000		5,200,000		5,200,000		5,200,000	
	Hawaii:								
(N)	Barbers Point Harbor		100,000		100,000		100,000		100,000
(BE)	Haleiwa Beach (reimbursement)	252,000		252,000		252,000		252,000	
(N)	Honokahau Harbor		33,000		33,000	200,000			33,000
(N)	Kawaihae Harbor		118,000		118,000		118,000		118,000
(N)	Maunalua Harbor						32,000		32,000
	Idaho:								
(MP)	Dworshak (Bruces Eddy) Reservoir	20,000,000		20,000,000		20,000,000		20,000,000	
(FC)	Heise-Roberts extension	430,000		430,000		430,000		430,000	
(FC)	Portneuf River and Marsh Creek	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	R'rie Reservoir					200,000		200,000	
	Illinois:								
(BA)	Calumet River, bridges	*1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	Campbell's Island				50,000		50,000		50,000
(FC)	Carlyle Reservoir	2,031,000		2,031,000		2,031,000		2,031,000	
(FC)	Columbia Drainage and Levee District No. 3		45,000		45,000		45,000		45,000
(FC)	England Pond levee	400,000		200,000		200,000		200,000	
(FC)	Freeport	100,000		100,000		100,000		100,000	
(FC)	Harrisonville and Ivy Landing Drainage and Levee District		50,000		50,000		50,000		50,000
(FC)	Henderson County Drainage District No. 1	750,000		750,000		750,000		750,000	
(FC)	Henderson County Drainage District No. 2	590,000		590,000		590,000		590,000	
(N)	Horse Island and Crescent Bridge (Mississippi River), Illinois and Iowa	600,000		600,000		600,000		600,000	
(FC)	Hunt Drainage District and Lima Lake Drainage District	*200,000		200,000		200,000		200,000	
(N)	Illinois Waterway Calumet-Sag modification, pt. I, Illinois and Indiana	6,300,000		6,300,000		6,300,000		6,300,000	
(N)	Illinois Waterway duplicate locks				200,000		200,000		200,000
(FC)	Indian Grave Drainage District	800,000		800,000		800,000		800,000	
(N)	Kaskaskia River (navigation)	1,500,000		3,500,000		3,500,000		3,500,000	
(FC)	Levee District 21, between Cowden and Vandalia				100,000		100,000		100,000

See footnotes at end of table.

Construction, general, fiscal year 1967—Continued

	Construction, general, State and project	Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Illinois—Continued								
(FC)	Lincoln Reservoir		$150,000		$220,000		$220,000		$220,000
(N)	Mississippi River between Ohio and Missouri Rivers, Ill. and Mo.:								
	(*a*) Regulating works	$2,000,000		$2,000,000		$2,000,000		$2,000,000	
	(*b*) Chain of Rocks	250,000		250,000		250,000		250,000	
(N)	Mound City lock and dam, Illinois and Kentucky		250,000		360,000		360,000		360,000
(FC)	Mount Carmel	950,000		950,000		950,000		950,000	
(FC)	New Athens	1,200,000		1,200,000		1,200,000		1,200,000	
(FC)	Oakley Reservoir		240,000		240,000		240,000		240,000
(FC)	Peoria		75,000		75,000		75,000		75,000
(FC)	Prairie DuPont Levee and Sanitary District			300,000		300,000		300,000	
(FC)	Rend Lake Reservoir	5,050,000		5,050,000		5,050,000		5,050,000	
(FC)	Richland Creek	200,000		200,000		200,000		200,000	
(FC)	Rochester and McClearys Bluff levee	400,000		400,000		400,000		400,000	
(FC)	Rock Island		75,000		75,000		75,000		75,000
(FC)	Saline River and tributaries			300,000		300,000		300,000	
(FC)	Shelbyville Reservoir	6,300,000		6,300,000		6,300,000		6,300,000	
(N)	Smithland (Dog Island) lock and dam, Illinois and Kentucky		225,000		225,000		300,000		300,000
(FC)	Sny Island Levee and Drainage District	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	South Quincy Drainage and Levee District	800,000		800,000		800,000		800,000	
(FC)	Tri-Pond levee	100,000		100,000		100,000		100,000	
	Indiana:								
(FC)	Big Pine Reservoir						150,000		150,000
(FC)	Brookville Reservoir	3,200,000		3,200,000		3,200,000		3,200,000	
(N)	Burns Waterway Harbor		25,000		55,000		55,000		55,000
(N)	Cannelton locks and dam, Indiana and Kentucky	9,000,000		9,000,000		9,000,000		9,000,000	
(FC)	Clifty Creek Reservoir				100,000		100,000		100,000
(FC)	Evansville	320,000		320,000		320,000		320,000	
(FC)	Greenfield Bayou levee		70,000		70,000		70,000		70,000
(FC)	Huntington Reservoir	5,000,000		5,000,000		5,000,000		5,000,000	
	Illinois Waterway, Calumet-Sag modification, pt. I, Illinois and Indiana. (See Illinois.)								
(FC)	Lafayette Reservoir		125,000		125,000		125,000		125,000
(FC)	Levee unit 5, Wabash River	1,750,000		1,750,000		1,750,000		1,750,000	
(R)	Michigan City Harbor	450,000		450,000		450,000		450,000	
(FC)	Mississinewa Reservoir	5,160,000		5,160,000		5,160,000		5,160,000	
(N)	Newburgh locks and dam, Indiana and Kentucky	6,070,000		6,070,000		6,070,000		6,070,000	
(FC)	Patoka Reservoir		175,000		325,000		325,000		325,000
(FC)	Salamonie Reservoir	3,467,000		3,467,000		3,467,000		3,467,000	
(N)	Uniontown locks and dam, Indiana and Kentucky	9,500,000		9,500,000		9,500,000		9,500,000	
	Iowa:								
(FC)	Ames Reservoir				100,000		100,000		100,000
(FC)	Ames Reservoir (road relocation)	830,000		830,000		830,000		830,000	
(FC)	Des Moines	750,000		750,000		750,000		750,000	
(FC)	Dubuque		145,000	105,000	145,000	250,000		250,000	
(FC)	Guttenberg	100,000		100,000		100,000		100,000	
	Horse Island and Crescent Bridge, Mississippi River, Ill. and Iowa. (See Illinois.)								
(FC)	Iowa River Flint Creek Levee District No. 16	100,000		100,000		100,000		100,000	
(FC)	Marshalltown		100,000		100,000		100,000		100,000
(FC)	Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska	2,200,000		2,200,000		2,200,000		2,200,000	
(N)	Missouri River, Sioux City to mouth, Iowa, Kansas, Missouri, and Nebraska	7,100,000		7,100,000		8,300,000		8,300,000	
(FC)	Rathburn Reservoir	6,000,000		6,000,000		6,000,000		6,000,000	
(FC)	Red Rock Reservoir	9,500,000		9,500,000		9,500,000		9,500,000	
(FC)	Saylorville Reservoir	5,500,000		5,500,000		5,500,000		5,500,000	
(FC)	Waterloo				100,000		100,000		100,000
	Kansas:								
(FC)	Atchison	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	Clinton Reservoir		205,000		205,000		205,000		205,000
(FC)	Clinton Reservoir (land acquisition, Richland)	645,000		645,000		645,000		645,000	
(FC)	Cow Creek, Hutchinson		120,000		120,000		120,000		120,000
(FC)	Dodge City		75,000		75,000		75,000		75,000
(FC)	El Dorado Reservoir				100,000		100,000		100,000
(FC)	Fort Scott Reservoir		180,000		180,000		180,000		180,000
(FC)	Grove Reservoir		200,000		200,000		200,000		200,000
(FC)	Hays		50,000		50,000		50,000		50,000
(FC)	Hillsdale Reservoir (restudy)		30,000		30,000		30,000		30,000
(FC)	Kansas City, Kans. (1962 modification)		100,000		100,000		100,000		100,000
(FC)	Lawrence	1,400,000		1,400,000		1,400,000		1,400,000	
(FC)	Marion Reservoir	4,600,000		4,600,000		4,600,000		4,600,000	
(FC)	Melvern Reservoir	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Milford Reservoir	3,600,000		3,600,000		3,600,000		3,600,000	
	Missouri River agricultural levees, Iowa, Kansas, Missouri and Nebraska. (See Iowa.)								
	Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
(FC)	Osawatomie	*200,000		200,000		200,000		200,000	
(FC)	Perry Reservoir	10,500,000		10,500,000		10,500,000		10,500,000	
(FC)	Topeka	1,800,000		1,800,000		1,800,000		1,800,000	
	Kentucky:								
(MP)	Barkley Dam, Ky. and Tenn.	3,484,000		2,484,000		3,484,000		3,484,000	
	Cannelton locks and dam, Indiana and Kentucky. (See Indiana.)								
(FC)	Carr Fork Reservoir	4,800,000		4,800,000		4,800,000		4,800,000	
(FC)	Cave Run Reservoir	4,500,000		4,500,000		4,500,000		4,500,000	
(FC)	Fishtrap Reservoir	9,600,000		9,600,000		9,600,000		9,600,000	
(FC)	Frankfort, North Frankfort area	790,000		790,000		790,000		790,000	
(FC)	Grayson Reservoir	7,558,000		7,558,000		7,558,000		7,558,000	
(FC)	Green River Reservoir	8,700,000		8,700,000		8,700,000		8,700,000	
(MP)	Laurel River Reservoir	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	Martin						60,000		

See footnotes at end of table.

Construction, general, fiscal year 1967—Continued

	Construction, general, State and project	Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Kentucky—Continued								
(FC)	Martins Fork Reservoir		$100,000		$100,000		$100,000		$100,000
	Mound City lock and dam, Illinois and Kentucky. (See Illinois.)								
	Newburgh locks and dam, Indiana and Kentucky. (See Indiana.)								
(FC)	Paintsville Reservoir		100,000		200,000		200,000		200,000
(FC)	Red River Reservoir	$400,000		$400,000		$400,000		$400,000	
	Smithland lock and dam, Illinois and Kentucky. (See Illinois.)								
(FC)	Sturgis	710,000		710,000		710,000		710,000	
	Uniontown locks and dam, Indiana and Kentucky. (See Indiana.)								
(FC)	Yatesville Reservoir				200,000		200,000		200,000
	Louisiana:								
(N)	Aquatic plant control, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas	882,000		882,000		882,000		882,000	
(FC)	Bayou Bodcau, Red Chute and Loggy Bayous, Black and Cypress Bayous						150,000		150,000
(BA)	Berwick Bay Bridge	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	Caddo Dam	100,000		100,000		100,000		100,000	
(N)	Calcasieu River and Pass	1,600,000		1,600,000		1,600,000		1,600,000	
(N)	Calcasieu River, salt water barrier	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	East Point levee	114,000		114,000		114,000		114,000	
(N)	Freshwater Bayou	1,400,000		1,400,000		1,400,000		1,400,000	
(FC)	Grand Isle and vicinity				200,000		200,000		200,000
(FC)	Lake Pontchartrain and vicinity		450,000		450,000	1,600,000		1,600,000	
(N)	Mermentau River						85,000		85,000
(N)	Mississippi River, Gulf Outlet	2,300,000		2,300,000		2,300,000		2,300,000	
(FC)	Morgan City and vicinity						140,000		140,000
(FC)	New Orleans to Venice hurricane protection	400,000		400,000		400,000		400,000	
	Ouachita and Black Rivers, Ark. and La. (See Arkansas.)								
(N)	Overton-Red River Waterway						64,000		64,000
	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex. (See Arkansas.)								
	Maine:								
(MP)	Dickey-Lincoln School Dams and Reservoirs		1,200,000		800,000		1,200,000		1,100,000
(N)	Owls Head Harbor (sec. 107)	[1] (133,000)				[1] (133,000)		[1] (133,000)	
(N)	Pepperell Cove (sec. 107)					[1] (264,000)		[1] (264,000)	
	Maryland:								
(N)	Baltimore Harbor and Channels	200,000		200,000		200,000		200,000	
(FC)	Bloomington Reservoir, Md. and W. Va.		665,000		1,265,000		1,265,000		1,265,000
	Inland waterway, Delaware River to Chesapeake Bay, Del. and Md. (C. & D. Canal), pt. II. (See Delaware.)								
	Massachusetts:								
(N)	Andrews River (sec. 107)			[1](141,000)		[1](141,000)		[1](141,000)	
(R)	Newburyport Harbor	300,000		300,000		300,000		300,000	
(N)	Plymouth Harbor	765,000		765,000		765,000		765,000	
(R)	Plymouth Harbor (dike)	300,000		300,000		300,000		300,000	
(N)	Provincetown Harbor		29,000		29,000		29,000		29,000
(N)	Weymouth Fore and Town Rivers		90,000		190,000		190,000		190,000
	Michigan:								
(N)	Alpena Harbor				40,000		40,000		40,000
(N)	Cedar River Harbor		40,000		40,000		40,000		40,000
(R)	Charlevoix Harbor (piers and revetments)	170,000		170,000		170,000		170,000	
(R)	Grand Marais Harbor	300,000		300,000		300,000		300,000	
(N)	Great Lakes connecting channels	100,000		100,000		100,000		100,000	
(FC)	Kalamazoo River		75,000		75,000		75,000		75,000
(N)	Leland Harbor	90,000		90,000		197,000		197,000	
(N)	Mackinac Island breakwater extension (sec. 107 project)					[1] (332,000)		[1] (332,000)	
(N)	New Buffalo Harbor	485,000		485,000		485,000		485,000	
(N)	New Poe lock, St. Marys River	8,000,000		8,000,000		8,000,000		8,000,000	
(FC)	River Rouge	1,800,000		1,800,000		1,800,000		1,800,000	
(N)	Rouge River	395,000		373,000		373,000		373,000	
(FC)	Saginaw River (flood control)	1,000,000		1,000,000		1,000,000		1,000,000	
(N)	Saginaw River (navigation)	1,545,000		1,545,000		1,545,000		1,545,000	
	Minnesota:								
(FC)	Bigstone Lake-Whetstone River, Minn. and S. Dak.		80,000		80,000		80,000		80,000
(N)	Duluth-Superior Harbor, inner harbor, Minnesota and Wisconsin	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Roseau River				50,000		50,000		50,000
(FC)	Rushford	370,000		370,000		370,000		370,000	
(FC)	St. Paul and South St. Paul	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Winona	1,100,000		1,100,000		1,100,000		1,100,000	
(FC)	Zumbro River						90,000		
	Mississippi:								
	Aquatic plant control. (See Louisiana.)								
(FC)	Jackson and East Jackson	2,506,000		2,506,000		2,506,000		2,506,000	
(FC)	Okatibbee Creek Reservoir	2,900,000		2,900,000		2,900,000		2,900,000	
(FC)	Tombigbee River and tributaries, Alabama and Mississippi	750,000		850,000		850,000		850,000	
	Missouri:								
(FC)	Chariton River	1,000,00		1,000,000		1,000,000		1,000,000	
(FC)	Chariton-Little Chariton Rivers (including Shoal Creek)						100,000		100,000
(MP)	Clarence Cannon (Joanna) Reservoir	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	Des Moines and Mississippi Levee District	600,000		600,000		600,000		600,000	
(MP)	Kaysinger Bluff Reservoir	12,100,000		12,100,000		12,100,000		12,100,000	
(FC)	Meramec Park Reservoir		400,000		400,000		400,000		400,000
	Mississippi River between Ohio and Missouri Rivers, Ill. and Mo. (See Illinois.)								
	Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
	Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
(FC)	Pattonsburg Reservoir (highway construction)				50,000		50,000		50,000

See footnotes at end of table.

Construction, general, fiscal year 1967—Continued

	Construction, general, State and project	Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Missouri—Continued								
(FC)	St. Louis	$10,000,000		$10,000,000		$10,000,000		$10,000,000	
(FC)	Smithville Reservoir and Channel		$50,000	75,000	$50,000	75,000	$50,000	75,000	$50,000
(MP)	Stockton Reservoir	13,500,000		13,500,000		13,500,000		13,500,000	
(FC)	Upper Grand River						20,000		
	Montana:								
(FC)	Great Falls	500,000		500,000		500,000		500,000	
(MP)	Libby Reservoir	32,000,000		32,000,000		32,000,000		32,000,000	
	Nebraska:								
(FC)	Gering Valley	1,100,000		1,100,000		1,100,000		1,100,000	
(FC)	Little Nemaha River						25,000		25,000
(FC)	Little Papillion Creek	1,000,000		1,000,000		1,000,000		1,000,000	
	Missouri River agricultural levees, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
	Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
(FC)	Norfolk	1,275,000		1,275,000		1,275,000		1,275,000	
(FC)	Salt Creek and tributaries	2,000,000		2,000,000		2,000,000		2,000,000	
	Nevada:								
(FC)	Martis Creek Reservoir, Calif. and Nev	400,000		400,000		400,000		400,000	
	New Jersey:								
(BE)	Atlantic City (reimbursement)	150,000		150,000		150,000		150,000	
(N)	Delaware River, Philadelphia to sea (anchorages), Delaware, New Jersey, and Pennsylvania	4,400,000		400,000		2,090,000		400,000	
(FC)	Elizabeth River		150,000		150,000		150,000		150,000
(R)	New Jersey Intracoastal Waterway, Point Pleasant Canal	*690,000		690,000		690,000		690,000	
	New York and New Jersey Channels, Kill Van Kull entrance, New York and New Jersey. (See New York.)								
(FC)	Raritan and Sandy Hook Bays	1,000,000		1,000,000		1,000,000		1,000,000	
(N)	Shrewsbury River Inlet				100,000		100,000		100,000
(FC)	South Orange, Rahway River				50,000		50,000		50,000
(MP)	Tocks Island Reservoir, Pa., N.J., and N.Y		975,000		975,000		975,000		975,000
	New Mexico:								
(FC)	Albuquerque	5,500,000		5,500,000		5,500,000		5,500,000	
(FC)	Cochiti Reservoir	5,000,000		5,000,000		5,000,000		5,000,000	
(FC)	Galisteo Reservoir	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	Rio Grande Floodway, Espanola Valley unit		50,000		50,000		50,000		50,000
	New York:								
	Allegheny River Reservoir, Pa. and N.T. (See Pennsylvania.)								
(FC)	East Rockaway Inlet to Rockaway Inlet and Jamaica Bay				200,000		200,000		200,000
(BE)	Fire Island Inlet to Jones Inlet (1962 act)		225,000		225,000		225,000		225,000
(N)	Great Lakes to Hudson River Waterway	2,850,000		3,900,000		3,900,000		3,900,000	
(N)	Irondequoit Bay Harbor		52,000		52,000		52,000		52,000
(FC)	Ithaca, Cayuga Inlet	450,000		450,000		450,000		450,000	
(FC)	Lackawanna	1,240,000		1,240,000		1,240,000		1,240,000	
(N)	Lake Montauk Harbor	200,000		200,000		200,000		200,000	
(N)	Little Neck Bay	550,000		550,000		550,000		550,000	
(N)	Moriches Inlet, Long Island				100,000		100,000		100,000
(N)	New York-New Jersey Channels, Kill Van Kull entrance, New York and New Jersey	1,000,000		1,500,000		1,500,000		1,500,000	
(FC)	Nichols			163,000		163,000		163,000	
(FC)	North Ellenville	150,000		150,000		150,000		150,000	
(N)	Oak Orchard Harbor				25,000		25,000		25,000
(FC)	Rosendale	1,115,000		1,115,000		1,115,000		1,115,000	
(FC)	Salamanca	300,000		300,000		300,000		300,000	
(FC)	South Ellenville		90,000		90,000		90,000		90,000
(FC)	Staten Island, Fort Wadsworth to Arthur Kill		150,000		150,000		150,000		150,000
	Tocks Island Reservoir, Pa., N.J., and N.Y. (See New Jersey.)								
(FC)	Wellsville	200,000		200,000		200,000		200,000	
	North Carolina:								
	Aquatic plant control. (See Louisiana.)								
(N)	Cape Fear River above Wilmington						51,000		51,000
(FC)	Falls Reservoir		200,000		200,000		360,000		360,000
(BE)	Fort Macon State Park (reimbursement)	208,000		208,000		208,000		208,000	
(FC)	New Hope Reservoir			2,600,000		2,600,000		2,600,000	
(FC)	Ocracoke Island		115,000		115,000		115,000		115,000
(N)	Rollinson Channel	280,000		280,000		280,000		280,000	
(N)	Topsail Inlet (sec. 107)			[1](100,000)		[1](100,000)		[1](100,000)	
(N)	Wilmington Harbor, 38- and 40-foot depth (1962 act)	2,700,000		2,700,000		2,700,000		2,700,000	
	North Dakota:								
(FC)	Bowman Haley Reservoir	1,095,000		1,095,000		1,005,000		1,095,000	
(FC)	Missouri River, Garrison Dam to Oahe Reservoir	800,000		800,000		1,000,000		1,000,000	
	Oahe Reservoir, S. Dak. and N. Dak. (See South Dakota.)								
(FC)	Pipestem Reservoir				130,000		130,000		130,000
	Ohio:								
(FC)	Alum Creek Reservoir		225,000		225,000		225,000		225,000
(N)	Ashtabula Harbor (1965 modification)			200,000		200,000		200,000	
(FC)	Athens		175,000		175,000		175,000		175,000
(N)	Belleville locks and dam, Ohio and West Virginia	10,400,000		10,400,000		10,400,000		10,400,000	
(FC)	Big Darby Creek Reservoir	1,900,000		1,900,000		1,900,000		1,900,000	
(FC)	Buck Creek Reservoir	1,700,000		1,700,000		1,700,000		1,700,000	
(FC)	Caesar Creek Reservoir			450,000		450,000		450,000	
(N)	Cleveland Harbor: Bridge replacement, widening Cuyahoga and Old Rivers (1958 act)	1,300,000		1,300,000		1,300,000		1,300,000	
(N)	Conneaut Harbor	1,300,000		1,300,000		1,300,000		1,300,000	
(FC)	Deer Creek Reservoir	7,300,000		7,300,000		7,300,000		7,300,000	
(FC)	East Fork Reservoir			500,000		500,000		500,000	
(FC)	Eastlake, Chagrin River				75,000		75,000		75,000
(FC)	Fremont	200,000		200,000		200,000		200,000	
(N)	Hannibal locks and dam, Ohio and West Virginia	3,300,000		3,300,000		3,300,000		3,300,000	
(N)	Lake Erie-Ohio River Canal, Ohio and Pa				500,000		500,000		500,000
(N)	Lorain Harbor	*1,000,000		1,000,000		1,000,000		1,000,000	

See footnotes at end of table.

***Construction, general, fiscal year 1967*—Continued**

Construction, general, State and project		Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Ohio—Continued								
(FC)	Mill Creek Reservoir, Scioto River Basin		$100,000		$100,000		$100,000		$100,000
(FC)	North Branch Kokosing River Reservoir			$700,000		$700,000		$700,000	
(FC)	Paint Creek Reservoir	$3,100,000		3,100,000		3,100,000		3,100,000	
(N)	Racine locks and dam, Ohio and West Virginia	17,700,000		17,700,000		17,700,000		17,700,000	
	Shenango River Reservoir, Ohio and Pa. (See Pennsylvania.)								
(N)	Vermilion Harbor				35,000		35,000		35,000
(N)	Willow Island locks and dam, Ohio and West Virginia	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	Youngstown, Crab Creek	1,000,000		1,000,000		1,000,000		1,000,000	
	Oklahoma:								
	Arkansas River and tributaries, Arkansas and Oklahoma. (See Arkansas.)								
(MP)	Broken Bow Reservoir	9,000,000		9,000,000		9,000,000		9,000,000	
(FC)	Copan Reservoir		201,000		201,000		201,000		201,000
(FC)	Crutcho Creek						50,000		50,000
(FC)	Hugo Reservoir		129,000	721,000	129,000	721,000	129,000	721,000	129,000
(FC)	Kaw Reservoir	2,000,000		2,000,000		2,000,000		2,000,000	
(MP)	Keystone Reservoir	5,000,000		5,000,000		5,000,000		5,000,000	
(FC)	Lukfata Reservoir		100,000		100,000		100,000		100,000
(FC)	Oologah Reservoir	550,000		550,000		550,000		550,000	
(FC)	Optima Reservoir	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	Pine Creek Reservoir	2,900,000		2,900,000		2,900,000		2,900,000	
(MP)	Robert S. Kerr (Short Mountain) lock and dam	27,000,000		25,600,000		25,600,000		25,600,000	
(FC)	Shidler Reservoir				50,000		50,000		50,000
(FC)	Skiatook Reservoir		160,000,		160,000,		160,000,		160,000
(FC)	Waurika Reservoir		75,000		75,000		185,000		185,000
(MP)	Webbers Falls lock and dam	19,300,000		19,300,000		19,300,000		19,300,000	
	Oregon:								
(FC)	Applegate Reservoir		200,000		200,000		200,000		200,000
(FC)	Blue River Reservoir	8,700,000		8,700,000		8,700,000		8,700,000	
(MP)	Bonneville lock and dam (2d power unit) Oregon and Washington		100,000		100,000		100,000		100,000
(FC)	Cascadia Reservoir		200,000		200,000		200,000		200,000
(N)	Checo River		30,000		30,000		30,000		30,000
(N)	Columbia River and lower Willamette River, 35- and 40-foot projects, Oregon and Washington	4,400,000		4,400,000		4,400,000		4,400,000	
(N)	Columbia River at the mouth, Oregon and Washington		75,000		75,000		75,000		75,000
(FC)	Elk Creek Reservoir		150,000		150,000		150,000		150,000
(FC)	Gate Creek Reservoir		195,000		195,000		195,000		195,000
(MP)	Green Peter Reservoir	12,200,000		12,200,000		12,200,000		12,200,000	
(MP)	John Day lock and dam, Oregon and Washington	42,000,000		41,294,000		41,294,000		41,294,000	
(FC)	John Day River		50,000		50,000		50,000		50,000
(MP)	Lost Creek Reservoir					500,000		500,000	
(FC)	Lower Columbia River bank protections, Oregon and Washington	500,000		500,000		500,000		500,000	
(N)	Port Orford			350,000		350,000		350,000	
(FC)	Reedsport (sec. 205 project)			[3] (494,000)		[3] (494,000)		[2] (494,000)	
(R)	Rogue River (north jetty)	500,000		500,000		500,000		500,000	
(N)	Siuslaw River and Bar					500,000			
(MP)	The Dalles lock and dam, Oregon and Washington (additional power units)	700,000		700,000		700,000		700,000	
(N)	Tillamook Bay and Bar				30,000		30,000		30,000
(FC)	Willamette River Basin bank protection	500,000		500,000		500,000		500,000	
(N)	Yaquina Bay and Harbor	2,200,000		2,200,000		2,200,000		2,200,000	
	Pennsylvania:								
(FC)	Allegheny River Reservoir, Pa. and N.Y	7,500,000		7,500,000		7,500,000		7,500,000	
(FC)	Aylesworth Creek Reservoir	300,000		300,000		300,000		300,000	
(FC)	Beltzville Reservoir	6,700,000		6,700,000		6,700,000		6,700,000	
(FC)	Blanchard Reservoir	8,500,000		8,500,000		8,500,000		8,500,000	
(FC)	Blue Marsh Reservoir		220,000		220,000		220,000		220,000
(FC)	Chartiers Creek		310,000		310,000		310,000		310,000
(FC)	Cowanesque Reservoir		400,000		500,000		500,000		500,000
(N)	Dam 4 Monongahela River	3,818,000		3,818,000		3,818,000		3,818,000	
	Delaware River, Philadelphia to sea, anchorages, Delaware, New Jersey, and Pennsylvania. (See New Jersey.)								
(FC)	Du Bois, Sandy Lick Creek				30,000		30,000		30,000
(N)	Erie Harbor (1962 mod)	211,000		211,000		211,000		211,000	
(N)	Lake Erie-Ohio River Canal, Ohio and Pennsylvania. (See Ohio.)								
(FC)	Latrobe	1,193,000		1,193,000		1,193,000		1,193,000	
(FC)	Muddy Creek Reservoir		110,000		110,000		110,000		110,000
(BE)	Presque Isle Peninsula (reimbursement)	430,000		430,000		430,000		430,000	
(FC)	Prompton Reservoir (modification)		200,000		200,000		200,000		200,000
(FC)	Raystown Reservoir			1,500,000		1,500,000		1,500,000	
(FC)	Scranton	850,000		850,000		850,000		850,000	
(FC)	Shenango River Reservoir, Ohio and Pa	2,300,000		2,300,000		2,300,000		2,300,000	
(FC)	Tioga Hammond Reservoir		645,000		645,000		645,000		645,000
	Tocks Island Reservoir, Pa., N.J., and N.Y. (See New Jersey.)								
(FC)	Trexler Reservoir		275,000		275,000		275,000		275,000
(FC)	Turtle Creek	3,300,000		3,300,000		3,300,000		3,300,000	
(FC)	Union City Reservoir	1,400,000		1,400,000		1,400,000		1,400,000	
(FC)	Woodcock Creek Reservoir	500,000		500,000		500,000		500,000	
	Rhode Island:								
(FC)	Lower Woonsocket	824,000		824,000		824,000		824,000	
(FC)	Point Judith, hurricane barrier	200,000		200,000		200,000		200,000	
(N)	Providence River and Harbor			800,000		800,000		800,000	
	South Carolina:								
	Aquatic plant control. (See Louisiana.)								
(BE	Hunting Island Beach			350,000		350,000		350,000	
	South Dakota:								
(MP)	Big Bend Dam-Lake Sharpe	1,950,000		1,950,000		1,950,000		1,950,000	
	Big Stone Lake-Whetstone River, Minn. and S. Dak. (See Minnesota.)								
(FC	Cottonwood Springs Reservoir					400,000		400,000	
(MP)	Oahe Reservoir, S. Dak. and N. Dak	6,500,000		6,500,000		6,500,000		6,500,000	

See footnotes at end of table.

Construction, general, fiscal year 1967—Continued

Construction, general, State and project		Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Tennessee:								
	Barkley Dam, Ky. and Tenn. (See Kentucky.)								
(MP)	Cordell Hull lock and dam	$6,800,000		$6,800,000		$6,800,000		$6,800,000	
(MP)	J. Percy Priest Reservoir	9,300,000		9,300,000		9,300,000		9,300,000	
	Texas:								
(FC)	Abilene Channel improvement		$150,000		$150,000		$150,000		$150,000
	Aquatic plant control. (See Louisiana.)								
(FC)	Buffalo Bayou and tributaries	4,200,000		4,200,000		4,200,000		4,200,000	
(FC)	El Paso		150,000		150,000		150,000		150,000
(FC)	Fort Worth Floodway, Clear Fork extension	600,000		600,000		600,000		600,000	
(FC)	Fort Worth Floodway, West Fork extension	1,114,000		1,114,000		1,114,000		1,114,000	
(FC)	Freeport and vicinity	1,700,000		1,700,000		1,700,000		1,700,000	
(N)	Galveston Harbor and Channel, 36-foot project	*250,000		250,000		250,000		250,000	
	Gulf Intracoastal Waterway, 16-foot channel, Louisiana and Texas. (See Louisiana.)								
(FC)	Highland Bayou				150,000		150,000		150,000
(N)	Houston ship channel (Greens Bayou)	485,000		485,000		485,000		485,000	
(FC)	Lake Kemp Reservoir			1,000,000		1,000,000		1,000,000	
(FC)	Lavon Reservoir modification and channel improvement	800,000		800,000		800,000		800,000	
(FC)	Pat Mayse Reservoir	2,175,000		2,175,000		2,175,000		2,175,000	
(R)	Port Aransas-Corpus Christi Waterway (jetties)	1,195,000		1,195,000		1,195,000		1,195,000	
(FC)	Port Arthur and vicinity (hurricane flood protection)	4,100,000		4,100,000		4,100,000		4,100,000	
	Red River levees and bank stabilization, below Denison Dam, Ark., La., and Tex. (See Arkansas.)								
(N)	Sabine-Neches Waterway 40 feet and channel to Echo	3,300,000		2,000,000		2,000,000		2,000,000	
(FC)	San Antonio Channel	1,350,000		1,350,000		1,350,000		1,350,000	
(FC)	San Gabriel River tributary to Brazos River		418,000		418,000		418,0000		418,000
(FC)	Somerville Reservoir	*2,342,000		2,342,000		2,342,000		2,342,000	
(FC)	Stillhouse Hollow Dam	3,500,000		3,500,000		3,500,000		3,500,000	
(FC)	Taylors Bayou				100,000		100,000		100,000
(FC)	Texas City, hurricane protection	3,500,000		3,500,000		3,500,000		3,500,000	
(N)	Texas City channel 40-foot project	*725,000		725,000		725,000		725,000	
(N)	Trinity River (restudy)		200,000		200,000		200,000		200,000
(FC)	Vince and Little Vince Bayous	1,600,000		1,600,000		1,600,000		1,600,000	
(N)	Wallisville Reservoir, Trinity River	1,000,000		1,000,000		1,000,000		1,000,000	
	Vermont:								
(FC)	Bennington						50,000		50,000
	Virginia:								
(N)	Bonum Creek, Westmoreland County (sec. 107 project)					[1](200,000)		[1](200,000)	
(FC)	Gathright Reservoir			1,500,000		1,500,000		1,500,000	
(N)	Hampton Roads	5,000,000		7,000,000		7,000,000		7,000,000	
(BE)	Virginia Beach (reimbursement)	85,000		85,000		85,000		85,000	
	Washington:								
	Bonneville lock and dam (2d powerplant, Oregon and Washington). (See Oregon.)								
(FC)	Calispell Creek		(1)		25,000		25,000		25,000
(MP)	Chief Joseph Dam (additional power units)		400,000		400,000		400,000		400,000
	Columbia River at the mouth, Oregon and Washington. (See Oregon.)								
	Columbia River and lower Willamette River, 35- and 40-foot projects, Oregon and Washington. (See Oregon.)								
(FC)	Cowlitz County Consolidated Diking and Improvement District No. 2	500,000		500,000		500,000		500,000	
(R)	Grays Harbor and Chehalis River (south jetty)	2,300,000		2,300,000		2,300,000		2,300,000	
	John Day lock and dam, Oregon and Washington. (See Oregon.)								
(FC)	Kalama River south area		35,000		35,000		35,000		35,000
(MP)	Little Goose lock and dam	39,000,000		39,000,000		39,000,000		39,000,000	
	Lower Columbia River bank protection, Oregon and Washington. (See Oregon.)								
(MP)	Lower Granite lock and dam	14,000,000		14,000,000		14,000,000		14,000,000	
(MP)	Lower Monumental lock and dam	32,000,000		32,000,000		32,000,000		32,000,000	
(FC)	Raymond (restudy)		20,000		20,000		20,000		20,000
(FC)	Skagit River, Avon bypass		100,000		100,000		100,000		100,000
(N)	Swinomish Channel-March Point (sec. 107 project)					[1](450,000)		[1](450,000)	
(N)	Tacoma Harbor	183,000		183,000		183,000		183,000	
	The Dalles lock and dam, Oregon and Washington. (See Oregon.)								
(FC)	Wahkiakum Diking District No. 4		35,000		35,000		35,000		35,000
(FC)	Wynoochee River Reservoir				330,000	500,000	330,000	250,000	330,000
	West Virginia:								
(FC)	Beech Fork Reservoir					500,000		500,000	
	Belleville locks and dam, Ohio and West Virginia. (See Ohio.)								
	Bloomington Reservoir, Md. and W. Va. (See Maryland.)								
(FC)	Buckhannon	702,000		702,000		702,000		702,000	
(FC)	Burnsville Reservoir		290,000		290,000		290,000		290,000
(FC)	East Lynn Reservoir	4,800,000		4,800,000		4,800,000		4,800,000	
	Hannibal locks and dam, Ohio and West Virginia. (See Ohio.)								
(N)	Opekiska lock and dam	2,550,000		2,550,000		2,550,000		2,550,000	
(FC)	R. D. Bailey (Justice) Reservoir	800,000		800,000		1,500,000		1,500,000	
	Racine locks and dam, Ohio and West Virginia. (See Ohio.)								
(FC)	Rowlesburg Reservoir		400,000		780,000		780,000		780,000
	Willow Island locks and dam, Ohio and West Virginia. (See Ohio.)								

See footnotes at end of table.

Construction, general, fiscal year 1967—Continued

	Construction, general, State and project	Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Wisconsin:								
	Duluth-Superior Harbor inner harbor, Minnesota and Wisconsin. (See Minnesota.)								
(FC)	Eau Galle River, Spring Valley	$2,000,000		$2,000,000		$2,000,000		$2,000,000	
(N)	Green Bay Harbor (1962 act)	*1,750,000		1,750,000		1,750,000		1,750,000	
(R)	Kenosha Harbor	500,000		500,000		500,000		500,000	
(FC)	La Farge Reservoir and Channel improvement, Kickapoo River		$267,000		$267,000		$267,000		$267,000
	Wyoming:								
(FC)	Sheridan	253,000		253,000		253,000		253,000	
	Miscellaneous:								
(FC)	Emergency bank protection	500,000		500,000		500,000		500,000	
(FC)	Small projects for flood control and related purposes not requiring specific legislation (sec. 205)	6,000,000		6,494,000		6,494,000		6,494,000	
(FC)	Snagging and clearing	500,000		500,000		500,000		500,000	
(N)	Small navigation projects not requiring specific legislation costing up to $500,000 (sec. 107)	1,500,000		1,741,000		2,987,000		2,987,000	
(BE)	Small beach erosion control projects not requiring specific legislation costing up to $500,000 (sec. 103)	250,000		250,000		250,000		250,000	
	Recreation facilities, completed projects	5,000,000		5,000,000		5,000,000		5,000,000	
	Fish and wildlife studies (U.S. Fish and Wildlife Service)	550,000		550,000		550,000		550,000	
	Aquatic plant control (1965 act)					300,000		300,000	
	Employees compensation	225,000		225,000		225,000		225,000	
	Reduction for anticipated savings and slippages	−95,700,000		−127,700,000		−127,700,000		−127,700,000	
	Grand total, construction, general	944,909,000	18,327,000	930,494,000	23,221,000	947,288,000	24,070,000	943,573,000	23,887,000
		(963,236,000)		(953,715,000)		(971,358,000)		(964,460,000)	

*In accordance with H. Doc. 441, dated May 17, 1966, recommended budget amendment as follows:

State and project	From—	To—
Construction, general:		
California: Oroville Reservoir	$13,600,000	$11,400,000
Florida: Central and southern Florida	12,200,000	13,700,000
Illinois:		
Calumet River bridges	2,300,000	1,800,000
Hunt Drainage District and Lima Lake Drainage District	500,000	200,000
Kansas:		
Merriam	50,000	0
Osawatomie	400,000	200,000
Massachusetts: Marblehead Harbor	700,000	0
New Jersey: New Jersey Intracoastal Waterway, Point Pleasant Canal (major rehabilitation)	830,000	600,000
Construction, general—Continued		
Ohio: Lorain Harbor	$2,000,000	$1,000,000
Texas:		
Brazos Island Harbor (major rehabilitation)	600,000	0
Cooper Reservoir	500,000	0
Galveston Harbor and Channel 36-feet	600,000	250,000
Somerville Reservoir	3,342,000	2,342,000
Texas City Channel 40-foot	1,425,000	725,000
Wisconsin: Green Bay Harbor	2,500,000	1,750,000
Total, construction, general	41,547,000	34,057,000
	(−7,490,000)	

[1] Sec. 107 project.
[2] Sec. 205 project.
[3] Not evaluated (Calispell Creek, Wash.).

MISSISSIPPI RIVER AND TRIBUTARIES

Mr. ELLENDER. Mr. President, for Mississippi River and tributaries, the conference report provides $87,135,000, which is $215,000 below the amount approved by the Senate; $10,035,000 above the budget; $2,185,000 above the House; and $2,192,500 above the amount appropriated for fiscal year 1966.

Mr. President, I ask unanimous consent to insert at this point in the RECORD a tabulation explaining the action of the conferees on the appropriation for flood control, Mississippi River and tributaries.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Flood control, Mississippi River and tributaries, fiscal year 1967

Project	Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
1. General investigations:								
(a) Examinations and surveys	$150,000		$350,000		$400,000		$360,000	
(b) Collection and study of basic data	100,000		100,000		100,000		100,000	
Subtotal, general investigations	250,000		450,000		500,000		460,000	
2. Construction and planning:								
Mississippi River levees	$3,000,000		$3,650,000		$4,000,000		$3,825,000	
Channel improvement	26,700,000		28,000,000		30,000,000		30,000,000	
Memphis Harbor	750,000		750,000		750,000		750,000	
Old River control	1,800,000		2,300,000		2,300,000		2,300,000	
St. Francis Basin	3,800,000		4,300,000		4,300,000		4,300,000	
Cache River				$100,000		$100,000		$100,000
West Tennessee tributaries	900,000		900,000		900,000		900,000	
Lower Arkansas River	200,000		200,000		200,000		200,000	
Tensas Basin:								
Boeuf and Tensas Rivers, etc	500,000		600,000		600,000		600,000	
Red River backwater	1,200,000		1,200,000		1,200,000		1,200,000	

Flood control, Mississippi River and tributaries, fiscal year 1967—Continued

Project	Approved budget estimate for fiscal year 1967		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
2. Construction and planning—Continued								
Yazoo Basin:								
Sardis Reservoir	$80,000		$80,000		$80,000		$80,000	
Enid Reservoir	70,000		70,000		70,000		70,000	
Arkabutla Reservoir	70,000		70,000		70,000		70,000	
Grenada Reservoir	80,000		80,000		80,000		80,000	
Greenwood	100,000		100,000		100,000		100,000	
Upper auxiliary channels				$50,000		$50,000		$50,000
Main stem	500,000		600,000		600,000		600,000	
Tributaries	800,000		1,200,000		1,200,000		1,200,000	
Big Sunflower River, etc	500,000		650,000		650,000		650,000	
Yazoo backwater	2,700,000		2,700,000		2,700,000		2,700,000	
Atchafalaya Basin	7,800,000		11,000,000		11,000,000		11,000,000	
Tensas-Cocodrie pumping plant [1]				100,000		100,000		100,000
Subtotal, construction and planning	51,550,000		58,450,000	250,000	60,800,000	250,000	60,625,000	250,000
Reduction for anticipated savings and slippages	−1,700,000		−1,700,000		−1,700,000		−1,700,000	
Total, construction and planning	49,850,000		56,750,000	250,000	59,100,000	250,000	58,925,000	250,000
3. Maintenance	27,000,000		+ 27,500,000		27,500,000		27,500,000	
Grand total	77,100,000		84,950,000		87,350,000		87,125,000	

[1] Feature of Red River backwater area, a unit of the Tensas Basin project.

TITLE II. DEPARTMENT OF THE INTERIOR

Mr. ELLENDER. Mr. President, with respect to title II—Bureau of Reclamation, construction and rehabilitation—the conference bill provides $192,375,000, which is $100,000 below the amount approved by the Senate; and $5,320,000 above the amount allowed by the House for this item. The conference amount is $14,375,000 above the budget, and $4,786,500 below the appropriation for 1966.

Mr. President, I ask unanimous consent to insert in the RECORD a tabulation showing the action of the conferees on the items for construction and rehabilitation and for the Upper Colorado River storage project.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Bureau of Reclamation

CONSTRUCTION AND REHABILITATION

Project	Budget estimate	House allowance	Senate allowance	Conference allowance
Advance planning	$6,000	$6,000	$1,306,000	$1,306,000
Colorado River front and levee system, Arizona-California	3,055,000	3,055,000		
Pacific Northwest-Pacific Southwest intertie, Arizona-California-Nevada	25,848,000	25,848,000	25,848,000	25,848,000
Parker-Davis project, Arizona-California-Nevada	692,000	692,000	692,000	692,000
Central Valley project, California	69,957,000	71,357,000	71,357,000	71,357,000
Denver office building, Colorado	1,294,000	1,294,000	1,294,000	1,294,000
Fryingpan-Arkansas project, Colorado	18,000,000	18,000,000	18,800,000	18,800,000
Mann Creek project, Idaho	1,946,000	1,946,000	1,946,000	1,946,000
Washoe project, Nevada-California	2,225,000	2,225,000	2,225,000	2,225,000
Pecos River Basin water salvage project, New Mexico-Texas			250,000	250,000
Arbuckle project, Oklahoma	1,550,000	1,550,000	1,550,000	1,550,000
Baker project, Upper division, Oregon	2,665,000	2,665,000	2,665,000	2,665,000
Crooked River project extension, Oregon	600,000	600,000	600,000	600,000
Canadian River project, Texas	14,215,000	14,215,000	14,215,000	14,215,000
Lower Rio Grande rehabilitation project, Mercedes division, Texas	630,000	630,000	630,000	630,000
Weber Basin project, Utah	3,397,000	3,397,000	3,397,000	3,397,000
Chief Joseph Dam project, Oroville-Tonasket unit, Washington	725,000	725,000	725,000	725,000
Chief Joseph Dam project, Whitestone Coulee unit, Washington	700,000	700,000	700,000	700,000
Columbia Basin project, Washington	10,300,000	12,800,000	12,800,000	12,800,000
Columbia Basin project, 3d powerplant, Grand Coulee Dam, Wash	3,000,000	3,000,000	3,000,000	3,000,000
Spokane Valley project, Washington	1,727,000	1,727,000	1,727,000	1,727,000
Drainage and minor construction	2,451,000	2,576,000	2,676,000	2,676,000
Rehabilitation and betterment of existing projects	4,424,000	4,424,000	4,424,000	4,424,000
Subtotal	160,407,000	173,423,000	172,827,000	172,827,000
Missouri River Basin project:				
Almena unit, Kansas	2,050,000	2,050,000	2,050,000	2,050,000
Garrison diversion unit, North Dakota-South Dakota	2,000,000	2,000,000	2,000,000	2,000,000
Glen Elder unit, Kansas	13,500,000	13,500,000	13,500,000	13,500,000
Transmission division	5,491,000	5,491,000	5,991,000	5,941,000
Yellowtail unit, Montana-Wyoming	3,300,000	3,300,000	3,300,000	3,300,000
Drainage and minor construction	2,215,000	2,215,000	2,215,000	2,215,000
Investigations	1,602,000	1,832,000	2,157,000	2,107,000
Subtotal, Missouri River Basin project	30,158,000	30,388,000	31,213,000	31,113,000
Other Department of the Interior agencies	3,470,000	3,470,000	3,470,000	3,470,000
Total, Missouri River Basin project	33,628,000	33,858,000	34,683,000	34,583,000
Subtotal, construction and rehabilitation	203,035,000	207,290,000	207,510,000	207,410,000
Undistributed reduction based on anticipated delays	−25,035,000	−20,235,000	−15,035,000	−15,035,000
Total, construction and rehabilitation	178,000,000	187,055,000	192,475,000	192,375,000

Bureau of Reclamation—Continued

UPPER COLORADO RIVER STORAGE PROJECT

Project	Budget estimate	House allowance	Senate allowance	Conference allowance
Upper Colorado River Basin fund:				
Advance planning	$618,000	$618,000	$618,000	$618,000
Construction:				
Colorado River storage project:				
Currecanti unit, Colorado	13,941,000	13,941,000	13,941,000	13,941,000
Glen Canyon unit, Arizona-Utah	2,288,000	2,288,000	2,288,000	2,288,000
Transmission division	4,151,000	4,151,000	4,151,000	4,151,000
Participating projects:				
Bostwick Park project, Colorado	1,180,000	1,180,000	1,180,000	1,180,000
Central Utah project, Bonneville unit, Utah	2,700,000	7,500,000	7,500,000	7,500,000
Lyman project, Wyoming-Utah	2,609,000	2,609,000	2,609,000	2,609,000
San Juan-Chama project, Colorado-New Mexico	14,200,000	14,200,000	14,200,000	14,200,000
Silt project, Colorado	1,140,000	1,140,000	1,140,000	1,140,000
Subtotal	42,827,000	47,627,000	47,627,000	47,627,000
Drainage and minor construction	1,318,000	1,318,000	1,318,000	1,318,000
Page Accommodation School, Arizona		148,000	148,000	148,000
Recreational and fish and wildlife facilities:				
National Park Service	2,500,000	2,500,000	2,500,000	2,500,000
Bureau of Sport Fisheries and Wildlife	1,300,000	1,300,000	1,300,000	1,300,000
Subtotal	47,945,000	52,893,000	52,893,000	52,893,000
Undistributed reduction based on anticipated delays	−4,895,000	−3,945,000	−2,695,000	−2,695,000
Total	43,050,000	48,948,000	50,198,000	50,198,000

TITLE III. ATOMIC ENERGY COMMISSION

Mr. ELLENDER. Mr. President, as to title III, no change was made by the conferees. As Senators know, that title deals with the Atomic Energy Commission.

TITLE IV. INDEPENDENT OFFICES

Title IV provides funds for the TVA, the St. Lawrence Seaway Development Corporation, the Delaware River Basin Commission, the Water Resources Council, and the Atlantic-Pacific Interoceanic Canal Study Commission.

I have already submitted to the Senate the table indicating exactly what was done as to each agency in this title.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly for a question?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. The Senator may recall the amendment which I offered on behalf of my distinguished colleague [Mr. METCALF] and myself concerning the transferability of funds under the Chief of Engineers for the purpose of building the Libby Dam and Reservoir. These funds would be used to help remedy the difficult fiscal situation in that area.

Was that proposal retained?

Mr. ELLENDER. Yes, indeed.

Mr. MANSFIELD. And that will be law when the measure is signed?

Mr. ELLENDER. The Senator is correct.

Mr. MANSFIELD. I express my deepest personal thanks to the Senator for what he has done to help the people of Montana in a delicate situation, and also for his clear and unambiguous remarks and statements relative to the absolute priority of power generated at Libby going first to benefit the people of Montana.

I thank the Senator.

Mr. ELLENDER. The Senator is very welcome.

Mr. HRUSKA. Mr. President, I want to take this opportunity to say again how well the chairman has performed in his usual dedicated and efficient fashion on this very comprehensive report.

Let me make two observations. One, the bill in its final form is below the budget and is substantially below the appropriation for the last fiscal year. It is therefore that some restraint was exercised in keeping with the President's request that that be done as much as possible, in order to accommodate some of the other demands upon the moneys in the public treasury.

The other feature on which I should like to comment briefly is on the commitments. The new construction starts, particularly the 59 future commitments involve less than 1 year's expenditure; namely, in the neighborhood of $804 million. The bill, of course, runs about $967 million, as I remember it.

Mr. ELLENDER. The Senator is correct. I wish to say, in that connection, that the amount which will be spent during fiscal 1967 is under the amount that was spent for those purposes last year.

Mr. HRUSKA. Those new starts are important because they are what determines the level of expenditures at a later time. It is in keeping, again, with maintaining a respectable level of activity in this field, one which is consistent, as I say, with the other demands on the Federal Treasury, yet going ahead with the program which means so much to our economic and commercial life and its great impact on the national defense features.

Again I want to thank the chairman for his many courtesies and his many efforts, as well as those of the staff, in connection with getting the bill into its final form.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield for one more question?

The PRESIDING OFFICER (Mr. GORE in the chair). Does the Senator from Louisiana yield to the Senator from Montana?

Mr. ELLENDER. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. The one question I wanted to ask is based on our prior conversation concerning the priority of use in the waterpower generated at Montana dams. Our colloquy at that time in the Senate brought out the unequivocal fact that the State of Montana, the people of Montana have first and absolute priority to these waters and to the power generated.

Mr. ELLENDER. The colloquy that we had during the debate on the public works appropriation bill clearly indicates that you are entitled to a preference in the sale of power and I think your position is substantiated by what has happened at other facilities. It is more economical to make distribution of the electricity near the dam or the generating facility than to transmit that power great distances; and that procedure has been followed at Grand Coulee and at Bonneville and the other large dams which have been constructed in the Northwest. I do not see that there should be any exception with respect to the State of Montana.

Mr. MANSFIELD. Of course those other dams get most of their water to beef up their power from Montana; it is only proper that the Senate should specify unequivocally, as we have done in this act, that Montana get prior use of its own water and the power generated therefrom.

Mr. ELLENDER. Yes.

Mr. MANSFIELD. I thank the Senator.

Mr. ELLENDER. I have no doubt that it will be that way.

Mr. MANSFIELD. I thank the Senator for his emphatic statement.

Mrs. SMITH. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I am very happy to yield to the Senator from Maine.

Mrs. SMITH. I thank the chairman for yielding to me to make this statement.

I concur with the Senator from Nebraska [Mr. HRUSKA] in the tribute he has paid to the chairman. The chairman and his staff do an outstanding job each year; but, of course, the Senator from Nebraska is equally capable and helpful.

Mr. President, I have read with interest the remarks of certain Members of the House yesterday who have thus far opposed the Dickey-Lincoln School project. I note their continued reservations about it even though they finally voted for almost all of the amount that the Senate favored for the project and that the President requested.

I note that they key their reservations to a staff study now underway by the House Appropriations Committee—the cost of which does not come out of the $1,100,000 appropriated for this project and does not in any manner delay or hold up planning action by the Army Engineers with the $1,100,000 now being appropriated for this project.

But I also note that these opponents of the project express the hope that those of us who support it will abandon it if the House Appropriations staff ultimately opposes the project in the staff study that it finally submits. The press has informed me that when some House supporters of the project were asked as to whether they would abide by the conclusions of the staff study if negative and abandon further support of the project, they declined to make a commitment as to whether they would so abandon the project or continue to support it.

I have not as yet been asked this question. But I want to make it abundantly clear that I will not abandon the Dickey-Lincoln School project even if the House Appropriations Committee staff study opposes the project.

I have no objections to the House staff making the study as long as it does not delay action on the project and takes none of the funds from that which is being appropriated for the project—and it does not in either instance. But, as a Member of the Senate, I do not feel any obligation to be automatically bound by the action or findings of a staff of a House committee.

The Federal Government experts have already made thorough studies of this project and, on the basis of those studies, are unreservedly supporting this project. The Federal Government experts are the Army Engineers and the Interior Department and they both vigorously support this project on the basis of their studies.

As I said, I have no objection if the House wants to make its own study. It is just as much within its rights to do so as would be the Senate to make its own study.

But I do not think the Senate will make a further study because clearly another study is not needed. The Army Engineers have testified that:

(1) There is no need for further study and investigation of the project for it had been studied several times, citing studies in 1953, 1956, 1959, 1963 and 1965;

(2) These studies have clearly established that the project met all three tests of (a) comparability, (b) financial feasibility, and (c) favorable Benefit/Cost Ratio; and

(3) The Benefit/Cost Ratio is a very favorable 1.9-to-1 ratio—in other words, annually the benefits will be twice as great as the cost of the project.

Because of these facts, Mr. President, I want to make my position perfectly clear. I refuse to hedge in the slightest by merely making no comment or declining to answer the question of whether I would accept the House staff study report as binding and drop my support of the project if the House staff study results in opposition to the project.

I shall not abandon the Dickey-Lincoln School project regardless of the House staff study. I shall continue to support the project because the real authorities have spoken and support it. There is no need for the House staff study—and I do not want to see the technique of studying a project to death successfully applied to this project to result in killing it.

Mr. AIKEN. Mr. President, will the Senator from Maine yield to me?

Mrs. SMITH. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, as one of a half dozen persons who were called together by President Kennedy when the matter of promoting the Dickey-Lincoln School dam and reservoirs project was first brought up, we met at the White House with President Kennedy and the Secretary of Interior, as well as with the senior Senator from Maine [Mrs. SMITH], the junior Senator from Maine [Mr. MUSKIE] and I believe two or three others.

Since that time no one has worked more assiduously to prove the value of the Dickey-Lincoln project than the senior Senator from Maine [Mrs. SMITH]. In fact, as I recall, she was working very hard when some of her present-day critics were not particularly interested.

Thus, I want to give her full credit. Although the Dickey-Lincoln project has not yet come to the point of producing power for the northeastern section of this country, it has already been of great benefit in that it has spurred the private utility companies into announcing improvements in their own endeavors which otherwise, I fear, they might not have thought of for another 10 years.

I want to give the senior Senator from Maine [Mrs. SMITH] full credit for the fine work she has done in promoting this power project which, I am sure, will be of great benefit to other New England States as well as to the State of Maine.

Mrs. SMITH. I want to thank the distinguished Senator from Vermont. No one knows the need for public power in the Northeast more than does the Senator from Vermont. He is always very, very helpful, and I want to commend him for his efforts.

Mr. MANSFIELD. Mr. President, will the Senator from Maine yield?

Mrs. SMITH. I yield.

Mr. MANSFIELD. I am fully aware of how effective and encouraging the support of the senior Senator from Maine [Mrs. SMITH] has been for many legitimate and badly needed projects of this nature in my own part of the country.

Without her support and that of the junior Senator from Maine [Mr. MUSKIE] and other of her colleagues, the distinguished Senator from Vermont [Mr. AIKEN], and others from the East, we would not have much progress.

For my part, having studied the Dickey-Lincoln School dam and reservoir project for several years, I believe it is most meritorious and would like to see it brought to completion.

I want to assure the distinguished Senator that she has my full support on this particular project.

Mrs. SMITH. I greatly appreciate the majority leader's words. I am sure the people of Maine will appreciate them. I hope he will hear from many of them. He is always cooperative and helpful.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mrs. SMITH. I yield.

Mr. HRUSKA. I subscribe to the comments of the distinguished Senator from Vermont [Mr. AIKEN] with reference to the effectiveness of the Senator from Maine [Mrs. SMITH] on this particular project. In the committee of conference she very ably and very fairly, but very firmly, insisted upon an increase in the amount allowed by the other body, and rightly so. There was a capability of some $2 million for this project in fiscal 1967. There was an allowance by the other body of $800,000 for planning. The amount asked by the Corps of Engineers was $1,200,000. She missed that amount in conference by only $100,000, but, nevertheless, with her usual grace, accepted the compromise.

I want to testify that she tenaciously insisted on a project for which she worked with such vigor, the merits of which were established to the satisfaction of the Corps of Army Engineers and the Department of the Interior. That should bear some weight.

I think the Senator from Maine [Mrs. SMITH] is correct in saying that if the other body wants to study the feasibility or any other feature of it, that is all right; but we do have certain standards which apply to situations of this kind, and they have been satisfied.

Mrs. SMITH. I thank the distinguished Senator from Nebraska, who was very helpful in supporting me in conference.

Mr. ELLENDER. Mr. President, I share the views expressed by my colleagues with respect to the fine work done by the distinguished Senator from Maine [Mrs. SMITH]. Not only did she work hard with respect to that particular project, but I recall that, when I first became chairman of the committee, the Northeast had really been neglected in the past. Through the cooperation of the Senator from Maine [Mrs. SMITH] and other Members of Congress from that area, we were able to provide funds to stimulate the construction of projects that had been authorized many years previously.

The unfortunate thing is that it required almost a calamity to make the people of that area see the light.

I am gratified to have received the cooperation of the Senator from Maine [Mrs. SMITH] and others, particularly with regard to this fine project. I know it is going to prove to be a boon to that entire area.

I am hopeful that Congress, in the near future, will provide sufficient funds, not only for planning, but for construction of the project.

Insofar as my reelection to the Senate is concerned, it seems to be more or less certain, because I have no opposition. I hope to continue my membership on the subcommittee. I can assure Members of the Senate that I will continue to work in the best way I can to make all the waters of our Nation work for the benefit of the people. This is a classic example of how it can be done in the northeastern portion of the country.

I appreciate the fine things said about me, but without the cooperation of all members of the subcommittee, we could not have gone forward with this very important program.

I am also grateful for the very helpful cooperation of Mr. Ken Bousquet, who sits beside me. He is a very devoted public servant, and he knows the problems involved very well. With his good work, and the cooperation of members of the subcommittee, we are able to get together and provide each year for a fine bill that has results in the continued development of our land and water resources throughout the entire country.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mrs. SMITH. I would like to add just this word. The people in New England and Maine are most grateful to the able chairman of the Public Works Appropriations Subcommittee. It has been a great privilege for me to have served under his direction. It has been an education for me. I hope to be able to serve with him and under him for some years to come.

Mr. HRUSKA. The distinguished senior Senator from Kentucky [Mr. COOPER] is necessarily absent and has gone to Kentucky. I ask unanimous consent that a statement he has prepared on H.R. 17787 be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I will vote for the Conference Report on the bill to provide appropriations for the civil works program of the U.S. Army Corps of Engineers, for the Atomic Energy Commission, the Water Resources Council, for the Tennessee Valley Authority, and for other agencies, for the current Fiscal Year which began July 1, 1966.

As the ranking Republican member of the Senate Committee on Public Works, I am also privileged to vote on these items in the Senate Appropriations Committee. I know the effort and leadership given by my friend, Senator ELLENDER, and I have followed carefully the proposals submitted in the Budget and the testimony given to the Committee on all of the budget items and on other projects.

The bill before the Senate today, H.R. 17787, is more than $32 million below the Budget requests made by the President, and it is almost $191 million below the appropriations made for the last year. I know the careful consideration that was given to all requests and I know the emphasis which was placed upon projects with well-established benefits in ratio to costs.

In my own State of Kentucky, where the programs of the Army Corps of Engineers and the Tennessee Valley Authority are important to our people and to many communities, and to the protection of lives and property and the encouragement of industry, the bill continues the high level of work of last year. The Senate Committee upheld the full Budget requests for Kentucky projects made in January, as well as supported new funds for planning included in the House bill, and the Conference Report has maintained these items.

I testified for these funds and about the need for these projects, which I know from the years of work for authorization and presentation to the Bureau of the Budget. It has been my strong view that flood protection work in Kentucky and in other States must go forward on a regular and continuing basis, and though the House has not included all planning funds voted by the Senate, I hope that the situation will allow further consideration as early as possible in the next session of the Congress.

I am glad that we have been able to bring this bill to the Floor with full consideration, and I am glad to give my support to passage today.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. MANSFIELD and Mr. HRUSKA moved to lay the motion on the table.

The motion to lay on the table was agreed to.

DEATH OF WILBUR MACKEY

Mr. KUCHEL. Mr. President, I have just learned, with very deep sorrow, of the untimely passing of a distinguished California newspaperman, Mr. Wilbur Mackey, publisher of the Fallbrook, Calif., Enterprise.

I had the honor of calling Wilbur Mackey a friend. He was one of that great American breed of small town and community journalists dedicated unselfishly to the public good, a breed which, I am always proud to recall, included my late beloved father. They have ever helped to strengthen our country, in the benign and helpful influence which they have ever exerted.

Early in his career as a newspaperman, Mr. Mackey graced the Senate Press Gallery and the Press Gallery in the House of Representatives as a writer and member. He was a member, too, of the Washington White House press correspondents as well.

For a time he was foreign editor of the Washington Post, and his desk handled all foreign stringer's stories, as well as those coming over the teletype, which dealt with the news from across the seas. His two predecessors in that position were the late Ernie Pyle and the late Robert Ruark. And Mack was of the same quality, the same kind of man.

Wilbur Mackey was a Christian gentleman. He was respected by his neighbors as well as by his fellow journalists. He was a fine family man. He was dedicated to his country, to his State, and to his hometown.

His newspaper was devoted to the truth, and to the people's right to know.

Bigotry appalled him. His trenchant pen was used against political extremists and agitators, for he followed, in his life, a rule of moderation. He simply was unselfishly devoted to the cause of his fellow man.

Last May he desired to donate blood to the bloodmobile in Fallbrook. Then, alas, it was discovered that he had cancer. He underwent surgery. He continued a "business as usual" policy almost until the hour he died. And, thus, a fine, decent, constructive life came prematurely to a close.

My wife would wish to join me in this belated expression of condolences to his widow and his two children.

Mr. President, I ask unanimous consent to insert an editorial on the death of Wilbur Mackey in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FAREWELL TO A NEWSMAN

Wilbur Mackey, Fallbrook Enterprise publisher, succumbed to cancer in Palomar Hospital at 6:30 p.m. Monday, at the age of 57. His wife Marian was with him when death came.

Mackey purchased the Enterprise in 1955 after moving here from Fontana, Calif., where he was editor and general manager, as well as a stockholder of the Herald News.

He is survived by his wife Marian, and two sons, Robert and Charles.

Funeral services will be conducted at St. Peter's Church, Friday at 10 a.m. with Fr. Earl Ullman officiating.

Mr. Mackey's body will lie in state at Berry-Bell Chapel of the Hills Fallbrook Thursday evening from 5 to 8 o'clock.

Born in Davenport, Iowa, on Jan. 19, 1909, the son of Charles and Crissie Hickey Mackey, he was raised in the Roman Catholic Church. The family moved to Galesburg, Ill., where Mackey graduated from Galesburg High School, and attended Knox College. He continued his studies at Fordham University, N.Y. City and George Washington University in Washington, D.C.

Mackey broke into the newspaper field in 1932 at the New York American where he was copy boy and later junior telegraph editor and cub reporter. He served as copy boy for Damon Runyon, when the latter covered the Lindbergh kidnap trial of Bruno Hauptman. As a cub reporter he handled the casualty lists and side stories of the holocaust of the German dirigible Hindenburg burning at Lakehurst, N.J.

Four years later he moved to the Baltimore News-Post as copy editor. By 1938 he was copy editor at the Washington Post. Cleared for service as a Marine Corps combat correspondent, he was later declared over-age, and then became foreign editor at the Washington Post during World War II. His desk handled all foreign stringer's stories as well as those coming over the teletype. His two immediate predecessors in that position were Ernie Pyle and Robert Ruark.

During the war he wrote by-lined stories of such campaigns as Iwo Jima, Guam and the occupational landing in Japan. He was a member of the Washington White House Press Correspondents and the Senate-House Press gallery.

In 1938 he married the former Marian Frances Housh of Galesburg, Ill., in Alexandria, Va. With their elder son, Robert, needing a warmer climate, the Mackeys moved to McAllen, Tex., where Mackey became the managing editor of the McAllen Valley Evening Monitor in the Texas grapefruit belt. When this paper was sold in 1952 the family moved to Fontana. There his association with the Fontana Herald-News began. When that paper in turn was sold, Mackey brought his family to Fallbrook and bought the Enterprise from Harold and Marcelle Barkow. "Mack" fell in love with Fallbrook at first sight.

Mackey brought to the Enterprise a hard-hitting, down to earth style of journalism.

He was an efficient administrator with strong, honest convictions, and the courage to stand up for them. Lew Scarr, San Diego Union columnist, referred to him as "the plain-speaking publisher of the Fallbrook Enterprise, who calls Fallbrook people, people with the pioneer spirit."

He was famous for his outspoken editorials. Many of them were of prize-winning calibre. He took one county first place and two seconds in editorials. During the eleven years of his ownership of the Enterprise, the newspaper was judged second in the state in the weekly field on three occasions, once for general excellence, once for front page make-up and once for typography. The Enterprise also won a county first award in Freedom of the Press category, a first for Best News Story of 1964, and several seconds in youth coverage and school reporting.

The Enterprise won a second in Community Service in 1962 for the "energetic and thorough manner in which it urged a study to be made of incorporation of Fallbrook" and for the way in which "through news stories it maintained interest in an independent feasibility study."

The late John Long, founder of the California Newspaper Publishers Assn; used to show Mackey's editorials in the Sacramento area and once sent him a note that said, "give 'em hell!"

In 1957 Mack wrote a friend, "This is not a large newspaper, but I have spent 20 years as a reporter, departmental editor and manager, and I insist that we put out a good newspaper." The Enterprise pages have always reflected his drive to report the facts impartially and unhesitatingly.

Yet Mackey believed "editorial writing is secondary, because service to the community is the big job, the task I feel goes hand in hand with operating a sound newspaper."

He originated the slogan "Shop Fallbrook First" to encourage a better business climate.

His interest in community affairs brought him into many offices of civic responsibility, being twice chairman of the Fallbrook United Fund, and once Palomar District chairman for the North County area; a member of the San Diego County advisory committee that achieved zoning in the Fallbrook area; member of the Fallbrook Air Park Commission; and many times director of the Chamber of Commerce, both McAllen and Fontana, as well as Fallbrook. He was active in the Fallbrook Rotary Club.

Mackey also pushed a campaign to retain the 78-year-old Baptist Church as a landmark in Fallbrook, with the Enterprise pledging $500.

Along with Paul Algert, he instigated the successful campaign for the Fallbrook Boys' Club. He constantly espoused the cause of the youth of today, saying that, "chances are the youth of to-day would compare quite favorably with those in school in the 1920's."

He worked with the former Assemblyman Sheridan Hegland and Fallbrook Hospital board chairman George Kelsey in getting a new hospital for Fallbrook.

Mackey, at the time of his death was president of the San Diego Chapter of the California Newspaper Publishers Association, and had served in that capacity twice before. He was a member in 1964 and 1965 of the Stanford Editors' Conference; one-time member of the Newspaper Workshop Panel at Berkeley, and a member of the professional journalism fraternity, Sigma Delta Chi, Professional Chapter. He was a member of the San Bernardino Industrial Commission.

Mackey was currently chairman of the Board of Directors of the Southwest Bank, and was one of the original founders of that institution when it was known as the Bank of Fallbrook.

It was a service project, the Bloodmobile, that led to discovery of Mackey's malignancy. He attempted to donate blood early last May, but was turned away. "We can't take your blood this time," they said. "You'd better go to a doctor right away." He did, and underwent surgery later that month. Aware of his condition from that time, he nevertheless continued a "business as usual" policy. He was a person who couldn't accept, anything but the "best," from others, or himself.

He lived and worked by the Enterprise motto, "Your Right to Know is the Key to All Your Liberties."

SAN FRANCISCO BAY AREA RAPID TRANSIT A MODEL FOR AMERICA

Mr. KUCHEL. Mr. President, the fabled city of San Francisco prides itself on its reputation as "the city that knows how." Today in the San Francisco Bay Area communities there is in process of construction a new feature to add to the attraction of the San Francisco metropolitan area, an item that will take its place, I am sure, with the storied cable cars and the Golden Gate Bridge. I refer to the new bay area rapid transit system, known locally as BART.

A vital feature of the project is the northern California transit development project, which brings together the efforts of city, county, State, and Federal agencies to blend their contributions for the benefit of this major metropolitan complex.

A rapid transit system alone cannot solve the problems of a large urban area. There must be effective coordination between all elements of the public system. The schedule of the 3-mile-per-hour cable cars must be melded with the pace of a 70-mile-an-hour rapid transit train. This problem is the particular point of attack for the northern California transit demonstration program, which is bringing together all of these diverse elements, as the new rapid transit system comes into being.

This project has been financed in large measure by Federal funds made available under the 1964 Urban Mass Transportation Act, of which I was a cosponsor. I am sure all of my colleagues who supported this worthwhile measure will share my pride, as this project helps bring to reality in the golden city of San Francisco a modern transit system which will be the envy of the entire world.

Mr. President, my good friend Mr. James Carr, general manager of public utilities of the city and county of San Francisco, recently described the northern California demonstration project to a meeting of the American Transit Association. I ask unanimous consent that his remarks on that occasion be printed in the Record at this point.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of James Carr

Mr. Chairman, ladies and gentlemen, "bumper-to-bumper and crawling"—the helicopter reporter's familiar description of highway traffic;

A monstrous elevated freeway going nowhere, ending abruptly on San Francisco's famous waterfront;

An increasing number of automobiles commanding more street space and off-street parking:

These are symbols of the forces that are returning the American mind to the multiple advantages of metropolitan public transit systems.

REGIONAL EFFORT

These are forces that have indirectly brought three Bay Area Transit Agencies together in a nationally recognized effort to design a complete, regional transit service that emphasizes people's travel needs and minimizes arbitrary political subdivision boundaries.

This joint effort—successful so far—which was begun in 1965 by a "Bay Area Transit Troika," has prompted federal officials to call it "Showcase Coordination in Metropolitan Transit." Your program committee thought you would be interested in a more detailed view of this new transit vista.

My colleagues on the Board of Control of the Transit Study, B. R. Stokes and K. F. Hensel, representing the other two agencies, gave me the assignment of being the spokesman to tell you about the Northern California Transit Demonstration Project, which is the tri-county study's official name.

As a starter I should describe more clearly the three agencies that make up this "Transit Troika." There are two essentially "local" transit systems and a trunk line system serving three counties.

The three are these, in order of "age"—and I'll comment more on "age" a little later:

THE PROJECT PARTICIPANTS

Muni: the San Francisco Municipal Railway is the local transit system for San Francisco. The Muni operates cable cars, streetcars, trolley coaches, and motor coaches within the City, and in a small area outside the City in the southwest part of the service area. The Muni is governed by the five-man San Francisco Public Utilities Commission whose members, appointed for four-year staggered terms by the Mayor, also have responsibility for Water, Power, and the International Airport. The General Manager of the Muni is Vernon W. Anderson.

AC Transit: the Alameda-Contra Costa Transit District operates motor coaches in Alameda and Contra Costa Counties and across the Bay Bridge. AC Transit is governed by a seven-man Board of Directors elected for staggered two-year terms by the people of the two counties. Kenneth F. Hensel is the General Manager.

BARTD: The Bay Area Rapid Transit District is beginning construction of a trunk line rapid transit system that will provide high speed, grade-separated, rail arteries in the three counties served locally by Muni and AC Transit. BARTD is an autonomous district governed by a twelve-man Board of Directors appointed for four-year staggered terms by the Board of Supervisors and by Committees of the Mayors of the respective counties. B. R. (Bill) Stokes is the General Manager.

Now you at least have the names, if not the numbers, of the players.

Federal: the important other party in this showcase coordination, thanks to the Congress and President Johnson, is the United States Department of Housing and Urban Development. The federal government is paying two-thirds of the cost of the $792,000 study under provisions of the 1964 Urban Mass Transportation Act (Public Law 88-365).

Thanks are also due a number of federal representatives, for the success thus far, including the Bay Area Congressional delegation, and especially Secretary Robert C. Weaver, former Assistant Administrator-Transportation John C. Kohl, and his assistant, William B. Hurd. Without these three men it would have been almost impossible to put the case together.

The on-the-ground Project Director is E. Sam Davis, an experienced transit engineer, whom we borrowed "for the duration" from AC Transit.

Besides the three members of the Board of Control, Sam Davis has been assisted by others whom you know: Stan Forsythe and John Ray, alternates for Bill Stokes; George M. Taylor, alternate on the Board of Control for Ken Hensel; and Oral L. Moore, who serves as my alternate.

The real workers in the vineyard are the prime contractors, Simpson and Curtin, Transportation Engineers now of Philadelphia and San Francisco. Under the enthusiastic and capable leadership of John F. Curtin, supported by his staff, this "regional transit wilderness," constantly and quietly threatened by the arrows of "governmental jurisdiction," is beginning to take on the aspects of a "civilized community." In our opinion, John F. Curtin's firm has made this pioneering transit coordination study in a most effective and commendable manner.

Two subcontractors to Simpson and Curtin who have added a great deal are Kaiser Engineers of Oakland, and FMC Corporation of San Jose.

COMMENT ON LOCAL TRANSIT

Now "back to the ranch" of local transit which is essential to the ultimate success of the more glamorous rapid transit trunk lines.

First I should like to make some comment about "local transit" that throws a more meaningful light on the new transit vistas and coordination that have already been achieved.

Naturally, because the Public Utilities Commission I represent operates the fourth largest airport in the nation, there are almost constant comparisons between air travel and transit travel. The International Airport is the very essence of coordination.

Similarly, there are additional comparisons between the Commission's extensive water and power operations and the more localized transit operation.

San Francisco flourishes because daily we have thousands of workers and shoppers from Alameda and Contra Costa County communities who feed the economic arteries of San Francisco commerce. They come to San Francisco from a local transit system—the AC Transit District—that terminates its travel at the western end of the Bay Bridge.

From the south, the Southern Pacific Railroad and Greyhound Bus Lines pour thousands of workers into the City each day and Greyhound brings a lesser number from the communities of marvelous Marin County to the north.

None of these local transportation operations has been coordinated with "The Muni," the San Francisco Municipal Railway, from the standpoint of service, fares or passenger convenience.

It is needless to emphasize that none of these operations has been coordinated *with each other*.

TRANSIT TRAVEL MUST BE COMPETITIVE

If transit travel is to be competitive, there is a need to approach, at least, the regional service now available to motorists. Motorists can switch easily from Interstate freeways, to County highways and City streets without even a thought to governmental jurisdiction.

There isn't a metropolitan area in this country where trunk line and local transit can approach this continuous and properly coordinated journey.

One clear result of such comparisons is to see that some people really mean it when they say "local transit." In some cases local transit systems have not been just local or provincial—they have been narrowly parochial. Until fairly recently the San Francisco Municipal Transit System was a contender for the title. Fortunately, that albatross-like yoke has been lifted. Thanks to the Transit Demonstration Project there is a new consideration of regional transit requirements. There is recognition that people's transit travel needs don't stop at arbitrary political subdivision boundaries.

If local and high speed transit lines cannot provide outstanding transportation service, the automobile, like Frankenstein's monster, will continue to destroy the central core of the Nation's cities.

The performance of transit officials in the operation of regional and local transit systems will determine whether he can halt automobile-oriented travel from continuing to gobble up land and space that is needed for people, jobs, commerce, and industry in metropolitan America.

Transit can make an immense contribution toward improving the quality, the character, and the livability of the entire Bay Area.

Now to shed some light on transit performance problems, let us take a look at the Muni and San Francisco, the transit paradox, the City that is the primary target for thousands of transit travelers every day.

San Francisco is a unique city, no other city compares in so many ways; and so it is with transit—San Francisco is unique.

The Muni operates vehicles that are essentially the same as they were in 1873—the world-famous, 9-mile-an-hour cable cars, the "International Hallmark of San Francisco."

The Muni operates the only completely obsolete transit system in this sense—not one vehicle in its 983-vehicle active fleet is of a make that is any longer manufactured. The Muni operates three buses that are 27 years old and have gone about 800,000 miles. Several others are crowding 500,000 miles.

Thanks to Mayor John F. Shelley, the Board of Supervisors, the Public Utilities Commission, and my associates in the Demonstration Project, we now have a $96.5 million bond issue on the November ballot to remedy that dubious distinction of obsolescence.

The Muni, with the oldest vehicles and the lowest fare (15 cents), has wages that are among the highest (now $3.35 per hour). The highest revenues ($2.75 per mile) are on the slowest routes, the 5-mile-an-hour schedule of the cable cars.

The Muni, according to the latest count, has a transit-riding habit of about 190 rides per capita per year, which is twice the average for most American cities, although San Francisco is one of the few major cities that as yet does not have some form of rail, grade-separated transit.

THE OTHER LOCAL TRANSIT

AC Transit, the other local transit organization in the troika, is not in the same class with the Muni—"in age, that is." AC doesn't have cable cars, but AC has some excellent modern equipment. They don't operate under the restrictive Charter provisions the Muni does regarding capital outlay. It is encouraging that Mayor Shelly and the Board of Supervisors have recommended a change so we can at least begin to compete with the modern system Ken Hensel has built to serve the East Bay. AC can hold its own with any local transit system in the country, and it is a tribute to Ken Hensel, his colleagues, and the governmental structure set up by the people, to do the job.

THE HIGH SPEED PARTNER

BARDT, our high-speed partner in the Demonstration Project, needs little explanation here. All over the country, and, in fact, foreign countries, people are aware of BARDT and the Bay Area's determination to develop rapid transit. There are a lot of people responsible, as with any great endeavor in the billion dollar class; but two men, Adrien J. Falk, Chairman of the Board, and B. R. (Bill) Stokes, the public relations attentive and beleaguered General Manager, have shouldered some enormous burdens. Despite herculean problems of reaching what is known in the trade as "a consensus," the great high speed, trunk-like plan is beginning to take shape.

Ideally, BARTD should have been larger, served a greater area, included more main lines; however, many a larger, more comprehensive plan has failed because it "never got off the ground." BARTD is "off the ground."

The people must understand that economic growth and jobs in a limited metropolitan area require turning the job of moving masses of people over to transit. Densely populated cities need rapid transit just as high buildings need elevators.

Today an average of 1.5 passengers are in each auto entering the City's core; and that brings their downtown space need to about 350 square feet each.

Transit-oriented workers need 100 square feet each. So automobiles require more than three times as much space as people.

There is just so much space in the core sections of cities.

That is a quick review of the general problem.

Here is some more specific information on the three-way study—the Northern California Transit Demonstration Project, a project that will, among other objectives, arrange for a rendezvous of 9-mile-an-hour cable cars with 70-mile-an-hour rapid transit trains. It is a project that has on computer cards the basic transit facts for some 470 different zones that on a computer can show some possible 225,000 different routes.

The general objective is to develop a transit system with maximum rider appeal with major emphasis on safe, high-speed operation, automatic control, attractive vehicles, pleasant appearing stations, passenger comfort and convenience. It's a large order. But transit, not automobiles, can fill it.

To tackle the problems the study was set up under seven general headings. They are:

1. Traffic and Routes
2. Operating Equipment
3. Passenger Interchange and Fare Collection
4. Operating Costs
5. Fare Structures
6. Coordination of Facilities
7. Traffic Promotion

Some of these general subjects were divided into a couple of dozen subsections as the work progressed. There is a day-to-day implementation of the study guided by E. Sam Davis, the Project Director, who has offices in San Francisco.

ANALYTICAL APPROACH

Several of us involved in the Demonstration Project believe it represents a benchmark in ground transportation research, not only because it is coordinating three independent and separately-owned transit systems of varying nature, but it also represents one of the most up-to-date attempts in the transit industry to apply the "systems' analysis" approach to a total ground transportation network.

I regret that transit planning and research has all too often been based on the traditional view that history will repeat itself. The projections in this study were based principally on statistically-derived trends of the past. In the "systems' approach" that was used, however, an attempt has been made to turn away from the traditional methods and adapt the techniques of operation research that have been used successfully in the aerospace program.

Under the direction of Simpson and Curtin the study has developed simulation models which attempt to incorporate all the variables which affect the riding of transit.

The basic approach reflects the fact that a regional transit system is complex, and consideration must be given to transportation facilities, utilization of land, human activities, demographic, social characteristics, and consumer choices when there are alternative modes of transportation.

While transportation engineers and planners have generally been aware of these relationships, it is only recently that there have been developed adequate measures for expressing such facts as residential density, average family income, automobile ownership, shopping trips in relation to work trips, and similar data.

In the model used by Simpson and Curtin a total of 29 independent variables were analyzed for trip generation among 474 analyses zones. The computer handled over 40,000 inputs in the estimating of transit trip production and trip attraction.

The whole purpose of this is to utilize the computer to provide modern tools so that policy makers can consider probable alternative plans before they are executed.

The consultants have tested this model by comparing synthetic trips for 1965 with actual field checks, with the result that the patterns developed on the model are sufficiently close for estimating future transit trips.

FUTURE TRANSIT NETWORKS

In general, the future transit networks developed for testing on the model are added rapid transit lines in San Francisco, re-routed feeder lines to BARTD stations, and three additional routes in areas not presently served. Trips have been forecast on each network and the volumes of track on each link of the system have been determined and formalized. In this way each alternative plan is tested to develop the optimum amount of transit use in the Bay Area, including the optimum access to the BARTD system.

In association with these tracks and routing analyses, there is also being developed cost studies for each leg of the coordinated network.

In similar fashion we are testing alternate fare proposals for joint fares among the three systems, including discount fares and other means of merchandizing transit.

By the end of the year it is expected the remaining cost benefit analyses on the alternate test systems will have been completed, then the consultants will be in a position to recommend a transit network for total coordination for both surface and underground transit lines in the tricounty study area.

PRELIMINARY TRAFFIC ESTIMATES

The traffic estimates and route planning results made by Simpson and Curtin are quite encouraging. They have compiled preliminary results for transit volume and operating speed for 1975 when the three systems will be fully coordinated. The prints from the computer show that there will be an increase in transit rides in the Bay Area from about 550,000 trips daily in 1965 to about 700,000 total journeys in 1975. This represents a rise in transit patronage of 27%. The San Francisco increase is estimated at 25% against an East Bay estimated increase of 30%, but with wide variance in different parts of the tri-county system. Travel speed is estimated to improve 33% in San Francisco by 1975, and an even greater gain in speed of 39% for the East Bay communities.

These potential transit service improvements have already aroused substantial local interest. The BARTD construction is proceeding on both sides of the Bay, and the City and County of San Francisco is embarking on a $96.5 million program which is included in a bond issue on the November ballot. This would constitute the first phase of a $400 million program for the City and County of San Francisco.

I should point out that in meeting the deadlines on the ballot proposal for the City and County of San Francisco, the time limit has been met only by the aid of AC Transit and BARTD in this joint venture. As I have said publicly before, it is this kind of cooperation that creates enthusiasm for a new coordinated regional transit effort in the three counties.

* * * * *

In conclusion, I believe you will agree with the comment by federal officials about this Bay Area transit troika. It is definitely showcase coordination in metropolitan transit that heretofore has not been accomplished.

It is thanks to the Federal transit program and the willingness and cooperation of the officials of the three systems which presents an example which can be profitable to the entire transit industry.

We have, through this study, developed a new atmosphere of mutual effort in the constant battle to prevent automobiles and automobile-oriented travel from destroying the optimum development and the central core of our cities.

San Francisco, the unique city, is already a showcase city to people all over the world.

With the management tools already developed, we are definitely on our way to make the San Francisco Bay Area effort the showcase of transit coordination in Metropolitan America.

FRANK "LEFTY" O'DOUL—SUPERB ATHLETE, GREAT CITIZEN

Mr. KUCHEL. Mr. President, for the fifth time since organized baseball migrated to the Pacific Coast a decade ago, California this year, once again, took part in the World Series. Instead of the old time "subway series," our national pastime with frequency, if not with regularity, now seems to be featuring cross-country competition to determine the coveted world championship.

As Senators know, during the World Series just past I rooted for the Los Angeles Dodgers. My team lost, and I joined with the rest of the sports-loving American public in saluting the champion Baltimore Orioles.

It is appropriate at this time for me to recall that California long has been prominent in the national sport of baseball. As an illustration, I wish to note the public esteem expressed in the recently concluded season for a truly monumental figure in the game's annals, Frank "Lefty" O'Doul, one of the real "greats" who personifies human perseverance and determination.

"Lefty" O'Doul went twice, not just once, from the sandlot teams of San Francisco's "Butchertown" to the major leagues. Now in advanced years, he is the only living major leaguer with the imposing lifetime average of .349. After gaining recognition as a pitcher with the long-remembered San Francisco Seals, he moved up to the American League where arm trouble interrupted his career after a brief period. During a return to the Pacific Coast League, he demonstrated unique ability that made him one of the game's outstanding hitters as an outfielder and carried him back to the National League.

The record books are studded with notable achievements of "Lefty" O'Doul, who despite his years still is dedicated to the sport and recently toured Vietnam. During the season just closed, the California Legislature and the city of San Francisco honored this fine athlete for his remarkable feats and dedication. The admiration and respect felt for him in the community where he first gained notice is well-expressed in a resolution of the San Francisco City and County Board of Supervisors. I ask unanimous consent that the resolution, dated May 18, 1966, be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION NO. 315-66—COMMENDING FRANK "LEFTY" O'DOUL

Whereas on Saturday, May 21, 1966, the City of San Francisco will join with all sports fans of the Bay Area in paying honor and homage to Frank "Lefty" O'Doul at Candlestick Park; and

Whereas a product of our "Butcher Town" District's sandlot teams, Lefty O'Doul began his career in professional baseball as a member of the San Francisco Seals, graduating to the big leagues where he was recognized as one of the greatest hitters of all times, and ending his fabulous career as manager of the San Francisco Seals for 17 years; and

Whereas while Lefty O'Doul has truly merited the hearty acclaim which has been extended him as a baseball player, in a deeper and more abiding sense it is his constant and public adherence to tenets of clean living and fine sportsmanship which represents his most significant and beneficial influence on our youth, inspiring them to emulation and, conversely, to renunciation of the forces of delinquency: now, therefore, be it

Resolved, That this Board of Supervisors, for and on behalf of all the people of San Francisco, do hereby extend warm and heartiest commendations to our distinguished fellow San Franciscan, Frank "Lefty" O'Doul and do hereby tender to him a suitable engrossed copy of this resolution in recognition of his outstanding meritorious career and as a token of the esteem and affection in which he is held by the people of San Francisco.

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco at its meeting of May 9, 1966.

ROBERT J. DOLAN,
Clerk.

Approved: May 13, 1966.

JOHN F. SHELLEY,
Mayor.

May 18, 1966—1t.

YOUR HOME IS YOUR CASTLE

Mr. YOUNG of Ohio. Mr. President, public relations men are prone to suggest slogans. Public servants do well to avoid the mush and slush of such political slogans. Candidates for office win by giving citizens solid achievements and definite promises of future accomplishments. Recently, candidates in some States have been mouthing the slogan, "A man's home is his castle."

Of course, a man's home is his castle. Men and women have the right to protect their homes.

Abraham Lincoln in his historic debate with Senator Stephen A. Douglas truly said:

> A house divided against itself cannot stand. This Nation cannot long endure half free and half slave.

Lincoln's words are just as true today as they were more than 100 years ago. In today's terms this Nation cannot long endure half privileged and half destitute, half in good homes and half in ghettos, half overfed and half hungry.

The best protection any man may have in his castle is to give his neighbor who lives in a slum something better to protect. I fervently believe in complete civil liberties, civil rights, and equal opportunity for all Americans regardless of race or color. I first made this statement in 1958 as a candidate for U.S. Senator, and have repeated it many times since.

Mr. President, I yield the floor.

THE ONE BRIGHT SPOT IN TODAY'S COST-OF-LIVING PICTURE

Mr. DIRKSEN. Mr. President, all of us know only too well how severely the Nation has been plagued by incessant increases in the cost of living. According to figures released just recently by the Bureau of Labor Statistics, the cost of living climbed again in August 1966, to reach a record high figure of 113.8. This is an increase of 10.7 points since 1960 alone.

During that same period, however, a number of items that make up the cost-of-living index have risen faster than the national average. Food, for example, has increased 14.4 index points since 1960, services have registered an increase of 16.4 points, while medical care has shot up 20.3 points to an index figure of 128.4.

All Senators know full well the underlying causes of inflation and also understand that the people who are hurt most when prices go up are the people who can afford it least—the poor, the workingman and his family, and the senior citizens whose fixed incomes, pensions, and savings are constantly shrinking in value as the basic necessities of life are constantly increasing in cost.

Happily, all is not darkness, for it appears that there is at least one truly bright spot in today's otherwise dreary cost-of-living picture—the most unusual and highly significant contribution that has been made in the form of lower prices, in defiance of the national trend, by the American appliance industry.

According to information just sent to me by a constituent, Mr. Sol Polk, one of the Nation's most successful and progressive merchandisers, the appliance industry has been doing much more than holding the line as far as prices are concerned. A study of Polk Bros., in cooperation with Westinghouse Electric Co., reveals the remarkable fact that appliance prices have actually gone counter to the national cost-of-living trend.

This is not merely a recent, or Johnny-come-lately, phenomenon. The study which was made as a part of Polk's 30th anniversary celebration as a Westinghouse appliance dealer, shows that appliance prices have been going down consistently and continually for the past 15 years while the price of almost everything else has gone up.

Since 1960, according to the study, while the national cost-of-living index rose 10.7 points, the index figure of the Bureau of Labor Statistics for appliances dropped from 98.8 to the latest 1966 figure of 84.3, a price decline of 14.5 index points.

Going back to 1951, the contrast between what has happened to appliance prices and the national cost-of-living index is even greater.

Since 1951, the national cost-of-living index has gone up 23.3 points. In contrast, the index figure reflecting the average prices of appliances has gone down 38.4 points, according to the study. Referring to some specific appliances, the study points out that since 1951 automatic washing machines have dropped 23.4 points on the Government price index, refrigerators and freezers have decreased 76.3 points, gas and electirc ranges are down 11.8, the price index for radios has dropped 33.3 points, while for television sets the decline has been 43.5.

Here are highlights of what the Polk study shows has been happening to other items from 1951 to the present: food, up 20.4; clothing, up 9.5; services, up 42.6; medical care, up 51.5; hospital rates, up 101.1; children's oxfords, up 32.7; children's indoor movie admissions, up 97.6; tobacco, up 43.6.

The study of how the appliance industry has been doing under adverse inflationary conditions credits the American miracle of mass production plus ingenuity in cutting costs by manufacturers, distributors and retailers for their industry's ability not only to absorb their own rising costs but also to reduce prices until now.

Additionally, the study asserts that while prices have been coming down, product improvements have been made regularly so the industry can state that it is providing the American family with a better product at a lower price.

Congratulations are due to everyone associated with the appliance industry—to the manufacturers, to the working men and women, to the distributors, and to the retailers—for a significant contribution to an even higher American standard of living and for providing what truly must be called a bright spot in today's cost-of-living picture.

Thanks to Mr. Sol Polk for making this interesting information about his industry available, and congratulations to Polk Bros. and to Westinghouse on the joint celebration of the 30th anniversary of their business relationship.

THE U.S. CIVIC PROGRAMS IN VIETNAM

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Winning Militarily in Vietnam, but the United States Should Tell World More About Its Civic Programs," written by Dick Kirkpatrick, and published in the Cincinnati Inquirer of Sunday, August 21, 1966.

Mr. Kirkpatrick, who is Washington bureau chief of the Cincinnati Enquirer, recently visited South Vietnam in company with other newsmen. His column is a narration of his observations during that visit. He points out in his column a fact which is given little publicity among the people of the United States. I refer especially to the failure to acquaint not only the people of our country, but the people of the world, as well, with the civic services that our military men are rendering to the people of South Vietnam.

I wish to emphasize certain portions of Mr. Kirkpatrick's article by reading the following paragraphs:

> Washington.—Militarily, the war in Vietnam is being won. Psychologically and politically, much more could be done, both at home and around the world.
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> Last week, Sen. J. William Fulbright, chairman of the Senate Foreign Relations Committee, in a sense, called on the carpet the U.S. Information Agency for financing trips to Vietnam of 30 to 35 foreign newsmen.
>
> This is the very thing that should be done. It is the area in which U.S. effort has been so lax. This was exemplified when President Johnson ordered the bombing of the Hanoi and Haiphong oil depots.
>
> * * * * *
>
> Lt. Gen. Lewis W. Walt, Marine Corps commander at Da Nang, explained how Marines have learned to fight a totally new kind of war—militarily and in civic action.
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> * * * * *
>
> The Marines set out to win people as well as territory. They have done both. The four-square miles have been expanded to 400 square miles under their control.
>
> In one village we saw only happy faces, not only of a colony of refugees but of permanent residents there. A few days earlier, villagers several kilometers away had recaptured an escaped Viet Cong prisoner and returned him to custody—an act almost unheard earlier.
>
> General Walt has a $300,000 fund, collected by Marine reserves in the U.S. for his civic action program. It finances school book kits, tool kits and the like for natives. This is quite removed from the combat role for which the Marines long have been famed.
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> * * * * *
>
> Pigs and other animals, farming aids, saw mills, establishment of laundries, soap manufacturing, and industrial and school building are only a few of the civic action activities.
>
> More than 5,500 soldiers voluntarily extended their one-year tour of duty in Vietnam. American nurses also have extended their 18-month tour with medic teams in Vietnamese civilian hospitals—where patients averaged 2.4 per bed. Windows were unscreened, flies numerous, conditions crowded and equipment antiquated. They have to be dedicated to remain a day.
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> * * * * *
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> If Vietnam is not won, or at least stalemated as in Korea, the infiltration and aggression will break out throughout the area—including the Philippines and India. Chinese Communists have just completed a road from Lhasa in Tibet to Katmandu in Nepal, a gateway to India. The road which leads from Red China itself, has bridges capable of carrying weights well beyond the needs of local traffic.
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> * * * * *
>
> Even in peace-conscious India, we found strong sympathy for American presence in Vietnam and Southeast Asia.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio?

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Cincinnati Enquirer, Aug. 21, 1966]

Winning Militarily in Vietnam, but the United States Should Tell World More About Its Civic Programs

(By Dick Kirkpatrick, Enquirer bureau chief)

Washington.—Militarily, the war in Vietnam is being won! Psychologically and politically, much more could be done, both at home and around the world.

Twenty months ago, it was not hard to find in Southeast Asia—and even at home—the view that the U.S. would be pushed out of Vietnam.

Last month, no one was suggesting defeat of the U.S. Some may question that a persistent guerrilla can be vanquished, but no one suggests that American forces will leave any sooner than they desire to leave.

But, there is a wide range of advice on the right, purpose and future course of American forces in Asia. It ranges from the view that the U.S. should get out, to expressions of fear the U.S. will weary and leave before the job is done.

Last week, Sen. J. William Fulbright, chairman of the Senate Foreign Relations Committee, in a sense, called on the carpet the U.S. Information Agency for financing trips to Vietnam of 30 to 35 foreign newsmen.

This is the very thing that should be done. It is the area in which U.S. effort has been so lax. This was exemplified when President Johnson ordered the bombing of the Hanoi and Haiphong oil depots.

The world-wide reaction generally was to censure it, including disapproval from such nations as Britain and France. Yet at home, polls showed a gain in the President's popularity after the decisive action.

It is interesting that Senator Fulbright, one of the severest critics of Vietnam policies, was offended when an analogy was drawn between the USIA program and the 20-year-old student exchange under Fulbright scholarships. But is a foreign student any more influenced whose studies are paid by U.S. dollars for a year here than a foreign newsman whose brief visit to Vietnam is financed by USIA?

Extend the Vietnam visits of foreign newsmen to include influential leaders of other western-oriented nations, especially in Asia.

Let them see what is being done in Vietnam, not just militarily but in rebuilding the nation in civic action programs and in seeking to build a Vietnamese confidence in self-government. And much of this is being done by combat troops serving in an unprecedented dual role.

There is a story to be told the world and at home. The doubtfuls also need to be informed. It would make your American heart proud to see the Vietnamese children's hospital, built by Marine hands and with funds they raised, through the inspiration of two Marine doctors from Akron.

Troops of the First Cavalry Air Mobile Division during eight months in the battlefield, provided 13,000 immunizations of South Vietnamese villagers.

Daily combat medic teams hold sick calls for villages in the combat areas, treating hundreds.

Help, ranging from sewing needles to bags of cement, are distributed by combat troops to the natives.

Lt. Gen. Lewis W. Walt, Marine Corps commander at Da Nang, explained how Marines have learned to fight a totally new kind of war—militarily and in civic action.

When his forces landed at Da Nang they controlled four square miles. Viet Cong were across the river from the airport. There were 180,000 Vietnamese living in Da Nang, any one of whom could have lobbed a mortar into his position.

The Marines set out to win people as well as territory. They have done both. The four square miles have been expanded to 400 square miles under their control.

In one village we saw only happy faces, not only of a colony of refugees but of permanent residents there. A few days earlier, villagers several kilometers away had recaptured an escaped Viet Cong prisoner and returned him to custody—an act almost unheard earlier.

General Walt has a $300,000 fund, collected by Marine reserves in the U.S. for his civic action program. It finances school book kits, tool kits and the like for natives. This is quite removed from the combat role for which the Marines long have been famed.

Pigs and other animals, farming aids, saw mills, establishment of laundries, soap manufacturing, and industrial and school building are only a few of the civic action activities.

More than 5,500 soldiers voluntarily extended their one-year tour of duty in Vietnam.

American nurses also have extended their 18-month tour with medic teams in Vietnamese civilian hospitals—where patients averaged 2.4 per bed. Windows were unscreened, flies numerous, conditions crowded and equipment antiquated. They have to be dedicated to remain a day.

One may quarrel over the American decision to intervene. But, the decision was made, we are there and we cannot leave until the job is done. Yet, even with this conviction, the sight of bodies from the battlefield always raises the inner question, "why is this war necessary and why are we there?"

We are there to stop aggression in the name of "wars of national liberation." If a succession of three of four mayors of Cincinnati and each of the other Ohio cities had been assassinated in the past year would we feel this was simply a civil action and a free expression of Ohioans?

Thailand, where such incidents have increased in the remote border areas, has endorsed the Hanoi-Haiphong bombings. Indonesia, which has thrown off the Communist grip, benefitted by American presence in Southeast Asia.

If Vietnam is not won, or at least stalemated as in Korea, the infiltration and aggression will break out throughout the area—including the Philippines and India. Chinese Communists have just completed a road from Lhasa in Tibet to Katmandu in Nepal, a gateway to India. The road which leads from Red China, itself, has bridges capable of carrying weights well beyond the needs of local traffic.

Critics argue the North Vietnam bombings have not stopped the infiltration of troops into South Vietnam. The bombings have hurt and hurt badly. North Vietnam has fully mobilized, parts of Hanoi and Haiphong are being evacuated: An undetermined number of Chinese engineer and worker battalions have gone in to help repair bomb damage to roads and rails. None of this would be necessary if the bombing of military targets in North Vietnam had not been effective.

North Korea Communists show signs of drawing away from Peking ties. Red China itself is engaged in a serious cultural purge—so serious that college enrollments have been deferred six months to permit political control over college thinking. And Peking has been so busy that Hanoi has been told to go it alone in the Vietnam struggle.

Even in peace-conscious India, we found strong sympathy for American presence in Vietnam and Southeast Asia.

Nevertheless, once the war is ended, we should get our forces out as quickly as possible, and leave the peace-keeping to friendly troops of Asian nations.

At least, this is a view that I share with other more knowledgeable persons, and based on the visits in December 1964, and again last month. The recent tour included the entire fringe extending from Taiwan (Formosa) through Nepal, India, Afghanistan, and Russia where propaganda against U.S. efforts in Vietnam seemed to be more perfunctory than demanding.

COMMENDATION OF SENATOR HIRAM FONG'S ADDRESS AT THE INTER-PARLIAMENTARY UNION CONFERENCE AT TEHERAN, IRAN

Mr. SCOTT. Mr. President, I wish to call the attention of my colleagues to a most effective address delivered by the senior Senator from Hawaii [Mr. Fong] at the recent Inter-Parliamentary Union Conference held in Teheran, Iran.

Senator Fong was one of seven Senators, including myself, who attended the Conference as official members of the U.S. delegation. A total of some 460 delegates from 63 countries were in attendance at the Conference, held from September 27 to October 4.

I am happy to report that Senator Fong's speech was enthusiastically applauded as a forthright, vigorous and cogent statement of our country's role in the Vietnam war. His effectiveness in defending his country and in rebutting critics at the Inter-Parliamentary Union Conference reflects great credit on the senior Senator from Hawaii. I am pleased to pay this tribute to him and to congratulate him on a task well done.

I ask unanimous consent to have his remarks printed in the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Senator Hiram L. Fong, From the State of Hawaii, Delegate From the U.S. Group to the Inter-Parliamentary Union Conference, Teheran, Iran, September 29, 1966

Mr. President and my fellow colleagues: I am a first generation American citizen of Chinese ancestry. American citizens of Chinese ancestry comprise only about one-tenth of one per cent (1/10th of 1%) of the population of the United States of America.

I am also a member of the Republican Party, which has only one-third (⅓rd) of the membership of the Congress. Ethnically and politically, I am a minority American.

Upon the granting of statehood to the Territory of Hawaii in 1959, I was elected a Senator of the United States of America from the State of Hawaii.

Two years ago, when President Johnson won four out of every five votes in my State, I was re-elected United States Senator for a second term of six years.

This is my first attendance at an Interparliamentary Union Conference.

My attendance here as a delegate, as a Member of the United States Senate, as a member of a minority Party, and as an American citizen of Chinese parentage can be attributed to, or may I say, is a result of the abiding adherence by Americans, regardless of race, creed or national origin, to that fundamental and natural concept of the Rule of Law—the Rule of Equity and Reason.

In my State of Hawaii, which is populated by almost every racial group of this earth, we have succeeded in living by the Rule of Law.

We believe in, and subscribe to, the Brotherhood of man and the Fatherhood of God. Our people live by these precepts in concord and in amity.

We know that the Spirit of Aloha, which is so much the Spirit of Brotherhood—of Friendship—of Good Will—toward your fellow man, and which is so much a part of our Hawaiian life and heritage, is the sure road to real and lasting peace for all mankind.

A people, so constituted and so inspired, cannot but have a deep feeling and understanding of what is right and what is wrong in the relationship of man-to-man, people-to-people, and nation-to-nation.

It is the feeling of the people of my State, Mr. President, where there is so much of the spirit of love and good will, that the course my country has taken in the Viet-Nam situation is right and that this commitment to Viet-Nam is our commitment to the Rule of Law.

This feeling is fortified by the overwhelming majority of Americans, be they of the majority Party, or as I am, of the minority Party. This is true despite the occasional demonstrations of a very small group of protestors.

Our commitment to freedom, which has involved resistance to Communist efforts to promote what they call "wars of liberation" in order to advance the Communist cause, has been a basic tenet of every American President of both Parties since World War II. In 1947 when Greece and Turkey were threatened by Communist guerrillas, President Truman said: "The United States must support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures. We must assist free peoples to work out their own destinies in their own way."

President Eisenhower, whose Administration had to cope with overt Communist aggression against South Korea, said: "Americans, indeed, all free men, remember that in the final choice a soldier's pack is not so heavy a burden as a prisoner's chains."

And, when President Kennedy took office, he proclaimed: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

Several Communist Delegations tell us that we are intervening in an internal struggle and that we have violated the Geneva Accord.

The facts, Mr. President, are quite the contrary. We are not deceived by Communist subterfuge to confuse the issue by labeling aggression as an indigenous revolt. The "war of national liberation," which is the Communist pargon for efforts to impose the will of the minority on the majority, depends on terror, sabotage, stealth, and subversion.

But North Vietnam, Mr. President, has done much more than that. Already by 1961 North Vietnam, in gross violation of the provisions of the Geneva Conference, had infiltrated 10,000 men into South Vietnam. In 1962, 13,000 more were sent. And by now, there are no less than 19 identified Regiments of regular North Vietnamese troops operating in South Vietnam. This, Mr. President, is aggression, pure and simple.

My government has made a commitment to help South Vietnam resist that aggression. President Johnson made this clear when he said: "Our objective is the independence of South Vietnam and its freedom from attack. We want nothing for ourselves—only that the people of South Vietnam be allowed to guide their own country in their own way." To this, I would add, that the U.S. eagerly desires to see full respect shown for the Geneva agreements and is ready to sit down in negotiations tomorrow to assure they are complied with.

Let there be no misunderstanding, Mr. President. The American Congress and the American people of both Parties overwhelmingly support the President.

We have made our commitment. We have kept it. We intend to continue to keep it. Nothing will deter us from this resolve. But while doing this, we are willing to talk, to discuss, to negotiate.

Someday, sometime, the channels of communication must open. It may come soon. It may come later. But, sooner or later, the spirit of love—of good will—of conciliation—of brotherhood—of respect for the Rule of Law will prevail. I hope and I pray that the views of this distinguished assembly dedicated as they are to peace and conciliation, will soon be heard in Hanoi and that the cooperated energies of both our peoples, marching shoulder-to-shoulder, will bring forth the promised millenium of happiness, of progress, of plenty and of peace.

EDWARD DURELL STONE—CLIENT'S ARCHITECT

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an excellent article about Edward Durell Stone, the great architect, which was published in Business Week magazine for October 8, 1966.

Mr. Stone is a native of Fayetteville, Ark., my hometown where, as a boy I knew him.

Mr. Stone is the architect for the Kennedy Center. I believe Senators will be interested in this account of his professional achievements.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAN WITH A BILLION ON THE DRAWING BOARD—RUNNING A BIG COMPANY, COURTING CLIENTS, AND DESIGNING BUILDINGS ARE THE SKILLS THAT MAKE ARCHITECT EDWARD STONE A COLOSSUS

Prosperity on a scale never seen before has come to the nation's architects. Few of the 30,000 architects across the country lack work; most, in fact, are overburdened and behind schedule.

For over the past decade the U.S. has not only built at a record pace, but it also has decided to beautify—with a sharper eye for shapes and forms than the traditional commercial developer can afford to satisfy. Achitects, once largely content to blueprint ordinary buildings, now help plan whole cities, design huge university campuses, draft plans for enormous office building complexes.

With the giantism of their projects has come compromise. The profession in the '60s seems to have learned a better balance between creativity and commercial needs—possibly because the open-mindedness of commercial clients has made the balancing easier.

Client's architect

None of the nation's architects has learned where the balance point lies better than Edward Durell Stone, who—in contrast to an architect's architect, like the late Frank Lloyd Wright—might be described as a client's architect. Creative, yet incredibly sensitive to what the client wants, he keeps a 200-man staff busy in an East 67th Street limestone townhouse off New York's Central Park.

Currently on his drawing board are $1-billion worth of projects—enough to make an architectural firm look as much like a business as a profession. Stone's staff, which includes 50 registered architects, are presently laboring over the $100-million General Motors building now under construction in New York City, the $50-million John F. Kennedy Center for the Performing Arts in Washington, D.C., and a $100-million civic center for New York.

"And," says Stone, "I not only hope but expect to get bigger."

This kind of optimism is rare in a profession riddled by rising costs and dependent on the whims of the public, but it has been virtually a trademark with Stone ever since, as a young boy in his native Fayetteville, Ark., he won a birdhouse competition and walked away with $2.50 in prize money.

I. THE COMPLETE ARCHITECT

His optimism stems partly from his huge and prestigious workload and partly from the flatteringly unique requests made of him—an entire university out of the bare earth of an Albany (N.Y.) site; the government buildings for Islamabad, the new capital city of West Pakistan; and master plans for campuses from Kentucky to Alaska. To deal with such projects, Stone has expanded his staff by 25% in the last four years, and added offices in Palo Alto and Los Angeles, which he visits at least once a month.

Creative freedom

Now 64, Stone remains the picture of creative dishevelment that years ago prompted one of his friends to call him "a one-man slum." A 6-ft., 200-pounder, Stone typically wears slightly baggy clothes and always seems to have his mind on other things—once he got into a taxi and told the driver to take him to LEhigh 5-1144—Stone's office telephone number. Perhaps it is this ingenuousness that enables Stone to sell himself so adroitly. "Let's face it," a rival architect says, "he's a great PR man."

He is that—and more. While today's competitive pressures often force young architects to choose between the imperatives of design, client persuasion, and administration, Stone is a genuine triple threat. Not only is he considered as versatile a designer-draftsman as there is in the country, but also a natural at attracting—and pleasing—clients, and an effective administrator. This is not to say he runs his business by himself. William Bailey Smith, who joined Stone as general manager in 1961, is known as one of the sharpest around.

There's no question that to get their buildings off the drawing board most architects have to do things nobody taught them in design school.

Says Stone: "The architect is partly a creative artist, but since large projects require a huge technical staff, he also has to be part businessman. And you can't minimize the ability of an architect to present himself well—bringing people to the conviction that he's the one for them. So there's a big element of merchandising."

It also helps to know the right people. And Stone does—from Pakistani President Ayub Khan, whose presidential palace he's designing, to Henry Luce, whose South Carolina estate he did, to A&P heir Huntington Hartford, for whom he designed the famous modern art gallery in New York.

Not all big-name architects—there are around a dozen ranging from 80-year-old Ludwig Mies van der Rohe to 49-year-old I. M. Pei—want their operations to be as large as Stone's. Many zealously pare down their staffs even though it means turning down clients they would like to take. Pei has 75 staff members; Philip Johnson, 35; Mies van der Rohe, 30.

Keeping tabs

What these architects fear most is getting too far away from the whole design process. The most the head of a large firm can do is come up with the original design and keep tabs on what happens to it as it passes down through the office heirachy to the men who have to produce the minutely detailed working drawings. Stone, for instance, meets with clients and comes up with a basic design solution and then passes the work on to a project captain with whom he consults daily. But he has a reputation for going around to the drawing boards at night after his men have left to see what they've done during the day, often writing comments on their work.

Stone doesn't mind working this way—partly because the advantages of expanding were so great. "The reason we expanded," he says, "was that we were offered the chance to build the branch of the state university at Albany. It had to go up all at once, and I just couldn't pass it by." With this project nearing completion—Stone maintains only a 16-man field office there now—he's ready for other big projects, like the work in Pakistan.

Steady contracts

But a large firm means big overhead in a business that even in good times fluctuates wildly. Stone calls a firm successful when it has a steady flow of contracts in diverse fields. "Our size hasn't had to vary much in the past five years," Stone notes, "it has been 200—20 more or 20 less."

Still, Stone's firm is feeling the current tight credit situation. "Already, we've had to make serious modifications in two of our most important projects because of the high interest rates," he says. "And God forbid that there ever be another Depression. The architects in New York literally had nothing to do."

II. THE BUILDING YEARS

Stone was one of them. In 1929, he returned from a year in Europe on a fellowship he had won after his architectural studies at Harvard and MIT—hardly an auspicious year. Though his early-Depression days were generally lean, Stone managed to meet several big-firm architects, and through them, got occasional work. He was chief designer for Radio City Music Hall, whose 6,200 seats make it the world's largest movie theater, and he worked on the Grand Ballroom of the Waldorf. But it wasn't until 1933, Stone feels, that "I became, in my own right, an architect." That was the year he designed the Richard H. Mandel house in Mt. Kisco, N.Y. When it was completed in 1935, it was the first modern house in the International Style to have been built in the eastern U.S.

The Bauhaus influence

Through the 1930s, Stone continued to design in the International Style—that stripped and economical genre that came out of the German Bauhaus (literally: architecture house), a school of design founded in Weimar in 1919 by Walter Gropius. It is perhaps best known for such "glass box" landmarks as Gropius' own Fagus Works, the United Nations building, and the Seagram building—which onetime Bauhaus director Mies van der Rohe designed in conjunction with Philip Johnson.

Stone followed the Mandel house with others in the style. The most prestigious is the Luce plantation in South Carolina—Bauhaus-modern except for one concession to antebellum tradition—a walled garden.

In 1937, he was named associate architect of the Museum of Modern Art, New York's first major building in the International Style, and one of Stone's most famous works. The museum was well-received but "houses in the style," says Stone, "did not win general acceptance in this country: They were too sparse, too arid, too cold."

After 1940, impressed by a visit to Taliesin, Frank Lloyd Wright's Wisconsin home, with its emphasis on "natural materials, wood and stone indigenous to the countryside," Stone switched to surroundings-oriented home design, and did some notable ones in Westchester and his native Arkansas.

But Stone's career didn't really take off until 1954. That year he (1) designed the U.S. embassy in New Delhi, India, (2) married Maria Elena Torchio, the American-born daughter of a Florentine architect, whom he was to call his inspiration for the years of accomplishment that followed, and (3) swore off martinis. He has since been divorced, but the accomplishments remain.

III. SUDDENLY, THE SUMMIT

Stone's design for the U.S. embassy in New Delhi was much discussed in architectural circles, and even that dour old master Frank Lloyd Wright called it "one of the finest buildings of the last hundred years." With its showcase location and worldwide publicity, it opened the door to Stone for other major international commissions. One was the U.S. pavilion at the Brussels World's Fair in 1958, the largest free-span circular building constructed up to that time, and a major success. Stone's rise since has been both steady and spectacular.

Besides representing a radical departure from the dictum that form follows function—the byword of both the International Style and what Stone calls the "New Brutalism"—his buildings generally share the intricate white terrazzo grille which first appeared in New Delhi. Even his re-designed New York brownstone sports a 15-ft.-wide grille over its full width from sidewalk to chimney top.

Hallway hater

Stone loathes hallways—"Even the Pompelians realized they were wasted space." He adds: "No ancient buildings had corridors. Not Greek, Roman, Renaissance, or Egyptian. There aren't even any at Versailles.

"In many modern buildings," Stone complains, "you leave a cubicle and you're moved through a long hallway and then down a long elevator shaft before you get anywhere." Stone's partialty for "eventful space" is such that he often has all the rooms in a home open onto a two-story living room.

Watches costs

For all his individuality, Stone's definition of architecture would satisfy any businessman. "It's the reconciliation of the clients dreams and dollars, he says. And although his work is often ornamental, he's not careless with his customers' money. Although he complains that "people invariably have an inflated idea of what their money is worth, Stone has a reputation of keeping a close watch over costs.

Architecture is not a high-paying business. Dudley Hunt, who puts out the American Institute of Architects magazine and is himself a registered architect, guesses that of the 500 New York City firms, the number with partners who take out more than $20,000 per year "can probably be counted on one hand with a few fingers left over.

But nobody can put a dollar value on the satisfaction an architect gets when he comes up with a good design. And for that, Stone agrees that "it takes a great client for a great building." A great client, he says, not only has to know what good architecture is, but he has to be willing to pay the 5% more it costs to turn a speculative building into a quality one.

THE END OF AN ERA—OLD 16 TO 1 MINE CLOSES

Mr. KUCHEL. Mr. President, I am proud to be a sponsor of S. 1377, a bill to revitalize the American gold-mining industry. The bill was reported to the Senate by the Committee on Interior and Insular Affairs on August 30 of this year.

It is tragic that our American gold-mining industry is dying at the very time when economists wring their hands in despair at the flow of gold out of our country. All legislative efforts to assist this industry, and thus, incidentally, to increase our country's gold reserve, have been frustrated by the unreasonable fear that any help for the industry would result in overnight worldwide fiscal panic.

The death of the gold-mining industry is a national tragedy. It is, also, a very personal tragedy to many of the citizens of California. Men and women whose ancestors came to the Mother Lode country more than 100 years ago to answer the lure of gold, now find that they must leave their beloved homes in order to survive.

The San Francisco Sunday Examiner and Chronicle of October 2, 1966, published an article entitled "The End of an Era: Old 16 to 1 Mine Closes," written by John R. Todd. I ask unanimous consent that the article be printed in the RECORD. I hope that it will be read by those who continue steadfastly to deny any relief to the people whose lives are dependent upon gold mining.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE END OF AN ERA—OLD 16 TO 1 MINE CLOSES

(By John B. Todd)

ALLEGHANY (SIERRA COUNTY).—They say $50 million in gold was taken from under the mountains here.

And some will say that as much as $30 million was taken from the Sixteen-to-One, a huge mine whose deep shafts tunnel under the town itself.

They talk of the days of the big gold shipments sent down off the mountain by stage to the mint in San Francisco. Of when it took five saloons to quench the miners' thirst.

They talk wistfully of such names as the Knickerbocker, Morning Glory, Ophir, Oriental, Twenty-One, Rainbow, Red Star, Tightner, and, of course, Sixteen-to-One.

These are names of mines that tunnel thousands of feet below the red gravel surface of the mountain, following through the bedrock the elusive quartz veins which hold the "yellow stuff."

It was this "yellow stuff"—this gold that made a few men rich and ruined more—that made Alleghany the last California town with an economy based solely on the quest for its ore.

ALL OVER NOW

But that's over now. All over.

For Alleghany, the magic history of a gold town pretty much came to an end when Dick Brooks tossed the last "pill" of bullion, carefully sewn into its own canvas bag and sealed in a registered mail pouch, aboard the stage last Dec. 31 and sent it "down below."

That last "pill," Brooks recalled, weighed 44 pounds, 14 ounces. It cost $41 and 60 cents to mail, and it paid the owners of the Sixteen-to-One $19,001.

Nothing much happened for a while after that. A handful of men did token assessment work deep in the bore of the Sixteen-to-One, where once as many as 200 men mined and mucked their carbon-lighted way through the dark bowels of Pliocene Ridge.

COST TOO HIGH

And then two weeks ago C. A. Bennet, the great mine's superintendent the last 30 years, announced from his Nevada City home that the owners had decided to close the "16." It was costing $50 to produce a $35 ounce of gold.

This was the last of the fabulous Alleghany mines. And with its closing, many feel, the end also had come to Alleghany, a hamlet of 108 people which for the last 113 years had been the heart of the "Father Lode."

(The fabled Mother Lode, they tell you here, runs south from Auburn, maybe down as far as Mariposa. This is the land of the "Northern Mines": the Father Lode.)

Brooks, now the resident deputy sheriff, and his wife, Peg, are as typically divided as most residents over whether Alleghany has a living future or will be discarded by man as a remote derelict.

He points out that some of the men with families (there are 39 students in the combined grammar-high school) have taken jobs with highway crews and at a nearby dam project. This will last only a few years, and that, he thinks, will be the end.

LAST IN 1937

Peg thinks people from "down below" will build summer homes. But the last house built was in 1937.

There is no carpenter. Not even a doctor. Not since "Doc Paget" left in 1937.

Brooks said he, the last of the mine's employes, will probably be "heading out" in another year. Looking across from his comfortable clapboard house to a little witch-hazel and pine covered cemetery, he made it clear this wasn't the way he wanted it. He wanted to die here.

"I'd picked that spot where the sun is shining over there," he said, pointing. "It overlooks the 16."

Harold Clemo, a kind of grizzled John Wayne, felt this way:

"Bennet hired me right here in this bar (the Golden Eagle). He had a mule he couldn't drive. A white mule named Mae West. She was dynamite.

"This was down at the Tightner. Years ago you didn't get a job at the 16 unless somebody died. I won't leave 'till they pack me out."

NEVER HUNGRY

Clemo, known as "Slim," said: "I made a good living, raised five fine kids, and done better up here than I could anyplace else. I've never been hungry."

And looking down the steep ravine, over the galvanized shed tops of the "16," down maybe a thousand feet to where the thirst for gold here all began in the gravels of Kanaka Creek, Clemo could see a little more reason:

"Ain't nobody knows what's going to happen. Raise the price of gold, they'll all open up."

"I still have faith in the 16, too," Lyle "Snuffy" Cortez, a native and now retired mucker, echoed. "Give me a beer, Spike," he said to Spike Spika, onetime owner of the Bankers Bar in San Francisco's financial district and now proprietor of the Golden Eagle.

"They'll have to carry me out head first," he said.

Across the street from the Golden Eagle the two-celled Alleghany jail lies in conspicuous ruins, its cement and placer quartz walls toppled, its iron door swinging free from a still locked hasp. Its last inmate now a merely forgotten name, a Russian settler recalled only as "Wild Benny," arrested for drunkenness in the 1930s.

ONLY ONE STREET

The Sixteen-to-One office stands in the middle of the main (and only) street, between the Golden Eagle and Casey's Place, a saloon of historic significance. The words STAFF OFFICE are painted imposingly in four inch black letters across the front door, closed firmly against the future by two padlocks. But the windows on either side are kicked out and the building now lies a vandalized derelict, quartz samples and old mine records strewn on its dusty floors.

The town was given birth in 1853 by a group of Pennsylvanians who chose for sentimental reasons to give their hillside settlement the Delaware Indian name (misspelled) for river, at the time calling it Alleghanytown.

The miners had found their way to this remote Sierra ridge following the lure of placer gold up the Yuba River and the Kanaka Creek spur.

ON TOP OF RICHES

The town remained alive—growing with each of several bonanzas—in the early days as the gold seekers drifted through gravel fields, unaware that they stood on top of what later was to be known as the Alleghany fault, the richest hardrock pocket belt in the world.

A man named Thomas Bradbury discovered the original Sixteen-to-One in 1886 and gave it the name inspired by Presidential hopeful William Jennings Bryan's campaign cry for a 16 to 1 ratio in silver coinage.

But it wasn't until 1907 when Henderson L. Johnson sank a shaft beneath Casey's Place that the richness of the area was really found. This tunnel became known as the Knickerbocker, and before its shallow probings were complete, it paid off with a return of $375,000.

HUGE TUNNELS

New shafts were opened along the vein farther down the hill, each seeking the rich pockets peculiar to the fault. In time the enormously complicated tunneling was consolidated into one mine, the "16."

When closed, the mine probed down 3000 feet and extended laterally, at every hundred foot level, for vast distances. Miner's "talk" has it that you can follow the 1,500 foot level all the way to Bald Mountain, three miles away.

It is said that on one cold winter day, when the snow lay in heavy drifts outside the mine, a teamster feeling numb began swinging a pick at any place handy in the "16" to get warm. His unaimed blows banged off the tunnel wall a slab of rock so heavy he could hardly lift it. It contained $26,000 worth of gold.

CHRISTOPHER COLUMBUS DAY

Mr. PASTORE. Mr. President, today all Americans reflect on the courage and determination of the great explorer, Christopher Columbus.

Four hundred and seventy-four years ago this intrepid Italian discovered America. It is with great pride that I recall his exploits.

Mr. President, I ask unanimous consent to insert in the Record a statement by the junior Senator from Massachusetts [Mr. Kennedy].

I am proud also to introduce the statement of the Senator from Massachusetts on this anniversary of the discovery of our beloved America. I endorse Senator Kennedy's statement and I congratulate him on his penetrating comments on Christopher Columbus.

There being no objection, the statement was ordered to be printed in the Record, as follows:

A Great Explorer: Christopher Columbus

(Statement by Senator Kennedy of Massachusetts)

On this day each year Americans remember with pride the man who discovered this land in 1492, Christopher Columbus. Through 474 years, since the historic voyage of this great explorer, his memory has not dimmed in the minds of the American people.

When Christopher Columbus set sail from Europe in 1492, his prospects for success were bleak. His fleet consisted of three tiny ships and 120 men. The voyage he undertook had never been attempted before. He had only the stars to guide him, and only his faith to sustain him.

But Christopher Columbus was a man of courage and vision. The fear of the unknown which had turned aside lesser men spurred him on. It led him to a New World, and opened the door to a new era of human progress.

Christopher Columbus not only discovered the New World he has come to characterize it. The vision, the courage, the daring that he brought with him across the seas are the same qualities that have built America. The pioneers of our earliest days moved westward through uncharted forests, just as Columbus sailed west into the unknown. Our nation has moved from a wilderness to a mighty civilization with the same kind of indomitable spirit that led Columbus to seek the civilization of the Indies.

Americans of Italian descent are especially proud on this day, for Columbus was born in Genoa. But though the memory of Columbus is most revered among Italian-Americans, so it is also honored among all Americans. Each of us has reason to be proud of this great explorer, not only for his epic voyage but for the great qualities of mind and spirit that made that voyage possible.

SMALL BUSINESS TAX EXEMPTION MAKES SENSE

Mr. MORSE. Mr. President, I was pleased to join with the chairman of the Select Committee on Small Business [Mr. Sparkman] last week in offering to the Committee on Finance a proposal to exempt most small businesses from the suspension of the investment tax credit.

The request, as originally made, would have eliminated this program entirely between September 1966 and January 1, 1968. Our proposal would preserve it for small companies, by permitting them to invest up to $25,000 on equipment and machinery and to receive a tax saving of up to $1,750. It would preserve the character of this legislation enacted by Congress in 1962 for the 94 percent of our business concerns, many of which have done their planning in reliance on its continuation.

The country is in a period of extraordinary demand upon credit and on the capital goods sectors of industry, principally as a result of the situation in southeast Asia. However, the statistical information which we have submitted to the Finance Committee shows that small business has made a very minor contribution to these problems.

For instance, the indications are that during the month of June of this year, commercial loans under $200,000 amounted to less than 20 percent of the dollar amounts being loaned during that month. The data further shows that a "small business exemption" will probably involve less than 2 percent of the $2 billion in tax credits which have been predicted for 1966.

However, small businesses have been especially hard pressed by high interest rates and the unavailability of funds, which I described in detail on the floor of the Senate on July 25, 1966. Our presentation to the Finance Committee gives further evidence of this tight money situation and suggests that small business should not be asked to bear any additional burdens.

In the State of Oregon, most of the companies are in the small business category. However, it is a source of pride to me that many of these companies have outstanding records of performance in such fields as electronics, fabrics, and scientific services. The continued progress of such companies helps not only the Northwest, but also the Nation. Our amendment would make it possible for these companies to invest a bit more than the average, which has been about $22,000, while setting a realistic ceiling which would discourage inflationary expenditures by even bona fide small companies.

In my judgment, the "small business exemption" strikes the desirable balance between heading off inflationary forces, which would injure all our citizens, and allowing our small business, professional, and commercial firms to proceed with their growth without unnecessary delays. This makes sense to me as a matter of tax policy and also as a practical matter. It will benefit not only our enterprising small businessmen, but also the economy to which they contribute so much.

NEEDED: PATIENCE

Mr. BARTLETT. Mr. President, a most perceptive article on the state of our economy appeared in the October 7 issue of the Fortnightly Review prepared by some able person or persons on the staff of Carl M. Loeb, Rhoades & Co. in New York and made available to me by Johnston, Lemon & Co. of Washington. It is so illuminating, so practical, so much to the point that I ask unanimous consent that it be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN SHORT SUPPLY?

In this affluent country of ours there is one commodity that is always in short supply even when others are ample: patience. We have boasted so often that we do the difficult right away and the impossible just a little later that if we encounter anything that cannot be done immediately we start wondering whether it can be done at all. This is perhaps the most vexing aspect of the conflict in Vietnam, a war that for political reasons we cannot permit ourselves to win although military victory would be well within our technical reach but also a war which is not going to be the first one in our history to be lost. This is also the reason why the problems connected with balance of payments and international monetary settlements continue to be particularly trying. These matters cannot go by default, but any radical solution which would fully use our formidable strength could not fail to shatter the very foundations of economic health throughout the world; in this area our patience is being tried additionally by having to listen to the admonitions of foreign spokesmen who, judging by the economic and financial history of their own countries, are as qualified to lecture us on prudence as Polly Adler is to hold forth on chastity. In the same spirit of impatience we rarely take cognizance of the fact that some of our most bothersome friends and foes are actually poor actuarial risks and may before too long have to give way to less intransigent successors. Impatience is also a major ingredient in our present uneasiness about domestic economic trends. We know that we must stop the progressive erosion of purchasing power which we have witnessed in the superheated business climate of the last several quarters. But inflation at an annual rate of 4%, which in terms of the GNP deflator was our experience during the first half of 1966, cannot be trimmed back to 1½% to 2% overnight without making the cure worse than the disease. We should permit restraining measures already adopted to make felt their—gradual—effects on the pace of business, and we need a clearer picture of the strength of aggregate demand, both public and private, before we can determine whether cutting it back further will give us the viable balance with productive capabilities we are seeking or would trigger a recession.

CAPITALIST MANIFESTO

The past is not always indicative of the future. Still, at this time when we are beset on all sides with doubts about our ability to cope with problems that seem to defy our strength and our ingenuity it may be helpful to pause and to assess what this much maligned system of ours has accomplished and what are its problems and potentials. Such a tonic is provided by a booklet (Modern-Day Capitalism) put out recently by the National Industrial Conference Board at the occasion of its fiftieth anniversary. The publication contains a wealth of information, admirably presented and further strengthened by well designed charts. Showing how much we owe to the free market mechanism and the use of profit incentives, the booklet should also provide ample food for thought for those uncommitted, less industrialized nations who still have their misgivings about capitalism and wonder whether it is indeed the most productive and equitable way for the employment of human and material resources.

THE BIGGER PIE

At the turn of the century three out of five households had an annual income of less than $3,000 (in 1965 dollars), the income bracket now widely used in defining poverty; today less than one in five households is in this bracket. (Poverty has become something of a misnomer since it no longer denotes so much deprivation as belonging to the lowest quintile.) This bloodless income revolution has spread throughout the upper reaches of our income structure as well. Disposable per capita income has more than doubled in the last half century, and the number of households with incomes in excess of $10,000 (again in dollars of 1965 purchasing power) has risen fivefold from one in 20 to one in four. This income upheaval has made "capitalists" of a steadily rising proportion of our population. A full 60% of all nonfarm houses are owner occupied. Ownership of durables and of financial assets from bank accounts to insurance reserves, pension funds and corporate securities is widespread and well diffused. And while debt is also a more prominent feature in the current way of American life, net worth—assets less liabilities—of nonfarm households is approaching the staggering sum of $2 trillion. In 1912 the comparable total was barely $115 billion.

THOSE OPTIONAL BENEFITS

Impressive as they are, these dollar figures by themselves do not begin to show the qualitative improvements in our standards of living. Better medical care has reduced illness and mortality. A much reduced workweek leaves ample time for recreational and educational pursuits. The ever smaller part of incomes that is absorbed by the necessities of life, food, clothing and shelter—now only one out of every two dollars compared with three out of four as late as World War I—leaves increasing amounts for optional consumption, for freer spending for the goods and services that make for a fuller and better life. Given the time and the wherewithal, we are witnessing widening mass participation in a broad spectrum of cultural activities which in earlier generations were largely the exclusive privilege of those at the apex of the income pyramid. In the last 50 years daily newspaper circulation nearly tripled, the publication of new books and editions quadrupled, magazine circulation rose more than tenfold. Last year, this nation's universities conferred over 650,000 degrees, close to 15 times the number earned at the outset of World War I. One of every four youngsters now attends college, while barely one in every ten persons born before the turn of the century had the benefit of higher education. Illiteracy has vanished for all practical purposes, and a high school education is close to becoming the minimum educational standard for everybody.

OF THINGS TO COME

The huge amounts spent for better health and better education not only make for a richer and fuller life now; coupled with vast sums for research and development and the innovations that spring therefrom they are also seed money for a brilliant future. The prophets of secular stagnation, who had such a field day in the Thirties, are all but routed, and even at growth rates well below the extraordinary—and unsustainable—gains of the last several years, what could be accomplished in the next decades staggers the imagination. But the NICB also reminds us that expectations must be tempered by the potential for fulfillment. Reaching beyond capacity can make for disruptive stresses and strains. And as we do not have the wherewithal to realize all our aspirations simultaneously—from eliminating poverty, urban renewal, and care for the sick and the aged to civil rights, securing the peace, aiding the developing world, and sending a man to the moon—some system of priorities is necessary for orderly progress.

U.S. RELATIONS WITH CUBA—ADDRESS BY PAUL B. BETHEL

Mr. DOMINICK. Mr. President, occasionally a speech is given which comes across clearly and concisely and is unmistakably on the mark. When this happens, it is like a breeze of fresh, clean air in a room stuffy with pompous rhetoric. Such an enlightening talk was given this past summer at the American Club in Miami and should receive the careful attention of all Senators and citizens of this country.

The speaker was Paul B. Bethel, a former member of the American diplomatic contingent to Cuba just prior to our break in relations with Castro, and a man of considerable firsthand knowledge of Latin America. He knows the Cuban people, is respected by them, and speaks their language in the true sense. As a former resident of Cuba and as the founder and executive secretary of the Citizens Committee for a Free Cuba, Mr. Bethel has worked constantly with the Cuban people and has developed an up-to-date flow of information from and about Cuba.

As a writer of considerable note, Mr. Bethel has an excellent batting average for reporting stories which may not agree with those in some of the Nation's larger publications, but which have a way of eventually being borne out as accurate. In an era when it seems to be the vogue to blame allegedly poor conditions in Cuba for Castro's rise to power, this speech is remarkable.

I certainly hope the points Mr. Bethel makes in this excellent talk will not be wasted on those who believe we can slow down communism by helping the Communists to become more affluent. The theory that a nation must be lean and hungry to go Communist is not proved valid by Cuba's example.

Mr. President, I ask unanimous consent that Mr. Bethel's speech be printed at this point in the RECORD.

There being no objection the speech was ordered to be printed in the RECORD, as follows:

FOURTH OF JULY ADDRESS, 1966, AMERICAN CLUB, MIAMI

(By Paul D. Bethel)

My talk tonight has been billed as a critique of American foreign policy. I wish it were as simple as that but to understand American policy in Cuba we must also recognize that much of it has been based on false intellectual leadership.

No foreign policy is made in a vacuum and the influence which our false prophets have exerted on the making of that policy has been considerable—perhaps even decisive. Its importance is magnified by the fact that much which has been reported on Cuba now finds its influence creeping into every nook and cranny of the policy-making machinery of our government.

When a giant stumbles as the United States did on the Cuban issue, every pygmy in the world is alerted, ready to tie us down and stake us to the ground much as the Lilliputians did to Gulliver. Virtually every resentido in the world listened attentively as the intellectual apologists for Fidel Castro and Communism justified the Communist takeover of that unfortunate country in terms of a search for social justice which had long been allegedly denied the Cuban people. They seized on this useful lie for their own purposes. We find Americans parading Cuban and Vietcong flags in Washington, New York, and San Francisco and pretending to speak in terms of Social justice, while the very philosophy of the movement they support is the complete negation of justice.

I will quote one past and present defender of the Communist regime of Fidel Castro—an editorial writer for one of America's most prestigious newspapers. Writing of pre-Castro Cuba, he says that ". . . the Cuban peasants—say about 40% of the population—and many city dwellers were living at not much better than a subsistence level before the revolution."

He took, and still takes, the view 1) that Cuba was an underdeveloped country, and therefore, ripe for social revolution, 2) that Cuba suffered the cruelest form of economic exploitation by the United States, and 3) that the dictatorial excesses of Fulgencio Batista justify the Communist excesses of Fidel Castro.

Combined, these three points allegedly created an irresistible popular current which carried a reluctant (even protesting) Fidel Castro into the Soviet camp. None of these propositions is accurate, nor is the conclusion.

What is disturbing about this popularly-held theme is that it violates the confidence of the reader. Some Castro apologists are professors at universities in the United States. The reader could assume that professors would perform at least as much research in writing about Cuba as they would require of a college freshman. The reader also assumes that an editorial writer would have the inspiration to do what is required of a cub-reporter—first dig out the facts; then write the story on the basis of those facts.

Writing about medical conditions in pre-Castro Cuba recently, the editorial leader of this country's press said, and I quote: "for the first time (with Castro's assumption of power), proper attention is being paid to public health."

What, then, was the situation in Cuba in 1957 and 1958? Let's take the poor diseased Cuban, as the first example. The University of Havana was foremost in Latin America in training doctors and dentists, with the result that Cuba had one doctor for each 998 inhabitants, surpassed only by Argentina with one doctor for each 764 inhabitants and Uruguay with one to each 860. It took seven years to get a medical degree in Cuba, compared to four and five years in some of the other countries.

Furthermore, every Cuban was entitled to free medical care in state hospitals. There were sixty-nine such hospitals throughout the island providing free X-rays, medical checks, laboratory tests, and, of course, free hospitalization. There were municipal first-aid clinics, also free, which employed 1,341 medical doctors.

The same enviable position was enjoyed by the Cubans as regards dentists. Cuba ranked third among her neighbors in professional dental care, surpassed only by Argentina and Uruguay. Healthy Cuban teeth chewed up 73 pounds per meat per capita each year, again surpassed only by the molar activity of Uruguayans, Paraguayans, and Argentinians—all of them prodigious carnivora. As a result, the calories consumed by the Cuban came to 2,870, compared to 3100 for the U.S. citizen.

Let's take shoes. The truth is that the Cuban shoe industry was making 20 million pairs of excellent quality shoes in 1958, exporting a good portion of them. By 1962, shoes were rationed in Cuba; by 1964 Cuban shoe production had plunged to around 6 million pairs, many of which turned out to be two left or two right shoes in a pair, a situation that brought screams of "sabotage" from government management.

Yet that same editorial writer says that today the revolution is "providing shoes for poor children."

And what about the economy of Cuba, and U.S. economic exploitation?

Our Department of Agriculture worked closely with Cuban governments to cut down Cuba's need to import food. For example, an agricultural experimental station was set up in the Province of Camaguey to study ways to eradicate hoja blanca, a disease that decimated Cuba's rice crops. In 1950, Cuba produced only 2,931,160 quintals of rice. By 1957, rice production had risen to 6,785,520 quintals. This contrasts with what happened after Castro and the Communists seized private property. Production of rice for the year 1960–61 plummeted to 1,259,527 quintals, an amount less than that produced ten years earlier. The following year, according to a dismal report in the Communist newspaper, Hoy, production had gone down to 871,262 quintals.

In 1951, Cuba was importing about eleven million dozen eggs from the United States and elsewhere each year. With the development of new feeds, new incubation systems, and disease preventives, egg imports in 1958 had been reduced to only 350,000 dozen. When Castro came to power, eggs were actually exported. By 1960 it took a detective, not a house-wife to find eggs in Havana, and, in 1964 and 1965, Castro had to again resort to importing millions of eggs from Canada.

When Castro came to power, Cuba was exporting a quantity of meat. About 10,000 head of breeding cattle also were marketed abroad, due in large measure to the experimentation and investment in the cattle industry by such U.S. firms as the United Fruit Company, the King Ranch, and several independent breeders and their Cuban colleagues.

If the progress made by Cuba in cutting down its import of foodstuffs, for example, is representative of the cruel economic exploitation by U.S. interests, then that was indeed an exploitation devoutly to be wished. The fact is that the U.S. Government and U.S. business interests were foremost among those forces which helped diversify and strengthen Cuba's economy.

The Cuban Electric Company, a division of American and Foreign Power, brought electricity to all parts of the country. By 1958, Cuba had a per capita consumption rate of 396.7 kilowatt hours, which placed it fourth among the 21 Latin American countries. This is an admirable accomplishment when it is considered that Cuba does not have the water-power resources of mountainous South and Central America. Peru, an Andean country, with vast mountains and snowcaps most of the year around, consumed only 195.0 kilowatt hours per capita, while Mexico's per capita consumption was 276.5 kilowatt hours—more than 100 kilowatt hours below that of Cuba.

The high rate of production and consumption in Cuba was due precisely to that outside capital investment which our editorialist denigrates. And let us not forget that American and Foreign Power, like International Tel. and Tel., the United Fruit Company, General Motors, Ford, etc., are people. They are not the totalitarian economic giants depicted by these writers, the Socialists, or the Communists. They represent the savings of millions of little people—from bank clerks to mechanics, to retired persons.

What did the "revolution" do for its people in the field of electricity? On August 4, 1960, the Cuban Electric Company was seized by the Castro government and converted into a state enterprise. Since the beginning of 1963, electricity has actually been rationed. Despite the rationing, only 40% of Cuba's growing population is receiving any service at all.

The deeper one probes the pre-Castro situation in Cuba, the greater is his horror at the misrepresentations that have been foisted off on the American people. American capital investment, which played a constructive role in the economic life of Cuba is denigrated. Yet, American oil companies showed great patience for a great expanse of time—to the point of supplying oil to Castro at considerable risk to their own American investors. When Castro seized U.S. oil holdings in Cuba in the summer of 1960, on the excuse that they refused to refine Russian oil, the Cuban government owed those companies over $60 million.

More immediately important is the fact that the books and articles which poured from the pens of the coterie of "intellectual" writers served to confuse the issues and gain for the Communists the time they needed to consolidate their hold on Cuba. Those books and articles, unfortunately, were not balanced by other works more searching in their analysis.

In 1957 the Cuban industrial worker averaged $6.00 per 8-hour day. The Mexican got only $3.00 a day, the Japanese $2.54, and even the Australian received only $5.82 a day. Cuban dock workers at sugar ports earned $18.65 a day for Sunday work, a wage that would never be paid an "exploited" worker anywhere in the world. In 1958, Cuba had 26 telephones per thousand population as compared with only 15 for its "developed" Mexican neighbors.

In fact, in determining the welfare of the pre-Castro citizen, one needs only to examine the Statistical Abstract of Latin America and other international documents, to find that where a high rank indicates good standing (i.e. number of doctors per thousand, etc.) Cuba is usually among the first three or four countries, in the hemisphere. Where a low rank indicates good standing, (i.e. communicable diseases, infant mortality, etc.) Cuba is located among those countries having the lowest incidence.

Total national income for 1957 was $2,319,900,000. For this, wages and salaries paid to employees amounted to $1,445,100,000, which represents 60.4 per cent of the total. The 1958 national income was $2,209,600,000 of which wages and salaries came to $1,407,500,000, or 63.8 per cent. What makes these figures all the more remarkable is that the source was not the Batista regime, but the revolutionary regime of Fidel Castro and his Banco Nacional de Cuba.

The point is that the Cubans had gained for themselves the highest living standard of any tropical country—higher than many European countries. And the Cuban workers fought for those gains as few other people have.

The two places where Castro did not get his support were from the peasants and from the well developed Confederation of Labor. Despite repeated calls by Castro to sabotage, and burn cane fields, Cuba in 1958 produced its usual quota of 5,610,600 tons of sugar. Claims by some American intellectuals that Castro's was a peasant revolt made up of peasants and supported by them collapse immediately when subjected to serious scrutiny.

Overdrawn reports in the New York Times that "the whole of Oriente Province was up in arms against Batista" in June of 1957 are not substantiated by any observable facts. Let us just take Fidel Castro's bitter lament written on December 31, 1957. He complained that he and his small band had been fighting for a year "bitterly forgotten by fellow countrymen who despite having all the ways and means, have systematically, even criminally, denied us their help." Where was the great revolt in Oriente Province reported by the New York Times? Where was Castro's great peasant army alluded to by certain college professors writing on the Cuban tragedy? The answer is simple. Neither of them existed. Yet, these writers attempt to justify the coming to power of Fidel Castro as a great popular movement backed by Cuban peasants and urban workers whose life was an economic misery. Nothing could be falser than this.

And on reading the works of some of these intellectuals, one is led to believe that it was Fidel Castro who emancipated the Cuban Negro. To put this particular bit of nonsense into perspective takes us back into Cuban history. The Father of Cuban independence, Carlos Manuel de Céspedes, freed his slaves on October 10, 1868 on the very day that he sounded what is known as the "Grito de Yara," the call for the patriotic uprising which led to the 10-Years' War. The emancipation of the Negroes was part and parcel of the Cuban wars of independence of a century ago.

Negroes were prominent in all ranks of the patriotic forces in the two wars of independence. Negro soldiers comprised the bulk of the patriotic guerrilla troops in the Eastern provinces. We need only mention here the leadership of Negro Generals, such as Flor Crombet, Generoso Campos Marqueti, Quintín Banderas, Félix Cebreco, Guillermo Moncada, José and Antonio Maceo. And, Negro General Querejeta served under President Carlos Prio Socarrás.

Wartime mutual respect and comradeship between white and colored peoples in Cuba carried over into peacetime relations. While there is no utopia in race relationships nor is a utopia likely ever to be achieved, it is a fact of history that there was a minimum of abrasion in white-negro contacts in pre-Castro Cuba. It is the Communist regime of Fidel Castro which aggravates the dissentions between races, to create the class hatreds which serve it so well. Nevertheless, one writer of international renown has stated that the white ruling class always occupied the high-level positions in the Cuban army, and elsewhere in Cuban society. That same writer finds it remarkable that Juan Almeida is a Negro, and a commander in Fidel Castro's army.

In terms of Cuban experience, there is nothing remotely remarkable about a Negro Major in Castro's Armed Forces, any more than it was remarkable that one of the leaders of the Bay of Pigs invasion force, Captain Erneido Oliva was also a Negro. The only difference is that Almeida is illiterate while Oliva is not. This would seem to make Castro's choice of Negro commanders considerably less intelligent than that of the CIA.

And what about other Negro contributions to Cuban advancement? One of the first radiologists in Cuba was a Santiaguero by the name of Blanco Orbín. Cubans, Negro and white, remember Juan Gualberto Gómez as a Negro educator, thinker, and Senator from Las Villas; Justo Salas, who was elected over a white man as Mayor of Santiago, and Senate President Morua Delgado.

We can mention the poet Gabriel de la Concepción Valdés, and violinist Brindis de Salas, as well. And so it goes. The one country which enjoyed excellent Negro-White relationships was none other than Cuba.

I have gone into Cuban history at some length because the distortions of that history have established a dangerous precedent.

To an extent largely unrealized the Alliance for Progress, for example, is based on the overdrawn premise that the way successfully to combat Communism is to eradicate poverty. Yet, Cuba teaches us that economic well-being and social mobility did not protect that country from the chilling penetration and final takeover by Communism.

Last January, over 600 Communist delegates from 82 countries met in Havana and established Cuba as the headquarters for worldwide subversion. At the very moment when President Johnson was sending emissaries throughout the world to determine how serious the Communists were in seeking peace in Vietnam, he did not have to go any further than 90 miles from Florida for his answer.

The Communists not only refused to speak of peace in Vietnam but resolved to expand Vietnam-type wars until they enveloped the entire world. The ultimate target, of course, is the United States.

Yet there was almost complete silence in Washington regarding this momentous conference. A few of us did recognize the threat. I wrote an article on that conference which was published in The Reporter magazine. There was so little coverage of the conference in American newspapers, and virtually no analysis, that the article created a minor sensation in Washington. An interesting point is that The Reporter, received letters of congratulations from Ambassador Averill Harriman. Yet, our bureacracy in Washington did nothing to alert American newsmen to the importance of the Havana conference.

If we had recognized, or *do* recognize, the National Liberation Front of South Vietnam, we will have undercut our very allies in this hemisphere who have been actively fighting these guerrilla gangsters for the past six years. And it should be a source of concern to us that leaders in the Negro movement have identified the issue of civil rights with American surrender in Vietnam. The Havana Conference called for such identification saying that rioters in Los Angeles and Chicago "openly declared that they were fighting . . . in common cause with their Vietnamese brothers."

The official Russian delegate to the Havana conference, Sharif Rashidov, actually threatened American territory with wars of liberation when he included Puerto Rico as one of the targets of Russian-Cuban penetration of this hemisphere. Puerto Rican Communists signed a pact of mutual assistance with their Vietcong allies, and established what they called a "Free Puerto Rican Embassy" in Havana.

I am going to read to you part of a broadcast from Russia, just one of the daily broadcasts into Puerto Rico which tells us in no uncertain terms what are the aims of the Communists, led by the Soviet Union:

"By using force the Yankees have dominated the island. They have turned it into their colony and, against the will of the Puerto Ricans, are using the territory of the Island for their criminal imperialistic goals. . . .

"The strategic plans of the Pentagon call for the use of Puerto Rico as an intermediary base to hit other Latin American countries. . . .

"Puerto Rico is an integral part of Latin America. The Puerto Ricans speak the same language. Their culture has the same origin as that of their sister countries in Latin America. Not only have they the same historic destiny but also a common enemy: Yankee imperialism.

"The U.S. have enslaved Puerto Rico and thwarted the independence of the majority of the Latin American countries. . . .

"When Simón Bolivar was preparing the Congress of Panama he was already calling for the liberation of Puerto Rico from the Spanish colonial rule and wanted to protect the continent and the isle from the common enemy: The United States. . . . The people of Puerto Rico . . . are permanently helping the liberation movements of their brothers in the continent. This mutual help was vividly manifested at the recent Solidarity Conference of Havana (the Tricontinental Conference) where a unanimous resolution was adopted demanding the liberation of Puerto Rico.

"The Yankees have not succeeded—nor they will ever succeed—in severing Puerto Rico from Latin America and forcing the Puerto Ricans to permit that their country be used for imperialistic purposes.

"The end of the North American colonial yoke on Puerto Rico is very near. The Yankees will be forced out of the Island and Puerto Rico will occupy its rightful place in the fraternal family of the Latin American states with equal rights.

"This is Station 'Pazy Progreso' (Peace and Progress) Listen to us, Puerto Rico! Listen, Puerto Rican Patriots! In the name of the Soviet public opinion we declare our support for your struggle to win the liberation and the independence of Puerto Rico . . ."

Despite these direct threats against American territory, it was left to little Uruguay to call the Russian Ambassador on the carpet and demand an explanation of the Russian position taken in Havana. There is considerable bitterness and disillusionment among our Latin American allies that the State Department of the largest and most powerful nation of this hemisphere—the United States of America—did not even make a formal objection to Russian intervention in internal U.S. affairs—with encouragement to civil rights disturbances in Chicago, Los Angeles, and the equally open and militant threat against Puerto Rico. Nor did it attempt even to alert the American people to the danger.

How can we maintain our position of leadership with a posture which belies such leadership? How can we protect our institutions, which we are here on the Fourth of July to commemorate, with a posture of accommodation to every onward thrust the Russians take against us? The most important question to answer is this:

Can we win the war in Vietnam without turning our attention to Cuba? The answer came from Havana on January 15, 1966. That answer is a resounding no.

I don't want to end my talk on a defeatist note. This country is not defeatist.

With strong leadership, its institutions are perfectly capable of defending themselves. But the first line of defense is 90 miles off our shores, where at least 43 training camps are turning out an estimated 10,000 guerrilla activists each year.

Unless we take action appropriate to the threat of the Russian-Cuban combine, some day perhaps a foreign journalist will marvel at the strength of our institutions, the individual income and social progress of the white man and the Negro, and wonder as I am wondering about Cuba today; how did it ever happen?

Even though this giant, the United States may have stumbled, he certainly has not fallen, and never will be counted out.

INCREASED INTERNATIONAL AIR SERVICE AT DULLES AIRPORT

Mr. BYRD of Virginia. Mr. President, I would like to call the attention of my colleagues to an announcement being made today by Pan American World Airways that it will soon increase its international air service out of Dulles International Airport.

This is extremely good news to me, and I know it will be most welcome to residents of northern Virginia.

This means that Pan Am will provide, from Dulles, the first no-change-of-plane jet service from Washington to San Juan, Puerto Rico, beginning October 30.

It is encouraging to see this great airport, built at a cost to the taxpayers of $110 million, being of more service to the Nation's Capital.

As I informed my colleagues on September 27, a group of conscientious citizens of northern Virginia formed the Committee for Dulles to encourage more use of this great transportation facility so that the great overburdening of National Airport can be somewhat relieved.

Pan Am's announcement shows they are on the right track.

Pan American Airways realizes the great potential of Dulles. I commend the airlines for its far-sightedness in handling this new three-times-a-week service out of Dulles. I hope this will encourage other airlines to take similar advantage of Dulles and its virtually untapped capabilities.

COLUMBUS DAY—1966

Mr. SALTONSTALL. Mr. President, again on October 12, 1966, we honor Christopher Columbus, the courageous and enterprising Italian navigator and adventurer who 474 years ago faced the greatest of hardships to prove his claim that it was possible to sail west in order to discover and reach far-off eastern shores. We all know the history of the challenges Columbus faced to make his voyage a reality—the political and financial problems—the awesome, superstitious and almost overwhelming odds that his three small ships faced as they ventured into the unknown.

We pay tribute to this man and to those who backed him in his venture. We salute the creative people of his native Italy and all those of Italian descent who have helped to build our country and are continuing to add to its growth and future greatness.

Historians point to others who might well have been the first to reach our shores, but their adventures have never been verified. Even if further evidence may show conclusively that someone else did land here first, it will not in any way lessen the glory and the affection that we feel for Christopher Columbus.

It is fitting on this day each year when we remind ourselves of the discovery of our great country that we extend our thanks and appreciation to all those of Italian descent whose contributions of energy, talent, and ability have vitally affected so many phases of the development of our Nation and especially my State of Massachusettts. Just as we shall never forget Columbus, the man who rose above great uncertainties and provided so great an inspiration for us, so we shall never forget those contributions of the later descendants of this country to our economic, cultural, and political advancement.

The legacy of Columbus, the legacy of many other Italians who have added so much to this Nation, can give us faith and inspiration as we face the challenges of an uncharted and uncertain future.

THE 20TH ANNIVERSARY OF THE UTAH NATIONAL GUARD

Mr. MOSS. Mr. President, on November 19, the Utah Air National Guard will celebrate its 20th birthday. In 1946, when the air arm of the Utah National Guard was organized, the officers and enlisted men began maintaining and flying the old P–51. Many of the new Air Guardsmen were fresh from combat in the European and Pacific theaters of operation during World War II. They recognized the need for continued vigilance by America if we were to preserve the freedoms for which so many thousands of their fellow countrymen had died.

When the P–51 was phased out of active military service, our Utahans were completely converted to the newer F–86 jet interceptor. This occurred following a period of active duty during the Korean conflict.

When the F–86's became obsolete, the Utah Air Guard again made a transition, this time to an airlift unit, the 151st Military Airlift Group, which was assigned C–97 cargo planes.

I am proud of the way that Utah's citizen airmen have responded to their new challenge. The training of the flight and ground crews for the new cargo airlift assignment was accomplished with little difficulty in a near-record time.

Now, without being called to active duty, the Utah Air National Guard is flying at near 100 percent of its capability in support of the fight against Communism in southeast Asia and in support of other military airlift demands in Europe and the United States. The Utah C–97's and their crews are known for making fast and efficient deliveries of their priority cargoes. This record has always been true of the Utah Air Guard during its 20-year-long period of service.

The Guard's operations are based at Salt Lake City Municipal Airport. Through excellent cooperation with local civil authorities, the airport has been expanded to meet the needs of the military operations. There has always been excellent cooperation in all ground and flight control services.

One phase of the Utah Air Guard's operations calls for immense technical skill. The 130th Air Control and Warning Squadron maintains and operates a huge radar installation on top of one of northern Utah's high peaks. The Guard technicians keep this radar operation in top condition constantly to provide surveillance over civil and military air traffic within a 500-mile radius.

Mr. President, the Utah Air National Guard will gather in Salt Lake City on November 25, a few days after the official birthday, to celebrate the completion of two decades of service to the United States.

I send my best wishes for a happy birthday. I am sure that the fine service record of this group can be maintained. It is one more major bulwark in our defense of freedom throughout the world.

STEUBEN SOCIETY OF AMERICA ADOPTS PLATFORM

Mr. HRUSKA. Mr. President, some of life's most pleasant and richest experiences come about, not because we plan for them, but through chance. This was the case for me on last August 27, when it was my good fortune to be invited to address the national convention of the Steuben Society of America in Chicago.

Originally, the distinguished minority leader, Mr. Dirksen, had been scheduled as the speaker, an engagement made many months in advance of the convention date. But, as we all know, his doctors ordered a sharp curtailment of his speaking schedule and he was kind enough to suggest to Mr. Ward Lange, the national chairman of the Steuben Society, that I be asked to represent our Senate minority leader.

Mr. President, if patriotism and respect for good government can be recharged like a storage battery, then the place to have these feelings renewed is at a convention of this fine old society.

I believe that a reading of the platform adopted by the convention in Chicago can best illustrate the aims and ideals of the Steuben Society. Therefore, I ask unanimous consent to have printed in the Congressional Record the 1966–68 platform of the society.

There being no objection, the platform was ordered to be printed in the Record, as follows:

Platform of the Steuben Society of America, 1966–68, as Adopted by the 22d National Convention in Chicago, Ill., August 27, 1966, and Ratified by the National Council, August 28, 1966

PREAMBLE

In these times of increasing interdependence of nations, of newly enfranchised peoples and of social and political upheaval, the tremendous challenges confronting the United States of America compel us to champion the priceless heritage of freedom passed on to us by our forefathers and to affirm the principles of government rooted in the dignity of the individual and the equality of citizens, no matter what their race, color, or creed, and to uphold and defend the Constitution of the United States.

We condemn all attempt by all groups to take the law into their own hands under any pretext whatsoever.

As are all guaranteed constitutional rights, Civil Rights are indivisible and must be applied to all persons alike.

PLATFORM

Firmly pledged to these convictions, we submit the following Platform and Program:

1. Government system

(a) We reaffirm our faith in, and pledge our allegiance to, the system of government as set forth in our Constitution: the Executive, the Legislative, and the Judiciary.

(b) We advocate that any change in our system of government be made by the constitutionally directed process of amendment.

(c) We urge that all concepts of an all-powerful central government and welfare state be rejected.

(d) We support legislation which would revise the Electoral College system so the votes of the Electors may be cast in proportion to the popular vote cast for each candidate for President and Vice President in the fifty States.

(e) We advocate a constitutional amendment to make Executive international pacts and agreements subject to the advice and consent of the Senate as are international treaties.

(f) We recommend that the Constitution be amended to provide that all Federal Judges shall be appointed by the President subject to a two-thirds vote of the Senate giving advice and consent, "during good behavior"—as now prescribed in the Constitution. We maintain that it is the duty and power of the Senate to prescribe a standard for "good" judicial "behavior" and to withdraw consent when "good behavior" is lacking.

(g) We advocate the reorganization of governmental departments and bureaus as outlined by the Hoover Commission reports.

(h) We favor a roll call in both Houses of Congress on all bills and measures involving the expenditures of moneys.

(i) We urge the Congress to establish a United States Foreign Service Academy comparable to the Academies for our Military Services, to assure personnel of highest caliber and loyalty for the Department of State and the Diplomatic Service.

2. Communism—Subversion

(a) We propose to fight the doctrines and practices of communism and other forms of subversion.

(b) We advocate the exclusion or dismissal of all Communists and other proponents of subversion from public office and any other positions of public trust, and endorse the continuance of the House Un-American Activities Committee.

3. National defense

(a) We advocate adequate preparation for the defense of our country. In the event of a constitutionally declared war, all the resources of the country as well as its manpower, shall be made available as the Congress shall prescribe.

(b) We urge a revision of the Universal Military Training Act to remove its injustices and uncertainties.

(c) We strongly urge the continuance of Reserve Forces for the defense of our Country and that the National Guard be continued.

4. Space agency

(a) We favor the development and promotion by the Federal Government of all space programs and the operation thereof within sound budgetary allotments in order that the United States of America may attain and/or retain its leadership in this field.

(b) We advocate the development by private means of space communications and continued research within the overall program of our space planning.

(c) We recommend that all space planning be accomplished through the joint efforts of the Federal Government and private industry.

5. Foreign affairs

(a) General: Conscious of the gravity of world problems, we advocate that our Government in its relations with other nations pursue policies which embody these concepts:

(1) The interdependence of the free world, of which we form an integral part, is the harsh reality of international life; however, the unity, friendship, and economic well-being of all the nations in our own hemisphere should have priority in United States diplomacy.

(2) We urge the exercise of caution in entering into international agreements, pacts and treaties.

(3) Admission to the United Nations of newly independent countries and their exercise of the full powers and rights of such membership shall be based upon national stability and political maturity.

Member nations shall be denied a vote during delinquency in payment of their assessments.

(4) The constitutional guarantees and the sovereignty of the United States must not be surrendered to any suprastate or world government.

(b) Foreign Aid: We urge that all authorizations and appropriations for foreign aid be curtailed and its distribution rigorously supervised "on the spot" in the nations receiving such aid. No aid shall be given Communist or communist-controlled nations.

Expropriation of American property without equitable compensation shall disqualify recipients from such aid. The principle of the sanctity of private property must not be bargained away in international agreements.

(c) Self-Determination: We advocate that the government of the United States pursue its traditional policy of giving moral and material assistance to the reunification of Germany and all other nations which have been partitioned and are striving to reunite under the age-old law of self-determination

We endorse the observance of Captive Nations Week.

(d) Common Market:

(1) We favor close cooperation with the European Common Market. However, should the Common Market take any action prejudicial to any segment of our economy, we recommend that the Federal Government take such supportive measures necessary to preserve our competitive position.

(2) We favor the establishment of a Common Market in our own hemisphere to obtain the potentials inherent in a Common Market.

(e) Metric System: As an instrument of industrial and commercial efficiency, we advocate adoption of the Metric System.

6. Immigration

(a) We firmly believe that our immigration laws must serve the best interests of our nation, and that maintenance of the clearly expressed system of selective control as defined in the Immigration and Nationality Act of 1965 be adhered to.

(b) The recommended ceiling of 120,000 visas, allotted for Western Hemisphere immigration, as voted by both Houses of Congress, must be retained in the law.

7. Taxation

We believe that current methods of taxation are confiscatory and tend toward the destruction of our free institutions; therefore we advocate that studies now under way of both Federal and State tax systems be expedited to achieve a more equitable tax structure.

8. Currency and balanced budget

(a) We advocate a return to sound fiscal policies directed toward a balanced budget, the maintenance of a sound currency and constant appraisal of administrative operations directed toward economy and increased efficiency in government functions.

(b) We recommend that the national debt be amortized annually.

9. Government subsidies

(a) We believe that the granting of subsidies should not be made a permanent Federal policy. Consequently, we advocate that existing subsidies, except where required for defense purposes or to meet foreign competition, be eliminated in an orderly manner so that our domestic production and markets will not be adversely affected.

(b) We advocate that United States "Counterpart Funds" be made available at low exchange rates to Americans travelling or staying in countries where such funds exist.

10. Government employment—Civil service

(a) We believe that government service should be fostered as a career.

(b) Qualifications for employment by the Federal Government under Civil Service jurisdiction should be based on merit only.

(c) We advocate that any public servant who under oath shall refuse to answer questions concerning his or her loyalty to this Nation, shall be suspended and his or her remuneration shall cease.

(d) Officials in positions of policy-making power shall not be protected by civil service status.

(e) We vigorously oppose the weakening of the present provisions of the Hatch Act as it applies to government employees.

11. Veterans

We advocate that veterans receive adequate care from our Government for service-connected disabilities.

12. Business, capital, and labor

(a) We advocate fair and effective enforcement of laws designed to prevent monopolies and restraint of trade, by capital and labor. The ability of small business to compete in a free market must be preserved.

(b) We believe that the incentive and initiative of the individual must be encouraged and that Government should not compete with private industry.

(c) We maintain that the public interest demands that labor and management discharge their responsibilities to achieve industrial peace and maximum efficiency in production in order to halt the wage-price spiral, and to enable the United States to compete with other countries for world trade.

(d) We advocate that labor and management take more effective measures to retrain employees whose jobs may be abolished through automation.

(e) We advocate legislation to set up binding arbitration procedure in all cases where labor and management have failed to come to an agreement in order to prevent any work stoppages affecting vital public needs, national defense, or any federal, state or municipal government operations.

(f) We favor the trial of unfair labor practice cases in Federal district courts.

Complainants should have the alternative right to present their own cases, or to have local U.S. attorneys present them.

13. Education

(a) We oppose any attempt at Federal Control of education via Federal aid to education. The principle of separation of church and state faces a serious challenge by Federal aid to parochial schools.

(b) The knowledge of foreign languages is essential for completion of scientific courses in most of our educational institutions, and for cultural, scientific, political and economic intercourse among nations. Among the foreign languages, the study of German is a most critical need and should be more effectively encouraged.

(c) We believe that school books treating with historical and cultural subjects should be based upon accurate unbiased research. We advocate that courses in the history of the United States and of civil government be required subjects in the curricula of all our institutions of learning.

We condemn all attempts to use educational institutions for the furthering of private interests or for propagation of ideas subversive to our form of government.

We advocate the continued study by Government agencies and private organizations of the manifold problems facing youth today.

14. Social security

(a) We advocate that funds collected under the Social Security Act be ear-marked and used exclusively in payment of social security benefits.

(b) We advocate that social security benefits be paid to all those entitled thereto, regardless of any other income.

(c) We favor the voluntary medical insurance plan. Any extension of either the fields and/or scope of coverage beyond the present law must be on a self sustaining sound financial basis.

15. Public health, narcotics and drugs

(a) We urge more stringent laws to control the import, manufacture and traffic in narcotics, and hallucinatory drugs.

Maximum penalties must be made mandatory for the criminal pusher.

(Recent Supreme Court decisions make a new approach necessary to the effective apprehension, prosecution and conviction of the violator.)

(b) We advocate a comprehensive program of education on the dangers of narcotics and said drugs. We should modernize and humanize our Federal laws, so the victimized addicts may receive medical treatment, assistance and rehabilitation.

(c) We propose that maximum precautions be exercised in the use of chemicals and biological agents in products intended for public use or consumption. We urge continued measures to effectuate the objectives of the Pure Food and Drug Act.

(d) We favor the establishment of regional medical programs to combat the major illnesses, such as heart disease, cancer and others.

16. Conservation

(a) We favor the conservation, development and effective control of our Nation's natural resources and their sound utilization for the present and future welfare of the people.

(b) We advocate the strict enforcement of the laws protecting our National Parks, all bodies of water, forests and all other natural resources affecting our national economy. We urge the preservation and protection of our monuments.

VOLUNTARY PRAYER IN PUBLIC SCHOOLS

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a reply that I have today forwarded to the editor of the Religious Herald explaining why I voted for the Dirksen amendment concerning voluntary prayers in public schools.

There being no objection, the letter to the editor was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
October 12, 1966.

VOLUNTARY PRAYER IN PUBLIC SCHOOLS

EDITOR, THE RELIGIOUS HERALD,
Monument Avenue and Willow Lawn Drive,
Richmond, Va.

SIR: Thank you for your kindness in sending me a copy of your issue of October 6th, inviting my attention to your editorial on page 10 which criticizes my vote for the Dirksen school prayer amendment. Your kindness in publishing this explanation of that vote will be appreciated.

For the past seventy years, I have been a member of a Baptist church and believe as strongly as any Baptist in Virginia in the doctrine of separation of church and state. I am opposed to the establishment of a church by governmental action: to the support of churches by taxation, and to the interference of the free exercise of religion by either State or Federal government. Consequently, I would oppose legislative action at any level which required either prayer or Bible reading in public schools as being in violation of the fundamental principle of voluntary action in all religious matters.

Unfortunately, the various decisions of the Supreme Court in school prayer cases have greatly confused the layman's viewpoint on the real issue involved. In the voluntary school prayer case, the Supreme Court said that the language of the First Amendment's "Establishment of religion" clause was comprehensive enough to prohibit a voluntary prayer in a public school. The Dirksen constitutional amendment merely sought to override that decision by saying "Nothing contained in this Constitution shall prohibit", etc. As you probably know, the gradual erosion of our Constitution by the Supreme Court since its ill-founded decision in the first school segregation case in 1954 has given me grave concern. It is no mere accident of either geography or natural resources that in less than two centuries we have become the richest, the most powerful and the freest nation in the world. That cherished development is due primarily to our form of government which is founded upon a written Constitution which in turn is based upon the finest code of morals in the world—namely, the Bible. In our Declaration of Independence, and then carried forward in our Constitution, we incorporated the Biblical principles of being the children of God; endowed by our Creator with certain inalienable rights which included the acquisition and enjoyment of property and to be treated with equal justice in dealings with our fellowman as we would be at the great judgment seat where justice and mercy are reconciled and the Judge and the brother are one.

In numerous cases, the Supreme Court has been amending that immortal document under the guise of interpreting it. Not only religious liberty but all liberty is threatened unless our Constitution can be preserved and we remain a nation of laws and not of men.

The Congress has been unwilling to come to grips with this unfortunate trend in our constitutional government because the social theories being promulgated by the Supreme Court have been relatively popular. But when the Supreme Court, in the voluntary prayer case, announced, in effect, that there is no necessary connection between government and morality, a great many Christians became deeply concerned. They knew that when our government was started, we were a Christian nation, that our moral code was based upon the teachings of the Bible, and that, on the assumption that we would continue as a Christian nation, we deliberately adopted a form of representative democracy which cannot survive without a voluntary adherence to those moral principles.

It was for that reason that more than a majority of the Members of the Senate became patrons of the Dirksen Amendment to rebuke the Supreme Court in a decision which, in the opinion of most constitutional lawyers, was clearly wrong.

We must go back to the history of our fight for religious freedom to understand why the words of the First Amendment's "Establishment of Religion" clause do not cover a voluntary prayer. The first action on this issue was taken in June of 1776 in a Convention in Williamsburg which adopted the Virginia Bill of Rights. One of those rights, as framed by George Mason, declared that the Church of England would be the official church of Virginia, but that other churches would be tolerated. After a determined fight in which Patrick Henry refused to join him, Madison succeeded in having that Amendment changed to read: "All men are equally entitled to enjoy the free exercise of religion".

In the first session of the first Congress, Madison proposed twelve amendments to the Constitution, and ten of them were approved by the House. He proposed two provisions with respect to religious freedom, one placing restrictions on the Federal government and one on the States. The House refused to place any restrictions on State governments but did adopt the one on the Federal government in this language: "The civil rights of none shall be abridged on account of religious belief of worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, or on any pretext, abridged."

When those amendments reached the Senate, there was substantial debate on the religious freedom language. By a substantial majority the Senate voted to strike out the Madison language of the House Amendment and to substitute for it the more restricted language, the keynote of which are the words: "Establishment of religion." Those words did not relate to State action, and limited Federal action to what those words meant when they were written into the Constitution. Fortunately, the chief architect of our Constitution, James Madison, while President, gave us the correct interpretation when he vetoed a bill to charter an Episcopalian Church in Alexandria. He said the words in the First Amendment, "Establishment of religion," meant a church, and that the Constitution prohibited Congress from legislating on that subject. In later life, Madison expressed disappointment that the separation of church and state, as written into the First Amendment, did not go as far as he had wished. He was opposed to the payment of Chaplains for opening sessions of the House and Senate, to the employment of Chaplains in our military forces, to the issuance of Presidential proclamations for a day of prayer, etc. But he said that half a loaf was better than no loaf and accepted the Senate version of his proposal for religious freedom with the hope and expectation that it would accomplish the major purpose he had in mind, namely, to prohibit the establishment of a national church to be supported by taxation and to prohibit governmental interference in religious affairs. That objective, of course, has been fully accomplished. Now, if we are to carry out the materialistic doctrine of the Supreme Court, we must go much farther than the Supreme Court has already gone in prohibiting voluntary prayers in public schools. We must refrain from forcing atheists to use coins on which we print "In

God we trust"; we must not use tax money to employ Chaplains to open sessions of the Congress and to bring the reassuring message of life after death to brave boys who fall on our far-flung battlefields; we must strike from our national anthem and from our Allegiance to the Flag all reference to the fact that we believe in God, and, at the State level, we must repeal all laws which exempt church property from taxation, which indicate that Sunday is the Sabbath day to be kept holy by prohibiting hunting, the doing of business as usual by merchants, and prohibit enforcement of contracts entered into on a holy day. We must not ask witnesses to swear on the Bible to tell the truth, and we must prohibit Sheriffs, in opening a Court of Record, from asking God to protect the Commonwealth.

In Madison's day, Sunday was a holy day; the great majority of children were raised in that atmosphere at home and instructed in the Bible both in Sunday School and church. Today, Sunday has become the favorite day of the week for the Biblical program of "eat, drink and be merry." A majority of children hear no prayers in their homes, and learn nothing about the Bible in any Sunday School. What is the result? An unprecedented crime wave with the greatest percentage of increase in the juvenile ranks: Saying a voluntary prayer in school will never take the place of home and Sunday School training, but to follow the present materialistic theory of our Supreme Court that there is no necessary connection between government and morality will surely write finis to our noble experiment in representative democracy. In all of recorded history, no lawless nation has ever survived.

A. Willis Robertson.

FRANK LONGWOOD, NEW PIONEER

Mr. BYRD of West Virginia. Mr. President, the Forest Products Marketing Laboratory of the U.S. Forest Service at Princeton, W. Va., has been in the vanguard of research efforts to uncover new uses for our domestic timbers. The laboratory had been placed in the forefront of these efforts by its chief, Mr. Frank Longwood.

I make note of these facts to state the loss that will be felt in this field by the death of Mr. Longwood earlier this month.

Although he will be succeeded by another highly competent research engineer, Mr. Donald G. Cuppett, I believe the laboratory will long benefit from the administrative organization which Mr. Longwood created at Princeton and the leadership which he offered for research into new uses of timber.

I believe Mr. Longwood's contributions to this field have best been described in an editorial which appeared on October 5, 1966, in the Sunset News-Observer of Princeton, W. Va. It is entitled "Frank Longwood, New Pioneer."

I ask unanimous consent to have the editorial printed in the Record.

There being no objection the editorial was ordered to be printed in the Record as follows:

Frank Longwood, New Pioneer

Princeton is the poorer because of the untimely death of Frank Longwood. Not that the U.S. Forest Service won't put a competent man in his place; we are sure it will.

But Frank Longwood was a pioneer for Princeton, just as the management people here on the scene for North American were pioneers, and the Dean Company people are pioneers following him.

Princeton is in transition. Make no mistake about that. And Frank Longwood, director of the U.S. Forest Products Marketing Laboratory, was in the vanguard of that transition.

Princeton, Mercer's county seat, has been here a long time. The county goes back to 1837. There's been a lot of ingrown complacency.

But what a tremendous opportunity the community has at this point to come fully abreast of the mainstream of West Virginia's and the nation's progress.

Frank Longwood and the highly-trained personnel at the Forest Products lab were—and they are—a leavening force in the community. They have brought new ideas, new concepts, new attitudes.

They—and North American and Dean—are a new influence in community life, a stimulating, dynamic influence that inevitably will make Princeton a different, and hopefully a better, community.

Frank Longwood, in particular, could be pinpointed as "the new type" in community influence. There was nothing in any way that could be called provincial about him—the curse that West Virginia has so long borne. He was, instead, cosmopolitan in outlook and attitude.

He had lived and worked all across this broad country from the Pacific Coast to Puerto Rico. His was not the outlook or attitude of any region. He saw America whole, and he brought that approach to his job in Princeton, West Virginia.

He is dead at the all-too-early age of 52. But the results of his work here can be seen by all. As the Forest Service itself said in noting his passing:

"One of his major accomplishments was overseeing the constructing of the $1.2 million Forest Products Marketing Laboratory at Princeton in 1962 and 1963, and developing a comprehensive research program for the laboratory, which is the first federal research facility of its kind in the country."

As a result of his pioneering, twenty scientists in timber management and utilization are now located in Princeton, supported by an administrative staff of another twenty people.

Frank Longwood, a scientist, an activist, an organizer—a man who had packed much into his all-too-brief career even before he came to us—was buried, significantly, here in Resthaven. Princeton will remember him as one of those who helped thrust it into a new era.

COMMUNISM IN YUGOSLAVIA

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record a very interesting account of developments in Yugoslavia, published in the Washington Post of October 10, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

Yugoslav Communists' Democratizing May Start Trend

(By Victor Zorza)

Belgrade.—The withering away of totalitarian rule has long been implicit in the Yugoslav Communists' program. They have now taken a decisive step towards it.

If their party reform proves successful, it might well lead to the end of totalitarian rule in the rest of the Communist world, which has over the years adopted many of the innovations first tried out in Yugoslavia.

The other Communist countries have not copied Yugoslavia's experience out of admiration, but out of sheer necessity. The best example is the economic reform, which is now all the rage in the Communist world. When the Yugoslavs first tried it, their economic ideas were condemned by the other Communist parties as the most impractical and ideologically pernicious schemes imaginable. But they have worked, and others are now moving in the same direction.

The Yugoslavs have led the field because they were the first to break away from the Stalinist system, and because the internal pressure for change has been much greater in Yugoslavia than elsewhere. It was the same internal pressure which has now compelled the Party leadership to begin the democratization of the party.

In a Communist country, such pressure, to be effective, has to come from the Party itself. But because the party is so organized that the rank and file should never be able to dictate to the leadership, the initiative for reform must come from the leadership itself.

The tug of war between the progressives and conservatives in the leadership, which ended in July with the dismissal of former Vice President Aleksandar Rankovic, the head of the security services, provided the opening for which the reformers had long been looking.

A leadership system which provided no sensible way of settling the differences between its members, except by a power struggle and expulsion, was in their view not good enough for Yugoslavia.

If matters had been left to the old Party stalwarts in the leadership, they would have probably carried on in the old way. But the alliance between the younger leadership generation and Marshal Tito carried the day.

As a result, they have been given an opportunity to devise a system which would do away with the power struggle. The existing system, as one of the younger speakers complained at last week's Central Committee plenum in Belgrade, led to contradictions which could only be resolved by "explosions." The leaders could only depart from their posts as "deviationists," he said, and only after the deviation had occurred.

I know of no meeting of the Central Committee in any Communist country—except in the early years of Soviet rule—where so daring and basic a criticism of the whole power system could have been made. The scheme devised by the Yugoslav Communists requires no laborious or involved reorganization of the Party. The existing Communist Party statutes, which differ little from country to country, provide all that is necessary for the beginnings of democracy. They specify that the Party congresses, which meet every four years or so, should lay down the general lines of policy, and that they should elect a Central Committee which would then carry out the "general line."

But the Central Committee, which comprises something like 200 or 300 of each Communist country's top administrators and industrialists, is usually little more than a sounding board. The half a dozen or so men who comprise the Party Politburo make up their own policies—and fight their own battles with each other.

The Central Committee can do little about it, because it rarely meets more than twice a year, and because its administrative apparatus is controlled by the Secretariat which is the creature of the Politburo.

In Yugoslavia, the Central Committee is henceforth to have a number of "commissions," each specializing in a particular area of government, which will be in almost continuous session. The commissions are to be "independent of other organs of the Central Committee"—that is, of the Politburo-Presidium and the Secretariat-Executive. If differences of view on individual questions occur between the commissions and the Executive, the commissions will be able to submit their opinions directly to the Central Committee.

Since the unanimity usually required of members of the Central Committee in a Communist country is no longer to be obligatory in Yugoslavia, the discussion of various issues of policy within the commissions will allow the left and the right wings of the Central Committee to become clearly defined.

In time, that wing of the Party leadership which is defeated in the Central Committee will seek to appeal to the Party at large, and will put its policies before the rank and file.

Then, in the elections for the Party congress, the individual members could indicate their preferences by choosing as delegates those party activists whose views coincide with their own, and the resulting congress will itself be divided into right and left wings. There is no reason why this division into right and left should not become a permanent and legitimate feature of the "Communist" system of government.

MILLVILLE, MASS.: 50TH ANNIVERSARY CELEBRATION, OCTOBER 14, 15, 16

Mr. SALTONSTALL. Mr. President, this month marks the 50th anniversary of Millville, Mass., one of the smallest and youngest towns in the Commonwealth. Originally, the area was a part of first one Massachusetts town, then another; but 50 years ago—in 1916—the town was incorporated. For 3 days, starting October 14, the 1,500-plus residents have planned a program to celebrate this event.

Millville is located in the southern part of Worcester County, and is bordered on the south by our neighboring State of Rhode Island.

The area's first business was a grist mill erected in 1729. In 1814 a woolen mill was established, and subsequently other industry flourished in Millville until the 1930's when they were hard hit by the depression. Economically it was a difficult time, and a State commission helped out and conducted the operation of the town, part of the time while I was Governor of the State. Since then, however, Millville has managed its own affairs in a very satisfactory manner.

I am pleased today to join with the people of Millville as they commemorate their first 50 years, and I extend to them every best wish for the next 50 years.

EMERGENCY ACTIONS OF CAB IN RECENT AIRLINE STRIKE

Mr. BARTLETT. Mr. President, it was my pleasure and privilege to participate in the fall quarterly regional meeting of the Association of Local Transport Airlines, which met at the Fairmont Hotel, San Francisco, Calif., September 25–27, through the preparation of an address entitled "The Route to the Future—The Bird Is Flying." While the press of Senate business precluded my traveling to San Francisco to deliver the address, it was presented by my constituent, ALTA carrier member Raymond Petersen, president of Northern Consolidated Airlines, and I followed the results of the meeting with great interest.

A highlight of this meeting, hosted by Pacific Air Lines in San Francisco, were the remarks made by J. W. Rosenthal, Director, Bureau of Operating Rights, Civil Aeronautics Board. He reviewed the emergency actions of the Board in the recent airline strike which, treating air transportation as a public utility, continued service in many areas without impairment of fundamental labor management relations. The remarks included his comment on the overall excellence of performance of the local service carriers in this recent period. I ask unanimous consent to have these remarks made a part of the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

It is a great privilege for me to have been invited to San Francisco to meet with the members of this Association. San Francisco's favorite chronicler has characterized this town as Baghdad by the Bay. And certainly for me, even the legendary Baghdad could have no greater fascination.

It has been two years since we last met in the west. And although I speak today on a different subject, I hope that you will forgive me for dwelling briefly on some of the indices of your progress. Comparing the year ended June 30, 1964, with the comparable 1966 fiscal year, I note that your operating revenues have increased 32 percent and your reported net profits 100 percent. And there was a decrease in the required subsidy assistance of over $5 million while you were providing 45 percent more passenger service. The real progress reflected in these figures may be attributable to improved service opportunities pursuant to Board route awards; better management; increased employee productivity; significant over-all traffic growth, and more efficient aircraft—in the order of your choice.

It is axiomatic that we hope, and expect next year's results to be even more favorable—reflecting again in varying measure the contributions to be expected from the sources previously referred to—including the underlying spur of our common effort to reduce federal subsidy.

I am sure that we will have many opportunities in the months ahead to discuss those measures in which we must each play a part, if this golden future is not to turn out to be just an alchemist's dream. But today, my topic is different.

It may be that this summer's experience has made academic any discussion of the Civil Aeronautics Board's role in authorizing substitute service in a strike situation. Certainly, since the first week of the strike, there has been relatively little adverse comment on the actions taken. Quite the contrary! On the other hand, it is hardly likely that the question of appropriate governmental action in an airline strike situation has been settled for all future cases. As a matter of fact, another major airline strike could erupt today, and the question of the extent, if any, of Board-authorized substitute service would have to be faced again. I fervently hope that this will not prove to be the case.

Historically, there have been a number of strike situations in which no substitute service authorizations were issued. My recollection is that, until recently, the initiative for substitute service came generally from the "non-skeds", who were, in effect, seeking relief from the then current restrictions on their individually-ticketed services. Resistance to these service proposals on the part of the struck carriers was intense. The most common theme in opposition was that any action authorizing emergency service over the routes of a struck carrier would amount to "intervention" by the Government in a labor-management dispute; and that such intervention would unduly weigh the scales on the labor side. However, there was a generally unstated premise which was the real problem; that is, the concern of the struck carrier that operations by another over its routes would lead to a more permanent competitive arrangement. Parenthetically, it may be mere coincidence that the only recent public statement adverse to the Board's action, of which I am aware, came from an officer of a carrier currently serving one of the more profitable monopoly routes, on which it carries considerable traffic of high national interest.

There were, however, at least two cases prior to 1963 in which the Board authorized substitute air services; in each it was shown that there was no other usable common carrier service in the market served by the struck carrier.

Then in 1963, a major airline was threatened with a strike which was triggered to start just prior to the Christmas holiday season. It was apparent that the shutdown of this carrier, which was providing about 22 percent of the total domestic passenger capacity, would have created a serious crisis for the traveling public. Many thousands of students and military personnel seeking to go home for the holidays would have had their plans frustrated. A staff survey indicated that the non-struck trunk carriers would be hard put to further increase their capacity during the period. However, we were advised that the local service carriers, the supplementals and the cargo carriers could make some contribution toward meeting critical service needs, were the Board prepared to grant certain enabling authority. On this basis the Board, as I recall, was prepared to act on its own, without any applications before it, to authorize substitute service had the strike not been settled promptly, as it was.

This leads me to last July. I think that we all hoped, and even anticipated, that there would be a last minute settlement. It just seemed incredible that there would be a strike which would shut down about 60 percent of our domestic air transportation system. As you are aware, there were at stake issues which were of broad national importance outside the air transportation area. It was, therefore, understandable that the Executive Branch would be fully aware of, and involved in the question of the travel crisis which would result from the strike. Accordingly, it should have occasioned no surprise that when the strike materialized, the President would ask the Civil Aeronautics Board to take appropriate action in its field in the light of the transportation emergency.

July is, of course, a month of peak traffic demand. This is true not only for scheduled services; it is also a peak period for civilian and military charters. The situation this July was further aggravated by a higher-than-anticipated growth in normal traffic; and by a peaking of service requirements in the Pacific. Although the struck carriers' military operations continued, our military needs had already tended to absorb any capacity the non-struck carriers had left after meeting their forecast civilian demand. Accordingly, it was evident that, within the normal scheme of things, there would be little that could be done by the non-struck carriers to meet the public service needs.

Nonetheless, the Board, on the eve of the strike, complying with the President's request, met with the non-struck carriers to explore their ability to provide added service during the strike. A CAB staff task force, which it was my privilege to chair, also was formed to act as a clearing house of information on the nation's service needs and the airlines' capabilities to meet them.

After these meetings, it became clear that, with some help from the Board in granting emergency service authorizations, the non-struck carriers could, and would be able, in some small measure, to alleviate the critical transportation shortage that would result from the strike. The Board then met with the struck carriers to seek their views as to the action that might be taken. With significantly differing degrees of intensity, they urged the Board to take no action whatsoever to authorize substitute service over their routes.

The issue was then clearly drawn. On the one hand, it was argued that, should the Board authorize any substitute service, it would necessarily draw the Board into the vortex of the labor-management dispute, with unfavorable implications towards a prompt and reasonable settlement. On the other hand, the Board was in a position to take action which, even though limited, would enable people to go about their professional and personal business with inconvenience, but without complete disruption of their plans.

In my judgment, the decision to be reached was obvious. Today, air transportation has achieved in fact what it has always been in theory—it is a public utility for which there is, on a broad basis, no reasonable substitute. Accordingly, under circumstances such as those present last July, the public generally would have thought it no more reasonable for the Board to have remained passive, when it could have helped, than you would think your local government reasonable were it to remain idle if your gas or electric company were shut down, and you were deprived of those essentials to modern life. In circumstances such as these, I think that the public interest in continuing service, to the fullest extent feasible, should be the Government's primary concern, assuming that the service could be achieved without impairment of fundamental labor-management relations. And quite frankly, it is my impression that the calm second thoughts of many of the interested officers of the struck carriers are consistent with that view. Certainly, the cooperation of the struck carriers with those providing substitute service, which was generally wholehearted and effective, gives support to this conclusion.

I am not going to deal with the detail of the Board's action; it is not relevant to our discussion today. It is important to note, however, certain of the underlying premises. First of all, the orders specifically stated the Board's belief that its actions would have ". . . only a negligible effect, if any, upon the basic economic forces which will be operative upon management and labor during the course of the strike." Second, the Board both in its initial order, and in those actions which followed, made clear that it did not wish ". . . to authorize air carriers to operate extensively outside the area of their route systems." Third, to the extent that the Board was extending to carriers, not normally in the scheduled passenger business, authority to carry overflow passengers, it was desirous that such services be conducted ". . . by specific arrangement . . ." with certificated carriers having authority over the route. And, finally, the Board made it clear that it wished to encourage a maximum of cooperative effort among the carriers, struck and non-struck alike.

On hindsight, I think that these policies—which consistently guided the Board's action during the strike—were largely responsible for the significant absence of inter-carrier friction and for the effective cooperation—both during the strike period, and in the transition back to normal service patterns—which was a real landmark in industry activity. However, to the extent that the Board staff contributed to the development and administration of these guidelines, I would have to confess that the stimulus was more pragmatic than philosophic. It was patent that relatively little could be done to substitute for the great capacity normally provided by the struck carriers. And that little would be more effective within the carriers' normal area of operations, or with the cooperation of a carrier in the area served, than it would be scattered over areas where the substitute carrier had no sales identity or service facilities.

I will spare you any lengthy summary of strike service statistics. As you know the press carried a preliminary report on the strike two weeks ago. And the staff, with the cooperation of the carriers, is in the process of making a more definitive analysis which should be available within the next several weeks. I would like to comment, though, on the speed with which the non-struck carriers responded to the need for added services. It was quite impressive. There is at least one well-founded rumor that a carrier represented here today was providing substitute service under the terms of the Board order before the type on the order was set.

There are, also, a few stories about the strike which may never make the official summaries, but do serve to illustrate the spirit, both of your employees, and of the public in coping with the trying circumstances. I've heard about the rumor started at Charlotte regarding what it took to get a seat on Piedmont during the strike, when the last customer in line for a Washington non-stop flight threw her arms around the station manager and kissed him. And I've read about the taxi driver in Las Vegas who drove Frontier's temporary station help to the airport to open its counter for Denver service. The cabby relayed this information through his dispatcher to other units in the area, and by the time they arrived at the airport, other cabs were discharging Denver-bound passengers for Frontier.

Trans Texas and Southern cooperated in a rescue mission delivering mice from Austin to Atlanta to save prize snakes at the Grant Park Zoo. Incidentally, this effort was a front page story in Atlanta. Allegheny reports one of the more interesting routings that an ingenuous traveler, or probably his travel agent, dreamed up to get him from Pittsburgh to Honolulu—via New York City, Toronto and Vancouver. And many of you have told us about the selfless response of so many of your employees, particularly the reservations and passenger service people who remained at their posts for ten or more hours a day, six and seven days a week. The many stories that we have heard about extra employee effort and devotion to duty reflect great credit upon themselves, and upon the organizations to which they belong.

I would feel remiss if I were not to take this opportunity to comment on the over-all excellence of performance of the local service carriers in this period. Our files are replete with favorable local newspaper comment, and with letters of praise for your efforts from public officials of high rank in the Federal Government, from governors, mayors, presidents of chambers of commerce, leading business executives, and members of the traveling public.

I hope that you will permit me to share with you the pride which I am sure you feel in the quality of the effort that was made to meet the public need in this transportation emergency. Certainly, without the significant growth of recent years, which the Board's policies encouraged, it is doubtful whether you would have been able so promptly and effectively to respond as you did.

We are looking forward to your continued progress, both in profit and in public service. There is nothing inconsistent in the juxtaposition, for it is axiomatic that in a private enterprise system it is in the public interest to be served by profitable enterprises.

COLUMBUS DAY, 1966

Mr. DODD. Mr. President, today is Columbus Day, the 474th anniversary of the arrival of Christopher Columbus and his three ships off the coast of a great new land.

I wish that all Americans could have an opportunity to visit Washington now and see the replica of the famous *Santa Maria* anchored off the shore of the Potomac River.

Just to see this model of Columbus' frail ship raises wonderful visions of an incredible voyage across uncharted seas and imbues one with a sense of our own history as a people and as a nation.

On Columbus Day we honor this fearless adventurer and his courageous crew who wrote the first chapter of American history, and we pay tribute to Italy and the many Americans of Italian descent who have so enriched our national life. This is a very special day, and I believe it should be recognized as such.

For many years I have urged that Columbus Day be made a national holiday, and I have both introduced and cosponsored such legislation. We have never been more successful than we were in the 88th Congress, when a Columbus Day bill passed the Senate only to die in the House, but I hope that next year the Nation may be observing a legal holiday on October 12.

SOCIAL SECURITY REVISIONS

Mr. BYRD of West Virginia. Mr. President, may I express my interest in the proposals made by President Johnson today for a general updating of benefits to be paid to recipients of the social security program and for several other worthwhile revisions which are to be considered.

In view of the recent increases in the cost of living, I believe that an improvement in the monthly benefits is justified.

I wish to express my strong interest in the proposals to offer added benefits to persons who elect to retire before the present age limits. As the Senate knows, I was successful last year in securing the adoption of an amendment to the medicare legislation which would have allowed persons voluntarily to retire at age 60 under social security, with an actuarial reduction in monthly benefits. The amendment, which required no additional social security tax, appeared to be well accepted across the country. However, it was lost in a conference with the House of Representatives.

I said last year that I was concerned about those older people who, because of their years, are unable to work, yet who are unable to retire because they have not reached the age specified by the Social Security Act.

Despite the fact that many Americans are living longer, they are not necessarily working longer. Many have physical disabilities which prevent them from participating in our fast-moving industrial process. Many more, although willing and able to work, find themselves the victims of discriminatory employment practices and technological changes which favor the young. The net result is that many older men and women are forced into retirement years before they are able to qualify for retirement benefits.

It was estimated last year that 3.5 million Americans would be eligible to retire immediately if the age limit were to be lowered to 60 years. Moreover, I was advised that 900,000 would probably take immediate advantage of the provision, with an estimated 15,000 of these being in West Virginia.

That being true in 1965, I believe it to be equally true today. I look forward to studying the President's proposals because I believe that a provision for early retirement is long overdue for persons who wish to retire early and make room for young people in the ranks of the employed.

EXPENDITURES OF SPACE PROGRAM DECLARED WORTH WHILE

Mr. SPARKMAN. Mr. President, from time to time, there are those who criticize our expenditure of large sums in our space programs. For my part, I believe that our space program is one of great importance. I have consistently supported it and the appropriations needed to keep it going.

Yesterday, Dr. Edward C. Welsh, Executive Secretary of the National Aeronautics and Space Council, spoke to the Science Industry Committee of the Washington Board of Trade. I have not had the privilege of reading all of Dr. Welsh's speech, but I found in today's Washington News, a well-written report of the speech. The article is by Donald Saltz, and points out many of the worthwhile gains from the space program in the fields of education, health, meteorology, and national defense—areas not always kept in mind by those who may be critical.

I ask unanimous consent that this News article may be included as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Oct. 12, 1966]

EXPENDITURES OF SPACE PROGRAM ARE WORTH WHILE

Our country's space program is inexpensive considering the vast achievements gained from it in terms of education, health, meteorology and national defense. So says Dr. Edward C. Welsh, executive secretary of the National Aeronautics and Space Council who addressed the Science Industry Committee of the Metropolitan Washington Board of Trade yesterday.

Dr. Welsh enthusiastically reminded his listeners that the space program has resulted in invention of new products and services, and improvements to existing ones. Innovations, he said, include wideband transoceanic communications, global weather reporting and forecasting, improved fire detection and high accuracy navigation, a wide range of improvements in metals, alloys, plastics, and ceramics, accelerated use of liquid oxygen in steel making, new coatings for temperature control of buildings, detergent filters, and a variety of improvements and advances in electronic equipment.

He points out that space development has resulted in improved medical instrumentation in hospitals, clinics and doctors' offices, and a future promise of highly automated hospitals, adding that space technology is also lessening human risks by making possible better isolation and surgical rooms free of bacteria and other foreign material.

RUSSIA'S EFFORTS

"Altho the Soviet space program is dominated by military men," Dr. Welsh notes, "the far-out space exploration being conducted by the Russians has no apparent military advantage." The U.S. has been concentrating its efforts on what Dr. Welsh terms "near-in work."

Dr. Welsh is in favor of television cameras on both manned and unmanned space capsules, using a technique adopted by the Soviets. Russia, he said, spends twice as large a proportion of its gross national product as does the U.S. on space programs.

FUTURE

Dr. Welsh sees the day coming when spacecraft will become more and more like aircraft, with frequent landings and takeoffs from different cities.

He said the U.S. will not only land on the moon and eventually the planets, but that we will explore them. He foresees a degree of localized weather control within 10 years.

One other vital aspect of the U.S. space effort is its contribution to our international relations, Dr. Welsh declares, as our achievements in space demonstrate to peoples of other countries advances in ideas, technology and standards of living.

The U.S. space program has cost an average of 31 cents a week for every man, woman and child in the country over the past nine years, but the returns and promises of greater future benefits have made this a very worthwhile investment, Dr. Welsh believes.

EDUCATION OUTLOOK: BRIGHT

Mr. BARTLETT. Mr. President, last week the Senate once again affirmed its deep and abiding interest in and concern for the improvement of education throughout the United States. All of us owe a debt of gratitude to the distinguished Senator from Oregon [Mr. MORSE], for the outstanding work he has done over the years which has culminated in the passage of the Elementary and Secondary Education Act of 1965 and the amendments of 1966.

This legislation is of extraordinary importance in Alaska. We have for many years struggled with the problem caused by the fact that many, if not nearly all, of our native people have not had the advantage of an elementary and secondary education. We are faced daily with the fact that we cannot bring to all of them a decent level of economic development and a full life because of their level of education. This does not mean, Mr. President, that Alaska's native people are not interested in education. On the contrary, they have pushed, prodded and pleaded for more and more education. Through legislation such as passed in 1965 and again yesterday, we can begin to satisfy their needs and demands for high quality education through at least the high school level.

I am especially pleased that the income limitations imposed in title I of the Elementary and Secondary Education Act have been raised in the Senate version from $2,000 to $2,500 for 1967 and for 1968 from $2,500 to $3,000. Additionally, inclusion of children receiving State financial support has been clarified. The original income limitation was almost meaningless for Alaska. By 1968 we will have achieved a more reasonable figure so that children who are as educationally and culturally deprived as those whose parents receive incomes $2,000 or less will be included in the program. The title I grants for Alaska, because of the Senate amendments, will mean for 1967, $2,983,417 and for 1968, $3,361,685.

School libraries in Alaska will benefit in 1967, if the Senate amendments are retained, to the extent of $159,181 and in 1968, $191,017. Supplementary education services authorized by title III of the Elementary and Secondary Education Act will receive in 1967 $467,078 and 1968, $526,066. Under title IV Alaska will receive $323,647 in 1967 for cooperative research and the State will receive in 1967 $128,189 and 1968, $151,800 for assistance in strengthening the State department of education.

I am hopeful that the Senate version will prevail. Improvement of education is essential to Alaska's development. It will provide the most solid foundation for the creation of the type of life all of us want.

I want to commend the Subcommittee on Education and the Senate Labor and Public Welfare Committee particularly for including a new program for handicapped children. All children are entitled to the best education they can absorb and use and we can no longer ignore those children whose handicaps prevent them from taking full advantage of the education offered to normal children. If this new program is adopted this year, Alaska will receive in 1967, $196,005 and in 1968, $326,675. This amount of money will be very meaningful in training those children who suffer from physical and mental handicaps in Alaska. Life is difficult for all handicapped children, but it is especially harsh for Alaska's children, many of whom reside in tiny communities scattered across the State where help is almost impossible to find.

I am pleased also that provision has been made for an adult education program. For many years Alaska has not been able to provide education for all of its youngsters, particularly our native children. Many adults have been to school less than 6 years and I would remind the Senate that many of these people grow up in non-English speaking homes. As a consequence, their grasp of the language is limited and their opportunities for employment limited even more. Adult education is essential and I am pleased that the program previously placed within the Office of Economic Opportunity is being made a part of the whole range of education programs offered by the Federal Government through the Office of Education. I do not want this statement to be construed as a criticism of the adult education programs offered by the Office of Economic Opportunity. On the contrary, what OEO has done has been very important and very meaningful, but I think we are wise to put the program within the Office of Education so that the full range of talent available within the national education system may be available for adult education as well as the education of our children.

The 1966 amendments include some changes in the so-called Public Law 815 and 874 programs. There was considerable discussion earlier this year of the value of retaining these programs and I think we are all generally agreed that these are among the most successful programs ever authorized to aid education. Certainly these programs have been essential in Alaska where the Federal Government has, in the past, employed more than half of all wage earners. I doubt very seriously that Alaska could have provided the quality of education it does generally if these two programs had not been available. Under the Public Law 815 program, grants to schools for construction were made on the basis of a fairly high non-Federal growth rate. The changes in the growth rate to 6 percent over a 4-year period as proposed by the Senate will make it possible for school districts to plan and use their Public Law 815 funds to far better advantage. I am also very pleased that the ceiling on assistance to Indian schools would be removed by the Senate amendment and authorization of such assistance would be made permanent. Alaska operates nearly 80 so-called rural schools and the children attending those schools are, for the most part, Indian children. The removal of the ceiling on assistance for those schools will mean a great deal to the improvement of education for these children.

Last year we embarked on a great experiment. We shall not know how successful that experiment will be for a good many years, but the progress that has been made during the first year, if it is any indication, certifies that the experiment is a success and that we shall bring to all of our children the educational tools with which to make a good and constructive life.

PRAYER IN PUBLIC SCHOOLS

Mr. BAYH. Mr. President, I ask unanimous consent that the following articles and editorials concerning Senator Ervin's opposition to the so-called prayer amendment be inserted at this point in the Record:

"Amen," from the Washington Post of September 23, 1966; "Senator Sam Defends A Logical Principle," from the Asheville Citizen of September 29, 1966; "Senator Ervin Hands Down A School Prayer Decision," from the Greensboro Record of September 22, 1966; "Senator Ervin's Changed Position," from the Greensboro Daily News of September 23, 1966; an editorial from the Charlotte News of September 24, 1966; "A Victory for Religious Freedom," from the Louisville Times of September 24, 1966; "Senator Sam Understands," from the Skyland Post of September 29, 1966; "Amen, Senator," from the Charlotte Observer of September 22, 1966; "Truth Catching Up," from the Raleigh News and Observer of September 22, 1966; "Sam Ervin Had the Senate With Him in Stand Against Prayer Amendment," from the Winston-Salem Journal and Sentinel of September 25, 1966; "Senator Ervin Opposes Prayer Amendment," from the Winston-Salem Journal of September 21, 1966; "Ervin's School Prayer Opinion," from the Winston-Salem Journal of September 22, 1966; "Senator Dirksen Loses a Battle," from the Tennessean of September 27, 1966; "'Amen' to a Controversy," from the Journal, Montgomery, Ala., of September 27, 1966; and "Let It Die, Mr. Dirksen, Let It Die," from the Tribune, Salt Lake City, Utah of September 24, 1966.

In my estimation, Mr. President, Senator Sam Ervin is one among us with unchallenged courage and fortitude and one with whom it has been a real privilege to associate in the Judiciary Committee as well as in the Senate as a whole.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington Post, Sept. 23, 1966]

Amen

The Senate voted on Wednesday to protect religious liberty from the heavy hand of governmental guidance. In rejecting the Dirksen amendment and the Bayh resolution—both designed to promote religious worship among American children—the Senate adhered to one of the postulates of the American political system, that church and state ought to be independent of and separate from each other. Senator Sam Ervin restated this postulate for his colleagues in simple terms: "Political freedom cannot exist in any land where religion controls the state, and religious freedom cannot exist in any land where the state controls religion."

This was the meaning of the First Amendment to the Constitution; and it was the Meaning of the 1962 and 1963 Supreme Court decisions concerning prayer in the public schools. The Court said no more than that no governmental authority could constitutionally prescribe a form of worship for children in tax-supported institutions of learning. There is nothing in the Court's language that restricts in any way the freedom of children and adults alike to pray as they please in their churches, in their homes or, silently and privately in their own words, at school or anywhere else. Indeed, the whole point of the Court decisions was to preserve this freedom.

Senator Ervin, an authentic hero of the Senate debate, recognized this truth when, at last, he read the Court's opinions. With a candor deserving of high respect, he admitted that, like so many others who jumped to a quick conclusion about the opinions before reading them, he had been initially mistaken. Most of the major religious bodies in the United States, once they had a chance to study the opinions, recognized that they constituted a protection of religious freedom.

Senator Dirksen's proposed constitutional amendment, however well-intentioned, would have stripped religion of this safeguard. It would have made it possible for local school boards to encourage worship—which involves, of course, a corresponding power to discourage worship—and to shape the forms of worship for children under their control.

The defeat of this proposal is an occasion for prayerful thanksgiving by all Americans. Let each, in his own way, address to the Deity of his choice, solemn thanks that the right to worship remains a matter beyond the power of Government and its officials.

[From the Asheville Citizen, Sept. 29, 1966]

Senator Sam Defends a Logical Principle

Senator Sam Ervin is reportedly taking a mild beating from some of his North Carolina constituents because he opposed Everett Dirksen's school prayer amendment—and not only opposed it but made an impassioned speech against it.

Sam Ervin is not opposed to prayer. He is merely sensitive to the constitutional safeguards that separate "church" from "state."

Dirksen's amendment would have authorized daily prayers in public schools.

"For God's sake and for freedom's sake," Ervin pleaded, "let us not vest arbitrary permission power in the school boards."

The Senate rejected the Dirksen proposal, and properly so. Two Supreme Court decisions on the question have not ruled out "voluntary" prayers in the public schools, provided they are not prescribed by state or educational authorities, and though the decisions left the issue characteristically clouded, the First Amendment seems clearly prohibitive of any control by school officials.

Sam Ervin, though a practicing religionist, is a devoted constitutionalist.

"The diversity of religions in America and the strength of character that religions have given to our people make it imperative that we retain religious freedom as a way of life," he writes.

"Religious freedom in America can be kept only in the manner pointed out in the First Amendment, without prefix or suffix. It declares, in effect, that the state must not undertake to control religion and religion must not undertake to control the state. Man's struggle for religious freedom points to the wisdom of this policy.

"At the heart of the debate over the Dirksen Amendment is the delegation of powers to school boards to determine as an arm of the government how religion shall be conducted in the schools. This poses once more all the problems which the First Amendment sought to forbid. In essence, it leaves open the way for school boards and groups within school boards to strive to impose particular religious beliefs upon children attending public schools. The Dirksen Amendment, in shorts, seeks to disturb 'a thing at rest.'

"I say this because I covet freedom of religion for all men."

Time magazine says that Protestant leaders, including Billy Graham, will form a national lobby to revive the Dirksen bill. This will be an interesting confrontation. We suspect Sam Ervin will win . . . as will legal principle.

[From the Greensboro Record, Sept. 22, 1966]

Senator Ervin Hands Down a School Prayer Decision

Senator Sam J. Ervin, Jr., is acknowledged to be one of the top constitutional authorities in the Senate. His view that the Supreme Court's often misinterpreted school prayer ruling needs no legislative clarification, carries weight.

Admitting strong misgivings in the beginning, Senator Ervin says he is now convinced that the rulings prohibit only a governmental establishment of religion, not "voluntary prayer or voluntary study of Holy Writ."

If Senator Ervin is correct, the hue and cry over Senator Everett Dirksen's constitutional amendment on the subject is purposeless. There are strong reasons for thinking that Ervin is, indeed, right. Many others hold his view, including a number of church-men, who see far more of a threat to religion in enforced prayers ordered by the state than in the high court's rulings. A close study of the court's opinions, such as Senator Ervin has completed, makes it clear that the judges were attempting to avoid state control of religion, no matter how well intentioned or how limited it might be. If a state can frame a prayer, and order it said in the schools, the first step toward state control of religion, or at least of religious instruction, has been taken.

"Political freedom," said Senator Ervin, "cannot exist in any land where religion controls the state, and religious freedom cannot exist in any land where the state controls religion." Characteristically, Ervin dug deeply into constitutional history to determine what the framers of the First Amendment meant by the "establishment" clause. In forbidding an "establishment of religion," they obviously meant, said Ervin, that "there should be no official relationship of any character" with any religion or religions.

Senator Ervin's statement, coming during Constitution Week, seems to underline again the wisdom of those who framed the basic document, and the first amendments which constitute the Bill of Rights. The emphasis then was on the individual conscience and its freedom, and the thrust of the First Amendment itself was to bar governmental interference with what should be the most basic of all freedoms. The meaning of the Supreme Court prayer rulings has been distorted badly by those who have heard misinterpretations, or who wish the government to supply what they feel the home and the church are neglecting. The correct interpretation of the highest tribunal's ruling is surely what Senator Ervin says it is. His comments are all the more convincing coming from a man who has not hesitated to criticize many other actions of the present Supreme Court.

[From the Greensboro (N.C.) Daily News, Sept. 23, 1966]

Senator Ervin's Changed Position

North Carolina's Senator Sam Ervin was on sound ground in challenging the Dirksen constitutional amendment on prayer. And the Senate obviously went along with his constitutional interpretation and reasoning in rejecting both Senator Dirksen's proposed change and the resolution offered by Indiana's Senator Birch Bayh which would have endorsed silent or voluntary prayer—apparently one and the same—in the classroom.

Prompting the Dirksen amendment were the original New York case in which the U.S. Supreme Court in 1962 banned a state-prescribed prayer and a subsequent Maryland case, in 1963, in which the high court's decision specifically prohibited "requiring the selection and reading at the opening of the school day of verses from the Holy Bible and the recitation of the Lord's Prayer by the students in unison."

In both instances the court based its desions on the first amendment under the Bill of Rights of the Constitution of the United States: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." In the New York case the state prepared and promulgated the prayer, however innocuous it may have been; in Maryland, the teacher who called for or led prayers or Scripture readings was recognized as an agent or employe of the state.

Senator Ervin, sharing the disturbance which many Americans felt when the high court handed down its prayer decisions, reversed his position, after both soul and Constitution searching, as expressed in his Senate floor argument which had tremendous influence in defeating both the Dirksen amendment and the Bayh resolution: "I have altered my views in respect to these decisions. I have searched both of these decisions which represent the opinion of the court and I am unable to find anything in either one of these opinions which holds that the establishment of religion clause . . . prohibits voluntary prayers or voluntary study of holy writings." In other words, a brief period of silent prayer or meditation, in which each child may pray or think whatever he wishes, is not proscribed and the "free exercise" which the Constitution prescribes is strengthened rather than jeopardized.

Thus there is no need for further cluttering up of the Constitution in view of the high court's expressed intent, as interpreted by Senator Ervin and other constitutional authorities in the Senate and clarified by the tribunal itself in a subsequent series of decisions. And there, we agree, the matter, stripped of emotionalism and cleared of original confusion, should rest.

[From the Charlotte (N.C.) News, Sept. 24, 1966]

We're afraid that Senator Sam Ervin was right in opposing the Dirksen school prayer amendment as prescribing a cure more harmful than the ill. The trouble is that the First Amendment is a classic statement of religious freedom that has been polished by generations of judicial interpretation. It's just not very prudent to go back into the Constitution at this late date to circumscribe it or broaden it or explain it.

We're no happier with the Supreme Court's prayer decisions now than we were when they were handed down in 1962 and 1963. It did not seem to us that any real danger of an "establishment of religion" by the state lurked behind the prayers recited in public schools. Those who did not wish to pray were free not to pray. The court's heavy-handed prohibition accomplished little or nothing at the cost of an expression of national religious conscience that was worth preserving. The best hope is that the Supreme Court will accept the furor raised over the prayer decisions and the one man-one vote decision—which did properly call for an amendment that Congress fumbled—as evidence of an unhappiness on the part of the public with its tendency to try to settle all matters at issue between Americans by judicial fiat.

[From the Louisville (Ky.) Times, Sept. 24, 1966]

A Victory for Religious Freedom

It took no small amount of political courage to buck the emotional tides whipped up by Senator Dirksen's school-prayer amendment, especially with elections so near at hand. But enough senators have done so to turn back this demagogic thrust at a widely-misunderstood Supreme Court ruling, and for that all who see religious freedom in its true light can be grateful.

Its sponsor, the loquacious minority leader from Illinois, gave it the full tremolo treatment. His loud lament that the Supreme Court had cut off "the pipeline to almighty God" was calculated to catch up the pious and the court-haters in one swoop of the net. But when the roll was called he fell nine votes short of the two-thirds required for passage of a constitutional amendment.

WHY ERVIN OPPOSED

The poll was 49 for, 37 against. Most of the "no" votes were from Democrats from outside the South. Only two Southern Democrats and three Republicans joined with the triumphant opponents. Interestingly enough it was one of the Southerners—Sen. Sam J. Ervin of North Carolina—who delivered perhaps the most effective speech against the Dirksen proposal.

There was every reason to suppose that Mr. Ervin might have been on Mr. Dirksen's side in this as he was in the thrice-unsuccessful attempt to undermine the high court's reapportionment ruling. Like Mr. Dirksen, the North Carolinian is a deep-dyed conservative who harbors no great love for the Supreme Court. Too, he is a religious man—a Presbyterian elder, in fact. But it was precisely because of his firm religious belief that Senator Ervin spoke and voted against the Dirksen amendment.

Like many church leaders of various denominations who have spoken out against it in recent months, he saw its provisions for permissive "voluntary" classroom prayers as an ominous threat to religious freedom in this country—a danger to the separation of church and state that is guaranteed in the First Amendment.

Said he: "I am afflicted by a Scotch-Irish conscience which will not let me follow after the multitude. It would be very easy from a political point of view to be for this (Dirksen's) amendment. But it would be the annihilation of the First Amendment's protection of religion. It would give every school board in the country the power to pass a law providing for the establishment of religion, a power the constitution denies to Congress. A Protestant board could establish a Protestant religion in the schools. A Catholic board could establish a Catholic service. A Jewish board could set up a Jewish religion."

BAYH'S PROPOSAL

Defeat of the Dirksen proposal came after the Senate had rejected (52 to 33) a mild substitute offered by Sen. Birch Bayh, Jr., Indiana Democrat, in the form of a resolution intended to clear away widespread confusion over the prayer issue. It would have expressed "the sense of the Senate" to be that the court ruling does not forbid "silent, voluntary prayer or meditation" in the public schools.

Senator Dirksen ridiculed this as meaningless, and we can't say he was far wrong. But at least the resolution, had it passed, might have taken some of the political sting out of voting against the Dirksen proposal. As it turned out, this wasn't necessary. The Dirksen amendment was stopped anyway. We trust the same praiseworthy display of statemanship will reassert itself in January if the senator from Illinois tries again as he says he will.

[From the Skyland (N.C.) Post, Sept. 29, 1966]

Senator Sam Understands

We congratulate Senator Sam Ervin, Jr. on his stand to preserve religious freedom as guaranteed by the constitution of these United States.

Concerning this Senator Sam said:

"Religious freedom in America can be kept only in the manner pointed out in the First Amendment, without prefix or suffix. It declares, in effect, that the state must not undertake to control religion and religion must not undertake to control the state. Man's struggle for religious freedom points to the wisdom of this policy.

"At the heart of the debate over the Dirksen Amendment is the delegation of powers to school boards to determine as an arm of the government how religion shall be conducted in the schools. This poses once more all the problems which the First Amendment sought to forbid. In essence, it leaves open the way for school boards and groups within school boards to strive to impose particular religious beliefs upon schoolchildren attending public schools. The Dirksen Amendment, in short, seeks to disturb "a thing at rest."

"Why then did the Founding Fathers mention religion in the First Amendment and what purpose did they have in view when they did this? The answer to these questions appears with great clarity in a statement by the late Justice Jackson:

" 'The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the court. One's right to . . . freedom of worship . . . and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.'

"The First Amendment permits Americans to bow their knees and lift their voices to their own God in their own way. It should be kept that way."

All Americans should be glad to have a guardian of freedom like Senator Sam Ervin, preserving what our constitution sets out.

[From the Charlotte Observer, Sept. 22, 1966]

Amen, Senator

North Carolina's Senator Sam J. Ervin, Jr. is on solid ground in opposing Senator Everett Dirksen's constitutional amendment to permit voluntary prayer in public schools.

Senator Ervin says the amendment is neither wise nor necessary. He is right.

The United States Supreme Court has never banned voluntary prayer in the public schools. It has stated that it is unconstitutional to have state-ordered or state-composed prayers that are mandatory in the public schools.

The Supreme Court has sought to take the state, or those in authority in the public schools, out of the business of prescribing prayers or religious exercises for students.

The Court's position has been misrepresented and exaggerated by religious and political opportunists. They are on dangerous ground in seeking to tamper with the first amendment.

Senator Ervin stated that he had studied the Supreme Court's decisions carefully. He concluded that there was nothing "in either one of these opinions which holds that the establishment of religion clause . . . prohibits voluntary prayer or voluntary study of holy writings."

It is good to have a man of Ervin's stature give the Supreme Court a fair reading in the matter. Perhaps good sense will prevail in this emotional crisis after all. Let us pray that it does.

[From the Raleigh (N.C.) News & Observer, Sept. 22, 1966]

Truth Catching Up

It has been three years since the U.S. Supreme Court handed down its decision on prayer in the public schools. And slowly the truth of the matter is catching up with those politicians, preachers and commentators who have misled the public on this subject ever since.

The U.S. Supreme Court has few critics more vocal or persistent than Senator Sam Ervin. But by his action on Tuesday, the senator has clearly separated himself from those who continue to damn the high court on this issue, either through misinformation or deliberate attempt to smear it for other, unpopular judicial opinions. In light of a new congressional effort to enact legislation relating to prayer in the public schools, Senator Ervin has studied the court's two landmark decisions on this matter and has refused to support any proposed amendment, resolution or law relating to them.

He was, he told the Senate on Tuesday, among those who were "much disturbed" by the high court's actions three years ago. But on later study and reflection: "I have altered my views in respect to these decisions. I have searched both of these decisions which represent the opinion of the court, and I am unable to find anything in either one of these opinions which holds that the establishment of religion clause . . . prohibits voluntary prayer or voluntary study of holy writing." The Supreme Court, he said, has never outlawed voluntary prayers in the public schools. It has outlawed compulsory prayers.

Those who continue criticizing the court in this matter are either deliberately or naively seeking what has never been allowed in America: compulsory religion by government. And that compulsion would not be less odious if exercised at the local instead of the federal level.

[From the Winston-Salem Journal & Sentinel, Sept. 25, 1966]

Sam Ervin Had the Senate With Him in Stand Against Prayer Amendment

(By Lloyd Presler)

Washington.—Folks who like their politicians clearly labelled for easy identification have a hard time with Sam Ervin, the senator from North Carolina.

Ervin had been up and down the hill of opposition to civil rights legislation so many times that it is almost impossible for most people to think of him as anything more or less than a civil rights obstructionist.

But last week—ah, last week, Sam Ervin was much more.

In the matter of the proposed school-prayer amendment to the constitution, he was the brave civil libertarian, the unyielding defender of the bill of rights, the spokesman for those in the Senate who would not bow to expediency.

Ervin is not an eloquent man on his feet, but his hour-and-a-half speech in opposition to Senator Everett Dirksen's prayer amendment reads well, and it will be quoted from.

The Senate of the United States is never a better place, and never more fun, than when it is engaged in debate on the basic issues of the bill of rights.

In the Senate, if not always elsewhere, economics and social manipulations and troop movements and all those pressures of the season seem to pale before such principles as freedom of speech and freedom of worship.

Ervin is capable of such arguments, and the sad truth is that he is one of the very few senators who can occasionally fight a basic battle without regard to how many constituents are on the telephone in protest and how many angry letters he might have received.

If all this sounds too much in praise of Sam Ervin for his stance against the prayer amendment, rest assured that the viewpoint is a minority one.

Everett Dirksen, who may be the Senate's ultimate cynic, treated the nation to a sorry joke on itself when he introduced his prayer amendment.

"Would it be adopted?" he was asked.

"Hell, yes," Dirksen answered.

The amendment was, of course, not adopted. Dirksen had tried to make it appear that anyone voting against his proposal would be voting against prayer, but there were enough Sam Ervins in the crowd to resist the temptation and look at the necessity for separating church and state in the same way that Jefferson and Madison saw it.

"I am the possessor of great affliction," said Ervin—"a Scotch-Irish conscience which will not permit me to follow after a great multitude to do what I conceive to be evil."

Dirksen, the most eloquent of senators and sometimes the most corny, kept saying he wanted young people to learn to pray aloud and often in their public school classrooms. Prayer, said Dirksen, is "a pipeline to the Almighty."

And he also told on one occasion of how his eye was salvaged years ago by "that great big doctor in the sky."

Philip B. Kurland, a law professor at the University of Chicago, has answered quite nicely Dirksen's claim that school children need school prayer in order to save themselves from delinquency and irreligion.

"Senator Dirksen . . . has grown and prospered in a state in which the Illinois Supreme Court banned prayer and Bible reading in the schools more than 50 years before the Supreme Court of the United States adopted the same rule," said the professor.

And Dirksen last week seemed religious enough.

As for Senator Ervin, it should be noted that he confesses to holding his Presbyterian eldership as dearly as Thomas Jefferson held his authorship of the bill for religious freedom in Virginia. And Ervin's most impassioned cry in the Senate was for freedom of religion.

If the constitution must be amended, he said, "for God's sake let us draw an amendment which will give equality of religious freedom to every human being in the United States."

The argument of those senators who opposed the Dirksen amendment was that it tended to deny religious freedom.

"We start down a rough road," said the late Justice Robert Jackson, "when we begin to mix compulsory public education with compulsory godliness."

Ervin of North Carolina was chief spokesman in Washington last week for that rugged point of view. At one moment he was reading a sing-songy little poem that began, "God hath not promised skies always blue," and at the next moment he was quoting the philosopher Schopenhauer.

A strange combination?

A strange man.

[From the Winston-Salem (N.C.) Journal, Sept. 22, 1966]

Ervin's School Prayer Opinion

Though the cobwebs of confusion remain about the U.S. Supreme Court's school prayer decision, they surely cannot long survive the broom of Senator Sam Ervin. For in his remarkable and impressive stand against both the Dirksen amendment on school prayer and the Bayh resolution endorsing silent meditation by school children, Senator Ervin has done a genuine public service.

Confessing that at first he was disturbed by the court decisions, Ervin said: "I have altered my views in respect to these decisions. I have searched both of these decisions which represent the opinion of the court and I am unable to find anything in either one of these opinions which holds that the establishment of religion clause . . . prohibits voluntary prayer or voluntary study of holy writings."

The court decisions forbade officially prescribed prayers and religious readings by students, which tend to single out and isolate the non-conforming child. These decisions, based on cases arising in New York and Maryland, did not touch upon the right of teacher or child to pray voluntarily or engage in silent meditation. Thus the opinions did not infringe upon, but, on the contrary, strengthened the constitutional protection for the freedom of religion.

Thus neither the Dirksen amendment to permit voluntary prayer in the schools nor the Bayh resolution on silent meditation is necessary. They would merely authorize what is already permissible, and put the Senate, as Senator Ervin indicates, in the dubious business of offering "advisory opinions" on the true intent of the Supreme Court.

It would probably suffice if the complaining Senators would turn and encourage their constituents to turn, as Senator Ervin has, to the opinions of the court itself. In those opinions they will find a lucid and logical explanation of why it is wrong for the state to try to tell a child when to pray and what prayer to recite.

[From the Winston-Salem Journal, Sept. 21, 1966]

SENATOR ERVIN OPPOSES PRAYER AMENDMENT

(By Lloyd Presler)

WASHINGTON.—Senator SAM ERVIN announced during a long Senate speech yesterday that he firmly opposes a proposed constitutional amendment which would permit "voluntary" prayer in the public schools.

The Senator from North Carolina said Congress should not tamper with the establishment-of-religion clause in the First Amendment or with the Supreme Court's rulings on church and state.

Concluding his hour-and-a-half speech, ERVIN said:

"Let us preserve for all Americans of all generations the right to bow their knees and lift their voices to their own God in their own way.

"STAND BY AMENDMENT

"We can do this by standing by the First Amendment as it has been written and interpreted. I close with a prayer that the Senate will do this and, no more."

ERVIN'S speech included a historical summary of church-state relations and the drafting of the First Amendment. It also included several affirmations by Ervin of his own faith in religion. "I revere religion," ERVIN said.

In the end, he stated his opposition both to the constitutional amendment proposed by Senator DIRKSEN and to a compromise resolution offered by Senator BIRCH BAYH, Democrat of Indiana.

TURNING POINT

ERVIN'S speech may have marked a turning point in the Senate's consideration of the school-prayer issue. ERVIN and Senator PHILIP HART, Democrat of Michigan, and perhaps a few additional Senators are expected to join DIRKSEN'S forces in opposition to the Bayh resolution.

If it is defeated, ERVIN and HART will then join BAYH in opposition to DIRKSEN. The voting is scheduled for this afternoon.

DIRKSEN said yesterday he expects the Bayh resolution to be defeated. He continued to express confidence that his constitutional amendment will be approved by the Senate.

However, most observers say the constitutional amendment has little chance. Senate approval of a constitutional amendment requires a two-thirds vote. The Bayh resolution could be adopted with a majority vote.

DIRKSEN'S amendment says that nothing in the Constitution would prevent the administrator of a public building from permitting "voluntary" prayers by students or others in the building.

DIRKSEN contends that the Supreme Court, in a series of rulings on school prayers, "has closed the door on voluntary prayer."

ERVIN argued yesterday that the court has not touched the subject of "voluntary" prayer. He said he has "read and reread" the court's opinions in the prayer cases.

"I am unable to find anything in either one of these majority opinions which holds that the establishment-of-religion clause of the First Amendment prohibits voluntary prayers or voluntary study of holy writings," ERVIN said.

KURLAND OPINION

He said he agrees with Philip B. Kurland of the University of Chicago. Kurland says the court ruled that "the states may not prescribe the conduct of religious ceremonies in their public schools."

ERVIN also quoted a group of Baptist leaders in North Carolina. They said in opposition to the Dirksen amendment that the court has said only "that government agencies should not impose, regulate, or organize religious exercises in the schools."

BAYH is chairman of a Senate subcommittee on Constitutional Amendments. The committee held hearings this year on the Dirksen amendment and other school-prayer proposals.

BAYH RESOLUTION

The Bayh resolution is intended as an alternative to the Dirksen amendment. In effect, Bayh's resolution argues that the Supreme Court has not outlawed "silent periods of meditation" in public schools.

The resolution says that many citizens are confused about the Supreme Court's rulings in the prayer case. The resolution recommends that school officials allow periods of silence as an alternative to religious exercises which might be considered unconstitutional.

ERVIN argued that, in effect, the Bayh resolution is "a proposal that Congress in its collective capacity usurp and exercise a power it does not possess in such capacity—namely, the power to tell the people of America what the Supreme Court has decided."

HART, the only Senator who joined ERVIN in public opposition to both the resolution and the proposed amendment, agreed.

"I think we advance religion's cause and denominational causes not a bit by undertaking to issue advisory opinions here as to what the Supreme Court has told us the First Amendment permits and prohibits," HART said.

The first of the Supreme Court's school-prayer decisions was in 1962, when the court declared unconstitutional a New York law requiring daily recitation of a nonsectarian prayer approved by state officials.

The ruling prompted criticism of the court in many areas. Some Senators, reluctant to take a position on the Dirksen amendment, say that public response to the prayer issue is tremendous.

PAST CRITICISM

In the past, ERVIN has criticized the court, not for the thrust of its rulings on school prayer, but for considering the prayer cases. ERVIN said yesterday:

"I felt that this was an area in our national life in which the Supreme Court well might have given some weight to the concept embraced in the very homey adage, 'Let sleeping dogs lie.'"

ERVIN said, however, that his position has changed. He said the Supreme Court justices "could have avoided the issue, but in the long run it's more healthy that they didn't."

ERVIN said, "The diversity of religion in America makes it imperative that we retain religious freedom for all men as a way of life.

CITES AMENDMENT

"This can only be done in the manner pointed out by the First Amendment, which declares in effect that the state must not undertake to control religion and religion must not undertake to control the state."

He said that if an individual religious group were given the opportunity "to strive to control a state or a school board for the purpose of imposing its particular religious beliefs upon the school children attending public schools," then diversity of religion could become "a divisive force."

"We should remove this temptation . . . by saying that the state must keep its hands off of religion and religion must keep its hands off the state," ERVIN said.

"CHERISH FREEDOM"

Men should be left "to study their holy writings and meditate upon their teaching without . . . hindrance from government," ERVIN said. "I cherish this freedom for myself as well as for others."

[From the Nashville (Tenn.) Tennessean, Sept. 27, 1966]

SENATOR DIRKSEN LOSES A BATTLE

Senator EVERETT DIRKSEN has failed to muster sufficient support in the Senate for his "prayer amendment," but he maintains that he will continue the struggle and probably will.

The Illinois senator was probably disappointed that he couldn't gain enough of his colleagues' support, and was probably even more disappointed that so many religious leaders testified against his amendment.

The consensus of opposition to the bill was neatly summed up by Senator SAM ERVIN, a conservative Democrat from North Carolina. Senator ERVIN warned that the proposed Dirksen amendment would "annihilate" the First Amendment.

"It would be easy from a political point of view to be for this amendment," said Senator ERVIN, a Presbyterian elder, ". . . but it would give every school board in the country the power to pass a law providing for the establishment of religion . . . A Protestant board could establish a Protestant religion. A Catholic board could establish a Catholic service. A Jewish board could set up a Jewish religion."

In the face of the summing up, Senator ERVIN prevailed and Senator DIRKSEN did not. It is doubtful that if in the future tests of this proposed amendment, the outcome will be much different.

[From the Montgomery (Ala.) Journal, Sept. 27, 1966]

"AMEN" TO A CONTROVERSY

The Senate has apparently pronounced the final benediction over the school prayer furor by rejecting all the various Constitutional amendments which were designed to override the Supreme Court's prayer decisions of 1962 and 1963.

Senator DIRKSEN'S amendment which drew wide attention had a strong emotional appeal. But when analyzed by cooler heads, it was found to contain an insidious consequence: it would have permitted an agent of government to compose an official prayer, then send it to the public schools with instructions that it be read every day.

Senator BIRCH BAYH'S so-called "compromise" amendment was really no compromise at all. It would have made permissible a moment of silent meditation at the opening of school each day. But there was nothing to begin with in any of the Supreme Court decisions which would forbid such a practice. So, why the amendment?

The hero of the day in rejecting the amendments was Senator SAM ERVIN of North Carolina, a conservative who is regarded by some as the Senate's ablest Constitutional authority. Senator ERVIN said:

"Political freedom cannot exist in any land where religion controls the state, and religious freedom cannot exist in any land where the state controls religion."

Senator ERVIN has thus summed up the spirit of the First Amendment's guarantees of freedom of religion and the spirit of the court decisions. Now that we have said "amen" to a controversy that ought never to have existed, perhaps we can heed the words of the late President Kennedy when he was asked to comment on the prayer decisions:

"We could pray a good deal more at home, we could attend our churches with a great deal more fidelity; and we could make the true meaning of prayer much more important in the lives of all our children."

[From the Salt Lake City (Utah) Tribune, Sept. 24, 1966]

LET IT DIE, MR. DIRKSEN, LET IT DIE

Senator DIRKSEN, Republican of Illinois, who failed to win a two-thirds majority vote for his proposed constitutional amendment on prayer, has vowed to continue the fight next year.

It is regrettable that the amiable minority leader was not willing to settle for his recent victory in the vote on the open housing civil rights bill. In one way or another his misdirected crusade for "voluntary" prayer in the public schools is bound to fail or collide headon with the First Amendment, cornerstone of the Bill of Rights and guardian of American freedom of conscience.

The Dirksen amendment was intended to nullify two opinions by the U.S. Supreme Court prohibiting the states from providing for religious exercises in public schools. The prohibition is necessary to our traditional separation of church and state.

Senator SAM J. ERVIN, Democrat of North Carolina, constitutional authority and former state supreme court justice, summed up the case against the amendment by emphasizing again that the court decisions have not ruled out voluntary prayer. "If you want to amend the Constitution," he pleaded, "amend it to assure equality of religious freedom for every human being in the United States, regardless of what his religion might be." The Tribune echoes that plea.

The Rev. H. B. Sissel of the United Presbyterian Church emphasized another vital point at a recent congressional hearing, saying that to let school officials provide for prayer would "invite majority determination" of religious training in communities. The amendment amounted to an invitation to aggressive groups to use the power of the state for their own ends.

Unfortunately a fallacious, emotional call to "put God back in the classrooms" has dominated pro-amendment arguments. The Supreme Court decisions banned the recitation of a state imposed prayer in the public schools and Bible reading as public school exercises. Voluntary prayer on an individual basis has not been affected. While the DIRKSEN faction (we regret Utah's Senator BENNETT is a member) regroups for a new drive, we hope law-makers and citizens generally will study the court decisions and the implications of trying to put the authority of the school establishment behind certain religious practices.

A VETERAN NEWSPAPER CORRESPONDENT REVEALS SOME HITHERTO UNPUBLICIZED TRUTHS ABOUT VIETNAM

Mr. GRUENING. Mr. President, it is generally conceded that if the United States desired to do so it could conquer South Vietnam militarily—at huge cost in military and civilian lives. At great cost we could govern that country as a U.S. colony—again at great cost in lives and money.

But the administration has repeatedly stated that its avowed goal in South Vietnam is not to turn that poor and now devastated country into an American colony but rather to bring peace to its inhabitants and to win their good will—to win over their hearts and minds through the social and economic improvement of their sad lot.

Forthright and realistic appraisals of how the pacification task is proceeding are hard to obtain.

However, in the New York Times magazine for October 9, 1966, a realistic and penetrating article entitled: "Not a Dove, but No Longer a Hawk," by Neil Sheehan, revealed many hitherto little-known or little-publicized aspects of our already mammoth and steadily increasing involvement. Sheehan has long been stationed in Vietnam.

Mr. Sheehan's article not only shows that our much-publicized pacification program is not working but that our entire approach has built into it roadblocks which will preclude our ever "reaching the minds and hearts" of the South Vietnamese people.

Commenting on the tragedy that what began as a war of independence from France developed into a civil conflict, Mr. Sheehan reports:

> Attempts to describe the current war as a geographically based struggle between North and South Vietnam breaks down almost immediately when it is recalled that Premier Ky and several other important members of his Government are North Vietnamese by birth, who fled south after the French defeat, while Pham Van Dong, the Premier of North Vietnam, was born in the South. The war is, rather, a struggle between differing elements of the Vietnamese people as a whole.

Thirty-one months ago, when I first began speaking on the floor of the Senate against our military engagement in Vietnam and pointing to the dangers of any further involvement by the United States in a civil war in Vietnam in violation of the provisions of the Geneva Conventions of 1954, and our unilateral commitment to them, as well as the United Nations Charter, there was an attempt to becloud the issue by speaking of it as an invasion from the north. The truth is now belatedly starting to reach the people of the United States, who are beginning to realize what administration spokesmen have refused to admit, that the United States has taken sides in a civil war.

As Mr. Sheehan continues:

> For its own strategic and political ends, the United States is thus protecting a non-Communist Vietnamese social structure that cannot defend itself and that perhaps does not deserve to be defended. Our responsibility for prolonging what is essentially a civil conflict may be one of the major reasons for the considerable amount of confusion, guilt and soul searching among Americans over the Vietnam war.

Since I first spoke against our military invasion of Vietnam on March 10, 1964, before any American troops had been sent into combat, U.S. involvement in this undeclared war in Vietnam has steadily escalated until we now have at least 316,000 fighting men on the ground in South Vietnam with 70,000 on the fleet offshore and more thousands in Thailand. We have in all respects turned a civil war into a major U.S. war.

But there is far more wrong than this.

Corruption and inflation are rampant throughout South Vietnam—our kill rate of defenseless civilian women, children, and aged proceeds apace, and the millions upon millions of dollars we are constantly pouring in purportedly to lift the economic status of the civilian population are being diverted. As Mr. Sheehan writes:

> Some American officials with long experience in Vietnam estimate that about 20 per cent of United States aid supplied for counter-insurgency projects in the countryside finds its way to the Vietcong and that another 30 to 40 per cent is diverted by Government officials. Cement, roofing, steel bars and other building materials destined for schools and refugee housing mysteriously end up on the open market or in private villas and apartment buildings. "What gets down to the poor son of a bitch in the paddy field," one official said, "is a trickle."

To where is U.S. aid diverted? Mr. Sheehan tells us:

> Most non-Communist Vietnamese are incapable, because of the values of the society in which they live, of looking beyond individual and family interests. Their overwhelming concern with "me and my relatives" deprives the society of a social consciousness Americans take for granted in their own culture and fosters the corruption and nepotism that exist throughout the administration. The disease of corruption appears to be worsening in direct proportion to the burgeoning amounts of American aid flowing into the country. Stories of embezzlement are legion and repeatedly embitter Americans.

One of the basic roadblocks to economic and social success for the U.S. pacification program is that the United States is on the side of an entrenched privileged minority, corrupt and venal, who would lose most if the promised social and economic reforms were carried out.

> In Vietnam—

Mr. Sheehan points out—

> only the Communists represent revolution and social change, for better or worse according to a man's politics. The Communist party is the one truly national organization that permeates both North and South Vietnam.

Mr. Sheehan's assessment of the situation is confirmed by a report appearing in the Washington Daily News for October 11, 1966, from Saigon by R. H. Shackford entitled "Pacification Is Not Pacific." Despite the glowing report issued by the White House, Mr. Shackford quotes liberally from a report issued by Premier Ky showing that the pacification program is not working.

The report states:

> A new real life was not yet introduced; poor farmers still did not have land, fertilizer, seeds, etc., and their feeling was that there is not much difference between the New Life Hamlets (the program's goal) and the traditional ones.

And still the administration's answer to the steady deterioration of relations between the United States and the South Vietnamese population is to escalate the troop deployments to that country and to intensify the destruction of life and property.

As Clayton Fritchey pointed out in the Washington Star for October 10, 1966, the United States is now in our third largest war. Mr. Fritchey further states:

> The fact is that this is the largest undeclared war in the history of the world—and it is rapidly getting bigger, which is why the Pope and U Thant (whose concerns are universal rather than national) continue to raise their anguished voices in the hope of heading off another super-war.

These same dangers are pointed out in the editorial on Otcober 11, 1966, in the New York Times entitled "Momentum in Vietnam":

> But, it seems, the war is to grow bigger and so is the United States contribution to it. If kept up long enough, the end will be the destruction of all of North Vietnam and most of South Vietnam. Then there will be peace. Before the ultimate price is paid—by the Vietnamese—there is still the chance that deescalation, especially a long halt in the bombing, may save what is left. The stakes are so high that the gamble is worth taking.

I ask unanimous consent that the article by Neil Sheehan in the New York Times Magazine for October 9, 1966, entitled "Not a Dove, but No Longer a Hawk," the dispatch by R. H. Shackford in the Washington Daily News for October 11, 1966, entitled "Pacification Is Not Pacific," the article by Clayton Fritchey entitled "We're in Our Third Largest War," which appeared in the Washington Star on October 10, 1966, and the editorial from the New York Times for October 11, 1966, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine, Oct. 9, 1966]

A CORRESPONDENT WHO HAS REPORTED ON VIETNAM SINCE 1962 SUMS UP: NOT A DOVE, BUT NO LONGER A HAWK

(By Neil Sheehan)

(NOTE.—Neil Sheehan of the Times has been covering the Pentagon since his return from Vietnam in August.)

Americans, because they are Americans, arrive in Vietnam full of enthusiasm and with the best of intentions. After a prolonged period of residence, they leave with their enthusiasm a victim of the cynicism that pervades Vietnamese life and with their good intentions lost somewhere in a paddy field. I am no exception. When I first walked across the tarmac of Saigon's Tansonnhut Airport on a warm evening in April, 1962, nervous that the customs officers might not accept the journalist's visa I had hurriedly obtained from the South Vietnamese consulate in Hong Kong, I believed in what my country was doing in Vietnam. With military and economic aid and a few thousand pilots and Army advisers, the United States was attempting to help the non-Communist Vietnamese build a viable and independent nation-state and defeat a Communist guerrilla insurgency that would subject them to a dour tyranny. This seemed to me a worthy cause and something that needed to be done if other Southeast Asian peoples were to be allowed some freedom of choice in determining their course in history. Although I often disagreed with the implementation of American policy during my first two years in Vietnam, I was in accord with its basic aims.

I remember distinctly the thrill of climbing aboard a U.S. Army helicopter in the cool of the morning and taking off across the rice fields with a South Vietnamese battalion for a day's jousting with the Vietcong guerrillas. There was hope then that the non-Communist Vietnamese might win the war. I was proud of the young American pilots sitting at the controls in the cockpit and I was grateful for the opportunity to witness this adventure and to report it. We are fighting now, I used to think, and some day we will triumph and this will be a better country.

There were many disappointments those first two years, but when I left Vietnam in 1964, I was still, to use the current parlance, a hawk. I returned to Saigon in 1965 for another year. Now I have left again, and much has changed. There were 17,000 American servicemen in Vietnam at the time of my first departure and there are now 317,000 and I, while not a dove, am no longer a hawk.

If I had been wiser and could have foreseen the present consequences of that earlier and relatively small-scale American intervention in the affairs of this country, I doubt that I would have been enthusiastic during those first two years. I realize now, perhaps because this past year has impressed upon me more forcefully the realities of the war and of Vietnamese society, that I was naive in believing the non-Communist Vietnamese could defeat the Communist insurgency and build a decent and progressive social structure.

At a farewell dinner before my second departure from Saigon, the conversation drifted to the endlessly discussed but never resolved problem of gaining the sympathy of the peasantry. My host was a Vietnamese general, involuntarily retired through the vagaries of Saigon politics. To amuse us, he recounted an episode that had occurred in mid-1953 while he was commander of Franco-Vietnamese troops in the province of Buichu in what is now Communist North Vietnam.

That year, the Vietminh guerrillas, as the Vietcong were formerly called, accelerated their land-reform program. Communist cadres began confiscating the rice fields of landlords and dividing them up among the peasantry. To compete with the Vietminh and to arouse some popular support for the cause of his feeble Government and for France, the pro-French Emperor, Bao Dai, issued a decree reducing land rents from the traditional 40 to 50 per cent of the rice crop to 15 per cent.

Buichu was a predominantly Roman Catholic province. The two principal landlords there were the Catholic Bishop and the father of the Interior Minister in Bao Dai's Government. My host knew he would have to gain the Bishop's cooperation if he was successfully to enforce the decree.

"Impossible," said the Bishop. "How can I feed 3,000 priests, nuns, seminarians and coolies on 15 per cent of the crop?"

"I agree, Your Excellency," said my host, "it will be difficult. But perhaps it is better to make sacrifices now while there is still time. If we don't do something to win the sympathy of the population, you may lose more than your rice. You may lose your Bishopric, your land and perhaps even your head."

"Impossible," said the Bishop. "I will write to the Interior Minister."

Three months later, for attempting to implement the decree despite the Bishop's opposition, my friend was removed on the initiative of the Interior Minister. By the following summer, the Vietminh were so strong in Buichu that the French decided to evacuate the province. The Bishop, his priests, nuns and seminarians fled to Hanoi and thence to South Vietnam when the Geneva accords shortly thereafter sealed France's defeat at Dienbienphu and divided Vietnam at the 17th Parallel.

Over the 13 years since 1953, the United States has supplanted France in Vietnam. Yet among the Vietnamese themselves, the two opposing sides have changed little.

Precolonial Vietnam was administered by mandarins drawn from the merchant and land-owning families. When France colonized the country in the 19th century, much of this native aristocracy became, in effect, colonial civil servants, intermediaries between their own people and the foreigner. During the First Indochina War these Vietnamese, with a stake in the traditional society which a French presence would preserve, cooperated with France. Now the same Vietnamese, for identical reasons, cooperate with the United States.

Air Vice Marshal Nguyen Cao Ky, the current Premier of South Vietnam, was a French pilot. On occasional visits to the countryside he appears before the peasants in a trim black flight suit with a lavender scarf around his neck and a pearl-handled pistol at his waist—a kind of Asian Captain Marvel.

The Deputy Premier, Lieut. Gen. Nguyen Huu Co, and other generals in the Saigon military junta, were officers or sergeants in the French colonial forces. Their fondness for French cuisine, snappy uniforms and cocktail parties and receptions creates a pale but faithful reflection of the social round of colonial days. They are the Vietnamese who have inherited the worst of two cultures—the pretentiousness of the native mandarins and the rigidity of the French colonial officers and administrators. Premier Ky and the earlier successors of Bao Dai have also promulgated rent-reduction and land-reform laws at the urging of American advisers eager for social progress. All of these measures have been sabotaged because the regimes were and are composed of men who are members of, or who are allied with, mandarin families that held title to properties they have no intention of renouncing. While there are some patriotic and decent individuals among them, most of the men who rule Saigon have, like the Bourbons, learned nothing and forgotten nothing. They seek to retain what privileges they have and to regain those they have lost.

In Vietnam, only the Communists represent revolution and social change, for better or worse according to a man's politics. The Communist party is the one truly national organization that permeates both North and South Vietnam. The men who lead the party today, Ho Chi Minh and the other members of the Politburo in Hanoi, directed the struggle for independence from France and in the process captured much of the deeply felt nationalism of the Vietnamese people. Perhaps because of this, the Communists, despite their brutality and deceit, remain the only Vietnamese capable of rallying millions of their countrymen to sacrifice and hardship in the name of the nation and the only group not dependent on foreign bayonets for survival.

It is the tragedy of Vietnam that what began as a war of independence from France developed, as a result of its Communist leadership, into a civil conflict. Attempts to describe the current war as a geographically based struggle between North and South Vietnam breaks down almost immediately when it is recalled that Premier Ky and several other important members of his Government are North Vietnamese by birth, who fled south after the French defeat, while Pham Van Dong, the Premier of North Vietnam, was born in the South. The war is, rather, a struggle between differing elements of the Vietnamese people as a whole.

The division of the country into two separate states at the 17th Parallel in 1954 was a provisional arrangement ending one scene in the drama. Vietnam's larger political realities extended then and still extend now in both directions across the demarcation line. North Vietnam controls and supports with men and materiel the Vietcong guerrillas in the South because the Vietcong leaders, although native Southerners, are members of the Vietnamese Communists party and obey orders from the Politburo in Hanoi.

In 1958 the late President Ngo Dinh Diem organized a Committee for the Liberation of North Vietnam, and since 1960 the Saigon Government, with American connivance and aid, has been smuggling saboteurs and commando teams into the North in a so-far vain effort to instigate a guerrilla movement among the Northern Catholics and mountain tribesmen. The opposing sides, in short, have never recognized the 17th Parallel as a permanent boundary and have violated the frontier whenever it suited them.

Communist leadership of the anti-colonial movement led to the involvement of Vietnam in the larger context of the cold war and brought the intervention of the United States, first to aid the French and then to develop and support a non-Communist administration and army in the South. For its own strategic and political ends, the United States is thus protecting a non-Communist Vietnamese social structure that cannot defend itself and that perhaps does not deserve to be defended. Our responsibility for prolonging what is essentially a civil conflict may be one of the major reasons for the considerable amount of confusion, guilt and soul-searching among Americans over the Vietnam war.

I know this is true in my own case and in the case of many Americans of my acquaintance who have lived for long periods in Vietnam. We are continually chagrined to discover that idealism and dedication are largely the prerogative of the enemy. The American soldier makes the lack of aggressiveness of the Government forces the butt of unending gibes. He grows to hate "Charlie," the G.I. slang name for the Vietcong guerrilla and the North Vietnamese regular, because "Charlie" kills his friends, but he soon learns to respect Communist bravery and cunning.

An American general recently paid a strange tribute to a Vietcong guerrilla who held up an entire U.S. Army infantry company for an hour in the jungle north of Saigon. The guerrilla was the lone survivor of several Communists defending a bunker. He fired off all his own ammunition and that of his dead comrades, and hurled back at the Americans the grenades they tossed into the bunker. He was finally killed while throwing rocks in a last gesture of defiance. "If one of our men had fought like that," the general said, "he would have been awarded the Medal of Honor."

Since the beginning of last year, Hanoi has increased the size of its regular army contingent in the South to a total of about 47,000 men. In the face of sustained bombing of the road and rail system in the North and the Ho Chi Minh Trail through Laos, the Communists continue to infiltrate men at an estimated rate of 4,500 to 5,000 a month. Many of these young men are conscripts who march south because of pressure on themselves and their families. Yet, once in the South, they fight well, and desertions are few despite the hardships and the severe losses through disease and battle. The Vietcong guerrillas have also managed steadily to expand their forces through recruitment and conscription.

The Saigon regime, on the other hand, has experienced great difficulty in increasing the strength of its armed forces because of a very high desertion rate. Desertions are greatest among conscripts, an indication that the average South Vietnamese feels little or no commitment to defend his own society. About 85 per cent of Saigon's armed forces are, consequently, volunteers who take up arms for pay. This gives the Government forces a distinctly mercenary cast that affects both their attitude toward the population and, except for a few élite units, their performance in combat.

From the contrast in behavior of the two sides, I can only conclude that Vietnamese will die more willingly for a regime which, though Communist, is at least genuinely Vietnamese and offers them some hope of improving their lives, than for one which is committed to the galling status quo and is the creation of Washington. The official assertion that the Communist soldier endures the appalling conditions of his daily life and behaves so commendably in combat out of terror of his superiors becomes patently ridiculous to anyone who has witnessed a battle. Terror may drive a man to march toward the enemy's guns, but it will not make him fight valiantly. The course of the conflict has made apparent that the Communists are able to arouse and to exploit the native Vietnamese qualities of hardihood and resilience, and to convince large numbers of their people that the cause of *their* Government is just.

Most non-Communist Vietnamese are incapable, because of the values of the society in which they live, of looking beyond individual and family interests. Their overwhelming concern with "me and my relatives" deprives the society of a social consciousness Americans take for granted in their own culture and fosters the corruption and nepotism that exist throughout the administration. The disease of corruption appears to be worsening in direct proportion to the burgeoning amounts of American aid flowing into the country. Stories of embezzlement are legion and repeatedly embitter Americans.

Province and district chiefs' positions are frequently sold to the highest bidders by those responsible for making the appointments. The incumbent is then expected both to recoup the cost of his job from corruption and to make payoffs to the higher officials who sold it to him. Some American officials with long experience in Vietnam estimate that about 20 per cent of United States aid supplied for counter-insurgency projects in the countryside finds its way to the Vietcong and that another 30 to 40 per cent is diverted by Government officials. Cement, roofing, steel bars and other building materials destined for schools and refugees housing mysteriously end up on the open market or in private villas and apartment buildings. "What gets down to the poor son of a bitch in the paddy field," one official said, "is a trickle." A U.S. Army Special Forces captain once told me how he had arranged for rice to be flown in American planes to a camp of several thousand refugees in a remote area who were suffering from malnutrition. The local district chief confiscated the rice and sold it to the refugees at exorbitant prices.

While Americans worry about winning the war and creating an effective Vietnamese Government that can gain the support of its people, the mandarin families that run the regime have a different set of priorities. In one important province on the central coast this spring a rare honest and effective Vietnamese official, who was a favorite of the Americans, was fired because he began to talk about corruption by the two senior military commanders in the region. He was replaced by a cousin of one of the generals.

Numerous complaints from the American Embassy led Premier Ky to warn his fellow generals at one meeting of the junta that they were embezzling too much and should exercise some restraint. Their reply was that they had to think of their families. Vows by the Premier that corrupt officials will be shot have brought periodic headlines in the Saigon newspapers and the execution of one Chinese businessman and a half-dozen common hoodlums. Ordinary Vietnamese assume that Premier Ky has found it imprudent to arrange firing squads for some of his colleagues on the junta. One general's wife is sometimes referred to as "Queen of the Payoff."

Promises of land reform are solemnly reported in the American press and are apparently taken with some seriousness in official circles in Washington. I have often wondered why, since the promises are never carried out and the speeches made today are practically identical in content and phrasing to those made four years ago by some other Government leader. To gain their own ends, Asians frequently tell Americans what they think Americans want to hear. The Vietnamese, possibly because of their greater experience with Americans, seem to have developed a particular talent for this. Last April, during one of his more candid moments, Premier Ky told a group of correspondents: "Never believe what any Vietnamese tells you, including me."

In February, amid the hoopla following the Honolulu conference that was to lead to an intensive program of social, political and economic reform, the junta organized a "Social Revolution Day" in Saigon. Two thousand civil servants, soldiers, students and religious leaders were assembled on the lawn of the former presidential palace in the center of the city. The social reformers arrived in their Mercedes-Benz sedans and, dressed in well-tailored suits or bemedaled uniforms, began to read the usual speeches. The scene had a disturbing atmosphere of *déjà vu*. Within 10 minutes, a segment of the crowd, less polite than the rest, began walking out in boredom. The police, having apparently anticipated what would happen, had locked the gates of the palace grounds. No one was allowed to leave until the speeches had ended, despite a good deal of shouting and arguing back and forth through the steel bars.

The current social system discriminates against the poor and prevents social mobility. The mandarin families resist all efforts to change it, since it works in their favor. Although the United States has spent millions of dollars building primary schools in Vietnam, for example, it has been unable to bring about any fundamental reform of the Vietnamese educational structure, which makes certain that the sons of the prosperous, and almost no one else, will achieve the secondary education necessary to social advancement—whether in the army, the civil service or the professions.

Sending a peasant boy to primary school and then making it virtually impossible for him to achieve a decent secondary-school education fosters discontent, rather than lessening it. There is considerable evidence that many young Vietnamese of peasant origin join the Vietcong because the Communists, who have been forced by the nature of their revolution to develop leadership from the countryside, offer them their best hope of avoiding a life on the rung of the ladder where they began—at the bottom.

A friend of mine once visited a hamlet with a South Vietnamese Army major who is one of the few field grade officers to defeat the system by rising from a humble beginning. The major spoke to the farmers in peasant dialect instead of in the sophisticated urban Vietnamese most Government officials use.

"You're not a major," said one farmer in astonishment.

"Yes, I am," said the major.

"No, you're not," said the farmer. "You talk like a peasant and no peasant could become a major."

A drive through Saigon demonstrates another fashion in which the social system works. Virtually all the new construction consists of luxury apartments, hotels and office buildings financed by Chinese businessmen or affluent Vietnamese with relatives or connections within the regime. The buildings are destined to be rented to Americans. Saigon's workers live, as they always have, in fetid slums on the city's outskirts.

Since 1954, the United States has poured more than $3.2 billion of economic aid into South Vietnam, but no Saigon regime has ever undertaken a low-cost housing project of any size. The Singapore Government, in contrast, is erecting thousands of low-cost housing units for its people.

While Vietnamese with influence prosper in the cities and towns, the war has created a different world in the countryside. It is a world in which the masses of the peasantry no longer live—they endure.

Each afternoon, in the air-conditioned press-briefing room in Saigon, the United States Military Command releases a communique reporting that 300 or more "enemy structures" have been destroyed by American fighter-bombers or by the guns of Seventh Fleet warships that day. The statistics imply sound military progress until a visit to the countryside reveals that what is meant by an "enemy structure" is usually a peasant hut in a hamlet the Communists control, or which the American and South Vietnamese authorities suspect the Communists control.

No comprehensive statistics on civilian casualties are available. The nature of the war would make the assembling of such statistics very difficult, but the military authorities have also never seriously attempted to gather them.

An indication of what civilian casualties may be, however, is given by the fact that American and other foreign medical teams working in three-quarters of the country's 43 provinces treat 2,000 civilian war-wounded each month. If one accepts the normal military ratio of one dead for two wounded, the monthly figure is 1,000 civilian dead.

The number of wounded handled by the medical teams, I believe from my own observation, is merely a fraction of the total. The medical teams treat only those wounded who reach the hospitals in provincial capitals. There are undoubtedly many more who never get that far. These victims are helped at Government district headquarters or militia outposts, or by Vietcong field hospitals and dispensaries—or they simply survive, or die, without treatment. Most of the wounds I have seen in the provincial hospitals are the type a victim could survive for two or three days without medical attention. Wounds that require rapid treatment are not usually in evidence, presumably because the victims die before they can obtain hospitalization.

Although civilians are being killed and wounded by both sides, my own investigations have indicated that the majority of civilian casualties result from American and South Vietnamese airstrikes and artillery and naval gunfire. Last November, I found one fishing village in Quangngai province, on the central coast north of Saigon, in which at least 180 persons—and possibly 600—had been killed during the previous two months by aircraft and Seventh Fleet destroyers. The five hamlets that composed the village, once a prosperous community of 15,000 people, had been reduced to rubble.

The gun and the knife of the Vietcong assassin are, in contrast, far more selective than cannon and fragmentation bombs; the victims are usually limited to Government officials and sympathizers. It has been estimated that, over the past decade, about 20,000 persons have been assassinated by Communist terrorists. This is a gruesome total, but the annual average is a great deal lower than the probable yearly number of ordinary civilian victims of the war.

Lack of sufficient American troops to occupy and hold ground when it has been wrested from the Communists is one of the major reasons for the extent of damage to civilian life and property. Once a battle has ended, the American and South Vietnamese troops withdraw. The theoretical follow-up by South Vietnamese territorial forces, police and administrators to pacify the region does not materialize except in a very limited number of instances, and the Vietcong guerrillas and their North Vietnamese allies move in again. The Americans eventually return and the same region is thus fought over repeatedly.

It would be easy to blame the American military authorities for the destruction, but this would not be fair. The Vietcong and the North Vietnamese regulars habitually fortify hamlets with elaborate trenchwork and bunker systems. Infantry attacking in classic style across open paddy fields would suffer prohibitive casualties. Under these circumstances, military commanders can only be expected to use whatever force is at their disposal.

Gen. William C. Westmoreland, the United States military commander in Vietnam, has ordered that all possible care be taken to avoid killing and wounding the innocent and that, whenever feasible, civilians be warned to leave their hamlets prior to airstrikes and artillery bombardments. Unfortunately, General Westmoreland's order has sometimes been ignored by subordinate commanders.

Hamlets are also habitually bombed and shelled at the request of a South Vietnamese province or district chief who has been told by some paid informer that Communist troops are present there. Information from informers is notoriously unreliable, the peasants are often not responsible for the presence of the Communists and, since ground units do not exploit the bombings and shellings, these attacks seem to have negligible military value. American officials excuse the practice by claiming that the Vietnamese, as the legal authorities, have the right to destroy their own hamlets, even if Americans perform the destructive acts—a fine bit of legalism that ignores the basic moral issue. I have occasionally thought that the practice results largely from the cynicism of South Vietnamese officialdom and a superfluity of aircraft and artillery.

The extraordinary firepower of American weaponry, whose ferocity must be witnessed to be comprehended, is another contributing factor to widespread civilian suffering. On an average day, U.S. warplanes alone loose 175 to 200 tons of explosives on the South Vietnamese countryside. Then there are the thousands of artillery and naval shells and the hundreds of thousands of rounds of mortar and small-arms ammunition. The cratered landscape seen from an airplane window is an excellent advertisement for the ingenuity of American munitions makers.

The flow of refugees from the countryside is the most eloquent evidence available of the gradual destruction of rural society under the impact of the war. The number of refugees has now passed the million mark. It takes a great deal to make a Vietnamese peasant forsake his land and the graves of his ancestors.

Most refugees I have questioned told me that the Vietcong taxed them and made them work harder than usual, but that they could live with the Communists. They left their homes, they said, because they could no longer bear American and South Vietnamese bombs and shells.

If resettled properly, the refugees could conceivably develop into an asset for the Saigon Government. Yet, true to its usual behavior, the regime neglects them and the majority are left to shift for themselves. Refugee slums have risen in the cities almost as fast as G.I. bars.

Deserted hamlets and barren rice fields, now a common sight, are other evidence of what the war is doing to rural South Vietnam. In several provinces on the northern central coast as much as one-third of the rice land has been forsaken. The American policy of killing crops in Communist-held areas by spraying them with chemical defoliants from aircraft is hastening this process. During the first six months of this year 59,000 acres were destroyed.

The corrosive effect on the country of the American presence is not confined to military operations. Economically and culturally, the advent of the Americans has introduced maladies only time can cure. One is inflation. The primitive economy, already seriously disrupted by the war, has now been swamped by the purchasing power of tens of millions of dollars being dispensed for the construction of bases, airfields and port facilities and by the free spending of the individual American soldier.

This year the United States will pump a minimum of $140-million into the Vietnamese economy to cover the locally generated costs of the construction of new bases and the maintenance of existing ones. This sum constitutes about one-seventh of the country's entire money supply. American troops are themselves currently spending another $7-million a month.

The moral degeneration caused by the G.I. culture that has mushroomed in the cities and towns is another malady. Bars and bordellos, thousands of young Vietnamese women degrading themselves as bar girls and prostitutes, gangs of hoodlums and beggars and children selling their older sisters and picking pockets have become ubiquitous features of urban life. I have sometimes thought, when a street urchin with sores covering his legs, stopped me and begged for a few cents' worth of Vietnamese piastres, that he might be better off growing up as a political commissar. He would then, at least, have some self-respect.

Rarely in any war has the name of the people been evoked more by both sides than in the Vietnam conflict. Yet the Vietnamese peasantry, who serve as cannon fodder for the Communists and non-Communists, remain curiously mute—a hushed Greek chorus to their own tragedy.

The conditions of life in Vietnam will probably always make an accurate assessment of the peasants' attitudes toward the war impossible to obtain. I have received the impression, however, on visits to accessible hamlets, that many of the peasants are so weary of the fighting they would accept any settlement that brought them peace.

Last March, I spent two days in one hamlet south of the port of Danang on the central coast. A company of U.S. Marines had seized the hamlet from the Vietcong six months previously, and a Government pacification team, protected by the Marines, was working there. In three years, the hamlet had changed hands three times. There were almost no young men in the community. Roughly half of the families had sons, brothers or husbands in the Communist ranks. The remaining families were about equally divided between those with neutral attitudes and those who were Government sympathizers.

The morning after I arrived, the peasants, under the supervision of the Government pacification workers, began constructing a fence around the hamlet perimeter to keep out Vietcong infiltrators. Through an interpreter, I asked two farmers among a group of old men, women and children digging postholes if they thought the fence would be of any use.

"Maybe it will," one said, "but I don't think so. A fence won't keep out the Vietcong."

"What did the Vietcong make you do when they controlled the hamlet?" I asked.

"They made us pull down the fence we had put up before, and dig trenches and lay booby traps," the second farmer said.

"Well, if you don't think the fence will do any good," I asked, "why are you putting it up?"

"We are just plain farmers," the first peasant said, glancing apprehensively at a policeman a few feet away with a carbine slung across his arm. "We have to obey any Government here."

As he spoke, a Vietcong sniper, hidden in a patch of sugar cane beyond the paddy fields, fired two shots. The old men, women and children scurried for cover, their fear and lack of enthusiasm for fence-building evident on their faces.

During a tour of South Vietnam in 1963, Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, referred to the conflict as a "dirty little war." While the Vietnam conflict may be even dirtier now than it was in 1963, it can no longer be termed little.

Reliable statistics are very elusive in Vietnam, but I would estimate that at least 250,000 persons have been killed since the war began in 1957. Last year, according to official figures, 34,585 Communists were killed and the Saigon Government forces suffered 11,200 deaths. Through mid-September of this year, again according to official statistics, 37,299 Vietcong and North Vietnamese regulars have died in battle and 7,017 Government troops have been killed.

American losses remained at a relatively low level until 1965, when the Johnson Administration committed ground combat units and began to create an expeditionary corps. That year, 1,369 American servicemen died in North and South Vietnam and neighboring Laos, and 6,114 were wounded. This year, as American offensive operations have picked up stride with the strengthening of the logistical apparatus, casualties have soared to 3,524 killed and 21,107 wounded, through mid-September. American dead are now averaging nearly a hundred a week and can be expected to increase as the expeditionary corps grows and more Americans are exposed to hostile fire.

The attitudes of the leadership in Hanoi and Washington indicate that the contest is far from being resolved. The rate at which North Vietnam is infiltrating its regular troops into the South and the willingness of the United States to engage its own ground forces and to escalate the air war against the North portend several more years of serious bloodshed. The world may hope for peace, but neither side has yet hurt the other sufficiently to prevent it from continuing. Both sides are trapped in a dilemma created by their history and political and strategic considerations. Washington cannot withdraw its troops from South Vietnam, as Hanoi demands, without making certain an eventual Communist seizure of power there and negating all the efforts of the last decade to maintain a friendly Government in Saigon.

Hanoi's best chance of winning now lies in prolonging the bloodletting to the point where the American public will tire of a war for a small land whose name most Americans cannot even pronounce correctly (they tend to say "Veetnam"). If the North de-escalates the fighting it will remove the principal source of political pressure on the Johnson Administration—the number of coffins being flown home from Saigon. Without the killing, the United States might be able to occupy South Vietnam indefinitely. The fact that 60,000 U.S. troops are stationed in South Korea brings no demonstrators into the streets and arouses no anxiety among American mothers, because the shooting in Korea has stopped.

A year ago, I worried that the patience of the American people would run out, that Ho Chi Minh would have his way and that the United States would lose the Vietnam war. This fear no longer troubles me nearly as much. I have the feeling that somehow we can muddle through this grim business. We may not win in Vietnam as we won in World War II, yet we may well prevail. Given our overwhelming military superiority, it is entirely possible that Washington, over a period of years, may be able to destroy the Vietcong and North Vietnamese main-force units in the South, and to transform what is currently a militarily sound but politically weak position into one of some, if doubtful, political strength.

Rather, my quiet worry concerns what we are doing to ourselves in the course of prosecuting and possibly some day winning this war. In World War II and in Korea the aggression of one state against another was an established fact. The United States acted with clear moral justification and Americans fought as they always like to think they fight—for human freedom and dignity. In Vietnam this moral superiority has given way to the amorality of great power politics, specifically, to the problem of maintaining the United States as the paramount power in Southeast Asia. The Vietnamese people have become mere pawns in the struggle. Whatever desires they might possess have become incidental. The United States can no longer make any pretense of fighting to safeguard South Vietnam's independence. The presence of 317,000 American troops in the country has made a mockery of its sovereignty and the military junta in Saigon would not last a week without American bayonets to protect it.

Precisely because the Saigon Government represents nothing beyond its administration and army, the United States has had to fall back on its own military force to maintain its position and to win the war. Washington can dispense the latest in weaponry, but the First Air Cavalry Division and the Third Marine Amphibious Force cannot inspire the loyalty of the Vietnamese peasantry, and General Motors cannot manufacture decent non-Communist Vietnamese leadership, effective government and dedication. Only Vietnamese can supply these and the non-Communist Vietnamese have proven themselves incapable of providing them.

Thus, in the final analysis, American strategy in Vietnam consists of creating a killing machine in the form of a highly equipped expeditionary corps and then turning this machine on the enemy in the hope that over the years enough killing will be done to force the enemy's collapse through exhaustion and despair. This strategy, although possibly the only feasible alternative open to a modern industrial power in such a situation, is of necessity brutal and heedless of many of its victims.

Despite these misgivings, I do not see how we can do anything but continue to prosecute the war. We can and should limit the violence and the suffering being inflicted on the civilians as much as possible, but, for whatever reasons, successive Administrations in Washington have carried the commitment in Vietnam to the point where it would be very difficult to prevent any precipitate retreat from degenerating into a rout. If the United States were to disengage from Vietnam under adverse conditions, I believe that the resulting political and psychological shockwaves might undermine our entire position in Southeast Asia. We shall, I am afraid, have to put up with our Vietnamese mandarin allies. We shall not be able to reform them and it is unlikely that we shall be able to find any other Vietnamese willing to cooperate with us. We shall have to continue to rely mainly on our military power, accept the odium attached to its use and hope that someday this power will bring us to a favorable settlement.

But I simply cannot help worrying that, in the process of waging this war, we are corrupting ourselves. I wonder, when I look at the bombed-out peasant hamlets, the orphans begging and stealing on the streets of Saigon and the women and children with napalm burns lying on the hospital cots, whether the United States or any nation has the right to inflict this suffering and degradation on another people for its own ends. And I hope we will not, in the name of some anti-Communist crusade, do this again.

[From the Washington (D.C.) Daily News, Oct. 11, 1966]

JUST A PAPER PROGRAM: PACIFICATION IS NOT PACIFIC

(By R. H. Shackford)

SAIGON, October 11.—President Johnson recently made public a report by White House assistant Robert Komer telling of "impressive" progress in the "rural development" program—otherwise known as pacification. The program is an effort to take country hamlets away from the Viet Cong and keep them under Saigon's control.

But realistic Americans here say it will be a year or 18 months before it is known whether this program, in fact, can get off the ground. It hasn't failed yet like all of its predecessors. But the complexities are great: Both the American and Vietnamese military are disinterested in providing security; and the lack of trained personnel is vast.

Most realistic about the program are the Vietnamese themselves. The Ky regime is operating under no such illusions as frequently plague Washington.

Premier Nguyen Cao Ky himself recently sent top officials in the program a detailed report outlining preparations needed for 1967. It was preceded by "general comments" on the 1966 performance—a model of candor and admission of lack of progress. It even admitted corruption, misuse of resources, speculation in short materials and conceded that pacification now was little more than a paper program. The Ky report said:

"In 1966, all provinces tried to implement their hamlet construction program as planned, but only a few were able to fulfill their promises."

Then it cited the following failures and faults:

"The planning by the provinces at the beginning of the year was unrealistic." (This program, ballyhooed at the Johnson-Ky Honolulu conference in early February, is the one to which Mr. Johnson pledged as much aid as is needed.)

"Changing of sites from difficult areas to easy areas merely to make better performance scores."

Number of hamlets involved was overinflated (Mr. Komer said the pacification program was started in 531 hamlets) "because same operations were carried out over again many times at a same number of hamlets that had once been declared as achieved."

"People's organizations only existed on paper—no people's participation and no permanent support from the government."

"Most village and hamlet officials were appointed but not elected and many of them did not stay in the villages and hamlets to work." (The Saigon government now is talking about local elections next year.)

"New Life Hamlets that had been declared as achieved were not up to the mark . . . security was still not good; Viet Cong underground agents still collected taxes and carried out propaganda activities."

"Arbitrary and corrupt practices were quite common and therefore brought about frustration among the people who in turn were doubtful about the good will of the government."

"A real new life was not yet introduced; poor farmers still did not have land, fertilizer, seeds, etc., and their feeling was that there is not much difference between the New Life Hamlets (the program's goal) and the traditional ones."

"In sum . . . there is not much achievement because too much attention was paid to physical construction for demonstration purposes."

Before outlining new criteria for 1967, this Vietnamese report cited these additional difficulties that leave this "other war" program far short of its hoped for stage at this time:

Inflation made funds allocated totally insufficient.

Speculators created a shortage of materials needed.

Poor security, caused by the unwillingness of either the American or Vietnamese armies to stay and protect an area once the Viet Cong are driven out.

[From the Washington (D.C.) Star, Oct. 10, 1966]

We're in Our Third Largest War

(By Clayton Fritchey)

For the United States this is a historic moment. With the landing at Saigon of a brigade from the 4th Infantry Division, the conflict in Vietnam has just become the third largest war America has ever fought.

American battle strength in Viet Nam now totals 320,000, which exceeds the Korean War total of 302,483. Only in the first and second World Wars has the United States ever surpassed the present effort.

At the same time, American casualties have reached a new high; and defense expenditures (also surpassing Korea) have shot above $60 billion a year for the first time since World War II.

That, in brief, is the factual situation in Viet Nam, despite the optimistic, inspirational pep talks coming out of both Saigon and Washington.

The latest U.S. casualty figures report 967 killed and wounded in one week, the highest in any 7-day period so far. If, as the war escalates, casualties continue at or near this level, they will exceed 50,000 a year, which would top the Korean War rate of 46,000.

The new figures bring the total of combat deaths for the war to 5,302. This is more than the number of Americans killed in the Revolutionary War (4,435), the War of 1812 (2,260), the Mexican War (1,733) and the Spanish-American War (385).

Presidents Eisenhower, Kennedy and Johnson have repeatedly assured the public that the United States was in Viet Nam only in a supporting role, and that the brunt of the fighting must be carried on by the Vietnamese themselves.

The casualties, however, tell a different story. In the same week that the United States lost 967 men, the South Vietnamese forces had only 98 killed and 280 wounded, less than half of the American total.

The fact is that this is the largest undeclared war in the history of the world—and it is rapidly getting bigger, which is why the Pope and U Thant (whose concerns are universal rather than national) continue to raise their anguished voices in the hope of heading off another super-war.

The magnitude of the present fighting is of such proportions that nobody in Washington (including President Johnson) knows what the war is costing. The only thing sure is that it is costing far more than the government will admit.

When the President was pressed for an answer at a recent press conference, he shut off questions by saying, "I would commend to you some homework. Read the (Congressional) hearings."

The reporters were willing, but the hearings—most of them closed—revealed little or nothing. Fortunately, some of them were not closed to Wisconsin Rep. Melvin Laird, Chairman of the House Republican Conference.

Taking the President at his word, Laird tried to do his homework by questioning Pentagon Comptroller Robert Anthony. "When I asked him where the Viet Nam war cost estimates were that the President referred to," Laird said, "Anthony replied that there is nothing in the hearings that would tell you the cost of the war in Viet Nam."

In July, budget figures were released indicating the cost in fiscal 1966 was $5.8 billion, or about $500 million a month. In September, however, the Treasury acknowledged that the cost had soared to $1.2 billion a month.

Even this much higher figure, though, is only camouflaged. Those closest to the situation secretly admit that Congressman Laird's estimate of $2 billion a month is probably closer to the mark.

Defense Secretary McNamara has said that the "incremental costs of Southeast Asia operations" are about $1 billion a month, which would mean $12 billion a year. If Laird is right the cost will rise to at least $25 billion next year.

"The issue we are going to try to develop is the credibility of this administration as regards the war," Laird says, and he flatly charges that "deception is being used on the amount of money being expended in Viet Nam."

The hard facts will have to come out soon, for the administration is faced with the urgent need of coming to Congress for supplemental Viet Nam funds, and the guessing is that they will exceed $10 billion, and possibly much more.

[From the New York Times, Oct. 11, 1966]

Momentum in Vietnam

Secretary of Defense McNamara's visit to South Vietnam will, no doubt, be followed by a decision to send more manpower and materiel to fight the war. This may be a mere coincidence, but it does emphasize the dreary sense of fatality that has engulfed this most frustrating of all wars in which the United States has taken part.

It is as if the conflict has a momentum that is irresistible. One can argue that Hanoi can put an end to the escalation by agreeing to make some peace gestures on its part, and this is true enough. The issues, however, are not that simple. The Vietnamese war is a very complex historic development, as was graphically demonstrated by Neil Sheehan in a Magazine Section article in last Sunday's Times. After two long tours of war corresponding in South Vietnam, Mr. Sheehan ends with a disillusionment and a restrained sense of despair that have been typical of most American war correspondents who have served in Vietnam during the past decade. This is especially true of the period since February of last year, when major escalation of the war began.

The positive factors in the picture are few and are far outweighed by the horrors that a massive war effort has brought to South Vietnam. United States intervention has substituted Americans for Frenchmen in the eyes of the Vietnamese rural population and brought more terror and destruction than France ever did. In the Government and civil service, as Mr. Sheehan writes, there are the same "mandarins drawn from the merchant and land-owning families," now collaborating with the Americans as they did with the French in order to save their property and privileges.

It would be ironical, but it is only too possible that if the United States "wins" this war, it will be for the old ruling classes, not the peasant masses of Vietnam. One of the most disturbing features of Mr. Sheehan's report is that land reform has never been carried out; very little has been done in the fields of education and low-cost housing; and the same old graft, corruption and nepotism on a grand scale are all in evidence.

But, it seems, the war is to grow bigger and so is the United States contribution to it. If kept up long enough, the end will be the destruction of all of North Vietnam and most of South Vietnam. Then there will be peace. Before the ultimate price is paid—by the Vietnamese—there is still the chance that deescalation, especially a long halt in the bombing, may save what is left. The stakes are so high that the gamble is worth taking.

THE CONDITION OF AMERICAN AGRICULTURE, 1966

Mr. MONTOYA. Mr. President, the September 17, 1966, issue of Business Week carried two articles on American agriculture and on my good friend, Secretary Freeman, that I should like to bring to the Senate's attention.

The first of these articles is titled "Why They're So Rich on the Farm," and discusses in detail the reasons for the unprecedented prosperity of American agriculture in 1966.

The other is an interview in depth with Mr. Freeman, in which he describes the programs which he has spearheaded in the past 5½ years.

Mr. President, I ask unanimous consent that both these articles be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Government: Why They're So Rich on the Farm

(Note.—U.S. agriculture suddenly finds that it's in clover. Booming exports have trimmed surplus stocks, and the long-term outlook is for a world hungry for rain.)

FARM BUSINESS—1

For much of this century, the U.S. farmer has viewed good crops with mixed feelings. Such crops meant the farmer had won his annual battle with the elements—but in many cases they also meant that he would take a beating when he brought his goods to market.

But last week, though commodity speculators were suffering some reverses, farmers scarcely turned a hair at reports that crops were recovering surprisingly from the ravages of the midsummer drought. They were reacting to the fact that U.S. agriculture has newly and with difficulty achieved a base so solid that not even a bumper crop could dislodge it.

The problem has been that even in normal times there were simply far too many farmers producing too much food. When the weather held, the bounty became a crushing burden, both on the farmers and on the taxpayers who had to pay the storage bill for the excess.

The banner year of 1961 produced a wheat surplus of 1.4-billion bu., 85-million extra tons of corn—and a per capita income from farming of little more than $800.

Changeover: Just four years later, in 1965, many areas produced the biggest crops on record. Yet, rather than having to dig itself out from the pile of unwanted plenty the U.S. has had some concern about growing scarcities.

Fueled mainly by a booming export trade which has sent a record $6.7-billion in farm products overseas in the past year, demand has outpaced supply for most of the major crops. The massive stocks that have so long weighed so heavily on the American farmer have disappeared. There are now only 535-million bu. of wheat in the national granary and 47-million tons of corn in the feed bin, a level slightly below what experts consider an adequate margin of safety.

Washington doesn't take talk of a general shortage very seriously. But in the past several months, it has undertaken a dramatic reversal of its traditional policies. It has stopped trying to induce the farmer to grow less, and is trying to encourage him to produce more.

Bigger allotments: "At least half the land diverted from crops this year (some 56-million acres) can probably be brought into production in 1967—partly to replenish our reserves and partly to meet current needs," says Agriculture Under Secretary John A. Schnittker, a former Council of Economic Advisers staffer who ranks just below Secretary Orville L. Freeman (page 88) in the farm policy field.

Wheat farmers have already been given a 30% boost in allotments. Schnittker reckons that more than 11-million additional acres can be parceled out among farmers participating in government corn and soybean programs.

Returning land to cultivation holds great promise for the American farmer—and for the rest of the economy. At current prices and yields, each added acre of wheat would increase the farmer's gross sales by $45; an added acre of corn likewise means an extra $90; an acre planted to soybeans would bring in $80. On this basis, the 28-million acres due to be put back into production should bring farmers more than $1.5-billion in added income.

Since returns in relation to scale of operation increase rather dramatically in agriculture, much of this would be an addition to net income, which is already up nearly one-fourth in two years.

Lingering doubts: Still, farmers are all too used to promises that wither before they come to harvest. Much of the countryside is still hopping mad about Freeman's widely reported (and premature) hailing of food price reductions earlier this year. Particularly in the wheat belt, there seems to be a gnawing suspicion that Washington is increasing acreage next year to regain its leverage over prices. Given an option, wheat ranchers seem to prefer high prices and short rations to the surpluses of past years.

"If we plant the way Orville tells us to and the price breaks next year, there will be unshirted hell to pay," says a Farmers Union official. Like most observers outside the Agriculture Dept., he is somewhat doubtful that all of the 16.6-million acres that Washington wants to get into production next year will actually be planted. "If the wheat price holds until January, Freeman might get his acres; if it doesn't, he'll be lucky to get 11-million or 12-million," the Farmers Union man says.

Looking at the marketplace, however, there is scant cause for pessimism. Even the Agriculture Dept.'s extremely conservative estimate of wheat demand over the next year—a drop of more than 100-million bu. in export demand, and the virtual elimination of the use of wheat for livestock feeding—leaves a 150-million-bu. gap to be filled by a further drawdown of stocks. The 1.6-billion-bu. crop that policymakers hope for in 1967 would still not be enough to build up stocks to the "desirable" 600-million-bu. level. It would take a real bumper crop to produce an actual surplus.

Short-term: At the least, we are in for a couple of more years in which the market can take all the wheat U.S. farmers can produce. Though there will be some easing off in U.S. foreign aid exports (587-million bu. in the year just ended), commercial dollar exports could quite conceivably take up the slack. There was a 75% increase in hard-currency wheat sales between July, 1965, and July, 1966.

Over the long term, agricultural economists are betting that demand will continue to increase enough to keep most of the wheat land in production—unless a major breakthrough increases yields significantly above present levels. By 1980, the Agriculture Dept. says, total wheat demand will run at 1.9-billion bu. a year, most of it going into the export trade.

Feedgrains: The real base for continued long-term agricultural prosperity lies not in wheat but in feed crops such as corn and soybeans, tied into the sharply increasing demand for meat. Americans will be eating 117 lb. of beef per capita by 1970. And, their tastes upgraded by rising incomes, Europeans—and perhaps the Japanese—will be not far behind.

Already, feedgrain exports are up one-third over last year, one good reason for a 13% increase in corn prices over the past year. Soybeans are even stronger, with exports up 22% and prices up 38% over 1965.

By 1980, the Agriculture Dept. says, corn production should reach nearly 6.5-billion bu. (this year it will just hit 4-billion bu.). Soybean planting should increase from 30-million acres to 45-million, and production should reach 1.4-billion bu., up from this year's record crop of 950-million bu.

Small farms: Pieced together, this is a picture of a healthy agriculture. It is also one of a farm economy that will be undergoing great changes. The government is now officially—rather than covertly—encouraging marginal farmers to leave the land. Today's policies, with relatively low support prices, are aimed at propping up the incomes of commercial farmers who gross more than $10,000 a year; farms that sell less are just not considered.

Since the Democrats took over direction of agriculture in 1961, the flight of small farmers from the land has increased markedly—partly because the economic boom has meant alternative sources of employment.

In 1960, the average U.S. farm had gross sales of $9,600; last year, the average was up to $13,320. The net had risen from $2,950 to $4,210. And per capita income from farming had gone from $733 to $1,112.

It may still take some time for the U.S. farmer to reach an income level that matches his city cousin. But clearly the last two years have brought him closer. Of the 1-million farmers who rate as "commercial farmers" by Washington's definition, about half have already reached this long sought parity point.

It will take some major dislocation—and some appalling error on the part of the managers of the agricultural economy—to deflect the movement.

THE PATCHWORK THAT PAYS OFF

(NOTE.—Agricultural Secretary Freeman has got a solid grasp on the old problems of crop surpluses and controls through the pragmatic approach—not a single-track policy.)

FARM BUSINESS II

Agricultural Secretary Orville L. Freeman, storm center of the hot election debate over food prices, likens himself to the sportsman whose wife told a friend: "My husband had good luck on his hunting trip. He came back alive."

Survival for more than five years as front man for Administration farm policies is no trifling feat. The friend in whose house Freeman was offered the Cabinet job remembers telling him, "This is a dead-end job for anybody." Freeman himself, after stinging defeats in the Kennedy years, felt for a long time "we might as well give up."

Freeman has done more than survive all those trials.

He has gotten on top of the problems of ever-mounting surpluses and increasingly restrictive farming controls that were his chief worry when he came into the job.

He has overseen changes that have pulled per capita farm income up significantly closer to urban workers.

Getting known: He has expanded his department's bailiwick beyond the narrow confines of the Farm Belt, and has pushed imaginative new programs to make agriculture a part of President Johnson's Great Society program. These programs include a major drive to relieve pockets of rural poverty.

Perhaps most significantly, he has made U.S. agriculture a more clearly recognized instrument of foreign policy. With constant travels abroad, he has made an official once known mainly in the narrow circles of U.S. farmers a familiar face from Vietnam to India and Pakistan.

I. How he does it

Freeman has accomplished all this with what he himself calls a "patchwork" assortment of policies—and with that willingness to compromise that is generally rated the key to political survival.

Now, he's focusing on getting through Congress a new kind of food aid program that would let the Agriculture Secretary bring currently retired farmland back into production to grow crops specifically for shipment overseas.

The approach would tie U.S. aid to farm reform abroad, enabling Washington to take a tougher line in such places as India, where suggestions have gone unheeded because leaders thought—not entirely without reason—that they were actually doing the U.S. a favor by accepting the bothersome surpluses.

Hard battler: Freeman has established himself as a tough fighter, once he is committed firmly to a decision. When he says "the Agriculture Secretary is the No. 1 target in America," he is boasting, not complaining.

Dealing with Congress, he stresses his years as head of Minnesota's Democratic Farm Labor Party and governor, and adopts a one-of-the-club tone radically different from his predecessors, notably Ezra Taft Benson under President Eisenhower. Freeman often takes an aggressive line in committee hearings: one Democratic congressman recalls his pooh-poohing the importance of an appointment in a patronage fight with a bold "I've run for office more than you have, so don't tell me that."

Actually, Freeman rather enjoys dashing to put out successive fires—among consumers agitated over high food prices, farmers agitated over his moves to pacify the consumers, and food processors agitated over his attempts to shift the blame to them. At times, he has shown a cavalier disregard for earlier statements, and for statistics issued by his own department.

Welcome campaigner: All the same, Freeman has generally managed to keep smooth relations with farm state congressmen, and welcome in districts where in times past Agriculture Secretaries have been told not to campaign.

On the campaign trail, Freeman will make hay with the impressive pickup in farm income since he has held the Agriculture job. Estimates for this year put total net farm income at $15.7 billion, up more than 33% since 1960; per farm net has grown twice as fast.

Some of the gain is due to the shrinking number of marginal farms, but much is due to healthy prices for crops. Wheat is selling around $1.70 a bu., 35 cents above a year ago: corn is at $1.34, up from $1.18 last summer. Freeman can fairly take a part of the credit, through his management of the federal surpluses that overhung the market for so long.

Reduction of those surpluses makes possible the return to use of part of the 60-million acres now held out of production through various control programs. The return won't be a sudden rush, but already wheat acreage allotments are being upped about one-third next season, and rice plantings increased about 10%.

Those beginnings put a gleam in the eyes of farm suppliers, too. They indicate, for example, a jump of more than 500-million lb. in fertilizer sales; the effects will be profound throughout the economy (page 78).

Congress to stay: The situation doesn't spell the end of farm controls. Freeman insists that direction from Washington is still necessary to tailor farm production to demand, or as he puts it "to make the free market work." Thus cotton is still in oversupply, though Freeman has used new powers to cut acreage to the lowest figure in this century. On Aug. 1, the carryover was 16.6-million bales, more than double the figure five years ago.

Skyrocketing productivity, which made a hash of earlier farm programs centered on across-the-board acreage reduction, is still a threat. Hybrid wheats are being developed that can more than triple today's yields of 25 bu. per acre; new sowing techniques—abandoning the patterns of row planting—can boost corn yields by 25%.

II. Tools to do the job

At least, Freeman has tools flexible enough to make supply and demand match up—but they aren't the tools he would like best: mandatory controls. On these, both Congress and the farmers slapped Freeman down in 1962 and 1963, though one of his aides figures they would save $1 billion a year.

The tools that Freeman has are rather helter-skelter, ranging from tough tonnage controls for some tobacco, through acreage allotments, to indirect incentives to control production of soybeans and milk. Virtually all of them leave the farmer the option of staying out of the program entirely.

All the programs bear the stamp of Freeman, the political animal. "I'm enough of a realist and have been in politics long enough," he says, "to realize that you can't always do things as you'd like to do them."

Defeats: In 1961, Freeman got Congress to O.K. an emergency cutback on feedgrains. Next year, his first full-fledged farm bill—a feedgrain program tied to mandatory controls—was turned down in the House 215 to 205. Freeman's aides now admit that farmers would probably have rejected the program on referendum, even if Congress had passed it. Indeed, that's precisely what did happen in 1963, when Freeman managed to get a mandatory wheat program passed.

Last year, when Freeman finally got a major farm program he could live with, it was the fruit of careful political groundwork; the bill received more Republican votes than any Democratic farm measure in recent history.

To get his bill, Freeman gave as well as took. He retreated from tighter controls on rice, because of political repercussions in Puerto Rican ghettos in the East where the price of rough rice would have been pushed up. And he backed off from the "bread tax" that would have passed on to bakers—and consumers—some of the cost of the wheat program. Insiders say Freeman had the votes, but the cost on Election Day looked too heavy.

III. The foreign aid fight

Right now in Congress, Freeman is locked in a crucial fight over food-for-freedom legislation. His chief opponent is Senator ALLEN J. ELLENDER (D-La.), chairman of the Agriculture Committee, who doubts that the surplus problem is really dead. On the Senate version of the House-passed aid bill, ELLENDER tacked credit terms and currency restrictions that would make it extremely difficult for most countries now receiving U.S. food to buy substantial amounts under the new program.

ELLENDER's clauses could hamstring Freeman's plans for U.S. agriculture and for easing world famine. But observers, albeit worried, think the House version will prevail. Says a lobbyist: "In man-to-man combat, there's not a better man than Orville Freeman."

The new food aid law will be a departure from the old "food for peace" approach to disposing of surpluses; it is keyed to a commitment to help feed the hungry in other lands. Under that plan, aid shipments of grain would rise from 20-million tons last year to about 25-million tons in 1975, and then taper off as commercial sales picked up. By tying the shipments to farm reform by the nations aided, the Administration hopes to get the less developed nations onto their feet, and to turn them into hard dollar customers for food, as other onetime aid countries such as Japan, Taiwan, Israel, Italy,

Swift reversal: U.S. willingness to accept such a burden looks like a sudden reversal; veteran aid executives, in government and private charities, are amazed at the swift acceptance of the idea. The key reason, probably, is that most well-fed Americans have suddenly been shocked by the awesome shifts in the world balance of food and population. In this decade, people have been increasing faster than food; and the famines in India last spring rammed home the point.

Freeman can't claim all the credit, but he has been working for such a massive change of attitude ever since he took the Agriculture job. He saw the point in his early months in the Cabinet, after a trip through Southeast Asia, but he realized that public and Congress were not yet ready for real change then, according to Assistant Agriculture Secretary Dorothy H. Jacobson. But he plugged the theme at every chance, and created the new post in the department for Mrs. Jacobson, a longtime ally, to stress international matters.

In the State Department, there's still some grumbling that Freeman is being too active in what is basically State's domain.

IV. The day-to-day work

In running his department, Freeman plunges deep into its complexities. Every morning he meets with some 40 top officials, some of whom—in the same jobs—saw Benson no more than once a year. And he tailors his programs to his touch-more-people aims.

Right now, Freeman is pushing for a larger share of the money put up by Congress for urban problems. He has a program by which cities can get departmental funds to turn farmland into parks. He has asked Congress for a small town aid program by which villages, under the wing of his department, could band together for regional planning, and thus get in on federal redevelopment funds.

He's even zeroing in on big business, buttonholing executives with this pitch: The cities are plagued with many problems, you ought to find some nice rural site for your new plant. Freeman admits this campaign hasn't gotten very far, but he's going to give it more attention next year, now that the surplus problem is under control.

ELECTION OF JOSEPH T. PLOSZAJ, OF CONNECTICUT, AS PRESIDENT OF THE U.S. MARSHAL SERVICES

Mr. DODD. Mr. President, on September 26, the U.S. marshals' bicentennial conference convened at the Department of Justice, with representation from 94 judicial districts.

At the close of the conference, U.S. Marshal Joseph T. Ploszaj, of New Haven, Conn., was elected president of the U.S. Marshal Services for a 2-year term.

I congratulate Joe Ploszaj on his election, which marks yet another achievement in an already distinguished career.

Joe served as first selectman of the town of Salem for 6 years, and later represented Salem in the Connecticut General Assembly for 8 years.

He was appointed U.S. marshal for the District of Connecticut by President Kennedy in 1961 and reappointed by President Johnson in July of 1966.

This reappointment, coupled with a high efficiency rating from the Department of Justice for his office, clearly attests to Marshal Ploszaj's competence, to his strong sense of civic responsibility, and to his unfailing devotion to the cause of justice.

Marshal Ploszaj's recent election by his colleagues demonstrates the high esteem in which he is held by all who know him.

I congratulate Joe on this new honor. It is a well-deserved recognition of his talent and his dedication.

Connecticut is very proud of him.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1967

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill (H.R. 17636) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the pending bill.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, it is quite possible, is it not, that we will come to a vote within the hour?

Mr. BYRD of West Virginia. I should hope so, and perhaps within the half hour.

Mr. MANSFIELD. Mr. President, I thank the Senator.

Mr. BYRD of West Virginia. Mr. President, I am happy to report the salient features of the bill making appropriations for the District of Columbia for fiscal year 1967.

The committee is recommending an appropriation of $406.7 million. This is $14 million under the anticipated revenues of $421 million. It is $21 million under the budget estimates of $428 million.

It is $26 million over the House appropriation of $380 million. It is $41 million over last year's appropriation of $365 million.

The total appropriation provided in the pending bill is, as I have stated, $406.7 million. There will be left a reserve of approximately $14 million to take care of classified pay increases, wage board increases, contingent expenses, and pay increases for the teachers, firemen, and policemen of the District of Columbia.

There will be an estimated surplus in the general fund of $785,000 as of June 30, 1967.

The Senate bill lowers the loan appropriation to the general fund for public works by $2 million under the House appropriation of $22,500,000, making a total in the Senate bill for loan appropriation to the general fund for public works of $20,500,000.

The Federal payment in this bill is $50 million. This is an increase of $1 million over the $49 million allowed by the House of Representatives.

Included in the reserve of $14 million is a $10 million Federal payment which was provided by the revenue bill recently enacted by Congress.

The Federal payment, which at one time was 50 percent of the moneys needed to operate the District of Columbia, and which as far back as 1924 was 39 percent, but which as recently as 1954 was 8.5 percent, represents, under the 1967 appropriation, 16 percent of the total.

Mr. President, I think that this rounds out in a rough fashion the revenue and appropriations picture involved in the pending bill.

As to the various departments, for education there is provided $81 million; for the Police Department, $42 million; for the Health Department, $56 million; and, for welfare, $31 million.

Under education, the bill provides for 34 counsellors, which, when added to the 50 allowed by the House, makes a total of 84 as requested in the budget estimate.

Two hundred and twenty-eight teaching positions are provided by the Senate bill. This was the full number requested of us. When added to those allowed by the House, this makes a total of 425, thus complying with the full budget request for teaching positions.

I call attention to the fact that the number of teachers allowed will make it possible for the Board of Education to maintain its desired standards of 30 to 1, with reference to the pupil-teacher ratio in the regular elementary classes, and 25 to 1 in the regular secondary classes.

We are allowing $82,500 for library books which, with other available moneys, makes a total of $280,000.

I should say that with regard to the appropriations for schools, the committee disallowed the $70,000 which was requested for the busing of pupils.

The pending bill provides moneys for 31,919 employees in the District of Columbia government, an increase of 654 over the House allowance.

Breaking down the 654, there are 22 under general operating expenses; 12 for parks and recreation; 101 for public safety; 328 for education; and 191 for health and welfare.

As to capital outlay items, the amount of money allowed is $68 million, which is $22 million over the House appropriation.

The sum of $12.8 million is for public highway projects, $4.5 million for rail rapid transit, and $3.6 million for 21 public school capital outlay projects.

We have restored 13 of the capital outlay projects for public schools in the regular budget request, 6 that were included in the supplemental request, and we have added 2 over and above this number.

With regard to the Police Department, the Senate has added $117,000 to equip the tactical force with two-way radio sets and $33,000 to equip replacements and new automobiles in the Police Department with air conditioning.

Moneys requested for a training facility in the Police Department are allowed to stand.

As to the Department of Health, the committee has allowed the total number of positions requested for the treatment of alcoholics at Occoquan. But the committee has disallowed the moneys requested for planning of a facility which was estimated to cost somewhat in excess of $4 million.

The committee has reauthorized and directed the expenditure of moneys with which to establish two additional full-time birth control clinic teams in the Health Department.

The committee has concurred with the House allowance of $150,000, for increased stipends at District of Columbia General Hospital.

As to the Welfare Department, the committee is approving moneys which will allow a continuation of the TAFUP program on the same basis and under the same conditions as these which obtained during the past fiscal year. This is to continue as a locally financed program.

The committee has made provision for a 13-percent across-the-board, cost-of-living increase to all welfare recipients in five categories. It has been determined, through inquiries of the Bureau of Labor Statistics, that the cost of living increasing since 1957–59 is 13.8 percent. The committee was told by officials of the District of Columbia Government that the increase in the District of Columbia was in excess of 15 percent over the 1957–59 period.

So the committee has added $250,000 to the $200,000 which the House had allowed for an increase in clothing allowance, with the intention that the $450,000 be, instead, used, together with $600,000 in available Federal funds, for a 13-percent cost-of-living increase to all welfare recipients.

Also included in this bill is an increase of $5 in foster home payments. The House allowed a flat service fee of $20 per home in addition to the increased foster home payment. The Senate committee felt it best to institute a sliding scale in lieu of the flat payment of $20. Under the sliding scale, a $5 service fee would be allowed for the first child, and an additional service fee of $5 for each child up to a maximum of 4 children, making the total maximum service fee $20. Based on testimony received from the Department of Welfare, it was felt that the sliding scale would not only provide a greater incentive to foster homes to take in additional children but would also lessen the possibility of separating children within the same family.

As to investigators for the Welfare Department, the budget requested seven additional investigators. The testimony indicated that at least 50 investigators would be needed in addition to the present 77 in the Department, in order to do a thorough job of ridding the case loads of ineligibles, as recommended by the Comptroller General of the United States. So, rather than appropriate moneys for only seven investigators, which would constitute merely a thimbleful, the committee allowed none. As chairman of the committee, I feel that if we wish to sincerely and conscientiously and honestly face up to this problem, we should provide enough investigators to properly do the job, and not attempt to fool the people by merely adding a handful of additional investigators. To do so would make no appreciable dent in the workload, and would only give sniping critics an excuse to launch further unjustified attacks.

As to miscellaneous items, the bill provides $200,000 to begin a 3-year program of mechanizing street cleaning equipment. The bill also includes $300,000 for the initiation of a 2-year program in providing modern snow-removal equipment.

Mr. LAUSCHE. Mr. President, will the Senator yield, for a question?

Mr. BYRD of West Virginia. I yield.

Mr. LAUSCHE. It is just for the purpose of obtaining information.

Am I correct in my understanding that, according to the appropriation, it is anticipated that the total cost of operating the government of the District of Columbia will be $406,739,200, as decided by this committee?

Mr. BYRD of West Virginia. That is the total amount provided in this bill. However, I call attention to the fact that it is estimated that, in fiscal year 1967, Federal grants in the amount of $125.7 million will be received by the District of Columbia in excess of the $406.7 million provided in this bill.

Mr. LAUSCHE. That would mean that the total cost, as reflected by the proposed appropriation and with the addition of the grants, would be about $532 million?

Mr. BYRD of West Virginia. The Senator is correct.

Mr. LAUSCHE. Does this $531 million cover all types of services, such as schools, health, sanitation services? It includes all the costs of the government operations in the District of Columbia?

Mr. BYRD of West Virginia. Yes. It includes the operating expenses and the capital outlay funding, plus Federal programs.

Seventy-two million dollars of the $125 million in Federal grants would be for highways and traffic.

Mr. LAUSCHE. Of this $406 million recommended for appropriation, how much is financed by the Federal Treasury—that is, by way of a grant?

Mr. BYRD of West Virginia. We are allowing a $50 million Federal payment.

Mr. LAUSCHE. How is the other $356 million to be raised?

Mr. BYRD of West Virginia. Through the loan authority, and through the ordinary revenues collected.

Mr. LAUSCHE. That is, through real estate taxation, income tax, sales tax, and so forth?

Mr. BYRD of West Virginia. Yes.

Mr. LAUSCHE. With regard to those who are receiving Federal aid, the Senator has just stated that they wanted 7 more investigators, and the testimony was that 60 or more were needed.

Mr. BYRD of West Virginia. Well, it would depend upon how long a period is to be involved in cleaning up the caseload; in other words, whether we should do it in 2 or 3 years.

Mr. LAUSCHE. What is the opinion of the Senator as to the presence of unqualified persons who are on the aid program?

Mr. BYRD of West Virginia. May I paraphrase the opinion of the Comptroller General of the United States. It was determined in 1962, through an investigation of the welfare caseloads by departmental investigators working with investigators from the Comptroller General's office, that 59.7 percent of the ADC caseload was ineligible.

It was found that 58.8 percent of the GPA caseload was ineligible, and that 39.8 percent of the APTD caseload was ineligible. In view of these findings the Comptroller General, in his report to my subcommittee, recommended that these caseloads be brought under continuing investigation, and that they be refined; and so, at that time, Congress allowed 77 additional investigators. That was not enough. But since that time, upon one occasion, investigators were added which would have been sufficient in number to have completed the job, but these were over and above the budget estimate and the House would not agree to their addition. Consequently, we still have 77 investigators. The job has not yet been done. I share the Comptroller General's opinion that ineligibles should be removed.

Mr. LAUSCHE. Is the Senator able to tell what a translation in dollars, of those percentages of ineligible cases meant in improper payments?

Mr. BYRD of West Virginia. I am unable to do so just now.

Mr. LAUSCHE. Is there available a comparison of the per capita cost of government in Washington to that of other cities in the United States of comparable size?

Mr. BYRD of West Virginia. We do not have that information at the moment.

Mr. LAUSCHE. Would the Senator explain how it is that the appropriation recommended is below the supplemental budget estimate but above the House allocation?

Mr. BYRD of West Virginia. Yes.

Mr. LAUSCHE. What items are included in the increase reflected by the amount the Senate recommends and that given by the House?

Mr. BYRD of West Virginia. As to why it is below the budget estimate, may I say that the budget estimate, which included the regular estimate and the supplemental estimate, was $428 million, which was in excess of the revenues available. The estimated overall revenues, with the passage of the revenue bill, amounted to only $421 million. So we had a budget estimate in excess of the total revenues, being $428 million for the former as against $421 million for the latter. This is one very good reason why the appropriation is below the overall budget estimate. Simply put, the estimated available revenues fall short of the total budget requests.

There are other factors, too.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I shall yield, but I had not finished answering the question.

Mr. MORSE. I beg the Senator's pardon.

Mr. BYRD of West Virginia. This partially answers the first half of the Senator's question.

Now, as to why the Senate appropriation is above the House amount, we had additional revenues with which to work. Therefore, we restored the $12.8 million in capital outlay funds for highways. We restored $4.5 million for the rail rapid transit, and we restored $3.6 million for the public school capital outlay items. These items alone amounted to approximately $21 million. Consequently, the Senate appropriation exceeds the figure allowed by the House.

Mr. LAUSCHE. By how much does the committee recommendation exceed the grant that was made last year by the Federal Government? It is $50 million this year. What was it last year?

Mr. BYRD of West Virginia. $43.5 million.

Mr. LAUSCHE. The Senator raised it by $6.5 million. I think it would be well if a comparison could possibly be obtained for next year's budget, to show what other cities in the United States are spending for general operation.

I commend the Senator from West Virginia for the complete command he has in his mind of the different costs of different items without looking to memorandums to refresh his memory. It is rather astounding and refreshing to me that the Senator has such a retentive memory.

Mr. BYRD of West Virginia. I thank the Senator from Ohio.

Does the Senator from Oregon [Mr. Morse] wish to ask a question? I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, as a member of the District of Columbia Committee I rise to highly commend the Senator from West Virginia [Mr. Byrd] for the report he is bringing to the Senate this morning. I also wish to commend the members of the subcommittee and the full Committee on Appropriations. I think that the Senator from West Virginia deserves the gratitude of every citizen of the District of Columbia.

I have examined the committee report. The amounts in the appropriations for the Police Department are highly deserved. As the Senator knows, I have for years, on the District of Columbia Committee, supported supplying the police with the manpower, equipment, and facilities that they need. It is true that I have not supported some of the procedures in law enforcement that the police have advocated from time to time, but that has nothing to do with my consistent insistence that we give the police department the manpower, equipment, and facilities that they need to carry out their duties in the District of Columbia.

The Senator from West Virginia, by bringing this bill to the floor of the Senate, including appropriations for the police, deserves the gratitude of all of us in the District of Columbia.

I wish to say to the Senator that corollary to that matter is the matter of appropriations for the schools. Here, too, I believe that the Committee on Appropriations, and particularly the subcommittee of the Senator from West Virginia [Mr. Byrd] performed an outstanding service for the Congress by bringing in this amount of the appropriation for the schools of the District of Columbia.

Mr. President, I feel that the Senator from West Virginia is deserving of the commendation I am expressing. I also wish to say, having talked with other members of the District of Columbia Committee, that the Senator will find that it is a unanimous feeling. I thank the Senator very much for his report.

Mr. BYRD of West Virginia. I thank the Senator from Oregon [Mr. Morse] for his generous remarks. I regret that we are so late in the session in bringing this bill to the floor of the Senate.

As the Senator knows, the Appropriations Committee in the other body delayed its action on the bill and quite rightly, hoping that the revenue bill could first be passed. Finally, the House Appropriations Committee came to the conclusion that it could not delay the bill any longer; but the delay there, which I think was well advised, necessitated our delayed action on the bill in the Senate. We were able to begin hearings on this bill only on Saturdays a week ago this past Saturday. We completed hearings last Thursday and marked up the bill yesterday.

I wish to express genuine appreciation to the Senator from Wisconsin [Mr. Proxmire], the Senator from Alaska [Mr. Bartlett], and the Senator from Maryland [Mr. Tydings] for their fine cooperation and able assistance in conducting the hearings. I also wish to express appreciation to our faithful and very capable clerk, Mr. Merrick. Due to a death in my family, I had to lean considerably upon these Senators to keep the hearings going and upon Mr. Merrick to keep the paperwork moving.

Mr. LAUSCHE. Several years ago on the floor of Senate I participated in a discussion regarding the fiscal status of the Stadium of the District of Columbia. My recollection is that in that discussion there was pointed out the cost of the stadium. It was anticipated that the stadium would be self-amortizing, but that if it was not the U.S. Government would have to meet the payments of interest and principal as they became due.

Is there anything in the record dealing with this subject? If there is not, can the Senator give a summary of the present status of the Stadium of the District of Columbia?

Mr. BYRD of West Virginia. As I understand it, under the original legislation a revolving fund was provided for, but at no time in the ensuing years have the receipts exceeded the expenditures so as to permit such a fund to materialize. Therefore, no money has been put into any revolving fund which would enable the District of Columbia government to pay off the principal indebtedness on the bonds, which are held by the public, when they become due for redemption. As I understand it, the entire amount involved is $19.8 million.

Mr. LAUSCHE. What is the interest load?

Mr. BYRD of West Virginia. The interest load has varied. This year $767,000 is in the bill for payment of interest. We are not paying anything on the principal, however, but each year we have to make an appropriation to defray the interest cost. In some years this figure has been slightly higher. This year the House allowed $767,000.

Mr. LAUSCHE. Are any installments on the principal indebtedness becoming due?

Mr. BYRD of West Virginia. None has been paid. At the present time, we are proceeding on the basis of borrowing from the Treasury and then appropriating through the bill to pay back the borrowing for payments on the interest.

Mr. LAUSCHE. Alone?

Mr. BYRD of West Virginia. Alone.

Mr. LAUSCHE. Was there any surplus in the Treasury in the operation of the District of Columbia Stadium over and above the payment of the expense of operating it?

Mr. BYRD of West Virginia. No.

Mr. LAUSCHE. Was there a deficit?

Mr. BYRD of West Virginia. Yes, there was a deficit, because we have to pay the interest. The receipts do not even make the interest payments. They have barely covered operating expenses.

Mr. LAUSCHE. They have not even been able to meet the operating costs of the District of Columbia Stadium?

Mr. BYRD of West Virginia. They have not been in excess thereof.

Mr. LAUSCHE. Much less being able to meet the interest payments and, still worse, being unable to meet the capital payments?

Mr. BYRD of West Virginia. That is correct.

Mr. LAUSCHE. Has any effort been made to have the U.S. Government take it over as its orphan or white elephant?

Mr. BYRD of West Virginia. I cannot answer that question. I presume this would be a matter for the District of Columbia legislative committee.

Mr. LAUSCHE. What are the provisions, if the Senator can recall, as to how the capital will be amortized? Is it over a 20- or 30-year basis?

Mr. BYRD of West Virginia. I believe that Mr. Tobriner indicated in the hearings that the bonds would become due in 20 years. Mr. Schuyler Lowe indicated that the stadium would revert to the U.S. Government in the year 2007.

Mr. LAUSCHE. Has the U.S. Government each year, since the District of Columbia Stadium has been in operation, had to pay the interest obligation? Has there been any due?

Mr. BYRD of West Virginia. I am under the impression that that is correct. However, I have only been handling this bill for 6 years. I can speak only to the 6 years of my own experience.

Mr. LAUSCHE. One final question. Was it anticipated in the prospectus when the bonds were sold that by 1966, at least, the income would be adequate to meet the interest payments?

Mr. BYRD of West Virginia. It was anticipated that the income would be more than adequate to meet the interest payments and would even be such as to provide for a revolving fund with which to pay off the principal indebtedness. The Senator may be sure that I intend to explore this matter next year.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. MANSFIELD. I want to commend the distinguished Senator from West Virginia for his usual meticulous and thorough job of presenting a most difficult subject. The Senator has received his share of criticism in the press and elsewhere—on occasion much more than should have been directed at him—and I am therefore delighted to pay him tribute at this time for his excellent handling of a good appropriation bill for the District of Columbia.

As a member of the Appropriations Committee, I can well understand why it was reported unanimously. I think it is a good bill. It satisfies the needs of the policemen, the teachers, and the many other facilities in the District. Even more, it indicates the real and constructive interest which the Senator from West Virginia has in the development of the District of Columbia—as a place for residents, as a place for workers and as the seat of the Nation's Capital.

I want the RECORD to show that I think the Senator from West Virginia deserves a great deal of commendation and congratulation for a job extremely well done on this measure. I anticipate its overwhelming acceptance by the Senate and that prospect is made possible by his outstanding and diligent efforts.

Noteworthy, too, for obtaining an appropriations measure as sound as this, the senior Senator from New Jersey [Mr. CASE] deserves a great deal of credit for his strong support and cooperation as the ranking minority member of the subcommittee.

Mr. BYRD of West Virginia. I thank the distinguished majority leader. I have always had the encouragement of his support, which has aided me greatly. I have also had his complete cooperation. I have known of his great interest in the problems which confront the District of Columbia, and I am most grateful for the support which he has given not only to me but also to the subcommittee and the committee in the deliberations on this bill and its predecessors.

I appreciate, more than I can say, the complimentary comments of the Senator from Montana, for whom I have the greatest of admiration, not only as a Senator and as our leader but also as a gentleman in every sense of the word.

Mr. COTTON. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I am happy to yield to the Senator from New New Hampshire.

Mr. COTTON. As a minority member of the Subcommittee on the District of Columbia, I should like to join most heartily in everything which the distinguished majority leader has said about the distinguished Senator from West Virginia.

I have served with the Senator from West Virginia on the subcommittee for several years, and I want to state that I do not know of anyone more hardworking and more knowledgeable of the details of this bill. He has conscientiously taken the trouble to travel about the District and visit the Fire Department, the police stations, and other agencies. He has made it a point to be personally and thoroughly conversant with all the questions which confront the committee.

I do not know of any other Senator who has been more fearless and fair in doing his job.

I take pleasure, as a member of the minority on his subcommittee, in expressing my appreciation and my admiration for the distinguished chairman of the subcommittee.

Mr. BYRD of West Virginia. I appreciate the kind remarks of the Senator. In handling the District of Columbia appropriation measures, I have always had the unstinting and full support of the distinguished Senator from New Hampshire, for which I am grateful and without which my problems would have been always infinitely greater.

I want also to express appreciation for the cooperation and the guidance which have been given to me by the Senator from Massachusetts [Mr. SALTONSTALL] an ex officio member of the subcommittee. He has consistently evinced a story interest in the District of Columbia matters, and his help has been invaluable. I have enjoyed working with him over the years and I only regret that, by his decision, this relationship will come to an end with his retirement from the Senate. He will be greatly missed.

I want also to thank the Senator from New Jersey [Mr. CASE], the ranking minority member, who was unable to be present during the markup of the bill and during the hearings, and who is also unable to be present in the Chamber today.

These men have all contributed to whatever good work may have been accomplished not only this year but also in past years.

Mr. President, some people may feel that this is not a very important bill. Some may also feel that we should not have to give our time to develop hearings and bring to the floor of the Senate legislation dealing with the operation and functions of the city of Washington. But I do not share these feelings. We are dealing with the city which is closest to the hearts of all Americans. Washington, D.C., as the seat of our Federal Government, is the most important city in the Nation—if not in the world. So, I do not consider it a demeaning task, nor do I consider it to be an unimportant task. I consider it to be an honorable one and I am happy to carry the burdens encumbent upon me as chairman of the Appropriations Subcommittee of the District of Columbia. I think it is a challenging and interesting and important assignment, and I appreciate the plaudits and approbation extended by Senators in the Chamber this morning.

Mr. BIBLE. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. BIBLE. I thank the Senator from West Virginia. I want to associate myself with the compliments which are being paid to the very able chairman of the District of Columbia Appropriations Subcommittee.

I have some knowledge of the work and the problems which this bill entails. The Senator from West Virginia has done his customary and usual meticulous job. It seems to me, in going through the report, and having studied it as a fellow member of the Appropriations Committee, that this is one of the best District of Columbia appropriation bills which has ever been brought forward.

I compliment him for it.

I do have a few observations and a few questions I should like to ask the Senator from West Virginia.

First, I believe the Senator from West Virginia is aware of the fact that we have raised the salaries of policemen, firemen, and teachers, 9.9 percent for policemen and firemen, and something like 8.9 percent for teachers. The overall total cost of that pay increase is in the neighborhood of $10 million. We arrived at that figure in conference yesterday. We shall call up the conference report in the Senate just as soon as the staff has properly documented and prepared the necessary papers.

Has the Senator from West Virginia taken into consideration in this particular appropriation bill the action of the legislative committee?

Mr. BYRD of West Virginia. Yes. In anticipation of the pay increase for teachers, firemen, and policemen, the committee allowed a reserve of $14 million, which includes the additional $10 million Federal payment made available by the committee so ably chaired by the Senator from Nevada. The reserve should take care of contingencies, classified increases, various wage board increases, and the increase in pay of firemen, teachers, and policemen.

Mr. BIBLE. I appreciate that.

On the question of police strength, do I understand correctly that the authorized or the funded strength is in the neighborhood of 3,100 policemen?

Mr. BYRD of West Virginia. 3,100 policemen are authorized, but at the time of the hearings there were vacancies numbering 270.

Mr. BIBLE. The last figure I had was 230.

The salary increases for policemen will take them from a beginning salary of a little over $6,000 to $6,700. It was the thinking of the legislative committee, and I think of the entire membership of the conference, that raising that salary to $6,700 will enable the recruiting officers within the Police Department to bring the police strength up to the authorized funded strength. A shortage of 270 is too much of a shortage, and I hope the increase in the salary will result in taking up the lag in short order.

Mr. BYRD of West Virginia. I think it will be a very helpful factor in filling the vacancies that presently exist in the Department. I know the Senator from Nevada has done a great deal of very good work in helping to bring about this pay increase.

For the information of the Senate, may I say that the beginning salary for District policemen of $6,010 is below the beginning salary in any of the adjacent jurisdictions; but with this increase, to which the Senator alludes, it will be substantially higher than in any of the adjacent jurisdictions. This fact should facilitate and expedite the filling of the vacancies and should encourage the retention of policemen who are already on the force.

Mr. BIBLE. I appreciate that observation. My experience is that when we do this, the surrounding jurisdictions will also raise the salaries. However, we know of no easier path to meet this situation than by attempting to keep the salary at a high level in order to get the policemen and keep policemen in this career of public service. Certainly, we need the best trained men we can secure in that respect.

I wish to refer to one other item in which I have long had an interest, as the Senator from West Virginia knows, and that is in respect to the highway and transit problem. I have always taken the view that we should have a balanced system.

I understand this bill carries sufficient funds to move the transit program ahead on schedule. Is that a correct understanding?

Mr. BYRD of West Virginia. I can only say that this bill allows the full budget request. We have restored the amounts deleted by the House, in the amount of $4.5 million for rail rapid transit and $12.8 million for capital outlay highway projects.

Mr. BIBLE. The amount that the NCTA requested of the committee?

Mr. BYRD of West Virginia. That was the amount that was requested.

Mr. BIBLE. Will the Senator refresh my memory as to the timetable ahead as to when we will get into an operational rapid transit system for the city?

Mr. BYRD of West Virginia. I am sure the Senator from Nevada knows this better than I.

Mr. BIBLE. I am not positive. I thought it was in the range of 1971 or 1972.

The main purpose of my question is to ascertain whether or not the amount allowed by the Appropriations Committee this year is sufficient to keep the NCTA on schedule. The Senator's answer is, "Yes."

Mr. BYRD of West Virginia. The appropriations recommended by the committee put both the highway and rail rapid transit items back on the track.

Mr. BIBLE. I appreciate the comments of the Senator from West Virginia.

Again, I repeat, I think the chairman has done an excellent job and has brought forth one of the best appropriation bills involving the District of Columbia we have ever had before us. I compliment the Senator from West Virginia.

Mr. BYRD of West Virginia. Perhaps I should say that, at the request of the distinguished chairman of the District of Columbia Committee, the Committee on Appropriations restored 11 positions for public libraries and allowed moneys for air conditioning five existing libraries.

Mr. BIBLE. I think that was wise and fully justified.

Again I thank the distinguished Senator from West Virginia for the fine work he did on this bill.

Mr. BYRD of West Virginia. I thank the able and congenial Senator from Nevada.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill as thus amended be regarded, for the purpose of further amendment, as original text, provided that no point of order shall have been considered to have been waived by reason of agreement to this request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 5, after the word "and", to strike out "$49,000,000" and insert "$50,000,000"; in line 23, after the word "Law", to strike out "85–515" and insert "86–515"; in line 25, after the word "appropriated", to strike out "$23,000,000" and insert "$37,527,500"; and on page 3, line 7, after the word "fund", to strike out "$22,500,000" and insert "$25,027,500, highway fund $12,000,000".

On page 3, line 17, after the word "Commissioners", to strike out "$22,098,000" and insert "$22,717,000"; in line 18, after the word "which", to strike out "$325,000" and insert "$425,000"; in line 20, after the word "and", to strike out "$257,900" and insert "$254,300"; and on page 4, line 9, after the word "investigations", to insert a colon and "*Provided further*, That the amount of $257,300 appropriated herein for the Washington Metropolitan Area Transit Authority shall be available only upon the enactment into law of S. 3488, 89th Congress, or similar legislation."

On page 4, line 22, after the word "of", to strike out "$100" and insert "$400"; and in line 25, after the word "purposes", to strike out "$85,203,000" and insert "$86,027,000".

On page 6, at the beginning of line 2, to strike out "$80,093,000" and insert "$81,172,000".

On page 6, line 12, after the word "Park", to strike out "$11,990,000" and insert "$12,441,000".

On page 6, line 20, after the word "Health", to strike out "$89,314,000" and insert "$89,360,800"; in line 23, after the word "exceed", to strike out "$36" and insert "$38", and on page 7, line 19, after the word "Rehabilitation", to insert the following additional proviso: "*Provided further*, That this appropriation shall be available for the purchase of two passenger motor vehicles and for the treatment, in any institution under the jurisdiction of the Board of Commissioners and located either within or without the District of Columbia, of individuals found by a court to be chronic alcoholics."

On page 8, line 9, after the word "only", to strike out "$14,830,000" and insert "$15,122,000"; in line 10, after the word "which", to strike out "$9,922,500" and insert "$10,118,000", and in line 11, after the word "including", to strike out "$888,900" and insert "$1,088,900".

On page 8, line 17, after the word "only", to strike out "$23,762,000" and insert "$23,982,500"; in line 18, after the word "which", to strike out "$7,779,400" and insert "$7,824,900", and in line 19, after the word "fund", to strike out "$4,664,100" and insert "$4,657,300".

On page 10, after line 2, to insert:

"SETTLEMENT OF CLAIMS AND SUITS

"For the payment of claims in excess of $250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131), $42,100."

On page 11, line 14, after the word "School", to insert "new elementary school in the vicinity of Lincoln Road and Douglass Street Northeast, Payne Elementary School addition, Shepherd Elementary School addition, Turner Elementary School addition, Birney Elementary School addition, Deal Junior High School addition, Browne Junior High School addition, Hine Junior High School addition, Wilson Senior High School addition, Spingarn-Phelps Stadium, Sharpe Health School addition, public school warehouse addition, Congress Heights Elementary School replacement, new elementary school in the vicinity of Nichols Avenue and Chesapeake Street Southwest, Randle Highlands Elementary School addition, Receiving Home for Children addition, Northwest Sanitation Garage,"; on page 12, line 5, after the word "Plant", to insert "construction of the West Administration buildings, new courthouse building,"; at the beginning of line 21, to insert "Shadd Elementary School addition, Garnet-Patterson Junior High School alterations, Randall Junior High School addition, Nichols Avenue Elementary School replacement, new elementary school in the vicinity of 7th and Webster Streets Northwest, Tyler Elementary School addition,"; on page 13, line 1, after the word "plant", to strike out "$488,000" and insert "$114,000"; in line 2, after the word "buildings", to insert "and $4,527,500 for the purposes of the National Capital Transportation Act of 1965"; at the beginning of line 5, to strike out "$45,730,000" and insert "$68,244,200"; in line 6, after "1967", to strike out "$2,053,900" and insert "$14,859,000"; and in line 10, after the word "and", to strike out "$2,302,000" and insert "$3,818,500".

On page 17, line 12, after the figure "$500,000", to insert a colon and "*Provided further*, That the limitation of $13,300 per annum for compensation of the commanding general of the D.C. National Guard, contained in the District of Columbia Appropriation Act, 1961, shall hereafter be $17,550."

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 17636) was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Georgia [Mr. TALMADGE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arizona [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from New York [Mr. KENNEDY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from South Carolina [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Mississippi [Mr. EASTLAND] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Maryland [Mr. TYDINGS], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New York [Mr. JAVITS], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from Illinois [Mr. DIRKSEN] are detained on official business.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senator from Illinois [Mr. DIRKSEN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New York [Mr. JAVITS], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 70, nays 0, as follows:

[No. 295 Leg.]

YEAS—70

Aiken
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Cotton
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Gruening
Harris
Hart
Hartke
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Prouty
Proxmire
Ribicoff
Russell, Ga.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Thurmond
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—30

Allott
Anderson
Brewster
Carlson
Case
Church
Cooper
Curtis
Dirksen
Douglas
Eastland
Fulbright
Hayden
Hickenlooper
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
McIntyre
Metcalf
Pearson
Pell
Randolph
Robertson
Russell, S.C.
Smathers
Talmadge
Tower
Tydings
Williams, N.J.

So the bill (H.R. 17636) was passed.

Mr. ROBERTSON. Mr. President, the bell did not ring in the New Office Building. I was phoned from the cloakroom about the vote on the appropriation bill. I got here after the vote was over. Had I been present, I would have voted "aye."

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. SALTONSTALL. Mr. President, as one who serves on the Armed Services Committee and the Appropriations Committee, I did not get to the Chamber in time to make a statement.

The members of the Appropriations Committee on this side of the aisle join in congratulating the Senator from

West Virginia [Mr. Byrd] for the way in which he has handled the District of Columbia budget. We supported him in the committee and joined in his recommendations which we believe were wise and will be helpful to the District of Columbia.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator.

Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Presiding Officer appointed Mr. Byrd of West Virginia, Mr. Bartlett, Mr. Proxmire, Mr. McIntyre, Mr. Case, Mr. Cotton, and Mr. Saltonstall conferees on the part of the Senate.

MANDATORY REPORTING BY PHYSICIANS AND HOSPITALS OF CERTAIN INJURIES — CONFERENCE REPORT

Mr. MORSE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9985) to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. Montoya in the chair). The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 13, 1966, p. 26587, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. THURMOND. Mr. President, would the Senator explain what the Senate and House acceded to?

Mr. MORSE. Mr. President, in response to the request of the Senator from South Carolina, the House conferees accepted the Senate bill except section 4 of the bill that provided for a criminal penalty for physicians and hospitals who fail to make a mandatory report to the police department concerning persons who are treated for injuries caused by firearms or other dangerous weapons.

I want to read from the committee report in explanation of the bill, as follows:

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to require the reporting by physicians in the District of Columbia, and also by hospitals or similar institutions, of injuries caused by firearms or other dangerous weapons.

Under the terms of the bill a report must be made by any physician or other practitioner licensed under the District of Columbia Healing Arts Practice Act, having reasonable cause to believe that a person coming before him for examination or treatment has suffered an injury caused by any dangerous weapon occurring during the commission of a crime, or has suffered an injury caused by a firearm, whether self-inflicted, accidental, or occurring during the commission of a crime.

It is provided that when such physician, or other licensed person is performing as a member of the staff of a hospital or similar institution, and detects such an injury as described above, he shall notify the person in charge of the hospital or institution, who in turn is required to make the report. The initial report shall be oral, and it shall be made immediately by telephone to the Metropolitan Police Department of the District of Columbia, to be followed as soon thereafter as practicable by a written report. Such report, when readily available, shall contain the name, address, and age of the injured person, and the nature and extent of the person's injuries.

The bill under section 3 grants any person, hospital, or institution participating in good faith in the making of a report immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making of such report.

Mr. President, the bill has widespread support from the doctors, the Commissioners, and the police department in the District of Columbia. The differences between the two bills were very minor. We had no problems at all in getting unanimous agreement in conference on the conference report.

Mr. THURMOND. Mr. President, I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

PREMARITAL EXAMINATIONS IN DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. MORSE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3314) to require premarital examinations in the District of Columbia, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

MANDATORY REPORTING OF CERTAIN PHYSICAL ABUSE OF CHILDREN IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr MORSE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10304) to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 13, 1966, p. 26586, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MORSE. Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

BONANZA FOR EDUCATION

Mr. MORSE. Mr. President, I ask unanimous consent to have inserted in the Record the lead editorial in this morning's Washington Post, which I think is a brilliant and penetrating analytical editorial on the matter of educational legislation in the Congress of the United States. I wish to highly commend the writer of the editorial.

I think that the editorial sets forth a very fair and accurate appraisal and complete justification of the action that the Senate took not only on the higher education bill but also on the elementary and secondary school bill.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Bonanza for Education

Twice in the past week the Senate has authorized Federal aid to education in amounts greatly exceeding those approved by the House and dramatically in excess of the President's recommendations. The anomaly is at once startling and melancholy. It is startling because the reverse has customarily been the case; a succession of Presidents have asked for school aid far beyond what Congress was willing to grant. It is melancholy because even the sums authorized fall far below what the schools really need.

Last Thursday the Senate voted to authorize $6.4 billion in Federal aid to elementary and secondary schools during the next two years—some $600 million more than the House is expected to authorize for the same period. Assuming a compromise settlement between the two, the final authorization will be three-quarters of a billion above the President's request. And on Monday the Senate surpassed the House by a billion and a half in approving a program of $4.4 billion of aid to colleges and their students in the form of a Higher Education bill sans any home rule rider for the District of Columbia. The bulk of this money would go for the construction of classrooms, libraries and other academic facilities, and it goes beyond what President Johnson wanted by a cool billion.

Why this sudden avalanche of affluence for education? The answer lies, we like to think, in a recent realization by the country, reflected in Congress, that good schools must be the cornerstone of any Great Society. For 40 years—ever since the First World War—public school systems all over the country have been allowed to fall into decay. Adequate financing lay beyond local means, and Federal aid was frustrated for decades by controversy over the inclusion of parochial schools. When at last Federal aid began to be made available, the accumulated need was so tremendous that Congress seemed to be drooling it out in mere drops.

Health, Education and Welfare Under Secretary Wilbur Cohen complained last summer, however, that the aid was coming in larger gobs than the schools could usefully absorb. It might result, he said, "in wasted funds, inadequately planned expenditures and projects which would not carry out effectively the purpose of the act."

It is true that appropriations made now, after the commencement of the school year, are hard to incorporate in academic budgets. If they are withheld now, however, the same situation is all too likely to arise again a year hence—late appropriations which the schools are ill-prepared to utilize. One can hardly help thinking, moreover, that the real reason for looking this congressional gift horse in the mouth is to bolster President Johnson's tight budget policy.

We think economy is desirable. But we also think that education is just about the last place to practice it. School sights have to be vastly elevated. New school plants are desperately needed. Additional teachers ought to be recruited—and at salaries that will attract young people of high caliber—just as rapidly as possible. Schools deserve top domestic priority. Congressional recognition of this need ought not to be discouraged. Instead of seeking reasons for rejection, the Administration ought to be seeking means for effective utilization of all the funds that Congress can prudently provide.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 405. An act for the relief of Gabriel A. Nahas and Vera Nahas;

S. 1275. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 1375. An act providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force;

S. 2106. An act for the relief of Dr. Jose Joaquin Diaz Franquiz;

S. 2457. An act for the relief of Jorge Ajbuszyc Volsky;

S. 2587. An act for the relief of Dr. Hilda W. Perez de Gonzales;

S. 2640. An act for the relief of Dr. Guillermo Rodriguez;

S. 2738. An act for the relief of Dr. Ezzat N. Asaad;

S. 2739. An act for the relief of Dr. Blanche L. Asaad;

S. 2761. An act for the relief of Dr. Julio Sanguily, Jr.;

S. 2771. An act for the relief of Hazel Louise Schuman Strunk;

S. 3106. An act for the relief of Dr. Alberto L. Martinez; and

S. 3238. An act for the relief of Miss Matsue Sato.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 769. An act for the relief of Dr. Marshall Ku;

S. 1068. An act for the relief of Fred E. Starr;

S. 1137. An act for the relief of Dr. Rafael Pedro Martinez Torres; and

S. 2801. An act for the relief of Helena Gilbert Maddagiri and Heather Gilbert Maddagiri.

The message further announced that the House had passed the bill (S. 699) to amend the Civil Service Retirement Act so as to provide for inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of their surviving spouses, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 112) authorizing the Secretary of the Senate to make a change in the enrollment of S. 1310.

AMENDMENT OF SOCIAL SECURITY ACT

Mr. PROUTY. Mr. President, I send a bill to the desk for appropriate reference and ask unanimous consent that it be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3902) to amend the Social Security Act and related provisions of law to extend hospital insurance benefits to persons presently not insured therefor, to increase old-age, survivors, and disability insurance benefits payable under title II of such act, to provide minimum benefits to persons who, at age 65, are not insured for benefits under such title, to increase the amount of income individuals may earn without suffering deductions from benefits payable under such title, and otherwise to improve the social security program, introduced by Mr. Prouty, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 3902

A bill to amend the Social Security Act and related provisions of law to extend hospital insurance benefits to persons presently not insured therefor, to increase old-age survivors, and disability insurance benefits payable under title II of such Act, to provide minimum benefits to persons who, at age 65, are not insured for benefits under such title, to increase the amount of income individuals may earn without suffering deductions from benefits payable under such title, and otherwise to improve the social security program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Social Security Amendments of 1966".

COVERAGE FOR HOSPITAL INSURANCE BENEFITS FOR PERSONS NOT INSURED THEREFOR

Sec. 2. (a) Subsections (a) and (b) of section 103 of the Social Security Amendments of 1965 are amended to read as follows:

"(a) Anyone who—

"(1) has attained the age of 65,

"(2) is not, and upon filing application for monthly insurance benefits under section 202 of the Social Security Act would not be, entitled to hospital insurance benefits under section 226 of such Act, and is not certifiable as a qualified railroad retirement beneficiary under section 21 of the Railroad Retirement Act of 1937,

"(3) is a resident of the United States (as defined in section 210(i) of the Social Security Act), and is (A) a citizen of the United States or (B) an alien lawfully admitted for permanent residence who has resided in the United States (as so defined) continuously during the five years immediately preceding the month in which he files application under this section, and

"(4) has filed an application under this section in such manner and in accordance with such other requirements as may be prescribed in regulations of the Secretary shall (subject to the limitations in this section) be deemed, solely for purposes of section 226 of the Social Security Act, to be entitled to monthly insurance benefits under such section 202 for each month, beginning with the first month in which he meets the requirements of this subsection and ending with the month in which he becomes (or upon filing application for monthly insurance benefits under such section 202 of such Act would become) entitled to hospital insurance benefits under such section 226 or becomes certifiable as a qualified railroad retirement beneficiary. An individual who would have met the preceding requirements of this subsection in any month had he filed application under paragraph (4) hereof before the end of such month shall be deemed to have met such requirements in such month if he files such application before the end of the twelfth month following such month. No application under this section which is filed by an individual more than 3 months before the first month in which he meets the requirements of paragraphs (1), (2), and (3) shall be accepted as an application for purposes of this section.

"(b) The provisions of subsection (a) shall not apply to any individual who—

"(1) is, at the beginning of the first month in which he meets the requirements of subsection (a), a member of any organization referred to in section 210(a)(17) of the Social Security Act, or

"(2) has, prior to the beginning of such month, been convicted of any offense listed in section 202(u) of the Social Security Act."

(b) The amendments made by subsection (a) shall be effective on and after the first day of the month after the month in which this Act is enacted.

INCREASE IN OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFITS

SEC. 3. (a) Section 215(a) of the Social Security Act is amended by striking out the table and inserting in lieu thereof the following:

"I		II		III		IV	V
(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1958 Act, as modified)		(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—	At least—	But not more than—	At least—	But not more than—		
----------	$19.24	$40	$49	----------	$83	$70.00	$105.00
$19.25	24.20	50	59	$84	101	77.00	115.50
24.21	29.25	60	69	102	132	84.00	126.00
29.26	35.00	70	79	133	178	91.00	142.40
35.01	41.76	80	89	179	225	98.00	180.00
41.77	----------	90	99	226	272	106.00	217.60
----------	----------	100	109	273	319	116.70	254.00
----------	----------	110	119	320	365	127.40	292.00
----------	----------	120	127	366	412	138.00	312.80
----------	----------	----------	----------	413	450	146.00	328.00
----------	----------	----------	----------	451	496	156.00	346.40
----------	----------	----------	----------	497	550	168.00	368.00"

(b) The amendment made by subsection (a) shall be effective with respect to monthly benefits under title II of the Social Security Act for months after the month following the month in which this Act is enacted.

INCREASE IN AMOUNT OF WIDOW'S BENEFITS

SEC. 4. (a) Section 202(e) (1) and (2) of the Social Security Act is amended by striking out "82½ per centum" wherever it appears therein and inserting in lieu thereof "100 per centum".

(b) The amendments made by subsection (a) shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after the month following the month in which this Act is enacted.

ELECTIVE EXEMPTION FROM FUTURE COVERAGE BY CERTAIN INDIVIDUALS WHO ARE ALREADY FULLY INSURED

SEC. 5. (a) Subsection (c) of section 211 of the Social Security Act (as amended by section 8(a) (1) and (2) of this Act) is further amended (1) by striking out "or" at the end of paragraph (4) thereof, (2) by striking out the period at the end of paragraph (5) thereof and inserting in lieu of such period a semicolon followed by the word "or", and (3) by adding after paragraph (5) thereof the following new paragraph:

"(6) The performance of service by an individual during the period for which there is in effect a certificate filed by such individual under section 1402(h) of the Internal Revenue Code of 1954."

(b) Subsection (c) of section 1402 of the Internal Revenue Code of 1954 (as amended by section 8(b) (1) and (2) of this Act) is further amended (1) by striking out "or" at the end of paragraph (4) thereof, (2) by striking out the period at the end of paragraph (5) thereof and inserting in lieu of such period a semicolon followed by the word "or", and (3) by adding after paragraph (5) thereof the following new paragraph:

"(6) the performance of service by an individual during the period for which there is in effect a certificate filed by such individual under subsection (h)."

(c) Subsection (a) of section 210 of the Social Security Act is amended (1) by striking out "or" at the end of paragraph (18) thereof, (2) by striking out the period at the end of paragraph (19) thereof and inserting in lieu of such period a semicolon followed by the word "or", and (3) by adding after paragraph (19) thereof the following new paragraph:

"(20) Service performed by an individual during the period for which there is in effect a certificate filed by such individual under section 1402(h) of the Internal Revenue Code of 1954."

(d) Subsection (b) of section 3121 of the Internal Revenue Code of 1954 is amended (1) by striking out "or" at the end of paragraph (18) thereof, (2) by striking out the period at the end of paragraph (19) thereof and inserting in lieu of such period a semicolon followed by the word "or", and (3) by adding after paragraph (19) thereof the following new paragraph:

"(20) service performed by an individual during the period for which there is in effect a certificate filed by such individual under section 1402(h)."

(e) Section 1402 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(h) Individuals Who Have Attained Age 65 and Are Fully Insured Under Title II of the Social Security Act.—

"(1) Exemption certificate.—Any individual who has attained age 65 and is a fully insured individual (as defined in section 214 (a) of the Social Security Act) may at any time file a certificate (in such form and manner, and with such official, as may be prescribed by regulations made under this chapter) certifying that he elects to have exempted from coverage by the insurance system established by title II of the Social Security Act any employment performed by him, or any self-employment engaged in by him.

"(2) Effective period of certificate.—A certificate filed by an individual pursuant to this subsection shall be effective, in the case of employment (as defined in section 3121 (b) and section 210(a) of the Social Security Act), performed by him on and after the first day of the first calendar quarter which begins more than 30 days after the date such certificate is filed, and, in the case of self-employment in a trade or business (as defined in subsection (c) and section 211(c) of the Social Security Act), engaged in by him for the taxable year in which the certificate is filed and all succeeding taxable years."

INCREASE IN AMOUNTS INDIVIDUALS MAY EARN WITHOUT SUFFERING DEDUCTIONS IN THEIR BENEFITS

SEC. 6. (a) Paragraphs (1), (3), and (4) (B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out "$125" wherever it appears therein and inserting in lieu thereof "$200".

(b) The first sentence of paragraph (3) of such subsection (f) is amended by striking out "year, except of the first $1,200 of such excess (or all of such excess if it is less than $1,200), an amount equal to one-half thereof shall not be included" and inserting in lieu thereof "year".

(c) Paragraph (1) (A) of subsection (h) of section 203 of such Act is amended by striking out "$125" and inserting in lieu thereof "$200".

(d) The amendments made by the preceding subsections of this section shall apply only with respect to taxable years ending after the date of the enactment of this Act.

REDUCTION FROM 72 TO 70 THE AGE AFTER WHICH DEDUCTIONS ON ACCOUNT OF EARNINGS ARE NO LONGER IMPOSED

SEC. 7. (a) Subsections (c) (1), (d) (1), (f) (1), and (j) of section 203 of the Social Security Act are each amended by striking out "seventy-two" and inserting in lieu thereof "seventy".

(b) Subsection (h) (1) (A) of such section 203 is amended by striking out "the age of 72" and "age 72" and inserting in lieu thereof in each instance "age 70".

(c) The heading of subsection (j) of such section 203 is amended by striking out "Seventy-two" and inserting in lieu thereof "Seventy".

(d) The amendments made by the preceding subsections of this section shall apply only with respect to monthly insurance benefits under title II of the Social Security Act for months in taxable years (of the individual whose earnings are involved) ending after the date of the enactment of this Act.

BENEFITS AT AGE 65 FOR UNINSURED INDIVIDUALS

SEC. 8. (a) (1) The heading to section 228 of the Social Security Act is amended to read as follows:

"Benefits at Age 65 for certain Uninsured Individuals".

(2) Section 228 of such Act is amended to read as follows:

"SEC. 228. (a) Every individual who—

"(1) has attained age 65,

"(2) (A) is not and would not, upon filing application therefor, be entitled to monthly benefits under section 202 or 223, or (B) is entitled, or would upon filing application therefor, be entitled to monthly benefits under such section 202 or 223 which is smaller than the amount shown by the first figure in column IV of the table in section 215(a),

"(3) is a resident of the United States (as defined in section 210(i)), and (A) is a citizen of the United States or (B) an alien lawfully admitted for permanent residence who has resided in the United States (as so defined), continuously during the 5 years immediately preceding the month in which he files application under this section,

"(4) has filed application for benefits under this section, shall (subject to the limitations in this section) be entitled to a benefit under this section for each month beginning with the first month after December 1966 in which he becomes so entitled to such benefits and ending with the month preceding the month in which he dies. No application under this section which is filed by an individual more than three months before the first month in which he meets the requirements of paragraphs (1), (2), and (3) shall be accepted as an application for purposes of this section.

"Benefit amount

"(b) The benefit amount to which an individual is entitled under this section for any month shall be an amount equal to whichever is the larger: (1) zero, or (2) the amount determined by subtracting from the amount shown by the first figure in column IV of the table in section 215(a) an amount equal to the amount of the monthly benefit to which such individual is entitled under section 202 or 228. For the purpose of the preceding sentence, the amount of the monthly benefit to which an individual is entitled under section 202 means the amount to which he is entitled after any reduction in such amount made by reason of the provisions of subsection (q) of such section.

"Reduction in benefit amounts

"(c)(1) The benefit amount to which any individual is entitled under this section shall be reduced in accordance with regulations promulgated by the Secretary in accordance with paragraph (2).

"(2) Regulations promulgated by the Secretary under this subsection shall be designed to assure that individuals receiving benefits under this section shall be in need thereof, taking into consideration all income of such individuals. Such regulations shall not provide for reduction of such benefits on account of the lack of need therefor if—

"(A) in the case of any individual who is unmarried, such individual's annual income is less than $1,000; and

"(B) in the case of any individual who is married and is living with or providing more than one-half of the support of his spouse, such individual's income is less than $2,000. If any individual entitled to benefits under this section is the parent of any child under 18 years of age, or the parent of any child over 17 years of age who is physically or mentally disabled, and such child lives with or receives more than half of his support from such individual, then, for purposes of the preceding sentence, the figures referred to in clause (A) or (B) thereof (as the case may be) shall be deemed to be increased by $500 for each such child.

"Suspension when individual is residing outside United States

"(d) The benefit to which any inividual is entitled under this section for any month shall not be paid if, during such month, such individual is not a resident of the United States (as defined in section 210(i)).

"Treatment as monthly insurance benefits

"(e) For purposes of subsections (t) and (u) of section 202, and of section 1840, a monthly benefit under this section shall be treated as a monthly insurance benefit payable under section 202."

(b) Notwithstanding subsection (a), section 228 of the Social Security Act, as in effect prior to the enactment of the Social Security Amendments of 1966, shall remain in force with respect to any individual for any month if such individual—

(1) would have been entitled to a benefit under such section, as in effect prior to the enactment of such amendments, but would not be entitled, for such month, to a benefit under such section, as in effect after enactment of such amendments, or

(2) if the amount of such individual's benefit under such section, as in effect prior to the enactment of such amendments, would (after all reductions provided in such section) be larger than the amount of the benefit to which he is entitled under such section, as in effect after enactment of such amendments.

APPROPRIATION AUTHORIZATION

SEC. 9. In addition to all other sums authorized under any other provisions of law to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to each of the aforementioned funds, for the fiscal year in which the Social Security Amendments of 1966 are enacted, and for each fiscal year thereafter, such sums as may be necessary to place each of such funds in the same financial position as that which it would have been in, if such amendments had not been enacted.

Mr. PROUTY. Mr. President, briefly, this proposal will:

First. Raise the minimum social security benefit to $70 and provide for scaled increases at all levels as indicated under column IV of the table appearing in the bill;

Second. Blanket in at age 65 all persons not now eligible for social security at the minimum rate and authorize a means test for such recipients where their incomes are above the poverty level;

Third. Increase a widow's benefit rate to 100 percent of the husband's primary rate;

Fourth. Permit any employed person attaining age 65 to elect to make no further contributions to social security and accordingly waive readjustments for benefits paid because of the additional earnings;

Fifth. Reduce from age 72 to age 70 the time after which earnings will not be considered as a limitation of benefits;

Sixth. Raise the annual earnings limitations to $2,400, eliminate any stepped reductions for the first $2,400 and a dollar-for-dollar reduction above that figure;

Seventh. Amend those portions of the Medicare Act which require persons attaining age 65 in later years to have quarters of coverage—that is, permit anyone now age 65, or becoming age 65, to participate in medicare without regard to quarters of coverage.

Mr. President, it will be noted that my proposal is far more meaningful than the one relating to social security which was recommended by President Johnson today, and I would hope that the provisions of the bill would become effective early next year.

I am delighted, however, that the President has finally decided that some changes in the Social Security Act are necessary and desirable. This represents a definite change in his thinking, because I remember how vigorously the administration opposed an amendment to the Social Security Act which I offered in March of this year and which was approved by the Congress in a watered-down form.

EQUITABLE TAX TREATMENT FOR FOREIGN INVESTMENT IN THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1675, H.R. 13103.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment, to strike out all after the enacting clause and insert:

SECTION 1. TABLE OF CONTENTS, ETC.

(a) TABLE OF CONTENTS.—

Sec. 1. Table of contents, etc.
(a) Table of contents.
(b) Amendment of 1954 Code.

TITLE I—FOREIGN INVESTORS TAX ACT

Sec. 102. Source of income.
(a) Interest.
(b) Dividends.
(c) Personal services.
(d) Definitions.
(e) Effective dates.

Sec. 103. Nonresident alien individuals.
(a) Tax on nonresident alien individuals.
(b) Gross income.
(c) Deductions.
(d) Allowance of deductions and credits.
(e) Beneficiaries of estates and trusts.
(f) Expatriation to avoid tax.
(g) Partial exclusion of dividends.
(h) Withholding of tax on nonresident aliens.
(i) Liability for withheld tax.
(j) Declaration of estimated income tax by individuals.
(k) Collection of income tax at source on wages.
(l) Definitions of foreign estate or trust.
(m) Conforming amendment.
(n) Effective dates.

Sec. 104. Foreign corporations.
(a) Tax on income not connected with United States business.
(b) Tax on income connected with United States business.
(c) Withholding of tax on foreign corporations.
(d) Dividends received from certain foreign corporations.
(e) Dividends received from certain wholly-owned foreign subsidiaries.
(f) Distributions of certain foreign corporations.
(g) Unrelated business taxable income.
(h) Corporations subject to personal holding company tax.
(i) Amendments with respect to foreign corporations carrying on insurance business in United States.
(j) Subpart F income.
(k) Gain from certain sales or exchanges of stock in certain foreign corporations.
(l) Declaration of estimated income tax by corporations.
(m) Technical amendments.
(n) Effective dates.

Sec. 105. Special tax provisions.
(a) Income affected by treaty.
(b) Adjustment of tax because of burdensome or discriminatory foreign taxes.
(c) Clerical amendments.
(d) Effective date.
(e) Elections by nonresident United States citizens who are subject to foreign community property laws.
(f) Presumptive date of payment for tax withheld under chapter 3.

Sec. 106. Foreign tax credit.
(a) Allowance of credit to certain nonresident aliens and foreign corporations.
(b) Alien resident of the United States or Puerto Rico.
(c) Foreign tax credit in respect of interest received from foreign subsidiaries.
Sec. 107. Amendments to preserve existing law on deductions under section 931.
(a) Deductions.
(b) Effective date.
Sec. 108. Estates of nonresidents not citizens.
(a) Rate of tax.
(b) Credits against tax.
(c) Property within the United States.
(d) Property without the United States.
(e) Definition of taxable estate.
(f) Special methods of computing tax.
(g) Estate tax returns.
(h) Clerical amendment.
(i) Effective date.
Sec. 109. Tax on gifts of nonresidents not citizens.
(a) Imposition of tax.
(b) Transfers in general.
(c) Effective date.
Sec. 110. Treaty obligations.

TITLE II—OTHER AMENDMENTS TO INTERNAL REVENUE CODE

Sec. 201. Application of investment credit to property used in possessions of the United States.
(a) Property used by domestic corporations, etc.
(b) Effective date.
Sec. 202. Deduction of medical expenses of individuals age 65 or over.
(a) Repeal of amendments made by social security amendments of 1965.
(b) Cost of medical insurance.
(c) Effective date.
Sec. 203. Basis of property received on liquidation of subsidiary.
(a) Definition of purchase.
(b) Period of acquisition.
(c) Distribution of installment obligations.
(d) Effective dates.
Sec. 204. Transfers of stock and securities to corporations controlled by transferors.
(a) Transfers to investment companies.
(b) Effective date.
Sec. 205. Minimum amount treated as earned income for retirement plans of certain self-employed individuals.
(a) Increase to $6,600.
(b) Effective date.
Sec. 206. Treatment of certain income of authors, inventors, etc., as earned income for retirement plan purposes.
(a) Income from disposition of property created by taxpayer.
(b) Effective date.
Sec. 207. Exclusion of certain rents from personal holding company income.
(a) Rents from leases of certain tangible personal property.
(b) Technical amendments.
(c) Effective date.
Sec. 208. Percentage depletion rate for certain clay bearing alumina.
(a) 23 percent rate.
(b) Treatment processes.
(c) Effective date.
Sec. 209. Percentage depletion rate for clam and oyster shells.
(a) 15 percent rate.
(b) Effective date.
Sec. 210. Sintering and burning of shale, clay, and slate used as lightweight aggregates.
(a) Treatment processes.
(b) Effective date.
Sec. 211. Straddles.
(a) Treatment as short-term capital gain.
(b) Effective date.
Sec. 212. Tax treatment of per-unit retain allocations.
(a) Tax treatment of cooperatives.
(b) Tax treatment by patrons.
(c) Definitions.
(d) Information reporting.
(e) Effective dates.
(f) Transition rule.
Sec. 213. Excise tax rate on ambulances and hearses.
(a) Classification as automobiles.
(b) Effective date.
Sec. 214. Applicability of exclusion from interest equalization tax of certain loans to assure raw materials sources.
(a) Exception to exclusion.
(b) Technical amendments.
(c) Effective date.
Sec. 215. Exclusion from interest equalization tax for certain acquisitions by insurance companies.
(a) New companies and companies operating in former less developed countries.
(b) Effective date.
Sec. 216. Exclusion from interest equalization tax of certain acquisitions by foreign branches of domestic banks.
(a) Authority for modification of executive orders.
(b) Effective date.

TITLE III—PRESIDENTIAL ELECTION CAMPAIGN FUND ACT

Sec. 301. Short title.
Sec. 302. Authority for designation of $1 of income tax payments to presidential election campaign fund.
Sec. 303. Presidential election campaign fund.
(a) Establishment.
(b) Transfers to the fund.
(c) Payments from fund.
(d) Transfers to general fund.
Sec. 304. Establishment of advisory board,
Sec. 305. Appropriations authorized.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Treasury notes payable in foreign currency.
Sec. 402. Reports to clarify to national debt and tax structure.
Sec. 403. Coverage of expenses of certain drugs under supplementary medical insurance benefits.

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, wherever in titles I, II, and III, of this Act an amendment or repeal is expressed in terms of an amendment, to or repeal of, a section or other provision, the reference is to a section or other provision of the Internal Revenue Code of 1954.

TITLE I—FOREIGN INVESTORS TAX ACT

SEC. 101. SHORT TITLE.

This title may be cited as the "Foreign Investors Tax Act of 1966".

SEC. 102. SOURCE OF INCOME.

(a) INTEREST.—

(1) (A) Subparagraph (A) of section 861 (a) (1) (relating to interest from sources within the United States) is amended to read as follows:

"(A) interest on amounts described in subsection (c) received by a nonresident alien individual or a foreign corporation, if such interest is not effectively connected with the conduct of a trade or business within the United States,".

(B) Section 861 is amended by adding at the end thereof the following new subsection:

"(c) INTEREST ON DEPOSITS, ETC.—For purposes of subsection (a) (1) (A), the amounts described in this subsection are—

"(1) deposits with persons carrying on the banking business,

"(2) deposits or withdrawable accounts with savings institutions chartered and supervised as savings and loan or similar associations under Federal or State law, but only to the extent that amounts paid or credited on such deposits or accounts are deductible under section 591 (determined without regard to section 265) in computing the taxable income of such institutions, and

"(3) amounts held by an insurance company under an agreement to pay interest thereon.

Effective with respect to amounts paid or credited after December 31, 1971, subsection (a) (1) (A) and this subsection shall cease to apply."

(2) Section 861(a) (1) is amended by striking out subparagraph (B) and (C) and inserting in lieu thereof the following:

"(B) interest received from a resident alien individual or a domestic corporation, when it is shown to the satisfaction of the Secretary or his delegate that less than 20 percent of the gross income from all sources of such individual or such corporation has been derived from sources with in the United States, as determined under the provisions of this part, for the 3-year period ending with the close of the taxable year of such individual or such corporation preceding the payment of such interest, or for such part of such period as may be applicable,

"(C) interest received from a foreign corporation (other than interest paid or credited after December 31, 1971, by a domestic branch of a foreign corporation, if such branch is engaged in the commercial banking business), when it is shown to the satisfaction of the Secretary or his delegate that less than 50 percent of the gross income from all sources of such foreign corporation for the 3-year period ending with the close of its taxable year preceding the payment of such interest (or for such part of such period as the corporation has been in existence) was effectively connected with the conduct of a trade or business within the United States,

"(D) in the case of interest received from a foreign corporation (other than interest paid or credited after December 31, 1971, by a domestic branch of a foreign corporation, if such branch is engaged in the commercial banking business) 50 percent or more of the gross income of which from all sources for the 3-year period ending with the close of its taxable year preceding the payment of such interest (or for such part of such period as the corporation has been in existence) was effectively connected with the conduct of a trade or business within the United States, an amount of such interest which bears the same ratio to such interest as the gross income of such foreign corporation for such period which was not effectively connected with the conduct of a trade or business within the United States bears to its gross income from all sources,

"(E) income derived by a foreign central bank, of issue from bankers' acceptances, and

"(F) interest on deposits with a foreign branch of a domestic corporation or a domestic partnership, if such branch is engaged in the commercial banking business."

(3) Section 861 (relating to income from sources within the United States) is amended by adding after subsection (c) (as added by

paragraph (1)(B)) the following new subsection:

"(d) Special Rules for Application of Paragraphs (1)(B), (1)(C), (1)(D), and (2)(B) of Subsection (a).—

"(1) New entries.—For purposes of paragraphs (1)(B), (1)(C), (1)(D), and (2)(B) of subsection (a), if the resident alien individual, domestic corporation, or foreign corporation, as the case may be, has no gross income from any source for the 3-year period (or part thereof) specified, the 20 percent test or the 50 percent test, as the case may be, shall be applied with respect to the taxable year of the payor in which payment of the interest or dividends, as the case may be, is made.

"(2) Transition rule.—For purposes of paragraphs (1)(C), (1)(D), and (2)(B) of subsection (a), the gross income of the foreign corporation for any period before the first taxable year beginning after December 31, 1966, which is effectively connected with the conduct of a trade or business within the United States is an amount equal to the gross income for such period from sources within the United States."

(4)(A) Section 895 (relating to income derived by a foreign central bank of issue from obligations of the United States) is amended to read as follows:

"Sec. 895. Income Derived by a Foreign Central Bank of Issue From Obligations of the United States or From Bank Deposits.

"Income derived by a foreign central bank of issue from obligations of the United States or of any agency or instrumentality thereof (including beneficial interests, participations, and other instruments issued under section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717)) which are owned by such foreign central bank of issue, or derived from interest on deposits with persons carrying on the banking business, shall not be included in gross income and shall be exempt from taxation under this subtitle unless such obligations or deposits are held for, or used in connection with, the conduct of commercial banking functions or other commercial activities. For purposes of the preceding sentence the Bank for International Settlements shall be treated as a foreign central bank of issue."

(B) The table of sections for subpart C of part II of subchapter N of chapter 1 is amended by striking out the item relating to section 895 and inserting in lieu thereof the following:

"Sec. 895. Income derived by a foreign central bank of issue from obligations of the United States or from bank deposits."

(b) Dividends.—Section 861(a)(2)(B) (relating to dividends from sources within the United States) is amended to read as follows:

"(B) from a foreign corporation unless less than 50 percent of the gross income from all sources of such foreign corporation for the 3-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence) was effectively connected with the conduct of a trade or business within the United States; but only in an amount which bears the same ratio to such dividends as the gross income of the corporation for such period which was effectively connected with the conduct of a trade or business within the United States bears to its gross income from all sources; but dividends (other than dividends for which a deduction is allowable under section 245(b)) from a foreign corporation shall, for purposes of subpart A of part III (relating to foreign tax credit), be treated as income from sources without the United States to the extent (and only to the extent) exceeding the amount which is 100/85ths of the amount of the deduction allowable under section 245 in respect of such dividends, or".

(c) Personal Services.—Section 861(a)(3)(C)(ii) (relating to income from personal services) is amended to read as follows:

"(ii) an individual who is a citizen or resident of the United States, a domestic partnership, or a domestic corporation, if such labor or services are performed for an office or place of business maintained in a foreign country or in a possession of the United States by such individual, partnership, or corporation."

(d) Definitions.—Section 864 (relating to definitions) is amended—

(1) by striking out "For purposes of this part," and inserting in lieu thereof

"(a) Sale, Etc.—For purposes of this part,"; and

(2) by adding at the end thereof the following new subsections:

"(b) Trade or Business Within the United States.—For purposes of this part, part II, and chapter 3, the term 'trade or business within the United States' includes the performance of personal services within the United States at any time within the taxable year, but does not include—

"(1) Performance of personal services for foreign employer.—The performance of personal services—

"(A) for a nonresident alien individual, foreign partnership, or foreign corporation, not engaged in trade or business within the United States, or

"(B) for an office or place of business maintained in a foreign country or in a possession of the United States by an individual who is a citizen or resident of the United States or by a domestic partnership or a domestic corporation,

by a nonresident alien individual temporarily present in the United States for a period or periods not exceeding a total of 90 days during the taxable year and whose compensation for such services does not exceed in the aggregate $3,000.

"(2) Trading in securities or commodities.—

"(A) Stocks and securities.—

"(i) In general.—Trading in stocks or securities through a resident broker, commission agent, custodian, or other independent agent.

"(ii) Trading for taxpayer's own account.—Trading in stocks or securities for the taxpayer's own account, whether by the taxpayer or his employees or through a resident broker, commission agent, custodian, or other agent, and whether or not any such employee or agent has discretionary authority to make decisions in effecting the transactions. This clause shall not apply in the case of a dealer in stocks or securities, or in the case of a corporation (other than a corporation which is, or but for section 542(c)(7) or 543(b)(1)(C) would be, a personal holding company) the principal business of which is trading in stocks or securities for its own account, if its principal office is in the United States.

"(B) Commodities.—

"(i) In general.—Trading in commodities through a resident broker, commission agent, custodian, or other independent agent.

"(ii) Trading for taxpayer's own account.—Trading in commodities for the taxpayer's own account, whether by the taxpayer or his employees or through a resident broker, commission agent, custodian, or other agent, and whether or not any such employee or agent has discretionary authority to make decisions in effecting the transactions. This clause shall not apply in the case of a dealer in commodities.

"(iii) Limitation.—Clauses (i) and (ii) shall apply only if the commodities are of a kind customarily dealt in on an organized commodity exchange and if the transaction is of a kind customarily consummated at such place.

"(C) Limitation.—Subparagraphs (A)(i) and (B)(i) shall apply only if, at no time during the taxable year, the taxpayer has an office or other fixed place of business in the United States through which or by the direction of which the transactions in stocks or securities, or in commodities, as the case may be, are effected.

"(c) Effectively Connected Income, Etc.—

"(1) General rule.—For purposes of this title—

"(A) In the case of a nonresident alien individual or a foreign corporation engaged in trade or business within the United States during the taxable year, the rules set forth in paragraphs (2), (3), and (4) shall apply in determining the income, gain, or loss which shall be treated as effectively connected with the conduct of a trade or business within the United States.

"(B) Except as provided in section 871(d) or sections 882(d) and (e), in the case of a nonresident alien individual or a foreign corporation not engaged in trade or business within the United States during the taxable year, no income, gain, or loss shall be treated as effectively connected with the conduct of a trade or business within the United States.

"(2) Periodical, etc., income from sources within United States—factors.—In determining whether income from sources within the United States of the types described in section 871(a)(1) or section 881(a), or whether gain or loss from sources within the United States from the sale or exchange of capital assets, is effectively connected with the conduct of a trade or business within the United States, the factors taken into account shall include whether—

"(A) the income, gain, or loss is derived from assets used in or held for use in the conduct of such trade or business, or

"(B) the activities of such trade or business were a material factor in the realization of the income, gain, or loss.

In determining whether an asset is used in or held for use in the conduct of such trade or business or whether the activities of such trade or business were a material factor in realizing an item of income, gain, or loss, due regard shall be given to whether or not such asset or such income, gain, or loss was accounted for through such trade or business. In applying this paragraph and paragraph (4), interest referred to in section 861(a)(1)(A) shall be considered income from sources within the United States.

"(3) Other income from sources within United States.—All income, gain, or loss from sources within the United States (other than income, gain, or loss to which paragraph (2) applies) shall be treated as effectively connected with the conduct of a trade or business within the United States.

"(4) Income from sources without United States.—

"(A) Except as provided in subparagraphs (B) and (C), no income, gain, or loss from sources without the United States shall be treated as effectively connected with the conduct of a trade or business within the United States.

"(B) Income, gain, or loss from sources without the United States shall be treated as effectively connected with the conduct of a trade or business within the United States by a nonresident alien individual or a foreign corporation if such person has an office or other fixed place of business within the United States to which such income, gain, or loss is attributable and such income, gain, or loss—

"(i) consists of rents or royalties for the use of or for the privilege of using intangible property described in section 862(a)(4) (including any gain or loss realized on the sale of such property) derived in the active conduct of such trade or business;

"(ii) consists of dividends or interest, or gain or loss from the sale or exchange of stock or notes, bonds, or other evidences of indebtedness, and either is derived in the active conduct of a banking, financing, or similar business within the United States or is received by a corporation the principal business of which is trading in stocks or securities for its own account; or

"(iii) is derived from the sale (without the United States) through such office or other fixed place of business of personal property described in section 1221(1), except that this clause shall not apply if the property is sold for use, consumption, or disposition outside the United States and an office or other fixed place of business of the taxpayer outside the United States participated materially in such sale.

"(C) In the case of a foreign corporation taxable under part I of subchapter L, any income from sources without the United States which is attributable to its United States business shall be treated as effectively connected with the conduct of a trade or business within the United States.

"(D) No income from sources without the United States shall be treated as effectively connected with the conduct of a trade or business within the United States if it either—

"(i) consists of dividends, interest, or royalties paid by a foreign corporation in which the taxpayer owns (within the meaning of section 958(a)), or is considered as owning (by applying the ownership rules of section 958(b)), more than 50 percent of the total combined voting power of all classes of stock entitled to vote, or

"(ii) is subpart F income within the meaning of section 952(a).

"(5) Rules for application of paragraph (4)(B).—For purposes of subparagraph (B) of paragraph (4)—

"(A) in determining whether a nonresident alien individual or a foreign corporation has an office or other fixed place of business, an office or other fixed place of business of an agent shall be disregarded unless such agent (i) has the authority to negotiate and conclude contracts in the name of the nonresident alien individual or foreign corporation and regularly exercises that authority or has a stock of merchandise from which he regularly fills orders on behalf of such individual or foreign corporation, and (ii) is not a general commission agent, broker, or other agent of independent status acting in the ordinary course of his business,

"(B) income, gain, or loss shall not be considered as attributable to an office or other fixed place of business within the United States unless such office or fixed place of business is a material factor in the production of such income, gain, or loss and such office or fixed place of business regularly carries on activities of the type from which such income, gain, or loss is derived, and

"(C) the income, gain, or loss which shall be attributable to an office or other fixed place of business within the United States shall be the income, gain, or loss properly allocable thereto, but, in the case of a sale described in clause (iii) of such subparagraph, the income which shall be treated as attributable to an office or other fixed place of business within the United States shall not exceed the income which would be derived from sources within the United States if the sale were made in the United States."

(e) Effective Dates.—

(1) The amendments made by subsections (a), (c), and (d) shall apply with respect to taxable years beginning after December 31, 1966; except that in applying section 864(c)(4)(B)(iii) of the Internal Revenue Code of 1954 (as added by subsection (d)) with respect to a binding contract entered into on or before February 24, 1966, activities in the United States on or before such date in negotiating or carrying out such contract shall not be taken into account.

(2) The amendments made by subsection (b) shall apply with respect to amounts received after December 31, 1966.

Sec. 103. Nonresident Alien Individuals.

(a) Tax on Nonresident Alien Individuals.—

(1) Section 871 (relating to tax on nonresident alien individuals) is amended to read as follows:

"Sec. 871. Tax on Nonresident Alien Individuals.

"(a) Income Not Connected With United States Business—30 Percent Tax.

"(1) Income other than capital gains.—There is hereby imposed for each taxable year a tax of 30 percent of the amount received from sources within the United States by a nonresident alien individual as—

"(A) interest, dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, and other fixed or determinable annual or periodical gains, profits, and income,

"(B) gains described in section 402(a)(2), 403(a)(2), or 631 (b) or (c), and gains on transfers described in section 1235 made on or before October 4, 1966,

"(C) in the case of bonds or other evidences of indebtedness issued after September 28, 1965, amounts which under section 1232 are considered as gains from the sale or exchange of property which is not a capital asset, and

"(D) gains from the sale or exchange after October 4, 1966, of patents, copyrights, secret processes and formulas, good will, trademarks, trade brands, franchises, and other like property, or of any interest in any such property, to the extent such gains are from payments which are contingent on the productivity, use, or disposition of the property or interest sold or exchanged, or from payments which are treated as being so contingent under subsection (e),

but only to the extent the amount so received is not effectively connected with the conduct of a trade or business within the United States.

"(2) Capital gains of aliens present in the United States 183 days or more.—In the case of a nonresident alien individual present in the United States for a period or periods aggregating 183 days or more during the taxable year, there is hereby imposed for such year a tax of 30 percent of the amount by which his gains, derived from sources within the United States, from the sale or exchange at any time during such year of capital assets exceed his losses, allocable to sources within the United States, from the sale or exchange at any time during such year of capital assets. For purposes of this paragraph, gains and losses shall be taken into account only if, and to the extent that, they would be recognized and taken into account if such gains and losses were effectively connected with the conduct of a trade or business within the United States, except that such gains and losses shall be determined without regard to section 1202 (relating to deduction for capital gains) and such losses shall be determined without the benefits of the capital loss carryover provided in section 1212. Any gain or loss which is taken into account in determining the tax under paragraph (1) or subsection (b) shall not be taken into account in determining the tax under this pargraph. For purposes of the 183-day requirement of this paragraph, a nonresident alien individual not engaged in trade or business within the United States who has not established a taxable year for any prior period shall be treated as having a taxable year which is the calendar year.

"(b) Income Connected With United States Business—Graduated Rate of Tax.—

"(1) Imposition of tax.—A nonresident alien individual engaged in trade or business within the United States during the taxable year shall be taxable as provided in section 1 or 1201(b) on his taxable income which is effectively connected with the conduct of a trade or business within the United States.

"(2) Determination of taxable income.—In determining taxable income for purposes of paragraph (1), gross income includes only gross income which is effectively connected with the conduct of a trade or business within the United States.

"(c) Participants in Certain Exchange or Training Programs.—For purposes of this section, a nonresident alien individual who (without regard to this subsection) is not engaged in trade or business within the United States and who is temporarily present in the United States as a nonimmigrant under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101(a)(15)(F) or (J)), shall be treated as a nonresident alien individual engaged in trade or business within the United States, and any income described in section 1441(b)(1) or (2) which is received by such individual shall, to the extent derived from sources within the United States, be treated as effectively connected with the conduct of a trade or business within the United States.

"(d) Election To Treat Real Property Income as Income Connected With United States Business.—

"(1) In general.—A nonresident alien individual who during the taxable year derives any income—

"(A) from real property held for the production of income and located in the United States, or from any interest in such real property, including (i) gains from the sale or exchange of such real property or an interest therein, (ii) rents or royalties from mines, wells, or other natural deposits, and (iii) gains described in section 631(b) or (c), and

"(B) which, but for this subsection, would not be treated as income which is effectively connected with the conduct of a trade or business within the United States,

may elect for such taxable year to treat all such income as income which is effectively connected with the conduct of a trade or business within the United States. In such case, such income shall be taxable as provided in subsection (b)(1) whether or not such individual is engaged in trade or business within the United States during the taxable year. An election under this paragraph for any taxable year shall remain in effect for all subsequent taxable years, except that it may be revoked with the consent of the Secretary or his delegate with respect to any taxable year.

"(2) Election after revocation.—If an election has been made under paragraph (1) and such election has been revoked, a new election may not be made under such paragraph for any taxable year before the 5th taxable year which begins after the first taxable year for which such revocation is effective, unless the Secretary or his delegate consents to such new election.

"(3) Form and time of election and revocation.—An election under paragraph (1), and any revocation of such an election, may be made only in such manner and at such time as the Secretary or his delegate may by regulations prescribe.

"(e) Gains From Sale or Exchange of Certain Intangible Property.—For purposes of subsection (a)(1)(D), and for purposes of sections 881(a)(4), 1441(b), and 1442(a)—

"(1) Payments treated as contingent on use, etc.—If more than 50 percent of the gain for any taxable year from the sale or exchange of any patent, copyright, secret process or formula, good will, trademark, trade brand, franchise, or other like property, or of any interest in any such property, is from payments which are contingent on the productivity, use, or disposition of such property or interest, all of the gain for the taxable year from the sale or exchange of such property or interest shall be treated as being from payments which are contingent on the productivity, use, or disposition of such property or interest.

"(2) Source rule.—In determining whether gains described in subsection (a)(1)(D) and section 881(a)(4) are received from sources within the United States, such gains shall be treated as rentals or royalties for the use of, or privilege of using, property or an interest in property.

"(f) Certain Annuities Received Under Qualified Plans.—For purposes of this section, gross income does not include any amount received as an annuity under a qualified annuity plan described in section 403(a)(1), or from a qualified trust described in section 401(a) which is exempt from tax under section 501(a), if—

"(1) all of the personal services by reason of which such annuity is payable were either (A) personal services performed outside the United States by an individual who, at the time of performance of such personal services, was a nonresident alien, or (B) personal services described in section 864(b)(1) performed within the United States by such individual, and

"(2) at the time the first amount is paid as such annuity under such annuity plan, or by such trust, 90 percent or more of the employees for whom contributions or benefits are provided under such annuity plan, or under the plan or plans of which such trust is a part, are citizens or residents of the United States."

"(g) Cross References.—

"(1) For tax treatment of certain amounts distributed by the United States to nonresident alien individuals, see section 402(a)(4).

"(2) For taxation of nonresident alien individuals who are expatriate United States citizens see section 877.

"(3) For doubling of tax on citizens of certain foreign countries, see section 891.

"(4) For adjustment of tax in case of nationals or residents of certain foreign countries, see section 896.

"(5) For withholding of tax at source on nonresident alien individuals, see section 1441.

"(6) For the requirement of making a declaration of estimated tax by certain nonresident alien individuals, see section 6015(i)."

(2) Section 1 (relating to tax on individuals) is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

"(d) Nonresident Aliens.—In the case of a nonresident alien individual, the tax imposed by subsection (a) shall apply only as provided by section 871 or 877."

(b) Gross Income.—

(1) Subsection (a) of section 872 (relating to gross income of nonresident alien individuals) is amended to read as follows:

"(a) General Rule.—In the case of a nonresident alien individual, gross income includes only—

"(1) gross income which is derived from sources within the United States and which is not effectively connected with the conduct of a trade or business within the United States, and

"(2) gross income which is effectively connected with the conduct of a trade or business within the United States."

(2) Subparagraph (B) of section 872(b)(3) (relating to compensation of participants in certain exchange or training programs) is amended by striking out "by a domestic corporation" and inserting in lieu thereof "by a domestic corporation, a domestic partnership, or an individual who is a citizen or resident of the United States".

(3) Subsection (b) of section 872 (relating to exclusions from gross income) is amended by adding at the end thereof the following new paragraph:

"(4) Certain bond income of residents of the Ryukyu Islands or the Trust Territory of the Pacific Islands.—Income derived by a nonresident alien individual from a series E or series H United States savings bond, if such individual acquired such bond while a resident of the Ryukyu Islands or the Trust Territory of the Pacific Islands."

(c) Deductions.—

(1) Section 873 (relating to deductions allowed to nonresident alien individuals) is amended to read as follows:

"Sec. 873. Deductions.

"(a) General Rule.—In the case of a nonresident alien individual, the deductions shall be allowed only for purposes of section 871(b) and (except as provided by subsection (b)) only if and to the extent that they are connected with income which is effectively connected with the conduct of a trade or business within the United States; and the proper apportionment and allocation of the deductions for this purpose shall be determined as provided in regulations prescribed by the Secretary or his delegate.

"(b) Exceptions.—The following deductions shall be allowed whether or not they are connected with income which is effectively connected with the conduct of a trade or business within the United States:

"(1) Losses.—The deduction, for losses of property not connected with the trade or business if arising from certain casualties or theft, allowed by section 165(c)(3), but only if the loss is of property located within the United States.

"(2) Charitable contributions.—The deduction for charitable contributions and gifts allowed by section 170.

"(3) Personal exemption.—The deduction for personal exemptions allowed by section 151, except that in the case of a nonresident alien individual who is not a resident of a contiguous country only one exemption shall be allowed under section 151.

"(c) Cross References.—

"(1) For disallowance of standard deduction, see section 142(b)(1).

"(2) For rule that certain foreign taxes are not to be taken into account in determining deduction or credit, see section 906(b)(1)."

(2) Section 154(3) (relating to cross references in respect of deductions for personal exemptions) is amended to read as follows:

"(3) For exemptions of nonresident aliens, see section 873(b)(3)."

(d) Allowance of Deductions and Credits.—Subsection (a) of section 874 (relating to filing of returns) is amended to read as follows:

"(a) Return Prerequisite to Allowance.—A nonresident alien individual shall receive the benefit of the deductions and credits allowed to him in this subtitle only by filing or causing to be filed with the Secretary or his delegate a true and accurate return, in the manner prescribed in subtitle F (sec. 6001 and following, relating to procedure and administration), including therein all the information which the Secretary or his delegate may deem necessary for the calculation of such deductions and credits. This subsection shall not be construed to deny the credits provided by sections 31 and 32 for tax withheld at source or the credit provided by section 39 for certain uses of gasoline and lubricating oil."

(e) Beneficiaries of Estate and Trusts.—

(1) Section 875 (relating to partnerships) is amended to read as follows:

"Sec. 875. Partnerships; Beneficiaries of Estates and Trusts.

"For purposes of this subtitle—

"(1) a nonresident alien individual or foreign corporation shall be considered as being engaged in a trade or business within the United States if the partnership of which such individual or corporation is a member is so engaged, and

"(2) a nonresident alien individual or foreign corporation which is a beneficiary of an estate or trust which is engaged in any trade or business within the United States shall be treated as being engaged in such trade or business within the United States."

(2) The table of sections for subpart A of part II of subchapter N of chapter 1 is amended by striking out the item relating to section 875 and inserting in lieu thereof the following:

"Sec. 875. Partnerships; beneficiaries of estates and trusts."

(f) Expatriation To Avoid Tax.

(1) Subpart A of part II of subchapter N of chapter 1 (relating to nonresident alien individuals) is amended by redesignating section 877 as section 878, and by inserting after section 876 the following new section:

"Sec. 877. Expatriation To Avoid Tax.

"(a) In General.—Every nonresident alien individual who at any time after March 8, 1965, and within the 10-year period immediately preceding the close of the taxable year lost United States citizenship, unless such loss did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle B, shall be taxable for such taxable year in the manner provided in subsection (b) if the tax imposed pursuant to such subsection exceeds the tax which, without regard to this section, is imposed pursuant to section 871.

"(b) Alternative Tax.—A nonresident alien individual described in subsection (a) shall be taxable for the taxable year as provided in section 1 or section 1201(b), except that—

"(1) the gross income shall include only the gross income described in section 872(a) (as modified by subsection (c) of this section), and

"(2) the deductions shall be allowed if and to the extent that they are connected with the gross income included under this section, except that the capital loss carryover provided by section 1212(b) shall not be allowed; and the proper allocation and apportionment of the deductions for this purpose shall be determined as provided under regulations prescribed by the Secretary or his delegate.

For purposes of paragraph (2), the deductions allowed by section 873(b) shall be allowed; and the deduction (for losses not connected with the trade or business if incurred in transactions entered into for profit) allowed by section 165(c)(2) shall be allowed, but only if the profit, if such transaction had resulted in a profit, would be included in gross income under this section.

"(c) Special Rules of Source.—For purposes of subsection (b), the following items of gross income shall be treated as income from sources within the United States:

"(1) Sale of property.—Gains on the sale or exchange of property (other than stock or debt obligations) located in the United States.

"(2) Stock or debt obligations.—Gains on the sale or exchange of stock issued by a domestic corporation or debt obligations of United States persons or of the United States, a State or political subdivision thereof, or the District of Columbia.

"(d) Exception for Loss of Citizenship for Certain Causes.—Subsection (a) shall not apply to a nonresident alien individual whose loss of United States citizenship resulted from the application of section 301(b), 350, or 355 of the Immigration and Nationality Act, as amended (8 U.S.C. 1401(b), 1482, or 1487).

"(e) Burden of Proof.—If the Secretary or his delegate establishes that it is reasonable to believe that an individual's loss of United States citizenship would, but for this section, result in a substantial reduction for the taxable year in the taxes on his provable income for such year, the burden of proving for such taxable year that such loss of citizenship did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle B shall be on such individual."

(2) The table of sections for subpart A of part II of subchapter N of chapter 1 is amended by striking out the item relating to section 877 and inserting in lieu thereof the following:

"Sec. 877. Expatriation to avoid tax.

"Sec. 878. Foreign educational, charitable, and certain other exempt organizations."

(g) Partial Exclusion of Dividends.—Subsection (d) of section 116 (relating to certain nonresident aliens ineligible for exclusion) is amended to read as follows:

"(d) Certain Nonresident Aliens Ineligible for Exclusion.—In the case of a nonresident alien individual, subsection (a) shall apply only—

"(1) in determining the tax imposed for the taxable year pursuant to section 871(b) (1) and only in respect of dividends which are effectively connected with the conduct of a trade or business within the United States, or

"(2) in determining the tax imposed for the taxable year pursuant to section 877(b)."

(h) Withholding of Tax on Nonresident Aliens.—Section 1441 (relating to withholding of tax on nonresident aliens) is amended—

(1) by striking out ", or of any partnership not engaged in trade or business within the United States and composed in whole or in part of nonresident aliens," in subsection (a) and inserting in lieu thereof "or of any foreign partnership";

(2) by striking out "(except interest on deposits with persons carrying on the banking business paid to persons not engaged in business in the United States)" in subsection (b);

(3) by striking out "and amounts described in section 402(a)(2)" and all that follows in the first sentence of subsection (b) and inserting in lieu thereof "gains described in section 402(a)(2), 403(a)(2), or 631 (b) or (c), amounts subject to tax under section 871(a)(1)(C), gains subject to tax under section 871(a)(1)(D), and gains on transfers described in section 1235 made on or before October 4, 1966.";

(4) by adding at the end of subsection (b) the following new sentence:

"In the case of a nonresident alien individual who is a member of a domestic partnership, the items of income referred to in subsection (a) shall be treated as referring to items specified in this subsection included in his distributive share of the income of such partnership.";

(5) by striking out paragraph (1) of subsection (c) and inserting in lieu thereof the following new paragraph:

"(1) Income connected with United States business.—No deduction or withholding under subsection (a) shall be required in the case of any item of income (other than compensation for personal services) which is effectively connected with the conduct of a trade or business within the United States and which is included in the gross income of the recipient under section 871(b)(2) for the taxable year.";

(6) by amending paragraph (4) of subsection (c) to read as follows:

"(4) Compensation of certain aliens.—Under regulations prescribed by the Secretary or his delegate, compensation for personal services may be exempted from deduction and withholding under subsection (a).";

(7) by striking out "amounts described in section 402(a)(2), section 403(a)(2), section 631 (b) and (c), and section 1235, which are considered to be gains from the sale or exchange of capital assets," in paragraph (5) of subsection (c) and inserting in lieu thereof "gains described in section 402(a)(2), 403 (a)(2), or 631 (b) or (c), gains subject to tax under section 871(a)(1)(D), and gains on transfers described in section 1235 made on or before October 4, 1966,", and by striking out "proceeds from such sale or exchange," in such paragraph and inserting in lieu thereof "amount payable,";

(8) by adding at the end of subsection (c) the following new paragraph:

"(7) Certain annuities received under qualified plans.—No deduction or withholding under subsection (a) shall be required in the case of any amount received as an annuity if such amount is, under section 871(f), exempt from the tax imposed by section 871(a)."; and

(9) by redesignating subsection (d) as (e), and by inserting after subsection (c) the following new subsection:

"(d) Exemption of Certain Foreign Partnerships.—Subject to such terms and conditions as may be provided by regulations prescribed by the Secretary or his delegate, subsection (a) shall not apply in the case of a foreign partnership engaged in trade or business within the United States if the Secretary or his delegate determines that the requirements of subsection (a) impose an undue administrative burden and that the collection of the tax imposed by section 871(a) on the members of such partnership who are nonresident alien individuals will not be jeopardized by the exemption."

(i) Liability for Withheld Tax.—Section 1461 (relating to return and payment of withheld tax) is amended to read as follows:

"Sec. 1461. Liability for Withheld Tax.

"Every person required to deduct and withhold any tax under this chapter is hereby made liable for such tax and is hereby indemnified against the claims and demands of any person for the amount of any payments made in accordance with the provisions of this chapter."

(j) Declaration of Estimated Income Tax by Individuals.—Section 6015 (relating to declaration of estimated income tax by individuals) is amended—

(1) by striking out that portion of subsection (a) which precedes paragraph (1) and inserting in lieu thereof the following:

"(a) Requirement of Declaration.—Except as otherwise provided in subsection (i), every individual shall make a declaration of his estimated tax for the taxable year if—";

(2) by redesignating subsection (i) as subsection (j); and

(3) by inserting after subsection (h) the following new subsection:

"(i) Nonresident Alien Individuals.—No declaration shall be required to be made under this section by a nonresident alien individual unless—

"(1) withholding under chapter 24 is made applicable to the wages, as defined in section 3401(a), of such individual,

"(2) such individual has income (other than compensation for personal services subject to deduction and withholding under section 1441) which is effectively connected with the conduct of a trade or business within the United States, or

"(3) such individual is a resident of Puerto Rico during the entire taxable year."

(k) Collection of Income Tax at Source on Wages.—Subsection (a) of section 3401 (relating to definition of wages for purposes of collection of income tax at source) is amended by striking out paragraphs (6) and (7) and inserting in lieu thereof the following:

"(6) for such services, performed by a nonresident alien individual, as may be designated by regulations prescribed by the Secretary or his delegate; or".

(l) Definitions of Foreign Estate or Trust.—

(1) Section 7701(a)(31) (defining foreign estate or trust) is amended by striking out "from sources without the United States" and inserting in lieu thereof ", from sources without the United States which is not effectively connected with the conduct of a trade or business within the United States,".

(2) Section 1493 (defining foreign trust for purpose of chapter 5) is repealed.

(m) Conforming Amendment.—The first sentence of section 932(a) (relating to citizens of possessions of the United States) is amended to read as follows: "Any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States shall be subject to taxation under this subtitle in the same manner and subject to the same conditions as in the case of a nonresident alien individual."

(n) Effective Dates.—

(1) The amendments made by this section (other than the amendments made by subsections (h), (i), and (k)) shall apply with respect to taxable years beginning after December 31, 1966.

(2) The amendments made by subsection (h) shall apply with respect to payments made in taxable years of recipients beginning after December 31, 1966.

(3) The amendments made by subsection (i) shall apply with respect to payments occurring after December 31, 1966.

(4) The amendments made by subsection (k) shall apply with respect to remuneration paid after December 31, 1966.

Sec. 104. Foreign Corporations.

(a) Tax on Income Not Connected With United States Business.—Section 881 (relating to tax on foreign corporations not engaged in business in the United States) is amended to read as follows:

"Sec. 881. Tax on Income of Foreign Corporations Not Connected With United States Business.

"(a) Imposition of Tax.—There is hereby imposed for each taxable year a tax of 30 percent of the amount received from sources within the United States by a foreign corporation as—

"(1) interest, dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, and other fixed or determinable annual or periodical gains, profits, and income,

"(2) gains described in section 631 (b) or (c),

"(3) in the case of bonds or other evidences of indebtedness issued after September 28, 1965, amounts which under section 1232 are considered as gains from the sale or exchange of property which is not a capital asset, and

"(4) gains from the sale or exchange after October 4, 1966, of patents, copyrights, secret processes and formulas, good will, trademarks, trade brands, franchises, and other like property, or of any interest in any such property, to the extent such gains are from payments which are contingent on the productivity, use, or disposition of the property or interest sold or exchanged, or from payments which are treated as being so contingent under section 871(e).

but only to the extent the amount so received is not effectively connected with the conduct of a trade or business within the United States.

"(b) Doubling of Tax.—

"For doubling of tax on corporations of certain foreign countries, see section 891."

(b) Tax on Income Connected With United States Business.—

(1) Section 882 (relating to tax on resident foreign corporations) is amended to read as follows:

"Sec. 882. Tax on Income of Foreign Corporations Connected With United States Business.

"(a) Normal Tax and Surtax.—

"(1) Imposition of tax.—A foreign corporation engaged in trade or business within the United States during the taxable year shall be taxable as provided in section 11 or 1201(a) on its taxable income which is effectively connected with the conduct of a trade or business within the United States.

"(2) Determination of taxable income.—In determining taxable income for purposes of paragraph (1), gross income includes only gross income which is effectively connected with the conduct of a trade or business within the United States.

"(b) Gross Income.—In the case of a foreign corporation, gross income includes only—

"(1) gross income which is derived from sources within the United States and which is not effectively connected with the conduct of a trade or business within the United States, and

"(2) gross income which is effectively connected with the conduct of a trade or business within the United States.

"(c) Allowance of Deductions and Credits.—

"(1) Allocation of deductions.—

"(A) General rule.—In the case of a foreign corporation, the deductions shall be allowed only for purposes of subsection (a) and (except as provided by subparagraph (B)) only if and to the extent that they are connected with income which is effectively connected with the conduct of a trade or business within the United States; and the proper apportionment and allocation of the deductions for this purpose shall be determined as provided in regulations prescribed by the Secretary or his delegate.

"(B) Charitable contributions.—The deduction for charitable contributions and gifts provided by section 170 shall be allowed whether or not connected with income which is effectively connected with the conduct of a trade or business within the United States.

"(2) Deductions and credits allowed only if return filed.—A foreign corporation shall receive the benefit of the deductions and credits allowed to it in this subtitle only by filing or causing to be filed with the Secretary or his delegate a true and accurate return, in the manner prescribed in subtitle F, including therein all the information which the Secretary or his delegate may deem necessary for the calculation of such deductions and credits. The preceding sentence shall not apply for purposes of the tax imposed by section 541 (relating to personal holding company tax), and shall not be construed to deny the credit provided by section 32 for tax withheld at source or the credit provided by section 39 for certain uses of gasoline and lubricating oil.

"(3) Foreign tax credit.—Except as provided by section 906, foreign corporations shall not be allowed the credit against the tax for taxes of foreign countries and possessions of the United States allowed by section 901.

"(4) Cross reference.—

"For rule that certain foreign taxes are not to be taken into account in determining deduction or credit, see section 906(b)(1).

"(d) Election To Treat Real Property Income as Income Connected With United States Business.—

"(1) In general.—A foreign corporation which during the taxable year derives any income—

"(A) from real property located in the United States, or from any interest in such real property, including (i) gains from the sale or exchange of real property or an interest therein, (ii) rents or royalties from mines, wells, or other natural deposits, and (iii) gains described in section 631 (b) or (c), and

"(B) which, but for this subsection, would not be treated as income effectively connected with the conduct of a trade or business within the United States,

may elect for such taxable year to treat all such income as income which is effectively connected with the conduct of a trade or business within the United States. In such case, such income shall be taxable as provided in subsection (a)(1) whether or not such corporation is engaged in trade or business within the United States during the taxable year. An election under this paragraph for any taxable year shall remain in effect for all subsequent taxable years, except that it may be revoked with the consent of the Secretary or his delegate with respect to any taxable year.

"(2) Election after revocation, etc.—Paragraphs (2) and (3) of section 871(d) shall apply in respect of elections under this subsection in the same manner and to the same extent as they apply in respect of elections under section 871(d).

"(e) Interest on United States Obligations Received by Banks Organized in Possessions.—In the case of a corporation created or organized in, or under the law of, a possession of the United States which is carrying on the banking business in a possession of the United States, interest on obligations of the United States shall—

"(1) for purposes of this subpart, be treated as income which is effectively connected with the conduct of a trade or business within the United States, and

"(2) shall be taxable as provided in subsection (a)(1) whether or not such corporation is engaged in trade or business within the United States during the taxable year.

"(f) Returns of Tax by Agent.—If any foreign corporation has no office or place of business in the United States but has an agent in the United States, the return required under section 6012 shall be made by the agent."

(2)(A) Subsection (e) of section 11 (relating to exceptions from tax on corporations) is amended by inserting "or" at the end of paragraph (2), by striking out ", or" at the end of paragraph (3) and inserting a period in lieu thereof, and by striking out paragraph (4).

(B) Section 11 (relating to tax on corporations) is amended by adding at the end thereof the following new subsection:

"(f) Foreign Corporations—In the case of a foreign corporation, the tax imposed by subsection (a) shall apply only as provided by section 882."

(3) The table of sections for subpart B of part II of subchapter N of chapter 1 is amended by striking out the items relating to sections 881 and 882 and inserting in lieu thereof the following:

"Sec. 881. Tax on income of foreign corporations not connected with United States business.

"Sec. 882. Tax on income of foreign corporations connected with United States business."

(c) Withholding of Tax on Foreign Corporations.—Section 1442 (relating to withholding of tax on foreign corporations) is amended to read as follows:

"Sec. 1442. Withholding of Tax on Foreign Corporations.

"(a) General Rule.—In the case of foreign corporations subject to taxation under this subtitle, there shall be deducted and withheld at the source in the same manner and on the same items of income as is provided in section 1441 or section 1451 a tax equal to 30 percent thereo; except that, in the case of interest described in section 1451 (relating to tax-free covenant bonds), the deduction and withholding shall be at the rate specified therein. For purposes of the preceding sentence, the references in section 1441(b) to sections 871(a)(1) (C) and (D) shall be treated as referring to sections 881 (a) (3) and (4), the reference in section 1441 (c)(1) to section 871(b)(1) shall be treated as referring to section 842 or section 882(a), as the case may be, and the reference in section 1441(c)(5) to section 871(a)(1)(D) shall be treated as referring to section 881 (a)(4).

"(b) Exemption.—Subject to such terms and conditions as may be provided by regulations prescribed by the Secretary or his delegate, subsection (a) shall not apply in the case of a foreign corporation engaged in trade or business within the United States if the Secretary or his delegate determines that the requirements of subsection (a) impose an undue administrative burden and that the collection of the tax imposed by section 881 on such corporation will not be jeopardized by the exemption."

(d) Dividends Received From Certain Foreign Corporations.—Subsection (a) of section 245 (relating to the allowance of a deduction in respect of dividends received from a foreign corporation) is amended—

(1) by striking out "and has derived 50 percent or more of its gross income from sources within the United States," in that portion of subsection (a) which precedes paragraph (1) and by inserting in lieu thereof "and if 50 percent or more of the gross income of such corporation from all sources for such period is effectively connected with the conduct of a trade or business within the United States,";

(2) by striking out "from sources within the United States" in paragraph (1) and inserting in lieu thereof "which is effectively connected with the conduct of a trade or business within the United States,";

(3) by striking out "from sources within the United States" in paragraph (2) and inserting in lieu thereof ", which is effectively connected with the conduct of a trade or business within the United States,"; and

(4) by adding after paragraph (2) the following new sentence:

"For purposes of this subsection, the gross income of the foreign corporation for any period before the first taxable year beginning after December 31, 1966, which is effectively connected with the conduct of a trade or business within the United States is an amount equal to the gross income for such period from sources within the United States."

(e) Dividends Received From Certain Wholly-Owned Foreign Subsidiaries.—

(1) Section 245 (relating to dividends received from certain foreign corporations) is amended by redesignating subsection (b) as (c), and by inserting after subsection (a) the following new subsection:

"(b) Certain Dividends Received From Wholly-Owned Foreign Subsidiaries.—

"(1) In general.—In the case of dividends described in paragraph (2) received from a foreign corporation by a domestic corporation which, for its taxable year in which such dividends are received, owns (directly or indirectly) all of the outstanding stock of such foreign corporation, there shall be allowed as a deduction (in lieu of the deduction provided by subsection (a)) an amount equal to 100 percent of such dividends.

"(2) Eligible dividends.—Paragraph (1) shall apply only to dividends which are paid out of the earnings and profits of a foreign corporation for a taxable year during which—

"(A) all of its outstanding stock is owned (directly or indirectly) by the domestic corporation to which such dividends are paid; and

"(B) all of its gross income from all sources is effectively connected with the conduct of a trade or business within the United States.

"(3) Exception.—Paragraph (1) shall not apply to any dividends if an election under section 1562 is effective for either—

"(A) the taxable year of the domestic corporation in which such dividends are received, or

"(B) the taxable year of the foreign corporation out of the earnings and profits of which such dividends are paid."

(2) Subsection (a) of such section 245 is amended by adding at the end thereof (after the sentence added by subsection (d)(4)) the following new sentence: "For purposes of paragraph (2), there shall not be taken into account any taxable year within such uninterrupted period if, with respect to dividends paid out of the earnings and profits of such year, the deduction provided by subsection (b) would be allowable."

(3) Subsection (c) of such section 245 (as redesignated by paragraph (1)) is amended by striking out "subsection (a)" and inserting in lieu thereof "subsections (a) and (b)".

(f) Distributions of Certain Foreign Cororations.—Section 301(b)(1)(C) (relating to certain corporate distributees of foreign corporations) is amended—

(1) by striking out "gross income from sources within the United States" in clause (i) and inserting in lieu thereof "gross income which is effectively connected with the conduct of a trade or business within the United States";

(2) by striking out "gross income from sources without the United States" in clause (ii) and inserting in lieu thereof "gross income which is not effectively connected with the conduct of a trade or business within the United States"; and

(3) by adding at the end thereof the following new sentences: "For purposes of clause (i), the gross income of a foreign corporation for any period before its first taxable year beginning after December 31, 1966, which is effectively connected with the conduct of a trade or business within the United States is an amount equal to the gross income for such period from sources within the United States. For purposes of clause (ii), the gross income of a foreign corporation for any period before its first taxable year beginning after December 31, 1966, which is not effectively connected with the conduct of a trade or business within the United States is an amount equal to the gross income for such period from sources without the United States."

(g) Unrelated Business Taxable Income.—The last sentence of section 512(a) (relating to definition) is amended to read as follows: "In the case of an organization described in section 511 which is a foreign organization, the unrelated business taxable income shall be its unrelated business taxable income which is effectively connected with the conduct of a trade or business within the United States."

(h) Corporations Subject to Personal Holding Company Tax.—

(1) Paragraph (7) of section 542(c) (relating to corporations not subject to personal holding company tax) is amended to read as follows:

"(7) a foreign corporation (other than a corporation which has income to which section 543(a)(7) applies for the taxable year), if all of its stock outstanding during the last half of the taxable year is owned by nonresident alien individuals, whether directly or indirectly through foreign estates, foreign trusts, foreign partnerships, or other foreign corporations;".

(2) Section 543(b)(1) (relating to definition of ordinary gross income) is amended—

(A) by striking out "and" at the end of subparagraph (A),

(B) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof ", and", and

(C) by inserting after subparagraph (B) the following new subparagraph:

"(C) in the case of a foreign corporation all of the outstanding stock of which during the last half of the taxable year is owned by nonresident alien individuals (whether directly or indirectly through foreign estates, foreign trusts, foreign partnerships, or other foreign corporations), all items of income which would, but for this subparagraph, constitute personal holding company income under any paragraph of subsection (a) other than paragraph (7) thereof."

(3) Section 545 (relating to definition of undistributed personal holding company income) is amended—

(A) by striking out subsection (a) and inserting in lieu thereof the following:

"(a) Definition.—For purposes of this part, the term 'undistributed personal holding company income' means the taxable income of a personal holding company adjusted in the manner provided in subsections (b), (c), and (d), minus the dividends paid deduction as defined in section 561. In the case of a personal holding company which is a foreign corporation, not more than 10 percent in value of the outstanding stock of which is owned (within the meaning of section 958(a)) during the last half of the taxable year by United States persons, the term 'undistributed personal holding company income' means the amount determined by multiplying the undistributed personal holding company income (determined without regard to this sentence) by the percentage in value of its outstanding stock which is the greatest percentage in value of its outstanding stock so owned by United States persons on any one day during such period."; and

(B) by adding at the end thereof the following new subsection:

"(d) Certain Foreign Corporations.—In the case of a foreign corporation all of the outstanding stock of which during the last half of the taxable year is owned by nonresident alien individuals (whether directly or indirectly through foreign estates, foreign trusts, foreign partnerships, or other foreign corporations), the taxable income for purposes of subsection (a) shall be the income which constitutes personal holding company income under section 543(a)(7), reduced by the deductions attributable to such income, and adjusted, with respect to such income, in the manner provided in subsection (b)."

(4)(A) Subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end thereof the following new section:

"Sec. 6683. Failure of Foreign Corporation To File Return of Personal Holding Company Tax.

"Any foreign corporation which—

"(1) is a personal holding company for any taxable year, and

"(2) fails to file or to cause to be filed with the Secretary or his delegate a true and accurate return of the tax imposed by section 541,

shall, in addition to other penalties provided by law, pay a penalty equal to 10 percent of the taxes imposed by chapter 1 (including the tax imposed by section 541) on such foreign corporation for such taxable year."

(B) The table of sections for such subchapter B is amended by adding at the end thereof the following new item:

"Sec. 6683. Failure of foreign corporation to file return of personal holding company tax."

(i) Amendments With Respect to Foreign Corporations Carrying on Insurance Business in United States.—

(1) Section 842 (relating to computation of gross income) is amended to read as follows:

"Sec. 842. Foreign Corporations Carrying on Insurance Business.

"If a foreign corporation carrying on an insurance business within the United States would qualify under part I, II, or III of this subchapter for the taxable year if (without regard to income not effectively connected with the conduct of any trade or business within the United States) it were a domestic corporation, such corporation shall be taxable under such part on its income effectively connected with its conduct of any trade or business within the United States. With respect to the remainder of its income, which is from sources within the United States, such a foreign corporation shall be taxable as provided in section 881."

(2) The table of sections for part IV of subchapter L of chapter 1 is amended by striking out the item relating to section 842 and inserting in lieu thereof the following:

"Sec. 842. Foreign corporations carrying on insurance business."

(3) Section 819 (relating to foreign life insurance companies) as amended—

(A) by striking out subsections (a) and (d) and by redesignating subsections (b) and (c) as subsections (a) and (b),

(B) by striking out "In the case of any company described in subsection (a)," in subsection (a)(1) (as redesignated by subparagraph (A)) and inserting in lieu thereof "In the case of any foreign corporation taxable under this part,",

(C) by striking out "subsection (c)" in the last sentence of subsection (a)(2) (as redesignated by subparagraph (A)) and inserting in lieu thereof "subsection (b)",

(D) by adding at the end of subsection (a) (as redesignated by subparagraph (A)) the following new paragraph:

"(3) Reduction of section 881 tax.—In the case of any foreign corporation taxable under this part, there shall be determined—

"(A) the amount which would be subject to tax under section 881 if the amount taxable under such section were determined without regard to sections 103 and 894, and

"(B) the amount of the reduction provided by paragraph (1).

The tax under section 881 (determined without regard to this paragraph) shall be reduced (but not below zero) by an amount which is the same proportion of such tax as the amount referred to in subparagraph (B) is of the amount referred to in subparagraph (A); but such reduction in tax shall not exceed the increase in tax under this part by reason of the reduction provided by paragraph (1).",

(E) by striking out "for purposes of subsection (a)" each place it appears in subsection (b) (as redesignated by subparagraph (A)) and inserting in lieu thereof "with respect to a foreign corporation",

(F) by striking out "foreign life insurance company" each place it appears in such subsection (b) and inserting in lieu thereof "foreign corporation",

(G) by striking out "subsection (b)(2)(A)" each place it appears in such subsection (b) and inserting in lieu thereof "subsection (a)(2)(A)",

(H) by striking out "subsection (b)(2)(B)" in paragraph (2)(B)(ii) of such subsection (b) and inserting in lieu thereof "subsection (a)(2)(B)", and

(I) by adding at the end thereof the following new subsection:

"(c) Cross Reference.—

"For taxation of foreign corporations carrying on life insurance business within the United States, see section 842."

(4) Section 821 (relating to tax on mutual insurance companies to which part II applies) is amended—

(A) by striking out subsection (e) and by redesignating subsections (f) and (g) as subsections (e) and (f), and

(B) by adding at the end of subsection (f) (as redesignated by subparagraph (A)) the following:

"(3) For taxation of foreign corporations carrying on an insurance business within the United States, see section 842."

(5) Section 822 (relating to determination of taxable investment income) is amended by striking out subsection (e) and by redesignating subsection (f) as subsection (e).

(6) Section 831 (relating to tax on certain other insurance companies) is amended—

(A) by striking out subsection (b) and by redesignating subsection (c) as subsection (b), and

(B) by amending subsection (d) to read as follows:

"(c) Cross References.—

"(1) For alternative tax in case of capital gains, see section 1201(a).

"(2) For taxation of foreign corporations carrying on an insurance business within the United States, see section 842."

(7) Section 832 (relating to insurance company taxable income) is amended by striking out subsection (d) and by redesignating subsection (e) as subsection (d).

(8) The second sentence of section 841 (relating to credit for foreign taxes) is amended by striking out "sentence," and inserting in lieu thereof "sentence (and for purposes of applying section 906 with respect to a foreign corporation subject to tax under this subchapter),".

(j) Subpart F Income.—Section 952(b) (relating to exclusion of United States income) is amended to read as follows:

"(b) Exclusion of United States Income.— In the case of a controlled foreign corporation, subpart F income does not include any item of income from sources within the United States which is effectively connected with the conduct by such corporation of a trade or business within the United States unless such item is exempt from taxation (or is subject to a reduced rate of tax) pursuant to a treaty obligation of the United States."

(k) Gain From Certain Sales or Exchanges of Stock in Certain Foreign Corporations.—Paragraph (4) of section 1248 (d) (relating to exclusions from earnings and profits) is amended to read as follows:

"(4) United States Income—Any item includible in gross income of the foreign corporation under this chapter—

"(A) for any taxable year beginning before January 1, 1967, as income derived from sources within the United States of a foreign corporation engaged in trade or business within the United States, or

"(B) for any taxable year beginning after December 31, 1966, as income effectively connected with the conduct by such corporation of a trade or business within the United States.

This paragraph shall not apply with respect to any item which is exempt from taxation (or is subject to a reduced rate of tax) pursuant to a treaty obligation of the United States."

(l) Declaration of Estimated Income Tax by Corporations.—Section 6016 (relating to declarations of estimated income tax by corporations) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) Certain Foreign Corporations.—For purposes of this section and section 6655, in the case of a foreign corporation subject to taxation under section 11 or 1201(a), or under subchapter L of chapter 1, the tax imposed by section 881 shall be treated as a tax imposed by section 11."

(m) Technical Amendments.—

(1) Section 884 is amended to read as follows:

"Sec. 884. Cross References.

"(1) For special provisions relating to unrelated business income of foreign educational, charitable, and certain other exempt organizations, see section 512(a).

"(2) For special provisions relating to foreign corporations carrying on an insurance business within the United States, see section 842.

"(3) For rules applicable in determining whether any foreign corporation is engaged in trade or business within the United States, see section 864(b).

"(4) For adjustment of tax in case of corporations of certain foreign countries, see section 896.

"(5) For allowance of credit against the tax in case of a foreign corporation having income effectively connected with the conduct of a trade or business within the United States, see section 906.

"(6) For withholding at source of tax on income of foreign corporations, see section 1442."

(2) Section 953(b)(3)(F) is amended by striking out "832(b)(5)" and inserting in lieu thereof "832(c)(5)".

(3) Section 1249(a) is amended by striking out "Except as provided in subsection (c), gain" and inserting in lieu thereof "Gain".

(n) Effective Dates.—The amendments made by this section (other than subsection (k)) shall apply with respect to taxable years beginning after December 31, 1966. The amendment made by subsection (k) shall apply with respect to sales or exchanges occurring after December 31, 1966.

Sec. 105. Special Tax Provisions

(a) Income Affected by Treaty.—Section 894 (relating to income exempt under treaties) is amended to read as follows:

"Sec. 894. Income Affected by Treaty.

"(a) Income Exempt Under Treaty.—Income of any kind, to the extent required by any treaty obligation of the United States, shall not be included in gross income and shall be exempt from taxation under this subtitle.

"(b) Permanent Establishment in United States.—For purposes of applying any exemption from, or reduction of, any tax provided by any treaty to which the United States is a party with respect to income which is not effectively connected with the conduct of a trade or business within the United States, a nonresident alien individual or a foreign corporation shall be deemed not to have a permanent establishment in the United States at any time during the taxable year. This subsection shall not apply in respect of the tax computed under section 877(b)."

(b) Adjustment of Tax Because of Burdensome or Discriminatory Foreign Taxes.—Subpart C of part II of subchapter N of chapter 1 (relating to miscellaneous provisions applicable to nonresident aliens and foreign corporations) is amended by adding at the end thereof the following new section:

"Sec. 896. Adjustment of Tax on Nationals, Residents, and Corporations of Certain Foreign Countries.

"(a) Imposition of More Burdensome Taxes by Foreign Country.—Whenever the President finds that—

"(1) under the laws of any foreign country, considering the tax system of such foreign country, citizens of the United States not residents of such foreign country or domestic corporations are being subjected to more burdensome taxes, on any item of income received by such citizens or corporations from sources within such foreign country, than taxes imposed by the provisions of this subtitle on similar income derived from sources within the United States by residents or corporations of such foreign country,

"(2) such foreign country, when requested by the United States to do so, has not acted to revise or reduce such taxes so that they are no more burdensome than taxes imposed by the provisions of this subtitle on similar income derived from sources within the United States by residents or corporations of such foreign country, and

"(3) it is in the public interest to apply pre-1967 tax provisions in accordance with the provisions of this subsection to residents or corporations of such foreign country,

the President shall proclaim that the tax on such similar income derived from sources within the United States by residents or corporations of such foreign country shall, for taxable years beginning after such proclamation, be determined under this subtitle without regard to amendments made to this subchapter and chapter 3 on or after the date of enactment of this section.

"(b) Imposition of Discriminatory Taxes by Foreign Country.—Whenever the President finds that—

"(1) under the laws of any foreign country, citizens of the United States or domestic corporations (or any class of such citizens or corporations) are, with respect to any item of income, being subjected to a higher effective rate of tax than are nationals, residents, or corporations of such foreign country (or a similar class of such nationals, residents, or corporations) under similar circumstances;

"(2) such foreign country, when requested by the United States to do so, has not acted to eliminate such higher effective rate of tax; and

"(3) it is in the public interest to adjust, in accordance with the provisions of this subsection, the effective rate of tax imposed by this subtitle on similar income of nationals, residents, or corporations of such foreign country (or such similar class of such nationals, residents, or corporations),

the President shall proclaim that the tax on similar income of nationals, residents, or corporations of such foreign country (or such similar class of such nationals, residents, or corporations) shall, for taxable years beginning after such proclamation, be adjusted so as to cause the effective rate of tax imposed by this subtitle on such similar income to be substantially equal to the effective rate of tax imposed by such foreign country on such item of income of citizens of the United States or domestic corporations (or such class of citizens or corporations). In implementing a proclamation made under this subsection, the effective rate of tax imposed by this subtitle on an item of income may be adjusted by the disallowance, in whole or in part, of any deduction, credit, or exemption which would otherwise be allowed with respect to that item of income or by increasing the rate of tax otherwise applicable to that item of income.

"(c) Alleviation of More Burdensome or Discriminatory Taxes.—Whenever the President finds that—

"(1) the laws of any foreign country with respect to which the President has made a proclamation under subsection (a) have been modified so that citizens of the United States not residents of such foreign country or domestic corporations are no longer subject to more burdensome taxes on the item of income derived by such citizens or corporations from sources within such foreign country, or

"(2) the laws of any foreign country with respect to which the President has made a proclamation under subsection (b) have been modified so that citizens of the United States or domestic corporations (or any class of such citizens or corporations) are no longer subject to a higher effective rate of tax on the item of income.

he shall proclaim that the tax imposed by this subtitle on the similar income of nationals, residents, or corporations of such foreign country shall, for any taxable year beginning after such proclamation, be determined under this subtitle without regard to such subsection.

"(d) Notification of Congress Required.—No proclamation shall be issued by the President pursuant to this section unless, at least thirty days prior to such proclamation, he has notified the Senate and the House of Representatives of his intention to issue such proclamation.

"(e) Implementation by Regulations.—The Secretary or his delegate shall prescribe such regulations as he deems necessary or appropriate to implement this section."

(c) Clerical Amendments.—The table of sections for subpart C of part II of subchapter N of chapter 1 is amended—

(1) by striking out the item relating to section 894 and inserting in lieu thereof

"Sec. 894. Income affected by treaty.";

(2) by adding at the end of such table the following:

"Sec. 896. Adjustment of tax on nationals, residents, and corporations of certain foreign countries."

(d) Effective Date.—The amendments made by this section (other than subsections (e) and (f) shall apply with respect to taxable years beginning after December 31, 1966.

(e) Elections by Nonresident United States Citizens Who Are Subject to Foreign Community Property Laws.—

(1) Part III of subchapter N of chapter 1 (relating to income from sources without the United States) is amended by adding at the end thereof the following new subpart:

"Subpart H—Income of Certain Nonresident United States Citizens Subject to Foreign Community Property Laws

"Sec. 981. Elections as to treatment of income subject to foreign community property laws.

"(a) General Rule.—In the case of any taxable year beginning after December 31, 1966, if—

"(1) an individual is (A) a citizen of the United States, (B) a bona fide resident of a foreign country or countries during the entire taxable year, and (C) married at the close of the taxable year to a spouse who is a nonresident alien during the entire taxable year, and

"(2) such individual and his spouse elect to have subsection (b) apply to their community income under foreign community property laws,

then subsection (b) shall apply to such income of such individual and such spouse for the taxable year and for all subsequent taxable years for which the requirements of paragraph (1) are met, unless the Secretary or his delegate consents to a termination of the election.

"(b) Treatment of Community Income.—For any taxable year to which an election made under subsection (a) applies, the community income under foreign community property laws of the husband and wife making the election shall be treated as follows:

"(1) Earned income (within the meaning of the first sentence of section 911(b)), other than trade or business income and a partner's distributive share of partnership income, shall be treated as the income of the spouse who rendered the personal services.

"(2) Trade or business income, and a partner's distributive share of partnership income, shall be treated as provided in section 1402(a)(5).

"(3) Community income not described in paragraph (1) or (2) which is derived from the separate property (as determined under the applicable foreign community property law) of one spouse shall be treated as the income of such spouse.

"(4) All other such community income shall be treated as provided in the applicable foreign community property law.

"(c) Election for Pre-1967 Years.—

"(1) Election.—If an individual meets the requirements of subsections (a)(1)(A) and (C) for any taxable year beginning before January 1, 1967, and if such individual and the spouse referred to in subsection (a)(1)(C) elect under this subsection, then paragraph (2) of this subsection shall apply to their community income under foreign community property laws for all open taxable years beginning before January 1, 1967 (whether under this chapter, the corresponding provisions of the Internal Revenue Code of 1939, or the corresponding provisions of prior revenue laws), for which the requirements of subsection (a)(1)(A) and (C) are met.

"(2) Effect of election.—For any taxable year to which an election made under this subsection applies, the community income under foreign community property laws of the husband and wife making the election shall be treated as provided by subsection (b), except that the other community income described in paragraph (4) of subsection (b) shall be treated as the income of the spouse who, for such taxable year, had gross income under paragraphs (1), (2), and (3) of subsection (b), plus separate gross income, greater than that of the other spouse.

"(d) Time for Making Elections; Period of Limitations; etc.—

"(1) Time.—An election under subsection (a) or (c) for a taxable year may be made at any time while such year is still open, and shall be made in such mnner as the Secretary or his delegate shall by regulations prescribe.

"(2) Extension of period for assessing deficiencies and making refunds.—If any taxable year to which an election under subsection (a) or (c) applies is open at the time such election is made, the period for assessing a deficiency against, and the period for filing claim for credit or refund of any overpayment by, the husband and wife for such taxable year, to the extent such deficiency or overpayment is attributable to such an election, shall not expire before 1 year after the date of such election.

"(3) Alien spouse need not join in subsection (c) election in certain cases.—If the Secretary or his delegate determines—

"(A) that an election under subsection (c) would not affect the liability for Federal income tax of the spouse referred to in subsection (a)(1)(C) for any taxable year, or

"(B) that the effect on such liability for tax cannot be ascertained and that to deny the election to the citizens of the United States would be inequitable and cause undue hardship,

such spouse shall not be required to join in such election, and paragraph (2) of this subsection shall not apply with respect to such spouse.

"(4) Interest.—To the extent that any overpayment or deficiency for a taxable year is attributable to an election made under this section, no interest shall be allowed or paid for any period before the day which is 1 year after the date of such election.

"(e) Definitions and Special Rules.—For purposes of this section—

"(1) Deductions.—Deductions shall be treated in a manner consistent with the manner provided by this section for the income to which they relate.

"(2) Open years.—A taxable year of a citizen of the United States and his spouse shall be treated as 'open' if the period for assessing a deficiency against such citizen for such year has not expired before the date of the election under subsection (a) or (c), as the case may be.

"(3) Elections in case of decedents.—If a husband or wife is deceased his election under this section may be made by his executor, administrator, or other person charged with his property.

"(4) Death of spouse during taxable year.—In applying subsection (a)(1)(C), and in determining under subsection (c)(2) which spouse has the greater income for a taxable year, if a husband or wife dies the taxable year of the surviving spouse shall be treated as ending on the date of such death."

(2) The table of subparts for such part III is amended by adding at the end thereof the following:

"Subpart H. Income of certain nonresident United States citizens subject to foreign community property laws."

(3) Section 911(d) (relating to earned income from sources without the United States) is amended—

(A) by striking out "For administrative" and inserting in lieu thereof the following: "(1) For administrative"; and

(B) by adding at the end thereof the following:

"(2) For elections as to treatment of income subject to foreign community property laws, see section 981."

(f) Presumptive Date of Payment for Tax Withheld Under Chapter 3.—

(1) Section 6513(b) (relating to time tax is considered paid in the case of prepaid income tax) is amended to read as follows:

"(b) Prepaid Income Tax.—For purposes of section 6511 or 6512—

"(1) Any tax actually deducted and withheld at the source during any calendar year under chapter 24 shall, in respect of the recipient of the income, be deemed to have been paid by him on the 15th day of the fourth month following the close of his taxable year with respect to which such tax is allowable as a credit under section 31.

"(2) Any amount paid as estimated income tax for any taxable year shall be deemed to have been paid on the last day prescribed for filing the return under section 6012 for such taxable year (determined without regard to any extension of time for filing such return).

"(3) Any tax withheld at the source under chapter 3 shall, in respect of the receipient of the income, be deemed to have been paid by such receipient on the last day prescribed for filing the return under section 6012 for the taxable year (determined without regard to any extension of time for filing) with respect to which such tax is allowable as a credit under section 1452. For this purpose, any exemption granted under section 6012 from the requirement of filing a return shall be disregarded."

(2) Section 6513(c) (relating to return and payment of Social Security taxes and income tax withholding) is amended—

(A) by striking out "chapter 21 or 24" and inserting in lieu thereof "chapter 3, 21, or 24"; and

(B) by striking out "remuneration" in paragraph (2) and inserting in lieu thereof "remuneration or other amount".

(3) Section 6501(b) (relating to time returns deemed filed) is amended—

(A) by striking out "chapter 21 or 24" in paragraphs (1) and (2) and inserting in lieu thereof "chapter 3, 21, or 24"; and

(B) by inserting after "taxes" in the heading of paragraph (2) "and tax imposed by chapter 3".

(4) The amendments made by this subsection shall take effect on the date of the enactment of this Act.

Sec. 106. Foreign Tax Credit.

(a) Allowance of Credit to Certain Nonresident Aliens and Foreign Corporations.—

(1) Subpart A of part III of subchapter N of chapter 1 (relating to foreign tax credit)

is amended by adding at the end thereof the following new section:

"Sec. 906. Nonresident Alien Individuals and Foreign Corporations.

"(a) Allowance of Credit.—A nonresident alien individual or a foreign corporation engaged in trade or business within the United States during the taxable year shall be allowed a credit under section 901 for the amount of any income, war profits, and excess profits taxes paid or accrued during the taxable year (or deemed, under section 902, paid or accrued during the taxable year) to any foreign country or possession of the United States with respect to income effectively connected with the conduct of a trade or business within the United States.

"(b) Special Rules.—

"(1) For purposes of subsection (a) and for purposes of determining the deductions allowable under sections 873(a) and 882(c), in determining the amount of any tax paid or accrued to any foreign country or possession there shall not be taken into account any amount of tax to the extent the tax so paid or accrued is imposed with respect to income from sources within the United States which would not be taxed by such foreign country or possession but for the fact that—

"(A) in the case of a nonresident alien individual, such individual is a citizen or resident of such foreign country or possession, or

"(B) in the case of a foreign corporation, such corporation was created or organized under the law of such foreign country or possession or is domiciled for tax purposes in such country or possession.

"(2) For purposes of subsection (a), in applying section 904 the taxpayer's taxable income shall be treated as consisting only of the taxable income effectively connected with the taxpayer's conduct of a trade or business within the United States.

"(3) The credit allowed pursuant to subsection (a) shall not be allowed against any tax imposed by section 871(a) (relating to income of nonresident alien individuals not connected with United States business) or 881 (relating to income of foreign corporations not connected with United States business).

"(4) For purposes of sections 902(a) and 78, a foreign corporation choosing the benefits of this subpart which receives dividends shall, with respect to such dividends, be treated as a domestic corporation."

(2) The table of sections for such subpart A is amended by adding at the end thereof the following:

"Sec. 906. Nonresident alien individuals and foreign corporations."

(3) Section 874(c) is amended by striking out

"(c) Foreign Tax Credit Not Allowed.—A nonresident" and inserting in lieu thereof the following:

"(c) Foreign Tax Credit.—Except as provided in section 906, a nonresident".

(4) Subsection (b) of section 901 (relating to amount allowed) is amended by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following new paragraph:

"(4) Nonresident alien individuals and foreign corporations.—In the case of any nonresident alien individual not described in section 876 and in the case of any foreign corporation, the amount determined pursuant to section 906; and".

(5) Paragraph (5) (as redesignated) of section 901(b) is amended by striking out "or (3)," and inserting in lieu thereof "(3), or (4),".

(6) The amendments made by this subsection shall apply with respect to taxable years beginning after December 31, 1966. In applying section 904 of the Internal Revenue Code of 1954 with respect to section 906 of such Code, no amount may be carried from or to any taxable year beginning before January 1, 1967, and no such year shall be taken into account.

(b) Alien Residents of the United States or Puerto Rico.—

(1) Paragraph (3) of section 901(b) (relating to amount of foreign tax credit allowed in case of alien resident of the United States or Puerto Rico) is amended by striking out ", if the foreign country of which such alien resident is a citizen or subject, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country".

(2) Section 901 is amended by redesignating subsections (c) and (d) as subsections (d) and (e), and by inserting after subsection (b) the following new subsection:

"(c) Similar Credit Required for Certain Alien Residents.—Whenever the President finds that—

"(1) a foreign country, in imposing income, war profits, and excess profits taxes, does not allow to citizens of the United States residing in such foreign country a credit for any such taxes paid or accrued to the United States or any foreign country, as the case may be, similar to the credit allowed under subsection (b)(3),

"(2) such foreign country, when requested by the United States to do so, has not acted to provide such a similar credit to citizens of the United States residing in such foreign country, and

"(3) it is in the public interest to allow the credit under subsection (b)(3) to citizens or subjects of such foreign country only if it allows such a similar credit to citizens of the United States residing in such foreign country,

the President shall proclaim that, for taxable years beginning while the proclamation remains in effect, the credit under subsection (b)(3) shall be allowed to citizens or subjects of such foreign country only if such foreign country, in imposing income, war profits, and excess profits taxes, allows to citizens of the United States residing in such foreign country such a similar credit."

(3) Section 2014 (relating to credit for foreign death taxes) is amended by striking out the second sentence of subsection (a), and by adding at the end of such section the following new subsection:

"(h) Similar Credit Required for Certain Alien Residents.—Whenever the President finds that—

"(1) a foreign country, in imposing estate, inheritance, legacy, or succession taxes, does not allow to citizens of the United States resident in such foreign country at the time of death a credit similar to the credit allowed under subsection (a),

"(2) such foreign country, when requested by the United States to do so has not acted to provide such a similar credit in the case of citizens of the United States resident in such foreign country at the time of death, and

"(3) it is in the public interest to allow the credit under subsection (a) in the case of citizens or subjects of such foreign country only if it allows such a similar credit in the case of citizens of the United States resident in such foreign country at the time of death, the President shall proclaim that, in the case of citizens or subjects of such foreign country dying while the proclamation remains in effect, the credit under subsection (a) shall be allowed only if such foreign country allows such a similar credit in the case of citizens of the United States resident in such foreign country at the time of death."

(4) The amendments made by this subsection (other than paragraph (3)) shall apply with respect to taxable years beginning after December 31, 1966. The amendment made by paragraph (3) shall apply with respect to estates of decedents dying after the date of the enactment of this Act.

(c) Foreign Tax Credit in Respect of Interest Received From Foreign Subsidiaries.—

(1) Section 904(f)(2) (relating to application of limitations on foreign tax credit in case of certain interest income) is amended—

(A) by striking out subparagraph (C) and inserting in lieu thereof the following:

"(C) received from a corporation in which the taxpayer (or one or more includible corporations in an affiliated group, as defined in section 1504, of which the taxpayer is a member) owns, directly or indirectly, at least 10 percent of the voting stock,".

(B) by adding at the end thereof the following new sentence:

"For purposes of subparagraph (C), stock owned, directly or indirectly, by or for a foreign corporation shall be considered as being proportionately owned by its shareholders."

(2) The amendments made by paragraph (1) shall apply to interest received after December 31, 1965, in taxable years ending after such date.

Sec. 107. Amendment To Preserve Existing Law on Deductions Under Section 931.

(a) Deductions.—Subsection (d) of section 931 (relating to deductions) is amended to read as follows:

"(d) Deductions.—

"(1) General rule.—Except as otherwise provided in this subsection and subsection (e), in the case of persons entitled to the benefits of this section the deductions shall be allowed only if and to the extent that they are connected with income from sources within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined as provided in part I, under regulations prescribed by the Secretary or his delegate.

"(2) Exceptions.—The following deductions shall be allowed whether or not they are connected with income from sources within the United States:

"(A) The deduction, for losses not connected with the trade or business if incurred in transactions entered into for profit, allowed by section 165(c)(2), but only if the profit, if such transaction had resulted in a profit, would be taxable under this subtitle.

"(B) The deduction, for losses of property not connected with the trade or business if arising from certain casualties or theft, allowed by section 165(c)(3), but only if the loss is of property within the United States.

"(C) The deduction for charitable contributions and gifts allowed by section 170.

"(3) Deduction disallowed.—

"For disallowance of standard deduction, see section 142(b)(2)."

(b) Effective Date.—The amendment made by this section shall apply with respect to taxable years beginning after December 31, 1966.

Sec. 108. Estates of Nonresidents Not Citizens.

(a) Rate of Tax.—Subsection (a) of section 2101 (relating to tax imposed in case of estates of nonresidents not citizens) is amended to read as follows:

"(a) Rate of Tax.—Except as provided in section 2107, a tax computed in accordance with the following table is hereby imposed on the transfer of the taxable estate, determined as provided in section 2106, of every decedent nonresident not a citizen of the United States:

"If the taxable estate is:	The tax shall be:
Not over $100,000	5% of the taxable estate.
Over $100,000 but not over $500,000	$5,000, plus 10% of excess over $100,000.
Over $500,000 but not over $1,000,000	$45,000, plus 15% of excess over $500,000.
Over $1,000,000 but not over $2,000,000	$120,000, plus 20% of excess over $1,000,000.
Over $2,000,000	$320,000, plus 25% of excess over $2,000,000.

(b) CREDITS AGAINST TAX.—Section 2102 (relating to credits allowed against estate tax) is amended to read as follows:

"SEC. 2102. CREDITS AGAINST TAX.

"(a) IN GENERAL.—The tax imposed by section 2101 shall be credited with the amounts determined in accordance with sections 2011 to 2013, inclusive (relating to State death taxes, gift tax, and tax on prior transfers), subject to the special limitation provided in subsection (b).

"(b) SPECIAL LIMITATION.—The maximum credit allowed under section 2011 against the tax imposed by section 2101 for State death taxes paid shall be an amount which bears the same ratio to the credit computed as provided in section 2011(b) as the value of the property, as determined for purposes of this chapter, upon which State death taxes were paid and which is included in the gross estate under section 2103 bears to the value of the total gross estate under section 2103. For purposes of this subsection, the term 'State death taxes' means the taxes described in section 2011(a)."

(c) PROPERTY WITHIN THE UNITED STATES.—Section 2104 (relating to property within the United States) is amended by adding at the end thereof the following new subsection:

"(c) DEBT OBLIGATIONS.—For purposes of this subchapter, debt obligations of—

"(1) a United States person, or

"(2) the United States, a State or any political subdivision thereof, or the District of Columbia.

owned and held by a nonresident not a citizen of the United States shall be deemed property within the United States. With respect to estates of decedents dying after December 31, 1971, deposits with a domestic branch of a foreign corporation, if such branch is engaged in the commercial banking business, shall, for purposes of this subchapter, be deemed property within the United States. This subsection shall not apply to a debt obligation to which section 2105(b) applies or to a debt obligation of a domestic corporation if any interest on such obligation, were such interest received by the decedent at the time of his death, would be treated by reason of section 861(a)(1)(B) as income from sources without the United States."

(d) PROPERTY WITHOUT THE UNITED STATES.—Subsection (b) of section 2105 (relating to bank deposits) is amended to read as follows:

"(b) CERTAIN BANK DEPOSITS, ETC.—For purposes of this subchapter—

"(1) amounts described in section 861(c) if any interest thereon, were such interest received by the decedent at the time of his death, would be treated by reason of section 861(a)(1)(A) as income from sources without the United States, and

"(2) deposits with a foreign branch of a domestic corporation or domestic partnership, if such branch is engaged in the commercial banking business,

shall not be deemed property within the United States."

(e) DEFINITION OF TAXABLE ESTATE.—Paragraph (3) section 2106(a) (relating to deduction of exemption from gross estate) is amended to read as follows:

"(3) EXEMPTION.—

"(A) GENERAL RULE.—An exemption of $30,000.

"(B) RESIDENTS OF POSSESSIONS OF THE UNITED STATES.—In the case of a decedent who is considered to be a 'nonresident not a citizen of the United States' under the provisions of section 2209, the exemption shall be the greater of (i) $30,000, or (ii) that proportion of the exemption authorized by section 2052 which the value of that part of the decedent's gross estate which at the time of his death is situated in the United States bears to the value of his entire gross estate wherever situated."

(f) SPECIAL METHOD OF COMPUTING TAX.—Subchapter B of chapter 11 (relating to estates of nonresidents not citizens) is amended by adding at the end thereof the following new sections:

"SEC. 2107. EXPATRIATION TO AVOID TAX.

"(a) RATE OF TAX.—A tax computed in accordance with the table contained in section 2001 is hereby imposed on the transfer of the taxable estate, determined as provided in section 2106, of every decedent nonresident not a citizen of the United States dying after the date of enactment of this section, if after March 8, 1965, and within the 10-year period ending with the date of death such decedent lost United States citizenship, unless such loss did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle A.

"(b) GROSS ESTATE.—For purposes of the tax imposed by subsection (a), the value of the gross estate of every decedent to whom subsection (a) applies shall be determined as provided in section 2103, except that—

"(1) if such decedent owned (within the meaning of section 958(a)) at the time of his death 10 percent or more of the total combined voting power of all classes of stock entitled to vote of a foreign corporation, and

"(2) if such decedent owned (within the meaning of section 958(a)), or is considered to have owned (by applying the ownership rules of section 958(b)), at the time of his death, more than 50 percent of the total combined voting power of all classes of stock entitled to vote of such foreign corporation,

then that proportion of the fair market value of the stock of such foreign corporation owned (within the meaning of section 958(a)) by such decedent at the time of his death, which the fair market value of any assets owned by such foreign corporation and situated in the United States, at the time of his death, bears to the total fair market value of all assets owned by such foreign corporation at the time of his death, shall be included in the gross estate of such decedent. For purposes of the preceding sentence, a decedent shall be treated as owning stock of a foreign corporation at the time of his death if, at the time of a transfer, by trust or otherwise, within the meaning of sections 2035 to 2038, inclusive, he owned such stock.

"(c) CREDITS.—The tax imposed by subsection (a) shall be credited with the amounts determined in accordance with section 2102.

"(d) EXCEPTION FOR LOSS OF CITIZENSHIP FOR CERTAIN CAUSES.—Subsection (a) shall not apply to the transfer of the estate of a decedent whose loss of United States citizenship resulted from the application of section 301(b), 350, or 355 of the Immigration and Nationality Act, as amended (8 U.S.C. 1401(b), 1482, or 1487).

"(e) BURDEN OF PROOF.—If the Secretary or his delegate establishes that it is reasonable to believe that an individual's loss of United States citizenship would, but for this section, result in a substantial reduction in the estate, inheritance, legacy, and succession taxes in respect of the transfer of his estate, the burden of proving that such loss of citizenship did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle A shall be on the executor of such individual's estate.

"SEC. 2108. APPLICATION OF PRE-1967 ESTATE TAX PROVISIONS.

"(a) IMPOSITION OF MORE BURDENSOME TAX BY FOREIGN COUNTRY.—Whenever the President finds that—

"(1) under the laws of any foreign country, considering the tax system of such foreign country, a more burdensome tax is imposed by such foreign country on the transfer of estates of decedents who were citizens of the United States and not residents of such foreign country than the tax imposed by this subchapter on the transfer of estates of decedents who were residents of such foreign country,

"(2) such foreign country, when requested by the United States to do so, has not acted to revise or reduce such tax so that it is no more burdensome than the tax imposed by this subchapter on the transfer of estates of decedents who were residents of such foreign country, and

"(3) it is in the public interest to apply pre-1967 tax provisions in accordance with this section to the transfer of estates of decedents who were residents of such foreign country,

the President shall proclaim that the tax on the transfer of the estate of every decedent who was a resident of such foreign country at the time of his death shall, in the case of decedents dying after the date of such proclamation, be determined under this subchapter without regard to amendments made to sections 2101 (relating to tax imposed), 2102 (relating to credits against tax), 2106 (relating to taxable estate), and 6018 (relating to estate tax returns) on or after the date of enactment of this section.

"(b) ALLEVIATION OF MORE BURDENSOME TAX.—Whenever the President finds that the laws of any foreign country with respect to which the President has made a proclamation under subsection (a) have been modified so that the tax on the transfer of estates of decedents who were citizens of the United States and not residents of such foreign country is no longer more burdensome than the tax imposed by this subchapter on the transfer of estates of decedents who were residents of such foreign country, he shall proclaim that the tax on the transfer of the estate of every decedent who was a resident of such foreign country at the time of his death shall, in the case of decedents dying after the date of such proclamation, be determined under this subchapter without regard to subsection (a).

"(c) NOTIFICATION OF CONGRESS REQUIRED.—No proclamation shall be issued by the President pursuant to this section unless, at least 30 days prior to such proclamation, he has notified the Senate and the House of Representatives of his intention to issue such proclamation.

"(d) IMPLEMENTATION BY REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary or appropriate to implement this section."

(g) ESTATE TAX RETURNS.—Paragraph (2) of section 6018(a) (relating to estates of nonresidents not citizens) is amended by striking out "$2,000" and inserting in lieu thereof "$30,000".

(h) CLERICAL AMENDMENT.—The tables of sections for subchapter B of chapter 11 (relating to estates of nonresidents not citizens) is amended by adding at the end thereof the following:

"Sec. 2107. Expatriation to avoid tax.

"Sec. 2108. Application of pre-1967 estate tax provisions."

(i) Effective Date.—The amendments made by this section shall apply with respect to estates of decedents dying after the date of the enactment of this Act.

Sec. 109. Tax on Gifts of Nonresidents Not Citizens.

(a) Imposition of Tax.—Subsection (a) of section 2501 (relating to general rule for imposition of tax) is amended to read as follows:

"(a) Taxable Transfers.—

"(1) General rule.—For the calendar year 1955 and each calendar year thereafter a tax, computed as provided in section 2502, is hereby imposed on the transfer of property by gift during such calendar year by any individual, resident or nonresident.

"(2) Transfers of intangible property.—Except as provided in paragraph (3), paragraph (1) shall not apply to the transfer of intangible property by a nonresident not a citizen of the United States.

"(3) Exceptions.—Paragraph (2) shall not apply in the case of a donor who at any time after March 8, 1965, and within the 10-year period ending with the date of transfer lost United States citizenship unless—

"(A) such donor's loss of United States citizenship resulted from the application of section 301(b), 350, or 355 of the Immigration and Nationality Act, as amended (8 U.S.C. 1401(b), 1482, or 1487), or

"(B) such loss did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle A.

"(4) Burden of proof.—If the Secretary or his delegate establishes that it is reasonable to believe that an individual's loss of United States citizenship would, but for paragraph (3), result in a substantial reduction for the calendar year in the taxes on the transfer of property by gift, the burden of proving that such loss of citizenship did not have for one of its principal purposes the avoidance of taxes under this subtitle or subtitle A shall be on such individual."

(b) Transfers in General.—Subsection (b) of section 2511 (relating to situs rule for stock in a corporation) is amended to read as follows:

"(b) Intangible Property.—For purposes of this chapter, in the case of a nonresident not a citizen of the United States who is excepted from the application of section 2501 (a)(2)—

"(1) shares of stock issued by a domestic corporation, and

"(2) debt obligations of—

"(A) a United States person, or

"(B) the United States, a State or any political subdivision thereof, or the District of Columbia.

which are owned by such nonresident shall be deemed to be property situated within the United States."

(c) Effective Date.—The amendments made by this section shall apply with respect to the calendar year 1967 and all calendar years thereafter.

Sec. 110. Treaty Obligations.

No amendment made by this title shall apply in any case where its application would be contrary to any treaty obligation of the United States. For purposes of the preceding sentence, the extension of a benefit provided by any amendment made by this title shall not be deemed to be contrary to a treaty obligation of the United States.

TITLE II—OTHER AMENDMENTS TO INTERNAL REVENUE CODE

Sec. 201. Application of Investment Credit to Property Used in Possessions of the United States.

(a) Property Used by Domestic Corporations, Etc.—Section 48(a)(2)(B) (relating to property used outside the United States) is amended—

(1) by striking out "and" at the end of clause (v);

(2) by striking out the period at the end of clause (vi) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new clause:

"(vii) any property which is owned by a domestic corporation (other than a corporation entitled to the benefits of section 931 or 934(b)) or by a United States citizen (other than a citizen entitled to the benefits of section 931, 932, 933, or 934(b)) and which is used predominantly in a possession of the United States by such a corporation or such a citizen, or by a corporation created or organized in, or under the law of, a possession of the United States."

(b) Effective Date.—The amendments made by subsection (a) shall apply to taxable years ending after December 31, 1965, but only with respect to property placed in service after such date. In applying section 46(b) of the Internal Revenue Code of 1954 (relating to carryback and carryover of unused credits), the amount of any investment credit carryback to any taxable year ending on or before December 31, 1965, shall be determined without regard to the amendments made by this section.

Sec. 202. Deduction of Medical Expenses of Individuals Age 65 or Over.

(a) Repeal Amendments Made by Social Security Amendments of 1965.—Subsections (a) and (b) of section 106 of the Social Security Amendments of 1965 are repealed.

(b) Cost of Medical Insurance.—Section 213(a) (relating to allowance of deduction for medical, dental, etc., expenses) is amended—

(1) by striking out "and" at the end of paragraph (1)(A);

(2) by inserting after "such expenses" in paragraph (1)(B) "(reduced by any amount deductible under subparagraph (C))";

(3) by striking out the period at the end of paragraph (1)(B) and inserting in lieu thereof ", and";

(4) by adding at the end of paragraph (1) the following new subparagraph:

"(C) an amount (not in excess of $150) equal to one-half of the expenses paid during the taxable year for insurance which constitutes medical care for the taxpayer, his spouse, and dependents (other than any dependent described in subparagraph (A)).";

(5) by striking out "and" at the end of paragraph (2)(B);

(6) by inserting after "such expenses" in paragraph (2)(C) "(reduced by any amount deductible under subparagraph (D))";

(7) by striking out the period at the end of paragraph (2)(C) and inserting in lieu thereof ", and"; and

(8) by adding at the end of paragraph (2) the following new subparagraph:

"(D) an amount (not in excess of $150) equal to one-half of the expenses paid during the taxable year for insurance which constitutes medical care for such dependents (other than any dependent described in paragraph (1)(A))."

(c) Effective Date.—The repeal and amendments made by this section shall apply to taxable years beginning after December 31, 1966.

Sec. 203. Basis of Property Received on Liquidation of Subsidiary.

(a) Definition of Purchase.—Section 334 (b)(3) (relating to definition of purchase) is amended by adding at the end thereof the following new sentence:

"Notwithstanding subparagraph (C) of this paragraph, for purposes of paragraph (2)(B), the term 'purchase' also means an acquisition of stock from a corporation when ownership of such stock would be attributed under section 318(a) to the person acquiring such stock, if the stock of such corporation by reason of which such ownership would be attributed was acquired by purchase (within the meaning of the preceding sentence)."

(b) Period of Acquisition.—Section 334 (b)(2)(B) (relating to exception) is amended by striking out "during a period of not more than 12 months," and inserting in lieu thereof "during a 12-month period beginning with the earlier of—

"(i) the date of the first acquisition by purchase of such stock, or

"(ii) if any of such stock was acquired in an acquisition which is a purchase within the meaning of the second sentence of paragraph (3), the date on which the distributee is first considered under section 318(a) as owning stock owned by the corporation from which such acquisition was made,".

(c) Distribution of Installment Obligations.—Section 453(d)(4)(A) (relating to distribution of installment obligations in certain liquidations) is amended to read as follows:

"(A) Liquidations to which section 332 applies.—If—

"(i) an installment obligation is distributed in a liquidation to which section 332 (relating to complete liquidations of subsidiaries) applies, and

"(ii) the basis of such obligation in the hands of the distributee is determined under section 334(b)(1),

then no gain or loss with respect to the distribution of such obligation shall be recognized by the distributing corporation."

(d) Effective Dates.—The amendment made by subsection (a) shall apply only with respect to acquisitions of stock after December 31, 1965. The amendments made by subsections (b) and (c) shall apply only with respect to distributions made after the date of the enactment of this Act.

Sec. 204. Transfers of Stock and Securities to Corporations Controlled by Transferors.

(a) Transfers to Investment Companies.—The first sentence of section 351(a) (relating to transfers to corporations controlled by transferor) is amended by striking out "to a corporation" and inserting in lieu thereof "to a corporation (including an investment company)".

(b) Effective Date.—The amendment made by subsection (a) shall apply with respect to transfers of property whether made before, on, or after the date of the enactment of this Act.

Sec. 205. Minimum Amount Treated as Earned Income for Retirement Plans of Certain Self-Employed Individuals.

(a) Increase to $6,600.—Section 401(c)(2) (B) (relating ot earned income when both personal services and capital are material income-producing factors) is amended by striking out "$2,500" each place it appears therein and inserting in lieu thereof "$6,600".

(b) Effective Date.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1965.

Sec. 206. Treatment of Certain Income of Authors, Inventors, Etc., as Earned Income for Retirement Plan Purposes

(a) Income From Disposition of Property Created by Taxpayer.—Section 401(c) (2) (relating to definition of earned income) is amended by adding at the end thereof the following new subparagraph:

"(C) Income from disposition of certain property.—For purposes of this section, the term 'earned income" includes gains (other than any gain which is treated under any provision of this chapter as gain from the sale or exchange of a capital asset) and net earnings derived from the sale or other disposition of, the transfer of any interest in, or the licensing or the use of property (other than good will) by an individual whose personal efforts created such property."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 207. EXCLUSION OF CERTAIN RENTS FROM PERSONAL HOLDING COMPANY INCOME.

(a) RENTS FROM LEASES OF CERTAIN TANGIBLE PERSONAL PROPERTY.—Section 543(b)(3) (relating to adjusted income from rents) is amended by striking out "but does not include amounts constituting personal holding company income under subsection (a)(6), nor copyright royalties (as defined in subsection (a)(4) nor produced film rents) (as defined in subsection (a)(5)(B))." and inserting in lieu thereof the following: but such term does not include—

"(A) amounts constituting personal holding company income under subsection (a)(6),

"(B) copyright royalties (as defined in subsection (a)(4)),

"(C) produced film rents (as defined in subsection (a)(5)(B)), or

"(D) compensation, however designated for the use of, or the right to use, any tangible personal property manufactured or produced by the taxpayer, if during the taxable year the taxpayer is engaged in substantial manufacturing or production of tangible personal property of the same type."

(b) TECHNICAL AMENDMENTS.—

(1) Section 543(a)(2) (relating to adjusted income from rents included in personal holding company income) is amended by striking out the last sentence thereof.

(2) Section 543(b)(2) (relating to definition of adjusted ordinary gross income) is amended by adding at the end thereof the following new subparagraph:

"(D) CERTAIN EXCLUDED RENTS.—From the gross income consisting of compensation described in subparagraph (D) of paragraph (3) subtract the amount allowable as deductions for the items described in clauses (i), (ii), (iii), and (iv) of subparagraph (A) to the extent allocable, under regulations prescribed by the Secretary or his delegate, to such gross income. The amount subtracted under this subparagraph shall not exceed such gross income."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after the date of the enactment of this Act. Such amendments shall also apply, at the election of the taxpayer (made at such time and in such manner as the Secretary or his delegate may prescribe), to taxable years beginning on or before such date and ending after December 31, 1965.

SEC. 208. PERCENTAGE DEPLETION RATE FOR CERTAIN CLAY BEARING ALUMINA.

(a) 23 PERCENT RATE.—Section 613(b) (relating to percentage depletion rates) is amended—

(1) by inserting "clay, laterite, and nephelite syenite" after "anorthosite" in paragraph (2)(B); and

(2) by striking out "if paragraph (5)(B) does not apply" in paragraph (3)(B) and inserting in lieu thereof "if neither paragraph (2)(B) nor (5)(B) applies".

(b) TREATMENT PROCESSES.—Section 613(c)(4) (relating to treatment processes considered as mining) is amended—

(1) by striking out "and" at the end of subparagraph (G),

(2) by redesignating subparagraph (H) as (I), and by inserting after subparagraph (G) the following new subparagraph:

"(H) in the case of clay, laterite, and nephelite syenite from deposits in the United States (to the extent that alumina and aluminum compounds are extracted therefrom)—all processes applied to derive alumina or aluminum compounds therefrom; and".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 209. PERCENTAGE DEPLETION RATE FOR CLAM AND OYSTER SHELLS.

(a) 15 PERCENT RATE.—Section 613(b) (relating to percentage depletion rates) is amended—

(1) by striking out "mollusk shells (including clam shells and oyster shells)," in paragraph (5)(A), and

(2) by inserting "mollusk shells (including clam shells and oyster shells)," after "marble," in paragraph (6).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 210. SINTERING AND BURNING OF SHALE, CLAY, AND SLATE USED AS LIGHTWEIGHT AGGREGATES.

(a) TREATMENT PROCESSES.—Section 613(c)(4) (relating to treatment processes considered as mining) is amended by striking out "and the furnacing of quicksilver ores" in subparagraph (E) and inserting in lieu thereof "the furnacing of quicksilver ores, and the sintering or burning of shale, clay, and slate used or sold for use as lightweight aggregates".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 211. STRADDLES.

(a) TREATMENT AS SHORT-TERM CAPITAL GAIN.—Section 1234 (relating to options) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) SPECIAL RULE FOR GRANTORS OF STRADDLES.—

"(1) GAIN ON LAPSE.—In the case of gain on lapse of an option granted by the taxpayer as part of a straddle, the gain shall be deemed to be gain from the sale or exchange of a capital asset held for not more than 6 months on the day that the option expired.

"(2) EXCEPTION.—This subsection shall not apply to any person who holds securities for sale to customers in the ordinary course of his trade or business.

"(3) DEFINITIONS.—For purposes of this subsection—

"(A) The term 'straddle' means a simultaneously granted combination of an option to buy, and an option to sell, the same quantity of a security at the same price during the same period of time.

"(B) The term 'security' has the meaning assigned to such term by section 1236(c)."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to straddle transactions entered into after January 25, 1965, in taxable years ending after such date.

SEC. 212. TAX TREATMENT OF PER-UNIT RETAIN ALLOCATIONS.

(a) TAX TREATMENT OF COOPERATIVES.—

(1) Section 1382(a) (relating to gross income of cooperatives) is amended by striking out the period at the end thereof and inserting "or by reason of any amount paid to a patron as a per-unit retain allocation (as defined in section 1388(f))."

(2) Section 1382(b) is amended—

(A) by striking out "(b) PATRONAGE DIVIDENDS.—" and inserting in lieu thereof "(b) PATRONAGE DIVIDENDS AND PER-UNIT RETAIN ALLOCATIONS.—",

(B) by striking out "or" at the end of paragraph (1),

(C) by striking out the period at the end of paragraph (2) and inserting a semicolon in lieu thereof,

(D) by striking out the sentence following paragraph (2) and inserting in lieu thereof the following:

"(3) as per-unit retain allocations, to the extent paid in qualified per-unit retain certificates (as defined in section 1388(h)) with respect to marketing occurring during such taxable year; or

"(4) in money or other property (except per-unit retain certificates) in redemption of a nonqualified per-unit retain certificate which was paid as a per-unit retain allocation during the payment period for the taxable year during which the marketing occurred."

"For purposes of this title, any amount not taken into account under the preceding sentence shall, in the case of an amount described in paragraph (1) or (2), be treated in the same manner as an item of gross income and as a deduction therefrom, and in the case of an amount described in paragraph (3) or (4), be treated as a deduction in arriving at gross income."

(3) Section 1382(e) is amended to read as follows:

"(e) PRODUCTS MARKETED UNDER POOLING ARRANGEMENTS.—For purposes of subsection (b), in the case of a pooling arrangement for the marketing of products—

"(1) the patronage shall (to the extent provided in regulations prescribed by the Secretary or his delegate) be treated as patronage occurring during the taxable year in which the pool closes, and

(2) the marketing of products shall be treated as occurring during any of the taxable years in which the pool is open."

(4) Section 1382(f) is amended by striking out "subsection (b)" and inserting in lieu thereof "paragraphs (1) and (2) of subsection (b)".

(5) The heading for section 1383 is amended by striking out the period at the end thereof and inserting "OR NONQUALIFIED PER-UNIT RETAIN CERTIFICATES."

(6) Section 1383(a) is amended—

(A) by striking out "section 1382(b)(2)" and inserting in lieu thereof "section 1382(b)(2) or (4),",

(B) by striking out "nonqualified written notices of allocation" each place it appears and inserting in lieu thereof "nonqualified written notices of allocation or nonqualified per-unt retain certificates", and

(C) by striking out "qualified written notices of allocation" and inserting in lieu thereof "qualified written notices of allocation or qualified per-unit retain certificates (as the case may be)".

(7) Section 1383(b)(2) is amended—

(A) by striking out "nonqualified written notice of allocation" and inserting in lieu thereof "nonqualified written notice of allocation or nonqualified per-unit retain certificate",

(B) by striking out "qualified written notice of allocation" and inserting in lieu thereof "qualified written notice of allocation or qualified per-unit retain certificate (as the case may be)",

(C) by striking out "such written notice of allocation" and inserting in lieu thereof "such written notice of allocation or per-unit retain certificate", and

(D) by striking out "section 1382(b)(2)" and inserting in lieu thereof "section 1382(b)(2) or (4),".

(8) The table of sections for part I of subchapter T of chapter 1 is amended by striking out—

"Sec. 1383. Computation of tax where cooperative redeems nonqualified written notices of allocation."

and inserting in lieu thereof—

"Sec. 1383. Computation of tax where cooperative redeems nonqualified written notices of allocation or nonqualified per-unit retain certificates."

(b) TAX TREATMENT BY PATRONS.—

(1) Section 1385(a) is amended by striking out "and" at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting in lieu thereof ",

and", and by adding at the end thereof the following new paragraph:

"(3) the amount of any per-unit retain allocation which is paid in qualified per-unit retain certificates and which is received by him during the taxable year from an organization described in section 1381(a)."

(2) The heading for section 1385(c) is amended by striking out "Allocation" and inserting in lieu thereof "Allocation and Certain Nonqualified Per-Unit Retain Certificates".

(3) Section 1385(c)(1) is amended to read as follows:

"(1) Application of subsection.—This subsection shall apply to—

"(A) any nonqualified written notice of allocation which—

"(i) was paid as a patronage dividend, or

"(ii) was paid by an organization described in section 1381(a)(1) on a patronage basis with respect to earnings derived from business or sources described in section 1382(c)(2)(A), and

"(B) any nonqualified per-unit retain certificate which was paid as a per-unit retain allocation."

(4) Section 1385(c)(2) is amended—

(A) by striking out "nonqualified written notice of allocation" and inserting in lieu thereof "nonqualified written notice of allocation or nonqualified per-unit retain certificate", and

(B) by striking out "such written notice of allocation or pre-unit retain certificate". inserting in lieu thereof "such written notice of allocation or per-unit retain certificate".

(5) The table of parts for subchapter T of chapter 1 is amended by striking out—

"Part II. Tax treatment by patrons of paronage dividends."

and inserting in lieu therof—

"Part II. Tax treatment by patrons of patronage dividends and per-unit retain allocations."

(c) Definitions.—

(1)(A) Section 1388(e)(1) is amended by striking out "allocation)" and inserting in lieu thereof "allocation or a per-unit retain certificate)".

(B) Section 1388(e)(2) is amended by striking out "allocation" and inserting in lieu thereof "allocation or qualified per-unit retain certificate".

(2) Section 1388 is amended by adding at the end thereof the following new subsections:

"(f) Per-Unit Retain Allocation.—For purposes of this subchapter, the term 'per-unit retain allocation' means any allocation, by an organization to which part I of this subchapter applies, other than by payment in money or other property (except per-unit retain certificates) to a patron with respect to products marketed for him, the amount of which is fixed without reference to the net earnings of the organization pursuant to an agreement between the organization and the patron.

"(g) Per-Unit Retain Certificate.—For purposes of this subchapter, the term 'per-unit retain certificate' means any written notice which discloses to the recipient the stated dollar amount of a per-unit retain allocation to him by the organization.

"(h) Qualified Per-Unit Retain Certificate.—

"(1) Defined.—For purposes of this subchapter, the term 'qualified per-unit retain certificate' means any per-unit retain certificate which the distributee has agreed, in the manner provided in paragraph (2), to take into account at its stated dollar amount as provided in section 1385(a).

"(2) Manner of obtaining agreement.—A distributee shall agree to take a per-unit retain certificate into account as provided in paragraph (1) only by—

"(A) making such agreement in writing, or

"(B) obtaining or retaining membership in the organization after—

"(i) such organization has adopted (after the date of the enactment of this subsection) a bylaw providing that membership in the organization constitutes such agreement, and

"(ii) he has received a written notification and copy of such bylaw.

"(3) Period for which agreement is effective.—

"(A) General rule.—Except as provided in subparagraph (B)—

"(i) an agreement described in paragraph (2)(A) shall be an agreement with respect to all products delivered by the distributee to the organization during the taxable year of the organization during which such agreement is made and all subsequent taxable years of the organization; and

"(ii) an agreement described in paragraph (2)(B) shall be an agreement with respect to all products delivered by the distributee to the organization after he received the notification and copy described in paragraph (2)(B)(ii).

"(B) Revocation, etc.—

"(i) Any agreement described in paragraph (2)(A) may be revoked (in writing) by the distributee at any time. Any such revocation shall be effective with respect to products delivered by the distributee on or after the first day of the first taxable year of the organization beginning after the revocation is filed with the organization; except that in the case of a pooling arrangement described in section 1382(e) a revocation made by a distributee shall not be effective as to any products which were delivered to the organization by the distributee before such revocation.

"(ii) Any agreement described in paragraph (2)(B) shall not be effective with respect to any products delivered after the distributee ceases to be a member of the organization or after the bylaws of the organization cease to contain the provision described in paragraph (2)(B)(i).

"(i) Nonqualified Per-Unit Retain Certificate.—For purposes of this subchapter, the term 'nonqualified per-unit retain certificate' means a per-unit retain certificate which is not described in subsection (h)."

(d) Information Reporting.—

(1) Amounts subject to reporting.—Section 6044(b)(1) is amended by striking out "and" at the end of subparagraph (B), by striking out the period at the end of subparagraph (C) and inserting in lieu thereof ", and", and by adding after subparagraph (C) the following new subparagraphs:

"(D) the amount of any per-unit retain allocation (as defined in section 1388(f)) which is paid in qualified per-unit retain certificates (as defined in section 1388(h)), and

"(E) any amount described in section 1382(b)(4) (relating to redemption of nonqualified per-unit retain certificates)."

(2) Determination of amount paid.—

(A) Section 6044(d)(1) is amended by striking out "allocation)" and inserting in lieu thereof "allocation or a qualified per-unit retain certificate)".

(B) Section 6044(d)(2) is amended by striking out "allocation" and inserting in lieu thereof "allocation or a qualified per-unit retain certificate".

(e) Effective Dates.—

(1) The amendments made by subsections (a), (b), and (c) shall apply to per-unit retain allocations made during taxable years of an organization described in section 1381(a) (relating to organizations to which part I of subchapter T of chapter 1 applies) beginning after April 30, 1966, with respect to products delivered during such years.

(2) The amendments made by subsection (d) shall apply with respect to calendar years after 1966.

(f) Transition Rule.—

(1) Except as provided in paragraph (2), a written agreement between a patron and a cooperative association—

(A) which clearly provides that the patron agrees to treat the stated dollar amounts of all per-unit retain certificates issued to him by the association as representing cash distributions which he has, of his own choice, reinvested in the cooperative association,

(B) which is revocable by the patron at any time after the close of the taxable year in which it was made,

(C) which was entered into after October 14, 1965, and before the date of the enactment of this Act, and

(D) which is in effect on the date of the enactment of this Act, and with respect to which a written notice of revocation has not been furnished to the cooperative association,

shall be effective (for the period prescribed in the agreement) for purposes of section 1388(h) of the Internal Revenue Code of 1954 as if entered into, pursuant to such section, after the date of the enactment of this Act.

(2) An agreement described in paragraphs (1)(A) and (C) which was included in a bylaw of the cooperative association and which is in effect on the date of the enactment of this Act shall be effective for purposes of section 1388(h) of such Code only for taxable years of the association beginning before May 1, 1967.

Sec. 213. Excise Tax Rate on Ambulances and Hearses.

(a) Classification as Automobiles.—Section 4062 (relating to definitions applicable to the tax on motor vehicles) is amended by adding at the end thereof the following new subsection:

"(b) Ambulances, Hearses, Etc.—For purposes of section 4061(a), a sale of an ambulance, hearse, or combination ambulance-hearse shall be considered to be a sale of an automobile chassis and an automobile body enumerated in subparagraph (B) of section 4061(a)(2)."

(b) Effective Date.—The amendment made by subsection (a) shall apply with respect to articles sold after the date of the enactment of this Act.

Sec. 214. Applicability of Exclusion From Interest Equalization Tax of Certain Loans To Assure Raw Materials Sources.

(a) Exception to Exclusion.—Section 4914(d) (relating to loans to assure raw materials sources) is amended by adding at the end thereof the following new paragraph:

"(3) Exception.—The exclusion from tax provided by paragraph (1) shall not apply in any case where the acquisition of the debt obligation of the foreign corporation is made with an intent to sell, or to offer to sell, any part of such debt obligation to United States persons."

(b) Technical Amendments.—(1) Section 4914(j)(1) (relating to loss of entitlement to exclusion in case of certain subsequent transfers) is amended—

(A) by striking out in subparagraph (A) ", or the exclusion provided by subsection (d),", and

(B) by striking out "subsection (d) or (f)" in subparagraph (D) and inserting in lieu thereof "subsection (f)".

(2) Section 4918 (relating to exemption for prior American ownership) is amended by adding at the end thereof the following new subsection:

"(g) Certain Debt Obligations Arising Out of Loans To Assure Raw Material Sources.—Under regulations prescribed by the Secretary or his delegate, subsection (a) shall not apply to the acquisition by a United States person of any debt obligation to which section 4914(d) applied where the acquisition of the debt obligation by such person is made with an intent to sell, or to offer to sell, any part of such debt obligation to

United States persons. The preceding sentence shall not apply if the tax imposed by section 4911 has applied to any prior acquisition of such debt obligation."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to acquisitions of debt obligations made after the date of the enactment of this Act.

SEC. 215. EXCLUSION FROM INTEREST EQUALIZATION TAX FOR CERTAIN ACQUISITIONS BY INSURANCE COMPANIES

(a) NEW COMPANIES AND COMPANIES OPERATING IN FORMER LESS DEVELOPED COUNTRIES.—Section 4914(e) (relating to acquisitions by insurance companies doing business in foreign countries) is amended—

(1) by striking out "at the time of the initial designation" in the last sentence of paragraph (2);

(2) by striking out "An" in the first sentence of paragraph (3)(A)(i) and inserting in lieu thereof "Except as provided in clause (iii), an";

(3) by striking out "under this subparagraph" in paragraph (3)(A)(ii) and inserting in lieu thereof "under clause (i)";

(4) by adding after clause (ii) of paragraph (3)(A) the following new clauses:

"(iii) INITIAL DESIGNATION AFTER OCTOBER 2, 1964.—An insurance company which was not in existence on October 2, 1964, or was otherwise ineligible to establish a fund (or funds) of assets described in paragraph (2) by making an initial designation under clause (i) on or before such date, may establish (and thereafter currently maintain) such fund (or funds) of assets at any time after the enactment of this clause by designating stock of a foreign issuer or a debt obligation of a foreign obligor as a part of such fund in accordance with the provisions of clause (iv) (if applicable) and subparagraph (B)(i).

"(iv) FUNDS INVOLVING CURRENCIES OF FORMER LESS DEVELOPED COUNTRIES.—An insurance company desiring to establish a fund under clause (iii) with respect to insurance contracts payable in the currency of a country designated as a less developed country on October 2, 1964, which thereafter has such designation terminated by an Executive order issued under section 4916(b), shall designate as assets of such fund, to the extent permitted by subparagraph (E), the stock of foreign issuers or debt obligations of foreign obligors as follows: First, stock and debt obligations having a period remaining to maturity of at least 1 year (other than stock or a debt obligation described in section 4916(a)) acquired before July 19, 1963, and owned by the company on the date which the President, in accordance with section 4916(b), communicates to Congress his intention to terminate the status of such country as a less developed country; second, stock and debt obligations having a period remaining to maturity of at least 1 year described in section 4916(a) (and owned by the company on the date of such termination) which, at the time of acquisition, qualified for the exclusion provided in such section because of the status of such country as a less developed country; and third, such stock or debt obligations as the company may elect to designate under subparagraph (B)(i). The period remaining to maturity referred to in the preceding sentence shall be determined as of the date of the President's communication to Congress.";

(5) by striking out "TO MAINTAIN FUND" in the heading of paragraph (3)(B);

(6) by striking out "as provided in subparagraph (A)(ii)" in paragraph (3)(B)(i) and inserting in lieu thereof "under subparagraphs (A) (i) and (ii)";

(7) by inserting before the period at the end of the first sentence of paragraph (3)(C) the following: "; except that, with respect to a fund established under subparagraph (A)(iii), stock or debt obligations acquired before the establishment of such fund may not be designated as part of such fund under this subparagraph";

(8) by striking out "subparagraph (B)," in paragraph (3)(E)(i) and inserting in lieu there of "subparagraph (A)(iv), (B),";

(9) by striking out "subparagraph (A)" in paragraph (4)(B)(i) and inserting in lieu thereof "subparagraph (A)(i)";

(10) by striking out "paragraph (3)(A)" in paragraph (4)(B)(ii) and inserting in lieu thereof "paragraph (3)(A)(i)"; and

(11) by adding at the end of paragraph (4) the following new paragraph:

"(C) SPECIAL RULE.—For purposes of subparagraph (A), if a country designated as a less developed country on September 2, 1964, thereafter has such designation terminated by an Executive order issued under section 4916(b), all insurance contracts payable in the currency of such country which were entered into before such designation was terminated shall be treated as insurance contracts payable in the currency of a country other than a less developed country."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the day after the date of the enactment of this Act.

SEC. 216. EXCLUSION FROM INTEREST EQUALIZATION TAX OF CERTAIN ACQUISITIONS BY FOREIGN BRANCHES OF DOMESTIC BANKS.

(a) AUTHORITY FOR MODIFICATION OF EXECUTIVE ORDERS.—Section 4931(a) (relating to commercial bank loans) is amended by adding at the end thereof the following new sentence: "Clause (A) of the preceding sentence shall not prevent a modification of such Executive order (or any modification thereof) to exclude from the application of subsection (b) acquisitions by commercial banks, through branches located outside the United States, of debt obligations of foreign obligors payable in currency of the United States."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to acquisitions of debt obligations made after the date of enactment of this Act.

TITLE III—PRESIDENTIAL ELECTION CAMPAIGN FUND ACT

SEC. 301. SHORT TITLE.

This title may be cited as the "Presidential Election Campaign Fund Act of 1966".

SEC. 302. AUTHORITY FOR DESIGNATION OF $1 OF INCOME TAX PAYMENTS TO PRESIDENTIAL ELECTION CAMPAIGN FUND.

(a) Subchapter A of chapter 61 of the Internal Revenue Code of 1954 (relating to returns and records) is amended by adding at the end thereof the following new part:

"PART VIII—DESIGNATION OF INCOME TAX PAYMENTS TO PRESIDENTIAL ELECTION CAMPAIGN FUND

"Sec. 6096. Designation by individuals.

"SEC. 6096. DESIGNATION BY INDIVIDUALS.

"(a) IN GENERAL.—Every individual (other than a nonresident alien) whose income tax liability for any taxable year is $1 or more may designate that $1 shall be paid into the Presidential Election Campaign Fund established by section 303 of the Presidential Election Campaign Fund Act of 1966.

"(b) INCOME TAX LIABILITY.—For purposes of subsection (a), the income tax liability of an individual for any taxable year is the amount of the tax imposed by chapter 1 on such individual for such taxable year (as shown on his return), reduced by the sum of the credits (as shown in his return) allowable under sections 32(2), 33, 35, 37, and 38.

"(c) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made with respect to any taxable year, in such manner as the Secretary or his delegate may prescribe by regulations—

"(1) at the time of filing the return of the tax imposed by chapter 1 for such taxable year, or

"(2) at any other time (after the time of filing the return of the tax imposed by chapter 1 for such taxable year) specified in regulations prescribed by the Secretary or his delegate."

(b) The table of parts for subchapter A of chapter 61 of such Code is amended by adding at the end thereof the following new item:

"Part VIII. Designation of income tax payments to Presidential Election Campaign Fund."

(c) The amendments made by this section shall apply with respect to income tax liability for taxable years beginning after December 31, 1966.

SEC. 303. PRESIDENTIAL ELECTION CAMPAIGN FUND.

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury of the United States a special fund to be known as the "Presidential Election Campaign Fund" (hereafter in this section referred to as the "Fund"). The Fund shall consist of amounts transferred to it as provided in this section.

(b) TRANSFERS TO THE FUND.—The Secretary of the Treasury shall, from time to time, transfer to the Fund an amount equal to the sum of the amounts designated by individuals under section 6096 of the Internal Revenue Code of 1954 for payment into the Fund.

(c) PAYMENTS FROM FUND.—

(1) IN GENERAL.—The Secretary of the Treasury shall, with respect to each presidential campaign, pay out of the Fund, as authorized by appropriation Acts, into the treasury of each political party which has complied with the provisions of paragraph (3) an amount (subject to the limitation in paragraph (3)(B)) determined under paragraph (2).

(2) DETERMINATION OF AMOUNTS.—

(A) Each political party whose candidate for President at the preceding presidential election received 10,000,000 or more popular votes as the candidate of such political party shall be entitled to payments under paragraph (1) with respect to a presidential campaign equal to—

(i) $1 multiplied by the total number of popular votes cast in the preceding presidential election for candidates of political parties whose candidates received 10,000,000 or more popular votes as the candidates of such political parties, divided by

(ii) the number of political parties whose candidates in the preceding presidential election received 10,000,000 or more popular votes as the candidates of such political parties.

(B) Each political party whose candidate for President at the preceding presidential election received more than 1,500,000, but less than 10,000,000, popular votes as the candidate of such political party shall be entitled to payments under paragraph (1) with respect to a presidential campaign equal to $1 multiplied by the number of popular votes in excess of 1,500,000 received by such candidate as the candidate of such political party in the preceding presidential election.

(C) Payments under paragraph (1) shall be made with respect to each presidential campaign at such times as the Secretary of the Treasury may prescribe by regulations, except that no payment with respect to any presidential campaign shall be made before September 1 of the year of the presidential election with respect to which such campaign is conducted. If at the time so prescribed for any such payments, the moneys in the Fund are insufficient for the Secretary to pay into the treasury of each political party which is entitled to a payment under paragraph (1) the amount to which such party is entitled, the payment to all such parties at such time shall be reduced pro rata, and the amounts not paid at such time shall be paid when there are sufficient moneys in the Fund.

(3) LIMITATIONS.—

(A) No payment shall be made under paragraph (1) into the treasury of a poltical party with respect to any presidential campaign unless the treasurer of such party has certified to the Comptroller General the total amount spent or incurred (prior to the date of the certification) by such party in carrying on such presidential campaign, and has furnished such records and other information as may be requested by the Comptroller General.

(B) No payment shall be made under paragraph (1) into the treasury of a poltical party with respect to any presidential campaign in an amount which, when added to previous payments made to such party, exceeds the amount spent or incurred by such party in carrying on such presidential campaign.

(4) The Comptroller General shall certify to the Secretary of the Treasury the amounts payable to any political party under paragraph (1). The Comptroller General's determination as to the popular vote received by any candidate of any political party shall be final and not subject to review. The Comptroller General is authorized to prescribe such rules and regulations, and to conduct such examinations and investigations, as he determines necessary to carry out his duties and functions under this subsection.

(5) DEFINITIONS.—For purposes of this subsection—

(A) The term "political party" means any political party which presents a candidate for election to the office of President of the United States.

(B) The term "presidential campaign" means the political campaign held every fourth year for the election of presidential and vice presidential electors.

(C) The term "presidential election" means the election of presidential electors.

(d) TRANSFERS TO GENERAL FUND.—If, after any presidential campaign and after all political parties which are entitled to payments under subsection (c) with respect to such presidential campaign have been paid the amounts to which they are entitled under subsection (c), there are moneys remaining in the Fund, the Secretary of the Treasury shall transfer the moneys so remaining to the general fund of the Treasury.

"SEC. 304. ESTABLISHMENT OF ADVISORY BOARD.

(a) There is hereby established an advisory board to be known as the Presidential Election Campaign Fund Advisory Board (hereafter in this section referred to as the "Board"). It shall be the duty and function of the Board to counsel and assist the Comptroller General in the performance of the duties imposed on him under section 303 of this Act.

(b) The Board shall be composed of two members representing each political party whose candidate for President at the last presidential election received 10,000,000 or more popular votes as the candidate of such political party, which members shall be appointed by the Comptroller General from recommendations submitted by each such political party, and of three additional members selected by the members so appointed by the Comptroller General. The term of the first members of the Board shall expire on the 60th day after the date of the first presidential election following the date of the enactment of this Act and the term of subsequent members of the Board shall begin on the 61st day after the date of a presidential election and expire on the 60th day following the date of the subsequent presidential election. The Board shall elect a Chairman from among its members.

(c) Members of the Board shall receive compensation at the rate of $75 a day for each day they are engaged in performing duties and functions as such members, including travel time, and, while away from their homes or regular places of business, shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

(d) Service by an individual as a member of the Board shall not, for purposes of any other law of the United States, be considered as service as an officer or employee of the United States.

SEC. 305. APPROPRIATIONS AUTHORIZED.

There are authorized to be appropriated, out of the Presidential Elections Campaign Fund, such sums as may be necessary to enable the Secretary of the Treasury to make payments under section 303 of this Act.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. TREASURY NOTES PAYABLE IN FOREIGN CURRENCY.

Section 16 of the Second Liberty Bond Act, as amended (31 U.S.C. 766), is amended by striking out "bonds" wherever it appears therein and inserting in lieu thereof "bonds, notes,".

SEC. 402. REPORTS TO CLARIFY TO NATIONAL DEBT AND TAX STRUCTURE.

The Secretary of the Treasury shall, on or before March 31 of each year (beginning with 1967), submit to the Senate and the House of Representatives a report setting forth, as of the close of December 31 of the preceding year, the aggregate and individual amounts of the contingent liabilities and the unfunded liabilities of the Government, and of each department, agency, and instrumentality, thereof, including, without limitation, trust fund liabilities, Government-sponsored corporations' liabilities, indirect liabilities not included as a part of the public debt, and liabilities of insurance and annuity programs, including their actuarial status on both a balance sheet and projected source and application of funds basis. The report shall also set forth the collateral pledged, or the assets available (or to be realized), as security for such liabilities (Government securities to be separately noted), and an analysis of their significance in terms of past experience and probable risk, and shall also set forth all other assets available to liquidate liabilities of the Government. The report shall set forth the required data in a concise form, with such explanatory material as the Secretary may determine to be necessary or desirable, and shall include total amounts of each category according to the department, agency, or instrumentality involved.

SEC. 403. COVERAGE OF EXPENSES OF CERTAIN DRUGS UNDER SUPPLEMENTARY MEDICAL INSURANCE BENEFITS.

(a) Section 1832(a) of the Social Security Act is amended (1) by striking out "and" at the end of paragraph (1), (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and (3) by adding at the end thereof the following new paragraph:

"(3) entitlement to be paid for allowable expenses (as defined in section 1845(a)(2)), or, if lower, actual expenses, incurred by him for the purchase of qualified drugs (as defined in subsection (a)(1) of such section)."

(b) Section 1833(a) of such Act is amended (1) by inserting "or qualified drugs" after "incurs expenses for services", (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and (3) by adding at the end thereof the following new paragraph:

"(3) in the case of expenses covered under section 1832(a)(3)—100 per centum of such expenses."

(c) Section 1833(b) of such Act is amended by adding at the end thereof the following new sentence: "For purposes of determining amounts to be counted toward meeting the $50 deductible imposed by the preceding sentence, there shall not be included any expenses incurred for any drug or biological which is in excess of the allowable expenses (as defined in section 1845(a)(2)) of such drug or biological."

(d) Part B of title XVIII of such Act is amended by adding at the end thereof the following new sections:

"ALLOWABLE EXPENSES FOR QUALIFIED DRUGS

"SEC. 1845. (a) For purposes of this part—

"(1) The term 'qualified drug' means a drug or biological which is included among the items approved by the Formulary Committee (established pursuant to section 1846(a)).

"(2) The term 'allowable expense', when used in connection with any quantity of a qualified drug, means the amount established with regard to such quantity of such drug by the Formulary Committee and approved by the Secretary.

"(b) Amounts to which an individual is entitled by reason of the provisions of section 1832(a)(3) shall be paid directly to such individual or, if such individual has assigned his right to receive any such amount to another person, the amount so assigned shall be paid to such other person. No individual shall be paid any amount by reason of the provisions of section 1832(a)(3) prior to the presentation by him (or by another on his behalf) of documentary or other proof satisfactory to the Secretary establishing his entitlement thereto.

"(c) The benefits provided by reason of section 1832(a)(3) may be paid by the Secretary or the Secretary may utilize the service of carriers for the administration of such benefits under contracts entered into between the Secretary and such carriers for such purpose. To the extent determined by the Secretary to be appropriate, the provisions relating to contracts entered into pursuant to section 1842 shall be applicable to contracts entered into pursuant to this subsection.

"FORMULARY COMMITTEE

"SEC. 1846. (a) There is hereby established a Formulary Committee to consist of the Surgeon General of the Public Health Service, the Commissioner of the Food and Drug Administration, and the Director of the National Institutes of Health.

"(b)(1) It shall be the duty of the Formulary Committee, with the advice and assistance of the Formulary Advisory Group (established pursuant to section 1847) to—

"(A) determine which drugs and biologicals shall constitute qualified drugs for purposes of the benefits provided under section 1832(a); and

"(B) determine, with the approval of the Secretary, the allowable expense, for purposes of such benefits, of the various quantities of any drug determined by the Committee to constitute a qualified drug; and

"(C) publish and disseminate at least once each calendar year among individuals insured under this part, physicians, pharmacists, and other interested persons, in accordance with directives of the Secretary, an alphabetic list naming each drug or biological (by its generic name and by each other name by which it is known) which is a qualified drug together with the allowable expense of various quantities thereof, and if any such drug or biological is known by a trade name, the generic name shall also appear with such trade name.

"(2)(A) Until the Formulary Committee determines to the contrary, any drug or biological which is included in the United States Public Health Service Formulary shall be regarded as a qualified drug for purposes of the benefits provided under section 1832(a)(3). Drugs or biologicals not included in such Formulary shall be regarded as qualified drugs for such purposes upon determination of the Formulary Committee that such drugs or biologicals should be so regarded. Any drug or biological included on the list of qualified drugs shall, if listed by generic name, also be listed by its trade name or names, if any.

"(B) Drugs and biologicals shall be determined to be qualified drugs only if they can legally be obtained by the user pursuant to a prescription of a physician; except that the Formulary Committee may include certain drugs and biologicals not requiring such a prescription if it determines such drugs or biologicals to be of a lifesaving nature.

"(C) In the interest of orderly, economical, and equitable administration of the benefits provided under section 1832(a)(3), the Formulary Committee may, by regulation, provide that a drug or biological otherwise regarded as being a qualified drug shall not be so regarded when prescribed below certain minimum quantities.

"(3) In determining the allowable expense for any quantity of any qualified drug, the Formulary Committee shall give due consideration to recognized pricing guides for drugs, and of other pertinent factors, with a view to determining with respect to each qualified drug a schedule of prices for various quantities thereof which reflects the cost thereof to the ultimate dispensor of the drug plus a reasonable fee for the preparation, handling, and distribution thereof to the consumer thereof. In any case in which a drug or biological is available by generic name and one or more trade names any one of which is different from such generic name the cost of such drug or biological, for purposes of the preceding sentence, shall be deemed to be the lowest cost of such drug, however named."

"ADVISORY GROUP TO FORMULARY COMMITTEE

"SEC. 1847. (a) For the purpose of assisting the Formulary Committee to carry out its duties and functions, the Secretary shall appoint an Advisory Group to the Formulary Committee (hereinafter in this section referred to as the 'Advisory Group'). The Advisory Group shall consist of seven members to be appointed by the Secretary. From time to time, the Secretary shall designate one of the members of the Advisory Group to serve as Chairman thereof. The members shall be so selected that each represents one or more of the following national organizations; an organization of physicians, an organization of manufacturers of drugs, an organization of pharmacists, an organization of persons concerned with public health, an organization of hospital pharmacists, an organization of colleges of medicine, an organization of colleges of pharmacy, and an organization of consumers. Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of six of the members first taking office shall expire, as designated by the Secretary at the time of appointment, two at the end of the first year, two at the end of the second year, and two at the end of the third year, after the date of appointment. A member shall not be eligible to serve continuously for more than two terms.

"(b) Members of the Advisory Group, while attending meetings or conferences thereof or otherwise serving on business of the Advisory Group, shall be entitled to receive compensation at rates to be fixed by the Secretary, but not exceeding $75 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 3109 of title 5, United States Code, for persons in the Government service employed intermittently.

"(c) The Advisory Group is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Advisory Group such secretarial, clerical, and other assistance and such pertinent data obtained and prepared by the Department of Health, Education, and Welfare as the Advisory Group may require to carry out its functions."

(e) The amendments made by this section shall become effective on whichever of the following first occurs: (1) the first day of the month with respect to which the rate of the monthly premium for participation is raised, pursuant to section 1839(b) of the Social Security Act, after the date of enactment of this Act, or (2) July 1, 1968.

Mr. LONG of Louisiana. Mr. President, H.R. 13103 has four titles. The provisions in the first title, which make up most of the bill, revise the tax code to provide more equitable tax treatment by the United States of nonresident alien individuals and foreign corporations. The third title, which, in my view, is the most important part of the bill, establishes a presidential election campaign fund. The second and fourth titles of the bill contain a number of other provisions relating to the income tax code, medicare, and certain other matters.

Before I discuss the bill generally, I would like to point out that the provisions in titles, 2, 3, and 4 of this bill were added by the Finance Committee. As chairman of the committee, I am well aware that the Constitution provides that revenue measures must originate in the House. I do not believe, however, that this constitutional provision was intended to prevent Senators from bringing important matters before the Congress when it is clear they would not otherwise be considered. The amendments added by the Finance Committee are important, in my judgment. Furthermore, it is clear that, in most cases, there would not be an opportunity for the House to consider them in this session of Congress.

PRESIDENTIAL ELECTION CAMPAIGN FUND ACT

For example, one of the most pressing problems facing our democracy is that of insuring that a favored few do not exert undue influence over the operations of Government at the expense of the interests of the public at large. In this regard, one of the most vulnerable aspects of the political process is the manner in which we finance political campaigns. As the Senators well know, a campaign for a major national office, particularly a campaign for the Presidency, is very expensive and cannot be financed today without the aid of wealthy contributors willing to make large contributions. While in some cases these contributors seek no improper reward for their generosity, nevertheless, the opportunity remains. In other cases, frankly, it is almost impossible to distinguish between a campaign contribution and a bribe. The only way to remove this possible impediment to good government—the only way to make the one-man, one-vote principle a reality—is to broaden the base from which contributions are drawn.

The President recognizes this problem. In May, he sent a special message to the Congress outlining his proposals. Members of the Senate are aware of this problem; a number have introduced legislation dealing with it. The Finance Committee is concerned with this problem. We held hearings on various proposals advanced to deal with it in August and, as a result of these hearings and further deliberations, approved a very important proposal in this area. This proposal is, in my opinion, so important that it should be considered now.

EXPLANATION OF THE PROPOSAL

Under this proposal—the Presidential Election Campaign Fund Act, title III of the bill before us—each individual taxpayer will be able to designate on his tax return that $1 of his taxes be appropriated to a special fund. The fund will be used to defray the campaign expenses incurred in presidential elections by political parties that received a significant portion of the total vote cast.

The two major parties will receive equal amounts, determined by dividing the total vote cast for the major party candidates in the last presidential election by two. On this basis, then, each major party will receive up to roughly $37 million.

Minor parties—those whose candidates received 1,500,000 votes or more in the last presidential election, will receive $1 for every vote over 1,500,000 that their candidate receives.

These payments are to be subject to this important limitation: They cannot exceed the expenses actually incurred in the presidential campaign. Expenses will only be reimbursed, of course, if they are incurred for political purposes. Personal expenses will not be reimbursed. Furthermore, the expenses must be incurred predominantly for the purpose of furthering the candidacy of the presidential and vice-presidential nominees. The expenses incurred by these nominees predominantly to support candidates for other offices will not be reimbursed. This rule will not preclude the presidential candidate from endorsing other candidates as long as the primary purpose for his appearance is to further his own candidacy. Finally, expenses will not be reimbursed unless sufficient proof that they were actually made is supplied. The Comptroller General is charged with the responsibility for establishing the amount of expenditures which can be reimbursed.

The 1,500,000 vote restriction is necessary to avoid the proliferation of small parties interested more in publicity at public expense than in seriously offering a candidate for President. The level is low enough, however, to insure that any party which once gained significant voter support would come under the act and, if it kept this support, stay under it. Even minor party candidates would be able to refuse contributions offered on a strings-attached basis. Once a party gained 10 million or more votes in a presidential election, it would qualify as a major party and share equally with the other major parties in the major party funds made available in the next presidential election.

THE PLAN IS SUPERIOR TO A TAX DEDUCTION SCHEME

While this plan may seem novel, thoughtful consideration will show that it has many advantages over a tax deduction scheme of the type proposed by the President and several Senators, including the ranking member of the minority on the Finance Committee, the Senator from Delaware. In the first place, it would be more equitable. Every tax deduction scheme suffers from the disadvantage that it gives the rich taxpayer a larger tax saving than the poor taxpayer. For example, the President proposed a tax deduction of up to $100. The taxpayer in the highest income bracket would receive a tax saving of $70 by contributing $100 under this scheme, while the taxpayer in the bottom bracket would receive a tax saving of only $14.

I want to add, Mr. President, that you cannot gain much by making the deduction available in addition to the standard deduction. That might put standard deduction taxpayers and itemized deduction taxpayers on a par, but, as I have explained, it will not put high and low bracket taxpayers on a par. In fact, it would create more problems. By placing political contributions on a better footing than charitable contributions, it would put politicians in a more favorable category than the Almighty.

The equity consideration points out a second shortcoming in the tax deduction plan. We want to provide an incentive for low- and middle-income people to provide campaign funds, but the tax deduction plan would provide the greatest incentive to high income people. I submit that the high income people do not need any incentive. They are the ones who do the campaign financing now.

In the third place, the funds provided by the committee-approved plan would clearly be adequate to finance a presidential campaign. Thus, we would be assured that there would be no reason why a few large contributors should ever be given an opportunity to establish a basis for exerting undue influence on the President. The tax deduction plans, on the other hand, cover contributions to campaigns at all levels of government. Thus diluted, the effect of the plan is probably not strong enough to eliminate the need for large contributions in any single campaign.

And this brings up another point. If we were to approve a tax deduction for campaign contributions, we would have to authorize the Internal Revenue Service to check to make sure that the money was actually contributed and that it was actually used for political purposes. We would have to give the Internal Revenue Service the go-ahead, in other words, to investigate the political activity of every voter and the conduct of every election, Federal, State, and local. Frankly, Mr. President, I do not think we want to risk violating the sanctity of the ballot this way.

The committee plan would, of course, have an effect on other political campaigns. Since the presidential campaigns would be entirely or largely paid for through the fund, more money would be available from private contributors for campaigns for the Senate, for the House, and for State and local offices. The greater availability of funds would make it easier for a candidate to decline a contribution to which strings were attached. Moreover, if this plan works as well as I think it will, we may wish to consider extending it to cover other Federal election campaigns. It seems to me, however, that the financing of campaigns for State and local government offices is a matter which should be left to State and local governments. If we consider the Federal Government to be beyond the undue influences which occur in financing campaigns, then it would seem that State and local governments should be able to arrange their own problems.

I think it is fitting that the plan should be applied to presidential elections, at least at first, since it is most important to avoid the exercise of undue influence over the Presidency. The President influences the quality of government at all levels by, for example, the way he exercises the veto, by the nature of the legislation he introduces, by the nature of the appointments he makes, and by the way he oversees the execution of the laws passed by Congress. Congress, as I have said before, cannot get into any real mischief unless somebody in the executive branch is a party to it.

I have heard it said that this provision would not reduce the pressure for large contributions but will merely provide additional funds. I do not understand this position. It is clear to me that if the Republican and Democratic Parties are each assured of some $37 million for their next presidential campaign, they will not find it necessary to spend so much time and energy soliciting large contributions. Nor will contributors be as likely to contribute large sums when they know that the parties already have substantial financial backing. Furthermore, this bill does not have to be the last word as far as presidential election campaign financing goes. It can be supplemented by laws controlling the maximum size of individual contributions—laws that have teeth in them. Such laws are difficult to pass now, however, because no alternative source of financing is available. This bill will break the chain which now binds us to the present system of campaign financing. Once we provide an alternative source of financing, laws regulating individual contributions can be tightened up.

Mr. President, I am convinced that no other bill has been voted by this committee or any other committee which would do so much to prevent the exercise of improper influence on government. That is why I consider this provision the most important title in this bill.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield at that point?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. How many taxpayers are there, as the records show?

Mr. LONG of Louisiana. Approximately 65 million returns are filed annually.

Mr. LAUSCHE. And each one would be required to pay $1?

Mr. LONG of Louisiana. Each person filing a return would be permitted to designate $1 and if a husband and wife filed a joint return they would jointly designate $2. In other words, each tax return would contain a box to be checked if the taxpayer wished to designate that $1 of tax revenues is to be paid into this election fund.

Mr. LAUSCHE. It would not be mandatory to contribute the $1; only optional?

Mr. LONG of Louisiana. It would be optional. If a taxpayer wished to designate $1 to financing both major parties equally he could. In effect he would be authorizing 50 cents to be allocated to the Republican candidate and 50 cents to the Democratic candidate, so that both sides would be adequately financed.

Mr. LAUSCHE. A party, if and when it attains 10 million votes in a general election, would be recognized as a major party and would be permitted to participate equally with the other major parties in the distribution of the funds.

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. There are now, of course, only two major parties, so that the amount would be divided equally on a 50-percent basis; is that not correct?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. Will the party, or a presidential candidate, in addition to the $37 million which would go to the campaign fund, if the bill is adopted, be permitted to develop a private campaign fund to be used for campaign purposes?

Mr. LONG of Louisiana. We did not pass on that question. Of course, the Senator realizes that we really do not have jurisdiction over such a proposal, unless we claimed that because we are amending tax legislation, we do.

If the proposal becomes law, it would set the stage for passing a law to state that no private contributions could be accepted. But we do not attempt to answer that question here in this bill. It does not preclude an individual private contribution which could be made to the candidate. However, with an estimated $37 million available to each side, then Congress might very well want another law passed to say that no private contributions can be accepted. But, we do not try to answer that here.

Mr. LAUSCHE. It is my understanding, on the basis of what the Senator from Louisiana has said, that adoption of the pending bill, in and of itself, will not prohibit a candidate for the Presidency, after his campaign committee has received its share from the Federal Government, to solicit other contributions.

Mr. LONG of Louisiana. That is correct; but it would seem reasonable to believe that if the funds provided by this amendment were available there would be much less financing pressure. In the event a candidate running for President spent $50 million, let us say, it would still take the pressure off him to accept contributions which might have strings attached to them if he had received $37 million from this special fund to finance his campaign.

Mr. LAUSCHE. In other words, the only purpose of my inquiring is to get clearly in my mind the status of a candidate for the Presidency, that in addition to the receipt of moneys which would come from the bill, he could obtain further moneys to promote his campaign; and the answer to that question is yes, unless we adopt additional legislation at a later time to prohibit it; is that not correct?

Mr. LONG of Louisiana. The answer to that question is "Yes." But let me say that if Congress sees fit to enact this bill, it will undoubtedly want to think about it next year and provide a number of companion bills to go with it.

For example, we might wish to enact a fraud statute for anyone who collects money and falsifies his expense account. Also, we have had our staff prepare an amendment, which could be passed, which would make absolutely clear that none of this money would be used indirectly to help in a senatorial or a congressional campaign. Therefore, it would be crystal clear that this is a presidential campaign proposal only and not a proposal to be used in campaigns for Members of Congress.

Mr. LAUSCHE. What prohibition, if at all, is contained in the bill against a candidate for the Presidency using these funds to promote the candidacy, let us say, of a Governor, or a Lieutenant Governor, or a Representative or Senator?

Mr. LONG of Louisiana. We feel that the bill as reported contains such a prohibition, that is, the presidential election campaign fund could not be used for expenses of candidates running for offices other than President and Vice President. For example, a presidential candidate cannot spend money for a television program on a candidate running for Governor.

Mr. LAUSCHE. That is, he incidentally may do that. It is not primarily for himself, but he feels he should help other candidates?

Mr. LONG of Louisiana. The test would be whether the television program or even the appearance of a presidential candidate was or was not really in his own behalf. If it was not in his own behalf, then he would be subject to receiving no disbursement from the fund.

Mr. LAUSCHE. That is, even though a goodly part of the program dealt with promoting other candidates, if the predominant part was for himself, he would be within the law?

Mr. LONG of Louisiana. If the Senator feels that the language in the bill in this regard is not tight enough, we have an amendment drawn that would make this intention clear, but I believe the language already in the bill is sufficient.

Mr. LAUSCHE. Would not there likely develop a situation where the funds solicited by the party would fall into what the Senator would call the dangerous status of present conditions, of running campaigns that would continue to have those funds used to promote senatorial and House candidates, and in a measure to promote State candidates? That fund would remain intact, to be used by them, and this fund would be used for the Presidency. Is that correct?

Mr. LONG of Louisiana. Naturally, a party will try to help finance its own senatorial, congressional, and gubernatorial candidates. Some of us have worried about campaign financing because of the competition with presidential campaign financing. If this bill is adopted a citizen would be free to concentrate his financial support on candidates in campaigns for election such as mayors, Governors, and Members of Congress.

Recently, I went to Houston, Tex., to attend a gathering of the President's Club, of which I am very proud to be a member. Each person paid $1,000 to attend a lovely dinner in honor of the President. The revenue was used to help pay off the deficit created by the last presidential campaign. When I looked around at some of the people attending that dinner who came from Louisiana, I saw some of my best potential contributors there. Some of them had their wives with them, which meant that they had to contribute $2,000.

If those contributors were not asked to contribute to presidential campaigns they would be good prospects as contributors to other campaigns. Therefore, we might be able to adequately finance congressional campaigns.

Mr. LAUSCHE. Yes; but while the passage of the Senator's recommendation might alleviate pressure that exists in the solicitation of funds, it would not guarantee an elimination of that pressure. Am I correct?

Mr. LONG of Louisiana. The Senator is correct, but it would help.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. I want to make the observation that, tragically, in our country, the psychology has developed that the only way one can successfully conduct a campaign is to get wagonloads of money. I have never subscribed to that philosophy, and I am rather proud to say that I was elected Governor of my State five times and Senator twice, and never spent more than $50,000 in getting into office, in a State of 10 million people.

Mr. LONG of Louisiana. I am very glad that the Senator was elected without spending more than $50,000.

Mr. LAUSCHE. I was elected because I was able to say that gold was not buying the election for me.

Mr. LONG of Louisiana. I have been associated with many campaigns and I have seen campaigns that cost a great deal of money.

I regret to say that in Louisiana it costs much more than the amount the Senator mentioned for a successful candidate.

I salute the Senator from Ohio. He was a great Governor of his State and he is a great Senator. I only wish we could elect Governors in Louisiana without having to raise more than $50,000, but we have not had that good fortune.

Mr. President, I should like to continue with the remainder of my discussion of the bill.

The PRESIDING OFFICER. Does the Senator wish to have the committee amendment adopted?

Mr. LONG of Louisiana. The committee amendment will remain subject to amendment. It is one amendment. Senators will be able to offer amendments to the committee amendment. I do not care to ask that it be agreed to at this moment.

I wish to continue with my statement.

THE FOREIGN INVESTORS TAX ACT

Mr. President, the first title of this bill represents a major revision of the U.S. tax laws as they relate to the treatment of nonresident alien individuals and foreign corporations. It is the first systematic reappraisal in this area of the tax law that has been undertaken in 25 years. While this title of the bill will have only a slight effect on revenue and will not directly affect U.S. citizens, it represents a carefully considered effort to bring up to date the part of our tax law which has an important bearing on our relations with other countries.

The primary objective of this title of the bill is to establish the equitable tax treatment by this country of nonresident aliens and foreign corporations who come within the jurisdiction of our tax laws. To achieve this objective, your committee and the House Ways and Means Committee have considered all the provisions of present law which affect foreign persons. I shall not attempt to discuss every provision of this title, although I shall ask to insert a summary of them in the RECORD at the close of my remarks. I believe the major provisions of the bill can be grouped under four major headings.

TAXABLE STATUS OF INCOME

The first part of this title deals with the taxable status of income. Undoubtedly, the most important proposal from the standpoint of tax policy is the amendment which separates the U.S. investment income from the U.S. business income of a nonresident alien or foreign corporation and taxes these two types of income on different bases.

Income of a foreigner derived from a U.S. business is to be taxed substantially in the same manner as if the business income were received by a U.S. citizen or a domestic corporation—that is, at the regular individual or corporate rates with all of the appropriate deductions.

On the other hand, investment income of a nonresident alien or foreign corporation, unless it is related to a U.S. business, is to be taxed at a flat rate of 30 percent or a lesser rate applicable where we have treaties with the foreign countries involved.

Your committee believes this method of taxing nonresident aliens and foreign corporations is more equitable and reasonable than the present law which taxes these persons at the regular rates or at a flat 30 percent on their U.S. source income, depending on whether or not they are engaged in trade or business in the

United States. In other words, under present law, investment income of a nonresident alien or foreign corporation is taxed at the regular rates, with the attributable deductions, if the receipient is engaged in business in the United States whether or not there is any relationship between the U.S. business and the U.S. investment income.

Attention was also directed to the fact as a result of the interplay between the tax rules of certain foreign countries and the United States, foreign corporations which carry on substantial business activities in the United States, in some cases, have been able to cast their transactions in a form which may avoid all or most United States and foreign taxes on income generated from U.S. business activities. The provisions provided by this legislation will subject certain income generated by the U.S. business activities of these foreign corporations to U.S. tax.

The benchmark used in determining whether or not income is related to a U.S. business and, therefore, taxable at regular rates rather than at the flat 30 percent rate, is whether or not the income is effectively connected with the U.S. business.

In the case of investment and other fixed or determinable income and capital gains from U.S. sources the income is to be treated as effectively connected with the U.S. business if the income is derived from assets used, or held for use, in the conduct of U.S. business or if the activities of the U.S. business were a material factor in the realization of the income. All other types of U.S. source income are to be considered to be effectively connected if there is a U.S. business.

The bill as approved by your committee adopts the general House provisions regarding the taxation of income from sources without the United States. Generally, this type of income will not be treated as effectively connected with a U.S. business and therefore subject to U.S. tax unless the nonresident alien or foreign corporation has a fixed place of business in the United States and the income is attributable to that place of business.

Moreover, even in such cases the only types of foreign source income which may be subject to U.S. tax under the bill are rents or royalties from licensing operations, income from banking and similar type operations, or certain types of sales income. An additional modification provides that neither "Subpart F" income nor dividends, interest or royalties derived from a foreign corporation more than 50 percent owned by the nonresident alien or foreign corporation will be considered effectively connected under any circumstances.

Although your committee adopted the foregoing House provisions regarding the taxation of foreign source income, your committee added certain specifying and clarifying amendments. In general, your committee's amendments provide specific rules regarding what activities of a foreign corporation are to be considered a sufficient connection for assertion of U.S. tax jurisdiction as well as the types and proportion of foreign source income to be subject to U.S. tax. Additionally, your committee amended the foreign tax credit provision of the House bill which applies with respect to foreign source effectively connected income so as to extend that credit provision to country of residence taxes.

INCOME TAX SOURCE RULES

The bill also proposes an amendment with respect to the taxation of the interest paid to nonresident aliens and foreign corporations on their U.S. bank deposits. Presently this type of interest income is subject to U.S. tax only if the foreign recipient is engaged in trade or business in the United States. Your committee adopted the provision of the House bill which, in effect, subjects all nonresident aliens and foreign corporations to U.S. tax on the interest income derived from their U.S. bank deposits after 1971. Your committee shared the House's concern that an immediate alteration of the present rule might have an adverse effect upon our balance of payments. Consequently, your committee agreed with the House that it is desirable to postpone the effective date of this provision until after 1971 at which time the Congress will have an opportunity to reconsider the then existing balance-of-payments situation. The bill also provides that as long as bank deposit interest is treated as foreign source income, similar types of interest income are to be given the same treatment.

ESTATE TAX PROVISIONS

Another major provision of the House-passed bill which was approved by your committee would modify the U.S. estate taxation of nonresident aliens. Although the U.S. estates of nonresident aliens are presently subject to the same estate tax rates as citizens or residents, the deductions, exemptions, and credit available to them are substantially less than those allowed to citizens or residents of the United States. Therefore, the estate of a nonresident alien frequently pays a heavier tax on its U.S. assets—and, in some instances, a much heavier tax—than would be true in the case of a similar estate of a U.S. citizen or resident. In an effort to more closely equate the taxation of the U.S. estates of nonresident aliens with the estates of U.S. citizens or residents, the bill establishes a new scale of graduated estate tax rates applicable to nonresident aliens, which would tax those estates in an amount which would be generally equivalent to the tax imposed upon an estate of similar value of a U.S. citizen entitled to a marital deduction. Also, the bill would raise the estate tax exemption of nonresident aliens from $2,000 to $30,000.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Will the Senator define the term "nonresident alien"?

Mr. LONG of Louisiana. That would be a person who is not a citizen of the United States and does not reside here.

The present estate tax rule, which excludes deposits in U.S. banks from the gross U.S. estate of a nonresident alien, was amended by the House bill so as to immediately include these assets in the taxable estates of such persons. In view of the fact that the provision dealing with the income taxation of the interest derived by nonresident aliens is not effective until 1972, your committee considered it appropriate to amend the House bill so as to postpone the effective date of this provision until that same date.

EXPATRIATION PROVISIONS

The bill as passed by the House and approved by your committee provides an amendment which establishes special tax treatment for U.S. citizens who expatriate in order to avoid U.S. taxes.

Your committee agrees with the House that such an amendment is necessary since—although there are undoubtedly few Americans who would avail themselves of such a maneuver—but for this provision, the bill does make such a scheme more advantageous. Therefore, we wish to foreclose the possibility that this bill would serve as an encouragement to such people. The expatriation provisions of the House bill provide that U.S. source income and the effectively connected income of a citizen received within 5 years after expatriation will be taped at the regular U.S. tax rates if a principal purpose of the expatriation was the avoidance of U.S. taxes. Your committee adopted an amendment which would extend the 5-year period in the House bill to 10 years. This was an amendment suggested by the Senator from Delaware [Mr. WILLIAMS], and I believe it is a very good amendment.

OTHER AMENDMENTS TO THE FOREIGN INVESTORS TAX ACT

The remaining amendments regarding the foreign investors tax bill, which I will not discuss in detail, do not in my opinion constitute major changes. In any event, I will ask to include in the RECORD at the conclusion of my remarks a summary of all the changes.

OTHER PROVISIONS

Mr. President, there are a number of other provisions in this bill. Many of them are, I believe, essentially of a technical nature or are relatively minor in importance. I would hope we could agree to them without much discussion.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the summary of the provisions.

There being no objection, the provisions were ordered to be printed in the RECORD, as follows:

SUMMARY OF PROVISIONS

A. THE FOREIGN INVESTORS TAX ACT

1. *Interest on deposits in foreign branch banks of domestic corporations.*—Interest on deposits with foreign branch banks of U.S. corporations or partnerships is to be treated as foreign source income, and thus free of U.S. income tax when paid to nonresident aliens and foreign corporations.

2. *Source rules for bank deposit interest and similar income.*—After December 31, 1971, all interest on U.S. bank deposits (other than those described in No. 1 above), whether or not effectively connected with a U.S. business, is to be treated as U.S. source income (and subject to U.S. income tax) in the case of nonresident aliens and foreign corporations. Until then, this interest on bank deposits, interest paid on accounts with mutual savings banks, domestic building and

loan associations, etc., and interest on amounts held by insurance companies on deposit also are to be treated as foreign source income (unless effectively connected with a U.S. business) and thereby free of U.S. income tax.

3. Rules for determining the source of dividends from foreign corporations.—The source rule with respect to dividends paid by foreign corporations is amended to provide that dividends received from a foreign corporation are to be considered as having a U.S. source only if 50 percent (House bill provided an 80-percent rule) of the corporation's gross income for the prior 3 years was effectively connected with the conduct of a trade or business in the United States.

4. Compensation for personal services.—The special source rule, providing that certain payments of compensation for services performed in the United States by a nonresident alien are treated as foreign source income (and therefore free of U.S. tax) if the services are performed for certain foreign persons or a foreign office of a U.S. corporation, is extended to services performed for a foreign office of a proprietor who is a citizen or resident of the United States or for the foreign office of a domestic partnership.

5. Trading in stocks or securities or in commodities.—Except in the case of dealers and certain investment companies, trading in stocks or securities in the United States for one's own account, whether by a foreign investor physically present in the United States, through an employee located here, or through a resident agent (whether or not the agent has discretionary authority) is not to constitute a trade or business in the United States for income tax purposes. A parallel rule is provided for those trading in commodities.

6. Income effectively connected with the conduct of a trade or business in the United States.—The benchmark to be used in determining whether income is to be subject to a flat 30-percent rate or taxed substantially the same as income earned here by a U.S. citizen or domestic corporation is whether or not the income is effectively connected with a U.S. business. In the case of investment and other fixed or determinable income and capital gains from U.S. sources the income is to be treated as effectively connected with a U.S. business if the income is derived from the assets used or held for use in the conduct of a U.S. business or if the activities of the U.S. business are a material factor in the realization of the income. All other types of U.S. source income are to be considered to be effectively connected if there is a U.S. business. Income from sources without the United States will not be treated as effectively connected with a U.S. business unless the nonresident alien or foreign corporation has a fixed place of business in the United States and the income is attributable to that place of business. Moreover, in general only rents and royalties from licensing, certain income from banking and so forth, and sales income are to be taken into account for this purpose and only to the extent the income is not "subpart F" income or income derived from a foreign corporation 50 percent owned by the nonresident alien or foreign corporation receiving the income. Your committee modified the provision of the House bill dealing with "effectively connected" foreign source income to exclude (*a*) income derived from a transaction in which the U.S. office was not a material factor, (*b*) income not derived from the usual business activities of the U.S. office, and (*c*) income not properly allocable to the U.S. office. Additionally, the definition of a U.S. office was redefined to exclude the office of certain agents. In another modification, the foreign tax credit provision was expanded to include domiciliary taxes attributable to the foreign source effectively connected income.

7. Income tax on nonresident alien individuals.—The income of nonresident aliens which is effectively connected with a U.S. business is to be taxed at the regular graduated rates applicable to individuals and all income not so connected is to be taxed at a flat 30-percent rate (or lower applicable treaty rate). U.S. source capital gains of a nonresident alien not engaged in business in the United States are to be taxed only if the alien was in the United States for 183 days or more during the year. Deductions are allowable only to the extent allocable to income which is effectively connected to a U.S. business. Also, an election is provided which allows an alien to treat income from real property as U.S. business income in order to take deductions allocable to it.

8. Expatriation to avoid income tax.—U.S. source income and the effectively connected income of a citizen received for 10 years after expatriation is, in most cases, to be taxed at the regular U.S. tax rates if a principal purpose of the expatriation was the avoidance of U.S. income, estate, or gift taxes. The House bill would have provided a 5-year rule for income taxes.

9. Withheld taxes and declarations of estimated income tax.—The Treasury Department is authorized to require payment of amounts withheld from nonresident aliens and foreign corporations on a more current basis, rather than the annual basis presently provided. Nonresident aliens who receive income which is effectively connected with the conduct of a U.S. business are to be required to file declarations of estimated tax.

10. Income tax on foreign corporations.—The regular corporate income tax is to apply to income of foreign corporations which is effectively connected with a U.S. business. U.S. source income which is not so connected is taxable at a flat 30-percent rate (or at a lower treaty rate). Foreign corporations are given an election to treat real property income as business income similar to that afforded nonresident aliens.

11. Foreign corporations carrying on insurance business in the United States.—A foreign corporation carrying on a life insurance business within the United States is to be taxed under the present special insurance company provisions on its income effectively connected with a U.S. business. The remainder of the income of this type of corporation from sources within the United States is to be taxed in the same manner as income of other corporations which is not effectively connected; that is, at a flat 30-percent rate. An adjustment also is made to avoid double taxation which might result from the interaction of the minimum surplus provision for life insurance companies under present law and the new method of taxing foreign life insurance companies.

12. Discrimination and more burdensome taxes by foreign countries.—The House bill authorizes the President to reinstate the income, estate, or gift tax provisions in effect prior to the enactment of this bill in the case of foreigners upon a determination that the foreign country in which they are residents or were incorporated is imposing more burdensome taxes on U.S. citizens or domestic corporations on income from sources within the foreign country than the U.S. tax on similar U.S. source income of foreigners. Your committee added an amendment which provides the President with authority in the case of discrimination by a foreign government against U.S. persons, to take such action as is necessary to raise the effective rate of U.S. tax on income received by nationals or corporations of that other country to substantially the same effective rates as are applied in the other country on income of U.S. citizens or corporations.

13. Foreign community property income.—A U.S. citizen who is married to a nonresident alien and resident in foreign country with community property laws is to have an election for post-1966 years to treat the community income of the husband and wife as income of the person who earns it, or in the case of trade or business income, as income of the husband unless the wife manages the business. Income from separate property is to be treated as income of the person owning the property. All other community income is to be governed by the applicable foreign community property law. For open pre-1967 years, an election may also be made and the rules set forth above govern except that the other community income is to be treated as the income of the person who had the greater income from the other community income categories plus separate income.

14. Foreign tax credit.—A foreign tax credit is to be allowed nonresident aliens and foreign corporations with respect to foreign taxes on foreign source income which is effectively connected to the conduct of a U.S. business. Your committee extended this provision to include income taxes paid to the foreigner's home country on grounds other than that the income was derived from sources within that country.

15. Similar income tax credit requirement.—Under present law a foreign tax credit is denied to citizens of a foreign country who are resident in the United States if the foreign country does not allow a similar credit to U.S. citizens who are resident in the foreign country. In the future the credit is to be denied only where the President finds that this is in the public interest and the foreign country refuses to grant U.S. citizens such a credit when requested to do so.

16. Separate foreign tax credit limitation.—The 10-percent exception to the separate application of the limitation on the foreign tax credit for interest income was amended by your committee so as to apply to a U.S. corporation which directly or indirectly owns 10 percent of the foreign corporation from which the interest is derived, or is a member of an affiliated group of corporations which has such ownership. The House bill contained a more limited exception which would have provided that the separate limitation is not to apply to a domestic funding subsidiary which is formed and availed of for the principal purpose of (1) raising funds outside the United States through foreign public offerings, and (2) using these funds to finance the foreign operations of related foreign corporations.

17. Estate tax rates, exemptions, and returns.—A separate schedule of estate tax rates is made applicable to estates of nonresident aliens. The rates are graduated from 5 percent on the first $100,000 of a taxable estate to 25 percent on the portion which exceeds $2 million. The exemption also is raised from $2,000 to $30,000. These two measures are designed to accord approximately the same tax treatment in the case of the estate of a nonresident alien as is accorded a similar-sized estate of a citizen eligible for a marital deduction. The filing requirement for returns for the estates of these nonresident aliens also is raised from $2,000 to $30,000.

18. Situs rule for bonds.—For purposes of the tax imposed on the estates of nonresident aliens, bonds of a U.S. person, the United States, a State, or political subdivision owned by a nonresident not a citizen of the United States, are to be considered property within the United States and therefore subject to U.S. estate tax. This rule already applies in the case of other forms of debt obligations.

19. Situs rule for bank deposits.—U.S. bank deposits of nonresident aliens are to be treated as property within the United States and therefore subject to U.S. estate tax after 1971. The provisions of the House bill would have been effective immediately.

20. Situs rule for deposits in foreign branch banks.—Deposits in a foreign branch bank of a U.S. corporation or partnership are to be treated as property without the United States and therefore not includable in a foreigner's U.S. estate tax base.

24. Expatriation to avoid estate tax.—The estate of a nonresident alien is to be taxed at the regular U.S. estate tax rates if, within 10 years of his death, the alien had expatriated from the United States with a principal purpose of avoiding U.S. taxes.

22. Tax on gifts of nonresident aliens.—Transfers of intangible property by nonresident aliens are not to be subject to gift tax whether or not they are engaged in business in the United States. However, gifts of intangibles made by citizens who become expatriates within 10 years of making the gift are to be subject to gift tax if the avoidance of income, estate or gift taxes was a principal purpose for their becoming an expatriate. In the case of a person who expatriated for tax avoidance reasons, debt obligations of a U.S. person, or of the United States or a State or political subdivision, are to be treated as having a situs in the United States.

23. Treaty obligations.—No amendment made by this bill is to apply in any case where its application would be contrary to any treaty obligation of the United States. However, the granting of a benefit provided by an amendment made by this bill is not to be considered to be contrary to a treaty obligation. Thus, even though a nonresident alien or foreign corporation has a permanent establishment in the United States, income which is not effectively connected with this business is to be taxed at the applicable treaty rate rather than at the regular individual or corporate rate.

B. OTHER AMENDMENTS TO THE INTERNAL REVENUE CODE (ADDED BY YOUR COMMITTEE)

1. Application of the investment credit to certain property in U.S. possessions.—The investment credit is extended to property located in U.S. possessions provided the property is owned by a U.S. company or citizen, subject to U.S. tax on its income from possessions, would otherwise have qualified for the investment credit, and is not owned or used by U.S. persons who are presently exempt from U.S. tax. This amendment is effective with respect to property placed in service after December 31, 1965.

2. Medical expense deductions of persons 65 and over.—The amendment repeals the provisions with respect to a taxpayer age 65 or over, his spouse age 65 or over, and dependent mothers or fathers who are age 65 or over, which, beginning in 1967, would limit their medical deductions to medical care expenses in excess of 3 percent of adjusted gross income and define their medical care expenses to include only those medicine and drug expenses in excess of 1 percent of adjusted gross income.

3. Corporate acquisition of assets of another corporation.—(*a*) *Purchase of stock.*—Under present law, the purchase from an unrelated party by one corporation of at least 80 percent of the stock of another corporation followed by the liquidation of the acquired corporation within 2 years is treated as a purchase of the assets of the acquired corporation. These amendments expand the definition of "purchase" to include the purchase of stock from a 50-percent owned subsidiary if stock in the 50-percent owned subsidiary was also acquired by purchase. The change is to be effective with respect to acquisitions of stock made after December 31, 1965.

(*b*) *Installment notes.*—This amendment provides that when installment notes are transferred in the type of purchase and liquidation described above, gain is to be recognized to the distributing corporation in the same manner as if it had sold the notes. This amendment is to be effective with respect to distributions made after the date of enactment of this act.

4. Swap funds.—The amendment sets aside certain Treasury regulations proposing to tax the exchange of appreciated securities for shares in a mutual investment fund.

5. Self-employed persons retirement plans: minimum amount treated as earned income.—This amendment raises from $2,500 to $6,600 the minimum amount of earnings from a trade or business, in which both personal services and capital are material income-producing factors, which a self-employed person may treat as earned income regardless of the general rule that only 30 percent of the net profits of the trade or business may be treated as a self-employed person's earned income. This amendment applies to taxable years beginning after December 31, 1965.

6. Self-employed persons retirement plans: certain income of authors, inventors, and so forth.—The bill amends present law relating to self-employed individuals' retirement plans to permit authors, inventors, and so forth, to include gains (other than capital gains) from sales and other transfers of their works in their earned income base for the purpose of computing deductions for contributions to such plans. This change will be effective for taxable years ending after the date of enactment of this act.

7. Exclusion of certain rents from personal holding company income.—This amendment provides, for taxable years beginning after the date of enactment of the act (and certain earlier years at the election of the taxpayer), that rent received from the lease of tangible personal property manufactured by a taxpayer is not to be treated as personal holding company income.

8. Percentage depletion in the case of certain clay-bearing alumina.—This amendment provides, with respect to taxable years beginning after the date of enactment, a percentage depletion rate of 23 percent for alumina and aluminum compounds extracted from domestic deposits of clay, laterite, and nephelite syenite. It further provides that in computing gross income from mining all processes applied to derive alumina or aluminum compounds from such clay, laterite, and nephelite syenite are to be treated as mining processes.

9. Percentage depletion rate for clam and oyster shells.—This amendment provides that mollusk shells (including clam and oyster shells) are to be allowed percentage depletion at the same rate (15 percent) as is applicable in the case of limestone and other calcium carbonates. This change is applicable to taxable years beginning after the date of enactment.

10. Sintering and burning of shale, clay, and slate.—This amendment provides that for purposes of percentage depletion, the sintering or burning of shale, clay, and slate used or sold for use as lightweight aggregates is to be treated as a mining process. This amendment is applicable to taxable years beginning after the date of enactment.

11. Straddles.—This amendment provides that, with respect to straddle transactions entered into after January 25, 1965, the income from the lapse of an option which originated as part of a straddle is to be treated as a short-term capital gain (instead of ordinary income). This permits it to be netted against any capital loss which may result from the exercise of the other option in the straddle while retaining what in most respects is ordinary income treatment for any excess of net short-term capital gain over net long-term capital loss.

12. The taxation of per-unit retain allocations of cooperatives.—The bill clarifies present law dealing with the taxation of cooperatives and patrons to insure that a current single tax is paid, at either the cooperative or patron level, with respect to per-unit retain certificates. In so doing, the amendment makes the treatment of these certificates generally comparable to the treatment of patronage dividends under present law.

13. The excise tax on hearses.—This bill provides that the sale of an ambulance, hearse, or combination ambulance-hearse vehicle is to be considered to be the sale of an automobile chassis or automobile body (rather than a truck chassis or body) for purposes of determining the manufacturers' excise tax on motor vehicles. This change applies with respect to articles sold after the date of enactment of this bill.

14. Interest equalization tax: raw material source loans.—Subsequent transfers of debt obligations to assure raw material sources are to be exempt from the interest equalization tax where the indebtedness is acquired without an intent on the part of the purchaser to sell it to other U.S. persons. This change is to be effective with respect to acquisitions of debt obligations made after the date of enactment.

15. Interest equalization tax: certain acquisitions by insurance companies in developed countries.—The present exemption for reserve asset pools of U.S. insurance companies is extended to allow the establishment of reserve asset pools where a U.S. insurance company commences activities in a developed country or where a less-developed country is designated as a developed country. This amendment is to take effect on the day after the date of enactment.

16. Interest equalization tax: Euro-dollars.—The President is given the authority to exempt from the interest equalization tax U.S. dollar loans of more than 1 year made by the foreign branches of U.S. banks. This change is to apply to acquisitions of debt obligations made after the date of enactment.

C. PRESIDENTIAL ELECTION CAMPAIGN FUND ACT

This title provides for public support of presidential election campaign financing. Individual taxpayers are to be able to designate on their annual tax returns that $1 of their income tax liability is to be placed in a presidential election campaign fund. The amounts in the fund are to be made available to defray the expenses incurred by political parties in presenting candidates for President and Vice President. Amounts will only be paid to those political parties whose candidates received at least 1,500,000 votes in the preceding presidential election.

A major political party (one whose candidate polled 10 million votes or more in the preceding presidential election) is to be eligible to receive a payment from the fund equal to $1 times the number of votes cast for the presidential candidates of the major political parties in the preceding presidential election divided by the number of such major political parties. A minor party (one whose candidate polled more than 1,500,000 but less than 10 million votes) is to be eligible to receive a payment from the fund equal to $1 for each vote in excess of 1,500,000 votes that its candidate received in the preceding presidential election. The payment received by any political party is to be limited, however, to reimbursement of presidential campaign expenses actually incurred by the party in connection with the current presidential election.

The Comptroller General is authorized to determine the campaign expenses of the political parties and to determine the amounts which may be paid to such parties. An advisory board is established to advise and assist the Comptroller General with his duties under this act.

D. MISCELLANEOUS PROVISIONS

1. Treasury bonds or certificates payable in foreign currency.—This amendment expands the debt management authority of the Secretary of the Treasury to permit the issuance of U.S. notes denominated in foreign currencies. This authority already exists in the case of bonds and certificates of indebtedness.

2. *Reports on Federal contingent liabilities and assets.*—This amendment requires the Secretary of the Treasury to submit a report to the Congress each year indicating the full contingent liabilities of the Federal Government and the assets of the Federal Government which might be made available to liquidate such liabilities. The first such report is to be submitted on or before March 31, 1967.

3. *Medicare: Coverage of expenses for prescribed drugs.*—This amendment authorizes payments for prescribed drugs under the Medicare Act. The estimated monthly cost of $1 per beneficiary will be shared equally by the Government and the beneficiary. Reimbursements will be made under a schedule of allowances based upon generic drug prices.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. What does the Treasury Department say about title I?

Mr. LONG of Louisiana. The Treasury thoroughly approves of title I.

Mr. LAUSCHE. Does title I's general objective contemplate removing what are supposed to be inequities imposed upon aliens, as distinguished from the tax burden placed upon nationals of the United States?

Mr. LONG of Louisiana. Yes. It proposes to tax nonresident aliens and foreign corporations upon a more equitable basis. In other words these foreign persons would be placed in a position more in line with what their tax treatment might be in other countries, where they might consider putting their money.

Mr. LAUSCHE. Then the objective is to induce foreign investors to come to the United States and invest their money here, and be assured that there will not be burdensome discriminatory taxes imposed upon them, as distinguished from the load that is placed upon our own nationals?

Mr. LONG of Louisiana. Yes. The purpose of title I is twofold as the Senator has indicated. It is, one, to provide greater tax equity to foreigners who invest their money in the United States; and, two, it is intended to encourage them to invest their money here rather than somewhere else. Additionally, the House added provisions which would actually cause some nonresident aliens and foreign corporations to pay more taxes than they paid before, in situations where we have given foreigners a better tax treatment than we give our own citizens.

Mr. LAUSCHE. By adopting a tax bill that will be an inducement to foreign investors to come to the United States, would we or would we not be lessening the burden of the outflow of our gold?

Mr. LONG of Louisiana. We would be improving our balance-of-payments situation, and we would be decreasing the outflow of gold.

Mr. LAUSCHE. Mr. President, efforts are being made to dissuade American dollars from being invested in foreign countries. This provision would be an inducement to foreign holders of our money to invest in the United States.

Mr. LONG of Louisiana. The Senator is correct.

COVERAGE OF PRESCRIBED DRUGS UNDER PART B OF MEDICARE

It is generally conceded that the major gap in medicare coverage is the failure to provide protection against the heavy costs of drugs outside of those prescribed in a hospital or extended-care facility.

Older Americans spend more than $600 million a year at the retail level for prescriptions. More than 3 million people age 65 or over have annual drug costs of $100 or more, and 600,000 of these persons have drug expenses exceeding $250 a year. Obviously, these are citizens who need help, who should be helped, and who will be helped substantially by the committee's amendment.

The committee amendment represents a sensible and economical approach to meeting a serious defect in medicare. Obviously, it would have been far too costly to provide protection against all drug costs and pay for them at the usual retail prices. The amendment provides a reasonable allowance toward the cost of necessary drugs requiring prescription. The payment under the plan will come closest to paying the full cost of the prescription when the doctor prescribes on a generic basis instead of by brand name. The doctor, however, is free to prescribe by brand name, but the allowance to his patient is based upon the price of the generic version of the drug—not the brand name.

The amount involved is estimated at 50 cents a month for each aged person to be matched by 50 cents a month from the Government, or a total of $1 a month, to provide these drugs for the elderly.

One of the modern wonder drugs is Tetracycline. It is sold in some instances by that name. However, if one were to buy it from the Lederle Co., the drug is called Achromycin.

The Government, through the Defense Supply Agency, buys Tetracycline for approximately 1.5 cents to 2 cents a capsule. If one buys the same drug by brand name, the current cost is 30 cents a capsule. It used to be 50 cents a capsule.

The Government will pay under a schedule of allowances what it would cost to buy this drug under the generic name Tetracycline. We will not pay for the cost involved in simply placing a fancy brand name on the drug and charging 10, 20, or 50 times what the drug would sell for under its generic name.

The drugs for which coverage will be provided under the program would be determined by a high-level formulary committee consisting of the Surgeon General, the Commissioner of the Food and Drug Administration, and the Director of the National Institutes of Health. These men would be aided by an advisory group representing the major groups concerned with pharmacy.

The benefit would be added to part B of medicare effective July 1, 1968, and possibly earlier if the part B premium is recalculated prior to that date. The monthly cost is estimated at 50 cents to the beneficiary and 50 cents to the Government.

OTHER AMENDMENTS

The committee, in a related action, also approved amendments to the Internal Revenue Code which prevent the reimposition of limits on the deductible medical expenses of persons 65 and over. Right now, older persons can figure their deductible medical expenses without bothering with the 3-percent limit on general medical expenses or the 1-percent limit on expenses for medicine and drugs. One provision of the Medicare Act reimposed these limits beginning in 1967. That is, beginning in 1967, older taxpayers would only be allowed to deduct that portion of their nonreimbursed medical expenses which exceeded 3 percent of adjusted gross income and, in computing medical expenses for the purposes of the deduction, they would be required to disregard that portion of expenses for medicines and drugs which did not exceed 1 percent of adjusted gross income. In view of the fact that not all medical expenses will be covered by medicare, it is important to preserve existing income tax provisions regarding the medical expense deduction of older persons. The committee amendment would retain present law.

Mr. President, I have seen several newspaper editorials which criticize the committee because it placed about 23 amendments on the bill. About 18 of those amendments are approved by the Treasury Department. The Department says that these amendments should be agreed to, that they are appropriate and proper modifications of our tax law.

This is one amendment not approved by the Treasury Department purely because of the revenue involved.

When the committee voted on this amendment, not a single committee member wanted to vote to deny these aged people the right to deduct all of their medical expenses.

Furthermore, even though the Treasury Department is not willing to approve the amendment, I do not think any Senator would like to deny the aged people the right to deduct all of the heavy expense of drugs in the event of a costly illness.

Mr. LAUSCHE. What does the present law provide with reference to the deductibility of expenses for doctors and medical services?

Mr. LONG of Louisiana. A person under the age of 65 is presently permitted to deduct medical expenses to the extent that they exceed 3 percent of his income.

There is a further limitation which provides that such a person is allowed to deduct the expenses of drugs only insofar as they exceed 1 percent of his income.

Under present law, if a person is over the age of 65, he is permitted to deduct the entire amount of his medical expenses without any limitations. It is well recognized that aged people have a great deal more medical expenses and less income than do people below the age of 65. It is therefore provided in the bill before us that people over the age of 65 can continue to deduct the entire amount.

Starting this coming January, the law would cause the aged people to be taxed on the same basis as people below 65. Judging from the letters we are receiving at the present time, and particularly the letters being received in the Committee on Aging, if we follow through on this provision, it would be one of the most unpopular things that we have ever done.

The committee therefore moved to continue the status of the aged people as it presently exists in the law.

Mr. LAUSCHE. Under the existing law, a person under 65 years of age cannot deduct the first 3 percent of his gross income expended for medical expenses from his tax obligation.

Mr. LONG of Louisiana. If a person is below the age of 65, he cannot deduct medical expenses unless they exceed 3 percent of his adjusted gross income. If he is over the age of 65, he can presently deduct the entire amount.

Mr. LAUSCHE. With regard to drug expenses, they must exceed 1 percent in order to be deducted.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. What would the pending bill do in respect to changing that law?

Mr. LONG of Louisiana. When we passed the medicare bill, in order to help cover the cost of the program, the bill contained, as one of the many items, the denial to aged people of the favorable tax treatment that they presently receive. However, the denial of this privilege that they have been receiving will not go into effect until January 1 of next year.

Having thought about the matter and knowing the tremendous protest that we will experience, especially from people who are not in a position to take full advantage of medicare—people who have sickness at home and are paying their own expenses—we decided that it would be better to let these people continue to have the favorable tax treatment they have always received and not impose this more burdensome treatment on them.

Mr. LAUSCHE. When Congress passed the medicare bill, it decided that since medicare was to be financed by the program adopted by Congress, the special benefits which persons over the age of 65 then enjoyed should be repealed.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. And this provision recommended by the committee reinstates those benefits which the aged have?

Mr. LONG of Louisiana. Yes. And may I say that this committee is being thoroughly consistent with what we have done before. When it passed the medicare bill in 1965, the House put in its bill the provision that would cause this tax deduction to be reduced with respect to the aged. We, in the Senate committee, struck that out, and the Senate sustained the Committee on Finance. This is one of the points on which we were compelled to yield to the House when we went to conference. So we are now doing again what we did before.

Mr. LAUSCHE. What is the dollar amount involved in this proposal?

Mr. LONG of Louisiana. About $180 million annually.

Mr. LAUSCHE. How much is involved in all of the miscellaneous items that have been added to this bill, submitted by the Treasury Department?

Mr. LONG of Louisiana. The committee amendments increase expenses in one instance, such as providing drugs, and reduce revenues in the other instance by a total of about $410 million. Most of it is in these two amendments.

Mr. LAUSCHE. Which two?

Mr. LONG of Louisiana. The one that goes into effect on January 1, to simply continue existing law on medical and drug deductions for the aged people, and the one to provide for drugs for the people under medicare.

Mr. LAUSCHE. The total is $410 million. The total, according to the Senator from Louisiana, will entail a loss of revenues of about $410 million. Is there any disagreement on that figure?

Mr. LONG of Louisiana. No, I do not think so.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. Including the cost of paying for the elections out of the Treasury when all these proposals, including the depletion allowance, and so forth, become fully operative, the Treasury estimated the revenue loss will be between $500 and $600 million. That is the Treasury estimate.

Mr. LONG of Louisiana. We estimate that, every presidential year, the provision on presidential campaign costs would cost us about $70 million. We elect a President every fourth year. But that is a lot less money than it would cost if we had adopted the proposals suggested by the Senator from Delaware, who wanted to give a $100 tax deduction to everyone.

Mr. LAUSCHE. Would the approval of this particular section or title, or whatever it is, mean an abandonment of the judgment made in 1965, when we adopted the medicare bill, that we therefore should withdraw the special tax benefits that were given the beneficiaries of the medicare bill?

Mr. LONG of Louisiana. We would be reversing the judgment of the House of Representatives. We certainly would not be reversing the judgment of the Senate.

Mr. LAUSCHE. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, I should like to discuss briefly a number of other amendments. Three of these amendments involve the depletion allowance. The first places alumina clay on the same basis as bauxite.

This, incidentally, would involve no revenue loss at all presently; but by giving what we believe to be appropriate tax treatment to this Georgia clay and to these low-grade ores in Arkansas, we would hope that this industry could improve its position and that this Nation could become self-sufficient in the production of aluminum. As a practical matter, this might result in more revenue, in the event that these American industries are successful in processing this clay and these low-grade ores. It deals with alumina clay. It takes about twice as much of it to make a ton of aluminum as it does when bauxite is used. The provision also includes more mining processes in the base to which the percentage depletion rate applies.

The second amendment places clam and oyster shells on the same depreciation basis as other sources of calcium carbonate. The third clarifies the status of certain mining processes in the case of shale, clay, and slate used in making concrete aggregates, such as cinder blocks.

Two of the amendments involve the provisions of self-employed retirement plans. One deals with the case in which a self-employed person invests both his capital and his time in a business. Under this amendment, the first $6,600 of his net profits will, in any event, be regarded as earned income, rather than only the first $2,500. Amounts in excess of the limit will continue to be allocated between personal services and capital. The second amendment treats the royalty income of authors and inventors as earned income. These amendments insure that all self-employed persons have access to the retirement provisions on a more nearly equal basis.

One final amendment I would like to call to the attention of the Senate is one that was proposed to the committee by the senior Senator from Massachusetts [Mr. SALTONSTALL]. This amendment requires the Secretary of the Treasury to submit to Congress by March 31 of each year a report showing the amount of the Federal Government's contingent liabilities and the amount of the assets available to meet these liabilities.

I am sure that that would meet with the approval of the Senator from Ohio as well; because it was felt that we should have a statement somewhere of all our contingent liabilities, and it was felt that we should have a positive statement of what assets we have available to meet those liabilities.

This provision will enable the Congress to better measure and analyze the impact of many long-range programs. Such analysis is often difficult when financial requirements are reported on an annual basis.

Mr. President, the many and separate provisions of this bill have received the committee's consideration and approval.

In this bill we have added, as I say, a number of amendments, in the effort to see that the suggestions that Senators have made—that they have been urging, that they have been studying—will receive some consideration.

I realize that revenue bills must originate in the House. The Senate does have the power to amend. Contrary to what some contend—that we only have a right to amend a revenue bill in a manner that is relevant to the bill, the Constitution provides nothing of the sort. I would hope that we never are confronted with the kind of difficulty that once confronted our Committee on Appropriations, when the committees experienced an impasse of almost a year because of quarreling about who was going to walk to meet whom and about what room the Senators were to meet in. The Constitution is clear that the right of the Senate to amend a revenue bill is unlimited. We can add any amendment, except a constitutional amendment, which of course would be contrary to the Constitution itself.

So, in effect, we urged Senators not to offer amendments that were not germane on a number of revenue bills, in order to expedite those bills. The Senator from Massachusetts [Mr. SALTONSTALL] was prevailed upon a number of times to withhold his amendment with respect to a statement of liabilities.

Eventually, Senators want their measures considered before we adjourn. We selected this very important bill on which to consider those amendments. The committee has given its best consideration to the effort. Many provisions of the bill have received careful consideration by the committee.

Mr. President, I urge the Senate to give the measure prompt consideration.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Since I have been in the Senate, I have listened to, and at times participated in, debates dealing with what one side claimed to be the evil of depletion allowances, and on the other side, those who argued that depletion allowances were sound.

We grant a 27.5-percent depletion allowance to the oil industry, and a 10-percent depletion allowance to the coal industry. Am I correct in my understanding that this principle of depletion allowance and special tax benefit as claimed by some is extended in this bill to three new classes?

Mr. LONG of Louisiana. No.

Mr. LAUSCHE. To how many new classes is it extended?

Mr. LONG of Louisiana. They are already eligible. They are permitted a somewhat greater depletion allowance than they had.

Mr. LAUSCHE. Is this increasing the percentage of depletion allowance?

Mr. LONG of Louisiana. In two instances, yes.

Mr. LAUSCHE. That would mean if I, as a Senator from Ohio, representing a coal State, submitted to the committee an amendment to increase the depletion allowance of 10 percent on coal to 15 or 20 percent, I would be falling within the principle of these three sections?

Mr. LONG of Louisiana. Not necessarily.

Mr. LAUSCHE. Why choose clay, clam, and oyster shells in increasing the depletion allowance and not coal?

Mr. LONG of Louisiana. Let me explain—bauxite already gets a 23-percent depletion allowance. If this Georgia clay is to compete with bauxite in the production of aluminum it would be only fair that Georgia clay get a 23-percent depletion allowance. It is a much lower grade of ore and it takes twice as much of it to produce a ton of aluminum than from bauxite. It is an inferior product for the purpose, but if it is going to compete in the production of aluminum, it should get as much depletion allowance as a superior ore.

Mr. LAUSCHE. Did the Senator give any thought to the argument of the Senator from Illinois [Mr. DOUGLAS] that the depletion allowance should be eliminated and not expanded?

Mr. LONG of Louisiana. I heard the argument, but one thing that impresses me when that argument is made is that before somebody comes in and contends for eliminating the depletion allowance, he should learn what depletion is. If he does not know what it is, he is not qualified to discuss it.

I have never been able to understand when people say there should be no depletion allowances on these items that are subject to being exhausted. I cannot understand why people want to argue there should be no depletion allowances.

Sometimes I am reminded of what happened to one of my friends who was working his way through college by flying an airplane. I financed that airplane. He was a good friend of mine. This young fellow could not afford to hire a lawyer or an accountant. He operated on a cash-in, cash-out basis. He would get a couple of dollars to take somebody up in his airplane. He would buy 5 gallons of gasoline and go back and forth. He went out every day and he made a profit. In a year he was broke. He could not figure out how it was that he was broke when he made a profit every day.

He had failed to set up a reserve for depreciation. He had failed to set up any account for his lease which had a year to run and had to be renewed. He was setting aside nothing to renew the lease. There was no reserve for depreciation, or for a number of items that would not meet the eye. After a year he was broke.

If you are in Arkansas and you are in the business of mining bauxite it will not be long before all of that bauxite is gone and you are out of business. That machinery for mining bauxite may be very good machinery but it is specialized machinery. It is useless unless you find somebody to take it off your hands.

If you are in the oil business you can figure that the oil is worth something to you, but when it is all gone the pipe, the rig, the bits, and things of that nature, the tanks that you have to contain the oil, are all worthless because you are out of the oil business.

If Senators would understand there is such a thing as depletion, then we could proceed on the basis of what would be a fair depletion allowance of products.

These three amendments simply seek to do equity between two competing products and give them the same consideration.

Mr. LAUSCHE. What is the present depletion allowance on clay-bearing aluminum?

Mr. LONG of Louisiana. Presently, it would get 15 percent.

Mr. LAUSCHE. This bill would raise it to 23 percent, putting it on the same basis as bauxite?

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. What is the present rate of the depletion allowance on clam and oyster shells?

Mr. LONG of Louisiana. Presently, it is 5 percent. I wish to explain why we raised that figure.

Mr. LAUSCHE. Did the Senator say 5 percent?

Mr. LONG of Louisiana. Let me explain this. Clams are competitive with limestone; both are calcium carbonate. If you take limestone and break it up and throw it on the ground to use as gravel, it would get a 5-percent depletion allowance, but if you crush it into powder and make it into cement, it would get 15 percent.

Here we say that if you take clam shells and put them on the ground to use as gravel, then you would get only 5 percent, just as you would if you were using limestone. But if you were going to powder it and make chicken grit or cement out of it we would give it the same depletion allowance as limestone.

The question might be asked how we got into this situation in the first place. When we passed the law about limestone there was practically no one getting calcium carbonate out of seashells. Then, discoveries were made on the Continental Shelf whereby they could be used commercially. We would like for the people using clamshells to make cement, but they are very much at a competitive disadvantage with limestone because of the difference in depletion rates.

Mr. LAUSCHE. Where are the areas in which most of our clam and oyster shells are developed?

Mr. LONG of Louisiana. I should think there would be clam and oyster shells throughout the entire coastal areas of Florida, Louisiana, and Texas.

Mr. LAUSCHE. Louisiana is an important State in that business, is it not?

Mr. LONG of Louisiana. We are certainly interested in them. I like oysters. Of course, Virginia has oysters. That is a very fine State. I have nothing against their oysters. They are not as good as Louisiana oysters, but they are not bad.

Mr. LAUSCHE. In any event, three of the sections in the bill would expand the depletion allowance that is granted by the Federal Government to reduce the tax burden of persons engaged in refining clay-bearing aluminum, selling clam and oyster shells for various purposes, and cindering and burning of shale, clay, and slate; is that correct?

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. Why the difference on the depletion allowance in raising it to 23 percent on clay-bearing aluminum. Why has coal been ignored?

Mr. LONG of Louisiana. Coal is not competitive with aluminum-bearing ores. The products do not compete. We do not make aluminum out of coal.

Mr. LAUSCHE. Forgetting that for a moment, why do we say 10 percent of coal, and 23 percent of alumina clay and

27.5 percent of oil? Why the difference?

Mr. LONG of Louisiana. The committee did not vote on the coal problem. If the Senator wishes to offer an amendment——

Mr. LAUSCHE. I am not going to offer any amendment because I do not believe in the depletion allowance. I think it is wrong.

Mr. MORTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MORTON. In order to keep the record straight, on this alumina- or bauxite-bearing clay, let us remember this, that today this is not a business. The Anaconda Copper Co. has worked out a process with which they think they can go into certain of the poorest areas of Georgia and take out this clay and get from it a product which would be similar to bauxite and it would get into the aluminum stream. Alcoa and Reynolds are working on the same operation in Arkansas.

However, this is not in operation today, but is something to encourage an operation in some of the areas in which we find the greatest poverty in this country, and would relieve us from the almost complete responsibility or necessity for relying on overseas sources for this vital raw material.

Mr. LONG of Louisiana. If this operation is successful, it will cause increased tax revenues to the Government. It will put many fine people to work who now live on "tobacco roads" where poverty is the worst; in Georgia, for example. They can take this Georgia clay, or the ores in Arkansas—and process them and make aluminum, and pay taxes. Yes; they will receive a depletion allowance, but so far as it goes, they will also be paying taxes. It will provide jobs, relieve unemployment, and take people off the backs of the Federal Government and enable them to pay tax to Uncle Sam.

Mr. TALMADGE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. TALMADGE. The Senator is entirely correct. Aluminum is, perhaps, the second most important material in the defense of America, exceeded only by steel.

We import into the United States 85 percent of the ore from which aluminum is made. It costs the United States of America, at the present time, $150 million a year. Aluminum is increasing at the rate of doubling itself every 10 years. That means that 10 years from now the importation of ore for the manufacture of aluminum will cost $300 million instead of $150 million.

At a time when we are concerned about our dollars, our debts, and our gold drain, it never ceases to amaze me why anyone would object to developing an aluminum industry in the United States from materials located in the United States. It would save the loss of many dollars, help prevent the loss of our gold, and at the same time create jobs for our people in the United States of America.

As the able Senator has pointed out, the amendment would not be an expense to the Treasury.

Why?

It would develop a new industry in this country. That new industry, in turn, would be paying taxes to the Government of the United States.

Job opportunities will be created as a result of adoption of the amendment and the military security of this country will be enhanced from the amendment. Why anyone could object staggers my imagination.

Now we always have someone——

Mr. LONG of Louisiana. I hope the Senator will allow me to interrupt him there long enough to say that everything the Senator has said is correct. Furthermore, as a matter of tax equity, by bringing that ore in from Jamaica, we are losing dollars, we are losing jobs and losing gold, and we are impoverishing our own people and endangering our own national security by doing it that way. If we do it this new way, it will help the gold situation, it will raise revenue for the Government, it will provide employment, and, in addition, it will do something to benefit our tax equity.

Mr. TALMADGE. It will mean more jobs in Jamaica than it will in the United States of America.

In the final analysis, anyone who objects to a depletion allowance does not have the slightest idea of economics because we are wasting a capital asset and when we waste that capital asset we must recognize that we have lost the capital that would provide new tax revenue and employment.

The amendment was offered by me in committee and was approved by the committee unanimously, as I recall—perhaps one or two dissenting votes, but virtually unanimous—and as has been pointed out, the Anaconda Copper Co. found that they could make aluminum ore from alumina in the United States of America. They have experimented with this alumina clay in several areas—in Idaho—and other sections of the country; but they have found that Georgia clay is ideal for the development of alumina and aluminum, but they have found further that it takes two tons of Georgia clay to equal one ton of bauxite to develop aluminum ore; so that the plan would not be practical unless they had a depletion allowance. If they get the depletion allowance, there is a good possibility that a vast aluminum industry can be developed in my State.

As the Senator has pointed out, it will create jobs, it will save dollars, it will save gold, and it will benefit the Treasury from the receipt of additional tax revenue.

Mr. LONG of Louisiana. The Senator is correct.

Mr. TALMADGE. I thank my friend for yielding to me to make these comments.

Mr. GORE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. I do not like to raise my voice in disagreement, but I should cite that percentage depletion in law has no relation whatsoever to wear, tear, and exhaustion or depletion of the product. It is nothing more and nothing less than a formula for tax reduction.

Mr. LONG of Louisiana. Mr. President, let the record speak for itself. Senators have varying opinions. The amendments which we have on depletion are merely based on the matter of tax equity, if nothing else.

The PRESIDING OFFICER. The Chair would like to announce that the question before the Senate is on the adoption of the committee amendment in the nature of a substitute for the bill. Both proposed language to be stricken and language to be inserted are open to amendment in two degrees, with amendments to the language to be stricken taking precedence over amendments to the language to be inserted.

Mr. WILLIAMS of Delaware. Mr. President, for the past hour and a half I have been listening to a discussion on methods of financing presidential campaigns out of the Treasury and the merits of a depletion allowance.

I thought the bill before the Senate dealt with "tax on foreign investments in this country." Would the Chair ask the clerk to state the pending business now before the Senate?

The PRESIDING OFFICER. Does the Senator mean on the bill?

Mr. WILLIAMS of Delaware. Yes; have the clerk state the bill we are discussing.

The PRESIDING OFFICER. H.R. 13103.

Mr. WILLIAMS of Delaware. That is what I thought—the Foreign Investors Tax Act, but I am somewhat confused by the discussion which has just taken place. What has the depletion allowance on clam or oyster shells or the financing of Presidential campaigns to do with that bill? Perhaps the title of the act should be amended to read "Grab Bag Act of 1966." It was very properly referred to as such in the Wall Street Journal. I think that title would be more in line with what it actually is. This bill is loaded with everything but the kitchen sink.

I have an amendment to strike out one section of the bill, which section is certainly not germane to a Foreign Investors Tax Act.

I send it to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 189, beginning with line 3, to strike out down to and through line 14, as follows:

SEC. 204. Transfers of stock and securities to corporations controlled by transferors.

(a) TRANSFERS TO INVESTMENT COMPANIES.—The first sentence of section 351(a) (relating to transfers to corporations controlled by transferor) is amended by striking out "to a corporation" and inserting in lieu thereof "to a corporation (including an investment company)".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to transfers of property whether made before, on, or after the date of the enactment of this Act.

Mr. WILLIAMS of Delaware. Mr. President, this amendment would strike out section 204. This section has to do with the tax liability of transfers of stock and securities to corporations controlled by transferors. This has been referred to as the swap amendment. The Treasury has confirmed that if the amendment as set forth in the bill is agreed to by the House it will be a wide-open loophole whereby a certain group of investors may completely avoid the capital gains tax.

To cite a specific example, let us take two individuals, one of whom owns a block of General Motors stock which he bought at a very low price as compared to today's high price. Another gentleman has a sizable block of Ford Motor Co. stock which he also brought at prices much lower than today's market. They decide to diversify their holdings so that the holder of General Motors stock will have 50 percent of his holdings in Ford Motor Co. and the holder of the Ford Motor Co. stock will have 50 percent of his investment in General Motors stock.

Ordinarily they would both be subject to a capital gains tax, but under this bill they can set up a special holding company or trust, transfer those shares of stock to this new company, and accept stock of this company in exchange. Therefore, by setting up a trust or a holding company they diversify their stockholdings and in so doing are exempt from any capital gains. They would have diversified their stockholdings whereby each of them would have half of their holdings in General Motors stock and half in Ford Motor stock, as between individual A and individual B. They would therefore diversify their holdings without being subject to a capital gains tax.

This could be done by any number of stockholders with respect to stockholdings in four or five companies. There would be no limit with respect to a free stock exchange or an exchange of certificates.

The law has been that if an individual owns stock in corporation A and wishes to exchange that stock for the stock of corporation B he must pay a capital gains tax based on the value of the stock at the time of the transfer.

Representatives of the Treasury Department appeared before our committee and took a strong position against this amendment as appearing in the bill and even went so far as to indicate that the Treasury might recommend a veto if that provision were left in the bill.

Certainly this is not the time to pass a wide-open loophole in the tax laws.

I hope my amendment, which deletes that section, will be adopted.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on the amendment of the Senator from Delaware.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, as far as I am concerned we can proceed to vote. I have outlined the purpose of the amendment. It is to strike from the bill the section which would permit a tax-free exchange of securities through a so-called swap fund arrangement. As has been pointed out, if this provision stays in the bill, in addition to permitting securities to be exchanged tax free it would also make it possible to have a tax-free exchange of real estate for securities or securities for real estate. This is not permitted under existing law. I know of no better way to describe it than to use the words of the Treasury Department when they said that this would be a glaring loophole whereby knowledgeable investors could completely escape the capital gains tax.

I strongly urge the adoption of the amendment.

Mr. McCARTHY. Mr. President, for the sake of the RECORD, and for those Senators who were not here previously, I would argue very strongly that a loophole does not exist in the law with reference to the collection of capital gains.

However, if such a loophole did exist, I do not believe we ought to change it by allowing the Treasury to reverse a ruling which it made in 1960, and to change a situation which it allowed to stand from 1960 until 1966. If there is a loophole, the Treasury has had 5 or 6 years in which to come up here and ask us to pass legislation.

Of course, we could give up all responsibility with reference to taxation, and let the Under Secretary or the Secretary of the Treasury and the Solicitor of the Treasury Department make all our tax laws and tax rulings, but I do not believe we want that.

We examined this matter in the committee, and we decided that the ruling was arbitrary and did not seem to be sustained by law; and that if there was grave concern over the loophole, the Treasury had had 5 years to come up and ask us to close it. It appears the Treasury has decided that it has the prerogative to make such rulings whenever it wants to, without consultation with Congress and without proper concern for what is in the law.

The whole question of capital gains is a very complicated one. It is my judgment that the amendment would have very little effect, although it is possible that the allowance of transfers of this kind may have the effect of freeing up investments. Insofar as we have a record, it indicates more revenue will be collected, through permitting that kind of transfer, than will be collected if we do not permit it.

All these securities can be held forever. The only possibility of collecting on them may be in estate taxes. The transfer of them to a mutual fund does increase the likelihood that they will be traded, that capital gains will be realized, and that taxes will be paid, more than if we do not allow the transfers. I do not concur in the argument that the proposal in the bill is such a great and powerful one it will accomplish everything that it is indicated could be accomplished, for example, by the adoption of an increased depletion allowance on minerals. I cannot claim that much for it. I do not think it will do any harm. I think it is consistent with the law, and that it is in keeping with what I consider to be the responsibility of Congress: that is, to insist that the law be rewritten, if it needs to be rewritten, by Congress itself and not interpreted, as I consider somewhat arbitrarily, by the Treasury Department of the Federal Government.

Mr. GORE. Mr. President, the majority of the committee has seen fit to load a worthwhile bill with many unworthy amendments. Perhaps the most unworthy of all is the provision now under debate. I concur in the views expressed by the senior Senator from Delaware with respect to the pending amendment. If it remains in the bill, Mr. President, it will operate as an invitation for other special interest amendments, which we shall anticipate, from the floor.

I shall not detain the Senate further. I do not claim the responsibility of being the guardian of anyone's conscience except mine, but I firmly believe this provision should be stricken from the bill.

Mr. LONG of Louisiana. Mr. President, I have no interest whatever in this amendment, one way or the other. I believe in the committee I voted against the amendment. But I do believe the RECORD should reflect what the facts are.

Until July 14 of this year, the Treasury Department interpreted the law as this amendment would have it.

If Senators will read the provision before us, I am sure that they will agree that it is consistent with the law as it is today. But now Treasury says that they think this is something of a loophole, and they want to close it by a Treasury regulation which, in the point of view of many lawyers, is contrary to existing law. It is contended that, if the law is to be changed, we ought to change it. We should look at it, we should study it, we should legislate; the Treasury does not have the job of legislating, but has the job of administering the laws.

As far as I am concerned, the Senate may do whatever it wishes to do with the provision in question, but this is how the Treasury permitted the law to be interpreted until July 14 of this year.

It is a matter of whether we want the Treasury to change the law, or whether we want to change it. To me, it is not a matter of great moment one way or the other.

But there is no doubt about the fact that most lawyers would tell you that what this amendment says is what the law actually is today. The law does not say that this particular provision applies to some transfers and not others. It makes no distinction whatsoever. But the Treasury thinks it is something of a loophole, and should be closed. The question is: Is that something upon which Congress should legislate, or something on which the Treasury should take charge itself, and proceed to change the law?

Mr. WILLIAMS of Delaware. Mr. President, what the Treasury has ruled is that the existing law does not permit the tax-free exchange of these securities. This amendment in the committee bill proposes to spell out specifically that they must allow such tax exemption. If the committee amendment is deleted the law will continue to be interpreted as not allowing a tax-free exchange, and the Treasury has so given notice. The law is clear and will be interpreted so that such taxpayers cannot get their tax exemption on such an exchange of securities.

If there be those who feel that there should be a tax-free exchange of securities let them amend the existing law. But existing law now prohibits it, and the committee amendment would legalize it. The question is very simple. As the Senator from Tennessee has pointed out, my amendment by all means should be accepted, and this section should be deleted from the bill. This would be a wide-open loophole, and I would hate to see it extended and fixed into permanent law.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GORE. Some Senators have asked questions as to the meaning of this provision in the bill. Would the Senator be willing to state specifically that it would permit the exchange of an asset which has had great appreciation in value for another asset, and another type of asset, without recognition of the gain and without tax consequence?

Mr. WILLIAMS of Delaware. The Senator is correct. In addition, as the Treasury Department pointed out, a man could exchange land and real estate for securities under the language of the pending bill and still escape taxes.

If a man had all of his investment in securities and another man had all of his investment in land they could exchange on a tax-exempt basis. It would completely nullify the capital gains tax in this respect.

Mr. GORE. If Senators wish to find the meaning of the amendment, they will find on page 6 of the report that it reads as follows: "These amendments expand the definition of 'purchase.' . . ."

It accomplishes its purpose by the definition of "purchase." One can do a great deal by definition of what is taxable income and what is not taxable income.

Mr. WILLIAMS of Delaware. The Senator is correct. I do not think that anyone could picture the full extent and effect of the results of agreement to this loophole.

I think it would be disastrous.

Mr. GORE. Mr. President, does the Senator agree with the senior Senator from Tennessee that the vote on his amendment would be a test as to whether the Senate wishes to use the pending bill as a grab-all for special interest amendments and that, if this provision is not stricken, we are then apt to have many other such amendments from the floor?

Mr. WILLIAMS of Delaware. If this provision is not stricken I shudder to think of what will happen to the bill before we get through, because it seems to me that our position for cleaning up this bill is stronger on this point than on any other.

That is the reason that I selected this amendment as the first.

The PRESIDING OFFICER. The question is on agreeing to amendment of the Senator from Delaware [Mr. Williams]. On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from West Virginia [Mr. Byrd], the Senator from Idaho [Mr. Church], the Senator from Massachusetts [Mr. Kennedy], and the Senator from Maryland [Mr. Tydings], are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from New York [Mr. Kennedy], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from South Carolina [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss], the Senator from West Virginia [Mr. Randolph], and the Senator from New Jersey [Mr. Williams] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from Nebraska [Mr. Curtis], the Senator from Iowa [Mr. Hickenlooper], the Senator from New York [Mr. Javits], the Senator from Idaho [Mr. Jordan], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Pennsylvania [Mr. Scott], is detained on official business. If present and voting, the Senator from Nebraska [Mr. Curtis], the Senator from Idaho [Mr. Jordan], and the Senator from Kansas [Mr. Pearson] would each vote "nay."

On this vote, the Senator from Pennsylvania [Mr. Scott], is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from Texas would vote "yea."

The result was announced—yeas 30, nays 42, as follows:

[No. 296 Leg.]

YEAS—30

Aiken
Boggs
Burdick
Clark
Cotton
Fannin
Fulbright
Gore
Griffin
Hart
Kuchel
Lausche
Long, Mo.
McClellan
McIntyre
Miller
Monroney
Morse
Mundt
Murphy
Nelson
Pastore
Prouty
Proxmire
Ribicoff
Simpson
Symington
Williams, Del.
Yarborough
Young, Ohio

NAYS—42

Bartlett
Bayh
Bennett
Bible
Brewster
Byrd, Va.
Cannon
Carlson
Dirksen
Dodd
Dominick
Ellender
Ervin
Fong
Harris
Hartke
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Mondale
Montoya
Morton
Muskie
Neuberger
Robertson
Russell, Ga.
Saltonstall
Smith
Sparkman
Stennis
Talmadge
Thurmond
Young, N. Dak.

NOT VOTING—28

Allott
Anderson
Bass
Byrd, W. Va.
Case
Church
Cooper
Curtis
Douglas
Eastland
Gruening
Hayden
Hickenlooper
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Metcalf
Moss
Pearson
Pell
Randolph
Russell, S.C.
Scott
Smathers
Tower
Tydings
Williams, N.J.

So the amendment of Mr. Williams of Delaware was rejected.

Mr. LONG of Louisiana. I move to reconsider the vote by which the amendment was rejected.

Mr. TALMADGE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LAUSCHE. Mr. President——

The PRESIDING OFFICER (Mr. Yarborough in the chair). The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, will the Senator from Delaware, who is a member of the Committee on Finance, allow me to ask him a question or two?

Mr. WILLIAMS of Delaware. If I am recognized, I yield to the Senator from Ohio.

Mr. LAUSCHE. I have been recognized. Will the Senator tell me whether or not the Secretary of the Treasury made a statement before the Committee on Finance pertaining to the merits or demerits of the amendment on which we just voted?

Mr. WILLIAMS of Delaware. The representative of the Treasury Department, when he was before the Committee on Finance, described the section which we just failed to delete from this bill as being the most glaring loophole in our tax structure that had ever been proposed by the Committee on Finance.

I have been a Member of the Senate for 20 years and a member of the committee for 15 years. There is no question—this will be confirmed by the Treasury Department and our staff—that the Senate has just voted the biggest loophole in our capital gains structure that has ever been approved in the history of Congress.

For the benefit of all taxpayers who have any securities that they want to exchange and escape the capital gains tax all they would have to do is to get together, establish a special fund, and exchange their securities. This would nullify the capital gains structure.

Mr. LAUSCHE. The statement which has just been made by the Senator from Delaware [Mr. WILLIAMS] is in substance a restatement of the statement made by a representative of the Treasury Department that the adoption of this amendment would create an unprecedented loophole with respect to the ability of individuals to escape their obligation on taxes.

Mr. WILLIAMS of Delaware. There is no question about it.

Mr. LAUSCHE. Did the representative go to the point of saying that he would recommend a veto of the measure?

Mr. WILLIAMS of Delaware. The official who was there did not have that authority, but the indication was that they would recommend a veto.

I cannot conceive of the Treasury Department endorsing this bill with this amendment in it. That is a decision they will have to make.

Mr. LAUSCHE. How many amendments were added to the bill after it came from the administration?

Mr. WILLIAMS of Delaware. I understand there were around 23 of the so-called nongermane amendments, beginning with the depletion allowance on clam shells and ending up with financing elections from the Federal Treasury, plus a few other loopholes including the cutting of excise taxes on hearses. I will say that there may be some merit to the cut in the excise tax on hearses; somebody has said that they were getting ready to have a big funeral after the election to bury the Great Society.

This bill was presented to the Senate on the basis that it was a proposal to amend and adjust laws related to taxes on foreign income in this country. In the first title of the bill, the committee working with the Department had developed a good proposal; however, when we consider titles 2, 3, and 4, we find that they are not at all related. That is why this entire bill has been properly referred to as "the Grab Bag Act of 1966."

Mr. LAUSCHE. By how much will the adoption of this bill reduce the revenues of the Federal Government?

Mr. WILLIAMS of Delaware. The Treasury official before our committee as an offhand guess, estimated at the time a total loss of between $500 and $600 million a year.

Mr. LAUSCHE. That is, in spite of the fact that they have been talking about cutting down expenses so as to avoid the imposition of new taxes?

Mr. WILLIAMS of Delaware. The Senator is correct. In addition, title I of the bill, which is all the bill was supposed to embrace when it came over and which deals with foreign investors' tax credit, provided an increase in revenues of $26 million. The bill was not presented on the basis of providing revenue. But the bill as it came to the committee would provide an additional $26 million in revenue. The bill as before the Senate today would lose revenue of between $500 and $600 million when it is fully effective. That does not include what the effect of this will ultimately be with the loophole in the capital gains structure.

Mr. LAUSCHE. With respect to the loss of revenue of about $500 million. Will that inure to the general taxpayer, or are these amendments of a character that affect a particular segment of the economy?

Mr. WILLIAMS of Delaware. They are both.

Mr. LAUSCHE. Inevitably the taxpayer will benefit a bit.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG of Louisiana. Mr. President, it saddens this Senator to see members of what I believe to be the finest committee in the Senate reflect on their own committee, particularly when what they say is not accurate in every respect in order to so reflect.

For example, the Senator stands on the floor and talks about this horrible bill, although he voted for all of the major amendments in the bill.

The Senator talks about losing revenue Where is revenue lost? This bill has $385 million worth of benefits for the aged people. Of that $385 million there will be $100 million paid by those people themselves.

It might be said, on balance, that this bill would provide about $285 million for those aged people. Every Senator on the committee voted for one amendment, and most Senators voted for the other.

This particular provision says the law is what the Treasury said it was until July 14, of this year. When the Treasury got ready to change the law administratively, which they have no power to do, they proceeded to look at who had these funds being organized. They said, "We will take care of that fellow, and this fellow, and this fellow."

I voted with the Treasury on this matter because I think they have a good argument on the merits. As far as the law is concerned, they are dead wrong, and the committee thinks so too.

How do you want to change the law? Do you want Congress to legislate a change in the law or do you want the Treasury to change the law by legislative usurpation?

The whole matter is in conference and we can rewrite the provision, and this item will not cost the Treasury one penny.

I can show why it is so. Suppose someone owns stock which has been in the family for a long time, which was worth $100 a share when it was purchased. It is now worth $5,000 a share. Suppose he has a half million dollars worth of that stock. If he sells it he has to pay one-fourth of the profit on it in taxes. Therefore, he is not going to sell it. He will keep it. He would like to diversify his risk and put it into a common fund with some other stocks and have his interest in the fund and, therefore, not have as much risk in having all of his eggs in one basket. If he does it, does he owe a capital gains tax or does he not?

The Treasury Department until July 14, 1966, had an interpretation outstanding which said that he does not owe a tax on that transaction. If he sells his interest in the fund at such time as he disposes of it, he will pay taxes on the basis of the $100 that he began with, and everything else would be a gain. He is not going to make the transaction to dispose of the stock and pay all of the tax that he would owe if he did so.

It may be that we should legislate the way that the Treasury would like us to legislate. If that is what we want to do, we could do it in conference. As the chairman of the committee, I voted against the provision in committee. In conference, the Treasury officials will be in the room to explain this—and the Senator from Delaware [Mr. WILLIAMS] can be a conferee if he wants to be, and hear what they think and how it should be worked out. We can do anything we wish to do, from leaving the law as it is or changing it, or any point between the two. As between changing the law by administrative usurpation and changing the law by congressional act, I would prefer to see the latter.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, it is apparent to me that the Senator from Louisiana is convinced that the Treasury Department is right. He admits that by his very statement. This bill or this amendment which we adopted is intended to frustrate the legitimate and honest judgment, certified to be so by the Senator from Louisiana.

Mr. LONG of Louisiana. If the Senator will yield, the Treasury is——

Mr. LAUSCHE. The Senator stated, and the RECORD will show, that the Treasury Department is right in its argument. Now, if it is right, why have we adopted an amendment to say it is wrong?

Mr. LONG of Louisiana. The Treasury, in my judgment, has a good argument on the merits of whether such an exchange should be taxed, but as to an interpretation of what the law is at present, they are as wrong as anyone ever was, in my judgment.

Mr. LAUSCHE. That is what he has said, but the Treasury Department does not agree with him and the Senate has now found it necessary to rewrite the law. If the law is contrary to what the Treasury Department says, why do we rewrite it?

Mr. LONG of Louisiana. Well, we will tell the taxpayer what the law is and what it is not.

Mr. LAUSCHE. Surely, but, anyhow, the Senator from Louisiana concedes that the Treasury Department said that a loophole will be created and that the amendment should not be adopted, and the Senator from Louisiana voted against the amendment.

Mr. LONG of Louisiana. Treasury says this is a loophole, but only Congress can do anything about it, not the Treasury.

Mr. LAUSCHE. But there is a great inclination to open them. The Senator has created a loophole through which his eloquence may be able to move.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk a second amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read the amendment as follows:

On page 214, beginning with line 18, strike out all down to and including line 19 on page 222, as follows:

"TITLE III—PRESIDENTIAL ELECTION CAMPAIGN FUND ACT

"Sec. 301. Short Title.

"This title may be cited as the 'Presidential Election Campaign Fund Act of 1966'.

"Sec. 302. Authority for Designation of $1 of Income Tax Payments to Presidential Election Campaign Fund.

(a) Subchapter A of chapter 61 of the Internal Revenue Code of 1954 (relating to returns and records) is amended by adding at the end thereof the following new part:

"*'Part VIII—Designation of income tax payments to presidential election campaign fund*

"'Sec. 6096. Designation by individuals.

"'(a) In General.—Every individual (other than a nonresident alien) whose income tax liability for any taxable year is $1 or more may designate that $1 shall be paid into the Presidential Election Campaign Fund established by section 303 of the Presidential Election Campaign Fund Act of 1966.

"'(b) Income Tax Liability.—For purposes of subsection (a), the income tax liability of an individual for any taxable year is the amount of the tax imposed by chapter 1 on such individual for such taxable year (as shown on his return), reduced by the sum of the credits (as shown in his return) allowable under sections 32(2), 33, 35, 37, and 38.

"'(c) Manner and Time of Designation.—A designation under subsection (a) may be made with respect to any taxable year, in such manner as the Secretary or his delegate may prescribe by regulations—

"'(1) at the time of filing the return of the tax imposed by chapter 1 for such taxable year, or

"'(2) at any other time (after the time of filing the return of the tax imposed by chapter 1 for such taxable year) specified in regulations prescribed by the Secretary or his delegate.'

"(b) The table of parts for subchapter A of chapter 61 of such Code is amended by adding at the end thereof the following new item:

"'Part VIII. Designation of income tax payments to Presidential Election Campaign Fund.'

"(c) The amendments made by this section shall apply with respect to income tax liability for taxable years beginning after December 31, 1966.

"Sec. 303. Presidential Election Campaign Fund.

"(a) Establishment.—There is hereby established on the books of the Treasury of the United States a special fund to be known as the "Presidential Election Campaign Fund" (hereafter in this section referred to as the "Fund"). The Fund shall consist of amounts transferred to it as provided in this section.

"(b) Transfers to the Fund.—The Secretary of the Treasury shall, from time to time, transfer to the Fund an amount equal to the sum of the amounts designated by individuals under section 6096 of the Internal Revenue Code of 1954 for payment into the Fund.

"(c) Payments From Fund.—

"(1) In general.—The Secretary of the Treasury shall, with respect to each presidential campaign, pay out of the Fund, as authorized by appropriation Acts, into the treasury of each political party which has complied with the provisions of paragraph (3) an amount (subject to the limitation in paragraph (3)(B)) determined under paragraph (2).

"(2) Determination of amounts.—

"(A) Each political party whose candidate for President at the preceding presidential election received 10,000,000 or more popular votes as the candidate of such political party shall be entitled to payments under paragraph (1) with respect to a presidential campaign equal to—

"(i) $1 multiplied by the total number of popular votes cast in the preceding presidential election for candidates of political parties whose candidates received 10,000,000 or more popular votes as the candidates of such political parties, divided by

"(ii) the number of political parties whose candidates in the preceding presidential election received 10,000,000 or more popular votes as the candidates of such political parties.

"(B) Each political party whose candidate for President at the preceding presidential election received more than 1,500,000, but less than 10,000,000, popular votes as the candidate of such political party shall be entitled to payments under paragraph (1) with respect to a presidential campaign equal to $1 multiplied by the number of popular votes in excess of 1,500,000 received by such candidate as the candidate of such political party in the preceding presidential election.

"(C) Payments under paragraph (1) shall be made with respect to each presidential campaign at such times as the Secretary of the Treasury may prescribe by regulations, except that no payment with respect to any presidential campaigns shall be made before September 1 of the year of the presidential election with respect to which such campaign is conducted. If at the time so prescribed for any such payments, the moneys in the Fund are insufficient for the Secretary to pay into the treasury of each political party which is entitled to a payment under paragraph (1) the amount to which such party is entitled, the payment to all such parties at such time shall be reduced pro rata, and the amounts not paid at such time shall be paid when there are sufficient moneys in the Fund.

"(3) Limitations.—

"(A) No payment shall be made under paragraph (1) into the treasury of a political party with respect to any presidential campaign unless the treasurer of such party has certified to the Comptroller General the total amount spent or incurred (prior to the date of the certification) by such party in carrying on such presidential campaign, and has furnished such records and other information as may be requested by the Comptroller General.

"(B) No payment shall be made under paragraph (1) into the treasury of a political party with respect to any presidential campaign in an amount which, when added to previous payments made to such party, exceeds the amount spent or incurred by such party in carrying on such presidential campaign.

"(4) The Comptroller General shall certify to the Secretary of the Treasury the amounts payable to any political party under paragraph (1). The Comptroller General's determination as to the popular vote received by any candidate of any political party shall be final and not subject to review. The Comptroller General is authorized to prescribe such rules and regulations, and to conduct such examinations and investigations, as he determines necessary to carry out his duties and functions under this subsection.

"(5) Definitions.—For purposes of this subsection—

"(A) The term 'political party' means any political party which presents a candidate for election to the office of President of the United States.

"(B) The term 'presidential campaign' means the political campaign held every fourth year for the election of presidential and vice presidential electors.

"(C) The term 'presidential election' means the election of presidential electors.

"(d) Transfers to General Fund.—If, after any presidential campaign and after all political parties which are entitled to payments under subsection (c) with respect to such presidential campaign have been paid the amounts to which they are entitled under subsection (c), there are moneys remaining in the Fund, the Secretary of the Treasury shall transfer the moneys so remaining to the general fund of the Treasury.

"Sec. 304. Establishment of Advisory Board.

"(a) There is hereby established an advisory board to be known as the Presidential Election Campaign Fund Advisory Board (hereafter in this section referred to as the 'Board'). It shall be the duty and function of the Board to counsel and assist the Comptroller General in the performance of the duties imposed on him under section 303 of this Act.

"(b) The Board shall be composed of two members representing each political party whose candidate for President at the last presidential election received 10,000,000 or more popular votes as the candidate of such political party, which members shall be appointed by the Comptroller General from recommendations submitted by each such political party, and of three additional members selected by the members so appointed by the Comptroller General. The term of the first members of the Board shall expire on the 60th day after the date of the first presidential election following the date of the enactment of this Act and the term of subsequent members of the Board shall begin on the 61st day after the date of a presidential election and expire on the 60th day following the date of the subsequent presidential election. The Board shall select a Chairman from among its members.

"(c) Members of the Board shall receive compensation at the rate of $75 a day for each day they are engaged in performing duties and functions as such members, including travel time, and, while away from their homes or regular places of business, shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"(d) Service by an individual as a member of the Board shall not, for purposes of any other law of the United States, be considered as service as an officer or employee of the United States.

"Sec. 305. Appropriations Authorized

"There are authorized to be appropriated, out of the Presidential Elections Campaign Fund, such sums as may be necessary to enable the Secretary of the Treasury to make payments under section 303 of this Act."

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, this amendment would strike from the bill title III, the purpose of which is to provide for the financing of presidential campaigns out of the Federal Treasury.

There is no question that Congress should some day deal with this question in some form; however, there are too many phases of a presidential campaign, as well as a congressional campaign, which need dealing with other than just the question of financing.

For one, we should provide for a greater degree of accounting by the numerous committees formed in the States. We need more information as to how the money is now being spent. All this proposal would do now would be to make funds available out of the Treasury for a presidential campaign at the expense of the American taxpayers. At the same time it would provide no rules as to how the money would be spent or how it would be accounted for.

This proposal would provide $60 million to $70 million to finance presidential elections. There is nothing that would prevent the parties from going on and raising all the money they wanted on top of that amount to be used for congressional or State races.

Certainly we recognize that there must be some different method for financing political campaigns. Some time back I joined in support of a proposal which had been endorsed by the President which would allow a tax credit for the first $100, but Congress voted that down overwhelmingly. I was sorry that I did not get the support of the President's own party at that time.

But this proposal has no place in this bill. This is not a bill in which to correct campaign abuses or provide for methods of raising campaign funds.

This bill is a foreign investors tax bill, and unless and until the Senate is ready to deal with all of the other proposals concerning the reporting as well as the financing of political campaigns I think it should be postponed.

Mr. SCOTT. Mr. President, will the Senator from Delaware yield at that point?

Mr. WILLIAMS of Delaware. I yield.

Mr. SCOTT. Let me say that I am interested in what the Senator has said about the amendment, and I agree with him in his view as to the fact that this particular amendment has no place in the bill at this point.

I do think that we need better ways to finance political campaigns, and I think that there is need for the Federal Government to consider the degree of its participation; but I also think that we need to explore the utterly prohibitive cost of television and radio time in bringing the issues of the day before the people of this country through those who seek public franchise.

However, I question that this is the time or the place, or that this is necessarily the best method.

I regret, further, that I was unable to cast a vote on the previous amendment because the usual courtesies of the Senate were lacking at that time, and I was denied that opportunity; but I want to assure those who denied me those courtesies, that I will be present on this vote and will be prepared to move the regular order in order to expedite proceedings.

Mr. COTTON. Mr. President, will the Senator from Delaware yield for a question?

Mr. WILLIAMS of Delaware. Yes, in just a moment.

The Senator from Pennsylvania has raised a valid point. There is no question that the Senate should deal with the question of equal time on television. There are so many questions which must be dealt with concerning campaigns. Under this proposal each citizen can contribute a dollar to go to the campaign fund for both parties, but the point is that we shall dip into the Federal Treasury to finance the elections.

Now I yield to the Senator from New Hampshire.

Mr. COTTON. First, Mr. President, I agree with the distinguished Senator that as intricate and difficult and complex a subject as is the control of campaign expenditures and the financing of campaigns, this subject should not be dealt with at the last minute with an amendment tucked into a bill with no more consideration than is being given or can be given it at this time.

I should like to ask the Senator a couple of general questions in order to clarify my own thinking.

Here is a bill which came from the Finance Committee of which the Senator is a distinguished member, and it is 231 pages long. It is supposedly a bill that relates to tax credits on foreign investments. It is my understanding that there are more than 20 amendments on all kinds of subjects that have been added to the bill; is that not correct?

Mr. WILLIAMS of Delaware. That is correct. It covers a great many unrelated subjects, from depletion allowances for clam and oyster shells to financing a presidential election. Some may have merit, but they have nothing whatever to do with foreign investors tax credits.

Mr. COTTON. In view of all the hodgepodge of the varying amendments and the subjects covered in the bill, and in view of the fact that this is a complicated bill, rushed into the Senate during what is supposedly and generally agreed to be almost the next-to-the-last week of the session, it would seem to me that it would be impossible to give all these amendments and the bill itself intelligent and careful attention, and that it is exceedingly poor legislation.

I should like to ask the Senator this question: Will the heavens fall or will the United States of America be severely damaged if the main subject of the bill; namely, the tax credit for foreign investments, went over until January?

Mr. WILLIAMS of Delaware. No, there would be no serious harm done, although I should like to see title 1 of the bill enacted if it could be done by deleting the other three titles, which represent nothing more than a grab bag. After the pending amendment has been voted on I shall offer another amendment to strike out titles 2, 3, and 4 and leave it just a bill dealing with foreign investment tax rates. This would strike out all these nongermane amendments.

Mr. COTTON. I should like to summarize by asking my distinguished friend from Delaware, who has served so long and so well on the Committee on Finance, whether, if the hodgepodge of amendments on other subjects remained in the bill, a Senator would be justified, in the opinion of the Senator from Delaware, in voting against the bill, unless it were restricted to title 1, the subject which it is supposed to cover?

Mr. WILLIAMS of Delaware. I answer the Senator in this way: I believe that title 1 is a meritorious proposal. I am in favor of it and would like to support it, but if the nongermane amendments in titles 2, 3, and 4 are not deleted and are left as they are now, I shall vote against the bill, even though I favor the bill as originally introduced. I think that answers the Senator's question.

The bill as it was originally introduced dealt only with the subject of title 1. The tax provisions on foreign investments in this country would have provided additional revenue of about $26 million, although it was not a revenue-producing measure as such—it was more of a tax adjustment act. Nevertheless, it did have the effect of producing additional revenue of $26 million.

The bill as it is now, containing all the nongermane amendments, should it become fully applicable would result in a loss of revenue that would reach as high as $600 million. The lowest estimate I have heard is $410 million. The Treasury concedes that the loss would be between $500 and $600 million, and this is a bill which was originally designed to produce revenue.

Mr. COTTON. The Senator from New Hampshire has great respect for the Committee on Finance. He served on that committee during one session of Congress. When did the original proposal reach the Committee on Finance for consideration?

Mr. WILLIAMS of Delaware. I do not have the exact date when the original proposal was submitted, but it was about 4 or 5 weeks ago. We held hearings on it, we arrived at our decision, and we were making excellent progress until all these nongermane amendments were submitted. I think the first one related to a depletion allowance on clam shells. Anyway, once those amendments got started the dam broke, and everything went in. In fact, one Senator had an amendment, and when it came his turn to offer his amendments he said in a joking manner, "We can save a lot of time; the committee seems to be in a mood of accepting everything so I will offer my file." In fact it was almost adopted before he had a chance to get it back. That is how irresponsible the committee was acting at that particular time.

Mr. COTTON. Does the Senator from Delaware agree with the Senator from New Hampshire that, with the lateness of the time in the session, when things are being hurried through, when Members are tired and distracted with many other duties, when they are engaged in committees of conference, it would be an atrocity and extremely irresponsible to pass legislation under the conditions in which the present bill is before us?

Mr. WILLIAMS of Delaware. Personally, as I stated, I am not going to vote for the bill in its present form. I would have voted for—and I was enthusiastically in favor of—the bill as it was originally proposed. I refer to title I, the bill which dealt with taxes on foreign investors.

Mr. COTTON. I thank the Senator. He has confirmed my own doubts about the wisdom of supporting this bill in its present form.

Mr. WILLIAMS of Delaware. In conclusion, I make just one point that should not be overlooked. The argument is made that under this proposal a taxpayer can help finance the election campaigns by having the taxpayer designate in a box on his tax return that he wants $1 of his taxes to be diverted into a fund for this purpose.

But do not overlook this point—the taxpayer has no authority to designate which political party or candidate is to get his dollar.

Mr. LAUSCHE. Mr. President, may we have order? I think the Senator who is speaking is entitled to be heard. Senators who do not have the floor are talking louder than the Senator who is speaking.

The PRESIDING OFFICER. It has been necessary to call for order several times. The Chair requests the cooperation of Senators in maintaining order.

The Senator from Delaware may proceed.

Mr. WILLIAMS of Delaware. Under this proposal a taxpayer can mark in a box on his return that he wants $1 of his taxes to go into the campaign fund. The formula is designated by the committee as to how these funds are to be distributed. It is conceivable—I do not say it will happen, but it is conceivable—that 10 or 15 million taxpayers who are members of the Democratic Party or who are members of the Republican Party will designate that their dollars go into the campaign fund. They will have no control as to where that money goes. It is conceivable that all or almost all of the contributors may, for example, have been members of the Republican Party. Yet half of those funds will be distributed to a Democratic candidate. The situation may be vice versa.

We should have a proposal to encourage small contributions. I think we would encourage greater participation on the part of small taxpayers by giving them a tax credit for a contribution of $2, $3, $4, or $5, but always with the right of the taxpayer to designate the political party he wishes to support.

Under the amendment in the committee bill the taxpayer has no control over whether he is financing the Democratic Party or the Republican Party. It is conceivable that all of the contributions, or an overwhelming percentage of them, may have come from members of one particular party.

It seems to me that this question should have more study. We cannot cure the problem of our present campaigns by simply providing $50 or $60 million for campaign purposes from the Public Treasury.

Mr. LONG of Louisiana. Mr. President, it would be strange to compare the Senator's argument with the one he made some time ago, when he was advancing a plan to finance presidential campaigns. A while ago we had a bill before us having to do with the debt limit. It was irrelevant to the debt limit, but the Senator proposed that a taxpayer should be allowed a deduction of up to $100 to finance presidential campaigns.

The Senator from Louisiana made the announcement at that time that if the Finance Committee were permitted to consider it, the committee would study the matter, conduct hearings, have witnesses testify, and bring something before the Senate on which the Senate could vote one way or the other. We studied the Senator's plan and came to the conclusion that it was not as good as the one the committee has proposed. We came to the conclusion that a $100 deduction was not enough of an encouragement for people to participate, except wealthy people, who would get a $70 deduction in their taxes. In the opinion of many of us, we would be giving a deduction to many people who would have put up that money anyhow. Some of those people might have strings attached to their contributions, expecting to get something out of it.

So we made another proposal. We proposed that if a taxpayer is sufficiently interested in good government, he will have an opportunity to contribute to the financing of the campaigns equally. He can mark a box on his income tax return that he is in favor of making a financial contribution to finance the campaigns of presidential candidates. The provision was worked out so that if that taxpayer is interested, he can have a dollar of his tax used to finance presidential candidates. Fifty cents of that dollar would presently go toward the Republican campaign and 50 cents of it toward the Democratic campaign. I believe that is a better way to do it, so that the candidates do not have to pad around to corporations and unions looking for money for their campaigns. They will be equally obligated to the citizens. Then we will not have to have these President's clubs or any other clubs. Once a candidate is nominated, the people take care of his financing. In effect, a citizen contributes 50 cents to both sides. The citizen makes that contribution as a matter of good government. He is not going to ask for any personal consideration. Nobody will know who he is. The $1 he has contributed will be split 50 cents for one party and 50 cents for the other; 50 cents to President Johnson, if he runs again, and 50 cents to whomever the Republican nominee may be. This will be financing good government.

The Senator from Delaware has said that this will not solve the equal time problem. It solves that problem. Television is very expensive. Both the Republican and the Democratic candidates will have plenty of time and will have money to pay for it. Splinter parties would not be included, unless they had votes of more than 1,500,000. So this provision solves the equal-time problem which has been plaguing Congress for so long.

The provision the Senator from Delaware proposed was studied, we had hearings on it, we had witnesses testify, we thought about it, we meditated on it, and rejected it in favor of the provision before us today. It is the judgment of the 12 members of the Finance Committee. I regret to say it is not the judgment of four members headed by the Senator who in the beginning was the ramrod of the suggestion that we do something about campaign contributions and who now suggests that we cut it out of this very bill.

Now he finds it is inconsistent, that it is not relevant to the bill. That did not bother the Senator a bit when he was offering his campaign-financing proposal.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. NELSON. This provides that the taxpayer must mark his own tax return, indicating that it is his desire that a dollar of his tax money be allocated to both parties equally?

Mr. LONG of Louisiana. That is correct.

Mr. NELSON. Some time ago, the Senator from Louisiana, the manager of the bill here, introduced a bill which I thought was much better than this provision. I realize perhaps this is as far as he can go at this time.

The fact of the matter is that this is the only genuinely creative idea, which I consider valuable, useful, and workable, that I have seen proposed by anybody to reach the problem of financing campaigns in this country; and I congratulate the Senator on his proposal.

The amount of money being spent on campaigns in the States and across this Nation is absolutely scandalous; and the influence, or possible influence, of powerful financial and economic interests upon our legislative bodies in this country is very dangerous. I think it is time that Congress took some action to provide financing for campaigns so that there will be no question but that the people who are elected in our States and at the national level are responsive and responsible to the people of this country, and not to big, powerful economic groups, no matter what such groups might be.

Mr. LONG of Louisiana. Mr. President, a great Republican President, Theodore Roosevelt, after having been President, made the statement that presidential campaigns ought to be financed with public funds, and they ought to be accounted for. That is what this measure provides. It does put every taxpayer in the position that he is encouraged to make a $1 designation for good government out of the tax he already owes. All he has to do is mark on his tax return that he wants the dollar of his tax placed in the presidential election campaign fund, to be divided equally between the two major parties. That is all there is to it. If a third party should emerge, it is provided for. If you want to say you have got to get 15 million votes rather than 10 million votes to be regarded as a major party, we can do that.

There has not been a serious contender among third-party presidential candidates since the late Robert La Follette. But if the fate of this Nation should require a third party to emerge, the measure provides for that, too, because it provides that when they receive 1,500,000 votes, they will be entitled to be financed to the extent of $1 for every vote they received over 1,500,000.

It is a carefully considered proposition. It is the best we can do at the moment. I believe, if we pass this provision, and begin moving in that direction, that with time we can improve on it and make it a better measure. But this is a manner of saying that the President, when elected, would be equally obligated to every taxpayer who is interested in financing his campaign, and just as much to a man who voted against him as to a man who voted for him. Because, when a man marks on his tax return that he wants a dollar of his tax paid into the presidential election campaign fund he is in effect dividing his dollar between the two parties equally. He is not thereby indicating a political preference.

Mr. LAUSCHE and Mr. MURPHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. LAUSCHE. Mr. President, I yield to the Senator from California.

Mr. MURPHY. Mr. President, does the distinguished Senator mean to indicate by his last statement that the regard of the President of the United States for the individual is dependent upon a donation made for his election? I am sure the Senator did not mean that.

Mr. LONG of Louisiana. The Senator may draw his own conclusions. My remarks will speak for themselves. I am simply trying to put into effect a one-man, one-vote principle in financing the campaigns of presidential candidates and to encourage widespread participation in the process of financing presidential campaigns, something not at all inconsistent with the thinking of the President on this subject.

Mr. MURPHY. I ask the Senator another question. Having experienced, at one point in my colorful career, the receipt of a message which said that if I did not donate a dollar to a certain union of which I was a member, I would not be permitted to work, ever since then I have been sensitive about dollar donations, and whether any device may one day be found to control such dollar donations.

I am of the belief, and would like to ask the Senator if he does not agree with me, that the matter of political costs and campaign costs has increased unnecessarily. I think there is no question about that. The greatest increase comes from the use of the new medium, television. Would it not be more practical if we made an approach whereby the use of the air, which belongs to the people and not to the networks, would be divided between the candidates, for the time being? Then possibly we would not have to worry about future collections of moneys, and maybe we could begin to deescalate this entire unnecessary expenditure that is taking place in our presidential campaigns. I ask the Senator if he does not think that would be a more practical approach.

Mr. LONG of Louisiana. Mr. President, that might be an attractive suggestion for television stations that were making a lot of money. I would hate to tell a television station that was losing money that it must give a lot of free time to put people on the air. But if the Senator wishes to offer that suggestion, I would suggest that he propose it as legislation and send it to the appropriate committee. This committee does not have jurisdiction of that matter, but I would hope that the committee that does have jurisdiction of it would study it and give it its best judgment.

Mr. MURPHY. If the Senator will forgive me, I did not expect the matter to be taken up in this bill. I had assumed that the principle of truth in packaging, which was so eloquently explained by the Senator from Michigan in this Chamber, which was designed to protect the housewives of America, would also apply to the Members of the U.S. Senate. That is why I am amazed at the number of things that turn up in a bill which I understood had to do with foreign investments.

I hope that the Senator will forgive my interruption.

Mr. LONG of Louisiana. Mr. President, I am happy to forgive the interruption, but let me say that these 23 amendments are not all the amendments of the Senator from Louisiana. As a matter of fact, I believe only 2 of the 23 are amendments by the Senator from Louisiana.

We have, among others, a very important amendment by the Senator from Massachusetts [Mr. SALTONSTALL]. That most able Senator, who is planning to retire after this year, has been working for a great number of years to pass a bill to say that, in computing what the Government owes, it should give a statement of all its contingent liabilities. My thought was, well, if it is going to do that, it is all right with me, provided that it also should give a statement of assets on the same basis.

I have been urging the Senator to hold that amendment off all through this Congress to wait for some later bill. We cannot originate revenue legislation, but, if we are going to treat the Senator fairly, we ought to let him offer his amendment; so we have put it on this bill along with the others.

The Senator from Delaware [Mr. WILLIAMS], who says we have put all this trash in the bill, was the man who, if I recall correctly, offered the amendment on behalf of the Senator from Massachusetts [Mr. SALTONSTALL]. It is a good amendment, and I am happy to agree to it, but I regret to say it is totally irrelevant to the foreign investors' bill.

That is all right. I am not going to demand the right to have the Senator's amendment withheld from consideration forever. But the same thing is true of a great number of amendments, including some amendments by the Senator from Illinois [Mr. DIRKSEN] and other amendments by both Republicans and Democrats. This bill is so bipartisan that it never occurred to me to even count up to see whether there were more Republican-sponsored amendments proposed than Democratic-sponsored ones. We thought we were doing the best we could, and let it go at that.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Mr. President, I understand that the bill contains a provision to the effect that the maximum number of dollars to be distributed equally to the major parties shall not exceed the number of votes cast in the last national election.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. Does the record contain any testimony as to how much was spent by each of the presidential candidates in the last presidential election?

Mr. LONG of Louisiana. We do not have any official information on that. However, I have inquired of people who have had some contact with the presidential campaigns on both sides, Republicans and Democrats, and the judgment that they expressed to me was they thought that to be a realistic figure.

Mr. LAUSCHE. What is that realistic figure—$65 million?

Mr. LONG of Louisiana. It is $1 for every vote cast, and it is to be divided equally between the two major parties. That would be a realistic figure.

Mr. LAUSCHE. It would be $32.5 million for each party.

Mr. LONG of Louisiana. There is an estimate that, in the last presidential election year, $250 million was spent. Not all of that amount was spent in the presidential campaign. Not even a major portion of it was spent in the presidential campaign. A lot of it was spent in campaigns for Senators, Representatives, and even, I suppose, for clerks of courts. It is estimated that in that year over $250 million was spent in political campaigns.

Mr. LAUSCHE. There is nothing in the record to show, on the basis of the reports filed for the presidential campaign, how much was definitely spent by the presidential candidates.

Mr. LONG of Louisiana. We do not have conclusive information on that. If I do say so, I believe the people who know best would not want to tell us except on a confidential basis.

Mr. LAUSCHE. If the pending measure is passed and each of the 65 million taxpayers consent to the use of $1 of his tax money for presidential campaigns, instead of for public services, it would produce $65 million.

Mr. LONG of Louisiana. That would be for 1 year.

Mr. LAUSCHE. Would this amount accumulate so that at the end of 4 years there would be $260 million?

Mr. LONG of Louisiana. That would be the case if all of it were so designated. The money is simply transferred to the fund by the Secretary of the Treasury in the presidential year.

Mr. LAUSCHE. Instead of $260 million being available for public services and to supply public schools, the $260 million would be turned over to the political parties to promote the campaigns.

Mr. LONG of Louisiana. I regret that the Senator did not understand me.

Mr. LAUSCHE. It will accumulate for 4 years.

Mr. LONG of Louisiana. It would not accumulate. It would all go back in the general fund. If there were more dollars there than there were votes or than there were expenses, the remainder would go back to the general fund of the Treasury and would be used for the schools and all the other things in which the Senator is interested.

The amendment does provide for an accounting of every nickel of these campaign expenditures. The man in whom we have the most confidence, when it comes to checking on who spends what, happens to be the Comptroller General of the United States.

The Comptroller General of the United States would check these expenditures and be advised by a bipartisan board consisting of two Republican and two Democratic members, and three members chosen by those four members.

The Democrats would be watching every dime expended by the Republicans, and the Republicans would be watching every dime expended by the Democrats. Both sides would be watching their own parties as well. Every nickel of this money would be accounted for.

If any funds are improperly expended, there are statutes on the books to take care of that.

Mr. WILLIAMS of Delaware. The Senator mentioned the fact that I sponsored an earlier amendment dealing with campaign contributions. That is true. However, that amendment would have allowed every taxpayer to decide to whom he wished to make his contribution. He could make a contribution of up to $100 to the party of his choice and then deduct it on his tax return. Each taxpayer would have the right to determine which political party he wanted to support.

There is no freedom of choice contained in this particular proposal.

The Senator from Louisiana is correct that hearings were held on some of these proposals. However, when this proposal was first introduced by the Senator from Louisiana and hearings were held on it, it was proposed to finance the cost entirely out of the Federal Treasury.

The method of financing has since been changed.

We should also have had hearings simultaneously with other committees to inquire into the other presidential proposal. We should require a greater degree of accountability with respect to all expenditures in presidential, congressional, and local races. That is not done under this proposal.

We will not cure the problem by taking $60 million or $70 million and pouring that much money into campaign funds with no accounting or control over the expenditures.

The Comptroller General of the United States can audit this particular fund, but he cannot make an audit with respect to the amount of money that is spent over the amount provided under this proposal.

Why not let the Comptroller General audit all campaign expenses? I think that somebody should have the power to do so.

Mr. President, I am ready to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. Williams].

On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from Massachusetts [Mr. Kennedy], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Arizona [Mr. Hayden], the Senator from New York [Mr. Kennedy], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Virginia [Mr. Robertson], the Senator from South Carolina [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss], the Senator from West Virginia [Mr. Randolph], and the Senator from New Jersey [Mr. Williams], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from Nebraska [Mr. Curtis], the Senator from Iowa [Mr. Hickenlooper], the Senator from New York [Mr. Javits], the Senator from Idaho [Mr. Jordan], the Senator from Kansas [Mr. Pearson], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Nebraska [Mr. Curtis], the Senator from Iowa [Mr. Hickenlooper], the Senator from Idaho [Mr. Jordan], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 33, nays 39, as follows:

[No. 297 Leg.]

YEAS—33

Aiken
Bartlett
Bayh
Bennett
Boggs
Carlson
Cotton
Dirksen
Dominick
Ervin
Fannin
Fong
Gore
Griffin
Harris
Hill
Hruska
Jordan, N.C.
Kuchel
Lausche
McClellan
Miller
Mundt
Murphy
Russell, Ga.
Saltonstall
Scott
Simpson
Smith
Sparkman
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—39

Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Dodd
Ellender
Fulbright
Gruening
Hart
Hartke
Holland
Inouye
Jackson
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
Mondale
Monroney
Montoya
Morse
Morton
Muskie
Nelson
Neuberger
Pastore
Proxmire
Ribicoff
Stennis
Symington
Talmadge
Yarborough
Young, Ohio

NOT VOTING—28

Allott
Anderson
Bass
Case
Church
Cooper
Curtis
Douglas
Eastland
Hayden
Hickenlooper
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
McIntyre
Metcalf
Moss
Pearson
Pell
Prouty
Randolph
Robertson
Russell, S.C.
Smathers
Tower
Tydings
Williams, N.J.

So the amendment of Mr. Williams of Delaware was rejected.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> The Senator from Delaware proposes on page 184, beginning with line 1, to strike out all down to and including line 3 on page 231.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I shall be very brief in connection with this amendment.

Mr. YOUNG of Ohio. Mr. President, may we have order? Attachés are standing around the rear of the Chamber talking with each other. I suggest that if they have any work to do, they should be ordered out of here so that we can hear what is going on.

Mr. President, I am pointing right at them. They are talking together and it is difficult to hear anything. I feel that they should be back in their offices doing their work instead of standing around talking together and disturbing the Senate. The Sergeant at Arms should ask them to leave unless they cease disturbing the proceedings of the Senate.

Mr. LONG of Louisiana. Mr. President, I am willing to cooperate with the Senator, but this is a very technical bill and I have to have the staff here to assist me in connection with the bill.

Mr. YOUNG of Ohio. Mr. President, they should keep quiet and not talk with each other. If they have something to say they should talk with Senators.

The PRESIDING OFFICER. If it is up to the Presiding Officer, he has been carefully observing the Senate and is sure, in all candor, that 95 percent of the talk has been between Senators. However, the Presiding Officer asks that attachés desist from discussions in the rear of the Chamber.

Mr. PASTORE. Mr. President, I agree with the observation of the Chair.

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. Mr. President, this bill started out to provide more equitable tax treatment for foreign investors in the United States. I feel that title I does an excellent job in taking care of the situation. I am in favor of that part of the bill, and I would like to support it.

Title I would increase revenues of the Government by $26 million, but titles II, III, and IV go far afield. As the matter now stands with all of the four titles included, when fully applicable they would cause a loss in revenues of between $500 and $600 million.

Titles II, III, and IV deal with the various provisions beginning with providing special depletion allowances for clam and oyster shells, depletion allowances for various types of clay, financing an election from the Federal Treasury, and special deductions for medical expenses. One amendment to the Medicare Act of 1965 would provide an additional $180 to $200 million for the cost of drugs.

The administration is already faced with the embarrassing fact that under title XIX of that act, as passed by Congress, there is about a $1 billion loophole. It is becoming apparent that Congress is not going to get time to deal with this before adjournment. This is indefensible on the part of the administration, which for months has known of this loophole in title XIX, and yet they did not come to the Congress to correct it. Why? Are they afraid to tell the voters before election what they will have to take away from them? This bill provides a special authority to sell FNMA certificates to foreigners abroad.

Altogether these amendments—there are 23 of them—would decrease revenues by between $500 million and $600 million.

This bill in its present form has been referred to in the Wall Street Journal as "the Grab Bag Act of 1966." I hope that this amendment will be adopted. If the amendment which I am now offering is adopted it would leave in the bill only that title dealing with foreign investment tax credit. It would save a $500 million loss in revenue at a time when everybody is talking about a tax increase soon after the votes are counted this November.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. AIKEN. Mr. President, I think that this Congress should have adjourned sine die last week. In the 26 years that I have been here I do not believe I have seen any time when the Senate appeared more irresponsible than it does now. We have before us a 231-page tax bill, most of which we saw for the first time at 10 o'clock this morning. There is an 80-page report accompanying the bill. I have not had the time to know what this tax bill contains.

I have noticed that many of the provisions are retroactive to last January; and that most of the other provisions take effect upon passage of the bill. To me it looks very much as if the people benefiting from the provisions of this bill are trying to nail them down before Congress knows what it is doing.

We have a war on. I understand the President wanted more revenue to pay the cost of the war. It is my understanding, and I believe it is common knowledge around town, that instead of providing funds this bill would reduce the income of the Government several hundred million dollars a year. This bill should be set aside until the time comes when we can act on it responsibly.

Mr. LONG of Louisiana. Mr. President, I thought that the purpose of making a speech on the floor of the Senate was to inform people. I thought that that was the reason for making speeches, and not to explain how little we know.

Mr. AIKEN. All that the chairman has told me so far has not adequately informed me. Maybe I am particularly dense, but I have not learned much about this bill yet.

Mr. LONG of Louisiana. I regret to say to the Senator that I was not able to inform anybody of anything because I was stopped in my second sentence.

Mr. President, I understand this bill. I am the chairman of the committee. I have a staff member who is one of the finest tax authorities in America. He understands the bill. We have one of the members from the staff who is a very fine tax lawyer sitting beside the Senator. He can explain anything to the Senator, and I believe that I can explain anything in the bill.

Here is the committee report. The committee has been working and studying diligently. Some of the items in the bill are items that have been talked about for 6 or 8 years, until they have become associated in the public mind with the Senators who are sponsoring them.

Consider the Saltonstall amendment. It is in the bill. The Senator from Massachusetts has been trying, since I came to the Senate 17 years ago, to have enacted an accurate statement of the contingent liabilities of the United States. That subject is totally irrelevant to the bill. But there has not been any bill to which it would have been a relevant amendment, and I asked the Senator from Massachusetts not to offer it to five or six other bills. But eventually, if such a provision is to be enacted, it is necessary to propose it and have it explained.

If there is anything in the bill that a Senator is worried about, whether he agrees with the amendment or not, I will try to explain it to him. That is why we have debate on the floor of the Senate.

Senators have the committee report before them. If they do not understand the meaning of an item the first time, the committee will supply a staff expert, a qualified expert, to talk to them on the side or in the cloakroom.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Will the depletion allowance provisions of the bill reduce the income to the Treasury?

Mr. LONG of Louisiana. Slightly.

Mr. PASTORE. How slightly?

Mr. LONG of Louisiana. The bill contains a proposal to allow the same percentage for Georgia clay, which is used to produce aluminum, that is allowed for bauxite. That will provide revenue for the Government. Unless such a provision is enacted, such producers cannot go into the business. It will help our balance of payments and reduce the outflow of gold from the United States.

The bill also contains a provision to treat oyster and clam shells, when they are used to manufacture cement, in the same way that limestone is treated when it is used to manufacture cement. It is estimated that the revenue loss on that item would be less than $1 million.

When the Senator from Delaware spoke about a loss of $600 million, he was badly in error. The estimate of revenue costs of the bill in the first year of operation is about $400 million.

The estimates of the revenue cost of the bill for the first year of its full operation would be about $400 million. Where will it be? Three hundred and eighty-five million dollars of that is to help the old folks. Of the $200 million to pay for drugs for the aged, $100 million is to be paid by the old people themselves, who will put up 50 cents, and the Government will put up 50 cents also. That was an amendment by the Senator from Illinois [Mr. DOUGLAS], who has been interested in our aged folks for many years. Thus, out of the $385 million, $100 million is actually paid for by the old folks. So the revenue loss is $285 million.

Mr. PASTORE. Then this is to provide relief for the aged who need drugs?

Mr. LONG of Louisiana. Yes.

Mr. PASTORE. Would the amendment offered by the Senator from Delaware [Mr. WILLIAMS] delete that provision?

Mr. LONG of Louisiana. Yes.

Mr. PASTORE. That is all I wanted to know.

Mr. LONG of Louisiana. Let me explain that revenue loss a bit more. There is another provision that aged people whose bills are not paid by medicare will be able to deduct fully medical expenses that they pay themselves. That is the tax treatment they have now, and they would lose it on January 1 unless we pass this bill. It has not even happened to the old people yet, but the Committee on Aging has bundles of letters from the old folks saying, "Please do not do this to us, Senators."

Let me say that this is the idea of the House to do that. We took that out of the medicare bill in 1965, and the House made us take it in conference. I believe that it will be the most unpopular measure enacted by Congress in 50 years. In the bill before us, we proceed to say that the old folks can continue to deduct all of their medical expenses.

Mr. PASTORE. Unless this bill is passed, that will expire?

Mr. LONG of Louisiana. After the first of January, the old folks will no longer be able to deduct all of these expenses.

Mr. PASTORE. I do not think that the Senator from Vermont [Mr. Aiken] would want to do that. He has always been a great protagonist for young people, for elderly people, and for the distressed and the poverty stricken.

Mr. AIKEN. Let me say that if there is anyone more distressed over the pending legislation at this moment than the Senator from Vermont, I do not know who it could be. I am sure that this bill is not going to benefit him.

Mr. PASTORE. Does the Senator from Vermont feel a little more comfortable after listening to this explanation?

Mr. AIKEN. I do not feel much more enlightened than I was before. As for having a committee staff member, or a staff member of the chairman, available at any time for more explanations, I think he has spent much of his time working with the chairman.

Mr. LONG of Louisiana. Mr. President, furthermore, when we voted on this item that would let the old people continue to deduct medical expenses, when we voted on that in committee, even though the point was made that it was not relevant to the bill—the point the Senator from Delaware has made already—the vote was overwhelming. Why? Because who among us would want to tell these poor old people that they have got to pay taxes on the money which they spent just trying to stay alive, just trying to hold hide and hair together?

Mr. SYMINGTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. SYMINGTON. Two of the amendments are on the amount of money which would be lost having to do with the old people?

Mr. LONG of Louisiana. Yes.

Mr. SYMINGTON. The able assistant majority leader has explained that to my satisfaction, but could I ask what remaining amount of money will be lost to the Treasury, in addition to the two that he has just explained—and explained to my satisfaction—what additional amount of money will be lost?

Mr. LONG of Louisiana. What I have just described costs about $385 million out of the $410 million revenue loss of the bill. Another item that would cost money is the one we voted on just now, the financing of presidential campaigns. That will not show up until the presidential election of 1968—in September, October, and November of 1968. It will cost us no money this year.

Mr. SYMINGTON. How much of that cost is a component part of the remaining $30 million?

Mr. LONG of Louisiana. About half of it—about $15 million. So, with all the rest we are talking about now—the ideas of Senator on the committee, and Senators not on the committee—all the rest of it put together, will cost $5 million.

Mr. SYMINGTON. Only $5 million. What does the Senator have in mind would be done with the one-third, or most of the remaining $5 million?

Mr. LONG of Louisiana. It is hard to say. In other words, probably no one provision remaining would cost as much as $1 million. It would be hard to say.

Mr. THURMOND. What are they?

Mr. LONG of Louisiana. With a bill of this size I cannot break down the $5 million, but the items are listed.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the items in question be printed in the Record covering the $5 million.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Other amendments to the Internal Revenue Code.

- Application of investment credit to property used in U.S. possessions (sec. 201 of the bill and secs. 48(a)(2), 48(a)(5), and 48(d) of the code).
- Basis of property received in the liquidation of subsidiary (sec. 203 of the bill and sec. 334(b) (2) and (3) and sec. 453(d) of the code).
- "Swap funds" (sec. 204 of the bill and sec. 351 of the code).
- Minimum amount treated as earned income for retirement plans of self-employed persons (sec. 205 of the bill and sec. 401(c)(2)(B) of the code).
- Treatment of certain income of authors, inventors, etc., as earned income for retirement plan purposes (sec. 206 of the bill and sec. 401(c)(2) of the code).
- Exclusion of certain rents from personal holding company income (sec. 207 of the bill and sec. 543 of the code).
- Percentage depletion rate for certain clay bearing alumina (sec. 208 of the bill and sec. 613 of the code).
- Percentage depletion rate for clam and oyster shells (sec. 209 of the bill and sec. 613 of the code).
- Sintering and burning of shale, clay, and slate used as lightweight aggregates (sec. 210 of the bill and sec. 613 of the code).
- Income from lapsing of straddle options (sec. 211 of the bill and sec. 1234(c) of the code).
- Tax treatment of per-unit retain allocations (sec. 212 of the bill and secs. 1382, 1383, 1385, 1388, and 6044 of the code).
- Excise tax rate on hearses (sec. 213 of the bill and sec. 4062 of the code).
- Interest equalization tax; loans to insure raw material sources (sec. 214 of the bill and sec. 4914 of the code).
- Interest equalization tax; insurance company reserve funds (sec. 215 of the bill and sec. 4914(e) of the code).
- Interest equalization tax; dollar loans of foreign branches of U.S. banks (sec. 216 of the bill and sec. 4931(a) of the code).

Miscellaneous provisions.

- Treasury notes payable in foreign currency (sec. 401 of the bill).
- Reports on Government contingent liabilities and assets (sec. 402 of the bill).

Mr. SYMINGTON. Mr. President, at the risk of being repetitious, let me ask again if the $385 million of the expenses lost by the old folks out of the $410 million, if this means that, a, Congress will provide 50 percent of the drugs needed by elderly people and, b, will continue to give them the same tax rights in the future that they have had in the past. Is that correct?

Mr. LONG of Louisiana. We are actually only talking about $310 million because the aged people will pay for half of the drug costs themselves. That takes $100 million out. So what we are talking about is roughly $310 million. Out of that $310 million, all but about $25 to $30 million is to help the old people with drugs and medical expenses.

Mr. SYMINGTON. I thank the Senator for what, to me, anyway, is a lucid and intelligent and well thought out explanation.

Mr. LONG of Louisiana. I thank the Senator.

Mr. COTTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. I was much interested in this explanation which the distinguished chairman of the committee has given, but as I understand his last statement, that portion of the loss of revenue in this bill which is for the benefit of elderly people in the matter of drugs, and in the matter of continuing tax consideration, is now only $300 million roughly. Is that correct?

Mr. LONG of Louisiana. $100 million will be collected for drug expenses from the aged people who are covered by part B of medicare, on the basis of 50 cents a month. So we will pick up $100 million in revenue to offset part of the $385 million gross loss for items for the aged.

Mr. COTTON. I have a great deal of sympathy with the statement of the Senator from Vermont [Mr. Aiken]. He comes from the same part of the country that I do, and perhaps we were both equally dense in understanding when the Senator from Louisiana started to shed so much lucid light on this whole matter in order to inform the Senate as to just what is in the bill. He started out by saying vehemently, as he always does, and most forcefully, that of the $410 million lost in this bill, $385 million is for the old folks. So that they will pick up $85 million, which will leave $300 million. Therefore, the total figure is $410 million, is it not?

Mr. LONG of Louisiana. This bill will both raise revenue and cost revenue. The answer would have to depend on whether we are talking about net or gross figures.

Mr. COTTON. Give us the net figure. I think even I can understand that.

Mr. LONG of Louisiana. The net figure is $310 million, because, if this bill is passed, the old people who will be paying half the cost of providing drugs under medicare will pay in about $100 million.

In addition to that, we would lose $180 to $185 million in revenue starting on January 1, on a calendar basis, for the expense of allowing aged people to deduct all of their medical expenses instead of being able to deduct only that which exceeds 3 percent.

Mr. COTTON. The Senator is working much too hard. If he will simplify his statement so that a high school sophomore can understand it, I am sure the Senator from New Hampshire will understand it. The Senator from New Hampshire would like to make sure he understands. All the Senator from New Hampshire is interested in is the net loss or the net gain. The Senator from Louisiana need not go all over the road as he just did. How much will this bill give to the old folks and how much will it get back?

I would like to know, in approximate figures, one, how much this bill will cost—net, not gross—and how much of that amount will be for the old folks.

I think it ought to be possible to get a simple answer to that question.

Mr. LONG of Louisiana. In terms of net revenue loss to the Treasury, it is $310 million. That is the cost of the bill. So the net revenue loss is $310 million. Of that net loss in revenue to the Treasury the old folks, the people of over 65 in this country, will have a net gain in benefits of $280 million. Their gain is a loss of Federal revenue. Of the loss to the Treasury of $280 million for the old folks, one is for medical attention for those whom medicare does not cover, and the other is to provide drugs.

Mr. COTTON. When do they get that?

Mr. LONG of Louisiana. Now.

Mr. COTTON. They do not get that until 1968.

Mr. LONG of Louisiana. They would not get the drugs until 1968, but the provision continuing the tax deduction of all medical expenses will go into effect January 1, 1967.

Mr. COTTON. They get the tax consideration as of 1967. How much does the tax consideration cost?

Mr. LONG of Louisiana. $180 million.

Mr. COTTON. What is the cost of the drugs?

Mr. LONG of Louisiana. On a net basis, $200 million.

Mr. COTTON. But they do not get that until 1968?

Mr. LONG of Louisiana. Yes.

Mr. COTTON. We went through all this when medicare was passed. We were told that one title of it would cost $136 million. It now turns out that it is going to cost more than $1 billion, and it is an open secret that a committee will come forward with a recommendation to plug that loophole.

Mr. LONG of Louisiana. That was medicaid.

Mr. COTTON. The Senator may call it medicaid, but it was one of the titles of the medicare bill.

Mr. LONG of Louisiana. It was in the bill. The bill was known as the Social Security Amendments of 1965.

Mr. COTTON. I think I am justified in referring to any other bill by the name by which it is known, the medicare bill. If the Senator from Louisiana wants to split hairs, that is all right. There was one title in it called medicaid. If the Senator wants to treat us as if we were children, go ahead.

If $100 million of this loss is to benefit the old people in 1968, why wait a year? If the Senator is going to propose this as an aid to old people, why not make it effective in 1967? Let us help the old people. If they need help, let us start upon it immediately. Otherwise, what is the reason for all the hurry about ramming this bill through?

Mr. WILLIAMS of Delaware. The year 1968 is a presidential election year. Could that be a reason?

Mr. LONG of Louisiana. It is estimated that it will take a little time to set up the administrative part of it.

Mr. COTTON. That means it is only window dressing because there will be a presidential election in November of that year.

Mr. LONG of Louisiana. The Senator——

Mr. COTTON. The Senator says he was getting it worked up simply enough to satisfy the intelligence of the Senator from New Hampshire. He assumes that the Senator understands.

Will the Senator from Louisiana accept an amendment to give the $100 million to buy drugs for old people, for which they are to pay on a 50–50 basis, and make it effective January 1, 1967, instead of 1968, or does the Senator's solicitation for the Treasury go that far?

Mr. LONG of Louisiana. Whatever the Senate wants to do is all right with me.

Mr. COTTON. But the Senator said we had to take his explanation——

Mr. LONG of Louisiana. No.

Mr. COTTON. We were supposed to listen to his exposition——

Mr. SYMINGTON. Mr. President——

Mr. LONG of Louisiana. Mr. President, who has the floor?

Mr. SYMINGTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. LONG of Louisiana. Mr. President, I try not to impugn the motives or ability of any Senator. If I have, I make a contrite apology. I simply said that if the Senator does not understand my explanation, I will try to find someone who can explain it. Some of these amendments have been proposed many times. The Senator from Massachusetts [Mr. SALTONSTALL] has been working on one for a lifetime.

If the Senator wants to offer his amendment, I will take it. We may have some administrative difficulties.

Mr. COTTON. I thank the Senator for agreeing to do what I thought was my privilege as a Member of the Senate.

I asked the Senator a direct question. If my references were unduly vehement, I, too, regret it, but it did seem to me that the Senator seemed to be a little complacent about the remarks of the Senator from Vermont.

I do not think the Senator from Vermont was out of order in suggesting it is a very poor method of trying to push through a 231-page bill at this time of the session, when we have had no time to consider it. Of course, we depend on committees. No one in the Senate has a greater respect for the Finance Committee than I. I served on it for one session of Congress. I respect the Senator from Louisiana. I consider him one of the most hard-working and diligent Members of the Senate. In my own estimation, there is no committee which works harder than that committee.

However, we have our obligations, even though we do not serve on the committee and, though we must rely on it in great measure. I still have a duty to know what we are doing, if I wish to live up to my oath of office.

If I made an insinuation that sounded political, I will take full responsibility for that, because that implication is justified. I rarely take the floor to talk about partisan politics—certainly when we are outnumbered 2 to 1. But in this particular case, we have all these additions. Now we are told those additions are for the old people. Up in New Hampshire and Vermont we have auctions, and we are familiar with the way they work. The auctioneer says, "Do I have a bid? Do I have a bid?" If he does not have a bid, he adds something attractive to the trash, and then he tries to get a bid. If he does not succeed in getting a bid, he adds something else that is attractive.

We have the same thing here. There is trash until someone says it is for the old folks. If there is something for the old people, the elderly—and God knows we want to help them—let us have it take effect, not in 1968, but January 1, 1967. Let us go the whole way, if that is to be the lump of sugar that will lead us down the pathway to pass the bill with its accessories.

I merely asked the Senator if he would accept such an amendment. I judge he will not.

Mr. LONG of Louisiana. I said I would accept it. I said if the Senator would offer the amendment, I would accept it. I will ask one of the staff to prepare it.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MAGNUSON. Of course, we wish to help the old people, but it is possible to be cruel to them, too. If we have this take effect, when the testimony shows that they will not be ready to administer it by January 1967, then it is a hoax and a cruelty upon the old people. It ought not to take effect until they are ready to administer it, so that it will be of help to the old people. I do not know whether a year is needed or not. Perhaps 6 months will be sufficient. But I know they could not be ready, from reading the testimony, to put this provision into effect, administratively, in the next 2½ months; therefore, I think to provide an effective date of January 1967 would be wrong. We would hold out a lump of sugar, and it would not be there for them. That is worse than postponing it, to hold it out as if it were there for them.

Mr. LONG of Louisiana. That is the problem. The people who would administer it said they need that much time, because there is a lot of detail involved here. May I say, this amendment to help old people with drugs does not come to us as an administration amendment. The administration did not ask for it. It was offered by the Senator from Illinois; and if he had tried to play politics by it, he would have had it take effect right now, because he is running for office right now.

But he asked, from an administrative point of view, how soon did the responsible administrative agency think it would be able to handle it. They said they thought it would take until about 1968, because they have to make a careful study of which drugs would be made available, and all that.

Mr. COTTON. The Senator certainly would not consider this an amendment that would be cruel to old people, would he?

Mr. LONG of Louisiana. I am willing to do whatever the Senate wants to do.

Mr. MAGNUSON. I said only if they cannot do it.

Mr. COTTON. I do not think it would be such a terrible thing for the old people if we said it would take effect on the first day of January 1967, and they could not get it going until March. They would lose 3 months on it; but to say it would be a hoax and a fraud, I think that is a little bit farfetched.

Mr. LONG of Louisiana. I would be willing to take the amendment, because the House is not going to agree to it unless they think it can be worked out, anyway. We could talk about it in conference. So as far as I am concerned, I would be willing to make it 6 months from now.

Mr. AIKEN. Mr. President, will the Senator yield for two clarifying questions?

Mr. LONG of Louisiana. I yield.

Mr. AIKEN. As I said earlier, I have not had time to read a 250-page bill since 10 o'clock this morning. But on the provisions relating to the deduction of full medical expenses for the old people, the bill states, "This section shall apply to taxable years beginning after December 31, 1966." That means they could not take deductions for medical expenses incurred in this year of 1966; the first opportunity would be in the year 1967, would it not?

Mr. LONG of Louisiana. No; the Senator is in error. The way the law stands today, they can deduct it all. But starting——

Mr. AIKEN. They can deduct all of it?

Mr. LONG of Louisiana. Yes; all of it. But the Medicare bill—and I am going to refer to it as Medicare also; I will explain later why I made the distinction a few moments ago—the so-called Medicare bill, in trying to find ways to finance that program, said that in 1967, starting in January, the aged people would no longer be permitted the favorable tax treatment they have been allowed for deductions for medical expenses. That was a House provision. We took it out in the Senate committee, and the Senate sustained us. But in conference, we had to yield on it.

So we are now doing what we did in 1965, in the Senate committee, voting that they are not going to have to deduct only in excess of 3 percent. My guess is that if Congress wants to insist that those old people pay taxes on their medical expenses, it is going to be a very unpopular thing, starting in January, and I know we will change it then.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. THURMOND. I wonder how many old people are involved in each of those categories, and about how much money is involved in each category.

Mr. LONG of Louisiana. Every old person would be benefited by about $6 a year for the drugs, because we would be paying half of the cost of providing drugs for the aged people and they would be paying the rest at a rate of about 50 cents a month.

Some old folks do not make enough money to pay any taxes, and it would not benefit those; but as to those it would benefit, calculated on the assumption that about the same number of people would be eligible as for medicare, and averaging it out, it would average out to roughly a benefit of about $10 for every old person.

So, as a practical matter, if you want to vote for that amendment, the average old person is going to be $16 a year worse off than if we leave it in.

Mr. THURMOND. And how many people would be involved, in each category?

Mr. LONG of Louisiana. There are about 17½ million aged people, over 65, and practically all of them would be benefited by one of the two provisions. Practically all of them would be benefited by one provision.

Mr. THURMOND. By one or the other?

Mr. LONG of Louisiana. Yes. Potentially, practically everybody would be benefited by the drug provision.

Mr. THURMOND. That is, those over 65?

Mr. LONG of Louisiana. Those over 65 would be benefited——

Mr. THURMOND. Those over 65 would all be benefited by one category or the other?

Mr. LONG of Louisiana. I think it would be fair to say that virtually all of them who have any medical expenses would be benefited by the tax provision, which is the most expensive from the Government's point of view. All those who pay taxes would be benefited if they have medical expenses. And out of those who are under medicare, all of them would be benefited, potentially, by the drug provision.

Mr. THURMOND. I wonder if the Senator could get the actual figures. I am not trying to be unduly inquisitive, but if the Senator could furnish that for the record, if we could get the figures in each category, I would appreciate it.

Mr. LONG of Louisiana. There are about 17,500,000 aged people, over 65, in this country. Potentially, these two provisions could benefit every one of them.

Mr. THURMOND. I might say to the Senator that I have introduced proposals in this Congress similar to this. My proposal would allow complete deductions without the 3 percent and 1-percent limit to any taxpayer who pays medical expenses for a dependent over age 65. I was just wondering what the Senator's most recent figures were.

Mr. AIKEN. If I may ask my final question, I am interested in the provision for the furnishing of drugs, to old people because I offered a drug amendment to the medicare bill, 2 years ago, and the committee turned me down. It seems they have had a change of heart. But as I understand, the provisions relative to the furnishing of drugs under medicare take effect July 1, 1968. Is that correct?

Mr. LONG of Louisiana. A member of my staff was speaking to me at the same time the Senator was speaking. Will the Senator please repeat his question?

Mr. AIKEN. The provisions of the bill relevant to the furnishing of drugs takes effect on July 1, 1968.

Mr. LONG of Louisiana. The Senator is correct.

Mr. AIKEN. Mr. President, as I said when the Senator was engaged in conversation with a member of the staff, I offered an amendment to provide drugs for old people 2 years ago when medicare was before the Senate. I was turned down rather abruptly by the committee.

I am glad that there has been a change of heart. However, I do not see why this provision could not take effect on July 1, 1968, whether the bill is passed this week or next February.

I thank the Senator for answering my question.

Mr. LONG of Louisiana. Mr. President, as far as I am concerned, the bill will be in conference and if the Senator wants to offer an amendment to move the date forward, I would be willing to accept it.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MURPHY. Mr. President, is there any reason why the suggestion of the Senator from Vermont cannot be accepted? I respect the gracious conduct of the Senator from Louisiana who said that he would accept such an amendment. However, it would seem at this point that there would be no reason why that particular date should be in the bill.

Mr. LONG of Louisiana. Mr. President, I regret to say that I was somewhat in error. The chief counsel of our committee staff has refreshed my recollection on this matter.

If the Senator will look at page 230 of the bill he will see that it reads as follows:

> The amendments made by this section shall become effective on whichever of the following occurs first: (1) the first day of the first month with respect to which the rate of the monthly premium or participation is raised, pursuant to section 1839(b) of the Social Security Act, after the date of enactment of this Act, or (2) July 1, 1968.

It could become effective any time in 1968, as soon as the part B premium rate was adjusted.

Mr. MURPHY. The statement about raising the social security would have no effect on this.

Mr. LONG of Louisiana. It would be effective no later than July 1, 1968, but it could be effective earlier.

Mr. MURPHY. Mr. President, I read from page 79 of the report as follows:

> A formulary committee would be established—

The report then continues, at the bottom of page 79:

> The formulary committee would promulgate a schedule of allowances payable for given quantities of covered drugs.

On page 80 of the report it reads:

> That would constitute the allowance for tetracycline. The allowance thus determined would be payable on a generic basis for Achromycin, a brand name for one company's tetracycline, or for any other brands of this drug.

Does that indicate that the formulary committee will fix the wholesale price of drugs?

Mr. LONG of Louisiana. It does not. It says that we will use the wholesale prices in calculating allowances.

Mr. MURPHY. I have just read what it says. It is my understanding that it provides that they would fix the wholesale price of the drugs.

Mr. LONG of Louisiana. Mr. President, I point out that we are willing to pay for the cost of the drugs on a generic name basis. We are not willing to pay the much higher price which is occasioned when one buys a drug by a brand name.

Mr. MURPHY. The formulary committee which this provision would set up would decide the price that the Government would pay for the drugs.

Mr. LONG of Louisiana. We would decide how much we would pay, but if one wants to pay a lot more than that allowance, he can go ahead and do it. That would be all right.

Mr. MURPHY. Will the Senator yield further?

Mr. LONG of Louisiana. I would like to answer the question, if I may.

Mr. MURPHY. The Senator has answered my question.

Mr. LONG of Louisiana. I would like to explain it then, if I may.

Mr. MURPHY. The Senator may explain it.

Mr. LONG of Louisiana. If a person has an infectious disease and needs Tetracycline, we would pay him so much for it.

Tetracycline is a wonder drug that one can buy in a great number of places for 5 cents a pill. It costs 1.5 cents a pill to manufacture.

We are willing to pay 5 cents for each of 16 pills. Every bacteria would be killed by the time a person took all 16 capsules. But if one wants to buy Panalba, which is nothing but Tetracycline, manufactured by Pfizer Co., it will cost 30 cents a pill. It used to cost 50 cents a pill.

Our Government can buy the same drug for 2 cents a pill. We provide it for our own servicemen in our hospitals. It is provided for Congressmen in the Capitol. We are willing to pay 80 cents for 16 capsules of Tetracycline.

If one goes to the drug store and buys Panalba and pays 30 cents or 50 cents a pill or buys the Squibb product at a cost of 30 cents a pill, he can pay that much. If one wants to buy Achromycin, he can do so and pay 30 cents a pill.

The Government can buy the same drug for 1.5 cents a pill and we are willing to allow the wholesale price of 5 cents a pill for it. A person can go to the druggist and if he wants to buy a product by its generic name, that is all right. It is the same product as the 30-cent product. We will pay a nickel for that product. However, if one wants to buy the same drug by the trade name because he feels better about using a Pfizer product or a Squibb product, thinking that is the best company on earth, he can do so and pay more. That is his privilege.

Mr. MURPHY. Mr. President, I thank the Senator for his explanation. Would it be possible to get a simple yes-or-no answer to this question? Would this in effect indirectly help to set the wholesale price of drugs?

Mr. LONG of Louisiana. I do not think so.

Mr. MURPHY. I can answer from my experience as a business executive that if this were done by a business firm, it would be referred to as unfair business competition.

Mr. LONG of Louisiana. All we provide is that we would simply look at the regular wholesale prices to determine what we think we ought to pay.

Mr. MURPHY. We would tell the manufacturer what we would pay for it and the Government would be in the position of being the biggest customer. I would say this practice would be one by which the Government could be charged with attempted price fixing.

Mr. LONG of Louisiana. I understand the situation well. I know that some people would like to see the Government pay for drugs for old people at four or five times more than the actual cost. It would cost our Government hundreds of millions more than the Douglas amendment.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I shall be through in a moment. This would cost the Government and the old people would put up an equal amount. They would put up about 50 cents a month and the Government would match that money.

We can provide all of the drugs the people need. We have a formulary committee composed of the finest people in the Government, from the Surgeon General on down. They are the finest professional people that we can find. They are people who can make sure that the drugs will not cost more than they should. However, if we want to run the cost of this thing up to $500 million, all we have to do is to let the drug companies have their say about it.

We would then be required to buy the drugs at the prices these companies set on a trade-name basis. They would charge anywhere from 5 to 100 times the cost of production, even though other quality producers sell the same product for a fraction of that price.

I can cite one example, and it does not involve trade names. A person can go into a drugstore and buy a bottle of aspirin tablets.

I bought some the other day. A person can get a product manufactured by a firm and approved under its generic name. He can buy the aspirin tablets at a very nominal cost. If one wants to buy a name brand aspirin, it is exactly the same product. It may be advertised that there is none better. They are right. There is none better and there is none worse. It is all aspirin. That is all it is.

So one can buy the same size tablets and call them by a name brand. If he buys a large bottle, on a bulk basis, he will pay about a penny apiece. Why should we, as a government, pay a penny apiece for aspirin tablets, when there are bottles of them in every drugstore at seven for a penny—the same size and the same quality. It makes no sense.

We could provide all the aspirin tablets necessary, but we think we should provide them in the same way that we provide them for the President of the United States, the Members of the House of Representatives, the Members of the Senate, and the generals of the Army at Bethesda Naval Hospital and Walter Reed Army Hospital. Buy them for the quality we want, require that they be the proper quality; but so far as we are concerned, we will pay what the article is worth.

If you want to let them charge you 10 times that much, go ahead and pay the high price. I am not criticizing those people.

My father at one time was a patent medicine salesman. He had two medicines. One was named High Poplarlorum, and the other was named Low Poplarhirum. Both bottles were the same size. One bottle sold for 50 cents, the other for a dollar. The people practically always bought the dollar bottle. The difference between these two products was that the High Poplarlorum was made from the bark that had been skinned down the tree, and the Low Poplarhirum was made from the bark that had been skinned up the tree.

I cannot criticize them for charging a dollar for a 50-cent bottle, when I know that my dad did the same thing, as a boy.

But we have no business making the old people pay two or three times more than they should to get these products.

Mr. COTTON. Mr. President, because I am due downstairs at the conference committee on truth in packaging, the Senator from California [Mr. MURPHY] has, subject to the approval of the Senator from Louisiana, allowed me to interpolate one question at this point. Is that satisfactory?

Mr. LONG of Louisiana. That is satisfactory.

Mr. COTTON. I note that the effective date on the drugs is not January 1, but July 1, 1968.

Also, having had my attention drawn to it—and I thank the Senator—I note the contingency dates that might come ahead of that.

After the amendment of the Senator from Delaware is voted on, I would like to offer an amendment simply changing the date of July 1, 1968—leaving the contingency in—to January 1, 1968, 6 months. If that is done, would the Senator accept it and take it to conference?

Mr. LONG of Louisiana. Yes, I will.

Mr. COTTON. Of course, I have been in the Senate too long not to know exactly what is meant when the chairman of a committee says that he will take an amendment to conference. It usually means "out the window." But if the Senator from New Hampshire only advances that date 6 months and leaves all the contingencies in, would the Senator from Louisiana feel that the amendment had merit enough so that he really would attempt to keep it in the bill?

Mr. LONG of Louisiana. Yes.

Mr. President, so far as I am concerned, I would like to see the old people be able to get these drugs just as soon as it can be arranged. I would be happy to accept the amendment, when it is in order. I do not believe it is in order at this time.

Mr. COTTON. I shall not offer it now.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. GORE. Mr. President, I desire the attention of the Senate for a very brief period.

Every so often a tax measure comes along which serves as a catchall for special interest amendments. The word is out that this is it.

Mr. President, unless the Senate moves to strip from this bill unworthy amendments entirely extraneous to the measure, there will be many more. Every time I go out the door, I see someone else drafting another amendment. H.R. 10 is in the works to be offered. Further depletion amendments will be offered. And why not? Why does not everyone offer everything he wishes, if we are to take a bill to encourage foreign investment in the United States and then use it as a vehicle to give a 200-percent increase in the percentage depletion allowance to the gatherers of clamshells?

That brings up a question, Mr. President. A goodly number of Senators—at least, some who have expressed themselves—seem to be laboring under the misapprehension that percentage depletion is in some way related to the wasting, disappearance, or depreciation of the asset. It is not in any way so related.

In the tax laws, we have depreciation, we have cost depletion, and we have percentage depletion. How could a taxpayer be given depletion on the clam shells on the Continental Shelf?

Who owns the clam shells? God Almighty. We may as well give a 200 percent increase in a depletion allowance for the sands of the seas and the air we breathe.

Mr. LAUSCHE. What about the fish of the sea?

Mr. GORE. Well, I see little difference, really, between the fish of the seas and the mollusks of the seas.

I am attempting to make two points:

First. This legislation would arbitrarily increase the percentage depletion for mollusk shells from 5 to 15 percent—15 percent of what? Not of the cost of the shells that the taxpayer has bought.

Second. There are cutoff points for various minerals and materials. I recall that we once had an amendment in the Senate to prevent the steel industry from taking their percentage depletion allowance based on the retail value of finished nuts and bolts—instead of the ore. Where is the cutoff point on these shells?

What is the excuse for percentage depletion? I really do not wish to provoke a debate on this matter. One of these days, we will have to have a debate, when the time is ripe. Percentage depletion has no relationship whatsoever to the cost of the natural resource, the depletion of the natural resource, or the depreciation of the natural resource. It is merely a formula for tax reduction. What does this bill do for mollusk shells? It gives a 200-percent increase in that formula.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. Are any mollusk shells being used to manufacture cement?

Mr. GORE. I should think the answer would be "yes"; but that is not the point I am making. I am not talking about the use to which they are being put; I am talking about an increase of 200 percent in the formula for tax reduction for those taxpayers concerned.

What I really rose to plead for is to strip from the bill the special interest items. Unless that is done, we shall be here all night, if the majority and minority leaders hold us here. We shall be voting on H.R. 10 and more depletion allowance amendments. If this is to be a grab-all bill in the closing days of the session, then I think we shall be in for a lot of unwarranted amendments.

I hope the Senator from Delaware will modify his amendment. So far as the use of drugs for old people is concerned, that is an entirely different matter. I wish he would move to strike from the bill the tax provisions which are unrelated and nongermane to the original bill as introduced.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LAUSCHE. With respect to the depletion allowance, to whom do the shells of clams and oysters belong when they are in the sea? Whose property are they, and how can it be claimed that the person who takes oysters and clams out of the sea has suffered a depletion of his capital property?

Mr. GORE. Only the uninformed would make such a claim. Percentage depletion is not based upon that. This is but a canard that is fostered.

Mr. LAUSCHE. Suppose I am the owner of a coal mine. I take the coal out of the earth and deplete my capital resources. That is completely different from a harvester of clams and oysters, who takes them out of the sea and has no ownership in them. How does the Senator reconcile the two principles?

Mr. GORE. The owner of a coal mine would, as I understand it, have a choice between taking cost depletion or percentage depletion. Coal owners are the beneficiaries of this magic formula of percentage depletion, also.

Mr. LAUSCHE. They have a 10 percent depletion.

Mr. GORE. As a matter of fact, I know of hardly any natural resource that does not have some formula for percentage depletion associated with it, except air, sand of the seas, and the dirt that the farmer cultivates. There is just as much reason, and perhaps more, for giving a farmer percentage depletion.

Mr. LAUSCHE. There is more reason because the farmer owns the land and the fisherman of clams and oysters does not own them. He takes them from the public domain.

Mr. GORE. But this bill gives to those people a 200 percent increase—an increase from 5 percent to 15 percent.

Mr. President, I hope that the Senator from Delaware [Mr. WILLIAMS] will modify his amendment and let us vote to strip the extraneous tax measures from this bill.

Mr. WILLIAMS of Delaware. The Senator from Tennessee made a valid point. There are 23 amendments in the bill which were nongermane, only two of which deal with the elderly of the country, and they would not go into effect until 1968.

Much of the argument——

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG of Louisiana. Who was the Senator who offered the first nongermane amendment and got it agreed to in committee? I believe it was the Senator from Delaware [Mr. WILLIAMS].

Mr. WILLIAMS of Delaware. The Saltonstall amendment which was offered was not germane, but would not in any way affect revenue this year, next year, or the years after.

Mr. LONG of Louisiana. I am not talking about revenue. I am talking about who offered the first nongermane amendment.

Mr. WILLIAMS of Delaware. The Senator should be thinking about revenue. The Senator from Louisiana offered the first nongermane amendment on clam shells to reduce taxes.

Mr. LONG of Louisiana. No. Who offered the first nongermane amendment?

Mr. WILLIAMS of Delaware. The Saltonstall amendment calls for an annual accounting for the assets and liabilities of this Government. Why blame the Senator from Massachusetts for the sins committed upon this bill in all of these depletion and campaign amendments?

Mr. LONG of Louisiana. Wholly nongermane.

Mr. WILLIAMS of Delaware. Yes; the 23 amendments we are speaking of here are the amendments that lose revenue in the bill. They account for not $310 million as the Senator from Louisiana claims, but a loss of $500 million to $600 million. The committee estimate was $410 million.

Mr. President, I ask unanimous consent that an excerpt of the committee report reflecting that figure be printed at this point in the Record.

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

The amendments added to the bill by your committee, other than those relating to the Foreign Investors Tax Act, are expected to result in an annual revenue loss (or expenditure increase) of slightly over $400 million. Two hundred million dollars of this is attributable to the medicare amendment making provision for drugs under the supplementary benefit program. The provision making medical expenses deductible in full with respect to most persons over age 65 is expected to result in an annual revenue loss of $180 million. An expenditure of approximately $70 million every 4 years also is expected from the Presidential Election Campaign Fund Act. The remaining provisions added by your committee are expected to result in a further revenue loss of approximately $10 million a year.

Mr. WILLIAMS of Delaware. Mr. President, the estimate in the committee report shows $410 million as the lowest estimate. The estimate given to our committee by the Treasury was between $500 million and $600 million.

Mr. LONG of Louisiana. Mr. President, would the Senator yield at that point?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG of Louisiana. That is not the net figure.

Mr. WILLIAMS of Delaware. What is the difference?

There are several sections in titles II, III, and IV, none of which are related to the elderly. In spite of all of the argument that has been made here, parading the elderly around and boasting of what is going to be done for them in 1968, there are only two sections dealing with that subject.

All of the other 21 sections represent special tax treatment for some group.

Mr. President, in order to get a clear vote on this matter I am going to comply with the request of the Senator from Tennessee [Mr. Gore] and confine this amendment to eliminating all of titles II, III, and IV except those two sections, sections 202 and 403, which deal with the elderly.

Mr. President, I ask unanimous consent to so modify the amendment.

Mr. LONG of Louisiana. Mr. President, I object.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). Objection is heard.

Mr. LONG of Louisiana. Mr. President, the Senator asked for the yeas and nays on the amendment. He should remember that he has to vote on it.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. President, I send to the desk a substitute amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Mr. Williams of Delaware proposes in lieu of his amendment: Beginning on page 184, strike out sections 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, and 216.

Beginning on page 214 strike out title III.

Beginning on page 222 strike out sections 401 and 402.

Mr. GORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. GORE. Does the substitute amendment do what the Senator sought to do by unanimous consent?

Mr. WILLIAMS of Delaware. Exactly. I checked with the Parliamentarian. It is in order.

Mr. GORE. If this substitute is agreed to——

Mr. WILLIAMS of Delaware. It would knock out all of titles II, III, and IV except sections 202 and 403.

Mr. President, I ask for the yeas and nays on this amendment.

Mr. President, I ask that the amendments be considered en bloc.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask that the amendments be considered en bloc. Is that request agreed to?

The PRESIDING OFFICER. Yes.

Mr. WILLIAMS of Delaware. Mr. President, the adoption of this amendment would strike out all of titles II, III, and IV, except those on which there has been so much argument here with respect to what they are going to do for the elderly in 1968.

Mr. President, so that there will be no misunderstanding, I shall outline just what is in these other sections. I start with section 201, which is the application of investment credit to property used in possessions of the United States.

Section 202 would be left in the bill. That is the deduction of medical expenses of individuals age 65 or over.

Section 204 deals with transfers of stock and securities to corporations controlled by transferors. This is the section we voted on earlier which the Treasury Department identified as the most glaring loophole ever proposed by any congressional committee in the history of the Congress. Under this proposal a man could completely bypass the capital gains structure as far as diversification of his stock holdings. It would strike that section out.

Mr. LAUSCHE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. Next is section 205; it deals with the minimum amount treated as earned income for retirement plans of certain self-employed individuals. This is with reference to H.R. 10.

Section 206 would be stricken. That is treatment of certain income of authors, inventors, and so forth, as earned income for retirement plan purposes. This would be stricken.

These sections do not deal with elderly who have been paraded here this afternoon and for whom so many crocodile tears have been shed.

Section 207 is the exclusion of certain rents from personal holding company income.

Section 208 is percentage depletion rate for certain clay-bearing alumina.

Section 209 would be stricken—that deals with the percentage depletion rate for clam and oyster shells.

Section 210 deals with the sintering and burning of shale, clay, and slate used as lightweight aggregates.

Section 211 deals with tax treatment on stock transactions and options, and so forth.

Section 212, deals with tax treatment of per-unit retain allocations.

Section 213, excise tax rate on ambulances and hearses.

Section 214, applicability of exclusion from interest equalization tax of certain loans to assure raw materials sources.

Section 215, exclusion from interest equalization tax for certain acquisitions by insurance companies.

Section 216, exclusion from interest equalization tax of certain acquisitions by foreign branches of domestic banks.

Title III would be stricken. This is section 301, which deals with financing presidential election campaigns out of the Federal Treasury. These would be stricken along with all the other proposals in these three titles except those two sections of the bill over which so many crocodile tears have been shed this afternoon.

The committee amendment dealing with the so-called drug amendment should be delayed until next year, when it can be prepared and presented to the committee in a workable form. We would have ample time to consider and act on it long before the 1968 so-called effective date. But, no, they want to put it in this year, ahead of the election of 1966, promising the voters something that they will get in the election year of 1968.

Such action is like the President's speech in Baltimore today. Just ahead of the 1966 elections he is promising a 10-percent increase on all social security checks to become effective on January 1, 1968, ahead of the presidential elections. Significantly, the tax to pay for these increases goes into effect in January 1969, after the election.

It is time this administration stopped playing politics with the elderly. If it plans to do something for them go ahead and do it; and if not let us stop talking about it.

We have got a clean-cut vote here which will not affect either of two sections dealing with the elderly, about whom so many crocodile tears have been shed here this afternoon.

Mr. LONG of Louisiana and Mr. LAUSCHE addressed the Chair.

Mr. WILLIAMS of Delaware. I will yield first to the Senator from Louisiana and then to the Senator from Ohio.

Mr. LONG of Louisiana. Does the Senator propose to delete his own amendment?

Mr. WILLIAMS of Delaware. The Saltonstall amendment? Yes.

Mr. LONG of Louisiana. I am pleased to hear that.

Mr. WILLIAMS of Delaware. Let us take them all out. The amendment of the Senator from Massachusetts [Mr. SALTONSTALL] is being reported in the House anyway. It has passed five times in the Senate unanimously. There is no objection to it, but I am deleting it, and I am now asking the Senator from Louisiana to join the parade and support us in deleting his nongermane amendments.

Mr. LAUSCHE. Mr. President, if the amendment offered by the Senator from Delaware is accepted, will it leave the bill in the following form: one, that part of the bill which was recommended by the President and the administration dealing with equitable tax treatment for foreign investors in the United States, and two, the relief that is sought to be given to the aged, and beyond that, all of the provisions of the bill will be eliminated?

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. The Senator makes this proposal because he believes that the provision which he asked to be stricken should not be in the bill and because he knows that before we get through tonight we will have a half dozen more proposals to reduce taxes and give special benefits to special groups; is that not correct?

Mr. WILLIAMS of Delaware. That is correct. I want to make this clear, I think that these titles should be deleted in their entirety.

Let the administration get its eyes off the election. There has been so much said here about opposing the amendment I had pending because they wanted to help the elderly. All right, we now have a clean-cut vote here to strike out the other 22 proposals which as the Senator from Tennessee has pointed out, are just special tax deductions for special groups.

Mr. President, I yield the floor.

Mr. McCARTHY. Mr. President, I think the point has been made that nearly everything that the Senator from Delaware is proposing to strike out, with the exception of the amendment on which we voted, plus the limited depletion allowance, everything else in the legislation he proposes to strike out was approved by the Treasury, recommended by the Treasury, not objected to by the Treasury or by any other department of Government which was involved. So we do not have just in these 18 or 19 proposals propositions representing some kind of outside special interest, but we have proposals which were, as I said, with the exception of those four, not objected to or recommended to the House, or supported by the Treasury. We are not trying to put through the Senate here today 18 or 19 special interest bills that the administration is not interested in at all. The Treasury people examined these proposals with the exception of the one amendment which we voted on plus the three amendments relating to depletion allowance. We had Treasury support of this and administration support of this, too.

Mr. AIKEN. The Senator from Minnesota just referred to "outside special interests." Let me ask, outside what?

Mr. McCARTHY. I do not know whose special interests they are. They are all Americans, so far as I am concerned.

Mr. AIKEN. The Senator is assured that they are not inside special interests?

Mr. McCARTHY. I did not raise the point.

Mr. WILLIAMS of Delaware. "Special groups" was mentioned. I just point out by what line of reasoning can we justify depletion allowances on clam shells and oyster shells any more than we can on clams and oysters, or of fish. Where are we going to stop in the depletion of fish from the sea? Where are we going to stop? That is the point I am raising.

Mr. LONG of Louisiana. Mr. President, clam shells are every bit as subject to depletion as limestone. When these two products are used for a similar purpose, they are treated the same. Limestone gets the depletion allowance of 15 percent if it is ground into a powder or made into cement. If it is crushed and thrown onto the highway as gravel, it gets only a 5-percent depletion allowance. That was the judgment of Congress. The limestone people explained the problem, and Congress acted. Subsequently, oyster shells began to be used to make cement.

Perhaps some of us may think that oyster shells belong to God, but they belong to the U.S. Government when they are found on the Continental Shelf and to the States within 3 miles from their coastlines, except for Texas, Florida, and California which are favored with boundaries extending 10 miles out to sea.

When a lease is obtained from the U.S. Government on a bid basis, and the lessor may pay $1 million for it, he goes out and digs up the oyster shells and brings them in, and that product is competitive with limestone. It should get the same depletion allowance that limestone gets.

We can use calcium carbonate, if we grind it out, to make chicken feed, but it is still calcium carbonate. This amendment will help the chicken farmers in Delaware because they will be able to produce chicken feed a little bit cheaper with oyster shells, if they get the depletion allowance.

Mr. McCARTHY. That is a special group.

Mr. LONG of Louisiana. Yes, that is a special group, the chicken farmers in Delaware. The products—oyster shells and limestone—are competitive because they are chemically the same.

All this amendment provides is that the oyster shell people will get the same tax treatment that the limestone people do. Why has not that been the case before? Because when we passed the law on depletion allowances, no one was using oyster shells for the same purpose as limestone.

How about Georgia clay? It takes 2 tons of Georgia clay to manufacture aluminum that can be made with 1 ton of bauxite. If the Georgia clay is used to make aluminum, it is in competition with bauxite. If this bill is approved, they will get similar tax treatment.

Some people cannot understand depletion. If Senators cannot understand depletion, I wish they would make a study of it, because if they do not understand what depletion is, they cannot understand the depletion allowance.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. To whom do the oysters and clams with the shells belong when they are out in the ocean?

Mr. LONG of Louisiana. One million dollars is paid——

Mr. LAUSCHE. No. I asked to whom they belong.

Mr. LONG of Louisiana. They belong to the U.S. Government if they are beyond the 3-mile limit, except in Texas, Florida, and California, where they must be beyond 10 miles. If they are inside the 10-mile or 3-mile limits, they belong to the States.

Mr. McCARTHY. Mr. President, I have the floor. I will clarify the question for the Senator from Ohio.

The Senator wants to know who owns them when they are still alive; does he not?

Mr. LAUSCHE. I want to know to whom they belong, on the shelf, in the ocean, and to whom they belong when they are on the shelf but within the boundary of the State.

Mr. McCARTHY. On the shelf, but within the shell?

Mr. LAUSCHE. Let us not be childish.

Mr. McCARTHY. The Senator does not understand the problem.

Mr. LAUSCHE. I do. Could the Senator answer the question objectively?

Mr. McCARTHY. What is the question?

Mr. LAUSCHE. The question is if they belong to the United States.

Mr. McCARTHY. The shell or the oyster?

Mr. LAUSCHE. Both of them.

Mr. McCARTHY. It is a different problem. The Senator answered that.

Mr. LAUSCHE. The Senator from Louisiana stated that the shells nor the oysters belong to the fishermen. How can it be argued that there shall be a right to have a depletion allowance on the use of a mineral or sea mollusk that does not belong to a person?

Mr. LONG of Louisiana. The shells that we are talking about——

Mr. LAUSCHE. They do not belong to a person. How can he claim a tax credit for exhausting the life of the sea?

Mr. LONG of Louisiana. The shells we are talking about are the ones that have no oysters in them. They have been out there for thousands of years. The oysters have gone. The fishermen dig down there. They are exhaustible.

Mr. LAUSCHE. This is an example of exhausting property of the United States.

Mr. LONG of Louisiana. Let me explain.

Mr. LAUSCHE. The Senator will have a long time to do it.

Mr. LONG of Louisiana. I hope the Senator will stay that long.

To get a lease, a person must bid for it. It is very competitive. A person may bid $1 million for a lease. Some of them are for more than $1 million. After securing a lease, he has a right to take oyster shells out of the certain area covered by the lease. That is known as an economic interest. What he invests in is something that is known as a wasting asset. When that asset is gone, the person is out of business. It is somewhat like the example I gave earlier today. I know it does not impress the Senator, because he does not recognize depletion, but every accountant does.

Mr. LAUSCHE. Would the Senator say that the lobster fisherman in Maine should also have the right of a depletion allowance? Would the Senator from Louisiana say he should? The lobsters do not belong to him.

Mr. LONG of Louisiana. I have not studied the problem. I just do not know. That is the best answer I can give—I do not know.

I gave the example earlier of a man with whom I went to the bank in order to help him get a loan to start a flying school. On a cash basis, according to the figures, he made a profit every day. At the end of the year, he was broke and going out of business. Why? Because he had set aside no fund for depreciation. The airplane was wearing out. He had a lease from the airport. The lease was running out. He had no money to renew the lease. By the end of the year, he had had many costs, depreciation, overhead. When it came time to renew the lease, he was broke. He had an old, worn out airplane. He was worse off than when he started out, because he had used the airplane.

If a man has a great deal of oil, that oil is valuable in place. It might be worth $1.50 a barrel in place. It might be worth $3 a barrel when brought to the surface. When a person starts bringing the oil to the surface, and then runs out of it, he is out of business. I know many people who are getting out of the business.

I hope the Senator's amendment to the amendment will not be agreed to. I would like to have the Senate vote affirmatively on the provision having to do with the old folks. The Senator will have an opportunity to do so by agreeing with the committee. We would like to do something for those old people. I would like to have the Senate vote on the question affirmatively. We will have a chance to do that if the amendment is not modified.

Mr. GORE. Mr. President, I support the substitute amendment. The one side effect of this discussion with which I am perfectly delighted is the provocation of some debate and understanding of what percentage depletion is.

The junior Senator from Louisiana said that mollusk shells and clam shells are depletable. I suppose so, in the same way as are the fishes of the sea. But what does the word "depletable" mean, and what does it imply? I should not think that the junior Senator from Louisiana would continue to leave such an implication, but one who has not studied the whole technical field might race to the conclusion that percentage depletion is based upon the depletability of a resource and is in some way related to it. It is not.

What does this amendment provide? Here is what it provides. Here is how it works out. The taxpayer who is selling clam and oyster and mollusk shells for, say, the manufacture of cement, would get a deduction from his taxable income of 15 percent of the cost of the product, in this case just before it goes into the kiln. Mind you, Mr. President, this cost is far different from the cost of gathering shells. The taxpayer gets this formula for reducing his taxable income. Under present law, he already is entitled to a percentage depletion, to which, in my opinion, he is not equitably entitled, of 5 percent of the cost of the calcium carbonate before it goes into the kiln. The bill would increase the depletion allowance by 200 percent. Why? All we have heard is that it is a depletable item and that it is used for the manufacture of cement.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. In just a moment, I will.

Mr. LONG of Louisiana. The Senator has just made a statement——

Mr. GORE. The Senator from Louisiana is a little impetuous. If he will wait, I will yield to him.

Of course, the big percentage depletion is for oil and gas—27½ percent.

Yes, I am delighted that this item has provoked some debate about percentage depletion. Some of these days, when the circumstances are ripe, the Senate will go to the mat on this issue. We can never have true tax reform unless we begin with the oil percentage depletion allowance, which is the granddaddy of tax favoritism.

But here, on a bill to encourage foreign investors to invest in the United States, is an amendment to give a 200 percent increase in the tax-reduction formula for the gatherers of mollusk shells. It is a big business. We are not thinking of or dealing with one man who goes out with a shovel and a bucket to gather up a few shells. We are dealing here with a large business. We are giving taxpayers a tax break to which they are not entitled, in my opinion. So I rise to support the amendment.

I undertook in the committee, and I am undertaking now, to support the administration in this bill, which I think is a worthy bill. Our balance-of-payments problem is a severe and acute one. This measure is designed to help bring capital to the United States. Our outflow is severe. Our imbalance is dangerous. This bill is worthy in its purpose. I think it would have a good effect.

But why do we have to load it? And unless we dislodge this load from its back, I think before the night is over it will be much more heavily loaded. I hope the Senate will take this step, which to me is a realistic one.

I now yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I have been meditating over the matter, and if it be the will of the Senate, in the interest of expediting the consideration of the bill, I ask that the Senator from Delaware be granted unanimous consent to modify his original amendment as suggested.

The PRESIDING OFFICER. Does the Senator from Delaware renew his request to modify the amendment?

Mr. WILLIAMS of Delaware. Yes. I think it would be easier. It would save two votes. We could do with one vote what would otherwise require two. My amendment, as modified, would strike out titles II, III and IV, with the exception of sections 202 and 403.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The amendment will be so modified.

Mr. LONG of Louisiana. The yeas have been ordered, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware, as modified. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from Massachusetts [Mr. Kennedy], and the Senator from Maryland [Mr. Tydings], are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Arizona [Mr. Hayden], the Senator from New York [Mr. Kennedy], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams], are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss], the Senator from West Virginia [Mr. Randolph], the Senator from Virginia [Mr. Robertson], and the Senator from New Jersey [Mr. Williams], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the

Senator from New Jersey [Mr. Case], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Nebraska [Mr. Curtis], the Senator from Iowa [Mr. Hickenlooper], the Senator from New York [Mr. Javits], the Senator from Idaho [Mr. Jordan], the Senator from Kansas [Mr. Pearson], the Senator from Vermont [Mr. Prouty] and the Senator from Texas [Mr. Tower] are necessarily absent.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Kentucky [Mr. Morton]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Kentucky would vote "nay."

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Kansas [Mr. Pearson]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Kansas would vote "nay."

On this vote, the Senator from Idaho [Mr. Jordan] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Idaho would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 30, nays 42, as follows:

[No. 298 Leg.]

YEAS—30

Aiken
Bartlett
Bennett
Boggs
Burdick
Byrd, Va.
Clark
Cotton
Dominick
Fannin
Fong
Gore
Harris
Hart
Hruska
Kuchel
Lausche
McIntyre
Monroney
Mundt
Murphy
Muskie
Nelson
Pastore
Proxmire
Simpson
Symington
Thurmond
Williams, Del.
Young, Ohio

NAYS—42

Bayh
Bible
Brewster
Byrd, W. Va.
Cannon
Carlson
Dirksen
Dodd
Ellender
Ervin
Fulbright
Griffin
Gruening
Hartke
Hill
Holland
Inouye
Jackson
Jordan, N.C.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Mondale
Montoya
Morse
Ribicoff
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smith
Sparkman
Stennis
Talmadge
Yarborough
Young, N. Dak.

NOT VOTING—28

Allott
Anderson
Bass
Case
Church
Cooper
Curtis
Douglas
Eastland
Hayden
Hickenlooper
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Metcalf
Morton
Moss
Neuberger
Pearson
Pell
Prouty
Randolph
Robertson
Smathers
Tower
Tydings
Williams, N.J.

So the amendment of Mr. Williams of Delaware was rejected.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record at this point a statement on the bill prepared by the Senator from Florida [Mr. Smathers].

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Smathers

The bill we are now considering contains a provision which was inserted during deliberation on the bill by the Senate Finance Committee, at my request. This provision would continue full deductibility to medical and drug expenses of persons who are age 65 and over.

In enacting the Social Security Amendments of 1965, which is chiefly remembered for its medicare provisions, Congress incidentally enacted an amendment to the Internal Revenue Code which would limit full deductibility of such medical expenses for older citizens starting January 1, 1967.

The 1965 amendment requires that in computing Federal income tax deductions for medical and drug expenses of the elderly, the deduction must be limited to that portion of such expenses which, in the case of medical expenses, exceeds three percent of adjusted gross income, and which in the case of drugs, exceeds one percent of adjusted gross income. This amendment was enacted over the opposition of the Finance Committee, the full Senate, and its conferees.

Time has shown the fallacy of the arguments upon which that amendment was based. At the time, it was argued that with the enactment of medicare, there would no longer be any need to allow full deductibility of medical and drug expenses of the elderly.

This argument falls short of the mark, however. Different people often have different types of medical expenses, and many of these people find that medicare provides minimal or no help with their particular health costs.

For example, 4 out of 5 older people suffer from one or more chronic illnesses. Chronic illness often requires very expensive medication on a continuing basis. These drugs are not covered by medicare. These people frequently incur expenses related to their illness but which are not true medical expenses. The older woman who, because of her arthritis, has to pay a cleaning woman to do her housework is a good illustration of this. While we cannot pay for her cleaning woman, the least we can do is to permit her to deduct all of her out-of-pocket direct medical and drug expenses.

However, it is clear that the elderly can still incur large medical expenses which are not covered by medicare. Among expenses not so covered are drugs, dental bills, nursing home care which is not preceded by at least three days in a hospital, or which is beyond medicare entitlement, private duty nursing, and hospitalization beyond medicare entitlement for one "spell of sickness." In fact, there are many of our older compatriots who can expect to receive no hospital benefit whatever from medicare because the only hospital or hospitals in their areas have not qualified under medicare, for one reason or another. In view of these considerations, it is clear that many senior citizens need full deductibility of medical and drug expenses as much as they ever did.

It was also argued that restricting the deductibility of medical expenses for Americans in this age group would raise revenue needed to finance medicare. However, it is inequitable to raise taxes upon this age group to finance medicare when taxes are not being raised on any other age group for this purpose.

Therefore my amendment in the bill which is before us would restore full deductibility to medical and drug expenses of those who are 65 and over, and would repeal the requirement that the deduction be limited to the portion of such expenses over certain percentages of adjusted gross income. I hope the House conferees this time will see the desirability of permitting full deductibility of these expenses, and that the Senate position on this issue will prevail.

Mr. HARTKE. Mr. President, I call up my amendment No. 955 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the Record.

The amendment, ordered to be printed in the Record, is as follows:

At the end of the bill insert the following new section:

"Sec.—Percentage Depletion Rate for Clay and Shale Used in Making Sewer Pipe.

"(a) Rate.—Section 613(b) (relating to percentage depletion rates) is amended—

"(1) by striking out 'and clay used or sold for use for purposes dependent on its refractory properties' in paragraph (3)(B) and inserting in lieu thereof 'clay used or sold for use for purposes dependent on its refractory properties, and clay and shale used or sold for use in the manufacture of sewer pipe';

"(2) by inserting after 'shale,' in paragraph (5)(A) 'except shale described in paragraph (3)(B),'; and

"(3) by striking out 'sewer pipe,' in paragraph (5)(B).

"(b) Treatment Processes.—Section 613(c)(4) (relating to treatment processes considered as mining) is amended by inserting after 'applies' in subparagraph (G) 'and of clay and shale used or sold for use in the manufacture of sewer pipe'.

"(c) Effective Date.—The amendments made by subsections (a) and (b) shall apply to taxable years ending after the date of the enactment of this Act."

Mr. HARTKE. Mr. President, the amendment deals with the depletion-allowance schedule that was discussed in the committee. At that time the Senator from Kansas [Mr. Carlson] offered a different amendment which involved clay.

I was informed at the time that the amendment of the Senator from Kansas covered the situation intended to be covered in my amendment when in fact it did not.

My amendment would simply provide that the 15-percent depletion allowance allowed for other products, but especially cement and other clay products, shall be allowed for clay used in sewer pipes. At the present time it is not only at a competitive disadvantage, but it is also treated in a different fashion than other clay products.

I understand that the Senator from Georgia [Mr. Talmadge] proposes to offer an amendment to my amendment.

Mr. TALMADGE. Mr. President, the amendment of the Senator from Indiana refers to sewer pipe made from clay but not brick. Brick comes from the same category of material.

I ask the distinguished Senator from Indiana if he will modify his amendment as follows:

On page 2, line 2, after "sewer pipe" insert "and brick".

On page 2, line 6, insert "building or paving brick and"," before "sewer pipe". On page 2, line 12 after "sewer pipe" insert "and brick".

Mr. HARTKE. Mr. President, I so modify my amendment.

The **PRESIDING OFFICER.** The amendment is accordingly modified.

Mr. **HARTKE.** Mr. President, I yield to the Senator from Kansas.

Mr. **CARLSON.** Mr. President, I associate myself with the distinguished Senator from Indiana on this amendment as amended by the Senator from Georgia [Mr. TALMADGE].

We agreed to an amendment in committee that I thought covered these items. However, it was discovered later that it did not.

I hope that the amendment will be accepted by the chairman of the committee.

Mr. **HARTKE.** The chairman of the committee has indicated that he has no objection to accepting the amendment.

The amendment was not acted on when it was considered in committee in conjunction with the amendment of the Senator from Kansas [Mr. CARLSON].

Mr. **JORDAN** of North Carolina. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the amendment of the Senator from Indiana as amended by the Senator from Georgia.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **ERVIN.** Mr. President, I make the same unanimous-consent request

The **PRESIDING OFFICER** Without objection, it is so ordered.

Mr. **STENNIS.** Mr. President, I commend the Senator from Indiana heartily for his thoughtfulness, research, and forethought in observing that this point was involved and in getting it in the form of an amendment.

I shall certainly heartily support the amendment.

Mr. **HARTKE.** Mr. President, I thank the Senator.

Mr. **RUSSELL** of South Carolina. Mr. President, I wish to commend the Senator from Indiana for offering this amendment. I am heartily in favor of it, and if there is no objection, I ask that I be made a cosponsor.

Mr. **HARTKE.** I shall be glad to have the name of the Senator from South Carolina added as a cosponsor.

Mr. **LONG** of Missouri. Mr. President, I also desire to commend the Senator from Indiana on this amendment, and I should like permission to be listed as a cosponsor.

Mr. **HARTKE.** I shall be delighted to add the Senator as a cosponsor.

Mr. **COTTON.** Mr. President, I wish to make the same request.

Mr. **HARTKE.** I shall be glad to add the Senator from New Hampshire as a cosponsor.

Mr. **SPARKMAN.** Mr. President, if the Senator from Indiana will be so kind, I should like him to place my name on the amendment as a cosponsor.

Mr. **HARTKE.** I shall be glad to add the Senator's name.

Mr. **DOMINICK.** Mr. President, may we have order?

The **PRESIDING OFFICER.** The Senate will be in order.

Mr. **DOMINICK.** As I remember, some years ago we had a problem with the Internal Revenue Service in connection with the taxation of clay for these purposes, and after a meeting with the Internal Revenue Service, the regulations were revised in order to take care of the problem. Am I correct?

Mr. **HARTKE.** It was anticipated that that would take care of the problem, but it did not take care of this point. The matter could not be clarified with the Internal Revenue Service without legislation.

Mr. **DOMINICK.** Therefore, is this amendment that the Senator has offered designed to take care of the problem that was raised by a change in the Internal Revenue system policy a couple of years ago?

Mr. **HARTKE.** The Senator is correct.

Mr. **DOMINICK.** I am happy to join the Senator from Indiana. I am glad to have this background.

Mr. **STENNIS.** Mr. President, I ask permission to be added as a cosponsor of the amendment.

Mr. **HARTKE.** I shall be glad to do so.

Mr. **LONG** of Louisiana. Mr. President, the Senator had an amendment in the committee, and we had agreed to the amendment by the Senator from Kansas [Mr. CARLSON] which had something to do with clay. I believe that the Senator was informed in the committee that we thought perhaps the Carlson amendment took care of the problem. Unfortunately, the Senator discovered that it did not take care of the problem and that the Carlson amendment related to an entirely different problem. Had it not been for that situation, I should imagine that we would have agreed to the amendment in the committee.

Therefore, Mr. President, in view of all the cosponsors who are associated with the amendment, I have no objection to it. We will go to conference and see what we can work out.

Mr. **LAUSCHE.** Mr. President, I understand that this legislation expands into four new programs the depletion allowance principle that has become improperly, in my opinion, embedded in our law.

Mr. **GORE.** Mr. President, will the Senator yield?

Mr. **LAUSCHE.** I yield.

Mr. **GORE.** I hope the Senator will state it correctly. It is percentage depletion.

Mr. **LAUSCHE.** Yes, percentage depletion.

Until now, there have been three grants made in the expansion of the percentage depletion. This is a fourth.

We are today witnessing the repetition of what happened 2 years ago, when the tax bill was before us, and the Senator from New York started out by asking the removal of the excise tax on women's handbags. Then he came up with the fur tax. Then he came up with the jewelry tax. Then Senator HARTKE came up with the removal of the band instrument tax. Then another Senator came up with the removal of the excise tax on ballpoint pens. One after the other, there was this deluge of amendments offered. That is what is happening now.

I wonder whether this is the last amendment that will be offered, or whether others are in preparation. We are witnessing what could be called mob action. One grant has been made to one group. When that one grant was made, the second group stepped up with the label, and the third and the fourth and the fifth. It has now come to 13 or 14. I am interested to know what other demands will be made before we get through tonight.

I ask for the yeas and nays on this measure.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment, as modified, of the Senator from Indiana.

Mr. **LONG** of Louisiana. Mr. President, while I have no interest in the amendment, I do think that there is a logical case for the amendment. The amendment that the Senator has offered involves clay used to manufacture sewer pipe. If the pipe is manufactured with cement, the limestone that goes into the cement is subject to a 15-percent depletion allowance. The argument of the clay people is that they should have the same allowance their competitor receives. That is the basis of the amendment.

If the Senate agrees to the amendment, that does not mean that it will survive the conference. The amendment has some merit, in my opinion, and I will be willing to take it to conference.

Mr. **GORE.** Mr. President, I am constrained to point out that this measurement of competition—competitive relativity—is not in keeping with the history of the development of percentage depletion. It started out as an estimate of discovery cost, not competitive relationship. Then it developed into a formula for tax deduction which is called percentage depletion.

If what the junior Senator from Louisiana says is a correct justification, then we would have no choice but to give to coal 27.5-percent depletion because it competes with gas as a fuel element. This is not a correct yardstick. In fact, the correct yardstick of depreciation or depletion is the relative use of and depletion, wear and tear, of the cost of a resource.

Percentage depletion has no relationship to this, nor does it have a relationship, to start with, to the competitive nature of the products.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment, as modified, offered by the Senator from Indiana and cosponsored. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. **LONG** of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the

Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Arizona [Mr. Hayden], the Senator from New York [Mr. Kennedy], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss] and the Senator from West Virginia [Mr. Randolph] would each vote "yea".

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from New Jersey [Mr. Case], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Nebraska [Mr. Curtis], the Senator from Iowa [Mr. Hickenlooper], the Senator from New York [Mr. Javits], the Senator from Idaho [Mr. Jordan], the Senator from Kansas [Mr. Pearson], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Nebraska [Mr. Curtis], the Senator from Idaho [Mr. Jordan], the Senator from Kentucky [Mr. Morton], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 52, nays 19, as follows:

[No. 299 Leg.]

YEAS—52

Bartlett
Bayh
Bennett
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Gruening
Harris
Hartke
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Kuchel
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Monroney
Montoya
Mundt
Murphy
Ribicoff
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Sparkman
Stennis
Symington
Talmadge
Thurmond
Yarborough
Young, N. Dak.

NAYS—19

Aiken
Boggs
Clark
Fong
Gore
Griffin
Hart
Lausche
Mansfield
Mondale
Morse
Muskie
Nelson
Pastore
Proxmire
Scott
Smith
Williams, Del.
Young, Ohio

NOT VOTING—29

Allott
Anderson
Bass
Case
Church
Cooper
Curtis
Douglas
Eastland
Fulbright
Hayden
Hickenlooper
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Metcalf
Morton
Moss
Neuberger
Pearson
Pell
Prouty
Randolph
Robertson
Smathers
Tower
Tydings
Williams, N.J.

So Mr. Hartke's amendment, as modified, was agreed to.

Mr. COTTON. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The assistant legislative clerk read the amendment as follows:

On page 231, line 3, strike out "July 1, 1968" and insert "January 1, 1968".

Mr. COTTON. Mr. President, if I may have the attention of the Senate, I can explain the amendment in 2 minutes. It is my hope that the Senator from Louisiana, the chairman of the committee, will accept it.

On this amendment, the effective date of the provision in the bill for the furnishing of drugs to the elderly is based on whichever occurs first, the first day of the first month with respect to the rate of the monthly premium for participation raised pursuant to section 1829(b) of the Social Security Act after the date of enactment of the act, or, two, July 1, 1968.

In other words, if certain matters are complied with and the machinery is set up, and so forth, it would take effect the first month after that; but, otherwise, as the bill now reads, it would go to July 1, 1968.

I stated in colloquy concerning the elderly that if they were going to receive this benefit, we should make it possible that they receive it sooner than July 1, 1968. Thus, my amendment simply moves the date forward 6 months, to take effect January 1, 1968, instead of July 1, 1968, which I understand is likely to be the approximate date to be triggered off by the machinery that would be in action.

I want to make sure of it, and I hope that the Senator from Louisiana will accept the amendment.

Mr. LONG of Louisiana. Mr. President, I said that I would accept the amendment, and I am glad to accept it. It is a worthy amendment and we will be glad to consider it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire.

The amendment was agreed to.

Mr. HARTKE. Mr. President, I send to the desk an amendment and ask that it be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment submitted by Mr. Hartke is as follows:

On page 189, after line 25 insert:

"Sec. 206. Removal of Special Limitations With Respect to Deductibility of Contributions to Pension Plans by Self-Employed Individuals

"(a) Removal of Special Limitations.—Paragraph (10) of section 404(a) (relating to special limitation on amount allowed as deduction for self-employed individuals for contributions to certain pension, etc., plans) is repealed.

"(b)(1) Each of the following provisions of section 401 is amended by striking out '(determined without regard to section 404 (a)(10))' each place it appears:

"(A) Subsection (a)(10)(A)(ii).

"(B) Subparagraphs (A) and (B) of subsection (d)(5).

"(C) Subparagraph (A) of subsection (d) (6).

"(D) Subparagraphs (A) and (B) (i) of subsection (e)(1).

"(E) Subparagraphs (B) and (C) and the last sentence of subsection (e)(3).

"(2) Subparagraph (A) of section 404 (e)(2) is amended by striking out 'determined without regard to subsection (a) (10))'.

"(3) Paragraph (1) and subparagraph (B) of paragraph (2) of section 404(e) are each amended by striking out '(determined without regard to paragraph (10) thereof)'.

"(c) Definition of Earned Income.—Section 401(c)(2) (relating to definition of earned income for certain pension and profit-sharing plans) is amended by striking out subparagraphs (A) and (B) and inserting in lieu thereof the following:

" '(A) In General.—The term "earned income" means the net earnings from self-employment (as defined in section 1402(a)), but such net earnings shall be determined—

" '(i) only with respect to a trade or business in which personal services of the taxpayer are a material income-producing factor,

" '(ii) without regard to paragraphs (4) and (5) of section 1402(c),

" '(iii) in the case of any individual who is treated as an employee under sections 3121(d)(3) (A), (C), or (D), without regard to paragraph (2) of section 1402(c), and

" '(iv) without regard to items which are not included in gross income for purposes of this chapter, and the deductions properly allocable to or chargeable against such items. For purposes of this subparagraph, section 1402, as in effect for a taxable year ending on December 31, 1962, shall be treated as having been in effect for all taxable years ending before such date.'

"(d) Effective Date.—The amendments made by subsections (a) and (b) shall apply with respect to taxable years beginning after December 31, 1967."

Mr. HARTKE. Mr. President, this amendment is offered on behalf of myself, the Senator from Florida [Mr. Smathers], the Senator from Kentucky [Mr. Morton], and the Senator from Kansas [Mr. Carlson]. The Senator from Florida [Mr. Smathers] is unable to be present today.

This is a proposed amendment to further liberalize the Self-Employed Individuals' Tax Retirement Act of 1962.

The proposed amendment which embodies the provisions of H.R. 10 as recently passed by the House of Representatives by a unanimous vote, is designed to improve the Self-Employed Individuals' Tax Retirement Act of 1962 by amending certain restrictive features of the act which have prevented the full utilization of it by the self-employed.

Briefly, the proposed amendment corrects two inequities in existing law. It would permit a self-employed to deduct the entire amount he contributes—but not in excess of $2,500, of course—for his own retirement benefits—the same as he may do for contributions on behalf of his other employees.

The 50-percent limitation in the present law is neither fair nor logical. Originally, this limitation was designed to place the self-employed plans on a par with those plans in which the employee, as well as the employer, contributes to the cost of the benefits.

The fact is that, according to the reports of the Secretary of Labor, over 70 percent of the plans registered under the Welfare and Pension Plans Disclosure Act do not require contributions from the employee but are financed entirely by the employer.

Moreover, it is a rare case where the employee pays for one-half of his benefits. Thus, it is difficult to justify the limitation on the ground that only half of the contribution represents a contribution by the self-employed as an employee rather than as an employer.

Second, it would remove the 30-percent limitation on "earned income" to be considered for plan purposes. Since the allowable contribution for the self-employed is based upon his earned income, the existing limitation means that the individual's net earnings must be at least $83,333.33 if he is to make the maximum contribution of $2,500—30 percent of $83,333.33 is $25,000; 10 percent of $25,000 is $2,500.

The arithmetic alone demonstrates that it is highly unrealistic to attribute only 30 percent of the net profits of the business to personal services and that the act is of little help to small businessmen and farmers.

The new definition of "earned income" will continue to require that substantial personal services be devoted to the business if deductions are to be taken with respect to contributions for the self-employed individual's benefit. Deductions will not, therefore, be allowed for contributions based on income derived solely from capital.

It should be noted that the proposed amendment makes no change in the basic structure of the act. The more stringent requirements with respect to coverage of employees and the benefits which must be provided them will remain in effect to prevent discrimination in favor of the self-employed.

Let me explain in a little more detail why the proposed amendment is desirable to make the Self-employed Individuals' Retirement Act an effective one for the self-employed.

When the act was passed by the Congress in 1962, it represented the culmination of many years' effort to provide some means by which the self-employed could adopt pension plans for their retirement and deduct a part of the cost thereof in computing their Federal income tax liability. Although the self-employed were prevented from doing this, the tax laws for many years had permitted the corporate employer to establish pension plans and deduct the cost thereof, including the cost of pensions for employees who were also owners of business.

The 1962 act did not by any means equate the tax benefits of the self-employed and the corporate employers. While a step in the right direction, it imposed numerous limitations on the self-employed. Experience with the act since 1962 clearly demonstrates that the objectives of the act have not been fulfilled. In March of 1965, the distinguished Senator from West Virginia [Mr. RANDOLPH], chairman of the Subcommittee on Employment and Retirement Incomes of the Special Committee on Aging of the Senate, held hearings on the general problem of extending private pension coverage. Several witnesses testified to the fact that adoption of retirement plans by the self-employed had been small indeed.

When Congress considered legislation in 1962, it was estimated that some 6 million self-employed who pay income taxes would be permitted to establish retirement plans under the act. It is also estimated that these people employ about 9 million individuals. So there are approximately 15 million people who could be covered under pension plans for the self-employed. However, the Internal Revenue Service reports that as of March 31, 1966, only some 22,000 plans had been adopted, covering less than 40,000 people. In the same period qualified retirement plans were adopted by corporations which covered over 1,250,000 employers. It is obvious, therefore, that to date coverage of the self-employed and their employees has been negligible.

Additional evidence of the poor acceptance of the act by the self-employed is found in the fact that in 1962 the Treasury estimated the cost of the act would amount to around $115 million for the first year, while the actual cost for 1964 was only some $9 million. The Treasury Department estimates that only about one-half of 1 percent of the self-employed took advantage of the deduction for 1964.

The reason for the failure of the act to accomplish its purpose is quite apparent when one examines the many limitations imposed on the self-employed. In addition to imposing requirements as to coverage of, and benefits for, employees not found in the requirements applicable to corporate plans, the act limits the amount which a self-employed may set aside for his own retirement to 10 percent of his earned income or $2,500, whichever is the smaller. On top of this basic limitation are two restrictions which have proved to be particularly burdensome:

First. The act limits the amount which the self-employed may deduct for tax purposes to 50 percent of the amount contributed to the plan for his retirement benefits. Thus, the maximum deduction under the act is one-half of $2,500 or $1,250.

Second. The act also restricts the amount of earned income which will be recognized for contribution purposes where capital, as well as personal services, is a material factor in the production of income. In such a case, earned income cannot exceed 30 percent of the net profits from the business except that the amount of the individual's earned income cannot be reduced below $2,500 by operation of this rule if the individual renders personal services on a substantially full-time basis.

Just recently, the Washington Post contained an editorial, under date of October 10, 1966, which I would like to read at this time. It is entitled "Parity in Pensions" and states as follows:

> Under the Federal income tax laws self-employed persons are permitted to make pension fund contributions on their own behalf up to a limit of $2,500. But since only half of that amount may be taken as a deduction, the tax treatment of the self-employed is not as favorable as that accorded corporate employes in the same income bracket.
>
> The House of Representatives by a unanimous vote passed an amendment that would permit the self-employed to deduct 100 percent of their pension fund contributions. But the Senate Finance Committee rejected the measure. Even though the Treasury would suffer a modest loss of revenue, the Senate ought to go along with the House in putting the self-employed taxpayer on a parity with others.

There is just one other change made in the proposed amendment, and that is that it would make its provisions effective as of January 1, 1968.

Equality for 18 million self-employed and their employees is long overdue.

The revisions embodied in the proposed amendment are just and fair, and I urge the Senate to adopt them by an overwhelming majority, as did the House of Representatives.

I should like to read a partial list of associations endorsing H.R. 10 in the 89th Congress:

Contracting Plasterers' & Lathers International Association.
The American College of Radiology.
Society of American Florists.
American Dental Association.
Association of Consulting Management Engineers, Inc.
The Authors League of America, Inc.
American Association of Life Underwriters.
American Farm Bureau Federation.
American Podiatry Association.
American Society of Landscape Architects.
American Association of Medical Clinics.
American Optometric Association.
National Wholesale Furniture Salesmen's Association.
American Bar Association.
American Hotel & Motel Associations.
National Association of Women Lawyers.
American Medical Association.
National Livestock Tax Committee.
American Veterinary Medical Association.
Society of Magazine Writers.
National Society of Professional Engineers.
American Society of Industrial Designers—Industrial Designers Institute.
National Council of Dance Teachers Organization.
National Society of Public Accountants.
American Chiropractic Association.
National Milk Producers Federation.
National Association of Retail Grocers of the United States.
Bureau of Salesmen's National Association.
National Small Business Association.
National Food Brokers Association.
American Institute of Certified Public Accountants.

That is only a partial list of associations endorsing the measure.

I do not see any reason why the amendment should not be adopted. I think most of us are aware that it represents an equitable measure and should be adopted by a solid majority.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HARTKE. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to associate myself with the remarks of the Senator from Indiana. I also wish to state that the Senator from Kentucky [Mr. MORTON] has authorized me to state that he heartily endorses the amendment.

Mr. President, an inequity existed as to the tax treatment accorded self-employed persons who desired to establish private retirement plans. Employer contributions to retirement plans have been tax deductible for some time and nontaxable to the employees until retirement benefits are actually received. The law discriminated against self-employed persons by requiring them to pay taxes on income they set aside for retirement. Farmers, ranchers, and other small businessmen make up a large portion of this group.

Congress recognized that discrimination did exist and enacted the Self-Employed Individuals Tax Retirement Act of 1962. This measure has tended to reduce the discrimination, but it has fallen demonstrably short of achieving its objective.

Under the Self-Employed Individuals Tax Retirement Act of 1962, most farmers are classified as "owner-employees." Owner-employees are authorized to contribute up to 10 percent of their earned income, but not more than $2,500 per year, to a retirement plan and to claim a Federal tax deferral for 50 percent of such contributions.

However, in the case of farmers, the benefits of this act are drastically limited by a restrictive definition of "earned income." If the earnings of an "owner employee" are a joint product of personal services and invested capital, as is the case with most farmers, not more than the larger of $2,500 or 30 percent of the taxpayer's earnings from self-employment may be treated as earned income.

Limiting the deferral to 50 percent of the contributions has retained a serious inequity with respect to self-employed retirement programs. Consequently, very few retirement programs have been established. The restriction that earned income must be arbitrarily computed at 30 percent of net earnings has made the program meaningless to farmers and other self-employed who must invest capital as well as labor in their enterprises.

If enacted, this proposal would remove both the 50-percent and 30-percent limitations. For example, self-employed individuals, professional and farmer, with a $10,000 net income could contribute $1,000 annually toward an authorized retirement program and deduct the full amount. This program would apply only to income where the self-employed individual's labor was a material income-producing factor.

There is a misconception that a provision included as an amendment to the Foreign Investors Act corrects the serious inequity and discrimination in our tax laws. This is not true. That provision simply states that the self-employed will not be discriminated against until his net income exceeds $6,600 per year. It is clear that an individual, for all practical purposes, must earn more than that in any given year before he is able to set aside funds for retirement purposes. It is also true that the provision does nothing to remove the requirement that only 50 percent of his contribution can be treated as a tax deduction.

The provisions of H.R. 10, as passed by the House, correct the problem rather than confuse the situation. I believe that is the job we want to accomplish today.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I hope the amendment is not agreed to. People have been lobbying for 15 years that, because corporations have retirement plans and because an employee puts his money into it and has no vested interest in it until he retires and pays no tax on it until he starts drawing the money, doctors, lawyers, and others who do not have these plans should be protected and should have a deduction of $2,500 to set up their own retirement funds.

If these employees are so protected, there is a loophole that should be closed. This measure moves in the opposite direction from closing that loophole. The pending amendment would discriminate by using that loophole as a precedent against every workingman who paid a social security tax. He cannot deduct the social security tax that he puts into the fund, although his employer can deduct his contribution as a necessary expense.

This amendment would discriminate against all Federal employees. Senators are under the Federal retirement system, and they know that the 7 percent that they contribute to their retirement fund, which is matched by 7 percent Government money, is money on which they have paid a tax. Here it is proposed that a doctor, making $75,000 a year, should receive a better tax treatment than Members of Congress receive, or should be given preferential treatment over our own Federal employees who pay into the retirement fund money on which they have paid a tax.

The amendment would provide a deduction of $2,500, on which a person would not have to pay a nickel of tax for what he puts up. It would be used mainly by doctors and lawyers and others who are making more than $25,000 a year. It would be a complete deduction, above what they are allowed for their own expenses, for providing for their own retirement.

It would make better sense to allow a man to deduct the expenses of an insurance policy to provide for the living expenses for his wife and children in the event he should die at an early age. It would make better sense to deduct the expenses for an insurance policy to provide for food for that wife and children.

There are all kinds of expenses for which an argument for deduction would be more compelling. It would make more sense to deduct the expense of paying rent——

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. How would the Senator compare the fairness in an act of the Senate to permit doctors, lawyers, and dentists, who, according to the Treasury, would receive 75 percent of these benefits, to deduct the cost of the premium of a retirement insurance policy, with giving to people who have a tragedy in their families a deduction for hospital costs?

Yet this amendment provides a deduction for an investment for one's own retirement, but does not provide for a deduction for all the other expenses that are, as the Senator has said, more worthy and more emergent.

Mr. LONG of Louisiana. Mr. President, as among personal expenses, it would seem to me to make better sense to let a man deduct the cost of burying his wife than to deduct the cost of putting aside a large retirement fund for himself. As among personal expenses, this is one of the most unnecessary a person could have. It is entirely up to him whether he wants to do it. The adoption of this amendment would leave every workingman under social security paying taxes on every nickel he puts up for his retirement. He cannot deduct it. Yet the Senator would provide deductions for the lawyer and the doctor. We would pick out a few specially privileged people, a few wealthy individuals, and prefer them over the whole rank and file of Americans.

This amendment would attempt to enlarge an already existing loophole in the tax law. We ought to close the loophole rather than enlarge it. If I could get enough votes, I would close it now. I do not think I could get the votes; that is the only reason I am not trying to do it. We would save $500 million a year if we could close that loophole.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. RUSSELL of Georgia. Did the Senator's committee conduct any hearings on this question?

Mr. LONG of Louisiana. Mr. President, we did not conduct hearings on it this year, but we have voted on this matter many times. We have conducted hearings on it in years gone by, and never agreed to it.

We have agreed that we would treat these people the same as if they were both employer and employee, and let them deduct 50 percent of it, so that they could put aside $2,500 for their own retirement, and could deduct $1,250 of it.

It was contended that farmers and small businessmen did not get much benefit from the self-employment retirement plan, so the bill was amended to help them.

But as far as the 100-percent deduction part of H.R. 10, we would not buy that. Mr. President, in all fairness, I think the amendment should be rejected.

I yield to the Senator from Michigan.

Mr. HARTKE. Mr. President, I ask the Senator, is it not true that the secretaries who work for those doctors and lawyers would be covered, and are not covered now, under the same pension plan?

Mr. LONG of Louisiana. They are not asking for it. They would like to have a pay raise. They need the money to pay their current expenses such as rent and food.

Mr. HARTKE. The argument which the Senator makes is really against pension plans in toto.

I think it is wrong to fail to provide coverage for a person who sacrifices himself in electing to go ahead as an individual, and try to make his own way as an individual entrepreneur, and not sacrifice his soul to a soulless corporation—because the lawyer in the corporation can be covered, and his counterpart in the outside world who makes his own way cannot; the doctor in the corporation will be covered, but the doctor on the outside is not; the secretary in the corporation is covered, but the secretary on the outside is not.

When we speak of equality, that is the type equality we are talking about. I think there is no question but that there is discrimination in all of this. If the Senator wishes to eliminate pension plans, and suggest that as a substitute, I will be glad to see what the vote will be on that question.

Mr. LONG of Louisiana. Mr. President, I yield to the majority leader.

Mr. MANSFIELD. This amendment would double the tax benefits now available for the retirement savings of doctors, lawyers, and other self-employed individuals. Under present law, a self-employed individual may contribute 10 percent of his earnings—up to $2,500—to his pension plan and take a tax deduction for one-half of this contribution. The proposal—which was the main purpose of H.R. 10 passed by the House in June—would make the full contribution tax deductible.

This amendment would result in an estimated revenue loss for the first year it is effective of up to $30 million. For the second year, the estimated revenue loss would be increased to about $50 million.

This amendment would divert substantial Federal tax revenue to provide tax reductions for a very narrow group of highly paid professional people, at a time when the possibilities of a general tax increase are very much in the public mind. Revenue-losing measures such as this could well push the President and Congress closer to such a general tax increase.

In more detail—

The experience to date clearly indicates that self-employed pension plans represent a tax reduction arrangement for the better off professional man, with doctors heading the list. Over 75 percent of the revenue loss involved in the amendment would go to doctors, lawyers, and dentists. Indeed, one-half of the total revenue loss would go to individuals in these professions with incomes over $25,000.

The amendment would represent an automatic tax reduction for those self-employed already making pension contributions since, without any change in their contributions, their tax deductions will double. Two-thirds of the revenue loss—about $20 million—for the first year would be directed to this automatic tax reduction—of which $15 million would go to better-off professional people.

For the future, it is likely that the increased tax benefits will only serve to attract more of the same class of high-income self-employed into pension plans. These plans by their very nature can have only limited value to the plumber, the small shopkeeper, or the farmer—the savings of these people are needed for their businesses, to meet the social security tax on their self-employment income, and for their family obligations—and therefore are not generally available to be set aside in private retirement plans, and none at all for the ordinary laborer, the fellow we used to call the "working stiff." It is apparent that self-employed pension plans are attractive only to a class with liquid assets and already possessing sufficient security so that some assets can be set aside permanently until retirement. The only class meeting these conditions is the better off professional group. This has been borne out by the Canadian experience over more than 6 years under a similar pension arrangement for the self-employed. The benefits of this arrangement have been highly concentrated in the upper income groups.

I would suggest, with no disrespect to the distinguished Senator from Indiana, that if he wishes to pursue H.R. 10 as such, it ought to be considered separately, and not as a part of the measure pending before us.

Mr. LONG of Louisiana. Mr. President, the Senator from California had wanted me to yield for a question. I yield to the Senator from California.

Mr. MURPHY. Mr. President, I should like to say a word here in behalf of a group of self-employed people in a craft of which I was a member for about 30 years, the highly paid actors in Hollywood, most of whom survive for a career the average length of which is 7½ years. This is proved by statistics. Many of them have 2, 3, or 4 years of high earnings, and many, including the present junior Senator from California, have paid as high as 86 percent of their gross earnings in income taxes.

I was impressed by the statements made earlier by the distinguished Senator from Louisiana in behalf of older people. I should like to point out that we, the actors in Hollywood of my era, are now joining those ranks. I shall be ready very shortly—on June 4 next year.

I should like to point out that we had, at our own expense some 20 years ago, to establish a home for our own indigent people. I would like the RECORD to show that we had in that home the actors and actresses who had signed contracts for the greatest number of dollars over the shortest period of time.

There are great athletes from time to time who have had tax troubles. Joe Louis, one of the great champions and one of the outstanding men of his race, has had tax troubles.

I could give a list of my colleagues in the motion picture profession who might have been saved embarrassment and might have been able to take care of themselves after the years of their productive capacity had passed by had there been such a bill.

I ask if the Senator from Louisiana has given any thought or concern to these people with high incomes over a short period of time who disappear to unknown places.

I know where they go because I made it my business to find out.

I ask if those people are entitled to consideration.

Mr. LONG of Louisiana. With regard to self-employed actors, for whom the Senator speaks, they are very fine people.

One of the finest things that I can say about them is that I did not see any of that group coming in to ask for any special advantage.

In the 1964 act we cut the top tax rate from 91 percent to 70 percent. If a person was actually paying 86 percent of his income in taxes, we probably doubled his take-home pay as a result of the 1964 tax cut.

There was also an averaging provision in that bill. One could average his income over a several-year period.

Mr. MURPHY. I understand that applies to writers but not to actors. I may be incorrect.

Mr. LONG of Louisiana. It applies to everybody. By averaging his earnings, a person can save a great deal of taxes that he would otherwise have to pay. This would be of help if he had to quit acting for some reason. A number of provisions are contained in the law in order to help such a person.

I am looking at the data that was provided to us by the Treasury. This was made available to the Ways and Means Committee.

Let us see who is taking advantage of what we have already done for the self-employed. With all the deductions and the money going into this program right now, 60 percent of this is from the returns of doctors, physicians, surgeons, optometrists, and other medical specialists, and 60 percent of the actual deductions benefit doctors.

I must say that lawyers do not use this provision as much as I thought they would. Perhaps they will later. Ten percent of the deduction taken is for lawyers. If we consider the two groups together, doctors and lawyers, that constitutes 70 percent.

When we do this for doctors and lawyers, can we in good conscience turn down a workingman if he comes in and says, "You did it for them. Why not give us the same deduction on the money we put up in social security that you gave to the doctors and lawyers? We need it a lot more than they do."

How can we turn them down?

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. How can we turn down the Government employee who wants a deduction from his taxable income for his contribution to the retirement system?

Mr. LONG of Louisiana. I do not see how we can do it.

If we do all of this, the cost would be absolutely fantastic. No one could imagine the cost of the program if we were to pursue this principle.

It is hard to explain to the folks back home why we did so much for the rich and so little for the poor.

Why should we discriminate against working people in favor of the rich?

It is difficult to explain.

I know that there will be great gratitude among those who are wealthy. However, I should think that more folks would resent it.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. McCARTHY. Mr. President, the records show that only 38,000 people take advantage of this provision. That means that only one two-hundredths of 1 percent of the people are benefiting from this provision in the law.

We are taking an inequity and enlarging upon it. When we enlarge upon an inequity, it does not make it more equitable. It increases the inequity against those who do not benefit from such a provision.

There is no reason to say that we should not go ahead and extend this provision to everybody and provide that everybody can put 10 or 20 percent of their income into such a fund.

Mr. LONG of Louisiana. According to the calculations of the Senator, the number involved is only one two-hundredths of 1 percent.

Mr. McCARTHY. Thirty-eight thousand taxpayers are taking advantage of this gimmick. If we extend this to other people, it might increase that number. We might be benefiting one-fourth of 1 percent of the wealthy taxpayers. It is estimated, as a high-cost estimate, that this involves $60 million of special interest to benefit less than 1 percent of the people.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HARTKE. Mr. President, what was the estimate of the Treasury Department in 1962 as to the cost of the 1962 law? It was $115 million, and the actual cost was $9 million. The answer is very simple. It did not do the job it was meant to do. It did not cover the poor employees. It did not cover the secretary working for a self-employed man, with one or two people in the office. The secretaries working downtown are not treated alike. If one works in an office in which there are pension plans, that is well and good, as long as he works for a big company.

Why should we discriminate against the little man and against the poor farmer who makes his own way through life and has the courage to stand up and not surrender to the big corporations? Why should all not be treated the same?

Mr. LONG of Louisiana. The reason it did not cost as much as the Treasury Department estimated was that only the rich took advantage of the provision. The same kind of people would take advantage of this provision. It is the rich people who will take advantage of it and get twice as much advantage as they are receiving at the present time.

Mr. BAYH. Mr. President, I should like to address a question to either the Senator from Louisiana or my colleague, the Senator from Indiana.

I do not want to make a speech because I do not know enough about the subject to make a speech.

I must say that I am not certain as to what the facts are. I would like to have one of the Senators try to set me straight on this matter.

Mr. LONG of Louisiana. I yield for a question.

Mr. BAYH. Mr. President, the statement was made a while ago, I thought, by the Senator from Louisiana that if a laboring man were working in a job covered under social security he would be making his social security contribution and the employer would likewise be making such a contribution. The employer would deduct his 50 percent of the contribution and the workingman would have to do the same and then pay taxes on his social security contribution.

Mr. LONG of Louisiana. The part that the employee contributes is not deductible.

Mr. BAYH. The contribution that a workingman makes to the social security deduction is taxable.

Mr. LONG of Louisiana. The Senator is correct. If the workingman puts up approximately 5 percent of his wages for social security, that is money on which he has paid taxes. The taxes have been withheld from his income on the money that he must put up to pay for social security.

When the doctors and lawyers came in asking for a 50-percent deduction provision, I was willing to vote for the bill. We passed the bill at their request in order to let them deduct half of what they put up on the theory that, with respect to the employees, the boss would put up half and his half would be deductible.

The part that the employee puts up is not deductible. That is personal, on which he has paid a tax.

It was my theory—and it was my amendment to this proposal—to say that we would let them deduct half of it, so we would treat them the same as a workingman on social security, or parallel to our Government employee program, or just about the same as we treat a fellow working for the railroad. The railroad puts up half, and that is deductible for the railroad; and the workingman puts up half, and he pays taxes on it.

So we passed a law, with Senator SMATHERS managing it on the floor. He has sponsored this proposal for many years, and he agreed to this amendment. So we would treat the self-employed the same as we treat an employee. On the theory that if he is the boss, we will let him deduct the half that would be attributable to the employer if he were working for someone, and he would pay taxes on the half that would be attributable to him as an employee. So we will give him the same break as though he were working for an employer and each were putting up half. Well, they are not satisfied.

Mr. BAYH. May I ask a question, for clarification?

The fact is that the employee has already paid taxes on the amount that is deducted from his wage, which goes into social security?

Mr. LONG of Louisiana. The Senator is correct. So do the Government employees.

Mr. BAYH. May I ask my colleague, the Senator from Indiana, whether he agrees or disagrees?

Mr. HARTKE. There is no question about what happens in that situation. We are not talking about social security. We are talking about pensions. Everyone knows that in a pension it is simple—employees do not pay taxes on pensions. No employee pays taxes on a pension, but it is given to him in lieu of wages. When they sit down at the bargaining table and get those benefits, the benefits are in lieu of wages.

There are very few contributory plans any more. The contributory pension plan is being retired out of existence. Under the noncontributory pension plans, the employer pays the entire amount of the pension into the fund, and the employee does not pay one penny of the tax on it.

I do not see any reason why a poor secretary, who works for a lawyer, should be treated in a manner different from that in which a secretary who works for Sunshine Corp. is treated.

Mr. GORE. Mr. President, there are three very good and specific reasons for rejecting this amendment.

First, H.R. 10 is a major piece of legislation, and ought to be considered separately and on its own merits. There are times when the Senate must proceed by amendment in tax matters, but this is not one of them. This bill has been passed by the House as a separate bill. It should be so treated here.

Second, this amendment provides substantial tax reduction when we are faced with the necessity for increasing, not reducing taxes. The war in Vietnam will apparently continue to require more and larger expenditures, and Secretary McNamara will undoubtedly have a further report on this when he returns from Saigon.

Third, the amendment favors unduly a small and select group of taxpayers. In this connection, I would like to read from a recent address by Assistant Secretary of the Treasury Surrey:

> Perhaps—as respects H.R. 10 plans—the money should come from the taxpayer himself. Much as our doctor friends and we lawyers dislike to admit it, in actual practice the self-employed pension plan becomes a tax reduction arrangement for the better off professional man, with doctors heading the list. Over 75 percent of the present H.R. 10 deductions are taken by doctors, lawyers, and dentists, and they would thus obtain 75 percent of the tax revenue involved in the pending revision. Indeed, about one-half of the revenue lost would go to individuals in these professions with incomes over $25,000. These plans are not for the plumber, the small shopkeeper, or the farmer—the savings of these people are needed for their businesses, to meet the social security tax on the self-employed, and

for their family obligations—and therefore are not available for H.R. 10 plans.

A glance at Canadian experience with these plans—where there is full deduction up to $2,500 without a 50-percent limitation and no employee coverage requirement—since their adoption in 1957 is instructive. The latest figures show that 6 years later—1962—the rate of participation exceeded an almost negligible figure—3½ percent—only in the professional group—where we find over 40 percent of the doctors and dentists and 24 percent of the lawyers participating. As respects incomes, the rate of participation is quite low—never above 6 percent—under $10,000 income—but is about 30 percent in the $20,000 to $100,000 class. It is apparent that H.R. 10 plans are attractive only to a class with liquid assets and already possessing sufficient security so that some assets can be set aside permanently until after age 65—and the only class meeting these conditions is the better off professional group.

This is not to say that the matter ends here, but it is rather to point out that it appears the H.R. 10 approach to problems of retirement has a distinctly limited usefulness to the great majority of self-employed persons, and that the very small group of professional persons which does benefit is not in such need that the present advantages must be expanded at once. Any change should at least await a resolution of issues in the broader area of pension plans.

In addition to these specific points, H.R. 10 is wrong in principle and runs counter to our basic philosophy of taxation.

Mr. President, one of the hallmarks of modern economic democracy is the graduated income tax. This is the one mechanism which, more than any other, places the burden of financing the country's defense and carrying out necessary services which the modern industrial state must render its citizens squarely on the shoulders of those most able to bear that burden. Without some such mechanism as this, it seems to me that economic democracy will not long endure. And, without economic democracy, political democracy as we know it is doomed.

Our tax laws are riddled already with provisions which constitute open attacks against our system of graduated income taxes. Many of the provisions relating to pension, profit sharing, stock option, stock purchase, and deferred compensation plans constitute just such an attack. This amendment, the substance of H.R. 10, is now to be added to the arsenal of weapons of those who would batter down these walls which seek to guard economic and political democracy.

This is not to say that pension and profit-sharing plans have no place in our economy. They definitely do. But that place needs a close reexamination. On the basis of the need for extensive tax reform, today is surely not the time to act to widen the gap. We badly need to take a hard look at the whole area of pension and profit sharing and see what changes are in order. It is my feeling that many changes are in order and, in fact, badly needed.

In a complex economic order it seems impossible to avoid having complex tax laws. The definition of properly taxable income in any and all circumstances is not an easy matter. Therefore, we have exceptions, and exceptions to the exceptions when we come to define just how much and what kind of income is subject to tax at certain specified rates. Perhaps this is something which we must accept. But we do not need to make matters worse every time some change is proposed.

I know of no Member of the Congress who is not in favor of encouraging, through proper means, the setting up of pension plans by employers for the benefit of employees. These plans now cover a great many employees—wage earners, ordinary salaried employees, and higher salaried executives—and this is, in my opinion, all to the good, provided proper restrictions are observed. In many instances, it is only through a pension and profit-sharing plan that a worker can gain a rightful share of the earnings of his employer, and have security and decent living standards for his old age. But there must be restrictions.

Today we are faced, not with the examination of a restriction which might correct some abuses, but with the broadening of a relatively new device which is to be brought in under the tent. This is pretty near the whole camel, because we now are, if this amendment is adopted, to allow the self-employed taxpayer, who already owns all of the profits of whatever business or profession he happens to operate, to remove more of this profit from current taxation, not for the purpose of seeing to it that his employees share adequately in the profits of the business, but for the sole purpose of reducing his current taxes.

It has been claimed that existing laws relating to pension and profit-sharing plans are inequitable in that the self-employed are discriminated against. It is proposed now to remove an alleged inequity by allowing the self-employed to operate more nearly like the owner-managers of corporations now operate in setting up pension plans for themselves. An alleged inequity is thus sought to be cured by the widening of another loophole rather than by closing off existing areas of favoritism. It never seems to occur to some that provisions of law can be "equalized" by taking away some benefits to which the recipients have no legitimate claim.

It is quite understandable that some self-employed citizens and many others look with envy at the tax advantages of their friends and neighbors who happen to be officers or employees of certain corporations. A quick glance at some of the tax advantages provided by law for corporate pension and profit-sharing plans will explain why this is true.

The law permits corporations fully to deduct from taxable income their contributions to qualified pension plans. Some corporations have pension plans only for their salaried employees. Others have plans for all employees but many of these have separate and less generous plans for hourly employees.

Moreover, the corporate contribution to the pension plan of which an employee is, or may become, a beneficiary, is not currently taxable as income to the employee-beneficiary. Such benefits only become taxable income to the employee when an actual distribution is made to him.

So long as these benefits are within reasonable limits, they serve a useful social purpose and it is proper for the Government to encourage employers to assist in providing reasonable security for their employees during retirement, and for their participating more equitably in the profits of the business.

The proponents of H.R. 10 legislation claim a discrimination against the self-employed exists because the self-employed are unable to receive a tax benefit for accumulating and setting aside their own retirement funds for their own particular and peculiar benefit. It is conveniently overlooked that existing laws relating to pension and profit-sharing plans permit a tax deduction by the employer for setting aside funds for the benefit of his employees, a different matter altogether.

Provisions of existing law certainly do allow abuses in the field of pension and profit sharing. The correct solution to the alleged inequity, however, lies neither in the creation of yet additional inequities nor in the wholesale condemnation of a proper pension plan philosophy with appropriate implementing laws and regulations.

Many questions are involved. The basic question is whether government, particularly the Federal Government, should encourage employers to assist in the provision of economic security and decent living standards for their employees for the years in which these employees are no longer productive. This question has been answered affirmatively by the Congress. There are opportunities for abuse, however, and corrective legislation is needed. On the other hand, should the Federal Government reward a taxpayer for setting aside some of his own funds for his own use at some later date? So far as I am concerned, the answer to this question is an unqualified "No."

So far as I am concerned, this negative answer should apply also to the owner-managers of closely held corporations. But I have made little progress over the years on this approach.

As an adjunct to social security, and in recognition of the fact that the corporate employee did not always receive in current compensation his fair share of the earnings of his corporate employer, the Federal Government quite properly began to encourage corporations to establish pension funds for the benefit of their employees. Unfortunately, the laws and regulations were not sufficiently detailed to prevent many abuses by corporation owners and managers, while at the same time they did not require sufficient coverage for the lower salaried or hourly workers employed by corporations.

Although private pension plans of one kind or another have been in existence in this country since 1875, they did not reach significant proportions until after the enactment of the 1942 tax code. Since that time private pension and profit-sharing plans have grown rapidly both in numbers of individuals participating in such plans and in the assets represented by the accumulated reserves of such plans.

One of the real inequities or shortcomings now existing in the pension field is a lack of coverage for several million employees of corporate and other types of enterprises, plus a lack of definite and early vesting of rights in the assets of the various plans in which covered employees are participating. This is the real inequity in the pension field, and only by expanding and broadening coverage for the ordinary employees can such employees participate fully and equitably in the profits of the corporations and other enterprises for which they labor and produce. Only in this way can the ordinary employee be guaranteed decent living standards in his nonproductive years, unless Government programs are to be extended, broadened, and amplified.

The proposition that the Federal Government should give reasonable tax deductions to business enterprises for setting aside funds for reasonable benefits for the bona fide employees of those enterprises is well established and quite properly so. This principle should continue to be followed, and a greatly improved social security system is needed as well.

Rewarding the individual by reducing his own taxes merely because he sets aside funds out of his own current income for his own benefit during later years, however, is an altogether different matter. Under no philosophy of taxation except a taxation based on consumption rather than income could such a proposition be acceptable. The sales tax is based on this philosophy. To date, the Federal Government has not seen fit to adopt such a tax except to a limited degree in certain excises. We hope to eliminate these excises.

The ordinary employee of the corporation or other type of enterprise needs additional pension plan protection. This amendment does very little toward that end.

The individual taxpayers who comprise the effective management of the large corporations need to be considered. Strict limits should be placed on the tax deductions which corporations can receive for benefits to these employee-managers.

The self-employed, if they have sufficient income to be able to take full advantage of these provisions, are able, without benefit of the provisions of this bill, to provide for their own disability and retirement. The lawyer and doctor, for example, enjoy high compensation and a part of their current income, after taxes, can be set aside for future needs. Furthermore, they build up a practice which will bring them an income in later years. There is no enforced retirement for doctors and lawyers. The farmer, retailer, or other small businessman can build up an investment in his farm or business which will provide for himself and his family in his later, less productive years. This is the traditional way of building up an investment in this country and is still possible, despite the competition from large enterprises, so long as we have an expanding and growing economy.

Of course, there are several million self-employed individuals who are unable to set aside substantial sums of money out of current earnings. These people must spend all of their current earnings to maintain themselves and their families. These are the self-employed who are most in need of assistance in providing for their nonproductive years but this amendment is of no assistance whatsoever to this large group. A tax deduction for setting aside $2,500 per year out of current income is worse than meaningless to the head of a family earning $3,500 per year. It is meaningful, of course, to the lawyer or doctor earning upwards of $25,000 per year. It is helpful to those who need little help.

H.R. 10 has a long history, but I do not propose to detail it here. In 1960, spokesmen for the Treasury Department objected to the enactment of the bill in the form in which it had passed the House of Representatives. The Treasury made a counterproposal. In effect, this counterproposal states, "We will go along with the creation of a loophole in the tax laws which will reduce our revenues at a time when we cannot afford such a reduction, and which will benefit certain of the well-to-do self-employed, if, in exchange, the Congress will give us some tools with which we can fight abuses which are rampant in the corporate owner-employee field."

This counterproposal of the Treasury, insofar as it relates to correcting abuses in present law, was, in some respects, admirable. Certainly there are abuses in the pension and profit-sharing fields, particularly when one individual is the owner of all or most of the stock of a corporation of which he is also the manager and the only highly compensated employee.

The net effect of this amendment is further to erode the tax base, thereby necessitating higher and higher tax rates if the necessary total revenues are to be raised. The increased burden must be borne by the salaried taxpayer for whom there is no way of escape, or by the small enterprise, whether a corporation or not, of insufficient affluence to enable its owners and managers to take advantage of the many opportunities for tax avoidance now afforded by the tax laws.

Many abuses allowed, and even encouraged, by existing law have been brought to the attention of the Finance Committee. Among these abuses are:

First. Existing law provides for capital gains treatment under certain circumstances for lump sum distributions of the proceeds from pension and profit-sharing plans. Instances have been brought to the attention of the Finance Committee in which lump sum payments in excess of $800,000 have been made to corporate executives and accorded the 25 percent capital gains tax rate. This type of income bears no relationship whatsoever to capital gains but is, instead, accumulated and deferred ordinary income. There is no equity involved in according such income the favorable capital gains treatment.

Second. One individual who is the owner-employee of several corporations can participate in pension and profit-sharing plans in each of his corporations, thereby converting much of the income of these corporations, which should be taxed at corporate rates, into tax-exempt or tax-deferred income for himself or his family.

Third. Large estates are being built up out of untaxed income and passed on to members of the beneficiary's family, escaping any tax whatsoever, either current income tax, deferred income tax, or estate tax. Pension rights should be subject to estate and gift taxes.

Fourth. Existing law places no practical limits on the amounts which a corporation can deduct for contributions to pension and profit-sharing plans for the benefit of the high-salaried executive of the large corporation. Many corporations have pension plans which provide for pensions amounting to 50 percent or more of the employee's salary during his peak earning years.

H.R. 10 is a thoroughly unjustifiable piece of legislation. This amendment would reduce revenues at a time when such a reduction can hardly be viewed with equanimity, and it would do nothing whatsoever to correct flagrant tax avoidance abuses.

For the present, it seems to me that the Senate ought to delay action on this amendment. Let us at least consider it separately and on its own merits.

I hope the Senate will reject this amendment. As I said in the beginning, it represents an attack on the graduated income tax—on the principle of ability to pay.

But, whatever the fate of this amendment as it now stands, the Congress must soon take a big fork into the Aegean stables and clean up pension tax laws. The longer we wait the more difficult will be the task and the more adjustments will there be for more and more taxpayers.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the Record at this point a statement prepared by the Senator from Nebraska [Mr. Curtis].

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR CURTIS

I have always favored legislation which would provide incentives to the self-employed who wish to build private retirement income for themselves and their employees. This group is composed of our farmers and cattlemen, our individual craftsmen and our professional people. The self-employed in this country number around 6 million and it is estimated that they employ about 9 million people. Certainly they are entitled to the same benefits in providing for their own retirement as has been extended to both corporation executives and employees for many years.

The Self-Employed Individuals Tax Retirement Act which passed in 1962 provided only a partial answer. The original intent was that a self-employed individual could set aside a limited portion of his income for retirement and have the entire amount tax deductible and have the earnings on the retirement savings tax deductible. There was opposition to this from the Treasury and elsewhere and the result was that Congress had to pass a compromise. It limited the amount that could be set aside to ten percent of an individual's income of $2,500 per year, whichever is the lesser. But, instead of allowing the full amount to be tax deductible, only fifty percent was allowed. No provision was made for income earned from capital invested by the self-employed person in his business. Only income from his personal services was permitted. These limitations made the law impractical and unsatisfactory and as a result at the present time less than one-half of 1 percent of all the self-employed workers are covered.

This year the House passed a bill, H.R. 10, which would ease the tax rules for self-employed pension plans. This bill would allow a one hundred percent tax deduction up to $2,500 and in addition would lift the 30 percent ceiling on earned income allowed to those who must use capital in their business. To enact these provisions into law would go a long way toward assisting the self-employed in saving their own money for retirement. This is right and just and encourages thrift. It would give the self-employed equal opportunity with both executives and the employees of corporate employers. It would encourage people to provide for some of their additional wants and needs through their own savings from money they have earned.

I stated many months ago that I would fully support this bill and that I hoped it would be reported from the Senate Finance Committee and passed by the Senate. I would likewise favor an amendment embodying these provisions, I think such a step is important for our future aged.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The question is on agreeing to the amendment of the Senator from Indiana.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON (after having voted in the negative). On this vote, I have a pair with the senior Senator from Kentucky [Mr. COOPER]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. WILLIAMS of Delaware (when his name was called). On this vote, I have a pair with the junior Senator from Kentucky [Mr. MORTON]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. BENNETT (after having voted in the negative). On this vote, I have a pair with the junior Senator from Nebraska [Mr. CURTIS]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arizona [Mr. HAYDEN], the Senator from New York [Mr. KENNEDY], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS], are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Florida [Mr. SMATHERS], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from New Jersey [Mr. CASE], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Nebraska [Mr. CURTIS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New York [Mr. JAVITS], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], the Senator from Vermont [Mr. PROUTY], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The respective pairs of the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. COOPER], and that of the Senator from Kentucky [Mr. MORTON] have been previously announced.

The result was announced—yeas 39, nays 31, as follows:

[No. 300 Leg.]

YEAS—39

Bayh
Bible
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Dominick
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Harris
Hartke
Holland
Hruska
Inouye
Jordan, N.C.
Magnuson
McClellan
McGovern
McIntyre
Miller
Mondale
Mundt
Murphy
Nelson
Proxmire
Ribicoff
Saltonstall
Scott
Smith
Sparkman
Talmadge
Thurmond
Young, N. Dak.

NAYS—31

Aiken
Bartlett
Boggs
Burdick
Clark
Dirksen
Dodd
Ellender
Gore
Hart
Hill
Jackson
Kuchel
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
Monroney
Montoya
Morse
Muskie
Pastore
Robertson
Russell, S.C.
Russell, Ga.
Stennis
Symington
Yarborough
Young, Ohio

NOT VOTING—30

Allott
Anderson
Bass
Bennett
Case
Church
Cooper
Curtis
Douglas
Eastland
Hayden
Hickenlooper
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Metcalf
Morton
Moss
Neuberger
Pearson
Pell
Prouty
Randolph
Simpson
Smathers
Tower
Tydings
Williams, N.J.
Williams, Del.

So Mr. HARTKE's amendment was agreed to.

Mr. HARTKE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ERVIN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, if we can have quiet for a moment, I would like to ask the distinguished majority leader about the business of the Senate for the remainder of today and also tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished Senator from Illinois [Mr. DIRKSEN], the minority leader——

Mr. SCOTT. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this evening it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. FRIEDEL, Mr. MACDONALD, Mr. JARMAN, Mr. SPRINGER, and Mr. YOUNGER were appointed managers on the part of the House at the conference.

The message also further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6958) to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service automatic data processing system; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. KEOGH, Mr. BYRNES of Wisconsin, Mr. CURTIS, and Mr. UTT were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15119) to extend and improve the Federal-State unemployment compensation program; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. KEOGH, Mr. BYRNES of Wisconsin, Mr. CURTIS, and Mr. UTT were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1035. An act to amend the Tariff Act of 1930 to provide that bagpipes and parts thereof shall be admitted free of duty;

H.R. 1890. An act for the relief of Michael P. Buckley;

H.R. 2016. An act for the relief of Arline and Maurice Loader;

H.R. 3879. An act for the relief of Ernest Buillet;

H.R. 5622. An act for the relief of Dr. Jorge Ignacio Miquel Franca;

H.R. 5969. An act for the relief of Dr. Raul R. Morfi;

H.R. 6039. An act for the relief of Robert A. Harwell;

H.R. 6226. An act for the relief of Dr. Bienvenido Benach Carreras;

H.R. 6443. An act for the relief of Dr. Antonio U. Catasus;

H.R. 6899. An act for the relief of Dr. Myriam de la Caridad Ares y Fernandez de Bosch;

H.R. 7241. An act for the relief of Elmer O. Erickson;

H.R. 7341. An act for the relief of Dr. Ricardo R. Fuste;

H.R. 9036. An act for the relief of J. M. Pendarvis, Jr.;

H.R. 9348. An act for the relief of Capt. Harold G. Wilmarth;

H.R. 10151. An act for the relief of Dr. Luis Crespo;

H.R. 10253. An act for the relief of Dr. Luis E. Bencomo;

H.R. 10259. An act for the relief of Dr. Allan Baumal;

H.R. 10596. An act for the relief of Adel Lessert Bellmard, Clement Lessert, Josephine Gonvil Pappan, Julie Gonvil Pappan, Pelagie Gonvil Franceour de Aubri, Victore Gonvil Pappan, Marie Gonvil, Lafleche Gonvil, Louis Laventure, Dlizabeth Carbonau Vertifelle, Pierre Carbonau, Louis Joncas, Basil Joncas, James Joncas, Elizabeth Datcherute, Joseph Butler, William Rodger, Joseph Cote, four children of Cicili Compare and Joseph James, or the heirs of any who may be deceased;

H.R. 11224. An act for the relief of Dr. Pedro Raphael;

H.R. 11570. An act for the relief of James R. Kemp;

H.R. 11590. An act for the relief of Dr. Jacinta Llorens;

H.R. 11617. An act for the relief of Jun Becky;

H.R. 11640. An act for the relief of Dr. Juan Antonio Dumois;

H.R. 11765. An act to amend section 1234 of the Internal Revenue Code of 1954;

H.R. 11952. An act for the relief of Maria Karidakis;

H.R. 11957. An act for the relief of Muriel Williams;

H.R. 12317. An act for the relief of Dr. Augusto J. Fernandez-Conde;

H.R. 12781. An act for the relief of Dr. Mario Orlando Santos-Estevez;

H.R. 12920. An act for the relief of Alexander Francis Saker, doctor of medicine;

H.R. 13101. An act for the relief of Mario P. Navarro, doctor of medicine;

H.R. 13459. An act for the relief of Cecil A. Rhodes;

H.R. 14173. An act for the relief of Antonio Barquet Chediak;

H.R. 14174. An act for the relief of Esteban Fernandes Noda;

H.R. 14233. An act for the relief of Beatriz Diaz;

H.R. 14517. An act to amend Private Law 86–203 to permit the use of the vessel *John F. Drews* in the coastwise trade while it is owned by a citizen of the United States;

H.R. 14749. An act for the relief of Katherine M. Perakis;

H.R. 14920. An act for the relief of Marie del Carmen Bermudez;

H.R. 15446. An act for the relief of Edward de Butts;

H.R. 15488. An act for the relief of Dr. Ali Haji-Morad;

H.R. 16522. An act for the relief of Vicente Fernandez Marino;

H.R. 16610. An act for the relief of Dr. Antonio Rondon Delgado;

H.R. 17190. An act to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region; and

H.R. 18033. An act for the relief of Dr. Fidel Rodriguez-Cubas.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 1007. Concurrent resolution authorizing the printing of a report on international education by the House Education and Labor Committee;

H. Con. Res. 1017. Concurrent resolution to authorize the printing of additional hearings and other materials by the Committee on Agriculture; and

H. Con. Res. 1022. Concurrent resolution to authorize the printing as a House document the pamphlet entitled, "Our American Government. What Is It? How Does It Function?"

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 3104. An act to authorize the Secretary of the Interior to convey certain lands in Plumas County, Calif., to C. A. Lundy, and for other purposes;

H.R. 8678. An act to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes;

H.R. 9520. An act to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael;

H.R. 14754. An act to authorize the Secretary of the Interior to reinstate a certain oil and gas lease; and

H.R. 16813. An act to transfer to the Atomic Energy Commission complete administrative control of approximately 78 acres of public domain land located in the Otowi section near Los Angeles County.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 1035. An act to amend the Tariff Act of 1930 to provide that bagpipes and parts thereof shall be admitted free of duty; and

H.R. 11765. An act to amend section 1234 of the Internal Revenue Code of 1954; to the Committee on Finance.

H.R. 1890. An act for the relief of Michael P. Buckley;

H.R. 2016. An act for the relief of Arline and Maurice Loader;

H.R. 3879. An act for the relief of Ernest Buillet;

H.R. 5622. An act for the relief of Dr. Jorge Ignacio Miquel Franca;

H.R. 5969. An act for the relief of Dr. Raul R. Morfi;

H.R. 6039. An act for the relief of Robert A. Harwell;

H.R. 6226. An act for the relief of Dr. Bienvenido Benach Carreras;

H.R. 6443. An act for the relief of Dr. Antonio U. Catasus;

H.R. 6899. An act for the relief of Dr. Myriam de la Caridad Ares y Fernandez de Bosch;

H.R. 7241. An act for the relief of Elmer O. Erickson;

H.R. 7341. An act for the relief of Dr. Ricardo R. Fuste;

H.R. 9036. An act for the relief of J. M. Pendarvis, Junior;

H.R. 9348. An act for the relief of Capt. Harold G. Wilmarth;

H.R. 10151. An act for the relief of Dr. Luis Crespo;

H.R. 10253. An act for the relief of Dr. Luis E. Bencomo;

H.R. 10259. An act for the relief of Dr. Allan Baumal;

H.R. 10596. An act for the relief of Adel Lessert Bellmard, Clement Lessert, Josephine Gonvil Pappan, Julie Gonvil Pappan, Pelagie Gonvil Francoeur de Aubri, Victore Gonvil Pappan, Marie Gonvil, Lafleche Gonvil, Louis Laventure, Elizabeth Carbonau Vertifelle, Pierre Carbonau, Louis Joncas, Basil Joncas, James Joncas, Elizabeth Datcherute, Joseph Butler, William Rodger, Joseph Cote, four children of Cicili Compare and Joseph James, or the heirs of any who may be deceased;

H.R. 11224. An act for the relief of Dr. Pedro Raphael;

H.R. 11570. An act for the relief of James R. Kemp;

H.R. 11590. An act for the relief of Dr. Jacinta Llorens;

H.R. 11617. An act for the relief of Jun Becky;

H.R. 11640. An act for the relief of Dr. Juan Antonio Dumois;

H.R. 11952. An act for the relief of Maria Karidakis;

H.R. 11957. An act for the relief of Muriel Williams;

H.R. 12317. An act for the relief of Dr. Augusto J. Fernandez-Conde;

H.R. 12781. An act for the relief of Dr. Mario Orlando Santos-Estevez;

H.R. 12920. An act for the relief of Alexander Francis Saker, doctor of medicine;

H.R. 13101. An act for the relief of Mario P. Navarro, doctor of medicine;

H.R. 13459. An act for the relief of Cecil A. Rhodes;

H.R. 14173. An act for the relief of Antonio Barquet Chediak;

H.R. 14174. An act for the relief of Esteban Fernandez Noda;

H.R. 14233. An act for the relief of Beatriz Diaz;

H.R. 14749. An act for the relief of Katherine M. Perakis;

H.R. 14920. An act for the relief of Marie del Carmen Bermudez;

H.R. 15446. An act for the relief of Edward de Butts;

H.R. 15488. An act for the relief of Dr. Ali Haji-Morad;

H.R. 16522. An act for the relief of Vincente Fernandez Marino;

H.R. 16610. An act for the relief of Dr. Antonio Rondon Delgado; and

H.R. 18033. An act for the relief of Dr. Fidel Rodriquez-Cubas; to the Committee on the Judiciary.

H.R. 14517. An act to amend Private Law 86–203 to permit the use of the vessel *John F. Drews* in the coastwise trade while it is owned by a citizen of the United States; to the Committee on Commerce.

H.R. 17190. An act to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region; placed on the calendar.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions of the House were referred to the Committee on Rules and Administration:

H. Con. Res. 1007. Concurrent resolution authorizing the printing of a report on international education by the House Education and Labor Committee;

H. Con Res. 1017. Concurrent resolution to authorize the printing of additional hearings and other materials by the Committee on Agriculture; and

H. Con. Res. 1022. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our American Government. What Is It? How Does It Function?"

EQUITABLE TAX TREATMENT FOR FOREIGN INVESTMENT IN THE UNITED STATES

The Senate resumed the consideration of the bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, there have been some conversations going on in the Chamber between various interested parties for the past hour. I am about to propound a unanimous-consent request, as follows:

Mr. President, I ask unanimous consent—first, I know that there are only two more amendments coming up and there may be others—but I ask unanimous consent that at the conclusion of a 10-minute morning hour tomorrow that the amendments then be considered on a 10-minute basis, one-half of the time to be under the control of the distinguished Senator from Louisiana [Mr. LONG], the manager of the bill, and the other half to be under the control of the proposer of the amendment; and when these two amendments and any others are disposed of, that we have a vote on final passage.

Mr. LAUSCHE. Mr. President, reserving the right to object, will there be an opportunity for Senators to speak on the merits of the bill as it pertains to final passage, on the basis of the proposal made by the Senator from Montana?

Mr. MANSFIELD. How much time would the Senator desire?

Mr. LAUSCHE. I would want 3 minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be one-half hour on the bill.

Mr. LONG of Louisiana. Mr. President, the Senator, of course, includes the usual requirement that all amendments be germane?

Mr. MANSFIELD. The Senator is correct.

The PRESIDING OFFICER. The request is for one-half hour on the bill, to be equally divided.

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on October 13, 1966, at the conclusion of routine morning business, not to exceed 10 minutes, during the further consideration of the bill (H.R. 13103), an act to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 10 minutes, to be equally divided and controlled by the mover of any such amendment or motion and Senator LONG of Louisiana: *Provided,* That in the event that he is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to one-half hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. LONG of Louisiana. Mr. President, I hope that we might be able to dispose of a few amendments that may be called up, by voice vote.

AMENDMENT NO. 959

Mr. YARBOROUGH. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read the amendment as follows:

On page 88, beginning with "Effective" in line 24, strike out all through "apply." in line 2, page 89.

On page 89, line 18, beginning with "(other" strike out all through "business)" in line 21.

On page 90, line 7, beginning with "(other" strike out all through "business)" in line 10.

On page 174, beginning with "With" in line 17, strike out all through "United States." in line 21.

Mr. YARBOROUGH. Mr. President, I wish to pay tribute to the distinguished chairman of the Finance Committee [Mr. LONG] and to the members of the committee for the fine work which they have done on a very technical and very complex piece of legislation. I support the original intent of the bill as a whole, but there are two provisions which I think the record indicates are ill advised, and my amendment would strike these sections from the bill.

Mr. LONG of Louisiana. Will the Senator from Texas yield at that point?

Mr. YARBOROUGH. I yield.

Mr. LONG of Louisiana. Mr. President, I understand the amendment which the Senator from Texas is offering. I know that there is opposition to the provision in the bill. The judgment of the committee was that the tax on foreigners who invest here both as to the estate tax and to the income tax would go into effect in 1972.

We could, of course, extend that date beyond 1972 or perhaps take it off the books by 1972. Otherwise we could, if we decided we wanted to tax this money, vote to tax it next year.

I understand the Senator's arguments. He contends that many people are taking their money out of the United States, particularly out of Texas banks, insofar as Mexican investors are concerned, because they are being told that their money will be taxed. It would not be taxed until 1972, anyway, but if it is causing a substantial outflow of money then, perhaps, we should not impose a tax.

This is a matter we will vote on tomorrow, in any event, as I understand it, because then the yeas and nays will be requested. That being the case, there will be a rollcall vote. Therefore, if the Senator from Texas will make his position clear at this time, Senators will be able to read it in the RECORD tomorrow morning.

Mr. YARBOROUGH. I know that is the agreement, that a yea-and-nay vote will be demanded.

Mr. LONG of Louisiana. We will obtain the yeas and nays on it tomorrow, if the Senator will leave his amendment at the desk.

Mr. YARBOROUGH. I understood the majority leader to say that there were two or three amendments which might be passed on by voice vote tonight, that there would be no rollcall votes, so that I thought we might dispose of this amendment on a voice vote.

Mr. LONG of Louisiana. We cannot vote on it tonight, Senator, because some Senators may want to ask for a rollcall vote on it.

Mr. YARBOROUGH. In that event, I will make my position clear in a few minutes.

Mr. LONG of Louisiana. I thank the Senator.

Mr. YARBOROUGH. Mr. President, under present law, interest on deposits with U.S. banks paid to foreigners not doing business within the United States is not subject to U.S. income tax and the deposit is not subject to estate tax. This bill would impose a U.S. income tax on interest paid by U.S. banks to nonresident aliens. It would also subject the deposit to the estate tax. Both provisions would become effective in 1972.

These provisions were added by the House Committee on Ways and Means. They were not included in the original administration proposal. Nor were they a part of the report of the Fowler task force which was the basis for the bill.

They were opposed by the American Bankers Association, and by bankers all across the country.

In an effort to arrive at an estimate of the effect of the income tax provision, I wrote Mr. Stanley S. Surrey, Assistant Secretary of the Treasury, on August 2, 1966, asking for the amount of the deposits which would be affected, the amount of deposits that would be withdrawn if the provision were enacted, and the additional revenue that would be generated by enactment.

Mr. Surrey replied that the total amount of time deposits covered is approximately $2,250 million.

In reply to my second question Mr. Surrey replied:

> We do not feel that we are in a position to give you any such estimate because of the uncertainty as to the reaction which foreigners may have to such tax and the fact that a large number of bank deposits are held as working balances by corporations which do not bear interest and hence would not be affected by the bill.

In response to the third question Mr. Surrey replied that, making numerous assumptions, a rough estimate of the total revenue which would be derived from taxing the interest would be $22,500,000. However, inasmuch as one of the assumptions he made was that foreigners' time deposits held in 1972—the date when the provision would go into effect—would be equal to those held by them today, and he had already stated that the effect on foreigners' holdings of time deposits was unknown, this estimate would appear to be of little reliability.

Let us, then, examine what we know. We know that the amount of deposits affected totals $2,250 million. But we do not know how much additional revenue would be generated, nor how many dollars worth of deposits would be withdrawn. It would seem, then, that we are legislating in the dark.

We can speculate on human nature, however. It is obvious that if a country suddenly imposes an income tax on the interest received by someone who is neither a citizen nor a resident of that country, he is going to look for another place to put his money. So we can most surely assume that there will be large-scale withdrawals of funds. At a time when we are still in a period of difficulty over our balance of payments, it is unwise to look for new troubles in this regard. This money from foreign countries on deposit in American banks is used in America; this capital helps relieve our money shortage. Its withdrawal would worsen our tight money problems. In my opinion it is fiscally unsound to drive this money out of the country. Many other countries would welcome these deposits within their boundaries.

One of the principal arguments given in justification of the change is that we would then be adopting the policy followed by other countries.

But when questioned on this point, Secretary Fowler said, at page 39 of the Senate hearings, that no such taxes are imposed in France, Germany, and the Netherlands. In the United Kingdom, although the law appears to impose a tax, in practice the United Kingdom apparently exempts interest on bank deposits, a tribute to the British talent to muddle through, no doubt. Secretary Fowler says that taxes are imposed in Italy, Switzerland—although at only a 5-percent rate—Canada and Japan. So there appears to be a 50-50 split in the policies of the other major countries with sizable foreign bank deposits. Thus the argument that we should act this way in order to follow the practice of other countries does not appear sound, since the other major countries are about equally divided.

All the financial experts who testified on this part of the bill were opposed to it. I am unable to find any support for it in the hearings.

Mr. John H. Perkins, senior vice president of the Continental Illinois National Bank & Trust Co., representing the American Bankers Association, testified as follows:

> We believe that enactment of the two provisions in the act referred to above will do irreparable injury to the economic position of the United States. If these provisions are enacted, undoubtedly there will be a widespread withdrawal of foreign dollar balances from this country. This will add to the problems brought on by our balance-of-payments position and will result in substantial additional outflow of gold from the United States. Any assumption that delay in the effective date in the imposition of income taxes until after 1971, postpones immediate concern is erroneous. I think I would like to emphasize that, that the very passing of that act will trigger a reappraisal of banking relationships by the nonresident aliens affected. This reappraisal will lead to near-term action in many cases. As a matter of fact, commercial banks already are receiving inquiries from their foreign depositors concerning the pending legislation. Also, the estate tax on foreign held deposits would be effective at once, that is, with respect to taxable years beginning after December 31, 1966. Consequently, if the legislation is enacted there could possibly be a massive outflow of funds before the end of the year which could seriously affect our international financial position for this year. On the basis of transactions during the first half of this year, our payments position, without taking into consideration any movement of funds that may result under this legislation, will be much more unfavorable than originally anticipated at the beginning of the year. I might add too any outflows triggering from the passage of this act would take effect immediately, whereas the benefits from the other parts of the act would take some time to affect our position.
>
> The action proposed in the pending legislation is inconsistent with previous action by the Congress in dealing with foreign bank deposits in this country. The importance of retaining such funds in this country from the standpoint of our balance of payments and U.S. gold position was considered an important factor by the Banking and Currency Committee in its report on H.R. 5306, 89th Congress, 1st session (Rept. No. 336), a bill to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors. The committee, in recommending passage of H.R. 5306, stated that "the object of the bill is to extend existing provisions of law designed to encourage foreign governments and monetary authorities to maintain dollar accounts in this country rather than convert these dollar accounts directly into gold or to transfer the funds to other financial centers, whereupon they could be acquired by official institutions of other countries and be converted into gold."
>
> Bringing our international payments into balance is difficult, particularly in light of the present magnitude of U.S. Government commitments in support of world peace and development. As an emergency expedient, American businessmen and bankers have been enlisted in a voluntary program of restraints on U.S. capital outflow to eliminate the deficits. This effort should not be undermined by introducing penalties on foreign deposits with American banks. The original proposal of tax legislation in this area at this time was to create a more attractive climate for foreign investments in the United States. Even the threat of the contemplated action is harmful, affecting foreigners' decisions to open or maintain accounts with American banks.
>
> In addition to the effect which the withdrawal of foreign balances could exert on our balance-of-payments position, there is also the effect on our general economic position. Balances in U.S. banks maintained by nonresident aliens represent assets that have been voluntarily brought into this country for one reason or another, but usually from the standpoint of safety. The U.S. dollar is, and has been for many years, the strongest currency in the world, and this has led foreigners to transfer part of their wealth to the United States for safekeeping. This has been encouraged because such assets in the form of bank deposits have not been subject to our estate taxes; the income on such deposits has not been subject to our income taxes, and there are no impediments to the withdrawal of the deposits from the United States.
>
> We do not have precise figures available which show the aggregate amount of the funds currently on deposit, but it is conservatively estimated that they amount to several billions of dollars, which I think our figures are consistent with those which have been given in the last few days here.
>
> We believe that on balance, the United States has a great deal more to lose than can ever be gained from what little taxes that might be collected under the pending legislation from these sources because, as pointed out above, owners of these funds are free to move them elsewhere. Legislation of this character is apt to have an unwholesome immediate effect on investor psychology and we can look to a prompt outflow of funds seeking investment outlets in other countries. It is recognized that the act provides that the amendments made by it are not to apply where application would be contrary to any treaty obligation of the United States and that there is a 5-year period before the income tax would be effective on bank deposits. However, this is offset by the immediate imposition of the estate tax. And I would like to add it is offset by the immediate psychological effect on these foreigners who already are concerned about this and who will not wait, in our opinion, until 1971 at all to make their moves.
>
> Accordingly, we strongly recommend that the committee amend the act and retain the present provisions of the Internal Revenue Code which exempts from the U.S. estate and income taxes deposits held by nonresident aliens in U.S. banks and the interest paid thereon.
>
> Senator ANDERSON. Thank you, Mr. Perkins. Is there any possibility that the banks might feel differently if the estate tax provision was postponed until 1972?
>
> Mr. PERKINS. I don't believe so, Senator. Our feeling, and we have talked to a number of bankers about this in a number of areas, our feeling is quite strong that the banking relationship is built up over a long period of years. When a new tax comes in, whether it is the estate tax or the deposit tax, the people owing the funds and their lawyers and their financial advisers and all start looking at this, start worrying about it and they don't think of waiting until that day in 1971. They start trying to analyze whether or not they ought to change their banking relationships because of this tax, and if they conclude to do that, they will go ahead and start making these moves now.

> So, I don't think the idea of an effective date really has as much bearing as might seem from the date it is. In other words, we feel that this would trigger a certain amount of action immediately and not postpone action until 1971 when we could get another look. Obviously, there would be those who would wait until 1971 to make a move, I grant you that, but we think there would be some effects immediately and then over the next few years, month by month.

Mr. Alfred W. Barth, executive vice president, the Chase Manhattan Bank, said:

> We are dealing with large amounts. The proposed change in tax treatment would, in our estimate, directly affect $2 to $2½ billion of deposits. Once these deposits are shifted to a foreign bank abroad, that bank will, in turn, almost surely lend them to foreigners. The foreign borrowers are all too likely to convert the dollars into local currency. The dollars thus will end up in the hands of foreign central banks which can turn them in to the U.S. Treasury for gold.
>
> I know from personal conversations with customers abroad that our foreign banking competitors are already seizing upon the provisions of H.R. 13103 as a lever for encouraging the transfer of deposits to them.
>
> I cannot forecast precisely the time and volume of deposit withdrawals, but I do feel certain that significant withdrawals will occur. I would like heartily to endorse the proposal that the provisions relating to bank deposits of nonresident foreigners not doing business in this country be deleted from the bill.

Mr. Charles H. Bartlett, Jr., representing the Arizona Bankers Association, stated:

> The amount of deposits attracted by Arizona banks from foreign corporations is quite limited. For the most part, our foreign deposits come from individuals who are attracted by this country's record of political stability and very excellent reputation for preserving the value of money in comparison with that of most other parts of the world. Higher after-tax yields can be obtained in many other countries.
>
> But there is a limit to the price foreigners will pay to keep money in our country. This year, we have noticed a loss of deposits to other countries because of their higher interest rates. If to this we add a 30-percent tax rate, there can be no question but that the flow of money to other countries would be accelerated. Many countries with favorable political climates now have strong financial institutions which actively solicit U.S. dollar deposits. It is interesting to note that foreign depositors who transfer money out of the United States for the most part do not repatriate it to their own countries, but rather place it where they can best attain their deposit objectives.
>
> The imposition of income taxes will most definitely cause the loss of important deposits by the banks in Arizona. Contrary to the House report, the effect will be noticed immediately and not in 1971. Anyone who has himself wrestled with the intricacies of our own tax laws can appreciate the problems in trying to explain them to people living perhaps hundreds or even thousands of miles away. I know of no more frustrating experience than trying to explain a point of law or taxation on the telephone in a foreign language to a person not familiar with our legal concepts. I recently tried unsuccessfully to translate into verbal Spanish the new Federal Reseve regulations on multiple maturity time deposits, and, I am sure, that would be rather simple compared to what H.R. 13103 would require. We can be sure that the new tax measures would be given wide publicity and the mere fact of taxability, once brought to the attention of our foreign customers, would cause an immediate outflow of funds. Some bankers report it has already started. Our banker friends abroad are strong competitors, and know how to make good use of any advantages they have.
>
> There really can't be much doubt about what an income tax would do to foreign-owned deposits; but an estate tax would be absolutely deadly. I don't think any conscientious banker could fail to acquaint his foreign customers with the imposition of an estate tax. The bank I work for would most definitely do so.
>
> In this context, it should be remembered that some countries do not have any estate or inheritance taxes whatsoever. Certainly, people in those countries cannot be expected to invite loss of even a small part of their capital by leaving their funds in the United States. We have certain attractions, as I mentioned, but our margin of advantages is not as wide as it was 20 years ago. It does not permit us to impose a charge for safekeeping.
>
> This bill will effectively destroy a very major share of the deposits which enable the banks in my State to support international departments. None of us have foreign branches or subsidiaries and, while our foreign business is growing, we do not have the volume of transactions which would normally be required to serve as the bases for foreign operations of one type or another. The enactment of H.R. 13103 in its present form would force important deposits to move to foreign banks and foreign branches of other American banks. The growth of our foreign banking activities would be dealt a blow from which it would take us many years to recover. We would be at a competitive disadvantage both at home and abroad.
>
> The Arizona Bankers Association urges the elimination from H.R. 13103 of those provisions which would subject foreign-owned deposits to income and estate taxes.

Although I have received no official notification of the position of the Treasury Department on my amendment, I would assume, from Secretary Fowler's remarks at the hearing, that it has his tacit support.

Secretary Fowler stated:

> The representatives of the banking community are much closed and much more familiar with the actual impact of this 1972 provision, and the current impact of the state tax provision, than we are. Therefore, we are going to listen very carefully to their testimony. I am sure that it will be helpful to all of us in considering just what the effect is of this change in the law. I do not have a concrete response to your question, except to urge that the committee give careful consideration to the testimony to be given by those who are more intimately familiar and directly concerned with this matter.

And, Mr. President, the unanimous testimony of the financial community was that the provisions should be deleted.

As a Senator from Texas, I have a concern for the welfare of all the people in the communities of my State. This bill would hurt not only bankers, it would hurt everyone in the community, because the banks would have less money to loan and the economic activity of the community would thus be diminished. One bank in my State indicates that one-fourth of its deposits of $40 million would be affected. This would be a severe blow to the economies of many Texas cities and to many cities all over the country. At a time when interest rates are high because of a shortage of loanable funds, this is no time to diminish loan funds still further.

I respectfully suggest that the evidence indicates that we are running a risk of enacting a law which will raise only a little extra revenue while scaring away large amounts of funds. The purpose of the Fowler Task Force Report was to recommend ways of increasing foreign investment in the United States. This seems a peculiar way to do it.

For these reasons I urge the deletion of this section from the bill. I hope that the chairman will accept my amendment.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. ASHMORE, Mr. GILBERT, Mr. MCCULLOCH, and Mr. MCCLORY were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11216) relating to the tariff treatment of articles assembled abroad of products of the United States; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. KEOGH, Mr. BYRNES of Wisconsin, Mr. CURTIS, and Mr. UTT were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 11555) to provide a border highway along the United States bank of the Rio Grande River in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KLUCZYNSKI, Mr. WRIGHT, and Mr. CRAMER were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and they were signed by the Acting President pro tempore:

S. 405. An act for the relief of Gabriel A. Nahas and Vera Nahas;

S. 1275. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise priviledges;

S. 1310. An act relating to the National Museum of the Smithsonian Institution;

S. 2457. An act for the relief of Jorge Ajbuszyc Volsky;

S. 2587. An act for the relief of Dr. Hilda W. Perez de Gonzalez;

S. 2640. An act for the relief of Dr. Guillermo Rodriquez;

S. 2738. An act for the relief of Dr. Ezzat N. Asaad;

S. 2761. An act for the relief of Dr. Julio Sanguily, Jr.; and

S. 3106. An act for the relief of Dr. Alberto L. Martinez.

PROVISION OF BORDER HIGHWAY ALONG THE U.S. BANK OF THE RIO GRANDE

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 11555) to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. FULBRIGHT. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. FULBRIGHT, Mr. SPARKMAN, and Mr. CARLSON conferees on the part of the Senate.

AMENDMENT OF TITLE 28 OF UNITED STATES CODE—"JUDICIARY AND JUDICIAL PROCEDURE"

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 1665.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 1665, which was read as follows:

> *Resolved*, That the House agree to the amendments of the Senate to the bill (H.R. 1665) entitled "An Act to amend title 28, entitled 'Judiciary and Judicial Procedure', of the United States Code to confer Jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes", with the following amendment: In section 1 of the amendment of the Senate, strike out "section 2509", and insert "section 1492".

Mr. MANSFIELD. Mr. President, I move that the Senate agree to the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be permitted to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING IN CHICAGO, ILL., ON OCTOBER 20 AND 21, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Improvements in Judicial Machinery of the Committee of the Judiciary be permitted to meet on October 20 and 21, 1966, in Chicago, Ill., during the session of the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

FERTILIZER: KEY ELEMENT IN THE WAR VERSUS WANT

Mr. McGOVERN. Mr. President, on September 23, 1965, I said in a Senate address entitled "The Most Important War":

> During 1961 and 1962 when I was privileged to serve as Food for Peace Director for the late President Kennedy, I developed a growing conviction that the most overwhelming paradox of our time is to permit half the human race to be hungry while we cut back on surplus production and overeating. Science has broken the space barrier, but not the bonds of hunger. Today's hunger, however, is only a mild indication of the enormous food gap that looms on the horizon.

On June 29, 1966, in a TV–NEA broadcast, I reaffirmed this:

> Over the past ten years the problem of surplus has plagued the American economy. We could have solved that problem perhaps rather cheaply by simply dumping the surplus in the ocean. We didn't choose to do that. We felt that as long as there was hunger in the world, that we ought to make an intelligent use of our own surplus, and so arrangements have been worked out to make that surplus available in countries where there is a . . . food deficit. We have been very careful not to disrupt normal commercial channels. . . . We have insisted wherever we have offered food on a concessional basis that the receiving country continue to make its normal commercial purchases, not just from us but from other exporting nations.
>
> I think there is a very real danger that massive shipments of food from the outside can lead a country into a position of dependence that is not desirable; that is a danger that we have to avoid. It may be that at some times in the past we have been too lax about making food available to countries that aren't doing enough on their own to increase their food supply. I believe that we are alerted to that danger now.

On June 30, 1966, President Johnson in a speech at Omaha, Nebr., said:

> We will lend America's technical knowledge, we will lend America's practical experience to those people who need it most and who are willing to prove to us that they are willing to try to help themselves.
>
> And in addition to that, we will support programs of capital investment, in water development, in farm machinery, in pesticides, in seed research, in fertilizers.

In the 1st session of the 89th Congress, I introduced legislation designed to launch a massive, two-pronged war on hunger—the first by planned increase of our own agricultural production to meet the mounting requirements of the hungry nations, the second a systematic program of technical assistance and investment to break distribution bottlenecks and to enable the receiving countries to grow more food through their own efforts.

I am gratified that the first of these purposes is being partially met by an improved food-for-peace bill, now nearing final congressional approval, and by announced increases of wheat and rice acreage allotments for the coming crop year.

These, of course, are actions taken in our own self-interest as well as in the interest of a food-short world. More food will be produced, farmers will get a larger income and the American economy will be stimulated. More food will be available to the hard-pressed developing nations, though surely not in sufficient quantity to meet the needs of their growing populations.

It has become increasingly clear that even the vast productive capacity of American agriculture cannot alone win the war on hunger. Our once burdensome surpluses are gone. Crop reduction programs combined with expanding exports and our food-for-peace effort have removed the surpluses. Our reserves of wheat which stood at 1.4 billion bushels in 1960 are now down to 550 million, less than the year's carryover which we need as a reserve. As a consequence, we have notified our Embassies that wheat for the food-for-peace program must be reduced by 25 percent this year.

Nor can much food aid be expected from other countries. Canada has, through its recent negotiations with the Soviet Union and earlier sales to China, committed its reserve wheat to 1970. There is no place for the underdeveloped countries to turn, no prospect that North America, Europe and Australia can, in the long run, meet the mounting demands for food throughout the world.

Secretary of Agriculture Orville L. Freeman said on July 24:

> It depends upon what the countries in question are going to be able to do to increase their own productivity. That is the basic question. To make a rough estimate, if they don't do better in the less developed hungry parts of the world in the next five years than they have done in the past, the United States and the rest of the developed world will run out of food potential to prevent mass famine by sometime in the 1980's.
>
> In other words, the world does face a very grave threat of mass famine. There are more lives involved in this great challenge than have been lost in all the wars of history. That is the magnitude of the task that lies before us.

The great test of the world's ability to meet this challenge lies in the Indian subcontinent. Here Secretary Freeman was able to give some encouragement:

> The Indians are working very hard. They have given their agriculture the number one priority in the planning and working within the Indian economy. They have increased the Indian budget very significantly for agriculture. They have brought into agricultural work some of the best brains and talent within India. They are beginning to apply new and modern production techniques. They are working very hard at their agriculture.

But the Secretary proceeded with a grim reminder that all this is not enough:

> Population tends to cancel out progress. The magnitude of the challenge is that they

> have to run very hard just to stay in place. There are about twelve million more people born in India every year. That is a lot of mouths to feed and the result is that they not only have to make increases, they have to make very sharp increases to stay ahead of the growing population.

As to the second objective of my proposed International Food and Nutrition Act—increasing technical assistance and investment—progress has been very slow. Acting in concert with the other developed nations of the world, we must do more to encourage the underdeveloped nations to help themselves to increase their own agricultural production.

How can we apply our immense technological and productive powers to the task of helping the underdeveloped countries to increase their own agricultural output?

Agricultural development in economically backward countries is painfully slow. As a general goal, the figure of 5 percent gross annual increase in output is considered about the best that can be achieved. And this, of course, must be set against population increases in the developing countries, which average about 2.5 percent a year.

Nevertheless, if the basic factors of development are in proper balance, substantial and, in some cases, even spectacular results can be achieved. These factors are well known; among them are fertilizer, improved seeds, pesticides, mechanization, irrigation, agricultural extension work, credit, transportation and distribution facilities, enlightened Government policies and price incentives to produce.

Many experts assert that the most important single need of the immediate future is fertilizer. One of these experts, Dr. Raymond Ewell, of the State University of New York at Buffalo, has said:

> Fertilizer seems to offer the best possibility of a substantial increase in agricultural production between now and 1980. The other technical inputs in agriculture probably cannot be brought into action on a sufficiently massive basis fast enough to play a major role. Improved seeds, increased irrigation, pesticides, and all other technical inputs must be utilized to the fullest extent possible, yet it should be recognized that the principal means of raising agricultural productivity in Asia, Africa, and Latin America in the critical next 15 years will have to be fertilizer.

How can we provide adequate quantities of fertilizer to those who need it as quickly and as inexpensively as possible?

The problem is a global one. Its solution is a matter of concern to all mankind.

It is also a matter of balance. Fertilizer must contain nitrogen, phosphate, and potash in proportions suitable to the particular needs of each area.

But there is one predominant need—nitrogen. This is the principal ingredient in the replenishment of depleted soils.

We must then ask: How do we make a balanced fertilizer, and especially nitrogen, available to the developing countries on a scale sufficient to meet their growing needs?

I propose that the United States Government launch a comprehensive research program on all aspects of the world fertilizer situation, with special emphasis on the nitrogen needs of the Indian subcontinent, Latin America, and Africa. The aim of such a program ought to be the establishment of a sound estimate of requirements, capacities, and priorities, especially in the allocation of capital, and clear recommendations to government and industry or organization, investment, management, and operations.

As the President has said, the goal is prompt, effective action to alleviate hunger.

The world fertilizer problem has been the subject of a number of excellent recent surveys:

First. The Inter-regional Seminar on the Production of Fertilizers. This seminar, held in Kiev from August 24 to September 11, 1965, was organized by the United Nations in cooperation with the Government of the Ukrainian S.S.R. It was attended by more than 70 persons from some 20 countries, including government and private experts from the United States.

Second. "Report on Estimated World Fertilizer Capacity as Related to Future Needs," prepared at the request of the Agency for International Development by the Tennessee Valley Authority, February 1966.

Third. "Proceedings of the Seminar on the Development and Utilization of Natural Gas Resources, With Special Reference to the ECAFE Region" which was held in Teheran from December 1–12, 1964, under the sponsorship of the United Nations Economic Commission for Asia and the Far East, with the cooperation of the United Nations Bureau of Technical Assistance Operations.

One of the keys to agricultural development throughout most of the world is a vast increase in available nitrogen. Fortunately, nitrogen fertilizer—in the form of ammonia—can be produced from the air in abundance. From it we can readily derive such usable compounds as ammonium nitrate and urea. It can be made from feedstock of coal, petroleum distillates, and natural gas.

Fortunately, too, major technological changes, especially during the past 5 years, have greatly reduced the cost of manufacture. The most important of these is the gas synthesis "steam-reforming" process, with large centrifugal compressors which can employ either liquid naphtha or natural gas.

It is now generally agreed that natural gas, where it is readily available, is the cheapest form of feedstock, and today over 80 percent of total ammonia production in the United States is by natural gas.

The size of the plant is an important factor in reducing costs in most chemical manufacture, and as a result, the size of ammonia plants grows constantly. A few years ago a plant capable of producing 100 tons a day was considered large. Today, at least 25 new single steam ammonia plants with a daily capacity of 550 tons or more are under construction throughout the world, and plants with a capacity of 1,000 tons or more are under evaluation.

The economies resulting from the combination of advanced technology, large installations, and low-cost feedstock have been dramatic. The production cost in the 100-ton ammonia plant of 5 years ago averaged about $40 a ton. The large plants of today can produce at $20 a ton or less.

This amounts to a revolution in the fertilizer industry. As such, it can only benefit mankind. But, how will this benefit be distributed?

Here, unfortunately, the prospect is disturbing. The 50-percent drop in production costs has not been matched in the world selling price, which is actually as high as ever.

The Tennessee Valley Authority survey projects nearly a doubling of world fertilizer production capacity in 5 years. But in its conclusion, the TVA states grimly:

> For the world as a whole, planned production capacity is adequate for estimated 1970 minimal requirements to forestall deterioration in diet, which is already too low in many areas. However, the less developed areas will not have the capacity required for maintaining their present dietary levels, whereas the developed areas will have an excess capacity.

Outlining the balance between productive capacity and requirements, TVA adds:

> Further expansion of fertilizer production in developed countries for export should be looked upon with caution. A substantial increase in exports to developing countries is probable, but planned capacities are adequate for this purpose.
>
> A continued expansion of fertilizer production in the developing countries is desirable in order to meet current and future demands and to reduce the need for imports. Imports represent a heavy demand on limited foreign exchange.

The TVA findings are similar to those of the United Nations, as reflected in the following excerpt from the Report of the Kiev Seminar:

> The Seminar concluded that the trends in fertilizer production and consumption indicate:
>
> (1) Fertilizer deficits in the developing countries will increase further while exportable fertilizer surpluses in certain individual developed countries may become even larger;
>
> (2) Fertilizer consumption in the developing countries during the next five to ten years will probably be inadequate to meet agricultural and food production needs, whereas in the developed countries increased fertilizer consumption may result in even greater agricultural production.

The Seminar then made three recommendations:

> (1) That the United Nations and its specialized agencies, member governments and the world fertilizer industry should consider steps to correct the increasingly large imbalance in both production and consumption of fertilizers between the two groups of countries.
>
> (2) That urgent steps be taken by the United Nations, the Center for Industrial Development and other specialized United Nations agencies and international financial institutions to evolve a "New Framework" for making capital available on liberal terms to meet the special needs of financing fertilizer projects in developing countries more with

> a view to satisfying "needs" than with a view to "returns" on capital invested.
>
> (3) That the Center for Industrial Development and the Economic Commission of the United Nations should organize and conduct studies for the establishment of large fertilizer production projects in areas of the developing countries where abundant natural gas and other new raw materials are available.

An encouraging development occurred on August 5, 1966, when the United Nations Economic and Social Council adopted a resolution reading in part:

> The . . . Council . . . Considering the imperative need for developing countries to establish their own fertilizer industries to increase their agricultural and food production to an adequate level, . . . Requests the Secretary-General to consider and propose, in co-operation with the appropriate international financial institutions, including regional development banks, the specialized agencies concerned and the International Atomic Energy Agency, practical measures for implementing the recommendations of the Interregional Seminar of the Production of Fertilizers, and to submit a report in this regard to the Industrial Development Board at its first session.

Mr. President, how can we, in the United States, assist in meeting this challenge?

There are, I believe, a number of steps which could be considered in depth by the U.S. Government, if it undertakes the comprehensive research program which I have proposed.

Obviously, no program of study can be all inclusive. The problems are just too vast, the variables too complex.

Nevertheless, some planning, some rationalization, is necessary to put order into what is now a piecemeal and even chaotic approach to the expansion of world fertilizer production.

What follows is based largely on the oil and gas situation in the Middle East and on the fertilizer needs of the Indian subcontinent. These are the areas of largest concentration of both resources and needs. But much the same problems exist in other regions, especially Africa and Latin America, and these should also be given close attention in the proposed research program.

SURVEY OF WORLD FERTILIZER REQUIREMENTS

For the short run, provisional estimates are available in the Tennessee Valley Authority report. These show that in order to maintain present dietary levels in the developing countries, the world will need 67.5 million metric tons of total plant nutrients (nitrogen, phosphate and potash) by 1970, as against a world consumption of 37.7 million tons in 1964.

Long range projections are also provided (111.7 million tons by 1980), but it is doubtful whether they have much significance. Russell Coleman, president of the Sulphur Institute, points out the unreality of all projection efforts, if the requirements are put in terms of what is needed to feed the world adequately:

> To attempt to project world consumption (much beyond 1970) would be pure stargazing. The figures seem astronomical, and it is doubtful if the projected requirements can be met by 1980—certainly not by 1970.

The gap between present, inadequate, and future desirable dietary levels is particularly apparent in the case of India. The Committee on Fertilizers of the Government of India has made a projection of fertilizer consumption targets through its fourth 5-year plan, 1966–71. In the case of nitrogen, these rise steadily from 1 to 2.4 million tons per year for nitrogen with corresponding increases in phosphate and potash. (Nitrogen consumption for 1964–65 was 555,000 tons.) The committee even ventures a target goal for the end of the fifth 5-year plan (1971–76) of 4 million tons of nitrogen.

These are disturbing figures. Certainly India needs and will need vastly more fertilizer than this. India today uses about 3 pounds of plant nutrients per acre; Japan uses more than 300.

SURVEY OF WORLD FERTILIZER CAPACITY

Here, too, the Tennessee Valley survey provides the most authoritative figures available. The rate of projected increase is indeed impressive—total nutrients, metric tons—1963, 33,462,000; 1965, 58,241,000; 1970, 100,165,000, a 156-percent increase over 1963.

In the case of nitrogen, with allowance for the goals of the Soviet Union and mainland China, capacity may reach 55 million tons as against an estimated 13 million tons in 1963.

But again, the increase will not take place where it is needed most. As the TVA report states:

> The overall percentage increases are much greater in the developing countries than in the developed countries . . . Tonnagewise, however, the projected increase is 16,515,000 metric tons in the developed countries and only 3,358,000 tons in the developing countries. The latter represents only 17% of the overall increase in total nutrients.

Let us again examine the case of India. India produces fertilizer in both the private and the public sectors of the economy. In order to meet its 2.4 million ton consumption target, 3.2 million tons of capacity will be required by 1970–71. India's present production is only 240,000 tons of nitrogen per year, largely from small, obsolescent, inefficient, high-cost plants.

How is the ambitious target of the fourth 5-year plan to be achieved?

The Indian Government makes the following official projection—"Fertilizers for Food," June 1966:

> Plants in operation and under construction have a total capacity of about 895,000 tons. Four others, the implementation of which has already started, will have a capacity of about 680,000 tons. A total capacity of 1,575,000 tons is "what we are sure of at present." Four other projects in the private sector have been sanctioned and will be implemented in collaboration with foreign parties with a total of 461,500 tons. All this, however, gives us a total of only 2,036,500 tons of capacity in nitrogen. There is a gap of one million tons in capacity . . . which remains to be filled.

India has taken a number of steps to fill this gap. In June and July, a high level fertilizer committee visited the United States, Canada, and Japan, offering important concessions and inducements in an attempt to elicit the interest of private firms in building large nitrogen plants in India. On July 16, it was reported that a number of American and Canadian oil and chemical corporations had displayed "positive interest." Several have sent teams to India to discuss collaboration primarily in the private sector. The World Bank has announced that it is prepared to provide $25 million in foreign exchange for each of six 200,000 ton ammonia plants.

If all of these projects develop successfully, it is theoretically possible that the 3.2 million target for 1970–71 could be met.

But this is a very big if.

The followup to the July visit of the Indian Fertilizer Committee has not, so far, been encouraging. Potential private American investors are already beginning to question the "concessions" which the Indian Government has offered, not only as to their adequacy, but as to their precision and durability under existing political conditions.

It is clear, from numerous reports in the Indian press, that little, if anything, firm can be accomplished in negotiations prior to the general election of February 1967, and perhaps not for some time after that.

United Nations and private U.S. experts doubt whether as much as 1 million tons of nitrogen can be produced in 1970–71. The Indian Minister for Petroleum and Chemicals, Mr. O. V. Alagesan, on September 7, conceded that projects in the private sector may provide only 300,000 tons against a 900,000-ton target. He suggested that the 600,000-ton difference may have to be made up in the public sector, drawing on commercial credits from non-American sources, on India's own limited foreign exchange, and on its own ambitious, but as yet untested technological and engineering capabilities.

Even if the most optimistic hopes are borne out, India will still be forced to pay a very high price in foreign exchange for this whole undertaking.

Second, realization of the fourth 5-year plan goals would still leave unresolved the crucial question: How are the far greater needs of the 1970's and beyond to be met? We must assist them in their planning as rapidly as possible.

EXPLORING THE POTENTIAL OF NATURAL GAS

With the new technology of nitrogen production, natural gas has become one of the paramount factors in fertilizer manufacture.

It is not generally realized that cheap natural gas is available in abundance. It is presently often wasted and could be a powerful instrument of agricultural and industrial development.

This potential should be studied wherever it exists. I believe our Government ought to take the lead in exploring ways to use natural gas to meet world fertilizer needs.

Mr. George Woods, president of the World Bank, said on February 25, 1966:

> Rich finds of raw materials lie buried in some countries for lack of a ready market. One key ingredient, natural gas, is simply being thrown to the winds. Assembling the necessary ingredients at the right places and right times poses some complicated problems. But the technology is known; the capital is available. All that is missing is in-

genuity, imagination and cooperation—particularly cooperation.

How can we reduce and eventually eliminate the flaring of natural gas, and turn this rich patrimony to the development of the regions which own it?

According to statistics of the Bureau of Mines, 15,536,376 million cubic feet of natural gas were produced in the United States in 1964—the current rate is about 17 trillion cubic feet a year.

How much is this worth? The average wellhead price in 1964 was 15.4 cents per thousand cubic feet, and the average overall price at the point of consumption was 51.6 cents.

The significance of natural gas to the American economy is tremendous. In 1964 it accounted for 30.6 percent of calorific energy consumption—petroleum, 44 percent; coal, 22 percent; hydroelectric and nuclear, less than 4 percent. By 1964, $26.4 billion had been invested in pipelines alone, not to mention all the other investments in gas utilization.

Yet, in spite of powerful demand, natural gas is still being flared in this country on a substantial scale—341 billion cubic feet in 1964. This does not represent deliberate waste or negligence by producers or regulators. It is simply the result of the inevitable time lag in providing pipeline facilities to newly opened or remote fields. All gas which can be produced and transported will find a ready demand.

The situation in the United States provides a means for measuring both the waste and the potential of natural gas in the developing areas. The 341 billion cubic feet of flared gas in this country is a small percentage—2.2 percent—of the 15.5 trillion cubic feet produced in 1964. But it amounts to about 1 billion cubic feet a day, or $150,000 at U.S. wellhead prices.

This same figure is roughly the equivalent of the entire gas consumption—natural and manufactured—of the United Kingdom. The same order of magnitude has been flared for many years in each of five major oil-producing areas—Iran, Iraq, Kuwait, Saudi Arabia, and Venezuela.

Mr. President, the full utilization of flared natural gas is a tremendous task which will call for billions of dollars invested over many years. We should accelerate preparations for this task now.

It is for this reason that I urge our Government to begin studying the possibility of utilizing a part—and, necessarily at first, a fairly small part—of the gas now being flared in the Mideast, Latin America, and Africa for the manufacture of nitrogen fertilizer.

As a first step, I suggest that the United States take the lead by offering to finance the construction of three pilot plants in the developing world for the production of fertilizer from natural gas. The cost of three 200,000-ton plants, which could be established in countries where natural gas is plentiful such as Algeria, Venezuela, and Iran or Iraq, would be approximately $200 million. I believe that one or two of the larger private foundations might be willing to assist in financing such a development project. Such an undertaking would clearly demonstrate to the countries of the underdeveloped world that the United States is genuinely interested in helping them to further their own agricultural development.

I strongly believe that natural gas utilization represents one of the most practical and rapid ways of raising fertilizer production and consumption targets of the developing nations of the world, from their present, pitifully inadequate levels, to the point where starvation, malnutrition, and simple hunger can be reduced and eventually eliminated.

Projects to this end are being promoted by governments, the World Bank, and other elements. Some of these will no doubt bear fruit. But, from the information I have received, they are generally far short of the mark.

Nonetheless, the technology is known, and there will surely be improvements in it.

Second, the capital is available. While the bulk of it will probably have to come from governments because of the huge volume involved, private industry can also play an important role in putting this natural resource to work. Only recently, several of the larger private American firms have expressed an interest in developing the great fertilizer potential of natural gas.

CONCLUSION

Mr. President, the large-scale, creative approach which will be required if the fertilizer needs of India and the other underdeveloped nations are to be met, calls for broader participation in capitalization, management operation, and the sharing of profits than has so far been apparent.

The research program I have suggested can make an important contribution to this debate.

It must be very broadly based, including elements of the United Nations—Special Fund, Food and Agriculture Organization, Center for Industrial Development, as well as the World Bank—other parts of the U.S. Government besides AID—Agriculture, Commerce, Interior—foreign governments and companies, research institutions and foundations, international labor and others.

I believe that the United States, by undertaking such a comprehensive research program on world fertilizer, would be acting not only in its own best interests but in the best interests of the millions of starving people in the underdeveloped world.

Such a course of action would be fully in the spirit of President Johnson's Omaha speech:

> We must work for a global effort. Hunger knows no ideology, hunger knows no single race or no single nationality * * *.
>
> I long for the day when we and others—whatever their political creed—will turn our joint resources in the battle against poverty, ignorance and disease.

Mr. President, I ask unanimous consent that certain materials and articles relevant to the subject of my remarks today may be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Chemical and Engineering News, Dec. 14, 1964]

FAMINE AND FERTILIZER

(By Dr. Raymond Ewell, State University of New York at Buffalo)

The world is on the threshold of the biggest famine in history. Not the world we live in, but the underdeveloped world, the three poor continents of Asia, Africa, and Latin America.

The populations of these continents are growing rapidly, and the production of food in these continents is lagging the population growth. This is the problem in a nutshell. This is the greatest and most nearly insoluble problem in the history of the world. And it is almost here.

If present trends continue, it seems likely that famine will reach serious proportions in India, Pakistan, and Communist China in the early 1970's. Indonesia, Iran, Turkey, Egypt, Brazil, and several other countries will follow within a few years. Most of the other countries of Asia, Africa, and Latin America will fall in this category by 1980. Such a famine will be of massive proportions affecting hundreds of millions, possibly even billions, of persons. If this happens, as appears probable, it will be the most colossal catastrophe in history. It would be a completely new situation in the world's history—not enough food for the billions of human beings inhabiting the surface of this globe. This would be the Malthusian Doctrine finally coming true after 170 years.

The food/population problem will be the overriding problem of the last quarter of this century. The political and economic consequences of widespread famine in Asia, Africa, and Latin America are certain to be massive and far-reaching. It seems unlikely that stable governments can be maintained in countries where a large part of the population is starving.

The food/population problem seems likely to reach such enormous proportions by 1975 that it will dwarf and overshadow most of the problems and anxieties which now occupy our attention, such as the threat of nuclear war, Communism, the space race, racial problems, unemployment, Berlin, Vietnam, the Congo, Cyprus, Cuba, and the like. These current problems will fade into the background as the enormity of the world food problem impresses itself on the western world.

POPULATION EXPLOSION

Now that we have looked at the over-all picture, let's look at some relevant facts. The populations of Asia, Africa, and Latin America are now growing at rates of 2.5%, 2.5%, and 2.9% per year, respectively. These are their highest growth rates in history, and the rates of growth are still increasing. These high population growth rates are frequently referred to as the population explosion—and it really is an explosion. For example, a rate of 2.5% per year will double the population in 28 years.

The basic cause of the population explosion is the rapid drop in the death rate in Asia, Africa, and Latin America since 1945 as a result of the introduction into these areas of penicillin, DDT, and other modern medical and public health practices. Birth rates have remained practically constant, but death rates have dropped sharply since 1945.

In 20 years the populations of Latin America, Asia, and Africa may increase by 75 percent

[Population figures in millions]

Latin America:	
1960	212
1970	283
1980	376

In 20 years the populations of Latin America, Asia, and Africa may increase by 75 percent—Continued

[Population figures in millions]

Asia (excluding China and Japan):	
1960	906
1970	1,160
1980	1,486
Africa:	
1960	257
1970	329
1980	421

NOTE.—Data are based on an assumed rate of increase of 2.5% per year for Asia and Africa and 2.9% per year for Latin America for 1960–80.

Source: United Nations Demographic Yearbook, 1963.

Therefore, the population explosion is a new phenomenon—it has been a real explosion only since the end of World War II. Population growth rates were much lower before World War II—for example, 1.2% in both Asia and Africa in 1930–40, and 1.9% in Latin America during the same period. Before 1930 they were even lower. In fact, population growth rates above 1% per year were rare anywhere in the world before the 20th century.

Demographers have projected a growth in population of Asia (excluding China and Japan), Africa, and Latin America rising from 1.4 billion in 1960 to 2.3 billion in 1980. This is a minimum increase, in my opinion, because the population growth rates are still increasing. Should such an increase occur, the population in these three continents would increase by some 900 million people in only 20 years. This is a stupendous figure—900 million is a lot of people and 20 years is not much time in which to solve the many problems 900 million more people will bring with them. If China is included in this forecast, the population growth from 1960 to 1980 would be 1.3 billion. In the rest of this article China is excluded from the discussion because (1) it is on the other side of the ideological fence, and (2) we have little demographic or economic information on China. Japan is excluded from the discussion, also, because economically Japan is about the same as a European country.

The contrast in birth rates, death rates, and apparent population growth rates in major areas of the world between the developed and underdeveloped areas is striking. Particularly significant is that the underdeveloped areas with birth rates of 41 to 46 per 1000 still have death rates as high as 12 to 23 per 1000. This indicates the probability of further declines in the death rates with consequent increases in population growth rates, particularly in Asia and Africa. The birth rate is an irresistable force which is unlikely to change appreciably for 15 years or more.

The production of food in Asia, Africa, and Latin America has remained approximately constant for the past three or four years, and there is no social or economic development on the horizon that seems likely to increase food production in these continents enough to feed 900 million more people by 1980. In Asia the annual production of grain has remained constant at about 150 million tons since 1960 so that the per capita production of grain has declined from 16 ounces per day to 15 ounces per day during the past three years. In Latin America the annual production of grain has remained constant at about 42 million tons since 1958 so that the per capita production of grain has declined from 21 ounces per day to 18 ounces per day. Africa has had a small increase in grain production so that per capita production has remained at 15 ounces per day for the past seven years.

Grain is, of course, not the only food, but it is the big staple and supplies a large portion of the food in these three continents—70% in Asia, 45% in Africa, 40% in Latin America. Potatoes, yams, and cassava supply an additional large percentage in Africa and Latin America.

Projected growth rates through 1980 for underdeveloped areas are almost double those for developed areas

[Growth rate in percent]

Underdeveloped areas:	
World total	2.1
Asia [1]	2.5
Africa	2.5
Latin America	2.9
China	2.3
Developed areas:	
U.S./Canada	1.7
Europe	.9
U.S.S.R.	1.7
Japan	.9
Oceania	2.2

[1] Excluding China and Japan.

NOTE.—Growth rates are estimated from an analysis of 1920–62 growth rates.

Source: United Nations Demographic Yearbook, 1963.

GREATEST FAMINE OF ALL TIME

If these trends continue for a few more years, famine will inevitably result. And this would be famine on a scale never before experienced in the world's history. There have been many famines in history involving millions of people, but none involving hundreds of millions of people. Moreover, in past famines many people have died of disease as well as of starvation. Now modern medicine keeps people alive even though starving, and they still compete for a share of the inadequate food supply.

Not only will the forthcoming famine be widespread, affecting hundreds of millions of people, but it will be persistent and will probably get worse year by year, unless ways and means are soon found to increase agricultural production. It is hard for us sitting in rich, comfortable, overfed America to realize that the greatest disaster in the history of the world is just around the corner. The efforts now being put forward by governments and private agencies to try to avert this disaster are much too small to cope with a problem of this magnitude.

The countries of Asia, Africa, and Latin America vary considerably in their vulnerability to famine. India and Pakistan are undoubtedly the most vulnerable. These two countries will feel the brunt of the world famine first. China may be equally vulnerable, but we have little reliable data on the food situation there. Next in vulnerability come Indonesia, Iran, Turkey, Egypt, Brazil, and a few other countries. These countries have high population growth rates of 2.0 to 3.5% per year and population growth is already outrunning food production. Some Asian countries such as the Philippines, Burma, Thailand, Malaya, and Taiwan seem to be relatively secure against famine now, but they all have very high population growth rates which will soon soak up their present surpluses. Therefore these countries, too, will have food shortages within 10 to 15 years unless they can reduce their population growth rates. The same applies to most of the countries of Africa and Latin America.

Technological advancements make possible the doubling or tripling of grain production in underdeveloped areas, where grain is a major item in the food budget

Wheat yields in pounds per acre—1961–62:	
Ethiopia	440
Brazil	475
India	760
U.S.S.R.	950
Australia	1,010
United States	1,440
Poland	1,780
France	2,140
Japan	2,450
Denmark	3,700
Rice yields in pounds per acre—1961–62:	
Philippines	710
India	870
Brazil	1,020
Thailand	1,240
Burma	1,500
China	[1] 1,560
Taiwan	1,860
United States	2,210
Japan	2,720
Egypt	2,920
Italy	3,200
Australia	3,840

[1] Figures are for 1960–61.

NOTE.—Rice is milled rice which equals paddy rice times 0.65.

Source: United Nations, Food and Agricultural Organization Production Yearbook, 1962.

BIRTH CONTROL OR FAMINE

What is the answer? What is the solution? There are three obvious possible answers: Reduce the population growth rate or increase agricultural production, or both. Reducing the population growth rate means reducing the birth rate since it is not socially acceptable to deliberately increase the death rate. In fact, birth control is the only answer in the long run. Improved agriculture could conceivably take care of the expected increases in population for 20 or maybe 30 years, but beyond that it would be impossible. Birth control is being actively promoted by governments and by private groups in most countries in the world today, but it is moving slowly in Asia, Africa, and Latin America and seems unlikely to cause any marked decrease in the birth rate before the 1980's. But ultimately, birth control is the only answer.

Widespread use of birth control is a basic social and cultural change which is certain to occur slowly in these countries. Birth control moved ahead very rapidly in Japan in 1948–55, but Japan has an educated, disciplined populace, whereas most of the underdeveloped countries do not. Oral contraceptive pills are probably not the answer in the underdeveloped countries for reasons of both cost and illiteracy. The most promising contraceptive method for these countries is the plastic intrauterine devices such as the Lippes loop and the Margulies coil. These devices are now being used in more than 25 countries of Asia, Africa, and Latin America, as well as in the U.S., Europe, and Japan. However, mass application in Asia, Africa, and Latin America is likely to be slow.

Increasing agricultural production is, therefore, the only real possibility of averting world famine in the 1970's and 1980's. It is technically possible to double or even triple agricultural production in all of Asia, Africa, and Latin America through the use of more fertilisers, more irrigation, better seed varieties, more pesticides, and other improved agricultural practices. For example, the rice yield in Italy is 3200 pounds per acre, in Japan 2720 pounds per acre, in the U.S. 2210 pounds per acre, in China 1600 pounds per acre, but in India only 900 pounds per acre. For another example, the wheat yield in Denmark is 3700 pounds per acre, in Japan 2450 pounds per acre, in the U.S. 1440 pounds per acre, but in India only 760 pounds per acre. Other basic food crops such as corn, potatoes, beans, peanuts, cassava, bananas, and sugarcane show similar pictures. Many countries such as Pakistan, South Africa, Brazil, Ethiopia, and the Philippines have crop yields as low as or even lower than India. This comparison of crop yields gives an indication of the potential for increasing crop yields in the low productivity countries.

SOCIAL CHANGE VERSUS FARM TECHNOLOGY

There is no doubt that agricultural productivity could be raised greatly in any country in the world—if there were time. But time is the crux of the problem. The use of improved agricultural methods represents a basic social and cultural change, and social change is a slow process. Most of the farmers of Asia, Africa, and Latin America are totally illiterate—they can't read or write or add numbers nor do they understand the elements of plant biology. Under these conditions, the introduction of scientific agriculture into Asia, Africa, and Latin America is likely to be a slow process. In fact, the social, cultural, and educational factors, not the technical factors, are the real bottlenecks in improving agriculture in these countries.

If the population would remain constant for 30 or 40 years, agriculture could change gradually and begin to supply a more adequate diet. Instead the population of these three continents will probably double in the next 25 to 30 years. Where will the food come from to feed 2 billion more people in Asia, Africa, and Latin America by 1990?

AGRICULTURAL OUTPUT CAN BEST BE RAISED BY INCREASING FERTILIZER USE

Of the various technical factors, increased use of fertilizer offers the best possibility for a quick increase in agricultural production. Field trials in many countries have established that moderate applications of fertilizer will give large increases in yields even if other technical inputs such as seed varieties and water supply are left unchanged. For example, the FAO Freedom from Hunger Campaign has recently completed a series of 9500 fertilizer demonstrations and field trials in 14 countries (Turkey, Syria, Lebanon, Morocco, Nigeria, Ghana, Senegal, Togo, Colombia, Ecuador, Guatemala, Honduras, Costa Rica, and El Salvador). The trials included many crops such as wheat, barley, rice, corn, beans, cotton, potatoes, yams, sugar beets, peanuts, and vegetables. These trials established beyond doubt that substantial increases in yields can be obtained by the use of moderate dosages of fertilizers even if no other technical factors are changed.

Similar trials have been conducted in India, Pakistan, Taiwan, the Philippines, Mexico, and other countries.

The dosages in these tests ranged from 45 to 135 kilograms of plant nutrient per hectare (40 to 120 pounds per acre) and the increases in yield of grains and beans vary from 30 to 120%. Of particular interest is the fact that the value/cost ratios varied from 2.2 to 7.0, corresponding to economic returns of 130 to 600% on the investment in fertilizer. Similar results were obtained for other crops. In fact, the highest economic returns were obtained from potatoes with value/cost ratios of 10 to 13.

The report of the seventh Meeting of the FAO Fertilizer Industry Advisory Panel, July 7, 1964, summarizes its findings as follows:

"We now have results from over 9500 demonstrations and trials in 14 countries in three regions. . . . There can be no manner of doubt that when farmers in developing countries use fertilizers—even without other improved farming methods—the results will be good. . . . The average response to the best [most economic] treatments, for all countries, crops, and seasons was 74% [increase in yield]. . . . The regional averages were Near East and North Africa, 54%; West Africa, 72%; Northern Latin America, 85%."

Northern Latin America gave the highest average response because the trials there included a number of vegetables which gave very high responses.

The increases in yield were obtained using locally available seed varieties. Much greater increases in yield could have been obtained if improved seed varieties had been used with increased quantities of fertilizer. To obtain the high yields of Europe, the U.S., and Japan, it will be necessary to develop improved seed varieties, but this takes years of painstaking research. Ultimately, improved seed varieties will have to be used widely in Asia, Africa, and Latin America to meet the food needs, but this will also be a slow process, and it seems unlikely to have a massive effect in the 15 years between now and 1980.

With no other changes in farming methods, proper fertilizer use brings increased crop yields

Country	Crop	Dosage kg./hectare ($N-P_2O_5-K_2O$)	Percent increase in crop yield	Value/cost ratio [1]
Turkey	Wheat	40-60-0	73	2.5
	Corn	40-40-40	85	2.8
Morocco	Wheat	30-60-40	75	3.0
	Barley	30-60-40	91	2.5
	Beans	20-60-40	78	2.3
Lebanon	Wheat	20-25-7.5	101	7.0
Nigeria	Rice	22.4-22.4-0	30	4.0
Senegal	do	45-0-0	73	3.3
Ghana	Corn	44.8-0-0	120	3.3
	Rice	22.4-22.4-0	52	3.3
Ecuador	Corn	0-45-45	94	6.3
	Beans	0-45-0	93	2.2
Honduras	Corn	45-45-45	120	4.8
Costa Rica	Rice	45-45-45	80	4.5
	Corn	45-45-45	70	4.0
El Salvador	Beans	45-0-0	50	4.0

[1] Value of additional crop obtained/cost of fertilizer.

Source: "Review of Trial and Demonstration Results, 1961–62, FFHC Fertilizer Program, FAO, United Nations," January 1964.

One very promising development has been the establishment of the International Rice Research Institute in the Philippines by the Ford and Rockefeller Foundations in 1962. Also, the work of the Rockefeller Foundation in developing improved varieties of wheat and corn in India and Latin America is of the highest importance.

However, fertilizer seems to offer the best possibility of a substantial increase in agricultural production between now and 1980. The other technical inputs in agriculture probably cannot be brought into action on a sufficiently massive basis fast enough to play a major role. Improved seeds, increased irrigation, pesticides, and all other technical inputs must be utilized to the fullest extent possible, yet it should be recognized that the principal means of raising agricultural productivity in Asia, Africa, and Latin America in the critical next 15 years will have to be fertilizer.

MINIMUM GOALS

How much fertilizer will it take? What facilities will be needed? How much will it cost? How will the fertilizer be distributed and applied to the soil?

As a minimum goal, let us assume that agricultural production should be increased enough to provide 16 ounces of grain per person per day in Asia, Africa, and Latin America in 1970 and also in 1980. This is the present level of consumption, so the minimum goal suggested is simply maintaining the present nutritional level, inadequate as it is. Everyone with any humanitarian instincts would like to see the diet of the underdeveloped areas improved, but this is virtually impossible until the birth rate is reduced substantially. The underdeveloped countries will be pushed to the limit to maintain the present diet even with maximum help from the developed countries. The people of Asia, Africa, and Latin America ask only for enough rice, wheat, corn, and beans. Foods like meat, fish, eggs, and milk are beyond the reach of most of the people of these lands now and are likely to be even less available in the future as the populations continue to increase.

To provide 16 ounces of grain per day for the 400 million additional population of these continents in 1970 would require 15 million tons of plant nutrients, compared with consumption of 3 million tons in 1960–61. Consumption is probably about 4 million tons in 1963–64. To feed the 900 million additional population in 1980, 30 million tons of plant nutrients would be required. These figures were calculated on the basis that one ton of plant nutrient results in 8 tons of additional grain and that two thirds of the fertilizer would be used on grain, one third on all other crops. The over-all tonnages of 15 million tons in 1970 and 30 million tons in 1980 compare with total world consumption of 30 million tons in 1962–63. Also for comparison, the current big Soviet fertilizer push has a target of 16 to 20 million tons of plant nutrients in 1970 (80 million tons gross weight of fertilizer).

To provide Asians, Africans, and Latin Americans with a minimum diet through 1980, grain production there will have to double, fertilizer use increase about 10 times.

Grain (millions of metric tons)

	Actual production 1960-61	Needed to provide 16 ounces of grain per capita per day	
		1970	1980
Asia (excluding China and Japan)	149	191	245
Africa	40	52	67
Latin America	42	54	69

Fertilizer (millions of metric tons) (nutrient basis)

	Actual consumption 1960-61	Needed to provide 16 ounces of grain per capita per day	
		1970	1980
Asia (excluding China and Japan)	1.4	9	20
Africa	0.7	3	5
Latin America	0.9	3	5

To emphasize this point further, I am willing to put myself on record that if Asia, Africa, and Latin America are not using quantities of fertilizer approaching 30 million tons by 1980, they are almost certain to be engulfed in widespread famine.

The consequences of the population explosion have been discussed and analyzed in theoretical terms for a decade now, but the time for theory is nearing an end and the time for action is here. There has been too much talk and theorizing about how to solve the world food crisis in the year 2000 when the beginnings of the crisis are probably only five or six years away.

Of the requirements we have been discussing, it is important to keep it mind the dominant place of India. India, with a 1961 population of 440 million, is about one third of the underdeveloped world. The rest of Asia—Pakistan, Indonesia, the Philippines, Turkey, Thailand, Burma—with a 1961 population of about 475 million is another one third. Africa and Latin America each constitute one sixth of the underdeveloped world.

The immediate problem is how can the countries of Asia, Africa, and Latin America obtain a supply of 15 million tons of plant nutrients by 1979 and 30 million tons by 1980. Domestic production of fertilizer in all three continents together is about 1.5 million tons in 1963–64 and a good estimate for 1970 production would be 3 to 4 million tons. Production in 1970 might be increased to 5 to 6 million tons by a new crash program of fertilizer plant construction, but generally speaking it is already too late to increase production greatly by 1970. I believe, therefore, that most of the fertilizer needed by Asia, Africa, and Latin America in 1970 will have to be imported from the industrialized countries. Some countries would have the foreign exchange to buy the fertilizer they need through commercial channels, but most countries would have to rely on foreign aid.

SELF-SUFFICIENCY BY 1980

For the longer term in 1980, most countries should plan to become largely self-sufficient in fertilizer production—at least the larger countries. In round numbers, fertilizer plants cost about $1 billion per 6 million tons of annual production of finished fertilizer (on a plant nutrient basis). Therefore, enough fertilizer plants to produce 30 million tons of fertilizer would cost about $5 billion—10% of the cost of putting a man on the moon. If 30 million tons of fertilizer were produced and used in Asia, Africa, and Latin America, it would be a giant step toward solving the world food problem in 1980. Historians of the future may remark on whether it was more important to have devoted our resources during the 1960's to putting a man on the moon or to have devoted our resources toward averting the world famine of the 1970's.

Total world fertilizer production should be approaching at least 100 million tons of plant nutrients in 1980 compared with 30 million tons at present. The western world (including Japan) is now producing about 25 million tons and will probably increase to 50 to 60 million tons by 1980. The Soviet Union now produces about 4 million tons and is planning for 30 million in 1980. Asia, Africa, and Latin America will need 30 million tons in 1980, which hopefully they may get from their own production or from the western world. China is producing less than 1 million tons now, but it is reported to be planning a large increase.

Per capita use of fertilizer in Latin America, Africa, and Asia lags rest of the world—1962–63

[Thousands of metric tons of plant nutrients]

	Oceania	United States and Canada	Europe	Japan	U.S.S.R.	Latin America	Africa	Asia
Nitrogen (N)	50	3,554	4,920	669	1,070	356	400	1,181
Phosphorus (P_2O_5)	890	2,937	4,830	465	853	323	310	405
Potash (K_2O)	90	2,291	4,880	506	826	219	100	194
Total nutrients	1,030	8,782	14,630	1,640	2,749	898	810	1,780
Population, millions (1962)	17.2	206	434	95	221	224	269	952
Nutrient, pounds per capita	132	94	74	38	27	8.9	6.6	4.1

NOTE.—Excluding China and Japan.

Source: FAO Production Yearbook, 1963.

The aggregate construction cost of $1 billion per 6 million tons of plant nutrients was based on a N–P_2O_5–K_2O ration of 2–1–0.75. This was selected as the ratio that Asia and Latin America appear to be heading toward, although Africa has a somewhat different pattern. Therefore, the 30 million tons postulated for 1980 would be divided 16 million tons N, 8 million tons P_2O_5, 6 million tons K_2O. Also, the aggregate construction cost is based on these estimates:

Per 100,000 tons N, $20 to $25 million.

Per 100,000 tons P_2O_5, $8 to $12 million.

Per 100,000 tons K_2O, No processing needed.

Per 100,000 tons mixing capacity, $1 to $1.5 million.

The fertilizer and fertilizer plants needed by the countries of Asia, Africa, and Latin America will largely have to come from the industrialized countries, including the U.S., Canada, western Europe, eastern Europe, the Soviet Union, and Japan. In fact, these will have to be given largely to these countries for the simple reason that they don't have any money. The value of the fertilizer would be roughly $150 million per million ton of plant nutrient in the 2–1–0.75 ratio. Therefore, if 10 million tons of fertilizer were given to the needy countries in 1970 this would be worth $1.5 billion.

Such a foreign aid program could be carried out through a series of bilateral agreements or it might be carried out more efficiently through a multilateral program. For example, such a program could be carried out through an International Fertilizer Supply Agency set up to handle the distribution of foreign aid fertilizer for all the industrialized countries.

Likewise the fertilizer plants would have to be given to the needy countries in the form of foreign aid. As already noted, about $5 billion worth of fertilizer plants are needed by all the countries of Asia, Africa, and Latin America by 1980. The product from $5 billion worth of plants would have an annual market value of about $4 billion.

Even after the quantities of fertilizer we have been discussing became available, there would still be a big educational job ahead to get farmers to use the fertilizer. This would require an extensive and intensive propaganda campaign together with adequate economic incentives. The countries of Asia (except Japan, of course), Africa, and Latin America do not have enough agricultural specialists in their own countries to put over such a program. Therefore, the western world and Japan would have to supply thousands of agricultural specialists if an intensified fertilizer program were to be successful.

The oceans offer a possibility of increased food production, but capital costs are high and the realistic potentials are generally overestimated. Total food from the sea, including both fish and vegetable matter, provides less than 1% of the total calories consumed in the world today, although fish may provide as much as 3% of total protein consumed. On the face of it the possibility of food from the sea playing a major role in feeding the hundreds of millions of additional human beings during the next 10 to 15 years does not seem realistic. Moreover, the capital investment required per unit of additional food from the sea is much higher than in conventional land agriculture.

PROGRAMS FOR ACTION

To recapitulate then, there are several programs which need to be carried out concurrently to avert, or at least to alleviate, the impending food crisis in Asia, Africa, and Latin America:

Program: Shipment of surplus food from food-surplus countries to food-deficit countries.

Significance: This is now being done, of course, and will be particularly important during the next five to 10 years and will probably continue indefinitely.

Program: Shipment of fertilizer from fertilizer-surplus countries to fertilizer-deficit countries.

Significance: Important during the next five to 10 years, but should be replaced by indigenous manufacture of fertilizer as soon as possible.

Program: Expansion of fertilizer manufacturing industry in fertilizer-deficit countries.

Significance: Should be accelerated as rapidly as possible and will be particularly important in the 1970's and 1980's.

Program: Reduction in birth rate and population growth rate in food-deficit countries.

Significance: Food-deficit countries should make plans to reduce the birth rate to less than 20 per 1000 and the population growth rate to less than 1% per year, as Europe and Japan have already done. This is the only ultimate solution to the food/population problem.

The developed countries will have to give major assistance to the under-developed countries if this great food problem is to be solved. The under-developed countries simply cannot do it on their own resources. The alternative will be widespread famine and political instability on a scale unprecedented in the world's history.

We have been considering some far-reaching and very complex problems. I am sure that greater use of more fertilizers is the most promising approach to solving the world food problem, at least in the relatively short term of 10 to 15 years. Without a great deal more fertilizer, the people of Asia, Africa, and Latin America are going to be much hungrier in the 1970's than they are now. Thomas Malthus has had many deprecators in the past, but it looks as though he may be proved right after all—unless the world's resources are mobilized soon and effectively.

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(NOTE.—*This article is based on a talk that Dr. Ewell gave at a luncheon meeting of the Division of Fertilizer and Soil Chemistry held during the 148th National Meeting of the American Chemical Society in Chicago, Ill.*)

[From Foreign Agriculture, Aug. 1, 1966]

WHY THE WORLD NEEDS MORE FERTILIZER AND HOW MUCH

(By F. W. Parker, Agency for International Development; L. B. Nelson, Tennessee Valley Authority) [1]

The increased use of fertilizers is one of the major methods of producing the additional food needed to feed the world's growing population.

One ton of plant nutrients, contained in 2 to 3 tons of fertilizer, will produce about 10 tons of cereals, enough to provide 2,400 calories per day to 40 people for a year. A fertilizer plant producing 1,000 tons of nutrients per day would therefore provide 2,400 calories per day for about 15 million people per year. The fertilizer plant would cost $60 million–$75 million, $4 or $5 per capita.

WHEN PLANT NUTRIENTS ARE LOW

Why are some fertilizers so important?

Most of the soils of the less developed countries are low to very low in one or more of the major plant nutrients. Their low fertility status results from their development under high temperatures and rainfall, which promote rapid weathering and loss of nutrients by leaching. In addition, many of the arable soils have been cultivated a long time with only small additions of plant nutrients in farm manures.

The soils of India reflect these conditions. More than 300,000 soil tests made there indicate that 85 percent of the country's soils are low or medium in available nitrogen and phosphorus, and that 65 percent are low or medium in available potash. We would therefore expect a good response of crops to chemical fertilizer. That such is the case has been widely demonstrated in field experiments, fertilizer demonstrations, and in farm practice in all regions of the world and in most of the less developed countries.

The Food and Agriculture Organization of the United Nations (FAO) has summarized fertilizer response data for rice in nine countries of Asia and Africa. They show a good response to nitrogen in all countries, with an average return of 7.7 kilograms of rice per kilogram of nitrogen when applied at a rate of 30 kilograms per hectare. Seven countries had a good response to phosphate, with 6.9 kilograms of rice per kilogram of phosphate. Four countries had moderate average return to potash, with 3.7 kilograms of rice per kilogram of potash.

A second FAO report provides an economic summary of 15,000 fertilizer demonstrations and 2,000 field experiments conducted on farms in 16 countries of the Near East, West Africa, and northern Latin America in 1961–62 and 1963–64. A positive economic return was secured in 90 percent of the demonstrations and 97 percent of the experiments. The average crop value-fertilizer cost ratio for the best treatment in the demonstrations was 3.4 and for the experiments, 8.7. These rather high ratios reflect very favorable returns on vegetable crops; the average return on cereals was substantially lower.

PACKAGE PROGRAM BEST

Research and farmer experience in the less developed countries have shown that best returns are obtained only when fertilizers are used along with improved crop varieties, pest control, and adequate soil moisture. Nevertheless, there is ample evidence that properly selected single practices, such as good seed, fertilizer, or other measures often give satisfactory physical and economic returns on a wide range of soils and crops in the less developed countries.

The following conclusions can be drawn from the agronomic data that have been developed in the last 15 years.

Plant nutrients are the major limiting factor in agricultural production in the less developed countries.

A moderate rate of fertilization, 40 to 70 kilograms per hectare, will usually increase the yield of crops about 50 percent.

The response to fertilizer may be increased at least 50 percent when it is used with improved varieties of crops, pest control, and good soil and water management practices.

High levels of fertilization, 100–300 kilograms per hectare, and high yields are only possible when the fertilizer is used on crops bred for use at high levels of fertility and disease and insect resistance.

Fertilizers can be used as effectively in the less developed countries as in North America and Europe.

WORLD FERTILIZER NEEDS ESTIMATED

What are the fertilizer requirements of the less developed countries today and in 1975?

World fertilizer consumption increased from 3.5 million tons of nutrients in 1920 to 9.6 million in 1947, and 40.0 million tons in 1965. The annual rate of increase in consumption was 5.1 percent compounded in 1920–39, 8.0 percent in 1947–63, and 10 percent in the last 3 years.

In 1964 about 89 percent of the world fertilizer was used in the more developed countries and only 11 percent in the less developed countries. However, the proportion is changing as the rate of increase in consumption in the less developed countries is higher than in the more developed.

Both the TVA and the United Nations reports, however, indicate that fertilizer production in the less developed countries will be below the estimated consumption. Obviously then, there is a need to increase production in many of the developing countries, and this should be given priority in their agricultural programs.

NEW TECHNOLOGY IMPORTANT

How are the fertilizer requirements of the less developed countries to be met?

The unprecedented boom in fertilizer production and use is being accompanied by great technological changes in production, transportation, and marketing. The process starts with the development of new sources of raw material. For the production of nitrogen, phosphate, and potash fertilizers these are being discovered and developed at a rate adequate to meet foreseeable requirements.

The remarkable changes in the technology of ammonia production have substantially lowered the cost of production. There have been improvements in the urea process and in the production of ammonium phosphates, nitrophosphates, and complex fertilizers. These changes are well summarized in the report of the United Nations Fertilizer Seminar.

Several authorities (see references) have recently estimated world fertilizer consumption for 1970, and their estimates, which include Mainland China, range from 58 million to 68 million tons of nutrients, with three of the four estimates near the higher figure. By 1970 the less developed countries will be using about 13 million tons, or 20 percent of the world's fertilizer supply. This is almost twice the percentage used in 1964.

Also, one of the large U.S. mineral and chemical companies estimates that world consumption in 1980 will be 113 million tons, with about 26 percent being used in the less developed countries.

That the governments and industry are planning for the higher estimated levels of consumption is indicated by a recent Tennessee Valley Authority study of world fertilizer production capacity. This study reveals that world capacity was 49.5 million tons in 1965—consumption was 40 million tons, so production averaged 80 percent of rated capacity—and would be 85.5 million tons in 1970, an increase of 72 percent. If operated at 80 percent capacity, world production will be 68.5 million tons, essentially the same as the higher estimates of 1970 consumption.

One effect of these and other changes in technology is the increased plant nutrient content of fertilizers, which has already occurred in most of the industrial countries. In the United States, for example, the average plant-food content of fertilizers increased from 22.1 percent in 1950 to 35.8 percent in 1964. The fertilizers in many less developed countries should average around 40 percent plant nutrients by 1970, thereby reducing transportation, storage, and handling costs per unit of plant nutrient almost 50 percent.

A second important effect of the new technology is on the price of fertilizers. The world price of fertilizers has changed very little since World War II. For example, since 1950 fertilizer prices in the United States have only increased 6 percent as contrasted with price increases of 46 and 59 percent for farm machinery and labor, respectively. The new technology of production and distribution should prevent price increases and may well reduce the price to farmers in some countries. On the other hand, the prices of agricultural commodities have increased and, in view of food and fiber shortages in the less developed countries, may continue to do so. Thus, fertilizer-crop value ratio and the economics of fertilizer use should improve.

A GOOD MARKETING SYSTEM ESSENTIAL

One of the weaker aspects of the fertilizer program in many less developed countries is the arrangement for marketing the fertilizers to farmers. In the early stages of fertilizer development, marketing is frequently done by a government agency. As domestic production develops and consumption increases, adjustments in marketing are needed. There are a number of alternatives that may be considered, as demonstrated by the various methods used in the United States, Western Europe, Japan, and some other countries.

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[1] This article is based on a paper presented at the Annual Meeting of the National Academy of Sciences, Washington, D.C., April 25, 1966. Proceedings of this meeting will be published in Volume 56 of the Academy's Journal.

A good marketing system should provide farmers with a source of fertilizers when and where they are needed. Obviously, provision must be made for warehousing so that deliveries may be made promptly.

Also, the system, through trained salesmen and retail agents, should provide an educational and technical service to farmers on such matters as the use of improved seed, fertilizers, and related practices. This will require men who will go to the farmers rather than waiting for farmers to come to them.

The fertilizer producer should be responsible for the sale of the product. Full-scale production would then depend on sales, and the producer would become familiar with the farmer's problems and the end-use of fertilizers. Furthermore, his marketing organization should work closely with the research, extension, and agricultural credit agencies. This organization may, in fact, handle part of the credit.

The retail agent for fertilizers is important too. If possible, he should sell not only fertilizer but seed, farm equipment, pesticides, and other farm supplies as well. And he should provide an educational and technical service to customers to supplement that provided by fertilizer producers and government agencies.

Several less developed countries are setting up good fertilizer marketing arrangements. Other countries could profitably study the methods used in Mexico, Taiwan, the Philippines, Pakistan, and some of the countries in Europe, as well as in the United States.

GOVERNMENT-INDUSTRY COOPERATION

Since the use of fertilizers is effective in increasing crop yields and helping to solve the food problem and the marketing of them provides a way of giving farmers technical service, the governments of less developed countries should encourage both domestic and foreign industry to jointly undertake the production and sale of chemical fertilizers. And this can be done with a satisfactory return on the investment. Several countries are already doing it and seem to be benefiting by such policies and joint efforts.

There is abundant evidence to show that the chemical industries of the developed nations are quite willing to make investments in fertilizer production in the developing countries. In the last few years such investments have been made in more than 20 countries. Obviously, industry, in seeking places for such investment, is concerned with having a favorable climate for investment, sources of raw materials, a demand for fertilizers, good marketing arrangements, and a minimum of price controls. Industry prefers to operate in countries where market forces, rather than government controls, dominate.

If the most is to be made of current opportunities, the governments of the developing countries and industry, domestic and foreign, should work together. In that way, they can achieve their respective objectives as well as the common goal of increased food production and economic development. Furthermore, they can count on the assistance of the many agencies that provide technical and economic assistance.

SPAIN MOVES TO INCREASE DOMESTIC PRODUCTION OF FEEDGRAINS

Spain's new grain regulations—published June 2, 1966, in the Spanish Official Bulletin—hold inducement for increases in the country's feedgrain production. Among the regulations' features: higher support prices for both 1966–67 and 1967–68 feedgrain crops, more production subsidies, and more credit available to producer cooperatives.

Feedgrain getting the biggest initial boost is oats, for which the 1966–67 support price will be up some 27.5 percent from the 1965–66 level, and the 1967–68 support, up another 2.8 percent. These moves will bring payments for oats more in line with those for other feedgrains; also, these moves should help curb the downward trend that has been taking place in production of this commodity.

Spanish support prices for rye and feedgrains

Item	1965–66	1966–67	1967–68
	Dollars per bushel	*Dollars per bushel*	*Dollars per bushel*
Rye	1.85	2.10	2.15
Corn	1.82	2.03	2.10
Grain sorghums	1.77	2.00	2.05
Barley	1.45	1.72	1.76
Oats	.84	1.07	1.10

Smallest initial and largest secondary increases are being made in corn—up some 11.5 percent in 1966–67 and 3.4 percent in the succeeding year.

In addition, producers' associations are being offered subsidies and preferential credit arrangements for the purchase of fertilizers, seeds, machinery, and initial installation expense. The subsidies are designed to speed farm consolidation and farmer cooperation—changes necessary if agriculture in this country of extremely small-size farms is to become more efficient.

Support prices for wheat, on the other hand, are the same as those applied to the 1964–65 and 1965–66 crops, varying from $2.71 per bushel to $3.27.

The National Wheat Service will pay premiums on wheat stored on farms between the months of November and April. These will range from a low of 2.2 U.S. cents per bushel to a high of 8.1 cents compared with 1.1 cents to 5.7 cents in the previous season.

BETTER SUPPLY BALANCE

Major purpose of the new regulations is to bring Spanish grain supplies into better balance—that is to stop the growth in surpluses of soft wheat and in deficits of the much-needed feedgrains.

This year, the country is expected to produce its largest wheat crop in a century—estimated at some 187 million bushels compared with the usual 158 million bushels or less; carryover will be high—around a million tons of soft wheat—because of the problems of exporting this type of general low-quality wheat.

Feedgrain imports, by contrast, hit around 2 million metric tons last year compared with a little over 100,000 5 years earlier. As in the past, around half came from the United States.

It is difficult now to assess the impact of these regulations on Spain's future feedgrain trade; however, the general feeling is that increased feed requirements of the expanding livestock industry will at least partly offset gains in domestic feedgrain production.

GERMANS GET GOOD RESULTS FROM NEW GRAIN PRESERVATION METHOD

A procedure of preserving grain with dry, cool air was used on a large scale for West Germany's 1965 grain crop and appears to have had good success.

The method was developed for grain with high water content by the Institute of Agricultural Engineering of the Bonn University, in close cooperation with the Federal Research Institute for Grain Processing, Detmold, and the Institute for Agricultural Botany, Bonn. Basic research was completed in 1963, and use of the method—in units called "granifrigors"—began in 1964.

During 1964, specialists proved that grain with the critical moisture content of 17 percent could be stored indefinitely after cooling in "granifrigors" without losses or artificial drying, and that grain with a content of 18.5 percent could be stored without any risk, at 10°C. for 40 days and at 5°C. for up to 80 days.

HIGHLY USEFUL IN 1965

It was last year, however, that the real test came. High moisture content led to processing of about 100,000 metric tons of the 1965 crop in a total of 46 "granifrigor" units. The procedure showed definite benefits in all types of grain handling. Quality was good; there were fewer losses from high temperature or moisture, and shrinkage in storage was reduced. Furthermore, upkeep of the equipment proved inexpensive as the units worked for 3 months straight without any care.

Because of the extremely wet weather conditions often prevailing during their harvest season, West Germany and other European nations frequently end up with crops excessively high in moisture. However, this problem is not limited to the Continent.

HIGH MOISTURE IN U.S. CORN

In the United States, for instance, corn harvested by combine has a moisture content too high for safe storage and handling and must be artificially dried on the farm or in commercial facilities.

Consideration has been given to using "chilled" storage in this country in order to prevent bottlenecks during the harvest period when large volumes of the corn are harvested during a relatively short time. Under "chilled" storage, corn with a moisture content about 18 percent (wet basis) would be cooled to a temperature 50° F, (10°C.) and held under these conditions until moved to a dryer or until disposed of otherwise.

To date, however, the United States has only a very few such storage facilities in actual use.

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[From the United Nations Economic and Social Council, Forty-first session, Agenda item 10, August 3, 1966]

RESOLUTION ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL, 1179, (XLI). INDUSTRIAL TECHNOLOGY

The Economic and Social Council,

Noting with satisfaction the report of the Interregional Seminar on the Production of Fertilizers,[1]

Considering the imperative need for developing countries to establish their own fertilizer industries to increase their agricultural and food production to an adequate level,

Noting that, despite the advanced developments in the technology of the production of low-cost fertilizers, a major obstacle in the establishment of these capital-intensive industries in the developing countries is the lack of capital available to them to augment their own resources for importing the necessary machinery and equipment,

Requests the Secretary-General to consider and propose, in co-operation with the appropriate international financial institutions, including regional development banks, the specialized agencies concerned and the International Atomic Energy Agency, practical measures for implementing the recommendations of the Interregional Seminar on the Production of Fertilizers, and to submit a report in this regard to the Industrial Development Board at its first session.

1445th plenary meeting. August 5, 1966.

[From Foreign Agriculture, Aug. 22, 1966]

INDIA CHALLENGED BY URGENT NEED FOR MORE FERTILIZERS

(By Ross L. Packard, Assistant U.S. Agricultural Attaché, New Delhi, India)

India, whose population now numbers a half billion people, faces the middle sixties with soils depleted of much of their fertility and with virgin lands nonexistent. And so serious is this situation that escape from hunger—in fact, survival itself—is linked to rebuilding the soil and to fertilizing the land.

The soil fertility challenge is threefold. If India is to meet the food needs of the next few years, it must procure and distribute vast quantities of plant nutrients. It must develop within a short span a chemical fertilizer industry which under less critical circumstances might require several decades. At the same time, it must educate its millions of farmers in modern agronomic techniques.

EMERGENCY PLANS EFFECTIVE

Last fall several emergency plans were made to meet the impending food crisis, and two phases of the program were concerned with soil fertility. One specified that the States should request additional allocation for fertilizers. Eight States responded and were allowed an additional total of 83,393 metric tons of ammonium sulfate and 7,110 metric tons of urea. This provided a total of 22,853 metric tons of actual nitrogen.

The other called for greater production of farm manure in compost pits. This program utilizes green leaves, prunings, water hyacinths, silt from bottoms of ponds, and cattle urine. In addition, extension officers were given refresher training in development of local manurial resources. (The success of these emergency plans was reported in the May 23 issue of *Foreign Agriculture*: "India's Water Supply.")

The Union Agricultural Ministry has established a production goal of 95–97 million tons of food grains (all cereals and pulses) for the crop year beginning July 1, 1966. This is based on the assumption that about 1 million tons of nitrogen plus 370,000 tons of phosphorus and 200,000 of potash will be available for distribution. About half would be for the fall and winter crops and half for the spring crop. Besides this input of fertilizers, normal rainfall, greater use of improved seed, and a considerable increase in tube well pumping sets will be needed.

FIVE-YEAR GOALS

Whatever the outcome of this coming year's crop, fertilizer consumption must increase sharply during the next 5 years if Indian agriculture is to approach self-sufficiency. This has been accepted by Indian Government officials, who say nitrogen use will be more than doubled by 1970–71, while use of phosphorus and potash will triple.

Last fall the Government of India estimated the extent to which these requirements could be met during the Fourth Plan through domestic production, and the imports that would be needed as supplements. While there will be considerable increase in domestic production during the next 5 years, substantial imports of nitrogen and phosphorus will still be needed by 1970–71, and virtually all potash will continue to be supplied by imports.

CONSIDERABLE GAINS ACHIEVED

India's nitrogen fertilizer production in 1964–65 was 243,200 tons compared to the 1950–51 total of about 9,000 tons. The 1965-66 production is estimated to have been 265,000 tons, with 368,000 tons forecast for 1966–67. This large but still inadequate increase has been possible through the installation of larger fertilizer plants at Sindri, Nangal, and Trombay, and the establishment of an ammonium chloride plant at Varanasi.

Phosphatic fertilizer production increased from about 9,000 tons in 1950–51 to 131,000 tons in 1964–65, but only reached 120,000 tons in 1965–66. In earlier years, lack of sulfuric acid kept production below capacity.

Potassic fertilizers are imported from other countries, as there is practically no domestic production. India, in fact, has met the major part of all its fertilizer needs through imports during the past few years. In terms of volume, ammonium sulfate and natural phosphates have been the two major types of fertilizer imported.

FARMERS NOW AWARE OF NEED

One of the problems that India now faces is the fact that most of the Indian soils have been farmed year after year, through the centuries, by farmers who have had little awareness of soil conservation and even less awareness of the concepts of soil fertilization. It is not surprising, therefore, that soil fertility in India had reached extreme lows, and that crop yields are among the lowest in the world.

Considerable effort has been expended in recent years, and this historic trend is now being reversed. Commercial fertilizers used per arable hectare in India in 1963–64, the latest year for which statistics are available, only totaled 3.68 kilograms per hectare, but this was almost double the 2.0 kilograms for 1961–62. Admittedly, this low consumption contrasts sharply with consumption in other areas of the world, where levels are 50 to 100 times greater—but at least it is a step forward.

In rural areas of India cow dung plays an important part in day-to-day living but it is tragic fact that less than 40 percent of this manure is used on the land. Too often the critical need for cow dung for fuel precludes its being applied to the soil, and even recent programs encouraging the use of manure for fertilization could fail in the absence of a cheap and available fuel substitute. For meeting general fertility needs, other types of animal manures do not exist in sufficient quantities to be of great value, and night soil has never been used much in India for agricultural purposes, as in other Asian countries.

Limited green manuring—the growing of crops for the expressed purpose of adding organic material to the soil—is practiced in India. It is estimated that about 22 million acres were green manured in 1964–65, an increase of 7 million acres in the past 2 years.

Farmers are now clamoring for more fertilizer, as they know it means more food and more rupees in their pockets. And, in spite of temporary setbacks, progress has been made and will continue. While all targets have not been achieved and future goals may not always be reached, there is hope as long as the fertilizer gap narrows each year.

Imports of fertilizers into India

Types	1961–62	1962–63	1963–64	1964–65 [1]
	Metric tons	*Metric tons*	*Metric tons*	*Metric tons*
Nitrogenous fertilizers:				
Ammonium sulfate	387,128	596,778	429,736	568,667
Ammonium nitrate	160		418	
Calcium ammonium nitrate	48,775			
Urea	115,185	219,448	205,309	285,496
Natural nitrate of soda	11,281	12,560	6,165	6,000
Other			27,175	2,000
Phosphatic fertilizers:				
Superphosphate	788	2,133	806	358
Other phosphates	620	4,526	3,467	11,331
Natural phosphates	243,508	303,713	377,092	447,529
Other mineral phosphates	430	66	(2)	(2)
Potassic fertilizers:				
Muriate of potash 60 percent of K_2O	41,137	65,900	85,095	73,804
Muriate of potash 50 percent of K_2O	5,251	5,970	20,189	16,964
Sulfate of potash	6,146	3,502	5,816	8,824
Complex fertilizers:				
Ammonium phosphate sulfate		30,065	48,235	30,167
Nitrophosphate	15,000	15,084	20,311	48,525

[1] Provisional.

[2] Small quantities.

TECHNICAL AID AND FERTILIZER LOOM LARGE IN INDIA'S FOOD PROGRAM

(Excerpts from a recent speech by Raymond A. Ioanes, administrator, Foreign Agricultural Service, at an agricultural development conference at the University of Florida.)

"In India we can find 'samples' of all the components that make up the overall world food problem. India's problems are duplicated in greater or smaller degree in many of the less-developed countries.

"India already has a population of almost 500 million. Each year over 11 million are added.

"Population expansion has canceled the benefits of a 25-percent increase in India's food grain production over the past 10 years. Production per person is lower than in 1954.

"Last year, on top of 'ordinary' troubles, India had a severe weather problem.

"Normally, India is drenched by the monsoon, a seasonal rain, from July to September. Last year, however, rainfall was scanty over most of the country.

"Food production fell off, of course. The total 1965–66 food grain harvest in India is estimated by the Indian Government at about 74 million metric tons—14 million less than the 88 million harvested the previous year. India must fill much of this gap by imports if per capita availability of food grains is to be maintained at even 385 pounds in 1966—and that would be below average.

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[1] *Report of the Interregional Seminar on the Production of Fertilizers, held at Kiev, from 24 August to 11 September 1965.* (United Nations publication, Sales No.: 66. II.B.7.)

"The United States has expanded sharply its grain shipments to India. By the end of calendar year 1966, the United States will have shipped India about 9 million metric tons of wheat and some sorghum grain, as well as some corn, vegetable oils, nonfat dry milk, cotton, and tobacco.

"Most gains in food production in India will come the hard way—from increased yields per acre. Fertilizer and widespread application of modern technology are 'musts,' however, before yields rise substantially.

"FERTILIZER IMPORTS NECESSARY NOW

"India's own fertilizer production capacity is small. Expansion on the scale required probably must depend on private enterprise. The Indian Government, though mindful that prevailing public opinion favors government control of fertilizer production, has nevertheless proposed that private industry be given a role. In the meantime, fertilizer imports are being stepped up.

"Last December, President Johnson announced that the United States was lending India $50 million to purchase U.S.-manufactured fertilizer. The American loan will be matched by the Indian Government.

"Later, the President proposed that the Agency for International Development increase its effort in the field of agriculture by nearly $500 million. One-third of that total would finance fertilizer exports to India and other developing countries.

"The President specified that the remaining funds be used to finance: transfer of American farming techniques; improvement of transportation, marketing, and irrigation facilities; extension services, cooperatives, and credit systems, purchases of American-made farm equipment and pesticides; and research on soils and seeds.

"U.S. TECHNICAL AID STEPPED UP

"In the past 10 years over 1,350 technicians from India have taken special agricultural training in this country. American technicians also have carried their skills to India. Present plans call for more than doubling of U.S. technicians now in India.

"Part of their effort will be aimed directly at increasing yields and improving distribution. For example, one U.S. team last winter surveyed possibilities of making better use of India's soil and water resources. Another group of specialists analyzed India's grain unloading and handling facilities at seaports. Current grain shipping is based in part on findings of this team.

"The Indian Government is also establishing, with the help of U.S. specialists, a price support program as one phase of an overall production incentive effort. The government has already set up a Food Corporation modeled along the lines of our Commodity Credit Corporation.

"The Indian-American Foundation recently proposed by President Johnson will promote progress in science, technology, and other fields of learning. The Foundation will be set up with $300 million worth of Indian rupees generated from P.L. 480 sales of U.S. farm products.

"The Indian Government is budgeting about $11 million annually for family planning programs and the amount will be increased markedly. Some 18,000 family planning clinics have been established and training centers have been set up to furnish people to staff additional clinics. But the task ahead is huge.

"All of India's problems are huge. And time is of the essence. As one weekly journal said recently, 'Once India had centuries to solve its food problems, then decades. Now it's a matter of years, or months.' "

[From the New York Times, May 2, 1966]

THIRTY-FIVE-MILLION-DOLLAR FACTORY IS PLANNED IN INDIA BY ALLIED CHEMICAL

(By Gerd Wilcke)

The drive to help India solve her critical food problem by means of a massive increase in fertilizer production facilities may receive a fresh impetus shortly.

The Allied Chemical Corporation, the large diversified producer that, like a number of other chemical companies, had been dragging its feet about new ventures in India, confirmed last week it expected to conclude an agreement within a month or two to start an ammonia and urea complex in Andhra Pradesh.

The $35-million venture, to be carried out jointly with an Indian company, had been under discussion since 1962.

Talks broke off in the wake of India's armed conflict with Pakistan last September.

COMPANIES HAD DOUBTS

Aside from fear over the impact of the war on India's weak economy, the American company, like a number of others, was reluctant to make large investments in the face of India's strict import, tax, and price policies.

The climate began to change when the Indian Government decided during the winter to let private foreign investors in fertilizer plants established by March next year establish their own prices and organize their own distribution networks.

The change in policy helped prepare the ground for a resumption of talks between Allied and its Indian partners in March.

Officials of the International Bank for Reconstruction and Development (World Bank) and some of its affiliates look at the successful conclusion of the talks as a signal that will, hopefully, convince other companies that India is worth capital investments.

The 103-member bank, the officials insist, is quite prepared to help India and prospective investors with loan capital.

George D. Woods, president of the World Bank and its affiliates, likened India's current food problems to "kindergarten stuff" that would be followed by even more drastic shortages in five to 10 years unless there was a massive increase in fertilizer production.

Looking at India's other problems as a developing nation, the international banker asked: "How can you get economic results from a nation whose people suffer from malnutrition?"

He estimated in an interview that India currently had about 400,000 tons a year of nitrogenous fertilizer at her disposal and stressed that she should be using many times that amount.

The Indian Government has estimated it would need improved seeds and 2.5 million tons of nitrogenous fertilizer a year if the country was to increase production of food grains as planned to 125 million tons a year by 1971.

NEED IS ESTIMATED

Martin Rosen, executive vice president of the International Finance Corporation, the World Bank's private investment arm that concerns itself with global fertilizer needs, said in Washington last week it was "our guess" India would need about four million tons of fertilizer a year by 1975.

Noting that other countries such as Pakistan, Indonesia, some African nations and Brazil also suffered from a lack of plant food, the executive stressed that "India needs to accomplish a doubling of her food production over the next decade."

Mr. Rosen echoed Mr. Woods in urging oil and fertilizer companies to avail themselves of the vast amounts of natural gas that could be used as a raw material for fertilizer.

David Dodd, director of the engineering department of the I. F. C., said that natural gas being flared away in the Persian Gulf was sufficient to supply two-thirds of the world's nitrogen needs.

LIQUID COULD BE MADE

Mr. Rosen stressed the natural gas available in the Gulf area could be made into liquefied ammonia, which in turn could be shipped cheaply to conversion plants with which India should dot her long coast lines.

In addition, the country could use naphtha, a refining distillate of which there is presently an oversupply, as a basis to make nitrogenous fertilizer.

Though naphtha is a valuable basic product for many petrochemical materials, Mr. Rosen stressed that for India the food problem had such a magnitude that she should produce as much ammonia from naphtha as possible.

"Remember," he told an interviewer, "it's a worldwide experience that each dollar value of fertilizer will multiply three times in food value."

NO MASTER SCHEME

Mr. Rosen said the World Bank's concept on how to beat the fertilizer problem was not a master scheme aimed at setting up a global fertilizer authority, but he nevertheless stressed repeatedly that needs were so massive that resources and skills around the world should be "canalized."

He was reluctant to identify other American companies that have shown renewed interest in helping India solve her fertilizer needs but indicated that aside from Allied Chemical, two oil producers in the Middle East had approached the World Bank since Mr. Woods spoke out on the problem last February.

As for Allied Chemical, E. J. Korbel Jr., a vice president in the company's nitrogen division, implied that a new, $100-million chemical complex built jointly with Iran's National Petrochemical Company could assist India with additional ammonia.

Mr. HART. Mr. President, as he has done so often before, Senator McGOVERN has once more directed our attention to the vital necessity of increasing food production if we are to avert famine for many millions of people, particularly in India. Those of us fortunate enough to live in the United States find it difficult to appreciate the gravity of the world food situation. Americans spend more on low-calorie foods than most people on this planet spend for their complete sustenance; while much of the rest of the human family cries out for food, many here are principally concerned with the expanding size of their waistlines. But Senator McGOVERN always forces us to confront the harsh realities that exist in so many parts of the world.

What I want to emphasize is the need for a long-term solution to the food shortages which exist in India and in many other countries. In the short run, of course, we must share our largess with those who are starving. This is simply the humanitarian thing to do. This year, India, suffering from the worst drought in 70 years, is, as President Johnson said on March 30, "on the threshold of a great tragedy." One hundred million Indians, a fifth of that nation's population, have already been severely affected by food shortages. According to some reports, as many as

12 million Indians are in danger of death by starvation. Truly, India is faced with what could be one of history's great catastrophes. Given the crisis character of the situation, we must allocate substantial amounts of food from our storehouses to help keep the starving millions of India alive. The World Council of Churches, the International Affairs Commission of the National Council of Churches, the Union of American Hebrew Congregations, and the Pope have appealed for generosity in our aid to India. Given the proportions of the problem, I think we can prove, as we have in the past, that America is willing to alleviate famine, wherever it may threaten mankind.

In the long run, however, we must, as Senator McGovern has pointed out, seek a more basic solution to the food problem of India and of the underfed world. We must help create the conditions that will enable the hungry peoples to feed themselves. But this will be no easy task. In the last 15 years, India has increased her agricultural production at a compound rate of about 3 percent per year, in itself quite an accomplishment. Yet if her population is to be sustained in the future, India's agricultural output must grow at a rate of 5 percent a year. To boost output by this amount, in a country where there is practically no additional land to be cultivated, is an enormous challenge and will require use of the most modern agricultural techniques. Yet there is hope, since crop yields in India are now extremely low. Rice output per acre, for example, is less than one-third that in Japan.

Many elements must be combined if India is to meet her agricultural requirements. Obviously, land must be more intensively cultivated so that crop yields can be boosted substantially. This will require more irrigation. It will also require better seed, in varieties which can take much heavier fertilizer application.

But while water and improved seed varieties will help, the key to increased agricultural output in India is fertilizer. While Indian farmers will use about 1 million tons of fertilizer—expressed in terms of nitrogen—this year, this works out to only about 3 pounds per acre. By comparison, Japan uses approximately 300 pounds per acre, which is probably the principal explanation for the much larger Japanese crop yields.

The Indian Government is fully aware of the need for increased fertilizer application. Over the next 5 years, India plans to increase its indigenous nitrogenous fertilizer output from its current level of 300,000 tons to 1,700,000 tons. An additional 700,000 tons of fertilizer will be imported annually. Even this effort, significant though it is, may not be enough. Some experts believe that India could make effective use right now of at least 10 times as much fertilizer as she is consuming.

To increase fertilizer output from this year's 300,000 tons to 1,700,000 tons by 1971, India has recognized that she must draw upon private capital and use the advanced engineering skills of the West. Practically no one would dispute the necessity of drawing upon both kinds of resources. Nonetheless, great care must be taken in developing institutional arrangements for the transfer of capital and technology so that India will be able to create fertilizer production capacity and obtain fertilizer from abroad at the lowest possible cost. If India is to be able to obtain the fertilizers she needs, it seems imperative that existing fertilizer prices be substantially reduced.

This is why Senator McGovern's reference to the use of flared natural gas is so important. With the use of this low-cost energy, available in plentiful supply in the Middle East, the cost of producing nitrogenous fertilizer could be substantially reduced. If, by contrast, oil, converted into naphtha, is used as the basic fuel source, fertilizer prices will continue to remain at relatively much higher levels. If we are to take advantage of low-cost natural gas, and thus increase the potential consumption of fertilizer in India—something which is so essential to the survival of her millions of people—we must proceed with great caution and with imagination.

We must create an institutional arrangement that will permit India, the United States, other countries, and private firms to cooperate in such a way that will enable India to acquire fertilizer at the lowest possible price. If we do not seek such an objective now, in a short space of time we may find ourselves committed to a plan that will deny to India the full benefits of modern technology.

Recent action by the Agency for International Development, working closely with the World Bank and with a group of international oil companies, raises troublesome questions about the course upon which we seem to be embarking. In view of the seriousness of the situation, it would be well if we were to take a broader look at the problem, drawing heavily upon the thoughts and ideas of the Senator from South Dakota.

The program for the Antitrust and Monopoly Subcommittee this year stated in relationship to our concentration hearings:

> The first subject expected to be examined * * * will be changes in the fertilizer industry resulting from acquisitions by major oil companies.

It is no secret that independent fertilizer companies have been disappearing at a rapid rate, disappearing into the corporate structures of our largest oil companies. And it is my own deep concern with the possibility of world famine that convinced me that the structural changes taking place in the fertilizer industries should be closely examined. What will be the effects of these mergers, for instance, on availability of supply and on world prices. Groundwork was done by the subcommittee staff this year. Hopefully, we will explore the problem in detail next year.

Senator McGovern has focused attention on one of the priority items of the 20th century. His suggestions and recommendations deserve immediate attention. It will take the efforts of all in a position to aid even in the smallest way to avoid a world catastrophe. It is an effort worthy of most strenuous strivings.

MAILING PRIVILEGES OF ARMED FORCES AND OTHER GOVERNMENT PERSONNEL OVERSEAS—CONFERENCE REPORT

Mr. MONRONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13448) to amend title 39, United States Code, with respect to mailing privileges of members of U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 13, 1966, p. 26589, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MONRONEY. Mr. President, this conference report is the result of a full and free conference between the managers of the Senate and the House. I think it represents a good compromise between the differing provisions passed by the Senate and the House.

As originally passed by the House of Representatives, the bill provided air transportation on a space-available basis of first-class letters and voice recordings, second-class newspapers and magazines published at least once a week, and parcel post packages up to 5 pounds and 60 inches addressed to or mailed from any Armed Forces post office in the world. The rate would be the surface rate. All mail would be equally divided among the air carriers serving the area.

The bill passed by the Senate provided space-available air transportation on a worldwide basis for first-class letters and voice recordings to APO addresses, but restricted the second- and fourth-class mail carried by air only to combat zones designated by the President. The House provision requiring an equal division of mail by air carriers was eliminated. The Senate bill provided first-zone air parcel post charges for air parcel post sent directly from Alaska and Hawaii to APO addresses in the Pacific.

The conference report differs from the Senate version of the bill only in one respect; parcels weighing not more than 5 pounds and measuring not more than 60 inches shall be carried at surface rates on a space-available basis to and from all APO addresses.

The Senate provision restricting newspaper and magazine air transportation to combat zones was retained, as was the present method of allocating mail to air carriers.

The managers on the part of the Senate were particularly conscious of the cost of this legislation and the necessity of providing air transportation only on a space-available basis. The rate to be paid to the air carriers will be established by the Civil Aeronautics Board.

The rate paid to air carriers for the airlift of 5-pound parcels to combat zones authorized by Public Law 89–315 enacted last year is 12 cents per ton-mile outbound and 10 cents per ton-mile inbound. The Senate conferees believe that this is a fair rate and provides a reasonable rate of return to the air carriers. The Senate conferees do not believe that the rate to be fixed by the CAB for the carriage of mail matter authorized to be airlifted by H.R. 13448 should exceed this rate, since the mail will be carried on a space-available basis only. The Senate conferees strongly urge the Board to fix a rate which will result in the lowest possible cost to the American taxpayer.

I urge the Senate to act favorably on this conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ADJOURNMENT TO TOMORROW AT 10 A.M.

Mr. HARTKE. Mr. President, under previous order, I move that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 37 minutes p.m.) the Senate adjourned until tomorrow, Thursday, October 13, 1966, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate October 12, 1966:

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Thomas R. Holiman, Donaldson, Ark., in place of W. L. Nabors, retired.

Roy L. Riales, Sr., Mena, Ark., in place of W. B. Martin, retired.

CALIFORNIA

Richard L. Waterbury, Gridley, Calif., in place of C. A. Miller, retired.

GEORGIA

Jerry E. Byers, Demorest, Ga., in place of J. M. Gillespie, retired.

Billy M. Daniell, Mableton, Ga., in place of E. I. Hayes, retired.

ILLINOIS

Charles W. Cornish, Dunlap, Ill., in place of C. H. Harker, Sr., retired.

William F. Clinton, Madison, Ill., in place of H. R. Johnson, retired.

MASSACHUSETTS

Francis J. Morrison, Dalton, Mass., in place of E. J. Culver, retired.

MINNESOTA

Richard W. Brust, Olivia, Minn., in place of H. S. Matteson, retired.

Gladys C. Johnson, Strandquist, Minn., in place of D. E. Johnson, retired.

NEW YORK

Patrick J. Reilly, Larchmont, N.Y., in place of P. A. Lane, retired.

NORTH DAKOTA

Delores E. Moore, Emerado, N. Dak., in place of V. M. Fosnes, retired.

PENNSYLVANIA

Sheldon E. Kleintob, Huntington Mills, Pa., in place of F. E. Holmes, retired.

SOUTH DAKOTA

Milton B. Severyn, Vivian, S. Dak., in place of H. J. Hullinger, retired.

TEXAS

John H. Wood, Dimmitt, Tex., in place of E. L. Davis, deceased.

Wayne I. Burk, Dodd City, Tex., in place of C. H. Yowell, deceased.

William P. Smith, Queen City, Tex., in place of S. O. Beaver, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 12, 1966:

DEPARTMENT OF COMMERCE

Ross D. Davis, of New York, to be an Assistant Secretary of Commerce.

DEPARTMENT OF STATE

Eugene Victor Rostow, of Connecticut, to be Under Secretary of State for Political Affairs.

Foy D. Kohler, of Ohio, a Foreign Service officer of the class of career ambassador, to be a Deputy Under Secretary of State.

Sol M. Linowitz, of New York, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

Ellsworth Bunker, of Vermont, to be Ambassador at Large.

Llewellyn E. Thompson, of Colorado, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics.

Francis J. Galbraith, of South Dakota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

William R. Rivkin, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to The Gambia.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Herbert Salzman, of New York, to be Assistant Administrator for Development Finance and Private Enterprise, Agency for International Development.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Maj. Gen. John J. Davis, U.S. Army, of Kansas, to be an Assistant Director, U.S. Arms Control and Disarmament Agency, with the rank of lieutenant general.

IN THE DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Maurice L. Hawes, to be a Foreign Service officer of class 1, a consular officer, and a secretary in the diplomatic service of the United States of America, and ending Donald R. Tremblay, to be a consular officer of the United States of America, which nominations were received by the Senate and appeared in the Congressional Record on October 6, 1966.

EXTENSIONS OF REMARKS

Hon. Tom Murray Served With Devotion and Distinction as Chairman of the House Committee on Post Office and Civil Service

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. EVINS of Tennessee. Mr. Speaker, permit me to pay a brief tribute to my colleague and friend and member of our Tennessee delegation, the distinguished gentleman from Tennessee, Congressman Tom Murray.

Chairman Murray is retiring from Congress after a career of distinguished and dedicated service. He has served 11 terms in the Congress—22 full, productive, fruitful years of service and achievement.

As chairman of the House Post Office and Civil Service Committee, Tom Murray served with distinction during a period when our population has exploded and the workload of our postal system and civil service has grown at a phenomenal rate.

With the counsel and direction and recommendations of the Post Office and Civil Service Commission, our great postal system has met this great challenge, and has adopted new methods and new techniques to cope with new problems. Chairman Murray deserves much credit for his great service.

Tom Murray is a gentleman, a man of high principle and high character, a man who served his district, his State, and his Nation with dedication and devotion. We will miss Congressman Murray as a stalwart conservative, as he seeks a richly deserved rest. I wish for him every good luck and happiness in his retirement to his beloved State of Tennessee.

Third Anniversary for Chicago's WNUS

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. PUCINSKI. Mr. Speaker, radio station WNUS, the first all-news, 24-hour, radio station in America which operates from its studio in Chicago is observing its third anniversary.

This format of radio broadcasting is rapidly becoming one of the finest methods of serving a public need in a community, and Mr. Gordon McLendon deserves the highest commendation for pioneering in this field.

WNUS serves a most important public need throughout the community of Chicago. It has become Chicago's "instant news" radio station, and one does not realize how much a service like this is appreciated until he leaves Chicago and comes into an area where there is not an all-news radio station operating 24 hours around the clock.

WNUS, with its all-news around the clock broadcasting format, complements the other fine radio stations in Chicago that also carry newscasts regularly scheduled in intervals.

I should like to let my colleagues in Congress know what a truly impressive experience it is to be able to get a complete summary of the world, national and local news by the pressing of a button at any time of the day or night.

Mr. Gordon McLendon had a difficult time getting this concept of "instant news" broadcasting accepted by the advertising industry, but apparently from the respectable list of national advertisers who are now mentioned on WNUS the advertising industry has accepted Mr. McLendon's sound judgment that a community like Chicago not only needs an around the clock news broadcasting facility but can also hold a large audience for a significant period of time.

We in Chicago are very proud of WNUS, for it brings another significant "first" to a city that has earned a reputation for being first in developing projects which serve the entire community.

I have not always agreed with Mr. McLendon. However, it is my judgment that fair play requires that we today, in retrospect, pay tribute to WNUS for the sound judgment it used in bringing an all-news station format to Chicago.

May their success continue.

"Blueprint for Peace," by Prof. Richard N. Gardner

EXTENSION OF REMARKS

OF

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. KUPFERMAN. Mr. Speaker, October 24 is United Nations Day and, while many people will celebrate it with different thoughts in mind, and some might even dispute the validity of any celebration, I am very happy to state that it is also the date for the publication of a very valid and timely book entitled, "Blueprint for Peace," by Prof. Richard N. Gardner.

This McGraw-Hill publication, edited and with an introduction by Professor Gardner, is based on the material submitted and presented to the White House Conference on International Cooperation by 30 panels of distinguished citizens.

The result of the Conference was a series of authoritative reports written under the direction of such eminent citizens as Jerome Wiesner, Harrison Brown, Isidor Rabi, Detlev Bronk, Norman Cousins, Andrew Cordier, Louis Sohn, and Charles Rhyne.

Professor Gardner, who is now professor of law and international relations at Columbia University, served from 1961 to 1965 as U.S. Deputy Assistant Secretary of State for International Organization Affairs. In this assignment he played a leading role in developing programs of international cooperation, not only in peacekeeping and disarmament but in aid and trade, and served as U.S. delegate at many U.N. meetings. He received the Arthur S. Flemming Award for 1963 as 1 of the 10 outstanding young men in the Federal Government. He is the author of two widely praised books on world affairs, "Sterling-Dollar Diplomacy" and "In Pursuit of World Order." He offers in "Blueprint for Peace," his own 10-point program for international cooperation, as well as proposals for following up the White House Conference.

The following are some comments on the book:

> "This is an excellent presentation of the important proposals put before the White House Conference on International Cooperation. As Chairman of this Conference, I commend this volume to men and women around the world who seek a design for living in the atomic age."—Vice President Hubert H. Humphrey.
>
> "This book brings together some of the most authoritative and original thinking in the United States on how to further world peace and welfare. The specific proposals for new programs of international cooperation deserve serious consideration both here and overseas."—Ambassador Arthur J. Goldberg.

In my capacity as editor of the bulletin of the section of international and comparative law of the American Bar Association, I had occasion to work with Mr. Gardner and I am very happy to be able to commend his book to my colleagues because of the creative discussion therein.

Hon. Charles L. Weltner, Man of Courage and Dedication

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. EVINS of Tennessee. Mr. Speaker, I would like to pay a brief but sincere tribute to a splendid young man, the gentleman from Georgia [Mr. Weltner] who is leaving the Congress after a brief sojourn of 4 years with us in the House.

Congressman Weltner had already received the Democratic nomination to be returned to the Congress when he voluntarily retired from the House rather than violate his committed principles.

Congressman Weltner is a Member whom we all admire and respect. As a member of my Committee on Small Business, I have worked closely with Congressman Weltner who has served with a sense of commitment. He proved himself to be a champion of the small businessman and of the public interest. My association with him in the committee and on the floor has enabled me to appreciate his fine qualities as a legislator and as a man. He is a gentleman of high principles and great character. His prospects for advancement in the Congress were bright and promising. We shall miss him as he leaves the Congress, but wish for him good luck, happiness and success in his future endeavors

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Youth Leadership Program

EXTENSION OF REMARKS

OF

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. TEAGUE of California. Mr. Speaker, under leave to extend my remarks, I am taking this opportunity to express my admiration of the splendid work being done by Toastmasters International in the 13th Congressional District of California in their sponsorship of a youth leadership program.

The purpose of this program is to arouse the latent leadership talents in two youth groups, 12 to 14 and 15 to 17, and to prepare them for leadership roles in the community and in business. This is a most worthy endeavor. In their promotion of civil leadership responsibilities, Toastmasters International are playing an important part in directing the interest of youth toward constructive goals and away from less worthy activities which have, in recent years, resulted in all too much juvenile delinquency in our country.

The youth leadership program, as it is being carried out in areas of my congressional district—Point Mugu, Camarillo, Oxnard, Santa Barbara, and others—consist of a seminar of 2 hours once a week for 8 weeks. The basic principles of chairmanship and parliamentary procedures are discussed and practiced.

Group dynamics and evaluations are utilized to motivate participants to think analytically and better present their ideas and thoughts. Better listening and thinking techniques are interwoven to produce meaningful conversation, rather than speechmaking.

The youth leadership program brings whole groups into its seminars, including religious organizations, boys clubs, military employee youths, key clubs, and fraternal organizations. It is most heartening to note that a number of sightless youths are taking part in the program and that greater self-confidence among these is being developed.

I also would like to pay tribute to the various radio and TV stations that are contributing their time to the program. Thirty-minute segments of seminars are being developed for broadcasting and telecasting.

The program, in a very short period of time, has already produced gratifying results, principally in encouraging youths to complete high schools, to enter college, and to seek school and community offices.

Mr. Speaker, I conclude with an expression of hope that this praiseworthy activity of Toastmasters International will be studied and emulated by organizations throughout the country that are devoted to the causes of good citizenship and the advancement of our youth.

William E. Minshall Reports on the 89th Congress

EXTENSION OF REMARKS

OF

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. MINSHALL. Mr. Speaker, the 89th Congress is drawing to a close. During these 2 years of nearly continuous session, Congress has voted to spend $264 billion, about $50 billion more than the entire amount it cost to run our National Government from the First Congress in 1789 through 1942, the first year of World War II.

This year's spending total of $145 billion far surpasses the $119 billion appropriated in 1965. The administration has stated that it will seek even more current-year funds early in 1967, probably in excess of $15 billion. This additional appropriation will propel the total expenditures far above the all-time record set in 1944, the last full year of World War II. Heavy costs of the Vietnam conflict, combined with new and expensive domestic programs, have exploded on the Nation's economy with an inflationary impact felt in every American household.

During this Congress, nearly 20,000 bills were introduced in the House of Representatives, some 900 of which were passed. The House also acted on close to 200 Senate measures. In all, more than 500 pieces of legislation will have been signed into law by the President by the time this session ends.

Both sessions of the 89th Congress established new highs in numbers of rollcalls in the House, with nearly 400 record votes and quorums in each. During my 12 years in Washington, I have answered nearly 3,000 rollcalls for an attendance record of better than 90 percent, which I am pleased to report is one of the best in the House.

APPROPRIATIONS COMMITTEE ASSIGNMENT

Final decisions are reached when a bill comes to a vote on the House floor, but the groundwork for legislation is laid during long hours of committee hearings and executive sessions, where bills are studied, analyzed, discussed and often amended.

My Appropriations Committee assignment includes a massive amount of work as member of two of the most important subcommittees in the entire Congress—Department of Defense and Independent Offices. For the last 8 years I have served on the Defense Subcommittee, which is charged with initial review of the administration's military money requests. Now that a framework of war has been imposed upon my subcommittee's decisions, the task we perform in providing funds for defense is more critical and time-consuming than ever before.

I must emphasize that my primary concern is to find a way to honorably end the war in Vietnam, stop the bloodshed and bring our troops home. I applaud every effort to bring about peace with honor, and shall continue to work diligently in support of all just and genuine efforts to bring the war to a swift conclusion. At the same time, I have the responsibility of overseeing our military system at a time when American men are committed to battle. It is my duty, as a Member of Congress and more specifically as a member of the Defense Subcommittee, to see that they are given the strongest possible support in training and equipment.

This year, after months of day-long interrogation of the Secretary of Defense, the Secretaries of the Army, Navy, and Air Force, and the Joint Chiefs of Staff, the subcommittee reported a $58.6 billion appropriation bill. This figure does not accurately represent the dollar cost of the war in the Far East and I took the House floor last July to urge the administration to present a straightforward, factual cost estimate to the Congress. As we approach adjournment, the President is expected to ask the new 90th Congress for upward of $15 billion in supplemental defense funds to cover expenditures being contracted this year in the Vietnam operation.

The Independent Offices Subcommittee, on which I also serve, evaluates budget requests of the Department of Housing and Urban Affairs and 21 other Federal agencies including the National Aeronautics and Space Administration, Civil Service Commission, Federal Aviation Agency, Federal Communications Commission, General Services Administration, Interstate Commerce Commission, Securities and Exchange Commission, Selective Service System, and Veterans' Administration.

Expenditures involved in the independent offices appropriation exceed $14 billion annually. Activities in this area touch so closely on the day-in, day-out lives of individual citizens that my service as second ranking minority member of the subcommittee is of substantial value to the constituents I serve in the 23d District and Cleveland. Combined, my two subcommittees involve more than $72 billion, better than 60 percent of the total Federal budget.

My intense interest in my committee work and the tremendous amount of time it involves does not preclude concern in other areas of legislation nor in providing prompt and efficient service to constituents who have individual problems involving the Federal Government.

MINSHALL LEGISLATION

During the 89th Congress I have introduced a number of bills and resolutions, several of which were incorporated into legislation which became law. Among them are the following:

H.R. 4266, 4504, 5048 and 7532, to repeal excise taxes on automobiles, telephone service and telegrams, admission to cabarets, motion-picture and legitimate theaters, and on club dues and initiation fees. I opposed subsequent restoration of excise taxes on cars and telephones.

H.R. 7337, designating Vietnam as a combat zone to permit Federal income tax exemptions to U.S. military there, and H.R. 9670, providing free mailing privileges for our Armed Forces in Vietnam.

H.R. 12903, regulating transportation and handling of dogs and cats intended for research or experimentation purposes.

H.R. 13003, to establish a National Traffic Safety Agency.

In addition, I introduced several other bills which I strongly feel should have been enacted into law. They included:

H.R. 17728, providing Federal penalties for persons using interstate transportation or the mails for the purpose of inciting to riot.

H.R. 16624, to provide automatic cost-of-living increases in social security benefits.

H.R. 17698, approving merger of the National and American Football Leagues and protecting attendance at high school and college football games by prohibiting telecasting of professional games on Friday nights.

House Resolution 487, to create a Special Committee on the Captive Nations.

House Resolution 862, to create a Special House Committee to study and recommend revision of existing selective service laws.

MAJOR ACTIONS, 2D SESSION, 89TH CONGRESS

Following is a brief summary of the principal legislative actions of the 89th Congress during the 1966 session:

In the area of national defense and international affairs, Congress appropriated $58.6 billion for the military; authorized $17.8 billion for procurement of aircraft, missiles, naval vessels; $5 billion for NASA; $1 billion for military construction; $3.5 billion for foreign aid, and gave the President authority to call up the Reserves.

On the domestic front, the 1966 session saw authorization of $150 million for urban mass transportation; creation of a Cabinet-level Department of Transportation; $7.2 billion for the Interstate Highway System; a 4-year extension of the war on poverty; enactment of the Truth in Packaging Act, and an increase in minimum wages to $1.60 per hour by 1968 for workers already covered and by 1971 for 8 million additional workers newly covered.

Safety standards were enacted to cover all new and used automobiles, buses, and trucks, and a 3-year, $322 million highway safety program was authorized. Aid to elementary and secondary education, and for higher education facilities, was approved.

Congress voted to accelerate payments of corporate income taxes and increased excise taxes on automobile sales and telephone service. Congress enacted a $2.7 billion water pollution control program, a clean air program, and continued the 7-percent investment credit on expenditures for air and water pollution control facilities.

Veterans with a minimum of 180 days of active duty since January 31, 1955, are covered under the 1966 GI bill of rights which extends educational and housing benefits.

THE 23D DISTRICT, OHIO

It is a privilege to represent the nearly half-million residents of the 23d District, one of the most highly informed, articulate congressional districts in the Nation, and to welcome into its boundaries the first and fourth wards of Cleveland.

As Representative of this outstanding district, I make every effort to keep in close touch with constituents through personal contact, frequent newsletters and occasional opinion polls. When a session adjourns early enough in the fall, I take a traveling office to the district to make myself available for personal office conferences in the various communities.

In addition to my Washington office, I maintain a full-time office at 525 Federal Building in Cleveland. I am always available to residents of the 23d District for counsel and assistance in the increasingly complex problems of Federal Government.

So that constituents may have an opportunity to review the major bills which confronted the House during the 89th Congress, the action taken by the House, and the position I took on each measure, I submit my voting record on key issues for inclusion in the RECORD. If any legislation of particular interest has not been included, I will be more than happy to respond promptly to any inquiries from constituents.

My record is as follows:

Key votes, 89th Cong., 1965–66—Record of William E. Minshall, Member of Congress

Date	Legislation	Action	Minshall
	DEFENSE—FOREIGN AFFAIRS		
May 25, 1965	Foreign aid—Motion to reduce by $131,000,000 and to prohibit Communist-dominated labor unions from working on Latin American housing projects financed by U.S. funds.	Rejected: 178–219	Yea.
Do	Foreign aid authorization of $3,300,000,000	Passed: 249–148	Nay.
June 23, 1965	$45,100,000,000 Department of Defense appropriation	Passed: 407–0	Yea.
Feb. 24, 1966	$415,000,000 aid to Southeast Asia and Dominican Republic	Passed: 350–27	Yea.
Mar. 15, 1966	$13,100,000,000 supplemental defense appropriation to support U.S. military and economic operations in southeast Asia.	Passed: 389–3	Yea.
June 9, 1966	Food for peace	Passed: 353–20	Yea.
July 14, 1966	$4,100,000,000 foreign aid authorization (Senate later cut to $3,500,000,000)	Passed: 237–146	Nay.
July 20, 1966	$58,600,000,000 Department of Defense appropriation	Passed: 393–1	Yea.
Aug. 31, 1966	Peace Corps authorization of $110,000,000	Passed: 322–15	Yea.
	CIVIL RIGHTS LEGISLATION		
July 9, 1965	Voting Rights Act of 1965	Passed: 333–85	Yea.
Aug. 9, 1966	Amendment making it a Federal crime to travel in interstate commerce or use the mails with intent to incite a riot	Adopted: 389–25	Yea.
Do	Motion to delete title IV (open housing provision)	Rejected: 190–222	Yea.
Do	Civil Rights Act of 1966, on passage	Passed: 259–157	Nay.
	AIR AND WATER POLLUTION CONTROL		
Apr. 28, 1965	Water Quality Act authorizing $20,000,000 annually through 1969 to construct community sewage treatment plants	Passed: 396–0	Yea.
Sept. 24, 1965	Clean air and waste disposal, to set standards to control automobile air pollutants and provide $92,000,000 for research on solid waste disposal.	Passed: 294–4	Yea.
Sept. 30, 1966	Amendment to exempt air and water pollution control facilities installed by private industry from suspension of 7-percent investment credit.	Adopted: 330–2	Yea.
Do	$2,700,000,000 Water Pollution Control Act, to improve existing programs	Passed: 312–0	Yea.
	DEBT AND TAXES		
June 2, 1965	Remove excise tax on cosmetics, jewelry, leather goods, telephone service, club fees and dues, theater admissions, automobiles.	Passed: 401–6	Yea.
June 9, 1965	Increase national debt by $4,000,000,000 to $328,000,000,000	Passed: 229–165	Nay.
Feb. 23, 1966	Continue suspension of excise tax on automobiles and telephone service	Failed: 187–207	Yea.
Do	Reinstate excise taxes on automobiles and telephone service, accelerate payment of corporate taxes, and step up payment of social security taxes by self-employed.	Passed: 246–146	Nay.
June 8, 1966	Increase national debt by $2,000,000,000 to $330,000,000,000	Passed: 199–165	Nay.
Sept. 30, 1966	Suspend 7-percent investment credit and allowance of depreciation	Passed: 221–118	Nay.
	WAR ON POVERTY		
Mar. 3, 1965	$1,000,000,000 aid for development of 11-State Appalachian region	Passed: 257–165	Nay.
July 22, 1965	Amendment to reduce war on poverty by $1,000,000,000 and to permit State Governors to have veto power over antipoverty projects.	Defeated: 178–227	Yea.
Do	$1,900,000,000 war on poverty bill, passage	Passed: 245–158	Nay.
Oct. 14, 1965	Amendment to delete rent supplement funds from supplemental appropriation bill	Adopted: 185–162	Yea.
Mar. 29, 1966	Amendment to delete $12,000,000 in rent supplements from 2d supplemental bill	Rejected: 190–198	Yea.
May 10, 1966	Amendment to provide $20,000,000 in rent supplements in addition to existing $12,000,000	Approved: 192–188	Nay.
	HEALTH AND EDUCATION		
Apr. 8, 1965	Voluntary comprehensive medical insurance plan, covering most costs of illness, including hospital, physician, nursing and medicine charges, administered by the Government from Treasury funds and small contributions from participants.	Rejected: 191–236	Yea.
Do	Medicare, covering hospital costs financed by social security, plus a supplementary voluntary health insurance program.	Passed: 313–115	Yea.
Mar. 26, 1965	Federal aid to elementary and secondary schools: $1,000,000,000 for allocation to school districts with large numbers of students from low-income families.	Passed: 263–153	Nay.
Aug. 26, 1965	Higher Education Act of 1965, authorizing a 5-year aid program to college students and to institutions of higher education.	Passed: 368–22	Yea.
June 2, 1966	Library Services and Construction Act	Passed: 336–2	Yea.
Oct. 6, 1966	$1,600,000,000 Federal aid to elementary and secondary schools for allocation to school districts with large numbers of students from low-income families.	Passed: 237–97	Nay.
Do	Amendment stating that U.S. Commissioner of Education may not withhold funds from school districts on basis of noncompliance with Civil Rights Act of 1964 unless there is an express finding that an educational agency has failed to comply.	Adopted: 221–116	Yea.
May 26, 1965	$5,700,000,000 Agriculture appropriation for price supports, storage charges, general administrative costs	Passed: 354–41	Nay.
June 16, 1965	Establish a Department of Housing and Urban Affairs	Passed: 217–184	Yea.
July 28, 1965	Repeal sec. 14(b) of Taft-Hartley Act which permits each State to determine if its citizens want "right to work" laws	Passed: 221–203	Nay.
Aug. 2, 1965	Law Enforcement Assistance Act to support training programs for local law personnel	Passed: 326–0	Yea.
Aug. 25, 1965	Immigration and Nationality Act amendments, to eliminate national origins quota system and set general priorities for admission of immigrants.	Passed: 318–95	Yea.
Apr. 6, 1966	2.9-percent increase in salary for civil service and postal workers	Passed: 393–1	Yea.
Apr. 28, 1966	Regulate transportation, sale, and handling of dogs and cats intended for use in research or experimentation	Passed: 352–10	Yea.
May 26, 1966	Extend and increase minimum wage coverage	Passed: 303–93	Yea.
June 22, 1966	Extend unemployment benefits to 3,500,000 more workers	Passed: 375–10	Yea.
Aug. 16, 1966	Urban Mass Transportation Act	Passed: 236–127	Yea.
Aug. 17, 1966	Traffic Safety Act of 1966	Passed: 371–0	Yea.
Oct. 3, 1966	Truth-in-Packaging Act	Passed: 300–8	Yea.

Action of 89th Congress Reflects Opinions of Northeast Iowans

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EXTENSION OF REMARKS

OF

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. CULVER. Mr. Speaker, this 89th Congress has considered problems and issues which affect every individual, every community, every farm in this country—from the difficult situation we face in Vietnam, to the task of producing food in sufficient quantity to meet our demands at home and abroad, to the increasingly critical problem of death and destruction on our Nation's highways.

In his consideration of these complex and widely varying problems, each Member of Congress faces a dual responsibility to serve his district and his Nation. To many this would appear to present a contradiction and a constant agony of choice and decision, but in fact and practice it rarely does.

For in a representative National Legislature of 435 Members, just as in the economic competition of the marketplace, the most vigorous advocacy of each particular area's needs permits a reasonable compromise which generally represents the national interest. Thus, a Congressman serves his Nation by aggressively serving his district.

In addition, the social and economic interdependence of modern America means that even if a particular area seems to be directly benefited by certain legislation, the indirect effect will be to the benefit of all Americans.

As each Member of this body knows, in performing this responsibility of dual service, a Congressman must have the best possible understanding of the opinions of his constituents, which requires close and constant communication, by a variety of means, between home and his office in Washington.

There are many ways to determine the thinking of your district. I campaigned in 1964 on the major issues and was elected because a majority shared those views. And I feel fortunate in the past 2 years to have been able to fulfill those pledges in the area of education, health, civil rights, conservation, and agriculture.

During these 2 years, I have received about 100 letters a day, and about 70 percent of those have been expressions of views and opinions on legislation before the Congress. In addition, I have made more than 50 trips back to the district when business on the floor of the House permits, to keep in continuous contact with the needs and attitudes of the people I represent.

But, beyond this, I have found that another effective means of obtaining the opinions of my constituents is through the use of a questionnaire. Because the results of my earlier one were so successful, and helpful in my consideration of the issues before the House, I mailed a second questionnaire to all the residents of the Second District late this summer, requesting views on our policy in Vietnam, civil rights, the draft, and a number of bills pending in the House.

I have tabulated the more than 6,000 responses which have already been returned to my office, and under unanimous consent I include results of this questionnaire at this point in the RECORD:

1. Vietnam: Which, if any, of the following policy alternatives would be acceptable to you?

	Percent
Withdraw United States forces from Vietnam and leave the Vietnamese to settle their own problems	12.4
Pull our troops back to defend the coastal cities and air bases while seeking a negotiated settlement	7.3
Continue present policy of using gradually increasing military pressure to stop Communist advances while pursuing initiatives to a satisfactory settlement through negotiations and offers of economic assistance	56.4
Expand the war through increased United States troop commitment and extended bombing of cities in North Vietnam	23.3
No answer	.6

2. Term of Office: A constitutional amendment has been proposed to increase the term of office for a member of the House of Representatives from two to four years beginning in 1972. Would you favor or oppose this change?

	Percent
Favor	52.1
Oppose	37.7
Uncertain	10.2

3. Traffic Safety: I have introduced legislation to establish a National Traffic Safety Agency which would insure a greater coordination of information and promote a more uniform acceptance of proven safety standards in order to reduce the loss of life and property through automobile accidents. Would you favor or oppose this legislation?

	Percent
Favor	73.7
Oppose	14.0
Uncertain	12.3

4. Truth in Lending and Packaging: A truth-in-packaging bill designed to cut down on deceptive and false packaging has been proposed. Do you favor or oppose this bill?

	Percent
Favor	88.1
Oppose	5.3
Uncertain	6.6

A truth-in-lending bill designed to require full disclosure of total costs and rates of charges in the financing of consumers goods and services has also been introduced. Do you approve or disapprove of this bill?

	Percent
Approve	84.1
Disapprove	5.8
Uncertain	10.1

5. Tax Sharing: The expenditures of state and local governments have grown rapidly in recent years and property taxes are at an all-time high. I have proposed that the federal government assist state and local governments in meeting their growing responsibilities by returning a percentage of federal tax revenues directly to the states. Would you favor or oppose such a proposal?

	Percent
Favor	61.4
Oppose	22.7
Uncertain	15.9

6. Department of Transportation: It has been proposed to create a new Cabinet level Department of Transportation to coordinate the efforts of the 35 agencies now administering laws and regulations in this area. Would you favor or oppose this proposal?

	Percent
Favor	52.6
Oppose	21.5
Uncertain	25.9

7. Civil Rights: A civil rights proposal has been introduced which includes a fair housing provision to prohibit discrimination because of race or religion by real estate brokers or firms engaged in the business or renting, selling or financing housing. This proposal would exclude individual home owners and those owners who occupy a portion of a building of four units or less. What is your opinion of this proposal?

	Percent
Favor the bill in its present form	28.5
Favor extending fair housing provision to cover all housing	16.6
Oppose fair housing provision but favor remainder of civil rights bill	25.3
Oppose any further civil rights legislation	28.1
No answer	1.5

8. The Draft: Congress is presently considering changes in the Selective Service System to eliminate inequities in the military draft. Which, if any, of the proposed reforms would you favor?

	Percent
A national service program whereby every young man would serve either in the military, the Peace Corps, VISTA, or other similar programs	27.9
Universal military training for every physically and mentally qualified young man	23.4
A nationwide lottery whereby the names of all eligibles would be placed in a pool and selected at random	12.5
Complete abolition of the draft with sole reliance on professional Military Establishment	8.3
Continuation of present system with revisions to reduce inequities between local boards and individual cases	27.6
No answer	0.3

9. Postal Appointments: I have introduced legislation to remove appointments of postmasters and rural carriers from political patronage and place them totally on a merit system under the jurisdiction of the Civil Service. Would you favor or oppose such legislation?

	Percent
Favor	86.8
Oppose	4.9
Uncertain	8.3

Mr. Speaker, as you will note, four of the measures which the residents of the Second District supported have already been favorably acted upon by the House of Representatives—the Traffic Safety Act, establishment of a Department of Transportation, the civil rights measure with provision exempting the individual homeowner, and a truth-in-packaging bill.

Northeast Iowans have also indicated their approval of my tax-sharing proposal and the legislation which I introduced to remove postal appointments from political patronage, and I will continue to work for passage of these two measures, which are significant not only for Iowa but for the Nation.

The response to my question of policy alternatives in Vietnam demonstrates the primary concern of northeast Iowans about that critical situation. Whereas

89 percent indicated an opinion on this problem in my earlier questionnaire, 99.4 percent have now formed a definite view about our policy in southeast Asia, with the large majority supporting our commitment there.

The very mixed attitudes on proposed changes in existing draft law indicate that, although there is considerable difference of opinion on what should be done to eliminate inequities in our present system, there is little question as to the need for change. Congress and the executive branch are now engaged in review of the selective service, and this issue must command priority attention in the 90th Congress.

Mr. Speaker, the choices which we are called upon to make on the issues which face the Congress and the Nation in these complex times hold vast implications for our future, domestically and in relation to the other nations of the world.

I appreciate the active interest of the people of the Second District in these vital questions, and am grateful for their willingness to assist in this decisionmaking process.

Legal Aid Programs

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. GATHINGS. Mr. Speaker, in the October 8, 1966, issue of the Memphis, Tenn., Commercial Appeal, Editor Frank R. Ahlgren comments most cogently on the legal aid programs financed with antipoverty funds. Mr. Ahlgren's thought-provoking editorial should be given the most careful study, and it is a pleasure to bring the editorial in its entirety to the attention of the Congress.

LEGAL AID FOR THE POOR

Delegates to the National Legal Aid and Defender Association conference in Memphis have appealed to President Johnson and Congress to provide even more neighborhood legal centers in slum areas under the poverty program.

They are asking that the funds for this project be doubled or tripled next year.

The project naturally has wide appeal, for it is true that the poor often are fleeced or denied their rights simply because they don't know where to turn to get good advice or because they cannot afford legal aid.

But before this poverty program plan gets such an increase as its proponents request, there is need to evaluate just what it is that the program now is doing for the poor and what it is doing to the nation's courts because of the way it is being handled.

The District of Columbia, which has become a major poverty-program area due to its preponderance of Negro population, has the oldest and most advanced of the 168 legal aid projects financed by Sargent Shriver's Office of Economic Opportunity. The Neighborhood Legal Service there has been in operation 21 months now.

Unquestionably it has done much good in getting slum landlords to live up to the law on housing standards, preventing invasion of privacy by high-handed welfare investigators and by preventing gouging of borrowers by unscrupulous finance companies.

Yet, Judge Charles W. Halleck of Washington's Court of General Sessions, who has had to deal with the lawyers involved in many of these poverty cases recently has been strongly critical of the program and of the lawyers involved. This despite the fact that Judge Halleck long has been acknowledged as a champion of the poor in his handling of court cases over the years.

"It's no secret that many judges, including myself, are somewhat disenchanted with the Neighborhood Legal Services' attorneys," Judge Halleck told a recent legal meeting.

He charges that instead of giving the poor the hard-headed legal advice they need, helping them to find ways to pay off debts and proving unjust the claims of landlords or finance companies, the NLS lawyers "are using these cases to test novel legal points."

"These crusading knights on white chargers are trying to take every 15-cent case all the way up to the Supreme Court," he says.

Joseph H. Schneider, who headed a District of Columbia Bar Association subcommittee that looked into the NLS activities, also was critical of the poverty lawyers charging they engaged in delaying tactics, judge-picking and ignoring courthouse courtesies. Schneider, other lawyers and several judges have charged the NLS attorneys are "abrasive and discourteous," and the NLS director admits this may be true.

The NLS defends its actions by saying that what they are doing is "novel" only because "no one ever has argued anything on behalf of the poor before."

Surely this is not true, for the Legal Aid Society and other agencies have been in existence a long time and have served the poor on many occasions in the courts on all sorts of matters.

It is obvious that there is sharp division within the legal profession itself as to the methods and perhaps the objectives of this poverty program. It is incumbent upon those who run it to pull back and define more clearly their purposes and to arrange their test cases in such a way that they do not clutter the courts and obstruct justice for the many others who need their decisions.

Until such a definition and arrangement can be demonstrated, Congress and the Administration should move slowly in expansion of the program.

The Honorable Oscar Fendler of Blytheville, Ark., a past president of the Arkansas Bar Association, and one of our Nation's foremost students of the science and philosophy of law, in a comment on this editorial contributes a fine statement to the literature of jurisprudence. This letter also is brought to the attention of the Congress in the hope that careful thought and consideration will be given to these legal aid programs. The letter follows:

BLYTHEVILLE, ARK.,
October 10, 1966.

MR. FRANK R. AHLGREN,
Editor, Commercial Appeal,
Memphis, Tenn.

DEAR MR. AHLGREN: I read with interest your editorial on page six of your Saturday paper, October 8, 1966, "Legal Aid for the Poor."

This letter is not for publication; it's just to express my gratitude to you as being one of the first editorial writers to grasp the real significance of this entire approach for assisting the impoverished or the paupers or the indigents in legal matters.

I have always been strong for "legal aid" and also for "legal reference." Of course, I have always abhorred any interference from the Federal Government in most all matters, since I am conservative by nature. I particularly became concerned with this problem of legal aid under the OEO program. Out of curiosity, I made a one-man survey of the whole United States in February, 1966, just to see what really was happening. After I received replies from 70 or 80 bar associations, both state and local, I wrote an article. I submitted it to the American Bar Association Journal, but they refused to publish it because they said it was too controversial and that I was unfair to Mr. Bamberger. I then submitted it to several of the state bar journals and it was published in the North Carolina Bar, Volume 13, 1966, No. 1, and I send you a copy of that. It was also published in the New Hampshire Bar Journal in the spring of 1966, Volume 8, No. 3. It was published in part in the American Trial Lawyers Association Magazine "Trial" June/July, 1966, and I do enclose a copy of it.

I am certainly no authority in this field, but I had a great fear that this entire OEO program with legal services was really not designed to assist indigents in their everyday problems, but was actually designed to afford them some means to have free legal services to fight civil rights questions. I can also see that this is an attempt to extend the concept of "group legal services" which the U.S. Supreme Court seemed to approve in the Brotherhood case against the State of Virginia and in the NAACP case.

What has given me great apprehension is that leaders of the American Bar including my very good friend, Ed Kuhn of Memphis, has gone to the Congress and told them that we need all of these millions of dollars and have failed to recommend to the Congress that restraints be placed upon the expenditure of that money. I can envision a day in the not-too-distant future when the independent legal profession is no longer independent. I have no fear for myself because at my age, I don't think that I'm going to lose my law business. I'm thinking of the American people and of the concept of liberty and independence that we fought for and that we value.

I shall give you an example. I flew back from Hawaii a week or so ago and had to stop over in Houston, and I picked up a Houston newspaper. In it I saw where some of the legal profession there were threatening the OEO with an injunction because the OEO was going to provide legal services for some Negro woman whose child wanted to get into the ninth grade in one of the junior highs. It turned out that this Negro woman is of good family economically speaking with an income in excess of $10,000.00 a year and not within "indigency" standards. I don't know what has happened to the lawsuit because I wrote to the Houston attorneys and have had no replies.

I don't want this published, but for your information, I'm sending photocopies of your editorial to Senators MCCLELLAN and FULBRIGHT together with a copy of this letter; also to Congressman GATHINGS; also to my attorney friend in West Palm Beach, Al Cone, who is president of American Trial Lawyers; also to the Tennessee Bar Association in Nashville which has opposed this program without restraints; and to my good friend Richard Allen, in Memphis who is or has been president of the Shelby County Bar Association and who is working with me in the Section of General Practice of the American Bar Association. I do not know how far Shelby County Bar Association has gone in establishing this type of law office.

Again, many thanks for being alert and bringing this to the attention of MidSouth readers and I hope to the attention to readers throughout America. With personal regards.

Sincerely,

OSCAR FENDLER

My own view is that a program of this kind is highly irregular, unnecessary, and an invasion upon the practice of the legal profession by the Federal Government. The idea of furnishing free legal aid to people as an adjunct to the economic opportunities program is not needed and never will be needed in my judgment, and I am in complete agreement with the views and observations of the Commercial Appeal and also Mr. Fendler, who is one of my constituents.

I practiced law for many years before entering the Congress and never turned away a poor person who sought legal advice because he was unable to pay me. I can cite many cases of other attorneys in the First District of Arkansas who, to my personal knowledge, have given unstintingly of their time and talents knowing that their clients could not and would not be able to compensate them for their efforts. That situation exists throughout the Nation.

The entry of the Federal Government into the practice of law is a role it should not pursue. This amounts to an unjust encroachment upon private business.

Vice President Humphrey Addressed Disabled American Veterans Convention

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. FARBSTEIN. Mr. Speaker, on August 11, 1966, Vice President HUMPHREY addressed the convention of the Disabled American Veterans in New York City. It gives me great pleasure to submit for the RECORD the text of the Vice President's address:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, DISABLED AMERICAN VETERANS CONVENTION, NEW YORK CITY, AUGUST 11, 1966

I am honored to be in your company. And I wish to express my own deep appreciation of the work you have carried on, for over a third of a century, on behalf of not only those veterans who are DAV members, but on behalf of all disabled veterans.

You have very properly stressed the right and the determination of the disabled veteran to perform a useful and constructive role in our American society. By your work for effective vocational rehabilitation, you have made an invaluable contribution to the maintenance of human dignity—the most precious asset of free men.

I particularly wish to pay tribute to you for your consistent support of the highest-quality professional medical services in our VA hospitals.

I am very much impressed, too, by the program you have launched to help disabled Vietnamese veterans—to show, in Commander Callegary's words, that "we, the wounded of the United States do care what happens to the wounded of South Vietnam."

I doubt that any other single group of Americans knows and appreciates the full gravity of war, as you do.

Few Americans know, as you know, the human toll that is taken by resistance to aggression and force.

Yet, I doubt that there is a man in this room who would say that aggression and force should not be resisted.

If it taught us nothing else, our experience in the Second World War taught us that aggression and international bullying cannot be stopped by kind words and good intentions. We learned the hard lesson, too, that big countries cannot buy their peace and safety through the sacrifice of small countries.

The lessons we learned were expensive and tragic—but less for us than for the citizens of far-away countries whose homes were destroyed, whose families were separated and lost, whose very nations ceased to exist.

We learned some lessons—or at least I thought we did—which have caused us to act as responsible world citizens in these postwar years. For we know that, in this nuclear age, we can no longer afford the luxury of turning toward our happy life at home while violence builds up in the outside world.

Since the end of World War II we have sustained a foreign policy directed toward the building, day-by-day, brick-by-brick, of a world of peaceful nations living together in the spirit of the United Nations Charter.

It is a foreign policy that has been successful both in preventing the expansion of Communist totalitarianism and of avoiding nuclear war—all the while working toward the time when political self-determination, economic well-being, and social justice might be more widely enjoyed through the world.

It is a foreign policy that has carefully avoided the dangerous courses either of appeasement or of nuclear risk-taking.

The United Nations . . . The Marshall Plan . . . Point Four . . . the Alliance for Progress . . . the Peace Corps . . . the Asian Development Bank . . . the International Monetary Fund and World Bank . . . Food for Peace and Food for Freedom . . . the Nuclear Test Ban Treaty—all these things have come from American initiative since World War II.

Firmness in Berlin . . . aid to Greece and Turkey . . . the founding of NATO, CENTO and SEATO . . . the support of Iran when her integrity was threatened . . . resistance to aggression in Korea . . . the determination that hostile nuclear missiles should not be introduced into the Western Hemisphere—these things, too have come from our initiative.

We have built for peace. We have also stood fast against force and the threat of force.

Twice since the end of World War II American Presidents have found it necessary—after sober consideration—to commit our men to battle on a large scale, in Korea and in Vietnam.

Both Korea and Vietnam are thousands of miles away from us, inhabited by people with unfamiliar names.

But, in the nature of things, it is the aggressor who chooses when and where to attack.

Although militant Asian Communists have been the aggressors both in Korea and in Vietnam, their methods have been very different. In Korea we saw the launching of a massive, conventional invasion, with regular troops and tanks, and throughout the war there was a clearly defined front line between the contending forces.

In Vietnam, we are facing a new and complex kind of war, without any fixed front lines and waged at many levels. We and our allies face three major necessities—as separate yet inter-connected as the fingers of a hand.

The first necessity is the one we know from previous wars. It involves seeking out and attacking regular, organized military units.

As I had occasion to see when I visited Vietnam earlier this year, our forces are superbly equipped and superbly led. Allied forces have been inflicting severe losses on the enemy. Yet those losses themselves will not be enough to cause a halt in the aggression.

The second necessity is to meet the guerrilla war waged by marauding Viet Cong bands hidden out in the jungles and rice paddies.

Here the battlefields are not hills, valleys, or rivers, but the people themselves. It is control of the people, not of territory, that the Viet Cong seek. They want the villagers' labor, their rice, their money—and their sons to impress into military service. To get them, they use a cunningly calculated mixture of force and fraud.

To comb out these guerrillas is slow, grinding, undramatic work. But it is being done, and the number of villages which are secure against Viet Cong terror by night, as well as by day, is steadily increasing.

The third necessity of the war—and just as important as the other two—is the need to give the people proof, by word and by deed, that they have more to hope for under self-determination than they do under communism.

In this war, the building of a school or the digging of a well can be as significant as a successful sortie. The mastering of inflation or the holding of an election can be as important as winning a pitched battle.

And, in this part of the struggle, our American military personnel are performing just as well as they are in the war against regular enemy units and guerrilla forces.

They have given medical treatment to over 500,000 Vietnamese in twelve months. During the same period, they have fed almost 300,000 people and distributed over 250,000 pounds of clothing.

In the first five months of this year, they have constructed or rehabilitated 122 schools, 35 dispensaries, and 43 bridges.

I have seen them in action—and our capable and dedicated civilians as well. By their willingness to work with their own hands, and work side-by-side with the Vietnamese people, they are helping to prove that there can be hope for the future.

These, then are the three necessities of the war: The necessity to seek out and destroy the organized enemy units; to clean out guerrillas and terrorists; and to help the Vietnamese people build a just and progressive society.

All are important, and all must be pursued at the same time and with the same commitment.

In the meantime we would much prefer, of course, to move this conflict to the peace table—and we have again and again declared that we are ready to negotiate at any time, at any place, and under any auspices.

We also seek to keep the conflict within limits, so that larger war may be averted.

For example, we have strongly endorsed India's proposal to stiffen the International Control Commission's policing of the Demilitarized Zone between North and South Vietnam. If effective, this would relieve us of the need to respond to Communist violations of this Zone, in order to protect the security of our own forces.

And we welcome the recent initiative by Malaysia, Thailand, and the Philippines toward an Asian Conference on peace in Southeast Asia.

Yet, thus far there has been no encouraging response from the North.

I believe the reason is this: Our adversaries think they can outlast us—that, sooner or later, we will grow weary of the struggle and leave. They still believe that time is on their side.

I say that they are wrong.

Not only is time not on their side in Vietnam. It is not on their side in Southeast Asia—where other independent nations feel the pressure from the North.

The Prime Minister of Singapore recently declared publicly that our stand in Vietnam has not only held Communist aggression there, but that it also have given other Asian nations precious time to strengthen themselves.

And what he said has been repeated, by many leaders of many Asian nations, time and again in recent weeks.

And when I say they are putting their time to use, I do not mean they are using it simply to build stronger and bigger armies.

Asian nations are astir with new leadership and the new realization that they can accomplish far more together than they can separately.

Asian nations, large and small, are working hard—and working together—to build societies strong enough to resist Communist subversion and aggression.

Nine of them, ranging from New Zealand to Japan, recently agreed to set up an Asian and Pacific Council to promote their mutual economic, technical and cultural cooperation—and they are seeking to enlist other nations in the area in their cause.

But this initiative, significant as it was, was not unique. Cooperation is going forward at many levels and in many fields. The Southeast Asia education ministers meet regularly and so do the agricultural experts. The Japanese Government has acted as host for an important gathering of the area's economic ministers.

The Asian Development Bank will open its doors for business in Manila this year. The development of the Mekong River Basin is going forward. Two dams have already been completed in Thailand, and work will begin next year on another in Laos.

This expanding cooperation is powered by economic vigor within the participating countries themselves. For years, Japan has led the world in economic growth. South Korea registered an 8 per cent expansion last year, and Taiwan, Malaysia, and Thailand are close behind.

The Communist thrust for power in Indonesia has been decisively repulsed and its warlike "confrontation" with Malaysia ended. Japan and Korea have put old enmities behind them and negotiated a treaty of friendship. India and Pakistan are at peace.

It will take time for them to gain strength to maintain and defend their own independence, but the nations of free Asia are on the right road. And we are pledged to help them down that road.

And now, the inevitable questions: How long will it take? What will it cost?

It may take years. It could cost many millions of dollars—dollars of our own, of our Western partners, and of our partners in Asia. It will cost work and commitment and, as in Vietnam today, precious human life.

But whatever the cost, it will be far less than the price of leaving aggression unchecked or of abandoning struggling nations.

If we in America—the richest, the strongest, the most powerful single nation in the history of this earth—if we leave the field to aggression . . . to poverty . . . to human misery . . . ignorance . . . hunger, what can the future hold?

I say the future can hold, at best, a succession of troubles, disorders and international injustices which will cause future historians to mark us down as the people who had their chance, and failed.

I say the future can hold, at worst, a spiral of aggression and force which can lead us all down the path to nuclear destruction.

Now, finally, if we—in partnership with others in the world—do meet our responsibilities in Asia, where can the future lead?

Last month, in Omaha, our President called for "reconciliation between nations that now call themselves enemies" and declared that "a peaceful mainland China is central to a peaceful Asia."

I believe that a policy of patience, fortitude and perseverance in Southeast Asia may, in time, convince the leaders of Communist China, and of other Communist states in Asia, that a policy of aggressive expansion cannot succeed.

I believe that it may, in time, convince them that their neighbors have both the means and the will to stand on their own feet.

And I believe, that it may, in time, lead them to the conclusion that it is more in their interests to join the family of nations . . . to join in the struggle for greater human well-being than it is to export their political doctrine by force.

And that is why, even as we resist aggression in Vietnam, we wish to make it clear to those who launch and support aggression, that we are bent neither on their overthrow nor their destruction.

That is why we will take the extra step, today and tomorrow, to seek a way to peace . . . to open the channels of communication . . . to encourage exchange of ideas and people with those who today call us enemy.

For we know—even amid the din of loudspeakers and daily propaganda which surrounds them—there live in Asia, under these regimes, millions of people who have historic reason for friendship with us. We know that their daily concerns are the same as those of poor and hungry people the world over.

And, in our strength, our wealth, and power, we extend our hands to them as to others and we say: We will stand firm. We will not tire. Let us join in the works of peace.

Hon. Leo W. O'Brien Provided Leadership in the Congress in Expanding Our Nation

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. EVINS of Tennessee. Mr. Speaker, our distinguished colleague from the 29th Congressional District of the Empire State of New York, the gentleman from New York [Mr. O'BRIEN], is retiring after having served eight terms in the Congress.

I want to pay tribute to my colleague as he completes a great record of service and commitment to the Nation, to his State, and to his district in the Congress.

He served well in these legislative halls. He has been a workhorse—a workhorse for the people he represents. And he has been an effective and able member of the Committee on Interior and Insular Affairs and Interstate and Foreign Commerce.

He provided leadership in broadening and expanding our Nation to include our new States, Alaska and Hawaii. He has shown vision—and he has been a man of action.

We will miss our great able and genial friend from New York. I wish for him the best of good luck and happiness as he leaves the Congress.

Proposed Revision of Social Security Law

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 12, 1966

Mr. ST. ONGE. Mr. Speaker, one of the most urgent domestic problems facing our country today is that of providing an adequate income for our retired citizens and others living on fixed incomes in a time of rapidly rising prices. These people have worked long and hard and have looked forward to comfortable and secure years of retirement. Instead of security and happiness they have more and more been plagued by the specter of being unable to provide even the basic necessities of life, such as food, shelter, and clothing.

Social security now is, and for the determinable future will be, the principal or sole income for most retirees. Even after a decade and a half of rapid and far-reaching liberalization of the program, social security benefits still fall dismally short of the needs of the elderly people who look to it for their major or only source of support.

The provisions of the present act, even considering the new creditable earnings, will not significantly ameliorate the lot of lower paid workers, their dependents and—most needy of all—their survivors. At no level will present social security benefits enable a retiree and his wife—or later his widow—to avoid serious reduction in the standard of living they achieved while working.

I believe that it is the responsibility of our society as a whole to insure that our older citizens, the widows, and all those unable to provide for themselves because of old age and disability, are able to face the future with security and dignity. In addition, the Nation owes the retired a decent standard of living for their past efforts in helping to build and achieve our present economy.

Economically, it is sound and even desirable that this group of citizens have additional income. Their funds are, by necessity, spent on services or consumer items, and thus the economy as a whole is continuously primed. Even more important is the social and human good that comes from providing the minimum standard of living through an improved social security program, rather than supplementing inadequate benefits with relief and welfare subsidies.

My bill amending the present social security legislation will provide the following increases in benefits: The minimum monthly benefits payable will be raised from the present $44 to $90, effective January 1, 1968, and as of that date there will also be an increase in overall retirement benefits by an average of approximately 50 percent. The increase will be slightly greater for those whose lifetime earnings were lowest. Thus, persons whose lifetime earnings averaged from $95 to $250 a month will receive a 50 percent increase in benefits, while the man who earned $500 a month during his lifetime will receive an increase of just under 40 percent. However, those whose lifetime wages have averaged $95 a month or less will receive $90 in benefits, or $135 a month if there is a wife who is 65 and therefore qualifies for marital benefits. For these persons the benefits will be more than doubled.

This legislation will raise a widow's benefits from the present level of 82½ percent of the amount received by her deceased husband to 100 percent. It will allow her to receive her widow's share and simultaneously any old-age or disability benefits to which she may be entitled. It will also raise the limit of the amount of outside income that a person may earn to $2,000, instead of $1,500, while receiving benefits under the social security system.

My bill also provides for an alternative method for computing benefits based upon the individual's average monthly earnings during his 10 highest consecutive years of employment. Therefore, benefits will more directly reflect a man's productivity during his best working years, and thus increase the monthly pension check of millions of beneficiaries.

In order to finance the additional benefits the payroll tax will be increased from its present level of 3.85 percent, not including medicare, to 5 percent each for the employer and the employee by a series of step increases over the coming years.

The earning and benefit levels will be increased to $12,000 in 1967 and $15,000 in 1968, thus returning to the original concept of social security when first enacted, that those contributing would be doing so on the basis of their full salary. At present only about 65 percent of those who pay into the social security fund do so on their full salary. To prevent this type of imbalance in the future, my bill provides for the automatic adjustment of contributions and earnings base to reflect changes in national earnings levels.

There are two additional features of this bill which should be emphasized. The first is the provision for an automatic adjustment of benefits to meet changes in the cost of living. The adequacy of the social security program in the past has been seriously weakened because the benefits have remained more or less stationary, while the cost of living has risen. Under the bill, benefits will rise 1 percent with each corresponding rise in the consumer price index. The benefits granted by Congress under this bill will therefore keep abreast with inflation, rather than merely make up for what has been lost.

The bill does not consider all the possibilities for automatic adjustments to keep pace with changing economic conditions. It does not, for instance, have any provision for giving additional benefits to reflect the increases in real income that others in the economy receive when productivity rises. This is one of several far-reaching questions which the Congress will want to explore in reexamining the entire social security program. However, by including some automatic adjustment features, the bill will do far more than provide for monetary needs and will be responsive to reasonably expected future requirements.

A second significant feature is that for the first time benefits will be financed partly out of general tax revenues. The bill provides a formula whereby equal amounts will be contributed out of general revenues beginning in fiscal year 1969. By 1977 general revenues will finance 35 percent of the social security system. The partial financing of benefits from general revenue is not a new approach, and in fact was anticipated by the first Presidentially appointed Council of Economic Security, whose deliberations preceded the enactment of the original legislation.

By attempting to meet all of the social security costs by means of a payroll tax would be regressive taxation and put a disproportionate burden on those we are trying to help most, and those least able to meet such a burden. Financing cost in part from general revenues would represent progressive taxation, and would take advantage of the broadly based graduated individual and corporate tax structure and place more of the burden on those best able to pay.

This bill is not revolutionary, but its passage now is essential in providing immediate increases in benefits to the large segment of the population living at or below the poverty level. The bill is also important for its introduction of automatic adjustments to meet changes in the economy, and financing part of the cost from general revenues. Finally, it provides the basis for an intensive and very necessary review of this all-important area of domestic legislation.

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